

Resolution No. 2024-125 N.C.S. of the City of Petaluma, California

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA AUTHORIZING STAFF TO PREPARE A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN HOUSING AND ECONOMIC OPPORTUNITY OVERLAY AND EKN APPELLATION HOTEL PROJECT

WHEREAS, on April 11, 2022, Mike Jolly of EKN Development Group submitted a Site Plan and Architectural Review application proposing the development of a 93-room hotel with ancillary food service, parking, and event space at 2 Petaluma Blvd. South; and

WHEREAS, the height, floor area ratio, and lot coverage proposed by EKN exceeded development maximums established by the Implementing Zoning Ordinance (IZO), and the floor area ratio also exceeded the maximum set for the land use classification by the 2025 General Plan (General Plan); and

WHEREAS, the City advised the applicant that the hotel project must be revised to comply with current applicable IZO and General Plan standards and regulations, or amendments to the IZO and General Plan must be requested to allow for Planning review to proceed, and EKN elected to apply for amendments; and

WHEREAS, following a preliminary review of the applicant's preferred alternatives and in discussion with the City, the applicant submitted applications to create a zoning overlay, formally referred to as the Downtown Housing & Economic Opportunity Overlay (Overlay), and this Overlay was first presented to the community at a public hearing study session held by the Planning Commission and the Historic Cultural Preservation Committee (HCPC) on June 13, 2023, and then later at the Planning Commission on August 8, the HCPC on October 3; and

WHEREAS, in response to Planning Commission, HCPC, and community feedback, the scope of the Overlay was refined to become the Overlay, consisting of Subareas A, B, and C;

WHEREAS, on November 14, 2023, a public hearing was held by the Planning Commission and HCPC to consider a Draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Hotel and Overlay, and the Planning Commission was asked to make a recommendation to the City Council to approve the General Plan, Zoning Map, and Zoning Text Amendments required to adopt and implement the proposed Overlay; and

WHEREAS, on November 14, 2023, the HCPC was asked to adopt a resolution to recommend that the Planning Commission recommend that the City Council adopt an Ordinance to amend the General Plan, Zoning Map, and Zoning Text Amendments, but the motion to adopt the resolution was not approved; and

WHEREAS, on November 14, 2023, the Planning Commission considered the proposed IS/MND in accordance with Section 15074 of the CEQA Guidelines and adopted a resolution to recommend that the Council approve the General Plan, Zoning Map, and Zoning Text Amendments required to adopt and implement the proposed Downtown Housing & Economic Opportunity Overlay; and

WHEREAS, in November 2023, the City commenced preparation of an Environmental Impact Report (EIR) for the Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel (the Project) to provide greater analysis on the potential impacts of the Project and to provide additional information for the public and reviewing bodies; and

WHEREAS, on April 12, 2024, the City released an Initial Study and Notice of Preparation (IS/NOP) to provide notice to public agencies and the public that the City of Petaluma, as the Lead Agency, would prepare an EIR for the Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Initial Study prepared for the Project analyzed potential impacts pertaining to all of the resource areas identified in Appendix G of the CEQA Guidelines to find that potentially significant environmental impacts could occur and that additional analysis would be required in the EIR to address Aesthetic Resources, Cultural Resources, and Tribal Cultural Resources, other required sections of CEQA, and consideration of alternatives, while potential Air Quality, Agricultural and Forestry Resources, Biological Resources, Greenhouse Gases, Energy, Geology, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire environmental impacts were found to be less than significant and would not require additional review in the EIR; and

WHEREAS, the IS/NOP comment period began on April 12, 2024, and ended on May 13, 2024; and

WHEREAS, the City held a public scoping meeting on May 1, 2024, at the Petaluma Community Center to solicit public input on the scope of the EIR; and

WHEREAS, following the EIR scoping period and based on comments received, the scope of the Draft EIR was expanded to include Land Use and Planning, as one of the potentially significant environmental impacts in addition to Aesthetic Resources, Cultural Resources, and Tribal Cultural Resources, as well as the inclusion of a chapter addressing all environmental topics found to be less than significant; and

WHEREAS, on August 23, 2024, the City released a Notice of Completion/Notice of Availability (NOC/NOA) that a Draft EIR was prepared, provided the Draft EIR to the State Clearing House, posted the Draft EIR on the City's Website, and provided hard copies of the Draft EIR in City Hall and at the Petaluma Community Center; and

WHEREAS, public notice of the NOC/NOA was published in the Argus-Courier on August 23, 2024, and mailed to all property owners and occupants within 1,000 feet of the Overlay Study area, which includes the site of the Hotel; and on September 13, 2024, public notice of a joint Planning Commission and HCPC public hearing on the Draft EIR, scheduled for September 24, 2024, was published in the Argus-Courier and mailed to all property owners and occupants within 1,000 feet of the Overlay study area, which includes the site of the Hotel; and on September 12, 2024, two public notice signs were installed at 2 Petaluma Boulevard South to provide notice of the joint Planning Commission & HCPC hearings on the Draft EIR; and

WHEREAS, the distribution of public noticing of the NOC/NOA and the availability of the Draft EIR initiated a 45-day public comment period beginning on August 23, 2024, and ending on October 7, 2024; and

WHEREAS, the comment period on the Draft EIR was extended by two weeks to close on October 21, 2024, through which time, the City will continue to collect public comments; and

WHEREAS, a duly noticed public hearing was held on September 24, 2024, for the Planning Commission and the HCPC to consider information presented by staff and to receive public comment regarding the Draft EIR; and

WHEREAS, at the September 24, 2024, public hearing, the Planning Commission and the HCPC considered staff, public, and agency comments on the Project, the staff report, and the Draft EIR, including all attachments; and

WHEREAS, by a vote of 4-0, the HCPC recommended to the Planning Commission that the Commission recommend to the City Council preparation of a Final EIR for the Project, subject to recommendations; and

WHEREAS, after conducting a public hearing and considering staff and public comments, as well as comment and a motion from the HCPC, regarding the Draft EIR for the Project, the Planning Commission of the City of Petaluma, by a vote of 5-1, with Commissioner Newell absent, voted to recommend that the City Council direct staff to proceed with preparation of the Final Environmental Impact Report (Final EIR) for the Project with recommendations; and

WHEREAS, the Planning Commission recommendation included specific modifications for the Council's consideration (Planning Commission Resolution 2024-12), which has been taken into account by Council prior to providing direction on the Final EIR; and

WHEREAS, on September 27, 2024, public notice of the City Council public hearing on the Draft EIR, scheduled for October 7, 2024, was published in the Argus-Courier and mailed to all property owners and occupants within 1,000 feet of the Overlay study area, which includes the site of the Hotel; and the two public notice signs installed at 2 Petaluma Boulevard South were updated to provide notice of the Council hearing on the Draft EIR; and

WHEREAS, a duly noticed public hearing was held on October 7, 2024 for the City Council to consider information presented by staff and to receive public comment regarding the Draft EIR; and

WHEREAS, at the October 7, 2024, public hearing, the City Council considered staff, public, and agency comments on the Project, the staff report, and the Draft EIR including all attachments, along with the recommendation received from the Planning Commission to direct preparation of the Final EIR; and

WHEREAS, the Draft EIR prepared for the Projects has been prepared in full compliance with the California Environmental Quality Act ("CEQA") and local CEQA Guidelines; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petaluma as follows:


1. The above recitals are hereby declared to be true and correct and are incorporated into the Resolution as findings of the City Council.
2. Staff are hereby authorized and directed to prepare the Final EIR for the Project in accordance with the City's Environmental Review Guidelines and the requirements of CEQA.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 7th day of October 2024, by the following vote:

Approved as to
form:

DocuSigned by:

5EF85AE94F5010 City Attorney

AYES:

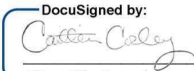
McDonnell, Barnacle, Cader Thompson, Pocekay,

NOES:

Healy, Nau, Shribbs

ABSENT: None

ABSTAIN: None

ATTEST: 
Catherine Coley
City Clerk

Signed by: 
Kevin McDonnell
FE316449A062476...
Mayor

EXECUTIVE SUMMARY

Purpose

This Draft Environmental Impact Report (Draft EIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the EKN Hotel and Downtown Housing and Economic Opportunity Overlay Project (State Clearinghouse No. 2024040565). This document is prepared in conformance with CEQA (Public Resources Code [PRC] § 21000, *et seq.*) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, § 15000, *et seq.*).

The purpose of this Draft EIR is to inform decision-makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from implementation of the proposed project. This Draft EIR describes potential impacts relating to a wide variety of environmental issues and methods by which these impacts can be mitigated or avoided.

Project Summary

Project Location

City of Petaluma

Petaluma's Urban Growth Boundary (UGB) defines the limits within which urban development may occur and encompasses approximately 9,911 acres. The UGB was implemented in 1987 (as the Urban Limit Line), was formally adopted as the UGB in 1998 via Measure I and is set to expire in 2025. However, in June 2024, the City Council unanimously approved placing the extension of the UGB with modification on the November ballot, which if approved by voters would take effect on January 1, 2025, and extend the UGB through 2050. The City of Petaluma General Plan EIR evaluated potential impacts associated with existing development and buildout of all land uses within the UGB. The proposed project is located within the UGB.

Downtown Housing and Economic Opportunity Overlay

The proposed Downtown Housing and Economic Opportunity Overlay (Overlay) is approximately 12.18-acres and is located within Downtown and is within 0.5 mile of the Downton Sonoma Marin Area Rail Transit (SMART) station. The Overlay comprises Areas A, B, and C (Exhibit 2-2).

EKN Appellation Hotel

The EKN Appellation Hotel (Hotel) component of the proposed project is located on an approximately 13,892-square-foot site is comprised of three parcels (Assessor's Parcel Numbers [APNs] 008-063-008, 008-063-009, and 008-063-011) at the southeast corner of Petaluma Boulevard South and B Street within Overlay Area A (Exhibit 2-2). The Hotel site address is 2 Petaluma Boulevard.

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Project Description

Downtown Housing and Economic Opportunity Overlay

Implementation of the Downtown Housing and Economic Opportunity Overlay would require a General Plan and Zoning Amendment.

General Plan Amendment

The proposed General Plan Amendment would increase the maximum floor area ratio (FAR) for the Mixed Use (MU) designation from 2.5 to 6 for areas located within the Overlay. The increase in maximum FAR from 2.5 to 6 would allow for a potential increase in employment-generating uses, such as retail, office, and commercial uses. The existing residential density requirements (30 dwelling units/acre) would be maintained such that the Overlay would not result in an increase in residential population beyond what is already projected as part of General Plan buildout and what was already evaluated and disclosed in the General Plan Final EIR. No changes to the Public/Semi-Public (PSP) land use designation with the Overlay would occur.

The Overlay would allow development at a FAR of up to 6, representing a maximum additional 1,549,776 square feet of nonresidential development above what is already allowed by the General Plan (1,106,983 square feet). Consistent with the pace of development that the City has experienced over the past two decades,⁵ this Draft EIR evaluates an increment of development that could reasonably be expected to occur with the implementation of the Overlay over the next 20 years. Assuming that 25 percent of the Overlay buildout potential is achieved during a 20-year horizon period, a total of 387,444 additional square feet of nonresidential development could be expected beyond what is already allowed within the Overlay Area by the current General Plan.

Zoning Amendment

Zoning amendments would be necessary to implement the General Plan Amendment. The proposed Zoning Map Amendment would establish the boundaries of the Overlay and any parcels located within the Overlay would be subject to the applicable development standards and regulations. The proposed Zoning Text Amendment would establish regulations and development standards for the Overlay. The Implementing Zoning Ordinance (IZO) would be amended to apply new rules/development standards to properties within the Overlay to:

- Allow for ground floor residential uses;
- Describe and define the areas subject to the Pedestrian/Façade Activation and Ground Floor Residential Zones;
- Establish a Conditional Use Permit (CUP) process and required findings/review criteria to allow for an increase to the Building Height limit of 45 feet to a maximum of 75 feet;
- Establish a CUP process and required findings/review criteria to allow for an increase of the Lot Coverage limit from 80 percent to 100 percent;
- Increase the FAR limit from 2.5 to 6;
- Eliminate the setback standards; and
- Add new stepback standards.

EKN Appellation Hotel

The proposed Hotel consists of the construction of a 93-room, 6-story (approximately 66-foot 7 inch) Hotel over a below-grade, 58-space parking garage.⁸ The gross building area is approximately 77,000 gross square feet inclusive of three outdoor spaces including a 901-square-foot ground floor seating area, an 898-square-foot second floor terrace, and a 5,585-square-foot rooftop terrace (Exhibit 2-7).

Project Objectives

- The objectives of the proposed project are as follows:

Applicant Objectives

- Provide a high-quality hotel in Downtown Petaluma to address current and future unmet demand for lodging.
- Support the local community by providing community amenities and services, including indoor-outdoor gathering spaces to accommodate meetings and events, and a farm-to-table restaurant that promotes local and regional chefs, restaurateurs, farmers, winemakers, and artisans.
- Contribute to increasing the City's tax base by providing 93 hotel rooms, event space, and food and beverage services in Downtown Petaluma.

City Objectives

- Create a desirable location for visitors and the community by providing ground floor activation, pedestrian scale façades, high quality streetscapes that include primary entrances that face the street, links toward the Petaluma River with access and visibility, and context sensitive building designs.
- Ensure that architectural design and materials introduced to the Overlay within the City of Petaluma's Downtown core are appropriate in their celebration of the past, present, and future with a focus on sustainability.
- Promote a diversity of housing products by allowing for residential uses in ground floor spaces and flexibility in building forms.
- Support Downtown businesses and commerce by providing a diversity of accommodations, a range of housing types, and a variety of commercial services.
- Provide opportunities for economic development by allowing for flexibility in building forms and FAR to accommodate a variety of commercial services to meet evolving demands.
- Preserve the Integrity of the Commercial Historic District and promote the preservation, maintenance, and ongoing use of listed and eligible historic buildings within Petaluma's Downtown.
- Continue to preserve exceptional examples of architectural history while providing opportunities to develop new exceptional examples of architecture in Downtown Petaluma.

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- Incentivize investment to support local businesses, the community, and preserve the historic character of the City's Downtown core.
- Improve the function and design of the downtown core by establishing overlay sites to promote development that would strengthen the attractiveness and the connectivity of residential, mixed use and commercial areas to amenities and services in downtown area.

Significant Unavoidable Adverse Impacts

The proposed project was analyzed for potentially significant impacts related to each of the environmental topic areas discussed in Chapter 3, Environmental Impact Analysis, and Chapter 4, Additional Effects Evaluated in the Initial Study. The results of the analysis demonstrate that the proposed project would not result in any significant and unavoidable impacts.

Summary of Project Alternatives

Below is a summary of the alternatives to the proposed project considered in Chapter 6, Alternatives to the Proposed Project.

No Project Alternative

Under the No Project (Alternative 1), the Overlay would not be approved, and the proposed Hotel project would not be constructed. As a result, FAR, height, lot coverage, or other development standards would not be changed. The Hotel project site would remain vacant, and no development would occur. No land use activities would occur.

Reduced Area C Alternative

Under the Reduced Area C Alternative (Alternative 2), Overlay Area C would be reduced. The components of the Hotel project would remain unchanged, including proposed project access.

Reduced Height Alternative

Under the Reduced Height Alternative (Alternative 3), similar to the proposed project, the Overlay would apply to Areas A, B and C as proposed, the allowable floor area ratio would increase from 2.5 to 6.0 and lot coverage from 80 percent to 100 percent subject to approval of a conditional use permit. However, building height throughout the Overlay would be limited to 45 feet. The Hotel component of the proposed project would be reduced to a height of approximately 45 feet consisting of a 4-story Hotel over a below-grade parking garage. Accordingly, a Conditional Use Permit (CUP) would not be required of the Hotel to allow for increased height; however, a CUP would be required for lot coverage, similar to the proposed project. The 4-story Hotel would include a ground floor restaurant and kitchen. The second through fourth floors would include approximately 74 guestrooms. The rooftop terrace and enclosed event space envisioned by the proposed project would not be included in this Alternative.

Areas of Controversy

Pursuant to CEQA Guidelines Section 15123(b), a summary section must address areas of controversy known to the lead agency, including issues raised by agencies and the public, and it must also address issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects.

A Notice of Preparation (NOP) for the proposed project was issued on April 12, 2024. The NOP describing the original concept for the project and issues to be addressed in the EIR was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period extending from April 12, 2024, through May 13, 2024. The NOP identified the potential for significant impacts on the environment related to the following topical areas:

- Section 3.1—Aesthetics
- Section 3.2—Cultural Resources and Tribal Cultural Resources
- Section 3.3—Land Use and Planning

Disagreement Among Experts

This Draft EIR contains substantial evidence to support all the conclusions presented herein. It is possible that there will be disagreement among various parties regarding these conclusions, although the City of Petaluma is not aware of any disputed conclusions at the time of this writing. Both the CEQA Guidelines and case law clearly provide the standards for treating disagreement among experts. Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR must acknowledge the controversies, summarize the conflicting opinions of the experts, and include sufficient information to allow the public and decision-makers to make an informed judgment about the environmental consequences of the proposed project.

Potentially Controversial Issues

Below is a list of potentially controversial issues that may be raised during the public review and hearing process of this Draft EIR:

- Aesthetics
- Cultural and Tribal Cultural Resources
- Land Use and Planning

It is also possible that evidence will be presented during the 45-day, statutory Draft EIR public review period that may create disagreement. Decision-makers would consider this evidence during the public hearing process.

In rendering a decision on a project where there is disagreement among experts, the decision-makers are not obligated to select the most environmentally preferable viewpoint. Decision-makers are vested with the ability to choose whatever viewpoint is preferable and need not resolve a dispute among experts. In their proceedings, decision-makers must consider comments received

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concerning the adequacy of the Draft EIR and address any objections raised in these comments. However, decision-makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on the Draft EIR, and can certify the Final EIR without needing to resolve disagreements among experts.

Public Review of the Draft EIR

Upon completion of the Draft EIR, the City of Petaluma filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (PRC § 21161). Concurrent with the NOC, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review at the City of Petaluma Community Development Department as well as at the Petaluma Community Center. The address for each location is provided below:

City of Petaluma Community Development Department
City of Petaluma
11 English Street
Petaluma, CA 94952

Petaluma Community Center
320 North McDowell Boulevard
Petaluma, CA 94952

The Draft EIR is also available for review at the following website:
<https://cityofpetaluma.org/economic-opportunity-overlay-ekn-appellation-projects/>.

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

City of Petaluma Community Development Department
Olivia Ervin, Principal Environmental Planner
City of Petaluma
11 English Street
Petaluma, CA 94952
Phone: 707.778.4556
Email: oervin@cityofpetaluma.org

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearing before the City of Petaluma on the project, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the project.

Executive Summary Matrix

Table ES-1 below summarizes the impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the proposed project. The table is intended to provide an overview; narrative discussions for the issue areas are included in the corresponding section of this EIR. Table ES-1 is included in the EIR as required by CEQA Guidelines Section 15123(b)(1).

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Table ES-1: Executive Summary Matrix

Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 3.1—Aesthetics		
Impact AES-1: The proposed project could have a substantial adverse effect on a scenic vista.	Implement MM Overlay CUL-1e .	Less than significant impact with mitigation incorporated.
Impact AES-2: The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway.	None required.	N/A
Impact AES-3: The proposed project is within an urbanized area. The proposed project would not conflict with applicable zoning and other regulations governing scenic quality.	None required.	N/A
Impact AES-4: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	None required.	N/A
Impact AES-5: The effects of shadow and shade are not identified by CEQA or the City as potential environmental impacts. Nonetheless, an analysis of the proposed Hotel's shadow has been prepared, the results of which have been summarized here for informational purposes.	None required.	N/A
Cumulative Impact: The proposed project would have less than significant cumulative aesthetics impacts with incorporation of mitigation.	Implement MM Overlay CUL-1e .	Less than significant impact.
Section 3.2—Cultural Resources and Tribal Cultural Resources		
Impact CUL-1: The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.	MM Overlay CUL-1a: Individual development projects which propose to alter a building or structure greater than 45 years of age shall be subject to a historical resources evaluation (HRE), performed by an architectural historian or historian who meets the Secretary of the Interior's Professionally Qualified Standards in architectural history or history. The	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>HRE shall include a records search to determine whether any resources that may be potentially affected by the project have been previously recorded, evaluated, and/ or designated in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or a local register. Following the records search, the qualified architectural historian shall conduct a survey in accordance with the California Office of Historic Preservation (OHP) guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project.</p> <ul style="list-style-type: none"> • The criteria for determining a historically significant building or structure shall meet one or more of the criteria outlined in Public Resources Code Section 5024.1 and CEQA Guidelines Section 15064.5(a). <p>MM Overlay CUL-1b: Properties identified as historically significant resources, shall contain proper documentation meeting the Historic American Building Survey (HABS) Guidelines that shall be prepared and implemented, as approved by the qualified historian meeting the Secretary of the Interior's Professional Qualifications Standards. Such documentation shall include drawings, photographs, and written data for each building/structure/element, and provide a detailed mitigation plan, including a monitoring program, recovery, rehabilitation, redesign, relocation, and/or in situ preservation plan.</p> <p>MM Overlay CUL-1c: To ensure that projects requiring the relocation, rehabilitation, or alternation of a historical resource do not impact the resource's significance, the Secretary of Interior's Standards for the Treatments of Historic Properties shall be used to the maximum extent possible. The application of the standards shall be overseen by a qualified architectural historian or historic architect meeting the Professional Qualified Standards. Prior to any construction activities that may affect the historical resource, a Historic Resource Evaluation (HRE) identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City for review and approval.</p> <p>MM Overlay CUL-1d: If a proposed project would result in the significant alteration of historical resources, recordation of the resource prior to</p>	

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Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible. Recordation shall take the form of Historic American Buildings Survey, Historic American Engineering Record, or Historic American Landscape Survey documentation and shall be performed by an architectural historian or historian who meets the Professional Qualified Standards. Documentation shall include an architectural and historical narrative; medium- or large-format black-and-white photographs, negatives, and prints; and supplementary information such as building plans and elevations, and/or historical photographs. Documentation shall be reproduced on archival paper and placed in appropriate local, State, or federal institutions. The specific scope and details of documentation are to be developed in coordination with the City of Petaluma.</p> <p>MM Overlay CUL-1e Future developments within the Overlay that propose height above 45-feet or a lot coverage about 80 percent would be required to obtain a Conditional Use Permit (CUP) issued by the Planning Commission (PC) based on specific findings after a public hearing. A CUP can only be granted if the building height is 75-feet or below. Affirmative findings for each of the following criteria, supported by substantial evidence in the record, is required for approval of a CUP application for increased height up to 60 feet:</p> <ol style="list-style-type: none"> 1. The additional height is consistent with the applicable purposes of the proposed Overlay; 2. The additional height makes a positive contribution to the overall character of the area and that the building would be compatible with its surroundings. The “positive contribution” and “compatibility” will be assessed using a combination of visual studies, line-of-sight drawings, photo simulations, 3-D modeling, and view shed analysis. 3. The additional height would adversely affect the exterior architectural characteristics or other features of the property which is the subject of the application, nor adversely affect its relationship in terms of harmony and appropriateness with its surroundings, including neighboring structures, nor adversely affect the character, or the historical, architectural, or aesthetic interest or value of the district; 	

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Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>4. The additional height would not result in unreasonable restrictions of light and air from adjacent properties or the public right-of-way, or otherwise be detrimental to the public health, safety, or welfare; and</p> <p>5. The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.</p> <p>Additional findings must be made for buildings that are between 60 and 75 feet. A proposed project must include at least two of the of the community benefits described in 1, 2, and 3 below and one of the community benefits described in 4, 5, and 6 below:</p> <ol style="list-style-type: none"> Improves the existing streetscape by providing widened sidewalks, additional street trees, new mid-block walkways/paseos, public plazas, parks, etc. For a project that would widen the sidewalk by increasing the ground floor building setback, a public outdoor amenity space shall be included in the design, and this space shall be designed and configured to provide adequate space for pedestrian movement and activity. Provides publicly accessible private open space, such as a street-level park or rooftop open space that is open to the public at least 8 hours per day and at least 120 days per year; Demonstrates exceptional architecture/design. "Exceptional" architecture/design may be demonstrated by any of the following: <ol style="list-style-type: none"> The use of innovative, creative, or original architectural concepts, materials, or building techniques; The use of visual elements that contribute positively to the built environment, such as well-proportioned facades, pleasing materials, and unique features; The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption; The use of low impact development and green infrastructure features in sustainable design and landscaping; or The use of high-quality building materials that contribute to long-term durability and visual quality. 	

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Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur on-site or within the Overlay;</p> <p>5. Exceeds the minimum number of Inclusionary Dwelling units required by IZO Section 3.040; or</p> <p>6. Provides all required parking below grade.</p> <p>The Planning Commission may approve a Conditional Use Permit to allow for additional lot coverage above 80% if any one or more of the following are true for a project:</p> <ol style="list-style-type: none"> 1. The development improves the existing streetscape by providing widened sidewalks, additional street trees, new mid-block walkways/paseos, public plazas, parks, etc; 2. The additional lot coverage would reflect the prevailing development pattern established by the existing development within the block or abutting block; 3. The development includes adequate provision for recycling and solid waste; 4. The development includes adequate space for street trees, or 5. The development includes other measures to enhance the pedestrian environment. <p>If the PC does not make these findings, it cannot issue a CUP and the project would not be approved.</p>	
<p>Impact CUL-2: The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.</p>	<p>MM Overlay CUL-2: To determine the archaeological sensitivity for individual development projects within the Overlay Area, and pursuant to General Plan Policy Impact 3-P-1(D-K), an archaeological resources assessment shall be performed under the supervision of an Archaeologist that meets the Secretary of the Interior's Professional Qualified Standards in either prehistoric or historic archaeology. The assessments shall include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) and a search of the Sacred Lands File (SLF) maintained by the Native American Heritage Commission (NAHC). The records searches shall determine if the proposed project has been previously surveyed for archaeological resources, identify and characterize the results of previous cultural resource surveys, and disclose any cultural</p>	<p>Less than significant impact.</p>

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	<p>resources that have been recorded and/or evaluated. A Phase I pedestrian survey shall be undertaken in areas that are developed and undeveloped to locate any surface cultural materials.</p> <ul style="list-style-type: none"> • If potentially significant archaeological resources are identified through an archaeological resources assessment, and impacts to these resources cannot be avoided, a Phase II Testing and Evaluation investigation shall be performed by an Archaeologist who meets the Professional Qualified Standards prior to any construction-related ground-disturbing activities to determine significance. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources, which includes but is not limited to, cultural sensitivity training, archaeological monitoring. If resources determined significant or unique through Phase II testing, and site avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. These might include a Phase III data recovery program that would be implemented by a qualified Archaeologist with Federated Indians of Graton Rancheria (FIGR) involvement and shall be performed in accordance with the California Office of Historic Preservation's (OHP) Archaeological Resource Management Reports (ARMP). Any previously undiscovered resources found during construction within the project site should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA Guidelines. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City of Petaluma, where they would be afforded long-term preservation to allow future scientific study. • If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area but indicated the area to be highly sensitive for archaeological resources, then a pre-construction cultural resources training shall be conducted by a qualified Archaeologist. The Archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an 	

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	<p>archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. This shall be followed by monitoring of all ground-disturbing construction and pre-construction activities in areas with previously undisturbed soil by a qualified Archaeologist. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities within 100 feet of the discovery shall be halted while the resources are evaluated for significance by an Archaeologist who meets the Professional Qualified Standards. If the discovery proves to be significant, the qualified Archaeologist shall make recommendations to the City of Petaluma on the measures that shall be implemented to protect the discovered resources, including but not limited to avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines.</p> <ul style="list-style-type: none"> • If the archaeological assessment did not identify potentially significant archaeological resources but indicates the area to be of medium sensitivity for archaeological resources, an Archaeologist who meets the Professional Qualified Standards shall be retained on an on-call basis. The Archaeologist shall inform all construction personnel prior to construction activities about the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities within 100 feet of the discovery shall be halted while the on-call Archaeologist is contacted. If the discovery proves to be significant, the qualified Archaeologist shall make recommendations to the City of Petaluma on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. 	

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	<p>to be encountered. A report shall also be prepared to document the findings after construction is completed.</p> <p>MM EKN CUL-2c: Post-review Discoveries. If an archaeological deposit is encountered during project-related ground-disturbing activities, all work within 50 feet of the discovery shall be redirected until a Secretary of Interior qualified Archaeologist inspects the material, assess its historical significance, and provides recommendations for the treatment of the discovery. Potentially significant historic era resources may include all byproducts of human land use greater than 50 years of age, including subsurface deposits of domestic type material (e.g., glass, ceramic, metal, wood, faunal remains, brick), buried alignments of stone, brick, or foundation elements, or infrastructure related to previous buildings, and possible features associated with open workspaces or yard spaces (e.g., stone/brick foundations; chimney remains; ceramics; buttons; insignia; bullets; tools; and fragments of ceramics, glass, metal, wood, faunal, brick, concrete, coal, botanical remains). Potentially significant prehistoric resources include midden soils, artifacts such as faunal bone, groundstone, fire-affected rock, baked clay, modified bone and/or shell, flake stone debitage, flake stone tools, etc., and features such as house floors, cooking pits, and interred burials.</p>	
<p>Impact CUL-3: The proposed project could disturb human remains, including those interred outside of formal cemeteries.</p>	<p>MM EKN CUL-3: If human remains are encountered within the project area during project-related ground-disturbing activities, all work must stop within 100-feet of the discovery area, the area and associated spoils shall be secured to prevent further disturbance. The Sonoma County Coroner must be notified immediately. It is important that the suspected human remains, and the area around them, are undisturbed and the proper authorities are called to the scene as soon as possible. The Coroner shall determine if the remains are prehistoric Native American remains or of modern origin and if any further investigation by the Coroner is warranted. If the remains are suspected to be prehistoric Native American remains, the Coroner shall contact the Native American Heritage Commission (NAHC) by telephone within 24-hours. The NAHC will immediately notify the person it believes to be the Most Likely Descendant (MLD) of the remains. The MLD has 48 hours to make recommendations to the landowner for treatment or disposition of</p>	<p>Less than significant impact.</p>

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	the human remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in the project area, in a location that will be secure from future disturbances. If the landowner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052). A Secretary of Interior qualified Archaeologist shall also evaluate the historical significance of the discovery and the potential for additional remains and provide further recommendations for the treatment of the resource in coordination with the MLD.	
Impact CUL-4: The proposed project could cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).	Implement MM Overlay CUL-2, MM EKN CUL-2a, MM EKN CUL-2b, MM EKN CUL-2c, and MM EKN CUL-3.	Less than significant impact.
Impact CUL-5: The proposed project could cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	Implement MM Overlay CUL-2, MM EKN CUL-2a, MM EKN CUL-2b, MM EKN CUL-2c, and MM EKN CUL-3.	Less than significant impact.

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Cumulative Impact: The proposed project would have a less than significant cumulative impact related to cultural resources and tribal cultural resources with the implementation of mitigation.	Implement MM Overlay CUL-2, MM EKN CUL-2a, MM EKN CUL-2b, MM EKN CUL-2c, and MM EKN CUL-3.	Less than significant impact.
Section 3.3—Land Use and Planning		
Impact LAND-1: The proposed project would not physically divide an established community.	None required.	N/A
Impact LAND-2: The proposed project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Implement MM Overlay CUL-1e.	Less than significant impact.
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to land use and planning with implementation of mitigation.	Implement MM Overlay CUL-1e.	Less than significant impact.
Chapter 4—Additional Environmental Effects Evaluated in the Initial Study		
Agriculture and Forestry Resources		
The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	None required.	N/A
The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.	None required.	N/A
The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).	None required.	N/A

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The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.	None required.	N/A
The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.	None required.	N/A
Cumulative Impact: The proposed project would have a cumulative impact related to agriculture and forestry resources.	None required.	N/A
Air Quality		
The proposed project could conflict with or obstruct implementation of the applicable air quality plan.	<p>MM EKN AQ-1: The latest Bay Area Air Quality Management District (BAAQMD) recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during shall be incorporated into construction plans to require implementation of the following throughout all construction activities:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. 	Less than significant impact.

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	<p>7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</p> <p>8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.</p> <p>9. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.</p>	
The proposed project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard.	Implement MM EKN AQ-1 .	Less than significant impact.
The proposed project could expose sensitive receptors to substantial pollutant concentrations.	Implement MM EKN AQ-1 .	Less than significant impact.
The proposed project would not result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to air quality.	None required.	N/A
Biological Resources		
The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.	MM EKN BIO-1: Should construction activities commence during the bird nesting season (February 15 to September 15), a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 14 days prior to the start of ground-disturbing activities. Areas within 300 feet of construction shall be surveyed for active nests. Should active nests be identified, a disturbance-free buffer shall be established based on the needs of the species identified and shall be maintained until a qualified biologist verifies that the nestlings have fledged, or the nest has failed. Should construction activities cease for 14 consecutive days or more within the	Less than significant impact.

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	nesting season, an additional nesting bird survey shall be required prior to resuming ground-disturbing activities. Results of the nesting bird survey shall be submitted in writing to the City of Petaluma, Community Development Department. MM EKN BIO-2 (for the Hotel): The project shall incorporate design features such as window screens and coverings, window glazing, and overhangs to minimize risks of collisions with migrating avian species.	
The proposed project could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.	None required.	N/A
The proposed project could have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	None required.	N/A
The proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.	Implement MM EKN BIO-2 (for the Hotel) .	Less than significant impact.
The proposed project could conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Implement MM EKN BIO-1 .	Less than significant impact.
The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.	None required.	N/A

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Cumulative Impact: The proposed project would have a less than significant cumulative impact related to biological resources.	None required.	N/A
Energy		
The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	None required.	N/A
The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.	Implement MM EKN GHG-2 .	Less than significant impact.
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to energy.	None required.	N/A
Geology, Soils, and Seismicity		
The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking. iii. Seismic-related ground failure, including liquefaction. iv. Landslides. 	MM EKN GEO-1 (for the Hotel): All applicable recommendations set forth in the Design Level Geotechnical Investigation prepared by Miller Pacific Engineering Group on January 28, 2022, for the subject property, including, but not limited to recommendations related to seismic design, site preparation and grading, foundation designs, retaining wall designs, settlement monitoring (see also MM GEO-3), site and foundation drainage, interior concrete slabs-on-grade, exterior concrete slabs, underground utilities, and recommendations for wintertime construction shall be implemented. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the final design of the project and to the satisfaction of the City of Petaluma Public Works and Utilities Department.	Less than significant impact.
The proposed project could result in substantial soil erosion or the loss of topsoil.	MM EKN GEO-2: Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the City Engineer for review. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of	Less than significant impact.

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	<p>Petaluma's Grading and Erosion Control Ordinance #1576, Title 17, Chapter 17.31 of the Petaluma Municipal Code. These plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during construction activity on the project site.</p> <p>MM EKN GEO-3: Upon submittal of plans for project construction, a damage assessment of all existing adjacent structures and improvements shall be submitted to the City of Petaluma Community Development Department. The damage assessment shall document existing conditions of adjacent improvements, including foundation cracking, un-level floors, out of plumb walls, out of square door/window openings, etc.</p> <p>Upon excavation of the proposed basement, vertical and lateral control points shall be established. Throughout project construction, the control points shall be periodically measured and monitored by a licensed surveyor to determine whether any vertical or lateral movement is occurring adjacent to the excavation. If any movement is observed/measured, steps shall be taken to strengthen the excavation shoring to control settlements and lateral movements. All measurements shall be provided to the City of Petaluma Community Development Department.</p>	<p>Less than significant impact.</p>
<p>The proposed project could be located on a geologic or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.</p>	<p>Implement MM EKN GEO-1.</p>	<p>Less than significant impact.</p>
<p>The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.</p>	<p>None required.</p>	<p>N/A</p>
<p>The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<p>MM EKN GEO-4: Prior to the start of construction activities, a Qualified Paleontologist that meets the standards of the Society of Vertebrate Paleontology (SVP) shall be retained to prepare and conduct pre-construction worker paleontological resources sensitivity training. The training shall include information on what types of paleontological</p>	<p>Less than significant impact.</p>

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	<p>resources could be encountered during excavations, what to do in case an unanticipated discovery is made by a worker (i.e., discoveries made within the first 10 feet below ground surface [BGS]), and laws protecting paleontological resources. All construction personnel shall be informed of the possibility of encountering fossils and instructed to immediately inform the construction foreman or supervisor if any bones or other potential fossils are unexpectedly unearthed during construction.</p> <p>The Qualified Paleontologist or Paleontological Monitor (under the supervision of the Qualified Paleontologist shall monitor mass grading and excavation activities below 10 feet BGS in areas within the project site identified as likely to contain paleontological resources. Unanticipated discovery procedures shall be included in the paleontological resources sensitivity training to address any potential discoveries in the first 10 feet BGS. Monitoring activities may be increased or decreased based on fossil finds (or the lack thereof), at the discretion of the Qualified Paleontologist.</p> <p>If a paleontological resource is discovered during construction, the Paleontological Monitor shall be empowered to temporarily divert or redirect grading and excavation activities in the area of the exposed resource to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All significant fossils shall be collected by the Paleontological Monitor and/or the Qualified Paleontologist. Collected fossils shall be prepared to the point of identification and cataloged before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the University of California Museum of Paleontology (UCMP). A final report of findings and significance will be prepared by the Qualified Paleontologist, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s).</p>	
<p>Cumulative Impact: The proposed project would have a less than significant cumulative impact related to geology, soils, and seismicity.</p>	<p>Implement MM EKN GEO-1 through MM EKN GEO-4</p>	<p>N/A</p>

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<p>Greenhouse Gas Emissions</p> <p>The proposed project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.</p>	<p>MM EKN GHG-1 (for the Hotel): The most current, at time of project approval, Bay Area Air Quality Management District- (BAAQMD-) recommended Best Management Practices (BMPs) to control for construction-related greenhouse gas (GHG) emissions shall be incorporated into construction plans to require implementation throughout all construction activities.</p> <ol style="list-style-type: none"> 1. Use zero-emission and hybrid-powered equipment to the greatest extent possible, particularly if emissions are occurring near sensitive receptors or located within a BAAQMD-designated Community Air Risk Evaluation (CARE) area or Assembly Bill 617 community. 2. Require all diesel-fueled off-road construction equipment be equipped with United States Environmental Protection Agency (EPA) Tier 4 Final compliant engines or better as a condition of contract. 3. Require all on road heavy-duty trucks to be zero emissions or meet the most stringent emissions standard, such as model year (MY) 2024 to 2026, as a condition of contract. 4. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 2 minutes (A 5-minute limit is required by the State Airborne Toxics Control Measure (ATCM) (Title 13, Sections 2449(d)(3) and 2485 of the California Code of Regulations). Provide clear signage that posts this requirement for workers at the entrances to the site and develop an enforceable mechanism to monitor idling time to ensure compliance with this measure. 5. Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day. 6. Use California Air Resources Board–approved renewable diesel fuel in off-road construction equipment and on road trucks. 7. Use EPA SmartWay certified trucks for deliveries and equipment transport. 8. Require all construction equipment is maintained and properly tuned in accordance with manufacturer’s specifications. Equipment should be 	<p>Less than significant impact.</p>

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	<p>checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>9. Where grid power is available, prohibit portable diesel engines and provide electrical hook ups for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.</p> <p>10. Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.</p> <p>11. Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking to construction workers and offer meal options on-site or shuttles to nearby meal destinations for construction employees.</p> <p>12. Reduce electricity use in the construction office by using light-emitting diode (LED) bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.</p> <p>13. Minimize energy used during site preparation by deconstructing existing structures to the greatest extent feasible.</p> <p>14. Recycle or salvage nonhazardous construction and demolition debris, with a goal of recycling at least 15 percent more by weight than the diversion requirement in Title 24.</p> <p>15. Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products used should be certified through a sustainable forestry program.</p> <p>16. Use low carbon concrete, minimize the amount of concrete used and produce concrete on-site if it is more efficient and lower emitting than transporting ready-mix.</p> <p>17. Develop a plan to efficiently use water for adequate dust control since substantial amounts of energy can be consumed during the pumping of water.</p> <p>18. Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to</p>	

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	<p>supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.</p> <p>MM EKN GHG-2 (for the Hotel): Prior to the issuance of a building permit, the proposed off-street parking located within the subterranean garage on the site of the proposed Hotel shall be designed and verified for compliance with CALGreen Tier 2 standards.</p>	
<p>The proposed project could conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p> <p>Cumulative Impact: The proposed project would have a less than significant cumulative impact related to greenhouse gas emissions.</p>	<p>Implement MM EKN GHG-2.</p> <p>None required.</p>	<p>Less than significant impact.</p> <p>N/A</p>
Hazards and Hazardous Materials		
<p>The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.</p>	<p>None required.</p>	<p>N/A</p>
<p>The proposed project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.</p>	<p>MM EKN HAZ-1 (for the Hotel): Prior to approval of ground-disturbing activities, the applicant shall submit a site- and project-specific Health and Safety Plan (HASP) and a Soil Management Plan (SMP) to the Sonoma County Department of Health Services and the City of Petaluma, Community Development Department. The HASP shall be developed in accordance with 29 Code of Federal Regulations. In addition to compliance with federal regulations, the HASP shall address potential exposure due to dermal contact and inhalation of residual total petroleum hydrocarbons (TPH) and benzene, shall specify an air monitoring program for volatile organic compounds (VOCs) when performing subsurface earthwork, and shall specify appropriate personal protective equipment (PPE) to be used. The SMP shall include, at a minimum, dust control and monitoring</p>	<p>Less than significant impact.</p>

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	<p>measures, management of stockpiles, and procedures to follow for disposal of soil off-site, including required testing for TPH and benzene.</p> <p>MM EKN HAZ-2 (for the Hotel): Upon submittal of building permit plans, the project applicant shall demonstrate compliance (e.g., include directly in project plans, provide written documentation, etc.) with all requirements of the Risk Management Plan included as 'Exhibit B' to the Covenant and Environmental Restriction recorded against the property, as summarized below. In addition, the applicant shall comply with project-specific recommendations provided by the Regional Water Quality Control Board (RWQCB) in July 2022. This measure shall not be construed to preclude requirements of the Risk Management Plan (RMP) that are not explicitly listed here.</p> <ol style="list-style-type: none"> 1. The first floor of the proposed Hotel shall be restricted to industrial, commercial, and/or office space only; no Hotel rooms or day care shall be permitted. 2. Concurrent with submittal of building permit plans, provide a copy of written approval to the City of Petaluma, Community Development Department from the Sonoma County Department of Health Services for the project as it involves disturbance of more than 5 cubic yards of soil (RMP, Section 2.0). 3. Prior to groundwater extraction or discharge, including construction dewatering, soil or groundwater sampling, or soil reuse or disposal, written approval from the Sonoma County Department of Health Services shall be obtained and a copy shall be provided to the City of Petaluma, Community Development Department (RMP, Section 2.0(d, e, f). 4. At least three working days prior to commencement of ground-disturbing activities, groundwater extraction or construction dewatering, soil or groundwater sampling, or soil reuse or disposal, provide written notification to the Sonoma County Department of Health Services and the Regional Water Quality Control Board (RWQCB). Proof of notification shall 	

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	<p>be provided to the City of Petaluma, Community Development Department (RMP, Section 3.0(B)).</p> <p>5. Following excavation of the proposed 7,140 cubic yards of soil, collect soil confirmation samples and grab-groundwater samples from the resulting excavation pit.</p> <p>6. Upon submittal of plans for building permit, demonstrate incorporation of a Liquid Boot® membrane/liner or equivalent and a LiquidBoot® Geo Vent system or equivalent beneath the slabs of all proposed building (RMP mitigation measures 3, 4).</p> <p>7. Throughout project construction, any equipment used in subsurface activities shall be decontaminated using visual inspection to verify that all residual soils or groundwater have been removed prior to leaving the property (RMP, Section 6.0(D)).</p> <p>8. Following completion of project development and prior to issuance of a certificate of occupancy, collect paired subslab and indoor air samples to ensure effectiveness of the required vapor barriers and venting systems.</p> <p>9. Throughout project operation, if disturbance to hardscape, building slabs, or the vapor barrier system occurs, a written plan must be prepared for any such work, and must include the method and timing for reinstatement. (RMP, Section 5.0(A)).</p> <p>10. Throughout project operation, the owner and/or operator shall be responsible for submitting an annual summary report to the Sonoma County Department of Health Services and the RWQCB that describes, in detail, the type, cause, location, and date of all of the previous year's disturbance, if any, to any hardscape or mitigation measure, any remedial measures taken or remedial equipment installed, and any groundwater monitoring system installed on the property pursuant to the requirements of the Sonoma County, which could affect the ability of such mitigation measures, remedial measures and/or equipment, or monitoring system to perform their respective functions and the type and date of repair of such disturbance (RMP, Section 7.0).</p>	

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The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	None required.	N/A
The proposed project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.	None required.	N/A
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area.	None required.	N/A
The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	None required.	N/A
The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to hazards and hazardous materials.	None required.	N/A
Hydrology and Water Quality		
The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	MM EKN HAZ-1 and HAZ-2 (for the Hotel).	Less than Significant impact.
The proposed project would not substantially decrease groundwater supplies or interfere substantially with	None required.	N/A

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groundwater recharge such that the project may impede sustainable groundwater management of the basin.		
<p>The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <ul style="list-style-type: none"> i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impede or redirect flood flows. 	None required.	N/A
The proposed project could be located in a flood hazard zone, tsunami, or seiche zone, or risk release of pollutants due to project inundation.	None required.	N/A
The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to hydrology and water quality with mitigation incorporated.	None required.	N/A
Mineral Resources		
The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.	None required.	N/A

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The proposed project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other local land use plan.	None required.	N/A
Cumulative Impact: The proposed project would not have a cumulative impact related to mineral resources.	None required.	N/A
Noise		
The proposed project could generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	<p>MM EKN NOI-1 (for the Hotel): The following Best Construction Management Practices shall be implemented to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance:</p> <ol style="list-style-type: none"> 1. Pursuant to the Implementing Zoning Ordinance, restrict noise generating activities at the construction site or in areas adjacent to the construction site to the hours between 7:00 a.m. and 10:00 p.m., Monday through Friday and 9:00 a.m. to 10:00 p.m. on Saturday, Sunday, and State, federal, or local Holidays. 2. Utilize ‘quiet’ models of air compressors and other stationary noise sources where technology exists. 3. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment. 4. Locate all stationary noise generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent receptors. 5. Acoustically shield stationary equipment located near adjacent receptors with temporary noise barriers. 6. Locate staging areas and construction material areas as far away as possible from adjacent receptors. 7. Prohibit all unnecessary idling of internal combustion engines. 8. Route all construction traffic to and from the project site via designated truck routes and prohibit construction-related heavy truck traffic in residential areas where feasible. 	Less than significant impact.

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	<p>9. Notify all adjacent receptors of the construction schedule in writing.</p> <p>10. Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented.</p> <p>11. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction.</p>	
The proposed project could result in generation of excessive groundborne vibration or groundborne noise levels.	<p>MM EKN NOI-2 (for the Hotel): The following measures shall be implemented when construction activities occur within 20 feet of adjacent buildings:</p> <ol style="list-style-type: none"> 1. Prohibit the use of heavy vibration-generating construction equipment within 20 feet of adjacent buildings. 2. Use a smaller vibratory roller, such as the Caterpillar Model CP433E vibratory compactor, when compacting materials within 20 feet of adjacent buildings. Only use the static compaction mode when within 10 feet of the adjacent buildings. 3. Avoid dropping heavy equipment and use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects, within 20 feet of adjacent buildings. 4. Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of the designated person shall be clearly posted on the construction site. 	Less than significant impact.
The proposed project would not expose people residing or working in the project area to excessive noise levels for a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.	None required.	N/A

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Cumulative Impact: The proposed project would have a less than significant cumulative impact related to noise.	None required.	N/A
Population and Housing		
The proposed project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).	None required.	N/A
The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction or replacement housing elsewhere.	None required.	N/A
Cumulative Impact: The proposed project would not have a cumulative impact related to population and housing.	None required.	N/A
Public Services		
The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.	None required.	N/A
The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.	None required.	N/A

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The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.	None required.	N/A
The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.	None required.	N/A
The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to public services.	None required.	N/A
Recreation		
The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	None required.	N/A

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The proposed project would not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to recreation.	None required.	N/A
Transportation		
The proposed project would not conflict with a program plan, ordinance, or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities.	None required.	N/A
The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	None required.	N/A
The proposed project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	MM EKN TRA-1 (for the Hotel): Upon submittal of plans for building permit, the applicant shall submit a Valet Service Plan prepared by a licensed traffic engineer. The Plan shall, at a minimum, address steps to be taken to ensure the three-vehicle capacity is not exceeded. The Plan shall be subject to review and approval by the City of Petaluma.	
The proposed project would not result in inadequate emergency access.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to transportation.	None required.	N/A
Utilities and Service Systems		
The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the	None required.	N/A

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construction or relocation of which could cause significant environmental effects.		
The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	None required.	N/A
The proposed project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	None required.	N/A
The proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	None required.	N/A
The proposed project would comply with federal, State, and local statutes and regulations related to solid waste.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to utilities and service systems.	None required.	N/A
Wildfire		
The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.	None required.	N/A
The proposed project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.	None required.	N/A

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The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	None required.	N/A
The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	None required.	N/A
Cumulative Impact: The proposed project would have a less than significant cumulative impact related to wildfire.	None required.	N/A