

**DRAFT**  
**Environmental Impact Report**  
**Downtown Housing and Economic Opportunity Overlay and EKN**  
**Appellation Hotel Project**  
**City of Petaluma, Sonoma County, California**

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## ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
AIRFA	American Indian Religious Freedom Act
AMP	Archaeological Monitoring Plan
APN	Assessor’s Parcel Number
ARMR	Archaeological Resource Management Reports
ARPA	Archaeological Resources Protection Act
BAAQMD	Bay Area Air Quality Management District
BASMAA	Bay Area Stormwater Management Agencies Association
BCDC	Bay Conservation and Development Commission
BERD	Built Environment Resources Directory
BGS	below ground surface
BIA	Bureau of Indian Affairs
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CARE	Community Air Risk Evaluation
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CF	Civic Facilities
CGS	California Geological Survey
CHL	California Historical Landmarks
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CLG	Certified Local Government
CNEL	Community Noise Equivalent Level
CO <sub>2</sub> e	carbon dioxide equivalent
CoIWMP	Countywide Integrated Waste Management Plan
CPSP	Central Petaluma Specific Plan
CRHR	California Register of Historical Resources
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency

**Acronyms and Abbreviations**

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DMA	drainage management area
DPM	diesel particulate matter
DPR	California Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
EFZ	Earthquake Fault Zone
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
FAR	floor area ratio
FCS	FirstCarbon Solutions
FEMA	Federal Emergency Management Agency
FIGR	Federated Indians of Graton Rancheria
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	greenhouse gas
GPR	Ground-Penetrating Radar
GSP	Groundwater Sustainability Plan
HABS	Historic American Building Survey
HASP	Health and Safety Plan
HBEA	Historic Built Environment Assessment
HCPC	Historic and Cultural Preservation Committee
HCRR	Historic Cultural Resources Report
HHRDC	Historical Human Remains Detection Canine
HI	hazard index
HRE	Historic Resource Evaluation
HSPAR	Historic Site Plan and Architectural Review
IBC	International Building Code
ICF	Institute for Canine Forensics
IZO	Implementing Zoning Ordinance
LBP	lead-based paint
LED	light-emitting diode
LHMP	Local Hazard Mitigation Plan
LID	Low Impact Development
LOS	Level of Service
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act



MEI	maximally exposed individual
MLD	Most Likely Descendant
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MT	metric tons
MTC	Metropolitan Transportation Commission
MU	Mixed Use
MUTCD	Manual on Uniform Traffic Control Devices
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOC	Notice of Completion
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
OHP	California Office of Historic Preservation
OPR	California Governor’s Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PC	Planning Commission
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PLSS	Public Lands Survey System
PPE	personal protective equipment
PPV	peak particle velocity
PRC	Public Resources Code
PSP	Public/Semi-Public
RMP	Risk Management Plan
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SCTA	Sonoma County Transportation Authority
SLF	Sacred Lands File

**Acronyms and Abbreviations**

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SMART	Sonoma-Marín Area Rail Transit
SMP	Soil Management Plan
SOI	Sphere of Influence
SPAR	Site Plan and Architectural Review
SVP	Society of Vertebrate Paleontology
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminants
TCR	Tribal Cultural Resources
TPH	total petroleum hydrocarbons
UCMP	University of California Museum of Paleontology
UGB	Urban Growth Boundary
USDOT	United States Department of Transportation
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
WEAP	Worker Environmental Awareness Program

## 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 Downtown 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.

## 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,<sup>5</sup> 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.<sup>8</sup> 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.

- 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

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  
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11 English Street  
Petaluma, CA 94952  
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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).

**Table ES-1: Executive Summary Matrix**

Impacts	Mitigation Measures	Level of Significance After Mitigation
<b>Section 3.1—Aesthetics</b>		
<b>Impact AES-1:</b> The proposed project could have a substantial adverse effect on a scenic vista.	Implement <b>MM Overlay CUL-1e</b> .	Less than significant impact with mitigation incorporated.
<b>Impact AES-2:</b> 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
<b>Impact AES-3:</b> 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
<b>Impact AES-4:</b> 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
<b>Impact AES-5:</b> 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
<b>Cumulative Impact:</b> The proposed project would have less than significant cumulative aesthetics impacts with incorporation of mitigation.	Implement <b>MM Overlay CUL-1e</b> .	Less than significant impact.
<b>Section 3.2—Cultural Resources and Tribal Cultural Resources</b>		
<b>Impact CUL-1:</b> The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.	<b>MM Overlay CUL-1a:</b> 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"> <li>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).</li> </ul> <p><b>MM Overlay CUL-1b:</b> 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><b>MM Overlay CUL-1c:</b> 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><b>MM Overlay CUL-1d:</b> If a proposed project would result in the significant alteration of historical resources, recordation of the resource prior to</p>	

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><b>MM Overlay CUL-1e</b> 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"> <li>1. The additional height is consistent with the applicable purposes of the proposed Overlay;</li> <li>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.</li> <li>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;</li> </ol>	

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"> <li>1. 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 int eh design, and this space shall be designed and configured to provide adequate space for pedestrian movement and activity.</li> <li>2. 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;</li> <li>3. Demonstrates exceptional architecture/design. "Exceptional" architecture/design may be demonstrated by any of the following:                         <ol style="list-style-type: none"> <li>a. The use of innovative, creative, or original architectural concepts, materials, or building techniques;</li> <li>b. The use of visual elements that contribute positively to the built environment, such as well-proportioned facades, pleasing materials, and unique features;</li> <li>c. The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;</li> <li>d. The use of low impact development and green infrastructure features in sustainable design and landscaping; or</li> <li>e. The use of high-quality building materials that contribute to long-term durability and visual quality.</li> </ol> </li> </ol>	

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"> <li>1. The development improves the existing streetscape by providing widened sidewalks, additional street trees, new mid-block walkways/paseos, public plazas, parks, etc;</li> <li>2. The additional lot coverage would reflect the prevailing development pattern established by the existing development within the block or abutting block;</li> <li>3. The development includes adequate provision for recycling and solid waste;</li> <li>4. The development includes adequate space for street trees, or</li> <li>5. The development includes other measures to enhance the pedestrian environment.</li> </ol> <p>If the PC does not make these findings, it cannot issue a CUP and the project would not be approved.</p>	
<p><b>Impact CUL-2:</b> The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.</p>	<p><b>MM Overlay CUL-2:</b> 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>

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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"> <li>• 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 (ARMR). 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.</li> <li>• 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</li> </ul>	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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"> <li>• 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.</li> </ul>	



Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p><b>MM EKN CUL-2a: Archaeological Auger Testing.</b> Prior to ground-disturbing activities, exploratory hand-auger excavation shall be conducted in the area marked in green on the aerial photograph in Figure 18 of the Results of the Ground-Penetrating Radar (GPR) and Historical Human Remains Detection Canine (HHRDC) Survey, prepared by Evans &amp; DeShazo Archaeology and Historic Preservation (EDS) on September 25, 2023, to determine the presence/absence of a Native American deposit. The exploratory hand-auger excavation shall extend to at least 1 meter, which is the maximum depth in which the layered, sloping strata was detected by the GPR. The spoils produced from the excavations shall be screened through 0.25-inch mesh to inspect the soil for artifacts or other indications of an archaeological resource. Each excavation shall be backfilled upon completion. A Federated Indians of Graton Rancheria (FIGR) Tribal Monitor shall be present for the excavation, and any artifacts identified within the excavations shall be subject to in-field analysis (i.e., photographs, descriptions, measurements, etc.), then given to the FIGR Tribal Monitor for appropriate treatment.</p> <p><b>MM EKN CUL-2b: Archaeological Monitoring Plan and Archaeological Monitoring.</b> Prior to submittal of plans for building permit, the applicant shall obtain the services of a Secretary of Interior qualified Archaeologist to prepare an Archaeological Monitoring Plan (AMP) and provide archaeological monitoring of project-related ground-disturbing activities. The AMP shall contain a provision for a pre-construction meeting and worker environmental Cultural Resource Awareness Training. The AMP shall take into account the findings of the Historical Human Remains Detection Canine (HHRDC) and Ground-Penetrating Radar (GPR) surveys and incorporate protocols for the identification, documentation and evaluation of buried archaeological features and human remains. The AMP should also provide procedures and guidelines for proper notification to Tribes, agencies, and stakeholders, as well as a curation and/or reburial plan for recovered materials. The archaeological monitor shall be empowered to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while it is being assessed. Archaeological monitoring shall occur on a full-time basis until, in the Archaeologist’s judgment, archaeological resources are no longer likely</p>	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>to be encountered. A report shall also be prepared to document the findings after construction is completed.</p> <p><b>MM EKN CUL-2c: Post-review Discoveries.</b> 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><b>Impact CUL-3:</b> The proposed project could disturb human remains, including those interred outside of formal cemeteries.</p>	<p><b>MM EKN CUL-3:</b> 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>

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>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.</p>	
<p><b>Impact CUL-4:</b> 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).</p>	<p>Implement <b>MM Overlay CUL-2, MM EKN CUL-2a, MM EKN CUL-2b, MM EKN CUL-2c, and MM EKN CUL-3.</b></p>	<p>Less than significant impact.</p>
<p><b>Impact CUL-5:</b> 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.</p>	<p>Implement <b>MM Overlay CUL-2, MM EKN CUL-2a, MM EKN CUL-2b, MM EKN CUL-2c, and MM EKN CUL-3.</b></p>	<p>Less than significant impact.</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
<p><b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to cultural resources and tribal cultural resources with the implementation of mitigation.</p>	<p>Implement <b>MM Overlay CUL-2</b>, <b>MM EKN CUL-2a</b>, <b>MM EKN CUL-2b</b>, <b>MM EKN CUL-2c</b>, and <b>MM EKN CUL-3</b>.</p>	<p>Less than significant impact.</p>
<p><b>Section 3.3—Land Use and Planning</b></p>		
<p><b>Impact LAND-1:</b> The proposed project would not physically divide an established community.</p>	<p>None required.</p>	<p>N/A</p>
<p><b>Impact LAND-2:</b> 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.</p>	<p>Implement <b>MM Overlay CUL-1e</b>.</p>	<p>Less than significant impact.</p>
<p><b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to land use and planning with implementation of mitigation.</p>	<p>Implement <b>MM Overlay CUL-1e</b>.</p>	<p>Less than significant impact.</p>
<p><b>Chapter 4—Additional Environmental Effects Evaluated in the Initial Study</b></p>		
<p><b>Agriculture and Forestry Resources</b></p>		
<p>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.</p>	<p>None required.</p>	<p>N/A</p>
<p>The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.</p>	<p>None required.</p>	<p>N/A</p>
<p>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)).</p>	<p>None required.</p>	<p>N/A</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a cumulative impact related to agriculture and forestry resources.	None required.	N/A
<b>Air Quality</b>		
The proposed project could conflict with or obstruct implementation of the applicable air quality plan.	<p><b>MM EKN AQ-1:</b> 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"> <li>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.</li> <li>2. All haul trucks transporting soil, sand, or other loose material shall be covered.</li> <li>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.</li> <li>4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>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.</li> <li>6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</li> </ol>	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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>	
<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.</p>	<p>Implement <b>MM EKN AQ-1</b>.</p>	<p>Less than significant impact.</p>
<p>The proposed project could expose sensitive receptors to substantial pollutant concentrations.</p>	<p>Implement <b>MM EKN AQ-1</b>.</p>	<p>Less than significant impact.</p>
<p>The proposed project would not result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people.</p>	<p>None required.</p>	<p>N/A</p>
<p><b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to air quality.</p>	<p>None required.</p>	<p>N/A</p>
<p><b>Biological Resources</b></p>		
<p>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.</p>	<p><b>MM EKN BIO-1:</b> 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</p>	<p>Less than significant impact.</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>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.</p> <p><b>MM EKN BIO-2 (for the Hotel):</b> 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.</p>	
<p>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.</p>	<p>None required.</p>	<p>N/A</p>
<p>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.</p>	<p>None required.</p>	<p>N/A</p>
<p>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.</p>	<p>Implement <b>MM EKN BIO-2 (for the Hotel)</b>.</p>	<p>Less than significant impact.</p>
<p>The proposed project could conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	<p>Implement <b>MM EKN BIO-1</b>.</p>	<p>Less than significant impact.</p>
<p>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.</p>	<p>None required.</p>	<p>N/A</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to biological resources.	None required.	N/A
<b>Energy</b>		
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 <b>MM EKN GHG-2</b> .	Less than significant impact.
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to energy.	None required.	N/A
<b>Geology, Soils, and Seismicity</b>		
<p>The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>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.</li> <li>ii. Strong seismic ground shaking.</li> <li>iii. Seismic-related ground failure, including liquefaction.</li> <li>iv. Landslides.</li> </ul>	<b>MM EKN GEO-1 (for the Hotel):</b> 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.	<b>MM EKN GEO-2:</b> 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.



Impacts	Mitigation Measures	Level of Significance After Mitigation
	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.	
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><b>MM EKN GEO-3:</b> 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>	Less than significant impact.
The proposed project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.	Implement <b>MM EKN GEO-1</b> .	Less than significant impact.
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.	None required.	N/A
The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	<b>MM EKN GEO-4:</b> 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	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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><b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to geology, soils, and seismicity.</p>	<p>Implement <b>MM EKN GEO-1</b> through <b>MM EKN GEO-4</b></p>	<p>N/A</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
<b>Greenhouse Gas Emissions</b>		
<p>The proposed project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.</p>	<p><b>MM EKN GHG-1 (for the Hotel):</b> 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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>5. Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.</li> <li>6. Use California Air Resources Board–approved renewable diesel fuel in off-road construction equipment and on road trucks.</li> <li>7. Use EPA SmartWay certified trucks for deliveries and equipment transport.</li> <li>8. Require all construction equipment is maintained and properly tuned in accordance with manufacturer’s specifications. Equipment should be</li> </ol>	<p>Less than significant impact.</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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>	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.</p> <p><b>MM EKN GHG-2 (for the Hotel):</b> 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>Implement <b>MM EKN GHG-2</b>.</p>	<p>Less than significant impact.</p>
<p><b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to greenhouse gas emissions.</p>	<p>None required.</p>	<p>N/A</p>
<p><b>Hazards and Hazardous Materials</b></p>		
<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><b>MM EKN HAZ-1 (for the Hotel):</b> 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>

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>measures, management of stockpiles, and procedures to follow for disposal of soil off-site, including required testing for TPH and benzene.</p> <p><b>MM EKN HAZ-2 (for the Hotel):</b> 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"> <li>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.</li> <li>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).</li> <li>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).</li> <li>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</li> </ol>	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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>	

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to hazards and hazardous materials.	None required.	N/A
<b>Hydrology and Water Quality</b>		
The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	<b>MM EKN HAZ-1 and HAZ-2 (for the Hotel).</b>	Less than Significant impact.
The proposed project would not substantially decrease groundwater supplies or interfere substantially with	None required.	N/A



Impacts	Mitigation Measures	Level of Significance After Mitigation
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"> <li>i. result in substantial erosion or siltation on- or off-site;</li> <li>ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</li> <li>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</li> <li>iv. impede or redirect flood flows.</li> </ul>	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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to hydrology and water quality with mitigation incorporated.	None required.	N/A
<b>Mineral Resources</b>		
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

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would not have a cumulative impact related to mineral resources.	None required.	N/A
<b>Noise</b>		
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><b>MM EKN NOI-1 (for the Hotel):</b> 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"> <li>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.</li> <li>2. Utilize ‘quiet’ models of air compressors and other stationary noise sources where technology exists.</li> <li>3. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.</li> <li>4. Locate all stationary noise generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent receptors.</li> <li>5. Acoustically shield stationary equipment located near adjacent receptors with temporary noise barriers.</li> <li>6. Locate staging areas and construction material areas as far away as possible from adjacent receptors.</li> <li>7. Prohibit all unnecessary idling of internal combustion engines.</li> <li>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.</li> </ol>	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	<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>	
<p>The proposed project could result in generation of excessive groundborne vibration or groundborne noise levels.</p>	<p><b>MM EKN NOI-2 (for the Hotel):</b> The following measures shall be implemented when construction activities occur within 20 feet of adjacent buildings:</p> <ol style="list-style-type: none"> <li>1. Prohibit the use of heavy vibration-generating construction equipment within 20 feet of adjacent buildings.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>	<p>Less than significant impact.</p>
<p>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.</p>	<p>None required.</p>	<p>N/A</p>

Impacts	Mitigation Measures	Level of Significance After Mitigation
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to noise.	None required.	N/A
<b>Population and Housing</b>		
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
<b>Cumulative Impact:</b> The proposed project would not have a cumulative impact related to population and housing.	None required.	N/A
<b>Public Services</b>		
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

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to public services.	None required.	N/A
<b>Recreation</b>		
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

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to recreation.	None required.	N/A
<b>Transportation</b>		
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).	<b>MM EKN TRA-1 (for the Hotel):</b> 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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to transportation.	None required.	N/A
<b>Utilities and Service Systems</b>		
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

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to utilities and service systems.	None required.	N/A
<b>Wildfire</b>		
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

Impacts	Mitigation Measures	Level of Significance After Mitigation
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
<b>Cumulative Impact:</b> The proposed project would have a less than significant cumulative impact related to wildfire.	None required.	N/A



## CHAPTER 1: INTRODUCTION

### 1.1 - Overview of the CEQA Process

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 Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel Project (State Clearinghouse [SCH] No. 2024040565). This document is prepared in conformance with CEQA (California Public Resources Code [PRC], § 21000, *et seq.*) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, § 15000, *et seq.*). This Draft EIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the proposed project.

#### 1.1.1 - Overview

The proposed project consists of the Downtown Housing and Economic Opportunity Overlay (Overlay) and the EKN Appellation Hotel (Hotel). The Overlay consists of a General Plan Text Amendment, Zoning Map Amendment, and Zoning Text Amendment for three key areas within the Downtown Subarea, referred to as Areas A, B, and C. The Hotel consists of the construction of a 93-room, 6-story hotel located within Area A of the Overlay. Chapter 2, Project Description, provides a complete description of the proposed project.

The City of Petaluma (City) previously released a Draft Mitigated Negative Declaration for the subject project (SCH No. 2023100359) for a public review and comment period starting on October 13, 2023, and extending to November 13, 2023. On November 14, 2023, a joint public hearing was held before the Historic and Cultural Preservation Committee and the Planning Commission. Although the Planning Commission found the environmental review adequate and recommended adoption of the IS/MND and approval of the proposed project to the City Council, prior to being considered by Council for action, it was decided that an EIR would be prepared. On April 12, 2024, an Initial Study was prepared to inform the scope of the EIR for the proposed project and is included in this Draft EIR as Appendix A. The Initial Study determined that all impacts would be reduced to a less than significant level with the exception of Aesthetics, Cultural Resources, and Tribal Cultural Resources. Following the review of comments received in response to the Notice of Preparation (NOP), the City determined that Land Use and Planning should be included as a separate section of this Draft EIR.

#### 1.1.2 - Purpose and Authority

This Draft EIR analyzes the environmental effects of the proposed project to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. The Overlay component is evaluated programmatically, while the Hotel is evaluated at project-level detail. This Draft EIR identifies the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the proposed project and identifies appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid these impacts.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this Draft EIR and include:

- Table of Contents
- Introduction
- Executive Summary
- Project Description
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures
- Cumulative Impacts
- Significant Unavoidable Adverse Impacts
- Alternatives to the Proposed Project
- Growth-inducing Impacts
- Additional Effects Evaluated in the Initial Study
- Areas of Known Controversy

### 1.1.3 - Lead Agency Determination

The City of Petaluma is designated as the Lead Agency for the proposed project. CEQA Guidelines Section 15367 defines the lead agency as “. . . the public agency, which has the principal responsibility for carrying out or approving a project.” Other public agencies may use this Draft EIR in decision-making or permit processes and may consider the information in this Draft EIR along with other information that may be presented during the CEQA process.

This Draft EIR was prepared by FirstCarbon Solutions (FCS), an environmental consultant. Prior to public review, it was extensively reviewed and evaluated by the City of Petaluma. This Draft EIR reflects the independent judgment and analysis of the City of Petaluma as required by CEQA. A list of the organizations and persons consulted and the report preparation personnel is provided in Chapter 7 of this Draft EIR.

## 1.2 - Scope of the Draft EIR

This Draft EIR addresses the potential environmental effects of the proposed project. The City issued an NOP for the proposed project on April 12, 2024, which circulated between April 12, 2024, and May 13, 2024, for the statutory 30-day public review period. An in-person scoping meeting was held at the Petaluma Community Center on May 2, 2024. The scope of this Draft EIR includes the potential environmental impacts identified in the NOP and issues raised by agencies and the public in response to the NOP. The NOP is contained in Appendix A of this Draft EIR.

Eighty-seven comment letters were received in response to the NOP. They are listed in Table 1-1 and provided in Appendix B of this Draft EIR.

**Table 1-1: NOP Comment Letters**

Agency/ Organization	Author	Date	Content Summary
<b>Public Agencies</b>			
Native American Heritage Commission (NAHC)	Cameron Vela	April 12, 2024	Provides a brief summary of portions and Senate Bill (SB) 18 as well as NAHC’s recommendations for conducting cultural resources assessment.
Pacific Gas and Electric Company (PG&E)	Plan Review Team, Land Management	April 19, 2024	Provides information related to PG&E’s policies and regulations related to gas and electric facilities. States that the provided letter does not constitute consent to use any portion of its easement.
<b>Organizations</b>			
Shute, Mihaly & Weinberger	Perlmutter, Robert “Pearl”	May 13, 2024	Requests that the Draft EIR analyze the full spectrum of impacts that would result from the proposed project. States that the NOP lacks necessary information regarding the proposed project and its probable environmental impacts. Requests analysis of alternatives and of the proposed project’s environmental effects, including transportation, climate change, energy, air quality, noise and vibration, hydrology and water quality, land use, population and housing, public services, and cumulative impacts.
<b>Individuals</b>			
<b>Comments Addressing Environmental Impacts</b>			
N/A	Sbragia, Geraldine	April 18, 2024	Requests to increase parking options in lieu of bicycle lanes.
N/A	Collins, Irene	April 29, 2024	Concerns of aesthetic compatibility, parking issues, water access, land subsidence, flooding, and earthquake hazards.
N/A	Jones, Mari	April 29, 2024	Expresses support for the proposed project. Expresses support of the Hotel.
N/A	O’Hare, Jerol	April 29, 2024	Expresses opposition to the Hotel, as well as concern over potential aesthetic and cultural impacts of the Hotel. Expresses concern for parking access impacts caused by the Hotel. Requested bicycle riders be ticketed for not following traffic laws.
N/A	Goodman, Lion	April 30, 2024	Concern about impacts to aesthetic and historic resources, as well as access to parking, water, affordable housing. Request for aesthetic guidance to accompany the Overlay.

<b>Agency/ Organization</b>	<b>Author</b>	<b>Date</b>	<b>Content Summary</b>
N/A	Pagett, Betty, and Robert Bradford	April 30, 2024	Concerns about height regulations and aesthetic impacts of the Hotel. Additional concerns about parking and impacts to historic resources.
N/A	McWilliams, Barbara	May 1, 2024	Request for the Draft EIR to address parking access, aesthetic impacts, and shade/shadow impacts of the Hotel. Requests specific justification for selecting the parcels of the Overlay. Concerns about cumulative height regulations.
N/A	Sullivan, Moira	May 1, 2024	Requests EKN Hotel be analyzed in its own independent EIR with all technical and topical sections and project alternatives included. Expresses opposition to proposed height and lot coverage restrictions in concern of aesthetic impacts. Additional concern over aesthetic and cultural impacts of the Hotel. Concerns expressed for overall adherence to the Overlay as well as potential traffic impacts. States opposition to Hotel and Overlay and requests adherence to the General Plan Update.
N/A	Bruno, Kim	May 2, 2024	States that the Hotel deviates too heavily from the General Plan, including in the height and lot coverage increases. Suggests moving the proposed project to an alternative location. Concerns over parking, air quality, aesthetic, and historic character impacts to the City. Requests the Hotel be analyzed in its own EIR.
N/A	Forman, Donna	May 2, 2024	Requests more accessible documentation of the proposed Hotel. Concern over lack of traffic and parking analysis. Concern over impacts to the City's parades and the age of the United States Environmental Protection Agency (EPA) study. Questions who the final approval body for the proposed project would be. Concern for the aesthetic and historic impact of the Hotel on the surrounding areas. Requests the Hotel be moved to an alternate location.
N/A	Lerch, Douglas	May 3, 2024	Concern for impacts to historic resources, scenic vistas of the surrounding foothills, traffic and air quality impacts, affordable housing, and future development implications. Requests denial or revision to develop a 4-story affordable housing complex.
N/A	McAllister, Stephanie	May 7, 2024	Concern that the current Initial Study scope does not outline potential impacts to be addressed in the Draft EIR. Requests the preparation of a massing study, an updated downtown parking

Agency/ Organization	Author	Date	Content Summary
			study, a reconnaissance-level survey of historic resources, and a California State Housing Mandate for the proposed Hotel. Requests increased analysis for aesthetic and cultural resources, transportation and parking, and alternate sites for the Hotel and Overlay.
N/A	Asselin, Lydia (1)	May 10, 2024	Requests inclusion of an assessment of maximum buildout potential of future buildings on the Overlay Area in the cumulative aesthetics analysis. Requests the Hotel and Overlay be analyzed in their own discrete EIRs. Concerns about Land Use, affordable housing, historic resources, and the planning precedent set by the proposed project. Concern over the proposed project increasing past the stated height and lot coverage increases due to density bonuses.
N/A	Asselin, Lydia (2)	May 10, 2024	Requests increased analysis of geology and soils, preparation of a hazardous residual soils mitigation plan, analysis of hydrology and water quality, noise, public service, and transportation impacts. October 2023 comments resubmitted.
N/A	Lowe, Bia	May 11, 2024	Concerns expressed about location, design and aesthetic impacts, noise, and traffic. Requests consideration of the Central Petaluma Specific Plan (CPSP) location for the Hotel.
N/A	Chien-Eriksen, Nancy	May 12, 2024	Expresses concern about aesthetic impacts of the Hotel.
N/A	Cohen, Mary Beth	May 12, 2024	Expresses concern about aesthetic impacts, parking access, and justification for the timing of the Overlay.
N/A	Hancock, Jeremy	May 12, 2024	Requests that buildings in the Overlay use Tier 2 CALGreen Building Standards, examination of the use of active solar throughout the Overlay, requirement of on-site batteries, and analysis of requiring net-zero development throughout the Overlay. Expresses concern about the Hotel's failure to meet net-zero and decarbonized standards as well as transportation amenities.
N/A	Rogers, Nancy	May 12, 2024	Expresses opposition to the design, increased height, and increased lot coverage of the Hotel and Overlay.
N/A	Almond, Peter	May 13, 2024	Expresses concern over cultural and aesthetic impacts for both the Hotel and the Overlay.
N/A	Bay, Constance	May 13, 2024	Requests further analysis of parking access, traffic impacts, and utilities and system services.

Agency/ Organization	Author	Date	Content Summary
			Expresses concern about location and aesthetic impacts of the Hotel. Requests identities of M-Group Consultants.
N/A	Beardsworth, Isabelle	May 13, 2024	Requests increased analysis of aesthetic and cultural resource impacts. Expresses concern about height and lot coverage of the Hotel. Expresses concern about cumulative impacts of the Hotel and Overlay. November 2023 comments resubmitted.
N/A	Bellinger, Morgan	May 13, 2024	Expresses concern about impacts to parking from the Hotel.
N/A	Bolton, Kate	May 13, 2024	Expresses concern about historic, cultural, and aesthetic impacts of the Hotel. Requests a visual representation of the massing and height allowances within the Overlay along with a massing study.
N/A	Bullick, Don	May 13, 2024	Expresses concern for character and pedestrian mobility impacts of the Hotel as well as aesthetic impacts of the Hotel and Overlay.
N/A	Grytpype-Thynne, Hecules	May 13, 2024	Requests analysis of the potential impacts to the Butter and Egg Days parade.
N/A	Hamilton, Jane (1)	May 13, 2024	Requests evaluation of cumulative environmental impacts for both Hotel and Overlay zones, identification of objectives of Hotel and Overlay projects, updated data on traffic and parking, impacts on scenic vistas and aesthetic resources, analysis of alternative sites, analysis of sea level change impacts, preparation of a compliance plan to accommodate California Occupational Health and Safety Administration’s (CAL/OSHA’s) new rules on lead contamination, and an address of why the Overlay zoning change is being implemented ahead of the 2025 General Plan Update process.
N/A	Hamilton, Jane (2)	May 13, 2024	Resubmission of comments from November 2023.
N/A	Hancock, Jeremy (2)	May 13, 2024	Requests that buildings in the Overlay use Tier 2 CALGreen Building Standards, examination of the use of active solar throughout the Overlay, requirement of on-site batteries, and analysis of requiring net-zero development throughout the Overlay. Expresses concern about the Hotel’s failure to meet net-zero and decarbonized standards as well as transportation amenities. Requests examination of the cultural impact of the Hotel on the Butter and Egg Parade.

Agency/ Organization	Author	Date	Content Summary
N/A	Karavel, Sonya	May 13, 2024	Writing on behalf of UNITE HERE. Requests analysis of greenhouse gas (GHG) emissions, air quality, and transportation impacts of the Overlay, as well as a housing-only Alternative Overlay.
N/A	Kuehne, Lance	May 13, 2024	Requests the Overlay and Hotel be analyzed in separate EIRs and slower pace of permitting and public input process.
N/A	O'Connor, Dale	May 13, 2024	Expresses concern about impacts to historic resources and access to public transit.
N/A	Rinehart, Bill	May 13, 2024	Requests an updated inventory of historic resources in all applicable historic districts. Requests updated design and utility guidelines for increased building sizes, development of objective design standards, and a lowered building height for the Hotel.
N/A	Rogers, Chantal	May 13, 2024	Requests the Hotel and Overlay be analyzed separately. Expresses concern about parking access and traffic impacts.
N/A	Thompson, Mike	May 13, 2024	Expresses concern about potential impacts to water supply, parking, and the increased height of the Hotel.
N/A	Treleven, Laurie	May 13, 2024	Expresses concerns about omission of air quality, water quality, transportation, noise, and population and housing from the EIR.
<b>Comments of General Opposition</b>			
N/A	Brandal, Kathy	April 15, 2024	States opposition to the proposed project on the basis of traffic, parking, and water usage.
N/A	Huisman, Cynthia	April 19, 2024	States the Hotel is not needed and opposes the Overlay. States the Hotel is not relevant in the City.
N/A	Cox, Jeffery	April 20, 2024	States the Hotel should be built in alternate location near the Sonoma-Marín Area Rail Transit (SMART) train.
N/A	Herman, Susan and Ted	April 20, 2024	States opposition to the proposed project.
N/A	Ferris, Joanne	April 21, 2024	States opposition to the Hotel due to incongruence in height, distance to the street, and underground development with the surrounding area. Expresses concern of traffic and parking impacts.
N/A	Hittenberger, Tina	April 23, 2024	Expresses opposition to the Overlay and Hotel.
N/A	Akers, Kevin	April 24, 2024	Expressed support of the Hotel and its architecture.

<b>Agency/ Organization</b>	<b>Author</b>	<b>Date</b>	<b>Content Summary</b>
N/A	Jaffe, Marilyn	April 24, 2024	Expresses opposition to the Hotel and design, citing the Theater District. Expresses concern over aesthetic impacts of the Hotel.
N/A	Spalding, Karina	April 24, 2024	Expresses opposition to the Hotel. Expresses concern over traffic and parking impacts caused by the Hotel. Requests increased traffic enforcement.
N/A	Hampton, Maureen	April 25, 2024	Expresses opposition of the Hotel. Expresses concern over traffic, parking, and aesthetic impacts of the proposed project.
N/A	Kellgren, Mollie	April, 25, 2024	Expresses concern over lack of revised Hotel plans as well as of aesthetic and cultural impacts of the Hotel. The author has been working with National Park Service (NPS) National Register of Historic Places (NRHP). Expresses concern over parking impacts.
N/A	Peters, Dom	April 26, 2024	States opposition to the Hotel on the basis of its height.
N/A	Fowler, Donna	April 27, 2024	Expresses incongruence of the Hotel with the objectives of the General Plan. Expresses concern over aesthetic and cultural impacts of the Hotel.
N/A	Moylan, Maura	April 27, 2024	States opposition of the proposed project and calls for the recall of City officials. Expresses concern for traffic impacts and cites agreement of the Petaluma Garden Club. Requests similar development to Sonoma City Square.
N/A	Swanson, Brad	April 27, 2024	States opposition to the proposed project being constructed in lieu of Emergency Services. Expressed concern over low-income housing in the City. Advocates for remodeling existing structures.
N/A	Isaak, Carol	April 29, 2024	Expresses concern for potential historic and cultural impacts of the proposed project.
N/A	Phillips, Janis	April 29, 2024	States opposition to the Hotel and Overlay. Requests development of affordable housing.
N/A	Pagett, Betty, and Robert Bradford	April 30, 2024	States concerns about height regulations and aesthetic impacts of the Hotel. Expresses additional concerns about parking and impacts to historic resources.
N/A	Monticello, Sharon	April 30, 2024	States opposition to the Hotel. Requests a smaller alternative.
N/A	Obaid, Taryn	April 30, 2024	States opposition to the Overlay. States opposition to reversing designations of historic buildings.
N/A	Sandoval, Arturo	April 30, 2024	Expresses support for the proposed project.



Agency/ Organization	Author	Date	Content Summary
N/A	Small, Susan	April 30, 2024	States opposition to the Hotel. Expresses concern over aesthetic impacts and increased height allowances. Expresses concern over parking impacts.
N/A	Stires, Bob	April 30, 2024	States opposition to the Hotel. Expresses concern over impacts to aesthetic character, cultural resources, and increased height and zoning alterations proposed by the Overlay.
N/A	Johnson, Lorna	May 1, 2024	Expresses opposition to the Hotel. Requests alternate location.
N/A	Stern, Jim	May 1, 2024	States opposition to the Overlay and Hotel. Expresses concern about potential traffic and parking impacts of the Hotel.
N/A	Stern, Wendy	May 1, 2024	States opposition to the Hotel and Overlay. Expresses concern about aesthetic impacts and increased height allowances.
N/A	Preston, Francesca	May 2, 2024	Expresses concern over the increased height allowance of the Hotel. Expresses concern of aesthetic impacts from Penry Park. States opposition to the Hotel.
N/A	Holten-Casper, Jessica	May 4, 2024	States opposition to the Hotel.
N/A	Mueller, George	May 6, 2024	States opposition to the proposed Overlay.
N/A	Paula, Patty	May 6, 2024	Expresses concern over preservation of historic resources in the City, availability of affordable housing, and parking availability. Requests height limits be set not to exceed the Petaluma Hotel. Requests alternate location for the Hotel.
N/A	White, Christine	May 8, 2024	Expresses concern over potential impacts to traffic, alternative transportation, and historic resources caused by the Overlay. Expresses concern over parking availability for the Hotel. Requests alternate location.
N/A	Bock, Annette	May 11, 2024	States opposition to the Hotel. Expresses concern about aesthetic impacts and increased height. Expresses concern about parking access and impacts to historical resources.
N/A	Dougherty, Robert	May 11, 2024	States opposition to the Hotel and Overlay. Expresses concern about potential impacts to historic character. Expresses concern about the increased height allowances and aesthetic design of the Hotel.

<b>Agency/ Organization</b>	<b>Author</b>	<b>Date</b>	<b>Content Summary</b>
N/A	Ross, Claudia Aron	May 12, 2024	States opposition to the proposed Hotel and Overlay. Expresses concern over the legitimacy of the EIR. Expresses concern for the aesthetic and historic resource impacts.
N/A	Allen, Julia	May 13, 2024	Requests additional public hearings, renderings of the building in relation to the surrounding area, and identification of the Overlay Areas in situ.
N/A	Allewelt, Judith	May 13, 2024	Expresses support of the Hotel and implementation of Overlay in Area A, but opposition to implementation of the Overlay in Area B and C.
N/A	Anderson, Liz and Bill	May 13, 2024	State opposition to the Hotel. Expresses concern about parking and traffic impacts as well as increased height allowances.
N/A	Cavanaugh, Mary Jane	May 13, 2024	States opposition to the proposed project. Expresses concern over impacts to aesthetic and historic resources of the proposed project. Expresses concern over increased height allowances of the proposed project.
N/A	Cort, Julia	May 13, 2024	Expresses concern over height allowances and aesthetic impacts of the proposed project. Expresses concern over parking impacts.
N/A	Gaffey, Tom	May 13, 2024	States opposition to the Hotel. Expresses concern over increased height allowances. Requests a full EIR for the Hotel.
N/A	Haner, Jean	May 13, 2024	States opposition to the Hotel. Expresses concern about aesthetic impacts and increased height allowances.
N/A	Keller, David	May 13, 2024	Incorporates all written comments for the Planning Commission and the Historic and Cultural Preservation Committee meetings, Study Sessions, and from the November 6, 2023, City Council meeting.
N/A	King, Katherine	May 13, 2024	States opposition to the proposed project. Expresses concern over increased density associated with the proposed project. Requests alternative location for the Hotel. Expresses concern for impacts to Rex Ace Hardware, expensive rates, low income, and existing vacant hotels, as well as impacts to traffic, public services, historic resources, parking, aesthetic, and public infrastructure.
N/A	Pesutich, Karen	May 13, 2024	Expresses concerns of Hotel impacts to aesthetic resources and scenic vistas. Requests increased

Agency/ Organization	Author	Date	Content Summary
			focus on infrastructure and increased water access. States opposition to the Hotel.
N/A	Van Houten, Lynn M.	May 13, 2024	States opposition to the proposed project. Expresses concern over impacts to aesthetic and historic resources. Requests alternative location for the Hotel.
N/A	Wilson, Tracy	May 13, 2024	States opposition to the Hotel. Expresses concern over aesthetic impacts and historic resources impacts.

Source: Compiled by FirstCarbon Solutions (FCS). 2024.

### 1.2.1 - Environmental Issues Determined not to be Significant

The NOP identified topical areas that were determined not to be significant. An explanation of why each area is determined not to be significant is provided in Chapter 4, Additional Effects Evaluated in the Initial Study. These topical areas are as follows:

- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and System Services
- Wildfire

### 1.2.2 - Potentially Significant Environmental Issues

The NOP found that the following topical areas may contain potentially significant environmental issues that will require further analysis in the Draft EIR. These sections are as follows:

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

## 1.3 - Organization of the Draft EIR

This Draft EIR is organized into the following main sections:

- **Chapter ES: Executive Summary.** This chapter includes a summary of the proposed project and alternatives to be addressed in the Draft EIR. A brief description of the areas of controversy and issues to be resolved and overview of the Mitigation Monitoring and Reporting Program (MMRP), in addition to a table that summarizes the impacts, mitigation measures, and level of significance after mitigation, are also included in this section.
- **Chapter 1: Introduction.** This chapter provides an introduction and overview describing the purpose of this Draft EIR, its scope and components, and its review and certification process.
- **Chapter 2: Project Description.** This chapter includes a detailed description of the proposed project, including its location, site, and project characteristics. A discussion of the project objectives, intended uses of the Draft EIR, responsible agencies, and approvals that would be needed for the proposed project are also provided.
- **Chapter 3: Environmental Impact Analysis.** This chapter analyzes the environmental impacts of the proposed project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental setting, methodology, significance criteria, impacts, mitigation measures, and significance after mitigation. The specific environmental topics that are addressed within Chapter 3 are as follows:
  - **Section 3.1—Aesthetics:** Addresses the potential visual impacts of development intensification and the overall increase in illumination produced by the proposed project.
  - **Section 3.2—Cultural Resources and Tribal Cultural Resources:** Addresses potential impacts on historical resources, archaeological resources, paleontological resources, and burial sites. This section also addresses potential project impacts related to Tribal Cultural Resources (TCRs).
  - **Section 3.3—Land Use and Planning:** Addresses the proposed project’s consistency with existing plans and policies.
- **Chapter 4: Additional Effects Evaluated in the Initial Study.** This chapter contains analysis of the topical sections not addressed in Chapter 3.
- **Chapter 5: Other CEQA Considerations.** This chapter provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts. This chapter discusses the cumulative impacts associated with the proposed project, including the impacts of past, present, and probable future projects. In addition, the proposed project’s energy demand is discussed.
- **Chapter 6: Alternatives to the Proposed Project.** This chapter compares the impacts of the proposed project with three project alternatives: the No Project – No Development on Hotel Site and No Overlay Alternative, the Reduced Overlay Area C Alternative, and the Reduced Hotel Height Alternative. An environmentally superior alternative is identified. In addition, alternatives initially considered but rejected from further consideration are discussed.
- **Chapter 7: Persons and Organizations Consulted/List of Preparers.** This chapter contains a full list of persons and organizations that were consulted during the preparation of this Draft

EIR. This chapter also contains a full list of the authors who assisted in the preparation of the Draft EIR, by name and affiliation.

- **Appendices.** The Draft EIR appendices includes all notices and other procedural documents pertinent to the Draft EIR as well as all technical material prepared to support the analysis.

## 1.4 - Documents Incorporated by Reference

As permitted by CEQA Guidelines Section 15150, this Draft EIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the Draft EIR has also been described. The documents and other sources that have been used in the preparation of this Draft EIR include but are not limited to:

- NOP/Initial Study (Appendix A)
- City of Petaluma General Plan 2025 (General Plan) (Appendix C)
- City of Petaluma General Plan 2025 EIR (General Plan EIR)
- Petaluma Municipal Code

In accordance with CEQA Guidelines Section 15150(b), the General Plan, the General Plan EIR, and the referenced documents and other sources used in the preparation of the Draft EIR are available for review at the City of Petaluma Community Development Department at the address shown in Section 1.6 below.

## 1.5 - Documents Prepared for the Proposed Project

The following technical studies and analyses were prepared for the proposed project:

- Visual Simulations and Shade and Shadow Study prepared by FCS.
- Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment prepared by Illingworth & Rodkin, Inc. on September 11, 2023.
- Historic Cultural Resource Report for the Downtown Housing and Economic Opportunity Overlay prepared by Painter Preservation on September 22, 2023.
- Historic Preservation Compliance Review for the EKN Appellation Memorandum prepared by Painter Preservation on September 22, 2023.
- Historic Built Environment Impacts Assessment for the EKN Hotel Project prepared by South Environmental on June 24, 2024.
- Geotechnical Investigation prepared by Miller Pacific Engineering Group on January 28, 2022.
- Appellation Hotel Noise and Vibration Assessment prepared by Illingworth & Rodkin, Inc. on September 11, 2023.

- Traffic Impact Study for the Petaluma Appellation Project prepared by W-Trans on September 26, 2023.

## 1.6 - Review of the Draft EIR

Upon completion of the Draft EIR, the City filed a Notice of Completion (NOC) with the California Governor’s Office of Planning and Research (OPR) 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. The address for each location is provided below:

City of Petaluma Community Development Department  
City of Petaluma  
11 English Street  
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](mailto: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 on the proposed 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 proposed project.

## CHAPTER 2: PROJECT DESCRIPTION

This chapter of the Draft Environmental Impact Report (Draft EIR) describes the whole of the proposed project to fully analyze the potential environmental effects of the Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel Project (proposed project) in the City of Petaluma, California.

### 2.1 - Project Location and Setting

#### 2.1.1 - Location

##### City of Petaluma

The City of Petaluma (City) is located in southwestern Sonoma County along the United States Highway 101 (US-101) corridor approximately 15 miles south of Santa Rosa and 20 miles north of San Rafael. It is situated at the northernmost navigable end of the Petaluma River, a tidal estuary that drains to San Pablo Bay (Exhibit 2-1). The City originated along the banks of the Petaluma River and spread outward over the floor of the Petaluma River Valley as it developed. The Valley itself is defined by Sonoma Mountain to the northeast and by the hills extending northward from Burdell Mountain to the west. To the south are the Petaluma Marshlands and San Francisco Bay.

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

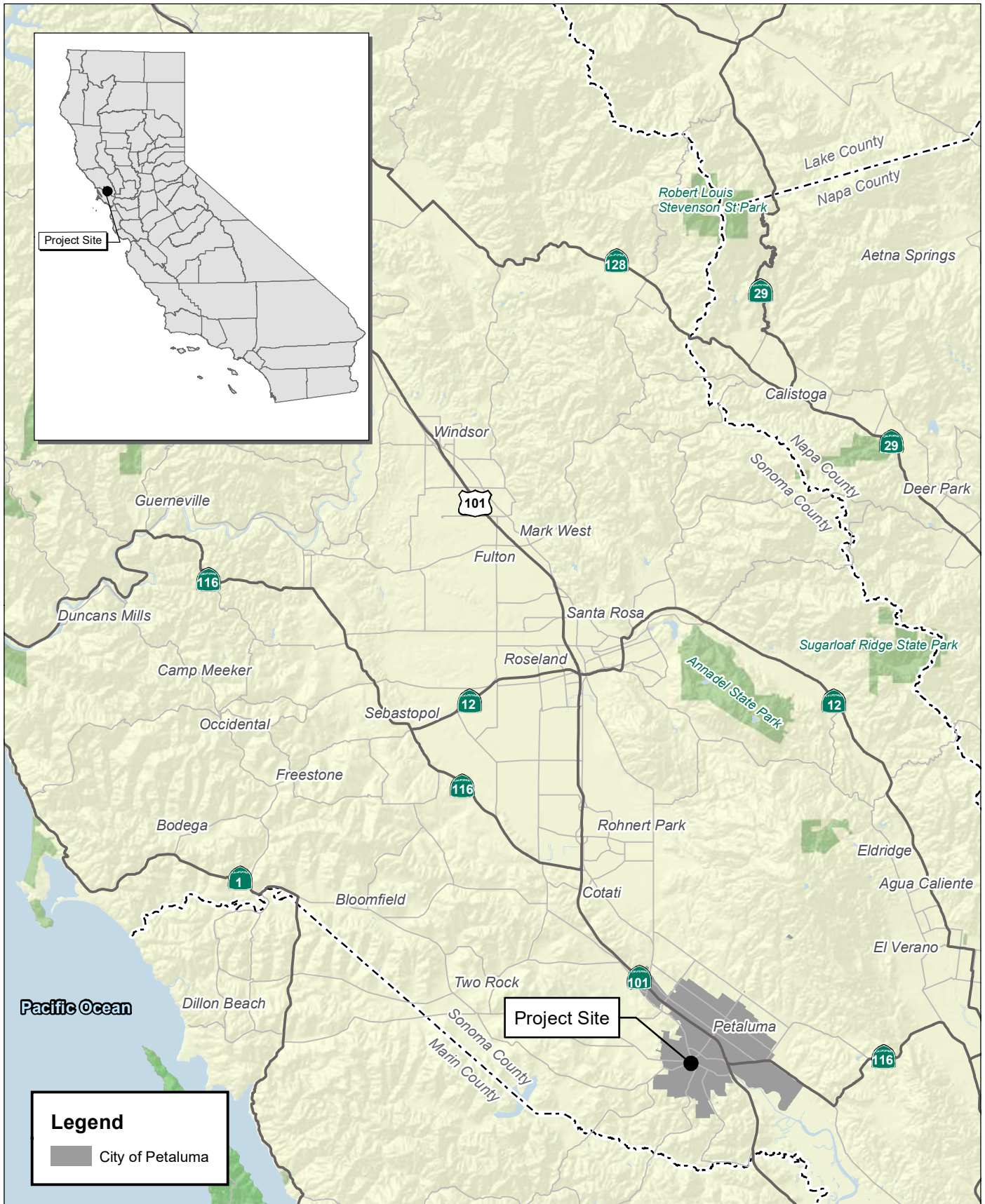
The proposed Downtown Housing and Economic Opportunity Overlay (Overlay) is approximately 12.18 acres and is located within Downtown and is within 0.5 mile of the Downtown Sonoma Marin Area Rail Transit (SMART) station. The Overlay comprises Areas A, B, and C (Exhibit 2-2).

##### EKN Appellation Hotel

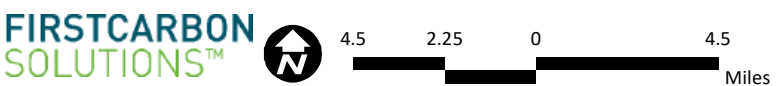
The EKN Appellation Hotel (Hotel) component of the proposed project is approximately 13,892 square feet, comprised of three parcels (Assessor's Parcel Numbers [APNs] 008-063-008, 008-063-009, and 008-063-011), and is located on an at the southeast corner of Petaluma Boulevard South and B Street within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

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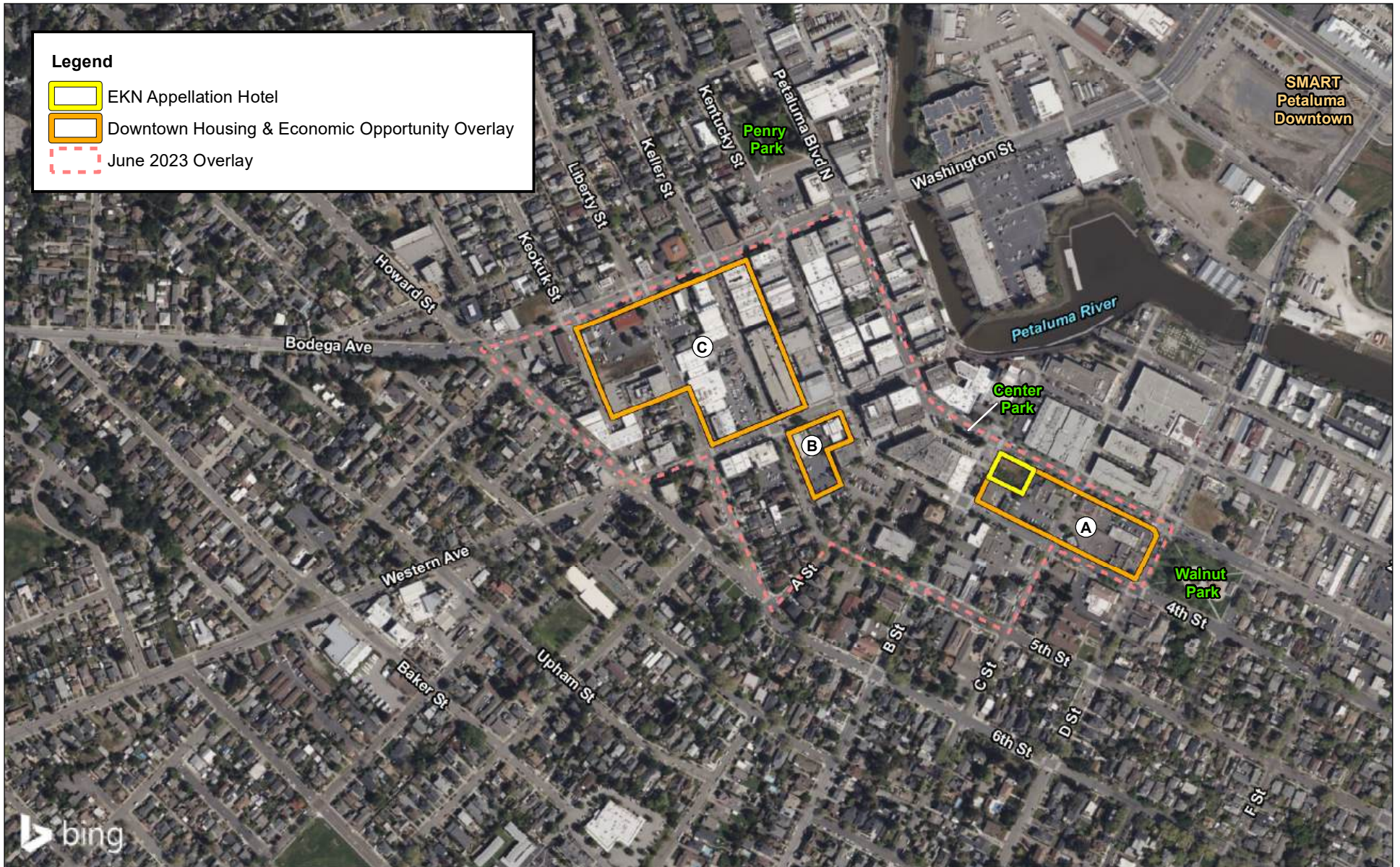


Source: Census 2000 Data, The California Information Library (CaSIL).



## Exhibit 2-1 Regional Location Map

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Source: City of Petaluma.



## Exhibit 2-2 Local Vicinity Map

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## 2.1.2 - Background and Context

### Downtown Housing and Economic Opportunity Overlay

A Zoning Overlay is a planning tool used to modify existing regulations or create additional regulations for a specific area to address a site- or area-specific need or objective. The City is considering the creation of a Zoning Overlay to encourage infill development and increased building intensity within the Downtown. The City began studying a larger potential area for consideration as a Zoning Overlay in 2023, as shown in Exhibit 2-2. The City eventually identified the current Overlay Area, consisting of Areas A, B, and C, following a series of public workshops and study sessions with the Planning Commission and the Historic and Cultural Preservation Committee (HCPC), as summarized below. A Parcel Inventory Report was prepared in November 2023 that summarizes existing development compared to potential development under existing regulations for parcels in the proposed Overlay Area.<sup>1</sup> The inventory found that 85 percent of parcels in the Overlay Area are either underdeveloped or moderately developed, while 15 percent comprise a more “fully developed” level of land use.

#### **Opportunity Sites**

Within the Overlay, the City identified Opportunity Sites with the potential for redevelopment/increased development intensity (Exhibit 2-3).<sup>2</sup> An Opportunity Site includes vacant lots, vacant structures, and low-density developments on lots dominated by parking. Identification as an Opportunity Site reflects the degree to which the site is developed. These sites present an opportunity for infill development that can enhance and complement the surrounding urban form over time but do not indicate that development is currently proposed.

As shown in Exhibit 2-3, in Area A, all parcels are considered Opportunity Sites except for Ace Hardware on B Street and 4th Street and the Compass Building on 4th Street and D Street. All parcels in Area B are considered Opportunity Sites, and the northwest corner of Area C includes parcels considered an Opportunity Sites.

### EKN Appellation Hotel

The Hotel site is identified as an Opportunity Site (Exhibit 2-3).

<sup>1</sup> City of Petaluma. 2023. Planning Commission and Historic and Cultural Preservation Committee – Joint Public Hearing – November 14, 2023, Staff Report. Attachment L: Parcel Inventory Report. 2023. Website: <https://docs.google.com/viewerng/viewer?url=https://storage.googleapis.com/proudcity/petalumaca/uploads/2023/06/Parcel-Inventory-Report-November-2023.pdf>. Accessed June 1, 2024.

<sup>2</sup> Petaluma Downtown Housing & Economic Opportunity Overlay. November 14, 2023.

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Source: City of Petaluma.



## Exhibit 2-3 Opportunity Sites

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### Study Sessions and Neighborhood Meetings

The proposed project was reviewed at several study sessions that were intended to solicit input from the public and decision-makers, allowing opportunities to provide non-binding comments and opportunities for modifications prior to formal review of the proposed project. In addition, neighborhood and community meetings were also held by the applicant, which provided additional opportunities for public input. Table 2-1 outlines these meetings.

**Table 2-1: Summary of Meetings**

Date	Meeting Type	Meeting Body	Project Component Discussed
January 10, 2023	Study Session	HCPC	Hotel
June 13, 2023	Study Session	PC and HCPC	Hotel, Overlay Boundaries as shown in Exhibit 2-2 and Potential Overlay Development Standard
July 12, 2023	Neighborhood Meeting	Know Before You Grow <sup>1</sup>	Overlay presentation by City Staff
August 3, 2023	Neighborhood Meeting	Petaluma Downtown Association <sup>2</sup>	Discussion between Petaluma Downtown Association and City Staff.
August 8, 2023	Study Session	PC	Overlay reduced to focus on under-utilized parcels, reduce overlap with the Petaluma Historic Commercial District (Exhibit 2-4), and avoid overlap with residential areas. Overlay revised to require discretionary approval of a Conditional Use Permit (CUP) for any building above 45 feet.
October 3, 2023	Study Session	HCPC	Overlay revised to: <ul style="list-style-type: none"> <li>Expand the boundary of Area B to include the parcel occupied by the Wells Fargo Bank at 125 Western Avenue.</li> <li>Depict/describe pedestrian/façade activation zones.</li> <li>Allow for ground floor residential uses.</li> </ul>
November 14, 2023	Public Hearing	PC and HCPC	Overlay revised to: <ul style="list-style-type: none"> <li>Update the review criteria for buildings above 45 feet.</li> <li>Simplify the setback and stepback tables.</li> <li>Include a requirement of a CUP to increase lot coverage above 80%.</li> <li>Refine development standards for Pedestrian/Façade Activation Zones and Ground Floor Residential Uses.</li> </ul>

**Project Description**

Date	Meeting Type	Meeting Body	Project Component Discussed
Notes: HCPC = Historic and Cultural Preservation Committee PC = Planning Commission <sup>1</sup> Know Before You Grow is a nonprofit organization with the stated mission “to educate the public on four key elements of city planning and to advocate for the best solutions to each.” <sup>2</sup> The Petaluma Downtown Association is a 501 C(6) nonprofit membership-based organization that works in partnership with its members, the City, and the business community to protect Petaluma’s historic character, sustain economic vitality, and promote a dynamic and welcoming Downtown.			

**2.1.3 - Existing Conditions**

**Downtown Housing and Economic Opportunity Overlay**

The Overlay Area comprises 40 parcels of land within Areas A, B, and C, totaling approximately 10 acres. Existing buildings within the Overlay Area are primarily single-story with a few 2-story buildings, representing a low-intensity development pattern. Table 2-2 lists the parcels within Areas A, B, and C, each along with the parcel address.

**Table 2-2: Existing Parcels within the Proposed Overlay**

Proposed Overlay Area	APN	Address
<b>A</b>	008-063-005	20–24 Petaluma Boulevard South
	008-063-006	20–24 Petaluma Boulevard South
	008-063-007	20–24 Petaluma Boulevard South
	008-063-008	2–10 Petaluma Boulevard South
	008-063-009	2–10 Petaluma Boulevard South
	008-063-011	2–10 Petaluma Boulevard South
	008-063-012	313 B Street
	008-064-002	100 Petaluma Boulevard South
	008-064-004	115–127 4th Street
	008-064-005	131 4th Street
	008-064-007	115–127 4th Street
	008-064-008	101 4th Street
<b>B</b>	008-051-024	101 Western Avenue
	008-051-025	125 Western Avenue
<b>C</b>	006-361-028	311 Washington Street
	006-361-030	131 Liberty Street/136 Court Street
	006-361-033	125 Liberty Street

Proposed Overlay Area	APN	Address
	006-361-039	301 Washington Street
	006-361-040	131 Liberty Street/136 Court Street
	006-362-001	215 Washington Street
	006-362-002	132–138 Liberty Street
	006-362-003	132–138 Liberty Street
	006-362-009	110 Liberty Street
	006-362-010	214 Western Avenue
	006-362-012	205–207 Washington Street
	006-362-014	135 Keller Street
	006-362-015	125 Keller Street
	006-362-021	205–207 Washington Street
	006-362-022	128 Liberty Street
	006-362-023	210 Western Avenue
	006-362-024	145 Keller Street
	006-362-025	205–207 Washington Street
	006-363-001	160 Keller Street
	006-363-004	114–126 Keller Street/120 Western Avenue
	006-363-005	
	006-363-007	
	006-363-023	
	006-363-025	140 Keller Street
	006-363-026	132 Keller Street

**Area A**

Area A comprises 13 parcels bounded by B Street to the north, D Street to the south, Petaluma Boulevard South to the east, and 4th Street to the west. Area A is approximately 2.70 acres in size. Most parcels in Area A are developed with buildings and other site improvements, such as surface parking areas to support existing businesses. Uses in Area A include banks, professional offices, a hardware store, and commercial uses including a convenience store and vacant restaurant buildings.

**Area B**

Area B is bounded Western Avenue to the north, Kentucky Street to the east, and Keller Street to the west. Areas to the south consist of primarily residential uses. Area B comprises two parcels and is approximately 0.90 acre in size. The parcels in Area B are currently developed with a Wells Fargo Bank and Chase Bank, with associated parking.

**Area C**

Area C is bounded by Washington Street to the north, Western Avenue to the south, Telephone Alley to the east, and Liberty and Court Streets to the west. Area C comprises 25 parcels and is approximately 6.40 acres in size. Parcels in Area C are developed with the Phoenix Theater, as well as retail shops, auto shops, restaurants, offices, medical uses, and the Petaluma Market.

There are two vacant sites in Area C (131 Liberty Street and 136 Court Street); however, it should be noted that each of these sites has active entitlements: 131 Liberty Street would be developed with a mixed-used building with nine residential units, a work-live unit, and approximately 1,500 square feet of commercial area, while 136 Court Street would be developed as a three-unit live-work building.

**Existing Development Within the Overlay Area**

The General Plan currently allows a maximum floor area ratio (FAR) of 2.5 and maximum height of 45 feet within the Mixed Use (MU) designation, which translates to a buildout potential of 1,106,983 square feet across the Overlay parcels. The Overlay Area is currently developed with 230,202 square feet of nonresidential development, representing an existing FAR of 0.52, or approximately 21 percent of the adopted General Plan buildout potential.

Table 2-3 provides a list of APNs within Areas A, B, and C. The Table provides information regarding parcel size as well as the extent of existing development on each site.

**Table 2-3: Existing Development**

Proposed Overlay Area	APN	Address	Parcel Size (SF)	Existing Use	Existing Development (GSF per APN)
<b>A</b>	008-063-005	20–24	6,500	Surface parking for Bank of the West	0
	008-063-006	Petaluma Boulevard South	3,900		0
	008-063-007		22,450	Bank of the West (former)	9,167
	008-063-008	2–10	4,792	Vacant (proposed EKN Appellation Hotel)	0
	008-063-009	Petaluma Boulevard South	4,900		0
	008-063-011		4,200		0
	008-063-012	313 B Street	12,500	Rex Ace Hardware	7,636
	008-064-002	100 Petaluma Boulevard South	15,300	Summit State Bank and surface parking	4,488
	008-064-004	115-127 4th Street	5,100	Compass Real Estate	2,720
	008-064-005	131 4th Street	4,792	Walnut Park Grill (former)	840

Proposed Overlay Area	APN	Address	Parcel Size (SF)	Existing Use	Existing Development (GSF per APN)
	008-064-007	115-127 4th Street	11,000	Surface Parking for Compass Real Estate	0
	008-064-008	101 4th Street	9,000	Fourth and “Sea” (former)	1,442
	008-064-010	112 Petaluma Boulevard South	15,000	7-Eleven	4,500
	<b>Subtotal</b>			<b>119,434</b>	
<b>B</b>	008-051-024	101 Western Avenue	16,553	Chase Bank	3,130
	008-051-025	125 Western Avenue	22,880	Wells Fargo Bank	6,627
	<b>Subtotal</b>			<b>39,433</b>	
<b>C</b>	006-361-028	311 Washington Street	7,935	Zephyr Sportswear	4,396
	006-361-030	131 Liberty Street/136 Court Street	14,558	Vacant (approved entitlement for Liberty Street Mixed-use)	0
	006-361-033	125 Liberty Street	29,766	Vacant building	25,400
	006-361-039	301 Washington Street	40,820	Dental offices	7,512
	006-361-040	131 Liberty Street/136 Court Street	4,550	Vacant (approved entitlement for Foley-Omahony Live/Work)	0
	006-362-001	215 Washington Street	12,600	Sonoma Autowerks	1,742
	006-362-002	132–138 Liberty Street	7,350	Keller Street Professional Building Parking Lot	0
	006-362-003		4,600	Office building	1,200
	006-362-009	110 Liberty Street	5,040	Office building	3,138

**Project Description**

Proposed Overlay Area	APN	Address	Parcel Size (SF)	Existing Use	Existing Development (GSF per APN)
	006-362-010	214 Western Avenue	10,019	Multi-tenant commercial and retail building	7,382
	006-362-012	205–207 Washington Street	7,440	Phoenix Theater	5,400
	006-362-014	135 Keller Street	10,890	Multi-tenant office building	7,980
	006-362-015	125 Keller Street	8,712	Hallie’s Diner	6,192
	006-362-021	205–207 Washington Street	260	Right-of-way	0
	006-362-022	128 Liberty Street	10,890	Sacks Hospice Thrift Shoppe	9,416
	006-362-023	210 Western Avenue	39,636	Petaluma Market	12,317
	006-362-024	145 Keller Street	4,129	Office building	3,160
	006-362-025	205–207 Washington Street	4,792	Artaluma	0
	006-363-001	160 Keller Street	8,712	Multi-tenant commercial and office building	7,776
	006-363-004	114–126 Keller Street/120 Western Avenue	11,800	Keller Street Parking Garage	23,600
	006-363-005		10,000		20,000
	006-363-007		5,000		10,000
	006-363-023		9,030		18,060
	006-363-025	140 Keller Street	9,415	Keller Street CoWork	9,121
	006-363-026	132 Keller Street	5,982	Kapu Bar	5,860
	<b>SUBTOTAL</b>		<b>283,926</b>		<b>189,652</b>
<b>Totals</b>			<b>442,793</b>		<b>230,202</b>
<p>Notes:  APN = Assessor’s Parcel Number  GSF = gross square feet  SF = square feet  Source: City of Petaluma. 2024</p>					

## EKN Appellation Hotel Site

The proposed Hotel would be located within Area A, on three vacant parcels at the southeast corner of Petaluma Boulevard South/B Street (APNs 008-063-008, 008-063-009, and 008-063-011). Rex Ace Hardware and the former Bank of the West building immediately abut the site to the south and east; other uses proximate to the Hotel site include banks, offices, restaurants, and retail shops. A chain-link fence is located around the perimeter of the site and existing vegetation is comprised primarily of ruderal/weedy grasses which are regularly mowed.

The Rex Ace Hardware site was previously developed with five 1- and 2-story wood frame structures, originally constructed between 1870 and 1920 and noted as contributing buildings to the Historic Commercial District.<sup>3</sup> However, the buildings were destroyed in a fire in the early 2000s and the site was redeveloped with the modern structure present on-site today, which is no longer a contributing building to the Historic Commercial District.

### 2.1.4 - Characteristics of the Downtown Area

#### Downtown Housing and Economic Opportunity Overlay

##### *Street and Circulation Pattern*

The proposed Overlay is within the City's Downtown, which is generally bounded by Washington Street to the north, Petaluma Boulevard to the east, D Street to the south, and Howard Street/6th Street to the west. Washington Street, Petaluma Boulevard, and D Street are classified in the General Plan as arterial streets which provide relatively high-speed and high-capacity access to regional transportation facilities. Western Avenue, located between Areas B and C, is also designated in the General Plan as an arterial street. Howard Street/6th Street, located two blocks south of the Overlay Area, provides access to the City's Downtown and is classified as a collector street, which provides medium-speed and medium-volume access within and between neighborhoods. Other streets within and around the proposed Overlay are classified as local streets, which are low-speed and low-volume streets that provide direct access to adjacent land uses. Existing sidewalks, crosswalks, bicycle facilities, and transit stops are present in the Downtown area as further described in Chapter 4, Additional Effects Evaluated in the Initial Study.

##### *Historic Resources*

The City of Petaluma has two locally designated historic districts (Oakhill-Brewster and A Street), and one National Register of Historic Places (NRHP) district, the Historic Commercial District (Exhibit 2-4). In addition, there are several individual properties located throughout the City that are considered potentially significant historical resources. Three parcels within Area A are located within the Historic Commercial District including two of the three vacant parcels proposed as the Hotel component of the proposed project (APNs 008-063-008 and 008-063-009), and one developed parcel (APN 008-063-012) which is the location of the Rex Ace Hardware store adjacent to the proposed Hotel site.

<sup>3</sup> National Register of Historic Places (NRHP) Continuation Sheet, Section Number 7, Petaluma Historic Commercial District. Website: <https://npgallery.nps.gov/GetAsset/c38265ed-e50f-49ca-9f37-c38ba63a1a80>. Accessed June 1, 2024.

One parcel in Area B is also located within the Historic Commercial District and is developed as Chase Bank, which was constructed in 1970 and is identified as a non-contributing building to the District.

The eastern boundary of Area C abuts the boundary of the Historic Commercial District. Along the adjoining boundaries, there are several historic buildings identified as contributing as well as one City and National Landmark (the Old Petaluma Opera House). Areas A and B of the proposed Overlay are also proximate (within one block) to the A Street Historic District.

### **EKN Appellation Hotel Site**

The Hotel was previously developed as a gas station that was demolished sometime between 2008 and 2011; the site has remained vacant since that time. As a result of the gas station operation, the site was listed as a Leaking Underground Storage Tank (LUST) Cleanup site by the California State Water Resources Control Board (State Water Board). As described further in Chapter 4 Additional Effects Evaluated in the Initial Study, remediation of the site was completed to the satisfaction of the State Water Board, which issued a no further action letter in February 2020.

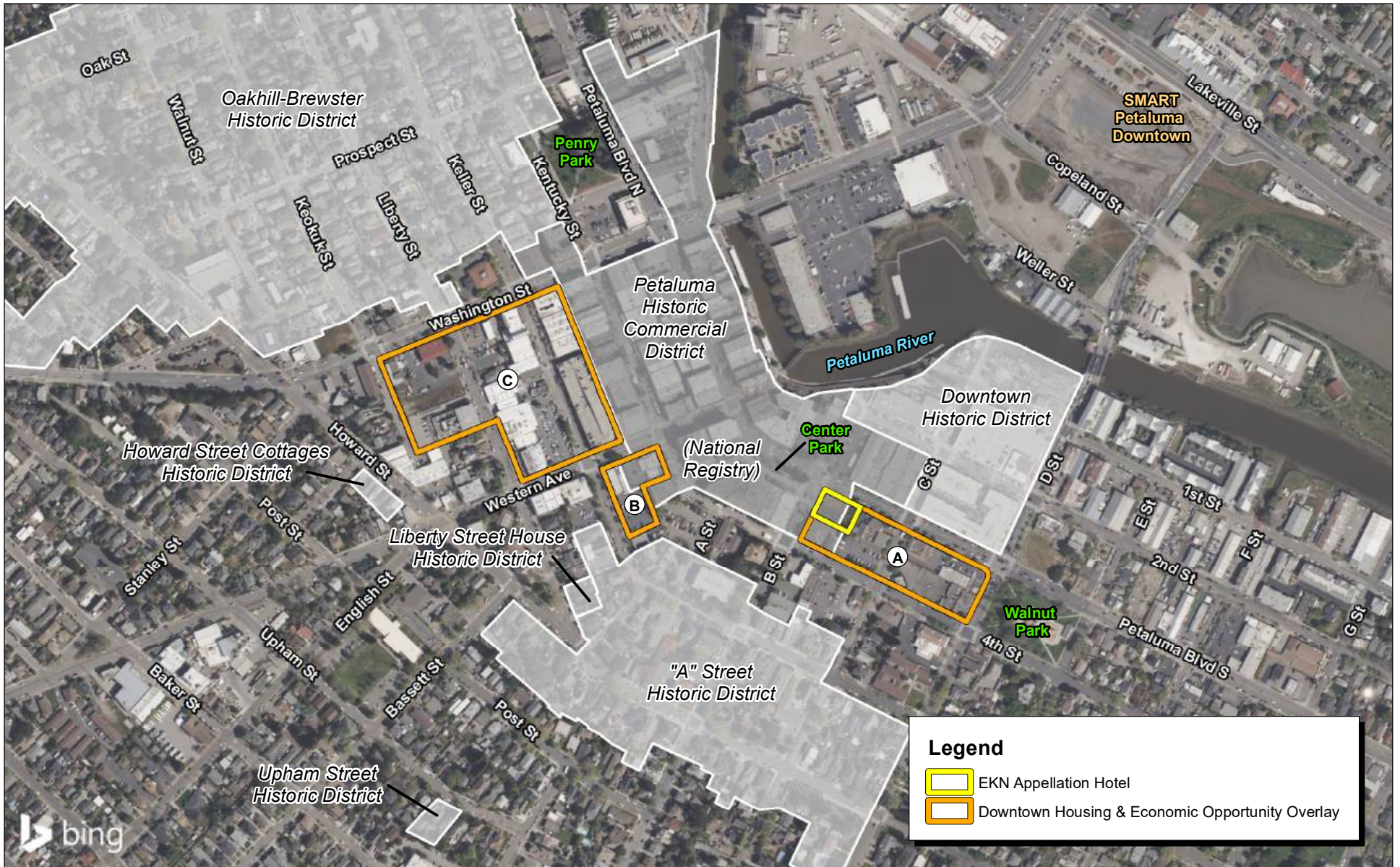
## **2.1.5 - Land Use and Zoning Designations**

### **Downtown Housing and Economic Opportunity Overlay**

#### ***Land Use Designations***

The majority of parcels located within the Overlay have a land use designation of MU, pursuant to the Petaluma General Plan 2025. Four parcels, which comprise the Keller Street Parking Garage, are designated as Public/Semi-Public (PSP). The MU Land Use designation allows for a combination of uses that reflect a pedestrian orientation (Exhibit 2-5). The maximum allowable FAR is 2.5 and the maximum residential density is 30 dwelling units per acre (du/acre).





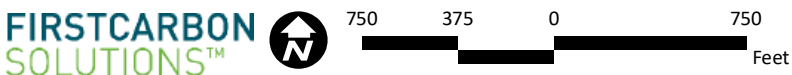
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Source: City of Petaluma.



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## Exhibit 2-5 General Plan Land Use

CITY OF PETALUMA  
DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY  
EKN APPELLATION HOTEL PROJECT  
ENVIRONMENTAL IMPACT REPORT

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The PSP land use designation includes public utility facilities, government offices, and community service uses. The General Plan does not identify a maximum FAR for the PSP land use designation.

The majority of the Overlay is located within the Downtown area of the General Plan (Downtown) which is characterized by historic buildings, the Petaluma River, and a pedestrian-scale environment. The General Plan envisions preserving and enhancing the character of the Downtown to create a vibrant mixed-use center with retail, restaurants, public uses, professional offices, and opportunities for residential uses. Portions of Area C are located within the East Washington Corridor Subarea of the General Plan which is characterized by low-intensity, single-story, automobile-dependent uses. The General Plan envisions this subarea with a mix of high-intensity land uses and streetscape improvements that accommodate automobiles while orienting toward the pedestrian.

### **Zoning**

Zoning designations of parcels located within the proposed Overlay are Mixed Use 2 (MU2) and Civic Facilities (CF) (Exhibit 2-6). The MU2 zone implements the MU General Plan land use and is applied to Downtown Petaluma and adjacent areas that are intended to evolve into the same physical form and character of development as that in the historic Downtown area. Residential uses in a mixed-use building are permitted by-right in the MU2 zoning district; however, exclusively multi-family residential developments are not currently permitted. The maximum permitted lot coverage is 80 percent, and the maximum building height is currently 45 feet.

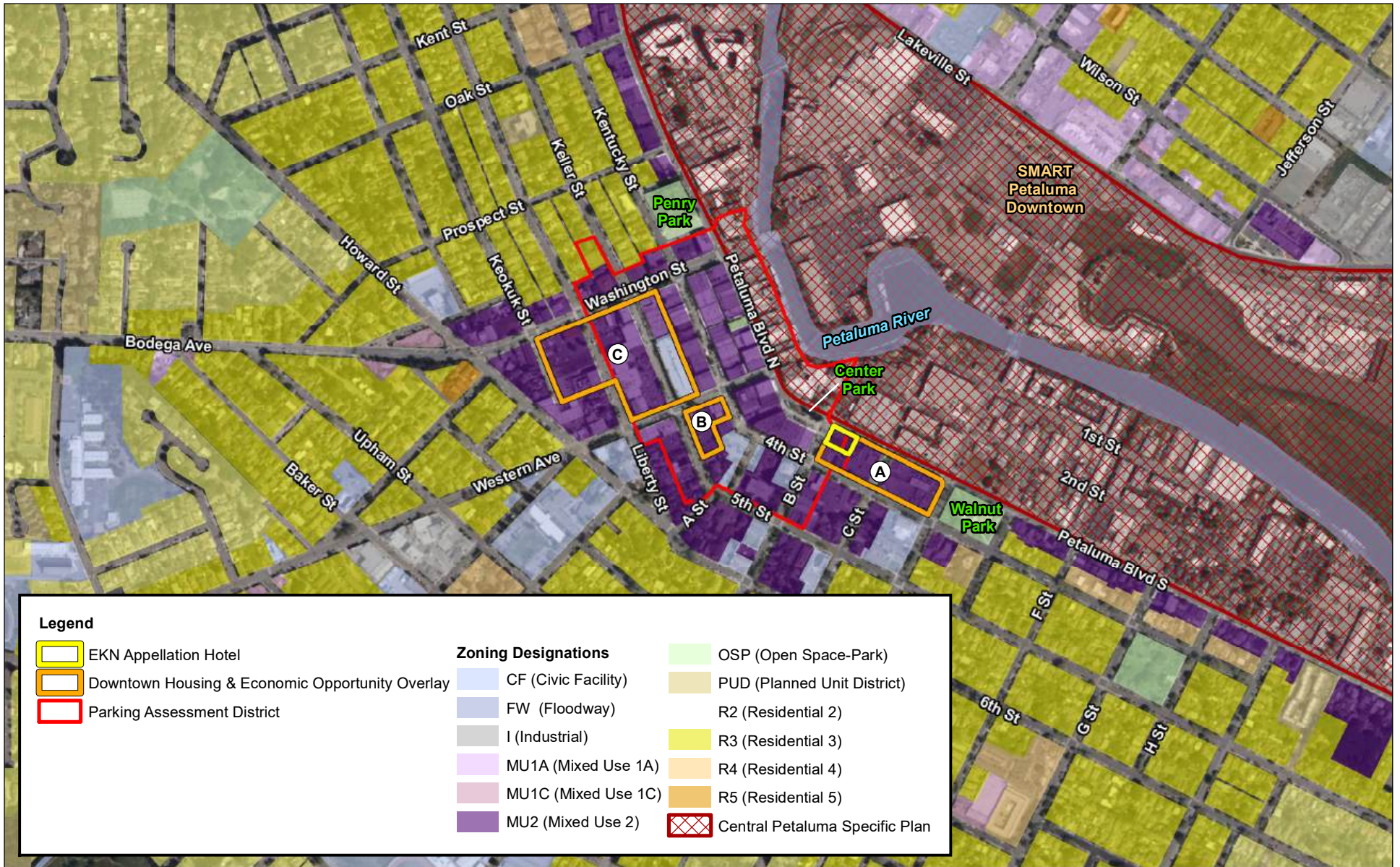
The CF zoning district implements the PSP General Plan land use designation and is applied to sites for proposed public utility facilities, government offices, community service uses and lands, and sites owned and operated by the elementary, secondary, or community college districts, as well as private schools. Maximum lot coverage in the CF zoning district is the same as the abutting zoning district, which in the case of the subject parcels would be 80 percent as the adjacent parcels are zoned MU2. The maximum height in the CF zone is 25 feet.

In addition to the base zoning districts, as shown in Table 2-4, four parcels are located within the Historic Commercial District and 27 parcels are located within the Parking Assessment District.

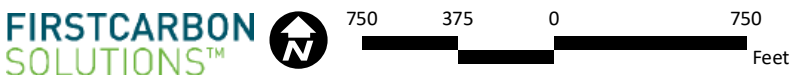
Section 11.035 of the Implementing Zoning Ordinance (IZO) specifies that sites and structures within the Parking Assessment District are exempt from the requirement to provide off-street parking facilities.

The Petaluma Historic Commercial District was designated as a National Register of Historic Places (NRHP) historic district in 1995 and was found to be significant because of its important reflection of Downtown at the end of World War II and various architecture styles. The District has several character-defining architectural features that are further outlined in Section 3.2, Cultural Resources and Tribal Cultural Resources.

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Source: City of Petaluma.



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**Table 2-4: Existing Parcels within the Proposed Overlay**

Proposed Overlay Area	APN	Address	Historic Commercial District	Parking Assessment District
A	008-063-005	20–24 Petaluma Boulevard South		
	008-063-006	20–24 Petaluma Boulevard South		
	008-063-007	20–24 Petaluma Boulevard South		
	008-063-008	2–10 Petaluma Boulevard South	X	X
	008-063-009	2–10 Petaluma Boulevard South	X	X
	008-063-011	2–10 Petaluma Boulevard South		
	008-063-012	313 B Street	X	X
	008-064-002	100 Petaluma Boulevard South		
	008-064-004	115–127 4th Street		
	008-064-005	131 4th Street		
	008-064-007	115–127 4th Street		
	008-064-008	101 4th Street		
	008-064-010	112 Petaluma Boulevard South		
	B	008-051-024	101 Western Avenue	X
008-051-025		125 Western Avenue		X
C	006-361-028	311 Washington Street		
	006-361-030	131 Liberty Street/136 Court Street		
	006-361-033	125 Liberty Street		
	006-361-039	301 Washington Street		
	006-361-040	131 Liberty Street/136 Court Street		
	006-362-001	215 Washington Street		X
	006-362-002	132–138 Liberty Street		X
	006-362-003	132–138 Liberty Street		X
	006-362-009	110 Liberty Street		X
	006-362-010	214 Western Avenue		X
	006-362-012	205–207 Washington Street		X
	006-362-014	135 Keller Street		X
	006-362-015	125 Keller Street		X
	006-362-021	205–207 Washington Street		X
	006-362-022	128 Liberty Street		X
	006-362-023	210 Western Avenue		X

**Project Description**

Proposed Overlay Area	APN	Address	Historic Commercial District	Parking Assessment District
	006-362-024	145 Keller Street		X
	006-362-025	205–207 Washington Street		X
	006-363-001	160 Keller Street		X
	006-363-004			X
	006-363-005	114–126 Keller Street/		X
	006-363-007	120 Western Avenue		X
	006-363-023			X
	006-363-025	140 Keller Street		X
	006-363-026	132 Keller Street		X

Note:  
The Theater Combining District was adopted by the City Council in 2003 (Ordinance No. 2158 NCS) with the intent of promoting development of a first-run movie theater within the designated district boundaries. As noted in Section 5.050(D) of the Implementing Zoning Ordinance (IZO), the ordinance which established the Theater Combining District expired on August 4, 2023.

**EKN Appellation Hotel Site**

The General Plan land use designation for the Hotel site is Mixed Use, and the corresponding zoning designation is MU2. In addition, the Hotel site is partially within the Historic Commercial District (Exhibit 2-4) and Parking Assessment District (Exhibit 2-6). Surrounding land use designations include MU2 to the south, east, and west, and Urban Core (T6) to the north, which is a designation applied to areas of the Central Petaluma Specific Plan (CPSP) as set forth in the SmartCode.<sup>4</sup>

**2.2 - Proposed Project**

**2.2.1 - 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 FAR for the MU designation from 2.5 to 6.0 for areas located within the Overlay. The increase in maximum FAR from 2.5 to 6.0 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

<sup>4</sup> The SmartCode is designed to be used both as a guide for property owners and their designers - to allow them to understand from the outset the parameters that the community has set for development in Central Petaluma - and also as a framework and systematic checklist for the City's use as it plans its investment in capital projects and evaluates the design of proposed building projects.

disclosed in the General Plan Final EIR. No changes to the PSP land use designation with the Overlay would occur.

The Overlay would allow development at a FAR of up to 6.0, 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,<sup>5</sup> this EIR evaluates an increment of development that could reasonably be expected to occur with the implementation of the Overlay over the next 20 years.<sup>6</sup> 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 (Table 2-5).<sup>7</sup>

Exhibit 2-5 presents information regarding existing land uses compared to what is allowed under the General Plan and what could reasonably be expected to occur during a 20-year period if the Overlay is approved. The Draft EIR analyzes the increment of increase that could reasonably be expected to occur.

**Table 2-5: Summary of Buildout Assumptions**

Overlay	Area (SF)	Potential General Plan Buildout (2.5 FAR)	Current Development (SF) <sup>1</sup>	Current FAR	Proposed Overlay Increase at Maximum Buildout (6.0 FAR) (SF)	Proposed Overlay Increase at 25% Buildout Potential Scenario (SF)
<b>TOTAL</b>	<b>442,793</b>	<b>1,106,983</b>	<b>230,202</b>	<b>0.52</b>	<b>1,549,776</b>	<b>387,444</b>
Notes: FAR = floor area ration SF = square feet Source: City of Petaluma. 2024.						

### 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

<sup>5</sup> For comparison, the Central Petaluma Specific Plan (CPSP), adopted June 2, 2003, and covering an area shown in Exhibit 2-4, provided for an estimated 1,997,942 square feet of new nonresidential development. Since the time of its adoption, a total of 303,640 square feet of nonresidential development has been approved within the CPSP, representing 15 percent of the CPSP buildout potential over 11 years. As such, estimating a 25 percent buildout over 20 years is a reasonable estimate.

<sup>6</sup> When it is difficult to foresee future conditions or events, an EIR may rest its analysis on reasonable estimates or assumptions. *Claremont.Canyon.Conservancy.v.Regents.of.Univ.of.Cal.* (2023) 92 CA5th 474, 492-93; *Citizens.for.a.Sustainable.Treasure.Island.v.City*.<sup>TM</sup>.County.of.San.Francisco (2014) 227 CA4th 1036, 1067. An EIR is not required to include an analysis of a worst-case scenario. *East.Oakland.Stadium.Alliance.v.City.of.Oakland* (2023) 89 CA5th 1226, 1252-1253.

**Project Description**

Overlay. The 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 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 as shown in Table 2-6.

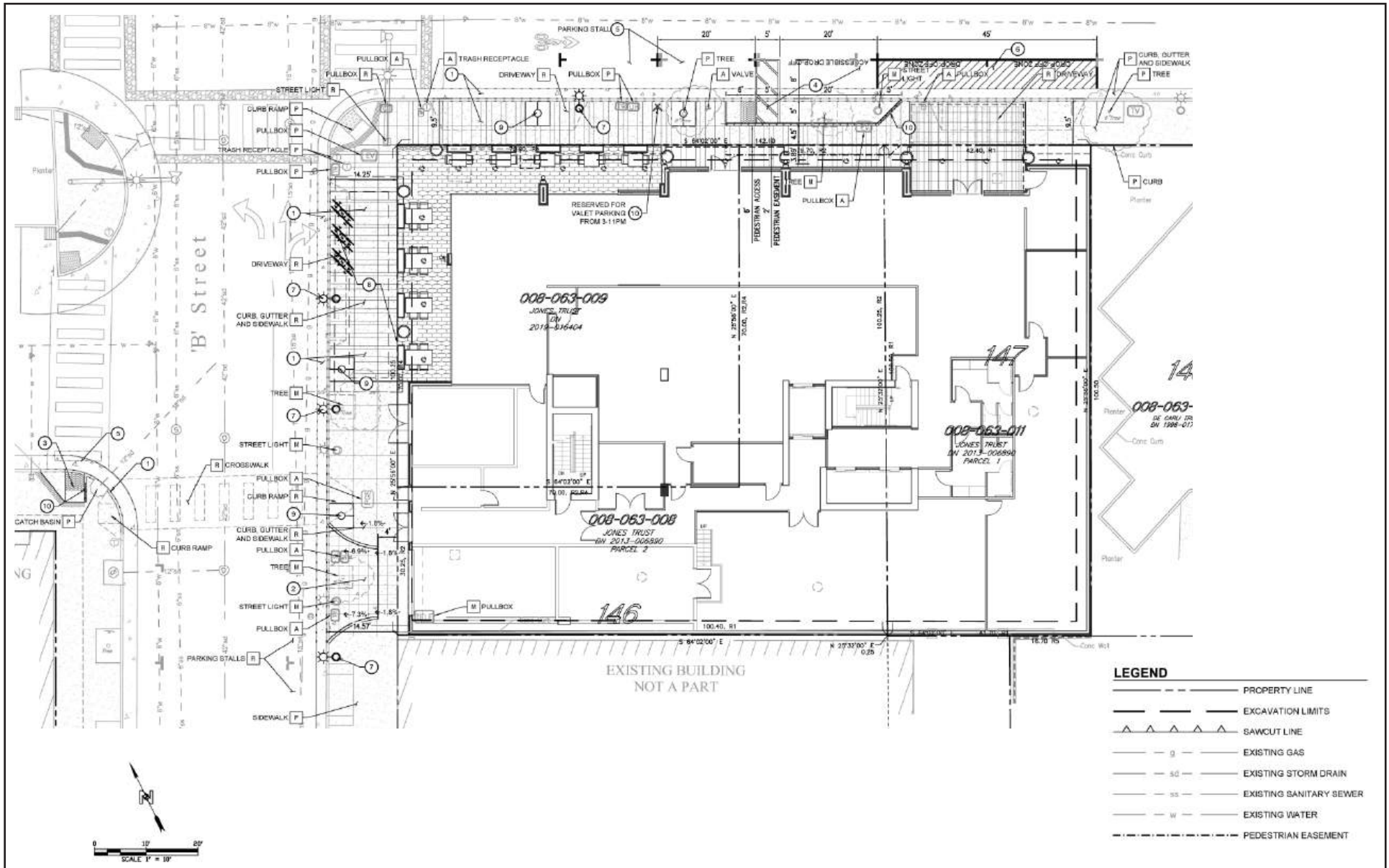
**Table 2-6: Stepback Regulations**

Frontage	Building Height		
	0 45 feet/ 4 stories	Above 45 feet/4 stories (whichever is less)	Above 60 feet/5 stories (whichever is less)
Primary Street Frontage	NA	8 feet minimum	16 feet minimum
Other Street Frontage (excluding an alley)	NA	5 foot minimum	5 foot minimum

**2.2.2 - EKN Appellation Hotel**

The proposed Hotel consists of the construction of a 93-room, 6-story (approximately 68-foot 10-inch) Hotel over a below-grade, 58-space parking garage.<sup>8</sup> 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).

<sup>8</sup> EKN Appellation Hotel Site Plans dated April 4, 2024.



Source: N Consulting Engineers, 3/30/2023.

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### **Floor Plan and Architectural Design**

The ground floor comprises valet and baggage storage, front office, employee areas, laundry and housekeeping, utility rooms, kitchen, and a 3,209-square-foot restaurant (2,308-square-foot interior space, 901-square-foot exterior space) for seating of up to 150 guests. The second through sixth floors feature a U-shaped floor plan intended to maximize the number of hotel bedrooms, retain sufficient guestroom space, and provide natural lighting in all 93 guestrooms. The second floor comprises 20 guestrooms, an outdoor courtyard, fitness room, and an administration office. The third and fourth floors each contain 27 guestrooms. The fifth floor reflects a recessed building façade, and comprises one bridal suite with a private balcony, one deluxe suite, four executive suites, and 13 guestrooms. The sixth floor is limited to the 5,585-square-foot rooftop terrace, 1,444-square-foot enclosed event space, and 900 square feet of pantry and support space and mechanical equipment. The subterranean parking garage comprises 58 parking spaces, a bike room, a storage area, and utility rooms.

The proposed building features a modern design and is built to the property lines on all sides. The ground level restaurant opening, recessed entryway, recessed balconies at the second and fourth floors, and the small open terrace at the corner of Petaluma Boulevard South and B Street on the fifth floor seek to break up the overall massing of the building. The building would be clad in flush porcelain panels with contrasting cladding at the fifth level where the building face is set back. Laser-cut metal panels in a decorative pattern are located at the sliding glass doors and windows on the main body of the building. The rooftop bar would feature a glass railing and barrier, as well as a semi-permeable fixed canopy.

Windows and doors throughout the building would have clear glass and dark bronze metal frames, with some featuring accent strips to the right or left side. The proposed proportions of the storefront and upper-story windows are informed by surrounding traditional storefronts and windows within the Commercial Historic District. Storefront windows at the ground floor of the building would be narrow with one-over-one lights, with the upper lights having the appearance of a transom. Curvilinear patterns would be etched in the glass panels, repeating motifs found elsewhere on the building and creating visual interest at the pedestrian level. The proposed color palette for the Hotel is shades of light to dark grey and tones of ivory, tan, and light brown.

Visual simulations of the proposed Hotel were created to demonstrate the design within its context. They are available within Exhibits 3.1-1 through Exhibit 3.1-1i in Section 3.1, Aesthetics.

### **Restaurant and Rooftop Bar**

The ground floor restaurant and bar would be a full-service restaurant, and the rooftop bar would be primarily bar service only, with food service available from the ground floor restaurant. Both the ground floor restaurant and bar as well as the rooftop bar and event space would be available for use by the public and hotel guests. The ground floor restaurant and bar would operate from 7:00 a.m. to 12:00 a.m., and the rooftop bar would operate from 8:00 a.m. to 12:00 a.m.

### ***Access, Circulation, and Parking***

Patrons accessing the site by vehicle would utilize a proposed valet drop-off along Petaluma Boulevard South for a stackable parking system into the hotel's subterranean garage, approximately 130 feet from the intersection of Petaluma Boulevard South and B Street. Once vehicles are dropped off, valet staff would drive east on Petaluma Boulevard South and turn right onto C Street, right onto 4th Street, and right onto B Street, where they would enter the subterranean parking garage via a new driveway.

Parking in the subterranean garage includes 58 spaces, inclusive of 54 stacked spaces and four standard spaces. Of the 58 parking spaces, six would be reserved for electric vehicles (EVs). When patrons are ready to pick up their vehicles, valet staff would access the subterranean parking garage and drive the patron's vehicle to the pickup location approximately 70 feet from the intersection of Petaluma Boulevard South/B Street. As proposed, valet services would be provided 24 hours a day, 7 days a week, with 3–4 valet staff members during peak-hours. To accommodate the proposed drop-off and pick-up valet spaces, two existing driveways along the Petaluma Boulevard South frontage would be removed and replaced with curb, gutter, and sidewalk consistent with City of Petaluma Standards. In addition, an existing driveway on B Street would be removed and replaced with curb, gutter, and sidewalk.

Pedestrian access to the site would be provided by existing sidewalks and crosswalks along Petaluma Boulevard South and B Street. The Hotel component of the proposed project would re-stripe the existing crosswalks located at the intersection of B Street with Petaluma Boulevard South and remove the crosswalk at the intersection of B Street and the one-way street that runs parallel to Petaluma Boulevard North, north of the site.

Bicycles would access the project site utilizing existing Class II and III facilities. Three bike racks accommodating up to six bikes are proposed along the B Street project frontage. In addition, the proposed project includes a bicycle valet service, accommodating up to seven bikes in a secure storage room in the subterranean garage. The site is located 0.5 mile from the Downtown Petaluma SMART station and Copeland Street Transit Mall, which would provide local and regional access and are accessible via East Washington Street and D Street.

### ***Landscaping, Lighting, and Signage***

The proposed project would remove three street trees located along the Petaluma Boulevard South (one 6-inch red maple) and B Street project frontages (two 8-inch red maples) and would replace them with three new 36-inch box street trees (Armstrong red maple). One existing 8-inch red maple along the Petaluma Boulevard South frontage would be retained. Other landscaped areas on the ground floor include various 1-gallon, low water use shrub species which would be planted in two types of freestanding planter boxes. Landscaping on the second floor includes ten 15-gallon, very low water use trees (Western redbud), shrubs, and sedum mix. Landscaping on the sixth floor includes four 15-gallon, medium water use trees (Chilean myrtle), and various 1- and 5-gallon shrub species. Landscaped areas also include five styles of pre-cast concrete pavers, wood tile pavers, synthetic turf, and metal tree grates (ground floor only). The total landscaped area, including trees, shrubs, and green roof areas would be 1,523 square feet.



Proposed lighting includes recessed canopy lights, sign lighting, wall-mounted egress lights at the garage entry, floor-mounted exterior bollards, planter-mounted exterior bollards, and decorative wall sconces. As proposed, signage includes two wall-mounted signs for the Hotel, including one at the main entrance on Petaluma Boulevard South and one on the sixth-floor rooftop, two blade signs for the proposed restaurant, and one projecting sign at the southeast corner of the proposed building.

### ***Utilities***

The proposed Hotel component of the project would connect to existing utilities located within the B Street and Petaluma Boulevard South right-of-way. The new building would install sanitary sewer and storm drain laterals to connect to the existing 15-inch and 42-inch mains located within the B Street right-of way. A new water lateral would connect the new building to the 8-inch water main located within the Petaluma Boulevard South right-of-way.

### ***Stormwater Management***

The proposed project includes features intended to capture stormwater runoff. Features would include modular bioretention features installed on the rooftop, and silva cells, installed within the tree wells along B Street and Petaluma Boulevard South.

### ***Construction***

Project construction would be anticipated to occur over an approximately 19-month period (approximately 414 construction days) and would include site preparation and grading as well as excavation of approximately 7,140 cubic yards to accommodate the subterranean garage. Construction of the subterranean garage would require dewatering and lateral shoring and would be anticipated to utilize traditional construction equipment, such as medium-size dozers, excavators, and backhoes. Following completion of grading activities, infrastructure improvements and building foundations would be constructed. Foundations and basement retaining are proposed to be mat slab with a minimum thickness of 36 inches and would be waterproofed to resist hydrostatic pressures. Following construction of the foundation, utilities would be installed and building construction would commence. New driveways, sidewalks, curbs and gutters, striping, landscaping, and signage would also be installed.

Anticipated construction equipment includes tractors, loaders, backhoes, scrapers, rubber-tired dozers, forklifts, welders, pavers, rollers, welders, generator sets, paving equipment, and air compressors. All material and equipment would be staged on-site or, through issuance of an encroachment permit, at abutting rights-of-way.

### ***Frontage and Off-site Improvements***

Along the site's Petaluma Boulevard South frontage, within the public right-of-way, the proposed project would remove and replace one existing street tree, remove two driveways and construct curb, gutter, and sidewalk, and install pick-up and drop-off parking stalls in the valet areas. Along the B Street project frontage, the proposed project would remove and replace two existing street trees, remove an existing driveway and construct curb, gutter, and sidewalk, remove and replace two existing streetlights, remove one curb-parking space and replace with two curb-parking spaces, and

install three bicycle racks. Other off-site improvements include restriping existing crosswalks at the intersection of B Street and Petaluma Boulevard South and removing the crosswalk at the intersection of B Street with the one-way access road running parallel with Petaluma Boulevard South. In addition, the project would upgrade the curb ramps at the two existing crosswalks to comply with Americans with Disabilities Act (ADA) requirements and would install one streetlight.

In addition, as a Condition of Approval, the applicant would be required to fund and construct a new bus stop adjacent to the Center Park area located approximately 200 feet north of the site along Petaluma Boulevard North. Construction of the bus stop would include removal and restriping of three on-street parking spaces, installation of a bus shelter, bench, trash can, bike racks, and remounting the existing bench. The bus pad would be approximately 60 feet long (40-foot bus space, 10-foot front clearance, and 10-foot rear clearance) by 8 feet wide.

## 2.3 - Project Objectives

The objectives of the proposed project are as follows:

### 2.3.1 - 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.

### 2.3.2 - 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.
- 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.

## 2.4 - Intended Uses of this Draft EIR

This Draft EIR is being prepared by the City of Petaluma to assess the potential environmental impacts that may arise in connection with actions related to implementation of the proposed project. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15367, the City of Petaluma is the lead agency for the proposed project and has discretionary authority over the proposed project and project approvals. The Draft EIR is intended to address all proposed public and private infrastructure improvements and all future development that are within the parameters of the proposed project.

### 2.4.1 - Discretionary and Ministerial Actions

Discretionary approvals and permits are required by the City of Petaluma for implementation of the proposed project.

The proposed Overlay would require the following discretionary approvals and actions, including

- Zoning Map Amendment to establish a Downtown Housing and Economic Opportunity Overlay
- Zoning Text Amendment to establish regulations for the Downtown Housing and Economic Opportunity Overlay
- General Plan Amendment to increase the permitted FAR for areas designated MU that are within the Downtown Housing and Economic Opportunity Overlay

The proposed Hotel would require the following discretionary approvals and actions, including:

- Historic Site Plan and Architectural Review (HSPAR) for the Appellation Hotel
- Conditional Use Permit (CUP) for the Appellation Hotel
- Tree Removal Permit for the Appellation Hotel

Subsequent ministerial actions would be required for the implementation of the proposed project including issuance of grading and building permits.

## 2.4.2 - Responsible and Trustee Agencies

A number of other agencies in addition to the City of Petaluma would serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. This Draft EIR would provide environmental information to these agencies and other public agencies, which may be required to grant approvals or coordinate with other agencies, as part of project implementation. These agencies may include, but are not limited to, the following:

- Sonoma County Department of Health Services
- Sonoma Water
- Regional Water Quality Control Board (RWQCB)

Actions that are necessary to implement the proposed project that must be taken by other agencies are:

- Approval from the Sonoma County Department of Health Services for excavation of more than 5 cubic yards of soil, groundwater extraction or discharge, soil or groundwater sampling, and soil reuse or disposal
- Approval from Sonoma County Water Agency (Sonoma Water) of the Stormwater Plan
- Individual National Pollutant Discharge Elimination System (NPDES) Permit from the RWQCB

## CHAPTER 3: ENVIRONMENTAL IMPACT ANALYSIS

### Organization of Issue Areas

This Draft Environmental Impact Report (Draft EIR) provides analysis of impacts for those environmental topics where it was determined in the Notice of Preparation (NOP), or through subsequent analysis, that the proposed project could result in “potentially significant impacts.” Section 3.1, Aesthetics, Section 3.2, Cultural Resources and Tribal Cultural Resources, and Section 3.3 Land Use and Planning discuss the environmental impacts that may result from approval and implementation of the proposed project. In addition, Chapter 4 of this Draft EIR provides a brief analysis of other environmental topics and explains how there will not be any significant environmental impacts with implementation of mitigation measures.

### Issues Addressed in this Draft EIR

The following environmental issues are addressed in this Chapter:

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

### Level of Significance

Determining the severity of project impacts is fundamental to achieving the objectives of the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15091 requires that decision-makers mitigate, as completely as is feasible, the significant impacts identified in the Draft EIR. If the Draft EIR identifies any significant unmitigated impacts, CEQA Guidelines Section 15093 requires decision-makers in approving a project to adopt a statement of overriding considerations that explains why the benefits of the project outweigh the adverse environmental consequences identified in the EIR.

The level of significance for each impact examined in this Draft EIR was determined by considering the predicted magnitude of the impact against the applicable threshold. Thresholds were developed using criteria from the CEQA Guidelines and checklist; State, federal, and local regulatory schemes; local/regional plans and ordinances; accepted practices; consultation with recognized experts; and other professional opinions.

### Impact Analysis and Mitigation Measure Format

The format adopted in this EIR to present the evaluation of impacts is described and illustrated below.

## Summary Heading of Impact

**Impact AES-1:** An impact summary heading appears immediately preceding the impact description (Summary Heading of Impact in this example). The impact number identifies the section of the report (AES for Aesthetics in this example) and the sequential order of the impact (1 in this example) within that section. To the right of the impact number is the impact statement, which identifies the potential impact.

### **Impact Analysis**

A narrative analysis follows the impact statement. In some cases, the impact discussion will reference State and federal regulations and agency policies that would fully or partially reduce the impact. In addition, policies and programs from applicable local land use plans that partially or fully address impacts may be cited and the proposed project would be evaluated in the context of these requirements.

### **Level of Significance Before Mitigation**

This section identifies the level of significance of the impact before any mitigation is proposed.

### **Mitigation Measures**

Project-specific mitigation measures, beyond design features, requirements contained in other documents or applicable by law, are set off with a summary heading and described using the format presented below:

**MM AES-1** Project-specific mitigation is identified that would reduce the impact to the lowest degree feasible. The mitigation number links the particular mitigation to the impact it is associated with (**AES-1** in this example); mitigation measures are numbered sequentially.

### **Level of Significance After Mitigation**

This section identifies the resulting level of significance of the impact following mitigation.

Abbreviations used in the mitigation measure numbering are:

Code	Environmental Issue
AES	Aesthetics
CUL	Cultural Resources
LU	Land Use and Planning

## Cumulative Impacts

The discussion of cumulative impacts in this subsection analyzes cumulative impacts of the proposed project, taken together with other past, present, and reasonably foreseeable future projects

producing related impacts. The goal of this analysis is to determine whether overall long-term impacts of all such projects would be cumulatively significant and to determine whether the proposed project itself would cause a “cumulatively considerable” incremental contribution to any such cumulatively significant impacts. To determine whether the overall long-term impacts of all such projects would be cumulatively significant, the analysis generally considers the following:

- The area in which impacts of the proposed project would be experienced;
- The impacts of the proposed project that are expected in the area;
- Other past, proposed, and reasonably foreseeable projects that have had or are expected to have impacts in the same area;
- The impacts or expected impacts of these other projects; and
- The overall impact that can be expected if the individual impacts from each project are allowed to accumulate.

“Cumulative impacts” refers to two or more individual impacts that, when considered together, are considerable, or that compound or increase other environmental impacts (CEQA Guidelines § 15355). Cumulative impacts can result from individually minor but collectively significant impacts taking place over time (40 Code of Federal Regulations [CFR] § 1508.7). If the analysis determines that potential exists for the proposed project, taken together with other past, present, and reasonably foreseeable future projects, to result in a significant or adverse cumulative impact, the analysis then determines whether the proposed project’s incremental contribution to any significant cumulative impact is itself significant (i.e., “cumulatively considerable”). Both conditions must apply for the proposed project’s cumulative effects to rise to the level of significance.

The cumulative impact analysis for each individual resource topic is presented in each resource section immediately after the description of direct project impacts and identified mitigation measures.

Table 3-1 lists the relevant cumulative projects considered for the environmental analysis. Exhibit 3-1 depicts the location of the listed projects.

**Table 3-1: Cumulative Projects**

No.	Project	Characteristics	Project Development			
			Dwelling/ Hotel Rooms	Non-Residential Square Footage	Location	Status
<b>City of Petaluma</b>						
5	Adobe Road Winery PLSR-18-0010	Tasting room and event space	—	13,718	1 C Street	Under Construction

No.	Project	Characteristics	Project Development			
			Dwelling/ Hotel Rooms	Non-Residential Square Footage	Location	Status
6	Hampton Inn Silk Mill Rear Addition PLZA-2022-0005, PLSR-2022-0005, and PLTR-2022-0013	Hotel addition	18 guest rooms	4,330	450 Jefferson Street and 490 Wilson Street	All Planning Approvals
11	Omahony Work/Live PLMA-20-0004	Multi-family Live-Work	3	—	136 Court Street	All Planning Approvals
13	Foley-Omahony Mixed Use Building PLMA-17-0009	Mixed use residential and commercial	10	1,500	131 Liberty Street	All Planning Approvals
15	Haystack Pacifica PLMA-16-0001	Mixed use residential and commercial	182 units	14,516	215 Weller Street	All Planning Approvals
20	Oyster Cove PLPJ-2022-0003	Mixed use residential and commercial	132 units	2,100	100 East D Street	SPAR Review
29	Sepaher Residential Building PLSR-2022-0031 and PLMA-17-0008	Multi-family Residential	4	—	315 Lakeville Street	Building Permit Review
31	Riverbend PUD, SPAR and Subdivision PLMA-19-0003	Residential	27	—	529 Madison	Under Construction/ Partially complete
38	MidPen Affordable Housing (SB-35) PLSR-20-0005	Multi-family Residential	44	—	414 Petaluma Boulevard North	Under Construction

Source: City of Petaluma. 2024





**Legend**

- EKN Appellation Hotel
- Downtown Housing & Economic Opportunity Overlay
- Cumulative Projects

Source: City of Petaluma.



## Exhibit 3-1 Cumulative Projects

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## 3.1 - Aesthetics

### 3.1.1 - Introduction

This section describes the existing aesthetics conditions in the project area, as well as the relevant regulatory framework. This section also evaluates the possible impacts related to aesthetics that could result from implementation of the proposed project. Descriptions and analysis in this section are based, in part, on-site reconnaissance, review of project plans and visual simulations for the proposed Hotel, and consideration of City policies and objectives related to aesthetics contained in the City of Petaluma General Plan 2025 (General Plan), Implementing Zoning Ordinance (IZO), as well as the Historic Commercial District Design Guidelines.

Public comments were received during the Environmental Impact Report (EIR) scoping period related to aesthetics and reflected the following topics:

- Concerns of aesthetic compatibility.
- Concern over potential aesthetic and cultural impacts of the proposed Hotel.
- Requests for the Draft EIR to address aesthetic impacts and shade/shadow impacts.
- Concern about location, design, and aesthetic impacts to the Historic Commercial District.
- Requests to evaluate impacts on scenic vistas and aesthetic resources.

### 3.1.2 - Environmental Setting

#### Visual Character

Visual character in the California Environmental Quality Act (CEQA) context is an impartial description of the defining physical features, landscape patterns, and distinctive physical qualities within a landscape. Visual character is informed by the composition of land, vegetation, water, and structure and their relationship (or dominance) to one another, and by prominent elements of form, line, color, and texture that combine to define the composition of views. Visual character-defining resources and features within a landscape may derive from notable landforms, vegetation, land uses, building design and façade treatments, transportation facilities, overhead utility structures and lighting, historic structures or districts, or panoramic open space.

#### *City of Petaluma*

The City of Petaluma is located in the southern portion of Sonoma County at the furthest navigable point of the Petaluma River (Exhibit 2-1). The City covers a total of 14.52 square miles and includes a variety of topographical features, such as a backdrop of hills to the west and south and vistas of Sonoma Mountain to the east. The City lies in the Petaluma River Valley, which extends northwest-southeast between Sonoma Mountain and Mount Burdell. Foothills rising to these peaks flank the City, providing views of rolling, oak-dotted landscape and small-scale agricultural uses.

#### *Downtown Housing and Economic Opportunity Overlay*

The proposed Downtown Housing and Economic Overlay (Overlay), consists of three distinct areas located in the Downton area of the City (Exhibit 2-2). The City's Downtown area, encompassing

approximately 31 acres, is generally bounded by Washington Street to the northwest, 6th Street to the southwest, Petaluma Boulevard to the northeast, and D Street to the southeast.

Buildings within and in the vicinity of the Overlay Area have a range of building heights. For example, the tallest building within the Overlay is the Phoenix Theatre, located at 5th Street and Washington Street. See Exhibit 3.1-1 for additional detail of surrounding building heights.

Within and bordering the Downtown area are five local historic districts and one national historic district: the Historic Commercial District (a National Register historic district), Downtown Historic District, A-Street Historic District, Oakhill-Brewster Historic District, Howard Street Cottages Historic District, Liberty Street Houses Historic District, and Upham Street Historic District (Exhibit 2-4). Portions of proposed Overlay Areas A and B are located within the Historic Commercial District; Area C is located outside of the Historic Commercial District (Exhibit 2-4).

Currently, the land use designations in the Overlay Area are mostly mixed use with one Public/Semi-Public (PSP) designation which allows for commercial, office, residential, and civic uses. Most of the residential land use designations downtown are concentrated south of Howard Street/6th Street. While many buildings within the Overlay Area are primarily single-story, with a few 2-story buildings, the greater Downtown area contains numerous buildings that are 60 feet or taller, including several historic buildings. As such, the visual character surrounding the Overlay Area consists predominantly of adjacent and nearby buildings and related landscaping that largely obscures views of the Petaluma River, Sonoma Mountain to the east and the foothills to the west and south.

### ***EKN Appellation Hotel***

The Hotel site, totaling 13,892 square feet, is located within Area A, at the southeastern corner of B Street and Petaluma Boulevard. The Hotel site is located on a relatively square lot, at 2 Petaluma Boulevard South. Based on the Hotel site's corner location, it is readily visible from Petaluma Boulevard South and the surrounding public rights-of-way.

The Hotel site is void of trees or other visual resources and is covered in ruderal/weedy vegetation that is regularly mowed. A temporary mural is present on the adjacent Rex Ace Hardware building and was installed with the intent of improving the general aesthetic in the area by utilizing the high visibility of the location to bring visual interest until such time as the site is redeveloped.

### **Scenic Resources**

Scenic resources typically involve prominent, unique, and identifiable natural features in the environment (e.g., trees, rock outcroppings, islands, ridgelines, channels of water, and aesthetically appealing open space) as well as cultural features or resources, such as regional or architecturally distinctive buildings or structures that serve as a focal point of interest.

### ***City of Petaluma***

According to the General Plan EIR, the General Plan does not designate any scenic vistas within the City, although the vistas of Sonoma Mountain to the east are identified as an important part of the City's form and identity. Additionally, the open grassy hillsides and ridgelines south of Petaluma and

the Petaluma River Corridor are identified scenic and visual resources in the General Plan. The Petaluma River and Creek and the Petaluma Marshlands to the south are also distinctive elements of the City's scenic setting.

The visual character of Downtown Petaluma is defined by its unique characteristics, including historic buildings, the river, and pedestrian-friendly development. Buildings within the Historic Commercial District exhibit a period of significance spanning from 1854 to 1945, featuring prominent architectural styles such as Late Victorian, Italianate, and Streamline Moderne. In 1995, the Historic Commercial District was placed on the National Register of Historic Places (NRHP) and established as a National Register District (Exhibit 2-4). The Historic Commercial District encompasses a significant portion of Downtown and includes 96 contributing buildings on approximately 23 acres of land. It represents the development of commerce in the City from the mid-nineteenth century to the end of World War II. It also provides a diverse and well-designed collection of commercial buildings, the architecture of which is unmatched in Sonoma County. The district today still retains a high degree of architectural integrity and building improvements have maintained an association to the historic period. In 1999, the Petaluma Historic Commercial District Design Guidelines were adopted. Any construction work within the district involving a historic structure or potentially affecting a historic structure or district is potentially subject to the Secretary of the Interior's Standards for Rehabilitation.

The A-Street Historic District contains an eclectic mix of residences, churches, and apartments nearly all built before 1925, illustrating a cross section of architectural history over the 65-year period of the neighborhood's development from 1860–1925. Contributing buildings in these historic districts help define the unique character of the urban environment in Petaluma and establish key relationships between the private and public realm, especially at street level.

### ***Downtown Housing and Economic Opportunity Overlay***

The Overlay Area does not contain any Local or National Landmarks, which would be considered scenic resources. Views from the proposed Overlay Area toward the Petaluma River, Sonoma Mountain, and the hillsides and ridgelines to the south are generally obscured by existing intervening development.

### ***EKN Appellation Hotel***

The Hotel site is generally surrounded by existing commercial development on all sides. Views of the Petaluma River and surrounding mountains from the Hotel site and the immediate area are obscured by existing intervening development, much like other areas of Downtown. The Hotel site is within the Historic Commercial District, which is defined by its architectural styles (Exhibit 2-4). Contributing buildings in the vicinity of the project site include the McNear Building, the Old Post Office Building, and the Great Petaluma Mill (Exhibit 3.1-2). As further described in Section 3.1-2, Cultural Resources and Tribal Cultural Resources, two buildings adjacent to the project site at 313 B Street and 20 Petaluma Boulevard South were evaluated for historical significance pursuant to Secretary of Interior Guidelines and were determined not eligible for listing on the California Register of Historical Resources (CRHR) or the National Register of Historical Resources (NRHR).

## Visual Simulations

The following table summarizes the viewpoint locations used in the visual simulations (Exhibit 3.1-3a through Exhibit 3.1-3i). Each visual simulative viewpoint includes an existing condition photograph.

**Table 3.1-1: Summary of Viewpoint Locations**

Viewpoint Number	View Description
1	Existing Views from the Corner of Western Ave and Petaluma Boulevard North Looking East Toward the Project Site (Exhibit 3.1-3a)
2	Existing Views from the Southeastern Corner of the McNear Building Looking East Toward the Project Site (Exhibit 3.1-3b)
3	Existing Views from the Northeastern Corner of the Great Petaluma Mill Looking South Toward the Project Site (Exhibit 3.1-3c)
4	Existing Views from the Northeastern Corner of C Street and Petaluma Boulevard Looking West Toward the Project site (Exhibit 3.1-3d)
5	Existing Views from Walnut Park Looking West Toward the Project Site (Exhibit 3.1-3e)
6	Existing Views from the Southwestern Corner of B Street and 5th Street Looking North Toward the Project Site (Exhibit 3.1-3f)
7	Existing Views from the Southwestern Corner of B Street and 4th Street Looking North Toward the Project Site (Exhibit 3.1-3g)
8	Existing Views from the River House Looking South Toward the Project Site (Exhibit 3.1-3h)
9	Existing Views from the Drawbridge Looking Southwest Toward the Project Site (Exhibit 3.1-3i)

Source: FirstCarbon Solutions (FCS). 2024.

Exhibit 3.1-3 illustrates the location of each viewpoint. Exhibits 3.1-3a through 3.1-3i provide existing views of the Downtown area and simulated views of the proposed Hotel from each viewpoint location.

*View 1—Existing Views from the Southwest Corner of Western Avenue and Petaluma Boulevard North looking Southeast Toward the Project Site*

View 1 (Exhibit 3.1-3a) shows views from the corner of Western Avenue and Petaluma Boulevard North looking southeast, located approximately 0.08 mile northwest of the Hotel site. This reflects the view of the Hotel that would be experienced by pedestrians along the southwestern sidewalk of Petaluma Boulevard North walking southwest toward the project site. The existing view shows that the landscape is urban and built up, with multi-story commercial businesses lining the street on both the southwestern and northeastern sides of Petaluma Boulevard. In the distant foreground are large deciduous and coniferous trees associated with Center Park.

*View 2—Existing Views from the Southeastern Corner of the McNear Building Looking Southeast Toward the Project Site*

View 2 (Exhibit 3.1-3b ) shows views from the southeastern corner of the McNear Building on Petaluma Boulevard North looking southeast, located approximately 0.06 mile west of the Hotel site. This reflects the view of the Hotel site that would be experienced from pedestrians walking into, out of, or around the McNear Building. The existing view features several shops, a parking area, and some large evergreen trees in Center Park, as well as views of the sky and additional open space and mixed development in the background.

*View 3—Existing Views from the Northeastern Corner of the Great Petaluma Mill, Looking South Toward the Project Site*

View 3 (Exhibit 3.1-3c) shows the viewpoint from the northeastern corner of the Great Petaluma Mill looking south, located approximately 0.06 mile north of the Hotel site. View 3 reflects the view that would be experienced by a pedestrian or driver either leaving the Great Petaluma Mill or encircling the adjacent roundabout. Existing views feature the façade of the Great Petaluma Mill and other nearby businesses, as well as a parking lot and cars parked along B Street. In the distance, trees and open sky are prominent. The temporary mural located adjacent to the Hotel site can be seen through the intervening trees, particularly during the winter when the deciduous trees drop their leaves. A significantly limited portion of foothills to the south, beyond Petaluma, can also be seen.

*View 4—Existing Views from the Northeastern Corner of C Street and Petaluma Boulevard South Looking West Toward the Project Site*

View 4 (Exhibit 3.1-3d) shows the viewpoint from the northeastern corner of C Street and Petaluma Boulevard South looking west, located approximately 0.04 mile east of the Hotel site. The existing views show the urban and built-up landscape prominently featuring the roadway and parking spaces and several commercial businesses and related signs, including the Boulevard Cinemas sign. In the background, some deciduous and evergreen trees used for landscaping blend with views of the open sky.

*View 5—Existing Views from Walnut Park Looking West Toward the Project Site*

View 5 (Exhibit 3.1-3e) shows the viewpoint from Walnut Park looking west, located approximately 0.11 mile from the Hotel site. The existing views feature the urban intersection of D Street and Petaluma Boulevard South in the foreground, including traffic signals, the roadway, and adjacent commercial and mixed-used development (inclusive of 3-story buildings on the northeast side of Petaluma Boulevard South). The background features similar scenery that is often blocked by foregrounded landscape features and shade trees.

*View 6—Existing Views from the Southwestern Corner of B Street and 5th Street Looking Northwest Toward the Project Site*

View 6 (Exhibit 3.1-3f) shows the viewpoint from the southwestern corner of B street and 5th Street looking northwest, located approximately 0.10 mile from the Hotel site. The existing views consist of the intersection of B Street and 5th Street and surrounding development. Trees and landscaping obstruct views of much of the development and a large portion of the sky. The most visually

prominent building is the 2-story building located at the southeastern corner of B Street and 5th Street.

*View 7—Existing Views from the Southwestern Corner of B Street and 4th Street Looking Northeast Toward the Project Site*

View 7 (Exhibit 3.1-3g) features the viewpoint from the southwestern corner of B Street and 4th Street looking northeast, located approximately 0.04 mile from the Hotel site. The view features the intersection of B Street and 4th Street, vehicles in parking spaces, single- or 2-story commercial development all intermittently obscured by street trees, set against an open view of the sky. Views in the background consist of similar views including the three story building located at the corner of B Street and 2nd Street.

*View 8—Existing Views from the River House Looking Southwest Toward the Project Site*

View 8 (Exhibit 3.1-3h) features the viewpoint from the River House looking southwest, located approximately 0.18 mile from the Hotel site. Existing views feature the Petaluma River, the Great Petaluma Mill, intermittent historic and contemporary architecture, as well as a limited interrupted view of foothills to the southwest and a large view of the open sky.

*View 9—Existing Views from the Drawbridge Looking Southwest Toward the Project Site*

View 9 (Exhibit 3.1-3i) features the viewpoint from the Drawbridge looking southwest, located approximately 0.21 mile from the Hotel site. Existing views consist of the Petaluma River channel, an electrical substation and a 4-story parking garage and other multi-story commercial developments in the background.

## **Light and Glare**

Light is nighttime illumination that stimulates sight and makes things visible, and glare is difficulty seeing in the presence of bright light such as direct or reflected sunlight.

### ***Downtown Housing and Economic Opportunity Overlay***

The primary sources of nighttime light in the Overlay Area and surrounding vicinity are from vehicle headlights and exterior lighting associated with commercial and residential properties. Existing large reflective surfaces, such as windows and exterior building materials, could contribute to daytime glare from sunlight or nighttime glare from external light sources. However, instances of significant daytime or nighttime glare are likely minimal and or brief due to the fact that buildings in the Overlay Area and surrounding vicinity are of architectural styles that do not include expansive areas of reflective surfaces and have building façades that are often articulated by varying architectural features and relief that aid in minimizing any potential glare (e.g., inset windows and awnings).

### ***EKN Appellation Hotel***

The Hotel site is currently vacant and covered with grasses and brush. There are no sources of nighttime light present on the project site. The primary sources of nighttime light in the surrounding area are from vehicle headlights and exterior lighting associated with surrounding commercial and residential properties. Existing large reflective surfaces, such as windows and exterior building materials, could contribute to daytime glare from sunlight or nighttime glare from external light



sources. However, buildings immediately adjacent to the Hotel site do not contain expansive areas of reflective surfaces and have building façades that are articulated. As such existing daytime or nighttime glare is likely minimal and or brief.

## **Shadow**

Shading refers to the effect of shadows cast upon adjacent publicly accessible areas and/or historic resources by proposed structures. Consequences of shadows upon land uses may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes or the loss of sunlight or the warming influences during cool weather. Shadow effects are dependent upon several factors, including the local topography, the height and bulk of the proposed project’s structural elements, sensitivity of adjacent land uses, season, and duration of shadow projection. Facilities and operations sensitive to the effects of shading include routinely usable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; existing solar collectors; and historic resources. These uses are considered sensitive because sunlight is important to function, physical comfort, and commerce.

### ***Downtown Housing and Economic Opportunity Overlay***

Buildings within the proposed Overlay Area include single- and 2-story commercial buildings. Similarly, the surrounding Downtown area contains a mixture of building uses, including residential, with heights ranging up to four stories. In particular, the parking garage located at 1st Street and D Street is four stories with additional parking on the roof level (fifth story). As such, the level of shading from buildings of various heights already occurs within the Overlay Area and throughout the Downtown area.

Outdoor uses including public spaces, dining, and parks within the Overlay Area and surrounding Downtown may be shadow sensitive, including Center Park located to the northwest of Area A, and Walnut Park located to the southeast of Area A.

### ***EKN Appellation Hotel***

The project site is currently vacant and does not contain any shadow sensitive areas nor any development that could cast an invasive shadow. Historic buildings in the vicinity of the Hotel site include the Great Petaluma Mill, the Old Post Office Building, and the McNear Building. Center Park, located across B Street to the north, has a public use outdoor space, and several parking areas abut the commercial buildings in the surrounding project site area. There are no solar panels in the vicinity of the Hotel site.

Exhibit 3.1-4a through Exhibit 3.1-4l demonstrate the existing shadow conditions.

### 3.1.3 - Regulatory Framework

#### Federal

No federal plans, policies, regulations, or laws related to aesthetics are applicable to the proposed project.

#### State

##### ***California Scenic Highway Program***

The State Legislature created the California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), in 1963. The purpose of the State Scenic Highway Program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The status of a proposed State Scenic Highway changes from eligible to officially designated when the local governing body applies to Caltrans for Scenic Highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway.

There are no designated Scenic Highways within the City of Petaluma. The nearest officially designated State Scenic Highway is located approximately 10.42 miles northeast of the Hotel site and is not visible due to the intervening mountains.

#### Local

##### ***City of Petaluma General Plan 2025***

The City of Petaluma General Plan was adopted on May 19, 2008, by the City. The General Plan has 11 Elements, each containing Goals, Policies, and Programs that apply to the Planning Area. The Planning Area is divided into 13 Subareas. Relevant goals and policies from the General Plan related to Aesthetics are listed below.

##### *Chapter 1: Land Use, Growth Management, and the Built Environment*

##### **Goal 1-G-1 Land Use**

Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community.

##### *Policies and Programs*

**1-P-2** Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.

- 1-P-3** Preserve the overall scale and character of established residential neighborhoods.
- A. In addition to density standards, establish building intensity (floor area ratio) standards for residential development in the Diverse Low and Medium Density Residential districts, to prevent development out of scale with existing neighborhood context.
- Actual standards are to be developed and maintained in the City's Development Code.*
- 1-P-6** Encourage mixed-use development, which include opportunities for increased transit access.
- 1-P-7** Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time.
- 1-P-11** Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.
- 1-P-12** Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multiuse residential/commercial corridors, allowing ground floor retail and residential and/or commercial/office uses on upper floors.
- A. Develop incentives in the Development Code to encourage lot consolidation to enable efficient multi-story buildings, and relocation of driveways to side streets.
- 1-P-13** Maintain Downtown as the City's geographic and symbolic center and a focus of commercial and cultural activities.
- 1-P-14** Require provision of street trees, landscaping, parking and access features to help integrate land uses and achieve an effective transition between uses of disparate intensities.
- Goal 1-G-3 Land Use**
- Maintain a well-defined boundary at the edge of urban development.
- Policies and Programs*
- 1-P-27** Encourage innovative site and building design to address parking solutions such as shared, structured, and/or underground facilities.
- Goal 1-G-6 Growth Management**
- Maintain a residential growth management system to ensure public infrastructure keeps pace with growth.

**Goal 1-G-7 Trees and the Built Environment**

Recognize that trees are a community asset, an essential element in the interface between the natural and built environment, and part of the urban infrastructure.

*Policies and Programs*

- 1-P-49** Preserve existing tree resources and add to the inventory and diversity of native/indigenous species.
- A. Review and update existing tree regulations and development procedures relating to trees, including:
    - Standardize submittal requirements and design review procedures for development and redevelopment projects.
    - Create a manual or reference guide outlining all tree-related guidelines, standards, and specifications; including, but not limited to: Requirements for design review and construction permit submittals; protection measures for trees in or near construction areas; monitoring requirements for trees during construction; guidelines for injury mitigation and replacement values; and guidelines for planting and maintenance.
  - B. Develop and adopt an Ordinance for Tree Preservation and Management Regulations.
  - C. Designate an official City Arborist(s). Role to include, but not be limited to: Review of all development and redevelopment project applications with regard to trees and subsequent project monitoring; Educate Citywide staff on tree issues relating to each development; Provide a central authority for the coordination, review, and development of tree-related policies and program; Promote a healthy urban forest and encourage supporting practices.
- 1-P-50** Preserve and expand the inventory of trees on public property, by undertaking the following:
- A. Develop a program, and associated costs, to monitor and maintain all trees on public property.
  - B. Develop Street Tree Master Plan(s) for neighborhoods and Downtown districts.
  - C. Assist and encourage private property owners to plant street trees (e.g.: no fee permits for concrete removal, neighborhood tree planting programs).
  - D. Allocate funding for the planting and long-term care of trees.

**Chapter 2: Community, Design, Character, and Green Building**

- Goal 2-G-2** Maintain and enhance Petaluma’s unique identity and sense of community, history and place.

*Policies and Programs*

- 2-P-3** Maintain landmarks and aspects of Petaluma’s heritage that foster its unique identity
- 2-P-5** Strengthen the visual and aesthetic character of major arterial corridors.
- 2-P-7** Encourage creation of a street tree planting program in existing residential areas and industrial areas undergoing revitalization. Such a program may include:
- Examples of appropriate tree species to reflect local growing conditions.
  - Standards for the placement of trees to ensure successful growth and limit impacts to infrastructure from roots.
  - A privately funded mechanism for replacing, maintaining, and expanding the inventory of street trees.

*Petaluma contains a sizable amount of residential stock dating from after the 1950s. Streetscape improvements will enliven the character of such areas as South East, Payran-McKinley, and Washington Core, which currently have relatively barren streetscapes with few trees and dominant driveway frontages. See also Element 1, Goal 1G-7 Trees and the Built Environment.*

**Goal 2-G-3 Downtown**

Advance Downtown Petaluma as a focus of civic and cultural activity in the community, retain a strong pedestrian orientation and scale, preserve and enhance buildings of historic and architectural importance.

*Policies and Programs*

- 2-P-14** Promote the development and intensification of the Downtown commercial core as both a visitor destination and a neighborhood retail center.
- 2-P-17** Pursue the development and promotion of cultural activities and facilities, such as museums, meeting halls, community theatres, public art galleries and shows, and outdoor gathering places within the Downtown area.
- 2-P-18** Develop Downtown uses and activities that relate to the City’s history:
- Continue the preservation, rehabilitation, and reuse of historically significant structures within the Downtown, as directed by the Petaluma Historic Commercial District Design Guidelines.
  - Build upon the public signage program to incorporate historical information.
  - Develop a program for reflecting Downtown’s agricultural past in the built space or through activities. Examples include retail outlets specializing in North Bay

produced foodstuffs and other regional products, and events focused on the continuing vitality of regional agriculture (wine events, cheese tasting, produce and/or product award programs, etc.)

- 2-P-20** Allow a greater diversity and intensity of activities while strongly supporting continuation of traditional river-dependent, agricultural support and other industries.
- 2-P-21** Maintain a cohesive street tree program integral to redevelopment and new development within the Downtown area.
- 2-P-57** Foster connections to the river from surrounding areas and ensure that new development adjacent to the river is oriented toward it.

#### *Historic Preservation*

- 3-P-1** Protect historic and archaeological resources for the aesthetic, cultural, educational, environmental, economic, and scientific contribution they make to maintaining and enhancing Petaluma’s character, identity and quality of life.
- A. Maintain the historic era integrity of the Petaluma Historic Commercial District, which is listed on the National Register of Historic Places, by adhering to the City’s Historic Commercial District Design Guidelines.
  - B. Maintain the historic era integrity within the Oak Hill-Brewster and “A” Street Historic Districts as adopted local historic districts.
  - C. Develop floor area ratio and other design standards that relate overall building size and bulk to site area for Downtown, the Oak Hill-Brewster, and “A” Street Historic District neighborhoods.
  - D. Conduct a comprehensive, citywide survey of historic and cultural resources for the purpose of creating a historic resource inventory.
    - Include updated surveys of existing Historic Districts as well as their adjacent areas.
    - Identify individual resources for designation as local, State or nationally designated landmarks.
    - The historic resource inventory shall be updated on a regular basis, per national standards. Inventories should be phased by prioritizing critical areas including areas targeted for development through the Central Petaluma Specific Plan and this General Plan.
  - E. Develop historic preservation guidelines or standards for protecting resources that are not currently designated through initiating, requiring and/or encouraging designation of additional historic districts, expanding the boundaries of existing districts and identifying and designating local landmarks.

- F. Pursue Certified Local Government (CLG) status through the California State Office of Historic Preservation.
- G. Create a central repository for historic surveys, reports, guidelines, ordinances etc. that is easily accessible to the public, while protecting confidentiality regarding archaeological sites and Traditional Cultural Places.
- H. The loss of designated and eligible historic resources shall be minimized through strict enforcement of City policies requiring proposed demolition to be reviewed by the Historic and Cultural Preservation Committee. All means shall be used to encourage preservation of eligible historic resources (Resolution 2005-198 N.C.S. as thereafter amended).
  - Reconsider defining structures/resources 45 years or older as the standard for review to be consistent with the State of California, CEQA, and the National Register criteria.
- I. Prepare a salvage ordinance that requires an inventory of usable materials, in cases where demolition is the only alternative, prior to demolition of historic structures.
- J. Ensure the protection of known and unrecorded archaeological resources in the City by requiring a records review for any development proposed in areas that are considered archaeologically sensitive for Native American and/or historic remains.
- K. In accordance with CEQA and the State Public Resources Code, require the preparation of a resource mitigation plan and monitoring program by a qualified archaeologist in the event that archaeological remains are discovered.
- L. Ensure that City staff responsible for planning decisions affecting historic resources are well versed in historic preservation theory and practice; consider the creation of a historic preservation planner position on staff.

**3-P-6** Ensure that new development adjacent to eligible historic and cultural resources is compatible with the character of those resources.

**3-P-7** Recognize landscape features, including trees in both their urban and natural environment as part of Petaluma’s identity and part of the character-defining features of the City’s historic districts.

- A. Develop a program for monitoring and maintaining historic and/or contextually significant trees as defined in tree ordinance (as part of new Development Code).
- B. Conduct and periodically update a survey of existing significant trees.
- C. Make information available to residents and businesses related to the protection, maintenance, and proper care of significant trees and other historically significant landscape features.

- D. Allocate funds for the maintenance, monitoring, and planting of street trees in designated historic districts, as appropriate to the historic character of these districts.

### **Central Petaluma Specific Plan**

The Central Petaluma Specific Plan provides specific land use and development regulations for nearly 400 acres within the geographic heart of the City, extending on both sides of the Petaluma River (Exhibit 2-4). It includes an area that is bounded by Lakeville Street on the east and north, Petaluma Boulevard on the west, and United States Highway 101 (US-101) on the south. Neither the Overlay Area nor the Hotel site are located within the Central Petaluma Specific Plan area; however, Area A and the Hotel site are directly adjacent.

### **Petaluma Implementing Zoning Ordinance**

#### *Chapter 15—Preservation of the Cultural and Historic Environment*

IZO Section 15, Preservation of the Cultural and Historic Environment, is applied to projects that could result in an impact to a historic property or District. This section provides guidelines for Historic Site Plan and Architectural Review (HSPAR) by the City and specifically the Historic and Cultural Preservation Committee (HCPC) to ensure that potential impacts are avoided or minimized to a less than significant level. Projects may be denied or may undergo rounds of review with direction related to modifications that can bring a proposed design into compliance. The Hotel has already undergone one round of review and has been modified in line with HCPC recommendations.

This chapter provides for the following:

- A. The protection, enhancement, perpetuation, and use of buildings, structures, sites, objects, and districts, including archaeological sites, that are reminders of past eras, events, and persons important to local, State, or national history, or which provide significant examples of architectural styles of the past or area landmarks in the history of architecture, or which are unique and irreplaceable assets to the City and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.
- B. The development and maintenance of appropriate settings and environments for such structures.
- C. The enhancement of property values, the stabilization of neighborhoods and areas of the City, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of tourist trade and interest.
- D. The enrichment of human life in its educational and cultural dimensions by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.



### *Chapter 17—Tree Preservation*

This chapter provides regulations for the protection, preservation, and maintenance of groves and stands of mature trees, and mature trees in general. The intent of this chapter is to promote and perpetuate the urban forest through the replacement of trees removed as a result of new development. It applies to all zoning districts in the City relative to the removal or relocation of protected trees as listed in Section 17.040 and requires an arborist report and/or tree preservation and protection plan for all development applications that potentially affect protected trees including in-kind or in lieu replacement as necessary.

#### **Downtown Area Tree Planting Guidelines**

The City's Downtown Area Tree Planting Guidelines, as referred to in IZO Chapter 17, provide requirements applicable to the placement and planting of street trees and should be incorporated, as applicable, to any proposed development in the Downtown area.

### *Chapter 24.050—Design Review*

This chapter specifically states that all projects must undergo Site Plan and Architectural Review (SPAR) in order to ensure satisfactory quality of design in individual buildings and sites and appropriateness for buildings to their intended use, to mitigate the environmental impacts of buildings and sites, and to facilitate harmony between developments and their surroundings.

### *Section 21.040(D)—Glare*

This Section of Chapter 21—Performance Standards states that no direct glare is permitted and that indirect glare shall not exceed the value which is produced by an illumination of the reflecting surface not to exceed 0.3 foot-candles (maximum) or 0.1 foot-candles (average).

#### **City of Petaluma Historic Commercial District Design Guidelines**

The Historic Commercial District was placed on the NRHP in 1995, and design guidelines were adopted in 1999 through Ordinance No. 2097 N.C.S.

The purpose of the guidelines is to aid property owners in making decisions concerning the alteration of buildings and as a framework for new development located within the Historic Commercial District of Downtown. The Petaluma Historic Commercial District Design Guidelines are intended to provide direction and encourage the preservation, adaptive use, and enhancement of buildings and streetscapes within the Downtown. The guidelines would be applicable to the portions of proposed Overlay Areas A and B, including the Hotel site, that are located within the Historic Commercial District (see Exhibit 2-4). The guidelines address architectural style, building character, storefronts, awnings and canopies, paint color, signs, major rehabilitation, and new construction.

Additional information regarding the discretionary review and appeals processes related to applications for HSPAR, as well as the SPAR and Conditional Use Permit (CUP) approvals, is provided in Appendix D.

### 3.1.4 - Methodology

#### Approach to Analysis

This analysis provides a discussion of the visual impacts associated with the proposed project and the area surrounding the project site. Several variables affect the degree of visibility, visual contrast, and ultimately project impacts: (1) scale and size of facilities, (2) viewer types and activities, (3) distance and viewing angle, and (4) influences of adjacent scenery or land uses. Viewer response and sensitivity vary depending on viewer attitudes and expectations.

As part of this analysis, FirstCarbon Solutions (FCS) conducted a field visit of the project site to observe and document the existing visual quality and character of the project site as well as the surrounding areas. The General Plan, Municipal Code, and other City regulations were also evaluated to determine applicable policies and design requirements for the proposed project. Additionally, FCS has developed exhibits that visually simulate the proposed project's visual character so that the impacts of the proposed Hotel could be evaluated.<sup>1</sup> These visual simulations are contained in Exhibit 3.1-3 through Exhibit 3.1-3i.

### 3.1.5 - Thresholds of Significance

The City of Petaluma, as the Lead Agency, utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether impacts to aesthetics are significant environmental effects. These questions reflect the input of planning and environmental professionals at the Governor's Office of Planning and Research and the California Natural Resources Agency, based on input from stakeholder groups and experts in various other governmental agencies, nonprofits, and leading environmental consulting firms. Thus, the proposed project would have a significant effect related to aesthetics if the project would:

- a) Have a substantial adverse effect on a scenic vista.
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage point). In urbanized area, conflict with applicable zoning and other regulations governing scenic quality?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

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<sup>1</sup> As no specific projects are proposed for the Overlay Area, it would be too speculative at this time to create visual simulations for the proposed Overlay. The analysis outlines procedures for future development under the proposed Overlay to ensure that there are no impacts to aesthetic resources.

### 3.1.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the proposed project and provides mitigation measures where appropriate.

#### *Scenic Vistas*

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**Impact AES-1:**      **The proposed project could have a substantial adverse effect on a scenic vista.**

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#### *Impact Analysis*

A scenic vista or scenic view is generally described as a view of an area that is visually or aesthetically pleasing. Examples of distinctive scenic vistas and views include urban skylines, valleys, mountain ranges, and large bodies of water.

According to the General Plan, there are no designated scenic vistas located within the City, although views of foothills to the west and south, as well as Sonoma Mountain to the east and the Petaluma River Corridor, are identified scenic and visual resources in the General Plan. Accordingly, consistent with the City's local significance threshold, the proposed project would have significant effects if it would substantially block or impede public views of such scenic resources.

For the purposes of this analysis, the Historic Commercial District and historic buildings are considered scenic resources.

#### *Downtown Housing and Economic Opportunity Overlay*

The proposed Overlay would not directly result in physical development and as such would not directly alter, interfere, or impact a scenic vista. However, reasonably foreseeable development under the Overlay may impact views of foothills to the west and south of the City, Sonoma Mountain to the east, and the Petaluma River Corridor, which are identified scenic and visual resources in the General Plan. Additionally, foreseeable development under the Overlay has the potential to impact views of scenic resources, including the Historic Districts and individual listed or eligible historic resources.

Development applications submitted, including those within the Overlay Area, would be reviewed by the City for consistency with the design review procedures in Chapter 24.050 (Design Review) of the IZO. The procedures require that all projects undergo SPAR in order to ensure a satisfactory quality of design in individual buildings and sites, appropriateness of buildings for their intended use, mitigation of environmental impacts of buildings and sites, and to facilitate harmony between developments and their surroundings. Additionally, per the proposed Overlay Ordinance and Mitigation Measure (MM) Overlay CUL-1e, all future individual development projects that propose a height above 45 feet or lot coverage above 80 percent would be required to obtain a CUP. In order to obtain a CUP, the Planning Commission would have to make a finding that the additional height would not have a negative impact on historic resources in the vicinity. The Planning Commission would also have to find that the additional lot coverage would improve the existing streetscape, would be compatible with the surrounding area, and would not diminish scenic views. The required findings are listed in Impact AES-3. Furthermore, all future individual development projects that are

located within the Petaluma Historic Commercial District would be required to obtain an HSPAR permit per existing regulations such as IZO Section 15. Appendix D summarizes the discretionary review and appeals processes related to applications for SPAR, HSPAR and CUP approvals.

In addition, all future development would be required to comply with the policies and actions of the General Plan designed to protect scenic resources. In order to integrate structures into the natural environment and protect natural, historic, and scenic features, the City implements policies and programs to guide the design of future residential and nonresidential developments. Policy 1-P-3 requires the City to consider how future development would preserve the overall scale and character of established residential neighborhoods. Policy 2-P-3 directs future development to maintain landmarks and aspects of Petaluma's heritage that foster its unique identity. Additionally, Policy 3-P-1 requires the City to protect historic and archaeological resources for the aesthetic, cultural, educational, environmental, economic, and scientific contribution they make to maintaining and enhancing Petaluma's character, identity and quality of life. In addition, the General Plan includes specific policies, such as Policy 2-P-57, designed to preserve and foster connections to the river. As such, these policies would preserve public views of recognized scenic resources.

Because the proposed Overlay would not in and of itself result in physical development, there would be no direct impacts. Additionally, because both the City's SPAR/HSPAR process and MM CUL-1e, provide a mechanism by which potential impacts to scenic resources are assessed at the project level, future development consistent with the proposed Overlay would not result in a potentially significant impact to scenic resources or vistas.

### ***EKN Appellation Hotel***

As stated above, there are no designated scenic vistas located within the City, although views of foothills to the west and south of the City, Sonoma Mountain to the east, and the Petaluma River Corridor, are identified as scenic and visual resources in the General Plan. Additionally, the City's historic districts, as well as individual listed and eligible historic buildings, are considered scenic resources. Historic buildings in the vicinity of the Hotel site include the Great Petaluma Mill, the Old Post Office Building, and the McNear Building.

The Hotel site is located in the Downtown area of the City, and is predominantly surrounded by existing urban development, street trees and landscaping, and other roadway infrastructure that obstruct views of the Petaluma River and Sonoma Mountain and largely obscure views of western ridgelines. As shown in Exhibit 3.1-3a through Exhibit 3.1-3i, construction of the proposed Hotel would not significantly impede any public views of the Historic District or historic buildings, Sonoma Mountains, or Petaluma River. As shown in Exhibit 3.1-3h and Exhibit 3.1-3i, Viewpoints 8 and 9, the proposed Hotel would not be easily visible to pedestrians looking south toward the project site. As required by MM Overlay CUL-1e, the proposed Hotel would have to meet certain criteria in order to obtain a CUP for its increased height and lot coverage. The CUP process would ensure that the Hotel would not have adverse impacts to historic resources. Appendix D summarizes the discretionary review and appeals processes related to applications for SPAR, HSPAR and CUP approvals. Accordingly, the construction and operation of the proposed Hotel would not directly interfere with or impact scenic vistas or resources.

## Summary

Because there are no designated scenic vistas within the City, and identified scenic resources would be protected through consistency with General Plan policies and the SPAR/HSPAR and CUP processes if proposed development were above 45 feet, impacts would be less than significant.

### **Level of Significance Before Mitigation**

Potentially significant impact.

### **Mitigation Measures**

Implementation of MM Overlay CUL-1e.

### **Level of Significance**

Less than significant with mitigation incorporated.

## Scenic Highways

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<b>Impact AES-2:</b>	<b>The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway.</b>
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### **Impact Analysis**

If the project site is not located within a State Scenic Highway corridor, it may be presumed to have a less than significant impact absent substantial evidence to the contrary.

According to the Caltrans State Scenic Highway System Map, the nearest Officially Designated State Scenic Highway to the City is State Route (SR) 12, located near the City of Santa Rosa and the City of Sonoma, approximately 10.42 miles to the northeast. The nearest eligible State Scenic Highway is SR-116 located within the City's Sphere of Influence (SOI), approximately 1.06 miles to the east.

### **Downtown Housing and Economic Opportunity Overlay**

As indicated, the nearest Officially Designated State Scenic Highway is located approximately 10.42 miles northeast of the Overlay Area and is not visible from the Overlay Area due to the intervening mountains. In the absence of designated scenic highways within the City of Petaluma, development that may occur under the proposed Overlay would not damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings visible from a designated (or eligible) State Scenic Highway. Therefore, the Overlay would have no impact on scenic resources visible from a designated State highway.

### **EKN Appellation Hotel**

As described above, there are no designated scenic highways within the City of Petaluma. The nearest Officially Designated State Scenic Highway is located approximately 10.42 miles northeast of the Hotel site and is not visible due to the intervening mountains. As such, development of the proposed Hotel would not damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings visible from a designated (or eligible) State Scenic Highway.

Therefore, the proposed Hotel would have no impact on scenic resources visible from a designated State highway.

### **Level of Significance**

Less than significant impact.

### **Visual Character**

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**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.**

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### **Impact Analysis**

The proposed project is located in an urbanized area, Downtown Petaluma, and therefore, impacts to scenic quality are analyzed in terms of compatibility with applicable zoning and other regulations governing scenic quality.

### **Regulation Consistency**

*Downtown Housing and Economic Opportunity Overlay*

#### **General Plan**

While the proposed Overlay does not include any project-specific development, when development applications are received the City will review them for compliance with applicable policies and programs included in the General Plan Land Use, Growth Management, and the Built Environment Element; Community, Design, Character, and Green Building Element; and the Historic Preservation Element. Among the many policies, the City would consider whether a future development application would aesthetically enhance the Downtown area, maintain and enhance Petaluma’s heritage, and protect historic and archaeological resources within the City. Additionally, all future development under the proposed Overlay would be required to adhere to high standards of quality in design and to incorporate street features that promote pedestrian friendliness.

#### **Implementing Zoning Ordinance**

The parcels located within the Overlay Area are designated by the General Plan as Mixed Use (MU) and PSP. The parcels are zoned as Mixed Use 2 (MU2) and Civic Facilities (CF). If implemented, the allowable floor area ratio (FAR) for parcels within the Overlay Area could be increased from 2.5 to 6.0 FAR. Projects within the Overlay that seek approval for increased height above 45 feet would be required to undergo review for approval of a CUP. A CUP can only be granted if the height is 75 feet or below. An affirmative finding for each of the following criteria, supported by substantial evidence in the record, is required for approval of a CUP application for increased height:

- That the additional height is consistent with the applicable purposes of the Overlay;
- That the additional height makes a positive contribution to the overall character of the area and that the building will 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;

- That the additional height would not 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;;
- That 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
- That the building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.

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:

1. 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.
2. 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.
3. Demonstrates exceptional architecture/design. “Exceptional” architecture/design may be demonstrated by any of the following:
  - a. The use of innovative, creative, or original architectural concepts, materials, or building techniques;
  - b. The use of visual elements that contribute positively to the built environment, such as well-proportioned façades, pleasing materials, and unique features;
  - c. The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;
  - d. The use of low impact development and green infrastructure features in sustainable design and landscaping; or
  - e. The use of high-quality building materials that contribute to long-term durability and visual quality.
4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur on-site or within the Overlay;
5. Exceeds the minimum number of Inclusionary Dwelling units required by IZO Section 3.040; or
6. Provides all required parking below grade.

Furthermore, the Planning Commission may approve a CUP to allow for additional lot coverage of up to 100 percent pursuant to the review criteria set forth in Section 24.060.E and if any one or more of the following are true for a project:

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.

Pursuant to the IZO, all development under the proposed Overlay would be required to comply with Chapter 15, Preservation of the Cultural and Historic Environment, to protect the City's historic buildings and create an appropriate and enhanced setting for the City's historical resources. In addition, development would be required to comply with Chapter 17, Tree Preservation, and all regulations related to preserving the City's portfolio of street trees and the urban canopy. All future projects within the Overlay would be subject to SPAR review. Appendix D summarizes the discretionary review and appeals processes related to applications for SPAR, HSPAR and CUP approvals.

#### **Historic Commercial District**

Portions of Overlay Areas A and B are located within the boundaries of the Historic Commercial District, and, as such, future projects within the Historic Commercial District would be subject to the rules and regulations within the City's discretionary planning entitlement of an HSPAR, all applicable regulations from the Historic Commercial District Design Guidelines, and the Secretary of the Interior's Standards for the Treatment of Historic Properties. Future projects within the Historic Commercial District would undergo a review and approval process with the City's HCPC. While the proposed Overlay does not include any project-specific development, all projects proposed under it would be required to adhere to the standards set related to sign design and content, streetscape design, street tree placement, façade designs and materials composition. The Standards within the Historic Commercial District Design Guidelines would ensure that all development under the proposed Overlay would be harmonious with the surrounding area, appropriately scaled, and maintains and enhances the unique cultural and historic resources of the City.

#### *EKN Appellation Hotel*

##### **General Plan**

The proposed Hotel would consist of a 6-story Hotel including 3,209-square-foot ground floor restaurant. The proposed Hotel would be located in Area A and would be consistent with relevant policies in the General Plan, including Policy 1-P-27, proposing an innovative site and building design to address parking solutions; Policy 1-P-49, preserving existing tree resources; Policy 2-P-5, strengthening the visual and aesthetic character of major arterial corridors; and Policy 3-P-6,



ensuring compatibility of new development adjacent to historic and cultural resources. Additionally, the proposed project would adhere to the high standards of quality in design and incorporate street features that promote pedestrian friendliness.

#### **Implementing Zoning Ordinance**

The Hotel site is designated MU by the General Plan, and the IZO designates the site as MU2. The proposed Hotel would comply with all applicable regulations within the IZO, including Chapter 15, Preservation of the Cultural and Historic Environment, through its protection and enhancement of the of the surrounding historic architecture and its promotion of historic architectural styles.

Additionally, the proposed Hotel would be compliant with Chapter 17, Tree Preservation, and all regulations related to preserving the City's portfolio of street trees and the urban canopy. The proposed Hotel would retain one street tree along Petaluma Boulevard and remove and replace three existing street trees, maintaining the street tree coverage that currently exists on the project site, and as such would ensure no net loss of tree canopy in the community would occur.

#### **Historic Commercial District**

The Hotel site is located within the boundaries of the Historic Commercial District, and as such would be subject to the rules and regulations within the City's discretionary planning entitlement of an HSPAR, the Historic Commercial District Design Guidelines, and the Secretary of the Interior's Standards for the Treatment of Historic Properties. The proposed Hotel would be subject to HSPAR review and approval by the HCPC. The proposed Hotel would be reviewed for compliance with the district design guidelines, which include sign design and content, streetscape design, street tree placement, façade designs, and materials composition. The standards within the Historic Commercial District Design Guidelines would ensure that all development under the proposed Overlay would be harmonious with the surrounding area, appropriately scaled, and maintains and enhances the unique cultural and historic resources of the City.

As noted in Section 3.2, Cultural Resources and Tribal Cultural Resources, a historic evaluation of the proposed Hotel determined that its construction would be in conformance with the Historic District design guidelines and would not impact the Historic District's ability to convey its significance.

Adherence to these standards, policies, and guidelines would ensure consistency with the applicable requirements of the IZO, the General Plan, and the Historic Commercial District Design Guidelines.

#### **Visual Simulation Analysis**

The proposed Hotel's impact to visual character was evaluated through the preparation of visual simulations from nine viewpoints in the project vicinity. These visual simulations can be viewed in Exhibit 3.1-3 through Exhibit 3.1-3i. As shown in the Key Map (Exhibit 3.1-3), Viewpoint 1 (Exhibit 3.1-3a), Viewpoint 2 (Exhibit 3.1-3b), Viewpoint 4 (Exhibit 3.1-3d), Viewpoint 5 (Exhibit 3.1-3e), and Viewpoint 7 (Exhibit 3.1-3g) are the viewpoints closest to the proposed project site and combine to illustrate the potential pre- and post-construction views of the proposed Hotel. As depicted in these simulations, the proposed Hotel would be visible from and taller than the surrounding development, as permitted by the proposed Overlay. As depicted, trees and smaller planters would be placed along the project frontage along B Street and Petaluma Boulevard. The proposed Hotel would feature

similar colors and materials as the surrounding development and would be consistent with the character of the surrounding area. The proposed Hotel would be consistent with all aesthetic design regulations as included in the General Plan, Municipal Code, and Historic Commercial District Design Guidelines.

Additional visual simulations, as depicted in Viewpoint 3 (Exhibit 3.1-3c), Viewpoint 6 (Exhibit 3.1-3f), Viewpoint 8 (Exhibit 3.1-3h), and Viewpoint 9 (Exhibit 3.1-3i), depict the pre- and post-development views of the proposed Hotel from viewpoints further away from the proposed project site. These exhibits showcase the degree to which, at an increased distance from the project site, the proposed Hotel would be largely or entirely obstructed by intervening development. Additionally, the Hotel will be required to obtain an HSPAR permit and a CUP for its height and lot coverage, which will require findings related to compatibility with the surrounding neighborhood and that the development would not have significant environmental impacts. Appendix D summarizes the discretionary review and appeals processes related to applications for SPAR, HSPAR and CUP approvals. As such, in compliance with the City’s design standards and all applicable design regulations, construction and operation of the proposed Hotel would not have an adverse effect on the visual character of the surrounding area. Impacts would be less than significant.

**Level of Significance**

Less than significant impact.

**Light and Glare**

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**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.**

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**Impact Analysis**

Under the City’s local significance threshold, the proposed project would have significant effects if it would be inconsistent with the performance standards set forth in Section 21.040(D) of the IZO.

*Light and Glare*

**Downtown Housing and Economic Opportunity Overlay**

The proposed Overlay would not result in direct physical development; however, reasonably foreseeable future development under the proposed Overlay may result in increased lighting as compared to existing conditions. Future projects would be subject to independent discretionary review, and any changes in lighting would be subject to performance standards set forth in Section 21.040(D) of the IZO. Similarly, development extending above 45 feet would require a CUP and discretionary review by the Planning Commission, including a finding, “That the additional height would not unduly restrict access to light and air from adjacent properties or the public right-of-way, or otherwise be detrimental to the public health, safety, or welfare.” As part of future discretionary review for individual projects proposed within the Overlay Area, conformance with performance standards, including Section 21.040(D) of the IZO would be required. Additionally, the SPAR/HSPAR permit requires a finding that there are no environmental impacts that result from the development or that the impacts are mitigated to less than significant (IZO Section 24.050(E)(5)). Through

compliance with applicable regulations, impacts resulting from light and glare would be less than significant.

*EKN Appellation Hotel*

The proposed Hotel would result in new lighting associated with interior and exterior building and landscaping light fixtures as well as headlights from vehicles entering and exiting the garage proposed along B Street. As proposed, lighting introduced as a result of the proposed Hotel would be consistent with lighting levels in the immediate vicinity. A photometric plan depicting proposed illumination levels from lighting demonstrates compliance with the standards set forth in Section 21.040(D) of the IZO, which provides that indirect and direct glare shall be below 3 foot-candles at the property line. As shown on Sheet 6.0 of the project plans, foot-candles at the property line would be zero, except that at the parking garage entry and exit where foot-candles measure a maximum of 0.4, consistent with the City's regulations included in Section 21.040(D) of the IZO. Furthermore, headlights from vehicles entering and exiting the project site would be temporary in nature and there are no light sensitive uses adjacent to the proposed driveway. As such, the proposed Hotel would comply with applicable performance standards adopted by the City relating to light and glare and impacts would be less than significant.

**Level of Significance**

Less than significant impact.

**Shadow**

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**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.**

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**Background**

Shading and shadow are a common and expected quality in urban environments, and are considered a beneficial characteristic when it provides cover from excess sunlight and heat. However, an impact resulting from a new shadow source may occur if the proposed project caused a substantial net new shadow over shadow sensitive spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors. Furthermore, shade and shadow may adversely affect a historic resource if it interferes with its historic integrity or its ability to convey its historic significance. Shade and shadow impacts could be considered significant if shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST on either the summer or winter solstice.

Areas sensitive to shadow throughout the Overlay Area include Central Park, Walnut Park, and other routinely usable outdoor space (such as outdoor dining areas), as well as listed and eligible historic resources.

### ***Downtown Housing and Economic Opportunity Overlay***

The proposed Overlay would not result in direct physical development; however, reasonably foreseeable future development under the proposed Overlay may result in increased building shadows as compared to existing conditions. As part of future discretionary review for individual projects proposed within the Overlay Area, conformance with performance standards would be required. Further, any future development in the Overlay would require a SPAR/HSPAR permit, which would require a finding of compatibility with the neighborhood and that the development would not have significant environmental impacts. Any development above 45 feet would require a CUP finding that the additional height is not detrimental to health, which includes aesthetics. While most areas of the Overlay Area are predominantly built-out, new shadow introduced by future development projects would be evaluated on a project-specific level to ensure consistency and a shadow study may be required at the City's discretion.

### ***EKN Appellation Hotel***

To analyze potential impacts related to shadows from the proposed Hotel, Exhibit 3.1-4a through Exhibit 3.1-4f were prepared showing the likely shadows of the proposed Hotel during the summer and winter solstices and spring and fall equinoxes. These days are used to approximate shadows because they represent when the sun's path is at the highest, mid, and lowest point on the horizon thereby providing a general overview of how a building's shadow would change throughout the year. Shadow sensitive land uses, including historic resources, or routinely used outdoor spaces in direct proximity to the proposed Hotel consist of Center Park and outdoor dining areas along B Street between Petaluma Boulevard and 2nd Street. Center Park consists of an approximately 190-foot by 20-foot linear park dominated by a single row of evergreen trees on the southeast side, a small paved area with six park benches in the northwest area and a cross walk and four deciduous trees at the northern most point. The linear park separates Petaluma Boulevard from an adjoining parking lot. Nearby historic resources include the Great Petaluma Mill, the Old Post Office Building, and the McNear Building.

At the time of summer solstice, around June 21, in the Northern Hemisphere, the longest day and shortest night of the year occur on this date, marking the beginning of summer. At winter solstice, around December 21, the sun is overhead at noon marking the beginning of winter in the Northern Hemisphere. Measuring shadow lengths for the winter and summer solstices represents the extreme shadow patterns that occur throughout the year. Shadows cast on the summer solstice are the shortest shadows during the year, becoming progressively longer until winter solstice when the shadows are the longest they are all year.

"Equinox" is defined as either of two points of intersection of the sun's apparent annual path and the plane of the earth's equator, that is, a point of intersection of the elliptic and the celestial equator. At the equinoxes, day and night are the same duration as the sun's transit falls on the equator. Shadows cast on the equinoxes are intermediary between the solstices.

### *Summer Solstice<sup>2</sup>*

As shown in Exhibits 3.1-4d through 3.1-4f during the summer solstice, the proposed project would cast a shadow primarily within the project boundary and adjoining streets. At 9:00 a.m., the proposed project would cast a shadow onto B Street and adjoining sidewalk as well as the northeastern portion the adjacent commercial building to the south, but would not result in a substantial net new shadow over any routinely usable outdoor space or historic resource (Exhibit 3.1-4d). At 12:00 p.m. the shadow of the proposed Hotel would be limited to the sidewalk along Petaluma Boulevard South (Exhibit 3.1-4e). At 3:00 p.m., the proposed Hotel would cast a slight shadow on to the adjacent property's parking area to the east along Petaluma Boulevard but would not result in a substantial net new shadow over any routinely usable outdoor space, historic resource, or shadow sensitive uses (Exhibit 3.1-4f).

### *Spring and Fall Equinoxes*

As shown in Exhibit 3.1-4a through Exhibit 3.1-4c and Exhibit 3.1-4g through Exhibit 3.1-4i, during the spring and fall equinoxes the proposed project would predominantly cast a shadow within the project boundary and over the Petaluma Boulevard and B Street right-of-way, except at 9:00 a.m. when both the spring and fall equinox conditions show the proposed project casting a shadow over a small corner of the building located across B Street, the parking a lot adjacent to the same building, and the very southeastern corner of Center Park. However, as shown in Exhibit 3.2-2, the building is not a historic resource. The southeastern corner of Center Park is already predominantly shaded by large redwoods and other evergreen trees. Therefore, the shadow cast by the proposed project over Center Park would be over a previously shaded area and would not result in a substantial net new shadow over a shadow sensitive use (Exhibit 3.1-4 and Exhibit 3.1-4g). At 12:00 p.m. and 3:00 p.m. the proposed project would cast a shadow over portions of B Street and Petaluma Boulevard. However, it would not result in a substantial new shadow over any routinely usable outdoor space, historic resource, or shadow sensitive uses (Exhibit 3.1-4b, Exhibit 3.1-4c, Exhibit 3.1-4h, and Exhibit 3.1-4i).

### *Winter Solstice*

As shown in Exhibit 3.1-4j through Exhibit 3.1-4l, during the winter solstice, at which the sun's path is lowest on the horizon, the proposed project would cast shadows to the northwest, north, and northeast. At 9:00 a.m., the proposed project would cast a shadow over the majority of Center Park and the intersection of B Street and Petaluma Boulevard, (Exhibit 3.1-4j). The extent of the shadow would contribute to the existing shadow cast by the large evergreen trees in Center Park, coverage over almost the entirety of the intersection of B Street and Petaluma Boulevard reaching the sidewalk on the northeastern side of Petaluma Boulevard. At 12:00 p.m., the proposed Hotel's shadow would move to cover the southeastern half of B Street and Petaluma Boulevard intersection, a portion of the sidewalk on B Street and a corner of the building located across the street at 5 Petaluma Boulevard. At 3:00 p.m., the proposed project would cast a shadow over Petaluma

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<sup>2</sup> At the time of summer solstice, around June 21, in the Northern Hemisphere, the longest day and shortest night of the year occur on this date, marking the beginning of summer. At winter solstice, around December 21, the sun is overhead at noon marking the beginning of winter in the Northern Hemisphere. Measuring shadow lengths for the winter and summer solstices represents the extreme shadow patterns that occur throughout the year. Shadows cast on the summer solstice are the shortest shadows during the year, becoming progressively longer until winter solstice when the shadows are the longest they are all year.

Boulevard and a larger portion of the buildings located at 5 Petaluma Boulevard (the façade along Petaluma Boulevard and approximately one-third of the building's B Street façade including adjacent outdoor eating space and adjacent parking lot). While the proposed project would cast a shadow over shade-sensitive areas on the day of the winter solstice (such as the building at 5 Petaluma Boulevard South, which is an eligible historic resource), a shadow would only be created by the proposed project for a few morning hours during the winter solstice. As such, the proposed project would not result in a substantial new shadow of significant duration over any routinely usable outdoor space, historic resource, or other shadow sensitive areas.

#### *Summary*

In summary, future development within the Overlay Area would be required to undergo design review as a part of project approval and may be required, at the City's discretion to conduct a shadow study to ensure shadow sensitive adjacent uses are not affected. The design review process requires findings that the development would not result in significant environmental impacts; furthermore, to build above 45 feet requires a CUP that can only be issued by the Planning Commission after certain findings are made including that the project would not adversely affect historical resources and would not be detrimental to public welfare. As discussed, the proposed Hotel was subject to a shadow study, which found that the project would result in various sizes and areas of shadows, none of which would result in a shadow of significant duration over any routinely usable outdoor space, listed or eligible historic resource, or other shadow sensitive areas. Accordingly, for the above reasons the impact of the Hotel and the Overlay would be less than significant.

### **3.1.7 - Cumulative Impacts**

Except where otherwise noted, the geographic context for analysis of cumulative impacts related to aesthetics includes the viewshed for the proposed Overlay and Hotel. The viewshed includes the geographical area that is visible from a the Overlay Areas or the Hotel. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees). This analysis evaluates whether impacts associated with implementing the proposed Overlay and Hotel, together with impacts of past, present and reasonably foreseeable cumulative development, would result in a cumulatively significant impact with respect to aesthetics. This analysis then considers whether incremental contribution of the impacts associated with implementation of the proposed Overlay and/or the proposed Hotel would be significant. Both conditions must apply for cumulative effects associated with the proposed Overlay and/or the proposed Hotel to rise to the level of significance. The incremental contributions of the proposed Overlay and Hotel are discussed separately to provide an accurate and more in depth accounting of each element's potential contribution to cumulative impacts.

The geographic scope of the cumulative aesthetics analysis is the visible area surrounding the project site. The analysis also considers the foreseeable development projects listed in Table 3-1 (See Chapter 3, Environmental Impact Analysis).

## **Scenic Vistas**

All of the cumulative projects identified in Table 3-1 are within the geographic scope. Impacts would be cumulative in nature if they would contribute to the loss or impairment of views of scenic vistas in the viewshed. There are no identified scenic vistas in the City. However, development in the City could have the potential to result in a cumulative impact to identified scenic resources, as described above in Impact AES-1, by further restricting or limiting views, including hills to the west and south of the City, vistas of Sonoma Mountain, and the Petaluma River Corridor, which are identified scenic and visual resources in the General Plan. Accordingly, there is no impact to scenic vistas; nonetheless, there could be a cumulative impact related to scenic resources, which is further described below under Visual Character and View.

### ***Downtown Housing and Economic Opportunity Overlay***

As stated above, there are no officially designated scenic vistas within the City, and the vast majority of the sightlines to scenic resources, including Sonoma Mountain and the foothills to the south, are blocked by intervening development. However, development consistent with the proposed Overlay would be required to comply with the City's SPAR/HSPAR process and CUP process which provides a mechanism within which impacts to scenic resources are assessed at the project level. During this process, design features and mitigation, if necessary, would be incorporated to reduce potential impacts related to scenic resources. Because there are no designated scenic vistas in the City and views to scenic resources are predominantly obstructed, compliance with the SPAR/HSPAR for all future projects under the Overlay and the CUP process for all future projects in the Overlay with a height above 45 feet or a lot coverage above 80 percent would ensure that future development consistent with the proposed Overlay would not have the potential to obstruct or detract of scenic vistas and scenic resources. Therefore, the proposed Overlay would have a less than significant contribution to cumulative impacts on scenic vistas.

### ***EKN Appellation Hotel***

The proposed Hotel's contribution to potential cumulative impacts would not be cumulatively considerable. As discussed above, the development of the proposed Hotel would not add additional elements to the site that would change or obstruct views of scenic resources and the Hotel would need to go through the HSPAR and CUP process which addresses compatibility and detriments to historical resources. Therefore, the proposed Hotel would have a less than significant contribution to potential cumulative impacts on scenic vistas; nonetheless there could be a cumulative impact related to scenic resources, as described below under Visual Character and Views.

## **Scenic Highways**

As explained in Impact AES-2, there are no designated scenic highways within the City of Petaluma, nor are they considered eligible to be officially designated. Accordingly, there would be no cumulative impact related to scenic highways.

In the absence of designated scenic highways within the City of Petaluma, development that may occur would not damage scenic resources. Therefore, neither the proposed Overlay nor the Hotel would have any contribution to any cumulative impact in conjunction with past, present and

forseeable development. There is no cumulative impact related to scenic resources visible from a designated State highway.

### **Visual Character and Views**

Under the City's local significance threshold, there would be a significant cumulative impact if the proposed project in combination with past, present, and reasonably foreseeable projects, is inconsistent with General Plan policies or zoning requirements pertaining to scenic quality.

All of the cumulative projects in Chapter 3, Environmental Impact Analysis, Table 3-1 are in the viewshed of the proposed Overlay. As cumulative projects in the viewshed occur, development would be reviewed to ensure compliance with relevant zoning and other City regulations. Cumulative development would be required to comply with the City's design review process, including the Historic Commercial District Guidelines and the Secretary of the Interior's Standards for the Treatment of Historic Buildings, to ensure proper design and to reduce impacts and CUP process which includes findings related to compatibility and not adversely impacting historic resources. Accordingly, with adherence to the design review process, past, present and reasonably foreseeable development would be consistent with the General Plan and zoning and there would be a less than significant cumulative impact.

### ***Downtown Housing and Economic Opportunity Overlay***

The proposed Overlay's contribution to less than significant cumulative impacts would not be cumulatively considerable. As explained above, the proposed Overlay would not result in direct physical changes to the environment, but it is reasonably foreseeable that future development with increased lot coverage, FAR, and building height would occur as a result of the proposed Overlay. As the proposed Overlay would allow for increased intensity of development as compared to what is currently permitted, future development under the proposed Overlay could change the existing visual character of surrounding areas, including limiting or restricting public views of designated historic districts, such as the Historic Commercial District, and individual historically significant buildings, such as the McNear Building. Accordingly, to ensure cohesive development, all future development projects utilizing the increased lot coverage, FAR, and building height would be subject to SPAR (or HSPAR) and CUP review and approval process to ensure compliance with applicable policies and regulations.

In addition to future development's individual SPAR/HSPAR, CUP, and viewshed analysis submittals, future applications within the Overlay Area would also be subject to the requirements for compliance with the Historic Commercial District Design Guidelines, IZO, and the General Plan, depending on the precise location of a formally designated district and further requires submittal of a viewshed analysis. Through compliance with the City's SPAR/HSPAR and CUP entitlement processes, as well as all other applicable regulations related to aesthetic and design impacts, development under the proposed Overlay would be consistent with applicable policies and regulations governing scenic quality. Accordingly, incremental impacts associated with implementation of the proposed Overlay would not be cumulatively considerable.



### ***EKN Appellation Hotel***

The development of the proposed Hotel would be compliant with all applicable regulations held within the General Plan, IZO, and Historic Commercial District Design Guidelines. Additionally, the proposed Hotel would be subject to HSPAR, CUP, and viewshed/shadow analyses. As such, the proposed Hotel would be consistent with the General Plan's policies and objectives concerning scenic quality. Moreover, as demonstrated in the visual simulations included in Exhibit 3.1-3 through Exhibit 3.1-3i, the proposed Hotel would not restrict or impede views. Furthermore, as demonstrated in the shadow analysis included in Exhibit 3.1-4 through Exhibit 3.1-4l, the proposed Hotel would not cast shadows that would be cumulatively considerable. Accordingly, the incremental impacts associated with the implementation of the proposed Hotel would not be cumulatively considerable.

Therefore, cumulative impacts associated with visual character and views would be less than significant.

### **Light and Glare**

#### ***Downtown Housing and Economic Opportunity Overlay***

The geographic scope for the light and glare analysis is the 0.25 mile radius surrounding the Overlay Area (this includes a smaller geographic area that includes the 0.25 mile radius surrounding the Hotel Area, as discussed below). Projects listed in Table 3-1 within 0.25 mile include three multiple-family residential projects, four mixed-use residential and commercial projects, a hotel addition, and a tasting room and event space. The cumulative projects are in a urbanized, built-up area where daytime glare and night lighting are a common feature. Light sources in the area include street lights, building lighting, security lighting, and sidewalk lighting, as well as headlights from vehicles traveling along project area roadways. As such, cumulative projects, which are typical land uses in the geographic area that promote General Plan policies, would not significantly alter the existing lighting environment currently experienced in the area. Cumulative projects would be required to comply with all applicable regulations related to lighting. Additionally, cumulative lighting and glare would not be expected to interfere with the performance of off-site activities given the medium to high ambient light levels already present. Accordingly, cumulative impacts would be less than significant.

Moreover, the proposed Overlay's incremental contribution to less than significant cumulative impacts would not be significant. Development consistent with the proposed Overlay is largely the same as what was already evaluated and disclosed as part of the General Plan and will be subject to both proven continuing policies and enhanced policies to reduce aesthetic impacts. Development consistent with the proposed Overlay would occur within the fabric of developed areas throughout the City as provided by the General Plan. To ensure a less than significant contribution to cumulative impacts, development consistent with the proposed Overlay will be required to implement all applicable policies during the design review process. As the City receives development applications for subsequent development in the Overlay Area, those applications will be reviewed by the City for compliance with the policies and programs of the General Plan related to view corridors, scenic resources, and natural features. Consistency with the City's Municipal Code, which implements the City's General Plan would be required during the design review process to ensure that projects

comply with all policies and standards designed to minimize light and glare. Moreover, per MM Overlay CUL-1e, any project seeking to build above the permitted 45 feet, which was analyzed under the General Plan, would require a discretionary CUP, including findings that the project would not adversely impact historical resources and not be detrimental to public welfare. Therefore, the proposed Overlay's contribution to less than significant cumulative impacts would not be cumulatively considerable.

### ***EKN Appellation Hotel***

The geographic scope for analyzing the proposed Hotel's potential to contribute to cumulative light and glare impacts is limited to the 0.25-mile radius surrounding the project site. This is the area within view of the Hotel site and, therefore, the area most likely to experience cumulative light and glare impacts influenced by the proposed Hotel's incremental contribution. Several of the projects listed in Table 3-1 are within 0.25 mile of the project site (e.g., Adobe Road Winery, Haystack Pacifica). Similar to the discussion above, cumulative light and glare impacts would be less than significant in the 0.25 mile surrounding the Hotel site. Moreover, the proposed project's incremental contribution to the less than significant cumulative impact would not be cumulatively considerable. The proposed Hotel would install new sources of light and glare on the Hotel site from exterior building lighting, security lighting, and lights and glare associated with vehicles accessing the project site that fully comply with applicable regulations and go through the City's HSPAR and CUP process, which accounts for compatibility, environmental impacts including light and glare, and impacts to historical resources. Therefore, the proposed project, in conjunction with other past, present, and reasonably foreseeable projects in the applicable geographic area, would not have a cumulatively significant impact related to light and glare. Cumulative impacts related to light and glare would be less than significant.

### ***Level of Cumulative Significance Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

Implementation of MM Overlay CUL-1e.

### ***Level of Cumulative Significance***

Less than significant impact with mitigation incorporated.



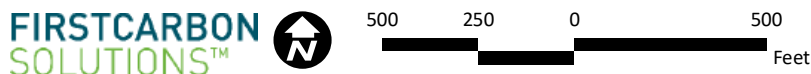
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Source: City of Petaluma.

## Exhibit 3.1-2 Contributing Buildings to the Historic Commercial District



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Source: Google Earth Pro Aerial Base.

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Existing



Proposed

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Existing



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Existing



Proposed

\*The project is not visible from View 8 due to obstruction from the built environment. It is shown in a color here solely to demonstrate its scale if the existing structures in the foreground did not exist.

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Existing

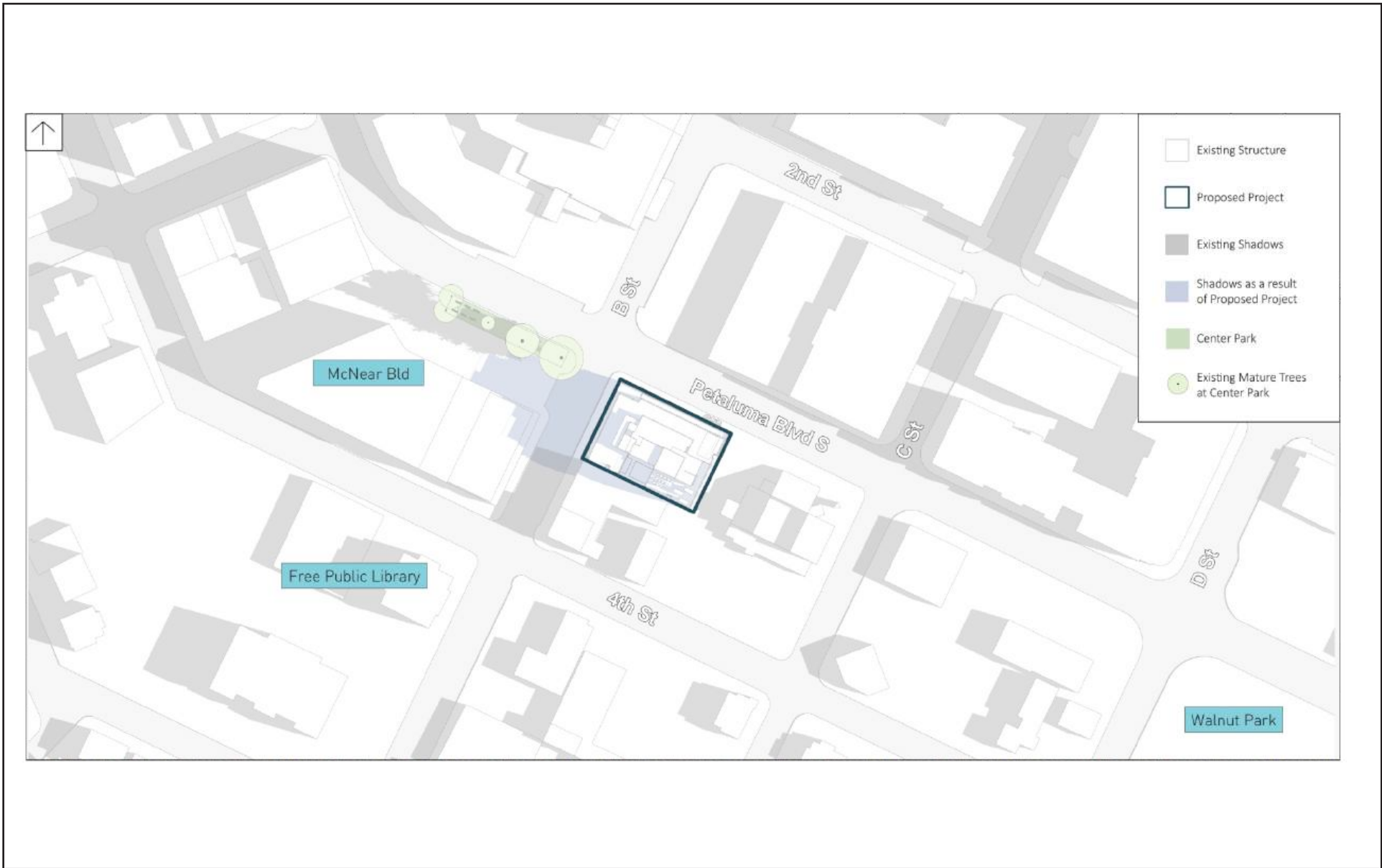


Proposed

\*The project is not visible from View 9 due to obstruction from the built environment. It is shown in a color here solely to demonstrate its scale if the existing structures in the foreground did not exist.

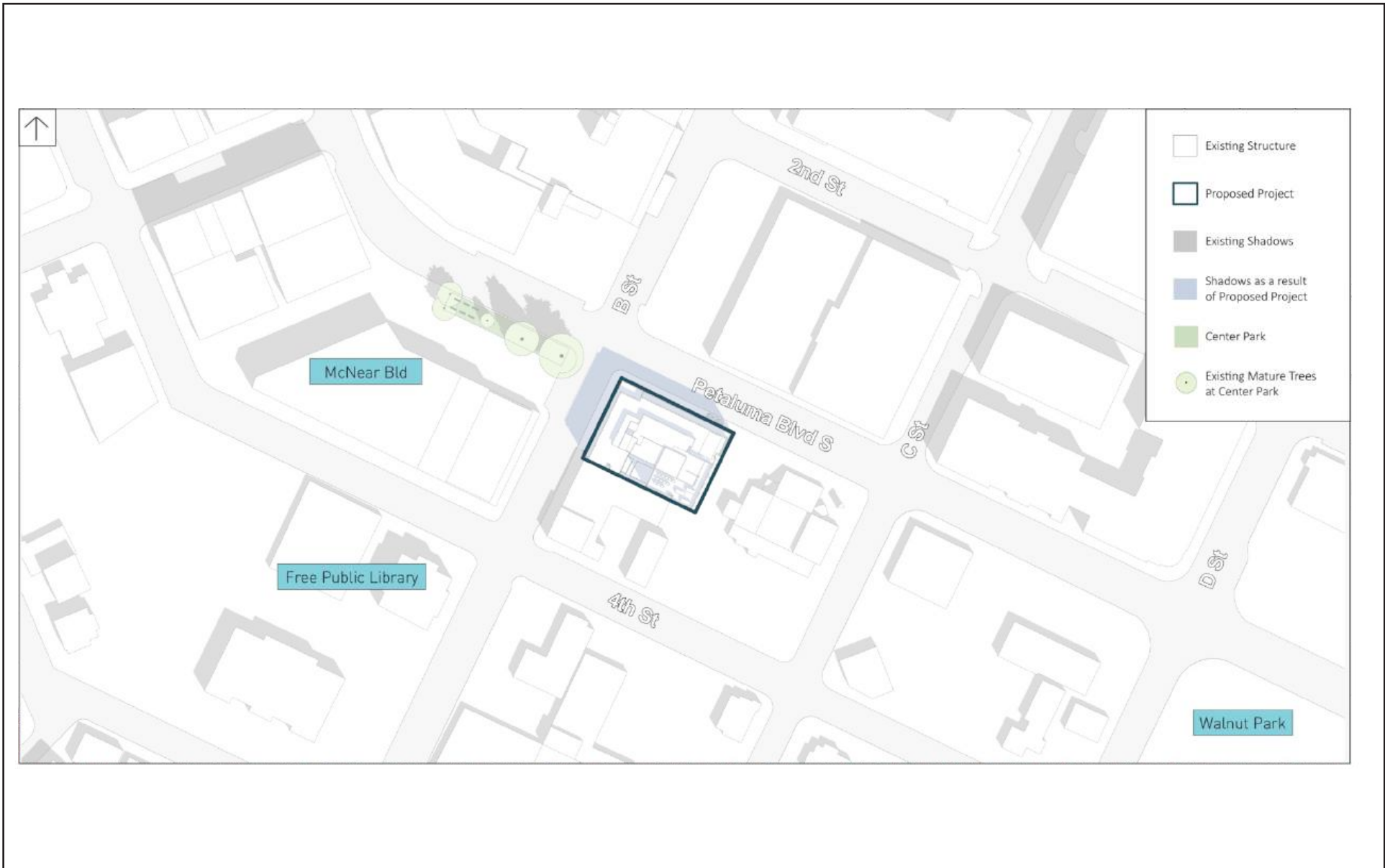
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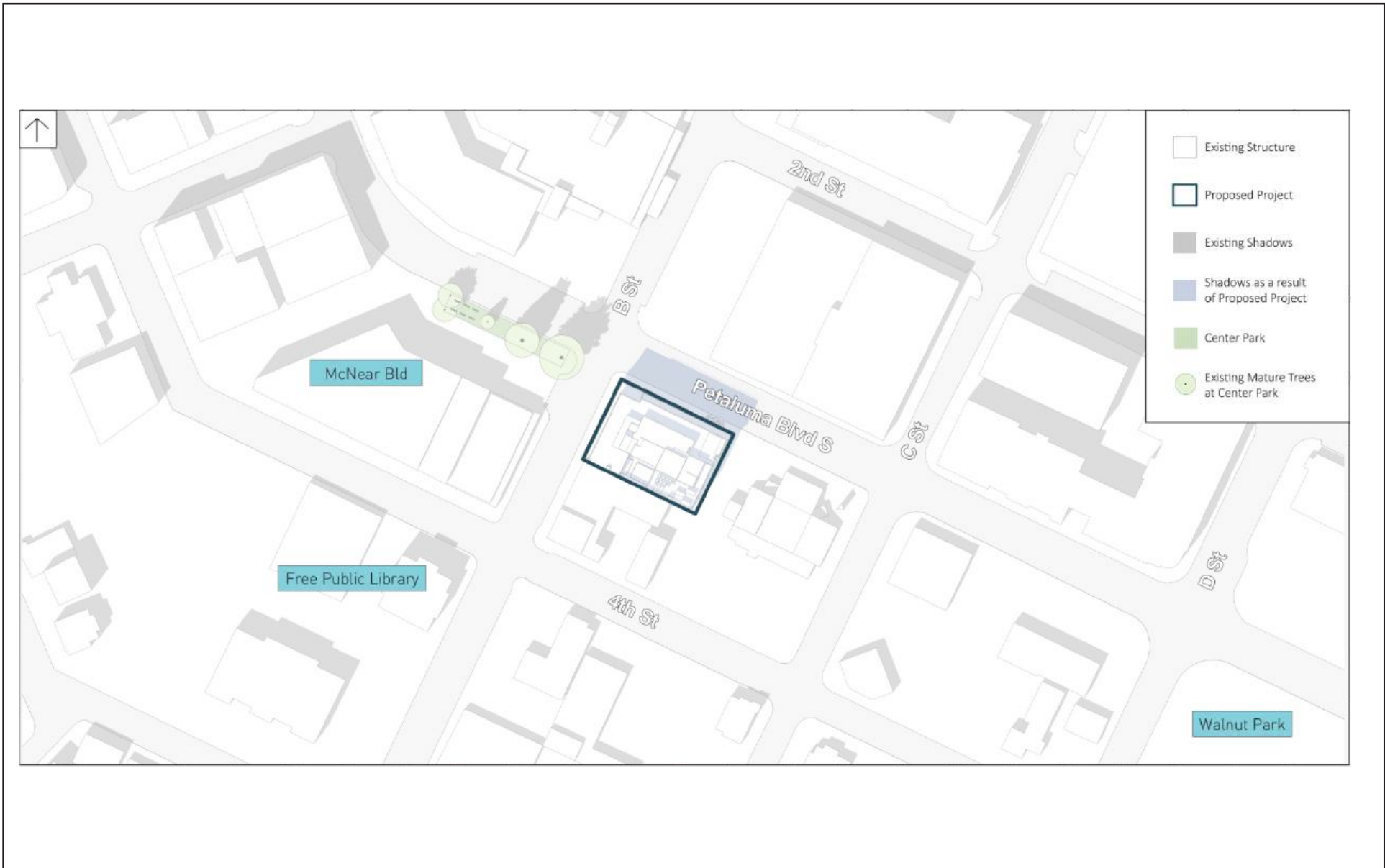


Source: City of Petaluma.



Exhibit 3.1-4b  
Shadow Analysis - Spring Equinox Noon (12pm)

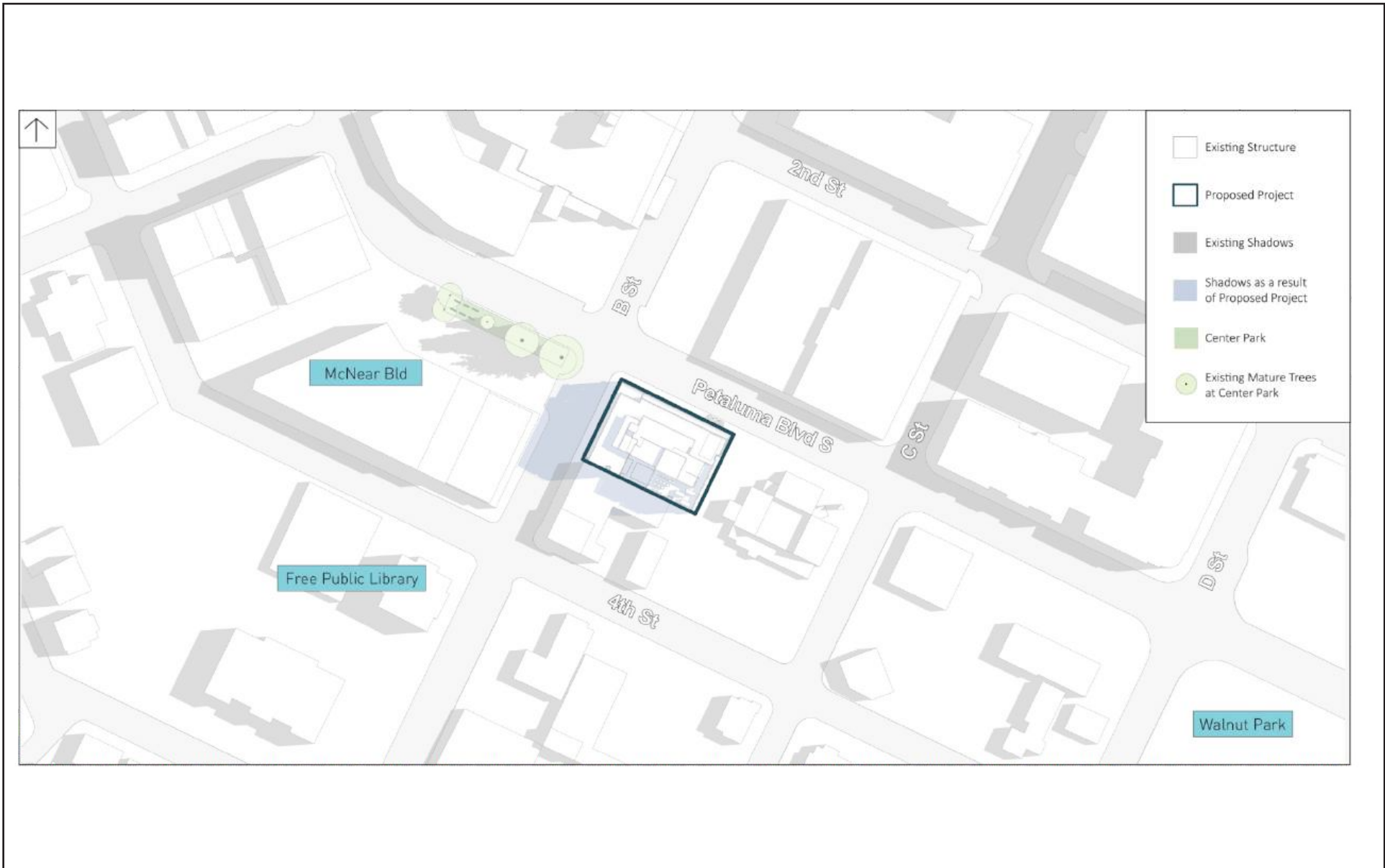
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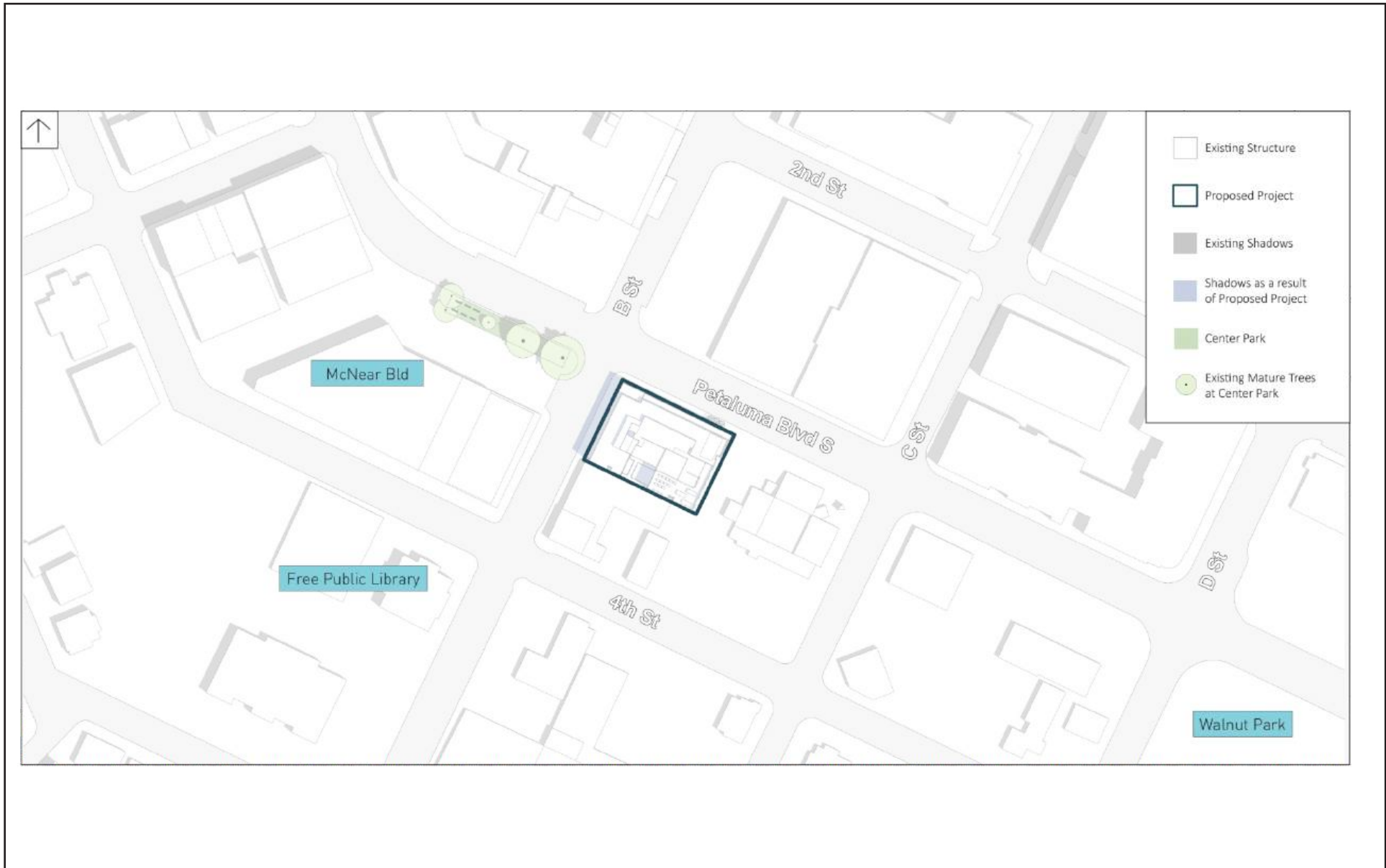
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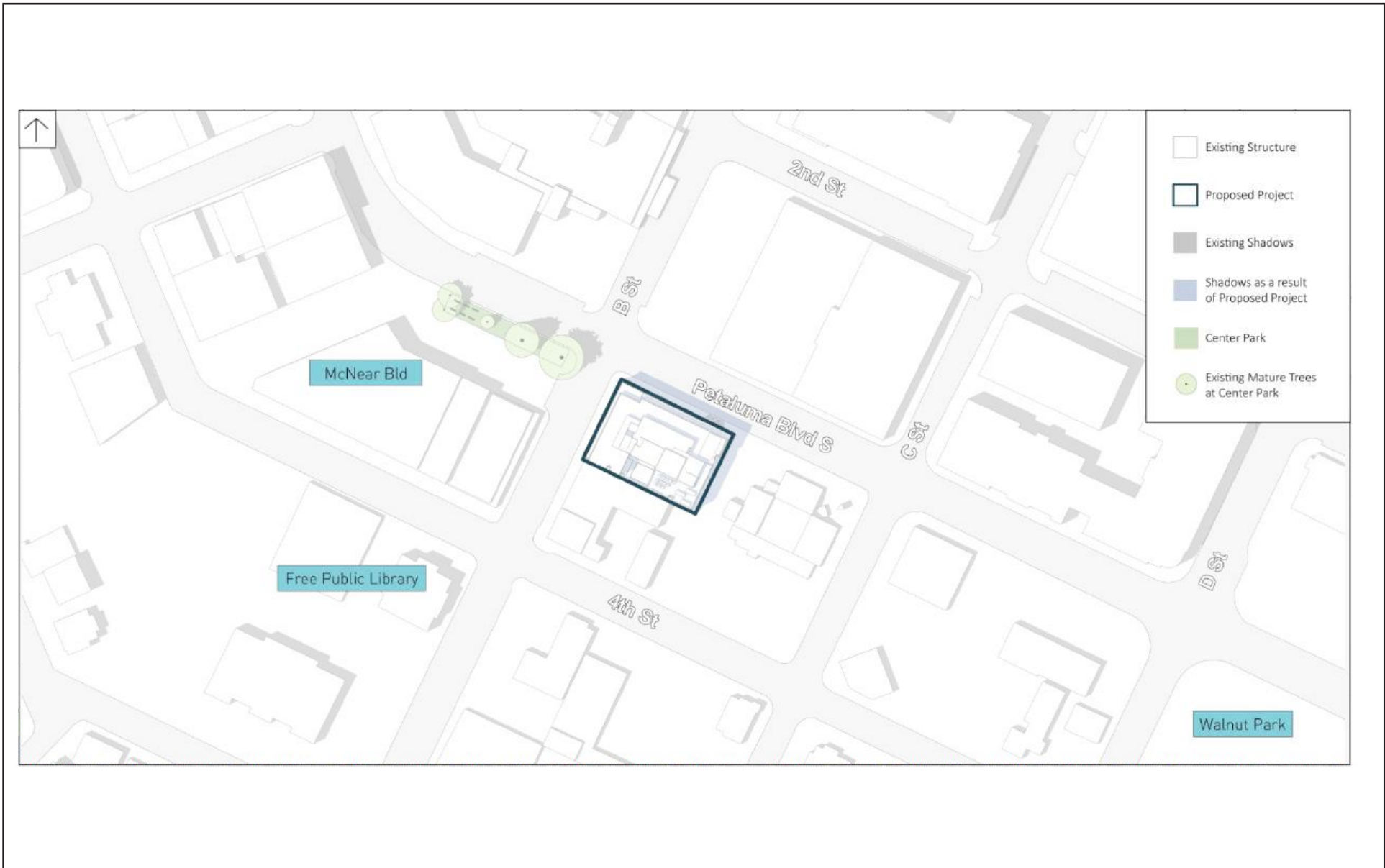
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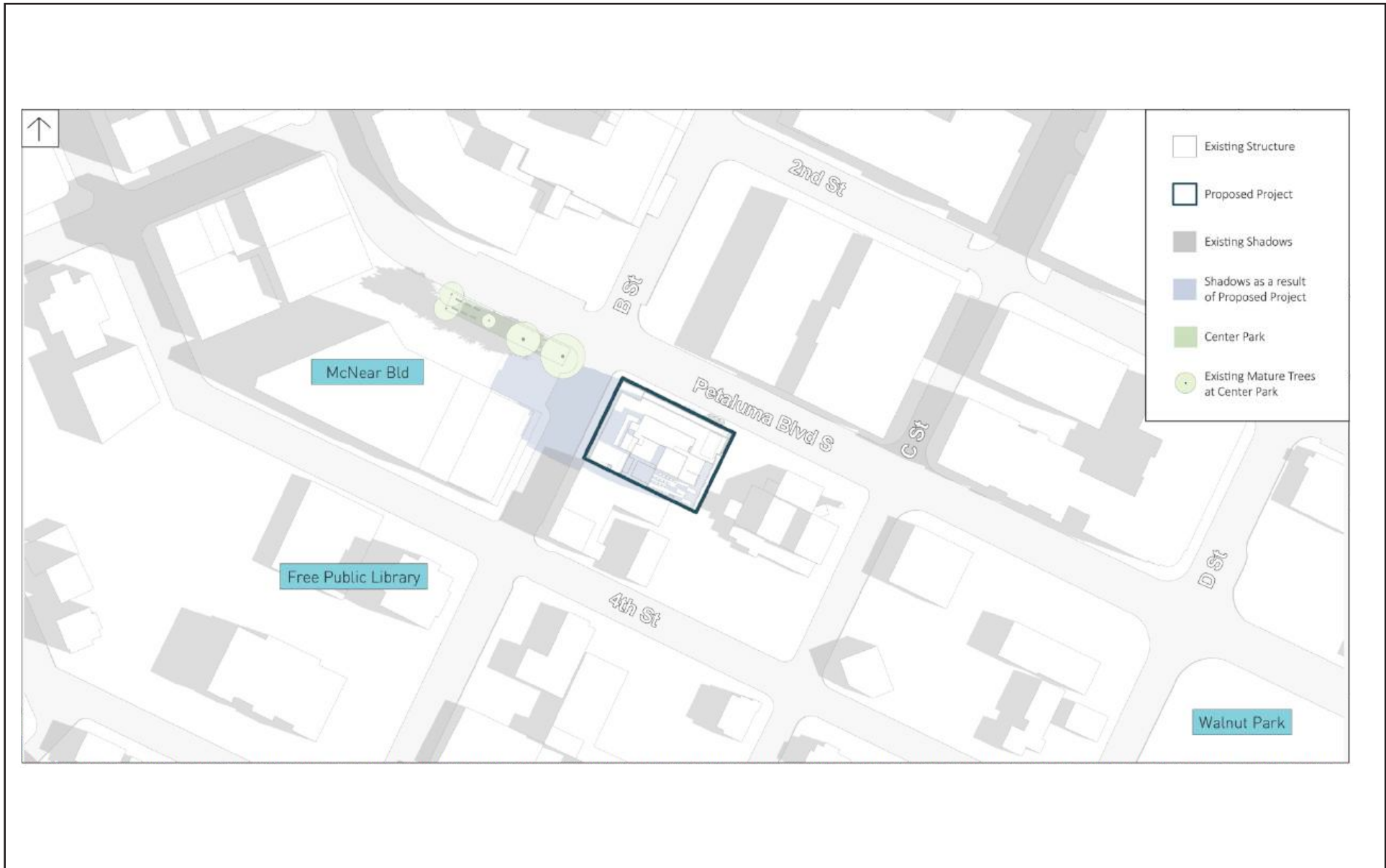
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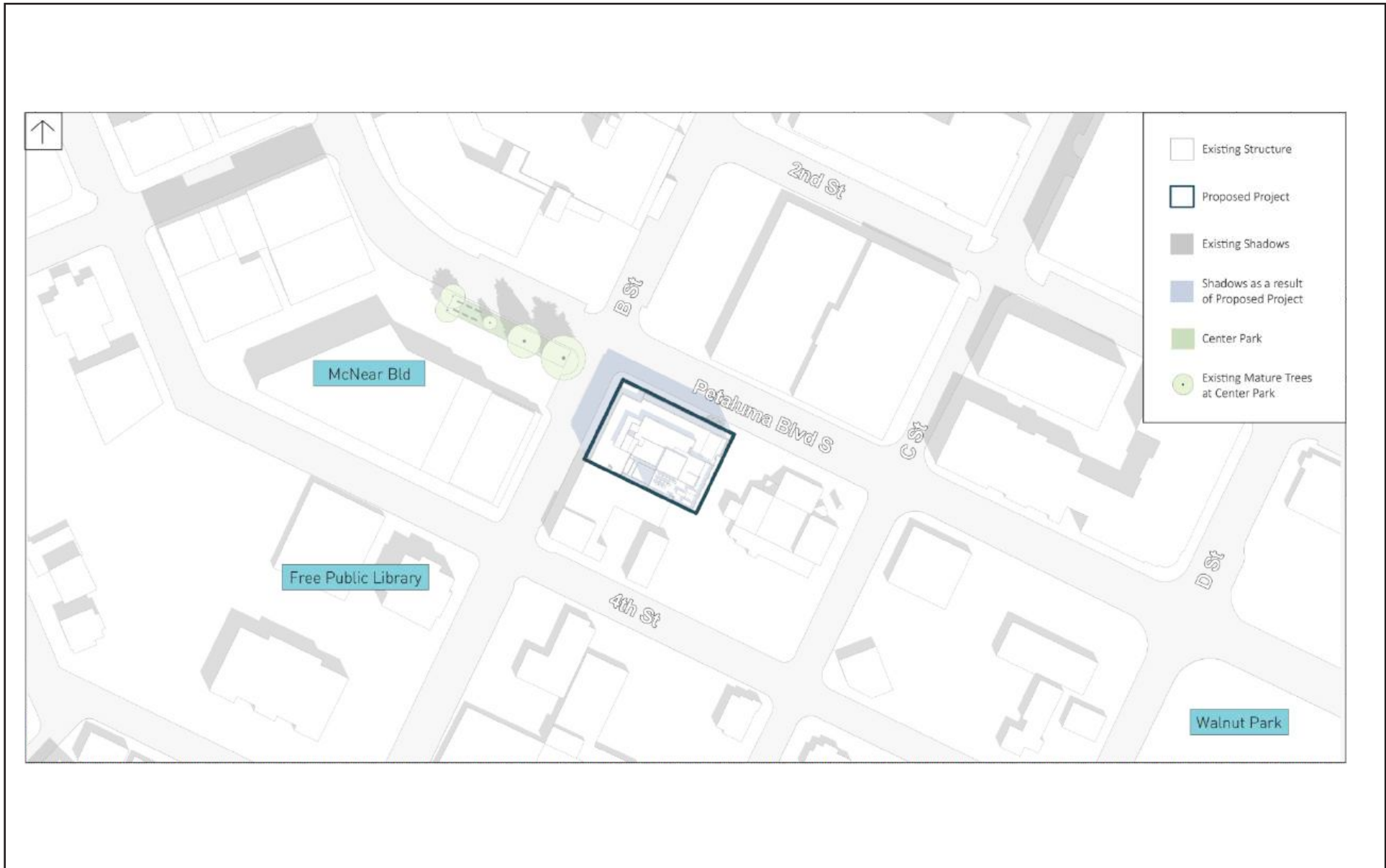
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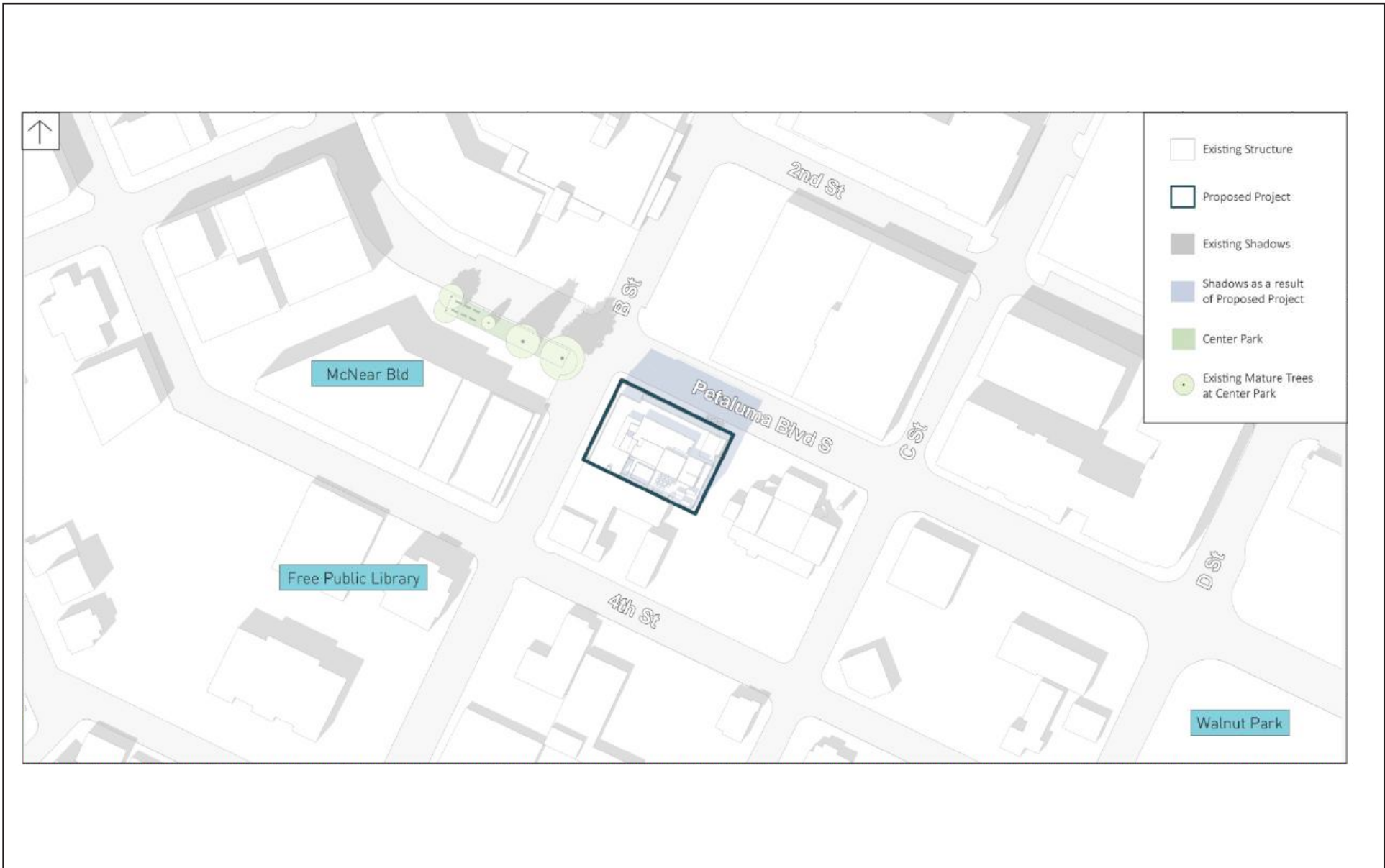
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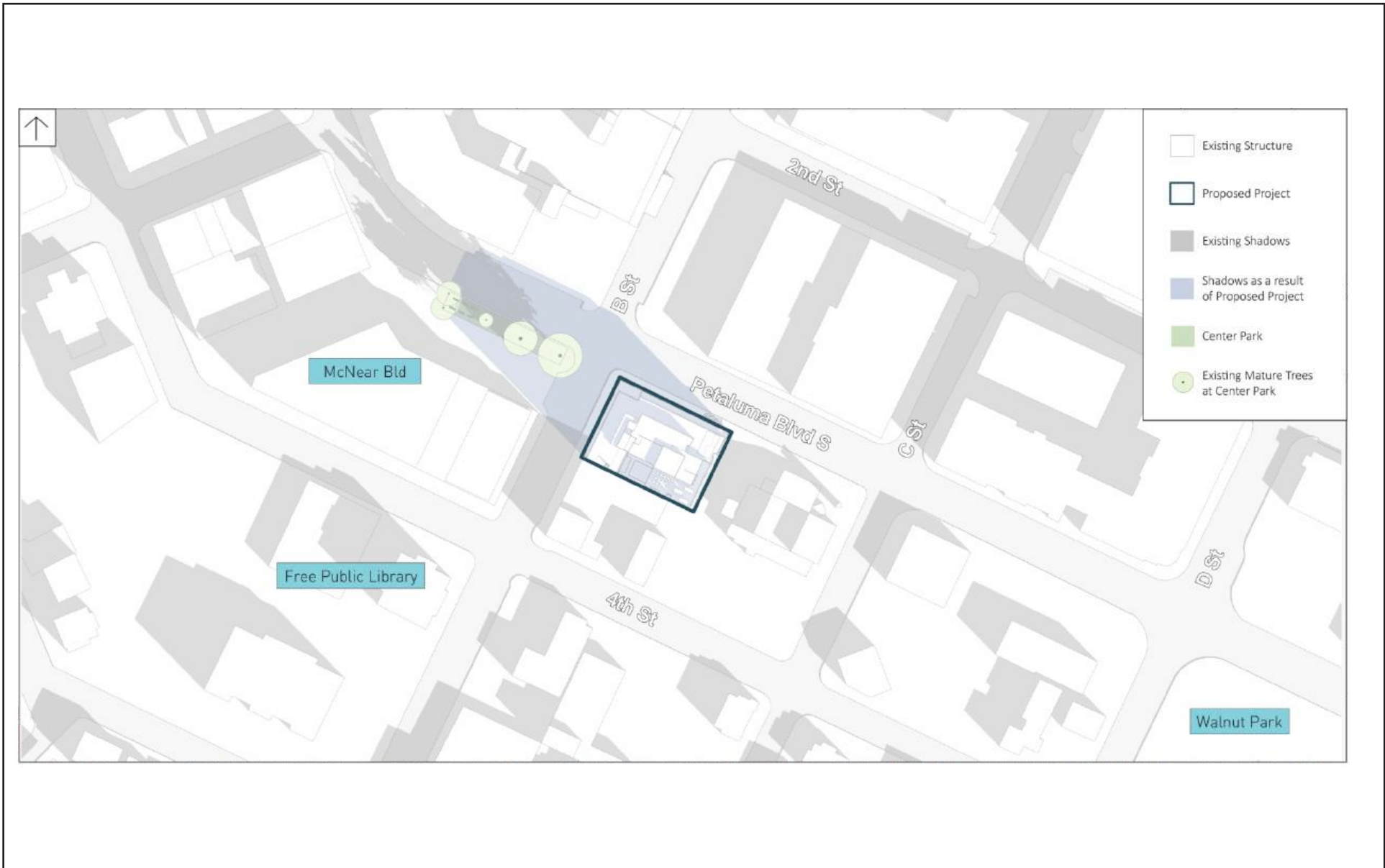
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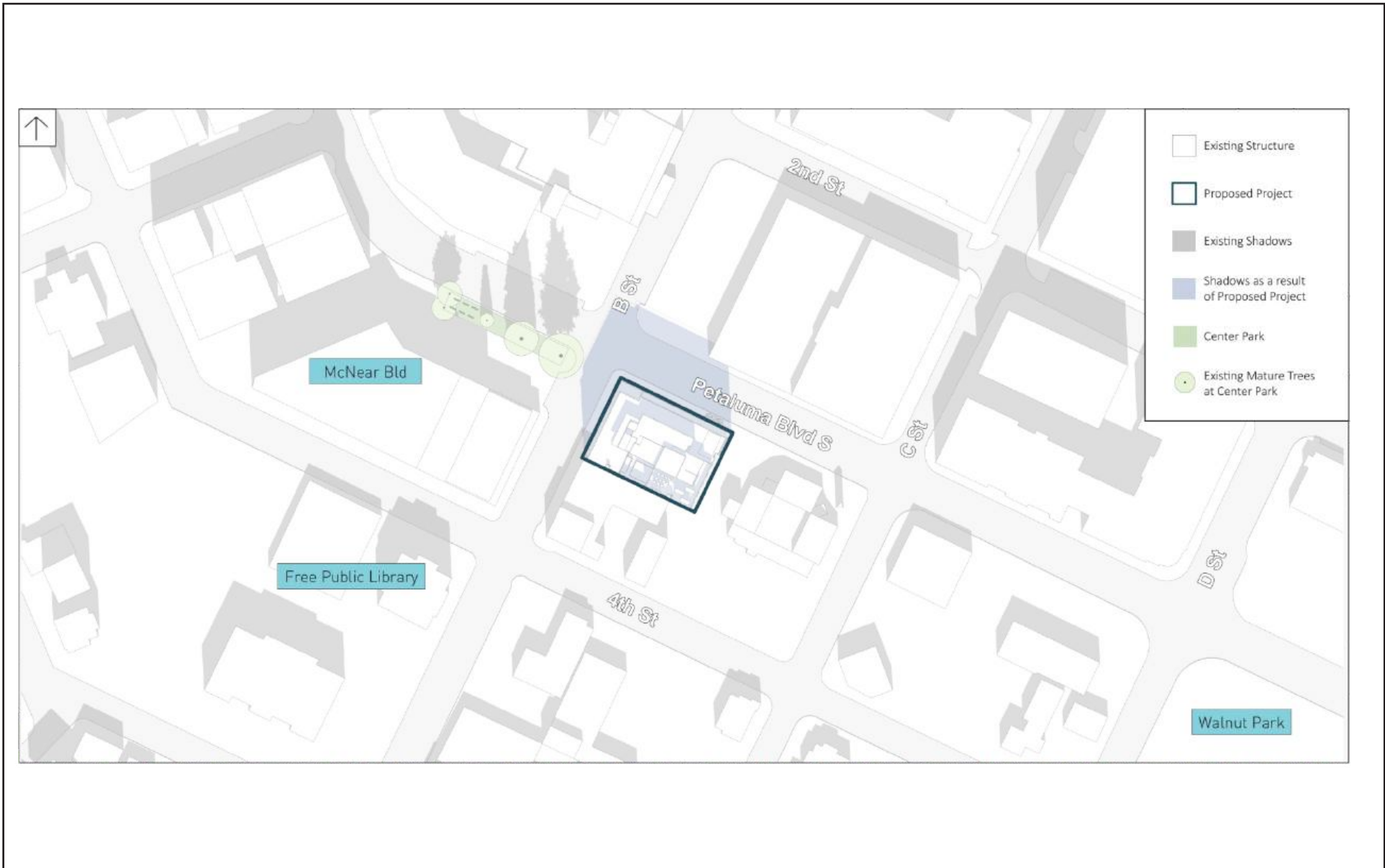
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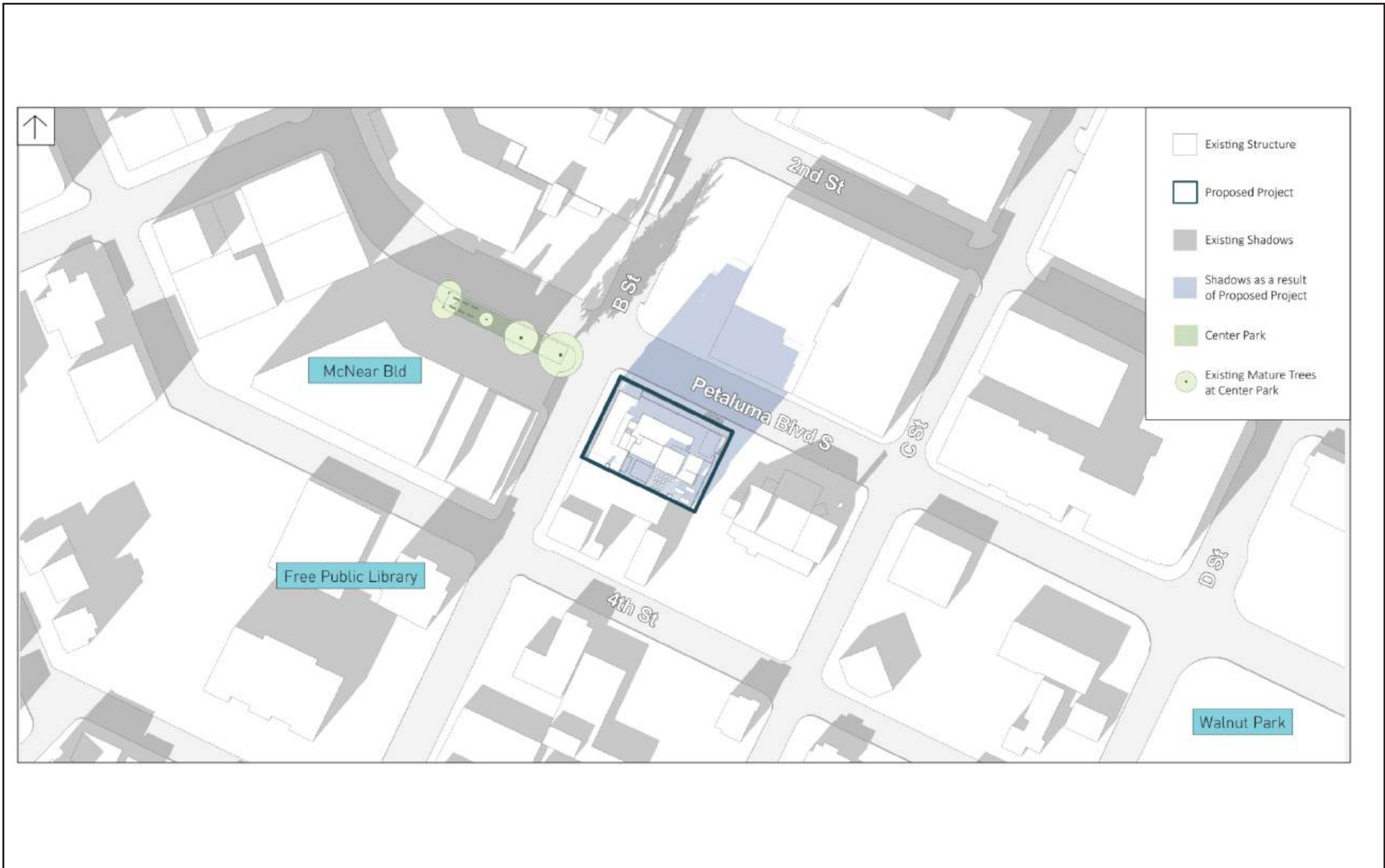
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## 3.2 - Cultural Resources and Tribal Cultural Resources

### 3.2.1 - Introduction

This section includes information on the existing cultural resources setting and potential effects from project implementation on the site and its surrounding area. The descriptions and analysis in this section are based, in part, on information obtained through archival research, including a records search conducted at the Northwest Information Center (NWIC) in Rohnert Park and various studies prepared for the proposed project summarized below (Appendix B). The applicable regulatory framework is also discussed below. In addition, recommendations resulting from current research and provided in previous cultural studies pertaining to feasible mitigation of identified potential significant impacts to cultural resources and Tribal Cultural Resources (TCRs) are also addressed in this section.

### 3.2.2 - Environmental Setting

#### Overview

The term “cultural resources” encompasses historic resources, archaeological resources, TCRs, and burial sites, which are generally defined as follows:

- **Historic Resources:** Historic resources are associated with the recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the State’s history and are generally less than 200 years old. Historic resources often take the form of buildings, structures, and other elements of the built environment.
- **Archaeological Resources:** Archaeology is the study of artifacts and material culture with the aim of understanding human activities and cultures in the past. Archaeological resources may be associated with pre-contact indigenous cultures as well as later historic periods.
- **Tribal Cultural Resources:** TCRs include sites, features, places, or objects that are of cultural value to one or more California Native American Tribes.
- **Burial Sites and Cemeteries:** Burial sites are formal or informal locations where human remains, usually associated with indigenous cultures, are interred.

More specifically, cultural resources may be understood as resources that have been formally recognized by a lead agency, such as a local landmark designation, and/or are listed or determined eligible for listing on the California Register of Historical Resources (CRHR) (Public Resources Code [PRC] § 5024.1, Title 14 California Code of Regulations [CCR] § 4852) or the National Register of Historic Places (NRHP). However, the fact that a resource is not yet identified as a historical resource or found eligible for the CRHR does not preclude a lead agency from determining that said resource is a historical resource pursuant to Public Resources Code Sections 5020.1(j) or 5024.1. Under the California Environmental Quality Act (CEQA), a substantial adverse change in the significance of a historical resource would constitute a significant effect on the environment.

## Cultural Setting

Following is a brief overview of the relevant prehistory, ethnography, and historic background, providing context in which to understand the background and relevance of sites found in the general project vicinity. This section is not intended to be a comprehensive review of the current academic resources available; rather, it serves as a general overview. Unless otherwise stated, information contained in this section is drawn directly from the following documents: Historic Cultural Resource Report for Downtown Housing and Economic Opportunity Overlay, conducted by Diana J. Painter in 2023; Cultural Resources Study for the Proposed Hotel Weaver, 2 Petaluma Boulevard South, Petaluma Boulevard South, Petaluma, Sonoma County, California, conducted by Sally Evans in 2023; and Historic Built Environment Impacts Assessment for the EKN Hotel Project, City of Petaluma, California, by Sarah Corder in 2024. Further details can be found in these documents, included in Appendix B.

### ***Pre-contact***

The chronology that forms the framework many archaeologists use to interpret and define Sonoma County prior to European contact was developed by David A. Fredrickson in 1973. Fredrickson's taxonomy consists of broad periods defined by shifts in adaptive patterns that reflect changes in the environment and the movement and influences of Native groups within a region. Fredrickson defined three periods for the North Coast Ranges, including the Paleoindian Period (ca. 12,000–8000 Before Present [BP]); the Archaic Period (8000–1450 BP) that is divided into the Lower Archaic (8000–5000 BP), Middle Archaic (5000–3000 BP), and Upper Archaic (3000–1450 BP) periods; and the Emergent Period (1450–450 BP). These time periods are further defined by spatial and cultural units called Patterns, Phases, and Aspects. The scheme, with minor revisions remains the dominant framework for pre-contact archaeological research in the North Bay.

### ***Paleoindian Period (ca. 12,000–8000 BP)***

Archaeological evidence indicates that human occupation of Sonoma County began as early as the Paleo-Indian Period. Fluted projectile points and chipped stone crescents from this period have been found in a few archaeological sites located in Sonoma County, near the Laguna de Santa Rosa, Bodega Bay, and Warm Springs Creek Dam, as well as in the neighboring Mendocino and Lake counties. Based on limited archaeological evidence from this period, it appears that populations within and surrounding Sonoma County consisted of small, highly mobile groups that practiced broad-spectrum hunting and gathering techniques.

### ***Lower Archaic Period (8000–5000 BP)***

Archaeological evidence suggests that during the Lower Archaic Period, people living in Sonoma County practiced a mobile hunting and gathering economy, residing in camps situated along marshes and on grasslands and traveling to the surrounding uplands to acquire resources available in those areas on a seasonal basis. The types of artifacts that are found in archaeological sites dating to this period include large, wide-stemmed projectile points, cobble tools, handstones, and milling slabs. These artifacts are characteristic of the Borax Lake Pattern, a distinctive cultural pattern recognized throughout much of the North Coast Ranges during this time. In Sonoma County, the Borax Lake Pattern is recognized by the Spring Lake Aspect, specifically at sites located in Santa Rosa and

Duncan's Landing on the Sonoma Coast. A prehistoric archaeological site located in the Rincon Valley area of Santa Rosa, known as CA-Son-20, is the "type site" for the Spring Lake Aspect. This site dates to 8250 BP and contains artifacts such as wide-stemmed points, milling slabs, and handstones.

### ***Middle Archaic Period (3000–1000 BP)***

During the Middle Archaic Period, people began to practice a more localized foraging strategy. Archaeological evidence reveals that new types of ground stone implements (mortars and pestles) were used, suggesting an increased dietary reliance on acorns rather than hard seeds and a concomitant increase in sedentism. Formalized exchange relationships were also established, as evident by the presence of cut marine shell (*Olivella* sp.) beads obtained from the coast and often found in association with burials and an increased amount of obsidian originating from sources in Napa Valley rather than the locally available source at Annadel located in southeast Santa Rosa.

The Middle Archaic Period was also marked by significant climatic changes during which warmer and drier conditions led to the reduction of lake basins in Southern California, and across California there is a general decrease in the number of sites. This is thought to be the result of a reduced population during this time; however, it is suggested that the paucity of sites is more likely related to a period of increased alluvial deposition that buried many former living surfaces.

### ***Upper Archaic Period (3000–1450 BP)***

The Upper Archaic Period was characterized by cooler conditions accompanied by increased precipitation in northern and central California, which likely resulted in more favorable conditions for human occupation. Sites dating to this period demonstrate marked differences in their constituents relative to the Middle Archaic Period. These new occupations are ascribed to the Berkeley Pattern, which appears to have originated in the Clear Lake area during the Lower Archaic Period. Berkeley Pattern sites are characterized by more sedentism, a sophisticated bone tool industry, numerous mortars and pestles that imply a greater reliance on acorns, and tightly flexed burials with few to no associated artifacts or preference toward orientation. When present, associated burial artifacts typically include *Olivella* saddle and saucer beads and *Haliotis* (abalone) shell pendants. The Berkeley Pattern is represented at archaeological sites throughout Sonoma, Napa, and Lake counties.

### ***Emergent Period (1450–450 BP)***

The North Bay became the "seat of innovation" during the Upper Emergent Period, as new ornament forms and technologies emerged, such as the bow and arrow, toggle harpoon, hopper mortar, clamshell disk beads, and steatite and magnesite beads and tubes. This period was marked by the introduction of cremation as a burial practice in the North Bay and wide-ranging changes in *Olivella* bead forms and their distribution. The manufacture of clamshell disk beads also began and seems to have centered primarily on the Santa Rosa Plain and within the Napa Valley. They were used as currency with a standardized value. These shifts in technology, artifact types, and mortuary practices, which for the most part spread throughout the San Francisco Bay Area from north to south, appear to indicate that another upward cycle of regional integration took place during this period which was interrupted by Spanish settlement of the region.

### ***Native American Background***

The Overlay Area is located within the aboriginal territory of the Coast Miwok, who occupied an area that includes modern-day Marin County and southern Sonoma County. The project area was occupied by the Coast Miwok community of *Petaluma*, who occupied the present-day town of Petaluma north to Lynch Creek, about 3.5 miles northeast of Downtown Petaluma.

#### *Settlement Patterns and Material Culture*

The Coast Miwok people based their subsistence around hunting and gathering and utilized both marine and terrestrial resources. Up to seven species of acorns provided the main vegetable staple, while several other nuts, berries, seeds, kelp, and seaweed were also collected. Black-tailed deer and Tule elk were the primary big game animals that were hunted, but other mammals and birds, including antelope, bears, sea lions, sea otters, squirrels, rabbits, and a variety of inland and shore birds, were also eaten. Shellfish, including abalone, oyster, mussel, and clam species, were also important to the diet and an exchange economy, as their shells provided material for currency and decorative items.

Coast Miwok people made tools from locally obtained materials, including chert, obsidian, basalt, bone, antler, wood, and various types of plants. Obsidian was a valuable resource for all Native Californians, who used it to fashion spear points, arrowheads, knives, scrapers, and other cutting implements. Obsidian used by the Coast Miwok was obtained from the Annadel and Napa Valley sources, located in Sonoma County and Napa County, respectively. Beads and pendants were manufactured from locally obtained shells, including clamshell disc beads (used as money), *Olivella* beads, and abalone shell pendants. Beads were also made from steatite and bone. Clothing was minimal and based on seasonal weather. Women wore a double apron made of deerskin and men wore a similar type of loincloth. Basket production was important to the Coast Miwok. Baskets were used for portage, storage, and cooking containers, as well as for seed beating, winnowing, and as hoppers for groundstone mortars. The Coast Miwok had strong spiritual beliefs that were expressed in dance performances, various healing practices, proper behavior, and in their intimate knowledge of the land.

#### *Missionization and Colonization*

The first European contact with the Coast Miwok appears to have been in 1579, when Sir Francis Drake repaired his ship, the *Golden Hinde*, somewhere in the Point Reyes vicinity of western Marin County. Subsequent encounters occurred in 1595 when Sebastian Cermeño's galleon, the *San Agustin*, ran aground at what is now known as Drake's Bay, and in 1603 when Sebastian Vizcaino's ship landed at Tomales Point. In 1775, the Coast Miwok encountered Europeans in the vicinity of Bodega Bay when Peruvian explorer Juan Francisco de la Bodega y Quadra entered and explored the bay on his return trip from the northwest coast in a vessel called the *Sonora*. This same year, Captain Juan Manuel de Ayala sailed the *San Carlos* into San Francisco Bay and dropped anchor in Richardson Bay near present-day Sausalito, during which the crew interacted with Coast Miwok people. Less than a year after the *San Carlos* sailed into the San Francisco Bay, the Spanish returned to the area to establish a military presidio and mission in present-day San Francisco.

Coast Miwok people became severely disrupted following the establishment of the Mission San Francisco de Asís (also known as Mission Dolores) in San Francisco in 1776. For the first several years, the priests at Mission Dolores focused on baptizing and converting Native Americans living along the San Francisco Peninsula and in the East Bay, but by 1784, they turned their attention to Coast Miwok living in the southern portion of Marin County, and by 1800, Coast Miwok-speaking people from the Marin Peninsula began immigrating to Mission Dolores in significant numbers. By 1817, Coast Miwok-speaking people made up half of the Native American population at Mission Dolores; however, the death rate there had become so high due to cramped and unsanitary conditions and European-introduced diseases that a new *asistencia* (mission hospital) was established in San Rafael in 1817, and the approximate two hundred Coast Miwok people living at Mission Dolores were then transferred to the new mission in San Rafael.

Members of the Petaluma community of Coast Miwok were baptized at four different missions beginning in 1814, including Mission Dolores from 1814 to 1817, Mission San Jose from 1816 to 1818, Mission San Rafael from 1817 to 1822, and Mission San Francisco Solano in 1824. The first large group of Petaluma adults were baptized at Mission San Jose in 1816, with additional baptisms occurring at Mission Dolores and Mission San Jose for the remainder of 1816 and 1817. In total, 208 Petaluma and Tuleomi people of the Petaluma region were baptized, consisting of 142 adults and 66 children.

In 1821, Mexico gained its independence from Spain, and the Franciscan missions, now located in the Republic of Mexico, were secularized after the revolution, with Mission San Rafael being the first mission in the area to be turned over to the Mexican government in 1833. The law secularizing the missions required that the Church relinquish secular control over the neophytes (converted Native Americans), change the missions into pueblos, and divide the mission lands, livestock, and equipment among the resident neophytes. The remaining mission property was to be administered by civil administrators who would oversee the missions until secularization was complete. However, during the secularization process, most of the land and property was turned over to prominent Californio families (California-born people of Mexican heritage). Some Coast Miwok remained in the area around the missions after secularization; others dispersed into newly established towns and ranchos.

The early American period brought devastation to Native American communities as the newly arriving settlers found Native people an impediment to acquiring land, livestock, and gold and quickly passed laws aiming to exterminate Native populations and cultures in California. When California entered the Union in 1850, one of the first acts of the new California legislature was the passing of the Act for the Government and Projection of Indians, which was an act that facilitated the forced removal of California Native Americans from their traditional lands and provided for the forced indenturing of loitering or orphaned Native American children and adults. In 1851, the first Governor of California, Peter Hardeman Burnett, authorized the killing of thousands of Native Californians and, with the help of the U.S. Army, started assembling a massive arsenal that was given to local militias who were tasked with killing Native people. Several anti-Native American laws were passed during this time, which were widely abused and ultimately led to the enslavement and murder of tens of thousands of Native Americans in California. During this time, several treaties

were negotiated but left unratified; reservations were established, dissolved, and reinstated; and Native peoples were left in a continuous period of unrest.

The 1880s saw an increase in public awareness of the problems California Native Americans faced, and the government sought to provide a “formal” education to Native people as a means of assimilation. In California, three types of educational programs were established for Native peoples. The first was the federal government reservation day school; the second was the boarding school, fashioned after the U.S. Indian Industrial School in Carlisle, Pennsylvania, which was considered the flagship Indian boarding school in the U.S. from 1879 through 1918; and the third was the nearby public school that allowed Indians to attend. However, Native Americans soon recognized that the schools threatened their way of life because children were not allowed to speak their native languages, wear traditional clothing, wear their hair in traditional fashions, or practice traditional activities and were often removed from their parent’s care, and so considerable resistance to the schools quickly developed.

Another major tool the government used to try to assimilate Native Americans during this time was the General Allotment Act of 1887, also known as the Dawes Act, which provided each Native American living on one of the eight California reservations a 160-acre allotment of land per family unit and an allotment of public lands not yet appropriated by the government for those not residing on a reservation. The land was to be held in trust by the Bureau of Indian Affairs (BIA) until a time when the occupant could show that the land was being used for agricultural purposes and had become self-sufficient. Other Native Americans chose to purchase and reside on land which was once theirs. By 1905, Native Americans and their supporters began a drive to acquire land, better education, citizenship rights, and settlement of the unfulfilled treaty conditions. However, despite missionization and colonization, Tribal people found ways to remain connected to important places and cultural practices within their traditional lands.

#### *Ethnohistorical-identified Native American Sites*

Between 1903 and 1906, an anthropologist and linguist from the University of California, Berkeley, Samuel A. Barrett, traveled throughout Coast Miwok and Pomo territory to interview Native Americans about the aboriginal boundaries of the Native people in the area, the number of dialects spoken and their relationship to one another, the limits of the area in which each dialect was spoken, and the locations of former and modern village and camps sites. The closest village site to the project area included *ē'tem*, located near present-day Downtown Petaluma.

### **Historic Background**

This section outlines the historical chronology of Sonoma County and surrounding area from the Spanish period to the American period, including a specific history of Petaluma.

#### *Spanish Colonization Period (1769–1821)*

The Spanish were the first Europeans to colonize Alta (upper) California beginning in 1769, when the first Franciscan mission was established in San Diego. Spanish activity in the San Francisco Bay Area began during this time, with several Spanish expeditions traveling through the Bay Area between 1769 and 1776 to search for suitable places to establish missions. One of the first Euro-American



expeditions to explore the areas of present-day Sonoma County was a Spanish expedition led by Lieutenant Juan Francisco de la Bodega y Quadra in 1775, when his ship the *Sonora* touched the Bodega Bay. The first trip inland into Sonoma was likely in 1776 by Captain Quiros, who ventured from San Francisco into Petaluma Creek. Also, during this time, a presidio (military fort) and several missions were established throughout the greater Bay Area, including the Presidio of San Francisco and Mission San Francisco de Asís (1776) in present-day San Francisco, Mission Santa Clara de Asís (1777) in present-day Santa Clara, Mission San Jose de Guadalupe (1797) in present-day Fremont, and Mission San Rafael Arcángel (1817; gained full mission status in 1822) in present-day San Rafael.

#### *Mexican Period (1821–1848)*

In 1810, a civil war erupted in Spanish-ruled Mexico, and Alta California found itself cut off from Mexico, which was the main source of supplies and the primary market for surplus crops produced in Alta California at the time. As a result, illegal trading began to take place with foreign ships, which allowed locals to exchange their surplus agricultural products and hides and tallow for imported products such as tea, coffee, spices, clothing, leather goods, and other items. In 1821, Mexico won its independence from Spain with the signing of the Treaty of Córdoba and took possession of California, marking the end of the Spanish period and the beginning of the Mexican (or “rancho”) period in Alta California. The new Mexican government enforced major changes that resulted in the decline of the Spanish mission system and the removal of the Church as the center of authority, as well as legalizing trade with foreign ships, which stimulated commerce and resulted in the establishment of new settlements and some of the first American and Anglo-Europeans to the area, and the issuing of land grants to stimulate further colonization. While a total of 22 ranchos were established in the present-day boundaries of Sonoma County, the project area was not included in any of the land grants established during this time.

#### *Early American Period (1848–1990s)*

The American Period in California is marked by the end of the Mexican-American War (1846–1848), when Mexico ceded 55 percent of its territory to the U.S. with the signing of the Treaty of Guadalupe Hidalgo (1848), including the present-day State of California. The treaty provided the resident Mexicans with American citizenship and guaranteed title to land granted to them in the Mexican period. However, on January 24, 1848, two weeks before the treaty signing, James W. Marshall discovered gold along the American River, which marked the beginning of the Gold Rush-era (1848–1855) in California. Soon the excitement of the Gold Rush and the promise of abundant fertile land brought between 150,000 and 200,000 new settlers to California from all over the U.S., as well as Scotland, Ireland, England, Germany, France, China, and other countries, which led to an explosion in the population and the establishment of new cities and towns.

In 1851, California was divided into 27 counties, including Sonoma County, which also included present-day Mendocino County at the time. The Homestead Act, signed into law by President Abraham Lincoln in 1862, encouraged settlers to move west by offering 160 acres (a quarter section) of public land in exchange for a small filing fee and a commitment to occupy and “improve” the land for a period of five years. The Public Lands Survey System (PLSS) was utilized to subdivide unappropriated public land within the U.S. (i.e., land not granted in the Spanish and Mexican periods) into 6-mile square townships that were then subdivided into 36 1-mile-square sections that

were subdivided (each section was 640 acres and further divided into 160-acre quarter sections) and made available to citizens to own. Township 5 North, Range 7 West, where the project area is located, was surveyed under the PLSS beginning in 1852. In 1856, Sonoma County was divided into 11 townships, including the Petaluma Township, where the project area is located.

### **Local History**

In 1850, John Edgar “Tom” Lockwood, along with Levi Pyburn and Pendleton (first name is not known), set out on a hunting expedition, traveling in a rowboat up a winding slough, known today as the Petaluma River, and setting up camp along the bank of the river within present-day Petaluma. The men then constructed a temporary hut out of nearby oak trees, using a boat oar as the center post for the hut. During this time, there were only a few settlers living in the area. In January of 1851, Lockwood, Pyburn, and Pendleton were joined by Lemarcus Wiatt and John Linus, and as a group they operated a small trading post from Lockwood’s boat within the slough. During this time, the group also hunted and transported game to markets in San Francisco, bringing back supplies on their return trips. By the summer of 1851, Wiatt and Linus teamed up and constructed a permanent trading post, which was located along a bend in the river near the present-day bridge at East Washington and Water streets. By the fall of 1851, a second trading post was constructed by Thomas Baylis and David Flogdell, who had arrived in the Petaluma area only a week after Wiatt and Linus had arrived earlier in the year. This same year, settlers Garrett W. Keller and James M. Hudspeth arrived in Petaluma, and by the end of 1851, Garrett had laid claim to 40 acres of land, which included a portion of present-day Downtown Petaluma, and Hudspeth had constructed the first warehouse in Petaluma and started growing potatoes and hay for shipment to markets via his warehouse along the Petaluma Creek (Petaluma River). In 1852, Garrett W. Keller commissioned the first official survey of the town of Petaluma. The survey was completed by J.A. Brewster and assisted by Lockwood and Major Singley, who laid out the streets and lots and identified a location for a permanent wharf, which was built at the end of present-day Western Avenue. In 1852, the first mercantile store was opened by W.D. Kent and Smith (first name is not known) on the east side of Main Street, opposite present-day Putnam Plaza Park, where the American Hotel once stood.

During this time, Petaluma River was a shallow creek, or slough, and most boats could not travel upstream beyond Lakeville landing (approximately 7 miles south of present-day Downtown Petaluma); however, some steamers managed to navigate the shallow creek, which helped spur growth in Downtown Petaluma in the mid-1850s. In 1857, a drawbridge was erected across the river at Washington Street and soon after, the D Street drawbridge was constructed. The Washington Street and D Street bridges were essential to the early growth of Petaluma as they provided access from the West side to the East side of town and allowed transportation across the creek.

By 1857, local census data shows that 1,338 people lived within Petaluma, and in 1858, Petaluma was incorporated. A vibrant business district soon developed around the river at the highest navigable point. During this time, Petaluma was flourishing and the neighborhoods to the north, west, and south of the Downtown were being developed. In 1860, John A. McNear, along with his younger brother G.W. McNear, established a grain warehousing and shipping business in East Petaluma. In 1864, John McNear built the biggest warehouse in the State on East Washington Street near the present Northwestern Pacific Railroad depot (1914) on Lakeville Street (previously known

as Hopper Street). The brick building (no longer extant) was constructed with a concrete floor and a 24-foot-high vaulted ceiling that allowed for large loads of wheat, potatoes, and other produce to enter through its enormous doors and be loaded onto flat-bottomed scow schooners. In 1866, McNear headed a group that founded the Sonoma County Bank, which was located on the northwest corner of Petaluma Boulevard North and Washington Street and was for many years the largest bank in the county. McNear's Sonoma County Bank followed the practice of lending money on a handshake, which was common during these times. Although the loans were unsecured, the bank prospered along with those it lent money to, including farms, small businesses, and public works. As a result, Petaluma grew, particularly along the northern and southern boundaries, and farmers rode out bad harvest years.

In the mid-1870s, Sonoma County's first rail system was constructed when the North Pacific Coast Railroad extended northward from Tomales to Monte Rio. The first railway in Petaluma was a short one, linking the City with the steamer dock at Haystack Landing. It was called the Petaluma and Haystack Railroad and was the third rail line in the State, followed by the San Francisco and North Pacific (S.F.&N.P.) Railroad in the 1870s. During this time, large areas of farmland located south of Petaluma Creek and Downtown Petaluma were further subdivided for housing, including the developing neighborhood known as Tustin's Addition where the project area is located. In 1879, Lyman C. Byce invented the incubator and changed the economy of Petaluma, as the town was soon dominated by hatcheries and the greater surrounding landscape was occupied by chicken farms.

In 1880, the Army Corps of Engineers widened, dredged, and straightened the Petaluma River channel, allowing better ship passage. Then, in the early 1890s, the McNear Canal was constructed on the east side of the river, linking the ships directly to the railroad line in East Petaluma. The landing at the end of the canal was called Gold Landing or Steamer Landing. Railroad spurs connected to the wharfs at this point, which allowed for more direct loading of the cars and boats. The area soon became the most prominent landing and the wharfs behind the business district became less important. Transportation and commerce were aided by the competition of two railroad companies operating between Petaluma and Santa Rosa, with rail spurs to the small agricultural centers in Sebastopol and Healdsburg. During this time, the first interurban (intercity) railway went into operation when the North Pacific Railroad laid tracks from Petaluma north to Santa Rosa and Cloverdale, carrying both passenger cars and farm products.

By the early twentieth century, the City of Petaluma had grown dramatically, mainly due to the booming poultry industry. During this time, over three dozen new buildings were constructed in Downtown Petaluma, replacing many of the older buildings built in the late 1800s. The Downtown area along Kentucky Street and Petaluma Boulevard (previously known as Main Street) was the commercial center of Petaluma, and in support of the chicken boom, numerous new feed warehouses were constructed along Water Street. In 1914, the Northwestern Pacific Railroad depot was constructed in east Petaluma in support of the growing chicken ranching industry, and new housing developments were constructed in east Petaluma and areas south of the project area. By the early 1900s, the City of Petaluma had become known as "The World's Egg Basket" due to its large concentration of poultry ranches and incubator factories. However, by the late 1940s, the high

costs of chicken ranching took its toll on the local industry and many chicken ranches and feed stores closed. As a result, the local chicken industry collapsed, and the town lost its primary economy.

During the 1950s, construction of U.S. Highway 101 (US-101) in Petaluma began, which encouraged suburban growth and the expansion of the city limits. Like many cities, the construction of the highway had a negative impact on the once prosperous Downtown economy in Petaluma.

Throughout the 1960s and the 1970s, suburban development in Petaluma flourished as strip malls were constructed in east Petaluma in support of new suburban housing developments. However, by the 1990s, interest in Petaluma's Downtown and the historic houses that surround the Downtown was increasing. By the 2000s, business began to return to the Downtown area, and it once again became an important economic area of Petaluma.

### ***General Project Area History***

The Historic Commercial District, which was adopted as a National Register Historic District in 1995, has survived through modernization, a freeway bypass, and an earthquake and continues to maintain its position as the major commercial, financial, and retail center of Petaluma. Area A is located south of the heart of Downtown and the Historic Commercial District. Area A is bounded by Petaluma Boulevard South to the east, D Street to the south, 4th Street to the west, and B Street to the north. As shown in Exhibit 2-4, a portion of Area A, including the Hotel site, are located within the Historic Commercial District. Areas B and C are located outside of and south of the Oakhill-Brewster Historic District and north of the A Street Historic District. Area B is north of the A Street Historic District, and a portion overlaps with the Petaluma Historic Commercial District. Area C is outside and west of the Petaluma Historic Commercial District (Exhibit 2-4).

The Historic Commercial District is best known for its iconic cast-iron district. This centrally located block, between Petaluma Boulevard North, Western Avenue, Kentucky and 4th streets, and B Street, contains such local landmarks as the McNear Building and Mystic Theater, the Mutual Life Building, and the Masonic Building. Across Petaluma Boulevard North in this vicinity is the historic Great Petaluma Mill (G. P. McNear Co., Hay Grain & Feed) and Sanderson Ford, which is directly across the street from the proposed Hotel site within Overlay Area A. The following historical information for Areas A, B, and C were obtained from the 2023 Historic Cultural Resources Report for Downtown Housing and Economic Opportunity Overlay, prepared by Painter Preservation.

#### *Area A*

The land use history of the two blocks in Area A is depicted in historical maps. Block 63, bounded by Petaluma Boulevard South, C Street, 4th Street, and B Street, is just south of Downtown. The 1871 bird's-eye view of Petaluma shows that Block 63 contains primarily residential uses, except for a few commercial buildings facing B Street. Block 64 is bounded by Petaluma Boulevard South, D Street, 4th Street, and C Street and is south of Block 63. Block 64 was more densely developed, with large houses that were 1.5 to 2 stories in height.

By 1884, Block 63 was very densely developed, with a series of gabled buildings facing B Street (the location of Petaluma's Chinatown), the Chinese School, and a large, enclosed courtyard in the southeast corner that contained John A. McNear's hay barn and stables. The courtyard enclosure

comprised long narrow woodsheds and a coal shed. Block 64 to the south was primarily residential in character, with several stables. By 1888, Petaluma's Chinatown was gone, although the Chinese School was still present. Also, by this time, McNear's Stock Yard was clearly delineated in the northwest quadrant of Block 2 (where Foster's Freeze would be in the future) and included a series of stables.

The Chinese, as well as other Asian immigrants, came to California in great numbers to participate in the 1848 gold rush. As this work became less lucrative, many Chinese, who were the predominant immigrant group, became engaged in building the railroads, particularly the Central Pacific Railroad. As this work waned, the Chinese often migrated to urban centers, particularly to San Francisco but also to smaller towns like Petaluma, and worked in agriculture. Facing increased anti-Chinese sentiment, the national 1882 Chinese Exclusion Act was passed, which precluded the immigration of Chinese laborers to the U.S. This legislation was preceded by the Federal 1875 Page Act, which paved the way for other national and California legislation. The Chinese Exclusion Act in its various forms remained in effect until 1943.

By 1894 the Chinese School had been converted to a Chinese Mission and single dwelling within Block 63, and McNear's hay barn and stables in Block 63 was now "J. McNear's Truck Stable." Within Block 64, J. McNear's extensive stables as well as a 2-story brick harness room was in the northwest corner of the block. A neat row of primarily 1.5- and 2-story residences occupied the east and south sides of the block.

By the time the 1910 Sanborn Fire Insurance map was published, the land uses and buildings in Block 63 had begun the transition to auto-oriented uses (although a horse-shoeing shop remained), which would dominate the block in the twentieth century. McNear had built his series of warehouses in the northeast corner of the block, the largest being a garage which he had hired Petaluma's prominent architect Brainerd Jones to design. A gas station was in the northeast corner (the Hotel site), the first of several at this location over about a 100-year period (a wood and coal building also remained as a vestige of an earlier fuel business). Other uses on the block (in addition to the dance hall, a continuation of the earlier Turner Hall) were a vulcanizing business, a battery charging station, and an auto supply shop.

The transition to auto-oriented uses along both sides of Petaluma Boulevard South was complete by the time the 1923 Sanborn Fire Insurance map was issued. Among the uses in this four-block area were a used auto market, a motorcycle repair business, an auto painting shop, a battery shop, a machine shop with auto repair, a garage, two auto sales businesses, and four gas stations. Also present was a planing mill and lumber yard and two laundries, one a Chinese laundry. A few houses still existed.

By the time the 1949 Sanborn Fire Insurance map was issued, Block 64 was solidly developed with a great variety of mostly auto-oriented and industrial uses, except for what was now the American Legion Hall. What is now the Rex Ace Hardware was present in a series of buildings, including a veterinary clinic. The gas station in the northeast corner of the block (the Hotel site today) was surrounded by an electrical repair shop and a dry cleaner. The wood and coal shop were still present

and was combined with hardware storage. McNear's complex was devoted primarily to storage, except for one saloon and the building in the southeast corner, which was a freight depot. Block 1 was about 50 percent occupied with a variety of uses, including an auto and truck service storage building in the northwest corner, a new doctor's office, three single-family dwellings and one two-unit apartment, and two gas stations.

Conditions in the two blocks were largely the same in the 1965 Sanborn Fire Insurance map, with the exception that the two drive-in restaurants had been built within Block 2, Foster's Freeze and Quinley's, across from Walnut Park. Beginning about 1970, uses would begin to change in Area A, as two bank buildings joined the medical office building as professional office uses. The Hotel site transitioned from Petaluma's Chinatown and home of the Chinese School and then the Mission Church to a series of oil and gas stations, which remained the case until 2009, when the last gas station was demolished. Today, Area A is more sparsely developed than at any time in its history since 1871.

#### *Area B*

Area B is composed of a portion of a large block. It extends from Kentucky Street to Keller Street and is one parcel deep south of Western Avenue. The block between Kentucky and Keller streets consists of Chase Bank (1962) and associated parking and a Wells Fargo Bank (1976) and a large parking lot. As shown in Exhibit 2-4, a portion of Area B is within the Historic Commercial District.

The area that is occupied by Area B today was much more densely developed historically than it has been since about the late 1960s. The parcel at the corner of Kentucky Street and Western Avenue was occupied by a 3-story hotel from the mid-1850s until 1968, when the third version of what was by then called the New Continental Hotel burned. The 3-story building at the corner of Keller Street and Western Avenue, at the other end of the block, was occupied by various shops at the ground level over time and a social hall at the second level from about the turn of the century until at least 1923. In the period from circa 1906–1949, what is the parking lot today along Keller was occupied by one or two businesses and two residences.

#### *Area C*

Area C is bounded by East Washington Street on the north; the alley between Kentucky and Keller streets on the east (this is also the boundary of the Petaluma Historic Commercial District); an extension of Keokuk Street (also seen as Court Street) on the north side of this boundary and Western Avenue on the south. It encompasses portions of Keller and Liberty streets. The major streets are East Washington Street and Western Avenue, which trend west to east.

Area C is located east of the Kentucky Street shopping district, extending west as it does from the alley between Kentucky and Keller streets between Western Avenue and Washington Street. This block is Petaluma's primary shopping street on the west side, both historically and today. In the early twentieth century, this area consisted primarily of residences and stables, although the Brooklyn Hotel, the City Livery Stable, Hill Opera House (still extant), the First M.E. Church, and Pepper Kindergarten also existed along Keller and Liberty streets. These conditions were still in place in 1910.

By 1923, the half block bounded by Liberty, Washington, and Keokuk (Court) streets was still occupied by large residences and the Pepper Kindergarten, but the stables along Court Street in 1910 had been replaced by residences or were vacant. In the one-and-one-half block area bounded by the alley between Kentucky and Keller streets and Liberty Street, several of the houses were gone, replaced by commercial buildings or vacant land. The City Livery had been replaced by Vonsen's office and feed store. One garage was in the area.

Conditions were not dramatically different in the mid-twentieth century, according to the 1949 Sanborn Fire Insurance maps. Two single-story multi-family properties existed in the area, plus a combination of commercial/industrial and residential properties. Hill Opera House (now the California Theatre) and Pepper Kindergarten were still in place. Approximately 15 properties were vacant or had substantial open space (sometimes used for parking) around a building within the parcel.

Today the area is primarily known for single-story businesses, parking areas associated with the businesses, the 2-story City of Petaluma Parking Garage, and the historic Phoenix Theater.

### 3.2.3 - Methods

#### Records Searches and Survey to Identify Existing Cultural Resources

The information in this section is based, in part, on the Historic Cultural Resource Report for Downtown Housing and Economic Opportunity Overlay, conducted by Diana J. Painter in 2023; Cultural Resources Study for the Proposed Hotel Weaver, 2 Petaluma Boulevard South, Petaluma Boulevard South, Petaluma, Sonoma County, California, conducted by Sally Evans in 2023; and Historic Built Environment Impacts Assessment for the EKN Hotel Project, City of Petaluma, California, by Sarah Corder in 2024. In addition, FirstCarbon Solutions (FCS) conducted an updated records search in 2024 at the NWIC in Rohnert Park, California, and conducted an in-depth review of the California Built Environment Resources Directory (BERD) for the City of Petaluma.

#### ***Northwest Information Center***

Evans and DeShazo Archaeology and Historic Preservation (EDS) completed a record search at the NWIC on December 6, 2022 (IC File # 22-0885) that was supplemented by information within the digital library of EDS. This included a review of previous cultural resource studies and primary resource records pertaining to the Overlay Area and properties located within 0.25 mile of the Hotel site, as well as additional documentation of listed or eligible archaeological resources located in the vicinity, including the following list of documents:

- Built Environment Resource Directory for Sonoma County, California (California Office of Historic Preservation [OHP] 2020)
- OHP Archaeological Resources Directory for Sonoma County, California (OHP 2012)
- National Register of Historic Places (OHP 2020)
- California Register of Historical Resources (OHP 2020)

- California Inventory of Historic Resources (California Department of Parks and Recreation [DPR] 1976)
- California Historical Landmarks (OHP 2023)
- California Points of Historical Interest (OHP 1992)
- Five Views: Ethnic Sites Survey for California (DPR 1988)

Following this, FCS conducted a records search at the NWIC on March 21, 2024 (IC File # 23-1321) for the entire 2023 Overlay Study Area (Areas A, B, and C) and properties with 0.25 mile of the 2023 Overlay Study Area Boundary. There are 30 cultural resources with Primary Numbers on file at the NWIC within the records search extent. There are no listed cultural resources within Areas A, B, or C. There are no listed pre-contact archaeological resources within the records search extent. There are three listed historic era archaeological resources within 0.25-mile of the 2023 Study Area Boundary, two built environment resources (P-49-004872: Petaluma Post Office/P-49-004873: Old Petaluma Opera House) are within the 2023 Study Area, and 25 built environment resources are within the 0.25-mile research extent. These resources are summarized in Table 3.2-1.

**Table 3.2-1: Cultural Resources on File at the NWIC Within 0.25-mile of Study Area Boundary**

Resource Number	Resource Description	Date Recorded
P-49-002561	Petaluma & Santa Rosa Railroad Train Barn—Historic Building AH7. Roads/trails/railroad grades; AH15. Standing structures; HP6. 1- to 3-story commercial building	1976 (Dan Peterson, Connie Braitto, Self); 1997 (Katherine Johnson, City of Petaluma); 2001
P-49-002909	100 Douglas Street—Historic Building HP2. Single-family property	2002 (V. Beard, Tom Origer & Associates)
P-49-002910	101 Upham Street—Historic Building HP2. Single-family property	2002 (V. Beard, Tom Origer & Associates)
P-49-002911	415 Upham Street—Historic Building HP2. Single-family property	1976 (Elsbeth Graff Raines, Dan Peterson AIA); 2002 (V. Beard, Tom Origer & Associates)
P-49-003160	St. Vincent's Academy—Historic Building HP6. 1- to 3-story commercial building; HP15. Educational building; HP45	1977 (Dan Peterson, Connie Braitto, Dan Peterson, AIA); 2004 (Diana J. Painter, Painter Preservation & Planning)
P-49-003164/CA-SON-002381H	Weston, Hackman, Andrew's House, Garage—Historic Building HP4: Ancillary building	2004 (Cassandra Chattan, Archaeological Resource Service)
P-49-003185	40 Sixth Street—Historic Building HP2: Single-family property	2004 (Vicki R. Beard, Tom Origer & Associates)



Resource Number	Resource Description	Date Recorded
P-49-003225	209 First Street—Historic Building HP8: Industrial building	2003 (Kimberly Butt, Connor Turnbull, Casey & Co. Inc)
P-49-003226	219 First Street—Historic Building HP8: Industrial building	2003 (Kimberly Butt, Connor Turnbull, Carey & Co., Inc.)
P-49-003227	301 First Street—Historic Building HP8: Industrial building	2003 (Kimberly Butt, Connor Turnbull, Casey & Co. Inc)
P-49-003228	226 Keller Street—Historic Building HP2: Single-family property	2004 (Diana J. Painter, Painter Preservation & Planning)
P-49-003231	Poultry Producer's Cooperative—Historic Building HP7: 3-plus-story commercial building	1976 (Dan Peterson, Connie Braitto, Dan Peterson, AIA); 2004 (Andrew Kinane)
P-49-003373	Roberts House—Historic Building HP2: Single-family property	2005 (Cassandra Chattan, ARS)
P-49-003799	First Street Townhomes—Historic Site AH2. Foundations/structure pads; AH4. Privies/dumps/trash scatters	2007 (Eric Strother, William Self Associates, Inc.)
P-49-003800	Petaluma Boulevard/East Washington Street Northeast Corner Foundation—Historic Structure, Site AH2. Foundations/structure pads	2007 (S. Massey, Anthropological Studies Center, Sonoma State University)
P-49-003852	509 C Street—Historic Building HP2: Single-family property	2005 (Vicki Beard, Tom Origer & Assoc.)
P-49-003928	7 Howard Street—Historic Building HP2: Single-family property	2008 (E. Steen/V. Beard, Tom Origer & Associates)
P-49-004027	172 Petaluma Boulevard N.—Historic Building, Element of district HP6: 1- to 3-story commercial building	2008 (Diana Painter, Painter Preservation & Planning)
P-49-004223	The A.B. Hill House—Historic Building HP2: Single-family property; HP4: Ancillary building	1976 (James Webb, Dan Peterson, A.I.A.); 2009 (Diana J. Painter, Painter Preservation & Planning)
P-49-004749	635 D Street—Historic Building HP2: Single-family property	2013 (V. Beard, Tom Origer & Associates)
P-49-004802	The Hotel Petaluma—Historic Building, Element of district HP3: Multiple family property; HP5: Hotel/motel; HP7: 3-plus-story commercial building	1976 (Dan Peterson, Mary Ann Curme, Dan Peterson, A.I.A.); 2005 (Dana E. Supernowicz, Historic Resource Associates); 2012 (Britta Fenniman Tonn, EBI Consulting)
P-49-004803	Petaluma Historic Commercial District—Historic District HP5: Hotel/motel; HP6: 1- to 3-story commercial building; HP26: Monument/mural/gravestone; HP39: Other	1994 (Donald S. Napoli, [none])

<b>Resource Number</b>	<b>Resource Description</b>	<b>Date Recorded</b>
P-49-004872	Petaluma Post Office—Historic Building HP14. Government building: Government building	1976 (Connie Braitto, Dan Peterson, AIA); 1984 (Doug Robertson, Beland/Associates, Inc.)
P-49-004873	Old Petaluma Opera House—Historic Building, Element of district HP6: 1- to 3-story commercial building; HP10. Theater: Theater	1976 (Dan Peterson, Connie Braitto, Dan Peterson, AIA); 1978 (Dan Peterson, Connie Braitto, Dan Peterson, AIA)
P-49-005235	1 C Street—Historic Building HP8: Industrial building	2016 (Diana J. Painter, Painter Preservation)
P-49-005796	Weston, Hackman House—Historic Building HP2: Single-family property	1976 (Richard E. Andrews, Dan Peterson, A.I.A.)
P-49-005967	208 Petaluma Boulevard N.—Historic Building, Element of district HP6: 1- to 3-story commercial building	2018 (Stacey De Shazo, Evans & De Shazo, Inc.)
P-49-006158	Bauer House—Historic Building HP2: Single-family property	1976 (Judy Weiss, Connie Braitto, Dan Peterson AIA); 2013 (Lilly Bianco, Metropolitan Planning Group)
P-49-006331	Must Hatch Incubator Company—Historic Building HP6: 1- to 3-story commercial building	1977 (Connie Braitto, Dan Peterson, AIA)
P-49-006866	622 C Street—Historic Building HP2: Single-family property	2020 (Stacey De Shazo, Evans & De Shazo, Inc)

According to the NWIC, there have been 53 cultural resources studies and 17 sub studies conducted in the records search extent. None of these studies appear to be directly associated with Areas A, B, and C. See the table below for a list of studies on file.

**Table 3.2-2: Cultural Resource Studies on File at the NWIC Within 0.25 mile of Study Area Boundary**

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-001599	Cultural Resource Reconnaissance of the Proposed Petaluma Small Craft Harbor, Petaluma, Sonoma County, California	Edward Kandler, Mark Rudo, and Nadine Mandel	1979
S-009572	Preliminary Cultural Resources Assessment for Planned Dredging and Widening of the Petaluma River in the City of Petaluma, Sonoma County, California	Leigh Jordan	1988
S-013217	An Archaeological Survey for the AT&T Fiber Optics Cable, San Francisco to Point Arena, California	Thomas M. Origer	1990

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-013217a	Archaeological findings regarding a selection of a route through Novato for the AT&T Fiber Optics Cable (letter report)	Thomas M. Origer	1990
S-013217b	An archaeological study of revised portions of the AT&T route near Santa Rosa and Sausalito (letter report)	Thomas M. Origer	1991
S-013217c	Archaeological study of AT&T revised fiber cable routes (letter report)	Thomas M. Origer	1991
S-013217d	Archaeological survey of alternative fiber optics cable routes, Point Arena (letter report)	Thomas M. Origer	1992
S-013401	Re: Archaeological Study of AT&T Revised Fiber Cable Routes	Thomas M. Orgier and Sharon A. Waechter	1991
S-013486	Hand-Auger Borings along the Petaluma River, East Washington Avenue to West Payran Street, Petaluma, Sonoma County, California (letter report)	Sunshine Psota	1991
S-014274	A Cultural Resources Evaluation of the Barlow Printing Expansion Project, Petaluma, California	William Roop	1992
S-022086	Re. Cultural Resource Records Search and Literature Review for stations, sidings, and bridges on the Northwestern Pacific Railroad, between Cloverdale and Larkspur, Sonoma and Marin Counties	Michael Newland	1999
S-025344	An Architectural/Historical Evaluation of the Houses at 101 Upham Street and 100 Douglas Street, Petaluma, Sonoma County, California	Vicki R. Beard and Toni Douglass	2002
S-026321	A Preliminary Evaluation for Cultural Resources along Water Street in Petaluma, Sonoma County	Cassandra Chattan	2002
S-026995	An Evaluation of Cultural Resources Along the Proposed Petaluma Trolley Master Plan Project, Petaluma, Sonoma County	Cassandra Chattan	2003
S-026996	A Preliminary Evaluation for Cultural Resources Along the Proposed Petaluma River Walk, Petaluma, Sonoma County	Cassandra Chattan	2003
S-027004	An Archaeological Evaluation of the Proposed Petaluma Town Center Project, Petaluma, Sonoma County, California	William Roop	2003
S-028137	Results of an Archaeological Monitoring Program for the Downtown River Apartments/Eden Housing Project, Petaluma, CA (ARS Project #03-075) (letter report)	Richard Greene	2004
S-028211	Drees Building, 201 Western, Petaluma, California: Historic Resource Assessment	Diana Painter	2003

**Cultural Resources and Tribal Cultural Resources**

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-028860	Historic Architecture Evaluation of a Garage at 22 Sixth Street (letter report)	Cassandra Chattan	2004
S-029002	A Cultural Resources Evaluation of the Poultry Street Mixed Use Condominium Project, Petaluma, Sonoma County	Cassandra Chattan	2004
S-029648	8 Kentucky Street/Cosmopolitan Hotel Site, Petaluma, California: Historic Resource Report	Diana Painter	2004
S-029649	Kane Residence, 226 Keller Street, Petaluma, California: Historic Resource Report	Diana Painter	2004
S-029654	Historic Context Report, M. Vonsen Company & the First Street Warehouses, 209, 219, & 301 First Street, Petaluma, California	Diana J. Painter	2004
S-029720	A Cultural Resources Evaluation of the Petaluma Trestle Renovation Alternatives, on the Petaluma River, Petaluma, Sonoma County, California	Cassandra Chattan	2004
S-029740	Install Antennas on the Roof; Equipment Cabinets on the Roof Adjacent to the Penthouse, Petaluma Grain Tower/ SF-13040A, 323 E. Washington Street, Petaluma, CA	Lorna Billat	2005
S-030671	A Cultural Resources Study of Block 121, Parcels 14 and 15, at the Corner of 1st and G Streets, Petaluma, Sonoma County, California	Sandra Massey	2005
S-030907	Caltrans Historic Bridge Inventory Update: Metal Truss, Movable, and Steel Arch Bridges, Contract: 43A0086, Task Order: 01, EA: 43-984433, Volume I: Report and Figures	Christopher McMorris	2004
S-030938	A Historic Structures Evaluation of the Property at 206 E Street, Petaluma, Sonoma County	Cassandra Chattan	2005
S-031610	Results of an Archaeological Monitoring Program for the Basin Street Landing Project, the Theater District, Petaluma, Sonoma County, California	Richard Greene	2005
S-031611	Results of an Archaeological Monitoring Program for the Basin Street Landing Project, the Relocation of the McKinney Livery Stable, Petaluma, Sonoma County, California	Richard Greene	2005
S-031612	Results of an Archaeological Monitoring Program for the Basin Street Landing Project, the Waterfront Offices and Apartments, Petaluma, Sonoma County, California	Richard Greene	2005
S-031737	Archaeological Resources Technical Report for the Sonoma Marin Area Rail Transit (SMART) Project, Sonoma and Marin Counties, California	Carole Denardo and Daniel Hart	2004

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-031737a	Historic Architectural Resources Technical Report for the Sonoma Marin Area Rail Transit (SMART) Project		2004
S-033443	A Cultural Resources and Historic Structures Evaluation in the City of Petaluma at 368 and 402 Petaluma Boulevard North, Sonoma County, California	Cassandra Chattan and Emily Wick	2006
S-033508	Historic Properties Survey Report for the Proposed Petaluma Boulevard North Roadway Improvements Project, Petaluma, Sonoma County, California	Adrian Praetzellis, Heidi Koenig, and Michael Newland	2007
S-033508a	Archaeological Survey Report for the Proposed Petaluma Boulevard North Roadway Improvements Project, Petaluma, Sonoma County, California, California Department of Transportation, District 4–Oakland	Heidi Koenig, Michael Newland, and Adrian Praetzellis	2007
S-033508b	Archaeological Survey Report for the Petaluma Boulevard North Street-Improvement Project, Petaluma, Sonoma County, California	Heidi Koenig	2006
S-033556	Final Archaeological Resources Report, First Street Townhomes Project, Petaluma, California	Aimee Arrigoni, Eric Strother, Allen Estes, David Buckley, James Allan, and William Self	2007
S-033952	A Cultural Resources Survey of the Property at 200 Kentucky Street (APN 006-283-014), Petaluma, Sonoma County, California	Sandra A. Ledebuhr and Thomas M. Origer	2007
S-035485	An Evaluation of the Building at 7 Howard Street, Petaluma, California (letter report)	Vicki Beard	2008
S-035829	Historic Resource Survey & Evaluation for 172 Petaluma Blvd. N., Petaluma, California	Diana J. Painter	2008
S-036167	A Historic Structures Evaluation of the Building at 224 Weller Street, Petaluma, California	Cassandra Chattan	2009
S-037493	Cultural Resources Records Search and Site Visit for T-Mobile West Corporation, a Delaware Corporation Candidate BA00335-A (Petaluma Hotel), 106 East Washington Street, Petaluma, Sonoma County, California (letter report)	Carrie D. Wills and Kathleen A. Crawford	2010
S-037569	Historic Resource Report- 112 7th Street (Letter Report)	Diana J. Painter	2009
S-038068	Collocation ("CO") Submission Packet, FCC Form 621, Petaluma Grain Tower, SF13040A, 323 E. Washington Street, Petaluma, Sonoma County, California 94952	Lorna Billat	2011
S-038068a	Cultural Resources Study of the Petaluma Grain Tower Project, Metro PCS, Inc. Site No. SF13040A, 323 East Washington Street, Petaluma, Sonoma County, California 94952		2011

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-039160	Historic Property Survey Report and Archaeological Survey Report for the Proposed Petaluma Boulevard South Road Diet, City of Petaluma, Sonoma County, California	Sandra Massey	2011
S-039160a	Archaeological Survey Report for the Proposed Petaluma Boulevard South Road Diet, City of Petaluma, Sonoma County, California, 04-SON-0-PET, E.A. CML-5022(048)	Sandra Massey	2011
S-045357	FCC Form 621, Collocation ("CO") Submission Packet, Hotel Petaluma/FN03XC304A, 106 Washington Street, Petaluma, Sonoma County	Lorna Billat	2014
S-045357a	Architectural Evaluation Study of the Hotel Petaluma Project, Sprint Site No. FN03XC304A, 106 Washington Street, Petaluma, Sonoma County, California 94952	Dana E. Supernowicz	2014
S-045439	Historical Evaluation of the Property at 635 D Street, Petaluma, Sonoma County, California	Vicki R. Beard	2013
S-046062	A Subsurface Survey for the Copeland Sewer Pump Station Project, Petaluma, Sonoma County, California	Lacey Klopp	2014
S-048417	A Cultural Resources Study for the North River Landing Project, Petaluma, Sonoma County, California	Taylor Alshuth, Erica Thompson, and Tom Origer	2016
S-048698	Historic Resource Report, 1 C Street, Bay Bridge Garage, Petaluma, Sonoma County, California	Diana J. Painter	2016
S-048780	Cultural Resources Investigation for AT&T CNU0554 "Central Petaluma," 106 East Washington Street, Petaluma, Sonoma County, California 94952 (letter report)	Carolyn Losee	2016
S-048780a	FCC Wireless Telecommunication Bureau Collocation ("CO") Submission Packet, FCC Form 621, AT&T SITE NUMBER CNU0554/CCL00554, "CENTRAL PETALUMA," 106 Washington Street/203 Kentucky Street, Petaluma, California, Sonoma County	Holly D. Moore	2016
S-048780b	FCC_2016_1013_002, CNU0554 "CENTRAL PETALUMA" 106 Washington Street/203 Kentucky Street, Petaluma, Collocation	Carolyn Losee and Julianne Polanco	2016
S-049109	FCC Form 621, Collocation ("CO") Submission Packet, BA00335A (SF335 Hotel Petaluma), 106 Washington Street, Petaluma, CA 94952	Carrie D. Wills and Kathleen A. Crawford	2016
S-049109a	Cultural Resources Records Search Results for T-Mobile West, LLC Candidate BA003335A (SF335 Hotel Petaluma) 106 Washington Street, Petaluma, Sonoma County, California (letter report)	Carrie D. Wills and Kathleen A. Crawford	2016
S-049109b	BA00335A (SF335 Hotel Petaluma) 106 Washington Street, Petaluma, Collocation	Julianne Polanco	2016

<b>Report Number</b>	<b>Report Title/Project Focus</b>	<b>Author</b>	<b>Date</b>
S-049418	Cultural Resource Records Search and Site Visit Results for Cellco Partnership and their Controlled Affiliates doing business as Verizon Wireless Candidate 'DT Petaluma SC1', 109 Kentucky Street, Petaluma, Sonoma County, California	Carrie D. Wills and Kathleen Crawford	2016
S-049418a	FCC Wireless Telecommunication Bureau Collocation ("CO") Submission Packet, FCC Form 621, 28707/DT Petaluma SC1, 109 Kentucky Street, Petaluma, Sonoma County, CA 94952	Chris Baker	2016
S-049418b	FCC_2016_1024_010, 28707/DT Petaluma SC1, 109 Kentucky Street, Petaluma, Collocation	Julianne Polanco	2016
S-052236	Current Condition Assessment and Secretary of the Interior's Standards Review for the ca. 1870 Commercial Storefront Building Located at 208 Petaluma Boulevard North, Petaluma, Sonoma County, California	Stacey De Shazo	2018
S-053428	Cultural Resources Study of the Central Petaluma Project, AT&T Wireless Services Site No. SNFCCA0315, Hotel Petaluma, 106 Washington Street/203 Kentucky Street, Petaluma, Sonoma County, California 94952	Dana E. Supernowicz	2005
S-054427	Environmental Impact Statement/Environmental Impact Report, Petaluma River, California, Detailed Project Report for Flood Control (Final)		1995
S-054712	Historic Resource Evaluation for the Property at 622 C Street, Petaluma, Sonoma County, California	Stacey De Shazo	2020
S-055745	Historic Property Survey Report, Petaluma Boulevard South Road Side Improvements, Petaluma, Sonoma County, 04-SON-STPL 5022 (060)	Daniel Shoup	2020
S-055745a	Archaeological Survey Report, Petaluma Boulevard South Road Side, Petaluma, Sonoma County, STPL 5022(060)	Daniel Shoup and Jennifer Ho	2020
S-056355	"Secretary of the Interior's Guidelines" & Historic District Design Guidelines Consistency Evaluation, 235 Liberty Street, Petaluma, Sonoma County, California (APN 006-273-015-000)	Alice P. Duffee	2021

### ***Built Environment Resource Directory***

The BERD files provide information organized by county regarding non-archaeological resources in OHP's inventory list. This inventory list only contains information for cultural resources processed through OHP, including resources reviewed for eligibility to the NRHP and the California Historical Landmarks (CHL) programs. As part of the current study, FCS analyzed the listing in the BERD. Unfortunately, the listing contains many duplicate and/or incomplete entries, as well as entries with

minimal data. In many cases the listed addresses do not appear to be accurate. The following represents a preliminary consolidation of this data by FCS. FCS informed the NWIC of these preliminary findings and will provide them to the California Historical Resources Information System (CHRIS) to help resolve these data issues. As such, the information presented here regarding the BERD should be considered preliminary and further research will be needed to verify locations (addresses and Assessor’s Parcel Numbers [APNs]), whether a resource is still extant, if it retains the provided eligibility status, and overall accuracy.

The results of this preliminary assessment indicate that there are three historic districts within the 2023 Study Area or directly adjacent (i.e., across the street) from the boundary (Table 3.2-3). (Oakhill-Brewster Historic District, A Street Historic District, and Downtown Historic District were not listed in the BERD). A total of 122 individual built environment cultural resources are also listed within the 2023 Study Area or directly adjacent (i.e., across the street) from the boundary, including several City Landmarks. An additional 32 properties have been included in this list as they were either identified or assessed as part of the current associated studies and may require assessment in the future. The properties currently reviewed range in age from the 1850s through the 1990s (Exhibit 3.2-1). Finally, there is one historic built environment cultural resource listed in the BERD that may be within the 2023 Study Area (OTIS ID 470838).

**Table 3.2-3: Historic Districts Listed in the BERD and/or the City of Petaluma**

Property Name	Primary Number	OTIS ID	Eligibility Status	Age	Other Reference Number
Petaluma Historic Commercial District	P-49-004803	489595, 492238	1S	1854	NPS-95000354-9999
A Street Historic District	–	–	5S1	1850	–
Liberty Street Houses	P-49-006301	404475	3D	1880	4952-0172-9999
Howard Street Cottages	P-49-006282	404455	5D2	1870	4952-0155-9999
Oakhill-Brewster Historic District	–	–	5D2	–	–
Downtown Historic District	–	–	5D2	–	–

Tables 3.2-4, 3.2-5, and 3.2-6 include the built environment resources identified during this study. There are several properties within Areas A, B, and C that are not currently on any known listing. The addresses and APNs that are not included in this document may still require assessment if they were constructed more than 45 years ago and if there is a potential for future individual development projects to impact these buildings. Additionally, over time, as buildings in the area get older, they may be identified as potentially significant, where they are not today. In general, any building over 45 years of age should be assessed for potential significance.



The BERD contains significant information on the history of evaluation of properties within the Study Area. A Primary Number is provided if the resource is listed in the NWIC database;<sup>1</sup> OTIS ID refers to the database entry number assigned by OHP and is specific to the BERD; the Eligibility Status Codes provided, unless otherwise noted, are official California OHP codes; and Other Reference Numbers include National Park Service (NPS) reference numbers associated with the NRHP and State Historic Resource Inventory program reference numbers. Exhibit 3.2-2 depicts the reviewed properties by their Eligibility State, and Status Code definitions can be found in Exhibit 3.2-3. Additionally, the BERD is available to the public.<sup>2</sup> Properties within Areas A, B, and C identified during this study or listed in the BERD can be found in Appendix B.

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<sup>1</sup> Note that not all Primary Numbers in the California Built Environment Resources Directory (BERD) tables were identified in the Northwest Information Center (NWIC) records search. The California Historical Resources Information System (CHRIS) is currently consolidating data in the Information Center Database (ICDB) and the BERD, and not all BERD data is readily available in the NWIC GIS database.

<sup>2</sup> The Sonoma County Built Environment Resources Directory (BERD) is available for download through the California Office of Historic Preservation (OHP) at the following website: [https://ohp.parks.ca.gov/?page\\_id=30338](https://ohp.parks.ca.gov/?page_id=30338).

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Source: City of Petaluma.



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**Legend**

- EKN Appellation Hotel
- Downtown Housing & Economic Opportunity Overlay
- 2023 Study Area

\* Mapped properties were included based on available data within the 2023 Study Area and Historic Districts in the vicinity of the 2023 Study Area

**Eligibility Status**

- Assessed and Found Eligible
- Assessed and Found Ineligible
- Unassessed

Source: City of Petaluma.

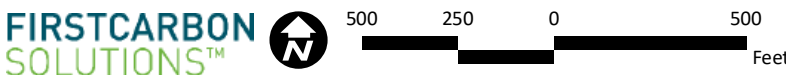


Exhibit 3.2-2  
Properties by Eligibility

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## California Historical Resource Status Codes

### **1 Properties listed in the National Register (NR) or the California Register (CR)**

- 1D Contributor to a district or multiple resource property listed in NR by the Keeper. Listed in the CR.
- 1S Individual property listed in NR by the Keeper. Listed in the CR.
  
- 1CD Listed in the CR as a contributor to a district or multiple resource property by the SHRC
- 1CS Listed in the CR as individual property by the SHRC.
- 1CL Automatically listed in the California Register – Includes State Historical Landmarks 770 and above and Points of Historical Interest nominated after December 1997 and recommended for listing by the SHRC.

### **2 Properties determined eligible for listing in the National Register (NR) or the California Register (CR)**

- 2B Determined eligible for NR as an individual property and as a contributor to an eligible district in a federal regulatory process. Listed in the CR.
- 2D Contributor to a district determined eligible for NR by the Keeper. Listed in the CR.
- 2D2 Contributor to a district determined eligible for NR by consensus through Section 106 process. Listed in the CR.
- 2D3 Contributor to a district determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2D4 Contributor to a district determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
- 2S Individual property determined eligible for NR by the Keeper. Listed in the CR.
- 2S2 Individual property determined eligible for NR by a consensus through Section 106 process. Listed in the CR.
- 2S3 Individual property determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2S4 Individual property determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
  
- 2CB Determined eligible for CR as an individual property and as a contributor to an eligible district by the SHRC.
- 2CD Contributor to a district determined eligible for listing in the CR by the SHRC.
- 2CS Individual property determined eligible for listing in the CR by the SHRC.

### **3 Appears eligible for National Register (NR) or California Register (CR) through Survey Evaluation**

- 3B Appears eligible for NR both individually and as a contributor to a NR eligible district through survey evaluation.
- 3D Appears eligible for NR as a contributor to a NR eligible district through survey evaluation.
- 3S Appears eligible for NR as an individual property through survey evaluation.
  
- 3CB Appears eligible for CR both individually and as a contributor to a CR eligible district through a survey evaluation.
- 3CD Appears eligible for CR as a contributor to a CR eligible district through a survey evaluation.
- 3CS Appears eligible for CR as an individual property through survey evaluation.

### **4 Appears eligible for National Register (NR) or California Register (CR) through other evaluation**

- 4CM Master List - State Owned Properties – PRC §5024.

### **5 Properties Recognized as Historically Significant by Local Government**

- 5D1 Contributor to a district that is listed or designated locally.
- 5D2 Contributor to a district that is eligible for local listing or designation.
- 5D3 Appears to be a contributor to a district that appears eligible for local listing or designation through survey evaluation.
  
- 5S1 Individual property that is listed or designated locally.
- 5S2 Individual property that is eligible for local listing or designation.
- 5S3 Appears to be individually eligible for local listing or designation through survey evaluation.
  
- 5B Locally significant both individually (listed, eligible, or appears eligible) and as a contributor to a district that is locally listed, designated, determined eligible or appears eligible through survey evaluation.

### **6 Not Eligible for Listing or Designation as specified**

- 6C Determined ineligible for or removed from California Register by SHRC.
- 6J Landmarks or Points of Interest found ineligible for designation by SHRC.
- 6L Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.
- 6T Determined ineligible for NR through Part I Tax Certification process.
- 6U Determined ineligible for NR pursuant to Section 106 without review by SHPO.
- 6W Removed from NR by the Keeper.
- 6X Determined ineligible for the NR by SHRC or Keeper.
- 6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.
- 6Z Found ineligible for NR, CR or Local designation through survey evaluation.

### **7 Not Evaluated for National Register (NR) or California Register (CR) or Needs Reevaluation**

- 7J Received by OHP for evaluation or action but not yet evaluated.
- 7K Resubmitted to OHP for action but not reevaluated.
- 7L State Historical Landmarks 1-769 and Points of Historical Interest designated prior to January 1998 – Needs to be reevaluated using current standards.
- 7M Submitted to OHP but not evaluated - referred to NPS.
- 7N Needs to be reevaluated (Formerly NR Status Code 4)
- 7N1 Needs to be reevaluated (Formerly NR SC4) – may become eligible for NR w/restoration or when meets other specific conditions.
- 7R Identified in Reconnaissance Level Survey: Not evaluated.
- 7W Submitted to OHP for action – withdrawn.

12/8/2003

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### ***Native American Heritage Commission Record Search***

The City contacted the Native American Heritage Commission (NAHC) on December 2, 2022, to request information related to sacred sites at the Hotel site. The NAHC provided a response letter on December 28, 2022, the results of which came back as negative, meaning the Hotel site and 0.25-mile radius is not listed in the Sacred Lands File (SLF). The NAHC provided a list of 12 Native American Tribal contacts. As recommended by the NAHC, and pursuant to Assembly Bill 52 and Senate Bill 18, notice of the proposed project was provided to the 12 individuals and organizations on the Native American contact list on April 20, 2023, to request further information about Sacred Sites, Traditional Cultural Resources, or other properties of traditional religious and cultural importance located within or near to the project area, and to inquire about Native American concerns related to the overall project.

A response was received from Lytton Rancheria on May 25, 2023, requesting a copy of the site survey. A response was received on June 2, 2023, from the Federated Indians of Graton Rancheria (FIGR) requesting the results of the CRS and the recommendations within the study.

As a result of the Tribal outreach, the City received a response from FIGR requesting consultation, and consultation meeting between City staff, the Tribal Historic Preservation Officer, Tribal members and representatives occurred on July 17, 2023. Through the consultation process, FIGR requested additional studies including a Ground-Penetrating Radar (GPR) and canine investigation, which were prepared and provided to the Tribe.

On March 29, 2024, the City reached out to FIGR to provide notification about the preparation of an EIR for the proposed project. FIGR responded on April 16, 2024, requesting to consult on the proposed project. Since the time of this response, monthly consultation meetings have occurred on April 16, May 24, June 18, and July 23, 2024 to discuss the proposed project.

### ***Ground-Penetrating Radar and Canine Investigation***

GPR and a canine investigation were conducted at the Hotel site at 2 Petaluma Boulevard South. The canine investigation was conducted by Institute for Canine Forensics (ICF) on August 7, 2023, and the GPR was conducted by Byram Archaeological Consulting, LLC, on August 31, 2023, and September 2, 2023. The results of both are considered confidential and are summarized in a report prepared by EDS dated September 25, 2023.

The GPR survey identified several buried features on the site, many of which are associated with prior development. Potential features identified include building foundations and footings, utilities, pavement, and underground storage tank excavation pits. While the GPR did not identify definitive pre-contact archaeological site features, one area of the site was identified as having the potential to contain buried resources due to the layered, sloping strata.

### ***Cultural Resources Pedestrian Survey***

An archaeological field survey of the Hotel site was conducted by EDS Archaeologist, Kelsey Simonds, BA, on June 1, 2023; and FCS Senior Cultural Resources Specialist Charles Mikulik, MA, RPA, completed an intensive-level pedestrian survey of the project site and surrounding areas on May 17,

2024. The built environment survey entailed walking the project site and the built environment Study Area and documenting the exterior of the existing buildings and structures with notes and photographs to assist South Environmental with the 2024 Built Environment Impact Assessment. The Hotel site is characterized by a vacant lot bound by B Street on the west, Petaluma Boulevard South on the north, a parking lot on the east, and a commercial building (Rex Hardware) on the south. The Hotel site is surrounded on the north, east, and south sides by a chain-link fence and contains a temporary wooden signpost in the center, four black metal barrels in the center of the property, and modern trash throughout. Vegetation within the Hotel site includes low grasses, California poppies, a crepe myrtle tree in the northeast corner, and an arroyo willow tree on the east boundary.

The methods used to complete the field survey include walking a series of pedestrian transects spaced 3 meters (~10 feet) apart, beginning at the northwest corner of the Hotel site. The soil visibility was poor (<10 percent) due to the buildup of dry, cut grass, with some pockets of good visibility (~50 percent) along the northern border near Petaluma Boulevard South. To improve the soil visibility, the Archaeologist used a trowel to dig through the vegetation and expose the soil below. The soil observed throughout the Hotel site consisted of sandy loam (2.5Y 5/2) that was very dry. The surface soil also contained angular gravel (0.5–2 inches in diameter), consisting of mostly basalt, with the area of good visibility consisting of a dense amount of rounded gravel (2.5 inches in diameter) that appeared to have been imported.

No archaeological resources, including pre-contact or historic-period artifacts or other indications of an archaeological resource were observed in the Hotel site. The properties at 313 B Street and 20 Petaluma Boulevard South were documented and recorded on DPR523 Forms by South Environmental and FCS. Both properties have been assessed as ineligible for local, State, and federal listing by South Environmental as part of the 2024 built environment assessment for the Hotel site.

## Reports Prepared for the Proposed Project

### ***Downtown Housing and Economic Opportunity Overlay***

#### *Painter Preservation Historic Cultural Resources Report*

A Historic Cultural Resources Report (HCRR) was prepared by Painter Preservation on September 22, 2023 (Appendix B). The report documents the historic context of the proposed Overlay and provides recommendations for future development that may occur within the Overlay Area. This report focused on age-eligible criteria related to the NRHP. However, the report did not indicate whether the buildings were assessed under CEQA, which requires a broader set of considerations. As detailed in the report, age-eligible buildings are present in each Area. Age-eligible means that a building is at least 45 years old (constructed in 1979 or prior) and therefore may be eligible for listing on the NRHP or CRHR or listed at the local level.

### ***EKN Appellation Hotel***

Analyses prepared for the proposed Hotel include a Cultural Resources Study, prepared by EDS on June 16, 2023; a GPR and Canine Investigation, prepared by Byram Archaeological Consulting, LLC, and Institute for Canine Forensics (ICF) and summarized in a report prepared by EDS on September 25, 2023; a Historic Cultural Resource Report prepared by Painter Preservation on September 22,

2023, which includes Area A and the Hotel site; and a Historic Built Environment Assessment (HBEA) prepared by South Environmental on June 24, 2024 (Appendix B). A summary of the analyses prepared is included below and informs the impact analysis contained herein.

*Historic Resources Study by Evans & De Shazo*

A Cultural Resources Study was prepared by EDS Archaeology and Historic Preservation on June 16, 2023. The report includes an NWIC record search, outreach to the NAHC, Tribal outreach, a pedestrian survey, buried archaeological site sensitivity, and recommendations for the protection of archaeological resources. Based on the Hotel site's environmental setting, Holocene-age alluvium, soil type that is known to contain a buried A horizon (i.e., paleosol), and proximity to the Petaluma River, it appears that the Hotel site has a high potential/sensitivity for buried pre-contact archaeological resources.

*Ground-Penetrating Radar Study and Canine Investigation by Byram Archaeological Consulting, LLC, and Institute for Canine Forensics*

Pursuant to Assembly Bill (AB) 52, notice of the proposed project was provided to the FIGR on April 20, 2023, for the Initial Study/Mitigated Negative Declaration (IS/MND) prepared in 2023. The City received a response from FIGR requesting consultation, and consultation meeting between City staff, the Tribal Historic Preservation Officer, Tribal members, and representatives occurred on July 17, 2023. Through the consultation process, FIGR requested additional studies including a GPR and Canine Investigation, which were prepared and provided to the Tribe. The canine investigation was conducted by ICF on August 7, 2023, and the GPR was conducted by Byram Archaeological Consulting, LLC, on August 31, 2023, and September 2, 2023. The results of both are summarized in a report prepared by EDS, dated September 25, 2023.

In total, there were eight canine alerts, five of which were from one individual canine and three of which were corroborated by other canines. The three corroborated alerts were in the southwest corner of APN 008-063-011, and the two individual alerts were along the western boundary of APN 008-063-008, near the adjacent Rex Ace Hardware building. All eight alerts occurred near the area of the former coffin-making and undertaker business, and as such the EDS report states that it is possible the alerts are related to this former use.

The GPR survey identified several buried features on the site, many of which are associated with former development at the site. Potential features identified include building foundations and footings, utilities, pavement, and underground storage tank excavation pits. While the GPR did not identify definitive archaeological site features, one area of the site was identified as having the potential to contain buried resources due to the layered, sloping strata.

*Historic Built Environment Assessment by South Environmental*

A Historic Built Environment Assessment (HBEA) was prepared for the proposed Hotel based on site plans dated April 4, 2024. The report analyzes whether the proposed Hotel would result in impacts to the historic built environment resources located within and immediately adjacent to the Hotel site, including two commercial properties immediately adjacent to the Hotel site that are identified as 313 B Street and 20 Petaluma Boulevard South. The report evaluates these two buildings for

historic significance as defined by CEQA. Furthermore, the report evaluates impacts of the proposed Hotel on the Historic Commercial District within which it is located.

The report states that the project site is undeveloped and contains no historical resources. It also concludes that both adjacent commercial buildings, at 313 B Street and 20 Petaluma Boulevard South, are not eligible to be considered historically significant under State and local designation criteria and that the proposed Hotel would not adversely impact the Historic Commercial District (Appendix B).

### **Summary of Existing Cultural Resources at the Project Site**

The history of Petaluma is present in the contemporary landscape and the unique character that arises from the side-by-side existence of new and old. Such resources include buildings, structures, landscapes, sites, and objects. Petaluma’s historical resources are preserved and encouraged through policies and programs that serve to maintain the historic character, as further discussed in Section 3.1, Aesthetics, Light, and Glare.

#### ***Historic Architectural Resources***

Five historic districts (the Downtown Historic District, Oakhill-Brewster Historic District, Upham Street Historic District, “A” Street Historic District, and Petaluma Historic Commercial District) have been identified within the 2023 Overlay report and two additional districts (Howard Street Cottages Historic District and Liberty Street Houses Historic District) were identified in the ; however, archival research indicates that only the Petaluma Historic Commercial District (P-49-004803) intersects Areas A and B and is directly adjacent to the east edge of Area C. Therefore, the Petaluma Historic Commercial District, out of the seven identified historic districts, is the only district that was formally evaluated and recorded and is both a NRHP historic district and a local historic district, as discussed further below.

#### ***Petaluma Historic Commercial District***

The Petaluma Historic Commercial District was designated as an NRHP historic district in 1995 and was found to be significant under Criteria A and C for commerce and architecture, with a period of significance of 1854–1945. The design guidelines were adopted in 1999 through Ordinance No. 2097 N.C.S. The nomination form indicates that the district is an important reflection of Downtown at the end of World War II. The district features a variety of architecture styles, including Italianate, Queen Anne, Period Revivals, Streamline Moderne, and International. At the time the NRHP Nomination Form was submitted, the district contained 64 contributing elements, 35 non-contributing elements, and 14 vacant parcels.

The district is predominantly commercial buildings or mixed-use buildings that front Petaluma Boulevard or one of the intersecting streets. The following character-defining features of the district are discussed in the nomination form:

- Flat roofs or roofs hidden by parapets
- Use of a variety of materials including cast-iron, stucco, brick, terracotta, stone, and wood

- Use of classically inspired ornamentation such as bracketed cornices, pilasters, and dentil and belt courses
- A variety of heights
- Intact detailing above the first floor because of storefront alterations
- A variety of architectural styles

### Properties in Area A

There are 10 parcels within Area A (Table 3.2-4) that include buildings over 45 years in age; an additional building was constructed in 2007 but was designed in a similar fashion to the original building at that location. Two properties—Rex Hardware (Ace Hardware) and Northbay Savings and Loan (Bank of the West)—were assessed by South Environmental as part of this study, and a recommendation of ineligible for local, State, and federal listing has been made for them. The Hotel site is in Area A and is adjacent to The Rex Hardware and Northbay Savings and Loan (Bank of the West).

**Table 3.2-4: Properties in Area A**

Property Name	Eligibility Status	Age	Address	Parcel
Northbay Savings and Loan, Bank of the West	6Z (preliminary)	1974	20 Petaluma Boulevard South	008-063-007
Hotel Development Site, Kreger's Standard Station	N/A	1935	2 Petaluma Boulevard South	008-63-008; 008-63-009; 008-63-011
Rex's Hardware, Ace Hardware	6Z (preliminary)	1870; 2007	313 B Street	008-63-012
Summit State Bank; Fidelity National Title	Unassessed	1979	100 Petaluma Boulevard South	008-64-002
Lewis Medico-Dental Building; Compass Real Estate	Unassessed	1935; 1949	127 4th Street	008-64-004
Quinley's; Walnut Park Grill	Unassessed	1954	131 4th Street	008-64-005
Foster's Freeze; Fourth & Sea Fish & Chips	Unassessed	1950	101 4th Street	008-64-008
Seven-Eleven	Unassessed	1977	112 Petaluma Boulevard South	008-64-010
None (P-49-006360, OTIS ID 404537, Other reference number: 4952-0234-0000)	3S (no longer extant)	1870	108 Petaluma Boulevard South	008-064-002
Petaluma Mill, Brainerd Jones (OTIS ID 474431)	2D3	Unknown	34 Petaluma Boulevard North	008-063-007
Refer to Exhibit 3.2-3 for all Office of Historic Preservation (OHP) California Historical Resource Status Codes				

### *20 Petaluma Boulevard South*

The property at 20 Petaluma Boulevard South adjacent to the project site is a former bank building constructed in 1974. Because of the age of the property, it was recorded and assessed for historical significance in consideration of CRHR and City designation criteria and integrity requirements. It is outside the boundary of the Petaluma Historic Commercial District, and it was assessed as not eligible at the individual level of significance as part of the current study under all State and local designation criteria due to a lack of significant historical associations and architectural merit. The property was constructed outside of the historic district's period of significance, and thus has no potential to serve as a contributing property to the district.

### *2 Petaluma Boulevard South*

The Hotel site at 2 Petaluma Boulevard South was occupied beginning in the late 1800s by Petaluma's Chinatown and Chinese School, which was later the Chinese Mission Church. This school/mission was no longer extant by 1906 and the site was occupied by a dwelling through at least 1910. The Sanborn Fire Insurance map of 1919 shows that the site was occupied by a gas and oil station, in addition to a cobbler shop and the dwelling. This was the first in a series of gas stations on the parcel. According to historian Terry Park, "A Union Oil station opened in 1917 and was replaced by a Standard/Chevron station in 1919. The station was demolished and rebuilt in 1935 and remained in business until 2008. This location boasted the longest operating gas station with 91 years in business. The building was demolished in 2009. The site remains vacant today."

### *313 B Street*

The property at 313 B Street adjacent to the project site is the Rex Hardware building. It was listed in the BERD in 1995 with a Status Code of 1D (contributor to the Petaluma Historic Commercial District). However, after a fire in 2006, most of the property was destroyed and it was reconstructed. The existing building was recorded and assessed for historical significance in consideration of CRHR and City designation criteria and integrity requirements. Because of a near total loss of its original buildings, the property at 313 B Street was found to no longer have the requisite integrity to convey significance as an individual property or a contributor to the historic district. Additional information can be found in the Historic Built Environment Assessment prepared by South Environmental (Appendix B).

### *100 Petaluma Boulevard South*

The property at 100 Petaluma Boulevard South Summit State Bank/Fidelity National Title has never been assessed for potential significance as a historic resource. It is a bank constructed in 1979, and it retains good integrity. The building should be assessed for potential significance if changes are proposed as a result of a project application submitted under the proposed Overlay

### *127 4th Street*

The Dr. Mark L. Lewis Medico-Dental Building at 127 4th Street was built in 1935; an addition was constructed in 1949. The single-story Colonial Revival office building was considered "the last word in modernity" when constructed. This property has never been assessed for potential significance. However, prior to any work to this site, it should be assessed for potential significance as an early modern professional office building in Petaluma and for its association with Dr. Mark L. Lewis. The

building retains excellent integrity. The building should be assessed for potential significance as a midcentury structure if changes are proposed due to a project application submitted under the proposed Overlay.

#### *131 4th Street*

Quinley's was built by Alvin Quinley as the hamburger restaurant PDQ<sup>3</sup> in 1952. The PDQ on Walnut Park was the second location for the restaurant. It first opened in 1945 on Petaluma Boulevard South at I Street and is considered the first drive-in in the North Bay. Quinley was a restaurateur who owned several fast-food restaurants in the Bay Area and a chain of Quinley's "good food" restaurants in Petaluma, Santa Rosa, and Marin. Alvin Quinley's grandson, Alvin Cooper, restored the building about 1991 and re-named the PDQ "Quinley's." Quinley's closed in 2004 when Joe Cooper, Alvin Cooper's brother and business partner, was diagnosed with cancer. It re-opened as the Walnut Park Grill in about 2004 and closed in 2020.

The significance of the former Quinley's may be a good example of roadside architecture in Petaluma; however, the property has never been assessed for potential significance. Connie Williams of the Sonoma County Library wrote in 2023 that, "The last remnants of drive-in culture were seen in Petaluma with Foster's Freeze and PDQ continuing the tradition." Now both businesses are closed, and the buildings remain shuttered and vacant. The building retains good integrity due to its design, workmanship, and feeling and should be assessed for potential significance as a midcentury drive-in restaurant if changes to the building or site are proposed as a result of a project application submitted under the proposed Overlay.

#### *101 4th Street*

The Foster's Freeze restaurant site was previously occupied by the large, 2-story stable where John A. McNear kept his draft horses within the McNear Corporation Yard. The stable was demolished in 1949. At the time the Petaluma Argus-Courier stated, "Old time stable with historic past in the process of being razed to make room for a modern drive-in ice milk products plant at Fourth and C Street." The Foster Freeze Old Fashion Products, Inc., was a chain established by George Foster in California in 1946 that prided itself on the quality of its milk products. Foster, who would eventually run all the restaurants as franchises, fashioned them after Dairy Queen and featured soft serve ice cream. This property has never been assessed for potential significance; however, the integrity of the building is unknown. The building should be assessed for potential significance as a midcentury restaurant if changes are proposed due to a project application submitted under the proposed Overlay.

#### *112 Petaluma Boulevard South*

This property is a 7-Eleven convenience store constructed in 1977. It has never been assessed for its potential historic significance. If changes are proposed due to a project application submitted under the proposed Overlay, the property should be assessed for potential significance.

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<sup>3</sup> PDQ is a WWII-era acronym meaning Pretty Damn Quick.

**Properties in Area B**

Area B consists of two parcels. Both properties are banks and are more than 45 years in age.

**Table 3.2-5: Properties in Area B**

Property Name	Eligibility Status	Age	Address	Parcel
Chase Bank	Unassessed	1962	101 Western Avenue	008-051-024
Wells Fargo Bank	Unassessed	1976	125 Western Avenue	008-051-025

*101 Western Avenue*

The parcel on which the 1962 Chase Bank is located is within the Petaluma Historic Commercial District. It has never been assessed for its potential significance. While the Chase Bank building could be considered a potentially historic resource, it is not contributing to the Historic Commercial District because its construction date lies outside the period of significance for the district. However, the building should be assessed to determine its eligibility status for the CRHR and NRHP within the Petaluma Historic Commercial District if changes are proposed as a result of a project application submitted under the proposed Overlay.

*125 Western Avenue*

The property at 125 Western Avenue is a Wells Fargo bank constructed in 1976. This property has never been assessed for its potential historic significance. The building should be assessed for potential significance if changes are proposed as a result of a project application submitted under the proposed Overlay.

**Properties in Area C**

Area C is a mix of office and retail buildings with a few parking lots associated with businesses and the City’s 3-story parking garage. There is one residence in Area C that serves as a retail space. Most of the buildings date to the mid-twentieth century. None of the properties in Area C have ever been assessed for their significance and all the buildings in Area C are over 45 years in age.

**Table 3.2-6: Properties in Area C**

Property Name	Eligibility Status	Age	Address	Parcel
Keller Street Co-Work	Unassessed	1927	140 Keller Street	006-363-024
None	Unassessed	1954	160 Keller Street	006-363-001
M. Vonsen Co. Building, City of Petaluma Parking Garage	Unassessed	1960	120 Western	Multiple
Restaurant	Unassessed	1927	132 Keller Street	006-363-024
Argus-Courier Offices	Unassessed	1910	135 Keller Street	006-363-014
California Theatre, Phoenix Theater	Unassessed	1925	201–205 Washington Street	006-363-014; 025



Property Name	Eligibility Status	Age	Address	Parcel
The Bagel Mill, Stockhome	Unassessed	1940	214, 220 Western Avenue	006-363-010
Sack's Thrift Store	Unassessed	1948	128 Liberty Street	006-362-009
Alpha Analytic Laboratories	Unassessed	1949	110 Liberty Street	006-362-022
Hallie's Diner	Unassessed	1956	125 Keller Street	006-362-015
Sonoma Autowerks	Unassessed	1957	215 Washington Street	006-362-001
Petaluma Market	Unassessed	1965	210 Western Avenue	006-362-023
None	Unassessed	1900	132 Liberty Street	006-362-003
ArtaLuma	Unassessed	Unknown	145 Keller Street	006-362-024
Pacific Telephone & Telegraph Building, PTLMCA01 Central Office	Unassessed	1965	125 Liberty Street	006-361-033
Chalet Florist	Unassessed	1950	311 Washington Street	006-361-028
Petaluma Orthodontist	Unassessed	1962	301 Washington Street	006-361-031
Office Building	Unassessed	1972	131 Liberty Street	006-361-033

The Petaluma Historic Commercial District (national and local registers) abuts the Overlay Area C on the east side, the boundary being the alley between Kentucky and Keller streets. The Oakhill-Brewster Historic District is adjacent to Area C where the Oakhill-Brewster district extends to East Washington Street. As a result, Volpi's, an Italian restaurant and bar that was formerly a grocery and speakeasy at 124 East Washington Street; 120 Washington Street; and the 2-story apartment building designed by Brainerd Jones at 226 East Washington Street are adjacent to Area C on the north side of Washington Street. The Overlay Area C is about a half block from a small extension of the A Street Historic District. All buildings in Area C are age-eligible (over 45 years in age) and are considered potentially historic resources subject to additional review at the time individual development proposals are considered. The buildings in this Area should be assessed for potential significance if changes are proposed due to a project application submitted under the proposed Overlay. At the time of this analysis, descriptions of three buildings within Area C were available and are provided below.

#### *135 Keller Street*

The oldest building in the Overlay Area, the Keller Professional Office Building, is attributed to 1910. In 1910 the space housed a feed store and mill; in 1923 it was part of a wholesale eggs sales space; and in 1949 it held the offices for the Argus-Courier newspaper, which is a more likely approximate construction date for the current building.

### *201–205 East Washington Street*

The 1925 Phoenix Theater at 201–205 East Washington Street is the oldest building in the Overlay Area. It was later re-named the California Theatre and was rebuilt after a fire in 1957. The original building, which had Beaux Arts styling, was called the Hill Opera House, constructed sometime after 1910.

### *131 Liberty Street*

The property at 131 Liberty Street is currently being redeveloped with a mixed-use complex. It was formerly an office building constructed in 1972.

## **Archaeological Resources**

As described above, the CHRIS search identified that no archaeological resources are recorded within the Overlay Area and two historic era archaeological resources (P-49-003799 and P-49-003800) within the 0.25-mile radius of the Overlay Area. In addition, an HCRR was prepared for the proposed Overlay (Appendix B). P-49-003799, called the First Street Townhomes, consists of six features: cobblestone surface, concrete utility box, concrete slab, an artifact scatter [329 artifacts], concrete wall, and concrete post footing. P-49-003800 is the buried remnant of a stone foundation of a demolished building.

## **3.2.4 - Regulatory Framework**

Local, state, and federal government agencies have developed laws and regulations designed to protect significant cultural resources that may be affected by projects regulated, funded, or undertaken by the agency. Federal and state laws that govern the preservation of historic and archaeological resources of national, state, regional, and local significance include the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and CEQA. In addition, laws specific to work conducted on federal lands includes the Archaeological Resources Protection Act (ARPA), the American Antiquities Act, and the Native American Graves Protection and Repatriation Act (NAGPRA).

The following federal or CEQA criteria were used to evaluate the significance of potential impacts on cultural resources for the proposed project. An impact would be considered significant if it would affect a resource eligible for listing in the NRHP or CRHR or if it is identified as a unique archaeological resource or TCR.

## **Federal**

### ***National Historic Preservation Act of 1966***

The NHPA, as amended, established the NRHP, which contains an inventory of the nation's significant prehistoric and historic properties. Under 36 Code of Federal Regulations 60, a property is recommended for possible inclusion on the NRHP if it is at least 50 years old, has integrity, and meets one of the following criteria:

- a) It is associated with significant events in history, or broad patterns of events.
- b) It is associated with significant people in the past.

- c) It embodies the distinctive characteristics of an architectural type, period, or method of construction; or it is the work of a master or possesses high artistic value; or it represents a significant and distinguishable entity whose components may lack individual distinction.
- d) It has yielded, or may yield, information important in history or prehistory.

Certain types of properties are usually excluded from consideration for listing in the NRHP, but they can be considered if they meet special requirements in addition to meeting the criteria listed above. Such properties include religious sites, relocated properties, graves and cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years.

### ***Archaeological Resources Protection Act***

The ARPA amended the Antiquities Act of 1906 (16 United States Code [USC] 431–433) and set a broad policy that archaeological resources are important to the nation and should be protected. The ARPA required special permits before the excavation or removal of archaeological resources from public or Indian lands. The purpose of the ARPA was to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites that are on public lands and Indian lands and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979.

### ***American Indian Religious Freedom Act***

The American Indian Religious Freedom Act (AIRFA) established federal policy to protect and preserve the inherent rights of freedom for Native groups to believe, express, and exercise their traditional religions. These rights include but are not limited to access to sites, use and possession of sacred objects, and freedom to worship through ceremonies and traditional rites.

### ***Native American Graves Protection and Repatriation Act of 1990***

The NAGPRA sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and Tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American Tribe claiming affiliation.

## **State**

### ***CEQA Guidelines Section 15064.5(a)—CEQA Definition of Historical Resources***

CEQA Guidelines Section 15064.5(a), in Title 14 of the California Code of Regulations, defines a “historical resource” as:

- (1) A resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

- (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

Therefore, under CEQA, even if a resource is not included on any local, State, or federal register or identified in a qualifying historical resources survey, a lead agency may still determine that any resource is a historical resource for the purposes of CEQA if there is substantial evidence supporting such a determination. A lead agency must consider a resource to be historically significant if it finds that the resource meets the criteria for listing in the CRHR.

Archaeological and historical sites are protected pursuant to a wide variety of State policies, laws, and regulations, as enumerated in the Public Resources Code Section 5024.1. Cultural resources are recognized as nonrenewable resources and receive additional protection under the Public Resources Code and CEQA.

***Public Resources Code Section 5024.1 and CEQA Guidelines Section 15064.5(a)—Definition of a Historic Resource***

Public Resources Code Section 5024.1 and CEQA Guidelines Section 15064.5(a), in Title 14 of the California Code of Regulations, define a "historical resource" as a resource that:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

**CEQA Guidelines Section 15064.5(a)(3)—California Register of Historical Resources Criteria**

As defined by CEQA Guidelines, Section 15064.5(a)(3) (A–D), a resource shall be considered historically significant if the resource meets the criteria for listing on the CRHR. The CRHR and many local preservation ordinances have employed the criteria for eligibility to the NRHP as a model (see criteria described above under the description of the NHPA), since the NHPA provides the highest standard for evaluating the significance of historic resources. A resource that meets NRHP criteria is clearly significant. In addition, a resource that does not meet NRHP standards may still be considered historically significant at a local or State level.

**CEQA Guidelines 15064.5(c)—Effects on Archaeological Resources**

CEQA Guidelines state that a resource need not be listed on any register to be found historically significant. CEQA Guidelines direct lead agencies to evaluate archaeological sites to determine whether they meet the criteria for listing in the CRHR. If an archaeological site is a historical resource, in that it is listed or eligible for listing in the CRHR, potential adverse impacts to it must be considered. If an archaeological site is considered not to be a historical resource but meets the definition of a “unique archaeological resource” as defined in Public Resources Code Section 21083.2, then it would be treated in accordance with the provisions of that section.

**CEQA Guidelines Section 15064.5(d)—Effects on Human Remains**

- Native American human remains and associated burial items may be significant to descendant communities and/or may be scientifically important for their informational value. They may be significant to descendant communities for patrimonial, cultural, lineage, and religious reasons. Human remains may also be important to the scientific community, such as prehistorians, epidemiologists, and physical anthropologists. The specific stake of some descendant groups in ancestral burials is a matter of law for some groups, such as Native Americans (CEQA Guidelines § 15064.5(d); PRC § 5097.98). CEQA and other State laws and regulations regarding Native American human remains provide the following procedural requirements to assist in avoiding potential adverse effects on human remains within the contexts of their value to both descendant communities and the scientific community. When an initial study identifies the existence or probable likelihood that a project would affect Native American human remains, the lead agency is to contact and work with the appropriate Native American representatives identified through the NAHC to develop an agreement for the treatment and disposal of the human remains and any associated burial items (CEQA Guidelines § 15064.5(d); PRC § 5097.98).
- If human remains are accidentally discovered, the County Coroner must be contacted. If the County Coroner determines that the human remains are Native American, the Coroner must contact the NAHC within 24 hours. The NAHC must identify the Most Likely Descendant (MLD) to provide the opportunity to make recommendations for the treatment and disposal of the human remains and associated burial items (CEQA Guidelines § 15064.5(e)).
- If the NAHC is unable to identify a MLD, the MLD fails to make recommendations within 24 hours of notification, or the project applicant rejects the recommendations of the MLD, the

Native American human remains and associated burial items must be reburied in a location not subject to future disturbance on the property (CEQA Guidelines § 15064.5(e)).

- If potentially affected human remains or a burial site may have scientific significance, whether or not it has significance to Native Americans or other descendant communities, then under CEQA, the appropriate mitigation of effect may require the recovery of the scientific information of the remains/burial through identification, evaluation, data recovery, analysis, and interpretation (CEQA Guidelines § 15064.5(c)).

### ***Health and Safety Code Section 7050.5***

Section 7050.5 of the Health and Safety Code sets forth provisions related to the treatment of human remains. As the code states, “every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor” except under circumstances as provided in Section 5097.99 of the Public Resource Code. The regulations also provide guidelines for the treatment of human remains found in locations other than a dedicated cemetery including responsibilities of the Coroner.

### ***Public Resources Code Section 5097.98***

Section 5097.98 provides protocol for the discovery of human remains. It states that “whenever the commission receives notification of a discovery of Native American human remains from a County Coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify persons believed to be most likely descended from the deceased Native American.” It also sets forth provisions for descendants’ preferences for treatment of the human remains and what should be done if the commission is unable to identify a descendant.

### ***California Public Resources Code Section 5097.91—Native American Heritage Commission***

Section 5097.91 of the Public Resources Code established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.91 of the Public Resources Code, a State policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property. Section 5097.98 of the Public Resources Code specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a County Coroner. Section 5097.5 defines the unauthorized disturbance or removal of archaeological, historic, or paleontological resources located on public lands as a misdemeanor.

### ***California Senate Bill 18—Protection of Tribal Cultural Places***

California SB 18 (California Government Code § 65352.3) incorporates the protection of California traditional Tribal cultural places into land use planning for cities, counties, and agencies by establishing responsibilities for local governments to contact, refer plans to, and consult with California Native American Tribes as part of the adoption or amendment of any general or specific plan proposed on or after March 1, 2005. SB 18 requires public notice to be sent to Tribes listed on

the NAHC SB 18 Tribal Consultation list within the geographical areas affected by the proposed changes. Tribes must respond to a local government notice within 90 days (unless a shorter time frame has been agreed upon by the Tribe), indicating whether or not they want to consult with the local government. Consultations are for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that may be affected by the proposed adoption or amendment to a general or specific plan.

### **California Assembly Bill 52—Effects on Tribal Cultural Resources**

California AB 52 was signed into law on September 25, 2014, and provides that any public or private “project with an effect that may cause a substantial adverse change in the significance of a Tribal Cultural Resource is a project that may have a significant effect on the environment.” TCRs include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the CRHR or included in a local register of historical resources.” Under prior law, TCRs were typically addressed under the umbrella of “cultural resources,” as discussed above. AB 52 formally added the category of “Tribal Cultural Resources” to CEQA and extends the consultation and confidentiality requirements to all projects as provided for under CEQA rather than just projects subject to SB 18, as previously discussed.

The parties must consult in good faith, and consultation is deemed concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect on a TCR (if such a significant effect exists); or (2) when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed upon during consultation must be recommended for inclusion in the environmental document. AB 52 also identifies mitigation measures that may be considered to avoid significant impacts if there is no agreement on appropriate mitigation. Recommended measures include:

- Preservation in place.
- Protecting the cultural character and integrity of the resource.
- Protecting the traditional use of the resource.
- Protecting the confidentiality of the resource.
- Permanent conservation easements with culturally appropriate management criteria.

### **California Public Resources Code Section 21074—Effects on Tribal Cultural Resources**

AB 52 amended the CEQA statute to identify an additional category of resource to be considered under CEQA called Tribal Cultural Resources. It added Public Resources Code Section 21074, which defines TCRs as follows:

- (a) “Tribal cultural resources” are either of the following:
  - (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either of the following:
    - A) Included or determined to be eligible for inclusion in the CRHR.
    - B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

- (2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.
- (b) A cultural landscape that meets the criteria of subdivision (a) is a Tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a Tribal cultural resource if it conforms with the criteria of subdivision (a).

## Local

### *City of Petaluma*

#### *Land Use, Growth Management, and the Built Environment*

- 1-P-3** Preserve the overall scale and character of established residential neighborhoods.
- 1-P-13** Maintain Downtown as the City’s geographic and symbolic center and a focus of commercial and cultural activities.
- 2-P-3** Maintain landmarks and aspects of Petaluma’s heritage that foster its unique identity
- 2-P-17** Pursue the development and promotion of cultural activities and facilities, such as museums, meeting halls, community theatres, public art galleries and shows, and outdoor gathering places within the Downtown area.
- 2-P-18** Development uses and activities that relate to the City’s history
- Continue the preservation, rehabilitation, and reuse of historically significant structures within the Downtown, as directed by the Petaluma Historic Commercial District Design Guidelines.
  - Build upon the public signage program to incorporate historical information.
  - Develop a program for reflecting Downtown’s agricultural past in the built space or through activities. Examples include retail outlets specializing in North Bay-produced foodstuffs and other regional products, and events focused on the continuing vitality of regional agriculture (wine events, cheese tasting, produce and/or product award programs, etc.)



*Historic Preservation*

- 3-P-1** Protect historic and archaeological resources for the aesthetic, cultural, educational, environmental, economic, and scientific contribution they make to maintaining and enhancing Petaluma’s character, identity, and quality of life.
- 3-P-4** Foster appreciation for Petaluma’s cultural heritage and encourage greater public participation in education regarding the preservation of resources.
- 3-P-5** The protection of historic resources shall be a key consideration and an equal component in the development review process.
- 3-P-6** Ensure that new development adjacent to eligible historic and cultural resources is compatible with the character of those resources.
- 3-P-7** Recognize landscape features, including trees in both their urban and natural environment as part of Petaluma’s identity and part of the character-defining features of the City’s historic districts.
- A. Maintain the character of the Petaluma Historic Commercial District, which is listed on the National Register of Historic Places, by adhering to the City’s Historic Commercial District Design Guidelines.
  - Maintain the Oak Hill-Brewster Historic and “A” Street Historic districts as local architectural preservation districts.
  - Develop floor area ratio and other design standards that relate overall building size and bulk to site area for Downtown, the Oak Hill-Brewster Historic District, and “A” Street neighborhoods.
  - Develop historic preservation guidelines or standards for protecting historic quality structures that are not located within an existing historic district through initiating, requiring and/or encouraging formation of additional historic districts.
  - The loss of existing and potential historic structures shall be minimized through strict enforcement of City policies requiring proposed demolition be reviewed by the Historic and Cultural Preservation Committee. All means shall be used to encourage preservation and/or adaptive reuse or restoration of structures built in 1945 or earlier (Resolution 2005-198 N.C.S. as thereafter amended).
  - Ensure the protection of known archaeological resources in the City by requiring a records review for any development proposed in areas that are considered archaeologically sensitive for Native American and/or historic remains.
  - In accordance with CEQA and the State Public Resources Code, require the preparation of a resource mitigation plan and monitoring program by a qualified Archaeologist in the event that archaeological remains are discovered.

### 3.2.5 - Approach to Analysis

This assessment focuses on whether implementation of the proposed project would have potentially significant impacts on historic properties, including historic era cultural resources, historic resources, and archaeological resources.

A project could have a significant impact on a historical resource if construction of the project would significantly impair a resource's eligibility for inclusion in the CRHR; thus, this information has been considered, as appropriate, as part of the methodology used in this evaluation. Analysis is based, in part, on information collected from record searches at the NWIC, additional archival research, pedestrian surveys, and information from the historic resources assessment of two properties (313 B Street and 20 Petaluma Boulevard South) adjacent to the Hotel Site. If a project would leave an identified cultural resource no longer able to convey its significance, meaning that the resource would no longer be eligible for listing in the CRHR, then the proposed project's impact would be considered a significant adverse change. Pursuant to CEQA Guidelines Section 15126.4(b)(1), if a project adheres to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, then the project's impact "shall generally be considered mitigated below a level of significance and thus is not significant."

Given the historic character of Downtown, specifically the Historic Commercial District, it is important to note that, as discussed in several OHP bulletins and brochures, there is a common misconception that resources of 50 years and older need to be evaluated but anything younger cannot be considered significant. The 50-year threshold originally comes from 36 Code of Federal Regulations 60.4, which pertains to the National Register. Those regulations require a resource to be "exceptionally important" to be considered eligible for listing. However, the California Register criteria (CCR § 4852) state that for a resource to achieve significance within the past 50 years, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. The language provided in CCR § 4852 is much broader than the National Register eligibility requirement for exceptional significance. Specifically, the California Register statute allows CEQA lead agencies a fair amount of flexibility in justifying that a resource is significant, even if that resource is less than 50 years old. This flexibility also puts greater responsibility on lead agencies to evaluate resources based on substantial evidence, rather than relying on the age of the resource alone. Finally, many local preservation ordinances do not include an age threshold, and a property listed on a local register is presumed to be a historical resource for the purposes of CEQA. The Petaluma Demolition Resolution No. 2017-122 N.C.S. states that the proposed demolition of any structure built before 1945 or earlier shall require discretionary review and approval prior to the issuance of an associated building permit.

Per California OHP guidelines,<sup>4</sup> the 45-year criteria recognizes that there is commonly a delay between when a resource is identified and the date that planning decisions are made. It is intended

<sup>4</sup> As discussed in the California Office of Historic Preservation (OHP) Instructions for Recording Historical Resources, found here: Website: [https://ohp.parks.ca.gov/pages/1054/files/manual95.pdf#:~:text=The%2045%20year%20criteria%20recognizes%20that%20there,o%20California%20Register%20of%20Historic%20Resources%20\(CRHR\).](https://ohp.parks.ca.gov/pages/1054/files/manual95.pdf#:~:text=The%2045%20year%20criteria%20recognizes%20that%20there,o%20California%20Register%20of%20Historic%20Resources%20(CRHR).)

to encourage the collection of data about resources that may become eligible for listing in the NRHP or CRHR within that planning period. More restrictive criteria must be met before the resources included in OHP's filing system are listed, found eligible for listing, or otherwise determined to be important in connection with federal, State, and local legal statutes and registration programs.

A project may have an impact on an archaeological resource or human remains if construction of the project would physically damage or destroy archaeological data or human remains (including those interred outside of formal cemeteries). Analysis is based, in part, on information collected from record searches at the NWIC, the additional archival research, and pedestrian surveys.

Both direct and indirect effects of project implementation were considered for this analysis. Direct impacts are typically associated with construction and/or ground-disturbing activities and have the potential to immediately alter, diminish, or destroy all or part of the character and quality of archaeological resources and/or historic architecture, human remains, or eligible TCRs. Indirect impacts are typically associated with post-project implementation conditions that have the potential to alter or diminish the historical setting of a cultural resource (generally historic architecture) by introducing visual intrusions on existing historical structures that are considered undesirable.

The proposed Overlay applies to parcels that are already deemed developable by the City of Petaluma's General Plan (General Plan) and Implementing Zoning Ordinance (IZO). Most of the sites within the Overlay Area have been developed. The proposed Overlay would permit certain changes pursuant to an approved Conditional Use Permit (CUP): greater floor area ratio (FAR), building height of up to 75 feet, and lot coverage up to 100 percent. The current General Plan Environmental Impact Report (General Plan EIR) evaluated the potential for impacts related to cultural resources and found them to be less than significant with mitigation incorporated. Since the proposed project only involves additional potential height, lot coverage, and FAR, the potential impacts related to the proposed Overlay concern the net increase in intensity.

Projects within the Overlay Area that seek approval for increased height above 45 feet up to a maximum of 60 feet, and/or increased lot coverage above 80 percent, would be required to undergo review for approval of a CUP. A CUP can only be granted if the height is 75-feet or below. In addition to making the findings required by Section 24.060.E, An 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 or lot coverage:

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 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 not 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; 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
- The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.

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:

1. 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.
2. 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;
3. Demonstrates exceptional architecture/design. “Exceptional” architecture/design may be demonstrated by any of the following:
  - a. The use of innovative, creative, or original architectural concepts, materials, or building techniques;
  - b. The use of visual elements that contribute positively to the built environment, such as well-proportioned facades, pleasing materials, and unique features;
  - c. The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;
  - d. The use of low impact development and green infrastructure features in sustainable design and landscaping; or
  - e. The use of high-quality building materials that contribute to long-term durability and visual quality.
4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur onsite or within the Overlay;
5. Exceeds the minimum number of Inclusionary Dwelling units required by IZO Section 3.040; or
6. Provides all required parking below grade.

Each future development seeking additional lot coverage above 80 percent would also require discretionary review and approval of a CUP. In approving a CUP for increased lot coverage, the Planning Commission must make one or more of the following findings:

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.

Additionally, each development within the proposed Overlay would require a Site Plan and Architectural Review (SPAR) permit or an Historic SPAR permit (when located within the Historic Commercial District), which necessitates findings such as compatibility with the surrounding neighborhood and no significant impacts on cultural resources.

Moreover, similar to the Hotel, future discretionary actions proposed under the Overlay would undergo CEQA review during the entitlement process, which includes reviewing cultural and tribal cultural impacts based on the specifics of the project and identifying project-specific mitigation measures where needed to reduce potential impacts.

For the proposed Hotel, this Draft EIR provides project-specific review. As the proposed Hotel is a specific project under the Overlay, it would be required to go through the City of Petaluma Historic Site Plan and Architectural Review (HSPAR) due to its location within the Historic Commercial District as well as the CUP process for its proposed height and lot coverage.

Additional information regarding the discretionary review and appeals processes related to applications for HSPAR, as well as the SPAR and Conditional Use Permit (CUP) approvals, is provided in Appendix D.

### 3.2.6 - Thresholds of Significance

The City of Petaluma as the Lead Agency utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether impacts to cultural or TCRs resulting from implementation of the proposed project would be considered significant if the project would:

- a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- c) Disturb any human remains, including those interred outside of formal cemeteries?
- d) 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)?

- e) 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?

### 3.2.7 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

#### Historic Resources

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**Impact CUL-1:**        **The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.**

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#### *Impact Analysis*

##### *Downtown Housing and Economic Opportunity Overlay*

As described above, the CHRIS search identified two historic cultural resources within the proposed Overlay Area, and 28 historic resources within a 0.25-mile radius of the proposed Overlay Area. In addition, an HCRR was prepared for the Overlay (Appendix B).

As shown in Exhibit 3.2-1, two properties within Area A (the Rex Ace Hardware at 313 B Street and the former bank building 20 Petaluma Boulevard South) were identified as age-eligible for consideration for potential listing and were evaluated in the HBEA prepared for this Draft EIR. As described above, the former bank building was determined ineligible for listing due to a lack of significant historical associations and architectural merit. The Rex Ace Hardware is within the Historic Commercial District, but it burned in 2006 and was replaced in 2007, making the building non-contributing to the National Register Historic District and ineligible for listing. There are six remaining age-eligible properties within Area A that should be assessed for potential significance if changes are proposed due to a project application submitted under the proposed Overlay.

As shown in Exhibit 3.2-1, in Area B, both properties are age-eligible as one was constructed in 1962 and the other was constructed in 1976. In Area C, 17 of the buildings are age-eligible as they are 50 years of age or older and one has an unknown date. The Chase Bank building is located partially within the Petaluma Historic Commercial District. However, this building does not contribute to the Petaluma Historic Commercial District because its construction date lies outside the period of significance for the district.<sup>5</sup> As shown in Exhibit 3.2-2, none of the buildings in Area B have been assessed. As further explained below, future individual development projects under the Overlay may

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<sup>5</sup> Painter Preservation. 2023. Historic Cultural Resources Report for Downtown Housing and Economic Opportunity Overlay. September 22.

require assessment of these buildings if there is potential for them to be impacted either directly or indirectly.

In addition, the 2023 Overlay report identified that all existing buildings located in Area C may also be eligible for listing on the NRHP or CRHR or listed as historic at the local level.

Furthermore, the 2023 Overlay report noted that the Overlay Area C is adjacent to the Petaluma Historic Commercial District to the east and Oakhill-Brewster Historic District at 120, 124, and 226 East Washington Street.

Area C is also approximately half a block from the A Street Historic District.<sup>6</sup> Given that the Overlay Area contains multiple potential historic resources, as well as being adjacent to the NRHP-listed Petaluma Historic Commercial District and the Oakhill-Brewster Historic District, there is high likelihood of encountering historic materials associated with the areas included in the Overlay Area during any development associated with buildout of the proposed Overlay. As such, the potential for the proposed Overlay to have an adverse effect on historic or cultural resources is moderate to high within the Overlay Area (refer to Exhibit 3.2-1 and Exhibit 3.2-2).

The General Plan contains several policies designed to address historic resources within the Overlay Area. Specifically, historical resources are addressed by policies such as General Plan Policy 2-P-18, which pursues the preservation, rehabilitation, and reuse of historically significant structures within the Downtown as directed by the Petaluma Historic Commercial District Design Guidelines; and Policies 3-P-1 through to 3-P-7, which encourage new development, activities, and processes occurring in or adjacent to historic resources and districts in the City to be enacted in a compatible manner to the surrounding historic resources. As the City receives development applications for subsequent development under the proposed Overlay, those applications will be reviewed by the City for compliance with the goals and policies of the proposed Overlay, the General Plan, the IZO, etc., related to protection of historical resources.

Development envisioned by the proposed Overlay could result in an increase in new development that could affect known historic resources, eligible resources, or previously unidentified or undesignated historic resources within the Overlay Area. However, as described above, development proposed within the Overlay will require discretionary review, including analysis under CEQA, as well as a SPAR or HSPAR permit which requires findings related to compatibility with the surrounding neighborhood. Developments seeking approval for height above 45 feet or an increase in lot coverage above 80 percent will require a CUP, which includes a requirement that findings be made to ensure that the additional height or lot coverage would not be a detriment to significant historical resources. Future development proposed under the Overlay has the potential to result in direct and indirect impacts to listed or eligible resources including through demolition, relocation, or the construction of a new building that due to its design could potentially conflict with the historic character.

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<sup>6</sup> Painter Preservation. 2023. Historic Cultural Resources Report for Downtown Housing and Economic Opportunity Overlay. September 22.

In order to minimize potential impacts to historic resources from future development within the Overlay, Mitigation Measure (MM) Overlay CUL-1a, MM CUL-1b, MM CUL-1c, and MM CUL-1d would require that individual development projects that propose to alter a building or structure greater than 45 years of age at the time an application is submitted be subject to a Historic Resources Evaluation, prepared by a qualified historic preservation specialist, in order for the City to determine whether the building or structure may be a historic resource and take appropriate action, such as requiring additional site-specific or project-specific measures to reduce any potential impacts. Furthermore, MM Overlay CUL-1e would require that future individual development projects under the proposed Overlay that propose a height above 45 feet or a lot coverage above 80 percent obtain a CUP by meeting certain requirements. Specific language of the measures are detailed below.

With incorporation of MMs Overlay CUL-1a, MM CUL-1b, MM CUL-1c, and MM CUL-1d, impacts would be reduced to less than significant.

#### *EKN Appellation Hotel*

As described above, the CHRIS search identified two historic cultural resources within the Hotel site and 28 historic resources within a 0.25-mile radius of the Hotel site.

As described above, the HBEA prepared by South Environmental evaluated two buildings adjacent to the Hotel site, 313 B Street and 20 Petaluma Boulevard South, both of which are over 45 years in age. Neither building met any local or State significance criteria for a historic resource.

A Historic Built Environment Impacts Assessment was prepared by South Environmental on June 24, 2024, to determine whether the proposed project would result in impacts to historic built environment resources located within and immediately adjacent to the proposed EKN Appellation Hotel site (Appendix B). The Historic Built Environment Impacts Assessment does not identify any historical resources within the Hotel site boundaries. However, it determined that the Hotel site is located in the Historic Commercial District, which was designated as a NRHP historic district in 1995 and as a local historic district in 1999. This district consists predominantly of commercial or mixed-use buildings fronting Petaluma Boulevard or one of the intersecting streets. The Hotel site is immediately adjacent to two at least partially historic-age properties identified as 313 B Street and 20 Petaluma Boulevard South.<sup>7</sup> However, the property at 20 Petaluma Boulevard South was found to be outside the Petaluma Historic Commercial District and was further not found to be eligible at the individual level of significance as part of the current study under State and local designation criterion due to a lack of significant historical associations and architectural merit.<sup>8</sup> The property at 313 B Street was previously identified as a contributor to the Historic Commercial District but was destroyed by a fire in 2006, leaving only an ancillary building that subsequently received substantial alterations from its original appearance.<sup>9</sup> As such, 313 B Street was determined to no longer have

<sup>7</sup> South Environmental. 2024. Historic Built Environment Impacts Assessment for the EKN Hotel Project, City of Petaluma, California. June 24.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.



the requisite integrity to convey significance as an individual property or a contributor to the historic district.<sup>10</sup>

Given the lack of substantial historic resources on the Hotel site, and the fact that the immediately adjacent properties are not eligible for federal, State, and local designation as historic resources, none of the properties within the neighborhood block containing the proposed EKN Appellation Hotel site are considered historical resources under CEQA. Nonetheless, given the proposed EKN Appellation Hotel site's location within the Petaluma Historic Commercial District, the proposed EKN Appellation Hotel would be mandatorily developed according to the Petaluma Historic Commercial District Design Guidelines for new construction projects. The Historic Built Environment Impacts Assessment determined that while the proposed Hotel building would be taller than the immediately surrounding buildings, the use of multiple stories in the Petaluma Historic Commercial District is not without precedent, as the district nomination form prepared in 1994 stated that a variety of heights were present in the district.<sup>11</sup> In addition, the proposed building would utilize setbacks and cornice line detailing to minimize the height difference visible from the street. The Historic Built Environment Impacts Assessment thus concluded that the proposed Hotel would not introduce incompatible massing and scale, and the proposed Hotel would be in general conformance with the Petaluma Historic Commercial District Design Guidelines. Furthermore, as the Hotel proposes a height of 66-feet 7-inches and lot coverage of 100 percent, it would be required to comply with MM Overlay CUL-1e and meet the outlined criteria in order to obtain a CUP. As such, the proposed Hotel would not impact the Petaluma Historic Commercial District's ability to continue to convey its significance and would not cause a substantial adverse change in the significance of a historical resource. Therefore, the proposed Hotel would result in less significant impacts to historic resources (including the Historic Commercial District), and no project specific mitigation would be required for development of the proposed Hotel.

### ***Level of Significance Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

**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 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)

<sup>10</sup> South Environmental. 2024. Historic Built Environment Impacts Assessment for the EKN Hotel Project, City of Petaluma, California. June 24.

<sup>11</sup> Ibid.

guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project.

- 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 California Environmental Quality Act (CEQA) Guidelines Section 15064.5(a).

**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.

**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.

**Overlay CUL-1d** If a proposed project would result in the significant alteration of historical resources, recordation of the resource prior to 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.

**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:

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 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;
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
5. The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.

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:

1. 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.
2. 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;
3. Demonstrates exceptional architecture/design. “Exceptional” architecture/design may be demonstrated by any of the following:
  - a. The use of innovative, creative, or original architectural concepts, materials, or building techniques;
  - b. The use of visual elements that contribute positively to the built environment, such as well-proportioned facades, pleasing materials, and unique features;

- c. The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;
  - d. The use of low impact development and green infrastructure features in sustainable design and landscaping; or
  - e. The use of high-quality building materials that contribute to long-term durability and visual quality.
4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur-onsite or within the Overlay;
  5. Exceeds the minimum number of Inclusionary Dwelling units required by IZO Section 3.040; or
  6. Provides all required parking below grade.

The Planning Commission may approve a Conditional Use Permit to allow for additional lot coverage above 80 percent if any one or more of the following are true for a project:

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.

If the PC does not make these findings, it cannot issue a CUP and the project would not be approved.

### ***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

### **Archaeological Resources**

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**Impact CUL-2:        The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

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### ***Impact Analysis***

#### *Downtown Housing and Economic Opportunity Overlay*

As described above, the CHRIS search identified that no archaeological resources are recorded within the Overlay Area, and three historic era archaeological resources (P=49-002561, P-49-003799 and P-49-003800) within a 0.25-mile radius of the Overlay Area. In addition, an HCRR was prepared for the proposed Overlay (Appendix B). P-49-002561 is the remains of the Petaluma & Santa Rosa Railroad Train Barn. It was documented in 1997 as a built environment resources and later destroyed

by a fire in 2001 and changed to an archaeological resource in the CHRIS. P-49-003799 is called the First Street Townhomes that consists of six features (cobblestone surface, concrete utility box, concrete slab, an artifact scatter [329 artifacts], concrete wall, and concrete post footing. P-49-003800 is the buried remnant of a stone foundation of a demolished building. As neither resource is within the Overlay Area, no future development is expected to impact these resources.

The areas within the Overlay are already developed and were analyzed for impacts to cultural resources under the current General Plan and Draft EIR. Accordingly, even without the proposed Overlay, future development within the Overlay Area could have the potential to uncover buried archaeological resources. Future development under the proposed Overlay has the potential to uncover buried archaeological deposits through ground-disturbing activities (e.g., grading and excavation). The potential for uncovering buried resources depends on several factors including landform age, proximity to water, and slope. Typically, buried prehistoric archaeological resources are found in or beneath Holocene-age landform deposits. As identified in the General Plan Environmental Impact Report (General Plan EIR), implementation of General Plan Policy 3-P-1(J-K), requires that a records review be conducted for development proposed in areas of archaeological sensitivity and compliance with State regulations. Furthermore, future individual development projects would be required to implement Overlay MM CUL-2, which requires an archaeological resources assessment as well as a pedestrian survey, and outlines procedures for the following scenarios:

- If a potentially significant archaeological resource is identified through an archaeological resources assessment,
- If the archaeological assessment does not identify potentially significant archaeological resources but indicated that the project site is highly sensitive for archaeological resources,
- If the archaeological assessment did not identify potentially significant archaeological resources but indicates the area to be of medium sensitivity for archaeological resources, and/or
- If a previously undiscovered resource is found during construction within the project site.

As such, through implementation of discovery procedures outlined in MM Overlay CUL-2 and compliance with applicable General Plan policies and State regulations, impacts resulting from a substantial adverse change in the significance of an archaeological resource would be reduced to less than significant.

#### *EKN Appellation Hotel*

The Hotel site has a history of development dating back to at least 1885, with several changes occurring overtime until, in most recently, the site was the location of a Chevron gas station, which was affected by fire and ultimately demolished in the early 2000s. Since then, the site has remained vacant. In its early history, the site notably housed several Chinese-owned businesses as well as the Chinese Mission School. Despite the lack of above-ground structures and improvements, based on the history of development at the site, there is a potential for the presence of buried historic era archaeological resources. In addition, due to the presence of Holocene-age alluvium, proximity to

the Petaluma River, and results of the GPR study conducted on the site, there is a high potential for the site to contain buried pre-contact archaeological resources, which may also include TCRs. Again, in accordance with the General Plan and Zoning regulation, the Hotel site is already developable and any development on this parcel has the potential to uncover archaeological resources as evaluated in the General Plan EIR.

To address potential impacts to historic era and pre-contact archaeological resources as well as TCRs, the proposed project shall implement MM EKN CUL-2a, which requires exploratory hand-auger excavation as recommended in the GPR study; MM EKN CUL-2b, which requires preparation of an Archaeological Monitoring Plan and ongoing archaeological monitoring during project construction; and MM EKN CUL-2c, which requires, in the event that archaeological resources are uncovered, that all work within 50 feet of the discovery stop until such time as its historical significance can be assessed. With implementation of MM EKN CUL-2a, 2b, and 2c, potential impacts resulting from a substantial adverse change in the significance of an archaeological resource or TCR would be reduced to a less than significant level.

### ***Level of Significance Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

**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 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.

1. 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 are 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 the 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 (ARMR). 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 California Environmental Quality Act (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.

2. 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 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.
3. 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 CEQA Guidelines.

**EKN CUL-2a** **Archaeological Auger Testing.** Prior to ground-disturbing activities, exploratory hand-auger excavation shall be conducted in the area marked in green on the aerial photograph in Figure 18 of the Results of the Ground-Penetrating Radar (GPR) and Historical Human Remains Detection Canine (HHRDC) Survey, prepared by Evans & DeShazo Archaeology and Historic Preservation (EDS) on September 25, 2023, to determine the presence/absence of a Native American deposit. The exploratory hand-auger excavation shall extend to at least 1 meter, which is the maximum depth in which the layered, sloping strata was detected by the GPR. The spoils produced from the excavations shall be screened through 0.25-inch mesh to inspect the soil for artifacts or other indications of an archaeological resource. Each excavation shall be backfilled upon completion. A Federated Indians of Graton Rancheria (FIGR) Tribal Monitor shall be present for the excavation, and any artifacts identified within the excavations shall be subject to in-field analysis (i.e., photographs, descriptions, measurements, etc.), then given to the FIGR Tribal Monitor for appropriate treatment.

**EKN CUL-2b** **Archaeological Monitoring Plan and Archaeological Monitoring.** Prior to submittal of plans for building permit, the applicant shall obtain the services of a Secretary of Interior qualified Archaeologist to prepare an Archaeological Monitoring Plan (AMP) and provide archaeological monitoring of project-related ground-disturbing activities. The AMP shall contain a provision for a pre-construction meeting and worker environmental Cultural Resource Awareness Training. The AMP shall take into account the findings of the Historical Human Remains Detection Canine (HHRDC) and Ground-Penetrating Radar (GPR) surveys and incorporate protocols for the identification, documentation and evaluation of buried archaeological features and human remains. The AMP should also provide procedures and guidelines for proper notification to Tribes, agencies, and stakeholders, as well as a curation and/or reburial plan for recovered materials. The archaeological monitor shall be empowered to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while it is being assessed. Archaeological monitoring shall occur on a full-time basis until, in the Archaeologist's judgment, archaeological resources are no longer likely to be encountered. A report shall also be prepared to document the findings after construction is completed.



**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.

### ***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

### **Human Remains**

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**Impact CUL-3:** The proposed project could disturb human remains, including those interred outside of formal cemeteries.

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### ***Impact Analysis***

#### *Downtown Housing and Economic Opportunity Overlay*

There are no known human remains within the Overlay Area. As described above, future individual development projects under the proposed Overlay have the potential to uncover buried archaeological resources, including human remains.

Since the parcels within the Overlay are already deemed developable, the potential to uncover human remains exists independently of the Overlay Ordinance. However, projects proposed under the Overlay would be required to comply with inadvertent discovery procedures in CEQA Guidelines Section 15064.5(d)—Effects on Human Remains. As further detailed under Regulatory Setting, inadvertent discovery procedures for human remains include stopping all work within 100-feet of the discovery until notification and treatment procedures are fulfilled. Therefore, potential impacts to human remains from the proposed Overlay would be less than significant.

#### *EKN Appellation Hotel*

As detailed above, the canine investigation conducted at the site resulted in three corroborated and two uncorroborated alerts near the area of the former coffin-making and undertaker business. Based on the results of the canine investigation, it is possible that human remains may be present on the Hotel site. To ensure that the project does not result in impacts due to the disturbance of human remains, compliance with MM EKN CUL-3 shall be required. With the implementation of MM EKN

CUL-3, potential impacts to human remains resulting from the construction of the proposed Hotel would be reduced to a less than significant level.

### ***Level of Significance Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

**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 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.

### ***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

### **Listed or Eligible Tribal Cultural Resources**

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**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).**

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And

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**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.**

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*Downtown Housing and Economic Opportunity Overlay*

Future development under the proposed Overlay has the potential to uncover buried TCRs through ground-disturbing activities (e.g., grading and excavation). The potential for uncovering buried resources depends on several factors including landform age, proximity to water, and slope. Typically, buried pre-contact archaeological resources are found in or beneath Holocene-age landform deposits. As identified in the General Plan EIR, implementation of General Plan Policy 3-P-1(J-K), requires that a records review be conducted for development proposed in areas of archaeological sensitivity and compliance with State regulations. Furthermore, future individual development projects would be required to implement MM Overlay CUL-2, which requires an archaeological resources assessment as well as a pedestrian survey and identifies procedures for the following scenarios:

- If a potentially significant archaeological resource is identified through an archaeological resources assessment,
- If the archaeological assessment does not identify potentially significant archaeological resources but indicated that the project site is highly sensitive for archaeological resources,
- If the archaeological assessment did not identify potentially significant archaeological resources but indicates the area to be of medium sensitivity for archaeological resources, and/or
- If a previously undiscovered resource is found during construction within the project site.

Pursuant to AB 52 and SB 18, notice of the proposed project was provided to FIGR on March 29, 2024. The City of Petaluma received a response from FIGR requesting consultation on April 16, 2024, and several consultation meetings between City staff, the Tribal Historic Preservation Officer, and Tribal members and representatives have occurred. Through the consultation process, FIGR requested additional studies including a GPR and Canine Investigation, which were prepared and provided to the Tribe.

On March 29, 2024, the City reached out to FIGR to provide notification about the preparation of an EIR for the proposed project. FIGR responded on April 16, 2024, requesting to consult on the project. Since the time of this response, monthly consultation meetings have occurred to discuss the project.

As such, through implementation of MM Overlay CUL-2 and compliance with applicable General Plan policies and State regulations, impacts resulting from a substantial adverse change in the significance of a pre-contact archaeological resource and TCRs would be less than significant.

### *EKN Appellation Hotel*

Based on the Hotel site's environmental setting, Holocene-age alluvium, soil type that is known to contain a buried A horizon (i.e., paleosol), and proximity to the Petaluma River, the Hotel site has a high potential/sensitivity for buried pre-contact archaeological resources.

The City contacted the NAHC on December 2, 2022, to request information related to sacred sites at the Hotel site. The NAHC provided a response letter on December 28, 2022, the results of which came back as negative, meaning the Hotel site and 0.25 mile radius is not listed in the SLF.

Pursuant to AB 52 and Senate Bill 18, notice of the proposed project was provided to FIGR on March 29, 2024. The City of Petaluma received a response from FIGR requesting consultation on April 16, 2024, and several consultation meetings between City staff, the Tribal Historic Preservation Officer, Tribal members and representatives have occurred. Through the consultation process, FIGR requested additional studies including a GPR and Canine Investigation, which were prepared and provided to the Tribe. FIGR has reviewed the recommendations presented in the GPR and Canine Investigation and imposed here as mitigation measures and found them to be adequate in protecting TCRs.

The canine investigation had eight canine alerts, five of which were from one individual canine, and three of which were corroborated by other canines. The GPR survey identified several buried features on the site, many of which are associated with former development at the site. Potential features identified include building foundations and footings, utilities, pavement, and underground storage tank excavation pits. While the GPR did not identify definitive archaeological site features, one area of the site was identified as having the potential to contain buried resources due to the layered, sloping strata. Given the presence of these resources, and the high archaeological sensitivity of the project site, the proposed Hotel development could result in a potentially significant impact. However, MMs EKN CUL-2a, EKN CUL-2b, EKN CUL-2c, and EKN CUL-3 would ensure that these resources, as well as any potential undiscovered resources, are protected during project construction. Impacts would be less than significant with mitigation incorporated.

### ***Level of Significance Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

Implementation of MMs Overlay CUL-2, EKN CUL-2a, EKN CUL-2b, EKN CUL-2c, and EKN CUL-3

### ***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

## **3.2.8 - Cumulative Impacts**

The geographic scope for the analysis of cumulative effects of the proposed project on built environment historical resources and historic era archaeological cultural resources includes the proposed Overlay and the EKN Appellation Hotel and past, present, and reasonably foreseeable projects in their vicinity within the City of Petaluma. For pre-contact archaeological resources and

human remains, it is the ethnographic territory of the Coast Miwok. This analysis evaluates whether the impacts of the proposed Overlay and the EKN Appellation Hotel, together with the impacts of other cumulative development, could result in a cumulatively significant impact related to historical or archaeological resources and/or TCRs. This analysis then considers whether the incremental contribution of the impacts associated with the implementation of the proposed project would be significant. Both conditions must apply for the proposed project's cumulative effects to rise to the level of significance.

Future development within the cumulative geographic scope could have significant cumulative impacts on known or previously unidentified cultural resources and TCRs. However, development within the cumulative geographic context would be required to comply with federal, State, and local laws and policies that protect cultural resources and TCRs, including the provisions of SB 18 and AB 52, Section 15064.5 of the CEQA Guidelines, Section 7050.5 of the California Health and Safety Code, and Sections 5024.1 and 5097 of the Public Resources Code. Compliance with these policies may also require development projects to prepare site-specific project-level analysis to fulfill CEQA requirements, which would include additional consultation that could lead to the identification of potential site-specific cultural resources and TCRs. Accordingly, because cumulative development would be required to comply with long-term planning documents and regulatory agency policies (including, but not limited to, evaluation requirements and inadvertent discovery procedures) that would reduce impacts to potential cultural resources and TCRs, cumulative impacts would be less than significant.

Moreover, the proposed Overlay and the EKN Appellation Hotel incremental contribution to these less than significant cumulative impacts would not be significant with implementation of the policies and programs included in the General Plan, the Municipal Code intended to conserve and reduce impacts to cultural resources and TCRs as outlined in Impacts CUL-1 through CUL-5. In addition, as discussed under Impacts CUL-1 through CUL-5, as the City receives development applications for subsequent development consistent with the proposed Overlay and the EKN Appellation Hotel, those applications would be reviewed by the City for compliance with the Overlay Ordinance (which requires no adverse impact to cultural resources), policies and programs of the General Plan, the provisions of SB 18 and AB 52, the Municipal Code, and other relevant federal, State, and local regulations that protect cultural resources and TCRs, including Section 15064.5 of the CEQA Guidelines and Sections 5024.1 and 5097 of the Public Resources Code. Subsequent development would require a Site Plan and Architectural Review permit, which requires a finding of compatibility with the surrounding neighborhood and no significant impacts on cultural resources. Additionally, all development consistent with the Overlay that submits an application seeking additional height and/or lot coverage would require a CUP that explicitly finds that the development would not have an impact on cultural resources (See MM Overlay CUL-1e). For these reasons, the proposed Overlay and the EKN Appellation Hotel's incremental contribution to the less than significant cumulative impacts would be considered less than significant.

### ***Level of Significance Before Mitigation***

Potentially significant impact.

***Cumulative Mitigation Measures***

Implementation of MMs Overlay CUL-1, Overlay CUL-2, EKN CUL-2a, EKN CUL-2b, EKN CUL-2c, and EKN CUL-3.

***Level of Cumulative Significance After Mitigation***

Less than significant impact with mitigation incorporated.

## 3.3 - Land Use and Planning

### 3.3.1 - Introduction

This section describes the existing land use and potential effects from project implementation on the site and its surrounding area. During the Environmental Impact Report (EIR) scoping period, 84 public comments were received related to land use and planning and the following topics:

- Potential for EKN Hotel incongruence with surrounding area in terms of height and lot coverage.
- Concern over the EKN Hotel's consistency with the City of Petaluma General Plan 2025 (General Plan).
- Suggestion that an alternative location for the EKN Hotel be analyzed.
- Request that EKN Hotel be analyzed in its own independent EIR with all technical and topical sections and project alternatives included.
- Concern over increased height and floor area ratio (FAR) allowances and parking impacts of the proposed Overlay.
- Concern regarding impacts related to the proposed Overlay's consistency with the General Plan.

The descriptions and analysis in this section are based, in part, on statements, data, and figures provided by the following reference materials:

- NOP/Initial Study (Appendix A)
- City of Petaluma General Plan 2025 (General Plan)
- City of Petaluma General Plan 2025 EIR (General Plan EIR)
- Petaluma Municipal Code
- Central Petaluma Specific Plan and EIR
- Petaluma Historic Commercial District Design Guidelines

### 3.3.2 - Environmental Setting

#### Land Uses, Designations, and Districts

##### *Downtown Housing and Economic Opportunity Overlay*

###### *Project Site*

###### **Current Uses**

Area A comprises 13 parcels bounded by B Street to the north, D Street to the south, Petaluma Boulevard South to the east, and 4th Street to the west. Area A is approximately 2.70 acres in size. Most parcels in Area A are developed with buildings and other site improvements, such as surface parking areas to support existing businesses. Uses in Area A also include banks, professional offices, a hardware store, and commercial uses including a convenience store and vacant restaurant buildings.

Area B comprises two parcels bounded by Kentucky Street to the east and Keller Street to the west. Area B is approximately 0.90 acre in size. The parcels in Area B are currently developed with Wells Fargo Bank and Chase Bank, with associated parking.

Area C comprises 25 parcels and is bounded by Washington Street to the north, Western Avenue to the south, Telephone Alley to the east, and Liberty Street and Court Street to the west. Area C is approximately 6.40 acres in size. Parcels in Area C are developed with the Phoenix Theater, as well as retail shops, auto shops, restaurants, offices, medical uses, and the Petaluma Market. There are two vacant sites in Area C including 131 Liberty Street and 136 Court Street; however, it should be noted that each of these sites has active entitlements to develop a mixed-used building with nine residential units, a work-live unit, approximately 1,500 square feet of commercial area (131 Liberty Street), and a 3-unit live-work building (136 Court Street).

**Land Use and Zoning Designations**

The majority of parcels located within the Downtown Housing and Economic Opportunity Overlay (Overlay) Area are designated as Mixed Use (MU) in the General Plan. Four parcels, which comprise the Keller Street Parking Garage, are designated as Public/Semi-Public (PSP) (Exhibit 2-3). Development standards of the MU and PSP designations are described in Table 3.3-1 below.

Zoning designations of parcels located within the proposed Overlay are Mixed Use 2 (MU2) and Civic Facilities (CF). Development standards of the MU2 and CF designations are described in Table 3.3-1 below.

**Table 3.3-1: Land Use and Zoning Designation Development Standards**

Designation	Classification	Max FAR	Max Dwelling Units Per Acre (du/acre)	Max Lot Coverage (%)	Maximum Height (feet)
<b>Land Use Designation</b>					
Mixed Use (MU)	This classification requires a robust combination of uses, including retail, residential, service commercial, and/or offices. Development is oriented toward the pedestrian, with parking provided, to the extent possible, in larger common areas or garages.	2.5	30	N/A	N/A
Public/Semi-Public (PSP)	Public/Semi-Public includes proposed gateways, public utility facilities, government offices, and community service uses (e.g., churches) and lands.	N/A	N/A	N/A	N/A



Designation	Classification	Max FAR	Max Dwelling Units Per Acre (du/acre)	Max Lot Coverage (%)	Maximum Height (feet)
<b>Zoning Designation</b>					
Mixed Use 2 (MU2)	The MU2 zone is applied to the Downtown Subarea and adjacent areas that are intended to evolve into the same physical form and character of development as that in the historic Downtown area. Residential uses in a mixed-use building are permitted by right in the MU2 zoning district; however, exclusively multi-family residential developments are not currently permitted. The MU2 zone is consistent with and implements the mixed use land use classification of the General Plan.	2.5	30 du/acre	80	45
Civic Facilities (CF)	The CF zone is applied to sites for proposed public utility facilities, government offices, community service uses and lands, and significant sites owned and operated by the elementary, secondary, or community college districts, as well as private and/or parochial schools. The zone implements and is consistent with the Public/Semi-Public (PSP), and education classifications of the General Plan.	N/A	N/A	Same as the abutting zoning district (in this case, 80)	25
<p>Notes:</p> <p>FAR = floor area ratio</p> <p>Sources: City of Petaluma. 2008. Petaluma General Plan 2025. May.</p> <p>City of Petaluma. 2024. Implementing Zoning Ordinance – Chapter 4. Website: <a href="https://petaluma.municipal.codes/ZoningOrds/4">https://petaluma.municipal.codes/ZoningOrds/4</a>. Accessed June 28, 2024.</p>					

**Overlapping Districts (Historic Commercial District and Parking District)**

As shown in Table 3.3-2, four parcels of the proposed Overlay are located within the Historic Commercial District.

Three parcels within Area A are located within the Historic Commercial District, including two of the three vacant parcels proposed as the Hotel component of the project (Assessor’s Parcel Numbers [APNs] 008-063-008 and 008-063-009) and one developed parcel (008-063-012) which is the location of the Rex Ace Hardware store adjacent to the Hotel site. The Rex Ace Hardware store was previously listed as a contributor to the Historic Commercial District but no longer retains the requisite integrity to convey significance as an individual property or a contributor after a fire in 2006 destroyed the building.

One parcel in Area B is also located within the Historic Commercial District and is developed as Chase Bank, which was constructed in 1970 and is identified as a non-contributing building to the District.

In addition to the aforementioned parcels located within the Historic Commercial District, the eastern boundary of Area C of the proposed Overlay abuts the western boundary of the Historic Commercial District.

Twenty-seven parcels are located within the Parking Assessment District. Section 11.035 of the Implementing Zoning Ordinance (IZO) specifies that sites and structures within the Parking Assessment District are exempt from the requirement to provide off-street parking facilities.

The following table provides a list of APNs by Area (A, B, and C) that are proposed for inclusion within the proposed Overlay. Additionally, the table below notes existing Overlay’s applicable to each parcel as well as the existing uses on-site.

**Table 3.3-2: Existing Uses in the Proposed Overlay Areas**

Proposed Overlay Area	APN	Existing Use	Historic Commercial District	Parking Assessment District
<b>A</b>	008-063-005	Surface parking for Bank of the West		
	008-063-006			
	008-063-007	Bank of the West		
	008-063-008	Vacant (proposed EKN Appellation Hotel)	X	X
	008-063-009		X	X
	008-063-011			
	008-063-012	Rex Ace Hardware	X	X
	008-064-002	Summit State Bank		
	008-064-004	Compass Real Estate		
	008-064-005	Walnut Park Grill (former)		
	008-064-007	Surface Parking for Compass Real Estate		
	008-064-008	Fourth & “Sea” (former)		
	008-064-010	7-Eleven		

Proposed Overlay Area	APN	Existing Use	Historic Commercial District	Parking Assessment District
<b>B</b>	008-051-024	Chase Bank	X	X
	008-051-025	Wells Fargo Bank		X
<b>C</b>	006-361-028	Zephyr Sportswear		
	006-361-030	Vacant (approved entitlement for Liberty Street Mixed-Use)		
	006-361-033	Vacant building		
	006-361-039	Dental offices		
	006-361-040	Vacant (approved entitlement for Foley/Omahony Live/Work)		
	006-362-001	Sonoma Autowerks		X
	006-362-002	Keller Street Professional Building Parking Lot		X
	006-362-003	Office building		X
	006-362-009	Office building		X
	006-362-010	Multi-tenant commercial and retail building		X
	006-362-012	Phoenix Theater		X
	006-362-014	Multi-tenant office building		X
	006-362-015	Hallie’s Diner		X
	006-362-021	Right-of-way		X
	006-362-022	Sacks Hospice Thrift Shoppe		X
	006-362-023	Petaluma Market		X
	006-362-024	Office building		X
	006-362-025	Artaluma		X
	006-363-001	Multi-tenant commercial and office building		X
	006-363-004	Keller Street Parking Garage		X
	006-363-005			X
	006-363-007			X
	006-363-023			X
006-363-025	Keller Street CoWork		X	
006-363-026	Kapu Bar		X	

### *Surrounding Area*

The majority of the parcels surrounding Areas A, B, and C have a land use designation of MU and PSP (Exhibits 2-5 ). Walnut Park abuts Area A to the east, and Center Park abuts Area A to the west. Penry Park is located approximately 300 feet to the northeast of Area C.

### **EKN Appellation Hotel**

The Hotel site is currently vacant. The applicable General Plan land use designation for the project site is MU, and the corresponding zoning designation is MU2 (Exhibit 2-5 and 2-6). In addition, two of the three parcels comprising the Hotel site are located within the Historic Commercial District and Parking Assessment District (Exhibit 2-4 and 2-6). Surrounding land use designations include MU2 to the south, east, and west and Urban Core (T6) to the north, which is a designation applied to areas of the Central Petaluma Specific Plan (CPSP) as set forth in the SmartCode.

### *Surrounding Area*

#### **West**

The areas west of the Hotel site predominantly have land use designations of MU and are zoned MU2. The McNear Building is located approximately 185 feet to the north, and Center Park is located across B Street. Additionally, several surrounding parcels are designated PSP and zoned CF. The Petaluma Historical Library and Museum is located approximately 201 feet to the west.

#### **North**

The areas north of the Hotel site all have land use designations of MU. All parcels located between Petaluma Boulevard and the Petaluma River are zoned CPSP. Development to the north includes The Great Petaluma Mill approximately 200 feet to the north, the Petaluma Yacht Club approximately 581 feet to the northeast, and commercial buildings and businesses on the opposite side of Petaluma Boulevard approximately 73 feet to the north.

#### **East**

The areas east of the Hotel site have a land use designation of MU and are zoned Open-Space Public (OSP), MU2, Residential 3 (R3), and Residential 4 (R4). Several single-story structures are located south of Petaluma Boulevard, including two vacant businesses located 267 feet and 460 feet to the southeast. Several mixed-used buildings are located approximately 241 feet to the east, and Walnut Park is located approximately 600 feet to the east.

#### **South**

Parcels south of the Hotel site predominantly have land use designations of MU and PSP. To the south of 5th Street, several parcels are designated as Diverse Low Density Residential (6.1–12.0 dwelling units per acre [du/acre]) and are zoned as either MU2, CF, or R3.

## **3.3.3 - Regulatory Framework**

### **Federal**

No federal plans, policies, regulations, or laws related to land use and planning are applicable to the proposed project.

## State

No State plans, policies, regulations, or laws related to land use and planning are applicable to the proposed project.

## Regional

### ***Plan Bay Area 2050-Sustainable Communities Strategy/Regional Transportation Plan***

Plan Bay Area, published by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), is a long-range integrated transportation and land use/housing strategy through 2050 for the Bay Area, adopted in October 2021, which serves as the Bay Area's Sustainable Communities Strategy/Regional Transportation Plan (SCS/RTP). Plan Bay Area 2050 is a 30-year plan for nine counties: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. Plan Bay Area 2050 connects the elements of housing, the economy, transportation, and the environment through 35 strategies that would make the Bay Area more equitable for residents and more resilient in the face of unexpected challenges. The 35 strategies are divided among four elements—Housing, Economy, Transportation, and the Environment—that lay out a \$1.4-trillion vision for the Bay Area. Based on extensive analysis and modeling conducted over nearly four years of planning work by MTC and ABAG, Plan Bay Area 2050 is forecasted to make significant progress in tackling the greatest challenges facing the region, from housing affordability to the intensifying impacts of global climate change.

The CPSP, located between Petaluma Boulevard and Lakeville Street, is a designated Priority Development Area under the Plan Bay Area 2050.

### ***Sonoma-Marin Area Rail Transit***

Sonoma-Marin Area Rail Transit (SMART) is the North Bay's passenger rail service, providing a safe, reliable, and congestion-free transportation option for Marin and Sonoma counties. The current 45-mile system includes stations in the Sonoma County Airport area, Santa Rosa, Rohnert Park, Cotati, Petaluma, Novato, San Rafael, and Larkspur. SMART's system also includes a bicycle and pedestrian pathway along the rail corridor. Future extensions are planned for Windsor, Healdsburg and Cloverdale. The full project will provide 70 miles of passenger rail service, connecting SMART passengers with jobs, education centers, retail hubs, and housing along the Sonoma-Marin corridor, and a bicycle-pedestrian pathway.

There is a SMART station located along Lakeville Street, across the Petaluma River. The Overlay, including the Hotel site are located within 0.5 mile of the station.

## Local

### City of Petaluma General Plan 2025

#### General Plan

#### Chapter 1: Land Use, Growth Management, and the Built Environment

#### Goal 1-G-1 Land Use

Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community.

#### Policies and Programs

**1-P-1** Promote a range of land uses at densities and intensities to serve the community's needs within the Urban Growth Boundary (UGB).

- A. Update the City's Development Code for consistency with the General Plan, including:
- Establishment of new base districts, consistent with the land use classifications in the General Plan.
  - Identification of overlay districts, such as the Floodplain, Historic Districts, Petaluma River Corridor, and groundwater recharge/surface water retention areas.
  - Maintain both minimum and maximum development intensities as stipulated in the General Plan Land Use Classifications.
  - Opportunities for infill without land division.
  - Design Guidelines, where applicable.

**1-P-2** Use Land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.

**1-P-3** Preserve the overall scale and character of established residential neighborhoods.

- A. In addition to density standards, establish building intensity (floor area ratio) standards for residential development in the Diverse Low and Medium Density Residential districts, to prevent development out of scale with existing neighborhood context.

*Actual standards are to be developed and maintained in the City's Development Code.*

**1-P-6** Encourage mixed-use development, which include opportunities for increased transit access.

**1-P-7** Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time.

- 1-P-11** Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.
- 1-P-12** Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multi-use residential/commercial corridors, allowing ground-floor retail and residential and/or commercial/office uses on upper floors.
- A. Develop incentives in the Development Code to encourage lot consolidation to enable efficient multi-story buildings, and relocation of driveways to side streets.

- 1-P-14** Require provision of street trees, landscaping, parking and access features to help integrate land uses and achieve an effective transition between uses of disparate intensities.

**Goal 1-G-3 Land Use**

Maintain a well-defined boundary at the edge of urban development.

*Policies and Programs*

- 1-P-27** Encourage innovative site and building design to address parking solutions such as shared, structured, and/or underground facilities.

**Goal 1-G-6 Growth Management**

Maintain a residential growth management system to ensure public infrastructure keeps pace with growth.

- 1-P-47** Ensure that the pace of growth does not create spikes that unduly strain City services.
- A. Monitor the availability of resources necessary to serve new development, prior to granting entitlements.
- B. Upon adoption of the General Plan, immediately reevaluate the Residential Growth Management System, with the possibility of reducing the annual allocation numbers and/or eliminating or reducing exemptions, to keep pace with infrastructure capacities and to allow a reasonable annual growth rate through 2025.
- C. Evaluate the need for a nonresidential growth management program.

- 1-P-48** Ensure all new development provides necessary public facilities to support the development.
- A. Collect proportionate fair share of long-term infrastructure improvement costs as entitlements are granted.

- B. Initiate design of long-term infrastructure improvements in a timely manner to ensure their completeness to coincide with demand.

**Goal 1-G-7 Trees and the Built Environment**

Recognize that trees are a community asset, an essential element in the interface between the natural and built environment, and part of the urban infrastructure.

**1-P-50** Preserve and expand the inventory of trees on public property, by undertaking the following:

- A. Develop a program, and associated costs, to monitor and maintain all trees on public property.
- B. Develop Street Tree Master Plan(s) for neighborhoods and Downtown districts.
- C. Assist and encourage private property owners to plant street trees (e.g.: no fee permits for concrete removal, neighborhood tree planting programs).
- D. Allocate funding for the planting and long-term care of trees.

**Chapter 2: Community Design, Character, and Green Building**

**Goal 2-G-3 Downtown**

Advance Downtown Petaluma as a focus of civic and cultural activity in the community, retain a strong pedestrian orientation and scale, preserve and enhance buildings of historic and architectural importance.

*Policies and Programs*

**2-P-3** Maintain landmarks and aspects of Petaluma’s heritage that foster its unique identity.

**2-P-5** Strengthen the visual and aesthetic character of major arterial corridors.

**2-P-14** Promote the development and intensification of the Downtown commercial core as both a visitor destination and a neighborhood retail center.

**2-P-17** Pursue the development and promotion of cultural activities and facilities, such as museums, meeting halls, community theatres, public art galleries and shows, and outdoor gathering places within the Downtown area.

**2-P-19** Maintain the grid street pattern within Downtown, and improve connections between Downtown and surrounding areas.

**Chapter 3: Historic Preservation**

**Goal 3-G-1 Historic Preservation**

Identify, recognize and protect Petaluma’s unique and irreplaceable cultural heritage through the implementation of policies and programs that maintain the character



and identity of the community, enhance the quality of the built environment, encourage awareness and appreciation for its history and culture, and contribute to its economic vitality. Ensure that future plans, ordinances, and City programs are complementary to the historic preservation goals and policies contained within this plan.

*Policies and Programs*

- 3-P-6** Ensure that new development adjacent to eligible historic and cultural resources is compatible with the character of those resources.

**Chapter 4: The Natural Environment**

**Goal 4-G-1 Biology and Natural Resources**

Protect and enhance biological and natural resources within the UGB.

*Policies and Programs:*

- 4-P-3** Protect special-status species and supporting habitats within Petaluma, including species that are State or Federal listed as endangered, threatened, or rare.
- A. As part of the development review process, site-specific biological resource assessments may be required to consider the impacts on riparian and aquatic resources and the habitats they provide for invertebrates, fish, amphibians, reptiles, birds, mammals, and plants. If development is located outside these ecologically sensitive regions, no site-specific assessment of biological resources may be necessary. Appropriate mitigation measures to reduce impacts to sensitive habitats and special-status species shall be imposed on a project-by-project basis according to Petaluma’s environmental review process.
  - B. Permit mitigation banking as a conditional use in all land use designations along the Petaluma River and its tributaries.

**Goal 4-G-3 Air Quality**

Improve air quality and meet all federal and State ambient air quality standards and goals by reducing the generation of air pollutants from stationary and mobile sources.

- 4-P-7** Reduce motor vehicle related air pollution.
- A. Enforce land use and transportation strategies described in Chapter 1: Land Use and Chapter 5: Mobility that promote use of alternatives to the automobile for transportation, including walking, bicycling, bus transit, and carpooling.  
*Motor vehicles, regulations of whose emissions by local agencies is preempted by State law, are the major source of criteria air pollutants in the Bay Area Air Basin, accounting for the vast majority of carbon monoxide and particulate*

*matter and over a quarter of the reactive oxygen gas and nitrogen dioxide in the region. Increased use of transit and carpooling, coupled with land use and circulation patterns that promote walking and bicycling, can lead to a decrease in daily trips, less emissions, and improved air quality.*

- 4-P-9** Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging facilities.
- 4-P-16** To reduce combustion emissions during construction and demolition phases, the contractor of future individual projects shall encourage the inclusion in construction contracts of the following requirements or measures shown to be equally effective:
- Maintain construction equipment engines in good condition and in proper tune per manufacturer’s specification for the duration of construction;
  - Minimize idling time of construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment;
  - Use alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline);
  - Use add-on control devices such as diesel oxidation catalysts or particulate filters;
  - Use diesel equipment that meets the ARB’s 2000 or newer certification standard for off-road heavy-duty diesel engines;
  - Phase construction of the project;
  - Limit the hours of operation of heavy-duty equipment.

**Goal 4-G-5 Solid Waste**

Meet Petaluma’s solid waste disposal needs while maximizing opportunities for waste reduction, reuse, and recycling, in compliance with the California Integrated Waste Management Act of 1989.

- 4-P-21** Reduce solid waste and increase reduction, reuse and/or recycling, in compliance with the Countywide Integrated Waste Management Plan (CoIWMP).
- A. Work with Sonoma County to identify environmental and economical means to meet the need for solid waste disposal.
  - B. Require new or remodeled residential and all nonresidential development to incorporate sufficient, attractive, and convenient interior and exterior storage areas for recyclables and green waste.
  - C. Continue to encourage waste reduction and recycling at home and in businesses through public education programs, such as informational handouts, on recycling, yard waste, wood waste, and hazardous waste collection.
  - D. Develop a residential and commercial food waste composting program.
  - E. Purchase goods containing recycled materials for City use.

- F. Continue to cooperate, require, and/or support the operation of resource recovery facilities by the City waste hauler and the disposal site operators.
- G. Investigate and replace bottled water in City offices with alternate source of drinking water.
- H. Ensure that all public facilities have adequate and accessible depositories for recyclables.

**Goal 4-G-6 Greenhouse Gas Emissions**

Reduce the contribution to greenhouse gases from existing sources and minimize the contribution of greenhouse gases from new construction and sources.

- 4-P-24** Comply with AB 32 and its governing regulations to the full extent of the City’s jurisdictional authority.

**Chapter 5: Mobility**

- 5-P-4** New development and/or major expansion or change of use may require construction of off-site mobility improvements to complete appropriate links in the network necessary for connecting the proposed development with existing neighborhoods and land uses.

- 5-P-5** Consider impacts on overall mobility and travel by multiple travel modes when evaluating transportation impacts.

**Goal 5-G-5 Bicycle and Pedestrian Improvements**

Create and maintain a safe, comprehensive, and integrated bicycle and pedestrian system throughout Petaluma that encourages bicycling and walking and is accessible to all.

- 5-P-22** Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well-connected pedestrian network linking new and existing developments to adjacent land uses.

- A. Improve the pedestrian experience through streetscape enhancements, focusing improvements where there is the greatest need, and by orienting development toward the street.
- B. Improve street crossings and complete gaps in the sidewalk system through development review and capital improvement projects.
- C. Allocate funds and/or identify funding sources (including the potential formation of assessment districts) for pedestrian and streetscape improvements in existing neighborhoods.
- D. Create a pedestrian priority program emphasizing pedestrian circulation needs and safe street crossings.

- E. Conduct an inventory of key pedestrian facilities and routes to identify missing or deficient links, pedestrian crossings or intersections, and focusing initially on pedestrian priority areas.
- F. Establish a prioritization and funding mechanism for completing gaps in the sidewalk system, identifying locations for improving street crossings, and installing curb ramps to meet ADA specifications.
- G. Improve the integration of pedestrian projects into the Capital Improvement Program and consider opportunities to construct pedestrian improvements concurrently with other roadway improvements.
- H. Develop guidelines and standards for the design of pedestrian facilities and establish pedestrian-friendly residential and commercial design guidelines.
- I. Review and update the City's street design standards to address pedestrian-friendly street designs such as maximum lane widths, maximum curb radii, detached sidewalks, dual left turn lanes at intersections, pedestrian refuge islands, and curb ramp standards.
- J. Collaboration with the Santa Rosa Junior College to identify measures that enhance pedestrian circulation to and within the Petaluma Campus.
- K. Establish a Pedestrian Safety Program that provides pedestrian educational materials and a regularly updated pedestrian safety report.
- L. Conduct a regular maintenance of pedestrian related facilities.

**5-P-23** Require the provision of pedestrian site access for all new development.

**5-P-43** Support efforts for transit-oriented development around the Petaluma Depot and along the Washington Street, Petaluma Boulevard, McDowell Boulevard, Lakeville Street, and other transit corridors.

- A. Reserve and plan for future bus stop enhancement and transit priority along Washington Street and Petaluma Boulevard.
- B. Enhance the use of the Park and Ride facility at the Fairgrounds through education and marketing.

#### **Chapter 6: Recreation, Music, Parks, & the Arts**

**6-P-6** Achieve and maintain a park standard of 5 acres per 1,000 residents (community park land at 3 acres per 1,000 population and neighborhood park land at 2 acres per 1,000 population) and an open space/urban separator standard of 10 acres per 1,000 population, in order to enhance the physical environment of the City and to meet the recreation needs of the community.

- A. Revise the City's park in lieu fees/dedication requirements to achieve the General Plan standard of 5 acres per 1,000 residents (community park land at 3 acres per 1,000 population and neighborhood park land at 2 acres per 1,000 population).

## Chapter 7: Community Facilities, Service, and Education

- 7-P-25** Reduce the potential for a catastrophic fire event in the historic Downtown and other areas
- A. Complete the fire sprinkler retrofit installation within the historic Downtown business area.
  - B. Maintain and update the business fire safety inspections and pre-incident planning documents (Pre-Plans).
  - C. Explore requirements and opportunities for direct-link fire alarms.

## Chapter 8: Water Resources

- 8-P-38** All development activities shall be constructed and maintained in accordance with Phase 2 National Pollutant Discharge Elimination System (NPDES) permit requirements.
- A. The Water Resources and Conservation Department shall review, and have the authority to conditionally approve, all development permits to insure compliance with NPDES Phase 2 requirements.
  - B. Maintain, update as needed, and implement the City's Storm Water Management Plan to retain a current stormwater discharge permit with the California Regional Water Quality Control Board.
  - C. A funding mechanism, such as a stormwater utility fee, shall be implemented by the City to insure a dedicated source of funds is available for all surface water drainage system maintenance and improvement needs.

## City of Petaluma General Plan Update

As the 2025 planning horizon approaches, the City is in the process of updating its General Plan. In July 2024, the City wrapped up the Draft General Plan Policy Frameworks, which include the draft policies that will make up the General Plan Elements. The update process includes ongoing long-range planning efforts, and updating planning documents that support the implementation of the General Plan. Following the adoption of the General Plan, updates to the City's Zoning Ordinance, and other policy documents may move forward to implement the directions in the newly adopted General Plan. The City expects to adopt the updated General Plan in 2025.

## City of Petaluma Municipal Code

The Municipal Code sets forth regulations to ensure that development and land use activities protect and promote the health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the City. The Municipal Code consists of all ordinances adopted by the City of Petaluma. The Municipal Code is divided into 21 titles, including General Provisions; Administration; Personnel; Revenue and Finance; City Council Elections; Business Regulations and Licenses; Health and Welfare; Animal Regulations; Peace, Safety and Morals; Vehicles and Traffic; Streets and Other Public Places; Transportation and Utilities; Water and Sewage; Airport and Aircraft; Building and Construction; Signs and Advertising; Development Related Fees; Subdivisions; and Zoning.

### **Petaluma Implementing Zoning Ordinance**

The IZO, Title 21 of the Municipal Code, has been enacted to provide a precise guide for the physical development of the City to achieve the arrangement of land uses depicted in the General Plan. The IZO carries out the policies of the General Plan by classifying and regulating the uses of land and structures within the City. The IZO was adopted to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the City, including regulations related to glare, floor area ratios, building heights, and trees. The parcels within the proposed Overlay are zoned as MU2 and CF, and the Hotel site is zoned as MU2.

### *Petaluma Historic Commercial District*

The Petaluma Historic Commercial District Design Guidelines were adopted by the City Council on August 16, 1999, through Resolution NO. 99-168-ANCS with the purpose of assisting property owners in making decisions concerning the alteration of a building located within the district.<sup>1</sup> The guidelines also include Guidelines for New Construction.

The district represents the development of commerce in the City from the mid-nineteenth century to the end of World War II. It also provides a diverse and well-designed collection of commercial buildings, the architecture of which is unmatched in Sonoma County. The district today retains a high degree of architectural integrity and building improvements have maintained an association to the historic period.

### *Parking Assessment District*

According to the IZO, sites and structures located in the City's Parking Assessment District are exempt from the requirement to provide off-street parking facilities. The parcels that comprise the Overlay Area and Hotel site, which are located within the City's Municipal Parking Assessment District are shown in Table 3.3-2, Existing Uses in Proposed Overlay Areas. Two of the three parcels that make up the Hotel site are within the Parking Assessment District.

Additional information regarding the discretionary review and appeals processes related to applications for Site Plan and Architectural Review (SPAR), Historic Site Plan and Architectural Review (HSPAR) and Conditional Use Permit (CUP) approvals is provided in Appendix D.

## **3.3.4 - Methodology**

FirstCarbon Solutions (FCS) evaluated the potential for land use impacts through site reconnaissance and review of applicable land use policy documents. FCS personnel performed site reconnaissance of the Overlay Area on multiple occasions, taking photographs of the Overlay Area and surrounding land uses to document existing conditions. FCS reviewed the General Plan, Historic Commercial District Design Guidelines, the Municipal Code, and the IZO and identified applicable policies and provisions that pertain to the proposed project.

<sup>1</sup> City of Petaluma, California, Planning Department. 1999. Petaluma Historic Commercial District Design Guidelines.

## Thresholds of Significance

The City of Petaluma, as the Lead Agency, utilizes the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist to determine whether land use and planning impacts are significant environmental effects. A significant impact would occur if the project would :

- a) Physically divide an established community?
- b) 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?

### 3.3.5 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

#### Divide an Established Community

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**Impact LAND-1: The proposed project would not physically divide an established community.**

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#### *Impact Analysis*

##### *Downtown Housing and Economic Opportunity Overlay*

The physical division of an established community would occur if the proposed project would result in construction of large linear features, such as a railroad or interstate highway, or if it would involve removal of access that would impact mobility within an existing community, such as removal of a bridge.

All portions of the proposed Overlay are accessible via existing roadways, sidewalks, bicycle, and transit facilities. Depending on site-specific future development proposals under the proposed Overlay, access may be enhanced (e.g., through Americans with Disabilities Act [ADA] upgrades) but is not expected to substantially alter the established circulation network within Downtown Petaluma. The proposed Overlay would create new FAR, height, lot coverage, and other development standards, which are not expected to create obstacles or division within Downtown as these standards would be applied on private property, not on the public-rights-of-way.

The proposed Overlay is located within Downtown, which is predominantly comprised of MU and CF zoning. As described in the Environmental Setting, the proposed Overlay is predominantly comprised of underdeveloped parcels. However, the proposed Overlay is urbanized and is surrounded by existing development. The proposed Overlay does not include any large linear construction that would impact mobility within an existing community and the surrounding area. As such, no impact would occur.

##### *EKN Appellation Hotel*

The Hotel involves infill development of a 6-story hotel within the Downtown. Construction of the Hotel would involve the removal of the existing crosswalk on B Street, west of its intersection with Petaluma Boulevard, to improve pedestrian safety. Removal of this crosswalk would not preclude access as there are two other existing crosswalks located less than 150 feet from the crosswalk to be

removed. Both crosswalks are controlled (one signal controlled at Petaluma Boulevard South and one stop controlled at 4th Street) and therefore provide increased safety for pedestrians relative to the crosswalk proposed for removal (which is not signal or stop sign controlled). In addition to removal of the crosswalk, construction of the Hotel would include removal of two existing driveway curb cuts and construct curb, gutter, and sidewalk; installation of a pick-up and drop-off parking stalls in the valet areas along Petaluma Boulevard South; removal of an existing driveway curb cut and construct curb, gutter, and sidewalk; and replacement of one curb-parking space with two curb-parking spaces along B Street. Proposed improvements to the Hotel site and adjacent frontage areas would not result in division of an established community nor would it remove existing access, and as such, impacts associated with division of an established community as a result of construction of the Hotel would be less than significant.

### ***Mitigation Measures***

None required.

### ***Level of Significance***

Less than significant impact.

### **Conflict with Applicable Plans, Policies, or Regulations**

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**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.**

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### ***Impact Analysis***

Development of the proposed project would result in a significant impact if it would conflict with applicable land use plans and policies of the General Plan or Municipal Code that were adopted for the purpose of avoiding or mitigating an environmental effect. A policy inconsistency is considered a significant adverse impact only if the inconsistency would result in a significant adverse physical impact based on the established significance criterion. Generally, given that land use plans reflect a range of competing interests, a project need not be in perfect conformity with every plan policy. A project would be deemed consistent if it was compatible with the plan's non-mandatory overall goals and objectives. Consistency of the proposed project with applicable land use plans and policies is evaluated below.

#### *Downtown Housing and Economic Opportunity Overlay*

##### **Petaluma General Plan 2025 Consistency**

The proposed Overlay would retain existing land use designations and residential density requirements (30 du/acre). However, the proposed Overlay would include a General Plan text amendment that would raise the maximum allowable FAR from 2.5 to 6.0 for nonresidential uses. Approval of the General Plan Amendment would ensure internal consistency between the proposed Overlay and the General Plan.



As the proposed General Plan Amendment would promote development within the Overlay Area, implementation of the General Plan Amendment would be consistent with the following General Plan policies:

- 1-G-1** Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community.
- 1-P-1** Promote a range of land uses at densities and intensities to serve the community's needs within the Urban Growth Boundary (UGB).
- 1-P-2** Use Land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.
- 1-P-7** Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time.
- 1-P-11** Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.
- 1-P-12** Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multi-use residential/commercial corridors, allowing ground-floor retail and residential and/or commercial/office uses on upper floors.

The proposed Overlay does not include any project-specific development and as such would not result in any direct impacts to consistency with the General Plan. Future development facilitated by the proposed Overlay would be subject to independent discretionary review, including an independent CEQA analysis which would evaluate the specific project's consistency with relevant General Plan policies.

Furthermore, as shown in Table 3.3-3, the proposed Overlay would be consistent with the majority of applicable goals and policies of the General Plan and development would be guided by regulations within the General Plan. Moreover, the proposed Overlay would be consistent with widely accepted planning principles of facilitating logical and orderly infill growth, ensuring compatibility with surrounding uses, and ensuring internal consistency among the goals and policies of the General Plan.

For instance, all future developments would be subject to the Site Plan and Architectural Review process required by IZO Section 24.050. IZO Section 24.050(E)(5) requires a specific finding that the application is exempt from CEQA or the impacts of the site plan are less than significant, and Section 24.050(E)(6) requires a finding that the application is in conformance with applicable plans including the City's General Plan.

### Petaluma Implementing Zoning Ordinance Consistency

The proposed Overlay would include an amendment to the IZO that would implement the following:

- 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 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 Conditional Use Permit 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.

1. The proposed Overlay does not include any project-specific development and as such would not result in any direct impacts to consistency with the Zoning designations. The proposed Overlay as well as Mitigation Measure (MM) Overlay CUL-1e require that projects within the Overlay Area that seek approval for increased height above 745 feet, and/or increased lot coverage above 80 percent, would be required to undergo review for approval of a CUP. A CUP can only be granted if the height is 75 feet or below. In addition to making the findings required by Section 24.060.E, 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: 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 the building would be compatible with its surroundings. The “positive contribution” and “compatibility” would 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 not cause an adverse change in the significance or integrity of a historical resource that is on-site or adjacent to the site.
4. The additional height would not unduly restrict access to light and air from adjacent properties or the public right-of-way, or otherwise be detrimental to the public health, safety, or welfare.
5. The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.

Additional findings must be made for buildings that are between 60 and 75 feet. A proposed project must include at least two of the community benefits described in 1, 2, and 3 below and 1 of the community benefits described in 4, 5, and 6 below:

1. 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;
2. 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;
3. Demonstrates exceptional architecture/design. “Exceptional” architecture/design may be demonstrated by any of the following:
  - a. Demonstrates exceptional architecture/design may be demonstrated by any of the following:
  - b. The use of innovative, creative, or original architectural concepts, materials, or building techniques;
  - c. The use of visual elements that contribute positively to the built environment, such as well-proportioned facades, pleasing materials, and unique features;
  - d. The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;
  - e. The use of low impact development and green infrastructure features in sustainable design and landscaping; or
  - f. The use of high-quality building materials that contribute to long-term durability and visual quality.
4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur on-site on-site or within the Overlay;
5. Exceeds the minimum number of Inclusionary Dwelling units required by IZO Section 3.040;  
or
6. Provides all required parking below grade.

The Planning Commission may approve a CUP to allow for additional lot coverage of up to 100 percent pursuant to the review criteria set forth in Section 24.060.E and if any one or more of the following are true for a project:

- The development improves the existing streetscape by providing widened sidewalks, additional street trees, new mid-block walkways/ paseos, public plazas, parks, etc.;
- The additional lot coverage would reflect the prevailing development pattern established by the existing development within the block or abutting block;
- The development includes adequate provision for recycling and solid waste;
- The development includes adequate space for street trees; or
- The development includes other measures to enhance the pedestrian environment.

Any future development that is proposed within the Overlay Area would need to demonstrate consistency with the City’s planning documents, including the General Plan and the proposed Overlay, during the design review process. As the City receives development applications for subsequent development under the proposed Overlay, those applications would be reviewed by the City for compliance with CEQA, including the City’s specific CUP process, where applicable, as well as policies and programs related to scenic quality in urbanized areas, including view corridors, scenic resources, and natural features. Where a development application could affect a historic property or district, the City would also review the project’s compatibility with the existing historic context, preservation goals, Historic Commercial District Guidelines, and the Secretary of the Interior’s Standards for the Treatment of Historic Properties. This process is outlined in Appendix D.

Lastly, the proposed Overlay is intended to sunset with adoption of the new Zoning Code that implements the City’s new General Plan. Accordingly, the proposed Overlay would only be in effect for a short period of time and its provisions would either need to be extended by the future General Plan or incorporated as part of the new General Plan. The anticipated growth studied in this Draft EIR (387,444 square feet of nonresidential development) extends over a 20-year time horizon, or an average of 20,000 square feet per year.

In conclusion, development envisioned by the proposed Overlay could result in an incremental increase in nonresidential development that could potentially conflict with applicable IZO and other regulations governing scenic quality. However, compliance with City policies and programs, and adherence to development and design standards, enforced through the entitlement and CUP process (MM Overlay CUL-1e), would ensure that impacts remain less than significant.

**Table 3.3-3: General Plan Consistency Analysis**

Policy	Overlay Consistency	Hotel Consistency
<b>Chapter 1: Land Use, Growth Management, and the Built Environment</b>		
<b>1-G-1:</b> Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community.	<b>Consistent.</b> The parcels contained within the proposed Overlay would retain their current Land Use designations, which would allow for increased retail and mixed uses, creating increased employment opportunities. It would also allow ground-floor residential uses.	<b>Consistent.</b> The Hotel would develop a 6-story hotel with ground-floor retail amenities, creating employment opportunities for City residents.
<b>1-P-1:</b> Promote a range of land uses at densities and intensities to serve the community’s needs within the Urban Growth Boundary (UGB).	<b>Consistent.</b> The proposed Overlay would increase the maximum allowable floor area ratio (FAR), building height, and lot coverage for parcels within the Overlay Area. This increase would increase the intensity over the surrounding areas, thus promoting greater infill development that would help to serve the community’s needs within the UGB.	<b>Consistent.</b> The Hotel would utilize the increased FAR, building height, and lot coverage allowances of the proposed Overlay to develop the project site at a density greater than the surrounding areas, thus promoting greater infill development that would help to

Policy	Overlay Consistency	Hotel Consistency
		serve the community’s needs within the UGB.
<p><b>1-P-2:</b> Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.</p>	<p><b>Consistent.</b> The purpose of the proposed Overlay is to encourage development in unutilized infill and underutilized parcels within the Overlay Area. The proposed Overlay would encourage development by increasing the maximum allowable FAR, building height, and lot coverage for parcels within the Overlay Area.</p>	<p><b>Consistent.</b> The Hotel would be infill development on a vacant site.</p>
<p><b>1-P-3:</b> Preserve the overall scale and character of established residential neighborhoods.</p>	<p><b>Consistent.</b> Portions of the Overlay Area are adjacent to residential land uses. As such, taller, higher density and higher lot coverage buildings adjacent to residential areas could create an impact to the scale and character of these residential land uses.</p> <p>As the City receives development applications for subsequent development under the Overlay, those applications would be reviewed by the City for compliance with the policies and programs of the General Plan related to scenic quality in urbanized areas, including scale and character of established neighborhoods and historic resources. In addition, the Municipal Code, which implements the City’s General Plan, would be reviewed at the time that development applications are received. For example, development applications would be subject to the development and design standards for each zoning district as well as any other sections of the Municipal Code that govern scenic quality.</p>	<p><b>Not applicable.</b> The proposed Hotel is not adjacent to any residential land uses.</p>
<p><b>1-P-6:</b> Encourage mixed-use development, which includes opportunities for increased transit access.</p>	<p><b>Consistent.</b> The proposed Overlay would retain the current land use designations assigned to the parcels, the majority of which are designated MU. Areas A and B of the proposed Overlay are located adjacent to the 4th and C Street bus stop and the Keller and Western bus stop, respectively.</p>	<p><b>Consistent.</b> The proposed Hotel would consist of Mixed-Use development, including ground-floor retail and restaurant uses, commercial hotel uses, private event space, and a rooftop bar. The project site is located approximately 182 feet from the 4th and C Street bus stop.</p>

Policy	Overlay Consistency	Hotel Consistency
<p><b>1-P-7:</b> Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time.</p>	<p><b>Consistent.</b> The proposed Overlay’s project objectives include:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p>The proposed project would meet this objective by allowing for increase height, FAR, and lot coverage as well as allowing for ground-floor residential uses.</p>	<p><b>Consistent.</b> The proposed Hotel would utilize the flexibility in height, FAR, and lot coverage provided by the proposed Overlay. It would feature a stepback design on the fifth and sixth floors.</p>
<p><b>1-P-11:</b> Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.</p>	<p><b>Consistent.</b> The proposed Overlay would increase allowed development intensities for underutilized parcels along major arterial corridors including Petaluma Boulevard, Western Avenue, and Washington Street.</p>	<p><b>Consistent.</b> The proposed Hotel would be located on Petaluma Boulevard South and would redevelop a vacant parcel.</p>
<p><b>1-P-12:</b> Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multi-use residential/commercial corridors, allowing ground-floor retail and residential and/or commercial/office uses on upper floors.</p>	<p><b>Consistent.</b> The proposed Overlay would allow for increased development intensity in infill and underutilized sites along Petaluma Boulevard, Washington Street, and Western Avenue. Furthermore, the proposed Overlay allows for ground-floor residential uses where they were not previously permitted.</p>	<p><b>Consistent.</b> The proposed Hotel would be located on Petaluma Boulevard and would redevelop a vacant and underutilized parcel. The proposed Hotel would consist of retail and restaurant uses on the ground-floor and commercial hotel and event space uses on the upper floors.</p>
<p><b>1-P-14:</b> Require provision of street trees, landscaping, parking, and access features to help integrate land uses and achieve an effective transition between uses of disparate intensities.</p>	<p><b>Not applicable.</b> The proposed Overlay does not propose site-specific development. However, future development under the proposed Overlay would be consistent as the development would be required to comply with all applicable General Plan and Municipal Code policies related to street trees, landscaping, parking, and access features.</p>	<p><b>Consistent.</b> The proposed project would remove and replace three existing street trees and retain one existing street tree along Petaluma Boulevard. Because of the 100 percent lot coverage of the project, limited landscaping would be associated with the proposed project. However, it would include street trees as well as shrubs and flowers in planters. Lastly, the Hotel would provide parking via an underground garage and pedestrian access through several ground-floor entrances.</p>

Policy	Overlay Consistency	Hotel Consistency
<p><b>1-P-27:</b> Encourage innovative site and building design to address parking solutions such as shared, structured, and/or underground facilities.</p>	<p><b>Not applicable.</b> The proposed Overlay does not consist of site-specific development and as such does not propose development that requires the addition of parking solutions.</p>	<p><b>Consistent.</b> The proposed Hotel would include innovative site and building design through the provision of on-site parking located in underground facilities.</p>
<p><b>1-P-47:</b> Ensure that the pace of growth does not create spikes that unduly strain City services.</p> <p><b>A.</b> Monitor the availability of resources necessary to serve new development, prior to granting entitlements.</p>	<p><b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, although the proposed Overlay would permit greater building intensities as compared to the existing zoning allowances, there would be sufficient supplies of water and sufficient capacity at facilities for wastewater, stormwater, and solid waste. The proposed Overlay would not increase the population of the City beyond what has been planned for by the General Plan and as such would not unduly strain City services. The City would monitor water supply levels routinely to ensure water and wastewater demand does not exceed capacity. Additionally, future development would be subject to the payment of applicable water and wastewater capacity fees.</p>	<p><b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, the proposed Hotel would not result in the need for additional water supplies, wastewater treatment capacity, or solid waste management capacities for City service providers. The proposed Hotel would not exceed the projected demands of the City of Petaluma 2020 Urban Water Management Plan (UWMP). The Ellis Creek Water Recycling Facility would have sufficient operating capacity to treat additional flows generated by the Hotel. Lastly, the proposed Hotel would comply with all applicable waste diversion programs and as such is not anticipated to exceed landfill capacity.</p>
<p><b>1-P-48:</b> Ensure all new development provides necessary public facilities to support the development.</p> <p><b>A.</b> Collect proportionate fair share of long-term infrastructure improvement costs as entitlements are granted.</p> <p><b>B.</b> Initiate design of long-term infrastructure improvements in a timely manner to ensure their completeness to coincide with demand.</p>	<p><b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, although the proposed Overlay would permit greater building intensities as compared to the existing zoning allowances, there would still be sufficient supplies of water as well as sufficient capacity at facilities for wastewater, stormwater, and solid waste. Future development within the proposed Overlay would occur incrementally over time and would be subject to independent discretionary review, including California Environmental Quality Act (CEQA) review of public services impacts. Lastly, future individual development projects would be reviewed by the City to determine the applicability and amount of development impact fees.</p>	<p><b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, the Hotel would fall within the service capacities for all water, wastewater, stormwater, and solid waste service providers for the City. As such, the Hotel would not be required to pay impact fees related to service provisions.</p>

Policy	Overlay Consistency	Hotel Consistency
<p><b>1-P-50:</b> Preserve and expand the inventory of trees on public property, by undertaking the following:</p> <p><b>A.</b> Develop a program, and associated costs, to monitor and maintain all trees on public property.</p> <p><b>B.</b> Develop Street Tree Master Plan(s) for neighborhoods and Downtown districts.</p> <p><b>C.</b> Assist and encourage private property owners to plant street trees (e.g., no fee permits for concrete removal, neighborhood tree planting programs).</p> <p><b>D.</b> Allocate funding for the planting and long-term care of trees.</p>	<p><b>Not applicable.</b> The proposed Overlay does not include internal policies related to street trees, and as such would not conflict with the public street tree inventory.</p>	<p><b>Consistent.</b> The proposed Hotel would remove and replace three street trees surrounding the project site, which would not result in a net loss of street trees to the City’s street tree inventory.</p>

**Chapter 2: Community Design, Character, and Green Building**

<p><b>2-G-3:</b> Advance Downtown Petaluma as a focus of civic and cultural activity in the community, retain a strong pedestrian orientation and scale, preserve and enhance buildings of historic and architectural importance.</p>	<p><b>Consistent.</b> The proposed Overlay aims to 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.</p> <p>The proposed Overlay would increase the maximum FAR to 6.0, the maximum building height 75 feet, and the maximum lot coverage to 100 percent. However, any proposed developments 45 feet and above and any projects with 80 percent lot coverage or above would be required to obtain a Conditional Use Permit (CUP). A CUP could only be obtained if it meets the following criteria:</p> <ul style="list-style-type: none"> <li>● The additional height is consistent with the applicable purposes of the proposed Overlay.</li> <li>● The additional height makes a positive contribution to the overall character of the area and the building would be compatible with</li> </ul>	<p><b>Consistent.</b> The proposed project would include ground-floor amenities for pedestrians, including retail and restaurant uses as well as event space on the upper floors. These features would help retain a strong pedestrian orientation as well as activity in Downtown. The Hotel will also serve as destination point for tourists and local residents who will come to the Downtown. Furthermore, as described in Section 3.2, Cultural Resources and Tribal Cultural Resources, the proposed Hotel would not have a significant impact on buildings of historic and architectural importance.</p>
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Policy	Overlay Consistency	Hotel Consistency
	<p>its surroundings. The “positive contribution” and “compatibility” would be assessed using a combination of visual studies, line-of-sight drawings, photo simulations, 3-D modeling, and viewshed analysis.</p> <ul style="list-style-type: none"> <li>● The additional height would not cause an adverse change in the significance or integrity of a historical resource that is on-site or adjacent to the site.</li> <li>● The additional height would not unduly restrict access to light and air from adjacent properties or the public right-of-way, or otherwise be detrimental to public health, safety, or welfare.</li> <li>● The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.</li> <li>● Furthermore, the proposed project includes stepback requirements above four stories.</li> <li>● These features would reduce impacts caused to adjacent and potentially historic or architecturally significant buildings.</li> </ul> <p>All future development under the proposed Overlay would require CEQA analysis and design review in order to ensure impacts to buildings of historic, cultural, or architectural importance are avoided.</p>	
<p><b>2-P-3:</b> Maintain landmarks and aspects of Petaluma’s heritage that foster its unique identity.</p>	<p><b>Consistent.</b> The proposed Overlay has a focus on parcels that have been determined to be underutilized or vacant within Downtown. There are some buildings within the Overlay Area that are considered contributing buildings to the Historic Commercial District. Furthermore, on the east boundary of Overlay Area C, there are several historic buildings identified as contributing as well as one City and National Landmark (the Old Petaluma Opera House).</p> <p>However, the proposed Overlay does not propose any specific development,</p>	<p><b>Consistent.</b> The proposed Hotel would be constructed on a parcel located at the corner of B Street and Petaluma Boulevard. The Hotel site is part of the Historic Commercial District but has been vacant for at least 13 years, when a former gas station that operated on the site was demolished. As such, the proposed project would not directly destroy or alter any historic landmarks unique to the City’s identity.</p> <p>As described in Section 3.2,</p>

Policy	Overlay Consistency	Hotel Consistency
	<p>and all future development would be reviewed on a project-by-project basis in order to ensure minimal impacts to landmarks. Projects with height about 45 feet and lot coverage greater than 80 percent would be required to obtain a CUP which includes findings related to compatibility with the surrounding neighborhood and not causing a detriment to historical resources.</p>	<p>Cultural Resources and Tribal Cultural Resources, the proposed Hotel would not have an adverse effect on the significance or integrity of historical resources on-site or adjacent to the site and would not have a significant adverse effect on the significance or integrity of the historic district.</p> <p>The Hotel will also be subject to Historic Site Plan and Architectural Review (HSPAR) and a CUP, which require specific findings related to compatibility with the neighborhood and not causing a detriment to historical resources. “Appendix D summarizes the discretionary review and appeals processes related to applications for SPAR, HSPAR and CUP approvals.”</p>
<p><b>2-P-5:</b> Strengthen the visual and aesthetic character of major arterial corridors.</p>	<p><b>Consistent.</b> The General Plan identifies Washington Street and Petaluma Boulevard as arterial streets. As described in Impact AES-1, the proposed Overlay would allow for greater intensification of development within the Overlay Area.</p> <p>However, the proposed Overlay does not proposed any specific development and al future development would be reviewed on a project-by-project basis for impacts to scenic resources and visual character.</p>	<p><b>Consistent.</b> The Hotel site is located on Petaluma Boulevard, which is identified as an arterial street in the General Plan. The Hotel site is currently vacant. The proposed Hotel proposes to construct curb and gutter along Petaluma Boulevard.</p> <p>The Hotel site is located within the Historic Commercial District, which is considered a scenic resource for the purposes of this analysis. As described in Section 3.2, Cultural Resources and Tribal Cultural Resources, the proposed Hotel would not have an adverse effect on the significance or integrity of the Historic Commercial District.</p>
<p><b>2-P-14:</b> Promote the development and intensification of the Downtown commercial core as both a visitor destination and a neighborhood retail center.</p>	<p><b>Consistent.</b> The proposed Overlay would allow for greater intensification within the Overlay Area through increased FAR, building height, and lot coverage allowances. Additionally, the</p>	<p><b>Consistent.</b> The proposed Hotel would utilize the proposed Overlay to increase the intensification of development within Downtown. Additionally,</p>

Policy	Overlay Consistency	Hotel Consistency
	majority of the parcels within the Overlay Area are designated as mixed use and allow for the development of commercial and retail uses.	the proposed Hotel would act both as a visitor destination in its provision of lodging, as well as a neighborhood retail destination through its ground-floor retail and restaurant uses.
<p><b>2-P-17:</b> Pursue the development and promotion of cultural activities and facilities, such as museums, meeting halls, community theatres, public art galleries and shows, and outdoor gathering places within the Downtown area.</p>	<p><b>Not applicable.</b> The proposed Overlay does not propose site-specific development. However, future development under the proposed Overlay would be evaluated on a project-by-project basis. However, the majority of the parcels within the Overlay Area are designated as Mixed Use, allowing for the development of various cultural activities and facilities.</p>	<p><b>Consistent.</b> The proposed Hotel would include a 1,444 square-foot enclosed event space on the sixth floor, promoting and allowing for meetings and events to be conducted within the Downtown area.</p>
<p><b>2-P-19:</b> Maintain the grid street pattern within Downtown and improve connections between Downtown and surrounding areas.</p>	<p><b>Not applicable.</b> The proposed Overlay would not entitle a specific development and does not propose any alterations to the grid street pattern within Downtown.</p>	<p><b>Consistent.</b> The proposed Hotel would not alter the grid street pattern within Downtown and would improve the sidewalk connections of the project frontage to nearby areas.</p>
<p><b>Chapter 3: Historic Preservation</b></p>		
<p><b>3-P-6:</b> Ensure that new development adjacent to eligible historic and cultural resources is compatible with the character of those resources.</p>	<p><b>Consistent.</b> See consistency analysis for 2-G-3.</p>	<p><b>Consistent.</b> As described in Section 3.2, Cultural Resources and Tribal Cultural Resources, the proposed Hotel would not have a significant impact on buildings of historic and architectural importance. The Hotel will also undergo HSPAR review by the Historic and Cultural Preservation Committee (HCPC), as well as review by the Planning Commission, which must make specific findings as part of approval of a CUP.</p>
<p><b>Chapter 4: The Natural Environment</b></p>		
<p><b>Goal 4-G-1:</b> Protect and enhance biological and natural resources within the UGB.</p>	<p><b>Not applicable.</b> The proposed Overlay component of the project would not result in direct physical development. The parcels within the Overlay Area are already built out or zoned for urban uses. Future individual development projects would require CEQA review</p>	<p><b>Consistent.</b> The proposed Hotel would implement Mitigation Measure (MM) EKN BIO-1 and EKN BIO-2, which would require nesting bird surveys prior to construction of the proposed project as well as design features to minimize risks of</p>

Policy	Overlay Consistency	Hotel Consistency
	and analysis of project-specific impacts to biological and natural resources.	collisions with migrating avian species.
<b>4-P-3:</b> Protect special-status species and supporting habitats within Petaluma, including species that are State or federally listed as endangered, threatened, or rare.	<b>Consistent.</b> See consistency analysis for 4-G-1.	<b>Consistent.</b> See consistency analysis for 4-G-1.
<b>Goal 4-G-3:</b> Improve air quality and meet all federal and State ambient air quality standards and goals by reducing the generation of air pollutants from stationary and mobile sources.	<b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, all air quality impacts related to implementation of the proposed Overlay would be less than significant. The proposed Overlay does not include site-specific development; however, future development under the proposed Overlay would be required to comply with all applicable air quality standards and goals and would be evaluated on a project-by-project basis. However, the Overlay does promote infill development within the Downtown area, which encourages responsible urban growth. This approach helps reduce greenhouse gas emissions by minimizing the need for car travel, as it places amenities, workplaces, and residences in closer proximity, thus promoting walking, biking, and the use of public transit.	<b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, the proposed Hotel would comply with all applicable air quality standards and goals. Implementation of MM EKN AQ-1 would implement best management practices to ensure minimal construction-related impacts. Additionally, the proposed Hotel is below Bay Area Air Quality Management District (BAAQMD) screening thresholds and thus would result in less than significant impacts.
<b>4-P-7:</b> Reduce motor vehicle related air pollution.	<b>Consistent.</b> The proposed Overlay component would not result in direct physical development and as such would not result in direct air pollution from motor vehicles. Policies that promote the increased intensity and density of development in a primarily Mixed Use (MU) area typically reduce motor vehicle related air pollution. The development allowed by the proposed Overlay would reduce overall dependency on motor vehicles in the Downtown area, thus reducing motor vehicle air pollution.	<b>Consistent.</b> The proposed Hotel would consist of increased MU development intensity under the proposed Overlay, and as such would allow for a greater reduction of dependence on automobile usage, thus reducing motor vehicle related air pollution. The Hotel’s location within the Downtown area would provide easy access to sidewalks, a Class III bike lane along Petaluma Boulevard, and would be approximately 182 feet from the 4th and C Street bus stop, providing ample access to alternative transportation

Policy	Overlay Consistency	Hotel Consistency
		methods to alleviate motor vehicle reliance.
<p><b>4-P-9:</b> Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging facilities.</p>	<p><b>Consistent.</b> The proposed Overlay does not propose site-specific development. Future development under the proposed Overlay would be required to comply with all applicable air quality standards and goals and would be evaluated on a project-by-project basis for inclusion of electric vehicle charging facilities, including the most current CALGreen requirements for electric vehicle (EV) charging for a given development type.</p>	<p><b>Consistent.</b> The proposed Hotel would include the provision of underground parking which would include six spaces reserved for electric vehicles.</p>
<p><b>4-P-16:</b> To reduce combustion emissions during construction and demolition phases, the contractor of future individual projects shall encourage the inclusion in construction contracts of the following requirements or measures shown to be equally effective:</p> <ul style="list-style-type: none"> <li>● Maintain construction equipment engines in good condition and in proper tune per manufacturer’s specification for the duration of construction;</li> <li>● Minimize idling time of construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment;</li> <li>● Use alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline);</li> <li>● Use add-on control devices such as diesel oxidation catalysts or particulate filters;</li> <li>● Use diesel equipment that meets the ARB’s 2000 or newer certification standard for off-road heavy-duty diesel engines;</li> </ul>	<p><b>Consistent.</b> The proposed Overlay component of the project would not result in direct physical development, and as such would not directly result in construction impacts. However, future development under the proposed Overlay would be subject to all applicable federal, State, and local regulations regarding air quality and construction methods, including General Plan policies.</p>	<p><b>Consistent.</b> As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, the proposed Hotel would be constructed in accordance with all applicable federal, State, and local air quality regulations, including those regulations construction and demolition. Construction of the proposed Hotel would not exceed BAAQMD thresholds. In addition, the Hotel would implement MM EKN AQ-1, which would ensure compliance with all applicable best management practices related to minimizing construction-related emissions.</p>

Policy	Overlay Consistency	Hotel Consistency
<ul style="list-style-type: none"> <li>● Phase construction of the project;</li> <li>● Limit the hours of operation of heavy-duty equipment.</li> </ul>		
<p><b>4-P-21:</b> Reduce solid waste and increase reduction, reuse and/or recycling, in compliance with the Countywide Integrated Waste Management Plan (CIWMP).</p>	<p><b>Consistent.</b> The proposed Overlay does not propose site-specific development and thus would not directly result in the generation of solid waste. However, future development under the proposed Overlay would be required to comply with all applicable solid waste standards and goals and would be evaluated on a project-by-project basis.</p>	<p><b>Consistent.</b> As a commercial use, the proposed Hotel would be in compliance with applicable waste diversion and composting laws. Through enrollment in a recycling services, compost service, provision of recycling and composting receptacles, and diversion of all organic materials, the proposed Hotel would be in compliance with AB 341, AB 1826, AB 827, and SB 1383.</p>
<p><b>4-P-24:</b> Comply with AB 32 and its governing regulations to the full extent of the City’s jurisdictional authority.</p>	<p><b>Consistent.</b> The proposed Overlay component of the project would not result in direct physical changes to the environment and all future development under the proposed Overlay would be subject to review on a project-by-project basis. However, the increased development intensification allowed by the proposed Overlay, which is in a primarily MU area, would reduce automobile dependence and overall greenhouse gas (GHG) emissions in compliance with the mandated GHG emissions reductions set by AB 32.</p>	<p><b>Consistent.</b> The proposed Hotel would comply with all federal, State, and local regulations and goals regarding GHG emissions reductions. The proposed Hotel would consist of increased MU development density and intensity. As such, the proposed Hotel would allow for a greater reduction of dependence on automobile usage, thus reducing per capita GHG emissions overall.</p>
<b>Chapter 5: Mobility</b>		
<p><b>5-P-4:</b> New development and/or major expansion or change of use may require construction of off-site mobility improvements to complete appropriate links in the network necessary for connecting the proposed development with existing neighborhoods and land uses.</p>	<p><b>Not applicable.</b> The Overlay does not propose any physical development and would not require development or expansion of off-site mobility improvements.</p>	<p><b>Consistent.</b> The proposed 6-story Hotel would be constructed on a vacant parcel in the Downtown core of the City and would not physically divide an existing community. As such, the proposed Hotel would not require the development or expansion of off-site mobility improvements.</p>
<p><b>5-P-5:</b> Consider impacts on overall mobility and travel by multiple travel modes when evaluating transportation impacts.</p>	<p><b>Consistent.</b> The proposed Overlay component of the project would not result in direct physical changes to the environment, and all future development under the proposed</p>	<p><b>Consistent.</b> The proposed Hotel would consist of increased development intensity in a MU area under the proposed Overlay, which would reduce</p>

Policy	Overlay Consistency	Hotel Consistency
	<p>Overlay would be subject to review on a project-by-project basis. However, the increased development intensification proposed by the Overlay would allow for greater density in a MU area, reducing reliance on automobiles. Downtown features ample access to sidewalks, Class II and III bike lanes along Petaluma Boulevard and B Street, and close proximity to the 4th and C Street bus stop and the Keller and Western bus stop, providing ample access to alternative transportation methods. Furthermore, pedestrian, bicycle, and transit options are available in and near the Overlay Area. These travel modes would be utilized more as the proposed Overlay promotes a higher intensity of development in this area.</p>	<p>automobile usage. The Hotel’s location within Downtown would provide easy access to sidewalks, a Class III bike lane along Petaluma Boulevard, and would be approximately 182 feet from the 4th and C Street bus stop, providing ample access to alternative transportation methods to alleviate motor vehicle reliance. These travel modes would be utilized more as the Hotel promotes a higher intensity of development in this area.</p>
<p><b>Goal 5-G-5:</b> Create and maintain a safe, comprehensive, and integrated bicycle and pedestrian system throughout Petaluma that encourages bicycling and walking and is accessible to all.</p>	<p><b>Consistent.</b> See consistency analysis for Policy 5-P-5.</p>	<p><b>Consistent.</b> See consistency analysis for Policy 5-P-5.</p>
<p><b>5-P-22:</b> Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well-connected pedestrian network linking new and existing developments to adjacent land uses.</p>	<p><b>Consistent.</b> See consistency analysis for Policy 5-P-5.</p>	<p><b>Consistent.</b> See consistency analysis for Policy 5-P-5.</p>
<p><b>5-P-23:</b> Require the provision of pedestrian site access for all new development.</p>	<p><b>Consistent.</b> The proposed Overlay does not propose site-specific development, and all future development would be reviewed and approved on a project-by-project basis. However, future individual development projects would be required to provide pedestrian access.</p>	<p><b>Consistent.</b> The Hotel would include two pedestrian access points along B Street, two along Petaluma Boulevard, and one on the corner.</p>
<p><b>5-P-43:</b> Support efforts for transit-oriented development around the Petaluma Depot and along the Washington Street, Petaluma Boulevard, McDowell Boulevard, Lakeville Street, and other transit corridors.</p>	<p><b>Consistent.</b> The proposed Overlay would allow for greater intensification of development within the Overlay Area located along Petaluma Boulevard and Washington Street. Areas A and B of the proposed Overlay are located adjacent to the 4th and C Street bus</p>	<p><b>Consistent.</b> The proposed Hotel would develop a mixed-use hotel with commercial retail and restaurant uses on the ground-floor and several pedestrian access points along Petaluma Boulevard. The ground-floor</p>

Policy	Overlay Consistency	Hotel Consistency
	<p>stop and the Keller and Western bus stop, respectively. Additionally, Area A is located approximately 0.31 mile from the Lakeville Sonoma-Marin Area Rail Transit (SMART) Train Station. Petaluma Boulevard and C Street feature Class II and III bike lanes, all streets in the area features sidewalks. As such, intensification of development within this area would be considered transit-oriented development.</p>	<p>activation of the currently vacant parcel would result in increased demand for transit facilities. The Hotel would be located approximately 0.31 mile from the Lakeville SMART Train station and approximately 182 feet from the 4th &amp; C Street bus stop and the proposed project would additionally install a bus stop along Petaluma Boulevard. The Hotel site abuts Petaluma Boulevard, which features a Class III bike lane and frontage with sidewalks for pedestrian access. As such, the proposed project would be considered transit-oriented development.</p>
<p><b>Chapter 6: Recreation, Music, Parks, &amp; the Arts</b></p>		
<p><b>6-P-6:</b> Achieve and maintain a park standard of 5 acres per 1,000 residents (community park land at 3 acres per 1,000 population and neighborhood park land at 2 acres per 1,000 population) and an open space/urban separator standard of 10 acres per 1,000 population, in order to enhance the physical environment of the City and to meet the recreation needs of the community.</p>	<p><b>Consistent.</b> The City’s current park acres per residents ratio is 9.3 acres per 1,000 residents. The proposed Overlay would not allow for additional residential units in the Overlay Area beyond what is currently permitted. As such, the proposed Overlay would not affect the City’s current parkland standard.</p>	<p><b>Consistent.</b> The proposed Hotel would not include any residential development and would consist entirely of commercial and retail uses. As such, the proposed Hotel would not affect the City’s current parkland standard.</p>
<p><b>Chapter 7: Community Facilities, Service, and Education</b></p>		
<p><b>7-P-25:</b> Reduce the potential for a catastrophic fire event in the historic Downtown and other areas.</p>	<p><b>Consistent.</b> The proposed Overlay would not result in direct physical development and as such would not result in an increased risk for people or property to a catastrophic fire event. None of the Overlay Area is located within a Very High Fire Hazard Zone (VHFHZ), and all development would be required to applicable development impact fees in order to ensure continued funding for fire protections services in the City on a project-by-project basis.</p>	<p><b>Consistent.</b> The proposed Hotel would not be located within a VHFHZ and would pay all applicable development fees to ensure continued fire protection services are available and offset the proposed project’s increase fire protection demands.</p>
<p><b>Chapter 8: Water Resources</b></p>		



Policy	Overlay Consistency	Hotel Consistency
<p><b>8-P-38:</b> All development activities shall be constructed and maintained in accordance with Phase 2 National Pollutant Discharge Elimination System (NPDES) permit requirements.</p>	<p><b>Consistent.</b> As discussed in the Hydrology and Water Quality analysis in Chapter 4, Additional Effects Evaluated in the Initial Study, the proposed Overlay would not result in direct physical development within the City and, as such, would not result in increased runoff. Additionally, in accordance with NPDES requirements, all future construction activities within the Overlay Area would be subject to the Construction General Permit (2009-0009-DWQ), site-specific Storm Water Pollution Prevention Plans (SWPPP) if disturbing 1 acre or more of land.</p>	<p><b>Compliant.</b> As discussed in the Hydrology and Water Quality analysis in Chapter 4, Additional Effects Evaluated in the Initial Study, the proposed Hotel would have the potential to affect water quality if not properly controlled during construction activities. However, because the project site is less than 1 acre, in accordance with NPDES requirements, the proposed Hotel would not be required to adhere to SWPPP standards. It would nevertheless comply with Chapter 17.31 of the Municipal Code (Grading and Erosion Control).</p>

*EKN Appellation Hotel*

As described in Chapter 2, Project Description, the project proposes construction of a 6-story (approximately 68-foot 10-inch) hotel, with stepbacks on the fifth and sixth floors. The gross building area would be approximately 77,000 gross square feet. The FAR of the proposed Hotel would be approximately 5.9. The lot coverage would be 100 percent.

**Petaluma General Plan 2025 Consistency**

The General Plan designates the Hotel site as MU, which allows for a maximum FAR of 2.5. However, with approval of the proposed Overlay, the maximum FAR would be increased to 6.0 and the proposed Hotel’s FAR of 5.9 would be permitted.

As shown in Table 3.3-3, the proposed Hotel would be consistent with a majority of the applicable goals and policies of the General Plan. Furthermore, as outlined above, the proposed project would be subject to HSPAR review and approval by the Historic and Cultural Preservation Committee (HCPC), and specific findings that must be made by the Planning Commission prior to the issuance of a CUP to allow for increased height and increased lot coverage. Compliance with applicable General Plan policies, as well as HSPAR review, would ensure that impacts related to potential conflicts with an applicable land use plan, policy, or regulation would be less than significant.

**Petaluma Municipal Code Consistency**

The Hotel site is currently zoned MU2. As stated in Section 4.020, the MU2 zone is applied to the Downtown and adjacent areas that are intended to evolve into the same physical form and character of development as that in the Historic Commercial District.<sup>2</sup> IZO Section 15, Preservation of the

<sup>2</sup> City of Petaluma. 2024. Municipal Code – Chapter 4. Website: <https://petaluma.municipal.codes/ZoningOrds/4.020>. Accessed June 20, 2024.

Cultural and Historic Environment, is applied to projects that could result in an impact to a historic property or District. This section provides guidelines for Historic Site Plan and Architectural Review (HSPAR) by the City and specifically the HCPC to ensure that potential impacts are avoided or minimized to a less than significant level. Projects may be denied or may undergo rounds of review with direction related to modifications that can bring a proposed design into compliance. The Hotel has already undergone one round of review and has been modified in line with HCPC recommendations.

With approval of the proposed Overlay, a maximum building height of up to 75 feet, a FAR of 6.0, and up to 100 percent lot coverage would be allowed. As such the Hotel project would be within the requirements of the proposed Overlay. However, the proposed Overlay requires that a proposed project obtain a CUP to allow for heights above 45 feet and/or lot coverage above 80 percent. Table 3.3-4 and Table 3.3-5 evaluate the proposed Hotel’s consistency with the criteria for the CUP. However, it is important to note that the CUP Consistency Evaluation in Tables 3.3-4, 3.3-5, and 3.3-6 is for informational purposes only. The Planning Commission will consider General Plan consistency with the CUP criteria as part of its discretionary approvals. This process is detailed in Appendix D.

**Table 3.3-4: EKN Hotel Consistency with CUP Height Criteria for Buildings Above 45-Feet**

Criteria	Consistency Evaluation
The additional height is consistent with the applicable purposes of the proposed Overlay.	The additional height appears to be consistent with the Project Objectives in Chapter 2, Project Description, including providing opportunities for economic development by allowing for flexibility in building forms to accommodate a variety of commercial services to meet evolving demands.
The additional height makes a positive contribution to the overall character of the area and 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 viewshed analysis.	The additional height appears to be consistent with this criterion. Visual simulations were prepared for the proposed Hotel and are included as Exhibits 3.3-1 through 3.3-1i. The proposed Hotel would be appropriately scaled to maintain the character of the site and would not result in a significant aesthetic impact. The additional height encourages flexibility in building form consistent with General Plan Policy 1-P-7. Specifically, the increased height (to approximately 69 feet) facilitates development of retail and restaurant uses on the ground-floor and commercial hotel and event space uses on the upper floors, including a 901-square-foot ground-floor seating area, an 898-square-foot second floor terrace, and a 5,585-square-foot rooftop terrace.
The additional height would not cause an adverse change in the significance or integrity of a historical resource that is on-site or adjacent to the site.	The additional height appears to be consistent with this criterion. As shown in the visual simulations included as Exhibits 3.3-1 through 3.3-1i, the Hotel would not result in a significant aesthetic impact. Furthermore, as described in Section 3.2, Cultural Resources and Tribal Cultural Resources, and in the

Criteria	Consistency Evaluation
	Historic Built Environment Assessment (HBEA) prepared by South Environmental (Appendix B), the proposed Hotel would not have an adverse effect on the significance or integrity of a historical resources that is on-site or adjacent to the site.
The additional height would not unduly restrict access to light and air from adjacent properties or the public right-of-way or otherwise be detrimental to the public health, safety, or welfare.	The additional height appears to be consistent with this criterion. As described in Section 3.1, Aesthetics, the proposed Hotel would not have a significant impact resulting from shade or shadow. The height would not be detrimental to public health, safety, or welfare or block a public right-of-way.
The building design expresses a relationship to an existing datum line or lines of the street wall or adjacent historic resource, if any.	The additional height appears to be consistent with this criterion. As described in Section 3.2, Cultural Resources and Tribal Cultural Resources, the proposed Hotel would be consistent with design Guidelines for New Construction in the Historic Commercial District, including pedestrian-oriented design, fenestration on the upper floors, setbacks, materials, colors, etc.

**Table 3.3-5: EKN Hotel Consistency with CUP Height Criteria for Buildings 60–75 Feet**

Criteria	Consistency Evaluation
<p>Include at least two of the of the community benefits described in 1, 2, and 3 below:</p> <ol style="list-style-type: none"> <li>1. 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;</li> <li>2. 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;</li> <li>3. Demonstrates exceptional architecture/design. “Exceptional” architecture/design may be demonstrated by any of the following: <ol style="list-style-type: none"> <li>a) The use of innovative, creative, or original architectural concepts, materials, or building techniques;</li> <li>b) The use of visual elements that contribute positively to the built environment, such as</li> </ol> </li> </ol>	<p>The additional height appears consistent with community benefit 2 because it includes a rooftop restaurant and 6<sup>th</sup> floor terrace, which is a publicly accessible private open space. Landscaping on the sixth floor includes four 15-gallon, medium water use trees (Chilean myrtle), and various 1- and 5-gallon shrub species. The total landscaped area, including trees, shrubs, and green roof areas would be 1,523 square feet.</p> <p>Additionally, the Hotel would include architecture and design elements consistent with community benefit 3. The design includes innovative architectural concepts and high-quality building materials, such as laser-cut metal panels and curvilinear patterns in the windows, as described in Section 2.2.2, EKN Appellation Hotel.</p>

Criteria	Consistency Evaluation
<p>well-proportioned facades, pleasing materials, and unique features;</p> <p>c) The use of innovative building systems or forms and/or the use of creative design, to increase building efficiency and to reduce energy consumption;</p> <p>d) The use of low impact development and green infrastructure features in sustainable design and landscaping; or</p> <p>e) The use of high-quality building materials that contribute to long-term durability and visual quality.</p>	
<p>Include at least one of the community benefits described in 4, 5, and 6 below:</p> <p>4. Respects and/or preserve cultural, historical, or archaeological resources that exist or occur-on-site 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 additional height appears consistent with community benefit 6. The proposed project would provide all required parking below grade. The Hotel was evaluated in the Historic Built Environment Assessment (HBEA) prepared by South Environmental on June 24, 2024 (Appendix B). The analysis demonstrates that the Hotel would not have an impact on the Historic Commercial District.</p>

**Table 3.3-6: EKN Hotel Consistency with CUP Lot Coverage Criteria**

Criteria	Consistency Evaluation
<p>The development improves the existing streetscape by providing widened sidewalks, additional street trees, new mid-block walkways/ paseos, public plazas, parks, etc.</p>	<p>The additional lot coverage appears to be consistent with this criterion.</p> <p>The project includes enhancements to the site’s Petaluma Boulevard South frontage, within the public right-of-way, including reconstruction of curb, gutter, and sidewalk.</p> <p>Along the B Street project frontage, the proposed project would include the reconstruction of curb, gutter, and sidewalk, and would also include installation of three bicycle racks.</p> <p>Other off-site improvements include restriping two existing crosswalks including one across B Street and one across the one-way access road running parallel with Petaluma Boulevard North. In addition, the project would include upgrades to the curb ramps at the two existing crosswalks to comply with Americans with Disabilities Act (ADA) requirements and would also include installation of one streetlight.</p>
<p>The additional lot coverage would reflect the prevailing development pattern for the abutting and adjacent parcels.</p>	<p>The additional lot coverage appears to be consistent with this criterion. The adjacent Rex Ace Hardware</p>

Criteria	Consistency Evaluation
	building and buildings across the street on B street do not have setbacks.
The development includes adequate provision for recycling and solid waste.	As described in Section 4.0, Additional Effects Evaluated in the Initial Study, the proposed Hotel would provide adequate recycling and solid waste services.
The development includes adequate space for street trees.	The project appears to be consistent with this criterion. The proposed Hotel would include the removal and replacement of 3 street trees, and would also preserve one existing street tree.
The development includes other measures to enhance the pedestrian environment.	As a Condition of Approval, the applicant would be required to fund and implement the construction of a new bus stop adjacent to the Center Park area.

As such, the proposed Hotel appears to meet the CUP criteria and would be consistent with the MU2 zoning designation for the project site.

**Level of Significant Before Mitigation**

Potentially significant impact.

**Mitigation Measures**

MM Overlay CUL-1e

**Level of Significance**

Less than significant impact with mitigation incorporated.

**3.3.6 - Cumulative Impacts**

**Level of Cumulative Significance Before Mitigation**

The geographic scope of the cumulative land use analysis is the City of Petaluma, with a focus on the area surrounding the project site. All of the projects listed in Table 3-1 would be within the geographic scope. This analysis evaluates whether the impacts of the proposed Overlay and Hotel would result in a cumulatively significant impact related to land use and planning. This analysis then considers whether incremental contributions to cumulative impacts associated with the implementation of the proposed Overlay and Hotel would be significant. Both conditions must apply for a project’s cumulative effects to rise to a level of significance.

Development within the City of Petaluma is governed by the applicable plans, programs, policies, and land use planning regulations which ensure logical and orderly development and require discretionary review to ensure that projects do not divide an established community or result in environmental impacts resulting from inconsistency with applicable land use planning regulations including, but not limited to, the General Plan, the IZO, the Historic Community Development

Guidelines, or any applicable specific plans. Conformance with these land use planning regulations would be confirmed during project approval. Cumulative projects within the City would be required to comply with the General Plan. Projects that are not consistent with existing land use designations would require approval of a General Plan Amendment, as applicable. For these reasons, there would be a less than significant cumulative impact related to land use and planning.

### ***Downtown Housing and Economic Opportunity Overlay***

The proposed Overlay would not contribute to the less than significant cumulative impact because approval of the proposed Overlay would not result in physical development; rather, it would facilitate orderly development and would not introduce elements that would physically divide the community.

Moreover, development under the proposed Overlay would be required to demonstrate consistency with the General Plan, IZO, and applicable specific plans and codes, ordinances, and policies, which would ensure logical and orderly development that would not divide an established community. Additionally, foreseeable development under the proposed Overlay would be subject to discretionary review, which would ensure that development would not result in environmental impacts caused by physically dividing an existing community or inconsistency with the General Plan and applicable specific plans and applicable codes, ordinances, and policies or other land use planning regulations. For these reasons, the incremental contribution of the proposed Overlay to the less than significant cumulative impacts would be considered less than significant.

### ***EKN Appellation Hotel***

Development of the Hotel would involve the construction and operation of a 6-story Hotel with mixed-use commercial space on the ground-floor, event space, and underground parking facilities. The Hotel would be constructed entirely within the boundaries of the project site and does not include large linear construction that could physically divide a community. Additionally, the Hotel would be constructed in compliance with the General Plan and the IZO and thus would not conflict with existing land use plans, policies, or other regulations. As the proposed project would not result in significant land use or planning conflicts, it would not contribute to an overall cumulative land use or planning conflict in the area. For these reasons, the incremental contribution of the Hotel to the less than significant cumulative impacts would be considered less than significant.

### ***Level of Cumulative Significance***

Potentially significant impact.

### ***Mitigation Measures***

MM Overlay CUL-1e.

### ***Level of Cumulative Significance***

Less than significant with mitigation incorporated.

## CHAPTER 4: ADDITIONAL EFFECTS EVALUATED IN THE INITIAL STUDY

### 4.1 - Introduction

This chapter is based, in part, on the April 12, 2024, Initial Study (IS)/Notice of Preparation (NOP) prepared for the proposed project, a copy of which is included in Appendix A of this Draft EIR. The IS/NOP was circulated for public review between April 12, 2024, and May 13, 2024. In the course of preparing the IS/NOP, the City determined that the proposed project would not result in significant impacts in certain topical areas.

This chapter provides a brief description of additional effects evaluated in the IS and determined to be less than significant based on the administrative record, including the IS, NOP, NOP public comments received, and the detailed analysis conducted as part of the EIR process. The Draft EIR topical sections presented in Sections 3.1, Aesthetics, and Section 3.2, Cultural Resources and Tribal Cultural Resources, provide a comprehensive discussion of why project impacts to these topics are less than significant, in order to inform decision-makers and the general public.

This chapter further provides a cumulative analysis for each topical section that evaluates whether impacts associated with implementing the proposed Overlay and the Hotel, together with the impacts of the past, present, and reasonably foreseeable cumulative development, would result in a cumulatively significant impact. The analysis then considers whether incremental contribution of the impacts associated with the implementation of the proposed Overlay and/or the Hotel would be significant. Both conditions must apply for cumulative effects associated with the proposed Overlay and/or the Hotel to rise to the level of significance.

An EIR need not discuss cumulative impacts that do not result in part from the project (State California Environmental Quality Act [CEQA] Guidelines § 15130(a)(1)). In *Santa Monica Baykeeper v. City of Malibu* (2011) 193 CA4th 1538, 1559; *Sierra Club v. West Side Irrig. Dist.* (2005) 128 CA4th 690, 700, the court explained that if a lead agency concludes “no impact,” it can properly determine that the project does not contribute to a cumulative environmental effect. Accordingly, a cumulative impact analysis of a particular threshold is not required if the project would result in no impact relative to that threshold. The cumulative analysis includes consideration of the foreseeable development projects listed in Table 3-1 (See Chapter 3, Environmental Setting).

### Additional Environmental Effects Evaluated in the Initial Study

#### 4.1.1 - Agriculture and Forestry Resources

##### Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel

###### *Important Farmland*

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) has identified the project site as Urban and Built-up Land.<sup>1</sup> The nearest property designated as Prime

<sup>1</sup> California Department of Conservation. Farmland Mapping and Monitoring Program. Website: <https://maps-cadoc.opendata.arcgis.com/datasets/cadoc::california-important-farmland-most-recent/about>. Accessed July 12, 2024.

Farmland, Unique Farmland, or Farmland of Statewide Importance is located approximately 1.29 miles northwest of the project site along Live Oak Farm Lane. Therefore, no impacts associated with conversion of Important Farmland would occur.

### **Williamson Act Contracts or Agricultural Zoning**

The FMMP has identified the project site as Urban and Built-up Land. Additionally, the City of Petaluma's Zoning Map identifies the Areas A, B, and C as Mixed Use 2 (MU 2) with no parcels zoned for agricultural uses in the immediate project vicinity. Therefore, no impacts associated with agricultural zoning or Williamson Act Contracts would occur.

### **Forestry Resources**

The proposed project is in a built-up urban area in the core of downtown Petaluma. There are no forestry resources located on or adjacent to the project site and therefore no impacts would occur.

### **Cumulative Impacts**

No impacts would occur with respect to any of the City's thresholds related to agriculture or forest resources as a result of the proposed Overlay or Hotel; accordingly, the proposed project would not result in a cumulative impact.

## **4.1.2 - Air Quality**

### **Downtown Housing and Economic Opportunity Overlay**

#### **Conflict with Air Quality Plan**

Air Quality Plans applicable to projects within the City of Petaluma, including the proposed project, include the Bay Area Air Quality Management District (BAAQMD) 2017 Clean Air Plan: Spare the Air, Cool the Climate, and Plan Bay Area 2050.

#### *2017 Clean Air Plan: Spare the Air, Cool the Climate*

The 2017 Clean Air Plan was adopted on April 19, 2017, and includes a range of control measures designed to decrease emissions of air pollutants that are most harmful to Bay Area residents, including particulate matter, ozone (O<sub>3</sub>), and toxic air contaminants (TACs). The Clean Air Plan further aims to reduce emissions of methane and other "super-greenhouse gases" that are potent climate pollutants in the near-term and to decrease emissions of carbon dioxide by reducing fossil fuel combustion. The control strategy for the 2017 Clean Air Plan consists of 85 distinct measures targeting a variety of local, regional, and global pollutants. Control measures are identified for stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-greenhouse gas emissions.

To implement the 2017 Clean Air Plan control measures, the BAAQMD utilizes a variety of tools and resources, including but not limited to, regulatory permits, enforcement authorities, and implementation of the CEQA Guidelines. The BAAQMD CEQA Guidelines set forth criteria for determining consistency with the Clean Air Plan. A project is considered consistent if it supports the primary goals of the Clean Air Plan (protecting public health and protecting the climate); includes all applicable control measures; and does not interfere with implementation of the Clean Air Plan. The



Downtown Housing and Economic Opportunity Overlay (Overlay) portion of the proposed project consists of amendments to the City’s existing zoning ordinance to allow for increased height and lot coverage which may increase nonresidential development in urbanized areas. The proposed Overlay component of the proposed project supports the primary goals of the Clean Air Plan as it prioritizes densifying development in the City’s Downtown where future residential and commercial uses would be proximate to transit, goods, and services, thereby minimizing reliance on auto travel and in turn reducing air pollutants, which protects public health and the climate. In addition, consistent with locally adopted policies, all new development facilitated by the Overlay would be required to be all-electric, which also supports the primary goals of the Clean Air Plan. Table 4-1 demonstrates consistency with each relevant control measure in the Clean Air Plan.

Furthermore, future developments proposed within the Overlay Area would be subject to independent discretionary review, including CEQA analyses, at which point consistency with control measures of the 2017 Clean Air Plan would be analyzed. As such, the proposed Overlay portion does not conflict with the BAAQMD 2017 Clean Air Plan and impacts would be less than significant.

**Table 4-1: Overlay Consistency with Applicable Clean Air Plan Control Measures**

Control Measure	Overlay Consistency
<b>Buildings Control Measures</b>	
<b>BL1: Green Buildings</b>	<b>Consistent.</b> Future development within the Overlay Area would be required to comply with the California Green Building Standards Code (CALGreen) Building Tier 1 Standards and Building and Energy Efficiency Standards which provide for increased energy efficiency.
<b>BL4: Urban Heat Island Mitigation</b>	<b>Consistent.</b> Pursuant to City of Petaluma General Plan 2025 (General Plan) Policy 4-P-15-D, future development within the Overlay Area must incorporate passive solar building design and landscaping conducive to passive solar energy use for both residential and commercial uses, i.e., building orientation in a south to southeast direction, encouragement of planting of deciduous trees on west sides of structures, landscaping with drought resistant species, and use of groundcovers rather than pavement to reduce heat reflection.
<b>Energy Control Measures</b>	
<b>EN1: Decarbonize Electricity Generation</b>	<b>Consistent.</b> The proposed Overlay would not conflict with implementation of this measure because the City adopted an all-electric code which prohibits the use of natural gas in new development.
<b>EN2: Decrease Electricity Demand</b>	<b>Consistent.</b> The proposed Overlay would require all future developments to comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption. In addition, the General Plan requires the use of high-efficiency appliances; compliance with or exceedance of Title 24 requirements; incorporation of passive solar building design; and encouragement of electric battery-powered equipment.

Control Measure	Overlay Consistency
<b>Natural and Working Lands Control Measures</b>	
<b>NW2:</b> Urban Tree Planting	<b>Consistent.</b> The proposed Overlay would require that all new development incorporate new street trees pursuant to General Plan Policy 4-P-6.
<b>Waste Management Control Measures</b>	
<b>WA3:</b> Green Waste Diversion	<b>Consistent:</b> Future development within the Overlay would be required to comply with applicable State laws related to waste diversion, including Assembly Bill (AB) 341, which requires commercial properties that generate 4 cubic yards or more of solid waste per week to enroll in recycling service; AB 1826, which requires commercial properties generating 2 cubic yards or more of solid waste per week to enroll in compost service; AB 827, which requires commercial properties subject to AB 341 and AB 1826 to make recycling and compost receptacles available to customers; and Senate Bill (SB) 1383, which requires all businesses to divert organic materials (food waste, yard waste, and soiled paper products) from the landfill. The City is in contract with Recology for solid waste disposal, recycling services, and composting services. Recology provides canisters for garbage, green (organic) materials, and recycling.
<b>WA4:</b> Recycling and Waste Reduction	<b>Consistent.</b> Future development within the Overlay would be required to comply with AB 341, which requires commercial properties that generate 4 cubic yards or more of solid waste per week to enroll in recycling service; AB 1826, which requires commercial properties generating 2 cubic yards or more of solid waste per week to enroll in compost service; AB 827, which requires commercial properties subject to AB 341 and AB 1826 to make recycling and compost receptacles available to customers; and SB 1383, which requires all businesses to divert organic materials (food waste, yard waste and, soiled paper products) from the landfill.
<b>Water Control Measures</b>	
<b>WR2:</b> Support Water Conservation	<b>Consistent.</b> Future development within the proposed Overlay would include water-efficient landscaping and would comply with the maximum applied water allowance and the City’s water conservation regulations. Future development within the proposed Overlay would also be subject to the latest California Building Standards Code (CBC) requirements, including plumbing and water efficiency standards as well as the City’s Water Conservation Ordinance, which would further reduce water demands generated by new development within the Overlay.
<b>Stationary Source Control Measures</b>	
<b>SS38:</b> Fugitive Dust	<b>Consistent.</b> Future development within the Overlay would be required to comply with the Bay Area Air Quality Management District’s (BAAQMD’s) latest Best Management Practices (BMPs) to control fugitive dust. Future developments proposed within the Overlay Area would be subject to independent discretionary review, including CEQA analyses (if not otherwise exempt), at which point projects will be reviewed for consistency with this measure. Projects that do not otherwise include adequate BMPs to control fugitive dust as part of their project design would be required to implement these measures as mitigation.

Control Measure	Overlay Consistency
<b>Transportation Control Measures</b>	
<b>TR3:</b> Local and Regional Bus Service	<b>Consistent.</b> The Overlay is located in Downtown and is well-connected to the City’s local and regional transit network.
<b>TR9:</b> Bicycle and Pedestrian Access and Facilities	<b>Consistent.</b> The Overlay is located in Downtown and is well-connected to the Downtown pedestrian network.
Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19.	

*Plan Bay Area 2050*

Plan Bay Area 2050 is the region’s Sustainable Communities Strategy (SCS) and prioritizes development within established Priority Development Areas (PDAs) to enhance mobility and economic growth by linking the location of housing and jobs with transit, resulting in a more efficient land use pattern around transit, reducing greenhouse gas (GHG) emissions, and achieving a greater return on existing and planned transit investments. The City of Petaluma contains two PDAs. A portion of the proposed Overlay component of the project is located within the Central Petaluma PDA which aims to revitalize parts of Downtown by directing development to underutilized land in the City’s Historic Downtown and Historic Commercial District, allowing for a greater diversity and intensity of uses.<sup>2</sup> As stated above, the Overlay component of the proposed project intends to increase the potential for development in the City’s Downtown, proximate to existing transit, which is consistent with Plan Bay Area 2050. As such, the Overlay component of the proposed project would not conflict with Plan Bay Area 2050, and impacts would be less than significant.

**Violate Air Quality Emission Standard; Impact Sensitive Receptors; Other Emissions or Odor**

The Overlay component of the proposed project would not result in direct physical changes. However, the Overlay may result in reasonably foreseeable future development which has the potential to result in air quality impacts including emission of criteria pollutants during construction and operation, exposure of sensitive receptors to substantial pollutant concentrations, and odors. Future development occurring within the proposed Overlay would be subject to independent discretionary review, review in accordance with CEQA, and would be evaluated on a project-by-project basis to determine potential air quality impacts at the time a development application is received. A site- and development- specific air quality analysis would be required for projects that do not meet screening criteria to analyze impacts associated with criteria pollutant emissions during construction and operation, exposure of sensitive receptors to substantial pollutant concentrations, and odors. The proposed Overlay in and of itself would not result in any physical development and would not generate any emissions until such time as future development is proposed. Future development in the Overlay would be required to comply with City of Petaluma General Plan 2025 (General Plan) policies in effect at the time of submittal, would be subject to independent review in accordance with CEQA (if not otherwise exempt), and would be evaluated on a project-by-project basis to determine potential air quality impacts at the time a development application is received. As

<sup>2</sup> City of Petaluma. 2022. City of Petaluma General Plan Update. Existing Conditions Report, Land Use and Community Character. September 2022.

such, air quality impacts of the proposed Overlay component of the proposed project would be less than significant.

## EKN Appellation Hotel

### ***Conflict with Air Quality Plan***

The proposed EKN Appellation Hotel (Hotel) represents the type of development that can occur under the proposed Overlay. As stated above, a project is considered consistent with the 2017 Clean Air Plan if it supports the primary goals of the Clean Air Plan (protecting public health and protecting the climate); includes all applicable control measures; and does not interfere with implementation of the Clean Air Plan.

The proposed Hotel would support the primary goals of the 2017 Clean Air Plan as it is located in the City’s Downtown and is proximate to transit, thereby minimizing reliance on auto travel and, in turn, reducing air pollutants, which protects public health and the climate. Furthermore, the proposed Hotel would be constructed as all-electric, consistent with adopted City regulations; and would implement control measure TR3 (local and regional bus service) of the Clean Air Plan through construction of a bus stop along the Petaluma Boulevard North frontage, adjacent to Center Park, approximately 200 feet north of the site; and (as demonstrated in Table 4-2) would not interfere with implementation of other control measures identified in the Clean Air Plan with incorporation of MM EKN AQ-1. The proposed Hotel would also be consistent with Plan Bay Area 2050 as it proposes a new employee-generating use in an urbanized area proximate to transit. As such, with implementation of Mitigation Measure (MM) EKN AQ-1, the proposed Hotel would not conflict with the regional air quality plans and impacts would be less than significant.

**Table 4-2: Hotel Consistency with Applicable Clean Air Plan Control Measures**

Control Measure	Hotel Consistency
<b>Buildings Control Measures</b>	
<b>BL1:</b> Green Buildings	<b>Consistent.</b> The proposed Hotel would not conflict with the implementation of this measure. The proposed Hotel would be all electric and would comply with the CALGreen Building Tier 1 Standards and Building & Energy Efficiency Standards which provide for increased energy efficiency.
<b>BL4:</b> Urban Heat Island Mitigation	<b>Consistent.</b> The proposed Hotel would not conflict with implementation of this measure. Pursuant to the General Plan, the proposed Hotel would be required to incorporate passive solar building design and landscaping conducive to passive solar energy use for both residential and commercial uses, i.e., building orientation in a south to southeast direction, encouragement for planting of deciduous trees on west sides of structures, landscaping with drought resistant species, and use of groundcovers rather than pavement to reduce heat reflection.
<b>Energy Control Measures</b>	
<b>EN1:</b> Decarbonize Electricity Generation	<b>Consistent.</b> The proposed Hotel would not conflict with implementation of this measure because the City prohibits the use of natural gas in new development. The proposed Hotel would also be provided the option to participate in the

Control Measure	Hotel Consistency
	Sonoma Clean Power Program, which relies on renewable energy and minimized GHG emissions.
<b>EN2:</b> Decrease Electricity Demand	<b>Consistent.</b> The proposed Hotel would not conflict with the implementation of this measure. The proposed Hotel would comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption. In addition, the General Plan requires the use of high efficiency appliances; compliance with or exceedance of Title 24 requirements; incorporation of passive solar building design; and encouragement of electric or battery-powered equipment.
<b>Natural and Working Lands Control Measures</b>	
<b>NW2:</b> Urban Tree Planting	<b>Consistent.</b> The proposed Hotel would incorporate new landscaping, including replacing three street trees (with low water use species).
<b>Waste Management Control Measures</b>	
<b>WA3:</b> Green Waste Diversion	<b>Consistent.</b> As a commercial use, the proposed Hotel would be required to comply with applicable State laws related to waste diversion, including Assembly Bill (AB) 341, which requires commercial properties that generate 4 cubic yards or more of solid waste per week to enroll in recycling service; AB 1826, which requires commercial properties generating 2 cubic yards or more of solid waste per week to enroll in compost service; AB 827, which requires commercial properties subject to AB 341 and AB 1826 to make recycling and compost receptacles available to customers; and Senate Bill (SB) 1383, which requires all businesses to divert organic materials (food waste, yard waste, and soiled paper products) from the landfill. As stated previously, the City is in contract with Recology for solid waste disposal, recycling services, and composting services. Recology provides canisters for garbage, green (organic) materials, and recycling.
<b>WA4:</b> Recycling and Waste Reduction	<b>Consistent.</b> The proposed Hotel would comply with AB 341, which requires commercial properties that generate 4 cubic yards or more of solid waste per week to enroll in recycling service; AB 1826, which requires commercial properties generating 2 cubic yards or more of solid waste per week to enroll in compost service; AB 827, which requires commercial properties subject to AB 341 and AB 1826 to make recycling and compost receptacles available to customers; and SB 1383, which requires all businesses to divert organic materials (food waste, yard waste and, soiled paper products) from the landfill.
<b>Water Control Measures</b>	
<b>WR2:</b> Support Water Conservation	<b>Consistent.</b> The proposed Hotel would include water-efficient landscaping, complying with the maximum applied water allowance and the City’s water conservation regulations. The proposed Hotel would be subject to the latest California Building Standards Code (CBC) requirements, including plumbing and water efficiency standards as well as the City’s Water Conservation Ordinance, which would further reduce water demands generated by the proposed Hotel.
<b>Stationary Source Control Measures</b>	
<b>SS38:</b> Fugitive Dust	<b>Consistent with MM EKN AQ-1.</b> Construction of the proposed Hotel would be required to comply with the BAAQMD’s latest Best Management Practices (BMPs) to control fugitive dust, as required by MM EKN AQ-1.

Control Measure	Hotel Consistency
<b>Transportation Control Measures</b>	
<b>TR3:</b> Local and Regional Bus Service	<b>Consistent.</b> The proposed Hotel would be near the micro transit shuttle that drops off visitors in Downtown from either the Sonoma-Marín Area Rail Transit (SMART) station or Fairgrounds property and would provide a bus stop along Petaluma Boulevard North, approximately 200 feet north of the site, thereby increasing access to the site by alternative modes of transportation.
<b>TR9:</b> Bicycle and Pedestrian Access and Facilities	<b>Consistent.</b> The proposed Hotel would be located in Downtown and well-connected to the downtown pedestrian network. In addition, the proposed Hotel would provide on-site bicycle parking.
Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19.	

**Violate Air Quality Emission Standard**

Air quality emissions associated with the proposed Hotel would result from short-term construction activities and ongoing operation.

*Construction*

Construction of the proposed Hotel would include site preparation, excavation (for the underground parking garage), grading, building construction, and installation of frontage improvements and associated infrastructure. Construction activities would generate air pollutant emissions associated with site preparation, ground disturbance, operation of heavy-duty construction equipment, workers traveling to and from the site, off-haul of excavated material, and delivery of materials. These activities would create temporary emissions of fugitive dust from site grading and the release of TACs, particulate matter, and ozone precursors (reactive organic gases [ROGs] and nitrogen oxide [NO<sub>x</sub>]) from combustion of fuel and the operation of heavy-duty construction equipment.

The California Emissions Estimator Model (CalEEMod) Version 2022 was used to estimate emissions from construction-related activities. Emission levels were compared to BAAQMD significance thresholds as identified in Table 4-3 to determine the project’s potential to impact air quality. CalEEMod defaults based on land use size and type were used to determine construction-related emissions. Annual emission estimates include both on- and off-site related activities where on-site includes operation of construction equipment and off-site includes worker, hauling, and vendor vehicle trips. The number of total truck trips to haul 15,000 cubic yards of excavated soil for the underground parking garage was estimated to be 1,875. In addition, the number of total truck trips associated with delivering 50,000 cubic yards of cement was estimated to be 7,502. Based on the default construction activities and equipment usage, combined with estimated truck hauling trips and activities, the total project construction workdays (excluding weekend days) were estimated to be 414. Average daily construction emissions (total construction emissions/construction workdays) of ROG; NO<sub>x</sub>; particulate matter, including dust, 10 micrometers or less in diameter (PM<sub>10</sub>), and particulate matter, including dust, 2.5 micrometers or less in diameter (PM<sub>2.5</sub>) are shown in Table 4-3 below. As presented therein, construction emissions during project construction would not exceed BAAQMD significance thresholds. Though construction emissions do not exceed BAAQMD

thresholds, the Air District recommends implementing all feasible fugitive dust management practices during project construction, especially when construction activities occur near sensitive communities. To ensure Best Management Practices (BMPs) are implemented throughout project construction, the proposed Hotel shall comply with MM EKN AQ-1 during all stages of construction. As proposed and with implementation of BMPs identified in MM EKN AQ-1, impacts resulting from a cumulatively considerable net increase of criteria pollutants during construction would be less than significant.

**Table 4-3: Construction Period Emissions**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Construction Emissions (tons)</b>				
2024–2025	0.15	1.21	0.03	0.03
2026	0.19	0.06	<0.01	<0.01
<b>Total Construction Emissions (tons)</b>	<b>0.34</b>	<b>1.27</b>	<b>0.03</b>	<b>0.03</b>
<b>Average Daily Construction Emissions (lbs/day)</b>				
<b>Average Daily Construction Emissions (lbs/day)</b>	<b>1.63</b>	<b>6.15</b>	<b>0.17</b>	<b>0.16</b>
<i>BAAQMD Thresholds (lbs/day)</i>	54	54	82	54
Exceeds Threshold?	No	No	No	No
Notes: ROG = reactive organic gas NO <sub>x</sub> = nitrous oxides PM <sub>10</sub> = particulate matter, including dust, 10 micrometers or less in diameter PM <sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter lbs/day = pounds per day 2024–2025 construction period emissions include 2 months (November and December) from 2024. Average daily construction emissions were calculated using 414 workdays over the entire construction period (2024–2026). Sources: Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines. Illingworth & Rodkin. Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment. September 11, 2023.				

*Operation*

BAAQMD “screening criteria” provide a conservative estimate above which a project would be considered to have a potentially significant impact to air quality and a quantitative analysis must be prepared. Projects that meet the screening criteria are reasonably expected to result in less than significant impacts to air quality since pollutant emissions would be minimal. When projects fall below the screening criteria levels, a quantitative analysis of the project’s air quality emissions is not required. The screening level criteria for a hotel and high turnover restaurant as set forth in Table 4-1 of the BAAQMD 2022 CEQA Air Quality Guidelines is as follows:

- Hotel—230 rooms (construction); 767 rooms (operation)
- Restaurant: High Turnover (sit-down)—452,000 square feet (construction); 75,000 square feet (operation)

The project proposes development of a 93-room hotel with approximately 8,723 square feet of restaurant/bar space (3,209 square feet on the ground floor; 5,514 square feet on the rooftop terrace), which are below the construction and operational screening sizes listed above for hotel and restaurant uses. Because the project proposes two uses (hotel and restaurant), Attachment 1 of the Construction Health Risk & Greenhouse Gas Assessment includes estimated operational emissions using CalEEMod. As shown in Table 4-4 the proposed Hotel does not exceed BAAQMD established thresholds during project operation and as such, impacts resulting from a cumulatively considerable net increase of criteria pollutants during operation would be less than significant.

**Table 4-4: Proposed Project Operational Emissions**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Annual Operational Emissions (tons/year)</b>	<b>0.86</b>	<b>0.51</b>	<b>0.74</b>	<b>0.19</b>
<i>BAAQMD Thresholds (tons/year)</i>	<i>10</i>	<i>10</i>	<i>15</i>	<i>10</i>
Exceeds Threshold?	No	No	No	No
<b>Average Daily Operational Emissions (lbs/day)</b>	<b>4.73</b>	<b>2.81</b>	<b>4.03</b>	<b>1.06</b>
<i>BAAQMD Thresholds (lbs/day)</i>	<i>54</i>	<i>54</i>	<i>82</i>	<i>54</i>
Exceeds Threshold?	No	No	No	No
Notes: ROG = reactive organic gas NO <sub>x</sub> = nitrous oxides PM <sub>10</sub> = particulate matter, including dust, 10 micrometers or less in diameter PM <sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter lbs/day = pounds per day Sources: Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines. Illingworth & Rodkin. Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment. Attachment 1. September 11, 2023.				

**Impact Sensitive Receptors**

The BAAQMD defines sensitive receptors as “facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses.” Examples of sensitive receptors include places where people live, play, or convalesce and include schools, day care centers, hospitals, residential areas and recreation facilities.

The nearest sensitive receptor to the site, referred to in the health risk assessment as the maximally exposed individual (MEI), is a multi-family housing unit located along Petaluma Boulevard South within the mixed-use building located between C and D Streets. Other nearby sensitive receptors include other multi-family units within the same mixed-use building and single-family residences located west of the Hotel site.<sup>3</sup>

<sup>3</sup> Illingworth & Rodkin. Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, Figure 1. September 11, 2023.



The proposed Hotel would result in a potentially significant impact on sensitive receptors if any of the following three following criteria are met:

- **Criterion 1:** Construction of the proposed Hotel would exceed the BAAQMD health risk significance thresholds.
- **Criterion 2:** Operation of the proposed Hotel would exceed the BAAQMD health risk significance thresholds.
- **Criterion 3:** The proposed Hotel would locate new sensitive receptors (residents) that could be subject to existing sources of TACs at the project site which exceed the BAAQMD cumulative health risk significance thresholds.

*Criterion 1: Project Construction Toxic Air Pollutants*

Construction activities would result in temporary emission of diesel particulate matter from vehicles, haul trucks, and heavy-duty construction equipment as well as the generation of fugitive dust from grading and ground-disturbing activities. As noted in the Construction Health Risk & Greenhouse Gas Assessment prepared for the project, the maximum cancer risks, annual PM<sub>2.5</sub> concentration, and hazard index (HI) from unmitigated construction activities of the proposed Hotel at the MEI location would not exceed the BAAQMD single source thresholds. In addition to analyzing single source impacts, the Assessment analyzes cumulative health risks which include substantial sources of TACs within 1,000 feet of the project site in addition to project construction activities. One stationary source (City of Petaluma diesel generator) is located within 1,000 feet of the project site. As shown in Table 4-5, the proposed project would not exceed the BAAQMD single- or cumulative-source thresholds for cancer risks, annual PM<sub>2.5</sub> concentration, or HI at the MEI location. Based on the analysis prepared for the proposed project as well as the requirement to comply with MM EKN AQ-1 which requires implementation of standard BMPs throughout the proposed Hotel’s construction, impacts to nearby sensitive receptors during project construction would be less than significant.

**Table 4-5: Impacts from Combined Source at Construction MEI**

Source	Cancer Risk (per million)	Annual PM <sub>2.5</sub> (ug/m <sup>3</sup> )	Hazard Index
<b>Project Impacts</b>			
Project Construction (Infant Scenario)	7.07	0.20	0.01
<i>BAAQMD Single Source Threshold</i>	<i>10</i>	<i>0.3</i>	<i>1.0</i>
Exceeds Threshold?	No	No	No
<b>Cumulative Impacts</b>			
Project Construction (Infant Scenario)	7.07	0.20	0.01
Cumulative Roadway	21.79	0.22	0.04
City of Petaluma (Facility #20509, Diesel Generator)	0.25	<0.01	<0.01
<b>Cumulative Total</b>	<b>29.11</b>	<b>&lt;0.43</b>	<b>&lt;0.06</b>

Source	Cancer Risk (per million)	Annual PM <sub>2.5</sub> (ug/m <sup>3</sup> )	Hazard Index
<i>BAAQMD Cumulative Thresholds</i>	<i>100</i>	<i>0.8</i>	<i>10.0</i>
Exceeds Threshold?	No	No	No
Notes: µg/m <sup>3</sup> = micrograms per cubic meter BAAQMD = Bay Area Air Quality Management District MEI = maximally exposed individual PM <sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter Sources: Bay Area Air Quality Management District (BAAQMD). 2022 CEQA Air Quality Guidelines Illingworth & Rodkin. Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment. September 11, 2023.			

*Criterion 2: Project-Specific Operational Toxic Air Pollutants*

At operation, the proposed Hotel would not generate air quality emissions in quantities that would affect nearby sensitive receptors. As a hotel with a restaurant, operational activities would be similar to existing commercial uses in the immediate vicinity. Traffic generated by the proposed project would consist of mostly light-duty gasoline-powered vehicles, which are not a significant source of TAC and air pollutant emissions. Thus, the proposed project would not generate a significant amount of diesel particulate matter (DPM) or other TAC emissions during operation and impacts to sensitive receptors during project operation would be less than significant.

*Criterion 3: The Project as a Receptor*

The proposed Hotel would not locate new sensitive receptors (residents, children, daycare, etc.) that could be subject to existing sources of TACs for extended periods of time at the project site. Therefore, this impact would be less than significant.

**Other Emissions or Odor**

There may be occasional localized odors during construction of the proposed Hotel associated with operation of heavy-duty equipment, paving, and application of architectural coatings. Any odors generated during construction would be temporary and not likely noticeable beyond the immediate construction zone. As a lodging use with an associated commercial component (e.g., restaurant), operation of the proposed project would not create objectionable odors affecting a substantial number of people. Therefore, the proposed project would have less than significant impacts to air quality due to objectionable odors introduced by the project.

**Cumulative Impacts**

The geographic scope of the cumulative air quality analysis is the San Francisco Bay Area Air Basin (Air Basin), which covers all or portions of the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Sonoma, and Solano. Air quality is impacted by topography, dominant air flows, atmospheric inversions, location, and season; therefore, the Air Basin represents the area most likely to be impacted by air emissions.

Future development as a result of the proposed Overlay and the Hotel, along with the cumulative projects listed Table 3-1, as well as other relevant cumulative projects as required by CEQA, would be subject to the 2017 Clean Air Plan and Plan Bay Area 2050. As noted above, the proposed project would not present a conflict with the Clean Air Plan and Plan Bay Area. As such, cumulative impacts would be less than significant. Moreover, the proposed project's contribution to less than significant impacts would not be cumulatively considerable. As discussed, the proposed Overlay and Hotel were determined not to conflict with the 2017 Clean Air Plan or Plan Bay Area 2050. Accordingly, neither the proposed Overlay nor the Hotel would result in a cumulative impact in this regard.

Air quality emissions associated with the proposed Hotel and future development as a result of the Overlay would result from short-term construction activities and ongoing operation. Other cumulative projects may also result in similar emissions. However, with the implementation of mitigation, related impacts would be less than significant and the proposed project's incremental contribution would not be cumulatively considerable. Accordingly, the proposed project would not result in a cumulative impact in this regard.

Development of the proposed Hotel, future development as a result of the Overlay, as well as development of cumulative projects, may result in emissions that could affect sensitive receptors. However, all development would be subject to BAAQMD health risk significance thresholds and be required to mitigate as necessary, similar to the mitigation required for the proposed Hotel. Furthermore, the proposed Hotel and future development as a result of the Overlay would consist of activities similar to commercial uses in the immediate vicinity and thus would not be expected to result in a significant source of emissions affecting sensitive receptors. Therefore, the proposed project's incremental contribution would not be cumulatively considerable and the proposed project would not result in a cumulative impact in this regard.

Construction and operation of the proposed Hotel, future development as a result of the Overlay, as well as development of cumulative projects may result in occasional localized odors. However, such odors are likely to be temporary and/or not create objectionable odors affecting a substantial number of people. Therefore, the proposed project's incremental contribution would not be cumulatively considerable and the proposed project would not result in a cumulative impact in this regard.

## Mitigation Measures

**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:

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.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
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.
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.

### 4.1.3 - Biological Resources

#### Downtown Housing and Economic Opportunity Overlay

##### ***Special-status Species, Sensitive Communities; Jurisdictional Waters; Wildlife Movement; Conflict with Local Policies or Ordinances***

The proposed Overlay component of the project would not result in direct physical development, and the parcels in the Overlay were already zoned as developable properties and impacts to biological resources were previously analyzed at these sites during the City's certification of the General Plan EIR and adoption of the City's Implementing Zoning Ordinance (IZO). No wetlands, riparian habitat, sensitive natural communities, or jurisdictional wetlands were identified within the Downtown Housing and Economic Opportunity Overlay; thus, it is not anticipated that site-specific biological resources analyses would be needed for future development proposals within the Overlay Area. Additionally, subsequent development proposals would be required to demonstrate compliance with State, federal, and local laws and regulations, and the applicable policies contained in the General Plan regarding special-status species and would be subject to independent discretionary review. As such, future development that is subject to site plan and architectural review requires a finding that the environmental impacts, including biological resources are avoided or mitigated to less than significant. Additionally, the proposed project would implement MM EKN BIO-1, which requires pre-construction nesting bird surveys and appropriate actions upon the discovery of active nests. Given that the Overlay is within an urbanized area of the City and that future site-specific proposals will be subject to discretionary review, compliance with CEQA, and compliance with applicable local regulations and implementation of MM EKN BIO-1, impacts to

biological resources as a result of the Overlay component of the proposed project would be less than significant.

### ***Conflict with Habitat Conservation Plan***

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other regional or State Habitat Conservation Plan that exists for Petaluma. Therefore, no impact would result due to a conflict with such plans.

### **EKN Appellation Hotel**

#### ***Special-Status Species***

The proposed Hotel is located on a site that was previously developed as a gas station and is within an established urban area. Given the disturbed nature of the site, the site does not contain suitable habitat for invertebrate, amphibian, or reptile special-status species. However, existing street trees proposed for removal may provide suitable nesting or roosting habitat for special-status bird species, including migratory birds that are protected under the Migratory Bird Treaty Act (MBTA) as well as special-status bat species. As proposed, the project would remove three street trees, including one along Petaluma Boulevard South (a 6-inch red maple) and two along B Street (8-inch red maples), which could potentially impact special-status species protected under the MBTA. The proposed project would be consistent with all federal, State, and local policies requiring protection of special-status species and supporting habitats within Petaluma, including the MBTA, California Department of Fish and Wildlife (CDFW) Fish and Game Code Sections 2000, 3503, 3503.5, 3513, and 4150, and General Plan Policy 4-P-3, which could require focused surveys and relocation of bats (if present) or obtaining required permits and agreements and compliance with the applicable policies contained in the General Plan. Additionally, the proposed project would implement MM EKN BIO-1, which requires pre-construction nesting bird and bat surveys and appropriate actions upon the discovery of active nests. Furthermore, EKN BIO-2, which requires incorporation of design features such as window screens and coverings, window glazing, and overhangs to minimize risks of collisions with migrating avian species. Lastly, the Hotel is subject to historic site plan and architectural review, which requires a finding that the environmental impacts, including those to biological resources, are avoided or mitigated to less than significant. Through compliance with all applicable federal, State, and local laws, as well as implementation of MM EKN BIO-1 and MM EKN BIO-2, impacts would be less than significant.

#### ***Riparian Habitat, Sensitive Natural Community; Jurisdictional Waters***

Vegetation on-site consists of ruderal habitat that is regularly disturbed through maintenance/mowing. There are no wetlands, riparian habitat, sensitive natural communities, or jurisdictional wetlands identified on-site. Given the sites location in an established urban area coupled with the lack of any natural community and that the site has previously been disturbed, development of the proposed Hotel would not result in substantial impacts to riparian habitat, other natural communities, or jurisdictional waters, nor would it conflict with any policies or program protecting riparian resources. Therefore, the proposed project would have no impact with respect to riparian habitat, sensitive natural communities, and jurisdictional waters.

### **Wildlife Movement**

Wildlife movement to and from the site is restricted by surrounding roadways, development, and perimeter fencing, and as such the project site does not serve as a suitable wildlife movement corridor. Given the surrounding urbanized context and provided that the height of the structure is similar to others within proximity to the site, impacts to bird migration are not anticipated, although the upper stories could result in bird strikes. To ensure impacts associated with bird collisions of upper story windows, the proposed Hotel shall implement MM EKN BIO-2, which requires incorporation of design elements that minimize the potential for bird collisions, including but not limited to window screens and coverings, window glazing, and overhangs. Additionally, the Hotel is subject to historic site plan and architectural review, which requires a finding that the environmental impacts, including those to biological resources, are avoided or mitigated to less than significant. With incorporation of MM EKN BIO-2, collision risks of migrating birds would be minimized and impacts of the proposed project would be reduced to less than significant.

### **Conflict with Local Policies or Ordinances**

There are no identified State or federal plans that include the project site for biological priority for protection and/or stewardship. As described above, the proposed Hotel includes removal of three street trees, consisting of one 6-inch and two 8-inch red maples. All trees proposed for removal are considered protected under the City's Tree Preservation Ordinance because the trees are located within the rights-of-way and as such are proposed to be replaced at a 1:1 ratio in compliance with the City's Tree Preservation Ordinance. As the project proposes replacement of the three protected trees to be removed, impacts due to a conflict with the City's Tree Preservation Ordinance would be less than significant.

### **Conflict with Habitat Conservation Plan**

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other regional or State Habitat Conservation Plan that exists for Petaluma. Therefore, no impact would result due to a conflict with such plans.

### **Mitigation Measures**

**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 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** 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.

### **Cumulative Impacts**

The geographic scope of the cumulative biological resources analysis is the project vicinity, primarily the Downtown urban area.

The Downtown urban area is largely built-up and cumulative past, present, and reasonably foreseeable projects are not expected to result in a significant impact on biological resources including special-status species, riparian habitat sensitive natural communities, jurisdictional waters, wildlife movement and local policy or ordinances consistency with the implementation of mitigation. As discussed above, the City has previously determined that there is a lack of ecologically sensitive resources in the area. Numerous laws and regulations are in place to protect biological resources, including, but not limited to the California Endangered Species Act (CESA), the Endangered Species Act, and the Clean Water Act. Cumulative development projects within the cumulative geographic context, would be required to comply with federal, State, and local laws and policies and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources. Because cumulative development would be required to comply with the above requirements, as well as the overall land use vision, design review regulations and policies in local and regional plans, including the Overlay, cumulative biological impacts would be less than significant.

Moreover, neither the proposed Overlay nor the Hotel would have a cumulatively considerable contribution to the less than significant cumulative impact to biological resources. As discussed, the proposed Hotel and future development as a result of the Overlay would be required to demonstrate consistency with State, federal, and local laws and regulations regarding biological resources. Additionally, the City has previously noted a lack of ecologically sensitive sites when certifying the General Plan EIR and there are no wetlands, riparian habitat, sensitive natural communities, or jurisdictional wetlands identified on the Hotel site. Accordingly, the proposed project's contribution would not be cumulatively considerable.

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other regional or State Habitat Conservation Plan that exists for Petaluma. Therefore, there would be no cumulative impact due to a conflict with such plans.

#### **4.1.4 - Energy**

##### **Downtown Housing and Economic Opportunity Overlay**

###### ***Wasteful, Inefficient, Unnecessary Consumption of Energy; Conflict with State or Local Plan***

The Overlay component of the proposed project would not result in direct physical development and as such would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Allowing for increased height, lot coverage, and floor area ratio (FAR), as well as allowing ground floor residential uses, would facilitate concentration of development proximate to existing goods,

services, and transit, which would in turn promote use of alternative modes of transportation, thereby reducing energy consumption associated with operation of automobiles. Additionally, any vacant parcel in the Overlay or parcel that increases its building square footage by more than 50 percent would be required to be all-electric in accordance with the City of Petaluma Municipal Code (Municipal Code) Chapter 17.09. As such, impacts resulting from wasteful, inefficient, or unnecessary consumption of energy resources associated with the Overlay component of the proposed project would be less than significant.

Plans addressing renewable energy and energy efficiency that are applicable to the Overlay component of the proposed project include the BAAQMD 2017 Clean Air Plan, State Alternative Fuels Plan, Petaluma General Plan, and Climate Emergency Framework.

#### *2017 Clean Air Plan*

As discussed in the Air Quality section of this document, the Overlay component of the proposed project supports the primary goals of the Clean Air Plan as it prioritizes densifying infill development in the City's Downtown where future residential and commercial uses would be proximate to transit. Proximity to goods, services, and transit would minimize reliance on auto travel and in turn reduce energy consumption associated with driving. Moreover, the Overlay Area is within a 0.5-mile radius of the Sonoma-Marin Area Rail Transit (SMART) station and the Copeland Transit Mall. Additionally, the City is in the process of implementing a free micro transit bus program that shuttles passengers to and from the Fairgrounds site, SMART station, and Downtown. These existing and planned services would also minimize and reduce energy consumption associated with driving. Therefore, the Overlay component of the proposed project would not conflict with or obstruct implementation of the BAAQMD 2017 Clean Air Plan, and impacts due to a conflict would be less than significant.

#### *State Alternative Fuels Plan*

In December 2007, the California Energy Commission prepared the State Alternative Fuels Plan in partnership with the California Air Resources Board and in consultation with the other State, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-State production. The plan assesses various alternative fuels and includes fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-State production of biofuels without causing a significant degradation of public health and environmental quality. The Overlay component of the proposed project would not result in physical development. Future development within the Overlay would be subject to independent discretionary review and at a minimum would be required to install energy conservation features in conformance with the latest building and energy codes. Furthermore, the concentration of development proximate to existing transit does not conflict with the overall goals of the plan as it would encourage alternative modes of transportation, thereby reducing consumption of fuels that emit criteria air pollutants, air toxics, GHGs, water pollutants, and other substances that are known to damage human health. As such, the Overlay component of the proposed project would not conflict with or obstruct implementation of the State Alternative Fuels Plan and impacts due to a conflict would be less than significant.



### *City of Petaluma General Plan 2025*

General Plan Goal 4-G-4 requires the City to reduce its dependency on nonrenewable energy sources in existing and proposed developments. Policy 4-P-18 establishes several approaches to lower energy consumption, beginning by utilizing energy building standards that exceed Title 24 “Energy Efficiency Standards for Residential and Nonresidential Buildings.” As described above, the City of Petaluma requires new construction to achieve California Green Building Standards Code (CALGreen) Tier 1 standards which reduce energy consumption and achieve energy efficiency approximately 30 percent beyond Title 24 as well as a construction waste reduction rate of 45 percent. Future development under the proposed Overlay would be subject to all applicable general plan policies and implementing regulations including Title 24 and CALGreen Tier 1. As such, impacts due to a conflict with renewable energy and energy efficiency General Plan policies and implementing regulations would be less than significant.

### ***Climate Emergency Framework***

As discussed above, the City Council adopted the Climate Emergency Framework on January 11, 2021. The Framework guides the City’s ongoing response to and discussion about the climate crisis and guides and informs subsequent policies and implementation strategies. The principles identified in the Framework establish Petaluma’s shared vision of a healthy, sustainable, and equitable community and advances the City’s objective of achieving carbon neutrality by 2030. As discussed in the Framework, in order to meet housing demand while reducing emissions, the City would need to embrace a new land use and transportation paradigm that ultimately reduces reliance on automobile travel. The proposed Overlay would concentrate growth in the downtown core, which is identified as the most walkable area of the City. Additionally, the proposed Overlay is within 0.5 mile of the SMART station and the Copeland Transit Mall. Furthermore, the City is implementing a free micro transit bus program that shuttles passengers to and from the Fairgrounds site, SMART station, and Downtown. These existing and planned services would further minimize and reduce energy consumption associated with driving. As such, the Overlay component of the proposed project is consistent with the Climate Emergency Framework, and impacts due to a conflict with the Framework would be less than significant.

### **EKN Appellation Hotel**

#### ***Wasteful, Inefficient, or Unnecessary Consumption of Energy***

Development of the proposed Hotel would involve the use of energy during construction and at operation. Site preparation, grading, paving, and building construction would consume energy in the form of gasoline and diesel fuel through the operation of heavy-duty off-road equipment, trucks, and worker trips. However, consumption of such resources would be temporary and cease upon completion of construction. Furthermore, the proposed Hotel would be required to implement MM EKN GHG-1, which includes the most recently adopted BAAQMD BMPs that would minimize the inefficient, wasteful, and unnecessary consumption of energy during construction in a variety of ways, including by limiting idling times, requiring that all construction equipment be maintained and properly tuned in accordance with manufacturer’s specifications, encouraging and providing carpools, shuttle vans, and transit passes for construction personnel, and developing a plan to efficiently use water for dust control to reduce the amount of energy expended for pumping water.

With implementation of BMPs set forth in MM EKN GHG-1, construction-related energy impacts associated with the proposed Hotel would be less than significant.

Long-term energy use would result from operation of the proposed Hotel and associated uses including the ground floor restaurant, rooftop bar, and event space and would include electricity consumption typically associated with commercial uses such as lighting, electronics, heating, air conditioning, and refrigeration, as well as energy consumption related to water usage, wastewater conveyance and treatment, solid waste disposal, and fuel consumption by vehicles associated with the project. As provided in Appendix A of the IS/NOP, the proposed project's electricity use was estimated using CalEEMod and is expected to be 1,031,560 kilowatt hour (kWh)/year (hotel, parking, and restaurant).<sup>4</sup> Furthermore, natural gas is precluded by the City of Petaluma in new construction. Accordingly, the proposed project would not consume natural gas during project operation. In addition to electricity consumption, operation of the proposed Hotel would result in consumption of petroleum-fuel related to vehicular travel to and from the site, including operation of the proposed valet system.

The City of Petaluma requires that all new developments demonstrate compliance with CALGreen Tier 1 building standards, which generally achieve energy efficiency approximately 30 percent beyond Title 24 as well as a construction waste reduction rate of 45 percent. CALGreen Tier 1 reduces energy consumption for heating, air conditioning, and ventilation and requires use of low water irrigation systems, water-efficient appliances and faucets, cool roofs, short- and long-term bicycle parking, electric vehicle charging spaces, outdoor energy performance lighting and other mandatory energy efficiency measures. Prior to issuance of a building permit, the proposed Hotel and associated site improvements would be required to demonstrate compliance with CALGreen Tier 1 standards or the most recent standards in effect at the time a building permit is issued. In addition, MM EKN GHG-2 will be required to comply with off-street electric vehicle (EV) requirements in the most recently adopted version of CALGreen Tier 2.

Landscaping has been designed to minimize water demand, which achieves energy conservation by limiting energy needs associated with water treatment, transport, and irrigation. Proposed landscaping includes a mix of very low water use trees, shrubs, and sedum mix, low water use shrubs, and medium water use trees, and various one- and five-gallon shrub species.

While the long-term operation of the proposed project would result in an increase in energy consumption compared to existing conditions, the proposed project would incorporate design measures related to electricity and water use in compliance with CALGreen, the General Plan, and the Petaluma Implementing Zoning Ordinance (IZO) to minimize energy consumption. Furthermore, Sonoma Clean Power is the default provider in the City of Petaluma and would provide clean energy from renewable resources. The proposed Hotel would be a new commercial use proximate to existing goods, services, and alternative transportation options, and in turn reducing energy consumption. Additionally, the Hotel is subject to historic site plan and architectural review (outlined in Appendix D), which requires a finding that the environmental impacts, including energy

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<sup>4</sup> Illingworth & Rodkin. Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment. September 11, 2023.

consumption, are avoided or mitigated to less than significant. As such, operation of the proposed Hotel would not result in the wasteful, inefficient, and unnecessary consumption of energy and impacts would be less than significant.

### ***Conflict with State or Local Plan***

The proposed Hotel represents one type of development that may be allowed under the Overlay. As described in the Energy Overlay discussion above, the location of the proposed Hotel proximate to goods, services, and transit would minimize reliance on auto travel and in turn reduce energy consumption associated with driving, which is consistent with the BAAQMD 2017 Clean Air Plan, State Alternative Fuels Plan, City of Petaluma General Plan, and City of Petaluma Climate Emergency Framework. Furthermore, as described above, construction of the proposed Hotel would be required to achieve CALGreen Tier 1 standards which reduce energy consumption and achieve energy efficiency approximately 30 percent beyond Title 24 as well as a construction waste reduction rate of 45 percent. In addition, MM EKN GHG-2 will be required to comply with off-street EV requirements in the most recently adopted version of CALGreen Tier 2. As such, impacts resulting from a conflict with a State or local plan for renewable energy or energy efficiency would be less than significant.

### **Cumulative Impacts**

The geographic scope of the cumulative energy analysis is the Overlay Area as well as adjoining areas served by the same energy providers. All of the projects included in Table 3-1 are within this geographic scope.

Past, present, and future development projects contribute to energy impacts. Cumulative development is not expected to result in wasteful, inefficient, unnecessary consumption of energy or conflict with a related State or local plan. Like the proposed project, future cumulative projects would be required to abide by federal, State, and local regulations related to energy, including compliance with all-electric regulations, local ordinances and policies that address energy conservation and energy efficiency, the latest California Energy Code, the 2017 Clean Air Plan, State Alternative Fuels Plan, Petaluma General Plan and Climate Emergency Framework. Accordingly, a significant cumulative impact would not occur in this regard. Additionally, the proposed project's incremental contribution would not be cumulatively considerable because, as described above, the proposed Overlay and Hotel would be consistent with federal, State, and local regulations. Furthermore, both the proposed Hotel and future development implementing the Overlay would introduce development in the City's downtown core, proximate to goods, services, and transit that would minimize reliance on auto travel and in turn reduce energy consumption associated with driving, which is consistent with the BAAQMD 2017 Clean Air Plan, State Alternative Fuels Plan, City of Petaluma General Plan, and City of Petaluma Climate Emergency Framework. Accordingly, the proposed project's incremental contribution to less than significant cumulative energy impacts would not be considerable.

## 4.1.5 - Geology, Soils, and Seismicity

### Downtown Housing and Economic Opportunity Overlay

#### **Faults**

Fault rupture occurs when the ground surface fractures from fault movement during an earthquake and almost always follows preexisting fault traces, which are zones of weakness. As shown on the California Department of Conservation's Earthquake Zones of Required Investigation,<sup>5</sup> no portion of the City of Petaluma overlaps with an Alquist-Priolo Earthquake Fault Zone nor are there identified active faults traversing the City, including the Overlay Area. As such, there is no expectation that future development under the proposed Overlay would be vulnerable to fault rupture. There is no risk of fault-related ground rupture during earthquakes within the limits of the Overlay due to a known Alquist-Priolo Earthquake Fault Zone. Therefore, there are no impacts due to a fault rupture.

#### **Faults; Ground Shaking; Ground Failure, Including Liquefaction; Landslides; Erosion; Unstable Geologic Unit; Expansive Soils**

As shown on Figures 3.7-4 and 3.7-5 of the City of Petaluma General Plan EIR, areas within the proposed Overlay are in a seismically active area. As shown on Figure 3.7-4, in the event of a magnitude 7.1 earthquake emanating from the Rodgers Creek–North Hayward Fault, parcels within the Overlay would be subject to very strong ground shaking intensity, with other areas of the City experiencing moderate to very violent ground shaking. In addition to ground shaking, the Metropolitan Transportation Commission (MTC)/Association of Bay Area Governments (ABAG) Hazard Map Viewer indicates Areas A, B, and C of the proposed Overlay have a moderate liquefaction potential.<sup>6</sup> Though parcels within the proposed Overlay are relatively flat, portions of Area C are proximate to sloped areas with the potential to experience landslides. All future development proposed within the Downtown Housing and Economic Opportunity Overlay will be required to be built in conformance with the standards set forth in the most recent California Building Standards Code (CBC), Title 24, Part 2 (CBC 3.7-20 Chapter 3: Setting, Impacts, and Mitigation Measures) and the California Public Resources Code, Division 2, Chapter 7.8 (the Seismic Hazards Mapping Act), which address potential impacts from seismic shaking. Additionally, consistent with General Plan Policy 10-P-1, site-specific geotechnical studies will be required to identify site-specific geologic conditions, identify if a future development project is geotechnically feasible, and provide design criteria and other site- and project-specific recommendations to address geotechnical hazards.

The proposed Overlay component of the project would increase the height, lot coverage, and FAR permitted in areas that have already been anticipated for development or are already developed. Through compliance with applicable building codes and General Plan Policy 10-P-1 requiring site-specific geotechnical analysis, impacts of future development related to substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, landslides, and

<sup>5</sup> California Department of Conservation, Earthquake Zones of Required Investigation. Website: <https://maps.conservation.ca.gov/cgs/eqzapp/app/>. Accessed June 1, 2024.

<sup>6</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). Hazard Viewer Map, Layer: Earthquake Liquefaction Susceptibility. Website: <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>. Accessed June 1, 2024.

liquefaction; location on a geologic unit or soil that is unstable, or that would become unstable as a result of development, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; and location on a site with expansive soils that could create substantial direct or indirect risks to life or property would be less than significant.

Future development under the proposed Overlay also has the potential to result in soil erosion resulting from construction activities, however, as is required by all projects in the City of Petaluma, compliance with the Grading and Erosion Control Ordinance #1576 set forth in Title 17, Chapter 17.31 of the Municipal Code would be required, which would reduce impacts associated with soil erosion to less than significant.

### ***Septic Tanks***

All areas of the proposed Overlay are located within an urbanized area of the City and are served by existing sewer systems that treat all wastewater effluent generated within the Urban Growth Boundary (UGB). Future development under the Overlay would not use septic tanks or alternative wastewater disposal systems and therefore, there would be no impact resulting from the adequacy of soils to support septic tanks or other wastewater disposal system as a result of the proposed Overlay.

### ***Paleontological Resources***

The General Plan does not identify the presence of any paleontological or unique geological resources within the boundaries of the UGB. Regional geologic mapping indicates that the UGB is within Holocene-age estuarine deposits (Qhbm), Holocene-age terrace deposits (Qhty), and the Miocene-age Wilson Grove Formation. A review of the University of California Museum of Paleontology's (UCMP's) online fossil database and published scientific literature revealed 11 fossil localities (vertebrate, invertebrate, plant, and microfossil) from Holocene-age deposits within Sonoma County. Only one locality is listed as being in or near Petaluma; the locality is named Petaluma Marsh and represents a plant and microfossil locality. The records search also revealed two vertebrate localities from the Wilson Grove Formation within Sonoma County; this locality is named Steinbeck Ranch and is not inferred to be near the project site. The majority of sites within the proposed Overlay are developed and have experienced ground disturbance from previous development activities. Moreover, the parcels within the Overlay were already developable. All future development projects would be subject to standard conditions of approval that address accidental discovery of a paleontological resource, and as such impacts resulting from the destruction of a unique paleontological resource, site, or geologic feature would be less than significant.

## **EKN Appellation Hotel**

### ***Faults***

As noted above, no portion of the City of Petaluma overlaps with an Alquist-Priolo Earthquake Fault Zone nor are there identified active faults traversing the City. As such, there is no expectation that the proposed Hotel would be vulnerable to fault rupture and there is no risk of fault-related ground

rupture during earthquakes within the limits of the Hotel site due to a known Alquist-Priolo Earthquake Fault Zone. Therefore, there are no impacts due to a fault rupture.

### **Ground Shaking**

The intensity of earthquake motion will depend on the characteristics of the generating fault, distance to the fault and rupture zone, earthquake magnitude, earthquake duration, and site-specific geologic conditions. Faults affecting the proposed Hotel site include Rodgers Creek (5.4 miles), San Andreas (14.7 miles), West Napa (17.8 miles), Hayward (19 miles), and Maacama (21.1 miles). The Rodgers Creek Fault is the nearest to the site and presents the highest potential for ground shaking. Introduction of the proposed Hotel has the potential to expose people and structures to potentially substantial adverse effects resulting from strong seismic ground shaking. The resultant vibrations could cause primary damage to buildings and infrastructure with secondary effects being ground failures in loose alluvium and poorly compacted fill. Both the primary and secondary effects of seismic activity pose a risk of loss of life or property.

Conformance with standards set forth in the Building Code of Regulations, Title 24, Part 2 (CBC 3.7-20 Chapter 3: Setting, Impacts, and Mitigation Measures) and the California Public Resources Code, Division 2, Chapter 7.8 (the Seismic Hazards Mapping Act) would ensure that potential impacts from seismic shaking are less than significant. Additionally, as set forth in MM EKN GEO-1, all recommendations outlined in the Geotechnical Investigation for the proposed Hotel shall be incorporated into construction-level drawings and subject to review and approval by the City Engineer. Through compliance with building code standards and incorporation of site-specific geotechnical recommendations, impacts resulting from substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, would be less than significant.

### **Liquefaction**

Seismically induced ground failure can occur during strong earthquakes, which could potentially expose people and property to risks. Liquefaction is the rapid transformation of saturated, loosely packed, fine-grained sediment to a fluid like state as a result of ground shaking. As shown on the MTC/ABAG Hazard Viewer Map and as described in the Geotechnical Investigation, the potential for liquefaction at the Hotel site is moderate. The project's Geotechnical Investigation evaluated the potential for liquefaction utilizing data from borings taken on-site. The analysis concluded that several localized soil layers may liquefy during a strong seismic event, translating to a low to moderate potential for liquefaction and post liquefaction settlement. To address potential liquefaction and post liquefaction settlement, the Geotechnical Investigation provides specific foundation design recommendations which shall be incorporated into construction-level drawings subject to review and approval by the City of Petaluma, consistent with MM EKN GEO-1. Incorporation of site and project-specific geotechnical recommendations as set forth in MM EKN GEO-1 would reduce impacts resulting from substantial adverse effects, including the risk of loss, injury, or death involving liquefaction, to less than significant.

### **Landslides**

Landslides are typically limited to relatively steep slopes or slopes underlain by geologic units that have demonstrated stability problems in the past (e.g., weak materials). The Hotel site is generally

flat and is not at risk of exposure to landslides. Therefore, there are no impacts associated with landslides.

### ***Erosion***

In general, sandy soils on moderate slopes and clayey soils on steep slopes are susceptible to erosion when exposed to concentrated water runoff. The Hotel site is relatively flat and as such, substantial erosion during operation of the proposed Hotel is not likely. However, localized erosion due to concentrated surface water flows and loss of topsoil could occur during project construction. MM EKN GEO-2 requires submittal of an erosion control plan identifying measures to be implemented during construction and establishing provisions for grading activity during the rainy season, consistent with the City's Grading and Erosion Control Ordinance. With implementation of MM EKN GEO-2, impacts associated with soil erosion would be reduced to less than significant.

### ***Unstable Geologic Unit***

The project site is generally flat, exhibiting minimal grade. Through compliance with standard building code requirements, impacts related to location on an unstable geologic unit during project operation would be less than significant. As discussed in the Geotechnical Investigation, excavation of the subterranean parking garage during project construction could result in settlement and lateral movement that could impact adjacent buildings, if not properly controlled. To address potential impacts, the proposed project shall implement MM EKN GEO-3 which requires the applicant/contractor to perform a damage assessment for all existing adjacent structures and improvements prior to commencing construction activities. In addition to the pre-construction assessment, MM EKN GEO-3 requires installation and periodic measurement of vertical and lateral control points to determine whether any vertical or lateral movement is occurring. With implementation of MM EKN GEO-3, impacts resulting from location on a geologic unit or soil that is unstable, or that would become unstable during project construction, would be reduced to less than significant.

### ***Expansive Soils***

Expansive soils shrink and swell with variations in moisture content and are a concern as they are capable of exerting expansion pressure on buildings and improvements. As noted in the Geotechnical Investigation, soil borings taken from the Hotel site indicate the presence of medium plasticity clays and clayey sands, which have a low to moderate expansion potential. To ensure expansive soils do not result in significant impacts, recommendations set forth in the Geotechnical Investigation and as directed by the City Engineer shall be implemented in accordance with MM EKN GEO-1. Measures to correct expansive soils include but are not limited to moisture conditioning soils on-site until imported aggregate base or surface flatwork is completed. With implementation of MM EKN GEO-1, potential impacts due to the presence of expansive soils would be reduced to less than significant levels.

### ***Septic Tanks***

The proposed Hotel would be served by existing sewer systems that treat all wastewater effluent generated within the UGB and as such would not require the use of septic tanks or alternative

wastewater disposal systems. Therefore, there would be no impact resulting from the adequacy of soils to support septic tanks or other wastewater disposal system as a result of the proposed Hotel.

### ***Paleontological Resources***

As noted previously, the Petaluma General Plan does not identify the presence of any paleontological or unique geological resources within the boundaries of the UGB. However, a review of the UCMP fossil database and published scientific literature indicates that paleontological resources have been discovered in Petaluma. The Holocene-age deposits are considered to have a low potential to contain significant paleontological resources at the surface, and the potential increases to moderate for the deeper layers of these deposits. The Wilson Grove Formation is considered to have a high potential to contain significant paleontological resources based on previous finds from this formation; however, the Wilson Grove is not mapped at the surface at the EKN Appellation Hotel site.

Holocene-age alluvial deposits have a low to moderate potential to contain significant paleontological resources, depending on the depth of excavation. The Wilson Grove Formation has a high potential to contain significant paleontological resources. Generally, any excavation into previously undisturbed sediments with a high potential to contain significant paleontological resources would be considered a potentially significant impact. However, due to soil contamination at the project site, there has been extensive ground disturbance and soil excavation.

The Hotel site is the location of a former Chevron gas station and there have been several underground storage tanks (USTs) installed and removed from the project site, along with approximately 1,200 cubic yards of contaminated soil. Additionally, borings taken at the project site indicates there is fill material underlying the project site from 0 to 10 feet below ground surface (BGS). Alluvial deposits were encountered from 10 to 43 feet BGS, and claystone bedrock was encountered from 43 to 71.5 feet BGS.

Because of the past remediation activities at the project site, the ground has been significantly disturbed. Fossils discovered in disturbed sediments have lost geologic context and are not considered significant under CEQA. However, if construction activities involved excavation into previously undisturbed sediments with high potential to contain fossils and they were inadvertently destroyed, that would be a significant impact.

There is limited expectation that paleontological resources are present within the first 10 feet BGS at the project site. However, potential remains for the discovery of buried paleontological resources beneath 10 feet BGS. To avoid impacts to significant paleontological resources, implementation of MM EKN GEO-4 would be required. With implementation of MM EKN GEO-4, impacts to paleontological or unique geological resources would be reduced to less than significant.

### **Mitigation Measure**

**MM EKN GEO-1** 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.

**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 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.

**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.

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.

**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 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.

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.

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).

## Cumulative Impacts

The geographic scope of the cumulative geology, soils and seismicity analysis is the Overlay Area as well as adjoining Downtown areas. However, potentially adverse environmental effects associated with seismic hazards, as well as those associated with expansive soils, topographic alteration, and erosion, usually are site-specific and generally do not result in cumulative effects.

There is no risk of fault-related ground rupture during earthquakes within the limits of the Overlay or on the Hotel site due to a known Alquist-Priolo Earthquake Fault Zone. Therefore, the proposed project would not combine with past, present, or reasonably foreseeable projects to have a cumulative impact. Accordingly, no significant cumulative impacts would occur in this regard.

Cumulative projects would be required to comply with federal, State, and local regulations related to geology, soils and seismicity. Cumulative projects could be exposed to moderate to strong ground shaking during seismic events, but the development of individual projects would not increase the potential for impacts to occur. New buildings would be constructed utilizing current design and construction methodologies for earthquake resistant design as required by relevant regulations, including the Overlay. Compliance with the CBC, National Pollutant Discharge Elimination System

(NPDES) permits, laws, and regulations mentioned above would ensure that cumulative development would have less than significant impacts regarding geology, soils, or seismicity. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

Neither future development under the proposed Overlay nor the Hotel would use septic tanks or alternative wastewater disposal systems and, therefore, the proposed project would have no contribution to any cumulative impact resulting from the adequacy of soils to support septic tanks or other wastewater disposal systems.

Any cumulative project involving earthmoving activity could potentially result in inadvertent discovery and disturbance of paleontological resources during grading and excavation work; these inadvertent discoveries could create potentially significant impacts. As discussed above, there have been paleontological resources discovered in the City; however, at the project site, the likelihood of encountering paleontological resources is low. This indicates that potential cumulative impacts related to paleontological resources is unlikely. Moreover, parcels within the Overlay were already able to develop and this impact was analyzed under the General Plan EIR, and the Overlay just allows greater height, FAR, and lot coverage. Nonetheless, inadvertent discovery of paleontological resources could occur. Accordingly, all future development projects would be subject to standard conditions of approval that address accidental discovery of a paleontological resource, and as such cumulative impacts resulting from the destruction of a unique paleontological resource, site, or geologic feature would be less than significant. As discussed above, the proposed project's incremental contribution to the less than significant cumulative impact would not be cumulatively considerable with adherence to existing regulations and incorporation of mitigation related to inadvertent discovery.

#### **4.1.6 - Greenhouse Gas Emissions**

##### **Downtown Housing and Economic Opportunity Overlay**

###### ***Significant GHG Emissions; GHG Plan Conflict***

The Overlay component of the proposed project would not result in direct physical changes to the environment. Future development applications within the proposed Overlay would be subject to independent discretionary review, including an independent CEQA analysis and would be evaluated on a project-by-project basis to determine potential GHG impacts. Depending on the type of future proposed development, project-specific GHG analysis would be required to analyze impacts associated with GHG emissions during construction and operation, and to identify any necessary mitigation measures to reduce impacts of GHGs. As there is no physical development proposed by the Overlay component of the project and future projects facilitated by the Overlay would be subject to independent CEQA review, GHG impacts of the Overlay component of the proposed project would be less than significant.

While parking is not a physical impact on the environment that CEQA typically analyzes, the secondary effects of parking can be an impact—for instance, an increase of vehicle emissions could result from visitors driving around looking for parking. When parking is limited, it encourages the use

of alternative modes of transportation such as public transit, biking, and walking. This shift can lead to fewer cars on the road, thereby reducing GHG emissions. Additionally, per AB 2712, since most of the Overlay is within 0.5 miles of the SMART Station, the City cannot impose parking minimums on those properties. Additionally, future development in the Overlay would be reviewed by the City at the time applications are deemed complete and the secondary effects, if any, related to parking that have an adverse impact on the environment would be included as part of that process. Moreover, development is already permitted on the sites within the Overlay. The Overlay ordinance provides the opportunity to increase height, FAR, and lot coverage, but density remains the same.

Accordingly, the current General Plan EIR analyzed the impacts associated with development in the Overlay Area and surrounding downtown. To increase height and/or lot coverage will require a discretionary Conditional Use Permit (CUP), which requires a finding that the additional height is not a detriment to health, which may include lack of parking.

As discussed in the Air Quality and Energy sections of this document, the proposed project supports existing State, regional, and local plans and policies adopted for the purpose of reducing the emissions of GHGs. The Overlay component of the proposed project would allow for greater intensity of use through increased building height, lot coverage, and FAR, which would allow for a higher concentration of infill growth in the City's Downtown area, which has nearby public transit, thereby reducing reliance on automobile travel, and in turn reducing GHG emissions. As such, the Overlay component of the proposed project would not conflict with a plan, policy, or regulation adopted for the purpose of reducing GHG emissions and impacts would be less than significant.

## **EKN Appellation Hotel**

### ***Significant GHG Emissions***

GHG emissions associated with the proposed project would result from short-term construction activities and ongoing operation. Impacts from construction and operations of the proposed Hotel are discussed separately below.

#### *Construction Emissions*

Construction of the proposed project would result in GHG emissions from heavy-duty construction equipment, worker trips, and material delivery and hauling. Construction GHG emissions are short term and would cease once construction is complete. GHG emissions associated with construction were estimated as part of the Construction Health Risk and Greenhouse Gas Assessment (Appendix A of the IS/NOP) prepared for the subject project. GHG emissions are projected to be 481 metric tons (MT) of carbon dioxide equivalent (CO<sub>2</sub>e) over the estimated 19-month construction period. Though BAAQMD does not have established thresholds of significance for GHG emissions resulting from construction activities, the 2022 CEQA Guidelines state that BMPs to reduce GHG emissions during construction should be incorporated. Consistent with the BAAQMD 2022 CEQA Guidelines, the proposed project shall implement MM EKN GHG-1, which requires incorporation of BMPs throughout construction to control for construction-related GHG emissions. With incorporation of MM EKN GHG-1, emissions generated during construction of the proposed Hotel would be minimized and impacts resulting from construction of the proposed Hotel would be reduced from potentially significant to less than less than significant.

### *Operational Emissions*

As discussed in the Construction Health Risk and Greenhouse Gas Assessment, the proposed project is consistent with BAAQMD's thresholds for land use projects in that it would not include natural gas appliances or natural gas plumbing and would not result in wasteful use of energy as analyzed in the Energy section of this document. The project's energy would be supplied by Sonoma Clean Power, which procures more than 50 percent of its energy supply from renewable, carbon-free energy sources (the current energy mix in California is 35.8 percent).<sup>7</sup> The proposed project would be consistent with Title 24 Building Efficiency Standards, would comply with the California Energy Commission's standards for lighting efficiency, and would comply with lighting standards. As discussed further in the Transportation section of this document, the proposed project would not result in significant Vehicle Miles Traveled (VMT) impacts and, as set forth in MM EKN GHG-2, will be required to comply with off-street EV requirements in the most recently adopted version of CALGreen Tier 2. MM EKN GHG-2 is required for the proposed project to meet the BAAQMD's performance-based thresholds, and impacts would be potentially significant prior to incorporation of mitigation. In addition, the Assessment includes an estimate of the proposed Hotel's annual GHG emissions for informational purposes only. As provided therein, annual GHG emissions are estimated to be 801 MT CO<sub>2</sub>e, with the majority of emissions (93 percent) attributable to mobile (AKA vehicular) sources. Based on the project's consistency with BAAQMD's most recently adopted thresholds for land use projects, as well as the project's requirement to comply with MM EKN GHG-2, impacts resulting from GHG emissions at project operation would be less than significant.

### **GHG Plan Conflict**

The City of Petaluma has adopted GHG emission reduction policies and programs as part of the General Plan. These policies and programs address energy efficiency, transportation, conservation and provide educational programs. Additionally, the City adopted CALGreen Tier 1 standards, which include a detailed list of green building features that address energy efficiency, water efficiency, waste reduction, material conservation, and indoor air quality.

The proposed project is required to comply with the CALGreen Building Tier 1 Standards and Building & Energy Efficiency Standards, which provides for increased energy efficiency and an associated reduction in GHG emissions and is also subject to MM EKN GHG-2, requiring compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2, per the BAAQMD's performance-based thresholds. MM EKN GHG-2 is required for the proposed project to meet the BAAQMD's performance-based thresholds, and impacts would be potentially significant prior to incorporation of mitigation. As with all energy users in the City of Petaluma, the proposed project's electricity would be provided by Sonoma Clean Power, which relies on renewable energy and minimizes GHG emissions from energy production. Additionally, the proposed project includes water-efficient landscaping, complies with the maximum applied water allowance and the City's water conservation regulations, includes six EV charging spaces within the subterranean parking garage, exceeds the on-site bicycle parking requirement, would be near the free micro transit shuttle that drops off visitors downtown from either the SMART station or Fairgrounds property, and would

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<sup>7</sup> Sonoma Clean Power. 2024. Website: <https://sonomacleanpower.org/uploads/documents/Power-Content-Label-2022-Web.pdf>. Accessed July 30, 2024.

provide a bus stop along Petaluma Boulevard North, approximately 200 feet north of the site, thereby increasing access to the site by alternative modes of transportation.

As proposed, and through compliance with CALGreen Tier 1 building standards and CALGreen Tier 2 requirements for off-street EV requirements (MM EKN GHG-2), the proposed project would be consistent with relevant General Plan policies and other City regulations including those intended to reduce GHG emissions. Furthermore, as discussed in the Air Quality and Energy sections of this document, the proposed project is consistent with State and regional plans intended to reduce GHG emissions. Therefore, potential impacts due to a conflict with a plan, policy, or regulation adopted for the purpose of reducing GHG emissions would be less than significant.

### Mitigation Measures

- MM EKN GHG-1** 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.
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 checked by a certified mechanic and determined to be running in proper condition prior to operation.

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.
10. Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.
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.
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.
13. Minimize energy used during site preparation by deconstructing existing structures to the greatest extent feasible.
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.
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.
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.
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.
18. Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.

**MM EKN GHG-2** 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.

### Cumulative Impacts

GHG emissions are not confined to a particular air basin but are dispersed worldwide and therefore widely acknowledged as a significant cumulative impact.

The proposed project would result in a less than significant contribution to potential cumulative impacts related to GHG emissions and would not conflict with GHG plans with the implementation of mitigation and compulsory conformance with applicable federal, State, and local regulations. Individual projects implementing the Overlay would be required to comply with City ordinances and

current General Plan policies to reduce GHG emissions. Additionally, the proposed Hotel would be consistent with the State's GHG reduction goals, including with all applicable planning documents. Accordingly, the proposed project's incremental contribution would not be cumulatively considerable.

#### 4.1.7 - Hazards and Hazardous Materials

##### Downtown Housing and Economic Opportunity Overlay

###### ***Routine Transport; Upset and Accident Involving Release***

Though the proposed Overlay would not result in direct physical development, it is reasonably foreseeable that future construction activities would result in the temporary presence of potentially hazardous materials including, but not limited to fuels and lubricants, paints, solvents, insulation, electrical wiring, and other construction-related materials on-site. Although these potentially hazardous materials may be present on sites within the Overlay Area during construction, compliance with all existing federal, State, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials would be required. Additionally, as the Overlay increases the site's FAR coverage and allowable height, development was already anticipated on the parcels within the Overlay and analyzed as part of the General Plan and Zoning Ordinance EIRs.

Future uses within the Overlay may include the routine transport, use, or disposal of hazardous materials. Such uses, which are subject to review and approval of a CUP, include artisan/craft product manufacturing, building and landscape materials sales, and utility facilities. All such uses proposed in the future would be subject to discretionary review, would be required to disclose any activities involving the routine transport, use, or disposal of hazardous materials, and would be subject to compliance with all applicable federal, State, and local safety regulations. As part of the discretionary review process, a Phase I Environmental Site Assessment (ESA) may be required depending on site-specific development proposals and will consider present and former uses of the site. Typically, a Phase I ESA is requested for proposed demolition of existing structures or on a site where former uses may have resulted in the release of hazardous materials (e.g., auto care uses, dry cleaners, etc.). In the event that hazardous materials are present on-site, approved remediation actions would be identified and required to ensure that the release of hazardous materials into the environment does not occur.

There is a potential that asbestos-containing material (ACM) and lead-based paint (LBP) may be present in existing structures within the Overlay. If such materials are present and demolition activities are proposed in the future, demolition of such structures could release ACM and LBP, potentially impacting people and the environment. However, consistent with federal regulations, an asbestos and LBP survey would be required prior to demolition as well as compliance with Occupational Safety and Health Administration (OSHA) procedures for removal and disposal.

Through compliance with all existing federal, State, and local safety regulations potential impacts related to the transportation, use, handling, storage, and disposal of potentially hazardous materials



and the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

### ***Emit or Handle Hazardous Materials Within 0.25 Mile of School***

The nearest schools to Areas A, B, and C of the proposed Overlay include St. Vincent Elementary School (246 Howard Street; 0.1 mile from Area C), Petaluma High School (201 Fair Street; 0.6 mile from Areas A and B), Live Oak Charter School (100 Gross Concourse; 0.8 mile from Area A), and McNear Elementary School (605 Sunnyslope Avenue; 1 mile from Area A). Though no physical development would occur as a result of the proposed Overlay, future development may involve the handling of hazardous materials during construction and operation, which could occur within 0.25 mile of a school. Any such handling of hazardous materials would be required to adhere to existing federal, State, and local regulations, which would ensure that all potentially hazardous materials on-site are properly labeled, transported, and stored. Established policies and programs set forth by the EPA, California Department of Toxic Substances Control (DTSC), California Occupational Health and Safety Administration (CAL/OSHA), and other regulatory agencies provide that the presence of potentially hazardous materials occurs in the safest possible manner by reducing the risk of accidental release and ensuring that a response plan is in place. Furthermore, the Petaluma Fire Prevention Bureau regulates hazardous materials within the City of Petaluma. If construction activities associated with future development under the proposed Overlay involve the on-site storage of potentially hazardous materials, a declaration form filed with the Fire Marshal's office would be required to obtain a hazardous materials storage permit. Compliance with federal, State, and local regulations would ensure that the emission or handling of hazardous materials, substances, or waste within one-quarter mile of a school would be less than significant.

### ***Government Code Section 65962.5 Site***

As described above, four sites (two within Area A and two within Area C) are identified as Leaking Underground Storage Tank (LUST) cleanup sites by the California State Water Resources Control Board (State Water Board), and one site within Area C is identified as a Voluntary Cleanup Site by DTSC. The proposed Overlay would not result in direct physical development, but it is reasonable to assume that future development of sites within the Overlay would occur. However, development of these areas is currently allowed under existing regulations, which was already analyzed during the General Plan EIR. All four LUST cleanup sites identified above have been remediated and have a closed case status, meaning that no additional remediation is needed for their current use. The property located at 214 Western Ave, within Area C, is limited to commercial development only and is subject to an existing workplan intended to remove contaminants identified on-site. Though some sites located within the proposed Overlay are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, redevelopment of these sites which could occur as a result of the proposed Overlay would not create a significant hazard to the public or the environment as they are already remediated or have plans for remediation. Furthermore, all future projects occurring within the boundaries of the Overlay would be subject to independent discretionary review and would be required to demonstrate that there are no hazardous materials present on-site, or that any hazardous materials that may be present are within acceptable levels identified by the applicable regulatory authority (e.g., Regional Water Quality Control Board

[RWQCB] and/or DTSC). As such, sites within the proposed Overlay being included on a list of hazardous materials sites would not create a significant hazard to the public or the environment and impacts would be less than significant.

### ***Public Airport Land Use Plan***

All portions of the proposed Overlay are outside the boundaries of an airport land use plan and are not located in close proximity to a private airstrip. The Petaluma Municipal Airport is the nearest public airport and is located approximately 3 miles northeast of the proposed Overlay Areas. Based on the distance of the proposed Overlay to the nearest airport and location outside of an airport land use plan, no impacts resulting from a safety hazard or excessive noise for people residing or working in the area as a result of future development under the Overlay would occur.

### ***Impair Emergency Response Plan***

The proposed Overlay would not result in physical changes to the environment and would therefore not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Future development of sites within the boundaries of the Overlay would be subject to independent discretionary review and would be required to demonstrate, to the satisfaction of the City's Fire Department, that the proposed project would not alter any emergency response or evacuation routes and that site-specific access adequately accommodates emergency vehicles and provides connectivity to the existing circulation and street system. Additionally, the sites within the proposed Overlay were already developable and impact on emergency response was previously analyzed under the General Plan EIR at buildout. As such, impacts to an emergency response plan or emergency evacuation plan as a result of the proposed Overlay would be less than significant.

### ***Wildland Fires***

Wildland fires are of concern particularly in expansive areas of brush, woodland, and grassland. The Overlay Area is not categorized as a Very High Fire Hazard Severity Zone (VHFHSZ) by the California Department of Forestry and Fire Protection (CAL FIRE) and is surrounded by urban uses. Therefore, future development proposed under the Overlay would result in less than significant impacts related to the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires.

## **EKN Appellation Hotel**

### ***Routine Transport***

The proposed Hotel would involve site preparation, construction activities, and material delivery and off-haul that may result in the temporary presence of potentially hazardous materials on-site including, but not limited to fuels and lubricants, paints, solvents, insulation, and electrical wiring on-site. Although these potentially hazardous materials may be present on-site during construction, the applicant/developer would be required to comply with all existing federal, State, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials. Additionally, throughout project construction, implementation of BMPs in accordance with the State Water Board and City of Petaluma requirements will be required, which

include measures to prevent spills and require on-site materials for cleanup and obtaining a special discharge permit from the City for management of groundwater generated during construction dewatering. If construction activities involve on-site storage of potentially hazardous materials, a declaration form filed with the Fire Marshall's office would be required to obtain a hazardous materials storage permit.

Operational activities would be limited to the proposed Hotel and associated uses (restaurant, rooftop bar/restaurant, and event space), which do not require the use of hazardous materials nor generate hazardous waste beyond the use of common cleaners, solvents, and landscaping products. The use of such products does not present a significant hazard to people or the environment as such cleaning and landscaping products would be handled, transported, and stored in a manner that complies with all existing federal, State, and local regulations. Therefore, impacts due to the routine transport of hazardous materials and hazardous waste would be less than significant.

### ***Upset and Accident Involving Release***

As described above, the Hotel site is listed as a LUST cleanup site by the State Water Board, which issued a case closure letter in 2020 confirming the completion of site investigation and remedial action. Though the case status is complete, due to the amount of excavation proposed for the Hotel, there remains a potential for contaminated soils to be encountered during construction activities. To protect people and the environment from exposure to contamination, the applicant would be required to comply with MM EKN HAZ-1, which requires preparation of a site- and project-specific Health and Safety Plan (HASP) and Soil Management Plan (SMP), subject to review and approval by the Sonoma County Department of Health Services and the RWQCB.<sup>8</sup> With implementation of MM EKN HAZ-1, potential impacts associated with the release of hazardous materials into the environment and exposure to people during project construction would be less than significant.

In addition to complying with the HASP and SMP to ensure impacts during construction would be less than significant, the applicant would also be required to comply with MM EKN HAZ-2, which ensures compliance with all requirements of the Draft Residual Risk Management Plan, unless determined to be inapplicable by the appropriate regulatory authority (e.g., Sonoma County Department of Public Health; RWQCB, etc.). As set forth therein, the owner/operator would be required to notify the Sonoma County Department of Public Health and/or RWQCB if disturbance to any vapor barrier occurs and to provide annual reporting of the type, cause, location, and date of all of the previous year's disturbance, if any. As discussed previously, the use of hazardous materials for proposed Hotel operations would be limited to commercially available cleaners, solvents, and landscaping products. The handling and use of such products is typical of commercial, and hotel uses, and the owner/operator would be required to comply with all federal, State, and local requirements for handling such products. With implementation of MM EKN HAZ-2 and through compliance with federal, State, and local regulations, impacts associated with the release of hazardous materials into the environment and exposure to people during Hotel operation would be less than significant.

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<sup>8</sup> Required pursuant to Exhibit B, Draft Residual Risk Management Plan of the Covenant and Environmental Restriction on Property. Filed with the Sonoma County Clerk-Recorder 2/13/2019.

### **Emit or Handle Hazardous Materials within 0.25 Mile of School**

The Hotel site is not located within 0.25 mile of any existing or proposed schools. The closest school, Petaluma High School is located approximately 0.6 mile from the Hotel site. As such, the proposed Hotel would have no impacts related to the emission of hazardous materials or waste within 0.25 mile of a school.

### **Government Code Section 65962.5 Site**

As described in the setting discussion of this section, the Hotel site was operated as a gas station from approximately 1923 to 2009 and was subject to remediation actions beginning in 1988 when it was listed as a LUST cleanup site. In April 2019, the Hotel site was determined to meet the Low Threat Closure Policy, and a Covenant and Environmental Restriction was filed against the property with the Sonoma County Clerk-Recorder, limiting use of the property to industrial, commercial, mixed-use, office, or related uses and prohibiting human habitation, hospitals, schools for persons under the age of 21, and daycare centers on the ground floor of the property. The proposed Hotel does not include any hotel rooms on the first floor. The Covenant also sets forth regulations for activities related to ground disturbance, groundwater extraction, construction dewatering, soil or groundwater sampling, and soil reuse or disposal. As of February 2020, the LUST cleanup case was closed and a letter confirming the completion of site investigation and remedial action for the LUSTs was issued to the property owner.

In July 2022, the RWQCB reviewed the Hotel project plans and confirmed that no additional soil or groundwater testing was needed. To ensure compliance with the requirements set forth in the Covenant and Environmental Restriction document, the RWQCB also recommended collection of soil confirmation samples following excavation of the proposed 7,140 cubic yards of soil, grab-groundwater samples from the resulting excavation pit, and paired subslab and indoor air samples following completion of the proposed Hotel and prior to occupation to ensure effectiveness of the required vapor barriers and venting systems.<sup>9</sup> To ensure that recommendations provided by the RWQCB as well as requirements set forth in the Covenant and Environmental Restriction Document and the Draft Residual Risk Management Plan are incorporated, the proposed Hotel would be required to comply with MM EKN HAZ-2. As described above, MM HAZ-2 requires preparation, recordation, and compliance with a Final Residual Risk Management Plan which will ensure compliance and implementation of all applicable requirements set forth in the Draft Residual Risk Management Plan. With implementation of MM EKN HAZ-2, impacts resulting from the site's listing on a hazardous materials site compiled pursuant to Government Code Section 65962.5 would not create a significant hazard to the public or the environment and impacts would be less than significant.

### **Public Airport Land Use Plan**

The Hotel site is outside the boundaries of an airport land use plan and is not located proximate to a private airstrip. The Petaluma Municipal Airport is the nearest public airport and is located approximately 3 miles northeast of the site. Based on the distance of the site to the nearest airport and location outside of an airport land use plan, no impacts resulting from a safety hazard or

<sup>9</sup> Regional Water Quality Control Board (RWQCB). Staff email correspondence. July 2022.

excessive noise for people residing or working in the area as a result of the proposed Hotel would occur.

### **Impair Emergency Response Plan**

The proposed Hotel would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The proposed Hotel would not alter any emergency response or evacuation routes. Site access adequately accommodates emergency vehicles and provides connectivity to the existing circulation and street system. Therefore, the proposed Hotel would have a less than significant impact on the emergency response plan or emergency evacuation plan.

### **Wildland Fires**

The Hotel site is categorized as a Non-VHFHSZ by CAL FIRE and surrounded by urban uses. Therefore, the proposed Hotel would result in less than significant impacts related to the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires.

### **Mitigation Measures**

**MM EKN HAZ-1** 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 measures, management of stockpiles, and procedures to follow for disposal of soil off-site, including required testing for TPH and benzene.

**MM EKN HAZ-2** 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.

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 be provided to the City of Petaluma, Community Development Department (RMP, Section 3.0(B)).
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.
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).
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)).
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.
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)).
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).

## **Cumulative Impacts**

The geographic scope of the cumulative hazards and hazardous materials analysis is the Overlay Area as well as adjoining Downtown areas. For the purposes of this cumulative analysis, risk from the transport, use, and disposal of hazardous materials during construction would be limited to areas where concurrent construction or operations are occurring in very close proximity to each other. Therefore, the only project that may combine with the proposed Hotel and which may contribute to cumulative hazards and effects on public safety as a result of the transport, use, and disposal of hazardous materials is the Adobe Winery, which may be fully constructed before construction of the Hotel is initiated.

The proposed project would result in no impacts related to proximity to an airport or airport land use plan. Accordingly, the proposed project would not result in a cumulative impact in this regard.

Cumulative projects would be subject to the requirements and regulations set forth by the United States Department of Transportation (USDOT), California Department of Transportation (Caltrans), California Highway Patrol (CHP), the local Certified Unified Program Agency (CUPA), and the City's Fire Department related to transport, use, and disposal of hazardous materials. Accordingly, cumulative development would not result in physical changes that would result in a significant environmental effect. Cumulative projects would also be required to implement a Storm Water Pollution Prevention Plan (SWPPP) and comply with the California Code of Regulations during construction, site grading, excavation operations, and building demolition. For these reasons there would be a less than significant cumulative effect.

Moreover, the proposed project would not result in a cumulatively considerable contribution to the less than significant cumulative impacts related to routine transport, upset and accident involving release, hazardous materials within 0.25 mile of a school, location on a Government Code Section 65962.5 listed site, conflict with an emergency response plan, or wildfires with the implementation of mitigation and compulsory conformance with applicable federal, State, and local regulations. As previously discussed, projects implementing the Overlay would result in an incremental increase in new development which could, while limited, result in an incremental increase in transportation, use, and disposal of hazardous materials. Potential impacts would be reduced to below a level of significance, as discussed above, because construction must comply with the California Code of Regulations and implement a SWPPP to prevent hazardous materials spills and protect public safety. To ensure a less than significant contribution to cumulative impacts, similar to the proposed Hotel, development consistent with the Overlay would be required to implement all applicable policies during the design review process. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

## 4.1.8 - Hydrology and Water Quality

### Downtown Housing and Economic Opportunity Overlay

#### ***Water Quality Standards; Groundwater Supply and Recharge; Drainage Pattern, Runoff and Storm Drain Capacity***

All future construction activities facilitated by the Overlay component of the proposed project would be subject to the Construction General Permit (2009-0009-DWQ), site-specific SWPPPs if disturbing one acre or more of land, and standard erosion and sediment control requirements set forth in Municipal Code Chapter 17.31 (Grading and Erosion Control). In addition, operation of future development would be required to comply with regional and local requirements such as implementation of a Stormwater Control Plan and inclusion of Low Impact Development (LID) features into site-specific development proposals to ensure projects mimic pre-development conditions and do not result in off-site flooding or runoff. Compliance with all applicable regulations will be confirmed for individual projects through the discretionary review process. As such, impacts of future development resulting from a violation of water quality or waste discharge standards or through alteration of existing drainage patterns, including through the addition of impervious surfaces would be less than significant.

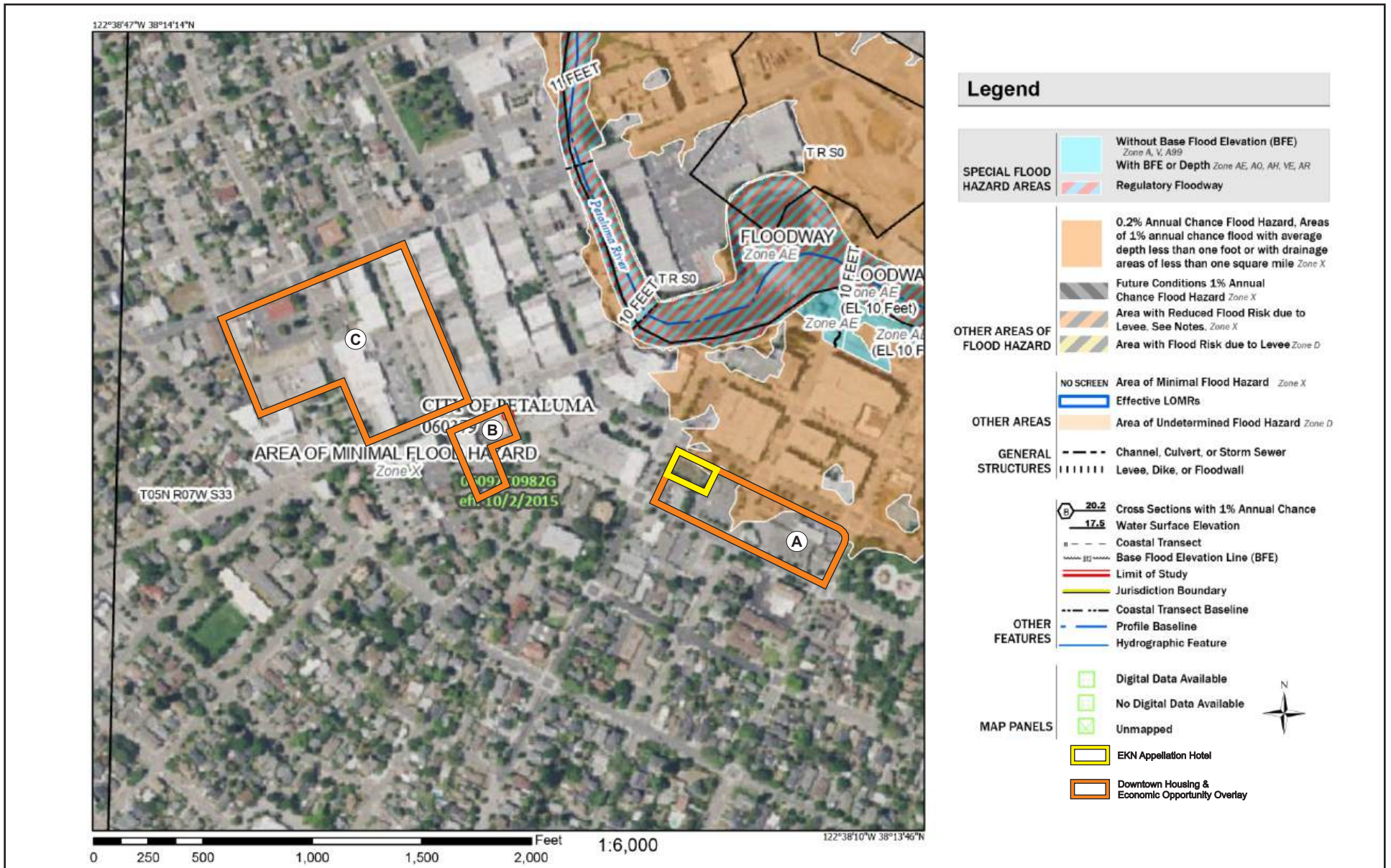
The majority of sites within the proposed Overlay are currently developed with impervious hardscapes such as existing buildings and surface parking lots, thereby precluding groundwater infiltration. Additionally, as noted in the Groundwater Sustainability Plan (GSP), groundwater recharge to aquifers in the Basin primarily occurs through streambed recharge along portions of the Petaluma River and its tributaries, as well as through direct infiltration of precipitation along the margins of the valley areas. The Overlay component of the proposed project is located within an urbanized area of Petaluma, which is outside areas identified in the GSP as areas with primary recharge capabilities for the basin. Furthermore, all future developments under the proposed Overlay will rely on municipal water to meet water demands and would be subject to current regulations which require management of stormwater on-site. As such, impacts to groundwater supply and recharge as a result of the proposed Overlay component of the project would be less than significant.

#### ***Flood Hazards, Seiche, Tsunami, or Mudflow***

No portion of the proposed Overlay is located within a 100-year flood hazard area nor is any portion of the Overlay located within any other special flood hazard area (Exhibit 4-1). Portions of Area A are designated by the Federal Emergency Management Agency (FEMA) as Areas of Minimal Flood Hazard, Zone X, as delineated on Flood Insurance Rate Map (FIRM) 06097C0982G. Areas with this designation are subject to 500-year flooding and have a 0.2 percent chance of being flooded in a given year.

According to the San Francisco Bay Conservation and Development Commission (BCDC), and as shown in Exhibit 4-1, no portions of the Overlay are within areas potentially affected under projected 2050 sea level rise conditions. However, portions of Area A would potentially be affected by 0–2 feet of flooding under projected 2100 sea level rise conditions.





Source: N Consulting Engineers, 3/30/2023.

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As outlined in Section 6.080 of the Zoning Code, all development constructed under the Overlay would be reviewed by the City to assure permit requirements have been satisfied and construction would be safe from flooding. Furthermore, all project applicants would be required to disclose elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all structures, as well as elevation to which any structure has been floodproofed. Applicants would also be required to provide certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing requirements as stated in Zoning Code Section 6.070I. Lastly, the parcels within the Overlay already could develop and accordingly this impact was already analyzed under the previous General Plan EIR. Through compliance with Municipal Code Section 6.080, as well as all other federal, State, and local regulations regarding flood hazards, reasonably foreseeable development under the Overlay would not be significantly impacted by flooding or sea level rise.

As described in the Local Hazard Mitigation Plan (LHMP), there are two dams located upstream of the City (La Crema Winery and Pinheiro dams) with hazard ratings of significant and high. However, based on the relatively low storage capacity of these dams, dam inundation is identified as unlikely.<sup>10</sup> The proposed Overlay does not alter potential risks associated with inundation from dam failure. As such, impacts associated with risk of the release of pollutants due to flooding or inundation from a seiche, tsunami, or mudflow would be less than significant.

#### ***Conflict with Water Quality Control or Sustainable Groundwater Management Plans***

As described above, future development under the proposed Overlay would be required to comply with the City's erosion control requirements, which ensures development does not result in erosion and sediment runoff during all stages of construction. Additionally, future development would be required to incorporate LID features to minimize runoff, reduce sedimentation, and protect water quality. Compliance with applicable regulations provides for protection of water quality during construction and at operation. As such, future development under the proposed Overlay would not result in a conflict with water quality control, nor would it conflict with the GSP adopted in January 2023 or the 2020 Urban Water Management Plan (UWMP). Impacts would be less than significant.

#### ***EKN Appellation Hotel***

##### ***Water Quality Standards***

During construction, the proposed project has the potential to impact water quality if not properly controlled. Construction activities within the City of Petaluma are covered by the Construction General Permit (2009-0009-DWQ). As the proposed Hotel would result in disturbance of less than 1 acre of land, a SWPPP is not required; however, standard erosion and sediment control requirements set forth in Municipal Code Chapter 17.31 (Grading and Erosion Control) would be implemented during all stages of construction. Typical BMPs applied during construction activities include use of fiber filter rolls, sandbags or interceptors at storm drain inlets, track pads at access points, and spill prevention, among others. Through compliance with the City's Grading and Erosion Control Ordinance water quality standards and waste discharge requirements would be met. Additionally, as

<sup>10</sup> City of Petaluma. 2020. Local Hazard Mitigation Plan. June.

required by MM EKN HAZ-2, prior to groundwater extraction or discharge, including construction dewatering, written approval from the Sonoma County Department of Health Services and notification to the RWQCB and City of Petaluma is required. Through compliance with the Municipal Code as well as MM EKN HAZ-2, impacts to water quality during construction of the proposed Hotel would be less than significant.

At operation, runoff from the proposed development would increase relative to existing conditions which could result in water quality impacts if not properly controlled. As detailed in the Preliminary Stormwater Control Plan prepared for the proposed project (Appendix E of the IS/NOP), the proposed project includes modular bioretention features on the rooftop and silva cells within the tree wells along the B Street and Petaluma Boulevard South frontages which would minimize pollutant loads by pretreating runoff from impervious surfaces introduced by the proposed project. As a standard condition of project approval, a Final Stormwater Control Plan which includes details of ongoing maintenance would be required upon submittal of a building permit and would be subject to review and approval by the City of Petaluma. As proposed and conditioned, the project's potential to violate water quality or waste discharge standards throughout operation of the proposed Hotel would be less than significant.

### ***Groundwater Supply and Recharge***

The City has adequate water supply to accommodate development of the proposed Hotel without depleting, degrading, or altering groundwater supplies or interfering substantially with groundwater recharge. The Geotechnical Investigation prepared for the proposed project encountered groundwater at 5 feet BGS, but given that groundwater fluctuates seasonally, the investigation noted that groundwater should be assumed to be at the ground surface. Though groundwater is present on-site, as noted in the GSP, groundwater recharge to aquifers in the Basin primarily occurs through streambed recharge along portions of the Petaluma River and its tributaries, as well as through direct infiltration of precipitation along the margins of the valley areas. As such, even though the proposed development would decrease pervious surfaces on-site, it would not substantially change the nature of surface water percolation into the Petaluma Valley Groundwater Basin. Furthermore, the proposed Hotel would rely exclusively on potable water delivered by the City of Petaluma and would not involve groundwater extraction. The project's water demands are consistent with water demands evaluated in the City UWMP, which found sufficient water supplies are available to meet existing and planned future demands. Groundwater reserves would not be depleted due to the proposed development as the City's water supply is largely dependent on surface water flows from Sonoma Water and no groundwater wells or extraction are proposed as part of the project. As such, potential impacts to groundwater supply and recharge as a result of the proposed Hotel would be less than significant.

### ***Drainage Pattern, Runoff and Storm Drain Capacity***

The proposed project would not substantially alter the course of a stream or river; however, the proposed project would result in an increase in impervious surfaces as compared to existing conditions. The entire site is currently pervious, and development of the proposed Hotel would result in an increase in impervious surface as compared to existing conditions. The building would be constructed to the property lines on all sides, resulting in 14,264 square feet of impervious surface.

The project site is relatively flat, and runoff currently flows northeast on B Street and southeast on Petaluma Boulevard, draining to the City's storm drain system and ultimately to the Petaluma River. The proposed project would not alter the existing drainage pattern and, as proposed, complies with the applicable stormwater control requirements set forth by the Bay Area Stormwater Management Agencies Association (BASMAA), which requires the project's Stormwater Control Plan to detain and treat runoff produced by a rainfall intensity equal to 0.2 inch per hour. Therefore, impacts resulting from alteration of the existing drainage pattern on the site, including through the addition of impervious surfaces, would be less than significant.

***Flood Hazards, Seiche, Tsunami, Mudflow***

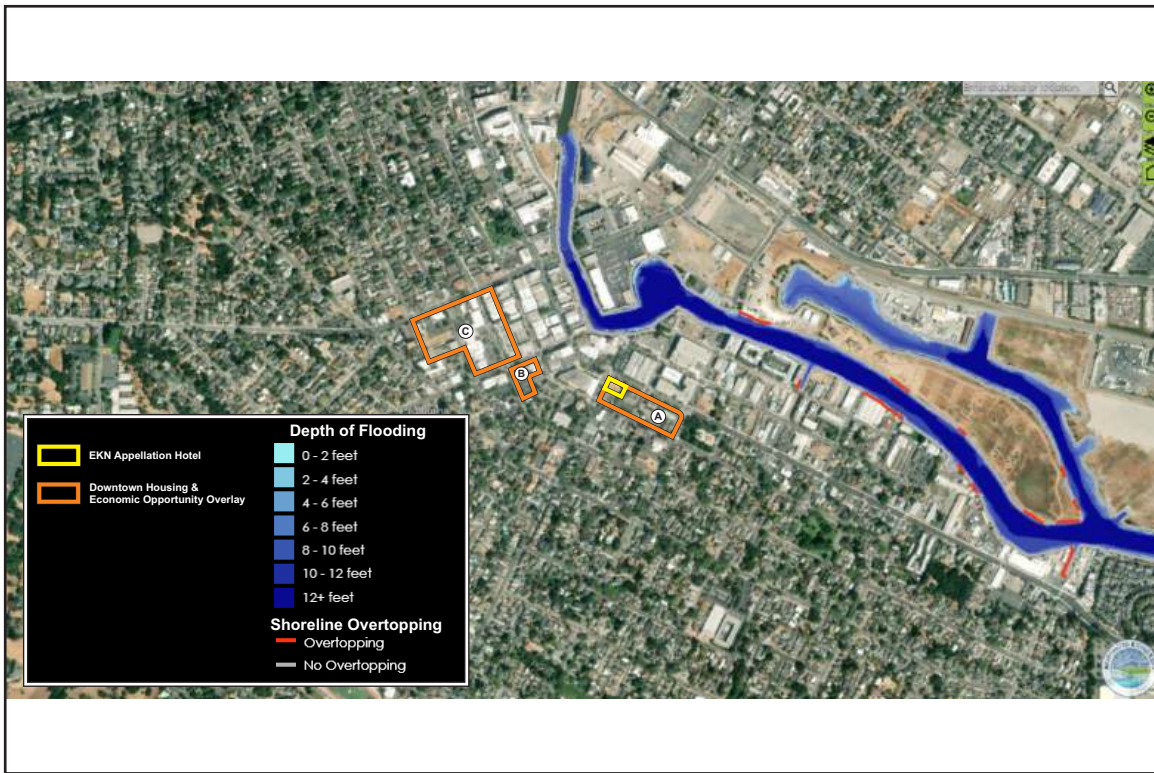
As shown in Exhibit 4-1, the project site is not located within a 100-year flood hazard area nor is it located within any other special flood hazard area. A small portion of the project site is in an area designated by FEMA as an Area of Minimal Flood Hazard, Zone X, as delineated on map 06097C0982G. Areas with this designation are subject to 500-year flooding and have a 0.2 percent chance of flooding in a given year.

Furthermore, as shown in Exhibit 4-2 a portion the project site would potentially be affected by 0–2 feet of flooding under projected 2100 sea level rise conditions.

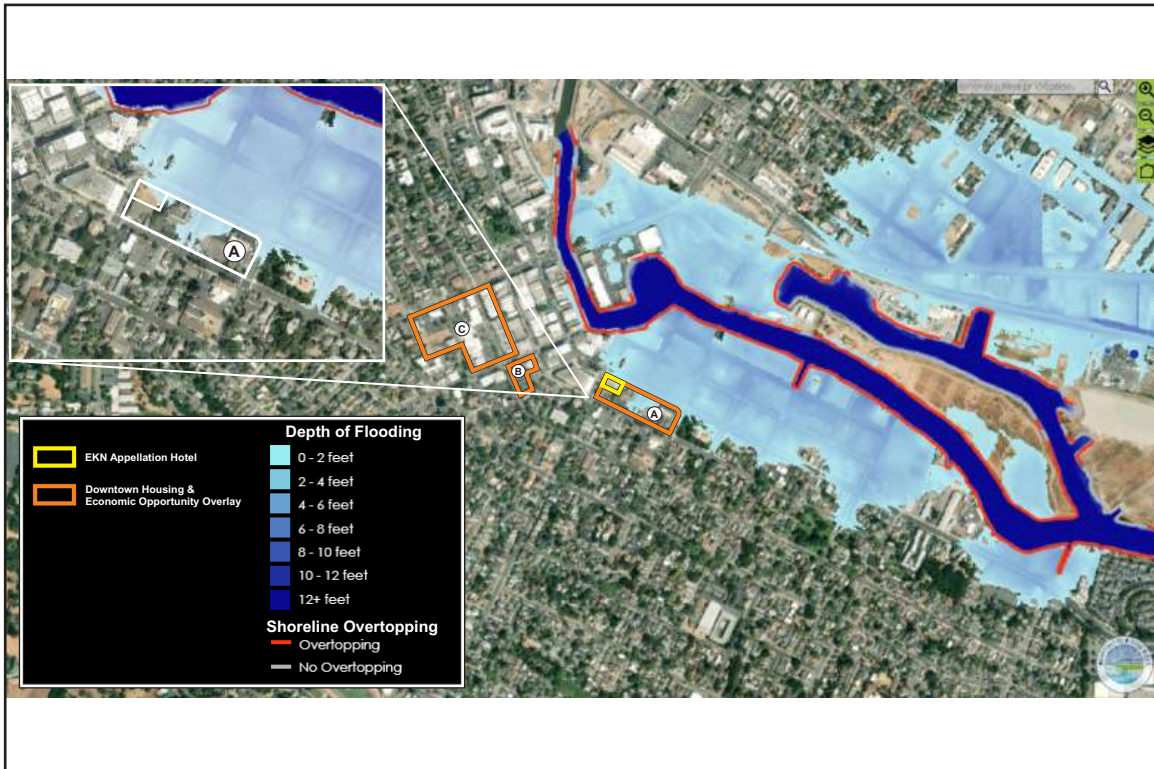
The proposed project would be compliant with Section 6.070(e) and Section 6.080 of the Municipal Code, which, as described above, would protect the project site from flooding and sea level rise. As such, the proposed Hotel would not result in risk of loss, injury, or death as a result of flooding and sea level rise and impacts would be less than significant.

Additionally, as noted above, based on the relatively low capacity of the two dams located upstream of the City (La Crema Winery and Pinheiro dams), dam inundation within Petaluma is unlikely and the proposed project does not introduce new impacts associated with risks due to flooding, inundation from a seiche, tsunami, or mudflow. Therefore, the proposed Hotel would have less than significant impacts.

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Potential Effects Sea Level Rise (2050)



Potential Effects Sea Level Rise (2100)

Source: San Francisco Bay Conservation and Development Commission's, 2024.

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### **Conflict with Water Quality Control or Sustainable Groundwater Management Plans**

The proposed project would not conflict with a water quality control plan or a sustainable groundwater management plan. As described above, compliance with the City’s erosion control requirements would avoid erosion and sediment runoff during all stages of construction. During operation, the project site would be improved with LID features that minimize runoff, reduce sedimentation, and protect water quality. Compliance with applicable regulations, as described above, provides for protection of water quality during construction and at operation. Therefore, the proposed project would not result in a conflict with water quality control and impacts would be less than significant.

As proposed, the project would be consistent with the GSP as it includes LID features and would comply with current building codes, which require use of water-efficient appliances. As conditioned, the proposed project would be required to incorporate a connection for recycled water for landscape irrigation use and implement it once recycled water becomes available. As such the proposed project would not conflict with implementation of the GSP for the Petaluma Valley Groundwater Basin adopted in January 2023, nor would it conflict with the 2020 UWMP, and impacts of the proposed Hotel would be less than significant.

### **Cumulative Impacts**

The geographic scope of the cumulative hydrology and water quality analysis is the Petaluma River watershed.

Cumulative development could contribute to an incremental increase in impervious surfaces that could introduce pollutants that are typically associated with urban runoff into the stormwater and/or contribute to cumulative flood conditions in the watershed. Cumulative development could also contribute to water quality impacts in the watersheds from construction activities. Cumulative impacts would be less than significant because cumulative development, infrastructure, and planning projects would be subject to established federal, State, and local requirements responsible for maintaining flood protection. Accordingly, all present cumulative projects are, and all reasonably foreseeable cumulative projects would be, subject to local, State, and federal permit requirements and would be required to comply with City ordinances and General Plan policies, as well as other water quality regulations that control construction-related and operational discharge of pollutants in stormwater. The water quality regulations implemented by the RWQCB take a basin-wide approach and consider water quality impairment in a regional context. For example, the Construction General Permit ties receiving water limitations and basin plan objectives to terms and conditions of the permit, and the Municipal Separate Storm Sewer System (MS4) Permit works with all municipalities to manage stormwater systems to be collectively protective of water quality. For these reasons, cumulative impacts to hydrology and water quality would be less than significant.

Moreover, the proposed project’s incremental contribution to less than significant cumulative impacts would not be significant. As discussed above, development resulting from the Overlay is largely within similar development footprints and use types as what was already evaluated and disclosed as part of the General Plan EIR, and all future development within sites will be subject to

both proven continuing policies and enhanced policies to reduce hydrology impacts. As previously discussed, development consistent with the Overlay would be required to conform to federal, State, and local policies that would reduce hydrology and water quality impacts to less than significant levels. Likewise, the proposed Hotel would comply with all applicable regulations, including compliance with the City’s erosion control requirements that would avoid erosion and sediment runoff during all stages of construction. During operation, the Hotel site would be improved with LID features that minimize runoff, reduce sedimentation, and protect water quality. Therefore, the proposed project would not result in a conflict with water quality control and cumulative impacts would be less than significant. The proposed project would result in less than significant cumulative impacts related to hydrology and water quality as discussed above with the implementation of compulsory conformance with applicable federal, State, and local regulations. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project’s contribution would not be cumulatively considerable.

#### **4.1.9 - Mineral Resources**

##### **Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel**

There are no known mineral resources within the UGB. No portions of the proposed Overlay nor the Hotel site have been delineated as a locally important resource recovery site. It is not expected that the proposed project would result in the loss of availability of known mineral resources, including those designated as “locally important.” Therefore, the proposed Overlay and Hotel would have no impact to mineral resources.

##### **Cumulative Impacts**

No impacts would occur with respect to any of the City’s thresholds related to mineral resources as a result of the proposed Overlay or Hotel; accordingly, the proposed project would not result in a cumulative impact.

#### **4.1.10 - Noise**

##### **Downtown Housing & Economic Opportunity Overlay**

##### **Noise Standards; Groundborne Vibration and Noise**

Adoption of the proposed Overlay would not result in physical development but would facilitate a greater intensity of building form as compared to what is currently allowed. Construction and operation of uses at sites within the proposed Overlay could result in increases in the ambient noise environment during construction and at operation as well as result in groundborne vibration and noise during construction.

##### *Construction*

Construction noise and vibration associated with future development of sites within the proposed Overlay may be perceptible to established uses in the immediate vicinity. Future development of sites within the proposed Overlay would result in temporary and intermittent noise increases in the vicinity during construction. Noise associated with construction activities could include the use of heavy equipment, truck traffic for material delivery, and off-haul of materials. Additionally,

depending on site-specific developments, operation of heavy construction equipment such as impact devices (e.g., pavement breakers) or demolition equipment, which create seismic waves and result in ground vibration, may result in temporary perceptible groundborne vibration and noise. Vibration from operation of construction equipment can result in effects ranging from annoyance of people to damage of structures. Varying geology and distance would result in different vibration levels containing different frequencies and displacements. In all cases, vibration amplitudes decrease with increasing distance.

Noise impacts resulting from construction depend on the noise levels generated by construction equipment, timing and duration of noise generating activities, and the distance between construction noise sources and noise-sensitive receptors. Construction noise impacts primarily occur when construction activities take place during noise-sensitive times of day (early morning, evening, or nighttime hours), or in areas immediately adjoining noise-sensitive land uses, or when construction durations last over extended periods of time. The highest noise levels typically associated with construction activities are generated during excavation, grading, and foundation construction. Once construction occurs in the interior portion of buildings, noise is less perceptible at off-site locations.

Perceptible groundborne vibration and noise is generally limited to areas within a few hundred feet of construction activities. As seismic waves travel outward from a vibration source, they excite the particles of rock and soil through which they pass and cause them to oscillate. The rate or velocity (in inches per second) at which these particles move is the commonly accepted descriptor of the vibration amplitude, referred to as the peak particle velocity (PPV). Groundborne vibration and noise impacts occur when vibration levels exceed established Caltrans thresholds which are 0.5 inches per second (in/sec) PPV for structurally sound buildings, 0.3 in/sec PPV for conventional buildings, and 0.25 in/sec PPV for historic buildings. Since no physical construction would occur as a result of the proposed Overlay, construction activities and the type of equipment used for site-specific development is not known at this time. In addition, the City's Zoning Ordinance Section 21.040,B, Vibration, regulates vibration impacts within the City, and all construction and operational groundborne vibration sources must comply with these restrictions which would ensure vibration impacts would be reduced to less than significant.

Construction-related noise impacts, including groundborne vibration and noise, are temporary in nature and would cease once construction of individual sites is complete. All future construction activities facilitated by the Overlay would be subject to performance standards set forth in the City's IZO, in particular Sections 21.303 and 21.040 which establish hours of operation and maximum exterior noise exposure standards for construction and other noise generating activities. Therefore, temporary construction noise impacts, including impacts associated with groundborne vibration and noise as a result of future development under the proposed Overlay component of the project, would be less than significant.

#### *Operation*

At operation, sites within the proposed Overlay would generate noise levels typical of residential and commercial uses and are expected to be compatible with the existing mix of uses in the surrounding

Downtown area. Noise within the Overlay Area is anticipated to be 65 A-weighted decibels (dBA) or less at General Plan buildout. At operation there are no activities associated with commercial and residential uses that are expected to generate perceptible groundborne vibration or noise. Moreover, any proposed development above the already allowable 45 feet would require a CUP, which would only be granted by the Planning Commission with a finding that the additional height would not be detrimental to the public health, safety, or welfare (Section 5.070(F)(4) of the proposed Ordinance). In addition, as described previously in this document, future development facilitated by the Overlay would be subject to independent discretionary review, including an independent CEQA analysis which would ensure consistency with General Plan policies that seek to avoid or mitigate environmental effects related to noise (Policy 10-P-3). Accordingly, this finding would require that development under the Overlay address concerns about noise at operation. This would include the requirement of site-specific analysis evaluating potential traffic noise impacts. As is noted in the cumulative noise impact discussion below, neither the Overlay's nor the Hotel's vehicular trips would result in a doubling of traffic volumes throughout the project vicinity and, thus, would not result in even a 3 dBA increase in traffic noise levels. Since the total trips associated with buildout under the Overlay would not result in a 3 dBA or greater increase in traffic noise levels, it can reasonably be assumed that individual projects would similarly be able to demonstrate a less than significant increase in traffic noise levels. However, site-specific analysis for future development projects would still be required. As such, noise impacts as a result of operation of future site-specific developments under the proposed Overlay would be less than significant.

### ***Airport Noise***

As described in the Hazards/Hazardous Materials section of this document, all portions of the proposed Overlay are outside the boundaries of an airport land use plan and are not located in close proximity to a private airstrip. As such, there would be no impacts resulting from exposure of future residents or employees in areas to excessive noise levels.

### **EKN Appellation Hotel**

The following analysis is based on the Appellation Hotel Noise and Vibration Assessment prepared by Illingworth and Rodkin, dated September 11, 2023. This technical report is provided in Appendix F of this document.

### ***Noise Standards***

Construction of the proposed Hotel would result in temporary and intermittent noise that could result in short term noise impacts. Construction is anticipated to occur over an approximately 19-month period and would include grading and excavation, trenching, building construction, and paving. During each stage of construction, there will be a different mix of equipment operating, and noise levels will vary based on the amount and location of equipment in operation. Though the City of Petaluma does not quantitatively regulate noise levels resulting from construction activities, the Federal Transit Administration (FTA) provides general criteria for analyzing construction noise impacts. As detailed in the Noise Assessment prepared for the proposed Hotel, the FTA 8-hour equivalent sound level ( $L_{eq}$ ) assessment criteria for residential use is 80 dBA during the day and 70 dBA at night; for commercial uses 85 dBA during the day and night; and for industrial uses 90 dBA

during the day and night. At a distance of 50 feet, noise levels during each phase of construction are expected to range from 77 to 81 dBA  $L_{eq}$ . The center of the project site is approximately 300 feet from the nearest residence along Petaluma Boulevard South, 450 feet from residences along C Street, and 50 feet from the adjacent commercial building. Based on the anticipated construction equipment, noise levels at the nearest residential use along Petaluma Boulevard South would range from 58 to 65 dBA  $L_{eq}$  and at the nearest commercial use would range from 74 to 81 dBA  $L_{eq}$ .

Although nearby residential and commercial land uses would be exposed to elevated noise levels from construction, exposure is intermittent and temporary and would cease once construction is complete. Additionally, anticipated construction noise levels fall below the FTA criteria for residential and commercial uses and the proposed project is subject to the performance standards set forth in Section 21.040 of the IZO. To ensure temporary construction noise does not result in a significant impact, the proposed Hotel shall comply with the BMPs set forth in MM EKN NOI-1. With implementation of MM EKN NOI-1, construction noise levels will be minimized and impacts resulting from construction of the proposed Hotel would be reduced to less than significant.

#### *Operation*

At operation, the proposed Hotel would contribute to the ambient noise environment. As detailed in the Noise and Vibration Assessment, operational noise will result primarily from mechanical equipment. Based on details provided in the project plans, rooftop mechanical equipment will produce noise levels ranging from 46 to 75 dBA at 3 feet, and on average from 56 to 58 dBA. The Assessment analyzes the worst-case scenario, assuming all rooftop mechanical equipment would produce the maximum noise level of 75 dBA at 3 feet. Combining all mechanical equipment, noise levels will be approximately 54 dBA at 50 feet, unshielded. Mechanical equipment located on the rooftop will be approximately 56 feet above the ground level and shielded by a parapet, resulting in noise attenuation. As such, noise levels associated with mechanical equipment at the nearest sensitive receptor would be less than 60 dBA  $L_{eq}$ . Though not currently proposed by the project, the Assessment analyzed the most noise intensive uses that could occur within the approximately 1,400 square foot event space which would be events with amplified music. At 50 feet, amplified music would generate a noise level of 72 dBA. Based on the height of the Hotel building and attenuation provided by the parapet of the Hotel building and the building itself, noise levels at the nearest sensitive receptor would be approximately 56 dBA, which is within the noise limits established by the City.

As noted in the Assessment, a significant noise impact would occur if the proposed project would generate enough traffic to increase noise levels by 4 dBA. Existing traffic volumes on nearby roadways would have to double to result in an increase in 3 dBA. Based on the projected traffic volumes for the proposed Hotel, the Assessment concludes that the proposed project would result in less than 1 dBA Community Noise Equivalent Level (CNEL) increase because of project-generated traffic. Based on the proposed project's anticipated operational noise, impacts resulting from a permanent noise increase in excess of established standards would be less than significant.

### **Groundborne Vibration and Noise**

Construction of the proposed Hotel would result in temporarily perceptible vibration when heavy equipment and impact tools are used. Caltrans establishes thresholds for structurally sound buildings (0.5 in/sec PPV), conventional buildings (0.3 in/sec PPV), and historic buildings (0.25 in/sec PPV). At a distance of 5 feet, vibration levels are anticipated to reach 1.2 in/sec PPV, which exceeds Caltrans thresholds for conventional and structurally sound buildings. The nearest building that is eligible for historic status is the commercial restaurant building located at 5 Petaluma Boulevard South, approximately 70 feet from the site. At this distance, reasonable worst-case construction vibration levels would attenuate to 0.022 in/sec PPV, which is below the 0.25 in/sec PPV threshold that would be considered a potentially significant impact for a historic structure. Other conventional buildings greater than 20 feet from the project site would not be exposed to vibration levels beyond the 0.3 in/sec PPV threshold for conventional buildings. However, the commercial building adjacent to the project site could be exposed to groundborne vibration levels that could exceed 0.3 in/sec PPV if control measures are not implemented. Therefore, to ensure project-generated vibration does not damage adjacent buildings, compliance with MM EKN NOI-2 shall be required which establishes protective measures when vibration-generating activities occur within 20 feet of adjacent buildings. With implementation of MM EKN NOI-2, impacts associated with groundborne vibration and noise as a result of construction of the proposed Hotel will be reduced to less than significant.

At operation, the proposed project would not generate groundborne vibration that would be perceptible nor would operation generate vibration that could result in structural damage. Therefore, the proposed project at operation would not expose people or structures to excessive groundborne vibration or noise and impacts would be less than significant.

### **Airport Noise**

As described in the Hazards/Hazardous Materials section of this document, the proposed Hotel is outside the boundaries of an airport land use plan and is not located in close proximity to a private airstrip. As such, there would be no impacts resulting from exposure of future hotel guests or employees in areas to excessive noise levels.

### **Mitigation Measures**

**MM EKN NOI-1** 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:

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.
9. Notify all adjacent receptors of the construction schedule in writing.
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.
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.

**MM EKN NOI-2** The following measures shall be implemented when construction activities occur within 20 feet of adjacent buildings:

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.

## Cumulative Impacts

The geographic scope of the cumulative noise analysis is generally limited to areas within approximately 1 mile of the proposed project. This extent is appropriate because noise impacts are generally localized. At distances greater than 1 mile, impulse noise may be briefly audible and steady

construction and/or operational noise would generally dissipate such that the level of noise would reduce to below noise thresholds and blend in with background noise levels. All projects identified on Table 3-1 are within the geographic scope.

Cumulative development would be required to comply with the design review regulations directing the siting, design, and insulation of new development and all applicable noise policies in local and regional plans, including the Overlay, to ensure noise impacts are less than significant. In addition, construction noise and vibration are typically localized and temporary in nature and would not result in significant permanent impacts to ambient noise levels. For these reasons, cumulative impacts related to noise would be less than significant.

Moreover, neither the proposed Overlay nor the Hotel would have a cumulatively considerable contribution to less than significant noise impacts. Development consistent with the Overlay would be required to undergo project-specific analysis to ensure compliance with all applicable noise policies, thereby ensuring that the proposed project's contribution to less than significant cumulative impacts would not be cumulatively considerable. Additionally, the Hotel's contribution to vehicular noise levels would not exceed the applicable thresholds of significance, which take into account existing noise levels as well as noise from trips associated with other planned or approved projects. Based on the traffic analysis prepared for this analysis, neither the Overlay's nor the Hotel's vehicular trips would result in a doubling of traffic volumes throughout the geographic scope area. Therefore, resulting traffic noise increases would be less than 3 dBA throughout the geographic scope area. Therefore, neither the Overlay's nor the Hotel's vehicular trips would result in a substantial incremental contribution to ambient noise levels under baseline-with-project and future-with-project conditions. These noise levels account for existing vehicle trips as well as vehicle trips from future projects. Finally, because several of the cumulative projects included within the scope of the transportation analysis are more than 1 mile from the Hotel site, cumulative vehicular trips would be unlikely to add any measurable increase to roadway noise levels in the project vicinity. Thus, the proposed project would not combine with other cumulative projects to cause a cumulatively significant increase in ambient roadway noise.

The Hotel's contribution to ambient noise levels from project-related stationary source operational noise would not result in any perceptible increase in ambient noise levels as measured at the nearest noise-sensitive receptors in the project vicinity. Thus, the proposed project would not combine with other projects to cause a cumulatively significant increase in ambient noise as measured at the nearest noise-sensitive receptors.

Finally, as described in the Hazards/Hazardous Materials section of this document, the proposed project is outside the boundaries of an airport land use plan and is not located in close proximity to a private airstrip. As such, the proposed project would have no contribution to cumulative impacts resulting from exposure of individuals in the proposed Overlay or the Hotel to excessive noise levels.

Overall, the proposed project would result in less than significant impacts related to noise as discussed above with the implementation of compulsory conformance with applicable federal, State, and local regulations. Other cumulative projects would be required to similarly apply mitigations and



comply with applicable regulations. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

#### 4.1.11 - Population and Housing

##### Downtown Housing and Economic Opportunity Overlay

###### ***Substantial Unplanned Growth***

The Overlay component of the proposed project is located within the UGB, is inclusive of two sites identified for housing opportunity in the City's Housing Element, and is proposed on sites where housing development is currently allowed in a mixed-use building. Additionally, the City's Density Bonus ordinance provides incentives for the production of affordable housing by permitting an increase in the number of units allowed on a site above typical density standards, reduction in on-site parking requirements, and/or flexibility from development standards for applicable housing projects meeting specified income thresholds.

Aside from the proposed Hotel, the Overlay component of the proposed project would not result in direct physical development but would allow future development proposals to increase lot coverage, FAR, and height relative to what is currently allowed by the General Plan and IZO and would also allow development of exclusively residential uses (e.g., not in a mixed-use building), as well as ground floor residential uses. However, future development would be subject to existing density requirements, including the City's zoning regulation and Density Bonus Ordinance and the State Density Bonus Law, such that the Overlay would not result in an increase in population beyond what is already projected as part of General Plan buildout, what was already evaluated and disclosed in the General Plan EIR, and what is allowed by State regulation including the Housing Accountability Act.

However, an increased permitted intensity of development under the Overlay could result in the introduction of new employment opportunities and may increase the workforce population, meaning additional people could relocate to the City to fill these new opportunities. While these provisions would allow for greater development intensity, as explained in Section 2.0, Project Description, actual development over the past 20 years has been less than what the City envisioned in the existing General Plan. Based on this trend, full buildout of nonresidential uses in the Overlay within a 20-year planning horizon is not expected. As shown in 2-5 in Section 2.0, Project Description, a 25 percent buildout scenario is assumed over the 20-year planning horizon, which would result in an additional 387,444 square feet of additional buildout, resulting in an additional 628 jobs.<sup>11</sup>

Any incremental increase facilitated by the Overlay would be well within the GP buildout potential, because workforce development has not occurred at the levels anticipated by the General Plan and already analyzed under buildout conditions in the General Plan EIR. As such, impacts related to substantial unplanned growth from the proposed Overlay would be less than significant.

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<sup>11</sup> W-Trans. 2024. VMT Assessment for the Downtown Housing & Economic Opportunity Overlay in Petaluma. July 3. (Included as Appendix C in this EIR)

### ***Housing or Persons Displacement***

The Overlay would not result in direct physical development and any redevelopment of sites located within the Overlay in the future would not result in displacement of a large number of people necessitating the construction of replacement housing elsewhere as all sites within the Overlay are currently developed with commercial uses. As such, future development as a result of the Overlay component of the proposed project would not displace existing residents or housing units necessitating construction of replacement housing and, as such, would result in no impacts.

### **EKN Appellation Hotel**

#### ***Substantial Unplanned Growth***

The proposed Hotel does not propose new housing units that would induce residential population growth. However, the proposed Hotel and restaurant would result in new employment opportunities for existing Petaluma residents; individuals living outside of the City that would commute; and individuals living outside of the City that may choose to take up residence in Petaluma once employment is secured. Given the scope and scale of the proposed development, and provided that commercial uses are anticipated on the site of the proposed Hotel by the General Plan, the proposed project would not directly induce substantial population growth in the area beyond what has already been considered by the General Plan EIR. Additionally, utility extensions are limited to providing services to the subject property and would be sized accordingly and, as such, would not indirectly induce substantial population growth. Thus, impacts related to substantial unplanned growth as a result of the proposed Hotel would be less than significant.

#### ***Housing or Persons Displacement***

The Hotel site is currently vacant and, as such, the proposed project would have no impact resulting from displacement of existing people or housing.

### **Cumulative Impacts**

The geographic scope of the cumulative population and housing analysis is the City of Petaluma and its UGB.

Cumulative projects identified on Table 3-1 would accommodate anticipated future growth and would not induce substantial unplanned population growth. Past, present and future development projects would be required to comply with federal, State, and local regulations, including compliance with the General Plan, regarding density, development, and land uses and therefore would not result in cumulatively considerable impacts with respect to unplanned population growth. The proposed Hotel and future development as allowed by the proposed Overlay would not result in an increase in population related to housing beyond what is already projected as part of the General Plan and evaluated and disclosed in the General Plan Final EIR. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

No impacts would occur with respect to the City's thresholds related to displacement of housing as a result of the proposed Overlay or Hotel; accordingly, the proposed project would not result in a cumulative impact in this regard.

#### **4.1.12 - Public Services and Utilities**

##### **Downtown Housing and Economic Opportunity Overlay**

###### ***Fire Protection, Police Protection, Schools, Parks, Other Public Facilities***

The proposed Overlay component of the project would allow future development applications to increase lot coverage, FAR, and building height as well as permit exclusively multi-family developments within the Mixed Use 2 (MU2) zoning district, where currently multi-family housing is only permitted in a mixed-use building. As proposed, the Overlay would not increase residential density beyond what is anticipated by the General Plan and though building intensity may be greater, all uses that are currently allowed on sites within the proposed Overlay would continue to be allowed including commercial, retail, residential, and lodging uses. Future development would be subject to existing density requirements such that the Overlay would not result in an increase in 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.

Future development under the proposed Overlay would not adversely impact service ratios, response times, or other performance objectives for fire and police protection, schools, and parks as future development would occur incrementally and would be subject to all General Plan policies and actions including development impact fees, which offset costs associated with the expansion of public services. Additionally, such development has already been analyzed in the General Plan EIR and impacts have been found to be less than significant. As such, physical impacts associated with the provision of new or physically altered public facilities, the construction of which could cause significant environmental impacts as a result of the Overlay component of the proposed project would be less than significant.

##### **EKN Appellation Hotel**

###### ***Fire and Police Protection***

The Hotel site is located in downtown Petaluma, which is well served by existing public services. Implementation of the proposed project may result in an increase in demand for police and fire services. However, the incremental increase on fire and police services are anticipated by the General Plan and are accounted for with the City Facilities Development Impact Fees that are intended to offset the impacts of growing demand for fire and policing services. General Plan Policy 7-P-19 establishes a 4-minute travel time and 6-minute response time for emergencies within the City. The proposed project is situated approximately 0.4 mile from Fire Station 1, located at 198 East D Street, and approximately 2 miles from Fire Station 3, at 831 S McDowell Boulevard. The proposed project is within the response radii of Fire Stations 1 and 3 (General Plan EIR Figure 3.4-2) and travel time is achievable within the targeted 4 minutes. The proposed project is consistent with the General Plan due to its location within an established 4-minute travel and 6-minute response time

and the ability of emergency response vehicles to override traffic controls with lights, sirens, and signal pre-emption and to travel in opposing travel lanes in congested conditions.

Although additional fire and/or police service calls may occur as a result of the proposed Hotel, substantial new fire protection or police protection facilities would not be warranted to maintain necessary levels of service. As a standard condition of project approval, the applicant is required to pay all applicable development impact fees, including a facilities fee. These funds are sufficient to offset the cumulative increase in demands for fire and police protection services that may result from the new development; therefore, impacts on the City's emergency services would be less than significant.

### **Schools; Parks; Other Public Facilities**

As transient lodging, the proposed project may result in a temporary influx of people into the immediate vicinity but is not expected to increase demand for school, park, and other public facilities beyond current capacities. Moreover, as a new development, the applicant would be required to pay all applicable development impact fees prior to the issuance of a building permit. The payment of those impact fees would offset impacts the proposed project may have on public facilities, and impacts of the proposed project would be less than significant.

### **Cumulative Impacts**

The geographic scope of the cumulative public services and utilities analysis is generally limited to the service area of each of the providers serving the project.

Past, present, and future development projects have or would require provision of public and utilities services and therefore have the potential to result in significant impacts related to service levels and maintenance. However, future development within the Overlay and the proposed Hotel would be required to comply with federal, State, and local regulations, including General Plan policies and actions such as those related to development, density, and impact fees. Compulsory compliance with applicable regulations would ensure that cumulative projects do not result in population growth beyond what has been anticipated and planned for in terms of public services and utilities. Further, as an informational note, the increased property taxes from development consistent with the proposed Overlay, as well as the proposed Hotel and other cumulative development projects, would result in additional funding being available to the Petaluma Fire Department to support future planned growth. For these reasons, cumulative impacts related to public services and utilities would be less than significant.

Neither the proposed Overlay nor the Hotel would have a cumulatively considerable contribution to less than significant public services and utility impacts. The proposed Hotel and other future development consistent with the proposed Overlay would be required to comply with applicable regulations, thereby ensuring that increased need for additional services is consistent with planned growth or additional increases are mitigated. As such, the proposed project would not combine with other projects to cause a cumulative significant increase in the need for public services and utilities. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

### 4.1.13 - Recreation

#### Downtown Housing and Economic Opportunity Overlay

##### ***Park Deterioration***

Though the Overlay component of the proposed project would not result in direct physical development, future development under the proposed Overlay would result in increases in the use of nearby parks and multiuse trail systems. Increased park use as a result of future development under the proposed Overlay would not result in substantial physical deterioration of facilities nor would deterioration be accelerated as projects would occur incrementally overtime and all projects would be subject to applicable park and open space-related development impact fees to address increased use of parks. Furthermore, development of areas within the proposed Overlay have already been considered in the General Plan, and though the Overlay would allow for increased building intensity through increased lot coverage, FAR, and building height, any future development project that proposes new residential uses would be subject to existing density requirements.

As described in the General Plan Update Parks, Recreation, and Public Facilities Existing Conditions Report, existing community, neighborhood, and pocket parks within the City of Petaluma comprise approximately 549 acres.<sup>12</sup> With a current population of 58,652 residents,<sup>13</sup> the parkland ratio is 9.3 acres per 1,000 residents, which exceeds the City's park standard of 5 acres per 1,000 residents. Additionally, to develop above 60 feet in the proposed Overlay requires a CUP that would only be issued if the development provides publicly accessible private open space that is open to the public at least 8 hours per day and/or at least 120 days per year. This requirement would minimize any impacts to park deterioration as it would provide new recreation areas for the public to utilize. Additionally, future developments proposed under the Overlay will be required to pay park and open space development fees. These fees will be used to purchase new parks, helping to offset the impact of the development. Therefore, impacts related to increased use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of such facilities would occur or be accelerated would be less than significant.

##### ***Construction or Expansion of Recreation Facilities***

Future development under the proposed Overlay may include on-site recreational amenities for residential tenants or employees/patrons of commercial uses. Construction of any such facilities would be considered as part of future projects that would be subject to independent discretionary review, including review pursuant to CEQA. Furthermore, as stated above, development under the proposed Overlay has been considered by the General Plan and incremental development overtime would not necessitate expansion of existing recreational facilities as all such future projects would be subject to payment of applicable development impact fees related to parks and open space, and as the current parkland ratio of 5 acres per 1,000 residents is exceeded, and as the open space requirement to build above 60 feet within the proposed Overlay is in place. Additionally, future developments proposed under the Overlay will be required to pay park and open space

<sup>12</sup> City of Petaluma. Existing Conditions Report, Parks, Recreation, and Public Facilities, City of Petaluma General Plan Update, Table 1. August 19, 2022.

<sup>13</sup> United States Census Bureau. Quick Facts. Website: <https://www.census.gov/quickfacts/petalumacitycalifornia>. Accessed April 2023.

development fees. These fees will be used to purchase new parks, helping to offset the impact of the development. As such, impacts associated with construction or expansion of recreational facilities resulting in an adverse physical effect on the environment as a result of the Overlay component of the proposed project would be less than significant.

## **EKN Appellation Hotel**

### ***Park Deterioration and Recreation Facilities***

As a transient lodging use, the proposed project may result in temporary increased use of nearby park and recreational facilities by overnight guests, employees, and patrons of the proposed Hotel and associated restaurant. Though guests, employees, and patrons may utilize nearby facilities, the volume of individuals accessing such facilities would not be to a degree that would result in physical deterioration. Furthermore, commercial development at the site has been anticipated by the General Plan and as stated above, the existing parkland ratio in the City is 9.3 acres per 1,000 residents, which exceeds the City's standard of 5 acres per 1,000 residents. The proposed Hotel would also be subject to applicable development impacts fees related to parks and open space and, as such, impacts related to the physical deterioration of parks and other recreational areas as a result of the proposed Hotel would be less than significant.

### ***Construction or Expansion of Recreation Facilities***

The proposed Hotel does not include construction or expansion of recreational facilities that would have an adverse physical effect on the environment and, as such, impacts would be less than significant.

## **Cumulative Impacts**

The geographic scope of the cumulative recreation analysis is the service boundaries of the local and regional recreation and park administration districts in the project vicinity.

Past, present, and future development projects have the potential to contribute to substantial deterioration and the need for construction or expansion of recreation facilities through increased population and use. However, future developments under the proposed Overlay and the proposed Hotel would be required to comply with federal, State, and local regulations regarding population, density, land use, provision of publicly accessible open space, development impact fees, and consistency with the General Plan and General Plan EIR. Therefore, cumulative impacts related to recreation facilities would be less than significant.

Similarly, and as previously discussed, the proposed project would be consistent with federal, State, and local regulations, including General Plan consistency, publicly accessible open space and development impact fees. Furthermore, the proposed Hotel and future development as allowed by the Overlay would not result in a substantial increase in population related to either housing or employment beyond what is already projected as part of the General Plan and evaluated and disclosed in the General Plan Final EIR and, therefore, would not result in unplanned increases in recreation facility needs or uses. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

## 4.1.14 - Transportation

### Downtown Housing and Economic Opportunity Overlay

#### ***Conflicts with Plans, Policies, Ordinances***

The proposed Overlay is consistent with plans, policies, and ordinances related to the City's transportation system. Specifically, the proposed Overlay component of the project is consistent with General Plan Policy 5-P-43, which calls for supporting efforts for transit-oriented development around transit corridors, including along Washington Street and Petaluma Boulevard. The Overlay would allow for greater building intensity in the City's Downtown, including along Washington Street, Western Avenue, and Petaluma Boulevard South, thereby encouraging redevelopment of underutilized sites, which would densify the City's Downtown, encourage transit-oriented development, and, consequently, increase use of alternative transportation such as walking, biking, and public transit.

All future development proposed within the Overlay would be subject to independent discretionary review and development fees for traffic impacts. Through the review process, individual projects would be required to demonstrate consistency with applicable General Plan policies such as those that call for construction of off-site improvements to connect new development with existing neighborhoods and land uses (Policy 5-P-4); ensure safety improvements are undertaken in response to the changing travel environment (Policy 5-P-9); require pedestrian site access for all new development (Policy 5-P-23); and provide support facilities to make walking and biking more desirable (Policy 5-P-31).

In addition, all future development proposed under the Overlay would be required to demonstrate consistency with the City's Bicycle and Pedestrian Master Plan and applicable ordinances related to the transportation system and would be required to pay development impact fees related to the transportation system. Based on the proposed Overlay's overall consistency with the General Plan, as well as the requirement for future development to undergo discretionary review and pay applicable traffic impact and other development fees, impacts related to a conflict with plans, policies, and ordinances addressing the transportation system would be less than significant.

#### ***Conflict with CEQA Guidelines Section 15064.3(b) VMT***

This VMT analysis is based off of a VMT Assessment Memo prepared by W-Trans on July 3, 2024, and included in Appendix C.<sup>14</sup> Because the majority of the Overlay Area is located within 0.5 mile of the Copeland Street Transit Mall and the Downtown Petaluma SMART Station, it is anticipated that future development would meet the VMT screening criteria set forth in the City of Petaluma VMT Implementation Guidelines. For the purposes of VMT screening, projects must not have an FAR of less than 0.75, not include more parking than required by the City, be consistent with Plan Bay Area, or replace affordable residential units.

Several parcels within the Overlay Area on Liberty Street and Keokuk Street are just outside the 0.5-mile radius so would not qualify for major transit stop proximity screening. It is also unknown

<sup>14</sup> W-Trans. 2024. VMT Assessment for the Downtown Housing & Economic Opportunity Overlay in Petaluma. July 3.

whether future specific development proposals on parcels associated with the zoning Overlay (i.e., those other than the proposed Hotel) would achieve the minimum FAR ratios or whether individual developers would choose to provide more parking than required by the Zoning Code. Accordingly, the applicability of the major transit stop screening to the proposed project's parcels associated with the proposed Overlay is uncertain at this time and would be evaluated on a project basis at the time a development application is received.

The VMT Guidelines allow the City to screen out residential and employment projects located in designated low-VMT areas. The entirety of the Overlay Area is within an area considered a low-VMT area. As such, the entirety of the Overlay Area qualifies for VMT screening for employment-based uses. Accordingly, all employment-based land use types, such as offices, would be screened from further VMT analysis and would be presumed to have a less than significant VMT impact.

The City's VMT Guidelines indicate that local-serving retail projects of 30,000 square feet or less, excluding uses with drive-throughs, qualify for VMT screening. Because specific details about potential development projects occurring within the Overlay are unknown (such as specific development sizes and breakdowns of building space by land use), it cannot be concluded with certainty that every potential retail project would contain 30,000 square feet or less of floor space. While projects occurring within the Overlay that contain 30,000 square feet or less of retail space would be screened from further VMT analysis and would be presumed to have a less than significant VMT impact per the City's VMT Guidelines, projects exceeding that amount of retail would require further VMT assessment.

An additional quantitative VMT assessment was performed using output from the Sonoma County Transportation Authority (SCTA) travel demand model, and the results were compared to the VMT significance metric established by the City for employment-based uses. The City of Petaluma has set its VMT significance threshold for employment-based uses at a level corresponding to 16.8 percent below the Bay Area regional average. Per the City's VMT Guidelines, the regional average VMT per employee is 22.7 miles, which translates to a significance threshold of 18.9 VMT per employee. The proposed project is wholly encompassed within traffic analysis zone (TAZ) 796, which according to the SCTA travel demand model has a baseline of 15.5 VMT per employee.

Based on data contained in the SCTA model, TAZ 796 has an existing job density of 46.0 jobs per acre. The estimated 387,444<sup>15</sup> square feet of additional development associated with the proposed project is estimated to result in 628 to 1,286 additional jobs, with the lower end of the range assuming all retail development and the upper end of the range assuming office development.<sup>16</sup> Conservatively assuming the low-range estimate of 628 added jobs, the job density in TAZ 796 would increase to approximately 57.4 jobs per acre. The SCTA VMT Reduction Tool estimates that this increase in job density would reduce baseline VMT per employee by 1.7 percent. Applying this percentage reduction yields an adjusted value of 15.2 VMT per employee for the proposed project

<sup>15</sup> Chapter 2, Project Description, of this Draft EIR, presents an estimate of anticipated development within the Overlay over a 20-year time horizon. The estimate is based on 25 percent of the square footage that would be allowed by the Overlay, which equals 387,444 square feet.

<sup>16</sup> The employment to square footage factors contained in the SCTA travel demand model assume 3.32 jobs per 1000 square feet for office uses and 1.62 jobs per 1000 square feet of retail commercial uses.



and TAZ 796, which is 20 percent below the applicable significance threshold of 18.9 VMT per employee. As such, impacts would be less than significant.

**Geometric Design Feature Hazard; Emergency Access**

Through the discretionary review process, all future projects under the proposed Overlay would be required to demonstrate consistency with City regulations to ensure new development would not introduce a design feature hazard or impair emergency access to sites within the Overlay. As all future development within the proposed Overlay would be subject to independent discretionary review, impacts resulting from a conflict with CEQA Guidelines Section 15064.3(b), through introduction of a design feature hazard, or through inadequate emergency access would be less than significant.

**EKN Appellation Hotel**

**Conflicts with Plans, Policies, Ordinances**

Under SB 743 congestion or delay-based metrics, such as roadway capacity and Level of Service (LOS), are no longer recognized for use as performance measures for the evaluation or determination of transportation impacts of projects under CEQA. Accordingly, this section addresses LOS issues independent of CEQA, for use by the City in assessing whether and how to impose conditions of approval needed to maintain the reasonable free flow of traffic. In particular, this section addresses LOS in order to ensure that the proposed project complies with City General Plan Policy 5-P-10 establishing LOS D (35 to 55 second delay) as an acceptable intersection level of service throughout the City. As detailed in the Traffic Impact Study prepared for the proposed Hotel, the four study intersections (Petaluma Boulevard North/East Washington Street, Petaluma Boulevard North/Western Avenue, Petaluma Boulevard South/B Steet, and Petaluma Boulevard South/D Street) currently operate at LOS D or better. In addition to analyzing existing LOS, the Study also provides LOS under the following scenarios:

- Existing Plus Project—Adds project-generated trips to existing volumes.
- Future—based on the 2040 horizon year from data maintained by the SCTA and translated to the weekday PM peak-hour.
- Future Plus Project—Adds project-generated trips to anticipated future volumes.

**Table 4-6: PM Peak-hour Intersection LOS Scenarios**

Study Intersection	Existing		Existing + Project		Future		Future + Project	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Petaluma Boulevard/ East Washington Street	44.3	D	46.1	D	48.4	D	48.9	D
Petaluma Boulevard/ Western Avenue	31.7	C	34.5	C	36.2	D	38.2	D
Petaluma Boulevard/B Street	28.9	C	31.1	C	36.8	D	38.5	D

Study Intersection	Existing		Existing + Project		Future		Future + Project	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Petaluma Boulevard/D Street	53.8	D	53.4	D	<b>56.9</b>	<b>E</b>	<b>56.8</b>	<b>E</b>
Notes: LOS = Level of Service								

As shown in Table 6, the four study intersections would continue to operate at LOS D or better with the addition of project-generated traffic. As shown in the table above, with the addition of project-generated traffic the Petaluma Boulevard/D Street intersection would operate 0.4 second quicker when compared to existing conditions. As detailed in the Study, the reason for the decrease in overall delay is attributed to the addition of trips to movements that are currently underutilized. At this intersection, the proposed project would add trips to the through lane on Petaluma Boulevard South, which currently has a lower average delay as compared to the intersection as a whole.

While the proposed project would not necessarily improve intersection operation, it can be concluded that trips added by the proposed project would make use of excess capacity, resulting in minimal change in the intersection’s overall operation. As shown above, under future and future plus project scenarios, the Petaluma Boulevard/D Street intersection would degrade to LOS E. Though the intersection would degrade to LOS E, as discussed in Section 1.3 of this document, the General Plan EIR identified that increased motor vehicle traffic would result in unacceptable level of service at six intersections covered in the General Plan, including Petaluma Boulevard/D Street, and adopted a statement of overriding considerations for significant and unavoidable impacts. Furthermore, this intersection would operate unacceptably regardless of the proposed project. Since the proposed project would not further degrade the intersection to LOS F, there would be no conflict with General Plan Policy 5-P-10.

Pedestrian, bicycle, and transit facilities in the project vicinity would not be substantially impacted by the proposed development, nor would the proposed project conflict with plans, ordinances, or policies addressing the circulation system. The site is located within the City’s Downtown area and is proximate to goods, services, and transit. Based on the site’s location within Downtown, it is assumed that some hotel patrons would walk, bicycle, and/or use transit for trips from the site to surrounding areas. Sidewalks exist throughout downtown as well as along B Street and Petaluma Boulevard near the project site, and as part of the proposed project, a new bus stop and shelter would be constructed adjacent to Center Park, approximately 200 feet north of the site. The proposed Hotel project would eliminate an existing driveway and curb cut along Petaluma Boulevard South and replace it with a level sidewalk. Additionally, to avoid potential conflicts between pedestrians and vehicles and to ensure consistency with the Manual on Uniform Traffic Control Devices (MUTCD), the midblock crosswalk that crosses B Street west of Petaluma Boulevard South would be removed. The proposed Hotel project also includes installation of a bus stop along Petaluma Boulevard, north of the site, which is consistent with General Plan Policy 5-P-43 to enhance transit priority along Petaluma Boulevard. As proposed, the Hotel project would not conflict

with policies addressing pedestrian, bicycle, or transit facilities and impacts would be less than significant.

### ***Conflict with CEQA Guidelines Section 15064.3(b) VMT***

The City of Petaluma VMT Implementation Guidelines provide screening criteria, and projects which meet those criteria can be assumed to be below the significance threshold, therefore resulting in less than significant impacts due to a conflict with CEQA Guidelines Section 15064.3(b). Projects within 0.5 mile of a major transit stop may be presumed to have a less than significant VMT impact provided that the FAR is not less than 0.75 and the proposed project does not include more parking than required by the City, is consistent with Plan Bay Area, and does not replace affordable residential units.

The proposed Hotel is located approximately 0.4 mile from the Downtown Petaluma SMART station and would be accessible via walking, bicycling, or transit. Accordingly, the Hotel site is located in a low VMT area. The Hotel site's FAR would exceed 0.75 and, as described throughout this document, would be consistent with Plan Bay Area. The site is vacant and therefore would not result in the loss of any affordable residential units. The site is within the Parking Assessment District, and, as such, would provide fewer parking spaces than would be required if the site were located outside of the Parking Assessment District. The provision of the City's VMT screening guidelines related to parking is intended to ensure that a proposed project does not provide excess parking that would incentivize or encourage automobile travel. As proposed, the Hotel would rely on a limited supply of on-site valet parking as well as publicly available off-site parking. As such, the proposed project would meet the VMT screening criteria for sites within 0.5 mile of transit; impacts resulting from a conflict with CEQA Guidelines Section 15063.4(b) would be less than significant.

### ***Geometric Design Feature Hazard***

Hotel patrons would be required to utilize the valet service drop-off and pickup area along Petaluma Boulevard South. At drop-off, valet employees would drive vehicles to the subterranean garage accessible from B Street, approximately 100 feet from its intersection with Petaluma Boulevard South, and at pickup would drive vehicles from the garage to the valet area on Petaluma Boulevard South. Vehicles entering and exiting the garage would need to yield to pedestrians and vehicles along B Street. As noted in the Traffic Impact Study, there would be adequate sight distance in all directions to allow safe ingress/egress of vehicles. Additionally, left hand turns from the garage onto B Street (e.g., toward 4th Street) would be limited as all valet pickups would occur along Petaluma Boulevard South. As such, the proposed project would not introduce a design feature that would substantially increase hazards and impacts would be less than significant.

The Traffic Impact Study includes a queueing analysis for the valet area along Petaluma Boulevard South. The analysis assumes that the four valet employees at peak operation would have a service rate of 32 vehicles per hour for both incoming and outgoing vehicles; that is, each employee could service up to eight cars in an hour, or one car every 7.5 minutes, for a total of 32 cars. Based on the project's trip generation, which includes 20 inbound vehicles utilizing the valet service during the PM peak-hour period, it appears that having four valet employees would be sufficient to accommodate the anticipated level of valet service demand. If demand is temporarily increased beyond the

average, the three valet spaces would provide sufficient queueing to accommodate the increased demand. The probability that there would be three vehicles using all three valet spaces would be less than 10 percent. The probability that there would be more than three vehicles seeking valet services at a given time is less than 6 percent. As such, it is unlikely that vehicles within the valet service area would exceed the available three-vehicle curb space. However, to ensure valet service operations do not exceed the available on street space, MM EKN TRA-1 shall be implemented, which requires preparation and ongoing implementation of a valet service plan. With implementation of MM EKN TRA-1, impacts resulting from vehicles queueing on Petaluma Boulevard South, which could create a design hazard, would be less than significant.

Construction of the proposed bus stop would be subject to applicable City standards, which would ensure that introduction of a design feature hazard does not occur. As such, construction of the bus stop adjacent to Center Park along Petaluma Boulevard, north of the site, would result in less than significant impacts associated with a design feature hazard.

### ***Emergency Access***

The proposed project's emergency access has been reviewed by the Petaluma Public Works and Fire Departments and has been determined to be adequate. The increase of construction vehicles traveling to and from the project site on a temporary basis will not result in inadequate emergency access. Petaluma Boulevard and B Street would remain open to travel during construction of all phases of the proposed project. To construct the project, road closure is not anticipated, although temporary encroachment may occur during frontage improvements to Petaluma Boulevard South and B Street. As such, ongoing and temporary impacts to emergency access as a result of the proposed Hotel would be less than significant. At operation, there are no identified conflicts with emergency access and impact would be less than significant.

### **Cumulative Impacts**

The geographic scope of the cumulative transportation analysis is the project vicinity and regional area, specifically the greater Bay Area.

Past, present, and future development projects have the potential to contribute to impacts related to regulation consistency, VMT, roadway hazards, and emergency access through increased vehicle trips and roadway network alterations. However, the Hotel and development accommodated under the Overlay would be required to comply with federal, State, and local regulations regarding transportation, such as consistency with plans, policies, and ordinances as applicable, including the General Plan. Therefore, cumulative impacts related to transportation would be less than significant.

Moreover, the proposed project would not have a cumulatively considerable contribution to the less than significant cumulative impact. As previously discussed, the proposed project would be consistent with General Plan and Bicycle and Pedestrian Master Plan regulations by including and allowing for, among other things, transit-oriented development, safe roadway improvements, support of bicycle and pedestrian facilities, and payment of development impact fees. In addition, the proposed Hotel and future development as allowed by the Overlay would not result in conflicts with VMT policies, design feature hazards, or emergency access as a result of design review and

compliance with development regulations including CEQA. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

### **Mitigation Measures**

**EKN TRA-1.** 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.

### **4.1.15 - Utilities and Service Systems**

#### **Downtown Housing and Economic Opportunity Overlay**

##### ***Relocation/Expansion of Utilities; Sufficient Water Supplies; Sufficient Wastewater Treatment Capacity***

The proposed Overlay would not result in direct physical development. However, future development of sites within the Overlay Area may result in increased connections to the City's utility system. The proposed Overlay is located within the City's Downtown in a highly urbanized area that is well served by existing utilities. All future development would be subject to discretionary review, would be required to demonstrate where and how proposed uses would connect to utility systems, and would be required to demonstrate consistency with applicable regulations for managing utilities and service systems. Buildout of the General Plan considers development within the Overlay Area. Although the proposed Overlay would allow for greater intensity, the increase in permitted lot coverage, FAR, and height would not necessitate substantial relocation or expansion of utilities.

Furthermore, the permitted residential density would not increase as a result of the proposed Overlay and, as such, a substantial increase in population beyond what has already been considered in the General Plan EIR is not anticipated. Future development within the Overlay Area would occur incrementally over time, would be subject independent discretionary review, including an independent CEQA analysis and determination, and would be subject to payment of applicable development impact fees, including water and wastewater capacity fees which require developers to pay their fair share of the cost of needed water and wastewater improvements to serve new customers. It should also be noted that new buildings would be required to comply with current building codes, which include measures to increase water efficiency. As such, the proposed Overlay would not require or result in the relocation or construction of new or expanded utilities, the construction or relocation of which could cause significant environmental effects and impacts would be less than significant.

According to the UWMP, the City anticipates having adequate water supplies in normal, single dry year, and multiple dry year scenarios to meet demands through 2045, given water conservation efforts and groundwater use during dry year scenarios.

Nevertheless, the UWMP establishes Demand Management Measures and a Water Shortage Contingency Plan, which provide a means for water conservation and planning for periods of drought. Individual development projects are required to comply with the City's Water Conservation Ordinance for interior and exterior water usage, thereby minimizing water demands generated by new development. As noted above, although the proposed Overlay may result in greater building intensity as compared to existing regulations, the City's routine monitoring of water supplies against actual use and evaluation of new development projects through the development review process would ensure that water and wastewater demand does not exceed capacity. Furthermore, as noted above, all new development would be subject to payment of water and wastewater capacity fees. There would be sufficient water supplies available to serve reasonably foreseeable future development under the proposed Overlay component of the project including during normal, dry, and multiple dry years, and there would be adequate capacity to serve wastewater treatment demands of future projects. As such, impacts would be less than significant.

### ***Solid Waste Generation/Compliance with Solid Waste Management***

The proposed Overlay component would not result in physical development; however, it is anticipated that future development within the Overlay may consist of demolition of existing site improvements. Demolition of existing improvements and operation of future uses will contribute to the generation of solid waste.

Furthermore, the proposed Overlay would allow for an increase in building intensity which could result in an increase in the amount of solid waste generated. However, for future development projects under the Overlay, solid waste diversion would be achieved through compliance with General Plan Policy 4-P-21, which requires waste reduction in compliance with the Countywide Integrated Waste Management Plan (ColWMP), as well as General Plan Policy 2-P-122 and CALGreen, which require development of a construction waste management plan.

The City is in contract with Recology for solid waste disposal and recycling services. Recology provides canisters for garbage, green (plant waste) materials, and recycling. Solid waste is collected and transferred to the Sonoma County landfill sites. Solid waste disposal facilities are owned and operated by the Sonoma County Department of Transportation and Public Works and the City maintains a franchise solid waste hauling agreement requiring the franchise hauler as part of its contractual obligations to select properly permitted Approved Disposal Location(s) with adequate capacity to serve City service needs. Future development within the proposed Overlay would be supplied with the same solid waste and recycling opportunities through the existing waste management system via the City's solid waste service provider. Although future development within the Overlay would generate additional solid waste, it is not expected to exceed landfill capacity and is not expected to result in violations of federal, State, and local statutes and regulations related to solid waste. Therefore, the Overlay component of the proposed project would have a less than significant impact due to the generation and disposal of solid waste.

## **EKN Appellation Hotel**

### ***Relocation/Expansion of Utilities***

The proposed project would not require or result in the relocation or expansion of off-site utilities. Existing water, wastewater, electric power, and telecommunications facilities already extend to the project site, would provide opportunities for connection from B Street and Petaluma Boulevard South, and have sufficient capacity to serve the proposed Hotel development. The proposed Hotel project would not result in significant environmental impacts due to the expansion of utilities or construction of new utilities as improvements are limited to activities on-site and along the site frontages. Though the proposed Hotel would increase the amount of impervious surface as compared to existing conditions, the Preliminary Stormwater Control Plan prepared for the proposed project demonstrates incorporation of LID features that would detain and treat runoff produced by a rainfall intensity equal to 0.2 inch per hour, consistent with regional standards, and would therefore not require relocation or expansion of existing stormwater utilities. As relocation and expansion of utilities is not proposed beyond connection from the site to existing utilities within the public right-of-way, and the proposed project is subject to development fees, impacts of the proposed Hotel would be less than significant.

### ***Sufficient Water Supplies***

As described previously, as of 2020, the City's average per capita water use rate was within the target identified in the UWMP and existing water supplies were sufficient to meet demand projected by the UWMP, including the proposed Hotel, as well as existing and planned demands through 2035. The proposed project would be subject to the latest CBC requirements, including plumbing and water efficiency standards, as well as the City's Water Conservation Ordinance, which would further reduce water demands generated by the proposed Hotel. Therefore, existing water supplies, facilities, and infrastructure are sufficient to meet water demands of the proposed project during normal, single, and multiple dry year events and as such impacts of the proposed project to water supplies would be less than significant.

### ***Sufficient Wastewater Treatment Capacity***

Wastewater generated by the proposed project is within the expected conveyance and treatment capacity anticipated by the General Plan and would not require expansion of treatment facilities. Applicable wastewater capacity fees would be collected from the applicant to fund the project's fair share for use of existing facilities and planned improvements. Wastewater flows from the proposed Hotel project will be conveyed to the Ellis Creek Water Recycling Facility, which has sufficient operating capacity to treat additional flows generated by the proposed project. No new construction or expansion of wastewater facilities are needed to accommodate the proposed project. Effluent generated by the proposed Hotel would be conveyed to the existing sewer main within B Street which collects and conveys wastewater off-site through the municipal sanitary sewer system where it is ultimately conveyed to and treated at the Ellis Creek Water Recycling Facility.

The proposed Hotel is not expected to exceed wastewater treatment requirements set forth by the RWQCB, nor necessitate the expansion or construction of wastewater treatment facilities. The estimated wastewater generation of the proposed Hotel falls within the capacity of the existing

sanitary sewer lines and the City's wastewater treatment plant. The proposed project would not include activities that generate wastewater requiring special treatment nor would it contain constituents exceeding applicable standards. The proposed project would not exceed wastewater treatment requirements, adequate treatment capacity is available to accommodate wastewater generated by the proposed project and impacts of the proposed project would be less than significant.

### **Solid Waste Generation/Compliance with Solid Waste Management**

Construction of the proposed Hotel would result in off-haul of soil and some vegetation associated with removal of existing street trees. Based on the prior use of the site, removal of soil would be subject to approval by the Sonoma County Department of Health Services and the RWQCB and would require proper handling and disposal in compliance with federal, State, and local statutes and regulations (see Section 4.9). Additionally, the proposed project would be required to comply with General Plan Policy 4-P-21, Policy 2-P-122, and CALGreen which requires waste reduction in compliance with the ColWMP, and preparation of a construction waste management plan. Through compliance with applicable policies and regulations, impacts associated with construction waste would be less than significant.

As a commercial use, the proposed Hotel would be required to comply with applicable State laws related to waste diversion including AB 341, which requires commercial properties that generate 4 cubic yards or more of solid waste per week to enroll in recycling service, AB 1826, which requires commercial properties generating 2 cubic yards or more of solid waste per week to enroll in compost service, AB 827, which requires commercial properties subject to AB 341 and AB 1826 to make recycling and compost receptacles available to customers, and SB 1383, which requires all businesses to divert organic materials (food waste, yard waste and, soiled paper products) from the landfill. As stated previously, the City is in contract with Recology for solid waste disposal, recycling services, and composting services. Recology provides canisters for garbage, green (organic) materials, and recycling. Generation rates and storage varies for commercial uses by business type. Although the proposed project would generate additional solid waste relative to existing conditions, it is not expected to exceed landfill capacity and is not expected to result in violations of federal, State, and local statutes and regulations related to solid waste. Prior to issuance of occupancy, the project applicant/developer would finalize a waste management plan with Recology. Therefore, the proposed Hotel project would have a less than significant impact due to the generation and disposal of solid waste.

### **Cumulative Impacts**

The geographic scope of the cumulative utilities and service systems analysis is generally limited to areas of the service providers.

Past, present and future development projects have the potential to contribute to impacts related to utility infrastructure, water supply, wastewater treatment capacity, and solid waste. However, they would be required to comply with federal, State, and local regulations including consistency with plans, policies, and ordinances as applicable, including those of the General Plan. Furthermore, the



UWMP 2025 considers past, present, and future water use consist with the General Plan and concludes that sufficient water is available. Therefore, cumulative impacts related to utilities and service systems would be less than significant.

Similarly, and as previously discussed, the proposed project is located in an area well served by existing utilities. All future development under the Overlay would be subject to discretionary review, would be required to demonstrate where and how proposed uses would connect to utility systems, would be required to demonstrate consistency with applicable regulations, would undergo discretionary review, and would be subject to utility related development impact fees. Furthermore, the Overlay and Hotel would not result in a substantial increase in population beyond what has already been considered in the General Plan and associated General Plan Final EIR. The 2045 UWMP indicates that sufficient water is available to serve expected growth under the General Plan. As such, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulative considerable.

#### **4.1.16 - Wildfire**

##### **Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel**

##### ***Impair Emergency Plan; Wildfire Risk Exacerbation; Infrastructure Contributing to Wildfire Risk; Exposure to Wildfire-Related Risks***

As stated above, the proposed Overlay and Hotel are categorized as Non-VHFHSZ by CAL FIRE and the City of Petaluma and are surrounded by urban uses. No portion of the proposed Overlay, including the site of the proposed Hotel, are located in or adjacent to State Responsibility Areas of lands classified as very high fire hazard severity zones, and as such impacts associated with impairment of an adopted emergency response plan or emergency evacuation plan, steep slopes, prevailing winds, or the installation/maintenance of new infrastructure, that would exacerbate fire risk or expose project occupants to the uncontrolled spread of a wildfire, pollutant concentrations from a wildfire, post-fire slope instability, or post-fire flooding would be less than significant.

##### **Cumulative Impacts**

The geographic scope of the cumulative wildfire analysis is the northern Bay Area and adjacent areas. However, adverse impacts of wildfire tend to be localized; therefore, the area near the project site would be most affected by project activities.

Cumulative projects are all located in an area categorized as Non-VHFHSZ by CAL FIRE and the City of Petaluma and are surrounded by urban uses. However, there are areas of moderate and high FHSZs adjacent to Petaluma, primarily on the adjacent hills and mountains. All cumulative projects are subject to compulsory compliance with federal, State, and local ordinances related to fire protection and development standards including General Plan policies and ordinances and the California Fire Code. Accordingly cumulative impacts related to wildfire would be less than significant.

The proposed project's incremental contribution to less than significant cumulative wildfire hazard impacts would not be significant. As previously discussed, development and growth in the City under the Overlay would occur in already developed areas of the City's downtown core and would involve

infill development and redevelopment. Similarly, the Hotel site is located on a previously developed site surrounded by urban uses. Moreover, the proposed project is not located in a VHFHSZ and would be consistent with federal, State, and local regulations related to fire and fire safety. The project site is located in an urban area which is therefore less susceptible to wildfire. The proposed project would not exacerbate any existing wildfire hazards because the degree of wildland fire hazard, including secondary hazards; would not substantially change with adoption of the proposed project; and current hazards would not significantly increase. Future development proposed under the Overlay would require site plan and architectural review or HSPAR (outlined in Appendix D), which requires a finding that any impacts, including fire hazards, would be less than significant. Accordingly, a significant cumulative impact would not occur in this regard and the proposed project's contribution would not be cumulatively considerable.

## CHAPTER 5: OTHER CEQA CONSIDERATIONS

California Environmental Quality Act (CEQA) Guidelines Section 15126.2(a)(c) requires an Environmental Impact Report (EIR) to identify and focus on the significant environmental effects of the proposed project, including effects that cannot be avoided if the proposed project were implemented.

This section provides a discussion of other CEQA-mandated topics, including significant unavoidable impacts, growth inducement, and significant irreversible environmental changes which would be involved in the proposed project should it be implemented. Chapter 3, Environmental Impact Analysis, describes the significant environmental effects of the proposed project and provides mitigation measures proposed to minimize significant effects. Chapter 6, Alternatives to the Proposed Project, discusses alternatives to the proposed project.

### 5.1 - Significant Unavoidable Impacts

The proposed project would not result in any Significant and Unavoidable impacts.

### 5.2 - Growth-inducing Impacts

There are two types of growth-inducing impacts that a project may have: direct and indirect. To assess the potential for growth-inducing impacts, the project's characteristics that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated (CEQA Guidelines § 15126.2(e)). CEQA Guidelines, as interpreted by the City of Petaluma, state that a significant growth-inducing impact may result if the project would:

- Induce substantial population growth in an area (for example, by proposing new homes and commercial or industrial businesses beyond the land use density/intensity envisioned in the general plan);
- Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or
- Include extensions of roads or other infrastructure not assumed in the general plan or adopted capital improvements project list when such infrastructure exceeds the needs of the project and could accommodate future developments.

Direct growth-inducing impacts occur when the development of a project imposes new burdens on a community by directly inducing unplanned population growth or by leading to the construction of additional developments in the same area. Also included in this category are projects that remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional development in the service area). Construction of these types of infrastructure projects cannot be considered isolated from the development they facilitate and serve. Projects that physically remove obstacles to growth, or projects that indirectly induce growth, may provide a catalyst for future unrelated development in

an area, such as a new residential community that requires additional commercial uses to support residents.

### ***Direct Growth-Inducing Impacts***

The proposed Overlay would not include direct physical development; rather, it would allow future development to reflect increased lot coverage, floor area ratio (FAR), and height relative to what is currently allowed by the General Plan. While these provisions would allow for greater development intensity, as explained in Chapter 2, Project Description, actual development over the past 20 years has been less than what the City envisioned in the existing General Plan. Based on this trend, full buildout of nonresidential uses in the Overlay within a 20-year planning horizon is not expected. With respect to residential density, while the Overlay would permit ground-floor residential uses; the permitted density of residential units in the Overlay Area (30 units per acre) would not change. As such, the proposed Overlay would not have significant direct residential growth-inducing impacts.

The proposed Hotel consists of a 6-story hotel, with commercial and retail uses located on the first floor, four stories of hotel space, an event space, and a roof deck. The proposed Hotel does not include any residential development and, as such, would not result in any direct population growth. Impacts would be less than significant.

### ***Indirect Growth-Inducing Impacts***

The proposed project would create new employment opportunities associated with hotel, office, and retail uses and therefore may have the potential to induce population growth through new employees moving to the City, but as described above and in the Project Description, actual growth is likely to be much less than the full buildout potential (the Project Description estimates that up to 25 percent of buildout potential might be realized).

The proposed Overlay would permit greater lot coverage, FAR, and height relative to what is currently allowed by the General Plan and Implementing Zoning Ordinance (IZO). As such, it is possible that the proposed Overlay would result in additional employment opportunities relative to what was planned for in the General Plan and additional people relocating to the City to fill those positions. As discussed in the Project Description, a total of 387,444 square feet of additional non-residential development (i.e., 25 percent of full buildout) is conservatively anticipated to occur and is evaluated in this Draft EIR. This development is conservatively estimated to result in 628 additional employment opportunities. The General Plan evaluated an anticipated 46,540 jobs at full build out.

Furthermore, as of April 2024, the City of Petaluma has an unemployment rate of 3.5 percent and Sonoma County had an unemployment rate of 3.8 percent,<sup>1</sup> indicating that there is capacity in the local area for residents to fulfill these employment opportunities. It is not likely that a significant number of people would relocate to Petaluma as a result of the proposed Overlay. As such, impacts would be less than significant.

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<sup>1</sup> U.S. Bureau of Labor Statistics. 2024. Santa Rosa Area Economic Summary. Website: [https://www.bls.gov/regions/west/summary/blssummary\\_santarosa.pdf](https://www.bls.gov/regions/west/summary/blssummary_santarosa.pdf). Accessed July 8, 2024.

### **Removal of a Physical Barrier to Growth**

The Overlay Area is currently served by urban infrastructure and utilities, including roads, potable water, recycled water, sewer, storm drainage, electricity, natural gas, and telecommunications. The Overlay Area is also currently served by public services, such as fire, police, school, and community services. The proposed Overlay would not alter this infrastructure or the provision of these services. As such, the proposed project would not result in indirect population growth through providing an extension of infrastructure or services or through the removal of a barrier to growth. Impacts would be less than significant.

## **5.3 - Significant Irreversible Changes**

As mandated by the CEQA Guidelines, the EIR must address any significant irreversible environmental change that would result from implementation of the proposed project. Specifically, pursuant to the CEQA Guidelines (Section 15126.2(c)), such an impact would occur if:

- The project would involve a large commitment of nonrenewable resources;
- Irreversible damage can result from environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

The proposed Overlay does not include any project-specific development and would not, in and of itself, result in any significant irreversible changes; however, future development facilitated by the proposed Overlay could require the long-term commitment of natural resources and land, as discussed in the following paragraphs. Accordingly, future development implementing the Overlay would be subject to independent discretionary review, including an independent CEQA analysis which would ensure consistency with relevant General Plan policies.

Environmental changes would occur with implementation of the proposed project as the physical environment would be altered through continued commitments of land and construction materials to urban development. The parcels subject to the Overlay are already sites that currently allow development, which was previously analyzed under the General Plan. The Overlay allows for development with increased height, lot coverage, and FAR. Construction of the Hotel and future construction implementing the Overlay would include use of building materials, such as petroleum-based products and metals that cannot reasonably be recreated. Construction also would involve consumption of energy, usually petroleum-based fuels that deplete supplies of nonrenewable resources. Construction of structures and infrastructure would consume energy and water. Construction debris recycling practices would be expected to allow for recovery and reuse of building materials such as concrete, lumber, and steel and would limit disposal of these materials, some of which are nonrenewable. Additionally, construction equipment would have to meet Bay Area Air Quality Management District (BAAQMD) standards and demonstrate consistency with Plan Bay Area 2025 and the Climate Action Plan, as described in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.2, Air Quality.

The Hotel and future development within the Overlay Area would be required to comply with CALGreen Building Tier 1 standards and Building & Energy Efficiency Standards which provide for increased energy efficiency. Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.4, Energy, addresses appropriate consumption of energy for development construction of the Hotel and for projects implementing the Overlay.

Once construction is complete, the proposed Hotel and other future uses associated with buildout of the Overlay would use some nonrenewable fuels to heat and light structures and would consume water. New uses would be required to be built in accordance with and adhere to the latest adopted edition of the California Green Building Standards Code, which would reduce energy demand, water consumption, and wastewater and solid waste generation and would collectively reduce demand for resources. This would lessen emissions and generation of pollution and effluent and the severity of corresponding environmental effects. Thus, although the Hotel and implementation of the Overlay would result in an irretrievable commitment of nonrenewable resources, energy for heat and light and water for irrigation and plumbing would not be consumed inefficiently, unnecessarily, or wastefully.

Accordingly, the proposed project is not anticipated to result in significant irreversible environmental damage because neither the proposed Hotel nor Overlay would result in an impact pursuant to CEQA Guidelines Section 15126.2(d). Irreversible damage is not anticipated from environmental accidents associated with the proposed project as the proposed project would comply with all applicable local and State regulations regarding handling and storage of hazardous materials. While a commitment to nonrenewable resources would be required, the proposed project would use the energy efficiently and would not result in the wasteful use of energy.

## 5.4 - Mandatory Findings of Significance

Public Resources Code Section 21083 requires lead agencies to make a finding of a “significant effect on the environment” if one or more of the following conditions exist:

- 1) A proposed project has the potential to degrade the quality of environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife species to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare, or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- 2) The possible effects of a project are individually limited but cumulatively considerable.
- 3) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

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**Finding No. 1: Less than significant impact with mitigation incorporated.**

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As described in Chapter 4, Additional Effects Evaluated in the Initial Study, implementation of the proposed project would not result in significant impacts to wildlife or place species with mitigation incorporated. Mitigation Measure (MM) EKN BIO-1 and MM EKN BIO-2 require pre-construction

nesting bird surveys as well as the inclusion of project design features to minimize risks of collisions for migrating bird species against windows. MM EKN GEO-4 requires monitoring of all grading activities below 10 feet by a Qualified Paleontologist, as well as procedures in the event of accidental discovery of paleontological resources.

Based on the discussion provided above, with implementation of the listed mitigation measures, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

Therefore, impacts would be less than significant with the implementation of MM EKN BIO-1, MM EKN BIO-2, MM Overlay CUL-1a through MM Overlay CUL-1e, MM Overlay CUL-2, MM Overlay CUL - 2a through MM Overlay CUL-2c, MM EKN CUL-3, and MM EKN GEO-4.

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**Finding No. 2: Less than significant impact with mitigation incorporated.**

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The analysis presented in this Draft EIR includes a review of the proposed project's potential cumulative impacts related to each of the topical areas recognized by the City in their CEQA thresholds. As presented throughout this Draft EIR, the proposed project's incremental contribution to cumulative impacts would be less than significant.

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**Finding No. 3: Less than significant impact with mitigation incorporated.**

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Potential human-related impacts are discussed and evaluated throughout this Draft EIR. Compliance with and implementation of project-specific mitigation measures and existing regulations would ensure that the proposed project would not result in substantial adverse effects on human beings through direct, indirect, or cumulative impacts related to air quality, seismic and geologic hazards, hazards and hazardous materials, flooding and natural disasters, and noise and vibration. With incorporation of MM EKN AQ-1, MM EKN GHG-1, MM EKN GHG-2, MM EKN GEO-1, MM EKN GEO-2, MM EKN GEO-3, MM EKN HAZ-1, MM EKN HAZ-2, MM EKN NOI-1, MM EKN NOI-2, and MM EKN TRA-1, impacts would be less than significant.

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## CHAPTER 6: ALTERNATIVES TO THE PROPOSED PROJECT

### 6.1 - Introduction

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15126.6, this Draft Environmental Impact Report (Draft EIR) contains a comparative impact assessment of alternatives to the proposed project. The primary purpose of this section is to provide decision-makers and the general public with a reasonable range of feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the proposed project's significant adverse environmental effects. Important considerations for these alternatives analyses are noted below (as stated in CEQA Guidelines § 15126.6).

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include:
  - Failure to meet most of the basic project objectives;
  - Infeasibility; or
  - Inability to avoid significant environmental effects.

#### 6.1.1 - Significant Unavoidable 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 (e.g., impacts to the environment resulting from the proposed project would be reduced to less than significant levels with implementation of identified mitigation measures and compliance with local, regional, State, and federal regulation). The proposed project would create the following potentially significant impacts all of which would be mitigated to a less than significant level:

- **Section 3.1: Aesthetics:** The proposed Overlay and Hotel would result in a potentially significant impact related to scenic resources, which would be mitigated to a less than significant level with incorporation of Mitigation Measure (MM) Overlay CUL-1e.
- **Section 3.2 Cultural Resources:** The proposed Overlay and Hotel would result in a potentially significant impact related to historic resources, archaeological resources, human remains, and Tribal Cultural Resources, which would be mitigated to a less than significant level with incorporation of MM Overlay CUL-1a through MM Overlay CUL-1e, MM Overlay CUL-2, MM EKN CUL-2, and MM EKN CUL-3.
- **Section 3.3 Land Use and Planning:** The proposed Overlay and Hotel would result in a potentially significant impact related to a conflict with a land use regulation, which would be mitigated to a less than significant level with incorporation of MM Overlay CUL-1e.

- **Section 4.1.2 Air Quality:** The proposed Hotel would result in a potentially significant impact related to fugitive dust, which would be mitigated to a less than significant level with incorporation of MM EKN AIR-1.
- **Section 4.1.3 Biological Resources:** The proposed Hotel would result in a potentially significant impact related to nesting birds and migrating birds, which would be mitigated to a less than significant level with implementation of MM EKN BIO-1 and MM EKN BIO-2.
- **Section 4.1.4 Energy:** The proposed Hotel would result in a potentially significant impact to energy, which would be mitigated to a less than significant level with implementation of MM EKN GHG-1 and MM EKN GHG-2.
- **Section 4.1.5 Geology, Soils, and Seismicity:** The proposed Hotel would result in a potentially significant impact related to ground shaking, liquefaction, erosion, an unstable geologic unit, expansive soils, and paleontological resources, which would be mitigated to a less than significant level with implementation of MM EKN GEO-1, MM EKN GEO-2, MM EKN GEO-3, and MM EKN GEO-4.
- **Section 4.1.6 Greenhouse Gas Emissions:** The proposed Hotel would result in a potentially significant impact related to greenhouse gas emissions and GHG Plan consistency, which would be mitigated to a less than significant level with implementation of MM EKN GHG-1 and MM EKN GHG-2.
- **Section 4.1.7 Hazards and Hazardous Materials:** The proposed Hotel would result in a potentially significant impact related to potentially contaminated soils and groundwater, which would be mitigated to a less than significant level with implementation of MM EKN HAZ-1 and MM EKN HAZ-2.
- **Section 4.1.8 Hydrology and Water Quality:** The proposed Hotel would result in a potentially significant impact related to hydrology and water quality, which would be mitigated to a less than significant level with implementation of MM EKN HAZ-1 and MM EKN HAZ-2.
- **Section 4.1.10 Noise:** The proposed Hotel would result in a potentially significant impact related to construction noise, which would be mitigated to a less than significant level with implementation of MM EKN NOI-1 and MM EKN NOI-2.
- **Section 4.1.14 Transportation:** The proposed Hotel would result in a potentially significant impact related to circulation, which would be mitigated to a less than significant level with implementation of MM EKN TRA-1.

Findings rejecting alternatives are required only if one or more significant environmental effects will not be avoided or substantially lessened by project design features or mitigation measures. A lead agency need make only one or more of the findings listed in Public Resource Code Section 21081(a) for each significant impact, and no further findings are required if impacts are less than significant or reduced to below a level of significance. See Public Resources Code [PRC] §21081(a)(1)-(2); CEQA Guidelines Section 15091(a)(1)-(2). In *Laurel Hills Homeowners Ass'n v. City Council* (1978) 83 Cal.App.3d 515, the court held that, if mitigation measures substantially lessen a project's significant environmental effects, the lead agency may approve the project without making findings on the

feasibility of the EIR's project alternatives. Additionally, the court concluded that CEQA does not mandate the choice of the environmentally most desirable project if, through mitigation measures alone, the agency has reduced the project's environmental effects to an acceptable level. *Laurel Hills*, supra, 83 Cal.App.3rd at 521; see also *Stevens v. City of Glendale* (1981) 125 Cal.3rd 986, 996; *No Slo Transit, Inc. v. City of Long Beach* (1987) 197 Cal.App.3rd 241.

### 6.1.2 - Alternatives to the Proposed Project

For discussion purposes, this Draft EIR presents a reasonable range of potentially feasible alternatives to the proposed project for analysis and evaluation of their comparative merits, pursuant to CEQA Guidelines Section 15126.6, discussed above. Where a proposed project does not include any significant and unavoidable impacts and the potential impacts associated with a proposed project can all be reduced to below a level of significance with the incorporation of mitigation, the analysis properly considers alternatives that would also reduce or eliminate those less than significant with mitigation impacts. CEQA Guidelines Section 15126.6(a) states that an EIR need not evaluate every conceivable alternative to a proposed project. For informational purposes, the following analysis is provided for each alternative to allow a meaningful comparison with the proposed project. The three alternatives to the proposed project analyzed in this section are as follows:

- **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, floor area ratio (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 FAR 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 would be permitted. However, building height throughout the Overlay would be limited to 45 feet. the Hotel project would be reduced to a height of 45 feet consisting of a 4-story (approximately 45 feet) 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.

These three alternatives to the proposed project are analyzed below. These analyses compare the proposed project and each individual project alternative. In several cases, the description of the impact may be the same under each alternative when compared with the CEQA Thresholds of Significance (i.e., both the proposed project and the alternative would result in a less than significant

impact). The actual degree of impact may be slightly different between the proposed project and each alternative, and this relative difference is the basis for a conclusion of greater or lesser impacts.

## 6.2 - Project Objectives

As stated in Chapter 2, Project Description, the objectives of the proposed project are to:

### 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.
- 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.

## 6.3 - Alternative 1—No Project

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 within the proposed Overlay zones would not be changed. The Hotel project site would remain vacant, and no development would occur. No land use or zoning changes would occur. The current land use and zoning regulations currently in place would continue to be in effect under the No Project Alternative.

### 6.3.1 - Impact Analysis

#### Aesthetics

Under Alternative 1, the Overlay would not be approved. FAR, lot coverage, and development standards would remain unchanged. The Hotel site would not be developed with a 93-room, 6-story Hotel over a below-grade, 58-space parking garage. No vegetation would be removed or impacted. There would be no change in visual character, views, nighttime lighting, daytime glare, or shadow, as there would be no change to the existing topography or vegetation/landscaping. Thus, there would be no aesthetics impacts under this alternative. Although the project impacts related to aesthetics would be less than significant with mitigation (see Section 3.1, Aesthetics), the proposed project would develop a vacant and underutilized parcel currently covered with grasses and brush with a revenue-generating building consistent with the City's standards for quality design; therefore, as it would not involve any development or provide any site improvements, Alternative 1 would have less than significant impacts similar to the proposed project.

#### Agriculture Resources

Alternative 1 would not involve any development or zoning changes and would have no impact on agricultural or forestry resources. As evaluated and discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.1, Agriculture and Forestry Resources, there are no agricultural or forestry resources located within the Overlay or on the Hotel Site. Accordingly, both Alternative 1 and the proposed project would have no impact to Agricultural Resources.

#### Air Quality

Under Alternative 1, short-term construction and long-term operational air emissions would not occur as no construction or land use changes would take place, no project operations would be established, and no project-related traffic or stationary source emissions would be generated by operation of the Hotel. The project impacts related to air quality would be less than significant with mitigation (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.2, Air Quality); however, as it would not involve any development, Alternative 1 would not require mitigation and would have an incrementally lower level of air quality impacts compared to the proposed project.

## Biological Resources

Under Alternative 1, the Overlay would not be approved and the Hotel site would not be developed. There would be no change related to wildlife or habitat on-site. Alternative 1 would not have potential impacts to special-status bats or nesting birds. Thus, there would be no biological resources impacted under this alternative. Although the project impacts related to biological resources would be less than significant with mitigation (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.3, Biological Resources), Alternative 1 would not involve any development or land use changes and would have a lower level of biological resources impact compared to the proposed project.

## Cultural Resources and Tribal Cultural Resources

Under Alternative 1, no development-related ground-disturbing activity would occur and, therefore, no direct impacts would occur with respect to historic resources or existing and or undiscovered cultural resources or Tribal Cultural Resources because ground disturbance from the construction of the proposed project and supporting infrastructure would not occur. However, even without development-related activity, if unknown cultural resource sites exist, they will remain vulnerable. The potential for inadvertent discovery remains under Alternative 1 and it is possible that cultural resources or Tribal cultural resources sites may be identified or altered over time due to geologic or weather conditions. If these sites are not fully documented, information from these sites could be lost. Nonetheless, the potential for direct impacts to cultural resources associated with Alternative 1 would be less than the proposed project.

Although the project impacts related to cultural resources would be less than significant with mitigation (see Section 3.2, Cultural Resources and Tribal Cultural Resources), Alternative 1 would not involve any development nor any land use change and would have a lower level of cultural resources impact compared to the proposed project.

## Energy

Because no development would occur under this alternative, there would be no energy uses associated with construction or operation. Therefore, compared to the less than significant energy impacts associated with the proposed project, direct energy impacts would be eliminated under this alternative; however, the future development consistent with the proposed Overlay and the proposed Hotel component would place future residents and employees within close proximity to existing transit facilities, lowering the amount of fuel consumed, which would result in an overall decrease in per capita transportation energy consumption when compared with State averages. This benefit would not be realized under Alternative 1 as no development or land use change would occur. Under Alternative 1, as with the proposed project, impacts to energy would be less than significant.

## Geology, Soils, and Seismicity

Because no development would occur under this alternative, soil disturbance associated with grading and building activities would not occur. No new buildings, landscaping, utilities, or other

infrastructure would be constructed and no changes to land use would occur; thus, under Alternative 1 there would be no impacts associated with landslides, soil stability, or slopes as would occur under the proposed project. Therefore, compared to the less than significant with mitigation anticipated under proposed project (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.5, Geology, Soils, and Seismicity), there would be no impacts to geology and soil under this alternative.

### **Greenhouse Gas Emissions**

This alternative would not include any development or land use change that would contribute to global climate change through direct or indirect emissions of greenhouse gas (GHG) emissions including from on-site area sources or vehicle trips generated. Accordingly, impacts due to GHG emissions under Alternative 1 would be less than the proposed project. However, the proposed project would encourage the placement of future residents and employees within close proximity to existing transit facilities, lowering the amount of fuel consumed, which would result in an overall decrease in per capita transportation energy consumption when compared with State averages. This benefit would not be realized under Alternative 1 as no development or land use changes would occur. Therefore, compared to the less than significant with mitigation anticipated under the proposed project (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.6, Greenhouse Gas Emissions), there would be no impacts to GHGs under this alternative.

### **Hazards and Hazardous Material**

Under Alternative 1, the existing environmental conditions would remain and no development or land use change would occur. Additionally, no soils would be excavated or moved on-site. Compared to the less than significant with mitigation under the proposed project, (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.7, Hazards and Hazardous Materials), there would be no impacts under this alternative.

### **Hydrology and Water Quality**

Alternative 1 would avoid potential short-term and long-term impacts to water quality because grading and construction activities would not occur and no changes to land use regulation would take place. Under Alternative 1, the existing conditions would remain, and impacts would be similar to, but incrementally less than, the proposed project (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.8, Hydrology and Water Quality).

### **Land Use**

Impacts to Land Use are less than significant with mitigation under the proposed project (see Chapter 3, Environmental Impact Analysis, Section 3.3, Land Use and Planning). Alternative 1 would have no impacts to land use as the proposed Overlay would not be approved and the Hotel site would remain in its current state and existing land uses and regulations would remain. Continuation of the current use of the land under existing regulations would not conflict with any land use plan or policy or conflict with any habitat or community conservation plan; however, it would not utilize a

vacant parcel and would not advance City objectives for cohesive land use planning. There would be no impacts related to land use under this Alternative.

## Mineral Resources

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.9, Mineral Resources, there are no mineral resources within the Urban Growth Boundary (UGB). Accordingly, there would be no impact under this Alternative, similar to the proposed project.

## Noise

With no change to land use regulation and no development occurring on the Hotel site, no new noise would be generated by construction, operations, or traffic. Therefore, noise-sensitive land uses would not experience any change in noise levels and no mitigation would be required. Therefore, short-term and long-term noise impacts would be less under Alternative 1 compared to the less than significant with mitigation impacts of the proposed project (Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.10, Noise).

## Population and Housing

As noted in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.11, Population and Housing, the proposed project would have no impact with respect to population/housing displacement and a less than significant impact without mitigation with respect to population growth and cumulative impacts. This alternative would not include the development of new housing or result in any land use changes. Similar to the proposed project, this alternative would have no impact with respect to population/housing displacement, population growth, and cumulative impacts. Accordingly, this alternative would result in similar, but incrementally lesser, impacts related to population and housing compared to the proposed project.

## Public Services and Utilities

As discussed in Section 4.1.12, future development under the proposed Overlay would not adversely impact utilities, service ratios, response times, or other performance objectives for fire and police protection, schools, and parks as future development would occur incrementally and would be subject to all City of Petaluma General Plan 2025 (General Plan) policies and actions including development impact fees, which would offset costs associated with the expansion of public services.

With respect to the Hotel component of the proposed project, additional fire and/or police service calls may occur as a result of the proposed Hotel; however, substantial new fire protection or police protection facilities would not be warranted to maintain necessary levels of service and impacts would be less than significant. Although this less than significant increase in calls associated with development of the Hotel site would not be realized under Alternative 1, there is also a potential need for regular police service and potential fire protection services to protect against vandalism, use by transients, and potential hazards related to deteriorating conditions common on vacant parcels. As such, the potential impacts, while less than significant, would be similar for both the proposed project and Alternative 1.



## Recreation

Alternative 1 does not propose any new development or direct or indirect population growth therefore would not increase the demand for recreational facilities such that new or expanded facilities would be required. This condition precludes the possibility of related impacts. No impacts would occur. As such, although impacts to recreation would be less than significant under the proposed project (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.13, Recreation), there would be no impacts under Alternative 1 because there would be no development. However, the City would not realize any benefits from development in the form of impact fees that could be utilized to purchase and develop City parks.

## Transportation

Alternative 1 would have no impact on traffic operations, transit, or pedestrian facilities as no new transportation demand would occur. However, Alternative 1 would not include any improvements to sidewalk connections associated with the Hotel or the installation of a bus stop along Petaluma Boulevard, north of the site,—pwhich would be consistent with General Plan Policy 5-P-43 to enhance transit priority along Petaluma Boulevard. Nonetheless, relative to the proposed project (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.14, Transportation), impacts would be of lesser magnitude under Alternative 1 because it would not generate any new transportation demands.

## Utilities and Service Systems

Although the proposed project’s utilities and service system impacts were found to be less than significant and did not require mitigation (see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.15, Utilities and Service Systems), this alternative would not include development of the Hotel site or increased development opportunity under the Overlay and therefore would result in no change in demand for water, and energy, and less generation of wastewater and solid waste compared to what is already approved by the General Plan. Therefore, Alternative 1 would have less impact on utilities and service systems than the proposed project.

## Wildfire

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.16, Wildfire, no portion of the proposed Overlay, including the site of the proposed Hotel, are located in or adjacent to State Responsibility Areas (SRAs) or lands classified as very high fire hazard severity zones. As such, impacts under the proposed project and this Alternative 1 associated with impairment of an adopted emergency response plan or emergency evacuation plan, steep slopes, prevailing winds, or the installation/maintenance of new infrastructure, that would exacerbate fire risk or expose project occupants to the uncontrolled spread of a wildfire, pollutant concentrations from a wildfire, post-fire slope instability, or post-fire flooding would be similar and less than significant.

### 6.3.2 - Conclusion

The No Project Alternative would avoid the proposed project's less than significant impacts with mitigation, as well as the need to implement any mitigation measures. However, the vacant Hotel site would pose the potential need for regular police service and potential fire protection services to protect against likely vandalism, use by transients, and continuing hazards related to deteriorating conditions common on vacant parcels. Additionally, this Alternative would not realize the City's goal to facilitate the development of residential uses, promote orderly economic development, or provide opportunities for sites in the Downtown area with the greatest potential for redevelopment. As with the proposed project, Alternative 1 would result in less than significant impacts.

## 6.4 - Alternative 2—Reduced Area C

Under the Reduced Area C Alternative (Alternative 2), Overlay Area C would be reduced by approximately 50 percent compared to the proposed project (see Exhibit 6-1). Under this alternative, properties fronting Keller Street, including the Phoenix Theater and the Petaluma Market, would not be included in Overlay Area C, reducing the number of parcels subject to the development standards of the Overlay and maintaining the existing development and regulatory conditions. The Hotel components of the project would remain unchanged, relative to the proposed project. Because all project impacts related to the proposed Hotel would be the same as the proposed project under this alternative, the analysis of Alternative 2 is limited to the Overlay component.

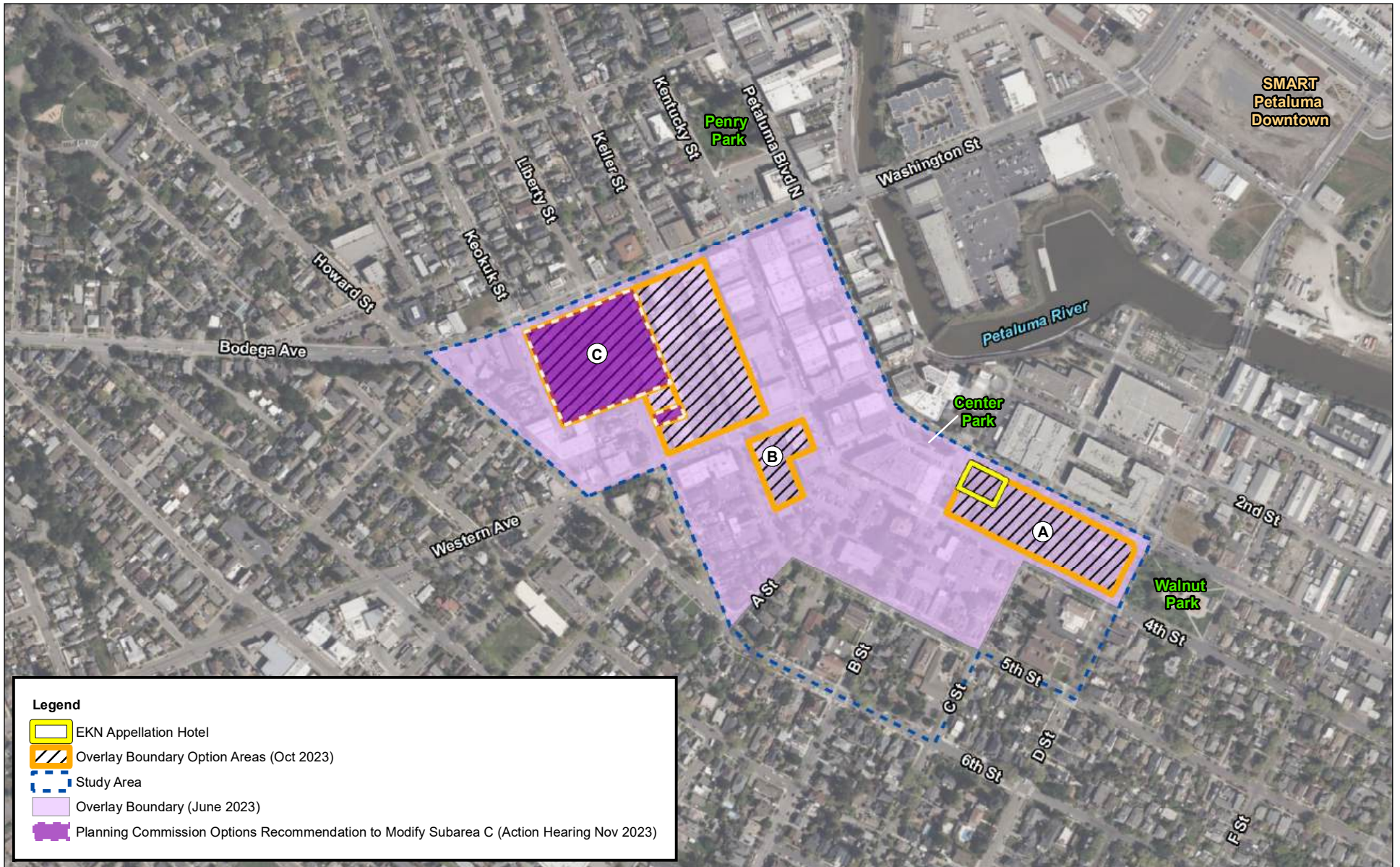
### 6.4.1 - Impact Analysis

#### Aesthetics

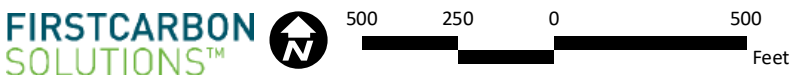
As evaluated in Section 3.1, Aesthetics, the proposed Overlay would have less than significant impacts with mitigation. Because buildings within the Overlay Area contain numerous buildings that are already 60 feet or taller, reducing the size of Overlay Area C would not significantly impact the visual character surrounding the Overlay Area. This Alternative would remove the Phoenix Theater and Petaluma Market from the Overlay, and these areas would continue to develop under existing policies. All future development would be required to comply with the policies and actions of the General Plan designed to protect scenic resources. Accordingly, impacts under this Alternative would be largely the same as the proposed project.

#### Agriculture Resources

As evaluated and discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.1, Agriculture and Forestry Resources, there are no agricultural or forestry resources located within the Overlay or on the Hotel Site. Accordingly, both Alternative 2 and the proposed project would have no impact to Agricultural Resources.



Source: Bing Aerial Imagery. City of Petaluma.



## Exhibit 6-1 Reduced Area C Alternative

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## **Air Quality**

Similar to the proposed project, this Alternative would not result in direct physical development as part of the Overlay component. Additionally, as with the proposed project, development under this Alternative was already anticipated and was analyzed as part of the General Plan and Zoning Ordinance EIRs. However, a reduction in Area C would slightly reduce the increased development potential associated with the proposed project. Accordingly, air quality impacts would be similar to the proposed project and within the range of the air quality impacts anticipated by buildout of the General Plan and evaluated in the General Plan EIR, although slightly decreased due to the reduction in Area C.

## **Biological Resources**

Because of the existing conditions and location within the City's downtown core, there is a lack of ecologically sensitive resources in the Overlay Area. Numerous laws and regulations are in place to protect biological resources, including, but not limited to, the California Endangered Species Act (CESA), the Endangered Species Act, and the Clean Water Act. Similar to the proposed project, future development within the Overlay under Alternative 2 would be required to comply with the above requirements as well as the overall land use vision, design review regulations, and policies in local and regional plans, including the proposed Overlay regulation. Accordingly, similar to the proposed project, biological impacts under Alternative 2 would be less than significant.

## **Cultural Resources and Tribal Cultural Resources**

As evaluated in Section 3.2, Cultural Resources and Tribal Cultural Resources, the proposed project's impacts would be less than significant with mitigation. All mitigation required for the proposed project would be applicable to Alternative 2, and Alternative 2 would have similar less than significant impacts as compared to the proposed project. Additionally, as with the proposed project, Alternative 2 impacts to cultural and Tribal Cultural Resources would be similar to the impacts evaluated as part of the General Plan buildout and presented in the General Plan EIRs. Additionally, Area C is located outside of the Historic Commercial District (Exhibit 2-4); however, because of the reduced development potential, the already less than significant impacts to historic buildings near or adjacent to Area C would be further reduced under this alternative. Impacts under Alternative 2 would be similar to the proposed project but slightly less.

## **Energy**

Similar to the discussion of energy impacts for the proposed project (Section 4.1.4, Energy), Alternative 2 would not result in direct physical development and as such would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Allowing for increased height, lot coverage, and FAR, as well as allowing exclusively ground floor multi-family residential uses, would facilitate concentration of development proximate to existing goods, services, and transit services, which would in turn promote use of alternative modes of transportation, thereby reducing energy consumption associated with operation of automobiles. However, due to the reduced development potential in Area C, this Alternative would not realize the same degree of benefits as the proposed project. Similar to the proposed project, future development within the

Overlay under Alternative 2 would increase the height, lot coverage, and FAR permitted in areas that have already been anticipated for development or are already developed; however, potential development consistent with Alternative 2 would be slightly less due to the reduction in Area C. Accordingly, potential impacts related to energy would be less than significant, but slightly less than the proposed project due to the decrease in development potential.

### **Geology, Soils, and Seismicity**

Similar to the proposed project, development under Alternative 2 would increase the height, lot coverage, and FAR permitted in areas that have already been anticipated for development or are already developed. Through compliance with applicable building codes and General Plan Policy 10-P-1, which requires site-specific geotechnical analysis, impacts of future development-related to substantial adverse effects would be reduced to less than significant. Potential impacts that would be reduced include the risk of loss, injury, or death involving strong seismic ground shaking, landslides, and liquefaction; location on a geologic unit or soil that is unstable or that would become unstable as a result of development and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; and location on a site with expansive soils that could create substantial direct or indirect risks to life or property. Therefore, under Alternative 2 impacts would be less than significant, similar to the proposed project and consistent with the impacts evaluated in the General Plan and EIR, although slightly reduced due to the reduction in the size of Area C.

### **Greenhouse Gas Emissions**

Similar to the proposed project, this Alternative would not result in direct physical development. Additionally, future development within the Overlay under this Alternative was already anticipated and was analyzed as part of the General Plan EIR. Accordingly, impacts to GHG emissions from Alternative 2 would be similar to the proposed project; although slightly decreased due to the reduction in Area C.

### **Hazards and Hazardous Material**

Similar to the proposed project, the Overlay component under this Alternative would not result in direct physical development. However, it is reasonably foreseeable that future construction activities would result in the temporary presence of potentially hazardous materials, including but not limited to fuels and lubricants, paints, solvents, insulation, electrical wiring, and other construction-related materials on-site. Although these potentially hazardous materials may be present on sites within the Overlay Area during construction, compliance with all existing federal, State, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials would be required. Additionally, development under this Alternative was already anticipated by the General Plan and was analyzed as part of the General Plan EIR. Accordingly, impacts under Alternative 2 would be similar to the proposed project, although slightly decreased due to the reduction in Area C.

## Hydrology and Water Quality

Similar to the proposed project, this Alternative would not result in direct physical development and impacts would be less than significant. All future construction activities under this Alternative would be subject to the Construction General Permit (2009-0009-DWQ), site-specific Storm Water Pollution Prevention Plans (SWPPPs) if disturbing 1 acre or more of land, and standard erosion and sediment control requirements set forth in Municipal Code Chapter 17.31 (Grading and Erosion Control). In addition, operation of future development would be required to comply with regional and local requirements such as implementation of a Stormwater Control Plan and inclusion of Low Impact Development (LID) features into site-specific development proposals to ensure projects mimic pre-development conditions and do not result in off-site flooding or runoff. Compliance with all applicable regulations will be confirmed for individual projects through the discretionary review process. As such, impacts of future development within the Overlay under Alternative 2 resulting from a violation of water quality or waste discharge standards or through alteration of existing drainage patterns, including through the addition of impervious surfaces, would be less than significant similar to the proposed project.

The Overlay component of the proposed project is located within an urbanized area of Petaluma, which is outside areas identified in the Groundwater Sustainability Plan (GSP) as areas with primary recharge capabilities for the basin. All future developments under this Alternative would rely on municipal water to meet water demands and would be subject to current regulations which require management of stormwater on-site. As such, impacts to groundwater supply and recharge as a result of this Alternative, similar to the proposed Overlay component of the project, would be less than significant. Additionally, development under this Alternative was already anticipated and was analyzed as part of the General Plan EIR. Accordingly, impacts under Alternative 2 would be similar to the proposed project, although slightly decreased due to the reduction in Area C.

## Land Use

This Alternative does not propose any physical developing including large linear construction that could impact mobility within an existing community and the surrounding area. As such, no impact related to dividing an established community would occur. Similar to the evaluation of consistency in Table 3.3-3, this Alternative would be consistent with the majority of applicable goals and policies of the General Plan and development would be guided by regulations within the General Plan. Accordingly, land use impacts under Alternative 2 would be similar to the proposed project, although slightly decreased due to the reduction in Area C.

## Mineral Resources

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.9, Mineral Resources, there are no mineral resources within the project area. Accordingly, there would be no impact under this Alternative, similar to the proposed project.

## Noise

Similar to the proposed project, the Overlay component of Alternative 2 would not result in direct physical development. Additionally, development under this Alternative was already anticipated and was analyzed as part of the General Plan EIR. All future construction activities facilitated under this Alternative would be subject to performance standards set forth in the City's Implementing Zoning Ordinance (IZO), in particular Sections 21.030 and 21.040 which establish hours of operation and maximum exterior noise exposure standards for construction and other noise generating activities. Therefore, temporary construction noise impacts, including impacts associated with groundborne vibration and noise as a result of future development under this Alternative, would be less than significant. Accordingly, impacts from Alternative 2 would be similar to the proposed project, although slightly decreased due to the reduction in Area C.

## Population and Housing

The Overlay component of this Alternative would not result in direct physical development but would allow future development proposals to increase lot coverage, FAR, and height relative to what is currently allowed by the General Plan and IZO and would also allow development of exclusively residential uses. However, because this Alternative would reduce the size of Area C, the increased development potential would be reduced compared to the proposed project. Nonetheless, future development under this Alternative would be subject to existing density requirements, including the City's zoning regulation and Density Bonus Ordinance and the State Density Bonus Law, such that the Overlay would not result in an increase in population beyond what is already projected as part of the General Plan buildout, what was already evaluated and disclosed in the General Plan EIR, and what is allowed by State regulation, including the Housing Accountability Act.

The introduction of new employment opportunities and residential developments under this Alternative may increase the workforce population. This Alternative would result in reduced employment opportunities compared to the proposed project because of the reduction in potential sites that could have an increased FAR associated with reducing Area C. However, it is important to note that the General Plan EIR analyzed increased employment under buildout conditions and found impacts to be less than significant. This Alternative would represent an incremental increase compared to buildout conditions; however, it is important to note that any incremental increase facilitated by this Alternative would likely remain within the General Plan buildout potential because workforce development has not occurred at the levels anticipated by the General Plan and analyzed under buildout conditions. Accordingly, potential impacts due to Alternative 2 related to population and housing would be less than significant but slightly less compared to the proposed project.

## Public Services and Utilities

Similar to the proposed project, the Overlay component of this Alternative would not result in direct physical development. Additionally, development under this Alternative was already anticipated by the General Plan and analyzed as part of the General Plan EIR. Alternative 2 would not adversely impact utilities, service ratios, response times, or other performance objectives for fire and police protection, schools, and parks as future development would occur incrementally and would be subject to all General Plan policies and actions including development impact fees, which would



offset costs associated with the expansion of public services. Accordingly, potential impacts under Alternative 2 related to public services and utilities would be less than significant, and slightly less than the proposed project due to the reduction in Area C.

### **Recreation**

Similar to the proposed project, the Overlay component of this Alternative would not result in direct physical development. However, development of areas within this Alternative have already been considered in the General Plan, and though the Overlay would allow for increased building intensity through increased lot coverage, FAR, and building height. Future development under this Alternative that proposes new residential uses would be subject to existing density requirements and the payment of impact fees. Similar to the proposed project, any future development under this Alternative that may include on-site recreational amenities for residential tenants or employees/patrons of commercial uses would be subject to independent discretionary review, including review pursuant to CEQA. Impacts related to recreation would be less than significant, the same as the proposed project.

### **Transportation**

Similar to the proposed project, the Overlay component of this Alternative would not result in direct physical development. Additionally, development within the Overlay was already anticipated by the General Plan and was analyzed as part of the General Plan EIR. Accordingly, impacts under Alternative 2 would be similar to the proposed project and consistent with the General Plan EIR, although slightly decreased due to the reduction in Area C.

### **Utilities and Service Systems**

Similar to the proposed project, the Overlay component of this Alternative would not result in direct physical development. Additionally, development under this Alternative was already anticipated by the General Plan and was analyzed as part of the General Plan EIR. Accordingly, impacts under Alternative 2 including future demand for water, and energy, and generation of wastewater and solid waste would be similar to the proposed project, although slightly decreased due to the reduction in Area C.

### **Wildfire**

Similar to the proposed project, the Overlay component of this Alternative would not result in direct physical development. As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.16, Wildfire, no portion of the proposed Overlay, or this Alternative, is located in or adjacent to SRAs or lands classified as very high fire hazard severity zones. As such, impacts under the proposed project and this Alternative 2 associated with impairment of an adopted emergency response plan or emergency evacuation plan, steep slopes, prevailing winds, or the installation/maintenance of new infrastructure would not exacerbate fire risk or expose project occupants to the uncontrolled spread of a wildfire, pollutant concentrations from a wildfire, post-fire slope instability, or post-fire flooding. Accordingly, impacts under this Alternative would be similar to the proposed project and less than significant.

## 6.4.2 - Conclusion

This Alternative would result in the same level of impacts as the proposed project. However, by reducing the size of Area C, there would be an incremental reduction in the already less than significant impacts associated with air quality, cultural resources and Tribal cultural resources, energy, geology, soils, and seismicity, GHGs, hazards and hazardous materials, hydrology and water quality, noise, traffic, and utilities and service systems. By reducing the size of Area C, it would slightly reduce the development potential compared to the proposed project; however, it would not avoid or eliminate any significant adverse impacts because the proposed project fully mitigates for all potential impacts. However, by reducing the number of parcels that could develop under the Overlay, this Alternative reduces those properties that would be able to obtain a CUP for height and/or lot coverage, thus also reducing the application of MM CUL-1e. The reduction in Area C would also result in reduced development potential including a reduction in housing opportunities at the ground level and a reduction in potential employment opportunities and, as such, would not meet the project objectives to the same degree as the proposed project. Additionally, by reducing the size of the Overlay, this Alternative would not promote and encourage the placement of future residents and employees within close proximity to existing transit facilities to the same degree as the proposed project. Therefore this Alternative would not realize the same GHG reduction benefits associated with lowering per capita transportation energy consumption when compared with the proposed project.

## 6.5 - Alternative 3—Reduced Height Alternative

Under the Reduced Height Alternative (Alternative 3), the boundaries of Overlay Areas A, B and C would remain as presented in the proposed project and the allowable FAR would increase from 2.5 to 6.0 and lot coverage from 80 percent to 100 percent subject to approval of a CUP would be permitted. However, building height throughout the Overlay would be limited to 45 feet. Accordingly, the Hotel component of the project would be reduced from a height of 68-feet 10-inches under the proposed project to a height of 45 feet. The reduced height Hotel consists of the construction of a 4-story (approximately 45 feet) Hotel over a below-grade parking garage. The Hotel under Alternative 3 would have the same points of access and the same frontage and off-site improvements (e.g., the closure of the mid-block crosswalk on B Street, the installation of the new bus stop at Center Park, and improvements to crosswalks at the intersection of Petaluma Boulevard South and B Street). This alternative is assumed to include a ground floor restaurant and approximately 74 guestrooms on the second through fourth floors. It would not include a rooftop terrace or enclosed event space. Accordingly, unlike the proposed project, a CUP would not be required to allow for increased height under Alternative 3, however, a CUP would be required for lot coverage.

### 6.5.1 - Impact Analysis

#### Aesthetics

Under Alternative 3, all future development under the Overlay would be required to comply with the policies and actions of the General Plan designed to protect scenic resources. Similar to the proposed project, the City's Site Plan and Architectural Review (SPAR)/Historic Site Plan and Architectural Review (HSPAR) process for Alternative 3 would provide a mechanism by which

potential impacts to scenic resources associated with future development under the Overlay are assessed at the project level. Accordingly, similar to the proposed project, future development consistent with this Alternative would not result in a potentially significant impact to scenic resources or vistas. However, due to the decrease in height, this Alternative would not require implementation of the recommended MM Overlay CUL-1e requiring findings related to development over 45 feet in height. As such, impacts to views and scenic resources under Alternative 3 would be further reduced compared to the proposed project's already less than significant impacts.

Under Alternative 3, the Hotel Site site would be developed with a 4-story (approximately 45 feet) hotel over a below-grade, parking garage. All exterior design elements would be the same as the proposed project. When compared to the proposed project, a similar area (footprint) of the project site would be developed in the same style and design. The same vegetation would be removed and impacted compared to the proposed project.

Development of the Hotel component under Alternative 3 would be located on the same site as the proposed project in the Downtown area of the City, which is predominantly surrounded by existing urban development, street trees and landscaping, and other roadway infrastructure that obstruct views of the Petaluma River and Sonoma Mountain and largely obscure views of western ridgelines. As shown in Exhibit 3.1-1a through Exhibit 3.1-1i, construction of the proposed Hotel would not significantly impede any public views of the Historic District or historic buildings, Sonoma Mountains, or Petaluma River. As shown in Exhibit 3.1-1h and Exhibit 3.1-1i, Viewpoints 8 and 9, the proposed Hotel would not be easily visible to pedestrians looking south toward the project site. Similarly, development of Alternative 3 at a height of 45 feet would not impede any public views or obscure scenic resources. Similar to the proposed project, impacts under Alternative 3 would be less than significant, although reduced compared to the proposed project.

As described in Section 3.1 Aesthetics, the Hotel under the proposed project would result in a slight increase in morning shadows relative to the building at 55 Petaluma Boulevard South. The reduced height of the Hotel under Alternative 3 would result in reduced shading on this building. However, neither the proposed project nor this Alternative would result in potentially significant shade or shadow impacts. As such, impacts under Alternative 3 would be similar to, but slightly less than, the less than significant impacts under the proposed project.

The project impacts related to aesthetics would be less than significant with mitigation (see Section 3.1, Aesthetics); however, under Alternative 3, the Hotel would not require a CUP, would be consistent with existing development standards related to height, and would similarly require HSPAR. Therefore, Alternative 3 would have a slightly lower level of aesthetic impacts compared to the project.

### **Agriculture Resources**

As with the proposed project, Alternative 3 would have no impact on agricultural or forestry resources. As evaluated and discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.1, Agriculture and Forestry Resources, there are no agricultural or forestry resources

located within the Overlay or on the Hotel Site. Accordingly, both Alternative 3 and the proposed project would have no impact.

## **Air Quality**

Other than the Hotel, development under this Alternative would not result in direct physical changes. This Alternative may result in reasonably foreseeable future development which has the potential to result in air quality impacts including emission of criteria pollutants during construction and operation, exposure of sensitive receptors to substantial pollutant concentrations, and odors. Similar to the proposed project, future development under this Alternative would be subject to independent discretionary review, review in accordance with CEQA, and would be evaluated on a project-by-project basis to determine potential air quality impacts at the time a development application is received. A site- and development- specific air quality analysis would be required for projects that do not meet screening criteria to analyze impacts associated with criteria pollutant emissions during construction and operation, exposure of sensitive receptors to substantial pollutant concentrations, and odors. Future development under this Alternative would be required to comply with General Plan policies and would be subject to independent review in accordance with CEQA (if not otherwise exempt), and would be evaluated on a project-by-project basis to determine potential air quality impacts at the time a development application is received. As such, air quality impacts of the proposed Overlay component under Alternative 3, like the proposed project, would be less than significant.

It is assumed that the Hotel developed under this Alternative 3 would have a similar footprint to the proposed project; however, it is anticipated that the number of guestrooms would be reduced from 93 to 74 and the rooftop terrace and event space would be eliminated. Nonetheless, similar to the proposed project, Alternative 3 would be below the construction and operational screening sizes for hotel and restaurant uses. Projects that meet the screening criteria are reasonably expected to result in less than significant impacts to air quality since pollutant emissions would be minimal, and a quantitative analysis of the project's air quality emissions is not required (although one was prepared for the proposed project, see Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.2 Air Quality). Accordingly, impacts related to air quality would be less than significant under this Alternative, although slightly less as compared to the proposed project.

## **Biological Resources**

Under Alternative 3, the maximum height of potential development throughout the Overlay, including the Hotel, would be limited to 45 feet; however, all earthmoving and ground-disturbing characteristics and components of the proposed project related to biological resources would remain unchanged. Additionally, future development under the Overlay for Alternative 3 would be subject to site plan and architectural review (or HSPAR) process, which requires a finding that the environmental impacts, including biological resources are avoided or mitigated to less than significant. New buildings with multiple stories proposed under the Overlay for Alternative 3 would be reviewed to evaluate potential impacts to biological resources including design modification and/or be subject to mitigation measure such as that imposed by MM EKN BIO-2 to further reduce collision risks of migrating birds. Regarding the Hotel component of the project, which would not

exceed a height of 45 feet under Alternative 3, there would be no substantial change related to biological resources under this Alternative as compared to the proposed project and MM EKN BIO-1 and EKN BIO-2 would be imposed; however, due to the reduction in building height, it is anticipated that there would be a corresponding decrease in potential impacts to birds related to collision risks. Accordingly, impacts would remain less than significant with mitigation, similar to, but slightly less than the proposed project.

### **Cultural Resources and Tribal Cultural Resources**

Similar to the discussion presented in Section 3.2, Cultural Resources and Tribal Cultural Resources for the proposed project, this Alternative would not have an adverse effect on the significance or integrity of historical resources on-site or adjacent to the site and would not have a significant adverse effect on the significance or integrity of the historic district. Under this Alternative, maximum height throughout the Overlay, including the Hotel, would be 45 feet. Therefore, a CUP would not be required as projects would not exceed 45 feet in height, and MM Overlay CUL-1e would not apply to this Alternative with respect to making findings for height. However, MM Overlay CUL-1e would apply to any CUPs related to lot coverage and future development within the Overlay would still be subject to a the Site Plan and Architectural Review (or HSPAR) process, which requires specific findings related to compatibility with the neighborhood and not causing a detriment to historical resources as well as all other mitigation recommended for the proposed project. Moreover, since the area of potential development under the Overlay and the footprint for the Hotel would be the same under both this Alternative and the the proposed project the level of ground disturbance and potential for unearthing a cultural resource would be similar. Accordingly, impacts under Alternative 3 would be reduced to less than significant with mitigation, similar to the proposed project, but slightly reduced due to the elimination of the need for a CUP related to height.

### **Energy**

Development of Overlay sites under this Alternative would not result in direct physical development (except for that permitted by the Hotel component) and as such would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Allowing for increased lot coverage and FAR as well as allowing ground floor residential uses, would facilitate concentration of development proximate to existing goods, services, and transit, which would in turn promote use of alternative modes of transportation, thereby reducing energy consumption associated with operation of automobiles. However, because this Alternative would not allow for the same degree of infill development potential or flexibility in design as compared to the proposed project, these benefits related to energy would not be realized to the same degree under this Alternative. Accordingly, energy impacts would be less than significant for Alternative 3, which is the same compared to the proposed project.

With implementation of BMPs set forth in MM EKN GHG-1, construction-related energy impacts associated with the proposed Hotel would be less than significant. The development footprint under Alternative 3 is expected to be similar, though with a reduced height relative to the proposed project and therefore construction impacts under Alternative 3 would be less than significant with mitigation, similar to the proposed project. Under Alternative 3, the height of the proposed Hotel

would be reduced, the number of guestrooms would be decreased and the rooftop terrace and enclosed event space envisioned by the proposed project would not be included in this Alternative; however, all other characteristics and components of the proposed project related to energy resources would remain similar to the proposed project. Similar to the proposed project, prior to issuance of a building permit, this Alternative would be required to demonstrate compliance with CALGreen Tier 1 standards or the most recent standards in effect at the time a building permit is issued. In addition, MM EKN GHG-2 will be required to comply with off-street electric vehicle (EV) requirements in the most recently adopted version of CALGreen Tier 2. The Reduced Height Alternative construction activity would also be reduced, which would result in incrementally reduced energy usage during construction. With respect to the Hotel component of the proposed project, the elimination of the rooftop terrace and event space would also result in an incremental reduction in energy usage. Accordingly, potential construction and operational impacts related to energy would be less than significant with mitigation, although slightly reduced due to the reduction in height compared to the proposed project.

### **Geology, Soils, and Seismicity**

As with the proposed project, development in the Overlay and on the Hotel site under this Alternative would involve similar ground-disturbing activities, within a similar development footprint. Development consistent with the Overlay under this Alternative would occur in the same locations and therefore would result in similar impact with respect to geology and soils as the proposed project. This Alternative would be subject to the same geologic, seismic and soils conditions as the proposed project. Additionally, the Hotel component of the project under this Alternative would similarly be required to implement MM EKN GEO-1 through MM EKN GEO-4. This Alternative would therefore have the same or similar, less than significant impacts with mitigation compared to the proposed project.

### **Greenhouse Gas Emissions**

Similar to the proposed project, this Alternative would not result in direct physical changes to the environment. Future development applications under the Overlay for Alternative 3 would be subject to independent discretionary review, including an independent CEQA analysis and would be evaluated on a project-by-project basis by the City to determine potential GHG impacts. Similar to the proposed project, this Alternative would support existing State, regional, and local plans and policies adopted for the purpose of reducing the emissions of GHGs because it would allow for greater intensity of use through increased lot coverage and FAR, which would allow for a higher concentration of infill growth in the City's Downtown area, that would be able to utilize public transit, thereby reducing reliance on automobile travel, and in turn reducing GHG emissions. However, because this Alternative would not include a process to allow an increase in height, future development under the Overlay for Alternative 3 would not support infill development to the same degree as the proposed project. Accordingly, while GHG impacts would be less than significant under both the proposed project and this Alternative, this Alternative would not advance local plans and policies designed to reduce GHG emissions as much as the proposed project. Accordingly, impacts to GHG overall under Alternative 3 would be similar to the proposed project.

With implementation of BMPs set forth in MM EKN GHG-1, GHG impacts associated with the proposed Hotel would be less than significant. The development footprint under Alternative 3 is expected to be similar to the proposed project, however, due to the reduced height, construction would be incrementally reduced and therefore construction impacts under Alternative 3 would be less than significant with mitigation, but slightly decreased compared to the proposed project. Under Alternative 3, the height of the proposed Hotel would be reduced, the number of guestrooms would be reduced and the rooftop terrace and event space would be eliminated; however, all other characteristics and components of the proposed project related to energy resources would remain similar to the proposed project. Accordingly, potential impacts due to construction and operation related to GHG would be less than significant with mitigation, under Alternative 3 although slightly reduced due to the reduction in height compared to the proposed project.

### **Hazards and Hazardous Material**

This Alternative would increase a site's FAR coverage; however, development was already anticipated on the parcels within the Overlay and analyzed as part of the General Plan and Zoning Ordinance EIRs. The reduction in height under Alternative 3 is not expected to significantly reduce potential impacts related to hazards or hazardous materials as discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, 4.1.7, Hazards and Hazardous Materials, because future development within the Overlay under this Alternative will require similar site preparation activities, including demolition and excavation. Accordingly, this alternative would result in similar risks of exposure to hazardous materials compared to the proposed project. Through compliance with all existing federal, State, and local safety regulations potential impacts related to the transportation, use, handling, storage, and disposal of potentially hazardous materials and the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant, the same as the proposed project.

With respect to the Hotel, similar ground-disturbing activities would occur within the same development footprint, and similar, although slightly reduced, operations would occur under this Alternative compared to the proposed project. MM EKN HAZ-1 and MM EKN HAZ-2 would be implemented, and Alternative 3 would therefore have the same or similar impacts compared to the proposed project. This Alternative would not alter any emergency response or evacuation routes. Site access adequately accommodates emergency vehicles and provides connectivity to the existing circulation and street system. Therefore, similar to the proposed project, this Alternative would have a less than significant impact on the emergency response plan or emergency evacuation plan. Additionally, the site is categorized as a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) by CAL FIRE and is surrounded by urban uses. Therefore, this Alternative would result in less than significant impacts related to the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires, similar to the proposed project.

### **Hydrology and Water Quality**

Because this Alternative maintains the same Areas A, B and C as the proposed project, the majority of sites are currently developed with impervious hardscapes such as existing buildings and surface parking lots, thereby precluding groundwater infiltration. Development under this alternative would

be located within an urbanized area of Petaluma, which is outside areas identified in the GSP as areas with primary recharge capabilities for the basin. Furthermore, all future development with the Overlay under this Alternative would rely on municipal water supplies to meet water demands and would be subject to current regulations which require management of stormwater on-site. As such, impacts to groundwater supply and recharge as a result of this Alternative would be less than significant, similar to the proposed project.

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.8, Hydrology and Water Quality, with respect to the Hotel component of the proposed project, similar ground-disturbing activities would occur within the same development footprint under this Alternative as with the proposed project. Through compliance with the City's Grading and Erosion Control Ordinance, water quality standards and waste discharge requirements would be met. Additionally, as required by MM EKN HAZ-2, prior to groundwater extraction or discharge, including construction dewatering, written approval from the Sonoma County Department of Health Services and notification to the Regional Water Quality Control Board (RWQCB) and City of Petaluma is required. Through compliance with the Municipal Code as well as MM EKN HAZ-2, impacts to water quality during construction under this Alternative would be less than significant, similar to the proposed project. At operation, runoff under this Alternative, similar to the proposed project, would increase relative to existing conditions on-site which could result in water quality impacts if not properly controlled. Similar to the proposed project, this Alternative would be anticipated to include modular bioretention features on the rooftop and silva cells within the tree wells along the B Street and Petaluma Boulevard South frontages, which would minimize pollutant loads by pretreating runoff from impervious surfaces introduced by the proposed project. As a standard condition of project approval, a Final Stormwater Control Plan including details of ongoing maintenance would be required. Water demands under this Alternative would be consistent with water demands evaluated in the City Urban Water Management Plan (UWMP), which found sufficient water supplies are available to meet existing and planned future demands. Because of the reduction in guestrooms associated with the Hotel under this Alternative and the elimination of the rooftop terrace and event space, there would be an incrementally reduced demand on water supplies. Accordingly, this Alternative would have less than significant construction and operation impacts to hydrology and water quality, similar to the proposed project, but with a slightly reduced impact on water demand.

## **Land Use**

This Alternative, like the proposed project, includes primarily underdeveloped parcels located entirely within Downtown, which is predominantly comprised of Mixed Use (MU) and Civic Facilities (CF) zoning. As with the proposed project, this Alternative would create new FAR, lot coverage, and other development standards, which are not expected to create obstacles or division within Downtown. This Alternative does not include any large linear construction that would impact mobility within an existing community and the surrounding area. As such, no impact would occur, similar to the proposed project. Development consistent with this Alternative could result in an incremental increase in nonresidential development and would be required to demonstrate compliance with applicable IZO and other regulations governing scenic quality. Where a development application could affect a historic property or district, the City would review the



project's compatibility with the existing historic context, preservation goals, Historic Commercial District Guidelines, and the Secretary of the Interior's Standards for the Treatment of Historic Properties. This process is outlined in Appendix D. Although the proposed project would be consistent with plans, policies and regulations as designed, this Alternative would not include an amendment to the IZO allowing for increased height with a CUP. Like the proposed project, compliance with City policies and programs, and adherence to development and design standards under this Alternative, enforced through the entitlement and CUP process, including MM Overlay CUL-1e, would ensure that impacts remain less than significant. However, because MM Overlay CUL-1e would not apply with respect to making findings relative to height, impacts would be slightly reduced compared to the proposed project.

As an infill development on a vacant site, the reduced height Hotel under this Alternative does not propose any large linear construction that would impact mobility within an existing community and the surrounding area. Proposed improvements to the site and adjacent frontage areas would not result in division of an established community nor would it remove existing access, and as such, impacts associated with division of an established community as a result of this Alternative, similar to the proposed project, would be less than significant. Additionally, like the proposed project, the Hotel in this Alternative would be constructed in compliance with the General Plan and the IZO, including requiring a CUP for lot coverage and thus would not conflict with existing land use plans, policies, or other regulations. However, because this Alternative would not require a CUP related to height, impacts would be slightly reduced compared to the proposed project.

### **Mineral Resources**

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.9, Mineral Resources, there are no mineral resources within the project site. Accordingly, there would be no impact under this Alternative similar to the proposed project.

### **Noise**

This Alternative includes the same Overlay sites as evaluated in the proposed project. As such, construction-related noise impacts, including groundborne vibration and noise, would be similar. All future construction activities under this Alternative would be subject to performance standards set forth in the City's IZO. However, due to the decrease in height, and resulting decrease in infill development potential, it is possible that temporary construction impacts would be shorter in duration under this alternative compared to the proposed project. Therefore, temporary construction noise impacts, including impacts associated with groundborne vibration and noise as a result of future development under the proposed Overlay component of the project, would be less than significant, similar to, but of potentially slightly less duration, than the proposed project.

At operation of future development under the Overlay there are no activities associated with commercial and residential uses under this Alternative that are expected to generate perceptible groundborne vibration or noise. Moreover, any proposed development increasing the lot coverage under this Alternative would require a CUP, which would only be granted by the Planning Commission with a finding that it would not be detrimental to the public health, safety, or welfare. In

addition, future development under this Alternative would be subject to independent discretionary review, including an independent CEQA analysis which would ensure consistency with General Plan policies that seek to avoid or mitigate environmental effects related to noise (Policy 10-P-3). Accordingly, this finding would require that new development within the Overlay address concerns about noise at operation. This would include the requirement of site-specific analysis evaluating potential traffic noise impacts. Accordingly, operational noise impacts associated with the Alternative would be less than significant the same as the proposed project.

This Alternative would develop a similar, but lower profile, hotel project on the same site as the proposed project. The development footprint would be the same as the proposed project and involve similar construction-related site disturbance (such as grading and excavation scale and depth) as the proposed project. Accordingly, the anticipated construction equipment and noise levels at the nearest residential use along Petaluma Boulevard South are anticipated to be similar to the proposed project and range from 58 to 65 A-weighted decibels (dBA) equivalent noise level ( $L_{eq}$ ). Noise levels at the nearest commercial use would range from 74 to 81 dBA  $L_{eq}$ . Daily construction activity would be similar to the project project under this Alternative. However, due to the decreased height of the hotel, the construction schedule is anticipated to be shortened compared to the proposed project. This would result in an incremental decrease in the number of days of construction-related noise. Similar to the proposed project, to ensure that construction under this Alternative does not result in a significant impact, development would comply with the BMPs set forth in MM EKN NOI-1 and MM EKN NOI-2. With implementation of MM EKN NOI-1 and MM EKN NOI-2, construction noise levels will be minimized and impacts resulting from this Alternative would be reduced to less than significant, similar to the proposed project. However, due to the reduced number of days of construction, the potential duration of less than significant potential noise impacts would be slightly reduced compared to the proposed project.

Operational noise impacts associated with the proposed project would be less than significant without mitigation. Similarly, this Alternative would also have less than significant operational noise impacts. However, due to the reduction in guestrooms as well as the elimination of the rooftop terrace and 1,400-square-foot event space, potential operational noise impacts would be further reduced compared to the already less than significant operational noise impacts of the proposed project. Vehicular trips associated with this Alternative would not result in a doubling of traffic volumes throughout the geographic scope area. Therefore, resulting traffic noise increases would be less than 3 dBA and would not result in a substantial incremental contribution to ambient noise levels. Impacts would be less than significant, similar to the proposed project, but slightly less due to the reduction in hotel use.

## Population and Housing

This Alternative would not result in direct physical development, except as related to the Hotel component, but would allow future development proposals within the Overlay to increase lot coverage and FAR relative to what is currently allowed by the General Plan and IZO and would also allow development of exclusively residential uses (e.g., not in a mixed-use building), as well as ground floor residential uses. Unlike the proposed project, this Alternative would not allow for an

increase in height about current the height limit of 45 feet. Furthermore, future development under either the proposed project or this Alternative would be subject to existing density requirements, including the City's zoning regulation and Density Bonus Ordinance and the State Density Bonus Law, such that neither this Alternative nor the proposed project would result in an increase in population beyond what is already projected as part of General Plan buildout, what was already evaluated and disclosed in the General Plan Final EIR, and what is allowed by State regulation including the Housing Accountability Act. Accordingly, this Alternative would reduce the flexibility in design in the Downtown area, but it would not result in any changes related to population or housing compared with the proposed project. Impacts would remain less than significant. However, the decreased height under this Alternative could result in a corresponding decrease in permitted intensity of development and a reduction in new employment opportunities compared to the proposed project. Although the incremental increase facilitated by the Overlay would be well within the General Plan buildout potential, because workforce development would be slightly depressed under this Alternative, the already less than significant impacts related to employment increases would be slightly reduced under this Alternative compared to the proposed project.

As with the proposed project, development of the Hotel under this Alternative would have no impact on housing because it does not propose new housing units that would induce residential population growth. Similar to the proposed project, this Alternative would result in new employment opportunities; however, the reduction in height would also result in a corresponding reduction in employment opportunities. Thus, impacts related to growth would be less than significant similar to the proposed project. However, to the extent this Alternative would include a reduced commercial footprint, it may offer reduced employment opportunities compared to the proposed project.

### **Public Services and Utilities**

Future development within the Overlay under this Alternative would be subject to existing density requirements and, as such, would not increase residential density beyond what is anticipated by the General Plan. Additionally, though building intensity may be greater, all uses that are currently allowed on sites within the proposed Overlay would be allowed under this Alternative including commercial, retail, residential, and lodging uses. Accordingly, future development under this Alternative would not adversely impact service ratios, response times, or other performance objectives for fire and police protection, schools, and parks as future development would occur incrementally and would be subject to all General Plan policies and actions including development impact fees, which offset costs associated with the expansion of public services. Additionally, such development has already been analyzed in the General Plan EIR and impacts have been found to be less than significant. As such, physical impacts associated with the provision of new or physically altered public facilities, the construction of which could cause significant environmental impacts as a result of this Alternative would be less than significant, which is the same as the proposed project.

The Hotel component of the project, under this Alternative is on the same site as the proposed project and is well served by existing public services and utilities. Similar to the proposed project, implementation of this Alternative may result in an increase in demand for public services and

utilities. However, the incremental increase on fire and police services are anticipated by the General Plan and are accounted for with the City Facilities Development Impact Fees that offset the impacts of growing demand for fire and policing services. This Alternative would be consistent with the General Plan and subject to the City's standard condition of project approval requiring the applicant to pay all applicable development impact fees, including a facilities fee. These funds would be sufficient to offset the cumulative increase in demands for fire and police protection services that may result from new development; therefore, similar to the proposed project, impacts on the City's emergency services would be less than significant. However, due to the reduction in the Hotel height under Alternative 3, impacts would be slightly less compared to the proposed project.

## Recreation

Development under this Alternative would be subject to existing density requirements and, as such, would not increase residential density beyond what is anticipated by the General Plan. Additionally, though building intensity may be greater, all uses that are currently allowed on sites within the proposed Overlay would continue to be allowed including commercial, retail, residential, and lodging uses. Accordingly, future development under this Alternative would not adversely impact recreation demands for recreation would occur incrementally and would be subject to all General Plan policies and actions including development impact fees, which offset costs associated with the expansion of public services. Notably, to develop above 60 feet in the proposed project Overlay requires a CUP that would only be issued if the development provides publicly accessible private open space that is open to the public at least 8 hours per day and/or at least 120 days per year. This requirement would not apply under this Alternative, as building height would be limited to 45 feet, and the City would not realize any benefits from the inclusion of this additional open space.

Similar to the proposed project, the Hotel under this Alternative would also be subject to applicable development impacts fees related to parks and open space and, as such, impacts related to the physical deterioration of parks and other recreational areas as a result of the proposed Hotel would be less than significant; however, due to the reduction in guestrooms, the temporary increased use of nearby park and recreational facilities by overnight guests, employees, and patrons of the eliminated event space, would be incrementally reduced compared to the proposed project. Overall, impacts related to recreation would be similar under this Alternative.

## Transportation

All future development with the Overlay under this Alternative would be subject to the City's independent discretionary review and development fees for traffic impacts. Through the review process, individual projects would be required to demonstrate consistency with applicable General Plan policies such as those that call for construction of off-site improvements to connect new development with existing neighborhoods and land uses (Policy 5-P-4); ensure safety improvements are undertaken in response to the changing travel environment (Policy 5-P-9); require pedestrian site access for all new development (Policy 5-P-23); and provide support facilities to make walking and biking more desirable (Policy 5-P-31).

In addition, all future development would be required to demonstrate consistency with the City's Bicycle and Pedestrian Master Plan and applicable ordinances related to the transportation system and would be required to pay development impact fees related to the transportation system. Similar to the proposed project, impacts under this Alternative related to a conflict with plans, policies, and ordinances addressing the transportation system would be less than significant.

As discussed above, the reduction in height under this alternative could result in a decrease in employment opportunities in the Downtown area. This would have a corresponding effect on the area's employment density which would result in an increase in baseline Vehicle Miles Traveled (VMT) compared to the proposed project. Because this Alternative would have fewer employment opportunities due to the decreased infill potential and flexibility for design, while VMT impacts would remain less than significant, this Alternative would not reduce per capita VMT to the same extent as the proposed project, therefore the less than significant impacts would be slightly greater than the proposed project, but still less than significant.

Traffic under this Alternative would be similar to, or slightly less than, the proposed project. Pedestrian, bicycle, and transit facilities in the project vicinity would not be substantially impacted by the development under this Alternative, nor would this Alternative conflict with plans, ordinances, or policies addressing the circulation system. The site is located within the City's Downtown area and is proximate to goods, services, and transit. Based on the site's location within Downtown, it is assumed that some hotel patrons would walk, bicycle, and/or use transit for trips from the site to surrounding areas. Additionally, MM EKN TRA-1, requiring a valet parking plan, would still be required. This mitigation would ensure that queuing impacts are less than significant. Underground parking associated with this Alternative would be sized appropriately to adhere to City requirements. Similar to the proposed project, temporary impacts to emergency access as a result of this Alternative would be less than significant. At operation, there are no identified conflicts with emergency access and impacts under Alternative 3 would be less than significant similar to the proposed project.

### **Utilities and Service Systems**

Like the proposed project Overlay, all future development within the Overlay under this Alternative would be subject to discretionary review, would be required to demonstrate where and how proposed uses would connect to utility systems, and would be required to demonstrate compliance with applicable regulations and pay any development or connection fees. Additionally, because the permitted residential density would not increase under this Alternative, a substantial increase in population beyond what has already been considered in the General Plan EIR is not anticipated. New buildings would be required to comply with current building codes, which include measures to increase water efficiency. As such, this Alternative would not require or result in the relocation or construction of new or expanded utilities, the construction or relocation of which could cause significant environmental effects and impacts would be less than significant. This Alternative would allow for an increase in building intensity which could result in an increase in the amount of solid waste generated similar to that anticipated for the proposed project. It is important to note that overall density will not exceed what has already been analyzed and approved in the General Plan.

However, due to the decreased height, the employment potential under this Alternative is slightly less than that of the proposed project, as such there is an incrementally reduced contribution to utilities and service systems associated with the reduction in employment potential. Additionally, water usage and wastewater generation would be slightly less than anticipated under the proposed project, due to the reduction in opportunities for infill development.

The impact on utilities and service systems would be less than significant, similar to, but slightly reduced compared to the proposed project.

The Hotel component under this Alternative is on the same site as the proposed project and is well served by existing utilities and service systems. As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.15, Utilities and Service Systems, there are sufficient water supplies and wastewater treatment facilities to meet demands generated by this Alternative as well as existing and planned demands generated by incremental buildout of the General Plan. Additionally, relocation and expansion of utilities beyond connection from the site to existing utilities within the public right-of-way would not be required, as existing infrastructure has adequate capacity to meet water and wastewater conveyance need. Additionally, similar to the proposed project, this Alternative would be subject to development fees. At operation, the reduction in guestrooms and the elimination of the rooftop terrace and event space is expected to result in a slight decrease in impacts related to water supply and wastewater generation compared to the proposed project. Nonetheless, impacts would remain less than significant for both the proposed project and this Alternative. Accordingly, similar to the proposed project, impacts under this Alternative would be less than significant. However, due to the reduction in height of the Hotel, impacts due to the demand for utilities and service systems would be slightly less compared to the proposed project.

## Wildfire

As discussed in Chapter 4, Additional Effects Evaluated in the Initial Study, Section 4.1.16, Wildfire, neither the Overlay areas under this Alternative nor the Hotel site are located in or adjacent to SRAs of lands classified as very high fire hazard severity zones, and as such impacts under the proposed project and Alternative 3 associated with impairment of an adopted emergency response plan or emergency evacuation plan, steep slopes, prevailing winds, or the installation/maintenance of new infrastructure, would not exacerbate fire risk or expose project occupants to the uncontrolled spread of a wildfire, pollutant concentrations from a wildfire, post-fire slope instability, or post-fire flooding. Impacts under Alternative 3 would be less than significant, similar to the proposed project.

## 6.5.2 - Conclusion

This Alternative would result in the same less than significant and less than significant with mitigation impacts as the proposed project. By reducing the height of the Hotel, it would slightly reduce the amount of shade and shadow associated with the proposed project; however, because the proposed project does not have any, it would not avoid or eliminate any significant adverse impacts. All of the mitigation recommended for the proposed project would apply to this Alternative, except MM Overlay CUL-1e, would not be required with respect to making findings supporting increased height.

Accordingly, impacts would be slightly less under this Alternative due to the reduction in required mitigation measures and the limitation of height to 45 feet.

The reduced height of the Hotel under Alternative 3 would have a slight reduction in potential impacts related to bird strikes compared to the proposed proposed project. The reduction in height would still be restricted to existing density limits the same as the proposed project and as such would not result in change compared to the proposed project with respect to population. However, because it would reduce potential opportunities for employment under the Overlay as well as reducing the number of guestrooms in the Hotel and eliminating the rooftop terrace and event space, this reduction in development potential and possible employment would result in incremental reductions under this Alternative compared to the proposed project with respect to energy, GHG emissions, noise and utility systems. Additionally, water usage would be slightly less than anticipated under the proposed project, due to the reduction in opportunities for infill development. At operation, the reduction in guestrooms and the elimination of the rooftop terrace and event space is expected to result in a slight decrease in impacts related to hydrology and water quality compared to the proposed project. Nonetheless, impacts would remain less than significant for both the proposed project and this Alternative.

Because this Alternarivewould incrementally reduce the infill development potential available under the proposed project, and as such, the potential for employment and corresponding reductions in VMT and improved consistency with GHG reduction plans related to maximizing infill development, it would not meet project objectives related to employment or housing to the same degree as the proposed project. Additionally, without the process for obtaining a CUP related to height, this Alternative does not promote flexibility in building forms to the same degee as the proposed project.

## 6.6 - Environmentally Superior Alternative

CEQA Guidelines Section 15126(e)(2) requires identification of an environmentally superior alternative. If the No Project Alternative is environmentally superior, CEQA requires selection of the “environmentally superior alternative other than the No Project Alternative” from among the proposed project and the alternatives evaluated.

The potential significance and qualitative environmental effect of each impact that may result from development under each alternative in relation to the proposed project are summarized in Table 6-1.

**Table 6-1: Summary of Alternatives**

Environmental Topic Area	Proposed Project	Alternative 1 No Project	Alternative 2 Reduced Area C	Alternative 3 Reduced Height
Aesthetics	LTS w/Mitigation	LTS <	LTS w/Mitigation <	LTS w/Mitigation <
Agriculture and Forestry Resources	No Impact	No Impact =	No Impact =	No Impact =

<b>Environmental Topic Area</b>	<b>Proposed Project</b>	<b>Alternative 1 No Project</b>	<b>Alternative 2 Reduced Area C</b>	<b>Alternative 3 Reduced Height</b>
Air Quality	LTS w/Mitigation	No Impact <	LTS w/Mitigation <	LTS w/Mitigation <
Biological Resources	LTS w/Mitigation	No Impact <	LTS w/Mitigation =	LTS w/Mitigation <
Cultural Resources and Tribal Cultural Resources	LTS w/Mitigation	No Impact <	LTS w/Mitigation <	LTS w/Mitigation <
Energy	LTS w/Mitigation	No Impact <	LTS w/Mitigation <	LTS w/Mitigation <
Geology, Soils, and Seismicity	LTS w/Mitigation	No Impact <	LTS w/Mitigation <	LTS w/Mitigation =
Greenhouse Gas Emissions	LTS w/Mitigation	No impact <	LTS w/Mitigation <	LTS w/Mitigation <
Hazards and Hazardous Materials	LTS w/Mitigation	No impact <	LTS w/Mitigation <	LTS w/Mitigation =
Hydrology and Water Quality	LTS	No Impact <	LTS =	LTS <
Land Use	LTS w/Mitigation	No Impact <	LTS w/Mitigation <	LTS w/Mitigation <
Mineral Resources	No Impact	No Impact =	No Impact =	No Impact =
Noise	LTS w/Mitigation	No Impact =	LTS w/Mitigation <	LTS w/Mitigation <
Population and Housing	LTS	No Impact <	LTS <	LTS <
Public Services	LTS	LTS =	LTS <	LTS <
Recreation	LTS	No Impact <	LTS =	LTS =
Transportation	LTS w/Mitigation	No Impact =	LTS w/ Mitigation <	LTS w/Mitigation >
Utilities and Service Systems	LTS	No Impact =	LTS =	LTS <
Wildfire	LTS	LTS =	LTS =	LTS =
Notes: LTS = less than significant				

CEQA Guidelines Section 15126.6(e)(2) requires that if an EIR identifies the No Project Alternative as the environmentally superior alternative, it must also identify an environmentally superior alternative from among the other alternatives. However, when an agency finds that significant adverse effects will be avoided or substantially lessened by mitigation measures, it need not make findings that environmentally superior alternatives are infeasible. See *Mira Mar Mobile Community v City of Oceanside* (2004) 119 CA4th 477; *Protect Our Water v County of Merced* (2003) 110 CA4th 362, 373; *Kings County Farm Bureau v City of Hanford* (1990) 221 CA3d 692.



As demonstrated by Table 6-1, Alternative 1 (No Project) is the environmentally superior alternative as it would avoid all impacts and would not require mitigation. In accordance with CEQA Guidelines Section 15126.6(e)(2), Alternative 3 (Reduced Height) is the environmentally superior alternative as impacts in the majority of the environmental topic areas would be the same as the proposed project, but slightly reduced. Additionally, due to the reduced height under Alternative 3, the less than significant with mitigation impacts related to aesthetics, historic resources and land use would be reduced to a greater degree compared to the proposed project, Alternative 1, and Alternative 2, because a CUP and compliance with MM Overlay CUL-1e would no longer be required for increased height.

## 6.7 - Alternatives Rejected From Further Consideration

CEQA Guidelines 15126.6(c) requires an EIR to discuss alternatives that were initially considered but rejected from further consideration. Accordingly, in addition to the project alternatives, the following alternatives were considered but rejected from further analysis in the EIR because they did not reduce or avoid any significant impacts, did not accomplish most of the basic project objectives, and/or would be infeasible to analyze. The following are alternatives that were initially considered but rejected from further consideration for the reasons described below.

### Alternative Locations Considered but Rejected

CEQA Guidelines Section 15126.6(f)(2) sets forth considerations to be used in evaluating an alternative location. The section states that the “key question” is whether any of the significant effects of the proposed project would be avoided or substantially lessened by relocating the proposed project. Only locations that would be environmentally superior to the project site should be included in the EIR. Alternative sites that would not eliminate or substantially reduce significant adverse effects should be rejected (CEQA Guidelines § 15126.6(f)(2)(A)). Additionally, the CEQA Guidelines identify the following factors that may be taken into account when addressing the feasibility of an alternative location:

1. Site suitability
2. Economic viability
3. Availability of infrastructure
4. General Plan consistency
5. Other plans or regulatory limitations
6. Jurisdictional boundaries
7. Whether the project applicant owns the site or can reasonably acquire, control, or otherwise have access to the alternative site.

#### 6.7.1 - Overlay

The underlying purpose of the Overlay is to support housing and mixed-use development opportunities in a portion of the Downtown area that is best suited to accommodate infill development and support greater intensity of use. As such the City’s objective’s for the proposed project would not be achieved if the Overlay were applied to a different location in the City, as areas outside of the Downtown would not achieve the stated objectives.

Additionally, it is important to note that the City originally considered a 10-block zoning overlay within a 14-block study area, inclusive of the EKN Appellation Hotel site and generally bounded by Washington Street to the north, Petaluma Boulevard to the east, D Street to the south, and Howard/Liberty Streets to the west. Based on public comment and feedback provided by the Planning Commission and Historic and Cultural Preservation Committee at the June 13, 2023, study session the originally proposed 10-block Overlay was revised to reduce the area to focus on underutilized parcels in three smaller areas, avoid overlap with designated historic districts, and to avoid residential areas. Accordingly, the City considered several alternative locations within the Downtown, but ultimately rejected those other areas as not meeting the City's objectives related to historic preservation, support for businesses, and promoting economic development and employee generation proximate to existing goods services and transit.

### **Alternative Locations—Hotel**

Several alternative sites were suggested for the Hotel component of the proposed project during the Notice of Preparation (NOP) period. These suggestions include:

- Near the Sonoma-Marín Area Rail Transit (SMART) Train station within the Central Petaluma Specific Plan Area
- At the east side of the Petaluma River along Copeland Street
- Land now occupied by Bank of the West
- Petaluma Fairgrounds
- The Plaza North Shopping Center
- The Kohl's shopping center
- The Target Shopping Center at Kenilworth Drive and East Washington Street
- The former "Lucky's" site on Petaluma Boulevard
- Underutilized parcels on Petaluma Blvd North near the Petaluma Police Station
- 4th Street and D Street
- 4th Street and C Street
- 307 Petaluma Boulevard South

There are no significant and unavoidable impacts associated with the proposed project. Accordingly, none of the sites suggested as alternatives would avoid or substantially lessen a significant and unavoidable impact. However, even though the proposed project's impacts are less than significant with mitigation, alternative locations may have fewer impacts with respect to the City's historic districts compared to the proposed project. Additionally, with respect to the Hotel component, the project applicant does not own nor can they reasonably acquire any of the suggested sites. Because the CEQA Guidelines establish that only locations that would accomplish the objective of avoiding or lessening significant impacts should be considered as alternative locations for the proposed project, and none of these sites accomplish that objective, these locations are rejected from further consideration.

### 6.7.2 - Hotel Without Underground Parking

During the NOP process, it was suggested that an alternative be considered eliminating the underground parking associated with the proposed Hotel. There are no potentially significant impacts associated with the underground parking that would be avoided or lessened by eliminating underground parking. In addition, two of the three parcels comprising the Hotel project site are located within the Parking Assessment District (Exhibit 2-6). Because Section 11.035 of the IZO specifies that sites and structures within the Parking Assessment District are exempt from the requirement to provide off-street parking facilities, if underground parking is eliminated, it is likely that development would be restricted to the parcels within the Parking Assessment District and no replacement parking would be required for development on those parcels. Because the Parking Assessment District does not include a provision to collect revenue from new uses or buildings within the district, if the underground parking is eliminated, there would be no additional parking provided by the project. Because this alternative would not reduce any significant impacts and would only reduce parking opportunities which may lead to environmental impacts like GHG emissions in searching for parking, it is rejected from further consideration.

### 6.7.3 - Overlay in Area A Only

The City considered an alternative that would apply the Overlay only to those properties in Area A. However, limiting the Overlay to the approximately 2.70 acres in Area A alone would not provide the necessary opportunities for the City to achieve the project objectives. Area A comprises 13 parcels bounded by B Street to the north, D Street to the south, Petaluma Boulevard South to the east, and 4th Street to the west. This limited area would not provide sufficient opportunities and therefore would not achieve the employment objectives of the City nor would it achieve the objective to incorporate sites with the greatest opportunity for redevelopment activity, and as such is rejected from further consideration.

### 6.7.4 - Overlay Without Expanded Lot Coverage

This alternative considers an Overlay that would not include an increase in lot coverage. Under this alternative, lot coverage would be limited to 80 percent, as is currently permitted by existing regulation. However, as evaluated in Chapter 3: Environmental Impact Analysis and imposed through MM CUL-1e, compliance with the the CUP process and required findings/review criteria, would ensure that impacts associated with increased lot coverage are reduced to less than significant levels. Accordingly, a reduced lot coverage alternative and alternatives that propose maintaining existing standards would not reduce any significant impacts and would not meet project objectives. Moreover, potential impacts associated with maintaining existing standards are evaluated in the current General Plan EIR and in Alternative 1, No Project Alternative. Additionally, maintaining the existing lot coverage requirements would restrict the City's ability to meet project objectives to increase housing opportunities on the groundfloor and increase employment opportunities. Because this alternative would not reduce or avoid any significant impacts, does not meet City objectives, and is not substantially different from Alternatives already considered, it is rejected from further consideration.

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##### Painter Preservation (Historic Cultural Resource Report)

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