

Resolution No. 2014-127 N.C.S.  
of the City of Petaluma, California

**APPROVING THE TENTATIVE SUBDIVISION MAP FOR THE RIVERFRONT  
MIXED USE DEVELOPMENT LOCATED AT 500 HOPPER STREET  
APN 136-010-027  
FILE NO. 11-TSM-0130**

**WHEREAS**, Basin Street Properties submitted an application for a Zoning Map Amendment and Tentative Subdivision Map for the Riverfront Mixed Use Development (File No. 11-TSM-0130) to subdivide the parcel located at 500 Hopper Street, APN 136-010-027 into 144 residential lots and 4 parcels for public Parcels A through D. The application is referred to as "the Project" or the "proposed Project"); and

**WHEREAS** the City prepared a Draft Environmental Impact Report ("EIR") to assess the potential environmental effects of the Project, including the Tentative Subdivision Map, and the Draft EIR was circulated for public review and the City prepared a Final EIR providing written responses to comments received during the public review period (the Draft and Final EIRs are collectively referred to as the EIR); and

**WHEREAS**, a staff report, dated June 24, 2014 described and analyzed the Final EIR and the Project for the Planning Commission reviewed conformity of the tentative subdivision map with General Plan 2025, the Central Petaluma Specific Plan ("CPSP"), and applicable zoning and other regulations, and recommended approval of the Project (the staff report is incorporated herein by reference and available for public review in the Planning Division at City Hall during normal business hours); and

**WHEREAS** the Planning Commission held a duly noticed public hearing at which time all interested parties had the opportunity to be heard, and following the public hearing, the Planning Commission adopted Resolution 2014-15 recommending certification of the Final EIR, Resolution 2014-16 recommending adoption of the proposed zoning amendments, and Resolution 2014-17 recommending approval of the Tentative Subdivision Map, which resolutions are incorporated herein by reference and available for public review in the Planning Division at City Hall during normal business hours; and

**WHEREAS**, on July 21, 2014, the City Council held a duly noticed public hearing on the Project, including the tentative subdivision map; and

**WHEREAS**, on July 21, 2014, the City Council reviewed the CEQA evaluation for the project and certified the Final Environmental Impact Report and adopted the Mitigation Monitoring and Reporting Program for the Project, all in accordance with the California Environmental Quality Act and the City of Petaluma Environmental Guidelines; and

**WHEREAS**, on July 21, 2014, the City Council introduced an ordinance approving a Zoning Map Amendment to rezone the property located at 500 Hopper Street to T-4 (General Urban), T-5 (Urban Center), T-6 (Urban Core) and CS (Civic Space); and

**WHEREAS**, the proposed Riverfront Mixed-Use Development Tentative Subdivision Map is subject to Title 20, Subdivisions, of the Municipal Code (Subdivision Ordinance) and

the State Subdivision Map Act, which regulate the design and improvement of proposed subdivisions; and

**WHEREAS**, as described in the staff report, the Riverfront Mixed-Use Development Tentative Subdivision Map proposes to subdivide the project site into 144 lots and 4 public parcels; and

**WHEREAS**, As proposed, 134 single family residences will each be on separate lots, 39 townhouses and 4 live/work units will be on three lots, and commercial and mixed use buildings will be on three lots; Parcels A, B, and C will contain an active park, the central green and multi-use path adjacent to Highway 101, respectively; Parcel D will be dedicated to the City for a potential future boathouse facility along the Petaluma River; and the Riverfront Park will be on a separate state-owned property adjacent to the development site; and is included in the project but not in the Tentative Subdivision Map; and,

**WHEREAS**, the proposed Tentative Subdivision Map illustrates the overall site layout, proposed roadways (roadway widths, bike and pedestrian facilities), master utility plans (water, sewer, and wastewater), grading plans, and stormwater treatment plans, among other improvements; and

**WHEREAS**, the Project is proposed to develop in eight phases, for which multiple future Final Maps will be recorded for the purposes of development in accordance with the CPSP; and

**WHEREAS**, as discussed in the staff report, the Tentative Subdivision Map is consistent with the Petaluma General Plan 2025, the CPSP and the applicable provisions of the 2003 SmartCode; and

**WHEREAS**, the City Council hereby finds and determines as follows for the Tentative Subdivision Map for the Riverfront Mixed Use Development:

- A. The proposed Tentative Subdivision Map, as conditioned, together with provisions for its design and improvements, is consistent with the General Plan 2025 and the Central Petaluma Specific Plan, and will not be detrimental to the public health, safety, or welfare in that adequate public facilities exist or will be installed, including roads, sidewalks, water, sewer, storm drains, and other infrastructure.
- B. The site is physically suitable for the density and the type of development proposed in that it a relatively flat, undeveloped lot within the Urban Growth Boundary that will serve to use land efficiently and promote infill at a residential density consistent with the vision of the SmartCode.
- C. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, and no substantial or avoidable injury will occur to fish or wildlife or their habitat in that the Final EIR provided mitigation measures to reduce identified potential impacts on environmental resources, including biological resources and their habitat, to less than significant levels. All identified mitigation measures are included as conditions of approval to ensure implementation through the project.
- D. The design of the subdivision and the types of improvements are not likely to cause serious public health problems in that the project proposes a vibrant, walkable mixed-use neighborhood on approximately 35.7 acres with a mix of residential, hotel,

commercial and office uses, as well as approximately 4.0 acres of parks and trails providing access to the Petaluma River. No industrial uses are proposed and the Final EIR identified no significant health impacts.

- E. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision in that the project is proposing a grid network of public streets that will connect to the City's existing street network, including provisions for emergency vehicle access. Existing easements will be preserved or realigned to mesh with the subdivision design. The subdivision layout is consistent with and does not preclude the future Southern Crossing bridge over the Petaluma River connecting to Petaluma Boulevard South.
- F. The Riverfront Mixed-Use Development Tentative Subdivision Map proposes warrants pursuant to the CPSP and its implementing SmartCode to modify lot setbacks for rear garages, lot setbacks and coverage for townhomes, parking in first and second layers (front of Lot 134), and street sections as follows:
- Reduced rear yard setback for garages on 92 single family lots in T-4 Zone (reduce rear yard setback for 2 lots to a minimum 12 feet, reduce rear yard setbacks for 14 lots to a minimum 10 feet, and reduce rear yard setback for 76 lots to a minimum 5 feet.
  - Reduced setbacks for townhomes in T-4 Zone for three lots.
  - Increased lot coverage for townhomes on three lots in T-4 Zone District to 80% from the maximum of 60%.
  - Allowed parking in the First and Second Layer (area in vicinity of front of lot and facades) on lot 134.
  - Modified Street Sections for local residential streets, a portion of the Caulfield Extension between the Pomeroy property and the Central Green, and the main street extending from the Central Green to the Petaluma River.

These warrants are justified by the following SmartCode Intent provisions: The T-4 Transect Zone Description defines the zone as "consisting of a mixed-use but primarily residential urban fabric" with a "wide range of building types" including "single, sideyard and rowhouses." It further states that "setbacks and landscaping are variable" and the Zone description shall constitute the Intent with regard to the "general character" of the development. The variable setbacks, lot coverage, parking and street section modifications allow the site design to facilitate walking and biking, as alternatives to automobile travel; by facilitating development of compact, pedestrian-oriented neighborhoods; and by adequately accommodating automobile travel while respecting and encouraging pedestrian movement. The requested warrants for variable setbacks, landscaping, road sections, bike lanes and parking in order to provide more space for landscaping, trees and pervious areas that encourage pedestrian and bicycle travel, and that also provide compliance with Fire Code requirements - all in accord with the Intent statement in the SmartCode.

- G. The proposed Riverfront Mixed Use Development Tentative Subdivision Map complies with the requirements of Chapter 20.16, Tentative Subdivision Map, of the Subdivision Ordinance and with the Subdivision Map Act as further described in the staff report;

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

1. The Tentative Subdivision Map dated February 1, 2013, and on file in the Planning Division, including the requested warrants as specified above, based on the findings above and subject to the Conditions of Approval set forth in attached Exhibit A, which is incorporated herein by reference, is hereby approved, conditioned on and subject to Ordinance No. 2508 N.C.S., an Ordinance of the City Council of the City of Petaluma Amending the Zoning Map Contained in Section 2 of the SmartCode and the Zoning Map Contained in the Implementing Zoning Ordinance, Ordinance No. 20300 N.C.S. for the Riverfront Mixed Use Development, APN 136-010-027, File Number 11-TSM-0130, taking effect.
2. This resolution shall take effect immediately upon adoption by the City Council, and the approval of the Tentative Subdivision Map conditionally granted pursuant to this resolution shall become effective upon Ordinance No. 2508 N.C.S. becoming effective, without further action by the City Council.

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

**REFERENCE:**

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 21<sup>st</sup> day of July, 2014, by the following vote:

Approved as to form:

  
City Attorney

**AYES:**

Albertson, Mayor Glass, Harris, Healy, Vice Mayor Kearney, Miller

**NOES:**

Barrett

**ABSENT:**

None

**ABSTAIN:**

None

**ATTEST:**

  
City Clerk

  
Mayor

CONDITIONS OF APPROVAL**RIVERFRONT MIXED-USE DEVELOPMENT**

Project File No. 11-TSM-0130

July 21, 2014

PLANNING DIVISION

1. Effective Date. The tentative map approval shall not be effective until the related zoning map amendments are adopted and effective.
2. Before issuance of any development permit, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Conditions of Approval as notes.
3. The plans submitted for building permit review shall be in substantial compliance with the plans date stamped June 16, 2014, except as modified by these Conditions of Approval.
4. The applicant shall pay the Notice of Determination ("NOD") Clerk's fee to the Planning Division. The applicant shall provide a **\$50.00** check made payable to the Sonoma County Clerk. Planning staff will file the Notice of Determination with the County Clerk's office. The applicant shall also provide a check for the State Department of Fish and Wildlife environmental filing fee (as required under Fish and Wildlife Code Section 711.4d) to the Sonoma County Clerk on or before the filing of the Notice of Determination (as of January 1, 2014, the fee is **\$3,029.75**; contact the Clerk's office at (707) 944-5500 to confirm).
5. No building permits shall be issued for any buildings on the site until a Final Map has been approved that covers the project locations for which building permits are sought.
6. Prior to Certificate of Occupancy, the developer/applicant shall record the following notice in the Official Records of Sonoma County (requirement of the EIR), and shall include the following notice in all sale, lease or rental agreements concerning any portion of such property:

"This document shall serve as notification that you have purchased property or you are leasing or renting premises in an area where river-dependent and/or agricultural support industrial operations are located which may cause off-site effects including without limitation, noise, dust, fumes, smoke, light, and odors, and which may operate at any time of night or day. The nature and extent of such operations and their effects may vary in response to fluctuations in economic circumstances, business cycles, weather and tidal conditions and other conditions. This statement is notification that these off-site effects are a component of the industrial operations in the Central Petaluma Specific Plan area of the City of Petaluma and you should be fully aware of this at the time or purchase, lease or rental."

7. The developer/applicant shall include the following notice in all sale, lease, or rental agreements concerning any portion of such property:

"This document shall serve as notification that you have purchased property or you are leasing or renting premises in proximity to the Caulfield Lane Extension which connects to the "Southern Crossing", a bridge identified in Section 5.3 of the General Plan 2025, intended to reduce traffic congestion along the D Street and Washington Street corridors. The construction and operation of the Caulfield Lane Extension may cause off-site effects including without limitation, noise, dust, fumes, and light any time of night or day. This statement is notification that these off-site effects are a component of the planned circulation improvements in the Central Petaluma Specific Plan area of the City

of Petaluma and you should be fully aware of this at the time of purchase, lease or rental."

8. Prior to building permit approval for Residential buildings the plans shall note the installation of high efficiency heating equipment (90% or higher heating/furnaces) and low NOx water heaters (40 or less) in compliance with General Plan policy 4-P-15D (reducing emissions in residential units).
9. Prior to building or grading permit issuance, the applicant shall provide a Construction Phase Recycling Plan that would address the reuse and recycling of major waste materials (soil, vegetation, concrete, lumber, metal scraps, cardboard, packing, etc., generated by any demolition activities and construction of the project, in compliance with General Plan Policy 2-P-122 for review by the planning staff.
10. Prior to Final Map approval, the applicant shall record an irrevocable easement for shared parking purposes for the parking facility located on Lot 134 to serve the planned Office, Hotel, Retail and Active Park uses. The shared parking agreement shall allow for public parking for time periods approved by the City. The form and content of the easement shall be reviewed and approved by the City Attorney prior to recordation.
11. Plans submitted for building permit shall include pre-wiring for solar facilities for each of the individual commercial and mixed-use buildings and are subject to staff review and approval.
12. Prior to issuance of a grading/ building permit, the applicant shall provide a lighting plan for planning staff reviewing and approval. The lighting plan shall include exterior light locations and details of the proposed fixture type and brightness (lumens). All lighting shall be glare-free, hooded and downcast in order to prevent light pollution and glare into bicyclists' and pedestrians' eyes.
13. The applicant shall be subject to any fees in affect at time of building permit issuance. Said fees are due at time of issuance of building permit (commercial uses) or occupancy (residential uses) at which time, other pertinent fees that are applicable to the proposed project will be required.
14. Signs are not approved as part of this project approval. Signs require a separate sign permit. A Master Sign Program shall be prepared and reviewed and approved by the Planning Commission for the commercial and mixed-use portions of the project prior to the issuance of any sign permits.
15. The applicant shall defend, indemnify and hold harmless the City and its officials, boards, commissions, agents, officers and employees ("Indemnitees") from any claim, action or proceeding against Indemnitees to attack, set aside, void or annul any of the approvals of the project to the maximum extent permitted by Government Code section 66477.9. To the extent permitted by Government Code section 66477.9, the applicant's duty to defend, indemnify and hold harmless in accordance with this condition shall apply to any and all claims, actions or proceedings brought concerning the project, not just such claims, actions or proceedings brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the subdivider of any such claim, action or proceeding concerning the subdivision. The City shall cooperate fully in the defense. Nothing contained in this condition shall prohibit the City from participating in the defense of any claim, action, or proceeding, and if the City chooses to do so, applicant shall reimburse City for attorneys' fees and costs incurred by the City to the maximum extent permitted by Government Code section 66477.9.
16. If the applicant elects to install Public Art on-site, the proposed locations shall be incorporated into SPAR plans and shall be reviewed and approved by the Public Art Committee prior to installation.

17. The applicant shall obtain and install benches for public parks and trails from the Petaluma High School metal shop program for incorporation into the project to the extent feasible, based on timing and needed volume.
18. All standpipes, check valves and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping to be reviewed and approved by the Planning Manager.
19. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Petaluma's Subdivision Ordinance (#1046, Title 20, Chapter 20.04 of the Petaluma Municipal Code). An erosion and sediment control plan will be required for the subdivision grading plans. The proposed subdivision grading and subsequent development phases that are over one acre in size will be required to prepare a SWPPP in accordance with City and State regulations, and all future development will be subject to City grading and erosion control regulations.
20. In the event that human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended and the following measures shall be undertaken:
  - a. The Sonoma County Coroner shall be contacted.
  - b. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours.
  - c. The project sponsor shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
  - d. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American, and shall contact such descendant in accordance with state law.
  - e. The project sponsor shall be responsible for ensuring that human remains and associated grave goods are reburied with appropriate dignity at a place and process suitable to the most likely descendent.
21. The developer, through an agreement to construct public improvements, including all new on and off-site parks (the Riverfront Park, Active Park, Central Green) and the on and off-site paths, unless also serving as an EVA, shall be required to provide all required improvements consistent with Sheet L1 and the Riverfront Park Concept Plan and subject to final approval of the approving body. The developer shall be reimbursed for the cost thereof for on and off-site parks (the Riverfront Park, Active Park, Central Green) from the fees collected from the subdivision or from other subdivisions in the same manner as set out for land reimbursement by Section 20.34.110 and 20.34.120 of the Municipal Code.
22. Geotechnical investigations shall be required and recommendations implemented for each development phase in accordance with requirements of the California Building Code and City policies.
23. The applicant shall review and approve any site and architectural plans prepared for future phased development by others, including, without limitation, the residential portions of the project and the boathouse, prior to submittal to the City for Site Plan and Architectural Review (SPAR), in order to provide coordination and consistency of design intent as depicted in the Concept Plan and Architectural Intent Images on file with the Planning Division.
24. The applicant shall prepare a Supplemental Map Sheet for filing with the Final Subdivision Map to include and identify items that deviate from the 2003 SmartCode, consistent with the deviations/warrants shown on sheet TM-7 and TM-8A in the Tentative Subdivision Map.

25. The project description indicated a six year construction schedule and the Air Quality analysis assumes a more conservative five year schedule. The applicant shall submit an annual report to the Planning Division on actual and assumed construction to ensure that the construction development schedule maintains consistency with the project description and analysis contained in the EIR for the project.
26. Construction best management practices including exclusionary fencing for wildlife, barrier fencing, avoidance buffers, and personnel training shall be implemented during construction in proximity to the Coastal brackish marsh habitat located south of the Riverfront Park component.
27. When preparing the detailed acoustical report during design phase, as required by mitigation measure NOISE-1, the project acoustical consultant should consider the following hierarchy of potential attenuation measures:
  - a. Building and bedroom orientation
  - b. Robust building shell construction
  - c. Densification of construction
  - d. HVAC and mechanical equipment
28. **Mitigation Measure AIR-1:** Require implementation of the following measures during construction:
  - a. All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or to maintain minimum soil moisture of 12%.
  - b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
  - c. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
  - d. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
  - e. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - f. All visible mud or dirt tracked-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 shall be prohibited.
  - g. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
  - h. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
  - i. All paving shall be completed as soon as possible after pipeline replacement work is finished.
  - j. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
  - k. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes (California airborne toxics control measure Title 13, section 2485 of California Code of Regulations (CCR) establishes a maximum idling time of 5 minutes). Clear signage shall be provided for construction workers at all access points.
  - l. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - m. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.



- n. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
  - o. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
  - p. All roadways, driveways and sidewalks to be paved shall be complete as soon as possible. Building pads will be laid as soon as possible after grading, unless seeding or soil binders are used.
29. **Mitigation Measure AIR-2:** Include the following measures as part of the construction specifications (General Plan Policy 4-P-16):
- a. Maintain construction equipment engines in good condition and in proper tune per manufacturer's specification for the duration of construction;
  - b. Use alternative fuel construction equipment if available (i.e., compressed natural gas, liquid petroleum gas);
  - c. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM through the use of add-on control devices such as diesel oxidation catalysts or particulate filters; and
  - d. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.
30. **Mitigation Measure AIR-3:** Require that construction activities implement the following measures at the project sites to reduce construction equipment exhaust when building construction activities occur within 200 feet of any residential use. The contractor shall develop and the City shall approve a plan demonstrating that the off-road equipment (more than 50 horsepower and on site for more than 2 consecutive workdays) to be used in project construction (i.e., owned, leased, and subcontractor vehicles) would achieve an additional 60 percent reduction in exhaust particulate matter emissions, compared to similar equipment based on CARB statewide average emissions. Based on the CalEEMod modeling, a feasible method to achieve this objective would be the following:
- a. All diesel-powered construction equipment more than 50 horsepower used on-site during all construction phases for more than two days consecutively shall meet or exceed U.S. EPA Tier 2 standards for particulate matter emissions or substituted with alternatively fueled equipment (e.g., LPG fuel).
  - b. Prohibit use of diesel-powered generators for more than two days when line power is available.
  - c. All non-mobile construction equipment shall be alternatively fueled or meet U.S. EPA Tier 2 standards for particulate matter emissions
31. **Mitigation Measure AIR-4:** Provide reimbursement to the City for the design and construction of the Primary Influent Pump Station mechanical odor control unit. The odor control unit shall meet current design criteria and be equivalent to the units installed at recent pump station upgrades within the City.
32. **Mitigation Measure BIO-1:** To mitigate for the impacts to 0.24 acres of seasonal wetland habitat, the developer shall consult with agencies to identify feasibility of creating onsite mitigation areas through remediation within the Riverfront park area. If onsite mitigation is determined to be infeasible then, credits shall be purchased from an approved mitigation bank at a ratio of one acre for every one acre impacted, or as otherwise directed by the regulatory agencies. Due to general low-quality of the existing wetland habitat (e.g. presence of non-native species, disturbed soils) within the project site, a mitigation ratio of one acre mitigated for each acre impacted is recommended by the biologist. Prior to issuance of grading permit, proof of purchase of mitigation bank credit or verification of onsite wetland remediation to offset losses shall be submitted to the City and U.S. Army Corps of Engineers.

- a. According to information provided by the project biologist, the Burdell wetland mitigation bank, located just south of Petaluma, has mitigation bank credits available.
33. **Mitigation Measure BIO-2:** Develop final Riverfront Park design that avoids and protects wetlands. The design shall also investigate the feasibility of creating wetland habitat as part of the proposed Riverfront Park, which could serve to offset losses in lieu of purchasing credits (See BIO-1). Implement standard best management practices (BMP) to protect wetland areas during and after construction of the Riverfront Park to include, but not be limited to installation of protective staking and silt fencing to prevent inadvertent intrusion by equipment during construction.
34. **Mitigation Measure BIO-3:** Conduct vegetation removal within areas to be developed between September 1 and January 30, outside of the general breeding bird season. If this is completed, no further mitigation is required. Otherwise, if vegetation removal or modification occurs between February 1 and June 15, require pre-construction nesting surveys within 14 days prior to such activities to determine the presence and location of nesting bird species. If vegetation removal or modification occurs between June 16 and August 31, pre-construction surveys shall be performed within 30 days prior to such activities. If active nests are present, establish temporary protective breeding season buffers to avoid direct or indirect mortality of these birds, nests or young. The appropriate buffer distance is dependent on the species, surrounding vegetation and topography and shall be determined by a qualified biologist as appropriate to prevent nest abandonment and direct mortality during construction.
35. **Mitigation Measure CUL-1:** If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100 foot radius of the find shall be suspended for a time deemed sufficient for a qualified and city-approved cultural resource specialist to adequately evaluate and determine significance of the discovered resource and provide treatment recommendations. Should a significant archeological resource be identified a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities.
36. **Mitigation Measure CUL-2:** In the event that human remains are discovered, all work shall be suspended and the Sonoma County Coroner shall be contacted in accordance with provisions of the California Public Resources Code section 5097.98-99 and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code 5097, so that the "Most Likely Descendant" can be designated.
37. **Mitigation Measure GEO-1:** Require implementation of all recommendations as set forth in the geotechnical investigations and updates prepared for the subject property by Miller Pacific Engineering Group (dated March 2006, July 2009, August 2011, January 2013, December 2013), including but not limited to recommendations for site and soil preparation, foundation designs, drainage and installation of utilities. Buildings shall require the following: structural foundation systems, such as mat slabs or rigid interconnected grade beams, able to resist the anticipated strong ground shaking and potential for differential movement caused by liquefaction and/or consolidation of the bay mud, b) soil improvement, c) deep foundation systems or d) other engineering techniques as recommended in additional geotechnical investigations of liquefaction hazards. All structures shall meet the California Building Code regulations and design requirements for seismic safety.
38. **Mitigation Measure GEO-2:** Implement the recommendations of the project geotechnical investigations and updates prepared for the subject property by Miller Pacific Engineering Group (dated March 2006, July 2009, August 2011, January 2013, December 2013),, except as modified based on site-specific refinements. Settlement mitigation measures shall include use of structural foundation systems (such as mat slabs or rigid interconnected grade beams) for residential structures, which can withstand the potential total and

differential settlements in accordance with recommendations of the geotechnical investigations and deep foundations (driven piles or drilled piers) for heavier structures planned in the northern portion of the site. Ground improvement, such as with the use of Rammed Aggregate Piers (RAP), may also be appropriate at certain locations within the site.

39. **Mitigation Measure GEO-3:** Prior to the issuance of grading permits and in accordance with City of Petaluma Improvement Plan submittal requirements and procedures, the developer shall submit construction plans along with Design Level Geotechnical Analysis that specifically addresses the thicker fills up to ten feet in the area near the Future Caulfield Lane Bridge in the southern portion of the site. The Improvement Plans and design level Geotechnical analysis shall be subject to third party peer review in order to verify that recommended measures to address differential settlement of bay mud associated with thicker fills up to ten feet near the Future Caulfield Lane Bridge are adequate to accommodate potential settlement. In the event that peer review concludes that the recommended design measures will not sufficiently minimize the effects of differential settlement, the developer shall be required to implement one of the following standard construction techniques: 1) the use of lightweight fill material in place of heavier, existing soils on areas that require thicker fill, or 2) pre-load areas that require thicker fill and allow settlement to occur prior to construction. The developer shall be responsible for the cost of the peer review and the City's Public Works Department shall coordinate the scope of service and approve findings of the peer review prior to the issuance of grading permits.
40. **Mitigation Measure HAZMAT-1:** Require that the quality of the stockpiled soils be reaffirmed / tested prior to use for onsite fill, which shall be done following the Clean Imported Fill Material Information Advisory prepared by the DTSC (DTSC 2001) in accordance with the recommendation set forth in the 2013 Iris Environmental Phase I Environmental Site Assessment.
41. **Mitigation Measure HAZMAT-2:** Prepare and implement a Risk Management Plan (RMP) that provides the procedures to properly manage site groundwater that may be encountered during construction activities. The plan shall address procedures for discovery of any unknown features or environmental conditions that may be encountered during activities that will disturb site soils.

The RMP shall include, but not be limited to the following components as set forth in the 2013 Phase I Environmental Site Assessment report:

- a. Soil management: Provide guidelines for identification and analysis of unknown environmental conditions and define responsibilities for management of discovery of unknown features or site conditions.
- b. Groundwater management: Prohibit use of groundwater encountered during construction activities for dust control and allow discharge of groundwater to surface waters only pursuant to a permit issued from applicable regulatory agencies. All permit conditions must be satisfied prior to discharge.
- c. Preparation and implementation of a site-specific Environmental Health and Safety Plan by the general contractor to ensure that appropriate worker health and safety measures are in place during redevelopment activities. Elements of the plan must include all practices and procedures necessary to comply with all new and existing Federal, California, and local statutes, ordinances, or regulations regarding health and safety. Specific components of the EHASP must include the following: identification of site hazards; assignment of specific health and safety responsibilities for site work; establishment of appropriate general work practices; establishment of control zones and decontamination procedures; job hazard analysis / hazard mitigation procedures; air monitoring; required personal protective and related safety equipment; and contingency and emergency information.

42. **Mitigation Measure HYDRO-1:** Prepare final drainage plan as part of the Subdivision Improvement Plans that provide calculations and documentation that the site storm drain system and discharge culverts have adequate capacity to serve the project and watershed area at full buildout. The storm drain system design shall be reviewed and approved by the Sonoma County Water Agency.
43. **Mitigation Measure HYDRO-2:** In accordance with National Pollution Discharge Elimination System (NPDES) regulations, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for grading and construction of subdivision improvements. The SWPPP shall also include provisions for the offsite Riverfront Park. All subsequent development phases over one acre in size shall prepare and implement a SWPPP. The SWPPP shall address erosion and sedimentation controls during all phases of construction, storage and use of fuels, and use and clean-up of fuels and hazardous materials. The SWPPP shall prohibit fueling, cleaning, or maintenance of equipment except in designated areas located as far from the river as possible. As a precaution, require contractor to maintain adequate materials onsite for containment and clean-up of any spills. The developer shall provide approval documentation from the RWQCB to the City verifying compliance with NPDES requirements. Acceptable proof of compliance is the Notice of Intent with a WDID number or other equivalent documentation.
44. **Mitigation Measure HYDRO-3:** The applicant shall prepare and implement an erosion control plan for the subdivision grading and each subsequent development phase site plan. The plan shall be reviewed and approved by the City of Petaluma prior to issuance of a grading permit for the proposed development. The erosion control plan shall include phasing of grading, limiting areas of disturbance, designation of restricted-entry zones, diversion of runoff away from disturbed areas, protective measures for sensitive areas, outlet protection and provision for revegetation or mulching. The plan shall also prescribe treatment measures to trap sediment, such as inlet protection, straw bale barriers, straw mulching, straw wattles, silt fencing, check dams, terracing, and siltation or sediment ponds. Catchment and settlement ponds will be constructed to contain silt being deposited at temporary outlets. Temporary outlets will be rocked with silt control. Fiber rolls, silt fences and fiber mats will be installed on all slopes.
45. **Mitigation Measure HYDRO-4:** The applicant shall prepare and implement an erosion control plan for construction of the offsite trail and improvements for the Riverfront Park, including, but not limited to: installing hay bales or appropriate temporary silt fencing adjacent to the perimeter of the work area to prevent inadvertent transport of sediments into the Petaluma River; limiting ground disturbance and vegetation removal during construction; conducting work prior to the rainy season; protecting disturbed areas during the rainy season; and immediately revegetating disturbed areas.
46. **Mitigation Measure HYDRO-5:** Subsequent development phases over one acre in size shall submit plans and detailed calculations to show that requirements for post-construction runoff treatment have been met in accordance with the City's stormwater management regulations.
47. **Mitigation Measure NOISE-1:** Pursuant to General Plan Policy 10-P-3C and the CPSP EIR Mitigation Measure 10-1, a detailed acoustical report shall be prepared by a qualified acoustical specialist as part of design phase to determine the noise control treatments for the residential buildings, offices and the hotel to meet local and state standards. Noise attenuation measures shall include as appropriate thicker walls, stucco siding, sound insulating windows and/or doors, building and bedroom orientation and other measures pursuant to the detailed acoustical report. To achieve the noise reduction requirements, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residential units and the hotel. Special sound rated building elements such as windows and doors may also be necessary to reduce the intrusiveness of the train noise given that typical noise levels could reach 95 dBA Lmax outside the nearest townhomes if Quiet Zone status is not approved.

48. **Mitigation Measure NOISE-2:** In accordance with Mitigation Measure 10-2 of the Central Petaluma Specific Plan, require implementation of the following measures during all phases of project construction:
- a. Construction Scheduling. Limit noise-generating constructions activities to daytime, weekday hours (7 AM to 6 PM) and 9 AM to 5 PM on weekends and holidays. When construction is occurring within 100 feet of existing residences, then construction shall be initiated no earlier than 8AM during weekdays, 9AM on Saturdays, and shall be prohibited on Sundays and Holidays.
  - b. Equipment. Properly muffle and maintain all construction equipment powered by internal combustion engines.
  - c. Idling Prohibitions. Prohibit unnecessary idling of internal combustion engines.
  - d. Equipment Locations and Shielding. Locate all stationary noise-generally equipment, such as air compressors as far as practical from existing nearby noise sensitive receptors.
  - e. Quiet Equipment Selection. Select quiet construction equipment, particularly air compressors, whenever possible.
  - f. Noise Disturbance Coordinator. Designate a project construction supervisor as "Noise Disturbance Coordinator" who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site and submit to the City of Petaluma Building and Police Departments.
  - g. Notification. Notify nearby residents (within 300 feet) in writing of the construction schedule.
49. **Mitigation Measure TRAF-1:** If SMART rail service (and the supplemental safety measures that may be needed for it) is delayed to such an extent that the Riverfront project is built first, require installation of the supplemental safety measures at the existing Caulfield Lane at-grade crossing to include an additional exit gate on the southwest side of the crossing to preclude vehicles from navigating around the entry gates to proceed eastbound on Caulfield. The exit gate and related items shall be installed by SMART's contractor and funded by the City. The applicant shall contribute funds equal to half the cost of construction.
50. **Mitigation Measure CUM-1.** Require payment of the project's 21% pro-rata share of the cost of signalization at Hopper Street/Caulfield Lane in the future when an extension of Caulfield Lane over the Petaluma River is completed.
51. **Mitigation Measure CUM-2.** The Applicant shall lengthen the westbound left turn pocket at Lakeville Street/Caulfield Lane to approximately 250 feet, and install a raised median on the westbound approach to physically prohibit illegal left turn movements into and out of adjacent properties, as recommended in the project traffic report, in order to improve capacity and safety at the intersection.

#### **PUBLIC WORKS & UTILITIES (ENGINEERING DIVISION)**

Section 20.16.420 of the Subdivision Ordinance specifies that the City Engineer shall prepare a written report of recommendations on the tentative map in relation to the public improvement requirements of the Subdivision Ordinance and the provisions of the Map Act. The following list of Engineering Division conditions constitutes the required report.

The following conditions shall be addressed at the time of final map and improvement plan application.

52. Pursuant to the Petaluma Bicycle & Pedestrian plan, all multi-use trails shall be designed to Class 1 bike path standards as contained in Chapter 1000 of the Highway Design Manual. The minimum width of the two-way paths shall be eight to 10 feet, depending on location, expected usage and site constraints. Both sides of the paths, where space exists, shall have two-foot graded shoulders to provide clearance from poles, trees, walls, fences, guardrails and other obstructions. Final path design, including widths and surfacing materials shall be completed on the subdivision improvement plans prior to recordation of the Final Map, subject to review and approval of the City Engineer and Planning Manager.
53. Hopper Street shall be a minimum of 20-feet wide. Two-way, public access, from D Street on all of Hopper Street is acceptable. The proposed access point at East D Street shall be limited to right turn in and right turn out only for passenger vehicles. Install a raised, 2-foot wide max, mountable (for emergency vehicles) concrete median, or other median type as approved by the City of Petaluma, on East D Street. The exact length, width and type of mountable curb is subject to the approval by the City Engineer and Fire Marshal. A public access easement is required for the portions of the secondary access point located on private property and shall be dedicated to the City of Petaluma prior to final map approval. The public access easement shall include language stating that once the street connection from Hopper Street to Copeland Avenue has been constructed and accepted by the City of Petaluma, such dedication shall be vacated and the right-of-way shall revert to the property owner and no longer serve as public right-of-way.
54. The westbound left turn lane on Lakeville Street at Caulfield Lane shall be lengthened to 250 feet and a raised concrete median shall be installed on the westbound approach to prohibit illegal left turn vehicle movements into and out of adjacent properties. Prior to the completion of said improvements, the Developer and City shall establish a reimbursement agreement, subject to City Council approval, by which future development within the area of improvement will reimburse the Riverfront Developer on a pro-rata basis.
55. Install intersection control within the subdivision as recommended by the W-Trans traffic analysis dated March 5, 2012 and as approved by the City Engineer.
56. The applicant shall provide funds, prior to recordation of Final Map, necessary for purchase and installation of a new bus shelter structure at the Caulfield/Lakeville intersection (southbound Lakeville) to facilitate transit usage for the residents, employees and visitors to the Riverfront development.
57. Dedicate right of way for the future Caulfield Lane southern crossing on the final map. The exact location and width of necessary right of way shall be determined by the City of Petaluma during the final map and improvement plan review. Subdivision grading and bridge height shall be designed to meet requirements from the United States Coast Guard and shall be aligned vertically and horizontally to connect to the existing stub road near the Petaluma Boulevard South roundabout.
58. The applicant shall install all multi-use trails, with curb cuts and structural pavement sections sufficient to accommodate needed public access, at time of construction of adjacent, or nearest, public streets.
59. The applicant shall pay \$50,000 to the City for contribution towards a future off-site trail extending from the property boundary to the western limit of the area graded by Caltrans for the Highway 101 bridge project.
60. Recordation of all documents related to the off-site Emergency Vehicle Access (EVA) including easements and grant deeds shall be completed concurrently with Final Map approval. The construction of the off-site EVA shall be completed prior to any vertical construction occurring on the site. This includes the construction of the new public access roadway at D Street, improvements to Hopper Street to meet fire access requirements,

installation of EVA on adjacent URS/Pomeroy property (APN: 136-010-024) and all related signage, gates and other appurtenances related to the EVA Recordation of all documents related to the EVA including easements and grant deeds shall be completed prior to Final Map approval.

61. The applicant shall dedicate a public access and utility easement on the westerly side of lot 135, adjacent to the City Pump Station property (APN: 007-171-016).
62. Final Park designs shall be reviewed and approved by the Parks and Recreation Director and Planning Manager upon recommendation of the Recreation, Music & Parks Commission, prior to Final Map approval. The Riverfront Park shall be reviewed and approved by the State Lands Commission prior to City approval.
63. The playing field for the Parcel A (Active Park) may be a natural grass surface planted with Bermuda Grass or other similar low water use natural grass. The development of the field shall employ smart water control technology to minimize water needs and have a wire mesh barrier installed to minimize gopher and other varmint intrusion.
64. Prior to Final Map approval, the applicant shall contribute \$125,000 to the City of Petaluma for the upgrade/maintenance of an artificial turf field at a location designated by the City.
65. The Central Green (Parcel B) shall be constructed and operational prior to final occupancy of the office building, hotel or mixed-use building; whichever occurs first. The active park (Parcel A) shall be constructed and operational prior to the 40th certificate of occupancy being granted to the single-family detached houses and/or townhomes. The Riverfront Park shall be constructed and operational prior to the 80th certificate of occupancy being granted to the single-family detached houses and/or townhomes.
66. Parcel A (Active Park), Parcel B (Central Green) and Parcel C (Public Path Parcel) shall be dedicated to the City through the final map. All or some of the property owners, as selected by the applicant, and approved by the City, shall be responsible for the maintenance of Parcels A and B through a maintenance agreement to be executed prior to final map approval.
67. The "Small Craft Facility" parcel (Parcel D) shall be dedicated to the City. All utilities shall be stubbed out to serve the potential future Boat House.
68. Special paving at intersections and mid-block crossings shall be required as shown on the preliminary landscape plans as well as additional locations as required by the City Engineer and Planning Manager. Rapid Rectangular Flashing Beacons shall be installed at all mid-block, uncontrolled crossings.
69. A Landscaping & Lighting District shall be established prior to recordation of Final Map to provide for the on-going maintenance of all publicly owned land with landscaping, including streets and parks, and all lighting within the public streets, paths and parks.
70. A funding mechanism, such as a homeowner's association or maintenance agreements, for long term maintenance of shared facilities such as, parking, driveways, utilities and drainage systems shall be established and funded for each phase of the project.
71. Prepare final map and improvement plans per the latest City policies, standards, codes, resolutions and ordinances. Technical review deposits shall be required at the time of application submittal.
72. Provide formal appraisals for developer contributions as required by GASB 34 (Governmental Accounting Standards Board, Statement 34).

73. All public improvements shall be designed and constructed per City Standards as well as Caltrans and MUTCD standards as determined by the City Engineer.
74. Prior to final map approval, the developer shall provide a fair share contribution in the amount of 21 percent of the total project costs for design and construction of a traffic signal at the intersection of Hopper Street and Caulfield Lane. The City shall use the fair share funds in accordance with applicable State law.
75. The City of Petaluma is responsible for design and construction of the Caulfield Lane grade crossing exit gate system and related infrastructure required by the California Public Utilities Commission. The City has entered into agreement with the Sonoma Marin Area Rail Transit District to perform this work. The developer of the Riverfront project, Basin Street Properties, has voluntarily agreed to fund one-half of the total project costs which are estimated to be \$222,753. Basin Street's contribution is capped at \$111,376. These funds shall be deposited with the City prior to acceptance of improvements and release of the surety for the first phase of the Riverfront project.
76. All public improvements shall be ADA accessible.
77. Public improvement plans and final subdivision map applications are required for each phase. The improvement plans and final map shall be approved prior to construction of public improvements and prior to issuance of any building permits for on-site work. A subdivision agreement package including necessary bonds and insurance is required for each phase.
78. All public improvement work for each phase shall be completed prior to issuance of a final inspection/certificate of occupancy for the last 20% percent of units of each phase, unless otherwise noted herein.
79. Access to all Hopper Street and other adjacent businesses shall be preserved at all times during construction of the Riverfront project, subject to approval by the City of Petaluma.
80. Traffic control plans are required for all stages of construction and shall be per latest Manual on Uniform Traffic Control Devices (MUTCD) standards.
81. Screening of Pump Station shall be provided. Install eight foot tall masonry wall with decorative brick veneer along south and east sides of the pump station to screen views of the pump station. Install significant landscaping including shrubs and trees. Landscape design to be reviewed and approved by the Planning Manager and Public Works and Utilities Department prior to approval of Final Map.
82. Landscaping in public utility easements shall be limited to ground cover and shallow rooted, low lying shrubs. Trees are not allowed.
83. The storm drain system and calculations shall be reviewed and approved by the Sonoma County Water Agency, prior to issuance of any construction permits.
84. Dedicate the necessary public right of way, public access and utility easements to the City of Petaluma on the final map. Any public easements located outside the boundary of the subdivision shall be dedicated via grant deed with a legal description and plat.
85. Pursuant to California Government Code Section 66455, prior to the filing of any final map, obtain the consent of a public entity that has obtained a prejudgment order for possession of property pursuant to Section 1255.410 of the California Code of Civil Procedure.
86. All landscaping shall meet City Standards for low water use. Irrigation must be installed for recycled water use.



87. Provide a 15 year and 30 year post settlement analysis on the sewer, water, and storm drain systems in the final geotechnical report submitted for building permits. Provide the geotechnical recommendations on settlement with the exhibits on post development slopes and location of flex couplings for the utility systems. All public utilities shall be shown in plan and profile view. Sewer and water facilities shall be installed per standards in place at the time of construction.
88. Prior to issuance of any construction permits, provide reimbursement to the City for the design and construction of the PIPS Pump Station mechanical odor control unit. The amount of re-imbusement shall be determined by the City of Petaluma. The odor control unit shall meet current design criteria and be equivalent to the units installed at recent pump station upgrades within the City. The mechanical odor control unit is required to replace the odor control bed.
89. Provide an automatic controlled slide access gate to the PIPS Pump Station wide enough to allow a 55 foot long truck trailer access into the pump station. Provide a minimum 20-foot wide lockable swing gate along the easterly side of the PIPS site near the corner of Hopper Street and lot 136. The truck movements and site improvements shall be reviewed and approved by the City. The developer shall be responsible for replacing any portions of the PIPS facility impacted by development of the Riverfront project, as determined by and subject to the approval of the City of Petaluma. Provide new site improvements at the PIPS facility including paving for replaced parking area, drainage, fencing, walls, and building protection as required by the City. All site improvements related to the PIPS pump station are subject to City approval and shall be completed prior to issuance of the first certificate of occupancy for the Riverfront project.
90. Provide project impact analysis and protective plan for work over the sewer force main and large gravity sewer main on the east side of the development.
91. The trash enclosures with sanitary sewer drains shall be covered and not allow rain water to enter the sanitary sewer system.
92. Overhead utilities along the street frontages, within the project site or traversing the site shall be placed underground.
93. All existing unused water and sewer mains shall be identified on construction drawings and abandoned per City standards.
94. Joint trench plans are required with the public improvement plan submittal.
95. The project shall comply with the City of Petaluma Phase II Storm Water Management Plan including attachment four post construction requirements.
96. The on-site storm drain water treatment system shall be privately owned and maintained.
97. Prior to issuance of a building permit, an operations and maintenance manual is required for the proposed storm water treatment system and shall be submitted with the building permit application for review and approval by the City Engineer. The manual shall include annual inspection, by a Civil Engineer registered in the State of California, to ensure the detention and treatment systems are operating as designed and constructed as well as provisions to make any necessary repairs to the system. A signed and sealed copy of the report shall be provided annually to the Office of the City Engineer.
98. Prior to issuance of a building permit, the developer shall comply with the City's Phase II storm water management plan and State of California NPDES requirements including submittal of a notice of intent and storm water pollution prevention plan to the State and City.

## **PEDESTRIAN & BICYCLE ADVISORY (PBAC) COMMITTEE**

99. Bicycle parking for tenants and employees of the office/retail buildings and the boathouse shall be provided. The future SPAR approvals shall require bike parking consistent with the Bicycle & Pedestrian Plan and the IZO Section 11.090 – Standards for Bicycle Facilities.
100. Bicycle parking facilities shall be conveniently located near the main entrance(s) to the office/retail buildings. All racks shall be located in covered locations (under awning/overhang), in bicycle lockers, or indoors, to provide protection from the weather. Bicycle parking located inside any parking structures shall be in a safe well-lighted and open area.
101. Bike racks shall be designed to keep the bike upright by supporting the frame in two places, allow the frame and one or both wheels to be secured with a U-lock, be securely anchored or heavy enough that it cannot be stolen, and durable enough to resist being cut or vandalized. The applicant shall follow the guidelines within the Bicycle and Pedestrian Plan for further bike parking design and placement standards.
102. There shall be no direct glare into bicyclists' and pedestrians' eyes along the multi-use path. Lighting shall be directed downward to minimize light pollution.
103. Benches shall be located along the multi-use path, with emphasis to locations along the river-facing segment, and at neighborhood park/playing field (Active Park) and Central Green.
104. A drinking fountain, including a doggie fountain component, shall be provided along the multi-use path and at the playing field.
105. Accommodations for and connectivity to public transit shall be incorporated into the site plan and wayfinding / directional signage shall be provided for existing transit stops.
106. Curb cuts for ADA and crosswalks shall be provided at the entrance to the subdivision to connect pedestrians and residents to the multi-use path.
107. A Stop sign at the entrance to the subdivision shall be provided, subject to review and approval of the City Engineer.
108. The hotel entrance shall be designed to limit vehicular interference between cyclists and hotel guests.
109. Appropriate bicycle lane signage shall be provided along the major thoroughfare in the commercial area.
110. All Class III Bikeways within the project area shall be identified with appropriate signage.
111. A wayfinding signage plan shall be reviewed by the PBAC and shall include signs for the boat launch, the enhanced trail, the river trail, public transit, the SMART multi-use path and the local Park and Ride facility.
112. The surface treatment for the pathway from the housing development to the playing field shall be a concrete surface.

### **Fire Marshal**

#### **Access**

113. Access Summary: The Holmes Fire Emergency Vehicle Access Assessment Report (HFR) concludes that the Emergency Vehicle Access (EVA), as proposed, is adequate to facilitate site access and egress. Petaluma Fire Department (PFD) believes the technical

information contained in the HFR is adequate and provided essential technical information and clarification to previously identified EVA challenges. The February 1, 2013 Steven J. Lafranchi and Associates (SJLA) "Phased Tentative Map for Riverfront" plan set shows the 22 foot EVA has been moved from City of Petaluma Property to the Pomeroy property (as depicted on sheet TM-12). In summary, Fire Department EVA and site access appears to be adequate.

114. EVA Minimum Width/Standard: The EVA minimum width located on the adjacent Pomeroy/URS Property (APN: 136-010-024) shall be a paved 22 feet. The EVA structural road section shall consist of asphalt/concrete and class 2 aggregate base material capable of handling a minimum of H20 vehicle loading, subject to City approval.
115. Technical Review: The EVA and other elements of this project may need further technical review depending on the magnitude of possible changes. We may request an update from Holmes Fire (or equivalent firm as approved by the Fire Marshal) if major changes come forward. This project will continue to need to be coordinated closely with both Holmes Fire and the Fire Marshal's Office. In addition, all easement agreements will need to be reviewed and verified by the City Engineer.
116. Other Aspects: PFD understands the City Engineer and Planning Manager will be responsible for many other aspects of this project that also have the potential to impact emergency ingress/egress, such as traffic, and PFD will continue to be involved in order to provide comments and maintain the functionality of the EVA.
117. Circulation/Fire Truck Access: Fire Apparatus Accessibility exhibits indicate that truck access throughout the project is adequate. However, as building heights and/or other changes to this project come forward, PFD reserves the right to add conditions and/or request additional information.
118. EVA Gates: All EVA gates and Opticomms will need to be coordinated with the Fire Marshal; electronically operated gates acceptable to the Fire Marshal will be required.
119. EVA Signage: The EVA will need to be posted with signs pursuant to CFC Section D103.6 and as recommended by Holmes Fire. All EVA road markings, signs, and possible warning lights will need to be coordinated with the Fire Marshal's Office.
120. Phased Development: TM-8 shows a "Phased Tentative Map"; be advised, underground utilities including water lines supporting this development must be installed prior to bringing combustible construction materials on site. Hydrants must be operational prior to bringing any combustible materials onsite.

#### *Water Supply*

121. Preliminary On-Site Utility Plan: The Preliminary On-Site Utility Plan and waterlines will need to be verified by the City Engineer and Water Department. Hydraulic calculations must be provided to verify adequate water for firefighting and domestic use. Proof of that required fire flow shall be provided to the Fire Marshal's Office prior to issuance of the building permit. The Fire Marshal's Office will not accept less than the minimum fire flow and pressure and it will be the developer's responsibility to make private and/or public improvements to the system to meet the water flow demands of the project. As previously mentioned, water supply must be acceptable to the City Engineer and Water Department.
122. Minimum Fire Flow: Minimum fire flow for buildings shall be calculated as specified in the 2010 California Fire Code, Appendix B: "Fire Flow Requirements for Buildings". Please be advised that if building fire flow calculations cannot be made at the time of project submittal, the following fire flows shall apply:

- a. Residential (Single and Two Family Residential): 1500 GPM at 20 psi residual;

b. Commercial, Industrial, and Multi-family: 2500 GPM at 20 psi residual.

123. When building fire flows are submitted, these flows shall be adjusted in accordance with Appendix B except that for all fire flows, the minimum pressure shall be 20 psi.

#### *Fire Hydrants*

124. Fire Hydrants: Development plans indicate that additional on-site fire hydrants will be necessary. The number and location of fire hydrants will need to be closely coordinated with the Fire Marshal and spacing shall not exceed 300 feet and/or 150 feet from the farthest structure.
125. FDC and PIV: FDC and PIV placement will need to be coordinated with the Fire Marshal prior to submittal of the improvement plans.

#### *Sprinklers/Standpipes*

126. Commercial Sprinklers: All commercial buildings (or portions thereof) shall be protected by an automatic fire sprinkler system as required by the City of Petaluma Municipal Code and shall conform to NFPA 13 requirements. The fire sprinkler system shall be provided with a central station alarm system designed in accordance with NFPA 72. A local alarm shall be provided on the exterior of the building AND a normally occupied location in the interior of the building. All systems require three (3) sets of plans to be submitted to the Fire Marshal's Office for review and approval.
127. Residential Sprinklers: For residential structures, fire sprinkler systems designed and installed in accordance with NFPA 13-D are required; bathrooms over 55 square feet, closets over 24 square feet (or 3 feet deep), and other attached structures. These systems shall be calculated for two-head activation for the most remote two heads. All systems require three (3) sets of plans to be submitted to the Fire Marshal's Office for review and approval. No exterior risers or fire piping will be allowed.
128. Building Height: Class I standpipes shall be installed in buildings three (3) stories or above in height. Standpipes shall be provided with approved outlets provided on each floor level, including the roof when roof access is provided.

#### *Hazardous Materials*

129. The Kleinfelder Phase II Soil and Groundwater Investigation dated January 17, 2001 provided a summary of findings. Section 7.2 (Site Development Considerations page 17) and Section 7.3 (Recommendations; page 18) are recommendations to be put in place during development of the site. The Kleinfelder report recommends the development of a soil and groundwater management plan (SMP) to outline and describe the steps required of personnel during the site construction; therefore, a SMP shall be submitted to the Fire Marshal along with the Site Improvement plans prior to any site work. It must address all the elements specified in the Kleinfelder recommendations. Applicant shall confirm that copies of the Phase II were sent to the Sonoma County Department of Public Health, Environmental Health Division and Regional Water Quality Control Board, San Francisco Bay Region as recommended.
130. The PFD recommends that you "reconnect" with your Environmental Consultant as this project moves through the process to answer any questions regarding the Phase II report and/or if any questions come up regarding the results of analysis.
131. Hazardous Materials Business Plan: Some of the business uses are unknown at this time. If the facility and/or businesses use or store hazardous materials exceeding state threshold planning quantities (55 gallons of a liquid, 200 cubic feet of gas, or 500 lbs of a solid), the facility will need to prepare and submit a Hazardous Materials Business Plan (HMBP) pursuant to Health and Safety 6.95 and the California Fire Code. A completed plan must be submitted prior to bringing hazardous materials on-site. Forms and guidance are available from the Fire Marshal's Office. In addition, all hazardous materials storage

locations will be required to have secondary containment and NFPA 704 placards (firefighter diamond) denoting expected hazards. In addition, PFD will require that the HMBP be submitted electronically through the CERS on-line reporting system.

*Other*

132. For the EVA, and other life-safety aspects of this project, the applicant shall contract with Holmes Fire (or equivalent firm as approved by the Fire Marshal), a Professional Fire Protection Engineering Firm, to assist the Project in meeting fire code requirements.
  
133. Phased Approach: As this project involves different phases, as depicted on the Phased Tentative Map, please be advised, a compacted base EVA is acceptable during the construction period of the initial phase; however a fully paved EVA and fully paved connecting streets are required prior issuance of a final inspection/certificate of occupancy for the initial Phase I of this project. As mentioned, the waterline/utilities and fire hydrants must be fully installed prior to bringing combustible construction materials onsite for the initial phase and then prior to bringing combustible materials onsite for each subsequent phase being developed. All public improvement work for each phase shall be completed prior to issuance of a final inspection/certificate of occupancy for the last 20% percent of units of each phase, unless otherwise noted herein.