# DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY AND EKN APPELLATION HOTEL

# INITIAL STUDY

PREPARED BY:

CITY OF PETALUMA
11 ENGLISH STREET
PETALUMA, CA 94952

APRIL 2024

**DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY AND EKN APPELLATION HOTEL CEQA ENVIRONMENTAL CHECKLIST AND INITIAL STUDY**

| **Initial Study Checklist** | | |
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| **Project Title(s):** | Downtown Housing & Economic Opportunity Overlay (Overlay)<br>EKN Appellation Hotel (Hotel) | |
| **Lead Agency:** | City of Petaluma<br>11 English Street<br>Petaluma, CA 94952 | |
| **Contact Person and phone number:** | Greg Powell, Principal Planner<br>gpowell@cityofpetaluma.org<br>(707) 778-4340 | Olivia Ervin, Environmental Planner<br>oervin@cityofpetaluma.org<br>(707) 778-4556 |
| **Project Location:** | **DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY**<br>**Downtown Petaluma, City of Petaluma, Sonoma County, CA**<br>**Area A:**<br>• Boundary: B St. (north); D St. (south); Petaluma Blvd. S (east); 4th St.(west)<br>• APNs: 008-063-005; 008-063-006; 008-063-007; 008-063-008; 008-063-009; 008-063-011; 008-063-012; 008-064-002; 008-064-004; 008-064-005; 008-064-007; 008-064-008; 008-064-010<br>**Area B:**<br>• Boundary: South side of Western Ave. between Kentucky St. (east) and Keller St. (west)<br>• APNs: 008-051-024; 008-051-025<br>**Area C:**<br>• Boundary: Washington St. (north); Western Ave. (south); Telephone Aly. (east); Liberty St./Court St. (west)<br>• APNs: 006-361-028; 006-361-030; 006-361-033; 006-361-039; 006-361-040; 006-362-001; 006-362-002; 006-362-003; 006-362-009; 006-362-010; 006-362-012; 006-362-014; 006-362-015; 006-362-021; 006-362-022; 006-362-023; 006-362-024; 006-362-025; 006-363-001; 006-363-004; 006-363-005; 006-363-007; 006-363-023; 006-363-025; 006-363-026<br><br>**EKN APPELLATION HOTEL**<br>2 Petaluma Blvd. S., Petaluma, Sonoma County, California<br>Assessor's Parcel Numbers 008-063-008; -009; -011 | |
| **Project Sponsor:** | Mike Jolly, mike@ekndevgroup.com, (310) 776-0621<br>Tom Jacobson, tom@ekndevgroup.com, (480) 828-8959<br>EKN Development Group<br>220 Newport Center Drive, Suite 11-262<br>Newport Beach, CA 92660 | |

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| **Property Owners:** | **DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY PARCELS:**<br>Multiple property owners<br>**EKN APPELLATION HOTEL PARCEL:**<br>Ross Jones, ross@jonesarchitectureca.com, 707-971-9400<br><br>2 Petaluma Boulevard South<br>Petaluma, CA 94952 |
| **General Plan Designation(s):** | Multiple (Overlay); Mixed Use (MU) (Hotel) |
| **Existing / Proposed Zoning:** | **DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY:**<br>**Area A:** Base zoning: MU2 (all)<br>Overlays:<br>o Parking Assessment District (313 B St; 2 Petaluma Blvd. S)<br>o Theater District (all);<br>o Historic Commercial District (313 B St; 2 Petaluma Blvd. S)<br>**Area B:** Base zoning: MU2 (all)<br>Overlays:<br>o Parking Assessment District (all)<br>o Theater District (all);<br>o Historic Commercial District (101 Western Ave.)<br>**Area C:** Base zoning: MU2 and Civic Facilities (CF)<br>Overlays:<br>o Parking Assessment District (east of Liberty St.)<br>o Theater District (all);<br>**EKN APPELLATION HOTEL:** Base zoning: Mixed Use 2 (MU2)<br>Overlays:<br>o Parking Assessment District (2/3rds of site);<br>o Theater District;<br>o Historic Commercial District (2/3rds of site); |
| **Description of project:** | **DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY**<br>Implementation of the Overlay would require a General Plan Amendment (GPA) to increase the maximum allowable floor area ratio (FAR) from 2.5 to 6.0, a Zoning Text Amendment (ZTA) to increase the allowable building height from 45 feet to 75 feet with a Conditional Use Permit (CUP), increase lot coverage from 80% to 100% with a Conditional Use Permit (CUP), allow ground floor residential uses, and establish development and design controls for properties that would be subject to the proposed Overlay. The Overlay component also includes a Zoning Map Amendment (ZMA) to zone applicable parcels to the Downtown Housing & Economic Opportunity Overlay.<br><br>**EKN APPELLATION HOTEL**<br>The project proposes construction of a 6-story hotel over a below-grade parking garage, comprising 93 hotel rooms, an event space, and food service uses at 2 Petaluma Blvd. South. The below-grade parking garage will provide valet parking for up to 58 vehicles using mechanical parking lifts (no self-parking is proposed). A restaurant with indoor and outdoor seating for up to 150 guests is proposed on the ground floor. Floors 2 through 5 comprise 93 hotel rooms and a fitness room for hotel guests. Floor 6 includes a 1,444 square foot event space, and a 5,514 square foot exterior bar/event space with seating for 60 guests. The project proposes modifications to the public right-of-way including removal and replacement of three street trees, removal of two existing |

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| | driveways along the Petaluma Boulevard South frontage, removal of one curb-parking space along B Street and reconfiguration of two curb-parking spaces along Petaluma Boulevard South. The project also includes installation of a bus stop and shelter along Petaluma Blvd. North adjacent to Center Park, which will result in the loss of three on-street parking spaces. |
| **Surrounding land uses and setting; briefly describe the project's surroundings:** | **DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY**<br>The Downtown Housing & Economic Opportunity Overlay encompasses three areas in downtown Petaluma and are described as areas A, B, and C. Area A is bounded by B Street to the north, D Street to the south, Petaluma Blvd. S to the east, and 4th Street to the west. Uses in and surrounding this area include primarily commercial uses with residential uses in proximity on C Street. Area B is located along the south side of Western Avenue between Kentucky Street to the east and Keller Street to the west. Both parcels in this area are developed with banks. Area C is bounded by Washington Street to the north, Western Ave. to the south, Telephone Alley to the east, and Liberty Street and Court Street to the west. Uses include medical offices, commercial uses, and a grocery store. Residential uses are located across the street on the north side of Washington Street.<br>**EKN APPELLATION HOTEL**<br>The EKN Appellation Hotel component of the project is located at the southwest corner of the intersection of Petaluma Blvd. S and B Street and is partially within the Petaluma Historic Commercial District (2 of three parcels). The project site also falls within the Theater Combining District and is partially within the Parking Assessment District. Commercial and retail uses are also located across Petaluma Blvd. S within the Central Petaluma Specific Plan (CPSP) area. Uses immediately abutting the proposed Hotel include Rex Ace Hardware to the south and Bank of the West to the east. |
| **Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):** | Regional Water Quality Control Board (NPDES) |
| **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to PRC section 21080.3.1? If so, has consultation begun?** | Notice was provided to the Federated Indians of Graton Rancheria (FIGR) on April 20, 2023, pursuant to Public Resources Code Section 21080.3.1(d). The City of Petaluma received a response from FIGR requesting consultation. A consultation meeting was conducted on July 17, 2023. Through the consultation process, FIGR requested additional studies including a canine investigation and ground-penetrating radar (GPR) which were completed in consultation with FIGR and are summarized in the Cultural and Tribal Cultural Resources Section of this document. |

# DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY AND EKN APPELLATION HOTEL PROJECT

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# 1. INTRODUCTION

This section provides an overview of the purpose and intent of the Initial Study, summarizes the proposed Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel project, and discusses the relevant local regulatory context.

## 1.1. PURPOSE AND INTENT

This Environmental Checklist for the proposed Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel project (hereinafter referred to collectively as the "project") has been prepared by the City of Petaluma (City) as the lead agency in full accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

This Initial Study is intended to inform City decision-makers, responsible agencies, interested parties and the general public of the proposed project and its potential environmental effects. It provides the CEQA-required environmental documentation for all city, local, and state approvals or permits that might be required to implement the proposed project.

CEQA Guidelines Section 15063(c) lists the following purposes of an Initial Study:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration.
2. Enable an Applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby possibly enabling the project to qualify for a Negative Declaration.
3. Assist in the preparation of an EIR, if one is required.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

The City of Petaluma, as the lead agency, has conducted an Initial Study and identified potentially significant impacts to aesthetics and historic resources. Therefore, as the lead agency, the City of Petaluma will prepare an Environmental Impact Report to further evaluate impacts of the project on these resource categories. Further, the Initial Study demonstrates that impacts related to all other resource categories are either less than significant or can be reduced to below a level of significance with implementation of the identified mitigation measures. Accordingly, this Initial Study will be incorporated, in full, into the EIR and will serve as the environmental evaluation for those topics. The Draft EIR Executive Summary will include the identified impacts and mitigation measures from this Initial Study, and they will be carried forward into the mitigation monitoring and reporting program.

## 1.2. PROJECT HISTORY

The City of Petaluma previously released a Draft Mitigated Negative Declaration for the subject project (SCH# 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 approval to the City Council, prior to being considered by Council for action, it was decided that an Environmental Impact Report would be prepared. As such, this Initial Study has been prepared to inform the scope of the EIR for the subject project.

## 1.3. CITY OF PETALUMA REGULATORY CONTEXT

The following includes a summary of the adopted plan and policy documents applicable to the proposed project as well as other relevant regulatory information, including, most notably, the forthcoming updates to the City's General Plan. Contextual information is provided to inform decision makers and the public of the overall context within which the project is being considered and is intended to facilitate a holistic understanding of the project's consistency with anticipated changes in land use policies.

### ADOPTED PLAN AND POLICY DOCUMENTS

#### Petaluma General Plan 2025

The Petaluma General Plan 2025 was adopted by the City Council in 2008 and serves the purposes of reflecting a commitment on the part of the City Council and their appointed representatives and staff to carry out the Plan; outlines a vision for Petaluma's long-range physical and economic development and resource conservation; enhances the quality of life for all residents and visitors; recognizes that human activity takes place within the limits of the natural environment; and reflects the aspirations of the community; provides strategies and specific implementing policies and programs that will allow this vision to be accomplished; establishes a basis for judging whether specific development proposals and public projects are in harmony with Plan policies and standards; allows City departments, other public agencies, and private developers to design projects that will enhance the character of the community, preserve and enhance critical environmental resources, and minimize impacts and hazards; and provides the basis for establishing and setting priorities for detailed plans and implementing programs, such as Development Codes, the Capital Improvement Program (CIP), facilities and Master Plans, redevelopment projects, and the Urban Growth Boundary (UGB).

Goals, policies, and programs identified in the General Plan are informed by 15 Guiding Principles which include the following:

1. Maintain a close-knit, neighborly, and family-friendly city.
2. Preserve and enhance Petaluma's historic character.
3. Preserve and enhance Petaluma's natural environment and distinct setting in the region—a community with a discrete edge surrounded by open space.
4. Enhance the Petaluma River corridor while providing recreational and entertainment opportunities, including through active implementation of the Petaluma River Access and Enhancement Plan.
5. Stimulate and increase public access and use of pathways as alternative transportation routes by providing a safe, efficient, and interconnected trail system.
6. Provide for a range of attractive and viable transportation alternatives, such as bicycle, pedestrian, rail, and transit.
7. Enhance Downtown by preserving its historic character, increasing accessibility and residential opportunities, and ensuring a broad range of businesses and activities.
8. Foster and promote economic diversity and opportunities.
9. Expand retail opportunities to meet residents' needs and promote the city's fiscal health, while ensuring that new development is in keeping with Petaluma's character.
10. Continue efforts to achieve a jobs/housing balance, emphasizing opportunities for residents to work locally.
11. Foster a sustainable community in which today's needs do not compromise the ability of the community to meet its future needs. Enhance the built environment, encourage innovation in planning and design, and minimize environmental impacts through implementation of green development standards.
12. Ensure infrastructure is strengthened and maintained.
13. Integrate and connect the east and west sides of town.
14. Encourage cultural, ethnic, and social diversity.

15. Recognize the role Petaluma holds within the region and beyond.

**Petaluma General Plan 2025 EIR**

The General Plan 2025 EIR (SCH. No. 2004-082-065) was certified by the City Council on April 7, 2008. The General Plan EIR reviewed potentially significant environmental effects resulting from plan implementation and developed measures and policies to mitigate impacts. Nonetheless, significant and unavoidable impacts were determined to occur as a result of General Plan implementation. Therefore, the City adopted a statement of overriding considerations, which balance the merits of approving the plan despite the significant environmental effects. The effects identified as significant and unavoidable in the General Plan EIR are:

- Increased motor vehicle traffic which would result in unacceptable level of service (LOS) at six intersections covered in the Master Plan: (1) McDowell Boulevard North/Corona Road, (2) Lakeville Street/Caulfield Lane, (3) Lakeville Street/East D Street, (4) Petaluma Boulevard South/D Street, (5) Sonoma Mt. Parkway/Ely Boulevard South/East Washington Street, and (6) McDowell Boulevard North/Rainier Avenue.
- Traffic related noise at General Plan build-out, which would result in a substantial increase in existing exterior noise levels that are currently above City standards.
- Cumulative noise from proposed resumption of freight and passenger rail operations and possible resumption of intra-city trolley service, which would increase noise impacts.
- Air quality impacts resulting from General Plan build-out to population levels that could conflict with the Bay Area 2005 Ozone Strategy. (This regional air quality plan has since been replaced by the 2017 Clean Air Plan, which is further discussed the Air Quality and Greenhouse Gases sections of the document.)
- A possible cumulatively considerable incremental contribution to greenhouse gas emissions from development under the General Plan.

A copy of the City of Petaluma's General Plan and EIR are available at the Community Development Department, 11 English Street, Petaluma, California 94952, during normal business hours and online at https://cityofpetaluma.org/planning-documents/.

**2023-2031 Housing Element**

The 2023-2031 Housing Element (an Element of the City's General Plan) and Addendum to the 2015-2023 Housing Element Negative Declaration (SCH# 2014102018) was adopted by the City Council on March 20, 2023 (Resolution No. 2023-038) and subsequently certified by the California Department of Housing and Community Development (HCD) on May 18, 2023. The updated Housing Element identifies goals, policies, and programs to implement the Housing Element and meet the overall intent of facilitating housing development and increasing housing equity over the 8-year planning period. The overarching goals identified in the Housing Element include the following:

- **Goal 1: Housing Availability and Choices.** Provide opportunities for residential development to accommodate projected residential growth and diverse housing needs of all existing and future Petalumans.
- **Goal 2: Development Constraints.** Remove or mitigate constraints on housing development to expedite construction and lower development costs while avoiding impacts on environmentally sensitive areas.
- **Goal 3: Affordable Housing.** Promote the development, preservation, and improvement of housing affordable to lower and moderate income households, including extremely low income households.
- **Goal 4: Housing Preservation.** Improve the quality and diversity of residential neighborhoods, preserve the City's existing affordable housing, and ensure the long-term affordability of new below-market-rate units.
- **Goal 5: Special Needs Housing.** Promote housing opportunities for persons and households with special needs, including the elderly, disabled, large households, female-headed households, farmworkers, and persons experiencing homelessness.
- **Goal 6: Fair Housing.** Affirmatively further fair housing to promote equal access to housing opportunities for all existing and future residents.

### Petaluma Historic Commercial District Design Guidelines

The Petaluma Historic Commercial District Design Guidelines (Guidelines) were adopted by the City Council on August 16, 1999 (Resolution No. 99-168-A N.C.S.) and are intended to provide direction to property owners prior to remodeling existing structures or building new structures within the Historic Commercial District. The Guidelines provide direction and encourage preservation, adaptive use, and enhancement of buildings and streetscapes. The Guidelines are applicable to rehabilitation, remodel, or any alteration affecting the exterior appearance of an existing building within the district, as well as new construction, signs, and street furniture. Particularly relevant to the Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel project is Section 7.0 (Guidelines for New Construction) of the Guidelines. As provided therein, construction of new buildings on vacant lots in the Downtown, with implementation of the recommendations in the Guidelines, is strongly encouraged.

### City of Petaluma Implementing Zoning Ordinance

The City of Petaluma Implementing Zoning Ordinance (IZO) carries out the policies of the Petaluma General Plan by classifying and regulating land uses and structures within the city. The overall purpose of the IZO is to protect and promote the public health, safety, and general welfare of residents and businesses in the city. The following Chapters of the IZO are particularly relevant to the proposed Downtown Housing & Economic Opportunity Overlay:

- Chapter 2 (Zoning Map and Zones)
- Chapter 5 (Overlay Zones)
- Chapter 15 (Preservation of the Cultural and Historic Environment)
- Chapter 24 (Administrative Procedures)

## OTHER REGULATORY CONTEXT

### Central Petaluma Specific Plan

The Central Petaluma Specific Plan (CPSP) provides specific land use and development regulations for approximately 400 acres within the geographic heart of the city, adjacent to downtown. The CPSP is bounded by Lakeville Street to the north and east, Highway 101 to the south and Petaluma Boulevard to the west. The CPSP was adopted on June 2, 2003 (Resolution 2003-105 N.C.S) and directs new growth into this area. The Plan envisions Central Petaluma as a place where a wide range of new employment, housing, shopping, and entertainment activities develop in relative proximity to one another within a lively urban environment adjacent to the historic downtown and the Petaluma River.

Though the Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel will occur outside the boundaries of the CPSP, this policy document is nevertheless relevant based on proximity of the project to the CPSP boundary. The intent of the Downtown Housing & Economic Opportunity Overlay is to facilitate housing development and stimulate economic development in the city's downtown which is complimentary to the following planning concepts outlined in Section 1 of the CPSP:

- Redirect growth into Central Petaluma
- Reconnect the City to and along the River
- Encourage diversity in transportation modes
- Enhance physical structure and identity
- Promote sustainable development

### Petaluma General Plan Update (In Process)

The City of Petaluma is currently in the process of updating the General Plan which is anticipated to be adopted in 2025. The process of updating the General Plan includes multiple phases and is currently in the 'Policy Development' phase. The preceding phase, known as 'Visioning,' resulted in three outputs including a Vision Statement to describe future conditions and characteristics of the city, Pillars to establish core community

values, and Guiding Principles and Supporting Concepts to provide broad policy direction toward achieving the community's vision for the future, with a specific focus on challenges and opportunities.

Though the updated General Plan has not yet been adopted, the process of updating this policy document is relevant to the proposed project as the Downtown Housing & Economic Opportunity Overlay and associated General Plan amendment to increase the floor area ratio in areas designated as Mixed Use will be carried forward to the new General Plan. As such, it is important to understand the project within the context of the ongoing General Plan Update. The Guiding Principles and Supporting Concepts set forth in the Final Visioning Products, as recommended by the General Plan Advisory Committee (GPAC) on February 17, 2022, that are particularly relevant to the proposed project include the following:

- Achieve carbon neutrality by 2030 and equitably foster a sustainable and resilient community in which today's needs do not compromise the ability of the community to meet its future needs.
    - Recognize that infill development helps to achieve sustainability outcomes.
- Promote more affordable housing and a diversity of housing options.
    - Look for opportunities to re-purpose existing vacant or under-utilized buildings of all types.
- Prioritize infill development in appropriate locations throughout the City.
    - Avoid locating new development in environmentally sensitive and high-hazard locations.
    - Revitalize commercial corridors with a diverse mix of uses.
    - Support a diverse mix of uses and intensification around the existing and proposed SMART rail stations.
    - Prioritize development that creates full-service neighborhoods that generate relatively fewer vehicle miles traveled per resident.
- Enhance Petaluma's historic downtown by preserving its historic character, expanding pedestrian and bicycle access and safety, providing public gathering spaces, and promoting a diverse mix of uses.
    - Reinforce Downtown's identity and role as the physical and symbolic center of the city.
    - Preserve Downtown's historic buildings and features while allowing for infill development that harmoniously coexists with the historic character and expands the diversity of uses.
    - Improve the pedestrian experience by making streets safer, cleaner, and more inviting for pedestrians. Consider making some Downtown streets pedestrian-only.
    - Increase and nurture the Downtown tree canopy.
    - Improve pedestrian and bicycle connections to and within the Downtown, especially along the river.
    - Improve the relationship between buildings, businesses, and the riverfront.
    - Address traffic congestion and parking issues particularly as they relate to adjacent neighborhoods.
    - Develop creative parking strategies to reduce the real-estate demand for parking.
    - Protect the continuity of retail street frontages.
    - Encourage and facilitate outdoor opportunities for dining, retail, and other uses by downtown business.
    - Add public community gathering spaces, including riverfront spaces.
    - Ensure all feel welcomed and culturally connected to the Downtown.
- Honor, celebrate, and preserve Petaluma's heritage and historic character and its place in the modern city.
    - Preserve, enhance, and celebrate Petaluma's historic assets and districts as they contribute to the city's distinct identity and character.
    - Require that the design of infill development complement, respect, and honor the historic context of the city and individual neighborhoods while not building false imitations.
    - In historic districts and adjacent to historic buildings, adapt and reuse historic buildings, add new, context-sensitive buildings, and allow for the evolution of the city.
- Prioritize cycling, walking, transit, and other transportation alternatives over automobiles.
    - Work to reduce the use of automobiles, particularly those that burn gasoline.
    - Support a range of safe, attractive, practical, equitable, and carbon-neutral transportation alternatives with integrated land use and mobility strategies.

  - Support increased transit use by focusing development near existing and future transit facilities.

- Advance a forward-looking economic development strategy that focuses on diversity, opportunity, innovation, and resilience.
  - Recognize that economic development, self-sufficiency, and resilience are vital to the City's overall prosperity and fiscal health – and critical for accomplishing other City goals and programs.
  - Support the creative reuse of vacant and underutilized spaces to build the local economy and support other city goals and initiatives.
  - Achieve a jobs-housing balance in the city by expanding job opportunities that match the skills of residents, providing living-wage jobs and affordable housing, and encouraging new work models such as working from home or coworking.

## 2. ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

This section includes a detailed description of the Downtown Housing & Economic Opportunity Overlay (Overlay) and EKN Appellation Hotel project, which is a two-part project comprised of the Overlay component and the Hotel component. As the Downtown Housing & Economic Opportunity Overlay component of the project represents a programmatic change to the existing Implementing Zoning Ordinance and the EKN Appellation Hotel component of the project represents physical modifications to an existing property, a description of the two components is provided separately, where appropriate. Adoption of a Zoning Text Amendment to establish the Downtown Housing & Economic Opportunity Overlay component of the project is required to accommodate development of the EKN Appellation Hotel component of the project, as proposed. A range of development types and forms would be allowed under the proposed Overlay, and as such, the proposed Hotel represents one type of development that may be allowed under the Downtown Housing & Economic Opportunity Overlay.

### 2.1. ENVIRONMENTAL SETTING

#### REGIONAL SETTING

Petaluma is located in southwestern Sonoma County along the Highway 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 (**Figure 2: Regional Location**). The city originated along the banks of the Petaluma River, spreading outward over the floor of the Petaluma River Valley as the city developed. The Valley itself is defined by Sonoma Mountain on the northeast and by the hills extending northward from Burdell Mountain on the west. To the south are the Petaluma Marshlands and the San Francisco Bay beyond.

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), formally adopted as the UGB in 1998 via Measure I and will expire in 2025. The General Plan and EIR evaluated potential impacts associated with existing development and buildout of all land use within the UGB. The Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel project is located within the UGB.

#### VICINITY SETTING

**Downtown Housing & Economic Opportunity Overlay**

*Project Site*

The Downtown Housing & Economic Opportunity Overlay is located within the Downtown Planning Subarea of the General Plan and is within one-half mile of the Downtown Petaluma Sonoma Marin Area Rail Transit (SMART) station. The Overlay comprises three sub-areas, referred to as Areas A, B, and C (**Figure 3: Project Vicinity**). Area A is bounded by B Street to the north, D Street to the south, Petaluma Blvd. S to the east, and 4th Street to the west and comprises 13 parcels and approximately 2.70 acres. Area B is located on the south side of Western Avenue and is bounded by Kentucky Street to the east and Keller Street to the west. Area B comprises 2 parcels and approximately 0.90 acres. Area C is bounded by Washington Street to the north,

Western Avenue to the south, Telephone Alley to the east, Liberty Street and Court Street to the west. Area C comprises 25 parcels and approximately 6.40 acres.

*Land Uses*

Most parcels in Area A are developed with buildings and other site improvements, such as surface parking areas to support existing businesses. Three parcels located at the southeast corner of Petaluma Blvd. South/B Street (APNs 008-063-008; -009; -011) are currently vacant and are the proposed location of the Hotel component of the project, as further detailed below. Other uses in Area A include banks, professional offices, a hardware store, and commercial uses including a convenience store and vacant restaurant buildings. The two parcels in Area B are currently developed as banks, associated parking lots, and site improvements. Parcels in Area C are also primarily developed with buildings and other site improvements and include retail shops, auto shops, restaurants, offices, medical uses, and Petaluma Market. Notably, the Phoenix Theater is also located in Area C. 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, and approximately 1,500 square feet of commercial area (131 Liberty Street), and a 3-unit live-work building (136 Court Street). All existing land uses are shown in Table 1.

*Development Pattern*

Existing buildings within Areas A, B, and C of the Downtown Housing & Economic Opportunity Overlay are primarily one-story, with a few two-story buildings present in each area. Floor area ratios in Area A range from 0.00 to 0.73, Area B from 0.20 to 0.30, and Area C from 0.00 to 0.98, representing a common development pattern of low-intensity, one-story buildings with surface parking lots.[1]

*Street and Circulation Pattern*

The three areas of the proposed Overlay are within the city's downtown, which is generally bounded by Washington Street to the north, Petaluma Blvd. to the east, D Street to the south, and Howard Street/6th Street to the west. Washington Street, Petaluma Blvd., 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 one block west of the proposed Overlay, 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 the Transportation section of this document.

*Historic Resources*

The City of Petaluma has two locally designated historic districts (Oakhill-Brewster and "A" Street), and one Nationally Registered district, the Historic Commercial District. In addition, there are several individual properties located throughout the city that are considered potentially significant historical resources. Three parcels within Area A of the proposed Downtown Housing & Economic Opportunity Overlay are located within the Historic Commercial District including two of the three vacant parcels proposed as the Hotel component of the project (008-063-008; -009;), and one developed parcel (008-063-012) which is the location of the Rex Ace Hardware store adjacent to the proposed Hotel site. 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.[2] 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. Along the adjoining boundaries, there are several historic buildings identified

[1] Data based on Sonoma County Assessor information obtained from maps.cityofpetaluma.net, accessed July 2023.
[2] National Register of Historic Places Continuation Sheet, Section Number 7, Petaluma Historic Commercial District, page 19

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.

*General Plan Land Use Designations*

The majority of parcels located within the Downtown Housing & Economic Opportunity Overlay are designated as Mixed Use (MU) in the Petaluma General Plan 2025. Four parcels, which comprise the Keller Street Parking Garage, are designated as Public/Semi-Public (PSP) (**Figure 4: General Plan Land Use**). The MU Land Use designation requires a combination of uses and orients development toward the pedestrian. The maximum allowable FAR is 2.5 and the maximum residential density is 30 dwelling units/acre (du/acre). Given that the established residential density of 30 units per acre will not change under the proposed project, there would be no increase in population, relative to what is currently allowed. 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 Subarea of the General Plan which is characterized by the historic buildings, Petaluma River, and 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 of the proposed Overlay 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 Designations*

Zoning designations of parcels located within the proposed Overlay are Mixed Use 2 (MU2) and Civic Facilities (CF) (**Figure 5: Existing and Proposed Zoning**). 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 1 all parcels in the proposed Overlay are located within the Theater Combining District, four parcels are located within the Historic Commercial District, and 27 parcels are located within the Parking Assessment District. The Theater Combining District was adopted by the City Council in 2003 (Ordinance No. 2158 N.C.S.) 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 IZO, the ordinance which established the Theater Combining District expired on August 4, 2023. 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.

The following table provides a list of APNs by Area (A, B, and C) that are proposed for inclusion within the Downtown Housing & Economic Opportunity Overlay. Additionally, the table below notes existing Overlay's applicable to each parcel as well as the existing uses onsite.

**TABLE 1: EXISTING ZONING OVERLAYS AND USES**

| PROPOSED OVERLAY AREA | APN | EXISTING USE | THEATER DISTRICT | HISTORIC COMMERCIAL DISTRICT | PARKING ASSESSMENT DISTRICT |
|---|---|---|---|---|---|
| A | 008-063-005 | Surface parking for Bank of the West | X | | |
| | 008-063-006 | | X | | |
| | 008-063-007 | Bank of the West | X | | |
| | 008-063-008 | Vacant (proposed EKN Appellation Hotel) | X | X | X |
| | 008-063-009 | | X | X | X |
| | 008-063-011 | | X | | |
| | 008-063-012 | Rex Ace Hardware | X | X | X |
| | 008-064-002 | Summit State Bank | X | | |
| | 008-064-004 | Compass Real Estate | X | | |
| | 008-064-005 | Walnut Park Grill (former) | X | | |
| | 008-064-007 | Surface Parking for Compass Real Estate | X | | |
| | 008-064-008 | Fourth & "Sea" (former)[3] | X | | |
| | 008-064-010 | 7-Eleven | X | | |
| B | 008-051-024 | Chase Bank | X | X | X |
| | 008-051-025 | Wells Fargo Bank | X | | X |
| C | 006-361-028 | Zephyr Sportswear | X | | |
| | 006-361-030 | Vacant (approved entitlement for Liberty St. Mixed-Use) | X | | |
| | 006-361-033 | Vacant building | X | | |
| | 006-361-039 | Dental offices | X | | |
| | 006-361-040 | Vacant (approved entitlement for Foley/Omahony Live/Work) | X | | |
| | 006-362-001 | Sonoma Autowerks | X | | X |
| | 006-362-002 | Keller St Professional Building Parking Lot | X | | X |
| | 006-362-003 | Office building | X | | X |
| | 006-362-009 | Office building | X | | X |
| | 006-362-010 | Multi-tenant commercial and retail building | X | | X |
| | 006-362-012 | Phoenix Theater | X | | X |

[3] Active tenant improvement building permit (BLTI-2023-0013) to establish new restaurant use.

| PROPOSED OVERLAY AREA | APN | EXISTING USE | THEATER DISTRICT | HISTORIC COMMERCIAL DISTRICT | PARKING ASSESSMENT DISTRICT |
|---|---|---|---|---|---|
| C | 006-362-014 | Multi-tenant office building | X | | X |
| | 006-362-015 | Hallie's Diner | X | | X |
| | 006-362-021 | Right-of-way | X | | X |
| | 006-362-022 | Sacks Hospice Thrift Shoppe | X | | X |
| | 006-362-023 | Petaluma Market | X | | X |
| | 006-362-024 | Office building | X | | X |
| | 006-362-025 | ArtaLuma | X | | X |
| | 006-363-001 | Multi-tenant commercial and office building | X | | X |
| | 006-363-004 | Keller Street Parking Garage | X | | X |
| | 006-363-005 | | X | | X |
| | 006-363-007 | | X | | X |
| | 006-363-023 | | X | | X |
| | 006-363-025 | Keller Street Cowork | X | | X |
| | 006-363-026 | Kapu Bar | X | | X |

**EKN Appellation Hotel**

*Project Site and Surrounding Uses*

The EKN Appellation Hotel component of the project is located on an approximately 0.3-acre site comprised of three parcels (APNs 008-063-008; -009; -011) at the southeast corner of Petaluma Blvd. South and B Street (**Figure 3: Project Vicinity**). The site was previously developed as a gas station which was demolished sometime between 2008 and 2011, since which time it has laid vacant. Based on the prior use as a gas station, the site was listed as a Leaking Underground Storage Tank (LUST) Cleanup site by the Regional Water Quality Control Board (RWQCB). As described further in the Hazards and Hazardous Materials section of this document, the RWQCB issued a no further action letter, and the site case was listed as closed as of 2020. 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.

Uses proximate to the site include banks, offices, restaurants, and retail shops. Rex Ace Hardware and Bank of the West immediately abut the site to the south and east. The Rex Ace Hardware site adjacent to the project site was previously developed with five one- and two-story wood-frame structures, originally constructed between 1870 and 1920, and noted as contributing buildings to the Historic Commercial District.[4] However, the original building was destroyed in a fire in the early 2000s and subsequently rebuilt with the modern structure present onsite today, which is identified as a non-contributing building to the District. The proposed Hotel is located within Area A of the proposed Downtown Housing & Economic Opportunity Overlay, described in detail above.

*General Plan and Zoning*

The applicable General Plan land use designation for the Hotel site is Mixed Use, and the corresponding zoning designation is Mixed Use 2 (**Figure 4: General Plan Land Use** and **Figure 5: Existing and Proposed Zoning**). In addition, the site falls entirely within the Theater Combining District and is partially within the Historic Commercial District and Parking Assessment District. Surrounding land use designations include MU2 to the

[4] National Register of Historic Places Continuation Sheet, Section Number 7, Petaluma Historic Commercial District, page 5

south, east, and west, and Urban Core (T6) to the north, which is a designation applied to areas of the CPSP as set forth in the SmartCode.

## 2.2. PROJECT DESCRIPTION

### DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY

#### General Plan Text Amendment

The proposed General Plan Amendment will increase the maximum FAR for the Mixed Use land use designation from 2.5 to 6.0 for areas located within the Downtown Housing & Economic Opportunity Overlay.

However, future development will be subject to existing density requirements (30 dwelling units/acre), such that the Overlay will 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 EIR. Accordingly, implementation of the Overlay would not result in a new increase in population or a substantial change in employment relative to what was anticipated by the General Plan and analyzed in the EIR.

#### Zoning Map Amendment

The proposed Zoning Map Amendment will establish the boundaries of the Downtown Housing & Economic Opportunity Overlay and any parcels located within the Overlay would be subject to the applicable development standards and regulations.

#### Zoning Text Amendment

The proposed Zoning Text Amendment will establish regulations and development standards for the Downtown Housing & Economic Opportunity Overlay. The Overlay will increase the allowable building height from 45 feet to 75 feet with a Conditional Use Permit (CUP), increase lot coverage from 80% to 100% with a Conditional Use Permit (CUP), allow ground floor residential uses, and establish development and design controls for properties that would be subject to the proposed Overlay. The Implementing Zoning Ordinance will 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 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% to 100%;
- Increase the FAR limit from 2.5 to 6;
- Eliminate the setback standards; and
- Add new stepback standards.

### EKN APPELLATION HOTEL

#### Site Plan

The project proposes construction of a 93-room, 6-story (approximately 68 foot 10 inch) hotel over a below-grade, 58-space parking garage. 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 (**Figure 6: EKN Appellation Floor Plan Diagram**).

**Floor Plan and Architectural Design**

The subterranean parking garage comprises 58 parking spaces, as further described below, bike room, storage area, and utility rooms. The ground floor comprises valet and baggage storage, front office, employee areas, laundry and housekeeping, utility rooms, kitchen, and the 3,209 square foot restaurant (2,308 s.f. interior space, 901 s.f. exterior space) for seating up to 150 guests. Floors 2-6 feature a "U" shaped floor plan which is 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 exhibits a recessed building façade, and comprises one bridal suite with a private balcony, one deluxe suite, 4 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, 900 square feet of pantry and support space, and mechanical equipment.

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 Blvd. South and B Street on the fifth floor seek to break up the overall massing of the building. The building will 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.

Windows and doors throughout the building have clear glass and dark bronze metal frames. The 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 are narrow with one-over-one-lights, with upper light having the appearance of a transom. Curvilinear patterns are 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.

**Proposed Uses**

Proposed uses include the hotel, ground floor restaurant and bar, and rooftop bar and event space. The ground floor restaurant and bar will be a full-service restaurant, and the rooftop bar will 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 will be available for use by the public and hotel guests. The ground floor restaurant and bar will operate from 7 a.m. to 12 a.m., and the rooftop bar will operate from 8 a.m. to 12 a.m. The event space is assumed to be ancillary to the Hotel and will be available for use by hotel guests only.

**Access, Circulation, and Parking**

Patrons accessing the site by vehicle will utilize the proposed valet drop-off along Petaluma Blvd. South, approximately 130 feet from the intersection of Petaluma Blvd. South/B Street. Once vehicles are dropped off, valet staff will drive east on Petaluma Blvd. South, turn right onto C Street, right onto 4$^{th}$ Street, and right onto B Street where they will enter the subterranean parking garage via a new driveway and park vehicles in the proposed stackable parking system (**Figure 1**). Parking in the subterranean garage includes 58 spaces, inclusive of 54 stacked spaces and 4 standard spaces. Of the 58 parking spaces, 6 would be reserved for electric vehicles (EV). When patrons are ready to pick up their vehicles, valet staff will access the subterranean parking garage and drive the patron's vehicle to the pickup location approximately 70 feet from the intersection of Petaluma Blvd. South/B Street. As proposed, valet services will be provided 24/7 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 Blvd. South frontage will be removed and replaced with curb, gutter, and sidewalk consistent with City of Petaluma Standards. In addition, an existing driveway on B Street will be removed and replaced with curb, gutter, and sidewalk.

**FIGURE 1: VALET PARKING ROUTES**


Pedestrian access to the site will be provided by existing sidewalks and crosswalks along Petaluma Blvd. South and B Street. The Hotel component of the project proposes to re-stripe the existing crosswalks located on B Street, south of the intersection with Petaluma Blvd. South and at the intersection of the one-way street that runs parallel to Petaluma Blvd. North, north of the site. Bicycles will access the site utilizing existing Class II and III facilities. Three bike racks accommodating up to 6 bikes are proposed along the B Street project frontage. In addition, the project includes a bicycle valet service, accommodating up to 7 bikes in a secure storage room in the subterranean garage. The site is located one-half mile from the Downtown Petaluma SMART station and Copeland Street Transit Mall, which provide local and regional access and are accessible via E. Washington Street and D Street/E D Street.

**Landscaping, Lighting, and Signage**

The project proposes to remove three street trees located along the Petaluma Blvd. South (one 6-inch red maple) and B Street project frontages (two 8-inch red maples) and will replace them with three new, 36-inch box street trees (Armstrong red maple). One existing 8-inch red maple along the Petaluma Blvd. South frontage will be retained. Other landscaped areas on the ground floor include various one-gallon, low water use shrub species which will be planted in two types of free-standing 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 one- and five-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 is 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. Preliminary signage details are provided on Sheet A20 of the project plans. As proposed, signage includes two wall mounted signs for the hotel, including one at the main entrance on Petaluma Blvd. 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 will connect to existing utilities located within the B Street and Petaluma Blvd. South rights-of-way. The new building will 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 will connect the new building to the 8-inch water main located within the Petaluma Blvd. South right-of-way.

**Stormwater Management**

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

**Construction**

Project construction is anticipated to occur over an approximately 19-month period (approximately 414 construction days) and will 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 will require dewatering and lateral shoring and is anticipated to utilize traditional construction equipment such as medium-size dozers, excavators, and backhoes.[5] Following completion of grading activities, infrastructure improvements and building foundations will be constructed. Foundations and basement retaining are proposed to be mat slab with a minimum thickness of 36 inches and will be waterproofed to resist hydrostatic pressures. Following construction of the foundation, utilities will be installed and building construction will commence. New driveways, sidewalks, curbs and gutters, striping, landscaping, and signage will 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 will be staged on-site or, through issuance of an encroachment permit, at abutting rights-of-way.

**Frontage and Offsite Improvements**

Along the site's Petaluma Blvd. South frontage, within the public right-of-way, the project proposes to 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 project proposes to 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 offsite improvements include restriping two existing crosswalks including one across B Street and one across the one-way access road running parallel with Petaluma Blvd. North. In addition, the project will upgrade the curb ramps at the two existing crosswalks to comply with ADA requirements and will install one streetlight.

In addition, as a condition of approval, the applicant will 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 Blvd. North. Construction of the bus stop will 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 will be approximately 60 feet long (40-foot bus space, 10-foot front clearance, and 10-foot rear clearance) by 8-feet wide.

## 2.3. PUBLIC OUTREACH

### STUDY SESSIONS

Throughout the planning and entitlement review process, the project has been reviewed at several study sessions which are intended to solicit input from the public and decision makers, allowing for opportunities to provide non-binding comments, and opportunities for modifications prior to formal review of requested entitlements. The following provides a list of the study session dates, the reviewing body (e.g. Historic and

[5] Geotechnical Investigation, Miller Pacific Engineering Group, January 28, 2022, page 13.

Cultural Preservation Committee (HCPC) and Planning Commission), and which component of the project was reviewed at each session.

- January 10, 2023 – HCPC – Hotel
- June 13, 2023 – HCPC and Planning Commission – Overlay and Hotel
- August 8, 2023 – Planning Commission – Overlay
- October 3, 2023 – HCPC – Overlay

**NEIGHBORHOOD MEETINGS**

In addition to study sessions, additional neighborhood and community meetings have been held for the project including the following:

- July 27, 2022 – Know Before You Grow[6] – Hotel (presented by the Hotel applicant team)
- July 12, 2023 – Know Before You Grow – Overlay (presented by City staff)
- August 3, 2023 – Petaluma Downtown Association – (discussion between association and City staff)

## 2.4. ENTITLEMENTS & APPROVALS

The following entitlements are required of the City of Petaluma in order to authorize the proposed project:

Downtown Housing & Economic Opportunity Overlay:

1. Zoning Map Amendment to establish a Downtown Housing & Economic Opportunity Overlay
2. Zoning Text Amendment to establish regulations for the Downtown Housing & Economic Opportunity Overlay
3. General Plan Amendment to increase the permitted floor area ratio for areas designated Mixed Use that are within the Downtown Housing & Economic Opportunity Overlay

EKN Appellation Hotel:

1. Historic Site Plan and Architectural Review (HSPAR)
2. Conditional Use Permit (CUP)
3. Tree Removal Permit

The following approvals are expected to be required from outside agencies and regulatory agencies:

1. Sonoma County Department of Health Services – Approval for excavation of more than five (5) cubic yards of soil, groundwater extraction or discharge, soil or groundwater sampling, and soil reuse or disposal (see Section 4.9 Hazards and Hazardous Materials)
2. Sonoma Water - Approval of Stormwater Plan
3. Regional Water Quality Control Board – Individual NPDES Permit

[6] 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."

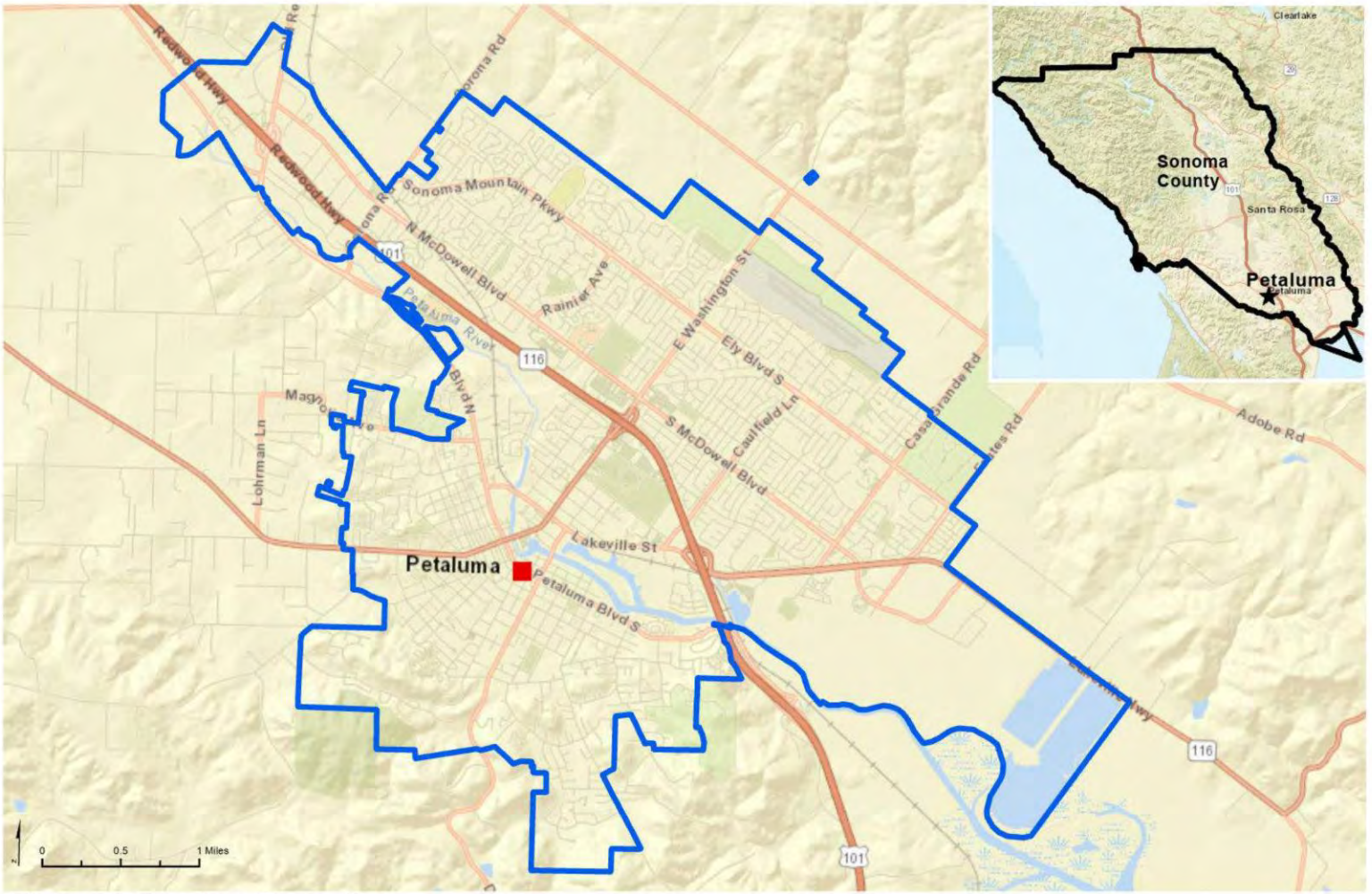



**Figure 2 : Regional Location**

Project Area | Petaluma City Limits | Sonoma County

Data source: City of Petaluma; County of Sonoma; ESRI Basemap

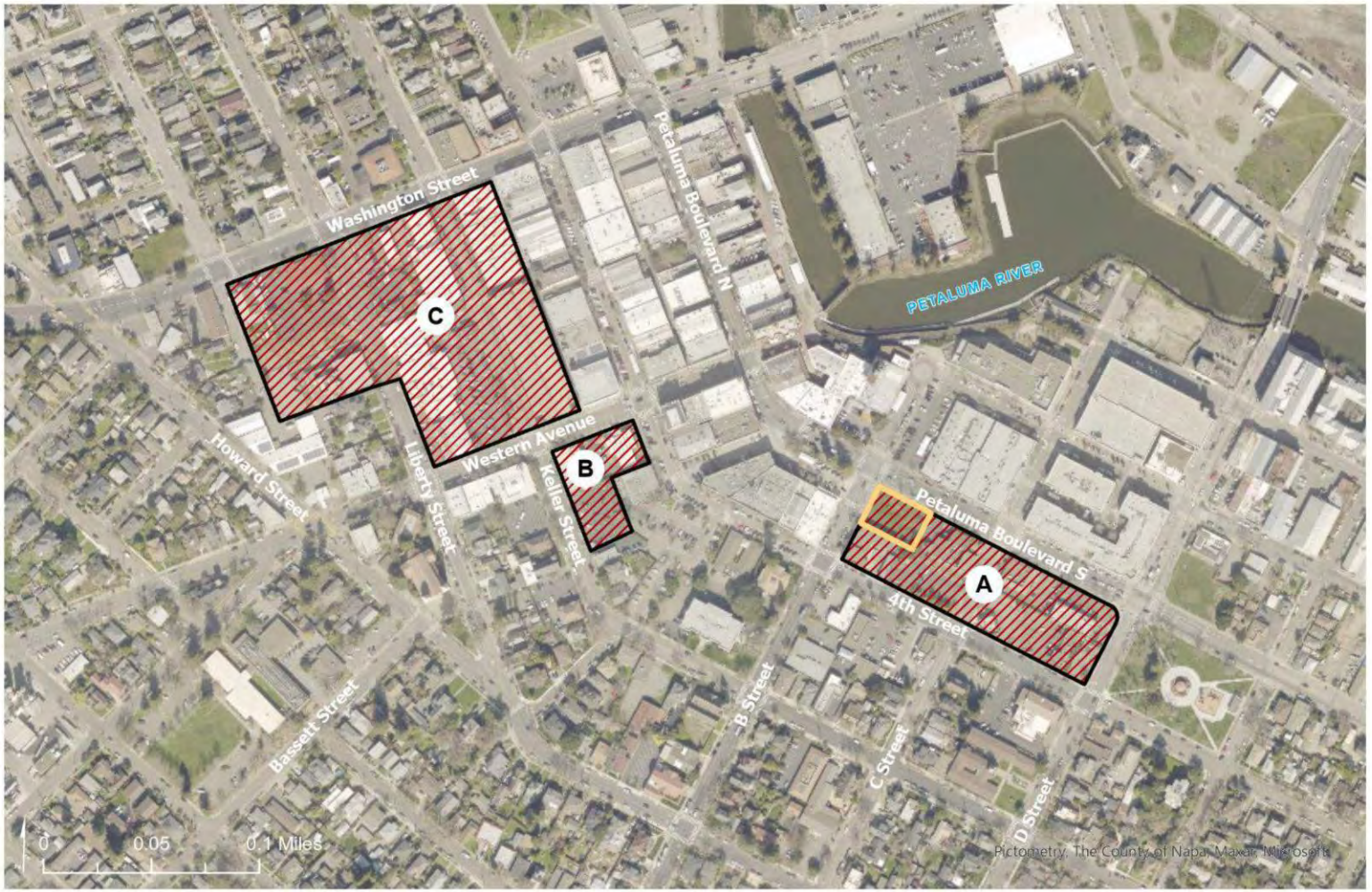



**Figure 3 : Project Vicinity**

Downtown Housing & Economic Opportunity Overlay

EKN Appellation Hotel

Data source: City of Petaluma; ESRI Basemap


**Figure 4 : General Plan Land Use Designations**

Downtown Housing & Economic Opportunity Overlay

EKN Appellation Hotel

Data source: City of Petaluma; ESRI Basemap

General Plan Land Use

- Mixed Use
- River Dependant Industrial
- Agriculture Support Industrial
- City Park
- Diverse Low Density Residential
- Education
- Floodway
- High Density Residential
- Industry
- Low Density Residential
- Medium Density Residential
- Public/Semi-Public

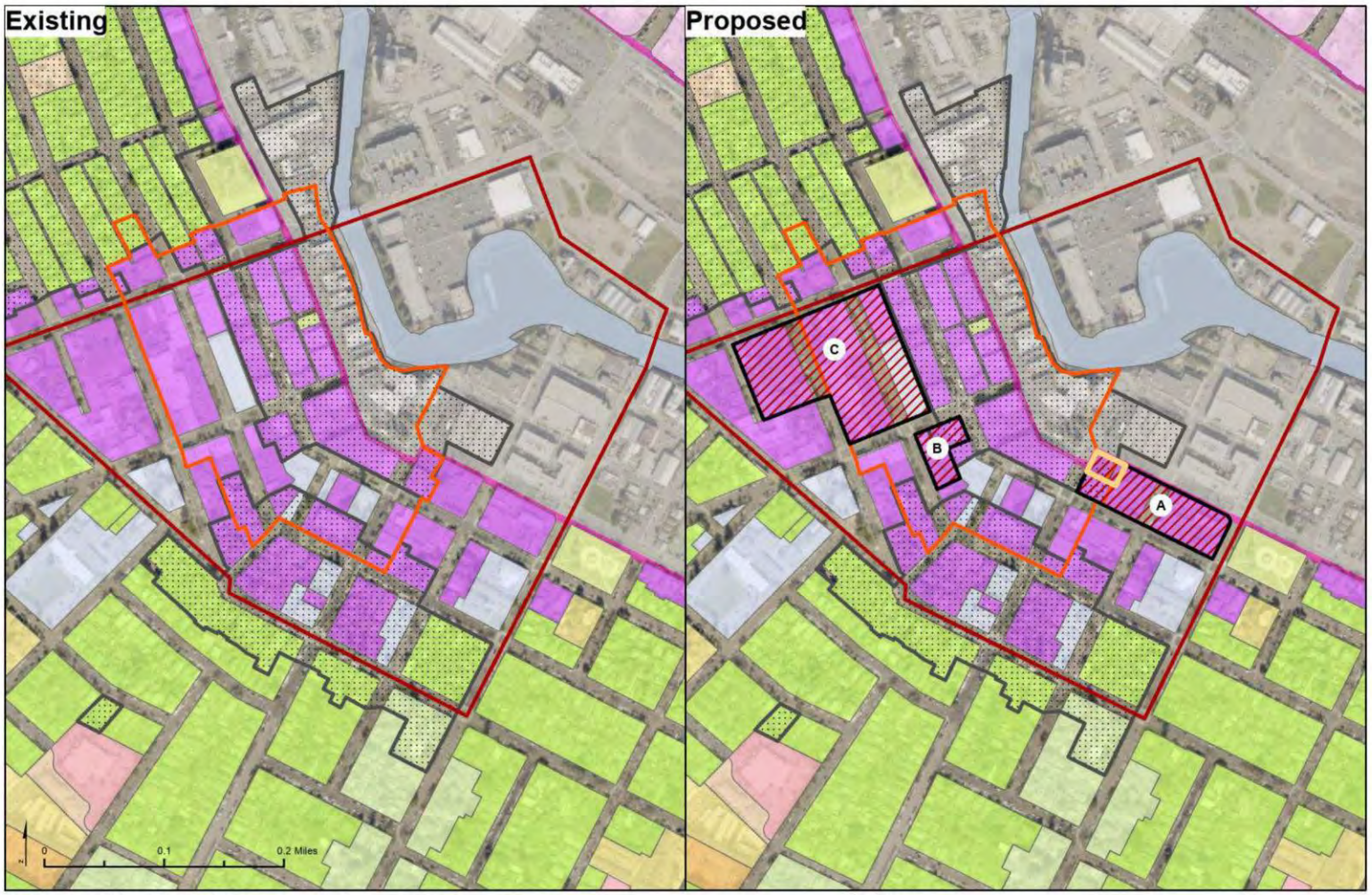
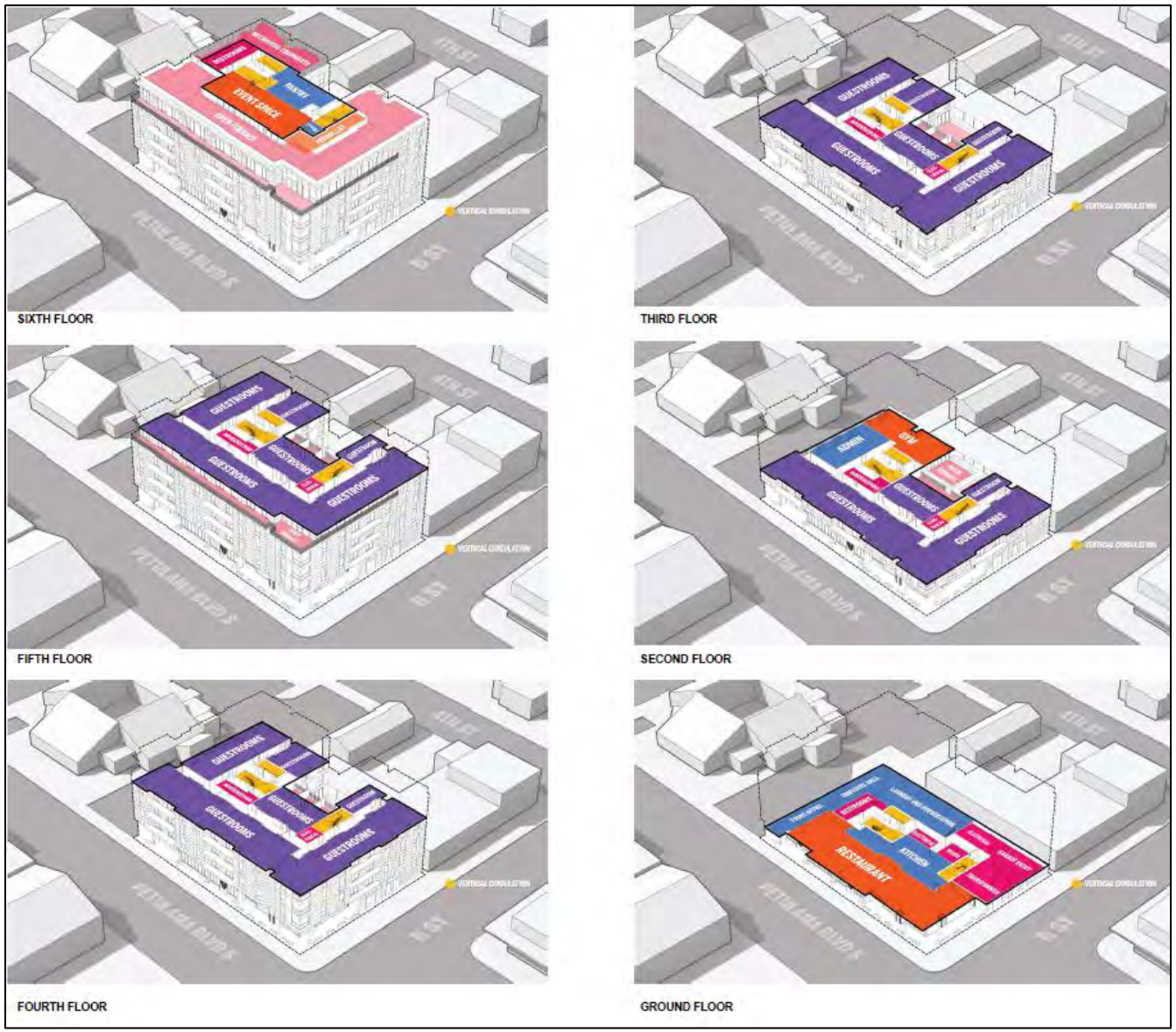



**Figure 5 : Existing and Proposed Zoning**

**FIGURE 6: EKN APPELLATION FLOOR PLAN DIAGRAM[7]**




[7] EKN Appellation Hotel Project Plans, Page Southerland Page, Inc, June 9, 2022; September 8, 2023, Sheet 3.1

## 3. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

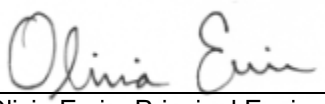
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact " as indicated by the checklist on the following pages.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1. | Aesthetics | X | 8. | GHG Emissions | | 15. | Public Services | |
| 2. | Agriculture / Forestry | | 9. | Hazards | | 16. | Recreation | |
| 3. | Air Quality | | 10. | Hydrology | | 17. | Transportation | |
| 4. | Biological Resources | | 11. | Land Use / Planning | | 18. | Tribal Cultural Resources | X |
| 5. | Cultural Resources | X | 12. | Mineral Resources | | 19. | Utilities / Service Systems | |
| 6. | Energy | | 13. | Noise | | 20. | Wildfire | |
| 7. | Geology / Soils | | 14. | Population / Housing | | 21 | Mandatory Findings | |

### 3.1. DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

| | |
|---|---|
| I find that the proposed project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared. | |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared. | |
| I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. | **X** |
| I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. | |
| I find that although the proposed project could have a significant effect on the environment,<br><br>because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. | |



Olivia Ervin, Principal Environmental Planner

April 11, 2024
Date

## 4. EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
    a. the significance criteria or threshold, if any, used to evaluate each question; and
    b. the mitigation measure identified, if any, to reduce the impact to less than significance

The following discussion addresses the potential level of impact relating to each aspect of the environment. The level of impact includes the following:

- Potentially Significant Impact (PSI)
- Less than Significant with Mitigation (LTS w/Mit)
- Less than Significant (LTS)
- No Impact (NI)

The Downtown Housing & Economic Opportunity Overlay component of the project represents a programmatic change to the existing Implementing Zoning Ordinance and the EKN Appellation Hotel component of the project represents physical modifications to an existing property. As such, the majority of the following impact analysis discusses the impacts of each component separately, however, in some instances where appropriate to consolidate the discussion, impacts of both components are discussed together (e.g. Agricultural and Forestry Resources, Mineral Resources, etc.).

## 4.1. AESTHETICS

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| 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 buildings within a state scenic highway? | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| c) 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). If the project is in an urbanized area, would the project 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? | ☒ | ☐ | ☒ | ☐ | ☒ | ☐ | ☐ | ☐ |

Sources: City of Petaluma General Plan 2025 and EIR; City of Petaluma Implementing Zoning Ordinance (IZO); California Scenic Highway Mapping System, Scenic Highway System Lists; EKN Appellation Hotel Project Plans, Page Southerland Page, Inc, June 9, 2022; September 8, 2023; Historic Preservation Compliance Review for the Hotel Weaver, Painter Preservation, June 7, 2022; Historic Cultural Resource Report for Downtown Housing and Economic Opportunity Overlay, Painter Preservation, July 31, 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### AESTHETICS SETTING

The natural features that characterize Petaluma and its surroundings provide for a visually rich setting. The City of Petaluma is located in the Petaluma River Valley, which is northwest-southeast trending between Sonoma Mountain and Mount Burdell. The city is flanked by the foothills and peaks associated with these mountain ranges which provide views of rolling hills and agricultural landscapes. Petaluma is traversed by the Petaluma River and tributaries that contribute to the aesthetic quality of the city. A long-established urban form within City limits contrasts with the surrounding natural and agricultural features.

As discussed in the project description section of this document, the project site is located within the Downtown Subarea of the General Plan, which includes Petaluma's Historic Commercial District and contains a large proportion of Petaluma's historic buildings organized along a regular street grid and small blocks, the Petaluma River, and features a predominately pedestrian scale environment. Uses surrounding the Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel project site include commercial, retail, and office uses to the north, east, south, and west. Residential uses are located within one block of the project site on 5th Street. Aesthetic and visual resources present in the project area include historic structures north of the project site, such as the Masonic Building and other unique cast iron front buildings, the Petaluma River, and interrupted views of the Sonoma Mountains to the east and west. Petaluma's new urbanist theater district, developed in the early 2000's is also visible from the site.

The Overlay component of the project encompasses three sub areas throughout the city's downtown, with most parcels developed with one-story buildings and large surface parking lots. The Hotel component of the project is located on a relatively square lot at the southwest corner of Petaluma Blvd. South/B Street at 2 Petaluma Boulevard South on what was formerly a gas station. Based on the Hotel site's corner location, it is relatively prominent and readily visible from the surrounding public rights-of-way. Presently, the Hotel site is void of trees or other visual resources and is covered in ruderal/weedy vegetation which 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 developed.

## AESTHETICS IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.1 a) (Scenic Resource or Vista) Potentially Significant Impact:** *Analysis of Impact AES-a will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (b) (Scenic Resources from a Designated State Highway) Potentially Significant Impact:** *Analysis of Impact AES-b will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (c) (Degrade Visual Character or Conflict with Scenic Quality) Potentially Significant Impact:** *Analysis of Impact AES-c will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (d) (Light and Glare) Potentially Significant Impact:** *Analysis of Impact AES-d will be included in the Aesthetics and Visual Resources chapter of the EIR.*

### EKN Appellation Hotel

**4.1(a) (Scenic Resource or Vista) Potentially Significant Impact:** *Further analysis of Impact AES-a will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (b) (Scenic Resources from a Designated State Highway) Potentially Significant Impact:** *Analysis of Impact AES-b will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (c) (Degrade Visual Character or Conflict with Scenic Quality) Potentially Significant Impact:** *Analysis of Impact AES-c will be included in the Aesthetics and Visual Resources chapter of the EIR.*

**4.1 (d) (Light and Glare) Potentially Significant Impact:** *Analysis of Impact AES-d will be included in the Aesthetics and Visual Resources chapter of the EIR.*

## 4.2. AGRICULTURAL AND FORESTRY RESOURCES

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) 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? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| c) 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))? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| e) 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? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |

Sources: 2025 General Plan and EIR; California Department of Conservation, Farmland Mapping and Monitoring Program, Sonoma County, 2016; Sonoma County Draft Vital Lands Initiative, December 2019; and Permit Sonoma's Williamson Act Properties 2017.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### AGRICULTURAL AND FORESTRY SETTING

The California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) classifies agricultural land according to soil quality and irrigation status. According to data acquired from the Department of Conservation, FMMP, land classifications within the City consist of Prime Farmland, Grazing Land, Farmland of Local Importance, Unique Farmland, Other Land, and Urban and Built-up Land. One objective of the establishment of the UGB was the preservation of natural resources, including agricultural lands, and other open spaces outside of the UGB boundary and concentration of urban development within the UGB. The Sonoma County Draft Vital Lands Initiative maps the county's natural resources, including conifer forests, priority shrublands and hardwood forest. The County's Draft Vital Lands Initiative does not identify forestlands within the City of Petaluma.

The entirety of the Overlay, which includes the Hotel component of the project, is located on land designated as Urban and Built-up and is surrounded by land also designated as Urban and Built-up. Furthermore, no portion of the project site is designated as forestland or under a Williamson Act Contract.

### AGRICULTURAL AND FORESTRY IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel

**4.2 (a-e) (Farmland Conversion, Williamson Act, Forestland/Timberland Conflict) No Impact:** No parcels located with the Overlay, including the proposed EKN Appellation Hotel are located on agricultural or forested lands as identified by the California Department of Conservation, Farmland Mapping and Monitoring Program, and Sonoma County's Draft Vital Lands Initiative. The Overlay component of the project establishes zoning controls to allow for infill development on already developed sites. The Hotel component of the project includes

development of a hotel on a vacant lot in the city's downtown within the MU2 district. The parcels located within the proposed Downtown Housing & Economic Opportunity Overlay and the EKN Appellation Hotel site are designated by the California Department of Conservation, FMMP as Urban and Built-up, have a General Plan Land Use designation of Mixed Use, and are surrounded by lands designated for mixed use development. The nearest land designated by the FMMP as agricultural land is located approximately one mile southwest. The project will not convert land designated by the FMMP as farmland, nor will it conflict with existing zoning for agricultural use by converting a parcel under a Williamson Act contract to a non-agricultural use. As such, the project will not conflict with current agricultural zoning or lead to the loss of farmland and will therefore have **no impact**.

In the absence of forested lands there is no potential for the project to conflict with existing forested land or result in the loss or conversion of forested land to another use. As the proposed Overlay and Hotel are within the UGB, there will be no impetus for the conversion of farmland or forest land to any alternative use. Therefore, the project will have **no impact** to agricultural and forestry resources.

## AGRICULTURAL AND FORESTRY MITIGATION MEASURES

None required.

## 4.3. AIR QUALITY

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Exposure of sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan and EIR; BAAQMD 2017 Bay Area Clean Air Plan; BAAQMD 2022 CEQA Guidelines; Plan Bay Area 2050; Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, Illingworth & Rodkin, September 11, 2023; EKN Appellation Hotel Project Plans, Page Southerland Page, Inc., September 8, 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### AIR QUALITY SETTING

The City of Petaluma is located within the San Francisco Bay Area air basin regulated by the Bay Area Air Quality Management District (BAAQMD). Air quality within the Bay Area Air Basin is influenced by natural geographical and meteorological conditions as well as human activities such as construction and development, operation of vehicles, industry and manufacturing, and other anthropogenic emission sources. The Federal Clean Air Act and the California Clean Air Act (CCAA) establish national and state ambient air quality standards. The California Air Resources Board (CARB) oversees the implementation of the CCAA by regulating emissions from motor vehicles and consumer products. The BAAQMD is responsible for planning, implementing, and enforcing air quality standards within the Bay Area Air Basin, including the City of Petaluma.

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards; 0.09 parts per million (ppm) and 0.070 ppm, respectively. The Bay Area Air Basin is also in non-attainment for the PM10 and PM2.5 state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m3 for PM10 and less than 12 µg/m3 for fine particulate matter (PM2.5). In addition, the Basin is designated as non-attainment for the national 24-hour PM2.5 standard although the EPA recognized the Air District as achieving the attainment in 2013.[8] The nearest BAAQMD air monitoring station to the project site is located in Sebastopol. As presented in the 2023 Annual Air Monitoring Network Plan, the annual level of PM2.5 at the Sebastopol monitoring site is 7.3 µg/m3, which is below the required AAM.[9] All other national ambient air quality standards (NAAQS) within the Bay Area Air Basin are in attainment.

The BAAQMD is given authority by the California Air Resources Board (CARB) to regulate toxic air contaminants (TAC) as an air pollutant causing carcinogenic and other health effects. The Air District is working to regulate a TAC as a particulate matter emitted from diesel-fueled engines, called diesel particulate matter, that is responsible for 70 percent of TAC emissions in the Air District.

[8] In January 2013, the US EPA issued a final determination recognizing the BAAQMD achieved the 24-hour PM2.5 national standard which effectively suspended the requirements for the region to submit EPA national ambient air quality documentation. So as long as the District meets the 2006 24-hour PM2.5 NAAQS, the District is not required to submit an attainment demonstration, reasonably available control measures, a reasonable further progress (RFP) plan, and contingency plans for failure to meet RFP and attainment deadlines. The ruling is effective February 8, 2013, and continues through the latest available fine particulate matter measurements. The BAAQMD will continue to be designated as "non-attainment" for the national 24-hour PM2.5 standard until the Air District submits a "resignation request" and "maintenance plan" to EPA, and EPA approves the District's resignation proposal.

[9] 2023 Annual Air Monitoring Network Plan, BAAQMD, June 2023, page 18, Table 2.7.

Air quality emissions of carbon monoxide (CO), ozone precursors (ROG and NOx) and particulate matter (PM10 and PM2.5) from construction and operation are evaluated pursuant to the BAAQMD CEQA Air Quality Guidelines. On April 20, 2023, the BAAQMD published the 2022 CEQA Guidelines, which is an update to the 2017 CEQA Guidelines and provides guidance to lead agencies in evaluating air quality and climate impacts from proposed land use projects. The City of Petaluma recognizes that the BAAQMD thresholds represent the best available scientific data and has elected to rely on BAAQMD Guidelines in determining screening levels and significance. The BAAQMD air quality thresholds are presented in Table 2 below.

**TABLE 2: AIR QUALITY THRESHOLDS OF SIGNIFICANCE**

| Pollutant | Construction Thresholds | Operational Thresholds | |
|---|---|---|---|
| | Average Daily Emissions (lbs./day) | Average Daily Emissions (lbs./day) | Maximum Annual Emissions (tons/year) |
| **Criteria Air Pollutants** | | | |
| ROG | 54 | 54 | 10 |
| NOx | 54 | 54 | 10 |
| PM10 | 82 (exhaust) | 82 | 15 |
| PM2.5 | 54 (exhaust) | 54 | 10 |
| PM10 PM2.5 (fugitive dust) | BMPs** | Not Applicable | |
| CO | None | 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) | |
| **Single-Source Health Risks and Hazards for New Sources or New Receptors** | | | |
| Excess Cancer Risk | > 10.0 per one million | | |
| Chronic or Acute Hazard Index | > 1.0 | | |
| Incremental annual average $PM_{2.5}$ | > 0.3 µg/$m^3$ | | |
| **Cumulative Health Risks and Hazards for Sensitive Receptors** | | | |
| Excess Cancer Risk | > 100.0 per one million | | |
| Chronic Hazard Index | > 10.0 | | |
| Annual Average $PM_{2.5}$ | > 0.8 µg/$m^3$ | | |

Source: Table 3-1, Page 3-4, BAAQMD 2022 CEQA Air Quality Guidelines.

Note: BMP = Best Management Practices, ROG = reactive organic gases, NOx = nitrogen oxides, PM10 = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM2.5 = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less; and CO = carbon monoxide.

** PM10/PM2.5 (fugitive dust) is recognized to impact local communities. The Air District strongly recommends implementing all feasible fugitive dust management practices especially when construction projects are located near sensitive communities, including schools, residential areas, or other sensitive land uses.

The City's General Plan sets forth policies and programs to maintain and enhance air quality, including policies that encourage incorporation of measures to reduce emissions during construction (policy 4-P-15).

**Construction Health Risk & Greenhouse Gas Assessment**

A Construction Health Risk & Greenhouse Gas Assessment was prepared by Illingworth & Rodkin, dated September 11, 2023 (**Appendix A**), and analyzes potential health risk and greenhouse gas impacts associated with construction and operation of the Hotel component of the project. Details of the Assessment are included in the impact analysis for the EKN Appellation Hotel in the following section.

## AIR QUALITY IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.3 (a) (Conflict with Air Quality Plan) Less Than Significant:** Air Quality plans applicable to projects within the City of Petaluma, including the proposed project, include BAAQMD's 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 CAP 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 (PM), ozone (O3), and TACs. The CAP 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 CAP 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-GHG pollutants.

To implement the 2017 CAP control measures, the Air District utilizes a variety of tools and resources, including but not limited to, regulatory permits, enforcement authorities, and through implementation of the CEQA Guidelines. The BAAQMD CEQA Guidelines set forth criteria for determining consistency with the CAP. A project is considered consistent if it supports the primary goals of the CAP (protecting public health and protecting the climate); includes all applicable control measures and; does not interfere with implementation of the CAP.[10] The Downtown Housing & Economic Opportunity Overlay portion of the project consists of amendments to the City's existing zoning ordinance to allow for increased density and development in urbanized areas. The Overlay component of the project supports the primary goals of the CAP as it prioritizes densifying development in the city's downtown where future residential and commercial uses will be proximate to transit, 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 will be required to be all-electric which also supports the primary goals of the CAP. The Table below demonstrates consistency with each relevant control measure in the CAP. Furthermore, future developments proposed within the Overlay will be subject to independent discretionary review, including CEQA analyses, at which point consistency with control measures of the 2017 CAP will be analyzed. As such, the Overlay portion does not conflict with the BAAQMD 2017 CAP and as such impacts will be less than significant.

**TABLE 3: OVERLAY CONSISTENCY WITH APPLICABLE CLEAN AIR PLAN CONTROL MEASURES**

| Control Measure | Project Consistency |
|---|---|
| **Buildings Control Measures** | |
| **BL1:** Green Buildings | **Consistent**. Future development within the Overlay will be required to comply with CalGreen Building Tier 1 standards and Building & Energy Efficiency Standards which provide for increased energy efficiency. |
| **BL4:** Urban Heat Island Mitigation | **Consistent.** Pursuant to General Plan policy 4-P-15-D, future development within the Overlay 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. |
| **Energy Control Measures** | |
| **EN1:** Decarbonize Electricity Generation | **Consistent.** 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. |
| **EN2:** Decrease Electricity Demand | **Consistent.** 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 City's 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. |

[10] BAAQMD 2022 CEQA Air Quality Guidelines, Page 5-2 & 5-3.

| | |
|---|---|
| **Natural and Working Lands Control Measures** | |
| **NW2:** Urban Tree Planting | **Consistent.** The proposed Overlay would incorporate new street trees pursuant to General Plan policy 4-P-6. |
| **Waste Management Control Measures** | |
| **WA3:** Green Waste Diversion | **Consistent:** Future development within the overlay component of the project will 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. |
| **WA4:** Recycling and Waste Reduction | **Consistent.** Future development within the Overlay component of the project will 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. |
| **Water Control Measures** | |
| **WR2:** Support Water Conservation | **Consistent.** Future development within the Overlay component of the project will include water efficient landscaping, will comply with the maximum applied water allowance and the City's water conservation regulations. Future development within the Overlay component of the project will also be subject to the latest California Building Code requirements including plumbing and water efficiency standards as well as the City's Water Conservation Ordinance, which will further reduce water demands generated by the Overlay component of the project. |
| **Stationary Source Control Measures** | |
| **SS38: Fugitive Dust** | **Consistent.** Future development within the of the proposed Overlay will be required to comply with the BAAQMD's latest best management practices to control fugitive dust. |
| **Transportation Control Measures** | |
| **TR3:** Local and Regional Bus Service | **Consistent.** The Overlay component of the project is located in the downtown area and is well-connected to the City's local and regional transit network. |
| **TR9:** Bicycle and Pedestrian Access and Facilities | **Consistent.** The proposed Overlay is located 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*

As discussed in detail in the Greenhouse Gas Emissions section of this document, 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 emissions, and achieving a greater return on existing and planned transit investments. The City of Petaluma contains two PDAs. A portion of the Overlay component of the project is located within the Central Petaluma PDA which aims to revitalize parts of the historic downtown by directing development to underutilized land in the city's historic downtown, allowing for a greater diversity and intensity of uses.[11] As stated above, the Overlay component of the project intends to increase density and 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 project will not conflict with Plan Bay Area 2050 and impacts will be less than significant.

**4.3 (b, c, d) (Violate Air Quality Emission Standard; Impact Sensitive Receptors; Other Emissions or Odor) Less Than Significant:** The Overlay component of the project will 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 will 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 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 will not result in any physical development and will not generate any emissions until such time as future development is proposed. Future development in the Overlay will be required to comply with General Plan policies and will be subject to independent review in accordance with CEQA and will 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 Overlay component of the project will be less than significant.

**EKN Appellation Hotel**

**4.3 (a) (Conflict with Air Quality Plan) Less Than Significant:** The EKN Appellation Hotel represents the type of development that can occur under the proposed Downtown Housing & Economic Opportunity Overlay. As stated above, a project is considered consistent with the 2017 CAP if it supports the primary goals of the CAP (protecting public health and protecting the climate); includes all applicable control measures; and does not interfere with implementation of the CAP.

The Hotel component of the project supports the primary goals of the CAP 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 Hotel project will be constructed as all-electric, consistent with adopted City regulations, and will implement control measure TR3 (local and regional bus service) of the Plan through construction of a bus stop along the Petaluma Blvd. North frontage, adjacent to Center Park, approximately 200 feet north of the site and (as demonstrated in Table 4) will not interfere with implementation of other control measures identified in the CAP. The EKN Hotel project is also consistent with Plan Bay Area 2050 as it proposes a new employee-generating use in an urbanized area proximate to transit. As such, the Hotel will not conflict with the regional air quality plans and impacts will be **less than significant.**

**TABLE 4: EKN HOTEL CONSISTENCY WITH APPLICABLE CLEAN AIR PLAN CONTROL MEASURES**

| Control Measure | Project Consistency |
|---|---|
| **Buildings Control Measures** | |
| **BL1:** Green Buildings | **Consistent**. The proposed Hotel would not conflict with the implementation of this measure. The proposed Hotel will comply with the CalGreen Building |

[11] Existing Conditions Report, Land Use and Community Character, City of Petaluma General Plan Update, September 2022.

| | |
|---|---|
| | Tier 1 standards and Building & Energy Efficiency Standards which provides for increased energy efficiency. |
| **BL4:** Urban Heat Island Mitigation | **Consistent.** The proposed Hotel would not conflict with implementation of this measure. Pursuant to the City's 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, encourage 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. |
| **Energy Control Measures** | |
| **EN1:** Decarbonize Electricity Generation | **Consistent.** The proposed Hotel would not conflict with implementation of this measure because the City prohibits the use of natural gas in new development. The Hotel will also be provided the option to participate in the Sonoma Clean Power Program, which relies on renewable energy and minimized GHG emissions. |
| **EN2:** Decrease Electricity Demand | **Consistent.** 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 City's 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 of battery powered equipment. |
| **Natural and Working Lands Control Measures** | |
| **NW2:** Urban Tree Planting | **Consistent.** The proposed project would incorporate new landscaping, including removing and replacing 3 street trees (with low water use species). |
| **Waste Management Control Measures** | |
| **WA3:** Green Waste Diversion | **Consistent.** As a commercial use, the Hotel component of the project will 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. |
| **WA4:** Recycling and Waste Reduction | **Consistent.** The Hotel project will 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. |
| **Water Control Measures** | |

| | |
|---|---|
| **WR2:** Support Water Conservation | **Consistent.** The Hotel project includes water efficient landscaping, complies with the maximum applied water allowance and the City's water conservation regulations. The Hotel will be subject to the latest California Building Code requirements including plumbing and water efficiency standards as well as the City's Water Conservation Ordinance, which will further reduce water demands generated by the Hotel component of the project. |
| **Stationary Source Control Measures** | |
| **SS38: Fugitive Dust** | **Consistent.** Construction of the proposed Hotel will be required to comply with the BAAQMD's latest best management practices to control fugitive dust. |
| **Transportation Control Measures** | |
| **TR3:** Local and Regional Bus Service | **Consistent.** The proposed Hotel will be near the micro transit shuttle that drops off visitors downtown from either the SMART station or Fairgrounds property, and will provide a bus stop along Petaluma Blvd. North, approximately 200 feet north of the site, thereby increasing access to the site by alternative modes of transportation. |
| **TR9:** Bicycle and Pedestrian Access and Facilities | **Consistent.** The proposed Hotel is located downtown and is well-connected to the downtown pedestrian network. In addition, the proposed Hotel will provide onsite bicycle parking. |
| Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19. | |

**4.3 (b) (Violate Air Quality Emission Standard) Less Than Significant with Mitigation:** Air quality emissions associated with the proposed Hotel would result from short-term construction activities and ongoing operation.

*Construction*

Construction of the Hotel component of the project will include site preparation, excavation, grading, building construction, and installation of frontage improvements and associated infrastructure. Construction activities will 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 will create temporary emissions of fugitive dust from site grading, and the release of toxic air contaminants, particulate matter, and ozone precursors (ROG and NOx) 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 2 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. Based on the default construction activities and equipment usage, the total project construction workdays (excluding weekend days) were estimated to be 414. Average daily construction emissions (total construction emissions/construction workdays) of ROG, NOx, $PM_{10}$, and $PM_{2.5}$ are shown in Table 5 below. As presented therein, construction emissions during project construction will not exceed BAAQMD significance thresholds. Though construction emissions do not exceed BAAQMD thresholds, the Air District strongly recommends implementing all feasible fugitive dust management practices during project construction, especially when construction activities occur near sensitive communities. To ensure best management practices are implemented throughout project construction, the project shall comply with **Mitigation Measure EKN AQ-1** during all stages of construction. As proposed and with implementation of BMPs identified in measure EKN AQ-1, impacts resulting from a cumulatively considerable net increase of criteria pollutants during construction will be **less than significant**.

**TABLE 5: CONSTRUCTION PERIOD EMISSIONS**

| | ROG | NOX | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|
| **Construction Emissions (tons)** | | | | |

| | | | | |
|---|---|---|---|---|
| 2024-2025 | 0.15 | 1.21 | 0.03 | 0.03 |
| 2026 | 0.19 | 0.06 | <0.01 | <0.01 |
| **Average Daily Construction Emissions (lbs/day)** | | | | |
| 2024-2025 (305 construction workdays) | 0.95 | 7.93 | 0.21 | 0.20 |
| 2026 (109 construction workdays) | 3.52 | 1.15 | 0.04 | 0.03 |
| **Net Annual Operational Emissions (lbs/day)** | **4.73** | **2.81** | **4.03** | **1.06** |
| *BAAQMD Thresholds (lbs/day)* | *54* | *54* | *82* | *54* |
| Exceeds Threshold? | No | No | No | No |

Notes: 2024-2025 construction period emissions includes 2 months (November and December) from 2024

Source: BAAQMD's 2022 CEQA Air Quality Guidelines; Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, August 15, 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 sf on the ground floor; 5,514 sf on the rooftop terrace), which is below the construction and operational screening sizes listed above for hotel and restaurant uses and it can therefore be assumed that operation of the proposed Hotel component of the project will result in air quality emissions that are below the established thresholds of significance identified in Table 2. In addition to the project meeting the screening criteria, Attachment 1 of the Construction Health Risk & Greenhouse Gas includes estimated operational emissions using CalEEMod. As shown in Table 6, the Hotel component of the project 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 will be **less than significant**.

**TABLE 6: ANNUAL OPERATIONAL EMISSIONS**

| | **ROG** | **NOX** | **$PM_{10}$** | **$PM_{2.5}$** |
|---|---|---|---|---|
| **Net Annual Operational Emissions (tons/year)** | **0.86** | **0.51** | **0.74** | **0.19** |
| *BAAQMD Thresholds (tons/year)* | *10* | *10* | *15* | *10* |
| Exceeds Threshold? | No | No | No | No |
| **Net Annual Operational Emissions (lbs/day)** | **4.73** | **2.81** | **4.03** | **1.06** |
| *BAAQMD Thresholds (lbs/day)* | *54* | *54* | *82* | *54* |
| Exceeds Threshold? | No | No | No | No |

Source: BAAQMD's 2022 CEQA Air Quality Guidelines; Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, August 15, 2023, Attachment 1.

**4.3 (c) (Impact Sensitive Receptors) Less Than Significant Impacts with Mitigation:** 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 Blvd. S. 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.[12]

The Hotel project 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 Hotel would exceed the BAAQMD health risk significance thresholds.
**Criterion 2:** Operation of the Hotel would exceed the BAAQMD health risk significance thresholds.
**Criterion 3:** The 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 will result in temporary emission of diesel particulate matter from vehicles 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 PM2.5 concentration, and Hazard Index (HI) from unmitigated construction activities of the Hotel component of the project 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 toxic air contaminants 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 7, the project will not exceed the BAAQMD single- or cumulative source thresholds for cancer risks, annual PM2.5 concentration, or HI at the MEI location and as such. Based on the analysis prepared for the project as well as the requirement to comply with **Mitigation Measure EKN AQ-1** which requires implementation of standard BMPs throughout project construction, impacts to nearby sensitive receptors during project construction will be **less than significant**.

**TABLE 7: IMPACTS FROM COMBINED SOURCES AT CONSTRUCTION MEI**

| Source | Cancer Risk (per million) | Annual PM2.5 (ug/m3 | Hazard Index |
|---|---|---|---|
| **Project Impacts** | | | |
| Project Construction | 7.07 (infant) | 0.20 | 0.01 |
| *BAAQMD Single-source Threshold* | *10* | *0.3* | *1.0* |
| Exceeds Threshold? | No | No | No |
| **Cumulative Impacts** | | | |
| Cumulative Roadway | 21.79 | 0.22 | 0.04 |
| City of Petaluma (Facility #20509, Diesel Generator) | 0.25 | <0.01 | <0.01 |
| Total | 29.11 | <0.43 | <0.06 |
| *BAAQMD Thresholds (lbs/day)* | *100* | *0.8* | *10.0* |
| Exceeds Threshold? | No | No | No |

Source: BAAQMD's 2022 CEQA Air Quality Guidelines; Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, August 15, 2023, Table 5.

[12] Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, Illingworth & Rodkin, August 15, 2023, Figure 1, Page 13

*Criterion 2: Project-Specific Operational Toxic Air Pollutants.*

At operation, the proposed Hotel will not generate air quality emissions that would affect nearby sensitive receptors. As a hotel with restaurant, operational activities will be similar to existing commercial uses in the immediate vicinity. Traffic generated by the project would consist of mostly light-duty gasoline-powered vehicles, which ae not a significant source of TAC and air pollutant emissions. Thus, the proposed project would not generate a significant amount of DPM or other TAC emissions during operation and impacts to sensitive receptors during project operation will be **less than significant**.

*Criterion 3: The Project as a Receptor*

*The Hotel would not locate new sensitive receptors (residents, children, daycare, etc.) that could be subject to existing sources of TACs at the project site. Therefore, this impact will be **less than significant**.*

**4.3 (d) (Other Emissions or Odor) Less Than Significant Impact:** There may be occasional localized odors during construction of the 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 associated commercial component (e.g. restaurant), operation of the project will not create objectionable odors affecting a substantial number of people. Therefore, the project will have **less than significant impacts** to air quality due to objectionable odors introduced by the project.

**AIR QUALITY MITIGATION MEASURES**

**EKN AQ-1:** The latest 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 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.

## 4.4. BIOLOGICAL RESOURCES

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) 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 (Formerly Fish and Game) or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (formerly Fish and Game) or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) 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 native wildlife nursery sites? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |

Sources: City of Petaluma General Plan 2025 and EIR; City of Petaluma Implementing Zoning Ordinance (IZO); EKN Appellation Hotel Project Plans, Page Southerland Page, Inc, September 8, 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### BIOLOGICAL RESOURCES SETTING

Biological resources are protected by statute including the Federal Endangered Species Act (FESA), California Endangered Species Act (CESA), Clean Water Act (CWA), and the Migratory Bird Treaty Act (MBTA) which affords protection to migratory bird species including birds of prey. These regulations provide the legal protection for plant and animal species of concern and their habitat. As reported in the 2025 General Plan EIR several special-status plant and animal species have been recorded or are suspected to occur within the Urban Growth Boundary of the City of Petaluma. The City also contains species identified in the California Natural Diversity Database (CNDDB) due to rarity and threats and are considered sensitive resources.

Within the Urban Growth Boundary, biological resources are largely limited to the Petaluma River and its tributaries, which contain aquatic and riparian resources as well as wetlands. The National Wetland inventory identifies fresh emergent wetlands in the southern portion of the Petaluma River and Northern coastal salt marsh wetland and brackish marsh wetland in the lower reaches of the Petaluma River. The Petaluma River Access and Enhancement Plan, prepared in 1996, contains policies and guidelines to protect these important biological resources.

The City of Petaluma's Tree Preservation Ordinance provides protection, preservation, and maintenance guidelines for mature trees. The City of Petaluma considers the following trees to be protected:

- California native oaks (Quercus spp.) four inches in diameter or greater measured at 4.5 feet above grade ("diameter at breast height" or DBH)
- California buckeye (Aesculus californica) 6 inches DBH or greater
- California Bay (Umbellularia californica) 12 inches DBH or greater
- California or coast redwood (Sequoia sempervirens) 18 inches DBH or greater
- heritage trees as approved by Council resolution per Title 8 of the Petaluma Municipal Code
- significant groves or stands of trees
- trees located in riparian corridors
- any tree required to be planted or preserved as mitigation or condition of approval for a discretionary development project, and
- Trees in the public right-of-way.

To protect special-status species and supporting habitats, General Plan policy 4-P-3 requires preparation of a site-specific biological resources assessment when development occurs in ecologically sensitive areas. All parcels located within the proposed Downtown Housing & Economic Opportunity Overlay are currently developed or were developed and are surrounded by urban development and, though they may contain individual trees with the potential to provide limited suitable nesting habitat for native birds, are otherwise not considered ecologically sensitive.

The Hotel component of the project is located on an infill site in the city's downtown that was previously developed as a gas station and presently comprises predominately ruderal/weedy vegetation that is regularly disturbed through mowing/maintenance activities. Four existing street trees are located along the Petaluma Blvd. South and B Street project frontage, of which three will be removed and replaced at a 1:1 ratio in compliance with Chapter 17 of the Petaluma Implementing Zoning Ordinance (Tree Preservation). It should be noted that trees proposed for removal are considered protected as they are located within the public right-of-way, however, the trees are not of a size or species that would otherwise classify them as protected (IZO Section 17.040). The anticipated use of public offsite parking is located at an existing parking garage at 149 C Street and no modifications to this existing structure will be needed. Based on the disturbed condition of the Hotel site, existing development at the offsite parking location, and overall lack of ecological sensitivity, a site-specific assessment of biological resources was not prepared. Existing street trees and ruderal/weedy vegetation may provide suitable nesting and foraging habitat for native birds protected pursuant to the MBTA; however, the removal and replacement of three street trees and associated loss of limited foraging habitat is not considered a significant impact to native birds or special status raptor species especially with the proposed Mitigation Measures. There are no seasonal wetlands on or adjacent to the project site and its location within the City's downtown core does not provide suitable habitat for special status plant or animal species.

## BIOLOGICAL RESOURCES IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.4 (a-e) (Special-Status Species, sensitive communities; Jurisdictional Waters; Wildlife Movement; Conflict with Local Policies or Ordinances) Less Than Significant:** As shown in Table 3.8-1 of the General Plan EIR, certain protected bird and bat species have the potential to occur throughout the planning area, including in urbanized, built-up areas such as the proposed Downtown Housing & Economic Opportunity Overlay areas. The proposed Overlay component of the project will not result in direct physical development and future development would primarily consist of redevelopment as the majority of parcels within the Overlay are developed or previously developed sites. Moreover, the proposed Overlay zoning amendment will allow already developed or developable parcels to increase building intensity through additional heights, greater lot coverage, and greater FAR. Accordingly, the parcels in the Overlay were already zoned as developable properties and impacts to biological resources were already analyzed at these sites during the adoption of the General Plan EIR and Implementing Zoning Ordinance. As noted above, though parcels within the Overlay may contain individual trees that provide suitable habitat for special-status bird and bat species, given the urbanized context and developed condition of these parcels, they are not considered ecologically sensitive areas. Given

the lack of ecological sensitivity, it is not anticipated that site-specific biological resources analyses will be needed for future development proposals within the Overlay area. Additionally, subsequent development proposals will 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. However, subsequent development proposals will be subject to independent discretionary review, including review under CEQA which may result in a determination that site-specific analyses are required. Additionally, future development proposals may result in removal of protected trees which has the potential to conflict with the City's Tree Protection Ordinance, IZO Chapter 17. However, through the development review process, any protected trees proposed for removal will be subject to applicable regulations, including replacement of trees at a minimum of a 1:1 ratio. Additionally, future development subject to site plan and architectural review requires a finding that the environmental impacts, including biological resources are avoided or mitigated to be less than significant. (IZO Section 24.050(E)(5) 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, impacts to biological resources as a result of the Overlay component of the project will be **less than significant**.

**4.4 (f) (Conflict with Habitat Conservation Plan) No Impact:** 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** will result due to a conflict with such plans.

**EKN Appellation Hotel**

**4.4 (a) (Special-Status Species) Less Than Significant with Mitigation:** The proposed EKN Appellation 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, including ongoing maintenance/mowing, and surrounding urban context, and as described in Table 3.8-1 of the General Plan EIR, the site does not contain suitable habitat for invertebrate, amphibian, or reptile special status species. However, existing trees proposed for removal may provide suitable nesting or roosting habitat for special-status bird species, including migratory birds that are protected under the MBTA as well as special-status bat species. General Plan Policy 4-P-3 requires projects to protect special status species and supporting habitats within Petaluma, including species that are State or Federal listed as endangered, threatened, or rare. The proposed EKN Appellation Hotel would be required to adhere to the Migratory Bird Treaty Act (MBTA) and CDFW Sections 3503, 3503.5, and 3513, which include provisions for protection of native and migratory birds, by preventing direct harm to or the abandonment of active nests. CDFW Sections 2000 and 4150 state that it is unlawful to take or possess species, including bats, without a license or permit as required by Section 3007. Additionally, Title 14 of the California Code of Regulations states it is unlawful to harass a number of species, including protected birds and bats. To "harass" is defined as "an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding, or sheltering. Adherence to General Plan policies, MBTA, and CDFW regulations would provide for the protection of birds and bats, including their nests, roosts, eggs and young. Compliance with State, Federal and local laws, and regulations, 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 would reduce impacts to bat species to a less than significant level.

As proposed, the project will remove three street trees including one along Petaluma Blvd. South (6-inch red maple) and two along B Street (8-inch red maples), which could potentially impact special-status species protected under the MBTA. **Mitigation Measure EKN BIO-1** requires that preconstruction nesting bird surveys be conducted no more than 14 days prior to commencement of ground disturbing activities when construction is proposed to begin during the bird nesting season (February 15 - September 15). Should active nests be identified, a disturbance-free buffer shall be established as determined by a qualified biologist. Additionally, the three street trees that will be removed will be replaced with three new, 36-inch box street trees (Armstrong red maple) in compliance with the City's Tree Preservation Chapter. With implementation of measure EKN BIO-1, impacts to special-status and migratory birds will be **less than significant**.

**4.4 (b-c) (Riparian Habitat, Sensitive Natural Community; Jurisdictional Waters) Less Than Significant Impact:** Vegetation onsite consists of ruderal habitat that is regularly disturbed through maintenance/mowing. There are no wetlands, riparian habitat, sensitive natural communities, or jurisdictional wetlands identified

onsite. 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 Hotel will not result in substantial impacts to riparian habitat, other natural communities, or jurisdictional waters, nor will it conflict with any policies or program protecting riparian resources. Therefore, the project will have a **less than significant impact** to riparian habitat, sensitive natural communities, and jurisdictional waters.

**4.4 (d) (Wildlife Movement) Less than Significant Impact with Mitigation:** Wildlife movement to and from the site is restricted by surrounding roadways to the north and east (B Street and Petaluma Blvd. South), existing development to the south and west, and by permitter fencing surrounding the site. In the absence of the site serving as a suitable wildlife movement corridor, the Hotel component of the project will not interfere with the movement of any native wildlife species to or from the site nor will it interfere with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. 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. However, to ensure impacts associated with bird collisions of upper story windows, the Hotel component of the project shall implement **Mitigation Measures 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. With incorporation of EKN BIO-2, collision risks of migrating birds will be minimized and impacts and impacts of the project will be **less than significant**.

**4.4 (e) (Conflict with Local Policies or Ordinances) Less Than Significant Impact**: 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 Hotel component of the project 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 will be **less than significant**.

**4.4 (f) (Conflict with Habitat Conservation Plan) No Impact:** 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** will result due to a conflict with such plans.

## BIOLOGICAL RESOURCES MITIGATION MEASURES

**EKN BIO-1:** Should construction activities commence during the bird nesting season (February 15 to September 15), a preconstruction 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.

**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.

## 4.5. CULTURAL AND TRIBAL CULTURAL RESOURCES

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| d) Would the project 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: | | | | | | | | |
| i. 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), or | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| ii. 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |

Sources: City of Petaluma General Plan 2025 and EIR; Historic Cultural Resources Report for the Downtown Housing & Economic Opportunity Overlay, Painter Preservation, September 22, 2023; Cultural Resources Study, Evans & De Shazo, June 16, 2023 (CONFIDENTIAL); Results of the Ground-Penetrating Radar (GPR) and Historical Human Remains Detection Canine (HHRDC) Survey, Evans & DeShazo, September 25, 2023 (CONFIDENTIAL); Historic Compliance Review for the EKN Appellation Hotel, Painter Preservation, September 22, 2023

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### CULTURAL AND TRIBAL CULTURAL RESOURCES SETTING

This topic will be studied in the Draft EIR

### CULTURAL AND TRIBAL CULTURAL RESOURCES IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay

**4.5 (a) (Historical) Potentially Significant Impact:** The proposed Overlay has the potential to result in significant impacts to listed or eligible historic resources, the Historic Commercial District, and/or the A Street Historic District. Therefore, a **potentially significant** impact could occur. *Further analysis of Impact CUL-a will be included in the Cultural and Tribal Cultural Resources chapter of the EIR.*

**4.5 (b-d) (Archaeological Resources; Human Remains; Tribal Cultural Resources) Potentially Significant Impact:** The proposed Overlay has the potential to result in significant impacts archaeological resources, humans remains and Tribal Cultural Resources, if present. Therefore, a **potentially significant** impact could occur. *Further analysis of Impact CUL-b-d will be included in the Cultural and Tribal Cultural Resources chapter of the EIR.*

**EKN Appellation Hotel**

**4.5 (a) (Historical) Potentially Significant Impact:** The proposed Hotel has the potential to result in significant impacts to listed or eligible historic resources, the Historic Commercial District, and/or the A Street Historic District. Therefore, a **potentially significant** impact could occur. *Further analysis of Impact CUL-a will be included in the Cultural and Tribal Cultural Resources chapter of the EIR.*

**4.5 (b; d) (Archaeological Resources; Human Remains; Tribal Cultural Resources) Potentially Significant Impact:** The proposed Hotel has the potential to result in significant impacts to archaeological, human remains and/or tribal cultural resources, if present. Therefore, a **potentially significant** impact could occur. *Further analysis of Impact CUL-b-d will be included in the Cultural and Tribal Cultural Resources chapter of the EIR.*

## 4.6. ENERGY

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: General Plan and EIR; BAAQMD 2017 Bay Area Clean Air Plan; Climate Action 2020 and Beyond, Sonoma County Regional Climate Action Plan, prepared by the Sonoma County Regional Climate Protection Authority, July 2016; and California Energy Consumption Database, Electricity and Natural Gas Consumption by Sonoma County 2018; Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, Illingworth & Rodkin, August 15, 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### ENERGY SETTING

Energy resources include electricity, natural gas, and other fuels. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. Energy production and energy use both result in the depletion of nonrenewable resources such as oil, natural gas, and coal, resulting in the emission of pollutants.

To address energy efficiency at the State level, the California Energy Commission (CEC) adopted the 2019 Building Energy Efficiency Standards (Title 24, Part 6 of the CCR) in May 2018, which took effect on January 1, 2020. The new standards focus on four key areas: smart residential photovoltaic systems; updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); residential and nonresidential ventilation requirements; and nonresidential lighting requirements. The building standards require that solar photovoltaic systems be installed on single-family residences, multi-family buildings, hotels/motels, and non-residential buildings constructed in 2020 and beyond. On January 9, 2023, the City of Petaluma adopted the Tier 1 CalGreen Standards to meet higher levels of building energy efficiency through the adoption of Ordinance No. 2834 N.C.S. The latest Building Energy Efficiency Standards went into effect on January 1, 2023. It is estimated that over a 30-year period, the energy code will reduce greenhouse gas (GHG) emissions by 10 million metric tons.

#### California Energy Consumption

According to the CEC, total system electric generation for California in 2021 was 277,764 gigawatt-hours (GWh). California's non-CO2 emitting electric generation categories (nuclear, large hydroelectric, and renewable generation) accounted for 49 percent of total in-state generation for 2021 as compared to 51 percent in 2020. It is noted that the decrease in non-CO2 emitting electric generation was attributable to the State's ongoing drought. California's in-state electric generation was 194,127 GWh with electricity imports accounting for approximately 30 percent of total system electric generation.[13] In 2020, the CEC reported that Sonoma County had a total electricity consumption of 2,894 GWh.

According to the CEC, approximately 45 percent of the natural gas burned in California was used for electricity generation with the remainder consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. Natural gas is used for many things including generating electricity for cooking and heating, as well as an alternative transportation fuel.[14]

[13] California Energy Commission, 2021 Total System Electric Generation, https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation, accessed July 2023.
[14] California Energy Commission, Supply and Demand of Natural Gas in California, https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california#:~:text=Nearly%2045%20percent%20of%20the,90%20percent%20of%20its%20natural, accessed July 2023.

According to the CEC, gasoline has remained the dominant fuel within the transportation sector, with diesel fuel and aviation fuels following. In 2015, California consumed approximately 15 billion gallons of gasoline and approximately 4.2 billion gallons of diesel fuel. An increasing amount of electricity is being used for transportation energy, which can be attributed to the acceleration of light-duty plug-in electric vehicles.

**Sonoma Clean Power**

Sonoma Clean Power is a program that allows businesses and residents in Mendocino and Sonoma Counties to purchase energy created from renewable resources, including geothermal, solar, wind, water, and biomass. This service provides energy through alternative generation processes while using existing infrastructure through PG&E for delivery. By using existing delivery infrastructure, Sonoma Clean Power is billed to customers through PG&E for providing electric generation service. In 2016, 88% of eligible customers were receiving electricity from Sonoma Clean Power.[15] As of 2018 Sonoma Clean Power generated 39% less greenhouse gas emissions as compared to PG&E's energy portfolio.[16] As of 2021, over 950 SCP customers switched to EverGreen, which provides 100%, local, renewable energy.[17]

**City of Petaluma**

The City of Petaluma contains energy resources that encompass a variety of fuels that provide lighting for residential and commercial uses, provide heating and cooling for indoor environments, and aid in the operation of transportation systems. According to the Sonoma County Regional Climate Action Plan, in 2010 the City of Petaluma's annual household consumption rate was 6,000 kwh (electricity) and 493 therms (natural gas). The city's largest energy consumer is the transportation sector.

The General Plan contains goals, policies, and programs to reduce energy consumption. Chapter 2: Community design, Character, and Green Building identifies sustainable building strategies and practices, which minimize energy consumption. Chapter 4: The Natural Environment contains policies and programs to reduce reliance on non-renewable energy sources in existing and new development. Energy policies supporting alternative and efficient transportation systems, and the reduction of energy consumption in buildings by means of appropriate design and orientation are identified in Section 3.3: Sustainable Building and Chapter 5: Mobility. Residential energy efficiency is addressed in Chapter 11: Housing Element.

The following General Plan policies related to energy resources are applicable to project:

- Policy 4-P-9: Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging stations.
- Policy 4-P-15D: Reduce emissions from residential and commercial uses by requiring the following:
    - Use of high efficiency heating and other appliances, such as cooking equipment, refrigerators, and furnaces, and low NOx water heaters in new and existing residential units;
    - Compliance with or exceed requirements of CCR Title 24 for new residential and commercial buildings; and
    - Incorporation of 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, encourage 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.
- Policy 4-P-19D: Encourage use and development of renewable or nontraditional sources of energy. Consider the feasibility of requiring a percentage of new development to meet 50% of their energy needs from fossil fuel alternatives (e.g. solar panels, etc.).

The City of Petaluma has also taken steps to address GHG emissions within its city limits, which in turn assist in reducing energy consumption as further discussed in the Greenhouse Gas Emissions section.

[15] Sonoma Clean Power 2016 Annual Report
[16] Sonoma Clean Power 2018 Annual Report
[17] Sonoma Clean Power 2021 Annual Report

On May 6, 2019, the City of Petaluma adopted a Climate Emergency Resolution. The Resolution elevates climate issues to the highest priority and establishes a commitment to achieving carbon neutrality as quickly as possible and by no later than 2045. Furthermore, the Resolution established the Climate Action Commission which serves to guide policy direction on climate action in the City. On December 10, 2020, the City's Climate Action Commission approved the Climate Emergency Framework and forwarded a recommendation for its adoption to the City Council. On January 11, 2021, the City Council and the Climate Action Commission held a joint hearing which resulted in adoption of the Framework. The Framework is intended to guide 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. Subsequently, on May 3, 2021, the City adopted Ordinance 2775 N.C.S to add an "All-Electric Construction in New Constructed Buildings" Chapter to the Petaluma Municipal Code (PMC), banning the use of natural gas in new construction.

## ENERGY IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.6 (a-b) (Wasteful, Inefficient, Unnecessary Consumption of Energy; Conflict with State or Local Plan) Less Than Significant Impact:** The Overlay component of the project will not result in direct physical development and as such will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Allowing for increased height, lot coverage, and FAR as well as allowing exclusively multi-family residential uses will facilitate concentration of development proximate to existing goods, services, and transit services which will 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% would be required to be all-electric in accordance with Petaluma 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 project will be **less than significant**.

Plans addressing renewable energy and energy efficiency that are applicable to the Overlay component of the project include the BAAQMD 2017 Clean Air Plan, State Alternative Fuels Plan, Petaluma General Plan, and Climate Emergency Framework.

*2017 Clean Air Plan (CAP)*

As discussed in the Air Quality section of this document, the Overlay component of the project supports the primary goals of the CAP as it prioritizes densifying infill development in the city's downtown where future residential and commercial uses will be proximate to transit. Proximity to goods, services, and transit will minimize reliance on auto travel and in turn reduce energy consumption associated with driving. Moreover, the proposed Overlay is near the SMART station and 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 actions will also minimize and reduce energy consumption associated with driving. Therefore, the Overlay component of the project will not conflict with or obstruct implementation of the BAAQMD 2017 Clean Air Plan and impacts due to a conflict will 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 greenhouse gas emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality. The Overlay component of the project will not result in physical development. Future development within the Overlay will be subject to independent discretionary review and at a minimum will be required to install energy

conservation features. Furthermore, the concentration of development proximate to existing transit does not conflict with the overall goals of the Plan as it will encourage alternative modes of transportation, thereby reducing consumption of fuels that emit criteria air pollutants, air toxics, greenhouse gases, water pollutants, and other substances that are known to damage human health. As such, the Overlay component of the project will not conflict with or obstruct implementation of the State Alternative Fuels Plan and impacts due to a conflict will be **less than significant**.

*Petaluma General Plan*

The Petaluma General Plan Goal 4-G-4 requires the city to reduce its dependency on non-renewable 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 CalGreen Tier 1 standards which reduce energy consumption and achieve energy efficiency approximately 30% beyond Title 24 as well as a construction waste reduction rate of 45%. Future development under the proposed Overlay will 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 will 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 will need to embrace a new land-use and transportation paradigm that ultimately reduces reliance on automobile travel. The proposed Overlay will concentrate growth, including multi-family housing uses in the downtown, which is identified as the most walkable area of the city. Additionally, the proposed Overlay is near the SMART station and the City will be implementing a free micro transit bus program that shuttles passengers to and from the Fairgrounds site, SMART station, and downtown. These actions will also minimize and reduce energy consumption associated with driving. As such, the Overlay component of the project is consistent with the Climate Emergency Framework and as such impacts due to a conflict with the Framework will be **less than significant**.

**EKN Appellation Hotel**

**4.6 (a) (Wasteful, Inefficient, Unnecessary Consumption of Energy) Less Than Significant with Mitigation:** Development of the proposed Hotel will involve the use of energy during construction and at operation. Site preparation, grading, paving, and building construction will consume energy in the form of gasoline and diesel fuel through the operation of heavy off-road equipment, trucks, and worker trips. However, consumption of such resources will be temporary and cease upon completion of construction. Furthermore, the Hotel will be required to implement **Mitigation Measure EKN GHG-1**, which includes the most recently adopted BAAQMD best management practices 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 measure EKN GHG-1, construction-related energy impacts associated with the Hotel component of the project will be **less than significant**.

Long-term energy use will result from operation of the proposed hotel and associated uses including the ground floor restaurant, rooftop bar, and event space and will 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**, the project's electricity use

was estimated using CalEEMod and is expected to be 1,031,560 kWh/year (hotel, parking, and restaurant)[18]. Furthermore, natural gas is precluded by the City of Petaluma in new construction. Accordingly, the project will not consume natural gas during project operation. In addition to electricity consumption, operation of the Hotel component of the project will 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% beyond Title 24 as well as a construction waste reduction rate of 45%. 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 will 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.

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 project will result in an increase in energy consumption compared to existing conditions, the project will incorporate design measures related to electricity and water use in compliance with CalGreen, the General Plan, and the Petaluma IZO to minimize energy consumption. Furthermore, Sonoma Clean Power is the default provider in the City of Petaluma and will provide clean energy from renewable resources. The Hotel component of the project will be a new commercial use proximate to existing goods, services, and alternative transportation options, and in turn reducing energy consumption. As such, operation of the Hotel component of the project will not result in the wasteful, inefficient, and unnecessary consumption of energy and impacts will be **less than significant**.

**4.6 (b) (Conflict with State or Local Plan) Less than Significant Impact:** The Hotel component of the project represents one type of development that may be allowed under the Downtown Housing & Economic Opportunity Overlay. As described in the Energy Overlay discussion above, the location of the proposed Hotel proximate to goods, services, and transit will 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 Hotel component of the project will be required to achieve CalGreen Tier 1 standards which reduce energy consumption and achieve energy efficiency approximately 30% beyond Title 24 as well as a construction waste reduction rate of 45%. As such, impacts resulting from a conflict with a state or local plan for renewable energy or energy efficiency will be **less than significant**.

## ENERGY MITIGATION MEASURES

Implementation of Mitigation Measure GHG-1.

[18] Appellation Hotel Construction Health Risk & Greenhouse Gas Assessment, Illingworth & Rodkin, August 15, 2023, Attachment 1: CalEEMod Modeling Inputs and Outputs, page 63.

## 4.7. GEOLOGY AND SOILS

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | | | | |
| 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 Publication 42. | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| ii. Strong Seismic ground shaking? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| iii. Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| iv. Landslides? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☐ | ☒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Be located on a geologic unit 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |

Sources: Petaluma 2025 General Plan and EIR; GP DEIR Fig. 3.7-4 Ground shaking Intensity California Department of Conservation, Earthquake Zones of Required Investigation; MTC/ABAG Hazard Viewer Map; and Geotechnical Investigation prepared by Miller Pacific Engineering Group, January 28, 2022.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### GEOLOGY AND SOILS SETTING

The City of Petaluma is located within California Building Code (CBC) Seismic Zone 4 and is susceptible to the effects of regional seismic activity that in the past has produced moderate to strong ground shaking reaching intensity levels of V to VIII according to the modified Mercalli scale. The nearest known active fault trace identified by the state under the Alquist-Priolo Earthquake Fault Zoning Act of 1972 is the Rodgers Creek segment of the Hayward- Rodgers Creek Fault Zone. The traces of the Rodgers Creek Fault have not been active within the last 200 years but have exhibited activity within the last 11,000 years. There are no earthquake fault zones and no known active faults within the city's UGB. Nonetheless, seismic events in the region have the potential to result in geologic hazards from strong seismic ground shaking.

Expansive soils present geological considerations within the City of Petaluma. The clay-rich soils in Petaluma typical of low-lying regions and valley floodplains tend to shrink or swell according to fluctuations in moisture content. Without proper geotechnical considerations, buildings, utilities, and roads can be damaged by

expansive soils due to soil properties that can cause cracking, settling, and weakening of foundations. To reduce the potential risks posed by the presence of expansive soils, the City's Building Code requires that any site intended for human occupancy and suspected to contain expansive soils be investigated and mitigated accordingly.

The City's General Plan DEIR Figure 3.7-4 identifies the ground shaking intensity and Figure 3.7-5 identifies geologic hazard areas. Areas A, B, and C of the Downtown Housing & Economic Opportunity Overlay are subject to very strong shaking (Mercalli Intensity VIII) in the event of an earthquake. Area A of the Overlay component of the project is located in an area with very high liquefaction potential. Areas B and C of the Overlay are located outside areas with geologic hazards. The EKN Appellation Hotel component of the project site is located within Area A of the proposed Overlay, and as such is subject to geologic hazards including very strong shaking in the event of an earthquake, as well as within an area with very high liquefaction potential.

**Paleontological Resources**

Geologic mapping indicates that the geologic units underlying the Downtown Housing & Economic Opportunity Overlay boundary are Holocene-age fan deposits (Qhf), late Pleistocene-age fan deposits (Qpf), and Miocene-age volcanic rocks (Tv). The geologic unit underlying the EKN Appellation Hotel boundary is mapped as Holocene-age fan deposits (Qhf) (Bezore et al., 2002). While not mapped at the surface at the project site, the Miocene-age Wilson Grove and Petaluma formations are mapped in the vicinity and are likely present in the subsurface at the project site; however, the depth to these units is unknown. The characteristics of these geologic units are described below.

Holocene-age fan deposits (Qhf) are described as alluvial fan sediments, deposited by streams emanating from the mountains as debris flows, mudflows, and braided stream flows. Sediments include sand, gravel, silt, and clay, that are moderately to poorly bedded. Pleistocene-age fan deposits have a similar composition, but the presence of slight dissection and/or the development of alfisols indicate that they are old, Pleistocene-age deposits. The Miocene-age volcanic rocks are described as basalt flows, andesite breccia, and rhyolite (Bezore et al., 2002).

The Miocene-age Wilson Grove Formation is described as a light gray to light yellow-brown marine sandstone. It is fine-grained, well-sorted, poorly bedded, and locally contains thin lenses of pebble conglomerate. The Miocene-age Petaluma Formation is described as a nonmarine conglomerate, which interfingers with the Wilson Grove Formation (Bezore et al., 2002).

A site-specific Geotechnical Investigation was prepared for the Hotel component of the project by Miller Pacific Engineering Group on January 28, 2022 (**Appendix B**).The investigation included drilling one test boring to a maximum depth of 71.5 feet below ground surface (bgs). The boring confirmed what the geologic map indicated and revealed that fill underlies the project site from 0 to 10 feet bgs. Alluvium was encountered from 10 feet bgs to approximately 43 feet bgs. Claystone bedrock was encountered from 43 feet bgs to approximately 71.5 feet bgs.

The Catalogue of Late Quaternary Vertebrates from California by George T. Jefferson (Jefferson) is a catalogue of late Pleistocene to early Holocene-age vertebrate fossil localities throughout California. Jefferson lists ten vertebrate fossil localities from Pleistocene-age deposits within Sonoma County. Of these localities, five are listed from Petaluma, California (Jefferson, 1991). These localities are from the University of California Museum of Paleontology (UCMP) records and are discussed below.

At least 77 taxa (vertebrate and invertebrate) are reported from the Wilson Grove Formation, which were recovered from a quarry just north of Bloomfield, California, approximately 12 miles northwest of the project site. The vertebrate fauna from this locality includes sharks, bony fish, rays, birds, and marine mammals. The invertebrate fauna is described as unusual and includes brachiopods, bivalves, gastropods, and arthropods (Powell et al., 2019). Likewise, the Petaluma Formation is documented as containing vertebrate fossils (Allen, 2005; Wagner et al., 2011). The localities included in the UCMP records are discussed below.

A search of the University of California Museum of Paleontology (UCMP) online fossil locality database indicates that there are ten vertebrate fossil localities recorded from Pleistocene-age deposits in Sonoma County—five

are associated with Petaluma, California (V80005, V6597, V36046, -3023, and V67075). Additionally, there are nine vertebrate fossil localities listed from the Petaluma Formation (-1036, V3647, V3825, V3826, V4202, V5230, V5231, V74088, V77062) and two listed from the Wilson Grove Formation (V81135 and V92001). The online records search database does not include the exact locations of these localities but does include localities names. Based on the listed locality names, none appear to be within the project site (UCMP, 2024).

In general, late Holocene-age deposits are considered to have a low potential to contain significant paleontological resources because these deposits are too young to have preserved fossils. However, early Holocene-age deposits are known to contain fossils.

Pleistocene-age deposits are generally considered to have a high potential to contain significant paleontological resources. Given the past vertebrate fossil discoveries from Pleistocene-age deposits in Petaluma and Sonoma County, these deposits are considered to have a high potential to contain significant paleontological resources.

Based on a review of the UCMP fossil locality database and published literature on the Wilson Grove and Petaluma formations there have been several significant fossil finds from these formations. As such, these formations are considered to have a high potential to contain significant paleontological resources.

**Geotechnical Investigation**

A site-specific Geotechnical Investigation was prepared for the Hotel component of the project by Miller Pacific Engineering Group on January 28, 2022 (**Appendix B**). The site-specific Geotechnical Investigation identifies geological hazards present onsite and provides recommendations for the proposed project. The site-specific investigation is informed by published geologic and geotechnical data and exploration of subsurface conditions onsite. The primary geologic hazards identified in the Report include strong seismic ground shaking, liquefaction, and post-liquefaction settlement. In addition, the Report identifies the importance of lateral shoring and dewatering to protect adjacent buildings and utilities during construction as the Hotel proposes excavation to accommodate the subterranean parking garage.

## GEOLOGY AND SOILS IMPACT DISCUSSION

### Downtown Housing & Economic Opportunity Overlay

**4.7 (ai) (Faults) No Impact.** 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[19], 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 proposed Downtown Housing & Economic Opportunity 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.

**4.7 (aii-iv - d.) (Faults; Ground-Shaking; Ground Failure, Including Liquification; Landslides; Erosion; Unstable Geologic Unit; Expansive Soils) Less than Significant Impact:** 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 MTC/ABAG Hazard Map Viewer indicates Areas A, B, and C of the proposed Overlay have a moderate liquefaction potential.[20] Though parcels within the proposed Overlay are relatively flat, portions of Area C are proximate to areas with the potential to experience landslides. All future development proposed within the Downtown Housing & Economic Opportunity Overlay will be required to be built in conformance with the standards set forth in the most recent California Building Code of Regulations, Title 24, Part 2 (the California

[19] California Department of Conservation, Earthquake Zones of Required Investigation, accessed September 2023 https://maps.conservation.ca.gov/cgs/eqzapp/app/
[20] MTC/ABAG Hazard Viewer Map, Layer: Earthquake Liquefaction Susceptibility, accessed September 2023, https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8

Building Code 3.7-20 Chapter 3: Setting, Impacts, and Mitigation Measures [CBC]) 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 will 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 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 will 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 Petaluma Municipal Code will be required which will reduce impacts associated with soil erosion to **less than significant**.

**4.7 (e) (Septic Tanks) No Impact:** 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 UGB. Future development under the Overlay would not use septic tanks or alternative wastewater disposal systems and therefore, there will 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.

**4.7 (f) (Paleontological Resources) Less than Significant Impact:** 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 online fossil database and published scientific literature indicates that the geologic units underlying the UGB. The majority of sites within the proposed Overlay are developed and have experienced ground disturbance from previous development activities. All future development projects will 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 will be **less than significant**.

**EKN Appellation Hotel**

**4.7 (ai) (Faults) No Impact.** 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 component of the project 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.

**4.7 (a.ii) (Ground-Shaking) Less than Significant with Mitigation:** 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 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 Hotel component of the project 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 (the California Building Code 3.7-20 Chapter 3: Setting, Impacts, and Mitigation Measures [CBC]) and the California Public

Resources Code, Division 2, Chapter 7.8 (the Seismic Hazards Mapping Act) will ensure that potential impacts from seismic shaking are less than significant. Additionally, as set forth in **Mitigation Measure EKN GEO-1**, all recommendations outlined in the Geotechnical Investigation for the project 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 will be **less than significant**.

**4.7 (a.iii) (Liquification) Less than Significant with Mitigation:** 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 liquification at the project site is moderate. The project's Geotechnical Investigation evaluated the potential for liquefaction utilizing data from borings taken onsite. 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 **Mitigation Measure EKN GEO-1**. Incorporation of site and project-specific geotechnical recommendations as set forth in measure EKN GEO-1 will reduce impacts resulting from substantial adverse effects, including the risk of loss, injury, or death involving liquefaction to **less than significant**.

**4.7 (a.iv) (Landslides) No Impact:** 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 project site is generally flat and is not at risk of exposure to landslides. Therefore, there are **no impacts** associated with landslides.

**4.7 (b) (Erosion) Less than Significant Impact with Mitigation:** 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 Hotel component of the project is not likely. However, localized erosion due to concentrated surface water flows and loss of topsoil could occur during project construction. **Mitigation Measure 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 measure EKN GEO-2, impacts associated with soil erosion will be reduced to **less than significant**.

**4.7 (c) (Unstable Geologic Unit) Less than Significant with Mitigation:** 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 will 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 project shall implement **Mitigation Measure 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, measure GEO-3 requires installation and periodic measurement of vertical and lateral control points to determine if any vertical or lateral movement is occurring. With implementation of measure EKN GEO-3, impacts resulting from location on a geologic unit or soil that is unstable, or that would become unstable during project construction will be reduced to **less than significant**.

**4.7 (d) (Expansive Soils) Less than Significant Impact with Mitigation:** 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 **Mitigation Measure EKN GEO-1**. Measures to correct expansive soils include but are not limited to moisture

conditioning soils onsite until imported aggregate base or surface flatwork is completed. With implementation of measure EKN GEO-1 potential impacts due to the presence of expansive soils will be reduced to **less than significant levels**.

**4.7 (e) (Septic Tanks) No Impact:** The Hotel component of the project will be served by existing sewer systems that treat all wastewater effluent generated within the UGB and as such will not require the use of septic tanks or alternative wastewater disposal systems. Therefore, there will 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.

**4.7 (f) (Paleontological Resources) Less than Significant with Mitigation:** 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 and the geologic units underlying the project site are considered to have a high potential to contain significant paleontological resources.

As discussed above, Holocene-age alluvial deposits have a low to high potential to contain significant paleontological resources, depending on the depth of excavation. Pleistocene-age alluvial deposits, the Wilson Grove Formation, and Petaluma Formation all have 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 project site (Hotel) 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. Due to the presence of the USTs, approximately 1,200 cubic yards of contaminated soil has been removed from the project. Additionally, bores taken at the project site indicates there is fill material underlying the project site from 0 to 10 feet bgs. Alluvial deposits were encountered from 10 to 43 feet bgs, and claystone bedrock was encountered from 43 to 71.5 feet bgs.

Due to 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 involve excavation into previously undisturbed sediments with high potential to contain fossils, and they are inadvertently destroyed, that would be a significant impact.

Therefore, 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 **Mitigation Measure EKN GEO-4** is required.

With implementation of measure EKN GEO-4, impacts to paleontological or unique geological resources will be **less than significant**.

**GEOLOGY AND SOILS MITIGATION MEASURES**

**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 measure 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 & Utilities Department.

**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.

**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 if 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.

**EKN GEO-4:** Prior to the start of construction activities, a Qualified Paleontologist that meets the standards of the 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), 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 below ground surface 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 below ground surface. 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 catalogued 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).

## 4.8. GREENHOUSE GAS EMISSIONS

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |

Sources: 2025 General Plan and EIR; Climate Action 2020 and Beyond Sonoma County Regional Climate Action Plan, July 2016; BAAQMD 2022 CEQA Guidelines; CalGreen Tier 2 Residential Measures Effective January 1, 2017.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### GREENHOUSE GAS SETTING

Greenhouse gases (GHGs) are generated from natural geological and biological processes and through human activities including the combustion of fossil fuels and industrial and agricultural processes. GHGs include carbon dioxide (CO2), nitrous oxide (N2O), methane (CH4), chlorofluorocarbons, hydrofluorocarbons, and perfluorocarbons. While GHGs are emitted locally they have global implications. GHGs trap heat in the atmosphere, which heats up the surface of the Earth. This concept is known as global warming and is contributing to climate change. Changing climatic conditions pose several potential adverse impacts including sea level rise, increased risk of wildfires, degraded ecological systems, deteriorated public health, and decreased water supplies.

#### State

To address GHG's at the State level, the California legislature passed AB 32, also known as the California Global Warming Solutions Act in 2006, which required a reduction in statewide GHG emissions to 1990 levels by 2020. Subsequently in 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation AB 197, which requires CARB to report its progress in implementing the state's climate and air pollution-related policies. The 2017 Climate Change Scoping Plan identifies how the State will achieve the 2030 climate target to reduce GHG emissions by 40 percent from 1990 levels, as codified by SB 32. The 2017 Climate Change Scoping Plan also describes how the State can substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels.

Senate Bill 375, also known as the Sustainable Communities and Climate Protection Act, was adopted in 2008 and seeks to coordinate transportation, housing, and land use planning, thereby reducing GHG emissions by limiting urban sprawl and vehicle miles traveled. Under SB 375, each Metropolitan Planning Organization (MPO) in California must prepare a SCS that identifies land use, housing, and transportation strategies that would achieve CARB's targets to reduce GHG emissions. The Metropolitan Transportation Commission (MTC) is the MPO for the nine-county San Francisco Bay Area, including the City of Petaluma. Plan Bay Area 2050 is the region's SCS and was prepared as a joint effort between the MTC and the Association of Bay Area Governments (ABAG).[21] The Plan identifies Priority Development Areas (PDAs) which are areas prioritized for investment, new homes, and job growth. Implementation of PDA's enhance mobility and economic growth by linking the location of housing and jobs with transit, thus offering a more efficient land use pattern around transit, reducing greenhouse gas emissions, and realizing a greater return on existing and planned transit investments. The City of Petaluma contains two PDAs. A portion of the Overlay component of the project is located within

[21] Final Plan Bay Area 2050 prepared by ABAG/MTC, adopted October 21, 2021.

the Central Petaluma PDA which aims to revitalize parts of the historic downtown by directing development to underutilized land in the city's historic downtown, allowing for a greater diversity and intensity of uses.[22]

**Regional**

As discussed in the Air Quality section of this report, the City of Petaluma is located within the San Francisco Bay Area air basin, which is regulated by BAAQMD, who is responsible for planning, implementing, and enforcing air quality standards. In addition to publishing updated CEQA Air Quality Guidelines for criteria pollutants, BAAQMD also published updated GHG thresholds in April 2022 for land use projects. The new thresholds establish that a project is considered to have a less-than-significant impact due to GHG emissions if it is consistent with a local GHG Reduction Strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b), or meets the following design elements:

1. Buildings:
    a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
    b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation:
    a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA
    b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

**Local**

The City of Petaluma has taken steps to address GHG emissions within city limits. The City adopted Resolutions 2002-117, 2005-118, and 2018-009 (incorporated herein by reference), call for the City's participation in the Cities for Climate Project effort and establish GHG emission reduction targets.

A Climate Action Plan has been prepared in partnership with the County and other local jurisdictions (July 2016) which implements General Plan Policy 4-P-27, which calls for preparation of a Community Climate Action Plan to achieve GHG emission reduction goals set forth by Resolution 2005-118. General Plan Goal 5-G-8 calls for the expansion of the use of alternative modes of mobility serving regional needs, which has been implemented in part through the Sonoma Marin Area Rail Transit (SMART) Plan, which as of Fall 2017 provides light rail commuter service to Petaluma. As of 2020, SMART estimates that people utilizing the light rail system emit 33% fewer CO2 per mile as compared to driving, with 50% walking or utilizing public transit and 14% biking to stations. Over the course of operation, SMART estimates that 8.1 million pounds of CO2 emissions have been prevented.[23] General Plan policy 3- P-127 requires that projects prepare a Construction Phase Recycling Plan, which is also a standard requirement under the CalGreen Building Code and is implemented as part of the building permit process, and addresses recycling of major waste generated by demolition and construction activities.

In addition to General Plan goals and policies intended to reduce GHGs, the City of Petaluma requires that all new development demonstrate compliance with CalGreen Tier 1 Building standards, which generally achieve energy efficiency approximately 30% beyond Title 24 as well as a construction waste reduction rate of 45%. As such, new development is expected to be more energy efficient, use fewer resources, and emit fewer GHGs.

[22] Existing Conditions Report, Land Use and Community Character, City of Petaluma General Plan Update, September 2022.
[23] Green Commute fact sheet, Sonoma Marin Area Rail Transit, January 2020

On January 22, 2018, the City of Petaluma adopted Resolution No. 2018-009 N.C.S reaffirming the City's intent to reduce greenhouse gas emissions as part of a coordinated effort through the Sonoma County Regional Climate Protection Authority. As presented in the Sonoma County Climate Action Plan, the City of Petaluma could achieve GHG reduction through a combination of state, regional, and local measures. Reduction measures at the state level are promulgated through state laws and mandates addressing topics, including but not limited to vehicle fuel efficiency standard, green building standards, low carbon fuel standards and the Renewable Portfolio Standard. When realized locally in Petaluma, these measures will achieve a GHG reduction in the amount of 119,000 metric tons of carbon dioxide equivalent ($MTCO_2e$). Separate regional efforts implemented within Petaluma by entities such as the Regional Climate Protection Authority, Sonoma Water (formerly Sonoma County Water Agency), County of Sonoma Energy Independence Office, Sonoma County Transportation Authority, and Sonoma Clean Power will result in an additional GHG reduction of 28,200 $MTCO_2e$. Under the City of Petaluma's authority, the Sonoma County Climate Action Plan identifies 12 goals and 24 measures that would achieve an additional GHG reduction of 18,490 $MTCO_2e$. Taken altogether, the state, regional and local measures combined can achieve a GHG reduction of 166,350 $MTCO_2e$ within Petaluma. The Sonoma County Regional Climate Action Plan is an advisory document to assist the city in achieving its stated intent to reduce GHG emissions. Development projects within the City of Petaluma are encouraged to comply with the intent of the Climate Action Plan and realize GHG reductions through voluntary application of reduction measures.

Under a business as usual approach (i.e., without state, regional or local GHG reduction measures), the City of Petaluma was projected to emit 542,970 $MTCO_2e$ by 2020. With implementation of reduction measures, GHG emissions were projected to be reduced to 376,620 $MTCO_2e$, representing a 31% reduction of GHG emissions relative to the 1990 per capita emission levels.

On May 6, 2019, the City of Petaluma adopted a Climate Emergency Resolution. The Resolution recognizes scientific findings and social implications related to global warming while calling for citywide emergency actions to reduce greenhouse gas emissions. A Climate Action Commission was appointed to help craft policies for recommendations to the City Council, coordinate workshops with experts on climate change, encourage community involvement, and identify best practices to address climate change that can be applied in Petaluma. On January 11, 2021, the City Council adopted the Climate Emergency Framework which directs the City to achieve carbon neutrality by 2030, guides the City's ongoing response to and discussion about the climate crisis, and guides and informs subsequent policies and implementation strategies. The Climate Emergency Framework provides policies and implementation strategies toward this goal in four sections: equity and climate justice, mitigation and sequestration, adaptation and social resilience, and community engagement. The principles identified in the Framework establish Petaluma's shared vision of a healthy, sustainable, and equitable community. By setting the shared intention of this framework and working from the framework in subsequent planning efforts to create policy and implementation, the City will actively work to avoid catastrophic climate change and adapt to its expected impacts. The Climate Emergency Framework sets broad goals, which serves to guide policy development for future planning efforts while providing guidance for City staff and decision makers.[24] In addition, on May 3, 2021, the City adopted Ordinance 2775 N.C.S to add an "All-Electric Construction in New Constructed Buildings" Chapter to the Petaluma Municipal Code (PMC), banning the use of natural gas in new construction.

## GREENHOUSE GAS IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.8 (a-b) (GHG Emissions; GHG Plan Conflict) Less than Significant Impact:** The Overlay component of the project will not result in direct physical changes to the environment. Future development applications within the proposed Overlay will 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

[24] Climate Emergency Framework, prepared by the City of Petaluma, January 11, 2021.

component of the project and future projects facilitated by the Overlay will be subject to independent CEQA review, GHG impacts of the Overlay component of the project will be **less than significant**.

As discussed in the Air Quality and Energy sections of this document, the project supports existing state, regional, and local plans and policies adopted for the purpose of reducing the emissions of greenhouse gases. The Overlay component of the project will allow for greater intensity of use through increased building height, lot coverage, and FAR, which will allow for a higher concentration of infill growth in the city's downtown area, thereby reducing reliance on automobile travel, and in turn reducing GHG emissions. As such, the Overlay component of the project will not conflict with a plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions and impacts will be **less than significant**.

**EKN Appellation Hotel**

**4.8 (a) (Significant GHG Emissions) Less than Significant with Mitigation:** Greenhouse gas emissions associated with the proposed project would result from short-term construction activities and ongoing operation.

*Construction Emissions*

Construction of the project will result in GHG emissions from heavy-duty construction equipment, worker trips, and material delivery and hauling. Construction GHG emissions are short-term and will 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**) prepared for the subject project. GHG emissions are projected to be 481 MT of CO2e 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 best management practices to reduce GHG emissions during construction should be incorporated. Consistent with the BAAQMD 2022 CEQA Guidelines, the project shall implement **Mitigation Measure EKN GHG-1**, which requires incorporation of BMPs throughout construction to control for construction-related GHG emissions. With incorporation of measure EKN GHG-1, emissions generated during construction of the Hotel component of the project will be **less than significant**.

*Operational Emissions*

As discussed in the Construction Health Risk and Greenhouse Gas Assessment, the project is consistent with BAAQMD's thresholds for land use projects in that it will not include natural gas appliances or natural gas plumbing and will not result in wasteful use of energy as analyzed in the Energy section of this document. The project will be consistent with Title 24 building efficiency standards, will comply with the California Energy Commission's standards for lighting efficiency, and will comply with lighting standards. As discussed further in the Transportation section of this document, the project will not result in significant VMT impacts and as set forth in **Mitigation Measure 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. In addition, the Assessment includes an estimate of the Hotel's annual GHG emissions for informational purposes only. As provided therein, annual GHG emissions are estimated to be 801 MT CO2e, with the majority of emissions (93%) 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 measure EKN GHG-2, impacts resulting from GHG emissions at project operation will be **less than significant**.

**4.8 (b) (GHG Plan Conflict) Less than Significant with Mitigation:** The City of Petaluma has adopted GHG emission reduction policies and programs as part of the General Plan 2025. 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 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 **Mitigation Measure EKN GHG-2**, which requires compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2. As with all energy users in the City of Petaluma, the project will be provided with the option to participate in the Sonoma Clean Power Program, which relies on

renewable energy and minimizes GHG emissions from energy production. Additionally, the 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 onsite bicycle parking requirement, will be near the free micro transit shuttle that drops off visitors downtown from either the SMART station or Fairgrounds property, and will provide a bus stop along Petaluma Blvd. North, approximately 200 feet north of the sire, 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, the project will 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 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 greenhouse gas emissions will be **less than significant**.

## GREENHOUSE GAS MITIGATION MEASURES

**EKN GHG-1:** The most current, at time of project approval, BAAQMD-recommended Best Management Practices (BMPs) to control for construction-related 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 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 [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 U.S. Environmental Protection Agency SmartWay certified trucks for deliveries and equipment transport.
8. Require all construction equipment to be 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 onsite or shuttles to nearby meal destinations for construction employees.
12. Reduce electricity use in the construction office by using 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% 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% 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.

**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 EKN Appellation Hotel shall be designed and verified for compliance with CalGreen Tier 2 standards.

## 4.9. HAZARDS/HAZARDOUS MATERIALS

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| e) 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 of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: Petaluma 2025 General Plan and EIR; Department of Toxic Substances Control, Envirostor; State Water Resources Control Board, Geotraker

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### HAZARDS/HAZARDOUS MATERIALS SETTING

Regulations governing the use, management, handling, transportation and disposal of hazardous materials and waste are administered by federal, state, and local government agencies. Federal regulations governing hazardous materials and waste include the Resource Conservation, and Recovery Act of 1976 (RCRA); the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA); and the Superfund Amendments and Re-authorization Act of 1986 (SARA).

In California hazardous materials and waste are regulated by the Department of Toxic Substances (DTSC). Pursuant to the California Planning and Zoning Law the DTSC maintains a hazardous waste and substances site list, also known as the "Cortese List." The Secretary for Environmental Protection established the Unified Hazardous Materials and Hazardous Waste Management Program, also known as "Unified." The Unified program is intended to consolidate and ensure consistency in the administration of requirements, permits and inspections for six programs, including the Underground Storage Tank (UST) program.

The six programs established by the Unified Program are administered and implemented locally through "Certified Unified Program Agencies" (CUPA). The Petaluma CUPA manages the acquisition, maintenance and control of hazardous materials and waste generated by industrial and commercial business under the auspices of the Petaluma Fire Department. Under CUPA, projects that intend to store, transport, or generate hazardous waste must apply for and obtain a permit and submit a Hazardous Materials Release Response Plan and Inventory on an annual basis.

**Downtown Housing & Economic Opportunity Overlay Sites**

Two properties within Area A and two properties within Area C are listed on the State Water Resources Control Board website, Geotracker, as Leaking Underground Storage Tank (LUST) cleanup sites. The properties include:

- 2 Petaluma Blvd. South (proposed EKN Appellation Hotel)
- 112 Petaluma Blvd. South (7-Eleven Convenience Store)
- 128 Liberty St (Sacks Hospice Thrift Shoppe of Providence)
- 215 Washington St. (Sonoma Autowerks)

All four sites have a case status of 'Completed – Case Closed' and are presumed not to require additional remediation/cleanup. Additionally, three of the four sites are developed and operational, and one site (2 Petaluma Blvd. South) is proposed for development as the EKN Appellation Hotel.

In addition, one site within Area C (214 Western Ave.) is listed in the Department of Toxic Substances Control's data management system, Envirostor, as a Voluntary Cleanup Site. The site is located within a multi-tenant commercial building and is identified for cleanup due to the former use as a dry cleaner. The main contaminant of concern, tetrachloroethylene (PCE), is located beneath the building and was identified in soil, soil gas, and groundwater. As noted in the case history information available on DTSCs website, the Removal Action Workplan calls for installation of a sub-slab depressurization system to prevent vapor intrusion to indoor air and a covenant to restrict land use to commercial use as well as restrict the use of shallow groundwater beneath the site.[25]

**EKN Appellation Hotel Site**

According to information available from the State Water Resources Control Board and available historic aerial imagery, the site was operated as a gas station from approximately 1923 to 2009. The site was subject to remediation actions beginning in 1988 when it was listed as a Leaking Underground Storage Tank (LUST) cleanup site. In April 2019, it was determined that the site met the Low Threat Closure Policy for the Sonoma County Department of Health Services and the RWQCB and a Covenant and Environmental Restriction on Property was filed with the Sonoma County Clerk-Recorder (**Appendix C**). As provided in the Covenant, the property may be used for industrial, commercial, mixed-use, office, or related uses, but does not permit human habitation, hospitals, schools for persons under the age of 21, or day care centers on the ground floor of the property. Exhibit B of the Covenant includes a Risk Management Plan which regulates activities related to, among others, ground disturbance, groundwater extraction, construction dewatering, soil or groundwater sampling, and soil reuse or disposal. In February 2020 the case was closed and a letter confirming the completion of site investigation and remedial action for the underground storage tanks was issued to the property owner.

Due to the amount of excavation proposed by the hotel, early consultation with the RWQCB was conducted to confirm whether additional testing was needed. In July 2022, the RWQCB responded (**Appendix D**) stating that no additional testing was needed and provided recommendations related to groundwater sampling during construction and subslab and indoor air samples following completion of construction.

**HAZARDS/HAZARDOUS MATERIALS IMPACT ANALYSIS:**

[25] Department of Toxic Substances Control, Envirostor, Former Quality Dry Cleaning (60002205), Site History, accessed September 2023, https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002205

## Downtown Housing & Economic Opportunity Overlay

**4.9 (a-b) (Routine Transport; Upset and Accident Involving Release) Less than Significant Impact:** Though the proposed Overlay will not result in direct physical development, it is reasonably foreseeable that future construction activities will 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 onsite. 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 will be required. Additionally, and as the Overlay just 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 EIR's.

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 Conditional Use Permit (CUP), include artisan/craft product manufacturing, building and landscape materials sales, and utility facilities. All such uses, if proposed in the future, will be subject to discretionary review, will be required to disclose any activities involving the routine transport, use, or disposal of hazardous materials, and will 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 is 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 onsite, approved remediation actions will 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 materials (ACM) and lead-based paints (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 lead-based paint 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 will be **less than significant**.

**4.9 (c) (Emit or Handle Hazardous Materials within ¼ Mile of School) Less than Significant Impact:** The nearest schools to Areas A, B, and C of the proposed overlay include St. Vincent Elementary School (246 Howard St; 0.1 mile from Area C), Petaluma High School (201 Fair St; 0.6 mile from Areas A and B), Live Oak Charter School (100 Gnoss Concourse; 0.8 mile from Area A), and McNear Elementary School (605 Sunnyslope Ave; 1.0 mile from Area A). Though no physical development will 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 one-quarter mile of a school. Any such handling of hazardous materials will be required to adhere to existing federal, state, and local regulations which will ensure that all potentially hazardous materials onsite are properly labeled, transported, and stored. Established policies and programs set forth by the EPA, DTSC, 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 will be required to obtain a hazardous materials storage permit. Compliance with federal, state, and local regulations will ensure that the emission or handling of hazardous materials, substances, or waste within one-quarter mile of a school will be **less than significant**.

**4.9 (d) (Government Code §65962.5 Site) Less Than Significant Impact:** As described above, four sites (two within Area A and two within Area C) are identified as LUST cleanup sites by the State Water Board, and one site within Area C is identified as a Voluntary Cleanup Site by DTSC. The proposed Downtown Housing &

Economic Opportunity Overlay will not result in direct physical development; however, it is reasonable to assume that future development of sites within the Overlay will occur, however development of these areas is currently allowed under existing regulations which was 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 onsite. 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, will 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 will be subject to independent discretionary review and will be required to demonstrate that there are no hazardous materials present onsite, 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 and/or DTSC). As such, sites within the proposed Overlay being included on a list of hazardous materials sites will not create a significant hazard to the public or the environment and impacts will be **less than significant**.

**4.9 (e) (Public Airport Land Use Plan) No Impact:** 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 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 will occur.

**4.9 (f) (Impair Emergency Response Plan) Less than Significant Impact:** The proposed Overlay will not result in physical changes to the environment and will 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 will be subject to independent discretionary review and will be required to demonstrate, to the satisfaction of the City's Fire Department, that the project will 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 will be **less than significant**.

**4.9 (g) (Wildland Fires) Less than Significant Impact:** Wildland fires are of concern particularly in expansive areas of brush, woodland, and grassland. The Overlay area is categorized as a Non-VHFHZ by CAL FIRE and surrounded by urban uses. Therefore, future development proposed under the Overlay will 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**

**4.9 (a) (Routine Transport) Less than Significant Impact:** The Hotel component of the project will involve site preparation, construction activities, and material delivery and off-haul that may result in the temporary presence of potentially hazardous materials onsite including, but not limited to fuels and lubricants, paints, solvents, insulation, and electrical wiring onsite. Although these potentially hazardous materials may be present onsite during construction the applicant will 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 best management practices in accordance with the California State Water Resources Control Board requirements will be required which include measures to prevent spills and require onsite materials for cleanup. If construction activities involve onsite storage of potentially hazardous materials, a declaration form filed with the Fire Marshall's office will be required to obtain a hazardous materials storage permit.

Operational activities will 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 will 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 will be **less than significant**.

**4.9 (b) (Upset and Accident Involving Release) Less than Significant Impact with Mitigation:** As described above, the project site is listed as a LUST cleanup site by the State Water Resources Control Board and was issued a case closure letter confirming the completion of site investigation and remedial action in 2020. Though the case status is complete, due to the amount of excavation proposed by the Hotel component of the project, 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 shall comply with **Mitigation Measure 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.[26] With implementation of measure EKN HAZ-1, potential impacts associated with the release of hazardous materials into the environment and exposure to people during project construction will be **less than significant**.

In addition to the HASP and SMP to ensure impacts during construction will be less than significant, the applicant shall also comply with **Mitigation Measure EKN HAZ-2**, which requires 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 is required to notify the Sonoma County Department of Public Health and RWCB if disturbance to any vapor barrier occurs and are also required 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 at project operation will 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 will be required to comply with all federal, state, and local requirements for handling such products. With implementation of **Mitigation Measure 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 project operation will be **less than significant**.

**4.9 (c) (Emit or Handle Hazardous Materials within ¼ Mile of School) No Impact:** The project site is not located within one-quarter 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 project will have **no impacts** related to the emission of hazardous materials or waste within one-quarter mile of a school.

**4.9 (d) (Government Code §65962.5 Site) Less Than Significant Impact with Mitigation:** As described in the setting discussion of this section, the 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 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 day care centers *on the ground floor of the property*. The proposed EKN 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 underground storage tanks was issued to the property owner.

In July 2022, the RWQCB reviewed the project plans submitted for the Hotel and confirmed that no additional soil or groundwater testing was needed. In addition 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 project

[26] 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.

development and prior to occupation to ensure effectiveness of the required vapor barriers and venting systems.[27] To ensure recommendations provided by the RWQCB as well as requirements set forth in the Covenant and Environmental Restriction Document, including the Draft Residual Risk Management Plan are incorporated, the project shall comply with **Mitigation Measure EKN HAZ-2**, which 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 **Mitigation Measure EKN HAZ-2**, impacts resulting from the sites listing on a hazardous materials site compiled pursuant to Government Code Section 65962.5 will not create a significant hazard to the public or the environment and impacts will be less than significant.

**4.9 (e) (Public Airport Land Use Plan) No Impact:** The Hotel project 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 excessive noise for people residing or working in the area as a result of the proposed Hotel will occur.

**4.9 (f) (Impair Emergency Response Plan) Less than Significant Impact:** The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will 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 project will have a **less than significant impact** on the emergency response plan or emergency evacuation plan.

**4.9 (g) (Wildland Fires) Less than Significant Impact:** The Hotel project site is categorized as a Non-VHFHZ by CAL FIRE and surrounded by urban uses. Therefore, the Hotel component of the project will 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.

**HAZARDS/HAZARDOUS MATERIALS MITIGATION MEASURES**

**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 Title 29 of the 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 offsite, including required testing from total petroleum hydrocarbons (TPH) and benzene.

**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 RWQCB in July 2022. This measure shall not be construed to preclude requirements of the Risk Management Plan that are not explicitly listed here.

1. The first floor of the Hotel shall be restricted to retail, 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

[27] Regional Water Quality Control Board, staff email correspondence, July 2022.

of Health Services for the project as it involves disturbance of more than five (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. 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 Regional Water Quality Control Board 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).

## 4.10. HYDROLOGY AND WATER QUALITY

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Substantially alter the existing drainage pattern on 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: | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| i. result in substantial erosion or siltation on- or off-site; | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| iv. impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan 2025 and EIR; Federal Emergency Management Agency's Flood Insurance Rate Map, Map No. 06097C0982G; Sonoma Water, Groundwater Sustainability Plan Petaluma Valley Groundwater Basin, December 2021.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### HYDROLOGY AND WATER QUALITY SETTING

The Petaluma River is the primary watercourse within the city and the Petaluma watershed which encompasses an area of approximately 46 square miles. The Petaluma River collects runoff via multiple tributaries and drains in a southeast direction through tidal marshes into San Pablo Bay. Lands near the Petaluma River and its tributaries are subject to periodic inundation during storm events. Federal and state agencies such as the U.S. Army Corps of Engineers and Regional Water Quality Control Board are responsible for protecting surface water quality. The Federal Emergency Management Agency (FEMA) designates land that is subject to flooding in support of the National Flood Insurance Program. Sonoma Water (formerly Sonoma County Water Agency) and the City of Petaluma manage waterways and regulate runoff generated from new development.

#### Flooding

The Federal Emergency Management Agency's flood hazard mapping program provides guidance for the City in planning for flooding events and regulating development within identified flood hazard areas. FEMA's National Flood Insurance Program is intended to encourage State and local governments to adopt responsible

floodplain management programs and flood measures. As part of the program, FEMA defines Floodway (Zone AE), 100-year floodplain (Zone AE, A99), and 500-year floodplain (Zone X) boundaries that are shown on the Flood Insurance Rate Maps (FIRMs). As shown on the FIRM community panel map number 06097C0982G, portions of the proposed Overlay, which also includes portions of the EKN Appellation Hotel site are within the non-regulated 500-year floodplain, identified as an area of minimal flood hazard (0.2% chance flood in a given year; Zone X) (**Figure 7, Figure 8**). Apart from portions of Area A of the proposed Overlay, all portions of Areas B and C of the proposed Overlay are outside areas designated by FEMA as a special flood hazard area or minimal flood hazard area. All Areas (A, B, and C) are located outside of the regulated 100-year floodplain and the floodway.

**FIGURE 7: DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY FEMA FIRM MAP**

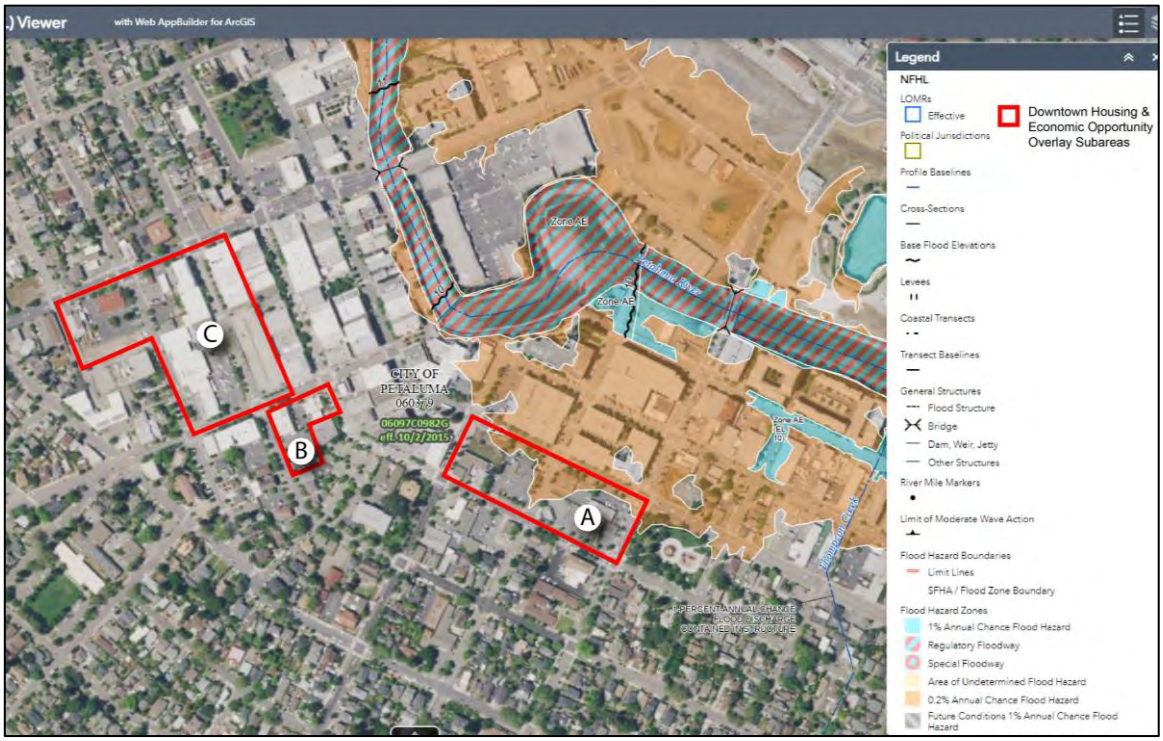


**FIGURE 8: EKN APPELLATION HOTEL FEMA FIRM MAP**


**Stormwater Runoff**

Section 402 of the Clean Water Act regulates the discharge of pollutants to waters of the U.S. At the local level, this is implemented through the National Pollution Discharge Elimination System (NPDES) General Permit. Requirements apply to construction activities including grading, grubbing, and other site disturbance. Construction activities on more than one acre are subject to NPDES permitting requirements including the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The NPDES General Permit requirements also address post-construction conditions resulting from development including, but not limited to Low Impact Development (LID) requirements. Under LID requirements, new development is required to mimic pre-developed conditions, protect water quality, and retain runoff from new impervious surfaces introduced onsite.

The City of Petaluma Municipal Code regulates stormwater discharges (Chapter 15.80), sets forth grading and erosion control requirements (Chapter 17.31) and establishes limitations on stormwater runoff emanating from development sites through implementation of Low Impact Development. Additionally, the City collects Storm Drainage Impact Fees as a means of mitigating impacts occurring as a result of development. The City may accept payment of fees or the construction of on- or off-site detention areas, based upon the type of project and amount of runoff generated, as calculated for a 100-year storm. Fees are used by the City for acquisition, expansion, and development of storm drainage infrastructure.

**Groundwater**

The City of Petaluma's central and eastern lands, including the Overlay and Hotel components of the project are situated above the Petaluma Valley Groundwater Basin as identified by the California Department of Water Resources Bulletin 118 Groundwater Basins published in 2018. The State of California adopted the Sustainable Groundwater Management Act (SGMA) in 2014 which called for the creation of local Groundwater Sustainability Agencies to develop and implement Groundwater Sustainability Plans for the long-term management of a healthy and functioning groundwater resource. In 2018, the Petaluma Valley Groundwater Sustainability Agency (PVGSA) was formed from representative government agencies, including the City of Petaluma, to begin assessing baseline conditions, defining sustainability for the basin, and developing a Groundwater

Sustainability Plan (GSP) and corresponding projects. The GSP was submitted to the California Department of Water Resources (DWR) and approved on January 26, 2023.

The GSP establishes a standard for sustainability of groundwater management and use and determines how the basin will achieve this standard by 2024. The Plan identifies six sustainable management criteria, undesirable results, minimum thresholds, measurable objectives, and interim milestones for the sustainability indicators. The six sustainable management criteria include chronic lowering of groundwater levels, reduction in groundwater storage, sea water intrusion, degraded groundwater quality, land surface subsidence, and surface water depletion. Section 6 of the GSP identifies projects and management actions that can help to achieve groundwater sustainability. Project and management actions identified in the Plan include water-use efficiency and alternate water source projects, recycled water expansion, aquifer storage and recovery, and stormwater capture and recharge.

**HYDROLOGY AND WATER QUALITY IMPACT ANALYSIS:**

**Downtown Housing & Economic Opportunity Overlay**

**4.10 (a-c) (Water Quality Standards; Groundwater Supply and Recharge; Drainage Pattern, Runoff and Storm Drain Capacity) Less than Significant Impact:** All future construction activities facilitated by the Overlay component of the project will be subject to the Construction General Permit (2009-0009-DWQ), site-specific Storm Water Pollution Prevention Plans (SWPPP) if disturbing one acre or more of land, and standard erosion and sediment control requirements set forth in Chapter 17.31 (Grading and Erosion Control) of the Petaluma Municipal Code. In addition, operation of future development will be required to comply with regional and local requirements such as implementation of a Stormwater Control Plan and inclusion of 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 will 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 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 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 will be subject to current regulations which require management of stormwater onsite. As such, impacts to groundwater supply and recharge as a result of the proposed Overlay component of the project will be **less than significant**.

**4.10 (d) (Flood Hazards, Seiche, Tsunami, Mudflow) Less than Significant Impact:** No portion of the proposed Overlay is located within a 100-year flood hazard area nor located within any other special flood hazard area. Portions of Area A are designated by FEMA as Areas 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 being flooded in a given year. The proposed Overlay will not result in direct physical development and any future development under the proposed Overlay will not site structures within a 100-year flood hazard area. As such, reasonably foreseeable development as a result of the Overlay component of the project will not result in risk of loss, injury, or death as a result of location within a flood hazard area and impacts will be less than significant. Furthermore, 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.[28] The proposed Overlay does not alter potential risks associated with inundation from dam failure. As

[28] City of Petaluma, Local Hazard Mitigation Plan, June 2020, page 4-26.

such, impacts associated with risk of the release of pollutants due to flooding or inundation from a seiche, tsunami, or mudflow will be **less than significant**.

**4.10 (e) (Conflict with Water Quality Control or Sustainable Groundwater Management Plans) Less than Significant Impact:** As described above, future development under the proposed Overlay will 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 will 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 will not result in a conflict with water quality control, nor will it conflict with the GSP, adopted January 2023 or the 2020 UWMP and impacts will be **less than significant**.

**EKN Appellation Hotel**

**4.10 (a) (Water Quality Standards) Less than Significant with Mitigation:** During construction the 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 Hotel project will result in disturbance of less than one acre of land, a Storm Water Pollution Prevention Plan (SWPPP) is not required, however, standard erosion and sediment control requirements set forth in Chapter 17.31 (Grading and Erosion Control) of the Petaluma Municipal Code will be implemented during all stages of construction. Typical Best Management Practices (BMP) 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, amongst others. Through compliance with the City's grading and erosion control ordinance water quality standards and waste discharge requirements will be met. Additionally, as required by **Mitigation Measure 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 City's municipal code as well as **Mitigation Measure EKN HAZ-2**, impacts to water quality during construction of the proposed Hotel will be **less than significant.**

At operation, runoff from the proposed development will 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 project (**Appendix E**), the project includes modular bioretention features on the rooftop and silva cells within the tree wells along the B Street and Petaluma Blvd. South frontages which will minimize pollutant loads by pretreating runoff from impervious surfaces introduced by the project. As a standard condition of project approval, a Final Stormwater Control Plan which includes details of ongoing maintenance will be required upon submittal of a building permit and will 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 will be **less than significant**.

**4.10 (b) (Groundwater Supply and Recharge) Less than Significant Impact:** 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 project encountered groundwater at 5 feet below ground surface, but given that groundwater fluctuates seasonally, the investigation noted that groundwater should be assumed to be at the ground surface. Though groundwater is present onsite, 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 will decrease pervious surfaces onsite, it will not substantially change the nature of surface water percolation into the Petaluma Valley Groundwater Basin. Furthermore, the Hotel component of the project will rely exclusively on potable water delivered by the City of Petaluma and will 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 will 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 will be **less than significant**.

**4.10 (ci-civ). (Drainage Pattern, Runoff and Storm Drain Capacity) Less than Significant Impact:** The proposed project will not substantially alter the course of a stream or river; however, the project will result in an increase in impervious surfaces as compared to existing conditions. The entire site is currently pervious, and development of the proposed Hotel will result in an increase in impervious surface as compared to existing conditions. The building will 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 project will 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 inches per hour. Therefore, impacts resulting from alteration of the existing drainage pattern on the site, including through the addition of impervious surfaces will be **less than significant**.

**4.10 (d). (Flood Hazards, Seiche, Tsunami, Mudflow) Less than Significant Impact:** The project site is not located within a 100-year flood hazard area nor is it located within any other special flood hazard area. The project site is in an area designated by FEMA as an Area of Minimal Flood Hazard, Zone X, as delineated on map 06097C0982G. According to this designation, a portion of the Hotel site is subject to 500-year flooding and identified as an area that has a 0.2 percent chance of being flooded in a given year. The project will not site structures within a 100-year flood hazard area. As such, the Hotel component of the project will not result in risk of loss, injury, or death as a result of location within and flood hazard area and impacts will 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 project does not introduce new impacts associated with risks due to flooding or inundation from a seiche, tsunami, or mudflow. Therefore, the Hotel will have **less than significant** impacts.

**4.10 (e). (Conflict with Water Quality Control or Sustainable Groundwater Management Plans) Less than Significant Impact:** The project will 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 will avoid erosion and sediment runoff during all stages of construction. During operation, the project site will be improved with LID features that will 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 project will not result in a conflict with water quality control and impacts will be **less than significant**.

As proposed, the project is consistent with the GSP as it includes LID features and will comply with current building codes, which require use of water-efficient appliances. As conditioned, the project will be required to incorporate a connection for recycled water for landscape irrigation use and implement it once recycled water becomes available. As such the project will not conflict with implementation of the Groundwater Sustainability Plan for the Petaluma Valley Groundwater Basin, adopted January 2023 nor will it conflict with the 2020 UWMP and impacts of the Hotel component of the project will be **less than significant**.

**HYDROLOGY AND WATER QUALITY MITIGATION MEASURES**

Implement **Mitigation Measure EKN HAZ-2**.

## 4.11. LAND USE AND PLANNING

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan and EIR; 2023-2031 Housing Element; Petaluma Bicycle and Pedestrian Plan: An Appendix to the General Plan 2025, May 2008; Petaluma Municipal Code; Petaluma Implementing Zoning Ordinance;

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### LAND USE SETTING

Land uses within the proposed Downtown Housing & Economic Opportunity Overlay consist of banks, professional offices, commercial uses, retail, and auto shops. Vacant sites across the proposed Overlay are limited to the EKN Appellation Hotel site, which is within Area A, and sites located at 131 Liberty Street and 136 Court Street within Area C, both of which have active entitlements. As described in detail in the Project Description section of this document, existing buildings within the proposed Overlay are mostly one-story and on sites exhibiting a low-intensity development pattern, within the context of downtown Petaluma, which exhibits a variety of building story and structures heights and a range of intensity.

Land use regulations applicable to the Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel components of the project are found in the following documents:

- Petaluma General Plan 2025
- Commercial Historic District Design Guidelines
- Petaluma Municipal Code
    - Title 15 (Water and Sewage)
    - Title 17 (Building and Construction)
    - Title 19 (Development Related Fees)
    - Title 21 (Petaluma Implementing Zoning Ordinance)

### LAND USE IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay

**4.11 (a) (Divide an Established Community) No Impact:** Division of an established community typically occurs when a new physical feature, in the form of an interstate or railroad, physically transects an area, thereby removing mobility and access within an established community. Division can also occur through the removal of an existing road or pathway, which would reduce or remove access between a community and outlying areas. The Overlay component of the project will not result in direct physical development but is intended to facilitate development of underutilized properties in the city's downtown area. All portions of the Overlay are accessible via existing roadways, sidewalks, bicycle, and transit facilities. Depending on site-specific future development proposals under the Overlay access may be enhanced (e.g. through ADA upgrades) but is not expected to substantially alter the established circulation network within downtown Petaluma. Furthermore, all future development proposals under the Overlay will be subject to independent discretionary review at which point, proposed improvements will be reviewed. The Overlay will not introduce a physical barrier or otherwise divide an established community and as such the Overlay component will have **no impact** due to the division of an established community.

**4.11 (b) (Land Use Plan, Policy, Regulation Conflict) Less than Significant Impact:** Land use policies and regulations adopted for the purpose of avoiding or mitigating and environmental effect that are applicable to the Overlay component of the project include the following:

**Petaluma General Plan 2025.** The General Plan seeks to maintain a balanced land use program that meets the long-term needs of the community by providing opportunities for all types of uses including residential, employment, retail, institutional, recreational, and open space (Goal 1-G-1). The proposed Overlay component of the project is consistent with several policies intended to achieve this goal. The Overlay allows for increased lot coverage, FAR, and height which promotes the efficient use of land through infill development at equal or higher density and intensity as surrounding uses (policy 1-P-2), encourages mixed-use development in the downtown area, thereby increasing access to existing transit (policy 1-P-6), and encourages redevelopment of underutilized sites thereby providing flexibility in building form and allowing for the ability to change over time (policy 1-P-7). The Overlay component of the project will also contribute to advancing downtown as a focus of activity, will retain pedestrian orientation, and will continue to preserve and enhance buildings of historic and architectural importance (Goal 2-G-3). The proposed Overlay allows for increased intensity of building form, thereby promoting development and intensification of downtown as a visitor destination and neighborhood retail center (policy 2-P-14). Goals and policies that seek to intensify development in the downtown are also consistent with policy 4-P-7 of the Petaluma General which aims to reduce motor vehicle air pollution as well as state and regional plans and policies, such as Plan Bay Area 2050, which intends to reduce GHG emissions through transit-oriented development.

Goal 3-G-1 of the General Plan seeks to maintain the historic character and identity of the community, through implementation of associated policies (3-P-1, 3-P-5, 3-P-6) which aim to protect historic and archaeological resources, ensure their protection is a key consideration during the development review process, and ensure that new development adjacent to historic and cultural resources is compatible. As proposed the Overlay includes controls to ensure that new development facilitated by the Overlay will not negatively impact historic resources, including requiring development- and site-specific documentation that the proposed development complies with the Petaluma Historic Commercial District Design Guidelines, meets the Secretary of Interior's Standards, and evaluates the potential impact of views of historic resources from new development facilitated by the Overlay.

As described throughout this document, future development facilitated by the Overlay will be subject to independent discretionary review, including an independent CEQA analysis which will ensure consistency with General Plan policies that seek to avoid or mitigate environmental effects related to air quality and greenhouse gas emissions (policies 4-P-16 and 4-P-24), geological hazards (policy 10-P-1), noise (policy 10-P-3), and hazardous materials (policy 10-P-4). For instance, all future developments will be subject to the Site Plan and Architectural Review process per 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.

**Commercial Historic District Design Guidelines.** Though the majority of the Overlay is located outside the official boundaries of the historic district, the adjacency of new development has the potential to result in impacts to existing historic resources, including those within the Commercial Historic District. As stated above, all future development proposed within the Historic District will be required to demonstrate consistency with the Historic District Design Guidelines which were adopted with the intent of protecting historic resources and will be subject to independent discretionary review. Furthermore, through the condition use permit process the following findings are required to be made about future development projects:

- The additional height would not cause an adverse change in the significance or integrity of a historical resource that is onsite or adjacent to the site;
- The additional height makes a positive contribution to the overall character of the area and that the building will be compatible with its surroundings; and
- Respects and/or preserves cultural, historical, or archaeological resources that exist or occur onsite or within the Overlay.

Therefore, potential impacts due to a conflict with the Historic District Guidelines from implementation of the proposed Overlay will be less than significant.

**Petaluma Municipal Code.** Future development proposed under the Overlay will be subject to regulations set forth in the Petaluma Municipal Code, including but not limited to Title 15 (Water and Sewage), Title 17 (Building and Construction), Title 19 (Development Related Fees), and the Petaluma Implementing Zoning Ordinance. All development applications proposed within the city, including future development that may be proposed as a result of the Overlay are subject to regulations adopted for purposes of avoiding or mitigating an environmental effect. Compliance with regulations set forth in the Petaluma Municipal Code will ensure that impacts resulting from a conflict is less than significant.

**Conclusion.** As described above, the Overlay component of the project is consistent with applicable goals and policies of the General Plan 2025, including those adopted for purposes of avoiding or mitigating an environmental effect. Furthermore, the General Plan Update, currently in process, seeks to realize infill development and intensity within the City's urban core on underutilized site, which is consistent with the proposed Overlay. As such, impacts associated with a conflict with such policies will be **less than significant**.

## EKN Appellation Hotel

4**.11 (a) (Divide an Established Community) Less than Significant Impact:** As discussed above, division of an established community would occur through introduction of a physical feature that physically transects an area or through the removal of an existing road or pathway. The Hotel component of the project is located on an infill site at the edge of the city's downtown area and is accessible via Petaluma Blvd. South and B Street as well as via existing sidewalks, transit, and bicycle facilities. As proposed, the project will remove the existing crosswalk on B Street, west of its intersection with Petaluma Blvd. South to improve pedestrian safety. Removal of this crosswalk will 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 Blvd. South and one stop controlled at 4$^{th}$ 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, the project will remove two existing driveway curb cuts and construct curb, gutter, and sidewalk, and install pick-up and drop-off parking stalls in the valet areas along Petaluma Blvd. South and will remove an existing driveway curb cut and construct curb, gutter, and sidewalk, and replace one curb-parking space with two curb-parking spaces along B Street. Proposed improvements to the site and adjacent frontage areas will not result in division of an established community nor will it remove existing access, and as such, impacts associated with division of an established community as a result of the Hotel component of the project will be **less than significant**.

**4.11 (b) (Land Use Plan, Policy, Regulation Conflict) Less than Significant Impact:** As the proposed Hotel component of the project represents the type of development that may be allowed under the Downtown Housing & Economic Opportunity Overlay, the discussion of consistency with goals and policies of the General Plan provided in the analysis above are applicable. In addition, the Hotel component of the project will install a bus stop along Petaluma Blvd. North, adjacent to Center Park, approximately 200 feet north of the site which is consistent with General Plan policy S-P-42 which seeks to expand the bus transit system to provide convenient, frequent, regular service along major corridors.

As described in detail in the Cultural Resources section of this document, the Hotel component of the project demonstrates consistency with the Historic District Design Guidelines. Additionally, as discussed throughout this document, the project as proposed and conditioned is consistent with all applicable regulations set forth in the Petaluma Municipal Code. As such, impacts resulting from a conflict with regulations adopted for purposes of avoiding or mitigating an environmental effect will be **less than significant**.

## LAND USE MITIGATION MEASURES

None required.

## 4.12. MINERAL RESOURCES

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) 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? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |

Sources: Petaluma 2025 General Plan and EIR.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### MINERAL RESOURCES IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel

**4.12 (a-b). (Mineral Resources or Resource Plans) No Impact:** 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 project will result in the loss of availability of known mineral resources, including those designated as “locally important”. Therefore, the Overlay and Hotel component of the project will have **no impact** to mineral resources.

### MINERAL RESOURCES MITIGATION MEASURES

None required.

## 4.13. NOISE

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Result in generation of 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Result in generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) 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, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |

Sources: 2025 General Plan and EIR; IZO 21.040; and US EPA Legal Compilation; Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018; Noise and Vibration Assessment, Illingworth & Rodkin, September 11, 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### NOISE SETTING

Noise is generally defined as unwanted sound. It is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). The sound pressure level is the most common descriptor used to characterize the loudness of an ambient (existing) sound level. The decibel (dB) scale is used to quantify sound intensity, given that the human ear is not equally sensitive to all frequencies in the entire spectrum, noise measurements are weighted more heavily for frequencies to which humans are sensitive in a process called “A-weighting,” written as “dBA” and referred to as “A-weighted decibels”. In general, human sound perception is such that a change in sound level of 1 dB cannot typically be perceived by the human ear, a change of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling the sound level. The average A-weighted noise levels measured across a given study period is denoted as the Equivalent Noise Level ($L_{eq}$). The Community Noise Exposure Level (CNEL) is a weighted average of noise level over time which calculates the equivalent noise level for a continuous 24-hour period while imposing a five-decibel penalty in the evening (7pm-10pm) and 10-decibel penalty during nighttime and morning hours (10pm-7am).

The City of Petaluma regulates the noise environment through Section 21.040 of the Implementing Zoning Ordinance (IZO). The IZO stipulates an hourly average level of 60 dBA as the maximum that may be generated on one land use that may affect another land use; the allowable levels are adjusted to account for the ambient noise levels and in no case shall the maximum allowed noise level exceed 75 dBA after adjustments are made.

The 2025 General Plan provides policies to protect the health and welfare of the community from undesirable noise levels. Figure 10-2 of the General Plan shows the Land Use Compatibility Standards for various land uses and provides the relative acceptability level.

### Downtown Housing & Economic Opportunity Overlay

As shown in Figure 10-1, Noise Contours of the General Plan, noise levels of the proposed Overlay and Hotel components of the project are projected to be at or below 65 dBA at General Plan build out. Major sources of noise in the City of Petaluma include vehicles traveling along roadways, railroads, and the Petaluma Municipal Airport.

### EKN Appellation Hotel

A Noise and Vibration Assessment was prepared by Illingworth & Rodkin on September 11, 2023 (**Appendix F**) to evaluate the potential for the Hotel component of the project to result in significant noise impacts during construction and at operation. The Assessment provides an overview of noise fundamentals, summarizes the applicable regulatory framework, discusses the results of noise monitoring completed onsite, and identifies potential impacts of the project. The Assessment includes two long-term and four short-term noise measurements, locations of which are shown in

**Figure** 9. Daytime and evening hourly equivalent noise levels at LT-1 (southeast corner of site) ranged from 62 to 69 dBA Leq and at LT-2 (northwest corner of site) from 57 to 68 dBA. Nighttime levels at LT-1 ranged from 50 to 67 dBA and at LT-2 from 45 to 62 dBA Leq. The calculated community noise level equivalent at LT-1 was 70 dBA CNEL and at LT-2 was 66 dBA CNEL. At the four short-term noise locations, including two onsite at the northeast and southwest corners of the site as well as offsite along B and C Streets, the equivalent noise levels ranged from 54 dBA Leq (offsite along C Street) to 71 dBA Leq (northeast corner of site).

**FIGURE 9: NOISE MEASUREMENT LOCATIONS[29]**


## NOISE IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.13 (a-b) (Noise Standards; Groundborne Vibration and Noise) Less than Significant:** Adoption of the Downtown Housing & Economic Opportunity Overlay will not result in physical development but will 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*

[29] Noise and Vibration Assessment, Illingworth & Rodkin, September 11, 2023, Figure 1, page 13.

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 will 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, that 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 will 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), occur 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 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 will occur as a result of the proposed Overlay, construction activities, including 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 will cease once construction of individual sites is complete. All future construction activities will be subject to performance standards set forth in the City's Implementing Zoning Ordinance, in particular Sections 21.303 and 21.040 which establishes 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 will be **less than significant**.

*Operation*

At operation, sites within the proposed Overlay will generate noise levels typical of residential and commercial uses and are expected to be compatible with the existing mix of uses in the surrounding areas. As stated previously, noise within the Overlay area is anticipated to be 65 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 will require a conditional use permit, that will only be granted by the Planning Commission with a finding, that the additional height will 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 will be subject to independent discretionary review, including an independent CEQA analysis which will 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 address concerns about noise at operation. As such, noise impacts as a result of operation of future site-specific developments under the proposed Overlay will be **less than significant**.

**4.13 (c) (Airport Noise) No Impact:** 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 will be no impacts resulting from exposure of future residents or employees in areas to excessive noise levels.

**EKN Appellation Hotel**

**4.13 (a) (Noise Standards) Less than Significant Impact with Mitigation:** Construction of the Hotel component of the project will 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 will 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 Hotel, the FTA eight-hour Leq 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 Leq. The center of the project site is approximately 300 feet from the nearest residence along Petaluma Blvd. S., 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 Blvd. S. will range from 58 to 65 dBA Leq and at the nearest commercial use will range from 74 to 81 dBA Leq.

Although nearby residential and commercial land uses will be exposed to elevated noise levels from construction, exposure is intermittent and temporary and will cease once construction is complete. Additionally, anticipated construction noise levels fall below the FTA criteria for residential and commercial uses and the project is subject to the performance standards set forth in Section 21.040 of the Implementing Zoning Ordinance. To ensure temporary construction noise does not result in a significant impact, the Hotel shall comply with the best management practices set forth in **Mitigation Measure EKN NOI-1**. With implementation of **Mitigation Measure EKN NOI-1**, construction noise levels will be minimized and impacts resulting from construction of the Hotel component of the project will be reduced to **less than significant**.

*Operation*

At operation, the proposed project will 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 three feet, and on average from 56 to 58 dBA. The Assessment analyzes the worst-case scenario, assuming all rooftop mechanical equipment will produce the maximum noise level of 75 dBA at three 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 will be less than 60 dBA Leq. 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 will be approximately 56 dBA which is within the noise limits established by the City. As noted in the Assessment, a significant noise impact will occur if the project generates 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 Hotel component of the project, the Assessment concludes that the project will result in less than 1 dBA CNEL increase because of project generated traffic. Based on the project's anticipated operational noise, impacts resulting from a permanent noise increase in excess of established standards will be **less than significant.**

**4.13 (b) (Groundborne Vibration and Noise) Less than Significant with Mitigation:** Construction of the project will result in temporarily perceptible vibration when heavy equipment and impact tools are used near the

project site boundaries. Though the City of Petaluma does not have established thresholds for vibration impacts, 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. Other conventional buildings within 20 feet of the project site will not be exposed to vibration levels beyond the 0.3 in/sec PPV threshold for conventional buildings. The nearest historic building is located at 20 4th Street, approximately 220 feet from the site. At this distance, the 0.25 in/sec PPV threshold will not be exceeded. To ensure project-generated vibration does not damage adjacent buildings, compliance with **Mitigation Measure EKN NOI-2** shall be required which establishes protective measures when vibration-generating activities occur with 20 feet of adjacent buildings. With implementation of **Mitigation Measure EKN NOI-2**, impacts associated with groundborne vibration and noise as a result of construction of the Hotel component of the project will be reduced to **less than significant**.

At operation the project will not generate groundborne vibration that will be perceptible nor will operation generate vibration that could result in structural damage. Therefore, the project at operation will not expose people or structures to excessive groundborne vibration or noise and impacts will be **less than significant**.

**4.13 (c) (Airport Noise) No Impact:** As described in the Hazards/Hazardous Materials section of this document, the Hotel component of the project is outside the boundaries of an airport land use plan and is not located in close proximity to a private airstrip. As such, there will be **no impacts** resulting from exposure of future hotel guests or employees in areas to excessive noise levels.

## NOISE MITIGATION MEASURES

**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; and
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.

**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.

## 4.14. POPULATION AND HOUSING

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) 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)? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ |

Sources: City of Petaluma General Plan 2025 and EIR; City of Petaluma Implementing Zoning Ordinance; and Petaluma Housing Element 2023 - 2031. United States Census Bureau, QuickFacts.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### POPULATION AND HOUSING SETTING

According to the U.S. Census Bureau, as of July 2022 the City of Petaluma had an estimated population of approximately 58,652 people.[30] The 2025 General Plan contemplates development of approximately 6,000 additional residential units and a buildout population of approximately 72,700, representing an annual growth rate of 1.2% per year. The Overlay component of the project will not result in direct physical development; however, it should be noted that residential uses are currently permitted within the Mixed Use 2 zoning district and two sites, located within Area C of the proposed Overlay are identified as opportunity sites in the City's 6th Cycle Housing Element. The Hotel component of the project does not propose residential development.

### POPULATION AND HOUSING IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay

**4.14 (a) (Substantial Unplanned Growth) Less than Significant:** The Overlay component of the project is located within the UGB, includes 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 allowing increase in the number of units allowed on a site above typical density standards, reduction in onsite parking requirements, and/or flexibility from development standards for applicable housing projects meeting specified income thresholds. The purpose of the City's Density Bonus Ordinance is to comply with the requirements of California State Density Bonus Law. The Overlay component of the project will not result in direct physical development but will allow future development proposals to increase lot coverage, FAR, and height relative to what is currently allowed by the General Plan and Implementing Zoning Ordinance and will also allow development of exclusively residential uses.

The proposed Overlay will allow intensification in building form and will permit exclusively residential uses (e.g. not in a mixed-use building). However, future development will continue to be subject to existing density requirements (as the project does not propose any changes to the allowed density of 30 units to the acre). Additionally, future projects proposed under the Overlay will continue to be considered for eligibility under the City's Density Bonus Ordinance and State Density Bonus Law. As such, the Overlay will 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 FEIR, and as allowed by the City's Density Bonus Ordinance and State Density Bonus Law. Introduction of new employment opportunities and residential developments under the Overlay may increase the workforce population, however, this has already been analyzed in the General Plan EIR and impacts found to be less than significant. As such, impacts related to substantial unplanned growth from the proposed Overlay will be **less than significant**.

[30] United States Census Bureau, Quick Facts, accessed April 2023, https://www.census.gov/quickfacts/petalumacitycalifornia

**4.14 (b) (Housing or Persons Displacement) No Impact:** The Overlay will not result in direct physical development and any redevelopment of sites located within the Overlay in the future will 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 project will not displace existing residents or housing units, necessitating construction of replacement housing and as such will result in **no impacts**.

### EKN Appellation Hotel

**4.14 (a) (Substantial Unplanned Growth) Less than Significant:** The Hotel component of the project does not propose new housing units that would induce residential population growth. However, the proposed hotel and restaurant will 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 project will 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 will be sized accordingly and as such will not indirectly induce substantial population growth. As such, impacts related to substantial unplanned growth as a result of the Hotel component of the project will be **less than significant**.

**4.14 (b) (Housing or Persons Displacement) No Impact:** The Hotel project site is currently vacant and as such will have **no impact** resulting from displacement of existing people or housing.

### POPULATION AND HOUSING MITIGATION MEASURES

None required.

## 4.15. PUBLIC SERVICES

| Would the project 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 any of the public services: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Fire protection? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Police protection? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Schools? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Parks? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Other public facilities? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan 2025 and EIR.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### PUBLIC SERVICES SETTING

The City of Petaluma charges one-time impact fees on new private development to offset the cost of improving or expanding City facilities to accommodate the demand generated by new development. Impact fees are used to fund the construction or expansion of capital improvements. Petaluma also collects impact fees for open space, parkland, and other amenities. Development impact fees are necessary to finance public facilities and service improvements and to pay for new development's fair share of the costs of the City planned public facilities and service improvements identified to accommodate buildout of the General Plan.

### PUBLIC SERVICES IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay

**4.15 (a-e) (Fire Protection, Police Protection, Schools, Parks, Other Public Facilities) Less Than Significant Impact:** The proposed Overlay component of the project will allow future development applications to increase lot coverage, FAR, and building height as well as permit exclusively multi-family developments within the MU2 zoning district, where currently multi-family housing is only permitted in a mixed-use building. As proposed, the Overlay will 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 will continue to be allowed including commercial, retail, residential and lodging uses. Future development will be subject to existing density requirements, such that the Overlay will 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 FEIR, and as provided by the City's Density Bonus Ordinance and the State Density Bonus Law.

Future development under the proposed Overlay will not adversely impact service ratios, response times or other performance objectives for fire and police protection, schools, and parks as future development will occur incrementally and will 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 project will be **less than significant**.

#### EKN Appellation Hotel

**4.15 (a-b) (Fire & Police Protection) Less than Significant Impact:** The Hotel project site is located in downtown Petaluma which is well served by existing public services. Implementation of the 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 four-minute travel time and six-minute response time for emergencies within the city. The project is situated approximately 0.4 miles from Fire Station 1, located at 198 East D Street and approximately 2 miles from Fire Station 3, at 831 S McDowell Boulevard. The 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 four minutes. The project is consistent with the General Plan 2025 due to its location within an established four-minute travel and six-minute response time, the ability of emergency response vehicles to override traffic controls with lights, sirens, and signal pre-emption, and ability to travel in opposing travel lanes in congested conditions.

Although additional fire and/or police service calls may occur as a result of the project, substantial new fire protection or police protection facilities will 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 will be **less than significant**.

**4.15 (c-e) (Schools; Parks; Other Public Facilities) Less than Significant Impact:** As a transient lodging use the 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 will be required to pay all applicable development impact fees prior to the issuance of a building permit. The payment of those impact fees will offset impacts the project may have on public facilities and impacts of the project will be **less than significant**.

**PUBLIC SERVICES MITIGATION MEASURES**

None required.

## 4.16. RECREATION

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Would the project 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: 2025 General Plan and EIR; Bicycle and Pedestrian Master Plan; Existing Conditions Report, Parks, Recreation, and Public Facilities, City of Petaluma General Plan Update; United States Census Bureau, QuickFacts.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### RECREATION SETTING

The City of Petaluma offers a variety of passive and active recreational opportunities within the UGB with approximately 18% of land (1,300 acres) devoted to parks and open space according to the Petaluma General Plan 2025. Sonoma County and the State also operate parks and recreational facilities near the city such as Petaluma Adobe State Historic Park, located east of the city limits and operated by the California State Parks Department, and Helen Putnam Regional Park, located in the southwestern edge of the city, and managed by the Sonoma County Regional Parks Department. Regional trails traverse the city limits as existing and proposed sections of multi-county trail networks that span the nine-county region, including the Bay Area Ridge Trail and San Francisco Bay Trail. The City of Petaluma and Sonoma Water maintain most of Petaluma's creeks and channels, with several waterways designed to include a multi-use trail alongside its banks. These creekfront and riverfront trails contribute to outdoor recreational opportunities.

General Plan policy 6-P-1 and programs set forth therein provide guidance to retain and expand recreational resources for the health and welfare of the city's inhabitants including policy 6-P-6 which requires the City to maintain a park standard of 5 acres per 1,000 residents, or approximately 0.005 acres of park space per resident. Park land development and open space acquisition impact fees are required for new development to help offset any potential impacts on recreation resources generated by development projects. Parks within close proximity to the proposed project include Walnut Park, Wickersham Park, Petaluma River Park, Penry Park, Putnam Plaza Park, and Liberty Park.

In addition to public parks, the City's Bicycle and Pedestrian Plan and Figure 5-2 of the General Plan identify existing and proposed bicycle routes throughout the city. Existing bicycle facilities in the vicinity of the project include Class II, on-street bicycle lanes on B Street and D Street, and Class III, on-street signs on Petaluma Blvd. South.

### RECREATION IMPACT ANALYSIS

#### Downtown Housing & Economic Opportunity Overlay

**4.16 (a) (Park Deterioration) Less Than Significant Impact:** Though the Overlay component of the project will not result in direct physical development, future development under the proposed Overlay will result in increases in the use of nearby parks and multi-use trail systems. Increased park use as a result of future development under the proposed Overlay will not result in substantial physical deterioration of facilities nor will deterioration be accelerated as projects will occur incrementally overtime and all projects will 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 will allow for increased building intensity through increased lot coverage, FAR,

and building height, any future development project that proposes new residential uses will 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.[31] With a current population of 58,652 residents,[32] 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 conditional use permit that will 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 will minimize any impacts to park deterioration as it will provide new recreation areas for the public to utilize. 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 will be **less than significant**.

**4.16 (b) (Construction or Expansion of Recreation Facilities) Less Than Significant Impact:** Future development under the proposed Overlay may include onsite recreational amenities for residential tenants or employees/patrons of commercial uses. Construction of any such facilities will be considered as part of future projects, which will 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 will not necessitate expansion of existing recreational facilities as all such future projects will 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 the open space requirement to build above 60 feet within the proposed Overlay. 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 project will be **less than significant**.

### EKN Appellation Hotel

**4.16 (a-b) (Park Deterioration and Recreation Facilities) Less Than Significant Impact:** As a transient lodging use the 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 will not be to a degree that will 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 Hotel component of the project will 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 will be **less than significant**.

**4.16 (b) (Construction or Expansion of Recreation Facilities) Less Than Significant Impact:** The Hotel component of the project does not include construction or expansion of recreational facilities that will have an adverse physical effect on the environment and as such impacts will be **less than significant**.

## RECREATION MITIGATION MEASURES

None Required.

[31] Existing Conditions Report, Parks, Recreation, and Public Facilities, City of Petaluma General Plan Update, August 19, 2022, Table 1, pages 3-9.

[32] United States Census Bureau, Quick Facts, accessed April 2023, https://www.census.gov/quickfacts/petalumacitycalifornia

## 4.17. TRANSPORTATION

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan and EIR; City of Petaluma Bicycle and Pedestrian Plan 2008; Technical Advisory on Evaluating Transportation Impact in CEQA, prepared by the California Office of Planning and Research, December 2018; Traffic Impact Study, W-Trans, September 26, 2023

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### TRANSPORTATION SETTING

The City of Petaluma is bisected by Highway 101, which serves as the primary route between San Francisco and Marin and Sonoma Counties. Highway 101 accommodates over 90,000 vehicles per day, within Petaluma. The City is served by several bus operators including Golden Gate Transit, Sonoma County Transit, Petaluma Transit, and Sonoma Marin Area Rail Transit (SMART). The SMART rail corridor bisects the city and provides commuter rail service via Petaluma's Downtown Station. The circulation system within the City of Petaluma consists of approximately 140 miles of streets including arterials, collectors, connectors, and local streets. The City's roadway system also includes a bicycle network, sidewalks, and off-street trails.

Level of service (LOS) has historically been used as a standard measure of traffic service within the City of Petaluma and focuses on delay-based criteria. The City of Petaluma, through General Plan policy 5-P-10 establishes a goal of maintaining a LOS 'D' or better. As of July 1, 2020, jurisdictions in California must comply with CEQA Guidelines section 15064.3(b), which requires analysis of transportation-related impacts using a vehicle mile traveled (VMT) metric. The VMT metric focuses on balancing the needs of congestion management with statewide goals related to infill development, promotion of public health through increased active transportation facilitated by closer proximity to alternative travel modes, and the reduction of greenhouse gas emissions. In July 2021, the City adopted VMT Implementation Guidelines that provide thresholds of significance, screening criteria, and mitigation options.

The General Plan EIR determined that implementation of the General Plan would result in less than significant impacts from an increased demand for transit service and safe bicycle parking. General Plan policies 5-P-40 through 5-P-45 support the expansion of the bus transit system and the location of transit-oriented development along transit corridors. General Plan policy 5-P-31 requires future development to provide bicycle support facilities.

### Downtown Housing & Economic Opportunity Overlay

The proposed Overlay component of the project is located within the boundaries of the city's downtown area, which is characterized by its walkable pedestrian scale environment. Many streets within and proximate to the proposed Overlay contain dedicated bicycle lanes, on-street bicycle routes, or are minor in nature, allowing for shared use with vehicles. The Overlay area is also well served by public transit, with bus stops located along Petaluma Blvd., Keller Street, and 4th Street. Additionally, the Petaluma Downtown SMART Station and Copeland Street Transit Mall are located less than one mile from the furthest point of the proposed Overlay

boundaries. This City is also commencing in the summer of 2024, a free micro transit shuttle that will provide bus transit from the Petaluma Fairgrounds and SMART station to downtown.

### EKN Appellation Hotel

A Traffic Impact Study was prepared by W-Trans on September 26, 2023 (**Appendix G**) and analyzes impacts associated with implementation of the Hotel component of the project. The Study includes a discussion of the characteristics and current evening peak operation[33] of four study intersections near the project site including Petaluma Blvd. North/East Washington Street, Petaluma Blvd. North/Western Ave, Petaluma Blvd. South/B Steet, and Petaluma Blvd. South/D Street. As described above, though LOS is no longer used to determine environmental impacts of a project, General Plan policy 5-P-10 establishes LOS D (35 to 55 second delay) as an acceptable intersection level of service. As detailed in the Study, all study intersections currently operate at LOS D or better. In addition to vehicular operations, the Study discusses pedestrian, bicycle, and transit facilities in vicinity of the project site. As detailed therein, the site is well served by these facilities. The impact analysis below relies in part on information contained in the Traffic Impact Study prepared for the Hotel component of the project.

## TRANSPORTATION IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.17 (a) (Conflicts with Plans, Policies, Ordinances) Less Than Significant Impact:** The proposed Downtown Housing & Economic Opportunity 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 Blvd. The Overlay will allow for greater building intensity in the city's downtown, including along Washington Street, Western Avenue, and Petaluma Blvd. South, thereby encouraging redevelopment of underutilizes sites, which will 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 will be subject to independent discretionary review and pay development fees for traffic impacts. Through the review process, individual projects will 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 will be required to demonstrate consistency with the City's Bicycle and Pedestrian Master Plan, applicable ordinances related to the transportation system, and will 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 will be **less than significant**.

**4.17 (b-d) (Conflict with 15064.3(b) VMT; Geometric Design Feature Hazard; Emergency Access) Less Than Significant Impact:** Based on the location of the proposed Overlay within the City's downtown, the majority of which is located within one-half mile of the Copeland Street Transit Mall and the Downtown Petaluma SMART Station, it is anticipated that future development will meet the VMT screening criteria set forth in the City of Petaluma VMT Implementation Guidelines. Though it is anticipated that projects may meet one or more of the screening criteria set forth therein, the City maintains discretion to request a project-specific VMT analysis. Additionally, through the discretionary review process, all future projects under the proposed Overlay will be required to demonstrate consistency with City regulations to ensure new development will not introduce a design feature hazard or impair emergency access to sites within the Overlay. As all future development within the proposed Overlay will be subject to independent discretionary review, impacts resulting from a conflict

[33] The p.m. peak hour occurs between 4:00 and 6:00 p.m. and reflects the highest level of daily congestion.

with CEQA Guidelines section 15064.3(b), through introduction of a design feature hazard, or through inadequate emergency access will be **less than significant**.

**EKN Appellation Hotel**

**4.17 (a) (Conflicts with Plans, Policies, Ordinances) Less Than Significant Impact:** As stated above, General Plan policy 5-P-10 establishes 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 Hotel component of the project, the four study intersections (Petaluma Blvd. North/East Washington Street, Petaluma Blvd. North/Western Ave, Petaluma Blvd. South/B Steet, and Petaluma Blvd. 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 Sonoma County Transportation Authority (SCTA) and translated to the weekday p.m. peak hour.
- **Future Plus Project** – Adds project-generated trips to anticipated future volumes

**TABLE 8: PM PEAK HOUR INTERSECTION LOS SCENARIOS[34]**

| Study Intersection | Existing | | Existing + Project | | Future | | Future + Project | |
|---|---|---|---|---|---|---|---|---|
| | *Delay* | *LOS* | *Delay* | *LOS* | *Delay* | *LOS* | *Delay* | *LOS* |
| Petaluma Blvd./E Washington St | 44.3 | D | 46.1 | D | 48.4 | D | 48.9 | D |
| Petaluma Blvd./Western Ave | 31.7 | C | 34.5 | C | 36.2 | D | 38.2 | D |
| Petaluma Blvd./B St | 28.9 | C | 31.1 | C | 36.8 | D | 38.5 | D |
| Petaluma Blvd./D St | 53.8 | D | 53.4 | D | **56.9** | **E** | **56.8** | **E** |

As shown in Table 8, the four study intersections will 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 Blvd./D Street intersection will 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 project will add trips to the through lane on Petaluma Blvd. S, which currently has a lower average delay as compared to the intersection as a whole. While the project will not necessarily improve intersection operation, it can be concluded that trips added by the project will make use of excess capacity, resulting in minimal change in the intersections overall operation. As shown above, under future and future plus project scenarios, the Petaluma Blvd./D Street intersection will degrade to LOS E. Though the intersection will 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 will operate unacceptably regardless of the project. Since the project will 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 will not be substantially impacted by the proposed development nor will the 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 and services. Based on the site's location within downtown, it is assumed that some hotel patrons will 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 Blvd. near the project site and as part of the project, a new bus stop and shelter will be constructed adjacent to Center Park, approximately 200 feet north of the site. The project will eliminate an existing driveway and curb cut along Petaluma Blvd. S 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 Blvd. S will be removed. The project also includes installation of a bus stop along Petaluma Blvd., north of the site, which is consistent with General Plan policy 5-P-43 to enhance transit priority along Petaluma Blvd. As proposed, the project will

[34] W-Trans, Traffic Impact Study, September 26, 2023, Table 8 and Table 9, page 18.

not conflict with policies addressing pedestrian, bicycle, or transit facilities and impacts will be **less than significant**.

**4.17 (b) (Conflict with 15064.3(b) VMT) Less Than Significant Impact:** 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 one-half mile of a major transit stop, may be presumed to have a less than significant VMT impact provided that the floor area ratio is not less than 0.75, 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 miles from the Downtown Petaluma SMART station and will be accessible via walking, bicycling, or transit. The site's FAR will exceed 0.75 and as described throughout this document, is consistent with Plan Bay Area. The site is vacant and therefore will not replace affordable residential units. Based on the site's location within the Parking Assessment District, the project will 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 project does not provide excess parking that would incentivize or encourage automobile travel. As proposed, the Hotel component of the project will rely on a limited supply of onsite valet parking as well as publicly available offsite parking. As such, the project meets the VMT screening criteria for sites within one-half mile of transit and as such impacts resulting from a conflict with CEQA Guidelines Section 15063.4(b) will be **less than significant**.

**4.17 (c) (Geometric Design Feature Hazard) Less Than Significant with Mitigation:** Hotel patrons will be required to utilize the valet service drop off and pick up area along Petaluma Blvd. S. At drop off, valet employees will drive vehicles to the subterranean garage accessible from B Street, approximately 100 feet from its intersection with Petaluma Blvd. S and at pick up will drive vehicles from the garage to the valet area on Petaluma Blvd. South. Vehicles entering and exiting the garage will need to yield to pedestrians and vehicles along B Street. As noted in the Traffic Impact Study, there is 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. towards 4$^{th}$ Street) will be limited as all valet pickups will occur along Petaluma Blvd. South. As such, the project will not introduce a design feature that will substantially increase hazards and as such impacts will be **less than significant**.

The Traffic Impact Study includes a queuing analysis for the valet area along Petaluma Blvd. South. The analysis assumes that four valet employees at peak operation will have a service rate of 32 vehicles per hour for both incoming and outgoing vehicles. Based on the project's trip generation, which includes 20 inbound vehicles utilizing the valet service during the pm peak period, the probability that there will be three vehicles is less than 10% and the probability of more than three vehicles is less than 6%. As such, it is unlikely that vehicles within the valet service area will exceed capacity. However, to ensure valet service operations do not exceed the available on street space, **Mitigation Measure EKN TRA-1** shall be implemented which requires preparation and ongoing implementation of a valet service plan. With implementation of **Mitigation Measure EKN TRA-1**, impacts resulting from vehicles queuing on Petaluma Blvd. South which could create a design hazard will be **less than significant**.

Construction of the proposed bus stop will be subject to applicable City standards which will ensure that introduction of a design feature hazard does not occur. As such, construction of the bus stop adjacent to Center Park along Petaluma Blvd., north of the site will result in less than significant impacts associated with a design feature hazard.

**4.17 (d) (Emergency Access) Less than Significant Impact:** The 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 Blvd. and B Street will 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 Blvd. South and B Street. As such, ongoing and temporary impacts to emergency access as a result of the Hotel component of the project will be

less than significant. At operation, there are no identified conflicts with emergency access and impact would be **less than significant**.

## TRANSPORTATION 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.

### 4.18. UTILITIES AND SERVICE SYSTEMS

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: City of Petaluma General Plan 2025 and EIR; Recology Sonoma Marin https://www.recology.com/recology-sonoma-marin/petaluma/commercial/, accessed September 2023.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

## UTILITIES AND SERVICE SYSTEMS SETTINGS

The City of Petaluma collects development and capacity fees on new construction within the city to support the maintenance and growth of public utility infrastructure, including water, wastewater, and storm drains. Future development under the proposed Overlay as well as the proposed Hotel component of the project will be subject to all applicable development fees.

### Water Supplies

In 2021, the City updated the Urban Water Management Plan (UWMP), to include a baseline and target demand analysis, a water service reliability and drought risk assessment, projected urban water use to 2045, and a description of programs to achieve the target demand reductions in the UWMP. Instream flow requirements have also been established to protect fish and wildlife species and recreation. Based on regional water supply

availability and use, the UWMP expects to be able to increase annual water deliveries to Petaluma from approximately 9,487 acre-feet (AF) in 2020 to 12,117 AF by 2045. In 2020, the City's average per capita water usage rate was 102 gallons per capita per day (GPCD). As presented in the City's UWMP the SB X7-7 GPCD target for the City of Petaluma was 141 GPCD for the year 2020. The results of that comparison find that potable water demand is well within the available Sonoma Water supply, for cumulative demand through 2045 as set forth in the 2021 UWMP. To assure that the City of Petaluma has sufficient water supplies to meet increased water demand, the General Plan requires routine monitoring of water supplies against actual use and evaluation for each new development project (Policy 8-P-4). The UWMP was submitted to the Department of Water Resources (DWR) who determined the plan adequate and in compliance with the California Water Code (CWC).

**Wastewater**

The Ellis Creek Water Recycling Facility treats all wastewater generated by the City of Petaluma and the unincorporated Sonoma County community of Penngrove. The collection system is comprised of approximately 195 miles of underground piping and nine (9) pump stations. The treatment capacity is about 6.7 million gallons per day (average dry weather flow). Approximately five (5) million gallons per day are treated under the existing wastewater generation condition, leaving approximately 1.7 million gallons in available treatment capacity. In the winter, secondary treated wastewater effluent is conveyed to the Petaluma River. During the summer, effluent receives tertiary treatment, and the recycled water is used for irrigation of agricultural lands, golf courses, city parks, schools, and landscaped areas of residential and commercial development.

**Storm Drains**

Within the City of Petaluma storm drains convey runoff from impervious surfaces such as streets, sidewalks, and buildings to gutters that drain to creeks and the Petaluma River and ultimately the San Pablo Bay. Most stormwater is untreated and carries with it any contaminants picked up along the way such as solvents, oils, fuels, and sediment. The city has implemented a storm drain-labeling program to provide a visual reminder that storm drains are for rainwater only. Additionally, the City's Stormwater Management and Pollution Control Ordinance, set forth in Chapter 15.80 of the City's Municipal Code, establishes requirements and controls on the storm drain system and all existing and proposed development is subject to the requirements set forth therein.

## UTILITIES AND SERVICE SYSTEMS IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay

**4.19 (a-c) (Relocation/Expansion of Utilities; Sufficient Water Supplies; Sufficient Wastewater Treatment Capacity) Less Than Significant Impact:** The proposed Overlay component of the project will not result in direct physical development however, future development of sites within the Overlay may result in increased connections to the City's utility system. The proposed Overlay is located within the city's downtown area in a highly urbanized area that is well served by existing utilities. All future development will be subject to discretionary review, will be required to demonstrate where and how proposed uses will connect to utility systems, and will be required to demonstrate consistency with applicable regulations for managing stormwater. Buildout of the General Plan considers development within the Overlay and although the Overlay will allow for greater building intensity, the increase in lot coverage, FAR, and height will not necessitate substantial relocation or expansion of utilities. Furthermore, the permitted residential density will 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 and associated General Plan EIR is not anticipated. Future development within the Overlay will occur incrementally overtime, will be subject independent discretionary review, including an independent CEQA analysis and determination, and subject to payment of applicable development impact fees including water and wastewater capacity fees which requires 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 will be required to comply with current building codes, which include measures to increase water efficiency. As such, the proposed Overlay will 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 will be **less than significant**.

The UWMP establishes Demand Management Measures and a Water Shortage Contingency Plan, which provides 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. The UWMP concludes that there are sufficient water supplies to meet water demands projected by the General Plan. 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 new development projects through the development review process will ensure that water and wastewater demand does not exceed capacity. Furthermore, as noted above, all new development will be subject to payment of water and wastewater capacity fees. There will 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 will be adequate capacity to serve wastewater treatment demands of future projects and as such impacts will be **less than significant**.

**4.19 (d, e) (Solid Waste Generation/Compliance with Solid Waste Management) Less Than Significant Impact:** The proposed Overlay component of the project will not result in physical development; however, it is anticipated that future development within the Overlay may consists of demolition of existing site improvements. Demolition during future construction as well as operation of future uses will contribute to the generation of solid waste. Through the Overlay will allow for increased building intensity through increased lot coverage, FAR, and height, the amount of solid waste generated is anticipated to be consistent with the service needs anticipated by the Petaluma General Plan and evaluated in the General Plan EIR. Additionally, solid waste diversion will 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 the California Green Building Standards Code, 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 will be supplied with the same solid waste and recycling opportunities through the County's existing waste management system via the city's solid waste service provider. Although future development within the Overlay will 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 project will have a **less than significant** impact due to the generation and disposal of solid waste.

**EKN Appellation Hotel**

**4.19 (a) (Relocation/Expansion of Utilities) Less Than Significant Impact:** The project will not require or result in the relocation or expansion of offsite utilities. Existing water, wastewater, electric power, and telecommunications facilities already extend to the project site, will provide opportunities for connection from B Street and Petaluma Blvd. South, and have sufficient capacity to serve the proposed development. The project will not result in significant environmental impacts due to the expansion of utilities or construction of new utilities as improvements are limited to activities onsite and along the site frontages. Though the Hotel component of the project will increase the amount of impervious surface as compared to existing conditions, the Preliminary Stormwater Control Plan prepared for the project demonstrates incorporation of LID features that will detain and treat runoff produced by a rainfall intensity equal to 0.2 inches per hour, consistent with regional standards and will 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 project is subject to development fees, impacts of the Hotel component of the project will be **less than significant**.

**6.19 (b) (Sufficient Water Supplies) Less Than Significant Impact:** 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

are sufficient to meet demand projected by the General Plan, including the Hotel component of the project as well as existing and planned demands through 2035. The project will be subject to the latest California Building Code requirements including plumbing and water efficiency standards as well as the City's Water Conservation Ordinance, which will further reduce water demands generated by the Hotel component of the project. Therefore, existing water supplies, facilities, and infrastructure are sufficient to meet water demands of the project during normal, single, and multiple dry year events and as such impacts of the project to water supplies will be **less than significant**.

**6.19 (c) (Sufficient Wastewater Treatment Capacity) Less Than Significant Impact:** Wastewater generated by the project is within the expected conveyance and treatment capacity anticipated by the General Plan and will not require expansion of treatment facilities. Applicable wastewater capacity fees will 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 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 Hotel component of the project will be conveyed to the existing sewer main within B Street which collects and conveys wastewater offsite through the municipal sanitary sewer system where it is ultimately conveyed to and treated at the Ellis Creek Water Recycling Facility.

The Hotel component of the project is not expected to exceed wastewater treatment requirements set forth by the Regional Water Quality Control Board, nor necessitate the expansion or construction of wastewater treatment facilities. The estimated wastewater generation of the Hotel component of the project falls within the capacity of the existing sanitary sewer lines and the City's wastewater treatment plant. The project will not include activities that generate wastewater requiring special treatment nor will it contain constituents exceeding applicable standards. The project will not exceed wastewater treatment requirements, adequate treatment capacity is available to accommodate wastewater generated by the project and impacts of the project will be **less than significant**.

**6.19 (d, e) (Solid Waste Generation/Compliance with Solid Waste Management) Less Than Significant Impact:** Construction of the Hotel component of the project will 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 will be subject to approval by the Sonoma County Department of Health Services and the Regional Water Quality Control Board and will require proper handling and disposal in compliance with federal, state, and local statutes and regulations (see Section 4.9). Additionally, the project will be required to comply with General Plan policy 4-P-21, policy 2-P-122, and the California Green Building Standards Code which requires waste reduction in compliance with the CoIWMP, and preparation of a construction waste management plan. Through compliance with applicable policies and regulations, impacts associated with construction waste will be **less than significant**.

As a commercial use, the Hotel component of the project will 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 project will 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 will finalize a waste management plan with Recology. Therefore, the project will have a **less than significant** impact due to the generation and disposal of solid waste.

## UTILITIES AND SERVICE SYSTEMS MITIGATION MEASURES

None Required.

## 4.19. WILDFIRE

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) 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 a wildfire? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) 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? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ |

Sources: 2025 General Plan and EIR; CalFire Fire Hazard Severity Zone Maps, Sonoma County, 2019; and Petaluma Fire Prevention Bureau, Fire Hazard Severity Zones.

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### WILDFIRE SETTING

Petaluma is susceptible to wildland fires due to the steep topography, abundant fuel load as trees, bushes and grassland surrounding the city, and climatic conditions. Areas most susceptible to fire hazards are located near the city margins and the Wildland Urban Interface Area. Lands surrounding the City of Petaluma that are within the State Responsibility Area are classified as moderate fire hazard severity zone to the west and south of the City and high and moderate to the east and north. The hills within the southern City limits are classified as Very High Fire Hazard Severity Zone (VHFHSZ) as part of the city's local responsibility areas determined by the Petaluma Fire Prevention Bureau.

In October 2017, the Tubbs Fire (Central LNU Complex) burned approximately 36,807 acres in Sonoma County. In October 2019, the Kincade Fire burned approximately 77,758 acres in Sonoma County. Residents were exposed to direct effects of wildfires, such as the loss of structures and to secondary effects, such as smoke and air pollution. Smoke generated by wildfires consists of visible and invisible emissions that contain particulate matter (soot, tar, water vapor, and minerals) and gases (carbon monoxide, carbon dioxide, nitrogen oxides). Public health impacts associated with wildfires include difficulty in breathing, odor, and reduction in visibility.

As shown on the City of Petaluma Fire Hazard Severity Zone Map and the MTC/ABAG Hazard viewer, the entirety of the Overly and Hotel components of the project are located outside of areas designated as fire hazard severity zones. Sites within the proposed Overlay, including the Hotel site, are generally flat, have historically been used for commercial purposes, and are primarily developed and surrounded by existing development.

Additionally, there is no history of wildfires occurring on or in the vicinity of sites located within the Overlay, including the site of the proposed Hotel.[35]

## WILDFIRE IMPACT ANALYSIS

### Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel

**4.20 (a-d) (Impair Emergency Plan; Wildfire Risk Exacerbation; Infrastructure Contributing to Wildfire Risk; Exposure to Wildfire-Related Risks) Less than Significant Impact:** As stated above, the Overlay and Hotel components of the project are categorized as Non-VHFHZ 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 component of the project 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 will be **less than significant**.

## WILDFIRE MITIGATION MEASURES

None required.

[35] MTC/ABAG Hazard Viewer Map, Layer: Historic Wildfire Perimeters, accessed September 2023, https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8

## 4.20. MANDATORY FINDINGS OF SIGNIFICANCE (CAL. PUB. RES. CODE §15065)

A focused or full environmental impact report for a project may be required where the project has a significant effect on the environment in any of the following conditions:

| Would the project: | OVERLAY COMPONENT | | | | HOTEL COMPONENT | | | |
|---|---|---|---|---|---|---|---|---|
| | PSI | LTS w/Mit | LTS | NI | PSI | LTS w/Mit | LTS | NI |
| a) Does the project have the potential to 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, 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? | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☒ | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ |

Notes: PSI = Potentially Significant Impact; LTS w/Mit = Less than Significant with Mitigation; LTS = Less than Significant; NI = No Impact

### MANDATORY FINDINGS DISCUSSION

#### Downtown Housing & Economic Opportunity Overlay and EKN Appellation Hotel

**4.21 (a) (Degrade the Environment) Less Than Significant Impact with Mitigation Incorporated:** As presented throughout this analysis future development under the Overlay component of the project as well as the Hotel component of the have the potential to result in temporary and permanent impacts to environmental resources. However, through the development review process for future development as well as implementation on standard conditions of approval, compliance with applicable federal, state, and local regulations, as well as implementation of mitigation measure identified herein, potentially significant impacts will be reduced to less than significant levels. As described in the Biological Resources discussion, based on the overall disturbed nature of sites within the Overlay, including the site of the proposed Hotel, impacts to special-status plant and wildlife species, as well as sensitive habitats will not occur, or will be avoided through compliance with mitigation measures. Additionally, the Cultural Resources discussion identifies potentially significant impacts to historical resources and identifies measures to ensure that potential impacts to buried cultural and tribal cultural resources are avoided. The Hydrology and Water Quality discussion and the Geology discussion identify measures to avoid and minimize potential environmental impacts associated with water quality, flooding, and soil stability. As described above, all future projects within the Overlay will be required to comply with applicable stormwater regulations, and as proposed the Hotel component of the project proposes onsite stormwater improvements that will capture runoff and provide for pretreatment prior to discharging to the city's storm drain system. No other impacts associated with environmental degradation, plant or animal communities, species population and ranges, or California history or pre-history have been identified. As such, with conditions of approval imposed by the City and implementation of mitigation measures set forth herein, the project will not degrade the quality

of the environment, reduce habitat, or affect cultural resources. Therefore, the Overlay and Hotel components of the project will have less than significant impacts due to degradation of the environment.

*Further analysis of impacts related to historical resources will be included in the Cultural and Tribal Cultural Resources chapter of the EIR.*

**4.21 (b) (Cumulatively Affect the Environment) Potentially Significant Impact:** Future development within the proposed Overlay as well as the proposed Hotel component of the project will contribute to cumulative impacts identified in the City's General Plan EIR. Incremental development within the Overlay will contribute to incremental growth in the city, thereby resulting in increased demands for public services and utilities, additional trips on local and regional roadways, and contributions to air quality and GHG emissions. The Overlay component of the project will encourage development within the city's downtown which will reduce GHG emissions associated with driving as goods, services, and residents will be located in a walkable and bikeable area proximate to transit. As discussed in detail in Sections 4.3, 4.6, and 4.8 of this document, the Hotel component of the project will be all-electric and will comply with applicable building and energy codes which will reduce the project's overall energy consumption and associated air quality and GHG emissions. Additionally, the Hotel component of the project will be required to implement air quality and GHG best management practices to reduce fugitive dust and GHG emissions during project construction.

However, the Project has the potential to result in significant cumulative impacts to scenic resources, the visual quality of the historic downtown, and/or listed or eligible historic resources. Therefore, a **potentially significant** impact could occur. *Further analysis of Cumulative Impacts will be included in the EIR.*

**4.21 (c) (Substantial Adverse Effect on Humans) Less Than Significant with Mitigation:** All future development proposed within the Overlay will be subject to independent discretionary review, which will ensure potential substantial adverse effects on humans are addressed on a site- and development-specific basis. The Hotel component of the project has the potential to result in adverse impacts to humans related to air quality, geology and soils, hazards, hydrology and water quality, noise, and transportation. However, through compliance with mitigation measures set forth herein, environmental effects with the potential directly or indirectly impact humans will be less than significant. As such, the Overlay and Hotel components of the project will have **less than significant** impacts due to substantial adverse effects on human beings.

## MITIGATION MEASURES

Impacts identified above are addressed through incorporation of mitigation measures identified throughout this document and include those listed below. A full description of mitigation measures is included in the individual resource discussions contained in Sections 4.1 through 4.19 of this document.

- EKN AQ-1
- EKN BIO-1, EKN BIO-2
- EKN GEO-1, EKN GEO-2, EKN GEO-3, EKN GEO-4
- EKN GHG-1, EKN GHG-2
- EKN HAZ-1, EKN HAZ-2
- EKN NOI-1, EKN NOI-2
- EKN TRA-1

# 5. REFERENCE DOCUMENTS

## 5.1. TECHNICAL APPENDICES

A. Construction Health Risk & Greenhouse Gas Assessment, Illingworth & Rodkin, September 11, 2023

B. Geotechnical Investigation, Miller Pacific Engineering Group, January 28, 2022

C. Covenant and Environmental Restriction on Property, Sonoma County Clerk-Recorder

D. Regional Water Quality Control Board Correspondence, July 2022

E. Preliminary Stormwater Control Plan, N Consulting Engineers, Inc., September 26, 2023

F. Noise and Vibration Assessment, Illingworth & Rodkin, September 11, 2022

G. Traffic Impact Study, W-Trans, September 26, 2023

## 5.2. OTHER DOCUMENTS REFERENCED

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2. BAAQMD, 2017 Bay Area Clean Air Plan, April 19, 2017
3. BAAQMD, 2022 CEQA Air Quality Guidelines
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9. City of Petaluma, 2023-2031 Housing Element, March 20, 2023
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11. City of Petaluma, Climate Emergency Framework, January 11, 2021
12. City of Petaluma, General Plan 2025, May 2008, Revised May 12, 2021
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15. City of Petaluma, General Plan Update, Historic Resources, June 16, 2022
16. City of Petaluma, General Plan Update Existing Conditions Report, Land Use and Community Character, September 2022.
17. City of Petaluma, General Plan Update, Existing Conditions Report, Parks, Recreation, and Public Facilities, August 19, 2022.
18. City of Petaluma Implementing Zoning Ordinance
19. City of Petaluma, Local Hazard Mitigation Plan, June 2020
20. City of Petaluma Municipal Code
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22. Federal Emergency Management Agency's Flood Insurance Rate Map, Map No. 06097C0982G
23. Hotel Project Plans, September 8, 2023
24. MTC/ABAG, Final Plan Bay Area 2050, October 21, 2021.
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27. National Register of Historic Places Continuation Sheet, Section Number 7, Petaluma Historic Commercial District
28. Petaluma Fire Prevention Bureau, Fire Hazard Severity Zones
29. Sonoma Clean Power 2016 Annual Report; 2018 Annual Report; 2021 Annual Report
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31. Sonoma County Regional Climate Protection Authority, Climate Action 2020 and Beyond, Sonoma County Regional Climate Action Plan, July 201
32. Sonoma Marin Area Rail Transit, Green Commute fact sheet, January 2020
33. Sonoma Water, Groundwater Sustainability Plan Petaluma Valley Groundwater Basin, December 2021
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