



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 9/12/2023

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Hannah Spencer, Supervising Planner (707) 565-1928

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

File No. PLP18-0012 Withdrawal of Appeal of a Use Permit and Design Review approval to allow a new 108-room resort (Lodge on Russian River) at 17155 Highway 116, Guerneville.

Recommended Action:

Consent to the appellant's voluntary request to withdraw his appeal of a Board of Zoning Adjustments decision (Resolution 23-05) to approve a Use Permit and Design Review application for a new 108-room resort (Lodge on Russian River), at 17155 Highway 116, Guerneville; APN 072-130-005, -007 and -009; Permit Sonoma File No. PLP18-0012. (Fifth District)

Appellant (requesting appeal withdrawal): Larry Hanson, Forest Unlimited

Executive Summary:

On March 23, 2023 the Board of Zoning Adjustments (BZA) considered and approved an application for a Use Permit and Design Review subject to conditions of approval, to construct and operate a new 108-room resort (Lodge on Russian River) with a maximum building height of 35 feet, implement a Streamside Conservation Plan to allow for Riparian Corridor encroachment of 4,490 square feet (SF) and habitat restoration of 1.26 acres, and to construct improved public river access with a 25-space parking lot, improved trail and restroom, located on a 9.61-acre vacant parcel formerly known as 'Guernewood Park Resort'. The application was approved on a majority vote, 4-0-1-0 vote. Four Commissioners voted in favor of the application; one was absent.

On April 3, 2023, the appellant filed a timely appeal of the BZA decision to approve the Use Permit and Design Review application. The appeal raises concerns with the overall adequacy of the Mitigated Negative Declaration adopted for the project and states there are substantial public concerns with respect to significant adverse environmental impacts posed by the project. Appeal issues include 1) concerns with the environmental analysis and mitigation for impacts related to wildfire and evacuation, traffic and parking, aesthetics, greenhouse gas emissions, river encroachment and tree removal; 2) need for a full environmental impact report; and 3) inadequate opportunity for the public to review and comment on new project information.

On August 23, 2023, the appellant submitted a formal request to Permit Sonoma to withdraw the appeal. Pursuant to County Code §26-92-160(c), an appeal may be withdrawn with Board of Supervisors consent.

Discussion:

Pursuant to County Code §26-92-160, any interested person may appeal any decision made by the Board of Zoning Adjustments to the Board of Supervisors. Subsection (c) of this regulation allows that “any appeal filed pursuant to this section may be withdrawn where the appellant requests such withdrawal and the board of supervisors consents.”

Permit Sonoma received a formal request to withdraw the appeal from the appellant on August 23, 2023. The appellant stated Forest Unlimited is dismissing the appeal as the parties (Lok GuerneWood Park Development Company LLC, Gatehouse Partners LLC, Lodge on Russian River, LLC, and Forest Unlimited) have entered into a Settlement Agreement resolving the matter.

Project History:

Date	Project Event/Milestone
07/17/2008	Original resort application submitted
2014/2015	Project reactivated
05/22/2018	Revised application sent on referral to prominent agencies
11/7/2018	Design Review Committee holds public meeting on preliminary design plans
02/20/2020	Application deemed complete
08/27/2021 - 9/27/2021	Mitigated Negative Declaration (MND) circulated for public comment
10/28/2021	Board of Zoning Adjustments (BZA) public hearing continued (no discussion)
02/24/2022	BZA holds public hearing, requests building design changes, and continues hearing to a date uncertain
10/26/2022	Complete revised application submitted
11/02/2022 - 12/02/2022	Revised MND circulated for public comment, Permit Sonoma receives comments from California Department of Fish and Wildlife
02/03/2023 - 03/06/2023	Revised MND re-circulated for public review and comment
03/23/2023	BZA holds final public hearing, adopts MND and approves project subject to conditions of approval
04/03/2023	Appeal filed by Larry Hanson, Forest Unlimited
08/23/2023	Appeal withdrawn by Larry Hanson, Forest Unlimited

Strategic Plan:

Not Applicable

Racial Equity:

Agenda Date: 9/12/2023

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

Not Applicable

FISCAL SUMMARY

Not Applicable

Narrative Explanation of Fiscal Impacts:

None. The cost of this appeal and permit process is paid by the applicant.

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

ATT 1 PLP18-0012 Appeal Letter dated 4-3-23

ATT 2 PLP18-0012 Withdrawal Request dated 8-23-23

ATT 3 PLP18-0012 Board of Zoning Adjustments Resolution

Related Items "On File" with the Clerk of the Board:

Not Applicable