



# County of Sonoma

## State of California

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Date: July 19 2022

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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☐ 4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, To Amend the Airport Industrial Area Specific Plan To Adopt A Parcel Specific Policy, Adopt The Mitigated Negative Declaration, and Approve The Use Permit And Design Review Request Subject To The Conditions Of Approval As Requested By Landmark Hotels, LLC, For Property Located At 3750 North Laughlin Road, Santa Rosa, CA 95403 APN 059-370-033.**

**Whereas,** the applicant, Landmark Hotels, Inc., on behalf of property owner Royal Oak Development Co., filed an application with the Sonoma County Permit and Resource Management Department for a project to construct a 165-room, six story hotel with a 176-seat rooftop restaurant at 3750 North Laughlin Road, Santa Rosa, California on a 3.52-acre vacant parcel (APN 059-370-033) located west of US Route 101 and east of the Charles M Schulz Airport and application for a development agreement (Hyatt Hotel Project); and

**Whereas,** the Federal Aviation Administration (FAA) conducted an aeronautical study under the provisions of 49 U.S.C. Section 44718 and Title 14 of the Code of Federal Regulations, part 77, and on August 7, 2020 the FAA issued a determination that the Hyatt Hotel Project would present no hazard to air navigation; and

**Whereas,** the Design Review Committee held a duly noticed public hearing on June 14, 2021 regarding the Amendment to the Airport Industrial Area Specific Plan and Use Permit for the Hyatt Place Hotel and approved the preliminary design; and

**Whereas**, on June 18, 2021, the Airport Land Use Commission held a duly noticed public hearing reviewed the proposed Specific Plan Amendment, Use Permit and Design Review for the Hyatt Hotel Project and made a determination that the proposed amendment to the Airport Industrial Specific Plan is consistent with the Comprehensive Airport Land Use Plan and consistent with the General Plan. The proposed amendment benefits the public interest because it supports primary planning area uses, allows flexibility in design standards necessary to adapt to current market trends, while ensuring air travel and air safety are not negatively impacted; and

**Whereas**, a Revised Mitigated Negative Declaration dated February 7, 2022, which addresses all aspects of the Project, was prepared for the Hyatt Hotel Project and noticed and made available for agency and public review and comment in accordance with the California Environmental Quality Act ("CEQA") and the State and County CEQA Guidelines; and

**Whereas**, in accordance with applicable provisions of law, the Planning Commission held a duly noticed public hearing on March 10, 2022, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration, the Specific Plan Amendment, the Use Permit with conditions, and the Development Agreement for the Hyatt Hotel Project. All interested persons were given an opportunity to hear and be heard; and

**Whereas**, the Planning Commission reviewed the Mitigated Negative Declaration, the Use Permit with Conditions, Specific Plan Amendment, and Development Agreement for the Hyatt Hotel Project. The Planning Commission recommended that the Specific Plan Amendment be revised to reflect a parcel specific policies rather than policies applicable to the entire Specific Plan; and

**Whereas**, the Planning Commission passed a resolution recommending that the Board of Supervisors approve the project; and

**Whereas**, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on July 19, 2022, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Hyatt Hotel Project.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of the County of Sonoma, makes the following findings:

Section I. Purpose and Findings. This Resolution is adopted to approve the mitigated negative declaration, mitigation monitoring program, specific plan amendment attached as Exhibit B, and use permit with conditions. The Board of Supervisors finds and declares the following in support of the adoption of this Resolution:

1. CEQA Review. The Hyatt Hotel Project, including the Specific Plan Amendment, Use Permit and Development Agreement, has undergone environmental review pursuant to a Revised Mitigated Negative Declaration dated February 7, 2022, SCH #2022020175.
2. General Plan Consistency and Airport Industrial Specific Plan Amendment. The Development Agreement will provide public benefits consisting of dedication of right of way and maintenance of public improvements and funding for a fire engine. The Hyatt Hotel Project, including the right of way improvements and maintenance, is consistent with the General Plan for the reasons discussed in the revised MND and in staff reports to the Airport Land Use Commission, the Planning Commission and the Board of Supervisors. The contribution towards a fire engine will promote fire protection and public safety. Accordingly, the Development Agreement is consistent with the goals, policies and programs of the General Plan. The amendment to add a parcel specific policy to the Airport Industrial Specific Plan is in the public's interest because it supports primary planning area uses, and it would introduce the flexibility necessary to adapt to current markets and allow design to evolve to reflect contemporary practices, while ensuring air travel and air safety are not negatively impacted.
3. Zoning Consistency. The Development Agreement is consistent with the Sonoma County zoning ordinance, based on the reasoning and analysis set forth in the staff report to the Planning Commission.. The processing and content of the Development Agreement comply with all

applicable requirements of Article 100 of Chapter 26 (Zoning) of the Sonoma County Code, including the processing and content requirements applicable to development agreements.

**Be It Further Resolved** that the Board of Supervisors adopts and approves the Revised Mitigated Negative Declaration. The Board of Supervisors hereby adopts the Revised Mitigated Negative Declaration and the Mitigation Monitoring Program set forth in the Conditions of Approval, which are attached as Exhibit A. The Board certifies that the Revised Mitigated Negative Declaration has been completed, reviewed and considered, together with comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the revised Mitigated Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors. This Board adopts the findings and conclusions of the MND for the reasons stated therein, and concludes that, in light of the whole record, there is no substantial evidence of a fair argument that the Hyatt Hotel project will have a significant effect on the environment.

**Be It Further Resolved** that the Board of Supervisors approves the Specific Plan Amendment attached as Exhibit B, Design Review, and Use Permit subject to Conditions attached as Exhibit A. The amendment to the Airport Industrial Specific Plan is in the public's interest because it would introduce the flexibility necessary to adapt to current markets and allow design to evolve to reflect contemporary practices, while still ensuring air travel and air safety are not negatively impacted. The unique attributes of the parcel at 3750 N. Laughlin, including its size, the fact that it remains undeveloped, its location proximate to the airport, its direct access to the airport, and the fact that that site is already or can easily be served by utilities and other infrastructure, makes it appropriate to establish the parcel-specific policies enacted by this Specific Plan amendment.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, CA 95043.

**Supervisors:**

Gorin:	Rabbitt:	Coursey:	Hopkins:	Gore:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

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Exhibit A – Conditions of Approval, Including Mitigation Monitoring Program

[Attach copy after BOS approval]

Exhibit B – Specific Plan Text Amendment

Section V. Land Use and Open Space Element, B. Industrial Park Areas, 2. Allowable Uses (on page 37) of the Specific Plan is amended to add the text shown here in bold and underlined:

In addition to these uses, certain commercial support activities such as finance, retail, and service businesses (including restaurants and lodging) which are directly related to needs generated within the planning area and the County airport may be allowed under a conditional use permit. **Except for the 3.52-acre parcel at 3750 N. Laughlin Road that may be developed into a hotel**, such commercial support uses shall be allowed only as components of industrial park development plans of 15 acres or more in area, and should comprise no more than 5 percent of the total floor space in such development plans.”

Section V. Land Use and Open Space Element, B. Industrial Park Areas, 4. Site Development Standards (on page 39) of the Specific Plan is amended to add the text shown here in bold and underlined:

The following standards are established by this plan to provide minimum guidelines for development of planning area parcels. They are intended to create a uniformity of quality design within the industrial park area while allowing enough flexibility to encourage innovative building and site design. **Exceptions to these standards may be allowed for the 3.52-acre parcel at 3750 N. Laughlin Road upon Design Review approval and issuance of a Use Permit provided valid Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration Commission is obtained prior to the Design Review hearing.**

Section IX. Specific Plan Relationship to Local Policies, A. Sonoma County Airport Land Use Commission Policies #2 (on page 127) is amended to add the text shown here in bold and underlined:

2. No structure may exceed the height limits or building coverage allowed by the plan, even with special use permit approval. **Exceptions to these standards may be allowed for the 3.52-acre parcel at 3750 N. Laughlin Road, provided the project has obtained a valid Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration, Design Review approval and issuance of a Use Permit.**