

**ORDINANCE NO. 3737
 ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
 APPROVING THE LUIZ RANCH INC. REZONING
 3001 LUCAS VALLEY ROAD, SAN RAFAEL
 ASSESSOR'S PARCELS: 164-320-12, -16, -17 AND -21**

SECTION I: FINDINGS

1. **WHEREAS**, Scott Hochstrasser, on behalf of the owners, Luiz Ranch, Inc., has submitted a Rezoning application to rezone approximately 1,000 acres of land located at 3001 Lucas Valley Road from RMP-0.1 (Residential, Multiple Planned, one unit per 10 acres) to A-60 (Agriculture and Conservation District, 60 acre minimum lot size).

The land areas included in the proposed rezoning are subject to agricultural and open space conservation easements granted by the property owner to the Marin County Open Space District (MCOSD) between 2002 and 2017 and subsequently transferred to the Marin Agricultural Land Trust (MALT) in February 2018 for long-term monitoring and management. The rezoning is requested by the property owner to bring zoning of the easement areas into closer alignment with the current and intended use of the property for on-going agricultural use consistent with the conservation easements. The following table summarizes the current APN, previous APN at the time of easement creation, size and easement name.

Proposed Luiz Ranch Rezoning

Current APN	Previous APN <i>(at creation of easement)</i>	Size <i>(approximate)</i>	Easement Name
164-320-21	164-320-07 (portion)	430 acres	RH1 (created 2002)
164-320-16	164-320-14 (portion)	330 acres	RH2 (created 2009)
164-320-12 and 164-320-17	164-320-12 and 164-320-15 (portion)	240 acres	RH3 (created 2017)

To ensure that the proposed rezoning is consistent with the Marin Countywide Plan (CWP) land use designation for the parcels, the County initiated an amendment to the land use designation from the current designation of PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 dwelling unit per 31-60 acres).

2. **WHEREAS**, on December 9, 2019, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the proposed rezoning and Marin Countywide Plan land use designation amendment.

3. **WHEREAS**, on December 9, 2019, the Marin County Planning Commission recommended approval of the ordinance to the Marin County Board of Supervisors.

4. **WHEREAS**, on July 14, 2020, the Marin County Board of Supervisors held a duly noticed public hearing to take public testimony and consider the project.

5. **WHEREAS**, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it does not increase the intensity of use or potential development that would be allowed on the property and would thus not result in a significant effect on the environment.

6. **WHEREAS**, the A-60 (Agriculture and Conservation District) zoning district is consistent with the AG1 (Agriculture) Marin CWP land use designation as both would facilitate agricultural use of the site consistent with the conservation easement that is in affect over the property.

SECTION II: ACTION

The Board of Supervisors of the County of Marin ordains as follows.

The following Assessor's Parcels: 164-320-12, 164-320-16, 164-320-17 and 164-320-21 shall be rezoned from RMP-0.1 (Residential, Multiple Planned, 1 unit per 10 acres) to A-60 (Agriculture and Conservation District, 60-acre minimum lot size).

SECTION III: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty days from and after the date of its passage and shall be published once before the expiration of fifteen days after its passage, with the names of the Supervisors voting for and against the same, in the *Marin Independent Journal*, a newspaper of general circulation published in the County of Marin.

SECTION IV: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this 14th day of July 2020 by the following vote:

AYES: SUPERVISORS Dennis Rodoni, Judy Arnold, Damon Connolly, Kathrin Sears
Katie Rice
NOES: NONE
ABSENT: NONE



PRESIDENT, BOARD OF SUPERVISORS

ATTEST:



CLERK