

**ATTACHMENT 3**

**MARIN COUNTY BOARD OF SUPERVISORS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CONDITIONALLY APPROVING THE 2008 EASTON POINT RESIDENTIAL DEVELOPMENT MODIFIED MASTER PLAN**

**ASSESSOR'S PARCEL: 059-251-05**

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**SECTION I: FINDINGS - CALIFORNIA ENVIRONMENTAL QUALITY ACT**

1. **WHEREAS** a Draft and Final Environmental Impact Report and subsequent Amendment(s) (EIR) was prepared for the 2008 Easton Point Residential Development Project consisting of a Countywide Plan Amendment, Rezoning, Master Plan, Precise Development Plan and Tentative Subdivision Map by Nichols-Berman, environmental consultant to the County of Marin, pursuant to requirements of the California Environmental Quality Act ("CEQA" Public Resources Code Sections 21000-21177, State of California CEQA Guidelines, and County of Marin CEQA procedures.
2. **WHEREAS**, on September 12, 2017, the Marin County Board of Supervisors adopted Resolution No. \_\_\_\_\_, which certified the EIR for the 2008 Easton Point Residential Development Project as adequate for taking an action on the project.
3. **WHEREAS**, based on the EIR, the Marin County Board of Supervisors hereby makes findings pursuant to CEQA as contained in "Exhibit 1" attached to this Ordinance and incorporated herein by reference.

**SECTION II: FINDINGS FOR MASTER PLAN APPROVAL AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE COUNTY PLANS**

4. **WHEREAS**, the Marin County Board of Supervisors finds that the Martha Company submitted a Modified Master Plan application for 43 half-acre residential lots, 2 open space parcels, 2 water tank parcels, a radio communications parcel, including access roads and other utilities under a 1976 Court Judgment.
5. **WHEREAS**, the Marin County Board of Supervisors hereby makes finding for project approval and for determination of project consistency with applicable County plans as contained in "Exhibit 2" attached to this Ordinance and incorporated herein by reference.

**SECTION III: ACTION**

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

The project described in Exhibit 3, condition of approval 1, is authorized by the Marin County Board of Supervisors and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

**NOW THEREFORE, BE IT RESOLVED** that the Marin County Board of Supervisors hereby enacts an ordinance that conditionally approves the 2008 Easton Point Residential Development Modified Master Plan (MP 09-2) subject to modifications and Conditions of Approval contained in "Exhibit 3" of this Ordinance. Exhibit 3 is attached to this ordinance and incorporated herein by reference; and

**NOW THEREFORE, BE IT FURTHER RESOLVED:** that the Marin County Board of Supervisors approves the Mitigation Monitoring and Reporting Program for the 2008 Easton Point Residential Development Project contained in 'Exhibit 4' of this Ordinance. Exhibit 4 is attached to this ordinance and incorporated herein by reference.

#### **SECTION IV: EFFECTIVE DATE**

This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

#### **SECTION V: VOTE**

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 19th day of September, 2017 by the following vote to wit:

AYES: SUPERVISORS

NOES:

ABSENT:

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JUDY ARNOLD, PRESIDENT  
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

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Matthew H. Hymel  
Clerk of the Board of Supervisors