

COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

July 14, 2020

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Luiz Ranch Countywide Plan Map Amendment and Rezoning
3001 Lucas Valley Road, San Rafael
Portions of Assessor's Parcels 164-320-12, -16, -17, and -21

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

www.marincounty.org/cda

Dear Supervisors,

RECOMMENDATION:

On behalf of the Planning Commission, staff recommends that your Board adopt the proposed ordinance rezoning portions of the Luiz Ranch property, located in the Lucas Valley area of San Rafael. Additionally, it is recommended that your Board adopt the corresponding amendments to the Marin Countywide Plan land use designation for consistency purposes. The item was originally scheduled for the March 17, 2020 Board of Supervisors hearing which was canceled due to the Coronavirus-19 pandemic.

SUMMARY:

On December 9, 2019, the Planning Commission recommended that the Board of Supervisors approve the proposed rezoning and Marin Countywide Plan (CWP) land use designation amendment for portions of the Luiz Ranch property. As described below, the proposed rezoning is a result of a previously issued planning entitlement (Rocking "H" Ranch Precise Development Plan) and subsequent voluntary agricultural open space easements requested by the property owner that would result in a maximum residential density of 10 units on the property. In addition to the proposed rezoning, the County has initiated an amendment to the CWP land use designation to ensure vertical consistency between the County's general plan and the Development Code zoning designation for the parcels, consistent with State planning law.

DISCUSSION:

On June 28, 2018, the applicant, Scott Hochstrasser on behalf of Luiz Ranch Inc., submitted a request to rezone approximately 1,000 acres located at 3001 Lucas Valley Road, San Rafael 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 agriculture, consistent with the conservation easements. Since the area proposed to be rezoned was previously restricted from residential development, the proposed rezoning does not reduce the housing development potential on the subject property.

FISCAL/STAFFING IMPACT:

The zoning and land use designation amendments are not expected to have fiscal or staffing impacts.

ALTERNATIVE TO RECOMMENDED ACTION:

As an alternative to the applicant’s proposed A-60 zoning designation, planning staff presented the ARP-60 (Agriculture, Residential Planned, 1 unit per 60 acres) for consideration by the Planning Commission. In comparison, both the A-60 and ARP-60 zoning districts allow agricultural uses such as crop production, dairy operations, grazing, and small- and large-livestock operations, consistent with the restrictions under the MALT easement, and both zoning districts are consistent with the AG-1 CWP land use designation.

However, the ARP may be a more suitable zoning district because it would maintain a more congruous zoning plan for the upper Lucas Valley area, which is governed by a “planned” family of zoning districts (e.g. ARP, RMP, etc.). These lands include the ARP-zoned properties that adjoin the Luiz Ranch to the west, as well as the two pockets of RMP (Residential, Multiple Planned)-zoned land within the Luiz Ranch and on the north side of Lucas Valley Road that make up the Big Rock Ranch. (Please refer to Attachments 3 and 4.) The planned district zoning would also provide greater flexibility in the future siting of agricultural improvements and complements the MALT easement by providing an additional layer of protection for environmental resources, such as streams, when compared to the conventional A-60 zoning. The final advantage associated with an ARP zoning designation is that it would affirm the County’s authority to enforce the prior Precise Development Plan (PDP) approval over the property, something that would be cumbersome under the conventional, A-60 zoning district because PDP’s are not a permit type that is allowed in the A-60 zoning district.

REVIEWED BY:

- | | |
|--|------------------------------|
| <input type="checkbox"/> Department of Finance | <input type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> N/A |

SIGNATURE:

Michelle Levenson

Michelle Levenson
Senior Planner

Attachments:

1. Recommended ordinance
2. Recommended resolution
3. Rezoning map
4. Existing zoning plan in vicinity of Luiz Ranch
5. Agricultural easement, recorded May 18, 2018
6. Planning Commission final resolution
7. Planning Commission staff report, attachments and minutes from the December 9, 2019, Planning Commission meeting

MARIN COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. _____

**AN ORDINANCE 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, State of California, on the 14th day of July 2020, by the following vote to wit:

AYES: SUPERVISORS

NOES:

ABSENT:

KATIE RICE, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

Matthew H. Hymel
Clerk of the Board of Supervisors

MARIN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. _____

**A RESOLUTION APPROVING A COUNTY-INITIATED AMENDMENT TO THE MARIN
COUNTY WIDE PLAN LAND USE DESIGNATION
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 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 proposed rezoning and Marin CWP land use designation amendment.

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

NOW THEREFORE, BE IT RESOLVED that the Marin County Board of Supervisors hereby amends the Marin CWP land use designation for the following APN's: 164-320-12, 164-320-16, 164-320-17 and 164-320-20 from PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 unit per 31-60 acres).

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 14th day of July 2020, by the following vote to wit:

AYES: SUPERVISORS

NOES:

ABSENT:

KATIE RICE, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

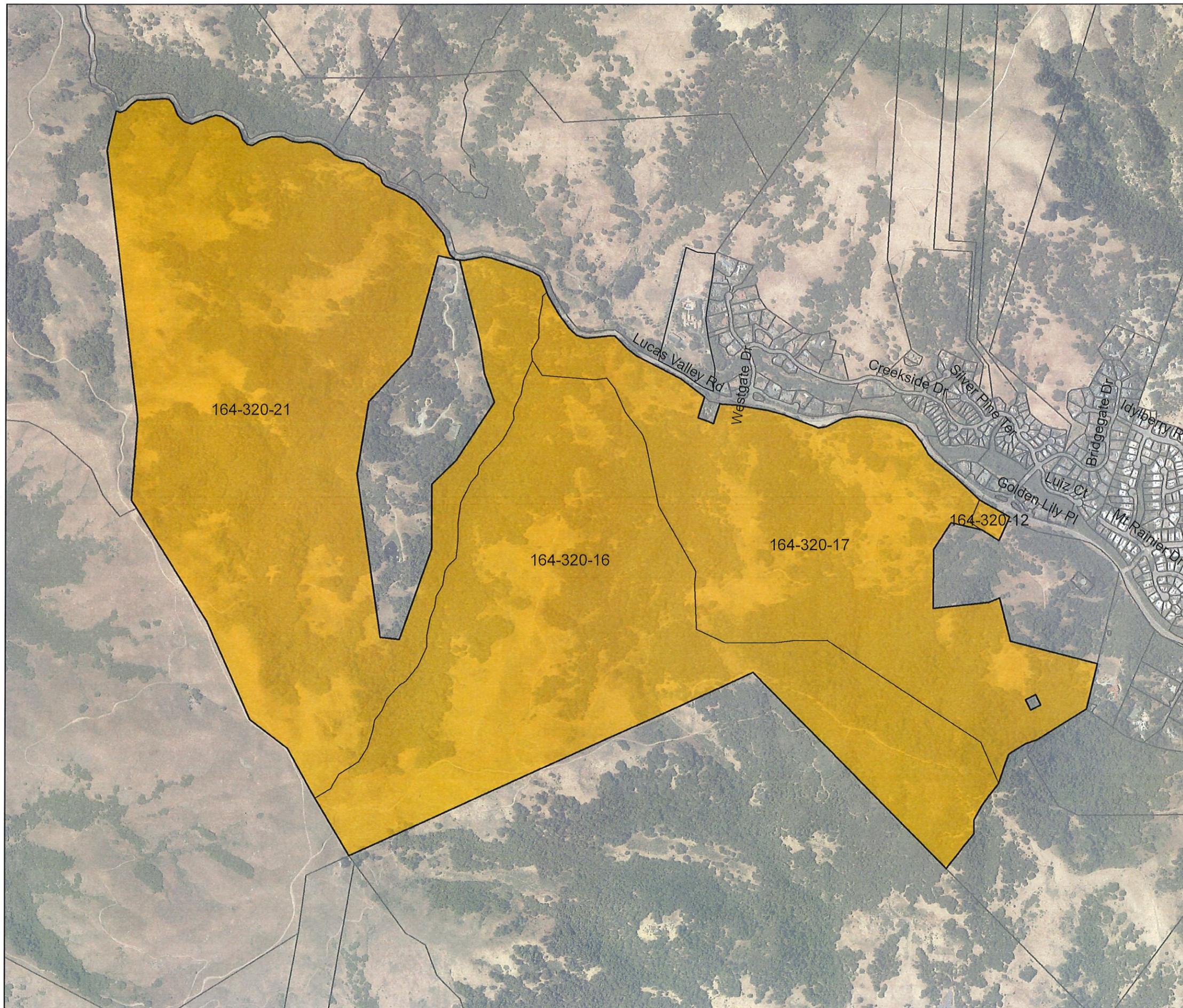
ATTEST:

Matthew H. Hymel
Clerk of the Board of Supervisors

CURRENT ZONING

LUIZ RANCH INC

APN	Current Zoning	CWP
164-320-12	RMP-0.1	PR
164-320-16	RMP-0.1	PR
164-320-17	RMP-0.1	PR
164-320-21	RMP-0.1	PR

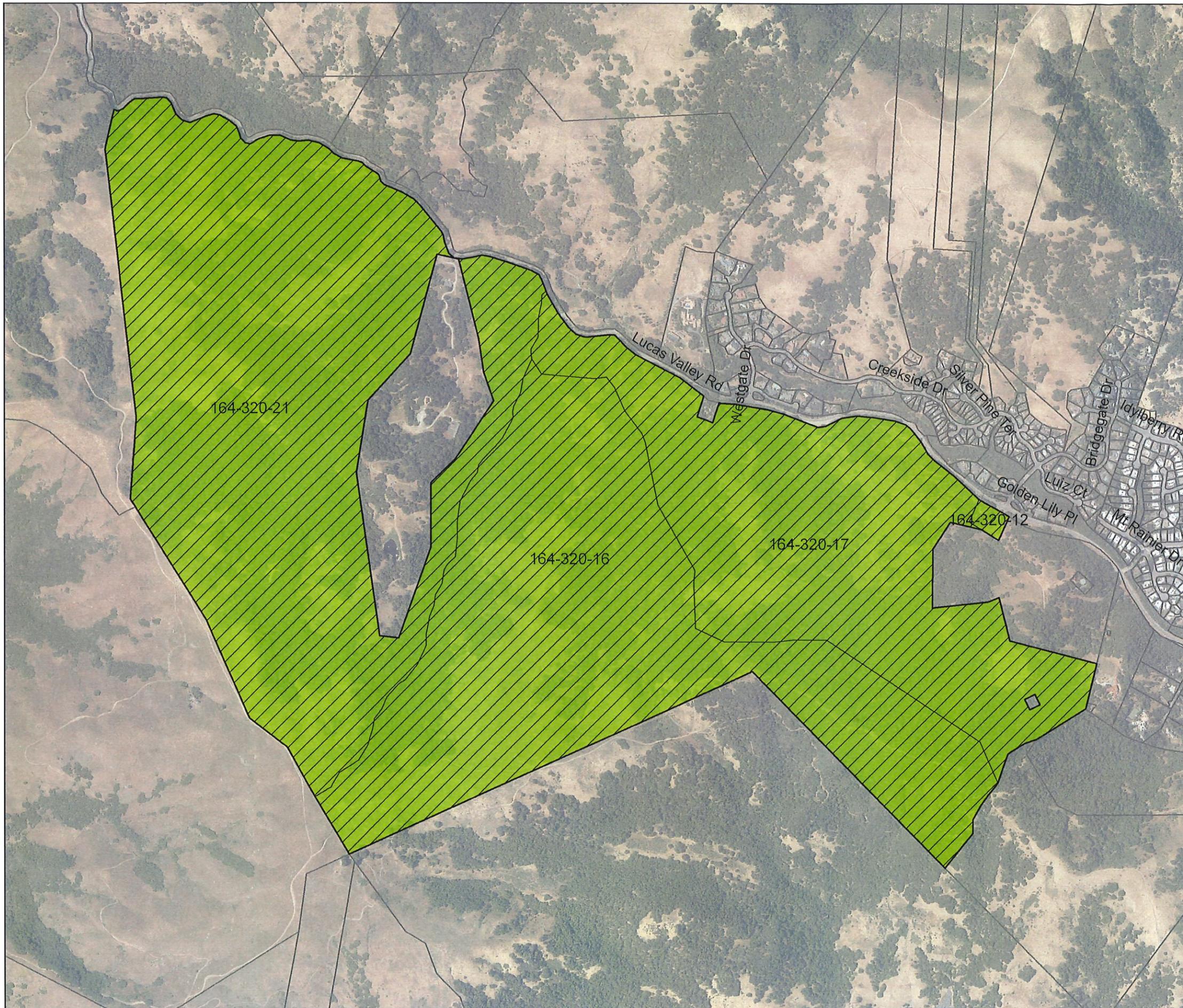


- Legend**
- A-Agriculture and Conservation
 - A2-Agriculture Limited
 - AP-Admin and Professional
 - APR-Agriculture Residential Planned
 - APZ-Agriculture Production Zone
 - C1-Retail Business
 - CP-Planned Commercial
 - H1-Limited Roadside Business
 - IP-Industrial Planned
 - M3-Industrial High Density
 - PF-Public Facilities
 - OA-Open Area
 - OP-Planned Office
 - R1-Residential Single Family
 - R2-Residential Two Family
 - RA-Residential Agriculture
 - RCR-Resort and Commercial Recreation
 - RE-Residential Estate
 - RF-Floating Home Marina
 - RMP-Residential Multiple Planned
 - RMPC-Residential Commercial Multiple Planned
 - RR-Residential Restricted
 - RSP-Residential Single Family Planned
 - RX-Residential Mobile Home Park
 - VCR-Village Commercial Residential

PROPOSED ZONING

LUIZ RANCH INC

Parcel Num	Proposed Zoning	CWP
164-320-12	A-60	AG1
164-320-16	A-60	AG1
164-320-17	A-60	AG1
164-320-21	A-60	AG1



Legend

-  Change in General Plan Designation
-  A-Agriculture and Conservation
-  A2-Agriculture Limited
-  AP-Admin and Professional
-  APR-Agriculture Residential Planned
-  APZ-Agriculture Production Zone
-  C1-Retail Business
-  CP-Planned Commercial
-  H1-Limited Roadside Business
-  IP-Industrial Planned
-  M3-Industrial High Density
-  PF-Public Facilities
-  OA-Open Area
-  OP-Planned Office
-  R1-Residential Single Family
-  R2-Residential Two Family
-  RA-Residential Agriculture
-  RCR-Resort and Commercial Recreation
-  RE-Residential Estate
-  RF-Floating Home Marina
-  RMP-Residential Multiple Planned
-  RMPC-Residential Commercial Multiple Planned
-  RR-Residential Restricted
-  RSP-Residential Single Family Planned
-  RX-Residential Mobile Home Park
-  VCR-Village Commercial Residential

ORIGINAL



2018-0017772

Recording requested by
and when recorded mail to:

Recorded
Official Records
County of
Marin
RICHARD N. BENSON
Assessor-Recorder
County Clerk

REC FEE 68.00
SBZ HOUSING 75.00
SO
Page 1 of 19

09:34AM 18-May-2018

MARIN AGRICULTURAL
LAND TRUST
P.O. Box 809
Pt. Reyes Station, CA 94956

(Space above line for Recorder's use only.)

**ASSIGNMENT AND ASSUMPTION
OF AMENDED AND RESTATED DEED OF AGRICULTURAL CONSERVATION
EASEMENT (WITH PROVISIONS LIMITING OWNER'S USES)**

This Assignment and Assumption of Amended and Restated Deed of Agricultural Conservation Easement (With Provisions Limiting Owner's Uses), dated MAY 18, 2018 (the "Assignment"), is entered into by and between **MARIN COUNTY OPEN SPACE DISTRICT**, a public district ("Assignor"), and **MARIN AGRICULTURAL LAND TRUST**, a California nonprofit public benefit corporation ("Assignee").

RECITALS

A. Assignor is the grantee under that certain Amended and Restated Deed of Agricultural Conservation Easement recorded in the Official Records of Marin County, California (the "Official Records"), on MAY 18th, 2018, as Instrument No. 2018-0017771 (the "Conservation Easement"). The Conservation Easement encumbers that certain real property described in **Exhibit A**, attached hereto and incorporated herein by reference (the "Property").

B. Assignee is authorized to acquire and hold conservation easements pursuant to California Civil Code Section 815.3, is a qualified organization under Section 170(h) of the Internal Revenue Code of 1986, as amended ("Code"), and is thus qualified to accept an assignment of the rights and obligations of the grantee under the Conservation Easement.

ASSIGNMENT AND AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are specifically incorporated into the body of this Assignment, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee hereby agree as follows:

1. **Effective Date.** This Assignment shall be effective as of the date of the recording of this Assignment in the Official Records (the "Effective Date").

2. **Assignment.** As of the Effective Date, Assignor hereby assigns, conveys and otherwise transfers to Assignee all of Assignor's right, title, and interest, and delegates all of Assignor's obligations, as grantee under the Conservation Easement.

3. **Assumption of Obligations.** Assignee hereby accepts all of Assignor's right, title, and interest in and to the Conservation Easement and agrees to perform, observe, and be bound by each and every obligation, covenant, agreement, and condition to be performed, observed by, or binding on, the grantee pursuant to the Conservation Easement, and to require that the conservation purposes and other terms and conditions of the Conservation Easement continue to be carried out.

4. **Indemnification.** Assignor shall indemnify, defend and hold harmless Assignee and Assignee's successors, agents, assigns, officers, directors, employees and other representatives from and against any and all expenses, claims, causes of action, losses, damages or other liabilities (including without limitation, reasonable attorneys' and experts' fees and costs) caused by any actions, omissions, events, activities or liabilities pertaining to the Conservation Easement, and/or to Assignor's exercise of its rights and performance of its obligations under the Conservation Easement, and occurring or arising prior to the Effective Date, except to the extent any such expense, claim, cause of action, loss, damage or other liability was caused by the negligence or willful misconduct of Assignee.

Assignee shall indemnify, defend and hold harmless Assignor and Assignor's successors, agents, assigns, officers, directors, employees and other representatives from and against any and all expenses, claims, causes of action, losses, damages or other liabilities (including without limitation, reasonable attorneys' and experts' fees and costs) caused by any actions, omissions, events, activities or liabilities pertaining to the Conservation Easement, and/or to Assignee's exercise of its rights and performance of its obligations under the Conservation Easement, and occurring or arising after the Effective Date, except to the extent any such expense, claim, cause of action, loss, damage or other liability was caused by the negligence or willful misconduct of Assignor.

5. **Reversion.** If Assignee ever ceases to exist or no longer qualifies under Code Section 170(h), or applicable state law, to hold conservation easements, the Conservation Easement shall be transferred back to Assignor, or, at Assignor's request, to another qualified organization selected by Assignor having substantially similar organizational purposes of Assignor that agrees to assume the responsibilities imposed on Assignee by this Assignment.

6. **Endowment.** Assignor and Assignee agree to the establishment of an endowment in the amount of One Hundred Thirty-Three Thousand Two Hundred Forty-Six Dollars and 73/100 (\$133,246.73), which Assignee will assume from Assignor and approves as sufficient to provide for the management and perpetual easement monitoring of the Conservation Easement.

7. **Further Assurances.** Assignor and Assignee agree to take such additional actions and execute such additional documents as may be reasonable and necessary to carry out the provisions of this Assignment.

8. **Binding on Successors.** This Assignment shall be binding not only upon the parties, but also upon their heirs, representatives, assigns and other successors in interest.

9. **Modification; Waiver.** No supplement, modification, or amendment of this Assignment shall be binding unless executed in writing by all the parties. No waiver of any of the provisions of this Assignment shall be deemed or shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

10. **Severability.** Each provision of this Assignment is severable from any and all other provisions of this Assignment. Should any provision(s) of this Assignment be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

11. **Governing Law.** This Assignment shall be governed and construed in accordance with the laws of the State of California.

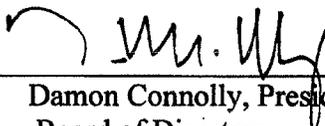
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12. **Counterparts.** The parties may execute this Assignment in counterparts that shall, in the aggregate, be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. The parties authorize each other to detach and combine, or cause to be detached and combined, original signature pages and consolidate them into a single identical original for recordation of this Assignment in the Official Records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as set forth below.

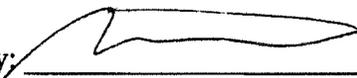
ASSIGNOR:

MARIN COUNTY OPEN SPACE DISTRICT,
a public district

By: 
Damon Connolly, President
Board of Directors

Date: 2/27/18

ATTEST:

By: 
Secretary

APPROVED AS TO FORM:

By: 
Deputy County Counsel

ASSIGNEE:

MARIN AGRICULTURAL LAND TRUST,
a California nonprofit public benefit corporation

By: 
Name: Jamison Watts
Title: Executive Director

Date: 2/14/18

**EXHIBIT A
TO
ASSIGNMENT AND ASSUMPTION
OF AMENDED AND RESTATED DEED OF AGRICULTURAL CONSERVATION
EASEMENT (WITH PROVISIONS LIMITING OWNER'S USES)**

LEGAL DESCRIPTION OF THE PROPERTY

[attached]

Exhibit A-1
Description of RHI Property

AN AGRICULTURAL CONSERVATION EASEMENT AND DEVELOPMENT RIGHTS in all that certain real property situate in the County of Marin, State of California, described as follows:

All that certain property situate in the County of Marin, State of California, described as follows:

CONSERVATION EASEMENT

All that property as described in deed reference 90-70829 lying to the west of a natural drainage course more particularly described below:

Commencing at the southeast corner of the tract of land which was conveyed to Thomas Healion by deed dated November 2, 1885 and recorded in Book 2 of Deeds, at page 381, Marin County Records; thence along the Easterly side of said Healion Tract North 32° West 650 feet more or less to the centerline of a drainage course and the true point of beginning; thence from the point of beginning North 32° West 208 feet, thence North 31° West 396 feet; thence North 54°45' West 475.2 feet; thence North 25°45' West 1056.0 feet, thence North 33°45' West 1471.8 feet; thence North 1°15' West 877.80 feet; thence North 11° West 2923.80 feet; thence North 2°45' West 363 feet more or less to the southerly Right of Way of Lucas Valley Road; thence easterly along said southerly Right of Way of Lucas Valley Road 5400 feet more or less to the centerline of a drainage course; thence southwesterly along the centerline of a drainage course 5600 feet more or less the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING PORTION OF LAND FOR THE PURPOSE OF DEVELOPMENT

Commencing at a brass disk labeled "T.M.4", set in the exterior boundary line of the Rancho San Pedro Santa Margarita y las Gallinas; thence North 86°15'35" West 3544.60 feet to the true point of beginning; thence from said point of beginning North 83°26'55" West 87.86 feet; thence North 83°41'11" West 109.52 feet; thence North 08°11'13" West 1676.03 feet, thence North 09°03'08" East 747.75 feet; thence North 38°01'20" East 658.28 feet; thence North 17°23'21" East 1009.74 feet; thence South 77°22'29" East 180.20 feet; thence South 78°55'20" East 45.48 feet; thence South 14°09'14" East 835.93 feet; thence South 08°43'53" East 343.43 feet; thence South 19°19'53" East 307.52 feet; thence South 33°20'54" West 715.24 feet; thence South 46°19'17" West 338.67 feet; thence South 00°14'24" West 661.84 feet; thence South 19°37'11" West 976.82 feet to the point of beginning.

Containing 62.49 acres plus or minus

Exhibit A-2
Description of RH2 Property

All that certain real property, situate in the City of San Rafael, County of Marin, State of California, being an Agricultural Conservation Easement over and across a portion of the lands of Luiz Ranch, Inc., as conveyed by that certain Grant Deed recorded January 25, 2000, as Document Number 2000-004492, Marin County Records, said easement described as follows:

All the lands of Luiz Ranch, Inc., as conveyed in said Deed (2000-004492).

EXCEPTING THEREFROM THE FOLLOWING 280.30 ACRES DESCRIBED AS FOLLOWS:

BEGINNING at a point on the southerly line of Lucas Valley Road, said point being an Iron Pipe and Tag stamped RCE 11629 at the northwest corner of the lands of the Marin Municipal Water District (MMWD), as said lands and Iron Pipe are shown on that certain Record of Survey titled "Record of Survey, Marin Municipal Water District Tank Lot, Pump Lot, and Rights-of-Way at the Swig Property on Lucas Valley Road", recorded in Book 09 of Surveys, at Page 14, Marin County Records;

thence leaving said southerly line of Lucas Valley Road, southerly along the westerly line of said lands of MMWD and the easterly line of said lands of Luiz Ranch, Inc. (2000-004492) South $12^{\circ}29'04''$ West (shown as South $11^{\circ}12'16''$ West on said Map (9 S 14))", a distance of 1305.72 feet to a stake set on a spur of the main ridge;

thence continuing along said easterly line (2000-004492), and up said spur South $52^{\circ}40'04''$ West, a distance of 428.00 feet;

thence South $57^{\circ}27'04''$ West, a distance of 310.00 feet;

thence South $31^{\circ}26'04''$ West, a distance of 285.00 feet;

thence South $43^{\circ}34'04''$ West, a distance of 118.00 feet;

thence South $53^{\circ}04'04''$ West, a distance of 220.55 feet;

thence leaving said easterly line (2000-004492) northwesterly over and across said lands of Luiz Ranch, Inc. North $21^{\circ}42'38''$ West, a distance of 399.59 feet;

thence continuing over and across said lands (2000-004492) North $56^{\circ}34'20''$ West, a distance of 1880.24 feet;

thence South $89^{\circ}35'06''$ West, a distance of 344.23 feet;

thence South $82^{\circ}57'52''$ West, a distance of 202.47 feet;

[Legal Description Continues on Next Page]

thence North 89°48'21" West, a distance of 486.78 feet;
thence North 65°30'22" West, a distance of 331.08 feet;
thence North 02°12'34" West, a distance of 464.25 feet;
thence North 05°58'53" East, a distance of 124.61 feet;
thence North 29°53'40" West, a distance of 770.69 feet;
thence North 11°31'16" West, a distance of 654.68 feet;
thence North 22°08'38" West, a distance of 95.26 feet;
thence North 37°50'45" West, a distance of 279.99 feet;
thence North 24°06'25" West, a distance of 268.00 feet;
thence North 37°26'28" West, a distance of 131.36 feet;
thence South 81°50'24" West, a distance of 119.34 feet;
thence North 85°14'36" West, a distance of 543.95 feet;
thence North 32°42'04" West, a distance of 179.54 feet to a point on the westerly line of said lands
of Luiz Ranch, Inc. (2000-004492);
thence northerly along said westerly line North 12°54'13" East, a distance of 217.25 feet;
thence North 20°53'43" East, a distance of 186.63 feet;
thence North 19°48'43" East, a distance of 92.67 feet;
thence continuing along said westerly line North 29°19'02" East, a distance of 55.33 feet;
thence South 87°50'44" East, a distance of 234.37 feet to the southerly line of Lucas Valley Road as
said road as shown on that certain Map titled "Parcel Map, Lands of WM. Grady et al & K.C. Chao
et al", recorded in Book 22 of Parcel Maps at Page 73, Marin County Records (22 PM 73);
thence leaving said westerly line, easterly along said southerly line of Lucas Valley Road (22 PM 73)
South 32°39'36" East, a distance of 84.75 feet;
thence continuing along said southerly line of Lucas Valley Road (22 PM 73) South 85°14'36" East,
a distance of 167.59 feet;
thence North 81°50'24" East, a distance of 236.60 feet;

thence South 58°59'37" East, a distance of 51.22 feet;

thence South 32°58'36" East, a distance of 120.85 feet;

thence South 55°28'36" East, a distance of 231.99 feet;

thence North 89°55'24" East, a distance of 109.25 feet;

thence continuing along said southerly line of Lucas Valley Road (22 PM 73) South 56°17'56" East, a distance of 789.29 feet to a point in the southerly line of Lucas Valley Road as shown on that certain Map titled "Record of Survey, Lands of G. R. Barrick & H. & M. Pejan", recorded in Book 19 of Surveys, at Page 31, Marin County Records (19 S 31);

thence continuing along said southerly line of Lucas Valley Road (19 S 31), South 80°25'56" East, a distance of 514.27 feet;

thence South 74°09'56" East, a distance of 229.47 feet;

thence South 63°53'56" East, a distance of 328.07 feet;

thence North 73°40'54" East, a distance of 163.52 feet;

thence North 61°46'04" East, a distance of 197.52 feet;

thence South 85°30'56" East, a distance of 366.76 feet;

thence South 77°44'56" East, a distance of 121.67 feet to a point on the southerly line of Lucas Valley Road as shown on that certain Map titled "Record of Survey, Being the Lands of The County of Marin", as recorded in Book 28 of Surveys, at Page 58, Marin County Records (28 S 58);

thence continuing along said southerly line of Lucas Valley Road as shown on said Map (28 S 58) South 47°54'12" East (shown as "North 49°10'02" West), a distance of 168.00 feet;

thence South 58°42'56" East, a distance of 135.00 feet;

thence leaving said line as shown on said Map (28 S 58) South 21°12'56" East, a distance of 147.90 feet;

thence South 51°07'56" East, a distance of 378.71 feet;

thence South 46°27'56" East, a distance of 257.29 feet;

thence South 61°20'56" East, a distance of 383.24 feet;

thence South 53°47'56" East, a distance of 238.45 feet;

thence South 68°41'56" East, a distance of 228.34 feet;

thence North 86°24'04" East, a distance of 200.96 feet;
thence South 52°07'56" East, a distance of 306.72 feet;
thence South 65°40'56" East, a distance of 163.59 feet;
thence South 28°53'56" East, a distance of 269.53 feet;
thence South 32°44'15" East, a distance of 30.60 feet to the POINT OF BEGINNING.

Containing 280.30 Acres.

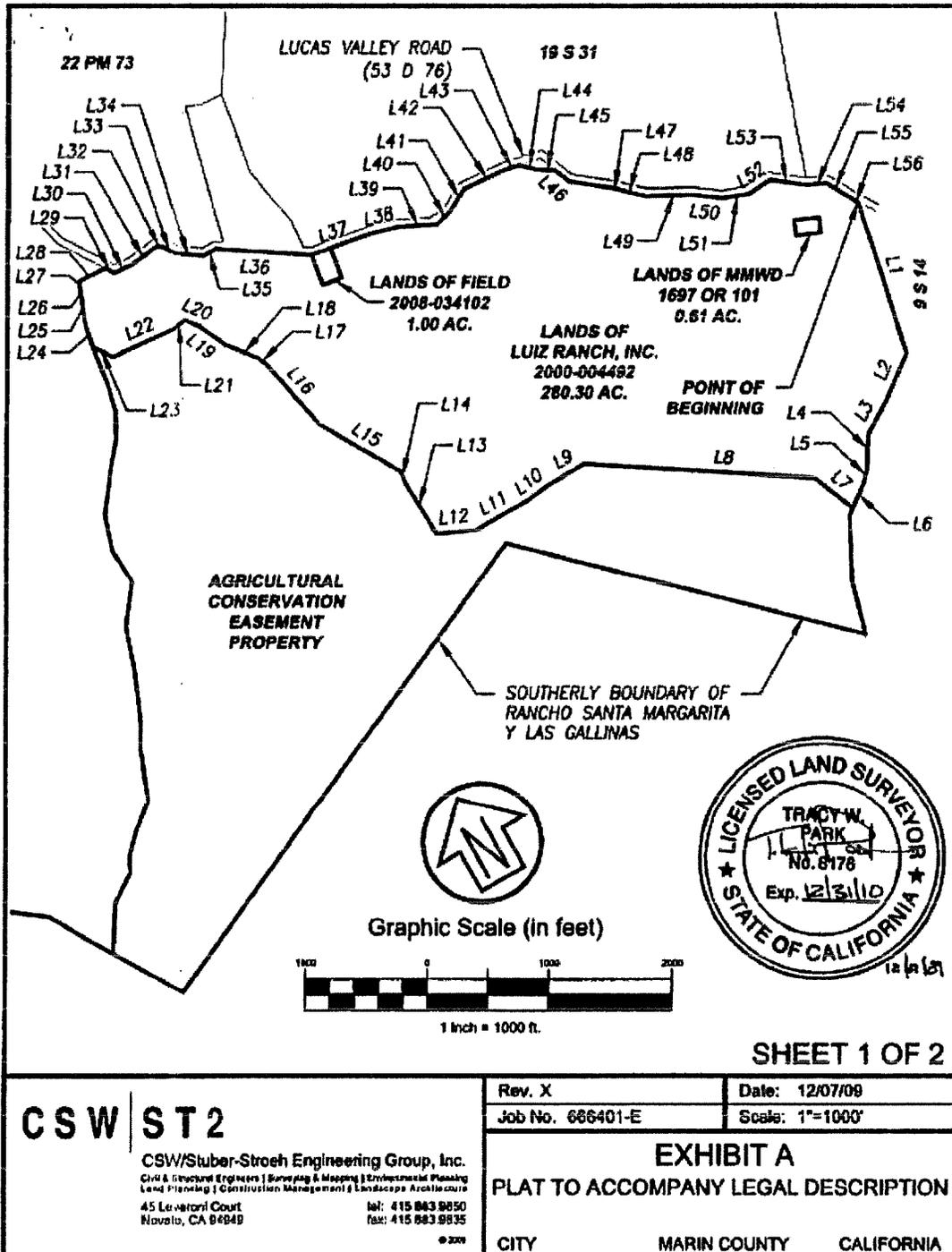
See exhibit titled "Exhibit A, Plat to Accompany Legal Description" attached hereto and made a part thereof.

Prepared by:

CSW/STUBER-STROEH ENGINEERING GROUP, INC.

T.W. Park 12/07/09
Tracy W. Park
P.L.S. #8176, Expires 12/31/2010





CSW | ST 2

CSW/Stuber-Stroeh Engineering Group, Inc.
 Civil & Resource Engineers | Surveying & Mapping | Environmental Planning
 Land Planning | Construction Management | Landscape Architecture
 45 Leveroni Court Novato, CA 94949 tel: 415 883 9850 fax: 415 883 9835

Rev. X

Job No. 686401-E

Date: 12/07/09

Scale: 1"=1000'

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION

CITY MARIN COUNTY CALIFORNIA

P:\06486401-EDWG\Exhibit\FXN-AG-EASE.dwg, 12/07/2009 - 04:31 PM, parvw, 1:1

Exhibit A-3
Description of RH3 Property

All that certain real property, situate in the City of San Rafael, County of Marin, State of California, described below as follows:

An easement over and across the Lands of Luiz Ranch, Inc., as conveyed by that certain Grant Deed recorded January 25, 2000, as Document Number 2000-004492, Marin County Records, contiguous with the Agricultural Conservation Easement described in Parcel One below;

EXCEPTING THEREFROM THE FOLLOWING:

PARCEL ONE

The lands of Luiz Ranch, Inc. encumbered by the easement described in that certain Grant Deed of Agricultural Conservation Easement recorded December 18, 2009, as Document Number 2009-69770, Marin County Records;

PARCEL TWO

BEGINNING at a point on the southerly line of Lucas Valley Road, said point being an Iron Pipe and Tag stamped RCE 11629 at the northwest corner of the lands of the Marin Municipal Water District (MMWD), as said lands and Iron Pipe are shown on that certain Record of Survey titled "Record of Survey, Marin Municipal Water District Tank Lot, Pump Lot, and Rights-of-Way at the Swig Property on Lucas Valley Road", recorded in Book 09 of Surveys, at Page 14, Marin County Records;

thence leaving said southerly line of Lucas Valley Road, southerly along the westerly line of said lands of MMWD and the easterly line of said lands of Luiz Ranch, Inc. (2000-004492) South 12°29'04" West (shown as South 11°12'16" West on said Map (9 S 14))", a distance of 828.74 feet;

thence leaving said easterly line (2000-004492), North 75°28'10" West, a distance of 917.78 feet;

thence North 14°38'31" West, a distance of 454.50 feet;

thence South 67°08'45" West, a distance of 115.81 feet;

thence South 83°49'18" West, a distance of 574.89 feet;

thence North 00°41'54" East, a distance of 602.21 feet;

thence North 33°25'44" East, a distance of 322.87 feet;

thence South 76°48'10" East, a distance of 499.49 feet;

thence North 23°48'50" East, a distance of 206.72 feet to said southerly line of Lucas Valley

Road;

thence along said southerly line of Lucas Valley Road the following courses and distances:

South 53°47'56" East, a distance of 191.39 feet;

South 68°41'56" East, a distance of 228.34;

North 86°24'04" East, a distance of 200.96 feet;

South 52°07'56" East, a distance of 306.72 feet;

South 65°40'56" East, a distance of 163.59 feet

South 28°53'56" East, a distance of 269.53 feet;

South 32°44'15" East, a distance of 30.60 feet to the POINT OF BEGINNING.

Containing 40.61 Acres, more or less

PARCEL THREE

COMMENCING at the most southerly corner of the above described Parcel One; thence South 62°17'04" West a distance of 795.19 feet to the POINT OF BEGINNING;

thence South 68°46'53" West, a distance of 115.00 feet;

thence North 21°13'07" West, a distance of 115.00 feet;

thence North 68°46'53" East, a distance of 115.00 feet;

thence south 21°13'07" East, a distance of 115.00 feet to the POINT OF BEGINNING.

Containing 0.30 Acres, more or less

PARCEL FOUR

That portion of Parcel One herein described conveyed by Joe S. Luiz, et ux, to Marin Municipal Water District by Deed recorded in Book 1697 of Official Records, at Page 101.

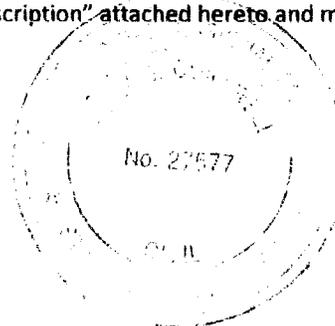
Containing 0.61 Acres, more or less.

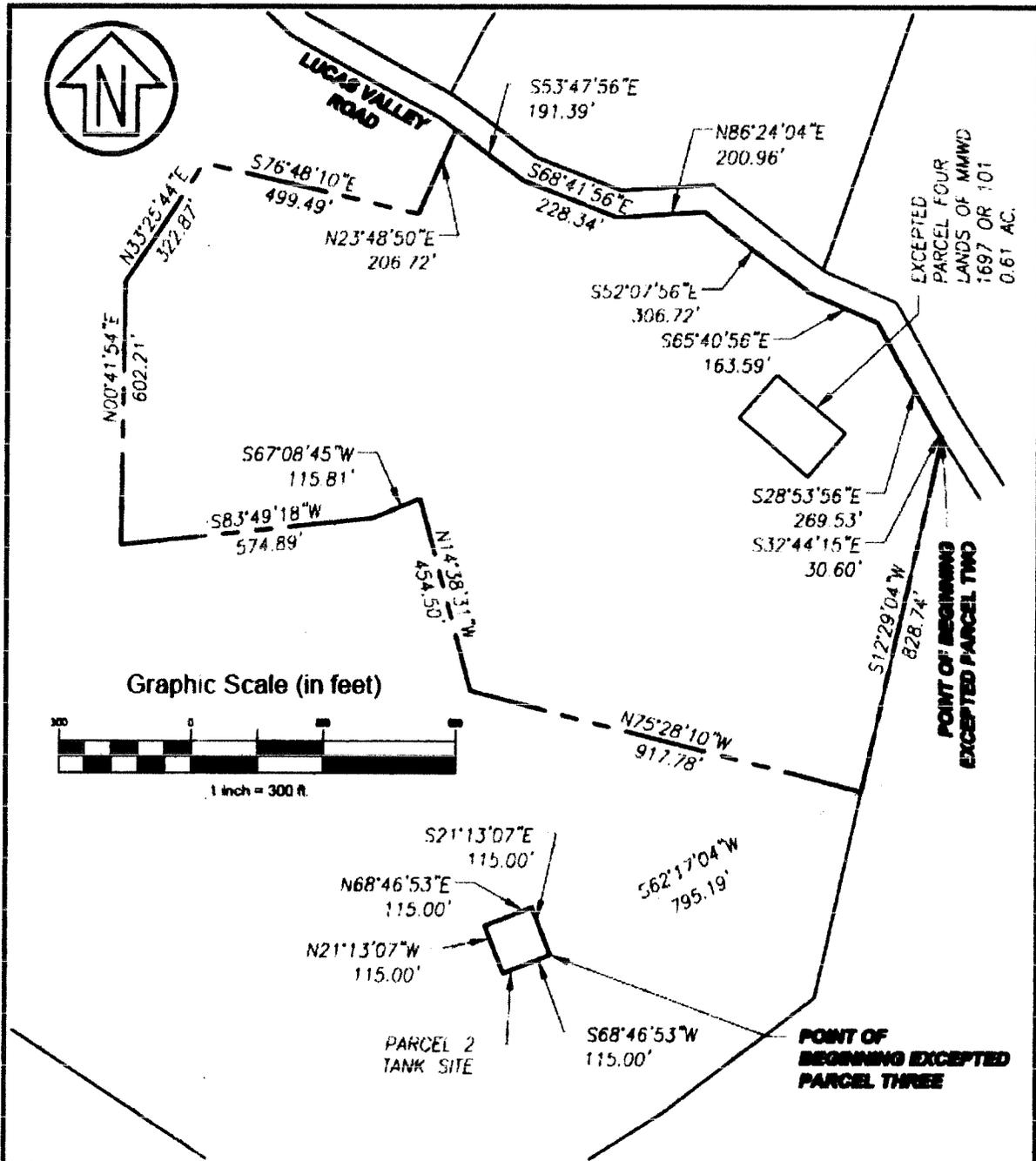
See exhibit titled "Exhibit 1 and 2, Plat to Accompany Legal Description" attached hereto and made a part thereof.

Prepared by:
CSW/STUBER-STROEH ENGINEERING GROUP, INC.



Al Cornwell
R.C.E. 27577





CSW ST2 CSW/Stuber-Streich Engineering Group, Inc. <small>Civil & Structural Engineers Surveying & Mapping Environmental Planning Land Planning Construction Management</small> 48 Laurel Court Novato, CA 94949 Tel: 415.898.8888 Fax: 415.898.8888 www.cswst2.com	Rev. 10/25/17 Job No. 666401-H	Date: 8/22/17 Scale: 1" = 1000'
	EXHIBIT '2' PLAT TO ACCOMPANY LEGAL DESCRIPTION MARIN COUNTY CALIFORNIA	

NO.	DESCRIPTION	DATE	BY
1	PREPARED FOR THE CLIENT	8/22/17	CSW
2	REVISIONS		
3	APPROVED FOR THE CLIENT		
4	APPROVED FOR THE ENGINEER		
5	APPROVED FOR THE SURVEYOR		

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. PC19-024

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE THE
LUIZ RANCH INC. REZONING AND AMENDMENT TO THE MARIN COUNTY WIDE PLAN
LAND USE DESIGNATION
3001 LUCAS VALLEY ROAD, SAN RAFAEL
ASSESSOR'S PARCELS: 164-320-12, -16, -17, AND -21

SECTION I: FINDINGS

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).

1. **WHEREAS**, on December 9, 2019, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the project.

2. **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.

3. **WHEREAS**, the current zoning of the site is not conducive to those agricultural uses that are required under the conservation and agricultural easements that encumber the property. Rezoning of the property to A-60 would ensure that the agriculture uses required under the site conservation easements are aligned with the zoning of the property.

4. **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

NOW THEREFORE, BE IT RESOLVED that the Marin County Planning Commission recommends that the Marin County Board of Supervisors rezone APN's 164-320-12, 164-320-16, 164-320-17 and 164-320-21 from RMP-0.1 (Residential, Multiple Planned, 1 unit per 10 acres) to A-60 (Agriculture and Conservation District, A-60), and amend the Marin CWP land use designation from PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 dwelling unit per 31-60 acres).

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 9th day of December, 2019 by the following vote:

AYES: MARGOT BIEHLE, MARGARET CURRAN, CHRISTINA L. DESSER, DON DICKENSON, JOHN ELLER, DAVID PAOLI, PETER THERAN

NOES: NONE

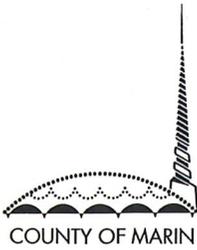


DAVID PAOLI, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:



Ana Hilda Mosher
Planning Commission Recording Secretary



**STAFF REPORT TO THE MARIN COUNTY
PLANNING COMMISSION**

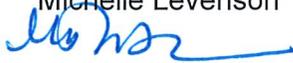
Luiz Ranch Inc., Rezoning and Marin Countywide Plan Amendment

Recommendation: **Recommend Approval to the Board of Supervisors**
Hearing Date: **December 9, 2109**

Application No(s): P2067
Agenda Item: 1

Owner(s): Luiz Ranch, Inc.
Assessor's Parcel No(s): 164-320-12, 164-320-16
 164-320-17 and 164-320-21

Property Address: 3001 Lucas Valley Road,
 San Rafael

Project Planner: Michelle Levenson
Signature: 

Countywide Plan Designation: PR (Planned Residential)
Community Plan Area: Not applicable
Zoning District: RMP-0.1 (Residential, Multiple Planned,
 one unit per 10 acres)
Environmental Determination: CEQA Guidelines Sections 15061(b)(3)

PROJECT SUMMARY

The applicant, Scott Hochstrasser (on behalf of Luiz Ranch, Inc.), requests approval 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 agriculture consistent with the conservation easements. The following table summarizes the current APNs, previous APNs 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).

Rezoning of the subject properties may be considered pursuant to Chapter 22.116 of the Marin County Development Code.

BACKGROUND

On May 23, 2002, the Deputy Zoning Administrator approved the Rocking “H” Ranch Precise Development Plan (PDP), proposed at 3001 Lucas Valley Road, San Rafael. The PDP authorized the future development of a single-family residence with associated detached accessory structures and improvements on APN’s 164-230-20 and -21 (formerly 164-320-07). The applicant proposed development of the residential structures within a development envelope, and permanent preservation of those areas outside of the envelope (430 acres) as agricultural open space through the recordation of a voluntary conservation easement (RH1).

In 2009 a second agricultural open space easement, RH2, was granted to MCOSD through a voluntary donation by the property owner. RH2 covers 330 acres on APN 164-320-16 (formerly a portion of APN 164-320-14). In 2017, the property owner approached the MCOSD and MALT with a proposal to voluntarily donate a third agricultural open space easement, RH3, covering 240 acres on APNs 164-320-12 and -17 (formerly 164-320-12 and a portion of 164-320-15). Due to the complexities of having three distinctly different but contiguous easements, it was determined that the three easements should be combined into one, and that the most-appropriate long-term easement holder of the combined easement should be MALT due to the organization’s mission to protect Marin County farmland and expertise in managing conservation easements.

In total the combined easement area covers 1,000 acres and is subject to the provisions of an “Amended and Restated Deed of Agricultural Easement Superseding Prior Conservation Easements” that contains mandatory affirmative agriculture use requirements. Such provisions state that the owner of the property must be actively engaged in “Productive Agricultural Uses” which is defined as “a level of commercial agricultural use appropriate to the agricultural capacity of the property for the production, processing and sale of commercial animal products and/or agricultural products....”

Under the current RMP-Residential, Multiple Planned zoning of the property, agriculture uses such as dairy operations and small- and large-animal livestock operations including grazing would require the approval of a Conditional Use Permit (CUP). With the implementation of the proposed rezoning to A-60, these agricultural uses as well as other agriculturally-oriented uses such as crop production, would be allowed without CUP approval as the uses are principally permitted within an A-60 zoning district. Thus, the majority of uses that are expressly required under the conservation and agricultural easements would be allowed to occur outright, furthering the County's policies to support agriculture. As the conservation easements already encumber the site in perpetuity, a rezoning of the property would not result in a reduction of future residential development. Lastly, rezoning of the site is consistent with the "Right to Farm" Ordinance approved by the Board of Supervisors in 1995, one of the key implementing programs of Countywide Plan Goal AG-1 which states, "Protect agricultural land by maintaining parcels large enough to sustain agricultural production...."

ALTERNATIVE

As an alternative to rezoning the site A-60, the Planning Commission may consider amending the zoning designation of the site to ARP-60 (Agriculture, Residential Planned, 1 unit per 60 acres). Under an ARP-60 zoning designation, agriculture uses such as crop production, dairy operations, grazing, and small- and large-livestock operations would be principally permitted. In addition, the ARP-60 zoning designation would allow future residential development of the site at a density of 1 unit per 60 acres notwithstanding the conservation easements that encumber the property restrict residential development of the site. The proposed Countywide Plan land use designation amendment to AG1 (Agriculture, 1 dwelling unit per 31-60 acres) would be consistent with the ARP-60 zoning designation.

RECOMMENDATION

Staff recommends that the Planning Commission review the administrative record, conduct a public hearing, and recommend approval of the Luiz Ranch Inc., Rezoning application to the Board of Supervisors.

Attachments:

1. Recommended resolution
2. CEQA exemption
3. Agency responses
4. Rezoning exhibit

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE THE
LUIZ RANCH INC. REZONING AND AMENDMENT TO THE MARIN COUNTY WIDE PLAN
LAND USE DESIGNATION
3001 LUCAS VALLEY ROAD, SAN RAFAEL
ASSESSOR'S PARCELS: 164-320-12, -16, -17, AND -21

SECTION I: FINDINGS

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).

1. **WHEREAS**, on December 9, 2019, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the project.

2. **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.

3. **WHEREAS**, the current zoning of the site is not conducive to those agricultural uses that are required under the conservation and agricultural easements that encumber the property. Rezoning of the property to A-60 would ensure that the agriculture uses required under the site conservation easements are aligned with the zoning of the property.

4. **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

NOW THEREFORE, BE IT RESOLVED that the Marin County Planning Commission recommends that the Marin County Board of Supervisors rezone APN's 164-320-12, 164-320-16, 164-320-17 and 164-320-21 from RMP-0.1 (Residential, Multiple Planned, 1 unit per 10 acres) to A-60 (Agriculture and Conservation District, A-60), and amend the Marin CWP land use designation from PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 dwelling unit per 31-60 acres).

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 9th day of December, 2019 by the following vote:

AYES: COMMISSIONERS

NOES:

ABSENT:

DAVID PAOLI, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

Ana Hilda Mosher
Planning Commission Recording Secretary

WHEN RECORDED MAIL TO:

Marin County Community Development
Agency, Environmental Review Division
3501 Civic Center Drive, #308
San Rafael, Ca 94903

Attn: Don Allee

THIS SPACE FOR RECORDER'S USE ONLY

Record without fee per G.C. 27383

NOTICE OF CEQA EXEMPTION

November 8, 2019

1. **Project Name:** Luiz Ranch Rezoning (P2067)
2. **Project Location:** 3001 Lucas Valley Road, San Rafael
APN's 164-320-12, -16, -17 and -20
3. **Project Summary:**

Rezone approximately 1,000 acres of land from RMP-0.1 (Residential, Multiple Planned) to A-60 (Agriculture and Conservation District, 60 acre minimum lot size) and amend the Marin County Wide Land Use Designation from PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 dwelling unit per 31-60 acres). The rezoning and associated County Wide Plan Land Use Designation would bring the current and intended use of the property into closer alignment with the conservation easements in affect over the property.
4. **Public Agency Approving Project:** Community Development Agency
5. **Project Sponsor:** Luiz Ranch, Inc.
6. **CEQA Exemption Status:** CEQA Guidelines section 15061(b)(3)
7. **Reasons for Exemption:**

Rezoning the property would not increase the development potential of the parcels and would align the zoning and County Wide Plan Land Use Designation with current and on-going uses associated with the agricultural and conservation easements in place over the property. As such, the project would not result in a significant effect on the environment.

Project Planner:

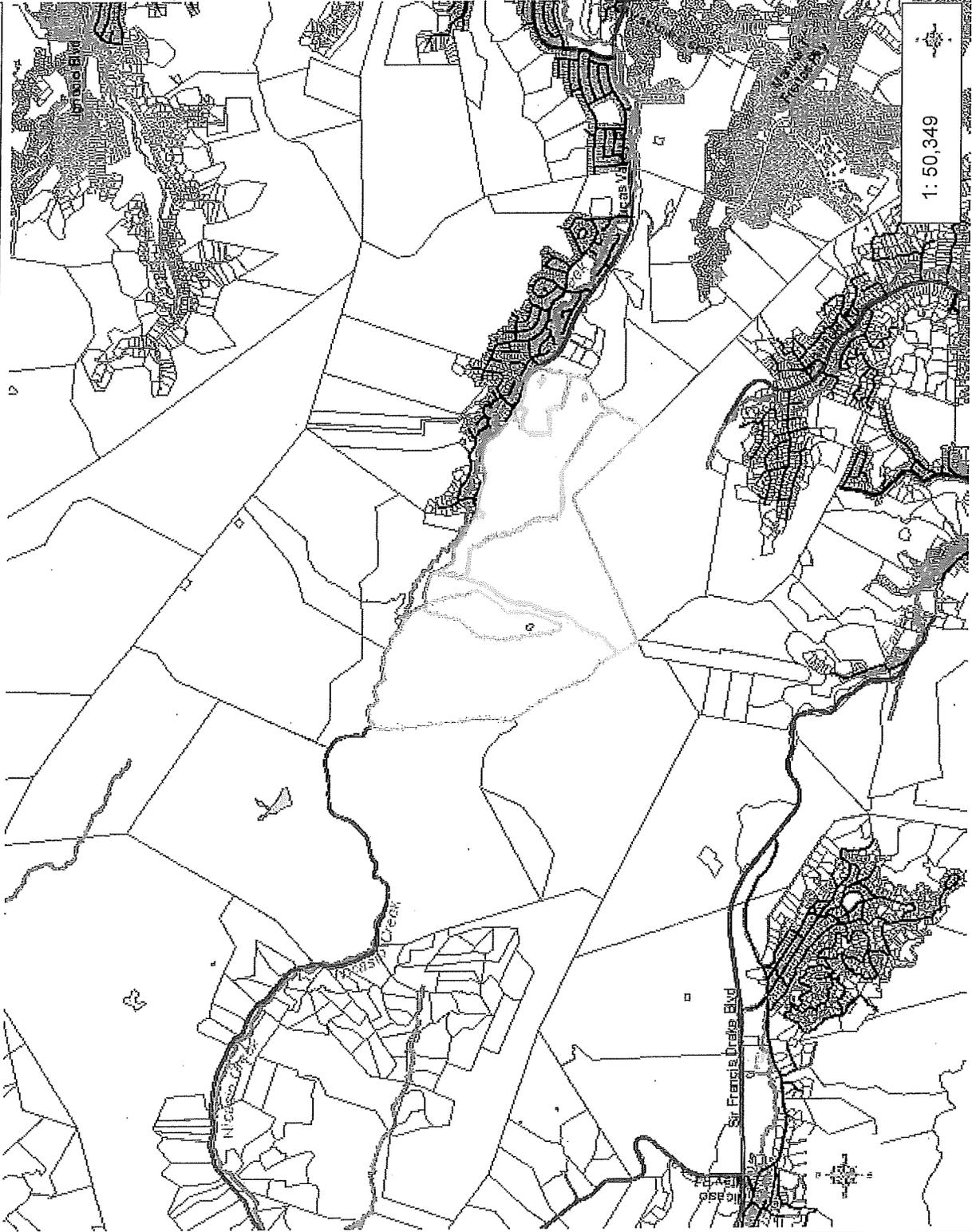
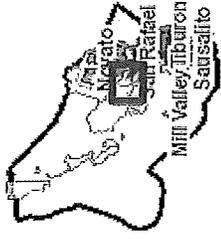


Michelle Levenson
Senior Planner

Reviewed by:

Rachel Reid
Environmental Planning Manager

County of Marin



1: 50,349



This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT SURVEY ACCURATE

Legend

- Major Road
- County Maintained Roads
- Arterial
- Collector
- Interstate
- Local
- Other Freeway
- Marin County Legal Boundary
- Other Bay Area County
- Ocean and Bay
- Parcel Secured
- Stream - Perennial (NHD)
- Waterbody (NHD)
- <all other values>
- ▨ Estuary
- ▨ Lake/Pond
- ▨ Reservoir
- ▨ Stream/River
- ▨ Swamp/Marsh

Notes



MARIN MUNICIPAL WATER DISTRICT

AUG 20 2018 AM 10:51 Planning

220 Nellen Avenue Corte Madera CA 94925-1169
www.marinwater.org

August 2, 2018

Christine Gimmler
Marin County Planning Dept.
3501 Civic Center Dr. #308
San Rafael, CA 94903

RE: WATER AVAILABILITY – Rezoning
Assessor's Parcel No.: 164-320-07, 164-320-12, 164-320-16 & 164-320-17
Location: 3001 Lucas Valley Rd., San Rafael

Project Description: Rezoning related to agricultural conservation easement

Dear Ms. Gimmler:

The District has the following comments on this project:

- The proposed project will not impair the District's ability to continue service to this property.
- The purchase of additional water entitlement for the property is required.
- The installation of a new water service is required.
- Comply with Ordinance No. 429 requiring the installation of a gray water recycling system when practicable for all projects required to install new water service and existing structures undergoing "substantial remodel" that necessitates an enlarged water service.
- The proposed project is not within the District's service area.
- Other:

Compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements. If you are pursuing a landscaping project subject to review by your local planning department and /or subject to a city permit, please contact the district water conservation department at 415-945-1497 or email to plancheck@marinwater.org. More information about district water conservation requirements can be found online at www.marinwater.org

Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at 415-945-1558.

If you have any questions regarding this matter, please contact me at 415-945-1531.

Sincerely,

Chris Borjian
Engineering Technician

CB

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: July 25, 2018

DUE: July 25, 2018

TO: Christine Gimmler

FROM: Cara E. Zichelli

APPROVED: *JR Wang*

RE: Luiz Ranch Rezoning P2067

APN: 164-320-07, -12, 16 & -17

ADDRESS: 3001 Lucas Valley Road, San Rafael

TYPE OF DOCUMENT

DESIGN REVIEW

COASTAL PERMIT

LAND DIVISION

VARIANCE

USE PERMIT

ADU PERMIT

ENVIRONMENTAL REV.

OTHER:

Department of Public Works Land Use Division
has reviewed this application for content and:

Find it **COMPLETE**

Find it **INCOMPLETE**, please submit items listed below

Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

Comments Included (Inc.) or
Attached (Att.) from other DPW
Divisions:

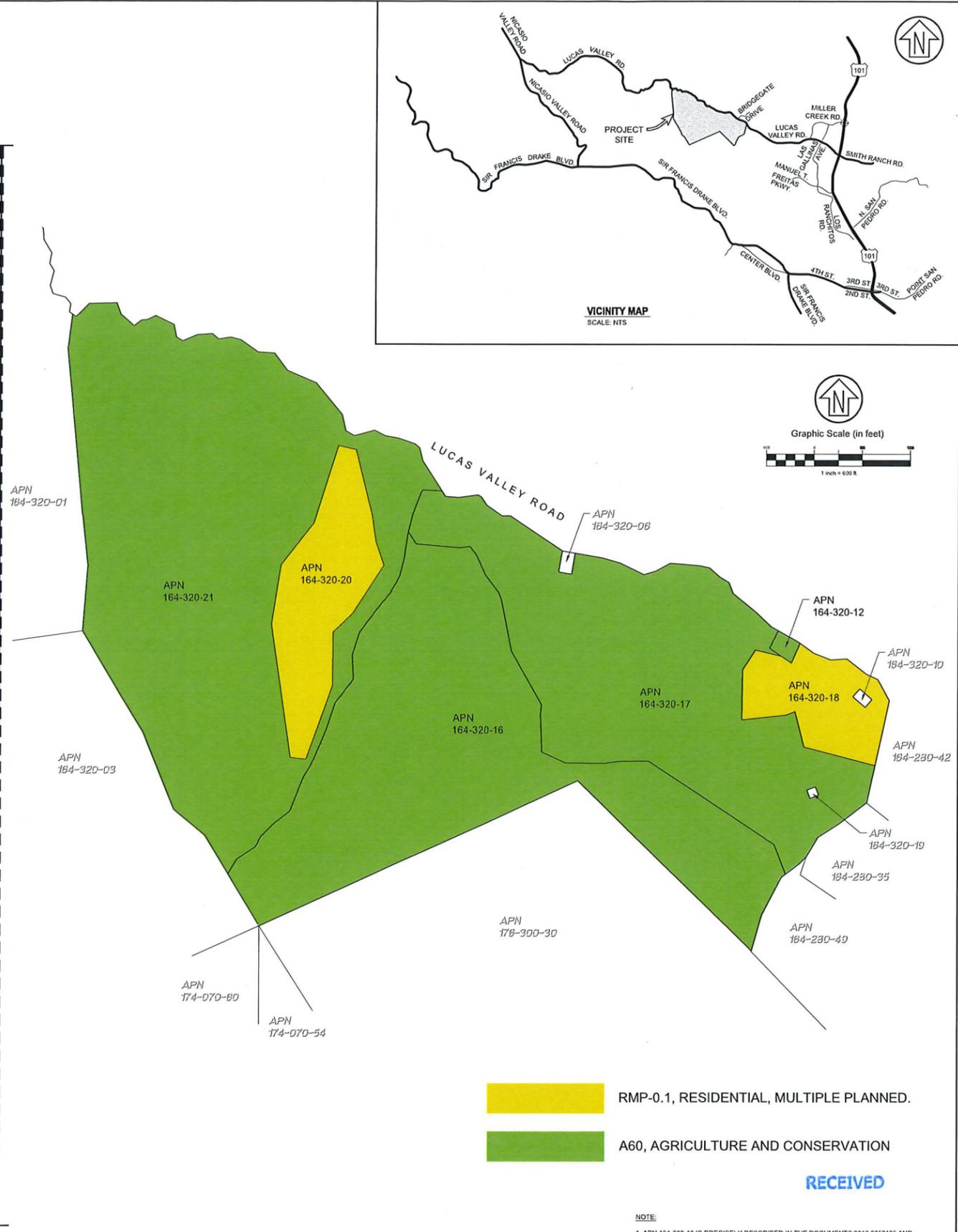
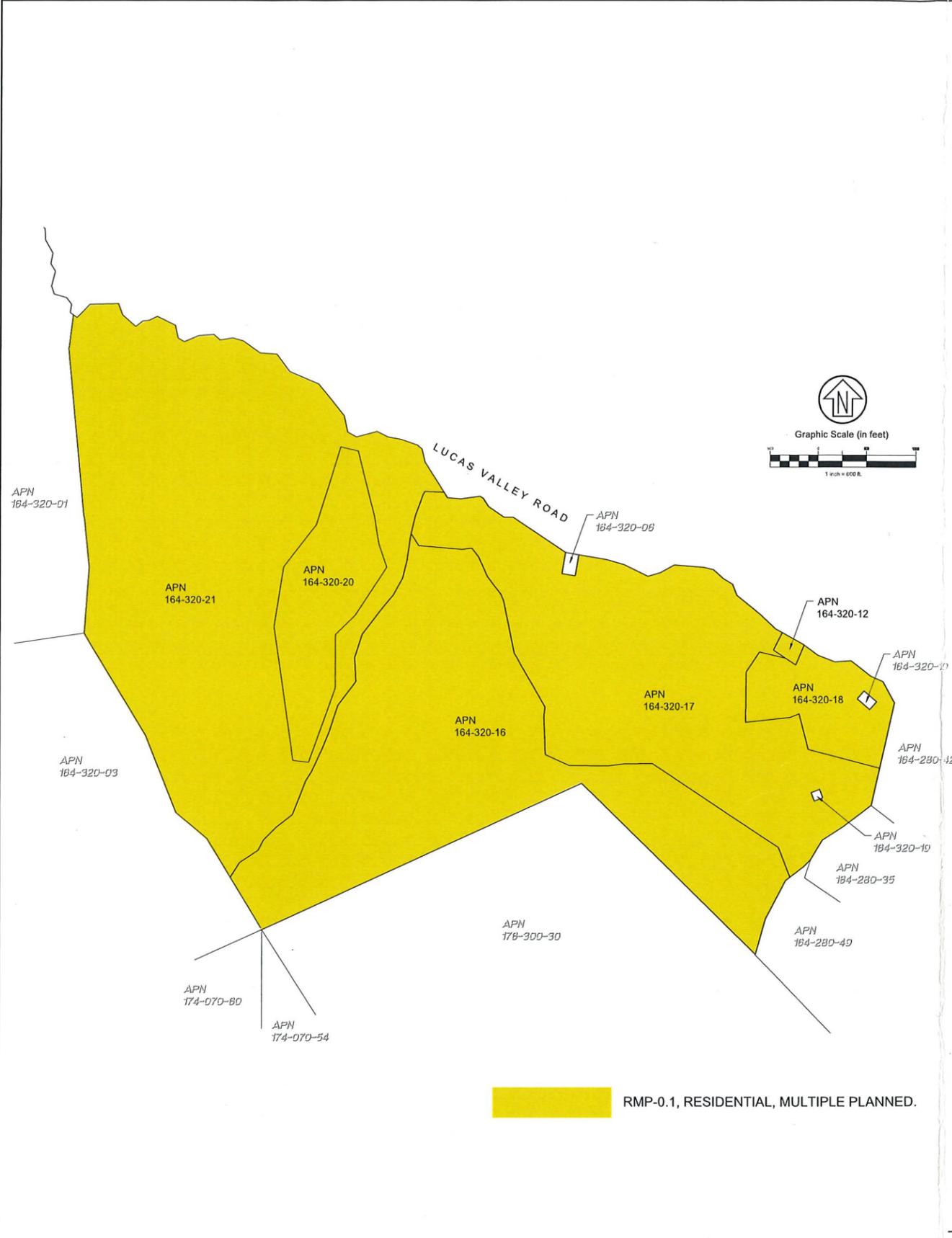
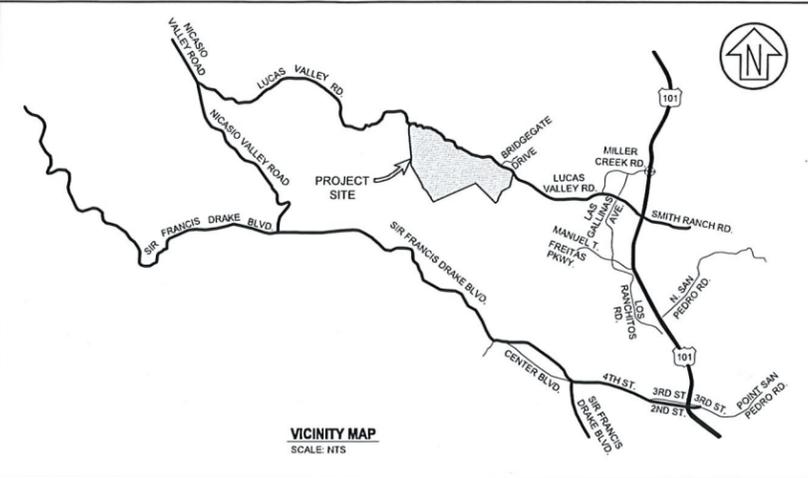
Traffic

Flood Control

Other: _____

DPW Land Development has no comments regarding the proposed rezoning.

END



RMP-0.1, RESIDENTIAL, MULTIPLE PLANNED.

RMP-0.1, RESIDENTIAL, MULTIPLE PLANNED.
 A60, AGRICULTURE AND CONSERVATION

EXISTING ZONING

PROPOSED ZONING

NOTE:
 1. APN 164-320-18 IS PRECISELY DESCRIBED IN THE DOCUMENTS 2017-0050185 AND 2018-0026368, MARIN COUNTY RECORDS, RECORDED DECEMBER 18, 2017 AND JULY 25, 2018, RESPECTIVELY AND MAY VARY FROM THE PLAT SHOWN HEREON.

RECEIVED

Rev	Date	Description	Designed	Drawn	Checked
-	03/01/19	ADJUSTED BOUNDARY APN 164-320-12, ADDED NOTE	KNP	KNP	AGC
-	11/27/18	UPDATED TO INCLUDE APN 164-320-19, 164-320-20 AND 164-320-21	KNP	KNP	AGC
-	06/07/18	ISSUED FOR SUBMITTAL	KNP	KNP	AGC

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 CSW/Stuber-Strooh Engineering Group, Inc.
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City	Unincorporated
County	Marin
State	California

**ROCKING H RANCH
 RE-ZONING EXHIBIT**

Prepared Under the Direction of
**COUNTY OF MARIN
 COMMUNITY DEVELOPMENT AGENCY
 PLANNING**

Scale: 1" = 600'
 Date: 05/29/18
 Project Number: 6.664.01-H
 Plan File: D-5486

Prepared Under the Direction of
 COUNTY OF MARIN
 COMMUNITY DEVELOPMENT AGENCY
 PLANNING
 Scale: 1" = 600'
 Date: 05/29/18
 Project Number: 6.664.01-H
 Plan File: D-5486

**Marin County Planning Commission
Regular Meeting
Monday, December 9, 2018, 1:00 P.M.**

1. INITIAL TRANSACTIONS

ROLL CALL The meeting was called to order by Chair David Paoli at 01:03 p.m.

Present at Roll Call: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

Community Development Agency staff present: Current Planning Manager Jeremy Tejirian; Senior Planner Michelle Levenson; Planning Commission Secretary Ana Hilda Mosher.

a. Minutes – November 18, 2019

M/s Margaret Curran - John Eller to approve the minutes of the November 18, 2019 meeting as presented.

Vote: Motion carried 6-0-1

AYES: Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

ABSTAIN: Margot Biehle.

b. Communications

2. DIRECTOR'S REPORT

a. Preliminary Agenda Discussion Items

Current Planning Manager Jeremy Tejirian provided an update on future Planning Commission agenda items.

Mr. Tejirian suggested a few changes regarding the order of public comments.

b. Approve Revised 2020 Planning Commission Hearing Calendar

M/s Margaret Curran - John Eller to approve the revised 2020 Planning Commission Hearing calendar.

Vote: Motion carried 7-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER)

No one addressed the Commission.

4. LUIZ RANCH INC., REZONING AND MARIN COUNTYWIDE PLAN AMENDMENT & CEQA EXEMPTION

Commissioner Desser reported that she made a site visit to the Luiz Ranch property and had a conversation with the applicants about the project.

Senior Planner Michelle Levenson presented the staff report, described the project background, and summary. She recommended that the Planning Commission review the administrative record, conduct a public hearing, and recommend approval of the Luiz Ranch Inc Rezoning application to the Board of Supervisors.

Staff answered questions from the Commission.

Public testimony was opened, and the following people spoke.

Representing the applicants: Scott Hochstrasser.

Representing organizations: Jamison Watts, MALT Executive Director.

Public testimony was closed.

M/s Christina L. Desser - Margaret Curran to recommend that the Marin County Board of Supervisors rezone APN's 164-320-12, 164-320-16, 164-320-17 and 164-320-21 from RMP - 0.1 (Residential, Multiple Planned, 1 unit per 10 acres) to A-60 (Agriculture and Conservation District, A-60), and amend the Marin CWP land use designation from PR (Planned Residential, 1 unit per 1 to 10 acres) to AG1 (Agriculture, 1 dwelling unit per 31-60 acres).

Vote: Motion carried 7-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

Commissioner Dickenson and Commissioner Theran complimented the property owner and applicant for volunteering and agreeing to support the owner's, the County's, and MALTS' goals.

The meeting was adjourned at 1:43 P.M.

The next Planning Commission meeting is scheduled for January 13, 2020 at 1:00 P.M.

Webcast Timestamps

00:00:10 - Initial Transactions

00:00:14 - Minutes 10/10/19

00:00:00 - Communications

00:02:12 - Director's Report

00:08:37 - Open Time for Public Expression

Luiz Ranch Inc. Rezoning and Marin Countywide Plan Amendment

00:08:51 - Staff Report

00:15:05 - Commissioners' Questions

00:25:32 - Public Testimony

00:31:00 - Commissioners' Questions and Comments

00:39:53 - Motion and vote

00:41:54 - Adjourn