



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

DEVELOPMENT CODE AMENDMENTS 2020

Recommendation: Hold a workshop to consider the proposed code amendments

Hearing Dates: November 16 and November 30, 2020

Agenda Item: 4

Project Planner: Jeremy Tejirian
Planning Manager
415-473-3798
JTejirian@marincounty.org

Signature:

PROJECT SUMMARY

Planning staff is proposing a set of amendments to the Marin County Development Code, which establishes zoning and subdivision regulations in the unincorporated areas of Marin County. The topics addressed in the proposed Development Code amendments will include the following: (1) internal consistency, clarifications, and standards; (2) Accessory Dwelling Units (ADUs); (3) affordable housing regulations and incentives; (4) Master Plan Amendment and Precise Development Plan Amendment waivers and findings; (5) streamlining building permit review; (6) mergers; (7) small animals including miniature goats and potbellied pigs; (8) solar energy systems; (9) electric vehicle charging stations; and (10) helping seniors and the disabled. No amendments are proposed to the Interim Zoning Ordinance applicable in the Coastal Zone.

The proposed Development Code Amendments are presented in a track changes version of the portions of the Development Code that are being amended (Exhibit A, attachment 1). Explanations of the amendments related to each topic are provided in the Guide to the 2020 Development Code Amendments (attachment 2).

BACKGROUND

The proposed 2020 Development Code amendments are intended to address a broad array of issues. In drafting the amendments we try to follow the “CASE” principle of code that is Clear, Affordable, Simple, and Enforceable.

Planning staff published a preliminary draft of the Development Code amendments for the public to review, called the “public review draft,” on October 2, 2020 and subsequently modified the proposal to create the “Planning Commission review draft,” which was published on November 3, 2020. These modifications included numerous minor changes as well as making substantial changes to the ADU regulations. The ADU provisions in the public review draft of the amendments were fairly closely aligned with the urgency Ordinance 3729 that the Board adopted on January 28, 2020. The Planning Commission review draft clarifies many of the regulations and streamlines the ADU review process by eliminating ADU permits entirely in favor of ensuring compliance with ADU standards during the Building Permit review process.

The Planning Commission review draft consists of portions of Development Code Articles II, III, IV, VI, and VIII, with amendments shown in track changes format. While this draft shows all the substantive amendments, there are instances where there are cross-indexing, typographical, and formatting errors that will be corrected in the final draft.

The proposed Development Code amendments are both complicated and highly interrelated. As a reference document, addressing a single issue usually means amending multiple different sections of the code. After your Commission has completed the workshop on November 16, 2020, Planning staff will make revisions to the amendments to reflect your Commission’s comments. A Planning Commission hearing is scheduled on November 30, 2020 for your Commission to review the revised amendments, and consider a Resolution recommending approval of the amendments to the Board of Supervisors.

RECOMMENDATION

Review the proposed Development Code amendments, receive public testimony, and deliberate on the amendments.

Attachments:

1. Exhibit A: Planning Commission Draft 2020 Development Code Amendments
2. Guide to the 2020 Development Code Amendments
3. Urgency Ordinance 3792 related to ADUs
4. HCD memorandum to Planning Directors, dated January 10, 2020
5. Govt. Code 65852.2 related to ADUs
6. Govt. Code 65852.22 related to JADUs
7. Govt. Code 65589.5 known as the Housing Accountability Act
8. Govt. Code 65195 known as the State Density Bonus Law
9. Senate Bill 850, effective as of January 1, 2021