INFORMATION YOU NEED TO KNOW ABOUT PERMIT FEES

We have prepared this informational document to assist you in planning your home improvement or other construction project where a permit from the Planning or Building and Safety Division is required. We know that there are a number of factors to consider when planning a project and want to make sure that you are aware of the different types of fees that may apply to your project. Obtaining permits not only gives you the peace of mind that the work meets applicable standards to protect you and your family’s safety; it also protects your investment.

In general, there are two types of development fees. The first consist of user fees associated with building permit and planning permit fees. These fees are established to ensure that they reflect the actual costs of providing the service, such as reviewing your plans and providing field inspection services. The fee schedules for permits that are issued by the Planning Division and the Building and Safety Division are attached to this fact sheet. Please contact the respective offices if you have any questions about the permit requirements and fees.

The other type of development fee that may apply to your construction project are impact fees which are intended to offset the additional demand that is generated by the development. The following provides a summary of the types of impact fees that may apply to your project.

**General Plan Maintenance Fee** – The General Plan Maintenance Fee is calculated at 10% and applied to the Building Permit Application and Issuance fees, and select Planning Permit fees. This fee is paid at the time you file the application.

**Affordable Housing Impact Fee** – This fee applies to new single-family homes greater than 2,000 square feet and for teardowns and remodels that result in more than 500 square feet of new space where the total size of the home exceeds 2,000 square feet. For fiscal year 2020-21, the impact fee is the following: $6.53 per square foot of new construction for properties less than 2,000 square feet, and $14.20 per square foot of new construction for properties greater than 2,000 square feet.

**In-Lieu Park Dedication Fees** – This fee applies when you subdivide property and is calculated by multiplying the number of dwelling units by the number of acres of parkland required per dwelling unit multiplied by the fair market value per buildable acre by 1.20. This fee is paid at the time a Parcel or Final Map is recorded. Please refer to Section 22.98.040 of the Marin County Development Code* for more information.

**In-Lieu Housing Fee** (Residential) – An in-lieu housing fee is required for the portion of subdivisions or multiple family development that results in a fractional share of less than 0.5 of a unit. The current In-Lieu Participation Fee is $329,485 per residential lot or unit. A lot split where one new lot is being created is currently subject to a fee of $131,794. This fee is paid at the time the subdivision map is recorded or at the time a Building Permit is issued (if the project consists of the construction of multiple family units). Please refer to Section 22.22.090.B of the Marin County Development Code for more information.

**Jobs/Housing Linkage Fee** – This fee is based on the development type and floor areas of the development. Please see Section 22.22.100 of the Marin County Development Code for more information. This fee is collected at the time a Building Permit is issued.
**Road Impact Fee** - This fee is calculated as 1% of the building permit valuation of $10,000 or more. As an example, a new 4,000 square foot house at $150 per square foot would generate a Road Impact Fee of $6,000. Please refer to the attached fact sheet for more information about how the fee is calculated. This fee is paid at the time a Building Permit is issued.

**Transportation Improvement Mitigation Fee** – This fee applies to development projects (both residential and commercial) if your project is in one of the five zones established by the county (generally Atherton Avenue, Northgate San Rafael area, San Geronimo Valley, Strawberry and Tamalpais Community area). Fees are adjusted every year. Please refer to the attached fact sheet to determine the applicable fee amount. This fee is paid at the time a Building Permit is issued.

Finally, when budgeting for construction, please factor in fees charged by school districts and utility service providers. We have provided the contact information for all of the County’s school districts and for the major utility providers below for your use (all area codes 415 unless otherwise noted).

### School District
<table>
<thead>
<tr>
<th>School District</th>
<th>Water</th>
<th>Sewer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lagunitas</td>
<td>MMWD 945-1145</td>
<td>Novato 892-1694</td>
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<tr>
<td>Mill Valley</td>
<td>NMWD 897-4133</td>
<td>San Rafael 454-4001</td>
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<td>Nicasio</td>
<td>Stinson Beach 868-1333</td>
<td>Sausalito/Marin City 332-0244</td>
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<td>Reed</td>
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<td>Almonte 388-8775</td>
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<td>Dixie</td>
<td>Fire 473-6566</td>
<td>Alto 388-3696</td>
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<tr>
<td>Kentfield</td>
<td>Marinwood 479-0122</td>
<td>Central Marin 459-1455</td>
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<td>Laguna</td>
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<td>Southern Marin 388-2402</td>
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<td>Larkspur</td>
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<td>Corte Madera 927-5057</td>
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<td>San Rafael</td>
<td>Kentfield 453-7464</td>
<td>Richardson Bay 388-1345</td>
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<td>Stinson Beach 868-0622</td>
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**Attachments:**
- Marin County Community Development Agency – Planning Division Fees
- Understanding Your Construction Permit Fees and Charges
- Important – What You Need to Know Regarding Marin’s Affordable Housing Requirements
- Schedule of Marin County Land Use Types and Transportation Improvement Mitigation Fees
- Resolution of the Marin County Board of Supervisors Establishing Public Transportation Facility Fees
1. **ACCESSORY DWELLING UNIT**
   - **Planning Fee:** 500
   - **10% Surcharge:** 15
   - **Technology Fee:**
   - **Deposit:** 1,407
   - **DPW Deposit:** 842

2. **COASTAL PERMITS**
   - **a. Regular**
     - **Planning Fee:** 5,804
     - **10% Surcharge:** 580.40
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Minor / Amendment**
     - **Planning Fee:** 3,482
     - **10% Surcharge:** 348.20
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842
   - **c. Exclusion**
     - **Planning Fee:** 164

3. **DESIGN REVIEWS**
   - **a. Residential – (Regular)**
     - **Planning Fee:** 4,643
     - **10% Surcharge:** 464.30
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Residential – Minor**
     - **Planning Fee:** 1,741
     - **10% Surcharge:** 174.10
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842
   - **c. Residential Accessory Structure / Amendment**
     - **Planning Fee:** 2,086
     - **10% Surcharge:** 208.60
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842
   - **d. Non-residential – Major**
     - **Planning Fee:** 8,125
     - **10% Surcharge:** 812.50
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **e. Non-residential – Minor / Amendment**
     - **Planning Fee:** 4,062
     - **10% Surcharge:** 406.20
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842
   - **f. Exemption**
     - **Planning Fee:** 246

4. **ENVIRONMENTAL REVIEWS**
   - **a. Initial Study**
     - **Planning Fee:** 17,411
     - **10% Surcharge:** 1,741
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Environmental Impact Review Overhead**
     - **Planning Fee:** 30%
     - **10% Surcharge:** 30%
     - **Technology Fee:** 1,407

5. **EXTENSION TO VEST**
   - **a. Administrative**
     - **Planning Fee:** 460
     - **10% Surcharge:** 0
     - **Technology Fee:** 15
   - **b. Public Hearing / Master Plan**
     - **Planning Fee:** 1,621
     - **10% Surcharge:** 162.10
     - **Technology Fee:** 15

6. **FLOATING HOME EXCEPTION**
   - **Planning Fee:** 3,482
   - **10% Surcharge:** 348.20
   - **Technology Fee:** 15

7. **MASTER PLANS**
   - **a. Regular**
     - **Planning Fee:** 23,214
     - **10% Surcharge:** 2,321.40
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Minor / Amendment**
     - **Planning Fee:** 11,607
     - **10% Surcharge:** 1,160.70
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842

8. **PLAN AMENDMENTS**
   - **Planning Fee:** 35,861
   - **10% Surcharge:** 3,586.10
   - **Technology Fee:** 15
   - **Deposit:** 1,407
   - **DPW Deposit:** 842

9. **PLANNING REVIEW FEE – BUILDING PERMITS**
   - **a. Major Plan Check**
     - **Planning Fee:** 1,007
     - **10% Surcharge:** 100.70
   - **b. Minor Plan Check**
     - **Planning Fee:** 405
   - **c. New Residence Plan Check**
     - **Planning Fee:** 2,020
     - **10% Surcharge:** 202.00
   - **d. Partial Demolition**
     - **Planning Fee:** 104
   - **e. Solar Panels, Air Conditioners, Arbors, etc.**
     - **Planning Fee:** 104
   - **f. Structural Plan Check (Under 300 square feet)**
     - **Planning Fee:** 197

10. **PRECISE DEVELOPMENT PLANS**
   - **a. Regular**
     - **Planning Fee:** 11,607
     - **10% Surcharge:** 1,160.70
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Minor / Amendment**
     - **Planning Fee:** 5,804
     - **10% Surcharge:** 580.40
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842

11. **PROPERTY MODIFICATION**
   - **a. Certificate of Compliance**
     - **Planning Fee:** 2,902
     - **10% Surcharge:** 0
     - **Technology Fee:** 0
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **b. Lot Line Adjustment**
     - **Planning Fee:** 2,321
     - **10% Surcharge:** 232.10
     - **Technology Fee:** 0
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **c. Merger**
     - **Planning Fee:** 361
     - **10% Surcharge:** 0
     - **Technology Fee:** 0
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **d. Plan Check – Maps / Improvement Plans**
     - **Planning Fee:** 1,621
     - **10% Surcharge:** 162.10
     - **Technology Fee:** 0
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **e. Tentative Map – Major**
     - **Planning Fee:** 23,214
     - **10% Surcharge:** 2,321.40
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **f. Tentative Map – Minor**
     - **Planning Fee:** 11,607
     - **10% Surcharge:** 1,160.70
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842
   - **g. Tentative Map Amendment**
     - **Planning Fee:** 5,804
     - **10% Surcharge:** 580.40
     - **Technology Fee:** 15
     - **Deposit:** 942
     - **DPW Deposit:** 842
   - **h. Tentative Map – Extension to Vest**
     - **Planning Fee:** 580
     - **10% Surcharge:** 0
     - **Technology Fee:** 15
   - **i. Tentative Map Waiver**
     - **Planning Fee:** 2,064
     - **10% Surcharge:** 206.40
     - **Technology Fee:** 15
     - **Deposit:** 1,407
     - **DPW Deposit:** 842

12. **REZONINGS**
   - **Planning Fee:** 23,214
   - **10% Surcharge:** 2,321.40
   - **Technology Fee:** 15
   - **Deposit:** 1,407
   - **DPW Deposit:** 842
13. SERVICES

<table>
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<tr>
<th>Service Description</th>
<th>Fee</th>
<th>10% Surchage</th>
<th>Technology Fee</th>
<th>Deposit</th>
<th>DPW Deposit *</th>
<th>EHS Deposit **</th>
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<tbody>
<tr>
<td>a. Appeal to the Board of Supervisors</td>
<td>1,408</td>
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<td>b. Appeal to the Planning Commission</td>
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<td>c. Address Assignment or Change in Address</td>
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<td>d. Planning Consultation</td>
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<td>e. General Planning Services Retainer</td>
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<td>f. Planning Information Packet</td>
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<td>g. Preapplication Review</td>
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<td>h. Property Status Determination / Research</td>
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<td>i. Presubmittal Plan Review</td>
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<td>j. Public Convenience and Necessity – ABC License</td>
<td>942</td>
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14. SIGNS

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<th>DPW Deposit *</th>
<th>EHS Deposit **</th>
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<tbody>
<tr>
<td>a. Master Sign Program</td>
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<td>b. Sign Review</td>
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<tr>
<td>c. Sign Permit / Temporary Sign Permit</td>
<td>230</td>
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15. SITE PLAN REVIEW

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<th>Fee</th>
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<th>Technology Fee</th>
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<th>EHS Deposit **</th>
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<tbody>
<tr>
<td></td>
<td>2,086</td>
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16. TIDELANDS PERMITS

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<th>DPW Deposit *</th>
<th>EHS Deposit **</th>
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</thead>
<tbody>
<tr>
<td>a. Regular</td>
<td>3,482</td>
<td>15</td>
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<td></td>
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<tr>
<td>b. Minor / Amendment</td>
<td>2,086</td>
<td>15</td>
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17. TREE REMOVAL PERMITS

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<tbody>
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<td>a. Regular</td>
<td>695</td>
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<td>b. Minor</td>
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18. USE PERMITS

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<th>EHS Deposit **</th>
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<tr>
<td>a. Master Use Permit</td>
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<td>b. Major</td>
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<td>812.50</td>
<td>15</td>
<td>1,407</td>
<td>842</td>
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<tr>
<td>c. Regular / CUP Amendments</td>
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<td>464.30</td>
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<tr>
<td>d. Child Day-Care Home</td>
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<tr>
<td>e. Large Family Day-Care Home</td>
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<tr>
<td>f. Temporary – Regular</td>
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<td>g. Temporary – Minor</td>
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<td>h. Renewal</td>
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19. VARIANCES

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<tr>
<td>a. Regular</td>
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20. OTHER

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<tr>
<td>a. Annual Notification Subscription</td>
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ADDITIONAL FEES FOR INFORMATION PURPOSES:

1. FIRE REVIEW (Flat Fees)
(Fire fees collected pursuant to Ordinance 3550 – where property is located in CSA 31)

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<th>Service Description</th>
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<tbody>
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<td>a. Fire Department Review for Discretionary Projects</td>
<td>319</td>
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<tr>
<td>b. Vegetation Management Plan Review</td>
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<tr>
<td>c. Tentative Map Review</td>
<td>751</td>
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<tr>
<td>d. General Review and Consultation - per hour</td>
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2. STATE DEPARTMENT OF THE FISH AND WILDLIFE

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<th>Service Description</th>
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<tr>
<td>a. Negative Declaration Fee</td>
<td>2,210</td>
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<tr>
<td>b. Environmental Impact Report Fee</td>
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</tr>
<tr>
<td>c. County Clerk Filing Fee</td>
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* DPW and EHS deposit fees are collected once per project. If the project includes multiple permits, the highest DPW deposit fee for that project will be collected.

** The EHS deposit is collected only if the property is served by private well or septic disposal system.
1. Hourly rates for Planning and Public Works staff are $151 for all services. Hourly rates for staff from other departments are as indicated in their separate fee schedules.

2. Fees shall be paid in full at the time of application submittal to the County. Where a project requires more than one permit, 100% of the highest base fee shall be collected and all subsequent base fees will be collected at 50% of the published fee. The term “base fee” refers to regular Planning permit fees, and excludes the following fees: code enforcement fees, environmental review fees, “other services” fees, planning review fees on building permits, Certificates of Compliance, Mergers, Plan Checks - Maps/Improvement Plans, and annual notification subscription fees. Non-base fees, Department of Public Works review and Environmental Health Services review fees are collected at 100%.

3. Fees for the specified applications are charged on a deposit/at cost basis. The fees noted in the fee schedule are minimum fees to be paid at the time of application filing to cover the average County cost of review. Should actual costs exceed the amount of any fee, the applicant will be billed for additional costs. Should the actual costs exceed the amount of the deposit, work on the project will be halted and the owner will be billed for additional costs. Nonpayment of the fees may also result in the denial or withdrawal of the application, an order to cease further work, or withholding of the and other administrative processing functions until all required fees have been paid. The CDA Director may defer the collection of the fees as a condition of the building permit if it is found necessary to issue the permit immediately.

4. An invoice for payment of additional deposit fees will be issued periodically. The amount of the additional deposit will be based on a good faith estimate of the anticipated costs for the duration of the permit processing. A subsequent, updated invoice may be issued if changes to the project or other factors are encountered that will change the scope or length of processing.

5. If a project expires or is withdrawn with a remaining deposit fee that exceeds the governing hourly rate for one hour, all unused portions of the deposit fee will be refunded.

6. Notwithstanding the fee schedule, the CDA Director reserves the right to require payment of the deposit fee for the Department of Public Works or Environmental Health Services if the application triggers a review by either department.

7. Remaining fee amounts may be granted toward resubmittal of applications that expire if resubmitted within 60 days from the date of expiration with the prior written authorization of the CDA Director.

8. The CDA Director reserves the right to pass on direct costs incurred by the Community Development Agency to the applicant, such as rental charges associated with use of community facilities solely for public meetings on the application.

9. The CDA Director reserves the right to hire an environmental consultant to conduct environment reviews. When a consultant is hired, the actual cost of the consultant’s work and an additional 30% management fee shall be required.

10. Other development-related fees which may be required include, but are not necessarily limited to, the following fees: building, grading, well, septic, creek, encroachment, improvement plan review, transportation facilities, road impact, housing impact, inclusionary housing, park mitigation, and school fees.

11. In the event that there is an unresolved code enforcement case relating to any work that has been undertaken on or use made of a property, the applicant shall pay two times to four times the required
base fees, as determined by the CDA Director, pursuant to Marin County Code, Section 1.05.050 D, which is hereby incorporated by reference as is fully set forth herein. This requirement may be waived by the CDA Director if such a waiver is in the public interest and the applicant is expeditiously correcting the violation. If an application for a Planning permit to resolve the code enforcement case expires, an additional penalty fee is required to reinstate or resubmit the application.

12. Appeal fees apply only to those activities necessary to process the appeal. Additional services to the applicant, such as reviewing modifications to a project that is under appeal, shall be billed against the base fees for the project.

13. The CDA Director shall have the ability to waive or transfer from the In-Lieu Housing Trust Fund up to 100% of the Planning and Environmental Health Services review fees for projects that include below market rate housing units subject to the requirement that the project meet the eligibility standards for state or federal housing funding. The amount of fees waived to be determined based on the proportion of the project, which is below market rate housing, and the permanency of the housing subsidy.

14. The CDA Director is authorized to waive up to 35% of the Planning fees for projects undertaken by community-based non-profit agencies or organizations which provide services resulting in public benefits. Application fees shall be paid in full at the time of filing and accompanied by a written request for the waiver.

15. The CDA Director is authorized to waive up to 100% of the Design Review or Coastal Permit fees for solar photovoltaic projects that are consistent with applicable codes and guidelines.

16. The charge for returned checks is $35 (including a $10 Department of Finance, Central Collections fee).

17. At the time credit card payments are accepted, a credit card convenience fee will be applied to all credit card transactions. This is not a Marin County fee and is retained by the Service Bureau.

Actual fees will be determined at the time your application is filed at the Permit Center. Please do not write the fee amount on your check in advance of submitting the application.
<table>
<thead>
<tr>
<th>Fee Type</th>
<th>Fee Purpose</th>
<th>Authority for Fee</th>
<th>How this Charge is Determined</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDA Building &amp; Safety - Building Permit Application Fee</td>
<td>To cover the cost of providing building permit counter processing and plan review services</td>
<td>Ord 3528 Sec 19.04.032 MCC - Master Fee &amp; Service Schedule</td>
<td>Calculated as an average (68%) of the total Building &amp; Safety service fee, as applicable</td>
</tr>
<tr>
<td>CDA Building Safety - Building Permit Issuance Fee</td>
<td>To cover the cost of providing building inspection services and clerical processing after your building permit is issued</td>
<td>Ord 3528 Sec 19.04.032 MCC - Master Fee &amp; Service Schedule</td>
<td>Calculated as the remaining (32%) of the total Building &amp; Safety service fee, as applicable</td>
</tr>
<tr>
<td>CDA Planning - Zoning Review Fee</td>
<td>To cover the cost of reviewing your building permit application for conformance to local zoning and planning ordinances</td>
<td>Ord 3529 - Exhibit &quot;A&quot; Planning Division Fees</td>
<td>A flat fee is assigned from the Planning Division Fee Schedule as appropriate for the level of review your application requires</td>
</tr>
<tr>
<td>CA State - Seismic Motion Instrument Program Tax</td>
<td>State tax to fund earthquake fault monitoring stations</td>
<td>CA Public Resources Code Sec 2705 (a)</td>
<td>For residential occupancies this tax is calculated at .01% of the value of the proposed improvements, and .021% for commercial improvements (A 50 cent minimum is required)</td>
</tr>
<tr>
<td>CA State - Building Standards Commission &quot;Green&quot; Tax</td>
<td>State tax to fund CA green building code development</td>
<td>CA Health and Safety Code Sec 18931.6 (a)</td>
<td>For all improvements this tax is calculated at .004% of the value of the proposed improvements ($1.00 for every $25,000 of improvements), with a $1.00 minimum charge required</td>
</tr>
<tr>
<td>DPW Land Development - Site Encroachment Fee</td>
<td>DPW Land Development fee to cover the cost of providing plan review and inspection services for exterior features such as grading, drainage and driveways</td>
<td>Ord 3062 - Sec 3.48.020 #12 MCC</td>
<td>This fee is manually calculated by DPW Land Development staff to recover the time and expense associated with review and inspection of your project</td>
</tr>
<tr>
<td>DPW - Roads Impact Fee</td>
<td>DPW development fee to provide funds for ongoing and future road improvement and maintenance impacts</td>
<td>Res No. 2003-97</td>
<td>This charge is calculated at 1% of the value of the proposed improvements, for all improvements having a value of at least $10,000</td>
</tr>
<tr>
<td>CDA - Planning Surcharge Fee</td>
<td>CDA development fee to provide funds for ongoing and future Countywide General Plan maintenance and amendments</td>
<td>Ord 3372</td>
<td>This charge is calculated at 10% of the sum of the Building Permit Application Fee + the Building Permit Issuance Fee</td>
</tr>
<tr>
<td>CDA - Affordable Housing Fee</td>
<td>CDA development fee to provide funds for ongoing and future affordable housing projects</td>
<td>Ord 3500</td>
<td>This charge applies to qualifying residential projects resulting in conditioned floor area greater than 2,000 sq-ft</td>
</tr>
<tr>
<td>CDA - Technology Enhancement Fee</td>
<td>CDA development fee to provide funds for ongoing and future technology improvements to enhance customer service and efficiency</td>
<td>Sec 19.04.032 (d)(6) MCC</td>
<td>This charge is calculated at 5% of the sum of the Building Permit Application Fee + the Building Permit Issuance Fee</td>
</tr>
<tr>
<td>CDA - Construction &amp; Demolition Fee</td>
<td>CDA fee to implement and maintain the Construction and Demolition Waste Recovery Program</td>
<td>Ord 3389, 3390</td>
<td>This charge varies from $50 - $250 depending on the sq-ft of the proposed project</td>
</tr>
</tbody>
</table>
Affordable Housing Requirements: What You Need to Know
Fiscal Year 2022-23

Summary: Marin County is experiencing a severe shortage of affordable housing for low- and moderate-income households. In response, the County has developed affordable housing requirements designed to mitigate the impact of new development on the affordable housing stock. As this impact varies by development type and size, the County has taken care to develop affordable housing policies that respond to the unique impacts created by various development types.

A table identifying what affordable housing provisions correspond to each development type is provided below; a summary of each requirement follows the table.

This handout is intended as a tool to provide general guidance for the public. Additional details and standards may be found in Marin County Development Code 22.22, titled “Affordable Housing Regulations.” Housing project applicants should consult the Community Development Agency for a specific evaluation of their project’s affordable housing requirements.

<table>
<thead>
<tr>
<th>Table 1: Affordable housing requirements by development type</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of development</strong></td>
</tr>
<tr>
<td>New residences and residential floor area</td>
</tr>
<tr>
<td>Single residential unit</td>
</tr>
<tr>
<td>Multi-dwelling residential units¹</td>
</tr>
<tr>
<td>Lot creation</td>
</tr>
<tr>
<td>With proposed dwellings</td>
</tr>
<tr>
<td>Lots only</td>
</tr>
<tr>
<td>Non-residential</td>
</tr>
<tr>
<td>Non-residential only</td>
</tr>
<tr>
<td>Mixed-use</td>
</tr>
</tbody>
</table>

¹ The definition of multi-family dwellings includes duplexes, triplexes, fourplexes, apartments, and town-house developments. Accessory Dwelling Units (ADUs), Junior Accessory Dwelling Units (JADUs), and agricultural worker housing are not considered in the calculation for the number of units for this definition and do not convert a single residential unit development into a multi-dwelling residential development. Marin County Code 22.130.030 (March 2017).
Applicants interested in incorporating affordable units above and beyond the minimum requirements may be eligible for a reduction or waiver of associated affordable housing impact fees or in-lieu fees. Additional incentives and concessions are detailed in Marin County Development Code Chapter 22.24 - “Affordable Housing Incentives;” please contact the Community Development Agency for more information.

Affordable Housing Impact Fee

Since 2008, new single residential unit developments are charged an “affordable housing impact fee” to mitigate the expected increase in demand for affordable housing due to employment growth associated with the new development. For example, anyone who moves into a new single residential unit will need the typical services provided by a robust economic community, such as gas stations, hospitals, and restaurants. Therefore, more affordable housing in the area will eventually be necessary to accommodate the people providing those services. Per Ordinance 3500, the County uses the estimated number of low- and moderate-income jobs generated by the new development to calculate an impact fee for single residential unit construction, teardowns, and major remodels. Specifically, the fee applies to:

1. New **single residential units** with more than 2,000 square feet of Conditioned Floor Area; and

2. **Teardowns** and major remodels (additions) of single residential units that result in over 500 square feet of new space where the new total Conditioned Floor Area is greater than 2,000 square feet.

Affordable Housing Impact Fees are applied only to new, proposed floor area. However, the *new total* conditioned floor area of the single residential unit determines the fee *rate* for the project (Table 2).

Example calculation 1:
(SF = square feet)

A. Scenario: An owner of an existing 2,500 SF single residential unit proposes to add 800 SF.

1. The total conditioned floor area of the single residential unit is 2,500 SF + 800 SF = 3,300 SF.

---

2 Conditioned Floor Area (CFA) is the floor area (in square feet) of enclosed conditioned space on all floors of a building, as measured at the floor level of the exterior surfaces of the exterior walls enclosing the conditioned space (California Energy Code). “Conditioned space” generally refers to any space within a building that can be heated and/or cooled.

3 Teardowns shall be consistent with the definition of “Vacant Lot” as stipulated in County Development Code § 22.130.30.
2. Because the addition would result in a new total floor area greater than 3,000 SF, the addition will be assessed at a fee rate in the “≥ 3,000” tier.

3. In Fiscal Year 2022/2023, the fee rate for the “≥ 3,000” tier is $15.95/SF.

4. Since the 800 SF addition would be subject to a fee rate of $15.95/SF, the Affordable Housing Impact Fee for this project is 800 SF x $15.95/SF = $12,760.

Example calculation 2:

B. Scenario: An owner of a vacant property or an existing structure being demolished proposes to build a 4,500 SF single residential unit and a 700 SF Accessory Dwelling Unit (ADU).

1. Because the development would result in a new total floor area greater than 3,000 SF, the fee rate will be assessed in the “≥ 3,000” tier.

2. However, because an ADU unit is proposed concurrent to the project, the fee rate for the “≥ 3,000” tier is $7.98/SF in Fiscal Year 2022/2023.

3. To calculate the fee, the first 2,000 SF is deducted from the single residential unit and the 700 SF ADU is not subject to a fee. The Affordable Housing Impact Fee for this project is 2,500 SF x $7.98/SF = $19,950.

<table>
<thead>
<tr>
<th>Conditioned Floor Area</th>
<th>Fee per square foot</th>
<th>If new ADU, JADU, or Ag. Worker Unit proposed concurrent to project</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥ 3,000</td>
<td>$15.95</td>
<td>$7.98</td>
</tr>
<tr>
<td>&gt; 2,000 and &lt; 3,000</td>
<td>$7.98</td>
<td>$0.00</td>
</tr>
<tr>
<td>≤ 2,000</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Exceptions and Reductions:

1. Deed-restricted units affordable to low- and moderate-income households, and square footage designated for an Accessory Dwelling Unit (ADU) or dedicated as Agricultural Worker Housing are not subject to the Affordable Housing Impact Fee.

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4 Rates are updated annually; Table 2 fee schedule effective July 1, 2022 – June 30, 2023.
2. Dependent on the size of the single residential unit, the development of an ADU or Agricultural Worker unit concurrent with the home construction can qualify the project for a 50% reduction or waiver of this fee (Table 2).

Payment of the Affordable Housing Impact Fee is required prior to issuance of a Building Permit.

**Inclusionary Zoning Policy**

Marin County Code § 22.22.090 - “Inclusionary Housing Standards - Lot Creation” requires 20% of the total number of units or lots within a subdivision to be developed as or dedicated to affordable housing.

All projects proposing the development of two or more new units or lots must dedicate 20% of the project as affordable housing. In instances where application of the 20% inclusionary requirement results in a decimal fraction of a unit/lot less than or equal to 0.50, the project applicant shall be required to pay a proportional in-lieu fee (Table 3). The In-Lieu Participation Fee for Fiscal Year 2022/2023 is $370,050.

Marin County Code § 22.22.080 - “General Housing Affordability Standards” enumerates standards that proposed inclusionary units must meet.

This policy applies to:

1. All **new multi-dwelling residential units**, including **condominiums** and conversions;

2. Any **subdivision** with a proposed development of one or more new dwellings; and

3. Any subdivision creating one or more new lots.

<table>
<thead>
<tr>
<th>Project size (# of units)</th>
<th>“Decimal Fraction” Inclusionary Requirement</th>
<th># affordable units required</th>
<th>Fee ($) required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.20</td>
<td>Fee may apply</td>
<td>Fee may apply</td>
</tr>
<tr>
<td>2</td>
<td>0.40</td>
<td>0</td>
<td>$148,020</td>
</tr>
<tr>
<td>3</td>
<td>0.60</td>
<td>1</td>
<td>None</td>
</tr>
<tr>
<td>4</td>
<td>0.80</td>
<td>1</td>
<td>None</td>
</tr>
<tr>
<td>5</td>
<td>1.00</td>
<td>1</td>
<td>None</td>
</tr>
<tr>
<td>6</td>
<td>1.20</td>
<td>1</td>
<td>$74,010</td>
</tr>
<tr>
<td>7</td>
<td>1.40</td>
<td>1</td>
<td>$148,020</td>
</tr>
<tr>
<td>8</td>
<td>1.60</td>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>9</td>
<td>1.80</td>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>10</td>
<td>2.00</td>
<td>2</td>
<td>None</td>
</tr>
</tbody>
</table>
Applicants seeking a waiver and requesting to pay an in-lieu fee rather than fulfill the County’s inclusionary requirements should consult County Code Section 22.22.060 - “Waivers” to understand the conditions under which such a request might be granted.

Payment of any applicable affordable housing fees is required prior to filing of maps.

To learn more about how monthly rents are calculated for affordable rental units, contact the Housing and Federal Grants Division at affordablehousing@marincounty.org or (415) 473-7309.

The Marin Housing Authority manages the County’s portfolio of below-market rate affordable homeownership units. Contact Stephanie Lovette at slovette@marinhousing.org for an explanation of how the sale price of inclusionary units is set.

**Jobs/Housing Linkage Fees**

The inclusionary fee also applies to all projects proposing new non-residential floor area, including that proposed in mixed-use development projects. In such cases, residential and non-residential affordable housing requirements will be applied according to development type:

<table>
<thead>
<tr>
<th>Development type</th>
<th>Fee per square foot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing/Light Industry/Assembly</td>
<td>$3.74</td>
</tr>
<tr>
<td>Office/Research and Development</td>
<td>$7.19</td>
</tr>
<tr>
<td>Warehouse</td>
<td>$1.94</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>$1,745 per room</td>
</tr>
<tr>
<td>Retail/Restaurant</td>
<td>$5.40</td>
</tr>
<tr>
<td>Residential Care Facility</td>
<td>$22.97</td>
</tr>
<tr>
<td>Medical-Extended Care</td>
<td>$26.80</td>
</tr>
<tr>
<td>Other types of non-residential development</td>
<td>Applicant to provide information and statistics or new jobs generated by use of the development</td>
</tr>
</tbody>
</table>

Alternatively, applicants may propose to provide affordable housing for 25% of the need generated by the non-residential development. For certain development types, the number of residential units required to qualify for this option is quantified as a decimal fraction of the non-residential floor area; the requirements for this option are provided in Marin County Development Code.

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5 Office uses include those associated with professional, business, and medical services.
6 Accessory uses within a hotel such as retail, restaurant, and meeting facilities shall be subject to requirements for a retail use.
7 Resolution No. 2016-122. This fee is updated annually; the rate listed in Table 5 is current for the period July 1, 2022 – June 30, 2023.
8 Ibid.
§ 22.22.100(B), Table 3-4c and in Table 5, below. For development types not listed in Table 5, a specific nexus analysis may be required to establish the number of affordable housing units necessary to offset the impact of the non-residential development.

<table>
<thead>
<tr>
<th>Development type</th>
<th>Number of affordable housing units required per square foot of non-residential floor area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing/Light Industry/Assembly</td>
<td>0.000045</td>
</tr>
<tr>
<td>Office⁹/Research and Development</td>
<td>0.000085</td>
</tr>
<tr>
<td>Warehouse</td>
<td>0.000023</td>
</tr>
<tr>
<td>Hotel/Motel¹⁰</td>
<td>0.000020</td>
</tr>
<tr>
<td>Retail/Restaurant</td>
<td>0.000058</td>
</tr>
</tbody>
</table>

For Further Information

The Marin County Development Code, including Chapters 22.22 and 22.24, are available online.

Applicants may visit the Community Development Agency’s Public Information Counter (415-473-6269) at the Marin County Civic Center located at 3501 Civic Center Drive, Suite 308, San Rafael, California.

Applicants may also contact the Community Development Agency’s Housing and Federal Grants Division at affordablehousing@marincounty.org or (415) 473-7309.

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⁹ Office uses include those associated with professional, business, and medical services.
¹⁰ Accessory uses within a hotel such as retail, restaurant, and meeting facilities shall be subject to requirements for a retail use.
# Schedule of Marin County Land Use Types and Transportation Improvement Mitigation Fees

## Summary Transportation Improvement Fee Information

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Atherton Avenue</th>
<th>Northgate Activity Center Plan</th>
<th>West Sir Francis Drake Boulevard</th>
<th>Strawberry Interchange</th>
<th>Tamalpais Community Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjusted per 1913 ENR Cost Construction Index to:</td>
<td>January 2016</td>
<td>$10,132.55</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Cost of Needed Transportation Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Projected New PM Peak-Hour Trips at Build-Out</td>
<td>600.00</td>
<td>5,278.00</td>
<td>450.00</td>
<td>1,098.00</td>
<td>1,400.00</td>
</tr>
<tr>
<td>Transportation Improvements Fee Per PM Peak-Hour Trip</td>
<td>$3,967.09</td>
<td>$6,449.79</td>
<td>$5,582.33</td>
<td>$5,321.19</td>
<td></td>
</tr>
</tbody>
</table>

## Examples of Transportation Improvement Fees Based on Land Use Types

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Land Use Code No. (1)</th>
<th>PM Peak Hour Trips Generated (1)</th>
<th>Percent of New Trips (2)</th>
<th>Atherton Avenue</th>
<th>Northgate Activity Center Plan</th>
<th>West Sir Francis Drake Boulevard</th>
<th>Strawberry Interchange</th>
<th>Tamalpais Community Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (Per Dwelling)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family, Detached</td>
<td>210</td>
<td>1.02</td>
<td>4,046.43</td>
<td>$8,501.75</td>
<td>$6,578.79</td>
<td>$5,693.97</td>
<td>$5,427.61</td>
<td></td>
</tr>
<tr>
<td>Apartment</td>
<td>220</td>
<td>0.67</td>
<td>$2,857.95</td>
<td>$5,584.48</td>
<td>$4,321.36</td>
<td>$3,740.16</td>
<td>$3,656.20</td>
<td></td>
</tr>
<tr>
<td>Rental Townhouse - SFR Second Unit</td>
<td>224</td>
<td>0.52</td>
<td>$2,062.89</td>
<td>$4,334.23</td>
<td>$3,353.89</td>
<td>$2,902.81</td>
<td>$2,767.02</td>
<td></td>
</tr>
<tr>
<td>Residential Condominium/Townhouse</td>
<td>230</td>
<td>0.52</td>
<td>$2,062.89</td>
<td>$4,334.23</td>
<td>$3,353.89</td>
<td>$2,902.81</td>
<td>$2,767.02</td>
<td></td>
</tr>
<tr>
<td>Mobile Home</td>
<td>240</td>
<td>0.37</td>
<td>$1,467.82</td>
<td>$3,083.97</td>
<td>$2,386.42</td>
<td>$2,065.46</td>
<td>$1,968.84</td>
<td></td>
</tr>
<tr>
<td>Assisted Living</td>
<td>254</td>
<td>0.35</td>
<td>$1,388.48</td>
<td>$2,917.27</td>
<td>$2,257.43</td>
<td>$1,953.81</td>
<td>$1,862.42</td>
<td></td>
</tr>
<tr>
<td>Hotel Room</td>
<td>310</td>
<td>0.61</td>
<td>$2,419.93</td>
<td>$5,084.38</td>
<td>$3,934.37</td>
<td>$3,405.22</td>
<td>$3,245.93</td>
<td></td>
</tr>
<tr>
<td>Industrial and Warehouse (Per 1,000 sq. ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Light Industrial</td>
<td>110</td>
<td>1.08</td>
<td>$4,284.46</td>
<td>$9,001.85</td>
<td>$6,965.78</td>
<td>$6,026.91</td>
<td>$5,746.89</td>
<td></td>
</tr>
<tr>
<td>Warehousing</td>
<td>150</td>
<td>0.45</td>
<td>$1,785.19</td>
<td>$3,750.77</td>
<td>$2,902.41</td>
<td>$2,512.05</td>
<td>$2,394.54</td>
<td></td>
</tr>
<tr>
<td>Office and Financial (Per 1,000 sq. ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>General Office</td>
<td>710</td>
<td>1.49</td>
<td>$5,910.97</td>
<td>$12,419.22</td>
<td>$9,610.19</td>
<td>$8,317.06</td>
<td>$7,928.57</td>
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<td>Medical Office</td>
<td>720</td>
<td>4.45</td>
<td>$17,653.56</td>
<td>$37,090.97</td>
<td>$28,701.57</td>
<td>$24,841.35</td>
<td>$23,679.30</td>
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<td>Office Park</td>
<td>750</td>
<td>1.48</td>
<td>$5,871.30</td>
<td>$12,335.87</td>
<td>$9,545.09</td>
<td>$8,261.84</td>
<td>$7,875.36</td>
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<tr>
<td>Retail (Per 1,000 sq. ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Shopping Center</td>
<td>820</td>
<td>3.73</td>
<td>66%</td>
<td>$9,796.19</td>
<td>$20,519.22</td>
<td>$15,878.10</td>
<td>$13,742.57</td>
<td>$13,099.71</td>
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<tr>
<td>Supermarket</td>
<td>850</td>
<td>11.85</td>
<td>63%</td>
<td>$29,616.33</td>
<td>$62,225.31</td>
<td>$48,150.92</td>
<td>$41,674.85</td>
<td>$39,725.35</td>
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<tr>
<td>High-Turnover (Sit-Down) Restaurant</td>
<td>932</td>
<td>18.49</td>
<td>57%</td>
<td>$41,810.38</td>
<td>$87,845.58</td>
<td>$67,976.29</td>
<td>$58,833.80</td>
<td>$56,081.62</td>
</tr>
<tr>
<td>Fast-Food Restaurant with Drive-Through Window</td>
<td>934</td>
<td>46.14</td>
<td>50%</td>
<td>$91,520.82</td>
<td>$192,289.59</td>
<td>$148,796.70</td>
<td>$128,784.24</td>
<td>$122,769.86</td>
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RESOLUTION NO. 2002-97
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
ESTABLISHING PUBLIC TRANSPORTATION FACILITIES FEES
AND ZONES OF BENEFIT FOR NEEDED TRANSPORTATION IMPROVEMENTS
IN VARIOUS SUB-REGIONAL AREAS THROUGHOUT MARIN COUNTY; AND
RESCINDING CONDITION 4 OF BOARD OF SUPERVISORS RESOLUTION 84-501
CONCERNING AREA-WIDE IMPROVEMENT CREDITS ESTABLISHED IN
THE NORTHGATE ACTIVITY CENTER PLAN

SECTION 1. FINDINGS

Whereas the Marin County Board of Supervisors does hereby find and declare the following:

I. In order to implement the goals and objectives of the Marin Countywide Plan, and to
mitigate traffic impacts caused by future development in Marin County, certain public
transportation facilities must be constructed. Consistent with Marin Countywide Plan
Policies T-1.1 and T-1.3 and Programs T-1.1b and T-1.3a, the Board of Supervisors has
determined that fair-share public transportation facilities fees imposed on new
development are needed in order to finance such facilities.

II. The Marin County Department of Public Works, Transportation Services Division, has
prepared a “Marin County Sub-Regional Transportation Improvement Fee Study” that
documents: (1) the capacity of specific transportation systems, which will be exceeded by
additional travel demand generated by new development; and (2) new public
transportation facilities within these specific areas needed to keep the systems operating
at or better than the conditions currently in existence.

III. On July 9, 2002, the Board of Supervisors adopted the Marin County Public
Transportation Facilities Fee Ordinance No. 3348, adding Chapter 15.07 to the Marin
County Code that requires new developments to pay their fair share for needed public
transportation improvements. Pursuant to Section 15.07.040(2) of Marin County Code,
the Board of Supervisors shall, in subsequent Board resolutions, set forth the amount of
each such fee so established, describe the benefit and impact area on which the fee is
imposed, identify the public transportation facilities to be financed, describe the estimated
cost of these facilities, describe the reasonable relationship between this fee and the
various types of new developments, and set forth time of payment.

IV. On October 16, 1984, the Board of Supervisors conditionally adopted the Northgate
Activity Center Plan by Resolution 84-501, enabling the County to collect traffic mitigation
fees from new development in the plan area for needed transportation improvements
called for by the plan. Condition 4 of Resolution 84-501 allows a fee credit of 55 percent
of the total cost of local transportation improvements required by the County for a new
development that represent area-wide improvements and benefit a constituency larger
than those properties nearby the development. This credit condition should be rescinded
because it could result in unfair fee participation rates for projects that construct needed,
regional improvements at full costs, which then are expected to pay additional fees that
may exceed their total fair-share participation costs for the plan area. It is not necessary
at this time to revise any other condition of Resolution 84-501.
V. Legal notices were given of the public hearing scheduled before the Board of Supervisors to consider a resolution establishing public transportation facilities fees and zones of benefit for transportation improvements in various sub-regional areas throughout Marin County. The Board of Supervisors conducted a public hearing on this resolution on July 9, 2002.

SECTION 2. ADOPTION

Now, therefore, the Board of Supervisors of the County of Marin does hereby resolve that pursuant to Chapter 15.07 of Marin County Code, all new development projects and other projects determined to add traffic to the following listed areas shall pay a public transportation facilities improvement fee to pay for long-term, sub-regional transportation improvements necessary to handle increased traffic according to the following schedule by area:

1. Tamalpais Community Plan Area:
   
   a) **Fee** – A fee of $3,393.57 per new weekday PM peak-hour trip (April 2002 dollars) shall be required, which will be adjusted for inflation by the ENR construction cost index at the time the fee is paid.
   
   b) **Trip Generation Rate** – The number of new weekday PM peak-hour trips generated by a proposed development shall be based on the latest ITE Trip Generation Standards or an approved traffic study prepared by a qualified professional.
   
   c) **Zone of Benefit** – The Zone of Benefit shall include all properties located within the Tamalpais Community Plan area, as shown on the attached Exhibit 1.
   
   d) **Transportation Improvements** – The proposed transportation improvements necessary to handle increased traffic in the Zone of Benefit are State Route 1 improvements from U.S. Highway 101 to Loring Avenue as described in the Tamalpais Community Plan. These improvements are expected to cost $4,751,000.00 in April 2002 dollars and are to be funded by 1,400 new, weekday PM peak-hour trips in the Zone of Benefit.

2. Strawberry Interchange (U.S. Highway 101/State Route 131 Interchange):
   
   a) **Fee** – A fee of $3,560.11 per new weekday PM peak-hour trip (April 2002 dollars) shall be required, which will be adjusted for inflation by the ENR construction cost index at the time the fee is paid.
   
   b) **Trip Generation Rate** – The number of new weekday PM peak-hour trips generated by a proposed development shall be based on the latest ITE Trip Generation Standards or an approved traffic study prepared by a qualified professional.
   
   c) **Zone of Benefit** – The Zone of Benefit shall include all properties located within an area tributary to the U.S. Highway 101/State Route 131 (Tiburon Boulevard) interchange, as shown on the attached Exhibit 2.
   
   d) **Transportation Improvements** – The proposed transportation improvements necessary to handle increased traffic in the Zone of Benefit are generally lane additions to the main roadways leading to and through the interchange, as described in more detail in the 1991 “Project Study Report On Route 131 Between Tower Drive/Kipling Drive and North Knoll Road.” These improvements are expected to cost $3,909,000 in April 2002 dollars and are to be funded by 1,098 new, weekday PM peak-hour trips in the Zone of Benefit.
3. West Sir Francis Drake Boulevard (San Geronimo Valley/Nicasio):

a) **Fee** – A fee of $4,113.33 per new weekday PM peak-hour trip (April 2002 dollars) shall be required, which will be adjusted for inflation by the ENR construction cost index at the time the fee is paid.

b) **Trip Generation Rate** – The number of new weekday PM peak-hour trips generated by a proposed development shall be based on the latest ITE Trip Generation Standards or an approved traffic study prepared by a qualified professional.

c) **Zone of Benefit** – The Zone of Benefit shall include all properties located within an area tributary to Sir Francis Drake Boulevard west of Fairfax, as shown on the attached Exhibit 3.

d) **Transportation Improvements** – The proposed transportation improvements necessary to handle increased traffic in the Zone of Benefit are generally the White’s Hill Slide Repair and Nicasio Valley Road/Sir Francis Drake Boulevard intersection modifications such as lane channelization, signalization, or a roundabout. These improvements are expected to cost $1,851,000 in April 2002 dollars and are to be funded by 450 new, weekday PM peak-hour trips in the Zone of Benefit.

4. Northgate Activity Center Plan Area:

a) **Fee** – A fee of $5,315.65 per new weekday PM peak-hour trip (April 2002 dollars) shall be required, which will be adjusted for inflation by the ENR construction cost index at the time the fee is paid.

b) **Trip Generation Rate** – The number of new weekday PM peak-hour trips generated by a proposed development shall be based on the latest ITE Trip Generation Standards or an approved traffic study prepared by a qualified professional.

c) **Zone of Benefit** – The Zone of Benefit shall include all properties located within the Northgate Activity Center Plan area, an area tributary to the U. S. Highway 101 interchanges at North San Pedro Road, Manuel Freitas Parkway, and Lucas Valley Road, as shown on the attached Exhibit 4.

d) **Transportation Improvements** – The proposed transportation improvements necessary to handle increased traffic in the Zone of Benefit are interchange improvements and interchange access improvements as described in the Northgate Activity Center Plan. These improvements are expected to cost $28,056,000 in April 2002 dollars and are to be funded by 5,278 new, weekday PM peak-hour trips in the Zone of Benefit.

5. Atherton Avenue:

a) **Fee** – A fee of $2,530.00 per new weekday PM peak-hour trip (April 2002 dollars) shall be required, which will be adjusted for inflation by the ENR construction cost index at the time the fee is paid.

b) **Trip Generation Rate** – The number of new weekday PM peak-hour trips generated by a proposed development shall be based on the latest ITE Trip Generation Standards or an approved traffic study prepared by a qualified professional.

c) **Zone of Benefit** – The Zone of Benefit shall include all properties located within an area tributary to Atherton Avenue, as shown on the attached Exhibit 5.

d) **Transportation Improvements** – The proposed transportation improvements necessary to handle increased traffic in the Zone of Benefit include the Binford Road/Atherton Avenue intersection and a bike path along Atherton Avenue from...
Bugeia Lane to Olive Avenue. These improvements are expected to cost $1,518,000 in April 2002 dollars and are to be funded by 600 new, weekday PM peak-hour trips in the Zone of Benefit.

Now, therefore, the Board of Supervisors of the County of Marin does hereby further resolve that Condition 4 of Board of Supervisors Resolution 84-501, which allows a 55 percent traffic mitigation fee credit for construction of area-wide transportation improvements required for new development in the Northgate Activity Center Plan area, is hereby rescinded. All other conditions of Resolution 84-501 shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

Now, therefore, the Board of Supervisors of the County of Marin does hereby further resolve that this resolution shall be, and is hereby declared to be, in full force and effect on September 8, 2002.

SECTION 4. VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this 9th day of July, 2002, by the following vote:

AYES: SUPERVISORS: John B. Kress, Steve Kinsey, Cynthia L. Murray, President
NOES: NONE
ABSENT: SUPERVISORS: Harold C. Brown, Jr., Annette Rose

Cynthia L. Murray
PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

Mary A. Geary
CLERK