

COMMUNITY DEVELOPMENT AGENCY

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		Water		Sewer	
Lagunitas	488-4118	MMWD	945-1145	Novato	892-1694
Mill Valley	389-7700	NMWD	897-4133	San Rafael	454-4001
Nicasio	662-2184	Stinson Beach	868-1333	Sausalito/Marin City	332-0244
Novato	897-4201	Bolinas	868-1224	Ross Valley	259-2949
Reed	383-1116			Las Gallinas Valley	472-1734
Ross	454-2162	Fire		Homestead Valley	388-4796
Dixie	492-3700	Marin County	473-6566	Almonte	388-8775
Kentfield	925-2230	Marinwood	479-0122	Alto	388-3696
Laguna	(707) 762-6051	Novato	878-2620	Central Marin	459-1455
Larkspur	927-6960	Ross Valley	258-4686	Southern Marin	388-2402
San Rafael	492-3205	Kentfield	453-7464	Corte Madera	927-5057
		Southern Marin	388-8182	Richardson Bay	388-1345
		Tiburon	435-7200	Tiburon	435-1501
		Bolinas	868-1566		
		Inverness	669-7151		
		Stinson Beach	868-0622		

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

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY — PLANNING DIVISION FEES

	Planning Fees	10% Surcharge	Technology Fee	Deposit	Dpw Deposit *	EHS Deposit **
1. ACCESSORY DWELLING UNIT	500		15			
2. COASTAL PERMITS						
a. Regular	5,804	580.40	15	✓	1,407	842
b. Minor / Amendment	3,482	348.20	15	✓	942	842
c. Exclusion	164					
3. DESIGN REVIEWS						
a. Residential – (Regular)	4,643	464.30	15	✓	1,407	842
b. Residential – Minor	1,741		15	✓		
c. Residential Accessory Structure / Amendment	2,086		15	✓	942	842
d. Non-residential – Major	8,125	812.50	15	✓	1,407	842
e. Non-residential – Minor / Amendment	4,062	406.20	15	✓	942	842
f. Exemption	246					
4. ENVIRONMENTAL REVIEWS						
a. Initial Study	17,411		15	✓	1,407	842
b. Environmental Impact Review Overhead	30%				1,407	
5. EXTENSION TO VEST						
a. Administrative	460		15			
b. Public Hearing / Master Plan	1,621		15	✓		
6. FLOATING HOME EXCEPTION	3,482		15	✓		
7. MASTER PLANS						
a. Regular	23,214	2,321.40	15	✓	1,407	842
b. Minor / Amendment	11,607	1,160.70	15	✓	1,407	842
8. PLAN AMENDMENTS	35,861	3,586.10	15	✓	1,407	
9. PLANNING REVIEW FEE – BUILDING PERMITS						
a. Major Plan Check	1,007	100.70				
b. Minor Plan Check	405					
c. New Residence Plan Check	2,020	202.00				
d. Partial Demolition	104					
e. Solar Panels, Air Conditioners, Arbors, etc.	104					
f. Structural Plan Check (Under 300 square feet)	197					
10. PRECISE DEVELOPMENT PLANS						
a. Regular	11,607		15	✓	1,407	842
b. Minor / Amendment	5,804		15		942	842
11. PROPERTY MODIFICATION						
a. Certificate of Compliance	2,902		15	✓		
b. Lot Line Adjustment	2,321		15	✓		842
c. Merger	361					
d. Plan Check – Maps / Improvement Plans	1,621		15	✓		
e. Tentative Map – Major	23,214	2,321.40	15	✓	1,407	842
f. Tentative Map – Minor	11,607	1,160.70	15	✓	1,407	842
g. Tentative Map Amendment	5,804	580.40	15	✓	942	842
h. Tentative Map – Extension to Vest	580		15			
i. Tentative Map Waiver	2,064		15	✓	1,407	842
12. REZONINGS	23,214	2,321.40	15	✓	1,407	842

	Planning Fees	10% Surcharge	Technology Fee	Deposit	DPW Deposit *	EHS Deposit **
13. SERVICES						
a. Appeal to the Board of Supervisors	1,408					
b. Appeal to the Planning Commission	712					
c. Address Assignment or Change in Address	307					
d. Planning Consultation	361					
e. General Planning Services Retainer	1,177			✓		
f. Planning Information Packet	307					
g. Preapplication Review	2,918			✓	942	842
h. Property Status Determination / Research	2,337			✓		
i. Presubmittal Plan Review	131					
j. Public Convenience and Necessity – ABC License	942					
k. Street Name Change	1,742		15	✓		
14. SIGNS						
a. Master Sign Program	1,742		15	✓		
b. Sign Review	1,742		15	✓		
c. Sign Permit / Temporary Sign Permit	230		15			
15. SITE PLAN REVIEW	2,086		15	✓	942	842
16. TIDELANDS PERMITS						
a. Regular	3,482		15	✓	942	842
b. Minor / Amendment	2,086		15	✓	942	842
17. TREE REMOVAL PERMITS						
a. Regular	695		15	✓		
b. Minor	230		15			
18. USE PERMITS						
a. Master Use Permit	8,125	812.50	15	✓	1,407	842
b. Major	8,125	812.50	15	✓	1,407	842
c. Regular / CUP Amendments	4,643	464.30	15	✓	1,407	842
d. Child Day-Care Home	548		15			
e. Large Family Day-Care Home	548		15			
f. Temporary – Regular	925		15	✓	942	842
g. Temporary – Minor	580		15	✓		
h. Renewal	597	59.70				
19. VARIANCES						
a. Regular	4,643		15	✓	1,407	842
b. Minor / Amendment	2,086		15	✓	942	842
20. OTHER						
a. Annual Notification Subscription	50					

ADDITIONAL FEES FOR INFORMATION PURPOSES:

1. FIRE REVIEW (Flat Fees)

(Fire fees collected pursuant to Ordinance 3550 – where property is located in CSA 31)

a. Fire Department Review for Discretionary Projects	319
b. Vegetation Management Plan Review	375
c. Tentative Map Review	751
d. General Review and Consultation - per hour	182

2. STATE DEPARTMENT OF THE FISH AND WILDLIFE

a. Negative Declaration Fee	2,210
b. Environmental Impact Report Fee	3,070
c. County Clerk Filing Fee	50

(Fees are included in Planning fees)

* 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.

CDA PLANNING DIVISION FEE SCHEDULE NOTES

The following notes apply to the entire fee schedule and as specified to individual permits.

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.

7/24/2018

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.

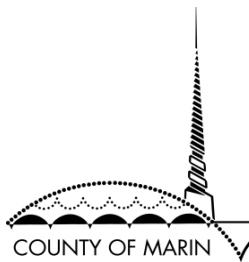
UNDERSTANDING YOUR CONSTRUCTION PERMIT FEES & CHARGES

CDA = Community Development Agency

CA State = State of California

DPW = Department of Public Works

Fee Type	Fee Purpose	Authority for Fee	How this Charge is Determined
CDA Building & Safety - Building Permit Application Fee	To cover the cost of providing building permit counter processing and plan review services	Ord 3528 Sec 19.04.032 MCC - Master Fee & Service Schedule	Calculated as an average (68%) of the total Building & Safety service fee, as applicable
CDA Building Safety - Building Permit Issuance Fee	To cover the cost of providing building inspection services and clerical processing after your building permit is issued	Ord 3528 Sec 19.04.032 MCC - Master Fee & Service Schedule	Calculated as the remaining (32%) of the total Building & Safety service fee, as applicable
CDA Planning - Zoning Review Fee	To cover the cost of reviewing your building permit application for conformance to local zoning and planning ordinances	Ord 3529 - Exhibit "A" Planning Division Fees	A flat fee is assigned from the Planning Division Fee Schedule as appropriate for the level of review your application requires
CA State - Seismic Motion Instrument Program Tax	State tax to fund earthquake fault monitoring stations	CA Public Resources Code Sec 2705 (a)	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)
CA State - Building Standards Commission "Green" Tax	State tax to fund CA green building code development	CA Health and Safety Code Sec 18931.6 (a)	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
DPW Land Development - Site Encroachment Fee	DPW Land Development fee to cover the cost of providing plan review and inspection services for exterior features such as grading, drainage and driveways	Ord 3062 - Sec 3.48.020 #12 MCC	This fee is manually calculated by DPW Land Development staff to recover the time and expense associated with review and inspection of your project
DPW - Roads Impact Fee	DPW development fee to provide funds for ongoing and future road improvement and maintenance impacts	Res No. 2003-97	This charge is calculated at 1% of the value of the proposed improvements, for all improvements having a value of at least \$10,000
CDA - Planning Surcharge Fee	CDA development fee to provide funds for ongoing and future Countywide General Plan maintenance and amendments	Ord 3372	This charge is calculated at 10% of the sum of the Building Permit Application Fee + the Building Permit Issuance Fee
CDA - Affordable Housing Fee	CDA development fee to provide funds for ongoing and future affordable housing projects	Ord 3500	This charge applies to qualifying residential projects resulting in conditioned floor area greater than 2,000 sq-ft
CDA - Technology Enhancement Fee	CDA development fee to provide funds for ongoing and future technology improvements to enhance customer service and efficiency	Sec 19.04.032 (d)(6) MCC	This charge is calculated at 5% of the sum of the Building Permit Application Fee + the Building Permit Issuance Fee
CDA - Construction & Demolition Fee	CDA fee to implement and maintain the Construction and Demolition Waste Recovery Program	Ord 3389, 3390	This charge varies from \$50 - \$250 depending on the sq-ft of the proposed project



COMMUNITY DEVELOPMENT AGENCY

HOUSING AND FEDERAL GRANTS DIVISION

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

www.marincounty.org/cda

Affordable Housing Requirements

What You Need to Know for Fiscal Year 2023-24

Summary: Marin County is experiencing a severe shortage of affordable housing for low- and moderate-income households. In response, the County has developed 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 the local affordable housing regulations that correspond to each development type is below; a summary of each requirement follows the table.

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

Table 1: Affordable housing requirements by development type		
Type of development	Requirement	Development Code section or ordinance number
New residences and residential floor area		
Single residential unit	Affordable Housing Impact Fee	22.22.090(A); Ordinance 3500
Multi-unit housing ¹	Inclusionary Zoning Policy	22.22.020(B) or (C)
Lot creation		
With proposed dwellings	Inclusionary Zoning Policy	22.22.020(D)
Lots only	Inclusionary Zoning Policy	22.22.020(E)
Non-residential		
Non-residential only	Commercial Linkage Fee	22.22.100(A)
Mixed-use	Commercial Linkage Fee & Inclusionary Zoning Policy, or Affordable Housing Impact Fee	22.22.100(B)

¹ Multi-unit housing includes duplexes, triplexes, fourplexes, apartments, and town house developments. Accessory Dwelling Units (ADUs), Junior Accessory Dwelling Units (JADUs), and agricultural worker housing are not included in this definition and do not convert a single residential unit into a multi-unit 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 the 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, single residential unit developments are charged an “affordable housing impact fee.” This fee mitigates the expected increase in demand for affordable housing due to employment growth that may be caused by 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 house 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, additions, and teardowns/rebuilds. Specifically, the fee applies to:

1. New **single residential units** with more than 2,000 square feet of Conditioned Floor Area;² and
2. Additions and teardowns³/rebuilds of single residential units that result in **over 500 square feet of added space** where the new total Conditioned Floor Area is greater than 2,000 square feet.

Generally, the total Conditioned Floor Area for the project determines the fee rate per square foot. The fee rate is then applied to either 1) the amount of floor area that exceeds 2,000 square feet (for new residences), or 2) the square footage of the addition (for additions). Refer to Table 2 on the next page for the fee schedule.

Note for additions: If there have been building permits issued for small residential additions (≤ 500 square feet) on the property within the past two years from the date of the current application, the floor area of the previous permit(s) is added to the floor area of the current application.

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

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 must be consistent with the definition of “Vacant Lot” as stipulated in [Marin County Development Code Chapter 22.130.30](#).

Table 2: Affordable Housing Impact Fee ⁴		
Conditioned Floor Area	Fee per square foot	If new ADU, JADU, or Ag. Worker Unit proposed concurrent to project
≥ 3,000	\$17.22	\$8.61
> 2,000 and < 3,000	\$8.61	\$0.00
≤ 2,000	\$0.00	\$0.00

Exceptions and Reductions:

1. Deed-restricted units that are affordable to low- and moderate-income households are **not** subject to the Affordable Housing Impact Fee.
2. Square footage designated for an Accessory Dwelling Unit (ADU) or dedicated as Agricultural Worker Housing is **not** subject to the Affordable Housing Impact Fee.
3. Depending 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 (refer to Table 2).

Example calculation 1:

(SF = square feet)

- A. Scenario: An owner of an existing 2,900 SF single residential unit proposes to add 800 SF.
 1. The total conditioned floor area of the single residential unit is $2,900 \text{ SF} + 800 \text{ SF} = 3,700 \text{ SF}$.
 2. Because the additions would result in a new total floor area greater than 3,000 SF, the project will be assessed at a fee rate in the “≥ 3,000” tier.
 3. In Fiscal Year 2023-24, the fee rate for the “≥ 3,000” tier is \$17.22/SF.
 4. To calculate the fee: Since the 800 SF addition would be subject to a fee rate of \$17.22/SF, the Affordable Housing Impact Fee for this project is $800 \text{ SF} \times \$17.22/\text{SF} = \$13,776$.

⁴ Rates are updated annually; Table 2 fee schedule effective July 1, 2023 - June 30, 2024.

Example calculation 2:

B. Scenario: An owner of a vacant property or an existing structure being demolished proposes to build a 2,500 SF single residential unit and a 600 SF Accessory Dwelling Unit (ADU).

1. The total conditioned floor area is $2,500 \text{ SF} + 600 \text{ SF} = 3,100 \text{ SF}$.
2. 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.
3. However, because an ADU unit is proposed concurrent to the project, the fee rate for the “≥ 3,000” tier is \$8.61/SF in Fiscal Year 2023-24.
4. To calculate the fee: The first 2,000 SF is deducted from the single residential unit to yield 500 SF, and the 600 SF ADU is not subject to a fee. The Affordable Housing Impact Fee for this project is $500 \text{ SF} \times \$8.61/\text{SF} = \$4,305$.

Inclusionary Zoning Policy and In-Lieu Fee

All projects proposing the development of two or more new units or lots must dedicate 20% of the project as affordable housing (refer to [Marin County Code Chapter 22.22.090](#), “Inclusionary Housing Standards—Lot Creation”). In instances where calculation of the 20% inclusionary requirement results in a decimal fraction of a unit/lot less than or equal to 0.50, the project applicant is required to pay a proportional in-lieu fee (refer to Table 3 on the next page). The in-lieu fee for fiscal year 2023-24 is \$399,654.

Proposed inclusionary units must meet certain standards, which are enumerated in [Marin County Code Chapter 22.22.080](#), “General Housing Affordability Standards.”

The Inclusionary Zoning Policy applies to:

1. All **new multi-unit housing**, including **apartments, condominiums** and conversions;
2. Any **subdivision** with a proposed development of one or more **new units**; and
3. Any **subdivision** creating one or more **new lots**.

Table 3: Inclusionary housing calculation for residential development			
Project Size (# of units)	"Decimal Fraction" Inclusionary Requirement	# Affordable Units Required	Fee Required
1	0.20	Fee may apply	Fee may apply
2	0.40	0	\$159,862
3	0.60	1	None
4	0.80	1	None
5	1.00	1	None
6	1.20	1	\$79,931
7	1.40	1	\$159,862
8	1.60	2	None
9	1.80	2	None
10	2.00	2	None

Applicants seeking a waiver and requesting to pay an in-lieu fee rather than fulfill the County's inclusionary requirements should consult [Marin County Code Chapter 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 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 Jeff Kelly at jkelly@marinhousing.org for questions about how the sale price of inclusionary units is set.

Commercial Linkage Fee

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, a Commercial Linkage Fee (otherwise known as a "jobs/housing linkage fee") will be applied according to development type:

Table 4: Fees for non-residential development	
Development Type	Fee (per square foot, unless otherwise noted)
Manufacturing/Light Industry/Assembly	\$3.74
Office ⁵ /Research and Development	\$7.19
Warehouse	\$1.94

⁵ Office uses include those associated with professional, business, and medical services.

Hotel/Motel ⁶	\$1,745 per room
Retail/Restaurant	\$5.40
Residential Care Facility ⁷	\$24.81
Medical-Extended Care ⁸	\$28.95
Other types of non-residential development	Applicant to provide information and statistics on new jobs generated by use of the development

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 a decimal fraction of the non-residential floor area. The requirements for this option are provided in [Marin County Development Code Chapter 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 5: Number of new affordable housing units required for new non-residential development	
Development Type	# Affordable Housing Units (per square foot of non-residential floor area)
Manufacturing/Light Industry/Assembly	0.000045
Office ⁹ /Research and Development	0.000085
Warehouse	0.000023
Hotel/Motel ¹⁰	0.000020
Retail/Restaurant	0.000058

For More Information

The Marin County Development Code, including Chapters [22.22](#) and [22.24](#), is available online.

Applicants may call (415) 473-6269 or visit the Community Development Agency's Public Information Counter 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 Division at affordablehousing@marincounty.org or (415) 473-7309.

⁶ Accessory uses within a hotel such as retail, restaurant, and meeting facilities will be subject to requirements for retail use.

⁷ Refer to [Marin County Board of Supervisors Resolution No. 2016-122](#). This fee is updated annually; the rate listed in Table 5 is current for the period July 1, 2023 - June 30, 2024.

⁸ Ibid.

⁹ Office uses include those associated with professional, business, and medical services.

¹⁰ Refer to footnote 6.

SCHEDULE OF MARIN COUNTY LAND USE TYPES AND TRANSPORTATION IMPROVEMENT MITIGATION FEES

Summary Transportation Improvement Fee Information	Planning Area				
	Atherton Avenue	Northgate Activity Center Plan	West Sir Francis Drake Boulevard	Strawberry Interchange	Tamalpais Community Plan Area
Adjusted per 1913 ENR Cost Construction Index to: <u>January 2016</u> \$ 10,132.55					
Estimated Cost of Needed Transportation Improvements	\$2,380,255.48	\$43,992,389.79	\$2,902,406.38	\$6,129,393.06	\$7,449,666.52
Projected New PM Peak-Hour Trips at Build-Out	600.00	5,278.00	450.00	1,098.00	1,400.00
Transportation Improvements Fee Per PM Peak-Hour Trip	\$3,967.09	\$8,335.05	\$6,449.79	\$5,582.33	\$5,321.19

Examples of Transportation Improvement Fees Based on Land Use Types

Land Use Type	Land Use Code No. (1)	P.M. Peak Hour Trips Generated (1)	Percent of New Trips (2)	Atherton Avenue	Northgate Activity Center Plan	West Sir Francis Drake Boulevard	Strawberry Interchange	Tamalpais Community Plan Area
Residential (Per Dwelling)								
Single-Family, Detached	210	1.02		\$4,046.43	\$8,501.75	\$6,578.79	\$5,693.97	\$5,427.61
Apartment	220	0.67		\$2,657.95	\$5,584.48	\$4,321.36	\$3,740.16	\$3,565.20
Rental Townhouse - SFR Second Unit	224	0.52		\$2,062.89	\$4,334.23	\$3,353.89	\$2,902.81	\$2,767.02
Residential Condominium/Townhouse	230	0.52		\$2,062.89	\$4,334.23	\$3,353.89	\$2,902.81	\$2,767.02
Mobile Home	240	0.37		\$1,467.82	\$3,083.97	\$2,386.42	\$2,065.46	\$1,968.84
Assisted Living	254	0.35		\$1,388.48	\$2,917.27	\$2,257.43	\$1,953.81	\$1,862.42
Hotel Room	310	0.61		\$2,419.93	\$5,084.38	\$3,934.37	\$3,405.22	\$3,245.93
Industrial and Warehouse (Per 1,000 sq. ft.)								
General Light Industrial	110	1.08		\$4,284.46	\$9,001.85	\$6,965.78	\$6,028.91	\$5,746.89
Warehousing	150	0.45		\$1,785.19	\$3,750.77	\$2,902.41	\$2,512.05	\$2,394.54
Office and Financial (Per 1,000 sq. ft.)								
General Office	710	1.49		\$5,910.97	\$12,419.22	\$9,610.19	\$8,317.66	\$7,928.57
Medical Office	720	4.45		\$17,653.56	\$37,090.97	\$28,701.57	\$24,841.35	\$23,679.30
Office Park	750	1.48		\$5,871.30	\$12,335.87	\$9,545.69	\$8,261.84	\$7,875.36
Retail (Per 1,000 sq. ft.)								
Shopping Center	820	3.73	66%	\$9,766.19	\$20,519.22	\$15,878.10	\$13,742.57	\$13,099.71
Supermarket	850	11.85	63%	\$29,616.33	\$62,225.31	\$48,150.92	\$41,674.85	\$39,725.35
High-Turnover (Sit-Down) Restaurant	932	18.49	57%	\$41,810.38	\$87,845.58	\$67,976.29	\$58,833.80	\$56,081.62
Fast-Food Restaurant with Drive-Through Window	934	46.14	50%	\$91,520.82	\$192,289.59	\$148,796.70	\$128,784.24	\$122,759.86

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



PRESIDENT, BOARD OF SUPERVISORS

ATTEST:


CLERK

EXHIBIT 1

Tamalpais Community Plan Zone of Benefit

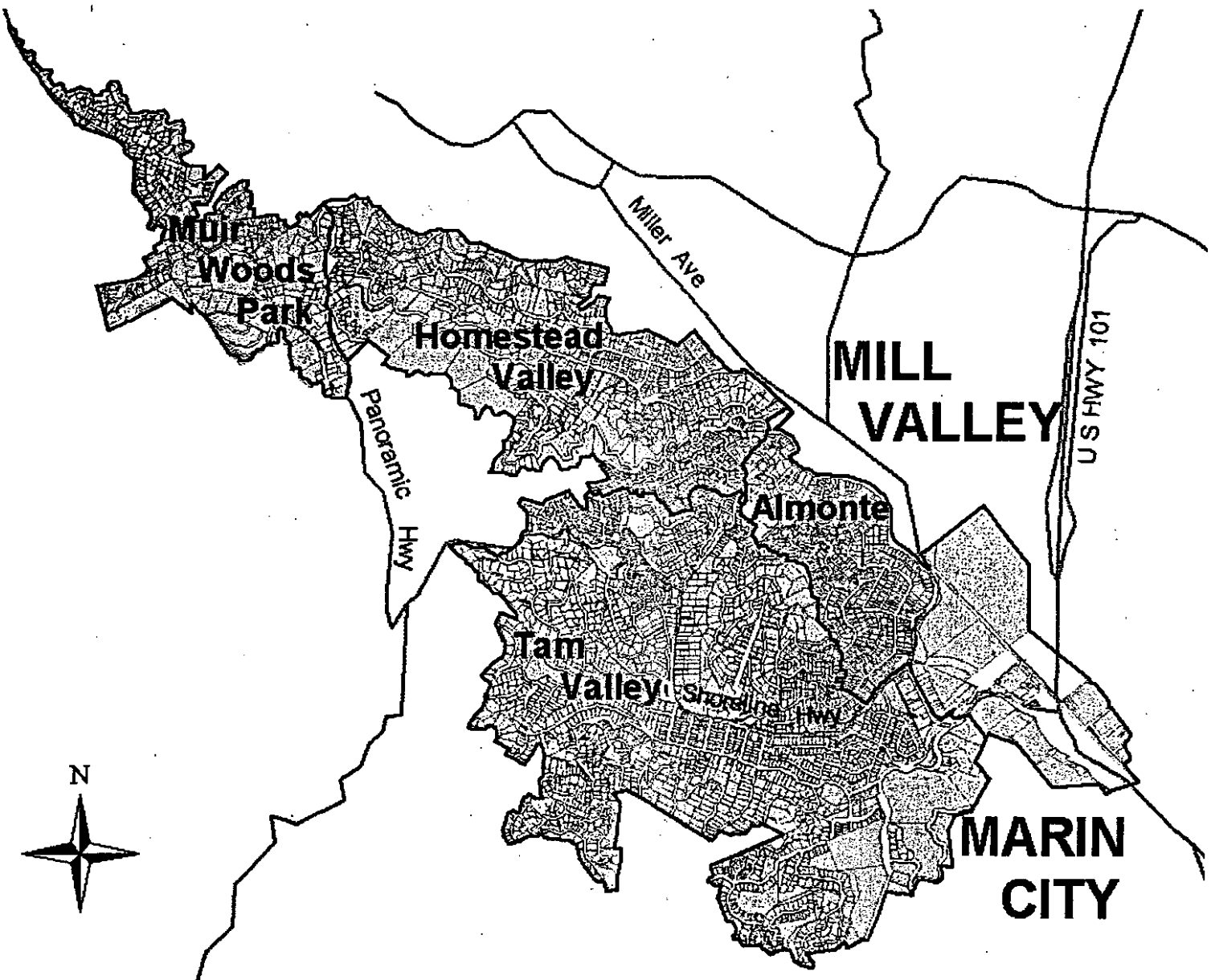


EXHIBIT 2

Strawberry Interchange Zone of Benefit

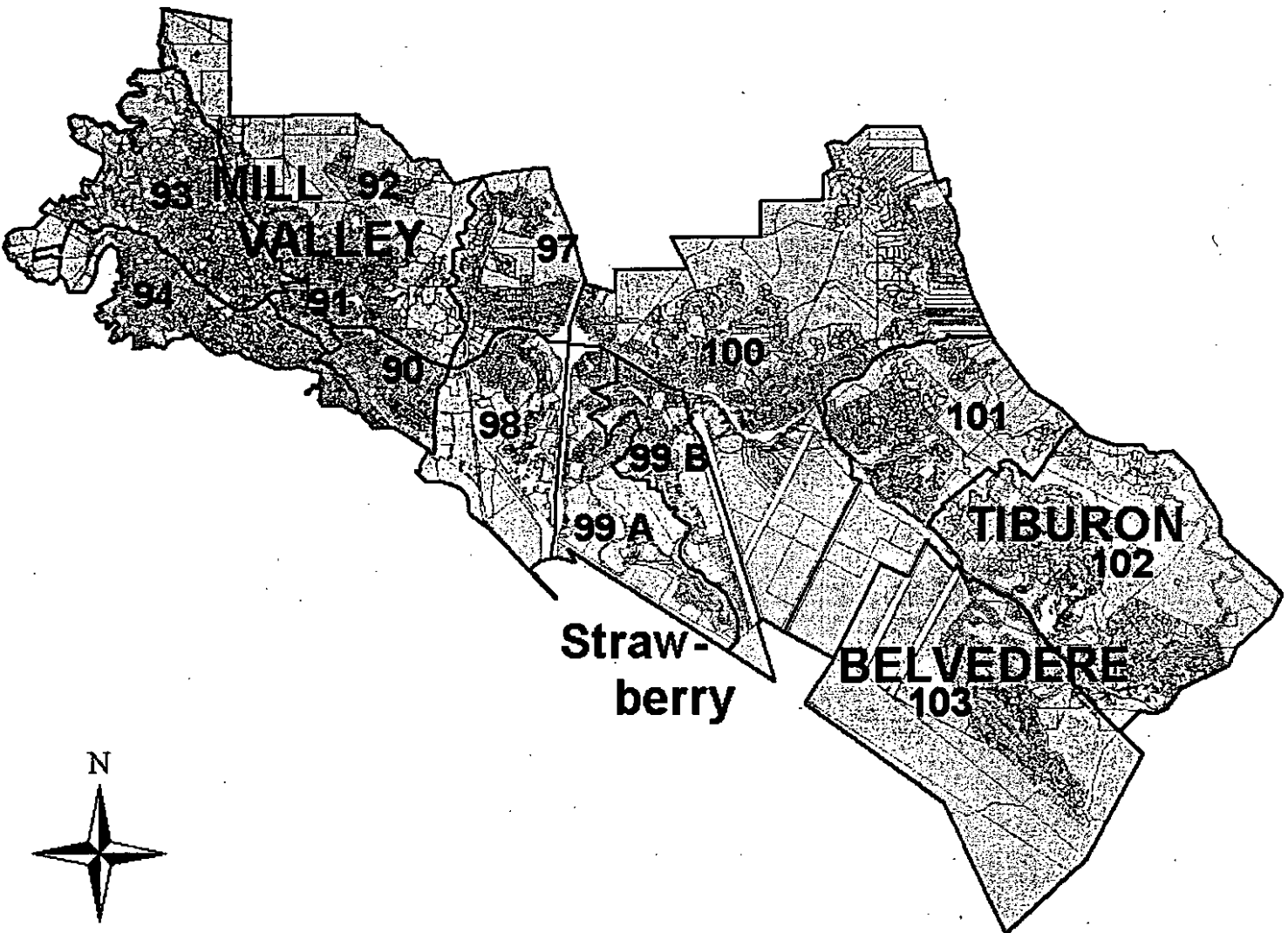


EXHIBIT 3

West Sir Francis Drake Boulevard Zone of Benefit

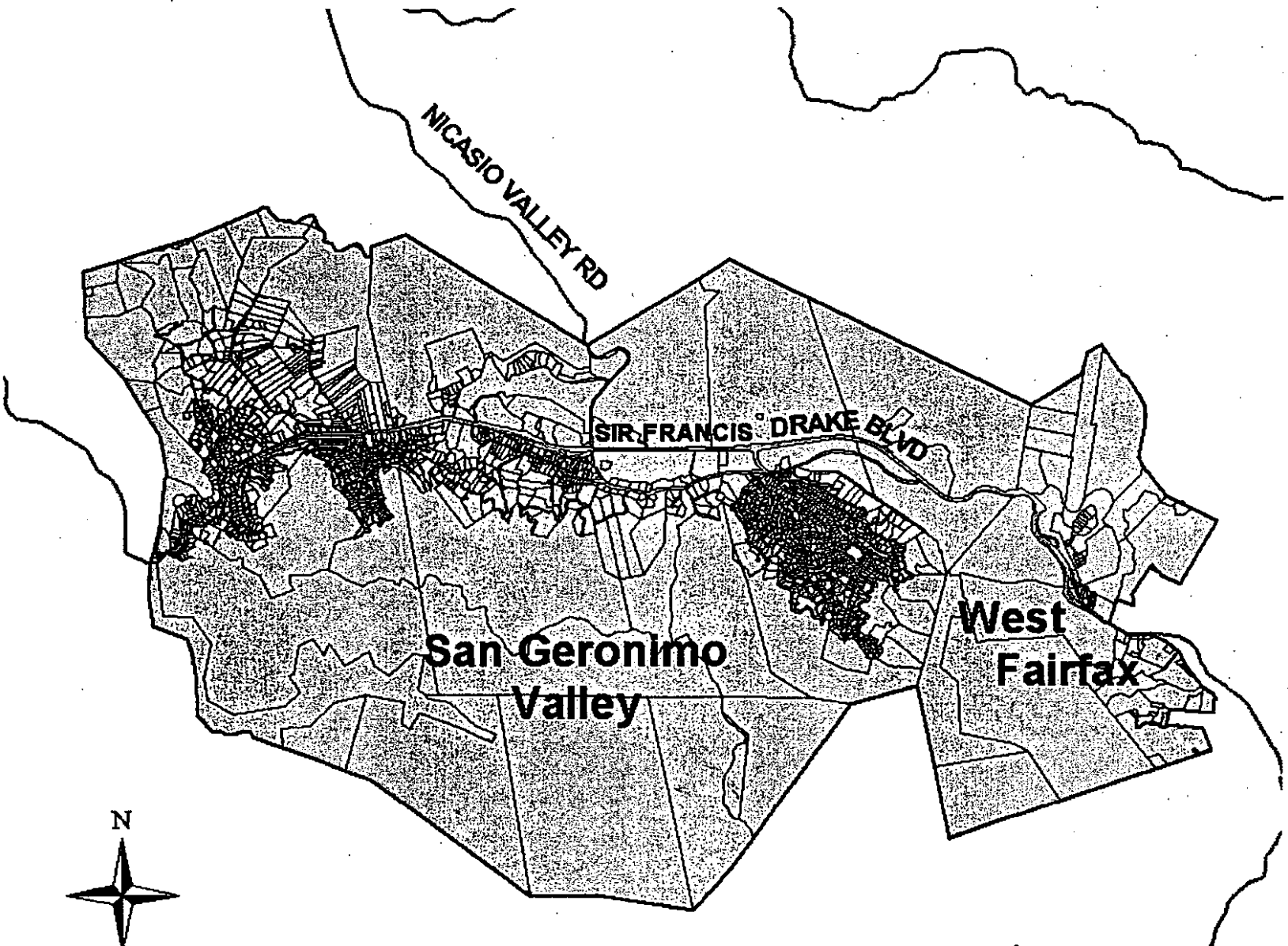


EXHIBIT 4

Northgate Activity Center Plan Zone of Benefit

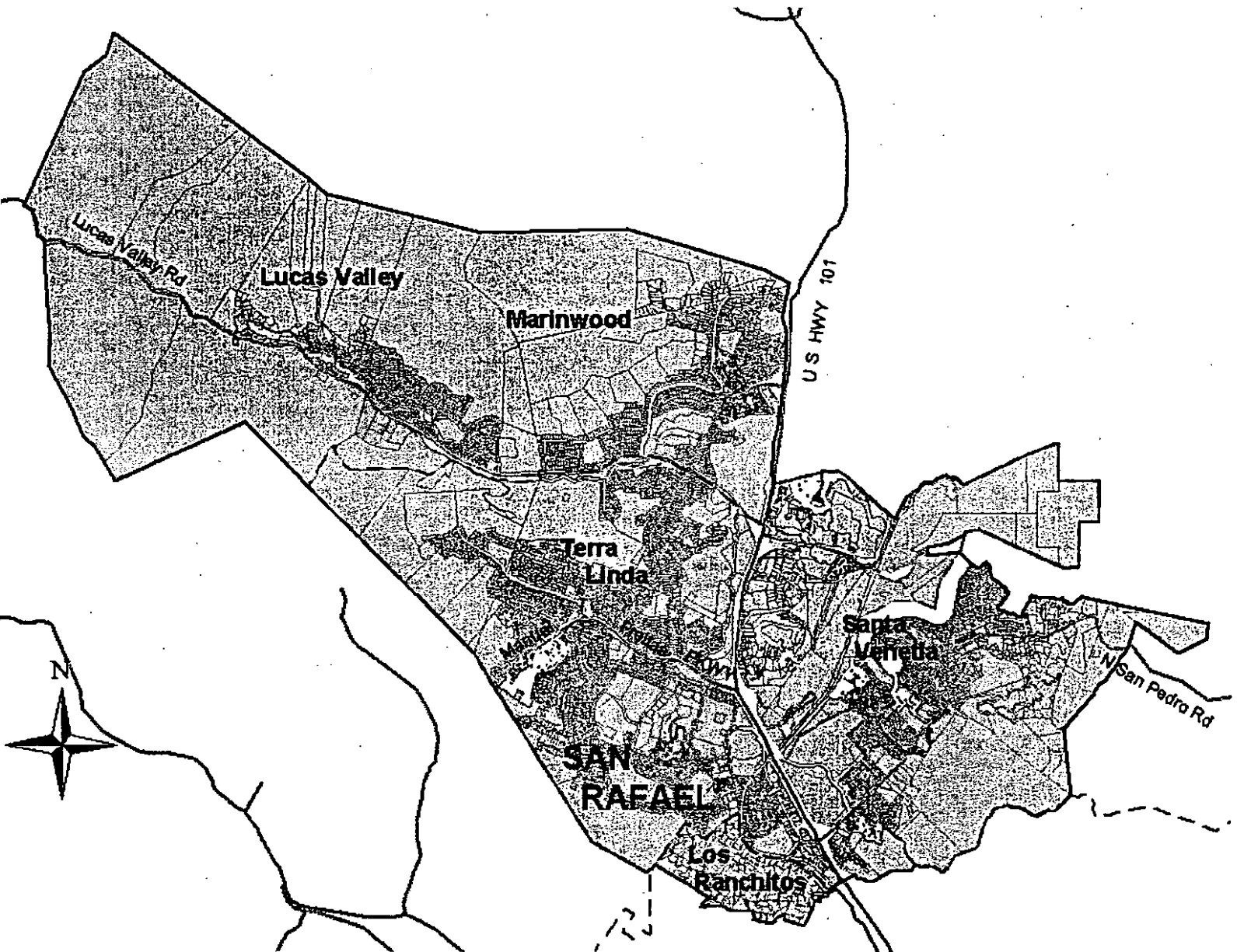


EXHIBIT 5

Atherton Avenue Zone of Benefit

