

MARIN COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE
2024 DEVELOPMENT CODE AMENDMENTS
MARIN COUNTY CODE TITLE 22**

The Board of Supervisors of the County of Marin hereby ordains as follows:

SECTION I: FINDINGS

1. The Marin County Planning Commission recommends that the Marin County Board of Supervisors adopt a set of amendments to the Marin County Development Code, which establishes zoning and subdivision regulations in the unincorporated areas of Marin County. The amendments address various topics, including: (1) clarifications and corrections; (2) implement Housing Element Update policies and programs; (3) internal consistency between the Development Code and the Countywide Plan; (4) alignment with State law; (5) amendment to SB 9 provisions; and (6) amendments to Form Base Code. The amendments would apply to the Development Code only and no amendments are proposed for the Coastal Zoning Code

The proposed 2024 Development Code amendments (“Development Code Amendments”) are listed below by Section, and are in full attached hereto as Exhibit A. All amendments are to provisions Marin County Code Title 22.

ARTICLE I- DEVELOPMENT CODE ENACTMENT AND APPLICABILITY

- 02.020.C.2 – Residential density
- 02.020.C.3 – Floor Area Ratio
- 02.020.C.3 – All other calculations
- 02.020.F.1 – Other County Code provisions
- 02.020.F.1 – State and Federal Law

ARTICLE II- ZONING DISTRICTS AND ALLOWABLE LAND USES:

- 08.040, Table 2-2 Agricultural District Development Standards
- 08.040, Table 2-2, Footnote No. 3
- 08.040, Table 2-2, Footnote No. 6
- 08.040, Table 2-2, Footnote No. 7
- 10.040, Table 2-5 Residential District Development Standards
- 10.040, Table 2-5 – footnote No. 2
- 10.040, Table 2-5 – footnote No. 5
- 10.040, Table 2-5 - footnote No. 6
- 12.030.3 – Reference No. 5.
- 12.030, Table 2-6
- 12.030, Table 2-7
- 12.030, Table 2-6, footnote No. 5
- 12.030, Table 2-7, footnote No. 5

- 12.030, Table 2-8
- 12.040, Table 2-8, Footnote No. 2
- 12.040, Table 2-8, Footnote No. 6
- 12.040, Table 2-8, Footnote No. 7
- 14.050.B – Development Standards
- 14.050, Table 2-11 – Footnote No. 5
- 14.090 – Ministerial Review
- 14.090 Table 2-12
- 14.090 Table 2-12 – Footnote No. 2
- 14.100(B) – Application of combining district
- 16.030.I.1.a – Height limits for structures

ARTICLE III- SITE PLANNING AND GENERAL DEVELOPMENT REGULATIONS:

- Chapter 22.24 – Affordable Housing Incentives
- 32.150 – Residential Requirements in Commercial/Mixed Use Districts
- 32.184 – Senate Bill 9 Housing Development
- 32.188 – Residential Development under Assembly Bill 2011

ARTICLE IV- LAND USE AND DEVELOPMENT PERMITS:

- 64.020.C Type 3
- 64.060 – Application Review for Type 3 Projects (SB 35)
- 64.060.A.8.a – Preliminary Application Filing
- 64.060.A.8.c – Preliminary Application Filing
- 64.060.A.8.d – Preliminary Application Filing

ARTICLE VI- SUBDIVISIONS:

- 80.064.F.2 – Senate Bill 9 Urban Lot Split
- 82.025 – Density Range

ARTICLE VIII-DEFINITIONS:

- 130.030.B – Building, primary detached
- 130.030.D – Development Standards
- 130.030.M – Maximum Allowable Residential Density
- 130.030.T – Total Units
- 130.030.U – Urban Uses

FORM BASED CODE

- 040.050.D – Slope Standards
- 040.050, Table 04.050.A – Maximum Amount of Sloped Areas Allowed to be Developed
- 040.080.5 – Environmental Protection Standards
- 070.050.9 - Windows

2. On February 22, 2024, the Marin County Planning Commission recommended approval of the Development Code Amendments to the Marin County Board of Supervisors.

3. On April 16, 2024, the Marin County Board of Supervisors held a duly noticed public hearing to take public testimony and consider the Development Code Amendments.
4. The proposed amendments are consistent with the Countywide Plan.

SECTION II: ACTION

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

The Board of Supervisors adopts the 2024 Development Code amendments into Marin County Code Title 22.