



## STREAM CONSERVATION AREA FOR SAN GERONIMO VALLEY

### FACT SHEET

October 2022

#### Background

On July 19, 2022, the Board of Supervisors adopted a series of Development Code amendments for the San Geronimo Valley to carry out Marin Countywide Plan policies for the protection and restoration of streams. As a result, new development standards are now in place for properties next to all perennial, intermittent, and ephemeral streams in San Geronimo Valley, found in Development Code Section 22.30.045 - San Geronimo Valley Community Standards and described below. The Board's action also rezoned all lots within the Valley to the new SGV (San Geronimo Valley) combining district to carry out these regulations.

View Marin County geography and features, including streams, using the online [MarinMap](https://www.marincounty.org/marinmap) viewer ([MarinMap.org](https://www.marincounty.org/marinmap).) Click the "+" symbol next to the "hydrography" feature class to select the stream layers you wish to view.

#### Site Plan Review

Development Code Chapter 22.52 – Site Plan Review - sets forth procedures for Site Plan Review, which addresses the siting and design of proposed projects to preserve the natural heritage and beauty of the area, while minimizing or eliminating potential adverse physical effects resulting from development. Discretionary review – via the Site Plan Review process - is needed for most development proposed within the SCA. Specifically, Section 22.52.020.F requires Site Plan Review in those instances where an activity, use of land, or other improvement subject to the SGV combining district within the SCA would:

1. Entail grading or otherwise expose soil;
2. Increase lot coverage or surface runoff;
3. Remove vegetation or woody riparian vegetation; or
4. Alter the bed, bank, or channel of any stream.

Outside the SCA, Section 22.52.020.G requires Site Plan Review when development subject to the SGV combining district would:

1. Create new roads or driveways; or
2. Create or replace 500 square feet or more of lot coverage.

Site Plan Review involves submittal of a [Planning Application](#) to the Community Development Agency - Planning Division (CDA) that includes plans depicting the proposed activities and other information. County staff reviews these plans and performs an inspection for conformance with the San Geronimo Valley Community Standards, as summarized below.

The Site Plan Review application fee, which is specific to the San Geronimo Valley, is a \$2,000 flat rate.

Certain improvements within the SCA are exempt from Site Plan Review. See Section 22.52.030.E – Site Plan Review Exemptions. However, Building Permits or other permits may still be needed.

## San Geronimo Valley Community Standards

The following summarizes Development Code Section 22.30.045 - San Geronimo Valley Community Standards - that apply in the governing SGV (San Geronimo Valley) combining district. These include standards both applicable within and outside of the SCA.

- A. **Applicability.** The San Geronimo Valley Community Standards apply to development and land use within areas identified in San Geronimo Valley in the Marin Countywide Plan (San Geronimo Valley Land Use Policy Map 7.10.0) and the governing SGV (San Geronimo Valley) combining district.
- B. **Outside the SCA.** Section 22.30.045.B: General Development Standards apply to development and land uses outside the SCA:
  1. **Roads and Driveways.** Non-county maintained roads and privately owned and maintained roads, including new roads and driveways, either paved or unpaved, shall be constructed to standards pertaining to surface drainage and road fills. See Section 22.30.045.B.1 – Roads and Driveways.
  2. **Low Impact Development.** Development outside the Stream Conservation Area that would create or replace 500 square feet or more of lot coverage shall incorporate [low impact development](#) (LID) practices and designs that are demonstrated to prevent offsite discharge from events up to the 85th percentile 24-hour rainfall event.
- C. **Within the SCA.** Section 22.30.045.C: General Stream Conservation Area Standards apply to development and land uses within the SCA:
  1. **Site Assessment.** A site assessment is required as part of a Site Plan Review permit application when development is proposed in the SCA, where adverse impacts to riparian resources may occur, or when full compliance with Subsection 2, below, would not be met. The site assessment shall identify site specific standard management practices in accordance with Subsection 5, below, and shall confirm that the proposed development would result in no net loss of habitat acreage, value, or function.
  2. **Limitations on Uses.** Allowable land uses located within the SCA are limited to the following: a) within 35 feet from top of bank, and b) outside 35-feet from top of bank and within the remainder of the SCA.
    - a. Allowable uses within 35-feet from top of bank (or from centerline of swale for ephemeral streams where there is no top of bank) within the SCA:
      - 1) Maintenance and repair of existing permitted structures within the existing footprint;
      - 2) Driveway, road, and utility crossings, if no other location that avoids encroaching in the buffer is feasible and the crossing is sited to minimize environmental impacts;
      - 3) Projects to improve fish and wildlife habitat;
      - 4) Water-monitoring installations;
      - 5) Passive recreation that does not disturb native species; and
      - 6) Necessary water supply and flood control projects that minimize impacts to stream function and to fish and wildlife habitat.
    - b. Allowable uses outside 35-feet from top of bank (or from centerline of swale for ephemeral streams where there is no top of bank) within the SCA:

- 1) Maintenance and repair of existing permitted structures
- 2) Additions to existing permitted structures that do not:
  - a. Increase the lot coverage within the SCA by more than a cumulative total of 300 square feet; or
  - b. Increase the horizontal encroachment into the SCA. In other words, no part of the proposed development is allowed to be located closer towards the stream than any portion of an existing structure or any structure removed, whichever is more restrictive.

Vertical additions to existing permitted structures that do not expand the existing footprint are not counted towards the 300 square foot cumulative lot coverage allowance.

The 300 square feet of cumulative lot coverage is calculated on a per parcel basis following the effective date of this Section (August 18, 2022). No additional lot coverage may be added once the allowance is exhausted, consistent with state law. Notwithstanding the foregoing, state law may require the allowance of certain other uses and/or development that is not otherwise contemplated by this Section.

- 3) Driveway, road and utility crossings, if no other location is feasible;
- 4) Projects to improve fish and wildlife habitat;
- 5) Water-monitoring installations;
- 6) Passive recreation that does not disturb native species.
- 7) Necessary water supply and flood control projects that minimize impacts to stream function and to fish and wildlife habitat; and
- 8) Agricultural uses that do not result in any of the following:
  - a) The removal of woody riparian vegetation;
  - b) The installation of fencing within the SCA that prevents wildlife access to the riparian habitat within the Stream Conservation Area.
  - c) Animal confinement within the SCA; and
  - d) A substantial increase in sedimentation.

The above listed uses shall comply with all other applicable requirements of the Development Code.

Land uses and improvements not listed above are prohibited, unless such improvements and land use meet the criteria for an exception in Subsection 4, below.

3. **Vegetation Removal Below Top of Bank.** The removal of native vegetation below top of bank is prohibited.
4. **Exceptions.** Exceptions to full compliance with all SCA criteria and standards in Subsection 2b, above, may be allowed only if the parcel is undeveloped as of the effective date of this Section and the following is true:
  - a. A lot falls entirely within the SCA; or
  - b. Development on the parcel entirely outside the SCA:
    - 1) Cannot be accomplished even if the proposed development is limited to 1,000 square feet or less of lot coverage on the parcel as a whole with the least

possible encroachment into the SCA, or relocated to another suitable portion of the parcel that avoids encroachment in the SCA; or

- 2) Would have greater impacts on water quality, wildlife habitat, sensitive biological resources, or other environmental constraints than development within the SCA.

Exceptions under this Subsection would require an application supported by a showing of good cause and public noticing and shall be subject to the provisions in Chapter 22.114 (Appeals).

5. **Standard Management Practices.** Development subject to the SGV combining district shall incorporate appropriate Standard Management Practices identified in the Site Assessment, unless site specific measures identified through environmental review would result in equal or greater environmental benefit.

- D. **Habitat Restoration Program.** Approval of a Site Plan Review permit within the SGV combining district shall be subject to compliance with any development impact fees, applicable at the time an application for Site Plan Review is approved, established to offset development impacts to the Stream Conservation Area through restoration and enhancement of riparian habitat within the San Geronimo Valley.

Other [agencies](#) at the local, regional, state, and federal level may require permits for work within or near a waterway. Permitting agencies often include the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board

Visit [www.marincouty.org/sca](http://www.marincouty.org/sca) to see the [boundary map](#) of where the SCA regulations apply, required [standard management practices](#) for development located in the SCA, [site assessment](#) requirements, and other resources.

Online materials are available regarding the [planning application process](#) and [Planning Application Submittal Checklist](#), or contact the Community Development Agency customer service team at (415) 473-6269 for assistance.