



May 9, 2013

**Applicability of Stream Conservation Area to
Common Development Types for Planned Zoning Districts
(e.g. RSP, RMP, ARP)**

Type of Development	Existing Zoning Regulation	Proposed Zoning Regulation
1) New residence on vacant lot	Yes (SCA applies through Design Review ¹)	Yes (SCA ordinance)
2) Addition	Yes (SCA applies through Design Review ¹)	Yes (SCA ordinance)
3) Detached accessory building (garage, guesthouse, storage)	Yes (SCA applies through Design Review ¹)	Yes (SCA ordinance)
4) Patio and driveway	No	Yes (SCA ordinance)
5) Fencing and retaining wall	Yes (SCA applies through Design Review ¹)	Yes (SCA ordinance)
6) Native and heritage tree removal	Yes (SCA applies through Native Tree ordinance ²)	Yes (SCA ordinance)
7) Vegetation removal	No	Yes (SCA ordinance)
8) Subdivision	Yes (SCA applies through Master Plan/Subdivision ³)	Yes (SCA ordinance)

¹ Marin County Code Chapter 22.42 (Design Review).

² Marin County Code Chapters 22.27 (Native Tree and Preservation) and 22.62 (Tree Removal Permits).

³ Marin County Code Chapters 22.44 (Master Plans and Precise Development Plans) and 22.84 (Tentative Maps).

Applicability of Stream Conservation Area to Common Development Types for Conventional Zoning Districts

(R1, R1:B1-B6, RA, RA:B1-B6, A2, A2:B1-B6, R1:BLV, R1:BD)

Type of Development	Existing	Proposed
1) New residence on vacant lot	<p>Applicability varies:</p> <p>1) No (if meet setback, height, & FAR)</p> <p>2) Yes SCA applies through Variance for exception from setback, height & FAR¹ or</p> <p>3) Yes SCA applies through Design Review if:</p> <ul style="list-style-type: none"> • Lot adjoins anadromous stream² or • Lot is substandard in size³ or • Building area > 4,000 sq ft/building height > 30 ft⁴ or • Hillside building area > 3,000 SF⁵ or • Accessed from paper street⁶ 	<p>Yes (SCA ordinance)</p>
2) Addition	<p>Applicability varies:</p> <p>1) No (if meet setback, height, & FAR)</p> <p>2) Yes SCA applies through Variance for exception from setback, height & FAR¹ or</p> <p>3) Yes SCA applies through Design Review if building area > 4,000 sq ft/building height > 30 ft⁴</p> <p>4) Yes SCA applies through Design Review for R1 and RA zoning if building area > 3,000 SF and addition is >100% of existing⁷</p>	<p>Yes (SCA ordinance)</p>
3) Detached accessory building (garage, guesthouse, storage)	<p>Applicability varies:</p> <p>1) No (if meet setback, height, & FAR)</p> <p>2) Yes SCA applies through Design Review if:</p> <ul style="list-style-type: none"> • Exception from setback & height⁸ • Building area > 4,000 sq ft/building height > 30 ft⁴ <p>3) Yes SCA applies through Design Review for R1 and RA zoning if building area > 3,000 sq ft and addition is >100% of existing⁷</p>	<p>Yes (SCA ordinance)</p>
4) Patio and driveway	<p>No</p>	<p>Yes (SCA ordinance)</p>

5) Fencing and retaining wall	Applicability varies:	Yes (SCA ordinance)
	1) No (if meet setback & height)	
	2) Yes SCA applies through Design Review for setback & height exception ⁹	
6) Native & heritage tree removal	Yes (SCA applies through Native Tree Ordinance ¹⁰)	Yes (SCA ordinance)
7) Vegetation removal	No	Yes (SCA ordinance)
8) Subdivision	Yes (SCA applies through Subdivision ¹¹)	Yes (SCA ordinance)

¹ Marin County Code Chapter 22.54 (Variances)

² Marin County Code Section 22.42.045 (Design Review for Development Along Anadromous Fish Streams and Tributaries)

³ Marin County Code Section 22.42.030.B (Design Review for Substandard and Hillside Building Sites)

⁴ Marin County Code Section 22.42.020.B.1 (Applicability)

⁵ Marin County Code Section 22.42.030.C (Design Review for Substandard and Hillside Building Sites)

⁶ Marin County Code Section 22.42.040 (Design Review for Development Along Paper Streets)

⁷ Marin County Code Section 22.42.020.B.3 (Replacement of or Additions to Existing Residences in Non-coastal Zoning Districts)

⁸ Marin County Code Sections 22.20.060.F.2 (Height Measurement and Height Limit Exceptions) and 22.20.090.C.2.c (Setback Requirements and Exceptions) and

⁹ Marin County Code Section 22.20.050.A.1 and 22.20.050.B (Fencing and Screening Standards)

¹⁰ Marin County Code Chapters 22.27 (Native Tree and Preservation) and 22.62 (Tree Removal Permits)

¹¹ Marin County Code Chapter 22.84 (Tentative Maps)