



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

## CERTIFICATE OF COMPLIANCE FACT SHEET

### DEFINITION

A Certificate of Compliance (COC) is a document which states that the real property identified on the certificate was created in compliance with the State Subdivision Map Act and the Marin County Code or, in other words, that the parcel was legally divided or created. A COC is most often used for parcels which were created by deed instead of a recorded map. (A recorded parcel or final map constitutes a COC.) Many title companies request this verification prior to issuing title insurance.

A COC is not a guarantee that the parcel is a buildable site or that subsequent building permits will be issued. The property owner must still comply with the requirements of the Environmental Health Services Department, Department of Public Works, County zoning regulations and applicable utility service requirements. In addition, a COC does not indicate or verify the legality of the use or structures on the property.

### TIME FRAME FOR PROCESSING

The Community Development Agency Director (Director) will make a determination on the COC application within four to six weeks from the date when the application is deemed complete. (For properties in the coastal zone, the decision will be made within 20 working days from the date when the application is deemed complete.)

### APPLICATION PROCESS

**STEP 1** SUBMIT APPLICATION AT PLANNING INFORMATION COUNTER – The submittal requirements for a Certificate of Compliance are can be found in Zoning/Development Application Submittal Checklist. Please check with the public information planner if you have any questions regarding any of those items. Incomplete or unclear applications will result in a delay in processing your application.

**STEP 2** DETERMINATION OF COMPLETENESS – A planner will be assigned to process your application. He/she will review your application for completeness. State law requires that staff determine whether the application is complete within 30 days. You will be notified if your application is incomplete and what items must be submitted before processing can begin.

**STEP 3** ACTION – Based upon the planner's research and recommendation, the Director will take one of the following actions:

- 1) If the property is found to be in compliance with the Subdivision Map Act and the Marin County Code, the Director will certify such compliance to the County Surveyor who will cause a COC to be filed for record with the County Recorder.
- 2) If the property is found to be in violation of the Subdivision Map Act or the

Marin County Code, the Director may, as a condition of granting a COC, impose any conditions that would have been applicable to the legal creation (or division) of the property. The fulfillment or implementation of these conditions would be required prior to the issuance of a building permit or other grant of approval for development of the property. Upon making this determination and establishing such conditions, the Director would notify the County Surveyor who will cause a Conditional COC to be filed for record with the County Recorder.

**STEP 4** APPEAL – The action of the Director is final unless an appeal in writing is received by the Planning Division within ten business days from the date of action (five business days for properties in the coastal zone). The Planning Commission will act on the appeal to sustain, modify or overrule the previous action. The action taken by the Planning Commission may be appealed to the Board of Supervisors. Check at the planning information counter regarding applicable fees and other details of the appeal process.

#### **FOR FURTHER INFORMATION**

- Visit the Marin County Community Development Agency, public information counter at the Civic Center, Room 308, San Rafael, California, Monday through Friday (closed holidays), 8:00 a.m. – 4:00 p.m., or call (415) 499-6269.
- Please refer to Marin County Development code Chapter 22.96 and State Subdivision Map Act Section 66499.34 and 66499.35. (For properties in the coastal zone, see Marin County Subdivision Ordinance, Title 20, Chapter 20.84.)