



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

## DESIGN REVIEW FACT SHEET

### DEFINITION

Design Review consists of discretionary review of plans and proposals for land use, building design, site development and signage to promote, preserve and enhance the visual quality and character of Marin County. Design Review is required for all commercial, office, industrial, mixed use and most residential construction. Certain land use and development proposals may be exempted from the Design Review process, such as single-family residences and residential additions in a conventional zoning district (e.g. R1, RR, RA, A2) when the total building area is 4,000 square feet or less and the maximum building height is 30 feet or less, agricultural accessory structures located at least 300 feet from any property line or street, accessory structures such as fences, decks, retaining walls, and swimming pools that meet certain standards, emergency repair work, and some signs. Minor additions not exceeding 500 square feet in planned zoning districts (e.g. RSP, RMP, ARP) may also be exempted from the Design Review process. (See Marin County Development Code Section 22.42.025 for a list of work that can be exempted from Design Review.)

Design Review is required for substantial additions to residences when the total building area exceeds 3,000 square feet in the following conventional zoning districts: A2-B2, RA, RA-B1, RA-B2, R1, R1-B1, and R1-B2. (See Marin County Development Code Section 22.42.020.B and 22.130.030 [definition of "Building Area"].) Please keep in mind that County zoning distinguishes "building area" for the purpose of requiring Design Review from "floor area" for the purpose of determining compliance with floor area ratio (FAR) standards where applicable. (See also Marin County Development Code Section 22.130.030 [definition of "Floor Area"].)

Design Review may also be required for residential development on a vacant substandard-sized lot, residential development exceeding 3,000 square feet of building area on a vacant hillside lot, development on a lot abutting a paper street, a driveway exceeding 250 feet in certain zoning districts, and improvements within a Stream Conservation Area on a vacant lot traversed by a mapped anadromous fish stream. (See Marin County Development Code Sections 22.42.030, 22.42.040 and 22.42.045.)

The Director shall act on Design Review applications unless it is determined that significant policy questions are at issue, or that substantial public controversy has been generated by the application, or the application is submitted concurrently with another permit application that requires a public hearing. If the Director makes any of the above findings, the Design Review may be referred to the Planning Commission for action.

### TIME FRAME FOR PROCESSING

The time frame for processing a Design Review application is dependent upon the submittal of a complete application by the project sponsor/property owner. A complete application generally takes 8 to 12 weeks to process. However, an incomplete application will take longer. Please carefully read the Zoning/Development Application Submittal Guide to prepare your application submittal so that we may more efficiently process your application.

Minor additions not exceeding 1,000 square feet and accessory structures that meet certain criteria may qualify for the streamlined design review process (Minor Design Review) which is generally processed within eight weeks from the date when the application is submitted. (See Marin County Development Code Section 22.42.055.B.)

## **APPLICATION PROCESS**

- STEP 1** SUBMIT APPLICATION AT PLANNING INFORMATION COUNTER – The submittal requirements for a Design Review or Minor Design Review application are listed in Zoning/Development Application Supplemental Checklist. Please check with the public information planner if you have any questions regarding any of these items. Incomplete or unclear applications will not be accepted for processing.
- STEP 2** STAFF APPLICATION PROCESSING – A planner will be assigned to process your application. Further processing is as follows, depending on the type of application:
1. **MINOR DESIGN REVIEW** – The planner will review your application for completeness, conduct a site inspection and post a site notice, and if complete, review the merits of your project. Action on a Minor Design Review application is taken administratively. The Minor Design Review approval certifies your application’s conformance with the County’s Zoning (Development) Code only. Since the application will not be transmitted to other agencies, you are encouraged to contact the Department of Public Works, the appropriate Fire Protection Agency, Environmental Health Services, and the water/sewer providers to discuss their permit requirements before you submit a Minor Design Review application. (Skip to Step 5.)
  2. **DESIGN REVIEW** – The planner will transmit your plans, and any other pertinent materials, to relevant public agencies, such as the Department of Public Works, Fire Department, and when applicable, to the local design review board for their review and comment. If a design review board is to review your project, you will be noticed of the person to contact, the location and the tentative date of the meeting when your project will be on the agenda. Your attendance is encouraged.
- STEP 3** DETERMINATION OF COMPLETENESS – The planner assigned to your project will review your Design Review application for completeness. State law requires that staff determine whether the application is complete within 30 days from submittal. You will be sent a Notice of Project Status informing you whether your application is complete or incomplete, and, if incomplete, what items must be submitted before processing can begin.
- STEP 4** PUBLIC NOTICE – Once it has been determined that a complete application has been submitted, a notice will be sent to the owners of all properties within 300 to 600 feet of your property. A notice for an administrative action will state the earliest decision date that a decision will be reached by the Director. If a public hearing will be held, the notice will state the date, time and place of the hearing. Additionally, the site of the proposed project will be posted with a copy of the notice at least ten days prior to the decision date or hearing date.
- STEP 5** ACTION - The Community Development Agency Director (Director) can act to approve, approve with conditions, or deny your Design Review application. In the case of a Design Review application, the acting official will take into account any information or comments from relevant departments, agencies, design review boards and the general public. If a public hearing is held, the Planning Commission will also consider public testimony.
- STEP 6** APPEAL – The actions of the Director are final unless appealed in writing at the planning information counter within ten business days from the date of action, except for projects in the coastal zone when a five business day appeal period applies. The Planning Commission will act to sustain, modify, or overrule the Director’s action. 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 – planning 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.
- See Marin County Development Code Chapter 22.42 or Interim Title 22 Zoning Ordinance Chapter 22.82 for properties located within coastal zone (online at [www.co.marin.ca.us/comdev](http://www.co.marin.ca.us/comdev)).