



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

COASTAL PERMIT FACT SHEET

DEFINITION

The California Coastal Act of 1976 established a statewide coastal management program and mandated preparation of Local Coastal Programs (LCP's) to guide future development and to ensure that coastal resources are properly utilized and fully protected. The LCP's supersede local plans and take precedence over all local policies and zoning regulations.

The Coastal Zone generally extends 1,000 yards inland from the mean high tide line of the sea. All parcels within a coastal zone are zoned as "C" districts (i.e., C-RSP, C-ARP, C-VCR, etc.). All projects not exempted by Section 22.56.050 of the Marin County Code require approval of a Coastal Permit. Examples of projects that may be exempt from a Coastal Permit include repair and maintenance activities, replacement of a structure destroyed by natural disaster, improvements and additions to existing facilities, and landscaping.

Under certain conditions single-family residences are excluded (not exempt) within some west Marin village areas and some agricultural projects are also excluded from a Coastal Permit. If a project is excluded from Coastal Permit requirements, a "Coastal Permit Notice of Exclusion" with required filing fee must be submitted at the public information counter. Planning Division staff must clarify that the project meets the requirements for a categorical exclusion and send a copy of the notice to the California Coastal Commission before a building permit can be issued for the project.

Most Coastal Permits are processed by Marin County; however, development proposals located in areas identified as tidelands, submerged lands or public trust lands shall require a Coastal Permit processed by the California Coastal Commission. Check at the planning information counter for further information.

A Coastal Permit obtained through Marin County is processed as one of the following:

1. Administrative (Non-hearing) Coastal Permit – a Coastal Permit which does not require a public hearing or other discretionary action by a county officer, board or commission or is not appealable to the California Coastal Commission. The Community Development Agency Director (Director) will act on all administrative Coastal Permits.
2. Public Hearing Coastal Permit – Coastal permits that require discretionary action by a County officer, board or commission or require multiple permits under the County Code or is appealable to the California Coastal Commission. All public hearing coastal permits will be heard by the Deputy Zoning Administrator (DZA) unless the DZA refers the application to the Planning Commission.

TIME FRAME FOR PROCESSING

Generally, action is taken on an administrative or public hearing Coastal Permit within four or six weeks from the date when the application is deemed complete, unless environmental review is required and/or the Coastal Permit is processed in conjunction with another permit that entails a longer processing period.

MANDATORY FINDINGS

State and Marin County Codes require that in order for a Coastal Permit to be approved, mandatory findings must be made which establish that the project conforms to the requirements and objectives of the Local Coastal Program and Coastal Act. The findings will reference applicable policies of the appropriate LCP (i.e., policies on public access, recreation and visitor-serving facilities, resource protection new development and land use, etc.). In addition to the requirements for a Coastal Permit contained in Marin County Code Chapter 22.56 and the governing zoning district, please consult the Marin Countywide Plan, and applicable community plan and Local Coastal Program for policies that could affect the proposed development. Examples of these include, but are not limited to, additional setback requirements from the stream conservation area and wetlands and setback and height restrictions in ridge and upland greenbelt areas.

APPLICATION PROCESS

STEP 1 **SUBMIT APPLICATION AT PLANNING INFORMATION COUNTER** – The submittal requirements for a Coastal Permit are listed in the Zoning/Development Application Submittal Checklist. Some Coastal Permit applications may be subject to environmental review, as required by the California Environmental Quality Act (CEQA), if the project is located in an environmentally sensitive area or if environmental impacts could occur as a result of the project.

Please check with the public information planner if you have any questions regarding any of those 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. He/she will transmit your plans and any other pertinent materials to the California Coastal Commission and any other relevant public agencies, such as the Department of Public Works, Fire Department, etc., for their review and comments.

STEP 3 **DETERMINATION OF COMPLETENESS** – The assigned planner will review your application for completeness. If an Environmental Review Submission is submitted, it will be reviewed for completeness with the other project application materials. State law requires that staff determine whether the application is complete within 30 days of its acceptance for filing. You will be sent a Notice of Project Status informing you if 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 and environmental review is completed, a notice will be sent to the owners of all properties within 300 to 600 feet of your property at least 10 days prior to the date of the hearing or action on the project. A notice for an administrative Coastal Permit will state the date a decision will be reached by the Director. A notice for a public hearing will state the time, date 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 date of the decision or public hearing.

STEP 5 **ACTION** – Your application may be approved, approved with conditions, or denied. The reviewing authority will take into account any information or comments from relevant public agencies and the general public. In the case of a public hearing, the reviewing

authority will also consider public testimony.

STEP 6

APPEAL – The actions of the reviewing authority are final unless appealed within five (5) working days from the date of action. In some areas of the coastal zone, the appeal is filed with the California Coastal Commission; all other appeals are filed with the Planning Division. Appeals to the Planning Commission and Board of Supervisors should be filed at the public information counter. Appeals to the California Coastal Commission must be filed directly with their agency. You can reach them at (415) 904-5200.

FOR FURTHER INFORMATION

- Visit the Marin County Community Development Agency’s 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 Code Interim Title 22 Zoning Ordinance Chapters 22.56 and 22.57.