



Lilypad Homes

Unincorporated Marin County Accessory Dwelling Unit Code Summary

This information was compiled from documents and municipal code available on the [Marin County Planning Department website](#). This document was last updated on 8/31/17.

Homeowners in the unincorporated areas of Marin County have options for creating private rental spaces that are not available in the incorporated towns and cities. All of these options are clearly outlined in the County's one-page [Accessory Dwelling Units and Room Rentals](#) overview. **← START WITH THIS**

The table below outlines the specific requirements for Accessory Dwelling Units, only one of the options available for creating rental housing on a single-family property.

2017 Development Code Amendment Overview	April 2017 updates to the County's ADU code added Section 22.32.120 to the Municipal Code; these updates are not yet reflected in published version of the Municipal Code. You can click here to see the documentation associated with the amendment process.
ADU Code	Chapter 22.32.120 – Residential Accessory Dwelling Units (see page 102) Chapter 22.130 – Definitions (see page 67 for Wet Bar)
ADU Permit Process	Chapter 22.56 – Residential Accessory Dwelling Unit Permits (see page 65)
Permit Requirements	Accessory Dwelling Unit permit is required if you decide to create an actual ADU. Other options that do not require a permit are outlined in the one-page overview referenced above the table.
Application Fee	\$500 planning fee plus \$15 technology fee
Permitted Zones	Permitted on lots with single family homes
Minimum Lot Size	N/A

Density	A property owner may have both one accessory dwelling unit and one junior accessory dwelling unit on a single lot.
Floor Area Ratio	Building Area and Floor Area Handout In Non-Costal Zone areas In Coastal Zone
Lot Coverage	N/A
Setbacks	In Non-Costal Zone areas In Coastal Zone No setbacks shall be required to convert a legal garage into an accessory dwelling unit. In addition, setbacks of no more than five feet in the rear and side yards shall be required for an accessory dwelling unit that is constructed above a garage.
Owner Occupancy	Owner occupancy is not required except in the Tamalpais Community Plan Area. In that area, owner occupancy is required but a property owner of an accessory dwelling unit may request an exemption from the Tamalpais owner-occupancy requirement for a period of two years for good cause such as temporary job transfer or settlement of an estate that involves the property. Public notice shall be given prior to a decision of exemption. The exemption may be extended for up to two years at a time subject to new public noticing for each exemption. Exemptions may be granted without a public hearing.
Short Term Rentals	“There is currently no explicit regulation on Short Term Rentals in Marin County, and since the County’s Development Code does not clearly prohibit Short Term Rentals, they are technically an allowed use.” (from a report by Lisa Wise Consulting) On July 18, 2017, the Board of Supervisors held a public hearing to explore the issues related to short term rentals. Discussion will continue at a future meeting.
Maximum Unit Size	1200 square feet
Height Limit for Detached Accessory Structures	Height Measurement Fact Sheet In Non-Costal Zone areas In Coastal Zone
Parking Requirements	The lot on which the accessory dwelling unit is located shall have a minimum of one off-street parking space assigned to a studio or one-bedroom second unit or two off-street parking spaces assigned to a two-or-more-bedroom accessory dwelling unit. Off-street parking spaces assigned to the accessory

	<p>dwelling unit shall be in addition to those required for the primary residence. The parking requirements indicated above shall not be imposed in any of the following instances:</p> <ol style="list-style-type: none"> 1. The accessory dwelling unit is located within one half mile of a public transit stop. 2. The accessory dwelling unit is located within an architecturally and historically significant historic district. 3. On-street parking permits are required but not offered to the occupant of the accessory dwelling unit. 4. There is a car-share vehicle pick-up and drop-off site located within one block of the accessory dwelling unit. 5. The accessory dwelling unit is no more than 500 square feet in floor area and contained entirely within the same building as the primary residence. 6. A parking exception has been approved by the Department of Public Works.
Architectural Considerations	N/A
Kitchen Requirements	N/A