



**MARIN COUNTY  
COMMUNITY DEVELOPMENT AGENCY**

ALEX HINDS, DIRECTOR

**FLOATING HOME ADJUSTMENT/ARCHITECTURAL DEVIATION**

**DEFINITION**

A Floating Home Adjustment is required in order to allow exceptions to the floor area, length, width, height (over 20 feet), and setback (spacing and mooring requirements) for a floating home as established by Marin County Development Code Section 22.32.075. A Floating Home Architectural Deviation is required in order to allow a deviation from the height limit up to a height of 20 feet.

**TIME FRAME FOR PROCESSING**

Generally, action is taken on a Floating Home Adjustment or Architectural Deviation application within four to six weeks from the date when the application is deemed complete.

**MANDATORY FINDINGS**

Marin County Development Code Section 22.46.040.B requires that in order for a Floating Home Adjustment to be approved, mandatory findings must be made which establish that the adjustment will not adversely or substantially diminish light and ventilation to adjacent floating homes and existing views and/or view corridors from neighboring or adjoining floating homes and floating home sites. Additionally, the size of the adjustment must be found to be comparable and compatible with the size of neighboring floating homes and to not encroach into any right-of-way, fairway, adjoining berth, or any required open space. The work must also be found to not result in public health and safety hazards, including those related to fire safety. Overall, the requested adjustment must be found to be the minimum necessary to satisfy the applicant's objectives and to not result in any detriment to other floating homes in the immediate vicinity.

Marin County Development Code Section 22.46.40.A requires that in order for a Floating Home Architectural Deviation to be approved, mandatory findings must be made that the deviation is comparable and compatible with the size of neighboring floating homes, that the deviation results in adequate open space and viewsheds both within and to the marina, that all features allowed by the deviation will not extend above 20 feet from the water line, that the deviation will not provide for an additional story of living or storage space, that no public health and safety hazards would result, and that the deviation is consistent with the intent of Marin County Code Chapters 11.24 and 19.18.

The findings above cannot be made if a reasonable alternative project design would satisfy these concerns without requiring an exception.

**APPLICATION PROCESS**

**STEP 1** PRE-APPLICATION RESEARCH – Before starting new or additional construction plans, call or visit the Community Development Agency's Planning and Building and Safety Divisions' public information counter to obtain information on floating home policies and regulations which may affect your project.

- STEP 2** SUBMIT APPLICATION AT THE PLANNING INFORMATION COUNTER – The submittal requirements for a Floating Home Adjustment/Architectural Deviation are listed in the Zoning/Development Application Submittal Checklist. Please check with the public information planner if you have any questions regarding any of these items. Incomplete or unclear applications will result in a delay in processing your project.
- STEP 3** STAFF APPLICATION PROCESSING – A planner will be assigned to process your application. He/she will transmit your plans and any other pertinent materials to relevant public agencies and departments and the marina harbor master for their review and comments.
- STEP 4** DETERMINATION OF COMPLETENESS – The planner assigned to your project will review your 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 5** PUBLIC NOTICE –Once it has been determined that a complete application has been submitted, a notice of public hearing will be sent to all persons with temporary or floating home occupancy permits within the immediate vicinity of the subject floating home berth. Notices will also be posted on the dock in which the floating home is berthed. Additionally, a notice will be posted in at least one location on or adjacent to the property which is the subject of the permit at least 10 days prior to the date of the decision or public hearing.
- STEP 6** ACTION – For Floating Home Adjustments, the Deputy Zoning Administrator (DZA) will hold at least one public hearing and will then act to either approve, approve with conditions, or deny your application. The DZA will take into account any information or comments from relevant agencies, the harbor master, and the general public. The Community Development Agency Director (Director) will act on a Floating Home Architectural Deviation application without a public hearing. The Director will take into account any information or comments from relevant agencies, the harbor master, and the general public.
- STEP 7** APPEAL – The action of the Floating Home Adjustment/Architectural Deviation is final unless appealed, in writing, in the Community Development Agency within ten business days from the decision date. The Planning Commission will act to sustain, modify or overrule the previous action.

**FOR FURTHER INFORMATION**

- Regarding Floating Home Building Permits, Adjustments, Architectural Deviations, and/or design requirements, visit the Marin County Community Development Agency’s Building and Safety and Planning Divisions’ 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 22.3.2.070 (Floating Home Marinas) and Chapter 22.32.075 (Floating Homes) and Marin County Code Title 11, Chapters 11.20 (Moorage and Occupancy of Vessels), 11.21 (Floating Home Marinas), and Title 19 (Buildings).