



## Short Term Rental License Administrative Procedures

These Administrative Procedures address the requirements for obtaining a Short Term Rental (STR) License, which will be issued by the Community Development Agency Planning Division. Marin County generally has three requirements for operating STRs:

1. **STR License**, issued by CDA (unless specifically exempt);
2. **Business License**, issued by the Department of Finance (DOF); and
3. **Transit Occupancy Tax (TOT) Certificate**, issued by DOF.

For property owners or their agents with legally registered STRs (those possessing a Business License and TOT Certificate) as of January 1, 2024, obtaining a STR License is the final requirement to continue operating a STR.

For those seeking a new approval to operate a STR, obtaining a STR License through the Planning Division is the first requirement. A Business License and TOT Certificate are the second and third requirements and can be obtained from the DOF.

Pursuant to Marin County Code, section 5.41.050, these administrative procedures set forth the process to apply for, obtain, maintain, monitor, and renew a STR License. Refer to Table 1 for more information about the unincorporated areas with caps on the number of STR Licenses and STR operating requirements. These Administrative Procedures supplement, and should be interpreted to be consistent with, the provisions of Chapter 5.41. In the event of any inconsistency, the provisions of Chapter 5.41 govern.

Marin County Code Chapter 5.41 sets forth requirements for Short Term Rentals (STRs) in the unincorporated areas of Marin County, and generally requires property owners that advertise or rent a unit or a portion of a unit of property for less than 30 days to obtain a STR license, although there are exceptions as outlined below.

### STR License Exceptions

A hotel, motel, agricultural homestay, bed and breakfast inn (B&B), or campground does not require a STR License. A STR unit located on an agriculturally zoned property at least ten acres in size and where the property's primary use is commercial agriculture also does not need a STR License. If you fall into one of these exceptions, the Department of Finance will require that you sign a Zoning Compliance Acknowledgement and submit it to the Planning Division before they will issue you a Business License.

### STR License Restrictions

A STR License will not be issued for any of the following:

- A property where there is no existing legal residential unit.

- A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, or farmworker housing.
- Recreation vehicles, structures without foundations, and non-residential areas of buildings.
- Pursuant to State law, certain accessory dwelling units (ADUs) are restricted from obtaining STR licenses, including units that were created after January 1, 2020, that meet the criteria for a statewide ADU exemption. The term “created” refers to the date that an application was first submitted to the Community Development Agency. If you are applying to use an ADU as an STR, Community Development Agency staff are available to help you understand the ADU regulations and determine whether the ADU is restricted for use as a STR.

## **Initial STR License**

All STR owners or their agents must obtain a STR License from the Community Development Agency, Planning Division. To obtain STR License approval, STR owners or their agents must demonstrate compliance with the requirements outlined in Chapter 5.41 of the Marin County Code. The CDA recognizes that some of the standards outlined in Chapter 5.41 may require a property owner to obtain other permits to bring their property into compliance (for example, septic system improvements). Therefore, STR Licenses can be issued with conditions of approval to provide time to comply with applicable STR requirements. All STR Licenses are valid for two-year terms, meaning they must be renewed every two years or they will expire.

“First round” STR Licenses will be issued for STRs that were registered as of January 1, 2024. The term registered means those with a legal Business License and Transient Occupancy Tax (TOT) Certificate provided by the Marin County Department of Finance.

## **STR License Wait List Process**

The CDA will maintain STR License wait lists for townships where the number of STR License applicants exceed the number of available licenses for that area, and where the total number of license applicants exceed the number of available licenses countywide. STR Licenses for applicants on the wait list shall be issued in the order applications were received.

Once there is an opening for a license, the next property owner on the wait list will be contacted and informed that they can submit a license application. The property owner will then have up to 60 days to submit a short term rental license application. If they do not submit the license application by that deadline, then the next property owner on the wait list will be contacted and given the opportunity to submit a short term rental license application.

The total number of STR Licenses allowed in unincorporated Marin County is limited to 1,200, excluding Dillon Beach. In addition to the overall countywide cap, there are caps placed on certain townships, mostly located in West Marin.

The "initial number of STRs" refers to the licenses available for valid applications submitted before July 1, 2025 (first round licenses). These STR Licenses will be issued for STRs registered as of January 1, 2024. After the first round of STR Licenses is issued, the number of new licenses will gradually decrease to the "ultimate number of STRs" listed below, except in Dillon Beach, where the number of STRs may increase

to the ultimate cap. The final cap for each township will be reached as license applications or renewals change over time.

**Table 1. Community Caps**

<b>Township</b>	<b>Initial Number of STRs</b>	<b>Ultimate Number of STRs</b>
Bolinas	63	54
Dillon Beach	125	204
Fallon	3	3
Forest Knolls	8	8
Inverness	93	86
Lagunitas	6	4
Marshall	28	27
Muir Beach	20	19
Muir Woods Park	19	19
Nicasio	11	8
Olema	3	3
Petaluma	2	2
Point Reyes Station	32	26
San Geronimo	10	7
Stinson Beach	192	192
Tomales	12	11
Valley Ford	1	1
Woodacre	12	8

**STR License Application Process**

STR Owners or their agents must apply for a STR License by submitting an application form, the required fees, and associated license materials to the CDA’s Planning Division. This application may be submitted online, in person, or mailed to:

Community Development Agency  
 Planning Division, STR License  
 3501 Civic Center Drive, Suite 308  
 San Rafael, CA 94903

Under certain circumstances when technical review is necessary, the Planning Division may refer an application to a variety of public agencies including the Marin County Department of Public Works, the Community Development Agency’s Environmental Health Services Division, the local fire department, and water and sanitary districts.

The review process for a new STR License will normally involve the following eight steps:

1. A STR License application along with the required fees and materials will be submitted for review.
2. Planning Division staff will conduct a preliminary review of the application materials and request any additional information that is necessary. The goal is that staff completes this preliminary review in 30 working days. During the initial period of license processing, the review might take longer due to a high volume of applications. As staff gains experience reviewing the STR License applications, the preliminary review period may be adjusted in these administrative procedures.
3. Once the preliminary review is complete and any additional application materials have been submitted, the application may be referred to other departments for their review.
4. The Planning Division or another department may identify additional information that needs to be submitted for an application to be complete. Once applicants have been notified of the information necessary, they will have 90 days to submit those application materials unless the Planning Division grants them a 90-day extension. Once the resubmittal period and any extension period have lapsed, the application will automatically expire.
5. Once all the information has been submitted and reviewed by Planning staff and other departments, the application will be reviewed for eligibility to receive a license.
6. An application that is complete, has been reviewed by relevant departments, and deemed eligible for a STR License will be formally accepted and issued a STR License.
7. Once an STR License has been issued, the applicant must comply with any conditions of approval.
8. The Planning Division will notify surrounding properties that the license has been issued.

### **STR License Submittal Requirements**

Included in Chapter 5.41 and detailed in the STR License Application Submittal Requirements is an explanation of items that must be submitted to the Planning Division at the time an STR owner or their agent applies for a license.

### **Septic Systems and Wells**

In the event that the short term rental is served by a private septic system, then that system must be documented with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.

In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.

### **Limits to First Round STR Licenses**

A property with a legally registered STR as of January 1, 2024 may continue to operate under its existing Business License and TOT certificate. However, operators must submit a complete application for a STR License before July 1, 2025. Operators are encouraged to apply for a license as soon as possible.

## STR Property Owner Responsibility After STR License Issuance

It is the property owner's responsibility to ensure that their rental is following the standards outlined in Chapter 5.41 of the Marin County Code. Failure to do so could result in fines or the revocation or non-renewal of the STR License. Additionally, the property owner should be aware that the following needs to be done after the STR License is issued:

- **Exterior Signage.** The property owner is responsible for ensuring the exterior STR sign is posted at the STR property. At a minimum, the sign shall be posted while the unit is being used as a STR. The sign shall be a minimum of two and a maximum of four square feet, made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection. Exceptions will be granted to STR properties that are located in HOAs where signage was prohibited as of January 1, 2025.
- **Requirements for Advertisements.** All STR owners or their agents shall include the following information in any online or printed advertisement:
  - The valid Marin County STR License number.
  - The number of parking spaces available for the STR.
  - The valid Marin County Business License number.
  - The valid Marin County TOT Certificate number.
  - Further information where applicable as specified in the license requirements, such as water use restrictions.
- **Information Sheet & Good Neighbor Brochure.** The host or local contact person of the STR shall post the county-prepared information sheet inside the unit and provide the tenants with a "good neighbor" brochure, developed by the county, at the time of their arrival. The schematic site plan showing the location of parking spaces shall also be provided to the guests.
- **Evacuation Routes.** If available, evacuations routes must be posted near the front door of the STR, with a QR code or link to the County's online evacuation map. Further, this evacuation map must be provided as a handout so guests can take the map with them in the case of an emergency. Please note, there are communities where evacuation route maps have not been created. In this case, it will not be a requirement that the property owner provides an evacuation route map. Instead, the County will provide emergency preparedness information which should be shared with guests that encourage visitors to sign up for emergency alerts in order to receive real-time evacuation notifications.
- **Conditions of Approval.** It is the property owner's responsibility to comply with any conditions of approval as outlined in the STR License decision. In some cases, a property owner may need to comply with the conditions before renting the STR.
- **Obtain Business License and TOT Certificate.** Within 30 days of commencing business, each operator of any transient occupancy accommodation must register for a Business License and TOT Certificate with the Department of Finance. To register for a Business License, visit [www.marincountry.org/bl](http://www.marincountry.org/bl), and for TOT registration [www.marincountry.org/tot](http://www.marincountry.org/tot). Please direct any

questions about these registrations to the Department of Finance's Business License Division at [Businesslicense@marincountry.org](mailto:Businesslicense@marincountry.org).

## **STR License Renewal**

STR Licenses must be renewed every two years with the following limitations:

- An initial STR License for a multi-family dwelling or condominium unit cannot be renewed for an additional two-year term and shall instead cease operation after two years from the date of the license issuance, unless revoked earlier.
- Any property owner legally operating more than one STR as of January 1, 2024 is eligible for a license for each of those STRs for an initial period of two years, provided the other requirements of this Chapter are met, and further provided that at the conclusion of the initial two-year licensing period, such property owner will only be eligible to renew a single STR License. For multiple units on a single property, a STR License is required for each unit. Only one STR License (one unit) may be renewed after the two-year term is complete.

A complete STR License renewal application for an existing STR License must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the existing license will remain effective until a decision on the license renewal application has been issued. Failure to submit a timely application for a renewal of an existing STR license shall result in termination of the license.

A STR License renewal application shall be denied if there have been more than three verified substantial violations of the license requirements related to the STR during the previous STR License term. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation.

A STR License renewal may also be denied if conditions of approval were not satisfied during the two-year term of the initial STR License.