



Current Planning Division

The Current Planning Division’s primary responsibility is review of proposed development projects and land use changes for conformance with local and state regulations and policies including San Rafael General Plan 2020, Zoning and Subdivision Ordinances (Title’s 14 and 15 of the San Rafael Municipal Code), and California Environmental Quality Act (CEQA). The Planning Division should be consulted before pursuing any change in building occupancy, land use or construction activity within the City.

The Zoning Code establishes the regulations principally enforced and interpreted by the Current Planning Division; which identifies uses and activities that are either permitted, conditionally permitted (discretionary) or not-permitted in various districts established throughout the City. The Planning Division renders decisions on proposals that require a discretionary approval at the Administrative and Zoning Administrator level, and provides staff support to the appointed Planning Commission and Design Review Board hearing bodies, as well as to Advanced Planning Division and other City Departments (such as Building, Business License Division and Public Works). Discretionary zoning applications required by the Current Planning Division include: *Environmental & Design Review Permits, Use Permits, Variances, Exceptions, Second Dwelling Units, Major and Minor Subdivisions, Lot Line Adjustments, Rezoning and Planned Developments, General Plan Amendments, and Annexations.*

If a discretionary zoning decision requires a public hearing to be held (such as by City Zoning Administrator or Planning Commission which is granted decision-making authority under the Zoning Code) a notice will be mailed to surrounding property owners and residents. The public can attend the hearing and provide comments on the project. The role of the Design Review Board is to provide design recommendations on certain application types (e.g., hillside residential and new non-residential development, and sign programs) and is not a decision-making body. The elected City Council maintains decision-making authority on Appeals of Planning Commission decisions, legislative actions, and General Plan Amendments.

Building Permits

Development typically requires a Building Permit regardless of whether prior zoning approval is required. Check with the Building Division for permit requirements (415-485-3367). Likewise, some structures might not require a Building Permit yet still require a zoning review. For example, prior zoning review is required where Building Permits typically are not required for non-habitable accessory structures under 120 square feet in size, fences 7 feet or less in height, or decks less than 30-inches above grade.

Good Neighbor Strategy



Development on Your Lot

When you make changes to your property your neighbors could be affected, and would appreciate the courtesy of being informed of your intentions. We encourage you to share your plans with your neighbors before bringing the application to the Planning Division. Your neighbors may or may not have suggestions. This does not mean that they are redesigning your house/plans, but give some thought to their concerns. Not only will this help you in the long run if your project involves a public hearing, in which the public's comments may affect the outcome of your project, but it will also help maintain a good relationship with your neighbors. Ultimately, the project is still yours.

Development on Your Neighbor's Lot

When your neighbor makes changes to their property, you may want to know how it might affect you. Hopefully, your neighbors will inform you of the scope of their proposed project and provide an opportunity for you to view their plans. Should they do so, consider how you would like your neighbor to respond to you. Make sure to inform them of any potential concerns you have regarding their project. Remember that nothing has been built yet, and by sharing their plans they are showing interest in hearing your concerns or comments. If your neighbor chooses to do so, they may make changes to their plans in response to your suggestions. Ultimately, the project is still theirs.

Development Review Process

All uses require review for compliance with Zoning Land Use Tables, Parking Standards, Site and Use Regulations, etc. Depending on the types of planning applications necessary for a development or land use proposal, the development review process will differ. However, the following is a *summary* of all of the steps that may occur in the Planning Application process:

Pre-Application – Optional, non-discretionary review; encouraged for larger projects to allow applicants to obtain information related to regulations, review process, submittal requirements, and potential regulatory, policy or environmental issues.

Conceptual Review – Required/Optional, non-discretionary review; required for larger projects and encouraged for others to obtain feedback on preliminary project design from the Design Review Board.

Neighborhood Meeting – Required, applicant sponsored meeting; required for larger projects to obtain early input and feedback from residents prior to formal submittal.

Formal Review – The Zoning Code and Subdivision Code determine which types of new development require discretionary review and approval. Applicants are strongly encouraged to meet with Planning staff prior to submittal to gain an understanding of the submittal requirements and process. Formal review consists of a detailed evaluation of a projects conformance with the General Plan, Zoning, Subdivision regulations and design criteria.

Environmental Review – Planning applications must comply with the California Environmental Quality Act (CEQA). A CEQA determination must be made before a discretionary action is taken to approve a development project. The purpose of CEQA is to provide decision-makers with an objective assessment of potential environmental impacts of a proposed project. The CEQA process is not an evaluation of the project Merits, but is a separate report on its potential environmental effects. The level of environmental review that may be required includes the following: *Categorical Exemption, Negative Declaration/Mitigated Negative Declaration, and Environmental Impact Report (EIR)*.

Staff also offers more detailed research through its Zoning Information / Zoning Determination process; where an applicant desires certainty regarding a code interpretation or unique land use matter where ambiguity may exist in the codes and policies.