



ZONING MAP / TEXT AMENDMENT AND PRE-ZONING

WHAT IS ZONING, PRE-ZONING AND WHEN ARE AMENDMENTS REQUIRED?

The City of Novato’s Zoning Ordinance implements the goals and policies of the Novato General Plan by classifying and regulating the uses of land and structures within the City of Novato. Every parcel within the City is assigned to a zoning district, as illustrated on the Novato Zoning Map. The Zoning Ordinance is codified under [Chapter XIX](#) (Zoning) of the Novato Municipal Code (“NMC”) and establishes land uses (*i.e.*, *allowable uses*) and development standards (*e.g.*, *setbacks*, *lot size requirements*, *height limits etc.*) for each zoning district. The standards, requirements, and regulations provided by the Zoning Ordinance must be consistent with the overarching land use designation contained in the Novato General Plan.

- **Pre-Zoning:** A property located outside of the city limits in the unincorporated areas of Marin County, may be pre-zoned to a zoning district that would apply to the subject property upon completion of the annexation process to the City.
- **Zoning Map Amendment (*i.e.*, **Rezoning**):** A zoning map amendment is required to change the assigned zoning classification for a property.
- **Zoning Text Amendment:** A zoning text amendment is required to change or modify language contained in the Zoning Ordinance.

Zoning Map/Text Amendments may be initiated by:

1. A resolution of intention by the Planning Commission or City Council.
2. An application submitted in accordance with NMC [Division 19.40](#) (Permit Application Filing and Processing), and
3. A proposal initiated or authorized by the Community Development Director.

PRE-APPLICATION REVIEW

The Planning Division offers several opportunities for pre-application review. Pre-application review is encouraged to help identify and resolve any issues early on in the review process. Please contact the Planning Division to discuss the various pre-application review options.

Rezoning/Pre-zoning/Zoning Text Amendment application(s) may be combined with a General Plan Amendment and/or Master Plan and Precise Development Plan applications. Applicants are encouraged to discuss the appropriateness of a combined application with the Planning Division prior to an application submittal.

ENVIRONMENTAL REVIEW

Discretionary applications (*e.g.*, use permits, design review *etc.*) are subject to environmental review as required by the California Environmental Quality Act (CEQA) and the City of Novato Environmental Review Guidelines. Planning Division staff will provide a determination on the level of CEQA review required for a particular project within 30 days of determining that an application is complete for processing.

Completion of an initial study will result in a determination as to what level of environmental review is required for a project (*e.g.*, negative declaration or environmental impact report). Environmental review must be completed prior to the Planning Commission public hearing for a project.

INITIAL APPLICATION REVIEW

Submittal requirements for a zoning map amendment, zoning text amendment, and/or pre-zoning application are listed on the following pages. A complete application package must include all listed items that are applicable to your request. Planning Division staff will perform an initial application review (*i.e.*, application completeness review) of the submitted application materials within 30 days of the application submittal. As a part of this initial review process, Planning Division staff will route out all received application materials to outside reviewing agencies and

departments (e.g., Novato Fire District, North Marin Water District, Novato Sanitary District etc.) as applicable. These agencies and departments may provide comments, corrections, or conditions of approval.

Planning Division staff will provide the applicant with a written determination on whether the submitted application is complete for processing or incomplete in accordance with Government Code section 65352.3. This written determination will also include all project specific correspondence from outside agencies and departments received by the City to date.

Certain project types, as described by the Novato Municipal Code, may require the applicant to host a publicly noticed neighborhood meeting to garner community feedback. In these instances, completion of a neighborhood meeting is required before an application may be considered as complete. Planning Division staff will assist in the coordination of a neighborhood meeting as well as preparing and publicly notifying the neighborhood.

An application submittal must be deemed complete before it may continue forward in the overall review process. You may consult with the Planning Division if you have questions about application submittal requirements.

APPLICATION REVIEW AND DECISION

Once an application has been deemed complete, Planning Division staff will perform an analysis of the request based on criteria provided in the Novato Municipal Code. This analysis is documented in the staff report prepared by Planning Division staff and includes staff's recommendation to the review authority for the project.

Zoning map amendments, zoning text amendments, and pre-zoning applications must be reviewed by the Planning Commission before proceeding to the City Council for final action, as described below.

❖ Planning Commission

The Planning Commission will review the zoning map amendments, zoning text amendments, and pre-zoning applications in addition to any additional requested entitlements (e.g., general plan amendment, master plan, design review etc.). The Planning Commission shall conduct a public hearing and provide a formal recommendation on the requested entitlements. The Planning Commission's recommendations are advisory and are transmitted to the City Council with staff's analysis of the project. In accordance with the procedures provided in the Novato Municipal Code and Government Code section 65090 et seq., notification on the Planning Commission's public meeting(s) will be provided by mail to the neighborhood surrounding the project, relevant local agencies, and/or in some instances will be included in a newspaper of local circulation as a legal ad.

❖ City Council

The City Council is the final review authority and is tasked with rendering the final decision on all of the requested entitlements. The City Council's decision takes into consideration the recommendations provided by the Planning Commission and Planning Division staff, as well as any public testimony. The City Council's decision, including its decision on the environmental is then set forth in a written report, along with the findings upon which their decision is based on. In accordance with the procedures provided in the Novato Municipal Code, notification on the City Council's public meeting(s) will be provided by mail to the neighborhood surrounding the project, or in some instances will be included in a newspaper of local circulation as a legal ad.

In instances where the City Council proposes a decision that has not been specifically considered by the Planning Commission, the matter must be referred back to the Planning Commission to review and provide their recommendation before the City Council may make a formal decision.

As required by NMC Section 19.56.070.C (Findings for Zoning Map/Ordinance Amendments) and Section 19.56.090, the review authority must make the following findings before acting to approve or conditionally approve an application for a zoning ordinance amendment, zoning map amendment, or pre-zoning – *additional findings may be required depending on the application request:*

- a. The proposed amendment is consistent with the General Plan;
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

- c. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA), and the Novato Environmental Review Guidelines.
- d. Additional Finding for Zoning Map Amendments: The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments.
- e. Additional Finding for Zoning Ordinance Amendments: The proposed amendment is internally consistent with other applicable provisions of this Zoning Ordinance.

SUBMITTAL REQUIREMENTS:

All Planning applications must be submitted directly through [Novato Permits Portal](#), our online portal at [Application Forms | City of Novato, CA](#). A Novato Permits Portal account is required and can be created using the online portal prior to applying.

A. General Information:

- 1) Planning Application
- 2) Environmental Data Submission
- 3) Cost Recovery Agreement - for projects that require a deposit.
- 4) Application Fee(s) as listed in the [City of Novato Master Fee Schedule](#).
- 5) Completed Property Owner Authorization Form (as applicable)
- 6) Once an application is submitted through the [Novato Permits Portal](#), an invoice will be created within approximately one (1) week and will be viewable on your account. You will then be able to pay through the portal by credit card or e-check (fees apply for both). Alternatively, you can mail or drop off a check to the City's Administrative Offices at the following address:

City of Novato
Attn: Planning Division
922 Machin Avenue
Novato, CA 94945

****Please include your application number and/or project address on the check.**

B. Written Statement:

Written statement(s) describing the following as they apply to the request:

- 1) Requested amendment or rezoning, its purpose, and how it is consistent with the Novato General Plan.
- 2) Existing zoning classification and the proposed zoning classification (*Zoning Map Amendment & Pre-Zoning*)
- 3) Existing language contained in the zoning ordinance and proposed language or changes (*Zoning Text*)

C. Plan Set Information: (Zoning Map Amendment & Pre-Zoning)

Project plan sets shall be prepared to meet the minimum requirements as described in the [Minimum Requirements for Prepared Plans](#) informational document found in the "Forms & Guides" section of the Novato Building Division's webpage (novato.org/building).

- 1) General Coversheet Information:
 - a. Project name, address, assessor's parcel number (APN), and detailed scope of work
 - b. Designer information: name, address, phone number, and email address
 - c. Sheet index of drawings
 - d. Vicinity map of project location
 - e. Existing general plan land use designation(s)

- f. Existing and proposed zoning classification(s)
 - g. Existing density in both gross and net figures
 - h. Existing building coverage
 - i. Existing floor area ratio (FAR)
- 2) Site Plan:
- a. North arrow
 - b. Boundaries and area of the site
 - c. Easement locations, dimensions and type
 - d. Site drainage information
 - e. Existing and proposed building footprints with overall dimensions and projections
 - f. Dimensioned locations of existing and proposed on-site driveways, parking areas, service areas, streets, pathways, patios, decks, pools, accessory buildings, fences, walls, and similar improvements.
- 3) Sufficient information, reports, or studies to permit the City to determine whether the project is exempt from the California Environmental Quality Act or whether an environmental impact report, a negative declaration, or a mitigated negative declaration is needed as required by Section 21080.1 of the Public Resources Code.

An application containing each of the relevant criteria set forth herein shall be determined to be complete for processing.

For more information, please contact the Planning Division at: 415-899-8989 or planning@novato.gov