



CITY OF LARKSPUR

Planning Department
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Submittal Requirements for Conditional Use Permits (UP)

Within 30 days of application submittal, the Planning Department will review each application for completeness of required information & fees. A Notice of Incomplete Submittal will be mailed to those applicants whose submittal is incomplete. Applications cannot be set for public hearing until accepted as complete.

Project Site Address _____

Applicant/Owner _____

The following items must accompany all applications unless specifically waived by Planning staff¹. Upon submittal of the application, please submit this sheet back to the Planning Department with the appropriate boxes checked, to assure our receipt of all submittal requirements.

Office Use

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <input type="checkbox"/> Application - completed & signed by applicant & property owner. (Note: property owner may be different from business owner) | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Deposit or fee established by resolution of the Council. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Written description of the nature of the proposed use: services or merchandise provided, persons employed, hours of operation, explanation of business operations, estimated truck & vehicle traffic (including shipping & deliveries), estimation of potential noise, lighting or air emission impacts, use of hazardous materials, etc. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Statement of required findings under the use permit ordinance - (Section 18.76.050, Larkspur Municipal Code [LMC]) describing how the application satisfies these findings. (see back of form for findings) | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Three (3) sets of plans (up to an additional 8 plans will be required when application is deemed complete) including the following: | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Location map –showing the general location of the parcel & the addresses of adjacent properties. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Site Plan – | <input type="checkbox"/> _____ |
| <input type="checkbox"/> (a) shall be drawn to scale & dimension. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> (b) have a graphic bar scale, a statement of scale, a north arrow, title block & date. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> (c) shall include parcel area calculations & applicable zoning. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> (d) shall show the main structure, accessory structures, landscaping, parking & driveways on the site. | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Building Floor Plans - showing existing floor area & proposed floor area at 1'=1/4" scale. Both shall be dimensioned at exterior walls. | <input type="checkbox"/> _____ |

¹ **NOTE:** Depending on the nature of the application, additional information may be required.

CITY OF LARKSPUR

Conditional Use Permit

➤ **What is a Conditional Use Permit (UP)?**

A Conditional Use Permit allows the City to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district. This is done through a public hearing process. Some of these essential or desirable uses must be evaluated by the Planning Commission, since they may or may not be appropriate at a specific location.

➤ **What are the steps to apply for a Conditional Use Permit?**

1.) Consult with the Planning Department Staff: File an **application** form & the required deposit/fee at the Customer Service Counter (2nd Floor) of the Larkspur City Hall. (See submittal requirements on back of form) The application form should describe the requested use & it must be signed by the property owner & representative, if different. The **deposit or fee** is required to cover the city's time & expenses involved in processing the Conditional Use Permit. The deposit/fee will typically cover all expenses; however, additional monies may be requested if the case is protracted or if consultant services are required.

2.) Staff Review: Within 30 days of submittal of an application, the City will evaluate it for **completeness**. If it is found to be **complete**, it will be scheduled on an upcoming Planning Commission agenda; if it is **incomplete**, you will be so notified in writing & provided with a list of the items needed to render it complete. During processing, the property will be **visited** at least twice by City staff, once to investigate the site & once to post a public notice.

3.) Environmental Review: Within 30 days of determining the application to be complete, staff will determine the environmental status of the project pursuant to the California Environmental Quality Act (CEQA).

4.) Noticing & Staff Report: Local law requires public notice for Conditional Use Permit hearings. At least 10 days before the hearing, a notice will be posted on the property, mailed to all property owners within 300 feet & posted on three official bulletin boards.

5.) Public Hearing: The Planning Commission hearing begins with a staff presentation, then the applicant's presentation & subsequent public comment. The public hearing is then closed & the Planning Commission deliberates the project & comes to a decision based on the required findings from Section 18.76.050, which are listed below:

- A. The use would be consistent with the intent & purpose stated in the sections of this title which establish the applicable zoning classification.
- B. The use would be consistent with the General Plan.
- C. The use will not be detrimental to the health, safety, morals, comfort, convenience or general welfare of persons residing or working in the neighborhood of such proposed use, nor be injurious to property or improvements in the neighborhood.
- D. The use will not be detrimental to the general welfare.

➤ **Can the public or applicant appeal the decision of the Planning Commission?**

Yes, anyone disagreeing with the Commission decision may file an appeal with the City Clerk within 10 calendar days of the date of the meeting at which the decision was made. A filing fee is charged. The City Council then will hold a new hearing.

➤ **When does the Conditional Use Permit expire?**

The Conditional Use Permit must be acted upon (commencement or construction) **within two years** of the approval or the permit would be rendered invalid. Applicants unable to meet this schedule should apply for an extension before the two-year period expires.

NOTE: The City strongly encourages the applicant/property owner to consult with neighboring property owners regarding the proposed project before submittal.