



## City of Larkspur

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### Submittal Requirements for a Nonconforming Exception Permit (EXC)

Please include this sheet along with the required items listed below. Check all boxes to assure receipt of all submittal requirements.

**Project Site Address:** \_\_\_\_\_

**Applicant/Owner:** \_\_\_\_\_

The following items must accompany all applications unless specifically waived by the Planning staff.

To file an application, submit a digital copy of all items, including application forms and plans via email to [Larkspurplanning@cityoflarkspur.org](mailto:Larkspurplanning@cityoflarkspur.org) or by dropping off a USB Flash Drive. In addition, drop-off the original signed copy of the application form and one set of plans at City Hall with the Planning and Building Department, or in the designated drop boxes in the front lobby or rear porch. The application fee may be paid by check and included with the hard copy materials, or by filing a digital or hard copy of the Credit Card Application Form (available on the City Website). Applications are not filed until the fee is received.

- Master Planning Application Form**- completed & signed by applicant & property owner (Available for download on City website).
- Application Deposit** – Fee schedule established by resolution of the Council is available on City website.
- Statement of required findings** - (Section 18.68.040.F, Larkspur Municipal Code [LMC]) describing how the application satisfies these findings. (See back of form)
- One (1) set of plans including the following:**
  - Location map** – showing the general location of the parcel.
  - Site Plan** – Based on a survey (include survey) unless otherwise waived by the Planning Department. Site plan shall:
    - (a) be drawn to scale and dimension.
    - (b) have a graphic bar scale, a statement of scale, a north arrow, title block and date.
    - (c) show the main structure, accessory structures, landscaping, parking and driveways on the site.
    - (d) identify the location of the proposed improvements(s) that require an exception permit.
- Floor Plans** – (When applicable), showing existing floor area & proposed floor area at 1' = 1/4" scale. Both shall be dimensioned at exterior walls.
- Architectural Elevations** – showing new improvements and identifying exterior materials & colors at 1'=1/4" scale.

**CITY OF LARKSPUR**  
***Nonconforming Exception Permit***

➤ **What is a Nonconforming Exception Permit (EXC)?**

A Nonconforming Exception Permit (EXC) is a ministerial application, processed by Planning Department staff, which can permit a property owner to make minor changes to the exterior of a nonconforming structure. Planning Department staff may grant a Nonconforming Exception Permit only if the applicable findings can be made (see item #4 below). Note: Applicants are encouraged to consult with surrounding property owners who may be impacted by the proposed alteration.

➤ **What are the steps to apply for a Nonconforming Exception Permit?**

- 1.) **Consult with the Planning Department Staff** regarding the location and scope of the improvement you wish to propose. This will provide some guidance to insure your proposal may be authorized.
- 2.) **Consult with Department of Public Works Staff** if a proposed improvement would be located within an unimproved portion of the street right-of-way fronting the property or impact a right-of-way, or if the proposed improvement may change the on-site drainage.
- 3.) **File an application**, including the required fees, forms and plan, both digitally and in hard copy, with the Planning and Building Department. See direction at the top of this form.
- 4.) **Staff Review**. Within 30 days of submittal of an application, the City will evaluate all materials for **completeness** and conduct a site visit. If the application is found to be **incomplete for processing**, you will receive a written notice informing you of the status and itemizing the information necessary to deem the application complete. When an application is deemed to be **complete for processing**, staff will formally determine if the application meets the required findings provided under Section 18.68.040(F), listed below:
  1. **The exception will not increase the existing nonconformity.**
  2. **The proposed project otherwise conforms to the standards and regulations of the Larkspur Municipal Code.**
  3. **The proposed project will not be detrimental to the health, safety, welfare, comfort, or convenience of persons working or residing in the neighborhood of the proposed structure, nor be detrimental to the general welfare.**
- 5.) **Notification**. If Planning Department staff determines that the project meets the necessary findings outlined above, a public notice shall be sent to surrounding property owners informing them of the City's intention to approve the permit unless a written protest is received by the City within ten days of the date of the notice. City staff shall also post this notice on the property. Do not remove the public notice until ten calendar days have elapsed.
- 6.) **Action by Planning Staff**. At the end of the ten-day noticing period, Planning Department staff will mail a **Notice of Action** to the applicant/property owner. Applicant/owner may then apply for and receive a building permit for the proposed modification.
- 7.) **Protests**. In the event that a written protest is submitted to the City within the ten-day time limit, a public hearing shall be set before the Planning Commission. Additional processing information will be provided if this were to occur.

**When does the Nonconforming Exception Permit expire?**

Construction of proposed improvements must begin within **one year** of the approval date on the Notice of Action, or the approval will expire. Applicants unable to meet this schedule should apply for an extension before the one-year period expires.