



# City of Larkspur

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## **Submittal Requirements for Conditional Use Permit**

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 Forms**- completed & signed by applicant (business owner) & property owner (available for download on City website)
- Deposit or fee** – Fee schedule established by resolution of the Council is available for download on City website.
- 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.
- 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)
- One (1) set of plans including the following:**
- Location map** –showing the general location of the parcel & the addresses of adjacent properties.
- Site Plan** –
  - (a)** shall be drawn to scale & dimension.
  - (b)** have a graphic bar scale, a statement of scale, a north arrow, title block & date.
  - (c)** shall include parcel area calculations & applicable zoning.
  - (d)** shall show the main structure, accessory structures, landscaping, parking & driveways on the site.
- Building Floor Plans**- showing existing floor area & proposed floor area at 1'=1/4" scale. Both shall be dimensioned at exterior walls.

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

**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 either the Zoning Administrator or 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** to discuss the proposed business and determine if the application appears to be appropriate for the location and may comply with zoning standards such as parking requirements.
- 2.) **File an application.** See top of this form for the filing instructions. 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.
- 3.) **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.
- 4.) **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).

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

**Public Hearing:** Conditional Use Permits may be heard by either the Zoning Administrator or Planning Commission. Hearings begin with a staff presentation of the proposal, then the applicant's presentation & subsequent public comment. The public hearing is then closed & the Zoning Administrator or 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 and 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 and appeal fee with the City Clerk within 10 calendar days of the date of the meeting. Appeals are heard before the City Council.

➤ **When does the Conditional Use Permit expire?** The Conditional Use Permit must be acted upon within two years of the approval or the permit would be rendered invalid. A one year extension of time may be requested and authorized by the Planning Director or Zoning Administrator.