



# City of Larkspur

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## **SUBMITTAL REQUIREMENTS FOR A TEMPORARY USE PERMIT (UP)**

Please include this sheet along with the required documents, plans and fees, with the appropriate boxes checked, 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.

- Application-** completed & signed by applicant & property owner. (Note: property owner may be different from business owner). Application forms are available for download on City website.
- Deposit or fee** – The fee schedule as established by resolution of the Council is available for download on the City website.
- Written description of the nature of the proposed use:** services or merchandise provided, persons employed, dates and 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 temporary uses code section-** (Section 18.16.245(D), 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, tents, landscaping, parking & driveways on the site.
- Building Floor Plans (if applicable)** - showing existing floor area & proposed floor area at 1'=1/4" scale. Both shall be dimensioned at exterior walls.

## **CITY OF LARKSPUR** **Temporary Use Permit**

### ➤ **What is a Temporary Use Permit (UP)?**

Temporary Use Permits allow the short-term placement (generally six months or less) of activities on privately owned property with appropriate regulations so that such activities will be compatible with surrounding areas. A temporary use may be conducted in any zoning district, subject to review and approval of an administrative use permit by the Zoning Administrator. Some of these essential or desirable uses must be evaluated by the Zoning Administrator, since they may or may not be appropriate at a specific location. If determined necessary, a public hearing may be required to allow interested members of the public to comment on the application. The Zoning Administrator will then take action during the public hearing.

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

- 1.) **Consult with the Planning Department Staff:** regarding the location, site issues, temporary parking facilities, number and size of the sign(s), etc. This will provide some guidance to insure your proposal may be authorized.
- 2.) **File an application,** including the required forms, application deposit and plans. See first page for direction.
- 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 Zoning Administrator 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).
- 5.) **Noticing & Staff Report:** Local law requires public notice for Temporary Use Permit public hearings. At least 10 days before the hearing, a notice will be posted on the property and mailed to all property owners within 300 feet.
- 6.) **Public Hearing:** The Zoning Administrator hearing begins with a staff presentation, then the applicant's presentation & subsequent public comment. The public hearing is then closed & the Zoning Administrator comes to a decision based on the required findings from Section 18.16.245(D), which are listed below:
  1. The operation of the requested use at the location proposed, and within the time period specified, 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.
  2. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site.
  3. The proposed site is adequately served by streets having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably generate.
  4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the Planning Director or Zoning Administrator.

### ➤ **Can the public or applicant appeal the decision of the Zoning Administrator?**

Yes, anyone disagreeing with the Zoning Administrator's 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 Temporary Use Permit expire?**

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

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