



# **CITY OF LARKSPUR**

**Planning Department**  
**400 Magnolia Avenue**  
**Larkspur, CA 94939**

Phone 415 927-5038  
Fax 415 927-5023  
www.ci.larkspur.ca.us

## **APPLICATION FOR ADMINISTRATIVE APPROVAL FOR ACCESSORY DWELLING UNITS & SUBMITTAL REQUIREMENTS**

(Larkspur Municipal Code Section 18.23, Accessory Dwelling Units)

Complete and file the accessory dwelling unit application (interior accessory dwelling units) with the Planning Department counter representative along with the required submittal information.

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

**Assessor Parcel No:** \_\_\_\_\_

**Applicant's Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Phone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

**Zoning Designation:** \_\_\_\_\_

**Does the proposed accessory dwelling consist only of the conversion of existing floor area with an existing structure (the primary dwelling unit or detached structure)?**

- Yes If yes, fill out **Section A** below.
- No

**Does the proposed accessory dwelling involve an exterior addition or new detached structure?**

- Yes If yes, fill out **Section B** below.
- No

**For proposed accessory dwelling units (exterior or interior), please include this sheet with the appropriate boxes checked to assure our receipt of all required materials. When it is determined a specific item is not applicable for the project, add the notation N/A adjacent to the check box and attach a written explanation to the checklist explaining why it is not required.**

**A. ACCESSORY DWELLING UNITS - For conversion of space within an existing structure, you must answer the following:**

- What is the floor area of the proposed ADU? \_\_\_\_\_ square feet. (Note: The code permits no smaller than 150 square feet and typically, no larger than 700 square feet in size.)

Does project involve removal of a parking space?

- Yes If yes, are you providing a replacement parking space? Please describe:

\_\_\_\_\_

- No

Have you prepared a draft Deed Restriction for use of the ADU and owner occupancy?

- Yes
- No

**B. EXTERIOR ACCESSORY DWELLING UNITS – For additions or new structure, you must answer the following:**

Are you located outside the restricted areas as shown in the 'Restricted Areas' section below?

- Yes
- No If no, you will need to provide a plan set, stamped approved by the Central Marin Fire Department Fire Marshal.

What is the height of the ADU addition or detached structure as measured from finished grade to top of roof? \_\_\_\_\_ ft. **Note:** Second story additions are subject to Design Review.

List setbacks to all property lines:

- Front \_\_\_\_\_ ft.
- Side \_\_\_\_\_ ft.
- Side \_\_\_\_\_ ft.
- Rear \_\_\_\_\_ ft.

Are you providing an additional parking space on-site?

- No Indicate why not: \_\_\_\_\_  
\_\_\_\_\_

- Yes If so, where it is located on-site, and provide dimensions:

Where on-site: \_\_\_\_\_

Dimensions: \_\_\_\_\_

- What is the floor area of the proposed ADU? \_\_\_\_\_ square feet

Have you prepared a draft Deed Restriction for use of the ADU and owner occupancy?

- Yes
- No

Does the proposed ADU affect any heritage tree(s)?

- No
- Yes If so, please indicate tree species, size and impact to tree: \_\_\_\_\_  
\_\_\_\_\_

**Note:** A Heritage Tree Removal Permit is required for a project that causes the removal or other action(s) that severely endangers the heritage tree (LMC 12.16.060). An arborist report may be required.

**SUBMITTAL REQUIREMENTS (must be completed or otherwise indicate why materials are not applicable))**

- Application** - completed & signed by property owner and applicant (if different from the owner).
- Project description** - provide in the space below a brief summary of the proposed Accessory Dwelling Unit, its purpose and location. Indicate whether or not the proposed Accessory Dwelling Unit results in the demolition of or conversion of a garage or carport. If so, please specify where the parking for the primary dwelling unit will be replaced on site in conformance with Larkspur Municipal Code Section 18.23.060(g)(4)a. Include a description of project's architectural characteristics if project includes expansion to the existing primary dwelling unit or it is a detached structure. (You may add an additional page if space below is not sufficient.)

---

---

---

**Checklist for New ADUs (Attached)**

**Site Plan** – drawn to scale, including but not limited to the following information:

1. All streets, walks, driveways, paths, parking areas, patios, and other hard surface areas.
2. All existing structures on the subject property and all existing structures on adjacent properties that are within 10 feet of the subject property's property line.
3. All heritage trees.
4. Property lines with metes and bounds description and all easements.

**Topographic Survey** – *required if new addition or accessory structure is proposed*. Survey shall show lot area and average grade. The scale of the map shall be the same as the site plan and the two plans may be combined. The contour interval shall not be greater than five feet. (Not required for interior accessory dwelling units). This requirement may be waived by the Planning Director if sufficient information is otherwise available to insure the accuracy of the proposed site plan.

**Building elevations, section drawings, and roof plans** - depicting a proposed attached and/or detached addition.

**Floor plans** - showing existing conditions and proposed alterations, dimensioned at ¼-inch or 1/8-inch scale, and identifying the floor area of the existing residence and proposed accessory unit. Plans shall provide a calculation of floor area which conform to the development standards as outlined in Section 18.23.060, below.

**Photographs** – showing existing primary residence.

**Total Cost of Planned Improvements** – Estimates of project valuation necessary to determine whether the project represents a “Substantial Improvement” to an existing structure.

- Additions and/or expansions to structures are subject to all zoning regulations regarding, including but not limited to floor area ratio limitations, coverage, natural state, height, and setbacks.
- The Planning Director may waive any of the above required informational items, maps, drawings, etc., if, in his or her opinion, they are unnecessary or unreasonable under the specific circumstances of the project.
- Accessory dwelling units which are subject to other discretionary permits may be subject to additional submittal requirements specific to those permits.

I HEREBY CERTIFY under penalty of perjury that the above is true and correct and agree to comply with all city and state laws regulating this work. I further agree to save, indemnify, and keep harmless the City of Larkspur, it's officers and representatives against all liabilities and judgements resulting from, or which may in any way accrue in consequence of the granting of, this permit.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Date

---

**For City Staff use only:**

These plans and submitted materials *are / are not* (circle one) found to conform to the Accessory Dwelling Unit Ordinance, LMC 18.23.020.

Application No.: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Date Denied: \_\_\_\_\_

Development Checklist Completed:    \_\_\_ Yes    \_\_\_ No    \_\_\_ N/A

By: \_\_\_\_\_ Date: \_\_\_\_\_

# CHECKLIST FOR NEW ACCESSORY DWELLING UNITS

(To be filled out by Applicant; Staff Confirmation)

Circle the appropriate answer as it applies to the proposed accessory dwelling unit questions below:

*Staff  
Check*

- |   |   |     |    |     |
|---|---|-----|----|-----|
| 1. Type of ADU:   | Interior w/n existing primary dwelling unit | Yes | No | N/A |
|   | Exterior or new accessory structure         | Yes | No | N/A |
| 2. Is your property located within a Restricted Area? (Please refer to 'ADU Restricted Zones Map'). Only interior ADUs are allowed in Restricted Areas (not new attached or detached ADUs). |   | Yes | No | N/A |
| 3. Does ADU have a separate entrance?   |   | Yes | No | N/A |
| 4. Does ADU have its own cooking facility?<br>Must include, at minimum, for food preparation, cooking, eating and dishwashing, with the following features:                                 |   | Yes | No | N/A |
| • Sink with hot and cold running water  |   | Yes | No | N/A |
| • Range or stove-top and an oven  |   | Yes | No | N/A |
| • Apartment sized refrigerator  |   | Yes | No | N/A |
| • Counter and storage space   |   | Yes | No | N/A |
| 5. Does ADU have its own bathroom?<br>Must include, at minimum, the following features:   |   | Yes | No | N/A |
| • Toilet  |   | Yes | No | N/A |
| • Sink with storage space   |   | Yes | No | N/A |
| • Shower and/or bathtub   |   | Yes | No | N/A |
| 6. Floor Area   |   |     |    |     |
| • Minimum floor area of 150 square feet in size.  |   | Yes | No |     |
| • Maximum floor area of 700 square feet in size.<br>(For larger sized ADUs, please refer to LMC Section 18.23.060F.)  |   | Yes | No | N/A |
| 7. Parking Exemptions   |   |     |    |     |
| • Is this interior ADU eligible for parking exemptions (refer to LMC 18.23.060G.2.)?<br>If so, explain why: _____   |   | Yes | No |     |
| _____   |   |     |    |     |
| 8. Parking Standards  |   |     |    |     |
| • Does proposed parking meet the minimum requirements:  |   | Yes | No |     |

Required parking dimensions (LMC Section 18.56.150.1(k):

9' x 18' minimum long for non-confined stall

12' x 18' minimum long for confined stall

<ul style="list-style-type: none"> <li>• Does the new parking structure (e.g., carport, garage, or parking deck) comply with required setbacks for primary &amp; accessory structures as applicable?</li> </ul>	Yes	No	
<ul style="list-style-type: none"> <li>• Does the proposal meet the replacement parking requirements (LMC 18.23.060.G.4)</li> </ul>	Yes	No	N/A
<ul style="list-style-type: none"> <li>• Does the proposal meet the parking requirement for substantial remodels of primary dwelling? (LMC 18.23.060.G.5 &amp; 18.56.030(B))</li> </ul>	Yes	No	N/A
9. Does the proposed ADU meet the Architectural Standards (LMC 18.23.060.G.5)?	Yes	No	
<ul style="list-style-type: none"> <li>• Style</li> </ul>	Yes	No	
<ul style="list-style-type: none"> <li>• Form</li> </ul>	Yes	No	
<ul style="list-style-type: none"> <li>• Materials and colors</li> </ul>	Yes	No	
<ul style="list-style-type: none"> <li>• Lighting</li> </ul>	Yes	No	
<ul style="list-style-type: none"> <li>• Privacy</li> </ul>	Yes	No	
10. Does the proposed ADU impact or require removal of heritage trees? If yes, it must comply with the requirements of LMC, Chapter 12.16, 'Heritage Trees'. Has a Heritage Tree Permit been issued by the Planning Commission?	Yes	No	
	Yes	No	N/A
11. Has applicant provided a Deed Restriction for use of the ADU and owner occupancy?	Yes	No	
12. Does the ADU have a permanent foundation?	Yes	No	
13. Does the ADU have a street address assigned to it?	Yes	No	
14. Is the proposed ADU on a property listed in the National and California Register of Historic Places or identified in the Local Inventory of History Places? If so, refer to the requirements of LMC, Chapter 18.19, Historic Preservation.	Yes	No	

## ACCESSORY DWELLING UNITS DEVELOPMENT STANDARDS

### Larkspur Municipal Code 18.23.060

An accessory dwelling unit, as defined in LMC Section 18.23.020, shall comply with the following development standards:

- A. *Number of Units.* Accessory dwelling units are only permitted on parcels with an existing or proposed single family use. A parcel with a single family residential use, may have only one accessory dwelling unit or one junior accessory dwelling unit, but not both.
- B. *Location of Accessory Dwelling Unit.* The accessory dwelling unit may be within, attached to, or detached from the primary dwelling unit. Accessory dwelling units may be created through the conversion of a garage, carport, or covered parking structure, subject to replacement parking required per Section 18.23.060(g)(4)a, Parking Requirements.
- C. *Access.* An attached or interior accessory dwelling unit (attached to, or located within, the primary dwelling unit) shall have a separate independent exterior entrance
- D. *Kitchen Facility and Bathroom.* The accessory dwelling unit shall contain its own cooking facility/kitchen and bathroom, separate from the primary dwelling unit.
  - 1. The kitchen facility must include, at minimum, for food preparation, cooking, eating and dishwashing, the following features: a sink with hot and cold running water, a range or stove-top and an oven, an apartment sized refrigerator, and counter and storage space.
  - 2. The bathroom must include, at minimum, for sanitary purposes the following features: toilet, sink with storage space, shower and/or bathtub.
- E. *Setback and Other Zoning Regulations.* For purposes of setbacks and other zoning regulations, the accessory dwelling unit shall be considered to be a part of the principal use of the subject site and shall be subject to the same requirements of the underlying zoning district, including standards for lot coverage, setbacks, floor area, and height, unless otherwise provided below.
  - 1. When an existing residence has non-conforming setbacks, the conversion of space to an interior accessory dwelling unit shall not require additional setbacks, except as required for fire safety.
  - 2. No setback shall be required for an existing garage that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.
  - 3. A setback of no more than five feet shall be required from the side and rear lot lines for an accessory dwelling unit that is constructed above a garage.
- F. *Floor Area of an Accessory Dwelling Unit.* The accessory dwelling unit shall have a minimum floor area of one hundred and fifty (150) square feet (required to accommodate an efficiency unit per Health and Safety Code, Section 17958.1), and a maximum floor area of seven hundred (700) square feet in size. Where four thousand (4,000) square feet of floor area or more is permitted by code, based upon lot size and slope, the maximum floor area for an accessory dwelling unit size shall be twelve hundred (1,200) square feet.
- G. *Parking Requirements.*

1. *Unless otherwise specified in Section (2) below:*

- a. One (1) additional off-street parking space is required for each attached or detached accessory dwelling unit.
- b. No additional off-street parking is required for the primary residence, except as specified under Section (4) below.
- c. **Parking Space Dimensions.** All required interior and exterior parking space dimensions shall be pursuant to LMC Section 18.56.150.1(k), a minimum of 9 feet wide by 18 feet long for non-confined stall, and a minimum 12 feet wide by 18 feet long for confined stall.

2. *Parking Exemptions.* Off-street parking is not required for an accessory dwelling unit in the following instances:

- a. The accessory dwelling unit is located within one-half mile walking distance of a public transit stop;
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district;
- c. In an area requiring on-street parking, permits are required but not offered to the occupant of the accessory dwelling unit; and
- d. When the accessory dwelling unit is located within one block of a car sharing pick-up/drop-off location.
- e. The accessory dwelling unit is built within the legally existing primary residence or a legally existing accessory structure (interior accessory dwelling unit);

3. *Location of Required Parking.* Parking required for the accessory dwelling unit may be located in a garage, carport, uncovered or tandem space:

- a. Required replacement parking may be located within the required front yard setback, street side setback, and rear yard setback areas. Parking in setbacks and tandem parking may not be permitted if the Fire Department determines that parking in those areas is unsafe due to site specific fire and/or life safety conditions.
- b. A parking structure (e.g., carport, garage, or parking deck) shall comply with required setbacks for both primary and accessory structures.

4. *Replacement Parking for Primary Dwelling.* When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, the required off-street parking spaces for the primary single-family dwelling unit must be replaced on the same parcel, and may include but not be limited to covered spaces, uncovered spaces, or tandem space.

5. *Substantial Remodels of Primary Dwelling.* Substantial remodels to an existing primary dwelling may require additional parking for the primary dwelling as applicable, subject to LMC Section 18.56.030(B).

H. *Architectural Standards.* Attached and detached accessory dwelling units and conversions of an existing legally permitted accessory structure shall be designed to comply with the following standards:



1. *Architectural Style and Form.* Be of the same or similar architectural style and form as the primary structure on site.
  2. *Materials and Colors.* Be constructed of the same or similar exterior materials, finishes, and family of colors as the primary dwelling unit on site.
  3. *Lighting.* Lighting shall be shielded and/or directed so that it does not glare off-site or illuminate onto adjacent and nearby property.
  4. *Privacy.* Windows shall be located offset from neighbor's windows to maximize privacy and to avoid line of sight to windows of abutting properties. Clerestory windows, obscured glass, and other techniques may be used to avoid line of sight.
- I. *Heritage Trees.* Any new construction of accessory dwelling units that impacts or requires removal of heritage trees shall comply with the requirements of LMC, Chapter 12.16, "Heritage Trees."
- J. *Building Code.* Accessory dwelling units shall comply with all applicable requirements of the California Building Codes, as adopted by reference in Title 15 of the Larkspur Municipal Code.
- K. *Permanent Foundation.* A permanent foundation shall be required for all accessory dwelling units.
- L. *Minimum Occupancy.* An accessory dwelling unit shall not be rented, leased, or provided for compensation for a period of less than 30 days.
- M. *Fire Safety.* Accessory dwelling units are not required to have fire sprinklers or other fire safety requirements if they are not required in the primary dwelling unit.
- N. *Street Address Required.* Street addresses shall be assigned to all accessory dwelling units to assist in emergency response.
- O. *Deed Restriction.* Prior to obtaining a building permit for an accessory dwelling unit, a deed restriction, approved by the Planning Director or his/her designee, shall be recorded with the County Recorder's office. Said deed restriction shall run with the land, and shall be binding upon any successor in ownership of the property. A copy of the final recorded deed restriction shall include the following:
1. *Owner Occupancy.* The owner of the property shall occupy either the primary dwelling unit or accessory dwelling unit as their primary residence.
  2. The owner and all successors in interest in the subject property shall maintain the accessory dwelling unit in accordance with all applicable accessory dwelling unit standards.
- P. *Historic Preservation.* New additions and detached structures which include an ACCESSORY DWELLING UNIT to any real property listed in the National and California Register of Historic Places or identified in the Local Inventory of Historic Places may be subject to the requirements of the LMC, Historic Preservation, Chapter 18.19.