

What is a Floor Area Ratio (FAR) Exception?

The purpose of the floor area ratio procedures is to regulate residential additions so that their size is consistent with the scale of development in individual neighborhoods, while allowing reasonable expansion under certain conditions. Every home in Larkspur is allowed a certain FAR by code, based on its lot size, slope, and floor area. Persons wishing to exceed the allowable floor area must obtain a FAR Exception. The Planning Commission or Zoning Administrator may grant a FAR Exception for floor area expansions that exceed the maximum floor area allowed by code.

What are the necessary steps to apply for a Floor Area Ratio (FAR) Exception?

1) Consult with the Planning Department Staff: Upon applying, use the master application form to describe the scope of work. The application must be signed by the property owner and its representative, if any. A deposit or fee is required to cover city staff's time and expenses incurred in processing the application (See submittal requirements on back of form). During the process, additional money may be requested if the case involves more than one public hearing or if consultant services are required. (Note: Additions less than 501 sq. ft. would be reviewed by the *Zoning Administrator* and additions more than 501 sq. ft. would be reviewed by the *Planning Commission* [both at public hearings]). The owner/representative will be required to sign an acknowledgement of permit processing costs. This form advises

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/Zoning Administrator agenda; if it is incomplete, you will be so notified in writing and 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 and 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 be given for FAR Exception hearings. At least 10 days before the hearing, a notice will be posted on the property, mailed to all property owners within 300 feet, and posted on three official bulletin boards.

5) Public Hearing: The Zoning Administrator or the Planning Commission hearing begins with a staff presentation, then the applicant's presentation and subsequent public comment. The public hearing is then closed and the reviewing body deliberates the project and comes to a decision based on the required finding below:

[FAR Exception] The applicant has employed mass reducing techniques such that the allowance for additional square footage over the floor area limit is justified and does not result in a home that overbuilds the lot. The technique or culmination of techniques

results from a design that either blends with the neighborhood or is of a unique architectural design that is sensitive to the immediate neighbors and compatible with the overall neighborhood character.

Can the public or applicant appeal the decision of the Planning Commission (PC) and the Zoning Administrator (ZA)?

Yes, anyone disagreeing with the PC or ZA 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 FAR Exception expire?

The permit must be acted upon (commencement or construction) within two years of the approval or the FAR Exception 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.