



USE PERMIT & VARIANCE APPLICATION INSTRUCTIONS

CITY OF MANHATTAN BEACH COMMUNITY DEVELOPMENT
1400 Highland Avenue, Manhattan Beach, CA 90266
(310) 802-5520 planning@manhattanbeach.gov

Use Permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area.

Variations are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity; or from street locations or traffic conditions in the immediate vicinity of the site.

To submit a complete Use Permit or Variance application, apply for a “Planning Entitlement” through [the Citizens Self Service \(CSS\) Portal](#) on the City’s website. Your application should contain all applicable documents described below unless otherwise instructed by the Planning Division. Incomplete applications will not be accepted. All documents uploaded to CSS must be in an unlocked PDF format and labeled correctly to identify the files’ contents.

SUBMITTAL ITEMS (applicant to check the corresponding box upon completion):

- 1. COMPLETED [MASTER APPLICATION](#).
- 2. COMPLETED [ENVIRONMENTAL ASSESSMENT FORM](#).
- 4. VICINITY MAP showing the location and street address of subject site.
- 5. ARCHITECTURAL PLANS, showing the following:
 - a. SITE PLAN drawn to scale showing total site (dimensions), buildings, parking, driveways, landscaping, all signs (location and dimensions, existing and



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proposed), refuse enclosures and adjacent land uses, (i.e., residential, commercial (office, retail, restaurant etc.).

b. **FLOOR PLANS** showing dimensions (total square footage), open space, entrances, exits, interior arrangement, preparation areas, seating, serving areas, work areas, entertainment areas, and parking lot, or garage location and clearance.

c. **ELEVATION DRAWINGS & SECTION VIEWS** shown from north, south, east and west (proposed signs to be shown as well).

6. **COMPLETE WRITTEN NARRATIVE** describing the proposed use(s), hours of operation, peak hours, days and hours of operation, any unique operating characteristics, and any controls that may be necessary to insure compatibility to the surrounding land uses.

7. **WRITTEN DESCRIPTION** of how the proposed project meets the required Findings (See attached [MBMC Section 10.84.060](#)/MBLCP Section A.84.060).

8. **ADDITIONAL INFORMATION** may be required by staff prior to the hearing date. This may include, but is not limited to, a traffic and/or parking study, environmental technical studies, etc.

Once application is deemed complete and a public hearing date is set:

9. **RADIUS MAP PACKET** to include the property owners' names and addresses within 500' of the subject property on one set of self-adhesive labels plus 1 photocopy of the labels, and a 500' radius drawn around the subject property on a map scaled at 1" = 300', and preparer's affidavit (see [Radius Map Notification Instruction Sheet](#)). See the [Coastal Development Permit Application Instructions](#) for additional noticing requirements, if a Coastal Development Permit is being requested.



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[MBMC Section 10.84.060](#)/MBLCP Section A.84.060 Required findings.

An application for a Use Permit or Variance as it was applied for, or in modified form as required by the Commission, shall be approved if, on the basis of the application, plans, materials, and testimony submitted, the Commission finds that:

A. *For All Use Permits*

1. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;
2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;
3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and
4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

Mandatory Denial. Failure to make all the required findings under (A) shall require denial of the application for a use permit.



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(See the following page for Required Findings for Variances)

B. *For Variances*

1. Because of special circumstances or conditions applicable to the subject property—including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions—strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardships upon, the owner of the property;
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare; and
3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.

Mandatory Denial. Failure to make all the required findings under (B) shall require denial of the application for a use permit.