

Town of Woodside
Planning Department

P.O. Box 620005
Woodside, CA 94062

Conditional Use Permits

Planning and Building Department Hours:
Monday - Friday 8:00AM - 10:00AM 1:00PM - 3:00PM

General Information

The conditional use permit is an administrative method of providing relief from the strict terms of a comprehensive zoning ordinance. In order to give the use regulations the flexibility necessary to achieve the objectives of this title, and to account for the widely varying needs of some uses, in each district certain conditional uses are permitted subject to the granting of a use permit. The State Zoning Law does not establish criteria for issuing or denying a conditional use permit; it is up to local ordinance. In each zoning district, certain land uses are permitted as a matter of right while others are permitted subject to the granting of a use permit. A Conditional Use Permit is granted or denied by the Planning Commission following a public hearing. The Town of Woodside requires Conditional Use Permits for service stations, livestock, churches, hay/feed sales, public buildings, parks, schools and other uses referred to in Section 153.026 (Permitted, Conditional and Accessory Uses in Zoning Districts.) of the Woodside Municipal Code. Because of their unusual characteristics, conditional uses require special consideration so that they may be located with respect to the objectives of this chapter and the General Plan and with respect to their effects on surrounding properties.

The Planning Commission decision to approve or deny a conditional use permit will be made only after considering evidence given by the applicant, adjacent property owners, the staff and any other interested parties. The Planning Commission is empowered to impose reasonable conditions upon the granting of use permits. Neighbors will be notified in writing of the public hearing, and a legal advertisement will appear in the newspaper.

The applicant will be notified of the date of the public hearing on the proposed project. The staff will prepare a report and make a recommendation to the Commission. The applicant may pick up a copy of the staff report at Town Hall, or one will be mailed to them just prior to the meeting. The applicant's presence at the public hearing is encouraged to clarify issues raised by the Planning Commissioners or others present at the hearing.

If the Planning Commission denies the application, the applicant may appeal their decision to the Town Council within ten (10) calendar days following the date of the action on which such appeal is being taken. Within twenty-one (21) days after the date of any action by the Planning Commission, the Town Council may initiate proceedings for review of such action.

A use permit shall lapse and become null and void one year following the date on which the use permit became effective, unless, prior to the expiration of one year, (1) the use has commenced; (2) a building permit has been issued and construction has commenced to the point where the building foundations have been completed; (3) a certificate of occupancy has been issued; or (4) the use permit has been renewed for an additional period not to exceed one year by the Planning Commission upon the filing of a written request by the applicant.

Procedures for Filing Application

1. Submit the application form and required items described in the following section for a Conditional Use Permit Request. Submittal of the application **DOES NOT** constitute approval or completeness of the application. At this point, Town staff will evaluate whether compliance with the California Environmental Quality Act (CEQA) is required. Town Staff will notify the applicant in writing within thirty (30) days pertaining to the status of the application. If the application is deemed incomplete, additional information may be required. The additional information may include documents for environmental review (CEQA).

2. Complete application. Once the Planning Director deems the application complete, a public hearing date will be set for the Planning Commission to review this matter. Please be advised that the Planning Director may refer the application to the Architectural and Site Review Board (ASRB) or other boards, committees, or Town officials for review and comments. You will be notified of the time, place, and purpose of such hearings.

Required Items for Filing Applications

The following items are required in order to apply for a conditional use permit:

1. Town of Woodside Planning Commission's application form (Public Hearing Application) which shall include the following:
 - a. The name and address of the applicant;
 - b. A statement that the applicant is the owner of the property or is the authorized agent of the owner, except that a public utility subject to regulation by the Public Utilities Commission of the State need not comply with this requirement;
 - c. The address or description of the property;
 - d. A statement indicating the precise manner of compliance with each of the applicable provisions of Sections 153.245 through 153.255 of the Woodside Municipal Code, together with any other data pertinent to the findings prerequisite to the granting of a use permit.

2. An accurate site plan, at an appropriate scale to the site, including any affected property within 300 feet of the property which is subject of the application, indicating the following:
 - a. Contours at intervals not to exceed five (5) feet;
 - b. Station elevations or the source of information;
 - c. Existing and proposed buildings and structures;
 - d. Existing and proposed walks, trails, roads, driveways, parking, loading facilities and other paved areas;
 - e. Existing and proposed easements;
 - f. Existing and proposed sign locations;
 - g. Existing and proposed landscaping, trees, streams and other natural features;
 - h. Existing and proposed drainage and sewer facilities;

3. Accurate floor plans and exterior elevations of buildings and structures which are the subject of the application at a scale of not less than one-eighth (1/8) inch equals one foot; and

4. Any other data the Planning Director may require for a complete and adequate review by the Planning Commission in evaluating the application. The Planning Director may waive any of the requirements set forth in this section when, in his/her opinion, they would not assist the staff or Planning Commission in evaluating the application.

5. The required fee shall accompany the application:

<u>Type of Request</u>	<u>Fee</u>
New Application for Structure	\$1790

Amendment	\$ 850
Renewal	\$ 265

6. Stamped addressed envelopes and a list of property owners with the name, mailing address, city, state and zip code of each of the property owners within a 300-foot radius. It is important that a lot be listed, even if it is located within another governmental jurisdiction (for example, unincorporated San Mateo County or Redwood City) or if only a portion of a lot is within the 300-foot radius.
7. Environmental Assessment. State law requires environmental review of all projects. Complete the attached environmental information form and submit with the application. Additional information (for example, geotechnical reports, parking analysis, etc.) may be required to accompany the application.

Processing Time

Please remember that if all the required materials are not submitted, the application will not be accepted for filing. When the Planning Department accepts the above items, a public hearing will be *tentatively* scheduled before the Planning Commission. Adequate time is required to advertise the hearing in advance, mail notices to the adjacent property owners, check the application for accuracy, assess the environmental impact and prepare the necessary reports. Therefore, all hearings are scheduled approximately six (6) weeks after filing unless an Environmental Impact Report (EIR) is required. If an EIR is required, the hearing will follow completion of the *draft* EIR.

Required Findings for Approval

In order for the Planning Commission to approve any conditional use permit; the following findings shall be made:

- (1) That the proposed use at such location is necessary or desirable to provide a facility or service which will contribute to the general well being of the neighborhood or community or which needs to be located where proposed due to the operating requirements of a public utility or service;
- (2) That the proposed use at the particular location will be consistent with the intent, purpose, and objectives of this chapter and the General Plan;
- (3) That the proposed use in such location will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of such use or be injurious to property or improvements in the vicinity;
- (4) That the site for the proposed use is adequate in size, shape and topography to accommodate the proposed use;
- (5) That the site for the proposed use can be served by roads of adequate width and design to accommodate the quantity and type of traffic generated by such use; and
- (6) That adequate utilities and other services required for such use exists or can be provided.

If the facts do not establish that the proposed use meets the findings and qualifications set forth in this section, the Planning Commission shall deny the application for a conditional use.

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