



SETBACK, EXCEPTION – APPLICATION

Town of Woodside

2955 Woodside Road
 Woodside, California 94062
 650 851.6790
 www.woodsidetown.org

Property Address: _____ **APN #:** _____

Property Owner: _____ **Applicant:** _____

Owner Address: _____ **Applicant Address:** _____

Phone Number: _____ **Phone Number:** _____

Email: _____ **Email:** _____

Additional Information Required for Setback Exception Applications
 (Available only for main residences in the R-1 zone)

Section 153.207(D)(1) Setback Exceptions for Residential Zones

(a) Purpose.

1. To allow for the granting of exceptions to the setback regulations in the Town's four (4) residential zones, the Town of Woodside has determined that in certain lot, site and neighborhood situations, in the R-1, SR, RR and SCP districts, exceptions to yard setback regulations shall be considered.
2. To establish a procedure allowing for flexible design of all residential zoned properties, in hillside areas or elsewhere, so that development may be concentrated in those areas with the greatest environmental carrying capacity and limited in areas with low environmental carrying capacity.
3. To establish a procedure to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from the application of conventional residential setback regulations designed primarily for larger parcels or more level sites.
4. To establish a procedure whereby the Town may authorize desirable residential developments consistent with the spirit and intent of the General Plan and the Zoning Ordinance without requiring numerous and difficult variance applications.
5. To encourage variety, avoid monotony and maintain natural features of residential areas by allowing property owners greater freedom in selecting the means to provide access, light, open space and amenities.

(b) Exception Procedures.

A Setback Exception is required to be granted by the Planning Commission via a legally-noticed public hearing. To assure privacy of adjacent neighbors, the Commission may grant exceptions subject to conditions (e.g., additional second story setbacks; deletion of windows on certain walls or revising their locations, size or design to minimize viewing opportunities; providing landscaping, fencing, or other appropriate screening; restricting outdoor living space and activities or equipment which generate excessive noise, light, etc.).

The Commission may not grant setback exceptions that would allow encroachments greater than the limits prescribed in the Zoning Ordinance (**see attached table**).

(c) Findings

The Planning Commission shall make all of the following findings as a condition to granting a setback exception:

1. Explain why:

(a) There are no alternatives available to the owner, which would conform to zoning regulations,

(b) The available conforming alternatives would cause greater adverse impact on natural features or adjacent residents than the proposed exception, or

(c) *The applicant demonstrates that the proposed exception will conform to the setback pattern of development in the surrounding area.

**Note: Only one of the three sub-findings above needs to be made in order for finding 1 to be made. If sub-finding (c) is made, the setback for the opposite property line does not need to be increased by a similar amount the subject setback is being decreased, as required when sub-finding (a) or (b) are made (e.g., if the rear property line is being decreased by 20 feet, the front property line setback must be increased by 20 feet). In those cases, a restrictive covenant is required to be recorded indicating the new setbacks for the property.*

2. Explain why the proposed exception will cause no significant negative environmental impacts to the applicant's property, adjacent properties, or to the surrounding neighborhood and Town.

3. Explain why the proposed exception will cause no significant adverse impact on the privacy of the applicants or the adjacent neighbors.

4. Explain why the proposed exception is consistent in spirit and intent with residential zoning district purposes, including the purposes for granting setback exceptions, and regulations as adopted in the Woodside Zoning Ordinance.

5. Explain why the proposed exception is consistent in spirit and intent with the goals and objectives of the Town's General Plan.

I, _____, hereby certify that I have read and understand the provisions of Section 153.207(D)(1) of the Zoning Ordinance, Town of Woodside, pertaining to the Setback Exceptions as it relates to the property herein under consideration and that the foregoing is true and correct to the best of my knowledge.

Owner's Signature: _____

Date: _____

Required Setbacks^{1,2}

Zones	Height in Feet	Basic Setbacks in Feet			Minimum Setbacks with Exceptions ⁶ in Feet		
		Front	Rear	Side	Front	Rear	Side
R-1	<17	30	25	15	20	17	10
	17-28	30	25	22.5	25	20	17.5
SR	<17	50	25	20	30	20	15
	17-30	*	30	30	*	30	20
RR	<17	50	50	50	30	30	30
	17-30	*	50	50	*	30	30
SCP	<17	50	50	50	30	30	30
	17-30	*	50	50	*	30	30
OS ³	NA	75	75	50	NA	NA	NA
CC	NA	— ⁴	25 ⁷	— ⁵	NA	NA	NA

¹ Refer to § 153.207(A)(9) for special Setbacks applicable for Parcels located on Moore Road, Valley Road, Valley Court, Lawler Ranch Road, and Cañada College.

² Refer to § 153.211 for Setback provisions related to Accessory Dwelling Units.

³ OS refers to OSH, OSN OSRL, OSN and OSM

⁴ See § 153.208(A)(2)

⁵ See § 153.207(A)(8)(a)

⁶ Refer to §§ 153.207(A)(8)(a) and 153.207(D)(1)

⁷ Refer to § 153.207(A)(8)(b)

* Any portion of a structure having a height in excess of 17 feet above the ground elevation measured at the front setback line shall be set back an additional two feet from the property line for each foot of height in excess of 17 feet, except in the R-1 zone. Height shall be measured from the existing or finished grade, whichever presents the lower building profile