

**RESOLUTION NO. INSERT ZA RESO NO.**

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A RESIDENTIAL FENCE MINOR CONDITIONAL USE PERMIT FOR THE LEGALIZATION OF A SEVEN FOOT FENCE IN REAR YARD FOR THE PROPERTY LOCATED AT 2950 SWEET GRASS LANE SANTA ROSA, APN: 035-730-048, FILE NO. CUP21-038**

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Residential Fence Minor Conditional Use Permit application to allow the proposed use for the project described above; and

WHEREAS, the Residential Fence Minor Conditional Use Permit approval to allow the proposed use is based on the project description and official approved exhibit dated received April 19, 2021; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The proposed fence is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Fences are an accessory use, and accessory uses are permitted per the Policy Statement for Planned Development 95-004. The project also complies with Zoning Code Section 20-30.060, which states that fences may be constructed to a height in excess of the limits stated in Subsection C with Minor Conditional Use Permit approval;
2. The proposed fence is consistent with the General Plan and any applicable specific plans. The General Plan Land Use designation is Low Density, which is intended for single-family residential development. Fences are a common accessory structure within this Land Use Designation;
3. The design, location, size and operating characteristics of the proposed fence would be compatible with the existing and future land uses in the vicinity. The design and size of the fence are comparable with other fences along the alleyway, and the material of the fence is consistent with others in the vicinity;
4. The site is physically suited for the type, density, and intensity of proposed fence, including access, utilities, and the absence of physical constraints. The fence is along an alleyway, is not on an easement, nor does it restrict access;
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is

located. The project has been reviewed by Building, Fire, and Engineering, and the project has been conditioned appropriately;

6. The project has been found in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under CEQA Guidelines Section 15303 (e) in that fence is an accessory structure.

#### ADDITIONAL FENCE HEIGHT FINDINGS (ZONING CODE SECTION 20-30.060.D)

1. The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property. Due to the property's unique visibility from neighboring properties and routine service, the fence is necessary to ensure the applicant's full use and enjoyment of the backyard;
2. The proposed fence will not create a safety hazard to pedestrians or vehicular traffic. The proposed fence is allowed to be within the setback pursuant to Zoning Code Section 20-30.110 D(1b), and it does not project into the alleyway;
3. The appearance of the proposed fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood. The proposed redwood fence is consistent with the materials commonly used for fencing within the alleyway and does not visually detract from the character of surrounding structures;
4. The proposed fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures. The proposed fence is 7 feet with a simple design that does not overwhelm adjacent properties and structures;
5. The orientation and location of the proposed fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood. The orientation of the proposed fence is consistent with other fences within the vicinity;
6. The proposed fence will be of sound construction.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

#### Conditions of Approval

1. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. Ensure a gate is incorporated into the fencing to allow for Fire Department access to emergency escape windows that may be blocked.

4. Ensure the illuminated address is not obstructed from the street.

This Residential Fence Minor Conditional Use Permit is hereby approved on March 12, 2026. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
CONOR MCKAY, ZONING ADMINISTRATOR