

RESOLUTION NO. CUP21-0009

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A 6-FOOT MEANDERING RESIDENTIAL FENCE ALONG THE NORTH EAST PROPERTY LINE VARYING 0'-2' FROM BACK OF SIDEWALK WHERE A 15' CORNER SIDE SETBACK IS REQUIRED AT 3513 COFFEY MEADOW DRIVE, SANTA ROSA, APN: 034-376-001

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to construct a six-foot solid meandering wood fence within the required 15-foot setback has been granted based on your project description and official approved Exhibit dated May 20, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed fence is allowed within the applicable zoning district through the approval of a Minor Conditional Use Permit and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a and no request for a public hearing has been received; and
- The proposed fence is consistent with the General Plan in that the property is in an area designated for single-family residential uses and the proposed fence has been designed with vertical wood boards that are commonly used for residential fences; and
- The design, location, size and operating characteristics of the proposed fence would be compatible with the existing and future land uses in the vicinity in that the proposed fence is of unique, but similar design, materials and placement to neighboring fences; and
- The site is physically suited for the type, density, and intensity of the proposed fence, including access and the absence of physical constraints;
- 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 in that the fence, although unique in design, has been designed with vertical wood boards that are commonly used for residential fences; and
- 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 in that there are other properties within the same planned development neighborhood that have similar, even taller, fences built up to the sidewalk allowing additional yard space; and
- The proposed fence will not create a safety hazard to pedestrians or vehicular traffic in that it will be constructed outside of the vision triangle; and

- The appearance of the proposed fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood in that it's of unique, but similar design, materials and placement to neighboring fences; and
- The proposed fence avoids dominating the site in that the height is lower than the adjacent properties and the design provides intermittent relief by stepping away from the sidewalk. The project has been conditioned to include both planting or architectural features in the recessed areas; and
- The orientation and location of the proposed fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood in that the fence will be constructed along a brief section of Coffey Meadow, where the street opens at the intersection of Pine Meadow Drive, and the expanded yard provides private open space for the residential occupants; and
- The proposed fence will be of sound construction; and
- The proposed fence has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under Section 15303 (e) in that it involves the construction of a fence which is considered a small structure.

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.**

1. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9 a.m. to 5 p.m. Saturday. No construction is permitted on Sunday and holidays.
2. The public facing indentations shall be maintained, including trash and debris removal, and include a planting or decorative architectural component to break up the massing of the fence; for example:
 - Non-invasive vines or shrubbery (not ground cover) etc. Any landscaping shall be maintained in good condition.
 - Artistic architectural feature, i.e. metal component, artificial hedge panels, decorative lighting, horizontal paneling etc.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Conditional Use Permit to construct a six-foot solid meandering wood fence within the required 15-foot setback is hereby approved on this 20th day of May 2021 for the duration of

use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
ANDY GUSTAVSON, ZONING ADMINISTRATOR

Attachment: Site Plans