

RESOLUTION NO. CUP21-021

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A RESIDENTIAL FENCE CONDITIONAL USE PERMIT TO ALLOW A TWO-FOOT TENSION WIRE FENCE EXTENSION TO AN EXISTING SIX-FOOT WOODEN FENCE IN AN EXTERIOR SIDE SETBACK FOR THE PROPERTY LOCATED AT 0 WESTGATE AVENUE, SANTA ROSA, APN: 036-282-001

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit has been granted based on your project description and official approved exhibit dated August 16, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- 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. 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 and any applicable specific plans in that the fence is ancillary to the single-family residence, which is allowed by the General Plan; 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 tension wire fence is to be attached to an existing solid-wood fence found throughout the neighborhood, and is located in the same location of the existing fence onsite; and
- The site is physically suited for the type, density, and intensity of proposed fence, including access, utilities, and the absence of physical constraints in that the fence is proposed on a lot with a recreation vehicle storage for current residents and does not increase safety for those residents, and is not located on a public easement; and
- 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 additional height is similar to surrounding homes in the vicinity and adds two feet, similar in height and function to that of a lattice design found throughout residential neighborhoods and adds security and protection; 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 the two additional feet of wire tension fencing is a reasonable addition to an existing fence to add security for personal property stored on the site by residents without the inclusion of prohibited fencing materials such as barbed wire; and
- The proposed fence will not create a safety hazard to pedestrians or vehicular traffic in that the project does not impede on vision triangle standards and has been reviewed and conditioned by City Staff; 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 tension wire fencing is common amongst residential fence design along with the existing wood fencing is similar to the existing materials and features in the neighborhood; and
- The proposed fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures in that the two feet of wire tension fencing does not dominate the viewpoints of passing pedestrians and motorists and allows an open-air feeling as an addition to the property; and
- The orientation and location of the proposed fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood; 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** in that the project involves construction of a small accessory 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. Obtain a building permit for the proposed project.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays.
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 for a two-foot tension wire fence extension to an existing six-foot wooden fence in an exterior side setback is hereby approved on this 2nd day of September 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