

RESOLUTION NO. INSERT ZA RESO NO.

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT FOR A 7-FOOT-TALL WOOD FENCE, LOCATED WITHIN THE CORNER-SIDE SETBACK, FOR THE PROPERTY LOCATED AT 4040 SHADOWHILL DRIVE, SANTA ROSA, APN: 182-330-032, FILE NO. PLN25-0203

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

WHEREAS, the Minor Conditional Use Permit approval to allow the proposed fence is based on the project description and official approved exhibit date stamped received on June 25, 2025; 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 R-1-6 (Single-Family Residential) zoning district and the project proposal 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; and
2. The proposed fence is consistent with the General Plan and any applicable specific plans in that the property is designated on the General Plan Land Use Diagram for Low Density Residential, which is intended for single-family residential uses where fences are a common feature; and
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 in that the fence is of common design found in single-family residential neighborhoods. Additionally, the location of the fence is similar to those on other corner properties in the vicinity; and
4. The site is physically suited for the type, density, and intensity of proposed fence, including access, utilities, and the absence of physical constraints. City staff, including Planning, Engineering Development Services and Building have reviewed the plans. Staff's analysis has determined that the seven-foot-tall fence will not cause any safety issues or restrict access to utilities and will be placed outside of the vision triangle; and
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 in that project plans have been reviewed Planning and has been conditioned appropriately; and

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 the proposed fence is a small 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 in that the orientation of the residential dwelling is unique and not allowing the fence to encroach into the corner-side setback would deny the property owner privileges enjoyed by other property owners in the vicinity. Additionally, not allowing this fence would limit the amount of private open space on the property; and
2. The fence will not create a safety hazard to pedestrians or vehicular traffic in that the fence is outside of the vision triangle and is setback seven feet measured from the back of sidewalk along Shadyoak Place; and
3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood. The proposed fence is consistent with other fences in the surrounding neighborhood; and
4. The fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures in that the fence is setback seven feet from the public sidewalk, provides landscaping between the fence and sidewalk to break up the massing of the fence and, as conditioned, the applicant shall maintain the landscaping in good condition at all times; and
5. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood in that the fence will be located outside of the vision triangle, and it will not negatively affect pedestrian, bicycle or vehicular traffic; and
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. Landscaping materials in the area between the fence and sidewalk shall comply with [Zoning Code Section 20-34: Landscaping Standards](#), and shall be maintained in good condition at all times.

This Residential Fence Minor Conditional Use Permit is hereby approved on July 17, 2025. 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: _____
AMY NICHOLSON, ZONING ADMINISTRATOR