

**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 3 AND A HALF FOOT FENCE IN THE FRONT SETBACK FOR THE PROPERTY LOCATED AT 1911 GARDENVIEW CIRCLE SANTA ROSA, APN: 173-780-021, FILE NO. PLN25-0594**

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, on August 11<sup>th</sup>, 2025, Code Enforcement opened a case for a fence built without a required permit; 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 December 5, 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 applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The property is zoned Planned Development 72-001, which is intended for single-family homes developed on a hillside. The proposal is for increased height for a front setback fence. It 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. The fence also complies with Zoning Code Section 20-30.110 F3(a) by including a transparency feature;
2. The proposed fence is consistent with the General Plan and any applicable specific plans. The General Plan Land Use designation is Low Residential, which is intended for single-family residential development at a density of 2-8 units. The fence is designed with planks and hog wire maintaining an unobstructed view of the front yard;
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 proposed front yard setback fence is 3 feet and 6 inches, maintaining a pleasant environment for pedestrians. The fence is not a dominating feature on the sidewalk. The front yard fence is transparent, and both the front yard and side yard fence follows natural grade;

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 side yard fence is 8 feet, and the front yard fence is 3 feet and 6 inches with transparent features. Both heights are allowed with an approved minor Conditional Use Permit. Staff's analysis has found that the fence will not cause any safety issues nor restrict access to utilities;
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, Engineering, Fire, and Transportation and Public works, and no issues were raised;
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 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. The side yard fence provides extra privacy for the house, because the house is on a downward slope. People passing have a direct view into the residence;
2. The proposed fence will not create a safety hazard to pedestrians or vehicular traffic. The fence is 3 feet 6 inches tall and has a transparent feature that allows vehicles and pedestrians to see if any object, within the vision triangle, is coming towards them. The side yard fence extends along a private driveway where there is no sidewalk;
3. The appearance of the proposed fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood. The design and material of both fences are consistent with other fences within the neighborhood;
4. The proposed fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures. The front yard fence has a transparent feature along the sidewalk, which maintains a pleasant environment for pedestrians and view of the house. The side yard fence is along the private driveway with no sidewalk and is similar to other fences in the side setback within the neighborhood;
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 fence is consistent with other fences within the neighborhood;
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. Obtain building permits for the proposed project.
2. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
3. 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 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