

**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 BACKYARD AND SIDE YARD REDWOOD FENCE FOR THE PROPERTY LOCATED AT 801 7<sup>TH</sup> STREET SANTA ROSA, APN: 009-051-010, FILE NO. CUP25-004**

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 January 30, 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 Zoning Land Use Designation is R-1-6-H-DSA, which is intended to be maintained as a historical, residential neighborhood comprised of detached and attached single-family homes, along with compatible accessory uses. The proposal is for a back and side setback fence, which complies with the intention of this Zoning Land use Designation. The project 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 residential, which is intended for single-family residential development at a density of 2-8 units. Fences are common accessory uses dwellings in this land use designation. The proposed fence is consistent with the Downtown Station Area plan by incorporating landscaping, fencing, raised or recessed entries, and other features to delineate residential property from the public realm;
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. Fences are typical uses within this Zoning Designation, and landscaping along Orchard Street helps breakup the massing of the fence;
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 a 6-foot

fence with 1 foot of lattice within the rear yard setback, which is allowed through the approval of a 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 position of the home on the lot allows for pedestrians to walk throughout the property, especially in the back yard, decreasing privacy;
2. The proposed fence will not create a safety hazard for pedestrians nor vehicular traffic in that the fence does not hinder any driveway vision triangles, nor does it impact the flow of traffic;
3. The appearance of the proposed fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood. The fence is made of natural redwood matching the material on the house, and the existing house's siding is wood, which is similar with the surrounding neighborhood;
4. The proposed fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures in that the 3-foot fence fronting 7<sup>th</sup> street is the same color as the main dwelling, and the fence on Orchard St maintains the proper setback of 5 feet leaving ample room for pedestrians walking the sidewalk. The trees along Orchard Street also help break up the fence;
5. The orientation and location of the proposed fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood. There is sufficient space between the fence and sidewalk, and the fence does not obstruct the view of the neighboring residences;
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 February 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