RESOLUTION NO. ZA-2023-035

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR A 285-FOOT BLACK METAL FENCE FOR THE PROPERTY LOCATED AT 1760 PINER SANTA ROSA, APN: 015-390-048, FILE NO. DR22-049

WHEREAS, the Santa Rosa Zoning Administrator has completed the review of the Minor Design Review application to allow the proposed project described above; and

WHEREAS, the Minor Design Review approval to allow the proposed project is based on the project description and official approved exhibit dated October 31, 2022; and

WHEREAS, the Waterways Advisory Committee (Committee) reviewed this project on January 26, 2023, where the Committee provided comments and suggestions. Members provided comments related to the following issues:

- Setbacks should be shown on the site plans;
- Care should be taken when digging near the trees along the path; and
- Generally supportive of the eight-foot fence.

WHEREAS, following the Waterways Advisory Committee meeting, the applicant provided revised plans that included a black metal fence; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.030.H.2.a and no request for a public hearing has been received.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.030.I, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans) in that the applicant is proposing a black metal fence that does not decrease visibility for people using the creek and incorporates suggestions from the Waterways Advisory Committee; and
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review in that the eight-foot height is allowed within the General Commercial Zoning District with Design Review approval, and the proposal adheres to the Commercial Center Design guidelines by making the fence compatible with the existing architecture and preserving the integrity of the creek bank; and
3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the proposed

black metal fence is pleasant to the eye and will provide "eyes on the creek" helping with visibility for the public along the Piner Creek trail; and

4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the property is surrounded by Light Industrial uses along the path which utilize high fences like the black metal fence for this proposed project; and
5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained; and
6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the proposed project proposes a new fence for an existing shopping center, which will put eyes on the creek, and the plans have been reviewed by the requisite departments and conditioned appropriately; and
7. 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 in that the proposed fence consists of an 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 intent 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. Construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 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.
5. Consult a qualified arborist to determine appropriate measures to protect tree roots that will be disturbed during installation of the fence.
6. Protective measures shall be included with plan sets submitted for building permits.

This Minor Design Review is hereby approved on July 6, 2023. 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: _____

SUSIE MURRAY, ZONING ADMINISTRATOR