



2550 Ventura Avenue
Santa Rosa, CA 95403

p: (707) 565-1900
f: (707) 565-1017

Scott Orr
Director

Michelle Arellano
Administration

Nathan Quarles
Engineering and Construction

Cecily Condon
Planning

Steve Mosiurchak
Fire Marshal

Zoning Administrator Record of Action

Action Date: March 26, 2026
Appeal Status: Filing period closed; no appeal

AGENDA ITEM 1
File No.: UPE25-0058
Staff: Katerina Mahdavi
Applicant: Robin Weller
Owner: Anthony Mercari
Prior Agenda: N/A, no prior hearing
CEQA Status: Exempt under CEQA Section 15301
Proposal: Use Permit to legalize an existing solid redwood fence approximately 7 feet in height within the rear yard setback and an existing corrugated metal and solid redwood fence with a height ranging from 4 feet to 8 feet within the front and side yard setback on a 0.44-acre parcel located at 4470 Drury Lane, Santa Rosa.
Recommend: Find the project exempt from the California Environmental Quality Act (CEQA) and approve the Use Permit subject to conditions.
4470 Drury Lane, Santa Rosa
Location: 130-402-009
APN: Fifth
District: RR B6 1 (Rural Residential with 1-acre per dwelling unit density) with a
Zoning: combining district for VOH (Valley Oak Habitat).

ZONING ADMINISTRATOR ACTION

Environmental Determination

- ☒ Exempt from the California Environmental Quality Act per §15301
(Existing Facilities)

Project Decision

- ☒ Approved: subject to attached Findings and Conditions
☐ with modification (see Comments)
☒ Subject to 10-day appeal period, ending April 6, 2026

ZONING ADMINISTRATOR

Derik Michaelson, Planner III
for the Director

April 7, 2026
Date

MODIFICATION

☒ N/A ☐ Findings ☐ Conditions ☐ Revisions to return

COMMENTS

n/a

ZONING ADMINISTRATOR FINDINGS

1. **General Plan Consistency.** The project is consistent with the General Plan land use designation of RR (Rural Residential) and the goals, objectives, policies and programs of the General Plan because:
 - a. Permitted uses within this land use designation include accessory residential structures consistent with the assigned density.
 - b. The subject fence is accessory to the primary rural residential land use.
2. **Zoning Consistency.** The existing fence is consistent with the Rural Residential base zoning district in that the structure is incidental and compatible with the primary single-family residential use of the parcel and requires no tree removal consistent with the Valley Oak Habitat Combining District. The existing fence is partially screened from view from public roads due to siting and existing vegetation and is compatible with the existing neighborhood character.
3. **Environmental Determination.** The project is categorically exempt from the California Environmental Quality Act under Section 15301 Existing Facilities of the CEQA Guidelines which provides for the permitting of existing private structures in which no expansion of the structure or use are proposed.
4. **Public Welfare.** The establishment, maintenance or operation of the uses for which this application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in the case are:
 - a. The existing fence does not impede access or evacuation routes.
 - b. The design of the fence is visually compatible with the character of the neighborhood.

ATTACHMENTS

1. Final Conditions of Approval

SONOMA COUNTY ZONING ADMINISTRATOR

Conditions of Approval

Staff: Katerina Mahdavi
Applicant: Robin Weller
Owner: Anthony D. Merciarì
Address: 4470 Drury Lane, Santa Rosa

Date: March 26, 2026
File No.: UPE25-0058
APN: 130-402-009

Project Description: Use Permit to legalize an existing solid redwood fence approximately 7 feet in height within the rear yard setback and an existing corrugated metal and solid redwood fence with a height ranging from 4 feet to 8 feet within the front and side yard setback on a 0.44-acre parcel.

Prior to commencing the use, evidence must be submitted to the file that all of the following conditions have been met.

GENERAL:

1. The Zoning Administrator decisions shall be final on the tenth (10th) day after final Zoning Administrator action unless an appeal is taken.
2. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full.

BUILDING:

3. A building permit application for solid fencing above seven feet in height shall be applied for, issued, and inspected accordingly. Adequate construction documents shall be provided detailing and justifying the proposed construction to meet all applicable codes and loading criteria in effect at the time of application.

CODE ENFORCEMENT:

4. This use commenced prior to approval of this use permit. All conditions identified in this use permit and payment of all required fees shall be completed within 60 days of approval to operate.
5. This Use Permit shall not become vested until all violations are cleared and penalty fees paid. The determination of the amount of penalties will be determined by staff using the methodology approved by the Board of Supervisors and may be appealed to a hearing officer in accordance with Section 1-7.1 (d) of the Sonoma County Code. The penalty appeal hearing shall not be conducted until payment of penalties is made in full. The determination of the hearing officer shall be final and only subject to judicial review.

PLANNING:

6. This application is approved based on the application materials, project description, and site plan submitted to this Department on October 10, 2025, and December 11, 2025, and is subject to compliance with the following Conditions of Approval.

7. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation or modification.
8. All grading and building permits plans involving ground disturbing activities shall include the following notes:

“If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify Permit Sonoma– Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to Permit Sonoma.

Paleontological resources include fossils of animals, plants or other organisms.

Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

9. Any proposed modification, alteration, and/or expansion of the use authorized by this use permit shall require the prior review and approval of Permit Sonoma or the Zoning Administrator, as appropriate. Such changes may require a new or modified Use Permit if warranted.
10. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The Applicant must submit a written request to Permit Sonoma demonstrating that the conditions are infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval

letter from Permit Sonoma and shall not affect the original permit approval date or the term for the expiration of the permit.

11. This permit may be subject to revocation or modification by the Planning Commission if:
 - (a) the Commission finds that there has been noncompliance with any of the conditions
 - or (b) the Commission finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.