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Zoning Administrator Record of Action

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

AGENDA ITEM 3
File No.: UPE24-0085
Staff: Levan King Cranston
Applicant: Kassie & Brandon Tatum
Owner: Kassie Tatum and Brendon Tatum Living Trust
Prior Agenda: N/A, no prior hearing
CEQA Status: Exempt under CEQA Section 15303
Proposal: Use Permit allowing the existing height and location of a 6-foot-tall, 16-foot wide shared electric entry gate along the front property line and within the required front yard setback at approximately 49-feet from the centerline of Hall Road on a 7.36-acre parcel.
Recommend: Find the project exempt from the California Environmental Quality Act and approve the Use Permit subject to attached Conditions
Location: 5452 Hall Rd., Santa Rosa
APN: 130-240-055
District: Fifth
Zoning: Rural Residential (5-acres per dwelling unit density) and combining zone for Valley Oak Habitat.

ZONING ADMINISTRATOR ACTION

Environmental Determination

- ☒ Exempt from the California Environmental Quality Act per §15303 (New Construction or Conversion of Small Structures)

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 site has a land use designation of RR 5 (Rural Residential). The Rural Residential land use category provides sites for residential activity while outside the Urban Service Area. The proposed fence is not in conflict with the Rural Residential land use designation. The project is consistent with the Sonoma County Open Space Resource Element in that the project uses materials which do not detract from the landscape. The gate is also setback sufficient distance from the road such that existing gate does not dominate the street. There is also existing landscaping adjacent to the gate which provides blending of structures and vegetation.
2. **Zoning Consistency.** The subject property is zoned RR (Rural Residential) which allows for fences/gates above 3 feet in height within the front yard setback area, provided a Use Permit is obtained (Zoning Code Section 26-88-030(a)), therefore the proposal to legalize the existing gate can be considered. The subject property is located within the Valley Oak Habitat combining district. The project does not propose any tree removal and therefore will not result in any impacts related to Valley Oak Habitat.
3. **Environmental Determination.** Permit Sonoma has determined that the project is categorically exempt from the California Environmental Quality Act under Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, which provides for construction of accessory fences. No exceptions listed under Section 15300.2 apply. There is no reasonable possibility that the project would have a significant effect on the environment.
4. **Public Welfare.** The request for a Use Permit to legalize an existing 6-foot-tall 16-foot wide electric entrance gate sited approximately 49-feet from the centerline of Hall Road, located within the Front Property Line Setback on a 7.36-acre parcel will not under the circumstances of this 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 to the general welfare of the area. The circumstances that support this finding include the following facts:
 - a. The existing gate is setback approximately 49-feet from the centerline of Hall Road providing ample spacing reducing the visual presence of the 6-foot-tall gate.
 - b. The gate is setback of adequate distance to allow egress and ingress without causing adverse impacts to Hall Road.
 - c. The project involves a pre-existing 6-foot-tall gate. No other changes or construction are proposed as part of this use permit application.
 - d. There are a collection of existing fences and gates which border Hall Road. the majority of which are horizontal wood, painted in white, with metal chain link gates. The design of the gate in question does not exactly match what exists in this area, however the subject gate does blend well with the general area because the gate is constructed using earth tones, stone, and dark wood. Therefore, staff have determined the design will not detract from the neighborhood and will not be detrimental to this area.

ATTACHMENTS

1. Final Conditions of Approval

SONOMA COUNTY ZONING ADMINISTRATOR

Conditions of Approval

Staff: Levan King Cranston
Applicant: Kassie & Brendon Tatum
Owner: Kassie & Brendon Tatum
Address: 5452 Hall Rd, Santa Rosa, 9540

Date: March 26, 2026
File No.: UPE24-0085
APN: 130-240-055

Project Description: Use Permit allowing the existing height and location of a 6-foot-tall, 16-feet wide shared electric entry gate along the front property line and within the required front yard setback at approximately 49-feet from the centerline of Hall Road on a 7.36-acre parcel.

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

BUILDING:

"The conditions below have been satisfied BY _____ DATE _____

1. The applicant shall apply for and obtain a Building Permit from Permit Sonoma for the legalization of the proposed electrical elements and connection of the proposed gate. Construction inspections shall occur and the building permit finalized (or approved for occupancy) prior to satisfaction of this condition.
2. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents, or specifications that are proposed for change.

FIRE AND EMERGENCY SERVICES:

"The conditions below have been satisfied BY _____ DATE _____

3. Prior to any construction, or changes in use of existing building or facilities, applicable Fire Code construction permits required by Chapter 1, Division II of the California Fire Code as adopted and amended by Sonoma County Code shall be obtained from the Sonoma County Fire Prevention Division. a. The applicant or owner shall demonstrate all existing use permit conditions are in compliance and recommend changes to address previously approved conditions set by the Fire Code Official.
4. Owners and Operators shall provide evidence to Sonoma County Fire that the fire service features for buildings, structures and premises will comply with the California Fire Code as adopted and amended by Sonoma County Code. Including but not limited to: fire apparatus access roads; access to building openings and roofs; premises identification and road naming; gate access & key boxes; fire protection water supplies; and building features.
 - a. **Access roads:** minimum emergency access is required to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire or other emergency.
 - i. Driveways must have minimum 12 feet in width required.
 - b. **Premises Identification and Road Naming:** Approved road names & signs, address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road shall be provided.
 - c. **Gates:** Where gates or similar barriers are installed across access roads, an approved lock shall be installed as required by the fire code official.

5. Vegetation clearance around buildings in LRA shall comply with Title 24 §3.07
6. Due to the scope of this project a Fire Services Pre-Construction meeting or occupancy fire inspection is required at the applicant's cost with the local fire authority included. a. This can be waived by written approval by the fire code official.

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

7. The gate shall be constructed in accordance with the proposal statement and site plan dated October 25, 2024, located in file UPE24-0085 as modified by these conditions.
8. This Use Permit (UPE24-0085) shall supersede all prior Use Permits, upon implementation.
9. 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 the 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.

10. All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the dripline, and replacement of damaged or removed trees. The project's grading and landscape plans shall detail all tree protection implementation measures.

Permit Sonoma shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). Permit Sonoma shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project's landscape architect or contractor, that the tree protection measures were complied with.

11. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
12. 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 and additional environmental review.
13. 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 is 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 expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

14. This permit shall be subject to revocation or modification by the Zoning Administrator if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board 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.
15. CEQA Filing Fee. Within five working days after project approval, the applicant shall pay a mandatory Notice of Exemption filing fee of \$50.00 (or the latest fee in effect at the time of payment) for County Clerk processing. The fee will be charged against the project At-Cost deposit account and billed to the applicant, unless the applicant requests an alternate payment method, such as a check made out to the Sonoma County Clerk and submitted to Permit Sonoma in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.

Operational Conditions:

16. 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.