

ORDINANCE NO. 675 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING SECTION 21.20.100 OF THE ZONING CODE
 TO MODIFY THE PERMIT PROCESS AND PERFORMANCE STANDARDS
 FOR THE KEEPING OF LARGE ANIMALS IN RESIDENTIAL ZONES

WHEREAS, at its meeting of May 23, 1994, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project; and
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance; and
- c. In accordance with the California Environmental Quality Act, made a finding that this project was Categorical Exempt from environmental review; and
- d. Recommended that the City Council adopt an ordinance amending respective Chapters of the Zoning Code in order to eliminate the need to obtain a Conditional Use Permit to keep horses on residential properties, and to modify the performance standards governing the keeping of horses.

WHEREAS, at its meeting of June 21, 1994, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project; and
- b. Considered the discussions of the Planning Commission regarding this ordinance; and
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance; and
- d. In accordance with the California Environmental Quality Act, made a finding that this project was Categorical Exempt from environmental review.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of El Paso De Robles, California to adopt this ordinance to amend the zoning code regulations as follows:

Section 21.20.100 - (Animals in R Districts) is hereby amended to read as follows:

HORSES

The maintenance of horses (including mules, burros, and ponies) for private use in residential zones shall be permitted subject to the following procedures, regulations and requirements, the general requirements of this article, and only after first obtaining a horse keeping permit from the Planning Division:

- a) **Minimum lot area:** The minimum lot area upon which a horse may be kept shall be 1 acre without the need for a conditional use permit. To keep a horse on a lot less than one acre (but no smaller than 20,000 square feet) a conditional use permit must first be obtained;
- b) **Maximum animal to acreage ratio:** A maximum of two (2) adult horses and their immature offspring may be kept on a 1 acre parcel. An additional one (1) adult animal and their immature offspring may be kept for each additional half acre (Note: immature offspring shall be defined as a colt or a foal which has not yet been weaned - typically up to one year of age);

ABU544

- ABJ544
- c) **Density Cap:** No more than four (4) horses may be kept on any given parcel unless a conditional use permit is first obtained;
 - d) **Structures and Setbacks:** Stables, corrals and similar buildings incidental to the keeping of such animals are permitted, provided that none shall be located nearer than one hundred feet from the front property line or fifty feet from any existing dwelling;
 - e) **Drainage:** Every parcel of land upon which such animals are maintained shall be well drained. The surface of corrals or enclosures shall be graded to prevent the accumulation of storm or nuisance water accumulation. In no case shall surface run off with manure or associated debris be diverted onto or across surrounding properties;
 - f) **Maintenance:** It shall be unlawful to keep such animals or the premises in an offensive, obnoxious, or unsanitary condition. It is the intention that no nuisance, private or public be maintained;
 - g) **Non-permitted activities:** The operation of commercial animal-related activities shall be prohibited within residential districts. Such prohibited activities shall include, but may not be limited to: boarding of a horse(s) other than those owned by the resident of the property, public riding stables, rental of animals, breeding services, and arenas.
 - h) **Visiting Horses:** Transient visits by horses to a property (e.g. for joint riding ventures or loading and unloading in trailers) shall not exceed twelve (12) hours in any one calendar month. Cumulative visits exceeding this time frame shall be cause for revocation of horse keeping permit.
 - i) **Horse Keeping Permit:** A "horse keeping permit" (permit) shall be required to be obtained by the owners/keeper of said animal(s) prior to commencing with the keeping of horses on a parcel. Application for the permit shall include pertinent information related to compliance with this code section, in addition to a cost recovery fee for the processing of the application.
 - j) **Conformity required:** No horse shall be kept within the city for any periods of time unless the requirements of this section are met. Noncompliance with these regulations shall be deemed a public nuisance and shall be handled within the authority and scope of this article. Consistent with provisions for dealing with public nuisance abatement, the cost for the abatement of said nuisance shall be the responsibility of the property owner.
 - k) **When a Conditional Use Permit is required:** When a Conditional Use Permit is required by this section, the standards applied to said Conditional Use Permit shall be, at a minimum, subject to the same standards noted within this section, but may also include additional standards and/or controls in order to maintain neighborhood compatibility. Such controls may include, but may not be limited to, increased set backs of structures from dwellings, improved structural integrity of fencing, specialized schedules or techniques for site maintenance and/or development.

OTHER ANIMALS

The maintenance of other large animals other than horses (including cows, sheep, and goats, but specifically excluding swine which are prohibited) may be permitted only after first obtaining a conditional use permit. The keeping of such animals shall, at a minimum, be subject to the same standards as applicable to horse keeping, but additional standards and/or controls may be applied through the conditional use permit process in order to maintain

neighborhood compatibility. Such additional standards may include, but may not be limited to, increased set backs of structures from dwellings, improved structural integrity of fencing, specialized schedules or techniques for site maintenance and/or development).

PASSED AND ADOPTED THIS 5th day of July, 1994 by the following roll call vote:

AYES: Heggarty, Iversen, Martin, Picanco, and Macklin

NOES: None

ABSENT: None

Walter J. Macklin
MAYOR Walter J. Macklin

ATTEST:

Richard J. Ramirez
RICHARD J. RAMIREZ, CITY CLERK

ABJ544