

## **CHAPTER 40**

### **ANIMAL KEEPING REGULATION**

40.01 Scope and Purpose. The following regulation is established to control the keeping of animals in Rancho Santa Fe.

40.02 Necessity of Permit. Neither horses nor bovine cattle may be kept on any lot until the lot owner first obtains an animal keeping permit from the Art Jury. The owners of all lots containing horses or bovine cattle who have not obtained animal keeping permits prior to the effective date of this regulation shall promptly obtain such permits prior to any change in the number or conditions of the pre-existing animal keeping on the lot. In addition, the construction of fences, structures and other animal keeping facilities requires a separate construction permit, subject to the Art Jury's review pursuant to Article III, Section 1 [Paragraph 46] of the Protective Covenant and Chapter 31 of this Code.

40.03 Minimum Lot Size. The minimum lot size for keeping horses or bovine cattle is two (2) gross acres.

40.04 Maximum Allowance. The maximum number of horses and bovine cattle permitted on property zoned as residential Class A, B or C by the Protective Covenant ("Residential Property") shall be one animal per gross acre. The Art Jury has the authority and discretion to (1) limit the number of horses and bovine cattle kept on any Residential Property to a total of less than one per acre and (2) determine the maximum number of horses and bovine cattle for all properties other than Residential Property. The offspring of any mare or bovine cow will not be counted among the total animals permitted until such offspring is weaned, or reaches an age of eight (8) months, whichever is later.

40.05 Residential Requirements. Horses and bovine cattle on Residential Property shall be kept only for the personal pleasure and benefit of the owner. The operation of a horse training school, boarding or breeding stable, riding club, horse show, or any commercial operation is prohibited on Residential Property. The raising of horses or bovine cattle for sale is not considered a commercial operation. No horses or bovine cattle may be kept on any Residential Property unless an occupied residence exists thereon or within the contiguous single ownership, and the property owner satisfies the Art Jury that such animals will be adequately watched over.

40.06 Waste Disposal. Owners of animals or those responsible for their care shall remove the manure and other waste from animal keeping areas or facilities as often as necessary to maintain them in an inoffensive and attractive condition.

40.07 Storage of Organic Materials. No property owner shall store, or permit to be stored, upon his/her property such quantities of decaying organic material, manure compost material, feed, or

bedding for animals as to constitute an injury or nuisance to the property of any other property owner or to the community as a whole.

40.08 Separation. Animal keeping facilities and areas, other than pastures, shall be located in such a way that in the opinion of the Art Jury, the placement achieves both high artistic result and minimizes nuisance to adjacent residences. Animal keeping facilities and areas shall conform to the following minimum separation requirements:

	Setback Requirements Established by Protective Covenant	15' From Property Line	150' From Existing Residence on Adjoining Property
Barns	X		X
Stables	X		X
Corrals		X	X
Paddocks		X	X
Riding Rings		X	
Stalls (fence)		X	
Stalls (building)	X		X
Kennels (building)	X		X
Dog Runs		X	X
Horse Shade Structure (building)	X		

40.09 Permits.

40.0901 Approval. All permits for the keeping of animals must be approved by the Art Jury, and are subject to the continuing jurisdiction and review of the Art Jury and Board of Directors.

40.0902 Delegation. By the adoption of this chapter, the Board of Directors delegates to the Art Jury the authority to review, issue and revoke permits for animal keeping as herein regulated, Bylaws Article IV, Section 6(b) notwithstanding.

40.0903 Appeals. Decisions of the Art Jury regarding the denial or revocation of permits or enforcement of this regulation are appealable to the Board of Directors, which shall consider such matters using the procedure prescribed by Bylaws Article IV, Section 6(b).

40.0904 Revocation of Permit. Permits may be amended or revoked when the Art Jury finds that:

40.0904.01 Conditions of the permit or of this regulation have been violated; or,

40.0904.02 The condition or manner of animal keeping is substantially different than when the permit was granted and, in the opinion of the Art Jury, such condition or manner is objectionable to another property owner or owners; or

40.0904.03 Development of the site or the surrounding area has progressed to a point where the animal keeping permit conditions are no longer compatible with the character of the neighborhood.

40.0905 Inspection. Any permit granted shall be with the express understanding that the Art Jury, or their representative, shall have access to the permit holder's property at all times for inspection purposes.

40.0906 Screening. The Art Jury may require the installation and maintenance of planting or other screening as a condition of approval for an animal keeping permit.

40.10 Variances. Variations from the limitations in this Regulation may be considered using the procedure prescribed in §1.22 et. seq. of this Code.

40.11 Animals Other Than Horses and Bovine Cattle. This Article applies to all animals other than horses or bovine cattle.

40.1101 Terms. The keeping of any animals on Protective Covenant property shall be allowed only if an occupied residence exists thereon or the property owner satisfies the Art Jury that such animals will be otherwise adequately watched over. A permit is not required for such animals.

40.1102 Standards. Animals shall be kept at all times in a manner and in number that is, in the opinion of the Art Jury, neither offensive nor disagreeable to other residents.

40.1103 Dogs. The keeping of dogs is controlled by this regulation and those of San Diego County Regulatory Ordinances.

40.12 Compliance with the Regulation. Failure to comply with this regulation will, among other things, constitute a public and private nuisance.

40.13 Effective Date. The effective date of this regulation is March 3, 1994.

40.14 Amended Date. This regulation was amended at §40.08 on January 15, 1998.