

ORDINANCE NO. 691 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING CHAPTER 8 (ANIMAL CONTROL) OF THE MUNICIPAL CODE
 TO AMEND REGULATIONS FOR THE NUMBER OF ANIMALS
 TO BE ALLOWED IN RESIDENTIAL ZONES AND THE
 MINIMUM SETBACKS FOR ANIMAL KEEPING AREAS
 (CITY OF PASO ROBLES)

WHEREAS, the City of Paso Robles has initiated Code Amendment 95003 to amend regulations for the number and type of animals to be allowed in residential zones and the minimum setbacks for animal keeping areas, and

WHEREAS, the City Council has determined that the regulations concerning the care and keeping of animals should be clarified and supplemented in order to be more comprehensive, and

WHEREAS, the purpose of the amended and supplemented regulations is to address the raising and keeping of animals and the areas in which animals are kept on private property and to minimize potential adverse effects on adjoining properties and the neighborhood, and

WHEREAS, this code amendment shall apply to the raising and keeping of animal in all residential zoning districts within the City, and

WHEREAS, a public hearing was conducted by the City Council on May 2, 1995, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment, and

WHEREAS, staff has determined that this code amendment is exempt from environmental review in accordance with Section 15061(b)(3) of the California Environmental Quality Act, and

WHEREAS, at its meeting of May 2, 1995, the City Council gave first reading to this ordinance, and

WHEREAS, at its meeting of May 16, 1995, the City Council gave second reading to this ordinance, and

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.

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NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that the Paso Robles Municipal Code is hereby amended as follows:

SECTION I: Chapter 8.04.110 is hereby amended to read as follows:

8.04.110 Definitions.

Animals. Any mammal, bird, reptile, fish, amphibian or other vertebrate creatures other than human beings.

Animals (exotic). Any animal such as but not limited to a monkey, fox, raccoon, or other similar animals which may be wild or vicious.

Animals (large). Any equine, bovine or other animal similar in size, weight or appearance, including, but not limited to a horse, pony, mule, donkey, cow, llama, goat, sheep, and ostrich.

Animals (miniature). Any animal such as a pot belly pig, pygmy goat (female or neutered male only), miniature horse or other similar animals that do not exceed 24 inches in height.

Animals (small). Any animal such as a rabbit, bird, chicken (hens only), or other small animal including all household pets that are kept primarily outside the residence.

Cat. A domesticated cat over four months in age.

Dog. A domesticated dog over four months in age.

Dog Kennel. A dog kennel is defined as four or more dogs, four months of age or older kept on a site.

Fowl and poultry. Any animal such as a chicken (excluding hens: see small animals), duck, turkey, goose, peacock or other similar animals.

Hogs and Swine. Any animal member of the swine family, including but not limited to pigs, hogs and boar.

Household Pets. Any animal such as birds, fish, hamsters, lizards or other small animals that are kept exclusively inside the residence.

Poundmaster. This refers to the chief animal control officer of San Luis Obispo County.

SECTION II: Chapter 8.04.150 is hereby amended to read as follows:

8.04.150 Animal Keeping. The keeping of animals is an accessory use within all residential zoning districts and shall comply with the requirements of this section and Table 8.040.150.

- A. Purpose. It is the purpose of these regulations to address the raising and keeping of animals and the areas in which animals are kept on private property. It is the intent of this section to minimize potential adverse

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- C. Prohibited Animals. The following animals are prohibited in all residential zones: Fowl (excluding chicken hens which are classified as "small animals"), poultry, hogs and swine.
- D. Exceptions. Any person may raise and keep animals in excess of the maximum number allowed per site or raise and keep any prohibited animals subject to conditional use permit approval.

SECTION III: Table 8.04.150 is hereby added to read as follows:

TABLE 8.04.150

Animal Type	Minimum Site Area	Maximum # of animals per household ¹	Required Setbacks ²
Dogs and miniature animals	None	3 ³	None
Cats	None	6 ⁴	None
Household pets (kept exclusively indoors)	None	No Maximum ⁵	None
Small animals (kept primarily outdoors)	None	6 ⁶	20 feet
Large animals	See section 21.20.100	See Section 21.20.100	See Section 21.20.100
Exotic animals, hogs/swine, fowl/poultry	CUP ⁷	CUP ⁷	CUP ⁷

NOTES:

1. Young animals born by a permitted animal kept on site may be kept until such animals are weaned.
2. As measured from adjacent dwellings.
3. Any combination of dogs and miniature animals, not to exceed three animals total.
4. If cats are kept exclusively indoors, they are household pets and are not subject to any limitation.

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PASSED AND ADOPTED THIS 16th day of May, 1995 by the following roll call vote:

AYES: HEGGARTY, MARTIN, PICANCO, TVERSEN, MACKLIN

NOES: NONE

ABSENT: NONE

Walter J. Macklin
MAYOR WALTER MACKLIN

ATTEST:

Richard J. Ramirez
RICHARD J. RAMIREZ

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WHEREAS, the City Council has determined that the regulations concerning the care and keeping of animals should be clarified and supplemented in order to be more comprehensive, and

WHEREAS, the purpose of the amended and supplemented regulations is to address the raising and keeping of animals and the areas in which animals are kept on private property and to minimize potential adverse effects on adjoining properties and the neighborhood, and

WHEREAS, this code amendment shall apply to the raising and keeping of animal in all residential zoning districts within the City, and

WHEREAS, a public hearing was conducted by the City Council on May 2, 1995, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment, and

WHEREAS, staff has determined that this code amendment is exempt from environmental review in accordance with Section 15061(b)(3) of the California Environmental Quality Act, and

WHEREAS, at its meeting of May 2, 1995, the City Council gave first reading to this ordinance, and

WHEREAS, at its meeting of May 16, 1995, the City Council gave second reading to this ordinance, and

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This code amendment is consistent with the policies and goals of the General Plan.
3. This code amendment will not be detrimental to the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that the Paso Robles Municipal Code is hereby amended as follows:

SECTION I: Chapter 8.04.110 is hereby amended to read as follows:

8.04.110 Definitions.

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Animals (exotic). Any animal such as but not limited to a monkey, fox, raccoon, or other similar animals which may be wild or vicious.

Animals (large). Any equine, bovine or other animal similar in size, weight or appearance, including, but not limited to a horse, pony, mule, donkey, cow, llama, goat, sheep, and ostrich.

Animals (miniature). Any animal such as a pot belly pig, pygmy goat (female or neutered male only), miniature horse or other similar animals that do not exceed 24 inches in height.

Animals (small). Any animal such as a rabbit, bird, chicken (hens only), or other small animal including all household pets that are kept primarily outside the residence.

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SECTION II: Chapter 8.04.150 is hereby amended to read as follows:

8.04.150 Animal Keeping. The keeping of animals is an accessory use within all residential zoning districts and shall comply with the requirements of this section and Table 8.040.150.

- A. Purpose. It is the purpose of these regulations to address the raising and keeping of animals and the areas in which animals are kept on private property. It is the intent of this section to minimize potential adverse effects on adjoining properties and the neighborhood from the improper management of animals. Such adverse effects include but are not limited to the propagation of flies and other disease vectors, dust, noise, offensive odors, soil erosion and sedimentation.
- B. Applicability. This section shall apply to the raising and keeping of animals in all residential zoning districts of the City. (Note: See Section 21.20.100 for regulations of large animals).

- C. Prohibited Animals. The following animals are prohibited in all residential zones: Fowl (excluding chicken hens which are classified as "small animals"), poultry, hogs and swine.
- D. Exceptions. Any person may raise and keep animals in excess of the maximum number allowed per site or raise and keep any prohibited animals subject to conditional use permit approval.

SECTION III: Table 8.04.150 is hereby added to read as follows:

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Large animals	See section 21.20.100	See Section 21.20.100	See Section 21.20.100
Exotic animals, hogs/swine, fowl/poultry	CUP ⁷	CUP ⁷	CUP ⁷

NOTES:

1. Young animals born by a permitted animal kept on site may be kept until such animals are weaned.
2. As measured from adjacent dwellings.
3. Any combination of dogs and miniature animals, not to exceed three animals total.
4. If cats are kept exclusively indoors, they are household pets and are not subject to any limitation.
5. Must be kept in a clean and sanitary manner.
6. Any combination of small animals and household pets, not to exceed six animals total. If setback from adjacent residence is 75 feet or greater, a maximum of 20 small animals may be kept.
7. Requires Conditional Use Permit approval.

PASSED AND ADOPTED THIS 16th day of May, 1995 by the following roll call vote:

AYES: HEGGARTY, MARTIN, PICANCO, IVERSEN, MACKLIN

NOES: NONE

ABSENT: NONE

Walter J. Macklin
MAYOR WALTER MACKLIN

ATTEST:

Richard J. Ramirez
RICHARD J. RAMIREZ

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