



Rancho Santa Fe Association

Board of Directors Meeting

Staff Report – Request for Board Action

Date: February 28, 2020

By: Christy Whalen, Manager

Item: Covenant Amendment / Columbarium

Executive Summary:

In late 2019, the Association received a request from The Village Community Presbyterian Church for the development of a columbarium wall in a garden on church property. However, there is language in the Protective Covenant prohibiting such structures.

The Protective Covenant Article I, Par. 1, states:

Uses of Property Prohibited. There shall never at any time be erected, permitted, maintained or carried on upon said property or any part thereof, nor shall any part of said property ever be used for any saloon, or place for the sale or manufacture for sale of malt, vinous or spirituous liquors; any foundry, brickyard, cemetery, **columbarium**, crematory ...

As the issue has been raised in the community and there may be member sentiment to consider the development of a columbarium, the Board may want to consider putting the question before the members of the Association. The Board has directed staff to work with counsel to further review issues, develop procedures and provide the Board with a process for possibly moving forward on a Covenant Amendment vote.

Staff has reviewed the issue with counsel and recommends putting the question as stated below on a ballot for a membership vote with the restriction that limits the location of columbariums to be only on property zoned class J for religious edifices. Currently, two parcels in the Ranch are zoned J, and are held by the Village Church and the First Church of Christ, Scientist.

Recommendation:

Staff recommends that the Board approve putting the following language on a ballot for vote by the membership.

RANCHO SANTA FE ASSOCIATION
2020 Proposed Protective Covenant Amendment
Membership Vote

PROTECTIVE COVENANT Par. 1. Section 1. (As amended in 1939.) **Uses of Property Prohibited.** There shall never at any time be erected, permitted, maintained or carried on upon said property or any part thereof, nor shall any part of said property ever be used for any saloon, or place for the sale or manufacture for sale of malt, vinous or spirituous liquors; any foundry, brickyard, cemetery, columbarium except on land zoned class J-Religious Edifices, crematory ...

- ☐ YES, I approve the 2020 Proposed Protective Covenant Amendment
- ☐ NO, I do not approve the 2020 Proposed Protective Covenant Amendment.