

ORDINANCE NO. 03-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.10.180, 15.12.015, 15.13.115, Section 15.28.060 B of the City Zoning Code and adding a new Section 15.21.057 to the City Zoning Code to increase the number of domestic animals allowed, to provide criteria for replacement of legal nonconforming horses, and to change the criteria to apply for a Horse Overlay Zoning District.

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations related to domestic animals and horses have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended certain amendments and additions to the Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

Section 1. Section 15.10.180 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.180 Domestic Animals

Dogs, cats, birds, snakes, and small rodents, ~~(limited to a total of not more than three [3] outside animals)~~ rabbits, goats, pygmy goats, pot-bellied pigs, pigs, chickens (including roosters), miniature horses not exceeding 40 pounds, and ducks and other fowl, which can be and are continually kept or raised in a home or on a lot. Animals not considered to be domestic animals include, but are not limited to, the following: horses, cows, ~~goats,~~

~~swine, donkeys, fowl,~~ and any endangered or exotic species of animals. The number of inside or outside domestic animals shall be limited as shown in Table 15.12.015a.

Section 2. Section 15.12.015 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.015 Domestic Animals - Limitations

Domestic animals as defined ~~and limited at in~~ SMC 15.10.180 are permitted outright in all zone classifications within the City. The number of inside or outside animals allowed is listed below.

A. Inside Animals:

1. The number of cats kept inside, and birds, snakes, and small rodents, kept in aquariums, terrariums, cages, or other similar containers shall not be limited unless the property meets the definition of a “kennel” under SMC 15.10.360 or is limited by health codes.
2. All other domestic animals kept inside shall be limited to not more than five (5) total domestic animals, in an allowed combination of the animals listed in Table 15.12.015a. Miniature horses shall not be allowed as an inside animal. Except for the domestic animals listed in 15.12.015 A. 1., the total number and type of inside animals allowed shall not exceed the number of animals that are allowed outdoors (for example, a property owner could not have five pot-bellied pigs indoors. Only one or two would be allowed indoors based on lot size. No pot-bellied pigs would be allowed indoors on lots of less than 15,001 sq. ft.).

B. Outside Animals: The number of outside animals shall be limited based on lot size as defined in Table 15.10.180a.

Table 15.12.015a

| | <u>Lot Size</u> | | | |
|--|--------------------------------|-------------------------------|---------------------------------|------------------------|
| | <u>Less Than 7,200 sq. ft.</u> | <u>7,200 – 15,000 sq. ft.</u> | <u>15,001 to 30,000 sq. ft.</u> | <u>30,000+ sq. ft.</u> |
| <u>Total Number of Outside Animals Allowed</u> | <u>5*</u> | <u>6*</u> | <u>7*</u> | <u>8*</u> |
| <u>Cats</u> | <u>3</u> | <u>3</u> | <u>4</u> | <u>5</u> |
| <u>Dogs</u> | <u>3</u> | <u>3</u> | <u>4</u> | <u>5</u> |
| <u>Rabbits</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> |
| <u>Goats-Pygmy Goats</u> | <u>1**</u> | <u>2**</u> | <u>3**</u> | <u>4**</u> |
| <u>Sheep</u> | <u>1**</u> | <u>2**</u> | <u>3**</u> | <u>3**</u> |
| <u>Pigs/Pot-bellied pigs</u> | <u>0**</u> | <u>0**</u> | <u>1**</u> | <u>2**</u> |
| <u>Chickens (Including roosters)</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> |

| | | | | |
|-------------------------|------------|------------|----------------|----------------|
| <u>Ducks</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> | <u>5**</u> |
| <u>Other Fowl</u> | <u>0</u> | <u>0</u> | <u>1**</u> | <u>2**</u> |
| <u>Miniature Horses</u> | <u>0</u> | <u>0</u> | <u>1**/***</u> | <u>2**/***</u> |

* This denotes the total number of outside animals allowed. This total may be any combination of the above listed animals (for example three [3] dogs, one [1] goat, and one [1] sheep).

** This is the total number of this animal type that are allowed as part of the total number of animals allowed based on lot size (For example, three sheep would not be allowed on a lot of less than 15,001 square feet). All animals and fowl shall be kept in a confined area and maintained. Any covered structure used to house any outside animal shall conform to all yard setback requirements. No confinement area shall be located within a critical (sensitive) area or their buffers.

*** Not exceeding 40 pounds at full maturity.

C. Animals that are kept indoors, but are allowed outside for more than one (1) hour per day, shall be defined as an outdoor animal.

Section 3. Section 15.13.115 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.115 Horse, Equine Animal Regulations

A. Applicability

1. Any horse or equine animals in existence at the date of the adoption of this code (or areas annexed into the City) shall be permitted to remain under the authority of a legal nonconforming use as specified under SMC 15.21.057. Any new horses shall be permitted with the approval of a special district overlay as noted in Chapter 15.28 SMC.
2. All horses and equine animal locations and facilities (existing/proposed) shall be reviewed and approved by the City Manager or Code Enforcement Officer or designee to ensure compliance with the herein adopted health standards, pursuant to the standards established in Chapter 15.28 SMC under special district overlay rules.

Section 4. Sub-section B of Section 15.28.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.28.060 B Special District Overlay – Horse Suburban District

Minimum Requirements for New Horse/Equine Animals.

1. A special district overlay must be proposed and approved through the rezone process, encompassing no less than ~~four~~ two (4 2) property owners with contiguous parcels or a single property owner with a minimum lot size of 30,000 square feet;

2. A maximum of two (2) horse/equine animals per ten thousand (10,000) square feet of lot area within approved special district overlay zones; and
3. Any horse/equine animals above two (2) shall require an additional ten thousand (10,000) square feet per animal.

Section 5. A new Section 15.21.057 is hereby added to the SeaTac Municipal Code, to read as follows:

15.21.057 Nonconformance – Uses of Land, Horses/Equine Animals

Any horse/equine animals legally located on property on the effective date of the Zoning Code or amendment thereto, shall be allowed to remain on the property, provided that the horse/equine animal is kept in a clean and safe environment and shall be subject to the following provisions.

- A. Should a legal nonconforming horse/equine animal be removed from a parcel of property for a period of more than six (6) months, that cessation shall constitute prima facie evidence of the intent to abandon the use of the property for horses/equine animals.
- B. Should a legal nonconforming horse/equine animal expire/pass away, another horse/equine animal may be moved to the property to replace the expired horse/equine animal provided that the new horse/equine animal is moved onto the property within six (6) months.
- C. Should legal nonconforming horse/equine animals produce progeny, the progeny may be allowed on the property up to a maximum of nine (9) months from the date of birth.

Section 6. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor by July 18, 2003.

Section 7. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 8th day of August, 2003, and signed in authentication thereof on this 8th day of August, 2003.

CITY OF SEATAC

Joe Brennan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

[Effective Date _____]

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