

**CHAPTER 21.30 DEVELOPMENT STANDARDS -
ANIMALS, HOME OCCUPATION, HOME INDUSTRY**

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21.30.010 Purpose. The purpose of this chapter is to enhance and preserve the compatibility between neighboring properties by regulating the scope and intensity of accessory uses or activities.

21.30.020 Animal regulations - small animals. The raising, keeping, breeding or fee boarding of small animals are subject to King County Code (KCC) 11.04, Animal Control Regulations, and the following requirements:

- (1) Small animals which are kept indoors as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in KCC Title 11.
- (2) Other small animals kept outside, including adult cats and dogs, shall be limited to a maximum of twenty (20), unless more are allowed as an accessory use pursuant to subsection (5), provided that not more than three (3) of such cats or dogs are unaltered, or as authorized for a hobby kennel or cattery or commercial kennel or cattery pursuant to KCC 11.04 Animal Control Regulations.
- (3) Excluding kennels and catteries, the total number of unaltered adult cats and dogs per household shall not exceed three, whether those animals are kept in a dwelling or outside.
- (4) Animals considered to be household pets shall be treated as other small animals pursuant to WMC 21.30.020(5) when they are kept for commercial breeding, boarding or training.
- (5) Small animals and household pets kept as an accessory use outside the dwelling, shall be raised, kept or bred only as an accessory use on the premises of the owner or in a kennel or cattery approved through the conditional use permit process, subject to the following limitations:
 - (a) Birds shall be kept in an aviary or loft that meets the following standards:
 - (i) The aviary or loft shall provide one-half (1/2) square foot for each parakeet, canary or similarly sized birds, one (1) square foot for each

- pigeon, small parrot or similarly sized bird, and two (2) square feet for each large parrot, macaw or similarly sized bird.
- (ii) Aviaries or lofts shall not exceed 2,000 square feet.
 - (iii) The aviary is set back at least ten (10) feet from any property line, and twenty (20) feet from any dwelling unit.
- (b) Small animals other than birds shall be kept according to the following standards:
- (i) The minimum site area shall be one-half (1/2) acre if more than three (3) small animals are being kept;
 - (ii) All animals shall be confined within a building, pen, aviary or similar structure;
 - (iii) Any covered structure used to house or contain such animals shall maintain a distance of not less than thirty-five (35) feet to any property line, except structures used to house mink and fox shall be a distance of not less than 150 feet;
 - (iv) Poultry, chicken, squab and rabbits are limited to a maximum of one (1) animal per one square foot of structure used to house such animals, up to a maximum of 2,000 square feet;
 - (v) Hamsters, nutria and chinchilla are limited to a maximum of one (1) animal per square foot of structure used to house such animals, up to a maximum of 2,000 square feet;
 - (vi) Mink and fox are permitted only on sites having a minimum area of five acres;
 - (vii) Beekeeping is limited as follows:
 - (A) Beehives are limited to fifty (50) on sites less than five (5) acres;
 - (B) The number of beehives shall not be limited on sites of five (5) acres or greater;
 - (C) Colonies shall be maintained in movable-frame hives at all times;
 - (D) Adequate space shall be provided in each hive to prevent overcrowding and swarming;
 - (E) Colonies shall be requeened following any swarming or aggressive behavior;
 - (F) All colonies shall be registered with the County Extension agent prior to April 1st of each year, on a state registration form acceptable to the county; and
 - (G) Abandoned colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated as set forth in WMC 21.50, Enforcement;
- (c) Kennels and catteries are subject to the following requirements:
- (i) For kennels located on residentially zoned sites:
 - (A) The minimum site area shall be five (5) acres; and
 - (B) Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones;

- (ii) For kennels located on non-residential zoned sites, run areas shall be completely surrounded by an eight (8) foot solid wall or fence, and be subject to the requirements in KCC 11.04.060; and
- (iii) Catteries shall be on sites of 35,000 square feet or more, and buildings used to house cats shall be a minimum distance of fifty (50) feet from property lines abutting residential zones.

21.30.030 Animal regulations - livestock purpose. The primary purpose of this section is to support the raising and keeping of livestock in the City by setting livestock densities and by implementing applicable best management practices for land used to accommodate such livestock in ways which reduce the impact of livestock on the environment, particularly with regard to their impacts on water quality. The regulations set forth in this section are intended to be consistent with livestock welfare; however, those concerns are more appropriately addressed through KCC 11.04.

21.30.032 Animal regulations - livestock densities. The raising, keeping, breeding or fee boarding of livestock are subject to KCC 11.04, Animal Control Regulations, and the following requirements:

- (1) The minimum site which may be used to accommodate large livestock shall be 35,000 square feet, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section; and
- (2) The maximum number of livestock shall be as follows:
 - (a) Commercial dairy farms - as authorized by the Washington State Department of Ecology NPDES permit;
 - (b) Stables with covered arenas for which farm management plans are implemented and maintained pursuant to WMC 21.030.033 such that pasture and paddock use does not exceed the equivalent of three (3) animals using the areas on a full-time basis, up to six (6) resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;
 - (c) For all large livestock not covered by paragraph (a) or (b) above:
 - (i) If a farm management plan pursuant to WMC 21.030.033 is implemented and maintained as or, in the alternative, all of the management standards of sections WMC 21.030.035 are met, three (3) horses, cows or similarly sized animals per gross acre of total site area, provided further that two (2) ponies shall be counted as being equivalent to one (1) horse and that miniature horses shall be treated as small livestock subject to paragraph (4) below.
 - (ii) If paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under six (6) months of age) per two (2) acres of fenced grazing area;
 - (d) Five (5) of each or any combination of small livestock (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total

site area subject to the management standards set out in WMC 21.30.035 below.

21.30.033 Farm management plan. In order to achieve the maximum livestock density allowances provided for in WMC 21.030.032, above, a farm management plan (conversion) plan developed by the property owner with the assistance of the King County Conservation District which incorporates best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation and shall be reviewed by the SWM division if the plan is for a site that has streams or wetlands present. Any Indian tribe with tribal rights to protection of the fisheries habitat provided by the site shall have sixty (60) days from plan submission to comment on the plan. The plan must, as a minimum, achieve twenty-five (25) foot vegetated buffers for all class 1 and class 2 streams on the site, and assure that drainage ditches on the site do not channel animal waste to such streams.

21.30.035 Animal regulations - livestock management standards.

- (1) As an alternative to a farm management plan, any property owner may implement the following management standards:
 - (a) Livestock access to streams and their buffers shall be limited to stream crossings which have been addressed by a crossing plan designed to SCS/SCD specifications which shall prevent free access along the length of the stream; fencing shall be used to meet this standard wherever topographic constraints or impassible vegetative barriers do not prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a City building permit, provided that such permit waiver shall not constitute any assumption of liability by the City with regard to such bridge or its placement. The waiver of City building permit requirements does not constitute a waiver from other required agency permits;
 - (b) Grazing areas not addressed by the sensitive areas regulations shall maintain buffers of ten (10) feet from any naturally occurring pond, wetland edge of a class 1 or 2 wetland (except those wetlands meeting the definition of a grazed wet meadow) or the ordinary high water mark of a class 1 or 2 stream (excluding grazed wet meadows) within five (5) years of the effective date of this section. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.
 - (c) Confinement areas located within 200 feet of any class 1 or 2 streams shall:

- (i) Have a twenty (20) foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover;
 - (ii) Not be located in any stream or wetland buffer area required by the City's sensitive areas regulations in effect at the time the confinement area is built, or within fifty (50) feet of any naturally occurring pond, wetland edge of any class 1 or 2 wetland or the ordinary high water mark of any class 1 or 2 stream, unless some other distance has been approved by a City permit issued following an environment review or by a conservation district plan;
 - (iii) Have roof drains of any buildings in the confinement area diverted away from the confinement area; and
- (d) Manure storage areas shall be managed as follows:
- (i) Surface flows and roof runoff shall be diverted away from manure storage areas.
 - (ii) All manure stockpiled within 200 feet of any stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and
 - (iii) Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than fifty (50) feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.
- (e) Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.
- (2) The following setback and buffer requirements apply to the keeping of livestock:
- (a) Any building used to house, confine or feed livestock shall not be located closer than ten (10) feet to any boundary property line or thirty-five (35) feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;
 - (b) Any building used to house, confine or feed livestock shall not be located closer than thirty-five (35) feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;
 - (c) There shall be no uncovered storage of manure, shavings or similar organic material closer than forty-five (45) feet to any dwelling unit or accessory living quarters; and
 - (d) Grazing and confinement areas may extend to the property line.
- (3) In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and
- (4) A barn or stable may contain a caretaker's accessory living quarters.

21.30.037 Existing livestock operations. All existing livestock operations shall either implement a farm management plan pursuant to WMC 21.30.033 or meet the management standards in WMC 21.30.035 within five (5) years of the adoption date of this ordinance: existing buildings are exempt from this provision.

21.30.040 Home occupation. Residents of a dwelling unit may conduct one or more home occupations as accessory activities, provided:

- (1) The total area devoted to all home occupation(s) shall not exceed twenty (20) percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;
- (2) All the activities of the home occupation(s) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s);
- (3) No non-resident shall be employed by the home occupation(s);
- (4) The following activities shall be prohibited as home occupations:
 - (a) Automobile, truck and heavy equipment repair;
 - (b) Autobody work or painting;
 - (c) Parking and storage of heavy equipment; and
 - (d) Storage of building materials for use on other properties;
- (5) In addition to required parking for the dwelling unit, one on-site parking stall shall be provided when services are rendered on-site;
- (6) Sales shall be limited to mail order, internet sales and telephone sales with off-site delivery;
- (7) Services to patrons shall be arranged by appointment or provided off-site;
- (8) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
 - (a) No more than one (1) such vehicle shall be allowed;
 - (b) Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and
 - (c) Such vehicle shall not exceed a weight capacity of one (1) ton; and
- (9) The home occupation(s) shall not use electrical or mechanical equipment that results in:
 - (a) A change to the fire rating of the structure(s) used for the home occupation(s);
 - (b) Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 - (c) Fluctuations in line voltage off-premises.
- (10) A home occupation permit is approved by the Development Services Director for each home occupation.

- 21.30.050 Home industry.** A resident may establish a home industry as an accessory activity, provided:
- (1) The site area shall be no less than one (1) acre;
 - (2) The area of the home industry shall not exceed fifty (50) percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home occupation;
 - (3) No more than two (2) non-residents shall be employed in a home industry;
 - (4) In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
 - (a) One (1) stall for each non-resident employee of the home industry; and
 - (b) One (1) stall for customer parking;
 - (5) Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one (1) stall per:
 - (a) 1,000 square feet of building floor area; and
 - (b) 2,000 square feet of outdoor work or storage area;
 - (6) Sales shall be limited to items produced on-site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;
 - (7) Ten (10) feet of Type I landscaping shall be provided around portions of parking and outside storage areas which are otherwise visible from adjacent properties or public rights-of-way; and
 - (8) The Development Services Director shall ensure compatibility of the home industry by:
 - (a) Limiting the type and size of equipment used by the home industry to those which are compatible with the surrounding neighborhood;
 - (b) Providing for setbacks or screening as needed to protect adjacent residential properties;
 - (c) Specifying hours of operation;
 - (d) Determining acceptable levels of outdoor lighting; and
 - (e) Requiring sound level tests for activities determined to produce sound levels which may be in excess of those set forth in the WMC.
 - (9) The following activities shall be prohibited as a home industry:
 - (a) Outdoor repair of any automobile, truck or heavy equipment, pursuant to Subsection (d) below;
 - (b) Outdoor autobody work, pursuant to Subsection (d) below; and
 - (c) Autobody painting.
 - (d) Outdoor is defined to include carports or other unenclosed structures.
 - (10) No vehicle, equipment or material shall be parked or stored within any required setback areas of the lot or on adjacent streets.
 - (11) A home industry permit is approved by the Development Services Director for each home industry.

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