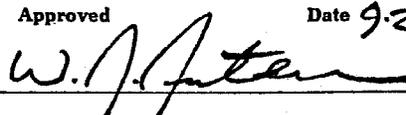




# Director's Rule 32-82

<b>Applicant</b> CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE	<b>Page</b> 1 <b>of</b> 2	<b>Supersedes</b> NA
	<b>Publication</b> 8/27/82	<b>Effective</b> 10/5/82
<b>Subject</b> SMALL ANIMALS REGULATED BY THE LAND USE CODE	<b>Code and Section Reference</b> 23.44.14(e) SMC 23.45.148 SMC	
	<b>Type of Ruling</b> Code Interpretation	
	<b>Ordinance Authority</b> 3.02.020	
<b>Index</b> ZONING - TECHNICAL REQUIREMENTS	<b>Approved</b> 	<b>Date</b> 9-23-82

Section 23.44.14(e) provides that:

"The keeping of small animals, farm animals, domestic fowl and bees is permitted outright as an accessory use to any principal use permitted outright or as a conditional use [in Single Family zones] subject to the following standards.

1. Small Animals

Up to three small animals per single family residential structure may be kept in single family zones.

Four small animals are permitted on lots of at least twenty thousand square feet. One additional small animal is permitted for each five thousand square feet of lot area in excess of twenty thousand square feet.

Accessory structures, including kennels, for four or more animals must be at least ten feet from any other residentially zoned lot. ..."

Section 23.45.148 contains similar provisions regulating the keeping of small animals in Multi-Family zones.

Webster's Third Collegiate Dictionary defines "animal" as:

1. Any of a kingdom (Animalia) of living beings typically differing from plants in capacity for spontaneous movement and rapid motor response to stimulation.
2. One of the lower animals as distinguished from man.

Effective immediately, the following animals will be subject to regulation by the standards for small animals:

1. Dogs;
2. Cats;
3. Rabbits;
4. Other similar animals which are customarily kept outdoors all or part of the time.

Unweaned offspring of such animals will not be counted in the maximum number of small animals allowed.

Effective immediately, the following animals will not be subject to regulation by the standards for small animals:

1. Hamsters, gerbils, mice and other similar animals which are customarily kept within a dwelling unit, unless such animals are kept outdoors;
2. Reptiles, including snakes, lizards, and turtles, which are customarily kept within a dwelling unit, unless such reptiles are kept outdoors;
3. Birds, such as parakeets and pigeons, which are not considered "domestic fowl;"
4. Fish.

#### Reason

The land use code regulates the keeping of animals accessory to residences in order to limit the impact that domestic animals will have on neighboring property. This intent is demonstrated by the types of restrictions placed on the various categories of animals. For example, beehives are permitted only if there is sufficient separation or screening between the hives and adjacent lots, additional small animals are permitted on single family lots which have significantly more square footage than the minimum required in the zone, and farm animals are allowed only on very large lots.

Distinguishing between animals which are commonly kept outside and those commonly kept indoors is consistent with the intent to limit the impact of pets in residential neighborhoods. Since animals, including reptiles, which are kept exclusively within a residence should have no effect on neighboring property, they should not be regulated by the land use code.

Birds, including those varieties which are commonly kept outdoors, are not restricted because inclusion of specific regulations for domestic fowl implies intentional exclusion of other birds from zoning restrictions. Fish, whether kept in an aquarium or in an outdoor pool, do not impact neighboring properties and therefore are also not restricted.