



ORDINANCE NO. 3068

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING REGULATIONS FOR THE KEEPING OF MINATURE GOATS IN SINGLE FAMILY RESIDENTIAL ZONES, AMENDING LMC 21.42.400(C) AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, the existing Lynnwood Municipal Code prohibits the keeping of goats in single-family zones; and

WHEREAS, historically, the keeping of livestock had been considered to be inconsistent with residential zoning; and

WHEREAS, it is desirable to promote sustainability and environmentally friendly practices where practical but in a manner that takes into account the urbanized nature of the city; and

WHEREAS, miniature goats are similar in size and have characteristics similar to many breeds of dogs already kept as household pets; and

WHEREAS, allowing miniature goats to be harbored in the city to take advantage of their food production is a small step towards making Lynnwood a more sustainable city and is desirable as long as the potential negative impacts of doing so are mitigated; and

WHEREAS, trends in local food production and sustainable practices have led to renewed popularity of the keeping of miniature goats; and

WHEREAS, the City wishes to allow the keeping of miniature goats while balancing this flexibility with protection of the residential environment; and

WHEREAS, the proposal was transmitted to State agencies for State agency review and received by the Washington State Department of Commerce on May 1, 2014, with a request for expedited review, in accordance with RCW 36.70A.106; and

WHEREAS, on May 20, 2014, the City of Lynnwood Environmental Official issued a DNS] on the proposal with no public comments having been received during the public comment period and no appeal having been filed; and

WHEREAS, on April 24, 2014, the City of Lynnwood Planning Commission held a duly noticed public hearing to take testimony on the proposed ordinance and, following the public hearing, made a recommendation to the Lynnwood City Council to adopt this ordinance; and

WHEREAS, on May 27, 2014, the City of Lynnwood City Council held a duly noticed public hearing to take testimony on the proposed ordinance; and

WHEREAS, it is in the public interest for the City Council to adopt new animal regulations for residential areas which establishes development regulations for keeping miniature goats within the City of Lynnwood; now therefore,

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Lynnwood Municipal Code section 21.42.400 is hereby amended as follows:

“21.42.400 Accessory structures and uses.

A. Solar Energy Systems. The use of solar energy systems (for example, attached solar greenhouses, attached solar sunspaces, and solar collectors) can be an effective and efficient method for producing energy and reducing energy consumption. The majority of residential structures within Lynnwood were constructed before solar energy systems became a viable means for producing energy, thus lot yard setbacks and height restrictions do not take such systems into account. The city of Lynnwood finds that it is in the best public interest to encourage solar energy systems. If it is found that a solar energy system would have a positive impact on energy production and conservation while not having an adverse environmental impact on the community, but the placement of such system requires violation of city setback or maximum height limitations, allowance of such systems may be permitted through the variance process and shall be encouraged. In viewing such variance request, the following shall be considered in making a determination:

1. That the solar energy system has a net energy gain;
2. That the solar energy system is designed to minimize glare towards vehicular traffic and adjacent properties;
3. That the solar energy system not adversely affect solar access to adjacent properties;

4. That the solar energy system comply with all other city zoning, engineering, building, and fire regulations; and
5. That the solar energy system is found to not have any adverse impacts on the area, which impacts shall include, but not be limited to, the effects of such system upon the views from neighboring properties and public ways.

In order to show that the proposed energy system will conform to the above, the applicant shall be required to submit a site plan and elevations showing the location, size, and dimensions of the solar energy system and its relation to all adjacent properties. Care shall be taken to ensure that the design, materials used and colors architecturally blend in with the existing structure. The city may require that the site plan and elevations and/or energy-saving calculations be prepared by an engineer, architect or builder specializing in solar energy construction.

B. Family Child Care Homes. Family child care homes are permitted as an accessory use to a dwelling.

C. Keeping Small Animals as Pets.

1. The keeping of small animals as pets shall be permitted as an accessory use.
2. Livestock, except chickens and miniature goats. The keeping of livestock (except chickens and miniature goats; See LMC 21.42.400(C)(3) and LMC.42.400(C)(4)) shall not be permitted except that an occupant shall be able to keep one animal, i.e., horse, cow or sheep, on a lot having a minimum of 20,000 square feet and an additional animal for each 20,000 square feet additional lot area. The entire square footage of roaming area shall be fenced. Fences must be of such a type and size as to prevent encroachment on adjacent property. Encroachment shall be defined as reaching over, under or through, as well as trespassing or intruding upon, the property of another. Accessory buildings used for housing animals shall be provided, and shall be a minimum of 200 square feet and a maximum of 250 square feet in area per animal, except as allowed by variance, and shall not be closer than 25 feet to a property line, except for those provisions provided for chickens and goats, below. An accessory building for the housing of small animals or fowl (except chickens, see below) shall not exceed 36 square feet in floor area when located on a residential lot and neither the building nor the fenced area for their roaming shall be closer 25 feet to a property.

3. Chickens. The keeping of chickens for personal use of the household (eggs shall not be sold) shall be permitted subject to the following:

a. A maximum of five (5) chickens may be kept per lot associated with a single-family residential dwelling unit.

b. A suitable structure to provide shelter from the elements and an outdoor pen shall be provided. The shelter and pen shall be built and maintained to prevent the chickens from breaking through, out, over, or under the same. The shelter and pen shall be kept in good working condition, shall not cause odor or noise nuisances, and must be kept in a clean and well maintained condition at all times.

i. The enclosed shelter shall provide a floor, walls, and roof and shall be a minimum of four (4) square feet per chicken.

ii. The outdoor pen (a ground level roaming area) shall be a minimum of eight (8) square feet per chicken.

iii. Pens and shelters shall be constructed so as to discourage predators.

iv. The outer edge of the shelter or pen shall be set back a minimum of 15 feet from side and rear property lines. Pens and shelters are not permitted in the area between the primary dwelling unit and the front property line. The side of the pen facing an adjacent residence shall be sight obscuring through the use of a solid fence.

v. Electricity provided to the shelter will require an electrical building permit.

c. Bedding/manure shall be composted or bagged and tied and placed within garbage dumpsters.

d. Roosters shall be prohibited.

e. Chickens shall not be processed on premise. Infected chickens with diseases harmful to humans shall be removed.

4. Goats. The keeping of miniature goats for personal use of the household (no commercial uses) shall be permitted subject to the following:

a. Miniature breeds of goats include the following: pygmy, Nigerian dwarf and pygora or similar breeds (based on height and weight). Adult goats shall not exceed 30 inches measured from the withers or weigh more than 100 pounds. The wither is the ridge between the shoulder blades of the goat.

- b. A maximum of three (3) miniature goats may be kept per lot associated with a minimum of 7,200 square foot lot area of a single-family residential dwelling unit. Nursing off-spring may be kept until weaned, no longer than 12 weeks after birth.
- c. Male goats must be neutered.
- d. All goats must be dehorned.
- e. A suitable structure to provide shelter from the elements and an outdoor pen shall be provided. The shelter and pen shall be built and maintained to prevent the goats from breaking through, out, over, or under the same. The shelter and pen shall be kept in good working condition, shall not cause odor nuisances, and must be kept in a clean and well maintained condition at all times.
 - i. The shelter shall provide walls, a roof and a door.
 - ii. The outer edge of the shelter or pen shall be set back a minimum of 15 feet from side and rear property lines. Pens and shelters are not permitted in the area between the primary dwelling unit and the front property line. The side of the pen facing an adjacent residence shall be sight obscuring through the use of a solid fence.
 - iii. Electricity provided to the shelter will require an electrical building permit.
 - vi. No confinement area shall be located within a critical (sensitive) area or their buffers.
- f. Goats shall not be slaughtered on premise.
- g. Goats over 12 weeks old shall be annually licensed per the current fee schedules adopted for dogs in the City of Lynnwood.

5. The keeping of mink, goats (with the exception of miniature breeds permitted under subsection(C)(4) above), foxes, or hogs is prohibited.”

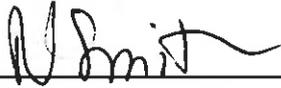
D. Carnivals, Circuses, and Other Temporary Special Events. These uses are permitted if accessory to a school, church, park, or other facility of a similar nature. Such activities shall not be subject to regulation by Chapter [5.30](#) LMC.

Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

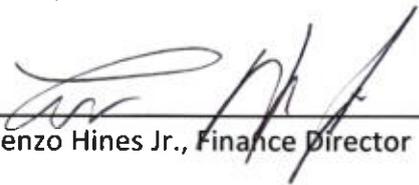
PASSED BY THE CITY COUNCIL, the 23rd day of June, 2014.

APPROVED:



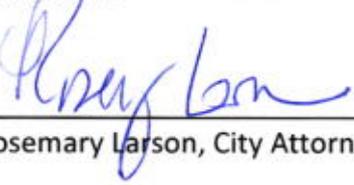
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines Jr., Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

PASSED BY CITY COUNCIL: 06/23/2014
PUBLISHED: 06/25/2014
EFFECTIVE DATE: 06/30/2014



On the, 23rd day of June, 2014 the City Council of the City of Lynnwood, Washington, passed ordinances: 3067 and 3068. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3067

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR WASTEWATER TREATMENT PLANT SCREW PRESS AND NON-POTABLE WATER PUMP AND PRIMARY CLARIFIER COVERS AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3068

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING REGULATIONS FOR THE KEEPING OF MINIATURE GOATS IN SINGLE FAMILY RESIDENTIAL ZONES, AMENDING LMC 21.42.400(C) AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request. DATED this 26th day of June, 2014.

Published: June 26, 2014.

Lorenzo Hines Jr., Finance Director
EDH571241

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