

CHAPTER 25. ZONING.

DIVISION C. SINGLE RESIDENTIAL DWELLING DISTRICTS.

Article XIII. Single Family Residential (SF) Districts.

- § 25-131. Purpose.
- § 25-132. Permitted uses.
- § 25-132.1. Accessory buildings and uses.
- § 25-133. Uses permitted by Administrative Permit.
- § 25-134. Uses permitted by Special Use Permit.
- § 25-135. Prohibited uses.
- § 25-136. Lot area.
- § 25-137. Lot width.
- § 25-138. Yard and setback requirements.
- § 25-138.1. Public water required.
- § 25-139. Height limitations.
- § 25-139.1. Access to public streets.

D. Domestic Chickens.

The keeping of ~~no more than four (4)~~ chicken hens ~~shall~~ may be permitted by Administrative Permit provided:

1. Maximum number of chicken hens.

A. Lots containing less than two (2) acres shall be allowed to have no more than four (4) chicken hens and shall be accessory to a single-family dwelling. Chickens shall not be permitted on any parcel of land that is within five hundred (500) feet of any poultry house. Chickens shall only be raised for domestic purposes. No commercial on-site use on the property such as selling eggs or selling chickens for meat shall be allowed; or

B. Lots containing at least two (2) acres but less than five (5) acres shall be allowed to have no more than six (6) chicken hens per parcel and shall be accessory to a single-family dwelling. Chickens shall not be permitted on any parcel of land that is within five hundred (500) feet of any poultry house. Chickens shall only be raised for domestic purposes. No commercial on-site use on the property such as selling eggs or selling chickens for meat shall be allowed; or

C. Lots containing five (5) acres or more shall be allowed to have no more than twelve (12) chicken hens per parcel and shall be accessory to a single-family dwelling. Chickens shall not be permitted on any parcel of land that is within five hundred (500) feet of any poultry house. Chickens shall only be raised for domestic purposes. No commercial on-site use on the property such as selling eggs or selling chickens for meat shall be allowed.

~~No more than four (4) chicken hens shall be allowed per parcel and will be accessory to a single-family dwelling. Chickens shall not be permitted on any parcel of land that is within five hundred (500) feet of any poultry house. Chickens shall only be raised for domestic purposes. No commercial on-site use on the property such as selling eggs or selling chickens for meat shall be allowed.~~

~~1.2.~~ No roosters, capons, or crowing hens shall be allowed.; and

~~2.3.~~ There shall be no outside slaughtering of birds.; and

~~3.4.~~ All chicken hens must be kept at all times in an enclosed and covered, at a minimum with wire mesh, secure movable or stationary pen that contains at a minimum four (4) square feet of roost space per bird, with an additional five (5) square feet of run space per bird. The maximum total area of the coop and chicken enclosure shall not exceed one hundred fifty (150) square feet nor a height of ten feet (10'); and

~~4.5.~~ All coops and enclosed pens must be located behind the front building line of the principal structure and ~~may~~ shall not be erected, altered, located, reconstructed, or enlarged nearer than twenty-five feet (25') from any property lines or thirty-

five

feet (35') from any stream or any river and shall not be located in any storm water management area, flood plain, or Source Water Protection Area 1; and

5.6. All enclosed pens ~~must~~ shall be kept in a neat and sanitary condition at all times, and ~~must~~ shall be cleaned on a regular basis so as to prevent odors perceptible at the property boundaries; and

6.7. All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals; and

7.8. Provisions shall be made for the storage and removal of chicken litter and chicken waste (manure). Chicken litter and chicken waste shall not be disposed of by composting on-site, but shall be collected by a bona-fide litter service, or bagged and taken to the county landfill. In no case shall such chicken litter and chicken waste be allowed to create a nuisance or health hazard to adjoining property owners; and

9. Any dead bird shall be taken to the county landfill; and

8.10. Three (3) or more unexplained bird deaths within a 48-hour period shall be reported to the Virginia Department of Agriculture and Consumer Services; and

9.11. Persons wishing to keep chicken hens pursuant to this subsection ~~must~~ shall file an application with the Department of Community Development, which application shall include a sketch showing the area where the chickens will be housed and the types and size of enclosures in which the chickens shall be housed along with the fee for a Keeping of Poultry Permit. The sketch ~~must~~ shall show all dimensions and setbacks. As part of the application process all persons ~~must~~ shall complete the Virginia Livestock Premises Registration with the Virginia Office of Veterinary Services prior to the issuance of a permit. If the applicant is not the property owner, property owner consent is required; and.

10.12. Upon receipt of an application for a Keeping of Poultry Permit, the Director of the Community Development Department shall send by first class mail written notice of such application to all adjoining property owners as shown on the current real estate assessment books.

A. Action if objection received.

- i. If written objection is received from an adjoining property owner within twenty-one (21) days following the mailing of said notice, the application shall be denied, and the applicant advised that the keeping of chickens may be allowed only upon approval of a Special Use Permit by the board of zoning appeals.
- ii. If the Special Use Permit is granted by the board of zoning appeals, the keeping of chickens shall be permitted provided all terms and conditions of the Special Use Permit are satisfied.

B. Action if no objection received. If no written objection is received from an adjoining property owner within twenty-one (21) days following the mailing of said notice, the keeping of chickens may be permitted by a

Keeping of Poultry Permit.

C. In all cases, the permit to keep chickens is issued non-transferrable and does not run with the land.

~~11.~~13. Once the permit has been issued, the site and enclosures shall be inspected and approved by the Department of Community Development within thirty (30) days of construction of the pens; ~~and.~~

~~12.~~14. The permit applicant must be the owner of the property or must have and submit written consent of the owner of the property as part of the Keeping of Poultry Permit application to keep chickens on the property. Upon written notice of the property owner's withdrawal or cancellation or termination of such approval, the permit shall be revoked by the Director of Community Development; ~~and.~~

~~13.~~15. If the permit holder is convicted of any county or state code violation associated with the keeping of chickens, the permit shall be revoked; ~~and~~

~~14.~~16. In the event ~~of~~ the Department of Community Development receives and verifies three (3) substantial and credible complaints of a violation of any provision of this chapter and after notice given of such to the permit holder, the permit shall be revoked; ~~and~~

17. Upon revocation of the permit, chickens ~~must~~ shall be removed **within thirty (30) days** or be subject to removal. Any person(s) so having a permit revoked shall not be allowed, at any time, to make application for another permit for five years; ~~and~~

18. This ordinance shall not supersede restrictions by HOAs or deed restrictions.

(Ord. 2/22/17; Ord. 5/25/22; Ord. X/XX/XX)