

JUN 10 2014

Board of Supervisors
James City County, VA

ORDINANCE NO. 31A-292

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF JAMES CITY COUNTY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, BY ADDING SECTION 24-47, KEEPING OF CHICKENS IN RESIDENTIALLY ZONED AREAS; AND BY AMENDING ARTICLE V, DISTRICTS, DIVISION 3, LIMITED RESIDENTIAL DISTRICT ,R-1, SECTION 24-232, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, by adding Section 24-47, Keeping of chickens in residentially zoned areas; and by amending Article V, Districts, Division 3, Limited Residential District ,R-1, Section 24-232, Use list.

Chapter 24

ARTICLE II. SPECIAL REGULATIONS

DIVISION 1. IN GENERAL

Sec. 24-47. Keeping of chickens in residentially zoned areas.

Keeping and housing domestic chickens on residentially-zoned and occupied property shall be solely for purposes of household consumption and shall comply with the following requirements:

- (a) Chickens allowed pursuant to this section shall be kept and raised only for domestic purposes and no commercial activity such as selling eggs or selling chickens for meat shall be allowed. Commercial harvesting of chickens is not permitted.*
- (b) The maximum number of chickens permitted on a residential lot shall be two (2) hens per the first 5,000 square feet of lot area, and one additional bird for each additional 5,000 square feet of total lot area thereof. The total number of birds is not to exceed a maximum of twelve (12) hens.*
- (c) Chickens shall only be allowed on properties consisting of single family homes and which are on lots of at least 15,000 square feet in size.*
- (d) No roosters shall be allowed.*
- (e) Coops or cages and runs shall only be located in the rear yard area. The Zoning Administrator may grant an exception to this requirement in cases where due to unusual lot configuration, topography, or proximity of neighbors, another area of the yard is more suitable for such an activity.*


- (f) *Coops or cages and runs shall be situated at least five (5) feet from adjoining property lines and twenty-five (25) feet from any dwelling located on a property not owned by the applicant. On corner lots, all pens coops or cages shall be situated no closer than 35 feet from the side street.*
- (g) *Coops or cages and runs shall be located outside of Resource Protection Areas and any conservation easements dedicated to the County.*
- (h) *Coops or cages and runs shall be required, a portion of which shall be covered. Such coops, cages, and runs shall be enclosed with a minimum four (4) feet high chicken wire fence. All coops, cages, or runs shall provide at least three (3) square feet of area per bird.*
- (i) *Each property owner seeking to keep chickens shall file an application with the James City County zoning office. Such application shall be accompanied by a \$20.00 processing fee. The 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. The sketch must show all dimensions and setbacks. Upon review and determination that the proposed chicken-keeping complies with the standards set forth in this section, the zoning office shall issue a permit. Any permit that is found in violation or not in compliance with this section may be revoked.*

ARTICLE V. DISTRICTS

DIVISION 3. LIMITED RESIDENTIAL DISTRICT, R-1

Sec. 24-232. Use list.

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	<i>Keeping of chickens in accordance with Section 24-47</i>	P	



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:


M. Doug Powell
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	—	X	—
JONES	X	—	—
MCGLENNON	—	X	—
ONIZUK	X	—	—
HIPPLE	X	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of June, 2014.

ZO-7-13ChickKeep-ord