

SEP 09 2014

Board of Supervisors
James City County, VA

ORDINANCE NO. 31A-294

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION I, IN GENERAL, BY AMENDING SECTION 24-47, KEEPING OF CHICKENS IN RESIDENTIALLY ZONED AREAS.

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 Section 24-47, Keeping of chickens in residentially zoned areas.

Chapter 24

ARTICLE 11. SPECIAL REGULATIONS

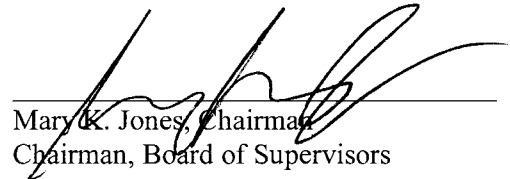
DIVISION 1. IN GENERAL

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 of 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) for 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 cages and runs shall be situated at least five (5) feet from adjoining property lines and twenty-five (25) feet from any dwelling 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, or 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 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 type and size of enclosure 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.
- (j) *Any more restrictive covenants dealing with the keeping of chickens shall supersede and control over the provisions of this section.*



 Mary K. Jones, Chairman
 Chairman, Board of Supervisors

ATTEST:



 Bryan J. Hill
 Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.