AGENDA
JAMES CITY COUNTY PLANNING COMMISSION
May 7, 2014 – 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. CONSENT AGENDA
   A. Minutes from the April 2, 2014 Regular Meeting
   B. Development Review Committee
      i. SUP-0014-2013, Lightfoot Marketplace
4. REPORTS OF THE COMMISSION
   A. Policy Committee
   B. Regional Issues Committee/Other Commission Reports
5. PUBLIC HEARINGS
   A. Case No. Z-0003-2013/MP-0001-2013, Rezoning and Master Plan amendment for Kingsmill
   B. Case No. SUP-0003-2014, Amerigas Propane Tank Installation
   C. Case No. ZO-0007-2013, Chicken Keeping in Residential Areas
   D. Case No. ZO-0008-2013, Accessory Apartments
   E. Case No. SUP-0002-2014, HRSD Microwave Tower – 300 Ron Springs Dr.
6. PLANNING COMMISSION CONSIDERATIONS
7. PLANNING DIRECTOR'S REPORT
8. COMMISSION DISCUSSIONS AND REQUESTS
9. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SECOND DAY OF APRIL, TWO-THOUSAND AND FOURTEEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners Present:
Rich Krapf
Chris Basic
Robin Bledsoe
George Drummond
John Wright, III
Heath Richardson

Staff Present:
Paul Holt, Planning Director
Jose Ribeiro

Planning Commissioners Absent:
Tim O'Connor

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Krapf opened the public comment.

There being none, Mr. Krapf closed the public comment.

3. CONSENT AGENDA

A. Minutes from March 5, 2014, Planning Commission meeting.

Mr. Krapf inquired if the Commissioners had any comments.

Mr. Chris Basic stated that the fourth comment on page six of the March 5, 2014, minutes should be corrected to read as evolved vs. abounded.

In a unanimous vote, the Commission approved the Consent Agenda 6-0; Mr. Tim O'Connor being absent.

4. REPORTS TO THE COMMISSION

A. Policy Committee

Ms. Robin Bledsoe reported that the Policy Committee met on March 13, 2014, with all members attending. There were 4 items on the agenda.

1. Case No. ZO-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens in Residentially Zoned Areas;
2. Case No. ZO-0008-2013, Accessory Apartments;
3. Longhill Corridor Study Update; and
4. Agricultural and Forestry Industries (AFID) Grant Update.

Due to time constraints, the agenda was rearranged to begin with the AFID update followed by the Longhill Corridor Study Update and closing with Zoning Ordinance discussions.

AFID UPDATE:
Ms. Leanne Pollock and Ms. Kate Sipes presented to the committee an update of the work completed to date by the Rural Economic Development Committee (REDC) and its consultant, ERM as well as the report: Assessment of Rural Economic Activity in James City County. Also included in the update was a list of possible actions and projects to promote rural economic development efforts. Next steps will include further meetings to discuss project and priorities as well as a spring workshop to include stakeholders. Pertinent results will also be incorporated into the 2035 Comprehensive Plan.

LONGHILL CORRIDOR STUDY UPDATE:
Ms. Ellen Cook and Mr. Carroll Collins of Kimley Horn and Associates presented an update on the Longhill Corridor Study as well as visual representations of proposed road segments as well as the various treatments of intersections from signal lights to roundabouts. Plans will be further refined and a final public meeting is currently planned for May 8, 2014.

Case No. ZO-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens:
Mr. Scott Whyte presented 2 draft ordinances for policy committee consideration with the primary difference in lot size minimum of 1 acre vs. 1/3 acre in the R-1 district only. Both ordinances were reviewed and recommendations were made to staff for the next draft. There was additional discussion regarding the impact of residential lot keeping and concerns with potential conflicts regarding the dispatch of canines in the event they are found to be a threat to chicken coops.

Due to time constraints, the accessory apartment draft ordinance was not reviewed or discussed and the Policy Committee will review this and the draft amendment for the Keeping of Chickens at its next regularly scheduled meeting.

B. <u>Regional Issues Committee</u>

Ms. Bledsoe stated that the Regional Issues Committee did not meet in March.

5. <u>PUBLIC HEARING CASES</u>

A. <u>Case Nos. Z-0003-2013/MP-0001-2013. Rezoning and Master Plan Amendment for Kingsmill</u>

Mr. Jose Ribeiro, Senior Planner II, addressed the Planning Commission giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf stated that the public hearing has remained opened from the March 5, 2014 Planning Commission meeting and inquired if anyone would like to comment.

There being none, Mr. Krapf stated that the public hearing would remain open until May, 7, 2014, meeting.

6. PLANNING COMMISSION CONSIDERATIONS

Mr. Krapf stated that Mr. O'Connor would be covering the Board of Supervisors meeting for the month of April.

7. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that James City County had launched the 2035 Comprehensive Plan Review to inform citizens and provide an opportunity for them to participate in this important process. He stated that the website includes video, information related to the plan, review timeline, and upcoming opportunities for involvement.

Mr. Basic stated that Ms. Leanne Pollock and Ms. Christy Parrish were invited to speak at one of the local organizations and they were pleased by their presentation.

8. COMMISSION DISCUSSION AND REQUESTS

There being none, Mr. Krapf moved to the next item on the Agenda.

9. ADJOURNMENT

Ms. Bledsoe moved to adjourn the meeting.

The meeting was adjourned at approximately 7:09 p.m.

_____ _____

Richard Krapf, Chairman Paul D. Holt, III, Secretary

REZONING–0003-2013/MASTER PLAN-0001-2013. Kingsmill Rezoning and Master Plan Amendment (Land Bay Area 8). Staff Report for the May 7, 2014, Planning Commission Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS	**Building F Board Room; County Government Complex**
Planning Commission:	March 05, 2014, 7:00 p.m. (deferred)
Planning Commission	April 02, 2014, 7:00 p.m. (deferred)
Planning Commission:	May 07, 2014, 7:00 p.m.
Board of Supervisors:	June 10, 2014, 7:00 p.m. (tentative)

SUMMARY FACTS

Applicant:	Mr. Vernon Geddy, III, of Geddy, Harris, Franck & Hickman, L.L.P.
Land Owners:	Xanterra Kingsmill, LLC
Proposal:	The application requests a rezoning of this property from R-4, Residential Planned Community, to R-4, with proffers and to amend the master plan land use designation for the 18 dwelling units (The Cottages on the James) from "resort" to "residential B"
Tax Map Parcel No.	5040100010
Location:	1010 Kingsmill Road
Total Acreage:	± 3.00 acres
Existing Zoning:	R-4, Residential Planned Community
Proposed Zoning:	R-4, Residential Planned Community, with proffers
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with the Kingsmill master plan and consistent with the 2009 Comprehensive Plan Land Use Map and Zoning Ordinance. Staff notes that this proposal does not meet the Adequate Public School Facilities test adopted by the Board of Supervisors for both Berkely M.S. and Jamestown H.S. However, proffers have been submitted to mitigate expected impacts to the school system and to provide for diverse housing opportunities. Staff therefore recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report and acceptance of the voluntary proffers.

Staff Contact: Jose-Ricardo L. Ribeiro, Planner III Phone: 253-6890

Proffers:
Proffers are signed and submitted in accordance with the James City County Proffer Policy.

Cash Proffer Summary	
Use	**Amount**
Water	Not applicable*
Recreation	Not applicable**
School Facilities	$19,528.22 per dwelling unit (single-family detached)
Library Facilities	$61.00 per dwelling unit
Fire/EMS Facilities	$71.00 per dwelling unit
Total Amount per Unit (in 2014 dollars)	$19,660.22 per dwelling unit (single-family detached)
Total Amount (in 2014 dollars)	**$ 353,883.96**

** Not applicable as the public drinking water infrastructure would be owned and operated by Newport News Water Works (NNWW). ** Not applicable as the rezoning/master plan amendment request is required only in order to change the ownership of the 18 dwelling units. The physical development of these units has been previously approved through the site plan review process.*

Changes made since the March 5, 2014, Planning Commission meeting

On March 18, 2014, the applicant withdrew the portions of this application dealing with land bay areas 1, 2, 5, 6 & 7. The rezoning portion of the request is the rezoning and master plan designation change for the 18 dwelling units in land bay 8 from "resort" to "residential B." A revised master plan and fiscal impact analysis for the 18 units has been submitted for review (attachment Nos. 2 and 3). The applicant has also submitted proffers (attachment No. 4) to comply with the Board of Supervisor's adopted Housing Opportunities Policy and the School Cash Proffer Policy. The applicant has stated they will resubmit applications for the other areas as part of a future request.

Master Plan

During the March 5, Planning Commission meeting, citizens expressed concern that language found within the recorded Declaration of Covenants for Kingsmill was in conflict with Xanterra's proposal to develop additional areas in Kingsmill. Ms. Elizabeth White, of Leclair Ryan, representing the Kingsmill Community Services Association ("KCSA") addresses this and other private contractual issues in a letter dated April 11, 2014, (attachment No.5). The County Attorney has received a copy of the letter and has reiterated these are private contractual issues and that the rezoning/master plan amendment may be considered.

Density

Staff notes that questions regarding Kingsmill's density limits were also raised during the March 5 Planning Commission meeting. The applicant previously indicated that the master plan for Kingsmill was approved with a maximum residential density of 4,600 dwelling units. The last amendment to the Kingsmill's master pan (MP-0001-1986) which was approved by the Board of Supervisors on May 5 1986 did not place a residential density limit nor provided an approved number of dwelling units on Kingsmill. The maximum residential density of 4,600 dwelling units is based on a gross density calculation of two dwelling units per acre, as allowed under current R-4 zoning regulations, rather than on a binding approved master plan. As there are currently ± 2,354 existing dwelling units in Kingsmill, staff finds it is not likely that the development will approach current ordinance-based density limits.

PROJECT DESCRIPTION

Mr. Vernon Geddy III has applied to rezone a ±3-acre parcel within Kingsmill from R-4, Residential Planned Community, to R-4, with proffers, and to amend the master plan land use designation of 18 dwelling units (The Cottages on the James) from "resort" to "residential B". Development of the property

subject to this application was approved administratively on May 10, 2013, through the site plan review process, as development of the 18 units did not require legislative review as limited term dwelling units under the control of the Kingsmill Resort. The change in the master plan designation, if approved, from "resort" to "residential" would allow these units to be sold fee-simple and would remove time restrictions in place for these units which currently allows for a maximum of 60 days of occupancy. The rezoning of the property from R-4, Residential Planned Community, to R-4, with proffers, is necessary, as these units are likely to be occupied by permanent residents, therefore, impacting the public school system and placing additional demands on other public facilities.

PUBLIC IMPACTS

Archaeological Impacts

Staff Comments: Development of the 18 dwelling units (five units have already received Temporary Certificates of Occupancy) was approved as James City County Site Plan No. SP-0096-2011. The site plan received final approval by the Planning Division and other agencies (Fire Department, Engineering and Resource Protection, Division, JCSA, etc.) on May 10, 2013. As infrastructure (e.g. roads, utilities, etc.) has already been constructed and land disturbing, including grading for the majority of the subject property has already taken place, and the property was previously developed for use as part of a par-3 golf course, staff finds that additional archaeological work would not be warranted.

Engineering and Resource Protection

Watershed: College Creek

Staff Comments: The Engineering and Resource Protection staff previously reviewed and approved the site plan for the 18 dwelling units. This rezoning/master plan application does not propose any physical changes or new construction to the layout nor does it request changes to the environmental protections incorporated into the approved site plan. Therefore no further evaluation from ERP staff is required.

Public Utilities

The property is served by public water and sewer.

Staff Comments: JCSA staff has previously reviewed and approved the site plan for the 18 dwelling units. This rezoning/master plan application does not propose any changes to the layout and/or water infrastructure of the approved site plan and therefore no further evaluation from JCSA staff is required.

Transportation

All 18 dwelling units are situated along the James River and vehicular access to the remaining areas of the subdivision/resort is through a private road (i.e., Mansfield Circle). The Zoning Ordinance requires a ratio of 2 parking spaces per each single-family unit. The approved site plan for the 18 dwelling units showed a total of 34 parking spaces. The previous site plan was approved with a shared parking agreement with the resort. The applicant has stated the shared parking agreement will remain in place. Staff finds that since the units have already been approved, a Traffic Impact Analysis is not warranted for the development of these units.

Fiscal

The applicant submitted a fiscal impact analysis for this project using the County's fiscal impact worksheet. The analysis indicates a positive fiscal impact of $39,722 at build out. This positive fiscal impact conclusion is likely due to the high market value expected for the proposed dwelling units. According to the analysis, each of the18 units is expected to be sold at an average price of $900,000.

Staff Comments: The Director of Financial and Management Services reviewed the above fiscal impact analyses and concurs with its conclusions and noted that the fiscal impact analysis may have overestimated public school enrollment and costs.

Schools and Housing

School Cash Proffer Policy. Staff notes that this application is subject to the Cash Proffer Policy for Schools adopted by the Board of Supervisors on 2007. The Policy is designed to mitigate the potential impacts of 18 new dwelling units (which are expected to generate approximately 7.2 new students) to the local school system. Below are the adjusted per single-family detached unit school proffer amounts for 2014:

- Single-Family Detached contribution: $19,528.22

With 18 dwelling units proposed, the school cash proffer contribution for these units would total $351,507.96. The applicant has proffered compliance with the Cash Proffer Policy for Schools and therefore staff finds the proposal meets the Board's adopted policy.

Housing Opportunity Policy. Staff also notes this application is subject to the Housing Opportunities Policy, adopted by the Board of Supervisors on November 27, 2012. According to the policy at least 20 percent of a development's proposed new dwelling units should be offered for sale or made available for rent at prices that are targeted at households earning 30 to 120 percent of Area Median income (AMI). The table below illustrates the policy's income ranges and percentages and how it relates to this application.

Units targeted to (percent of AMI)	Price range (Minimum-Maximum-2013)	Minimum percent of the development's proposed dwelling units expected (%)	Number of units subject to policy
30 percent-60 percent	$99,876-$174,256	8	1.44 units (2 units)*
Over 60 percent-80	$174,257-$243,462	7	1.26 units (1 unit)*
Over 80 percent-120 percent	$243,463-$381,991	5	0.9 units (1 unit)*
Total		**20**	**3.6 units (4 units)***

**Rounded up number*

Staff notes that the 18 dwelling units are proposed to be sold at a market price which does not fall within the price ranges as specified above by the policy. Therefore the applicant has agreed to provide four (4) affordable/workforce dwelling units elsewhere in areas designated as residential within Kingsmill (either by building new units or by placing deed restrictions on existing units) which would guarantee these units would be either sold or rented in accordance with the policy's minimum and maximum price range. The Housing Opportunity Policy was created to increase the number and availability of affordable housing throughout the County. Staff finds that the provision of the 4 affordable dwelling units, as proposed by the applicant, to be acceptable and that it meets the intent of the Housing Opportunity Policy.

Public Facilities

This project is located within the James River Elementary School, Berkeley Middle School and Jamestown High School districts. Per the adequate public school facilities test adopted by the Board of Supervisors on June 23, 1998, all special use permit or rezoning applications should meet the test for adequate public school facilities. The test adopted by the Board uses the design capacity of a school,

while the Williamsburg - James City County schools recognize the effective capacity as the means of determining student capacities. A total of approximately 7.2 students are expected to be generated by this proposal. As shown in the table below, Berkeley M.S. and Jamestown H.S. are currently over capacity.

School	Effective Capacity (Sept.2010)	Enrollment (2013)	Projected Students Generated by Proposal	Enrollment + Projected Students
James River	580	512	3.24 students (3)**	515
Berkeley	829	902	1.62 students (2)**	904
Jamestown	1,208	1,263	2.34 students (2)**	1,265

** Note - The WJCC School System no longer lists or uses design capacity in its documents.*
*** Rounded up number*

COMPREHENSIVE PLAN

The 2009 Comprehensive Plan Land Use Map designates the areas subject to this master plan amendment/rezoning application as Low Density Residential. In areas designated for Low Density Residential, a gross density of up to 1.0 dwelling unit is recommended, depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwelling units proposed, and the degree to which the development is consistent with the Comprehensive Plan. With an overall gross density of ±1 unit per acre (this density calculation includes the entire Kingsmill subdivision/resort area), the proposed development falls within the allowable density established by the Comprehensive Plan. The plan also notes that particular attention should be given to addressing such impacts as incompatible development intensity and design, building height and scale, land uses, smoke, noise, dust, odor, vibration, light, and traffic. With the proposed proffers that are provided to mitigate impacts, staff does not expect any such impacts associated with the development of the 18 dwelling units, particularly given its location in the resort area.

RECOMMENDATION

Staff finds the proposal to be compatible with the Kingsmill master plan and consistent with the 2009 Comprehensive Plan Land Use Map and Zoning Ordinance. Staff notes that this proposal does not meet the Adequate Public School Facilities test adopted by the Board of Supervisors for both Berkely M.S. and Jamestown H.S. However, proffers have been submitted to mitigate expected impacts to the school system and to provide for diverse housing opportunities. Staff therefore recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report and acceptance of the voluntary proffers.

Jose-Ricardo L. Ribeiro

ATTACHMENTS:

1. Location Map
2. Master Plan
3. Fiscal Impact Analysis Worksheet and Assumptions
4. Proffers
5. Letter from Ms. Elizabeth White representing the Kingsmill Community Services Association

JCC-Z-0003-2013/MP-0001-2013
The Cottages on the James

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PLANNING DIVISION
APR 11 2014
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Version 12.6.12

James City County VIRGINIA Jamestown 1607

Please make sure to use the accompanying Excel Spreadsheet to calculate the numbers below.

FISCAL IMPACT WORKSHEET AND ASSUMPTIONS

Please complete all *applicable* sections. Please use the provided spreadsheet to perform calculations. If space provided is insufficient, please feel free to include additional pages. If you have any questions please contact the Planning Office at (757) 253-6685 or planning@jamescitycountyva.gov

1a) PROPOSAL NAME - Kingsmill Resort Development. LLC Zoning and Master Plan Amendment

1b) Does this project propose residential units? Yes__X___ No _____ (if no, skip Sec. 2)

1c) Does this project include commercial or industrial uses? Yes___No_X (If no, skip Sec. 3)

Fiscal Impact Worksheet Section 2: Residential Developments

2a) TOTAL NEW DWELLING UNITS. Please indicate the total number of each type of proposed dwelling unit. Then, *add* the total number of new dwelling units.

Single Family Detached	18	Apartment	
Townhome/Condominium/Single Family Attached		Manufactured Home	
Total Dwelling Units			

Are any units affordable? Yes_____ No_____ (If yes, how many?)_____

Residential Expenses – School Expenses

2b) TOTAL NEW STUDENTS GENERATED. *Multiply* the number of each type of proposed unit from (2a) its corresponding Student Generation Rate below. Then, *add* the total number of students generated by the proposal.

Unit Type	Number of Proposed Units (from 2a)	Student Generation Rate	Students Generated
Single Family Detached	18	0.40	7.2
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total			

2c). TOTAL SCHOOL EXPENSES. *Multiply* the total number of students generated from (2b) by the Per-Student Total Expenses below.

Total Students Generated	Per-Student Operating Expenses	Per-Student Capital Expenses	**Per-Student Total Expenses**	**Total School Expenses**
7.2	$5920.16	$2176.06	**$8096.22**	$58,292.78

Residential Expenses - Non-School Expenses

2d) TOTAL POPULATION GENERATED. *Multiply* the number of proposed units from (2a) and multiply by the Average Household Size number below.

Total Units Proposed	**Average Household Size**	**Total Population Generated**
18	**2.19**	**39.42**

2e) TOTAL NON-SCHOOL EXPENSES. *Multiply* the population generated from (2d) by the Per-Capita Non-School Expenses below.

Total Population Generated	**Per-Capita Non-School Expenses**	**Total Non-School Expenses**
39.42	**$640.98**	$25,267.43

2f) TOTAL RESIDENTIAL EXPENSES. *Add* school expenses from (2c) and non-school expenses (2e) to determine total residential expenses.

Total School Expenses	**Non-School Expenses**	**Total Residential Expenses**
$58,292.78	$25,267.43	$83,560.22

Residential Revenues

2g) TOTAL REAL ESTATE EXPECTED MARKET VALUE. Write the number of each type of units proposed from (2a). Then *determine the average* expected market value for each type of unit. Then, *multiply* the number of unit proposed by their average expected market value. Finally, *add* the total expected market value of the proposed units.

Unit Type:	**Number of Units:**	**Average Expected Market Value:**	**Total Expected Market Value:**
Single Family Detached	18	$900,000	$16,200,000
Townhome/Condo/Multifamily		$	$
Total:		N/A	$

2h) TOTAL REAL ESTATE TAXES PAID. *Multiply* the total market value from (2g) by the real estate tax rate blow.

Total Market Value	**Real Estate Tax Rate**	**Total Real Estate Taxes Paid**
$16,200,000.00	**0.0077**	$124,740.00

2i) TOTAL PERSONAL PROPERTY TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Taxes Paid
$124,740.00	**0.15**	$18,711.00

2j) TOTAL SALES & MEALS TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the sales and meals tax average below:

Real Estate Tax Paid	Sales and Meals Tax Average	Total Sales & Meals Taxes Paid
$124,740.00	**.09**	$11,226.60

2k) TOTAL CONSERVATION EASEMENT TAXES PAID. If the proposal contains a conservation easement, *multiply* the size of the proposed conservation easement by the conservation easement assessment rate.

Proposed Conservation Easement Size	Assessment Rate	Conservation Easement Taxes Paid
	$2000/acre (prorated)	$

2l) TOTAL HOA TAXES PAID. If the HOA will own any property that will be rented to non-HOA members, *multiply* the expected assessed value of those rentable facilities by the real estate tax rate below.

HOA Property Type	Total Assessed Value	Real Estate Tax Rate	Total HOA Taxes Paid
		.0077	$

2m) TOTAL RESIDENTIAL REVENUES. *Add* all residential taxes paid to the County from (2h) through (2l).

Total Residential Revenues	$154,677.60

2n) RESIDENTIAL FISCAL IMPACT. Subtract total residential revenues (2m) from total residential expenses (2f).

Total Residential Expenses	Total Residential Revenues	Total Residential Fiscal Impact
$83,560.22	**$154,677.60**	$71,117.38

Fiscal Impact Analysis Worksheet Section 3: Commercial and Industrial Developments

Commercial and Industrial Expenses

3a) TOTAL NEW BUSINESSES. How many new businesses are proposed? _____ (include all businesses that will rent or lease space at the location as part of the proposal, including probable tenants of an office park or strip mall).

3b) TOTAL COMMERCIAL EXPENSES. *Multiply* the total business real estate expected assessment value from (3c) below by the Commercial Expenses Rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
$1	**0.0045**	**$**

Commercial & Industrial Revenues

3c) TOTAL REAL ESTATE EXPECTED ASSESSMENT VALUE. E*stimate* the expected real estate assessment value, at buildout, of all proposed commercial element properties below.

Proposed Business Properties (by use and location)	Expected Assessment Value
Total:	$

3d) TOTAL REAL ESTATE TAXES PAID. *Multiply* the total expected market property value from (3c) by the real estate tax rate below.

Expected Market Value	Real Estate Tax Rate	Real Estate Taxes Paid
	0.0077	$

3e) TOTAL BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each proposed commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Proposed Business Name	Total Business Capitalization	Personal Property Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	$

3f) TOTAL BUSINESS MACHINERY AND TOOLS TAXES PAID. If any manufacturing is proposed, *multiply* the total business capitalization for each proposed manufacturing element by the business machinery and tools tax rate below. Then, *add* the machinery and tools tax paid.

Proposed Business Name	Total Business Capitalization	Machinery and Tools Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
Total:		N/A	$

3g) TOTAL SALES TAXES PAID. *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel room sales for proposal's commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Tax Type	Projected Gross Sales	Sales Tax Rates	Sales Taxes Paid
Retail Sales		**0.01 of Gross Retail Sales**	
Prepared Meals		**0.04 of Prepared Sales**	
Hotel, Motel		**0.02 of Gross Sales***	
Total:	**N/A**	**N/A**	$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

3h) TOTAL BUSINESS LICENSES FEES PAID. Estimate each business element's total gross sales. *Multiply* each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid.

Proposed Busines Name(s)	Business Type* (see exhibit sheet)	Projected Total Gross Sales	Business License Rate	Annual Business License Fees Paid
	Professional Services		**0.0058**	
	Retail Services		**0.0020**	
	Contractors		**0.0016**	
	Wholesalers		**0.0005**	
	Exempt*		**No fee due**	
	Other Services		**0.0036**	
	Total	N/A	N/A	$

3i) TOTAL COMMERCIAL AND INDUSTRIAL REVENUES. *Add* the total taxes and fees paid by all of the business elements from (3d) through (3h).

Total Commercial and Industrial Revenues	$

3j) COMMERCIAL FISCAL IMPACT. *Subtract* total commercial and industrial revenues (3i) from total commercial and industrial expenses (3b).

Total Commercial Expenses	Total Commercial Revenues	Total Commercial Fiscal Impact
		$

3k) TOTAL PROPOSED FISCAL IMPACT. *Add* residential fiscal impacts (2n) and commercial fiscal impacts (3j).

Residential Fiscal Impact	Commercial Fiscal Impact	Total Proposed Fiscal Impact
$71,117.38		$71,117.38

Fiscal Impact Analysis Worksheet Section 4: Current Land Use

Current Residential Use (If there are no existing residential units, skip to (4g)).

4a) TOTAL CURRENT DWELLING UNITS. Please indicate the total number of each type of existing dwelling unit. Then, *add* the total number of existing dwelling units.

Single Family Detached	0	Apartment	
Townhome/Condominium/Single Family Attached		Manufactured Home	
Total Dwelling Units			

Residential Expenses - School Expenses

4b) TOTAL CURRENT STUDENTS. *Multiply* the number of existing units from (4a) by its corresponding Student Generation Rate below. Then, *add* the total number of existing students.

Unit Type	Number of Existing Units	Student Generation Rate	Existing Students
Single Family Detached		0.40	
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total		**N/A**	

4c) TOTAL CURRENT SCHOOL EXPENSES. *Multiply* the total number of current students from (4b) by the per-student school cost below.

Number of Existing Students	Per-Student School Cost	Current School Expenses
	$8096.22	$

Residential Expenses - Non-School Expenses

4d) TOTAL CURRENT POPULATION. *Multiply* the total number of existing units from (4a) by average household size below.

Total Existing Units	Average Household Size	Total Current Population
	2.19	**$**

4e) TOTAL CURRENT NON-SCHOOL EXPENSES. *Multiply* the current population from (4d) by per-capita non-school expenses below.

Total Current Population	Per-Capita Non-School Expenses	Current Non-School Expenses
	$640.98	**$**

4f) TOTAL RESIDENTIAL EXPENSES. *Add* school expenses from (4c) and non-school expenses from (4e).

School Expenses	Non-School Expenses	Residential Expenses
$	$	$

Residential Revenues

4g) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each residential property included in the proposal on the Parcel Viewer at http://property.jccegov.com/parcelviewer/Search.aspx . *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Property Address and Description	Assessment Value
Parcel ID 504010010	$3,288,100
	$
	$
Total:	$3,288,100

4h) TOTAL CURRENT REAL ESTATE TAXES PAID. *Multiply* the total assessment value from (4g) by the real estate tax rate below.

Total Assessment Value	Real Estate Tax Rate	Real Estate Taxes Paid
3,288,1000	**.0077**	$25,318.37

4i) TOTAL CURRENT PERSONAL PROPERTY TAXES PAID. *Multiply* total real estate taxes paid from (4h) by the personal property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Paid
$25,318.37	**0.15**	$3,797.76

4j) TOTAL CURRENT SALES AND MEALS TAXES PAID. *Multiply* the total real estate taxes paid from (4h) by the sales and meals tax average below.

Real Estate Tax Paid	Sales and Meals Tax Average	Average Excise Tax Paid
25,318.37	**.09**	$

4k) TOTAL CURRENT RESIDENTIAL REVENUES. *Add* all current residential taxes paid to the County from (4h) through (4j).

Total Current Residential Revenues	$31,394.78

4l) CURRENT RESIDENTIAL FISCAL IMPACT. *Subtract* total residential revenues (4k) from total residential expenses (4f).

Total Residential Expenses	Total Residential Revenues	Total Residential Fiscal Impact
0	**31,394.78**	$31,394.78

4m) FINAL RESIDENTIAL FISCAL IMPACT. *Subtract* current residential fiscal impact from (4l) from proposed residential fiscal impact from (2n).

Proposed Residential Impact	Current Residential Impact	Final Residential Fiscal Impact
$71,117.39	**$31,394.78**	$39,722.61

Current Commercial Use

Current Commercial Expenses (if there are no current businesses or commercial properties, skip to (5k).

5a) TOTAL CURRENT BUSINESSES. How many businesses exist on the proposal properties? _____ (include all businesses that rent or lease space at the location).

5b) TOTAL CURRENT COMMERCIAL EXPENSES. *Multiply* the current number of businesses operating on the proposal properties by the per-business expense rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
	0.0045	**$**

Current Commercial Revenues

5c) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each commercial property included in the proposal on the Parcel Viewer at http://property.jccegov.com/parcelviewer/Search.aspx . *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Addresses	Assessment Value	Real Estate Tax Rate	Real Estate Tax Paid
		.0077	
		.0077	
Total:			$

5d) TOTAL CURRENT BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each current commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Current Business	Total Business Capitalization	Personal Property Tax Rate	Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	$

5e) TOTAL CURRENT MACHINERY AND TOOLS TAX PAID. If any manufacturing exists, *multiply* the total capitalization for manufacturing equipment by the business machinery and tools tax rate below.

Current Business	Total Business Capitalization	Personal Property Tax Rate	Machinery and Tools Tax Paid
		0.01	**$**

5f) TOTAL CURRENT SALES TAXES PAID. *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel sales for existing commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Activity	Projected Gross Sales	Tax Rate	Sales Taxes Paid
Retail Sales		**0.01 of Gross Retail Sales**	
Prepared Meals		**0.04 of Prepared Sales**	
Hotel, Motel		**0.02 of Gross Sales***	
Total:	**N/A**	**N/A**	$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

5g) TOTAL CURRENT BUSINESS LICENSES FEES PAID. *Estimate* each current business element's total gross sales. Then, *multiply* each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid. Then, *add* the total business license fees paid.

Business Type	Gross Sales	Business License Rate	Annual Business License Fees Paid
Professional Services		**$0.0058**	
Retail Sales		**$0.0020**	
Contractors		**$0.0016**	
Wholesalers		**$0.0005**	
Manufacturers		**No tax**	
Other Services		**$0.0036**	
Total:	N/A	N/A	$

5h) TOTAL CURRENT COMMERCIAL REVENUES. *Add* all current commercial revenues paid by existing businesses from (5c) through (5g).

Total Current Commercial Revenues	$

5i) CURRENT COMMERCIAL FISCAL IMPACT. *Subtract* total commercial revenues (5h) from total residential expenses (5b).

Total Commercial Expenses	Total Commercial Revenues	Total Commercial Fiscal Impact
		$

5j) FINAL COMMERCIAL FISCAL IMPACT. *Subtract* current commercial fiscal impact from (5i) from proposed commercial fiscal impact from (3j).

Proposed Commercial Impact	Current Commercial Impact	Final Commercial Fiscal Impact
		$

5k) FINAL FISCAL IMPACT. *Subtract* the final commercial fiscal impact from (5i) from final residential fiscal impact from (4m).

Final Residential Impact	Final Commercial Impact	Final Fiscal Impact
$39,722.61	**0**	$39,722.61

Fiscal Impact Worksheet Section 6: Phasing

Residential Phasing

6a) *Copy and paste* the residential phasing template from the accompanying Excel sheet to the page below.

Total Units Proposed 18

	Year 1	Year 2	Year 3	Year 4	Year 5	Buildout
Homes Built	5	7	6	0	0	18
Total Res Exp	$ 83,560.22	$ 83,560.22	$ 83,560.22	$ 83,560.22	$ 83,560.22	
Per Unit Exp	$ 4,642.23	$ 4,642.23	$ 4,642.23	$ 4,642.23	$ 4,642.23	$ 4,642.23
Total Res Exp	$ 23,211.17	$ 32,495.64	$ 27,853.41	$ -	$ -	$ 83,560.22
Total Res Rev	$ 154,677.60	$ 154,677.60	$ 154,677.60	$ 154,677.60	$ 154,677.60	
Per Unit Rev	$ 8,593.20	$ 8,593.20	$ 8,593.20	$ 8,593.20	$ 8,593.20	$ 8,593.20
Total Res Rev	$ 42,966.00	$ 42,966.00	$ 42,966.00	$ 42,966.00	$ 42,966.00	$ 214,830.00
Per Unit Impact	$ (3,950.97)	$ (3,950.97)	$ (3,950.97)	$ (3,950.97)	$ (3,950.97)	$ (3,950.97)
Res Impact	$ (11,034.06)	$ (26,481.74)	$ (39,722.61)	$ (39,722.61)	$ (39,722.61)	$ 39,722.61

Commercial Phasing

6b) *Copy and paste* the commercial phasing template from the accompanying Excel sheet to the page below.

Final Phasing Projections

6c) *Copy and paste* the final phasing projection from the accompanying Excel sheet to the page below.

Fiscal Impact Worksheet Section 7: Employment

7a) *Copy and paste* the employment projections from the accompanying Excel sheet to the page below.

DEFINITIONS AND ASSUMPTIONS

Apartment – A building used, or intended to be used as the residence of three or more families living independently of each other. Tenants have no equity in the dwelling.

Assessment Value – Assessment value is assumed to be within 1% of market value. Market value drives assessment value.

Buildout – All data and assumptions reflect the fiscal impact of the proposal at buildout.

Commercial Expense Rate – The commercial expense rate uses the proportional valuation method (see below) to determine individual business expenses. Under that method, businesses are collectively responsible for contributing 15% of the non-school budget ($ 10,391,694). Dividing this portion of the budget by the total commercial real estate in the County ($2,060,690,000) gives a commercial expense rate of 0.0045. This rate assumes that the costs of providing County services to a business are directly correlated with that business's property assessment. This assumes more valuable properties have generally more intense uses, incurring greater County expenses.

Condominium – A building, or group of buildings, in which units are owned individually and the structure, common areas and common facilities are owned by all the owners on a proportional, undivided basis.

Contractor - Any person, firm or corporation accepting or offering to accept orders or contracts for doing any work on or in any building or structure, any paving, curbing or other work on sidewalks, streets, alleys, or highways, any excavation of earth, rock, or other materials, any construction of sewers, and any installation of interior building components.

Direct Impact – The worksheet only calculates direct financial impacts on the County budget. The worksheet is only one of many development management tools, and, as such, does not make a determination whether any type of development "should" happen based solely on that proposal's fiscal impact. The tool is not designed to measure non-budget impacts, such as increased traffic, or non-budget benefits, such as forwarding the goals of the Comprehensive Plan. Costs incurred by other entities, such as other localities or the State, remain uncounted.

Dwelling – Any structure which is designed for use for residential purposes, except hotels, motels, boardinghouses, lodging houses, and tourist cabins.

Exempt – Certain types of business activities or products are exempted from annual County business licenses. These include manufacturers, insurance agencies, apartment complexes, and gasoline sales.

Fees & Licenses – All fees collected by the County, including business & professional licenses, planning fees, building permit fees, stormwater fees, environmental inspection fees, septic tank fees, dog licenses, and motor vehicle licenses, are deducted from the per-capita and per-business budgetary costs of each department that collects them.

Fiscal Impact Analysis – The County has created a set of standardized data and assumptions to streamline both the creation and review of fiscal impact studies. The County had no itemized list of questions for fiscal impact study creators to answer, resulting in portions of fiscal impact studies with no bearing on the County's budgetary bottom line. The guesswork is removed from the creation of these documents. The data used by fiscal impact study authors also came from myriad sources, often within the County, which were difficult to verify. The fiscal impact worksheet allows consistency across multiple fiscal impact studies.

Fiscal Impact Worksheet – The worksheet helps the applicant present relevant data to the County, using data verified by the County. The worksheet provides consistency across all fiscal impact analyses.

Non-School Expenses – Non-school expenses include all FY10 non-school budget spending. Non-school expenses are calculated using the Proportional Variation method. Using the Proportional Variation method, residents and businesses are assumed to be responsible for differing percentages of the County's non-school spending.

Manufacturing – Assembly of components, pieces, or subassemblies, or the process of converting raw, unfinished materials into different products, substances, or purposes.

Market Value – Market value is assumed to be within 1% of assessment value. Market value drives assessment value.

Manufactured Home – A manufactured home is a structure not meeting the specifications or requirements or a manufactured home, designed for transportation, after fabrication. The only manufactured homes counted in the Student Generation figure are those in designated manufactured home parks. Manufactured homes on individual lots are indistinguishable from single-family detached dwellings for the purposes of the worksheet.

Phasing – All residential developments are assumed to have an absorption rate of 20% per annum. All commercial development are assumed to have an absorption rate of 20% per annum. The date stamp Year 1 in the phasing template represents 365 days after Board of Supervisors approval.

Professional Services - Work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, dentistry, medicine, optometry, pharmacy or professional engineering. Professional services shall also include the services of an economist procured by the State Corporation Commission.

Proportional Valuation Impact – Proportional valuation impact assumes that a proposed residential or commercial project's fiscal impact is proportional to the percentage of the total tax base that is either residential or commercial.

James City's proportional valuation is calculated using the County's Real Estate Mapping GIS program. The program calculated a aggregate property assessment value of $13,763,228,800 for the entire County. The program calculated an aggregate commercial and industrial assessment value of $2,060,690,000. Dividing the commercial value by the total value shows that commercial and industrial properties compose 15% of the total property tax base, and are responsible for 15% of County non-school expenses. This results in residential development being responsible for Schools impacts and 85% of non-school County operations. The proportional valuation method does not factor other assorted residential and commercial taxes, fees, and licenses into account. As 15% of the tax base, businesses contribute 15% for all County non-school expenses. As 85% of the tax base, residents contribute 85% for all County non-school expenses.

Furthermore, individual business expenses to the County are calculated using the proportional valuation impact method. (See Commercial Expense Rate)

Per-Business Expense Rate – The per-business expense rate assumes that the County incurs non-school expenses equal to 0.04% of the commercial real estate assessment of any given business.

Per Capita Evaluation Method – This worksheet uses the Per Capita Evaluation method to assign per-capita and per-business costs to non-school expenses. This method assumes that current per-capita and per-business expenditures and service levels are consistent with future per-capita and per-business expenditures and service levels.

Per Capita – Per capita calculations divide each department's spending, minus fees and State contributions, by the current County population. This number excludes institutional residents in detention at correctional facilities and mental institutions. Total population is determined from James City County Planning Division figures.

JCC Population 2010	Dwelling Units 2010
66048*	30221**

*US Census 2010 Population Count
**JCC Codes Compliance Division Housing Unit Count + Apartment Count

Per Student – Per student calculations divide County contributions to WJCC Schools, minus State educational contributions, by the total number of K-12 students living in James City and also attending WJCC Schools. Total students are determined from Williamsburg James City County Schools 2009-2010 School Year enrollment reports.

Per Business – Per business calculations divide each departments spending, minus fees and State contributions, by the total number of County businesses. Total businesses are determined by the number of business licenses issued.

Total Number of JCC Businesses	5400*
Percentage of Property Tax Assessments	15%**

*James City County Commissioner of the Revenue
**Commercial impacts are calculated on a proportional variation process

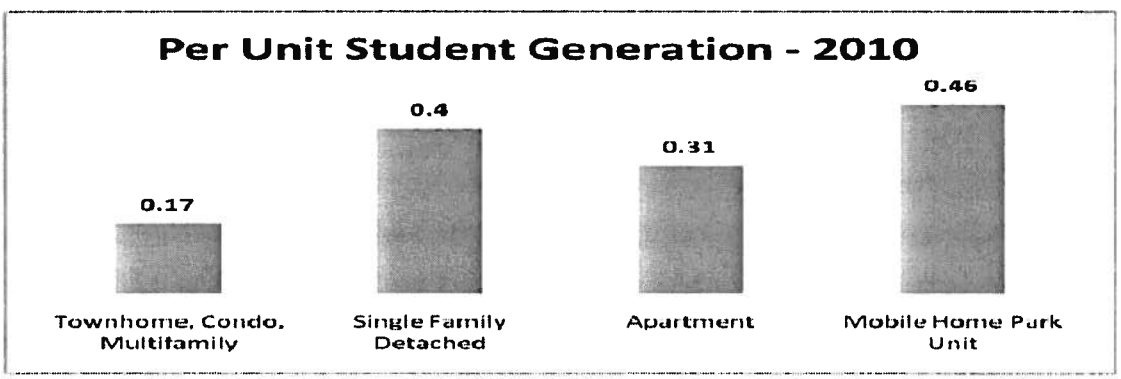
Proffer – pProffers paid for schools can only be applied toward the capital expense portion of per-student school expenses. (See Board of Supervisors' Proffer Policy.)

Retail Services – Display and sale of merchandise at retail or the rendering of personal services, such as food, drugs, clothing, furniture, hardware, appliances, barber and beauty, antiques, and household uses, and other uses.

Single Family Detached Dwelling – A detached structure arranged or designed to be occupied by one family, the structure only having one dwelling unit.

State Contributions – The State contributes both targeted and unspecified funds to the James City County budget. Funds for specific departments were subtracted from the budget totals of those departments. Unspecified state fund amounts were compiled, then evenly subtracted (7.75% of each department total) across all non-school departments.

Student Generation Rate - The student generation rate the number of students produced by a individual dwelling unit per year. Different domestic units produce students are different rates. Using WJCC enrollment figures, an address was found for WJCC student residing in James City County. Using the James City County Real Estate Division's Property Information map on the James City County website, the number of students from each subdivision was determined. Using the Real Estate Division's Real Estate Parcel Count, the number of improved lots in each neighborhood was determined. Total students from each neighborhood were divided by the total number of units from that neighborhood to determine the average number of students per housing unit. The student generation numbers for 256 subdivisions were determined this way, along with the same method for counting students from apartments and manufactured home parks.



Townhome –In a structure containing three or more dwelling units, a dwelling unit for single family occupancy, not more than three stories in height, attached by one or more vertical party walls extending to the roof sheathing without passageway openings to one or more additional such dwelling units, each of which is served by an individual exterior entrance or entrances.

PLANNING DIVISION
APR 28 2014
RECEIVED

Tax Parcel: 5040100010

Prepared By: Vernon M. Geddy, III, Esquire (VSB No: 21902)
Geddy, Harris, Franck & Hickman
1177 Jamestown Road
Williamsburg, VA 2318

PROFFERS

THESE PROFFERS are made this 28 day of April, 2014 by KINGSMILL RESORT DEVELOPMENT, LLC, a Delaware limited liability company (together with its successors in title and assigns, the "Owner").

RECITALS

A. Owner is the owner of a parcel of land located in James City County, Virginia, being Tax Parcel No. 5040100010, containing approximately 2.99 acres, more or less, and being more particularly described on Schedule A hereto (the "Property").

B. The Property is designated Low Density Residential on the County's Comprehensive Plan Land Use Map and is now zoned R-4 and is subject to the approved Master Plan for Kingsmill. Owner has applied to change the Master Plan area designation applicable to the Property and, in connection therewith to rezone the Property from R-4 to R-4, Residential Planned Community District, with proffers, for the sole purpose of offering the proffered conditions on the development of the Property set forth below.

C. Owner has submitted to the County a master plan entitled "Kingsmill Proposed Master Plan Amendment" prepared by AES Consulting Engineers dated September 3, 2009 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance.

D. Owners desire to offer to the County certain conditions on the development of the Property not generally applicable to land zoned R-4 in the form of the following Proffers.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these Proffers shall be null and void.

CONDITIONS

1. **Cash Contributions**. (a) A one-time contribution shall be made to the County of $19,528.22 for each single family detached residential dwelling unit constructed on the Property. Such contributions shall be used by the County for school uses.

(b) A one-time contribution shall be made to the County of $61.00 for each dwelling unit constructed on the Property. Such contributions shall be used by the County for library uses.

(c) A one-time contribution shall be made to the County of $71.00 for each dwelling unit constructed on the Property. Such contributions shall be used by the County for fire/EMS uses.

(d) Such per unit contributions shall be paid to the County after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the unit in question. For units for which a certificate of occupancy has been issued as of the date of the final, non-appealable approval of the requested rezoning and Master Plan amendment, the per unit contributions shall be paid within 30 days of the date of the final, non-appealable approval of the requested rezoning and Master Plan amendment.

(e) The per unit contribution amounts shall consist of the amounts set forth in paragraphs (a) through (c) plus any adjustments included in the Marshall and Swift Building Costs Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2014 to the year a payment is made if payments are made after on or after January 1, 2015. The per unit contribution amount shall be adjusted once a year with the January supplement of the Index of the payment year. In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in the preceding paragraphs of

this Section. In the event that the Index is not available, a reliable government or other independent publication evaluating information heretofore used in determining the Index (approved in advance by the County Manager of Financial Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the per unit contribution to approximate the rate of annual inflation in the County.

2. **Housing Opportunity**. Development of the Property shall be done in a manner consistent with the criteria established by the Housing Opportunities Policy adopted by the Board of Supervisors on November 27, 2012 and in effect as of the date of approval of the requested rezoning to provide affordable and workforce housing opportunities at different price ranges to achieve the greater housing diversity goal of the 2009 Comprehensive Plan; provided, however, that affordable and workforce housing units provided need not be located on the Property but may be located anywhere within the Kingsmill planned residential community in areas designated for residential development and, with the prior approval of the Zoning Administrator, affordable and workforce housing units provided in accordance with the policy may be released from the price/rental rate restrictions provided the same number of housing units in the same price/rental band are made subject to the price/rental rate restrictions set forth in the Policy such that at all times the requisite number of affordable and workforce housing units are being provided. Affordable and workforce housing units may be provided by Owner or an affiliate of Owner. The County shall not be obligated to issue certificates of occupancy for more than 6 dwelling units on the Property until two of the required affordable and workforce units have been provided in compliance with the Housing Opportunity Policy. The County shall not be obligated to issue certificates of occupancy for more than 12 dwelling units on the Property until all four of the required affordable and workforce units have been provided in compliance with the Housing Opportunity Policy. With respect to affordable and workforce rental units

provided pursuant to this proffer, Owner shall submit an annual report for each year of the required 30 year term to the County identifying the location of the units and the rental rates charged demonstrating such rates are within the specified affordable and workforce housing income range. With respect to for sale affordable and workforce units provided pursuant to this proffer, a soft second mortgage meeting the requirements of the Housing Opportunity Policy or other instrument approved in advance by the County Attorney shall be executed by the purchaser thereof and recorded against the unit to assure the unit continues to meet the requirements of the Housing Opportunity Policy. In addition, each deed to an affordable or workforce for sale unit shall include a right of first refusal in favor of the County in the event a subsequent owner desires to sell the unit.

3. Development Plan. Development of the Property shall be generally consistent with the approved site plan for the Property, SP-0096-2011, approved by the Planning Division on May 10, 2013.

WITNESS the following signature.

KINGMILL RESORT DEVELOPMENT, LLC

By: Gordon Taylor

Title: Vice President

STATE OF COLORADO
CITY/COUNTY OF ARAPAHOE, to-wit:

The foregoing instrument was acknowledged before me this 29 day of APRIL, 2014, by GORDON TAYLOR as VICE PRESIDENT of Kingsmill Resort Development, LLC, a Delaware limited liability company, on behalf of the company.

Ashley Hollock
NOTARY PUBLIC

ASHLEY HOLLOCK NOTARY PUBLIC STATE OF COLORADO

My commission expires: 10/20/14
Registration No.: 20104046552

Schedule A

Property Description

That certain piece or parcel of land located in James City County, Virginia consisting of 2.9892 acres shown and set out as "Parcel R-2A" on the plat entitled "Cottages on the James, Parcel R-2A, Being a Subdivision of Tax Parcel 5040100001, Property of Xanterra Kingsmill, LLC" made by Vanasse Hangen Brustlin, Inc. dated January 15, 2013 and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City (the "Clerk's Office") as Instrument No. 130004299.

Tax Parcel: 5040100010

Prepared By: Vernon M. Geddy, III, Esquire (VSB No: 21902)
Geddy, Harris, Franck & Hickman
1177 Jamestown Road
Williamsburg, VA 2318

PROFFERS

THESE PROFFERS are made this _ day of _____, 2014 by KINGSMILL RESORT DEVELOPMENT, LLC, a Delaware limited liability company (together with its successors in title and assigns, the "Owner").

RECITALS

A. Owner is the owner of a parcel of land located in James City County, Virginia, being Tax Parcel No. 5040100010, containing approximately 2.99 acres, more or less, and being more particularly described on Schedule A hereto (the "Property").

B. The Property is designated Low Density Residential on the County's Comprehensive Plan Land Use Map and is now zoned R-4 and is subject to the approved Master Plan for Kingsmill. Owner has applied to change the Master Plan area designation applicable to the Property and, in connection therewith to rezone the Property from R-4 to R-4, Residential Planned Community District, with proffers, for the sole purpose of offering the proffered conditions on the development of the Property set forth below.

C. Owner has submitted to the County a master plan entitled "Kingsmill Proposed Master Plan Amendment" prepared by AES Consulting Engineers dated September 3, 2009 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance.

D. Owners desire to offer to the County certain conditions on the development of the Property not generally applicable to land zoned R-4 in the form of the following Proffers.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these Proffers shall be null and void.

CONDITIONS

1. **Cash Contributions**. (a) A one-time contribution shall be made to the County of $19,528.22 for each single family detached residential dwelling unit constructed on the Property. Such contributions shall be used by the County for school uses.

(b) A one-time contribution shall be made to the County of $61.00 for each dwelling unit constructed on the Property. Such contributions shall be used by the County for library uses.

(c) A one-time contribution shall be made to the County of $71.00 for each dwelling unit constructed on the Property. Such contributions shall be used by the County for fire/EMS uses.

(d) Such per unit contributions shall be paid to the County after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the unit in question. For units for which a certificate of occupancy has been issued as of the date of the final, non-appealable approval of the requested rezoning and Master Plan amendment, the per unit contributions shall be paid within 30 days of the date of the final, non-appealable approval of the requested rezoning and Master Plan amendment.

(e) The per unit contribution amounts shall consist of the amounts set forth in paragraphs (a) through (c) plus any adjustments included in the Marshall and Swift Building Costs Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2014 to the year a payment is made if payments are made after on or after January 1, 2015. The per unit contribution amount shall be adjusted once a year with the January supplement of the Index of the payment year. In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in the preceding paragraphs of

this Section. In the event that the Index is not available, a reliable government or other independent publication evaluating information heretofore used in determining the Index (approved in advance by the County Manager of Financial Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the per unit contribution to approximate the rate of annual inflation in the County.

2. **Housing Opportunity**. Development of the Property shall be done in a manner consistent with the criteria established by the Housing Opportunities Policy adopted by the Board of Supervisors on November 27, 2012 and in effect as of the date of approval of the requested rezoning to provide affordable and workforce housing opportunities at different price ranges to achieve the greater housing diversity goal of the 2009 Comprehensive Plan; provided, however, that affordable and workforce housing units provided need not be located on the Property but may be located anywhere within the Kingsmill planned residential community in areas designated for residential development and, with the prior approval of the Director of Planning, affordable and workforce housing units provided in accordance with the policy may be released from the price/rental rate restrictions provided the same number of housing units in the same price/rental band are made subject to the price/rental rate restrictions set forth in the Policy such that at all times the requisite number of affordable and workforce housing units are being provided. With respect to affordable/workforce rental units, at the time such units are provided in accordance with this Proffer a notice in form approved by the County Attorney shall be recorded in the County land records providing notice that the units are subject to the County's Housing Opportunities Policy adopted by the Board of Supervisors on November 27, 2012 and in effect as of the date of approval of the requested rezoning. If the Director of Planning approves the release of units from the Policy and the substitution of other units, the notice will be released from the released units and recorded against the substituted units. Affordable and

workforce housing units may be provided by Owner or an affiliate of Owner. The County shall not be obligated to issue certificates of occupancy for more than 6 dwelling units on the Property until two of the required affordable and workforce units have been provided in compliance with the Housing Opportunity Policy. The County shall not be obligated to issue certificates of occupancy for more than 12 dwelling units on the Property until all four of the required affordable and workforce units have been provided in compliance with the Housing Opportunity Policy. With respect to affordable and workforce rental units provided pursuant to this proffer, Owner shall submit an annual report for each year of the required 30 year term to the County identifying the location of the units and the rental rates charged demonstrating such rates are within the specified affordable and workforce housing income range. With respect to for sale affordable and workforce units provided pursuant to this proffer, a soft second mortgage meeting the requirements of the Housing Opportunity Policy or other instrument approved in advance by the County Attorney shall be executed by the initial purchaser thereof and recorded against the unit to assure the unit continues to meet the requirements of the Housing Opportunity Policy. In addition, each deed to an affordable or workforce for sale unit shall include a right of first refusal in favor of the County in the event a subsequent owner desires to sell the unit. All affordable or workforce units provided pursuant to this Proffer shall be rented or sold to persons whose incomes fall within the qualifying income ranges used to determine the prices/rental rates under the Housing Opportunities Policy.

3. Development Plan. Development of the Property shall be generally consistent with the approved site plan for the Property, SP-0096-2011, approved by the Planning Division on May 10, 2013.

WITNESS the following signature.

KINGMILL RESORT DEVELOPMENT, LLC

By:_____
Title:

STATE OF _____
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ as _____of Kingsmill Resort Development, LLC, a Delaware limited liability company, on behalf of the company.

_____
NOTARY PUBLIC

My commission expires:_____
Registration No.: _____

Schedule A

Property Description

That certain piece or parcel of land located in James City County, Virginia consisting of 2.9892 acres shown and set out as "Parcel R-2A" on the plat entitled "Cottages on the James, Parcel R-2A, Being a Subdivision of Tax Parcel 5040100001, Property of Xanterra Kingsmill, LLC" made by Vanasse Hangen Brustlin, Inc. dated January 15, 2013 and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City (the "Clerk's Office") as Instrument No. 130004299.

LECLAIRRYAN

April 11, 2014

PLANNING DIVISION
APR 11 2014
RECEIVED

Chris Johnson
Principal Planner
James City County Planning Division
101-A Mounts Bay Road
Williamsburg, VA 23185

Jose-Ricardo Linhares Ribeiro
Senior Planner II
James City County Planning Division
101-A Mounts Bay Road
Williamsburg, VA 23185

Re: Kingsmill Rezoning Application of Xanterra – Planning Commission Hearing March 5, 2014; Rezoning Case No. 0003-2013/Master Plan 0001-2013

Dear Gentlemen:

As you are aware, I represent the Kingsmill Community Services Association ("KCSA") which is the "master" residential homeowners association for Kingsmill. I am writing to you at the request of KCSA's Planned Development Committee ("PDC"), which is a committee comprised of two homeowner-elected members of KCSA's Board of Directors and a member of the KCSA staff. The sole purpose of this letter is to correct certain incorrect statements concerning the provisions of KCSA's Declaration made to the County's Planning Commission during the public comment portion of the public hearing conducted on the captioned Application on March 5, 2014 and expanded on in a March 6, 2014 follow-up letter sent to the Planning Commission by the same representatives who appeared and spoke during the public hearing.

Introduction.

KCSA was formed in 1973 with the recordation of the Declaration of Covenants and Restrictions in the Clerk's Office of the Circuit Court of James City County, Virginia (the "Clerk's Office") in Deed Book 147 at Page 642. Although there have been various amendments to the Declaration, the provisions pertinent to this analysis have not been amended since the

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Declaration was originally recorded in 1973. (Such Declaration, as supplemented and amended is collectively referred to as the "Declaration." The Declaration is contractual in nature and binds all owners of property subject to the Declaration as well as KCSA and the Developer.

One of the citizens who spoke during the hearing represented to the Planning Commission that the Declaration expressly limits the Developer's right to add land to the Declaration to land that is *to the south of the Country Road*, and therefore that the successor Developer, Xanterra, may not add land which lies to the north or beyond the interior boundary line of, the Country Road. In support of this incorrect representation, he relied on a recital on page 1 of the Declaration which recital referenced the land that Anheuser Busch then owned in 1973 (which did not include title to the Country Road because Colonial Williamsburg had reserved title to the Country Road to itself when it conveyed the acreage to Anheuser Busch.) For the reasons I will explain in more detail, his reliance on this introductory recital is misplaced. Contrary to his representations to the Planning Commission, the substantive contractual provisions of the Declaration as set forth in Article II of the Declaration expressly authorize the Developer (now Xanterra) to expand the Declaration and "annex" any of the land located and shown on a document referred to in the Declaration as the "Kingsmill Master Plan", including, without limitation the Country Road.

In a similar vein, this same citizen and another incorrectly argued that KCSA lacks the contractual authority to treat a site conveyed to it in 2012 as Common Area of KCSA, arguing instead that any such treatment requires the prior affirmative vote of the membership to accept such land and add it to the Declaration. This subject site was conveyed to KCSA for an alternate RV and boat storage site in 2012 by deed from the prior Developer dated September 7, 2012, andrecorded in the Clerk's Office. Regarding the incorrect representation that KCSA can't own Common Area beyond the initial interior boundary of the Country Road without a vote of its Members, Article II of the Declaration provides clear authority to the contrary and specifically authorizes the Developer to create Common Area within any of the areas shown on the Kingsmill Master Plan (as defined in the Declaration). Further, the KCSA Declaration has never required a Member vote prior to KCSA accepting title to any Common Area or Limited Common Area regardless of its location.

The following summarizes the relevant provisions of the Declaration in more detail with regard to each of the two incorrect arguments made by these two individuals.

1. <u>Addition of New Lots Created on the Country Road</u>

The introductory "Whereas" clause erroneously relied upon as the basis for the assertion that Xanterra may not expand the Declaration by adding land located north of the interior boundary of the Country Road appears at the beginning of the Declaration and merely recites the state of facts as they existed in 1973. At that time, Colonial Williamsburg still owned Carter's Grove and Colonial Williamsburg had reserved title to the Country Road unto itself when it conveyed the undeveloped land to Anheuser Busch. The title to the Country Road reverted back to Busch in the last decade when Colonial Williamsburg sold Carter's Grove. This introductory recital provides:

> WHEREAS, Developer is presently or will be the owner of the real property in James City County, Virginia, south of the Country Road shown on the hereinafter referred to Land Use and Circulation Master Plan.....and desires to create thereon a planned community to be known as Kingsmill on the James....and intends to develop the community in accordance with the Kingsmill Master Plan hereinafter defined.

The reliance upon this recital as authority for the proposition that the Developer cannot add land within or beyond the Country Road is misplaced and ignores the second half of the same recital as well as the remaining recitals and the substantive contractual provisions of the Declaration. For example, the very next recital states that the Developer "desires to subject a portion of the real property presently owned by it and described on Exhibit A ***together with such additions as may hereafter be made thereto (as provided in Article II)*** to the covenants, restrictions, easements, charges and liens, hereinafter set forth ..." [emphasis added]. Immediately following the recitals, in the sentence beginning "NOW THEREFORE," the Developer:

> ... declares that the real property described in Exhibit A attached hereto, ***and such additions thereto as may hereafter be made pursuant to Article II hereof***, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens ... hereinafter set forth. [Emphasis added].

Thus it is clear that the contractual provisions governing what property may be added to the Declaration by the Developer are set out in Article II of the Declaration (and not limited by the first sentence of the first introductory recital). Article II provides in relevant part:

Section 2. Additions to Existing Property. Added properties may become subject to this Declaration in the following manner:

(a) Additions by the Developer. The real property described in Exhibit A attached hereto is the first phase of the planned community known as Kingsmill on the James, as contemplated by the Kingsmill Master Plan. ***The Developer, its successors and assigns shall have the right to bring within the scheme of this Declaration additional properties in future stages of development which are a portion of Kingsmill as illustrated in the Kingsmill Master Plan***, as further set forth in the Agreement between Anheuser-Busch, Inc. and Colonial Williamsburg, Incorporated and Williamsburg Restoration, Incorporated dated December 5, 1969, as supplemented by Supplemental Agreement of December 20, 1972, between Anheuser-Busch, Inc. and Colonial Williamsburg Foundation. ***The properties thus added shall include but not be limited to areas and facilities (including streets, roads, trails, community and recreation areas and facilities and the like) which are devoted to the common use and enjoyment of all Members.*** [Emphasis added.]

"Kingsmill Master Plan," as used in the Declaration, is defined as:

Section 4. "Kingsmill Master Plan" shall mean and refer to the graphic and written statement of concepts and principles pursuant to which the community will be developed, said statement being comprised of the following (which are of record in the aforesaid Clerk's Office in Plat Book 30, pages 16 and 17, amendment thereto recorded in Plat Book 30, page 67:

(i) a land use and circulation drawing
(ii) an open space system drawing
(iii) a summary narrative description of the drawings referenced (i) and (ii)
(iv) The General Statement of Provisions to be included in disposition agreements (dated June 13, 1972),

as may be revised from time to time in accordance with the Supplemental Agreement between Anheuser-Busch, Inc. and

> ***The Colonial Williamsburg Foundation dated December 20, 1972.*** [Emphasis added.]

Further, the Declaration's definition of "Properties" subject to the Declaration likewise supports a reliance on Article II of the Declaration as the contractual basis for adding land to KCSA's Declaration:

> Section 5. "The Properties" shall mean and refer to all real property described on Exhibit A attached hereto, ***together with such other real property as may from time to time be annexed thereto under the provisions of Article II hereof.***

Thus, it is abundantly clear from the contractual provisions of the Declaration that Xanterra has the right to add additional residential property to the Declaration so long as such property is located within the boundaries of the land shown on the Kingsmill Master Plan. The boundaries of the land that may be added do not end at the interior boundary of the Country Road but, rather, extend well beyond the Country Road and include what is now commercial land and other land.

2. The RV and Boat Storage Site is KCSA Common Area

In addition to the express right of the Developer to create additional Common Area within land north of the interior boundary of the Country Road as set out in Article II of the Declaration, *by definition*, land conveyed to KCSA and intended to be devoted to the common use and enjoyment of KCSA Members constitutes Common Area of KCSA. "Common Area" is defined in the Declaration as:

> ... those areas of land now or hereafter conveyed to the Association or shown on any recorded subdivision plan of the Properties and improvements thereon, which are intended to be devoted to the common use and enjoyment of the Members.

Throughout the 40+ year history of KCSA, many parcels have been conveyed by deed from the Developer to KCSA, and none of such deeds have involved any vote or allegation of the need for a vote by the KCSA membership. KCSA's Declaration does not contain any limitations on the ability of the Developer to create and/or convey Common Area to KCSA, nor does it contain any limitations with regard to the location of such Common Area, or that such Common Area be located contiguous to any other area within the greater Kingsmill master planned community. The 2012 deed to the subject site was signed by the then KCSA president, an elected director, with the prior consent of a majority or more of the elected KCSA directors.

As I stated at the outset of this letter, the PDC deems it in the best interests of KCSA to ensure that the record of this Application is corrected and that the Planning Commissioners and the Board of Supervisors who act on such Application do so based on factually correct information as it relates to KCSA's governing documents. To this end, we request that a copy of this letter be transmitted to each person serving on the Planning Commission and Board of Supervisors, and included in the record of this Application.

Sincerely,

Elizabeth L. White
Attorney at Law

cc: Leo Rogers, County Attorney

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SPECIAL USE PERMIT-0003-2014, Amerigas Propane Tank Installation
Staff Report for the May 7, 2014 Planning Commission Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS	**Building F Board Room; County Government Complex**
Planning Commission:	May 7, 2014, 7:00 p.m.
Board of Supervisors:	June 10, 2014, 7:00 p.m. (tentative)

SUMMARY FACTS

Applicant:	Martin Munson
Land Owner:	Amerigas Propane
Proposal:	Propane storage, distribution and sales; to include the installation of a 30,000 gallon propane tank
Location:	124 Industrial Blvd
Tax Map/Parcel No.:	1240100013C
Parcel Size:	±1.0 acre
Zoning:	M-2, General Industrial
Comprehensive Plan:	General Industry
Primary Service Area:	Inside

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding land uses and consistent with the Zoning Ordinance requirements and the Comprehensive Plan Land Use Map designation. Staff recommends the Planning Commission recommend approval of the application to the Board of Supervisors with the conditions listed at the end of the report.

Staff Contact: Luke Vinciguerra Phone: 253-6783

PROJECT DESCRIPTION

Mr. Martin Munson, on behalf of Amerigas Propane, has applied for a special use permit (SUP) to allow for the installation of a 30,000 gallon propane tank at the existing Amerigas storage facility in Hankins Industrial Park. Propane storage, distribution or sale requires a SUP in the M-2, General Industrial district. The original SUP (SUP-26-84) for this property permits only one 30,000 gallon tank. Any expansion would require an update to the SUP. There are currently two 30,000 gallon propane tanks on site (one is not in use or installed), as well as multiple empty residential sized tanks within a fenced area. Approval of this application would permit the installation of the additional storage tank, and permit future expansions provided building, fire prevention code and zoning ordinance requirements are met. The applicant has stated the expansion is necessary to provide his business with a greater supply and safety margin as inbound gas shipments are often delayed during inclement weather.

As shown on attachment No. 2, the gray tank is the existing installed 30,000 gallon tank. The yellow tank 'A' marks the second tank's current location and 'B' is the proposed final location where it will be installed and mounted. The applicant has stated the smaller tanks shown on attachment No. 2 are empty and will be removed from the site. The ordinance permits the applicant to store equipment and smaller tanks on the property as long as it is within the roughly 25,000 sqft fenced Outdoor Operation and Storage shown on attachment No. 2.

Outdoor operation and storage is permitted by the zoning ordinance provided it is screened from adjacent property by landscaping and fencing. The perimeter of this site is not landscaped. Per Sec. 24-98(c) of the zoning ordinance, a landscape and/or screening plan would be required before site plan approval. Staff will work with the applicant to discuss screening options.

Surrounding Zoning and Land Use

The property is surrounded by land zoned M-2, General Industrial, and designated General Industry on the 2009 Comprehensive Plan Land Use Map. Staff finds the proposed use consistent with neighboring uses and those within Hankins Industrial Park.

PUBLIC IMPACTS

Environmental

Watershed: Ware Creek

Staff Comments: The Engineering and Resource Protection Division has reviewed the proposal and did not have any comments.

Fire Department and Building Safety and Permits

Staff Comments: The Fire Department and Building Safety and Permits have recommended approval of the application. The departments do not recommend any additional SUP conditions as the building code and the fire prevision code provides the tools necessary to limit the scale of the operation if necessary in the future. Fire code requires the storage tanks to be 50-feet from structures and lot lines and five feet of separation between tanks.

Public Utilities and Transportation

No water and sewer connections are proposed for this project. The applicant has stated the facility generates about 20 trips per week by employees and deliveries/pickup. The proposed additional tank would not generate any additional vehicular trips.

COMPREHENSIVE PLAN

The 2009 James City County Comprehensive Plan Land Use Map designates this property as General Industry. The General Industry designation is intended for areas inside the PSA that are suitable for industrial uses that have the potential to create noise, dust, odor and other environmental impacts, that may require buffering from adjoining uses.

Staff Comments: Staff finds the facility consistent with the Comprehensive Plan designation.

RECOMMENDATION

Staff finds the proposal to be compatible with surrounding land uses and consistent with the Zoning Ordinance requirements and the Comprehensive Plan Land Use Map designation. Staff recommends the Planning Commission recommend approval of the application to the Board of Supervisors with the conditions listed below.

1. **Use:** This Special Use Permit shall be valid for propane storage, distribution or sale and accessory uses as shown on the Master Plan titled "Amerigas Propane Exhibit" dated April 22, 2014 as determined by the Planning Director. Any outdoor operation or storage including the installation of propane tanks, shall be contained in the area designated "Outdoor Operation and Storage Area."

2. **Site Plan:** A site plan shall be required for this project and for the installation of any future propane tanks. The location and capacity of propane tanks shall be approved by the Fire Marshal and the Building Safety and Permits Director or their designees before site plan approval. Final approval of the initial site plan shall be obtained within 24 months of issuance of this SUP or the SUP shall become void.

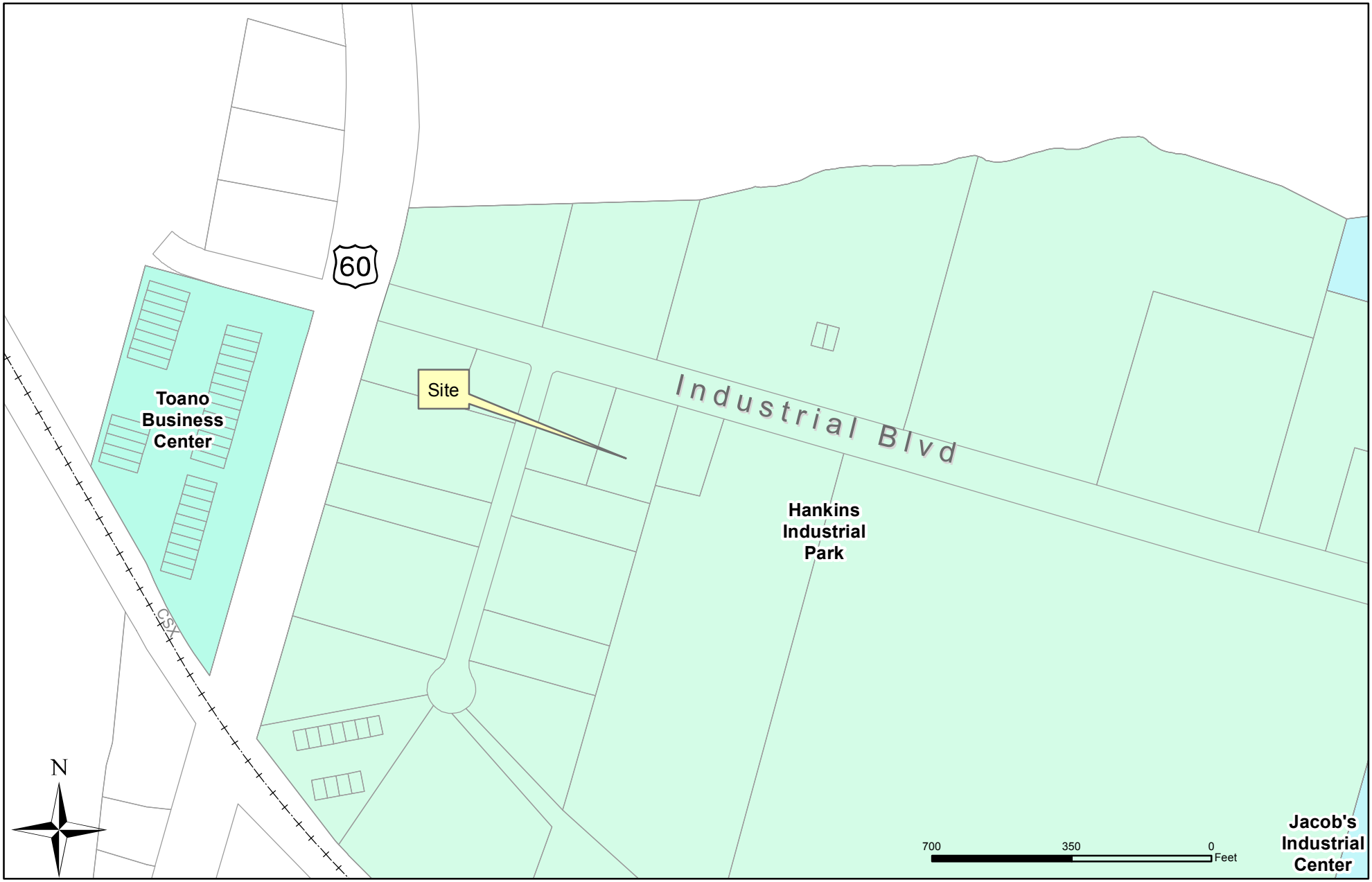
3. **Severance Clause.** This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

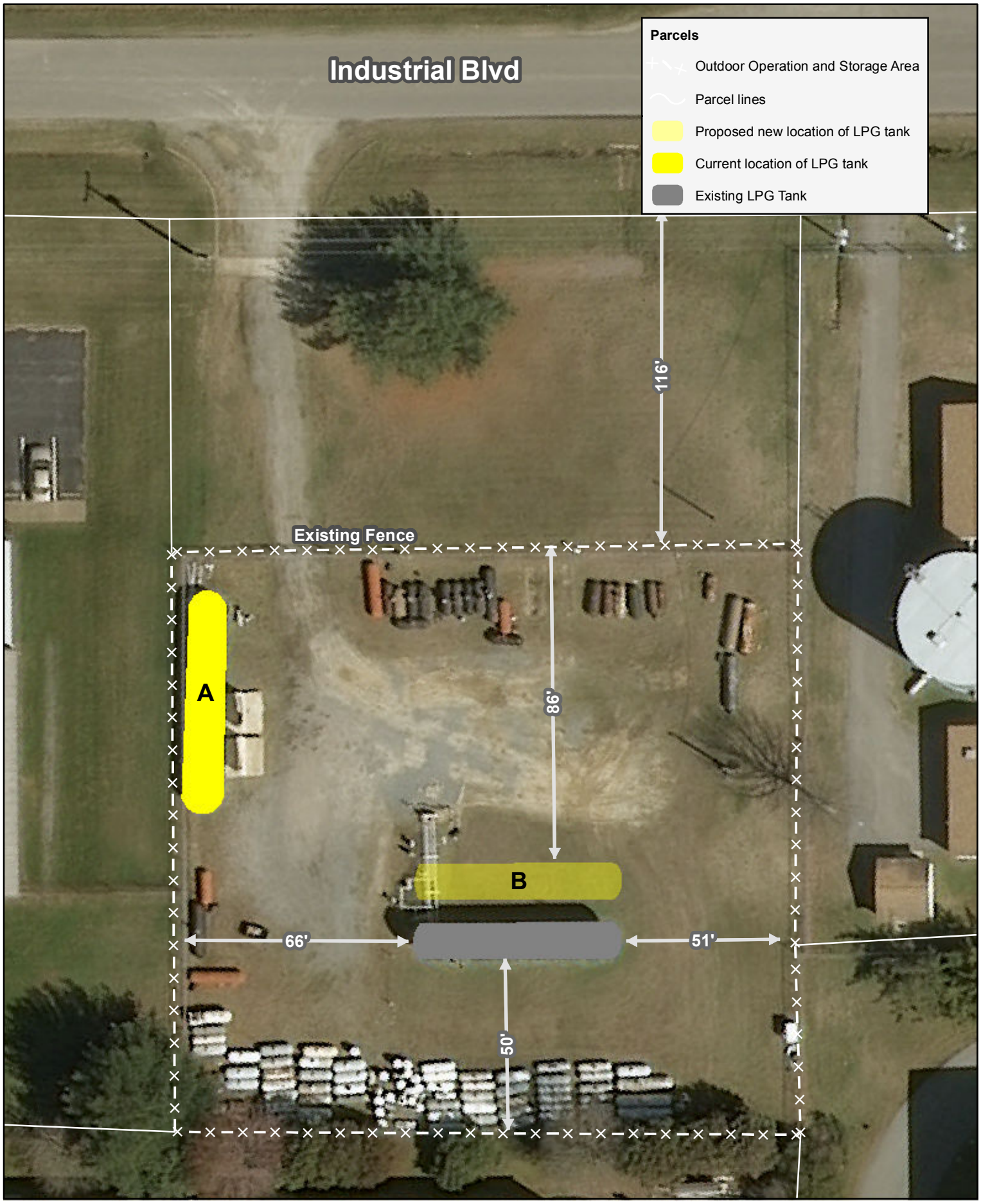
Luke Vinciguerra

ATTACHMENTS:

1. Location map
2. Amerigas Propane Exhibit

SUP-0003-2014
Amerigas Propane





1 inch = 35 feet

0 12.5 25 Feet

Amerigas Propane Exhibit

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This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information,and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

Prepared by L. Vinciguerra 4/22/14

M E M O R A N D U M

DATE: May 7, 2014

TO: The Planning Commission

FROM: W. Scott Whyte, Senior Landscape Planner II

SUBJECT: ZO-0007-2013, Chicken Keeping in Residentially Zoned Areas of the County

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At its November 12, 2013 meeting, the Board of Supervisors requested staff revisit a residential chicken keeping ordinance that would define policy and specify development standards within the Zoning Ordinance. Currently, general agriculture is allowed in A-1 General Agricultural and R-6, Low Density residential, and R-8, Rural Residential. Approximetely 49% of the county is zoned A-1, R-6, or R-8, meaning that chickens can be kept by-right with no special regulations and no special permits are needed.

At its January 16, 2014 meeting, the Policy Committee conducted a public input session on this matter. The committee reviewed results from a survey of over 600 interested citizens and parties. Ordinances from neighboring localities that have recently adopted chicken keeping ordinances were reviewed and the committee heard from interested citizens on many issues that they felt were important considertions for a chicken keeping ordinance. The issues included HOA and neighborhood convenants and restrictions, whether the County should consider chicken keeping in all residential areas, how many chickens should be allowed, coop construction and placement, and possible nuisences caused by chickens.

The primary issue of whether or not the County should consider allowing chickens in residentially zoned areas was a split issue on the survey with 44% agreeing and 54% opposed; however, it should be noted that over 200 of the 329 responses in opposition to chicken keeping were from one subdivision. Eighty six percent of the people who responded felt that if the county does allow chickens in residential areas certain restrictions should be applied. The types of restrictions that other localities have applied, and were suggested by the respondents, included the number of birds allowed, coops and construction standards, location and setbacks for coops, sanitation, and regulations to mitigate possible nuisance complaints from neighbors.

Citizens felt that the number of birds should be restricted, usually by lot size. For example, York County allows one bird for every 2,500 square feet of lot area, not to exceed sixteen birds. In Poquoson the Zoning Administrator determines the number of birds and setbacks that he feels is appropriate to maintain the residential nature and tranquility of the neighborhood. Most localities have requirements for coops and construction standards, usually requiring an enclosure with a roof to keep the birds contained and safe from the elements and predators. The location of the coop is often regulated, usually restricted to the rear yard with setback regulations to keep the coops away from property lines and adjacent structures. Sanitation and rooster restrictions are often applied to mitigate possible nuisance complaints about noise and odor.

With respect to this particular case, the County Attorney's office has issued the following opinion on HOA covenants and restrictions:

There are two sets of restrictions to consider – County ordinances and private restrictions. Private restrictions may be in the form of an HOA regulation or may be a covenant. Covenants may be imposed on parcels inside or outside an HOA, but are most often found in older, non-HOA neighborhoods. The County is not a party to these private restrictions, so by necessity they must be privately enforced, usually by the neighbors or the HOA. Staff will usually recommend against approving a specific legislative action on a specific parcel (i.e., an SUP or rezoning) that directly conflicts with an HOA condition or a neighborhood covenant (e.g., an SUP application for a day care business on a parcel that is encumbered by a covenant that prohibits business use of that parcel). Such a conflict does not prevent the Board of Supervisors from approving the application, however. In those situations, the applicant will have obtained County permission for the proposed use, but must then reconcile the private restriction conflict with their neighbors or HOA.

In this case, if the County adopted a change to the zoning ordinance that permitted chickens in every residential district, citizens in residential districts would only have the County's permission to keep chickens. If there are private restrictions that prohibit the keeping of chickens on property in a residential district, they would be privately enforced. This is not uncommon – for example, the County generally permits certain low-impact home occupations as a matter of right, but there are many HOA and covenant restrictions that prohibit commercial uses on residentially zoned property. Due to the varied nature of private restrictions and their tendency to change; Staff finds that it would be difficult to craft a zoning regulation that did not conflict with many existing neighborhood covenants and restrictions. Staff recommends that the committee review each residential district independently and determine whether this is a use that would be generally acceptable in that district. Individual HOAs and neighborhoods must then determine whether they wish to further restrict that use.

In cases where a conflict exists between zoning and private covenants, the more restrictive law prevails. If the more restrictive law is a County ordinance, then it would be enforced by the County. If the more restrictive law is private, it would be privately enforced.

After discussing the issues raised, the Policy Committee instructed staff to prepare a draft ordinance. The draft ordinance restricts the use to domestic purposes, single family residences, and permits only the keeping of hens. The draft ordinance also includes regulations for coops. The committee concluded that chicken keeping should be added as a permitted use in the R-1 zoning district only. The committee reviewed R-2 and other residential districts. The committee felt that the higher density and smaller lot sizes in these districts was not compatible with the keeping of chickens.

After consulting with the county's Engineering and Resource Protection Division, staff has also included language that prohibits chicken keeping within Resource Protection and Conservation Easement areas on the basis that these areas prohibit clearing and run-off of chicken waste would be considered non-point source pollution. Staff also consulted with the Virginia Department of Health on whether or not chicken facilities should be allowed within the same area that a well head is located. The Health Department did advocate the separation of the chicken keeping and well heads as a best management practice; however they did not advocate the enforcement of such a regulation citing that they do not restrict dog pens or horse stables adjacent to well heads. Therefore staff did not include language on this issue.

Currently approximetely 49% of the county is zoned A-1, R-6, or R-8, meaning that chickens can be kept by-right with no special regulations and no special permits are needed. With the addition of the R-1, Limited Residential district, the percentage increases to slightly above 54% of the total area of the county.

At the April 14, 2014 Policy Committee meeting, the Committee recommended advancing the draft ordinance to the full Planning Commission by a vote of 4-0. A copy of the draft ordinance is attached for your review.

Staff Recommendation;
Staff recommends that the Planning Commission recommend approval of the attached draft zoning ordinance amendments to the Board of Supervisors.

W. Scott Whyte

Attachments;

Policy Committee Minutes

1. January 16, 2014
2. February 13, 2014
3. March 13, 2014
4. April 14, 2014
5. Draft Ordinance(s)
6. Survey response summary
7. Survey response spreadsheet
8. Miscellaneous correspondents

POLICY COMMITTEE MEETING
January 16, 2014
3:00 p.m.
County Government Center, Building D

1.) Roll Call

Present	**Staff Present**
Ms. Robin Bledsoe	Mr. Jason Purse
Mr. Rich Krapf	Mr. Scott Whyte
Mr. Al Woods	Mr. Chris Johnson
Mr. Tim O'Connor	Ms. Beth Klapper

Ms. Robin Bledsoe called the meeting to order at 3:00 p.m.

Ms. Bledsoe welcomed the citizens who were in attendance to participate in the discussion.

Ms. Bledsoe stated that the purpose of the meeting was to learn more about urban chicken keeping and receive input from the community.

2.) Minutes
a. December 2, 2013
b. December 3, 2013
c. December 5, 2013

Mr. Al Woods moved to approve the minutes.

In a unanimous voice vote the minutes were approved as submitted (4-0).

3.) Old Business
Case No. Z0-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens in Residentially Zoned Areas of the County

Mr. Scott Whyte, Planner, stated that in early 2013, the concept of creating a chicken keeping ordinance was considered by the Policy Committee; however, the Board of Supervisors ultimately chose not pursue the creation of a chicken keeping ordinance at that time. At its December 11, 2013 meeting, the Board of Supervisors approved an initiating resolution and requested that staff revisit the creation of a residential chicken keeping ordinance that would define policy and specify development standards within the Zoning Ordinance.

Mr. Whyte further stated that currently, chicken keeping is permitted by-right in A-1, General Agricultural, R-6, Low Density Residential, and R-8, Rural Residential zoning districts. Mr. Whyte noted that this accounts for approximately 49% of the County.

Mr. Whyte stated that as a precursor to any ordinance changes, staff has (1) engaged interested citizens, HOAs and other key stakeholder groups. Mr. Whyte stated that a survey has been available on the County's website from December through January 13 which sought to gather opinions on chicken keeping in residential areas. Mr. Whyte noted that 600 responses had been

received and tabulated. Mr. Whyte stated that the results will be used to help determine how the Zoning Ordinance should be amended to allow for the keeping of chickens on residentially zoned property in the County.

Mr. Whyte further stated that Staff reviewed ordinances from several localities in the area that allow chickens in residential areas. Many have limits on the number of birds, as well as regulations for the construction of the coops and pens. Most restrict roosters, and some require setbacks for coops as well as a permitting process.

Mr. Whyte stated that the purpose of this committee meeting will be to gather input from interested citizens, answer questions about other jurisdictions' regulations, and use the survey results to determine the initial direction and next steps for staff to take concerning creating a residential chicken keeping ordinance.

Ms. Bledsoe opened the floor to questions from citizens.

Mr. Piotr Swietuchowski stated that he would like to see the Zoning Ordinance amended to allow the keeping of chickens in the R-1, General Residential district. Mr. Swietuchowski stated that approximately five other families in his neighborhood are interested in being able to have chickens. Mr. Swietuchowski noted that there should be a limit place on the number of chickens. Mr. Swietuchowski further noted that he favored setbacks for the coops.

Mr. Bob Moore stated that he represented the Fords Colony Home Owners Association (HOA) Board of Directors. Mr. Moore stated that the HOA Restrictive Covenants prohibits chickens and other livestock. Mr. Moore stated that the Board of Directors is concerned that changing the Zoning Ordinance to allow chickens in residential areas may create a conflict between with the Restrictive Covenants and subject the HOA to litigation. Mr. Moore requested that the ordinance include an affirmative statement that restrictions set by the HOA supersede the ordinance. Mr. Moore further stated that the concern was especially important for the Westport section of Fords Colony which had experienced a series of difficulties.

Mr. Jason Purse noted that Westport is currently zoned A1, General Agricultural, which already allows chickens by-right.

Mr. Moore stated that he believes that the HOA Restrictive Covenants currently supersede what is allowed by the zoning district.

Mr. Rich Krapf noted that the Deputy County Attorney has stated that when there is a conflict between County ordinances and private restrictions, the more restrictive regulation prevails.

Mr. Jim Doebler stated that he also serves on the Fords Colony HOA Board of Directors. Mr. Doebler further stated that the Declaration of Protective Covenants had been updated in March 2013. Mr. Doebler noted that there is a statement within the Declaration of Protective Covenants which prohibits livestock and that the Covenants apply to both Fords Colony and Westport. Mr. Doebler requested that the ordinance be absolutely clear that more restrictive HOA covenants would supersede the ordinance.

Ms. Bledsoe stated that the County had no desire to tell HOAs what they can and cannot do.

Mr. Woods inquired whether Mr. Doebler was requesting inclusive language in the ordinance regarding HOA covenants.

Mr. Doebler confirmed that he hoped the ordinance would speak to the issue of more restrictive HOA covenants superseding the ordinance in order to avoid potential for litigation.

Ms. Bledsoe stated that this particular concern had been an ongoing subject of discussion with the Policy Committee and the Planning Commission.

Mr. Dobeler stated that enforcement of the Restrictive Covenants would still be the responsibility of the HOA.

Mr. Jim Smith, Vice President of the Drummond's Field HOA, stated that a County ordinance cannot supersede the HOA covenants.

Ms. Pauline Price stated that stated that she had been a chicken keeper in a different locality and wanted to speak in favor of backyard chickens. Ms. Price further stated that chickens are not a nuisance in residential areas if they are properly kept.

Mr. Eric Danuser stated that he has done substantial research on chicken keeping ordinances. Mr. Danuser further stated that his research confirms that a local ordinance cannot supersede restrictive covenants. Mr. Danuser noted that there are already instances where the County's Zoning Ordinance and HOA covenants conflict with each other.

Ms. Bledsoe inquired whether there were any chicken keepers present.

Mr. Roy Condrey stated that he previously kept chickens but does not have any at this time. Mr. Condrey stated that chickens are generally clean as long as they are properly cared for and are not noisy unless there is a rooster. Mr. Condrey further stated that a number of years ago chicken keeping was encourage so that there would be an ample supply of eggs.

Ms. Joyce Felix stated that a number of neighboring localities have good ordinances to model on. Ms. Felix further stated that she would be agreeable to any fee required and to having her coop inspected.

Mr. Donny Martin stated that he is in favor of permitting backyard chickens. Mr. Martin stated that other domestic animals were often more of a nuisance than the chickens. Mr. Martin stated that he was opposed to fees unless the chicken keepers would be receiving something beneficial in return. Mr. Martin further stated that keeping chickens requires a substantial financial investment, therefore, they would be well cared for.

Mr. Arthur Sobolewski inquired what the major objections were to allowing chickens in residential areas.

Mr. Whyte responded that the concerns include odor, noise, chickens running at large and promoting more predators in the neighborhoods.

Mr. Purse noted that the County was considering how to mitigate these concerns if the Zoning Ordinance is amended to allow chickens in residential areas.

Mr. Sobolewski inquired whether any of these concerns were insurmountable.

Ms. Bledsoe stated that the results of the survey would help define what the concerns are so that options can be developed to mitigate the concerns.

Mr. Sobolewski inquired whether there were any preliminary results from the survey.

Mr. Whyte stated that while the results had been tabulated, staff had not yet pulled any conclusions from those results.

Ms. Deborah Rockafellow stated that it would be important to consider setbacks; especially where zoning districts that permit chicken keeping are adjacent to zoning districts that do not permit chickens. Ms. Rockafellow further stated that the proposed 10-foot setback did not seem adequate.

Ms. Bledsoe stated that most of the ordinances reviewed included a nuisance clause to address concerns related to noise and odor. Ms. Bledsoe stated that a large part of her goal for the ordinance was to ensure that it would reduce the potential for nuisances.

Mr. Daniel Malone noted that a study done in Columbia, South Carolina found that the sound of chickens registered at 70 decibels, the same level as a normal human conversation. Mr. Malone further stated that it was determined that barking dogs and lawnmowers registered between 90 and 100 decibels.

Mr. Tim Hogan stated that chickens are very quiet, easy to care for and do not stray far from their coop. Mr. Hogan further stated that chickens are very social creatures and can become good pets.

Mr. Jim Icenhour suggested that if an ordinance with some type of permit application process were adopted, there could be language included to clarify that a permit would not be issued if the property fell under the jurisdiction of a HOA that prohibited chickens. Mr. Icenhour stated that consideration should also be given to establishing a process for handling complaints.

Mr. John Hunt noted that chickens can be a nuisance if the owners are not willing to care for them responsibly.

Mr. Danuser stated that it should not be the County's responsibility to confirm whether there are restrictive covenants governing the use of a property; rather, it should be the responsibility of the individual applying for a chicken keeping permit to provide that documentation. Mr. Danuser suggested that a requirement might be included to obtain consent from adjacent property owners when applying for a chicken keeping permit.

Ms. Bledsoe opened the floor to questions from the Commissioners.

Mr. Rich Krapf inquired whether keeping chickens attracted rodents which would in turn attract other predators such as snakes, foxes and other predators which might not have been prevalent before.

Ms. Joyce Felix stated that in addition to keeping chickens, she also maintains a compost pile and has not noticed any increase in the number of natural predators that already exist. Ms. Felix noted that the feed is kept in predator proof containers.

Ms. Bledsoe stated that the ordinances the Committee has reviewed include a requirement for the coops to be predator proof. Ms. Bledsoe inquired whether Ms. Felix's coop was predator proof.

Ms. Felix stated that she has taken measures to make the enclosure predator proof.

In response to a question from Ms. Bledsoe, Mr. Icenhour noted that his coops had not been predator proof because at that time he lived in the country. Mr. Icenhour also stated that when his wife kept chickens for the Jamestown Fort, predators were a great problem.

Ms. Felix stated that she has not lost even one chicken to a predator in the six years she has been keeping chickens. Ms. Felix further stated that keeping chickens is not a casual hobby and is expensive and an investment if done properly.

Mr. Rich Krapf inquired whether it seemed that predators were attracted by the chickens but would move on to easier targets in neighboring yards when unable to get to the chickens.

Ms. Price stated that predators already exist throughout the County. Ms. Price further noted that predators might be attracted by what they perceive a food source but will move on if the food source is unavailable.

Mr. Danuser stated that he has not seen any increase in predators; however he has noticed an increase in buzzards which seem to be attracted by food for dogs on an adjacent property.

Ms. Bledsoe inquired how the chicken keepers control odor from the chicken waste.

Mr. Malone stated that proper ventilation and routine maintenance of the coop are enough to control odor.

Ms. Bledsoe stated that most ordinances prohibited stockpiling of litter and inquired how the chicken keepers disposed of the waste.

The chicken keepers responded unanimously that they used the waste as fertilizer for gardens.

Mr. Malone stated that he used lime to neutralize ammonia odor.

Mr. Danuser stated that his neighbors often ask for the litter to use in their gardens so he never has a stockpile.

Ms. Bledsoe stated that her reason for asking certain questions is to determine what is fair and reasonable to include in an ordinance.

Ms. Price stated that there should definitely be a limit to the number of chickens and roosters should be prohibited.

Mr. John Hunt stated that there should be restriction related to selling the eggs, noting that this had been a problem in Drummond's Field.

Mr. Al Woods inquired why the chicken keepers felt that a restriction on number was beneficial and requested an idea of what the limit should be.

Ms. Price noted that four seemed to be sufficient for egg production; chickens generally produce one egg a day. Ms. Price further noted that chickens require approximately three square feet of space each. Ms. Price also noted that the waste produced by four chickens could easily be absorbed as fertilizer if one had a garden.

Mr. John Wright inquired if a special use permit would be possible if someone wished to do commercial egg production in a residential area.

Mr. Purse stated that a special use permit would not be an option.

Mr. Danuser stated that setbacks would be important.

Mr. Tim O'Connor inquired about the average size of a coop and a run.

Mr. Danuser stated that the recommendation is approximately three square feet per chicken.

Mr. O'Connor stated that based on the size and configuration some lots, particularly corner and flag lots, it might be possible that the coop would be closer to an adjacent home than the chicken keeper's home. Mr. O'Connor inquired whether that was fair and how that should be mitigated.

Ms. Bledsoe stated that many of the ordinances provide guidance for where the coop is place depending on the location of the chicken keeper's house or the location of the neighbor's house. Ms. Bledsoe inquired whether there might be a situation where a lot would not qualify for chicken keeping.

Mr. Whyte responded that it would depend on what restrictions were established.

Staff and the Committee concurred that it was possible that a lot might not qualify for a number of reasons including size, configuration and location of the drainfields.

Ms. Bledsoe noted that some ordinances require the coops to be mobile to avoid eroding the ground underneath.

Ms. Price stated that her coop was not open to the ground. Ms. Price further noted that she used diatomaceous earth to eliminate pests.

Mr. Malone requested clarification on the concerns the size of the lot and the potential for the coop to be closer to a neighbor's home than the chicken keeper's home.

Ms. Bledsoe clarified that it was two separate matters. Ms. Bledsoe stated that there was a potential for the size or configuration of a lot to make it unsuitable. Ms. Bledsoe further stated that there was also the possibility that in some situations the coop could be placed closer to a neighboring home than the chicken keeper's home.

Mr. O'Connor stated that he was looking for ways to craft an ordinance that would allow adequate buffers to mitigate adjacent property owner concerns.

Mr. Danuser stated that chicken keepers should be engaging in dialogue with their neighbors to ensure that concerns are addressed satisfactorily.

Ms. Price suggested that research be done on what complaints are filed in other jurisdictions where chickens are allowed in residential districts.

Mr. Woods requested staff provide a brief overview of the ordinance revision process. Mr. Woods noted that emphasis was being placed on the survey; however, the survey was only one data point among many.

Mr. Whyte stated that to date staff has reviewed the results of the survey which had been distributed to a number of stakeholders and reviewed large number of local ordinances to determine what regulations are in place in those localities.

Ms. Price inquired about next steps.

Mr. Woods stated that as a subcommittee of the Planning Commission, the Policy Committee would review draft regulations and make a recommendation to the Planning Commission. Mr. Woods stated that the ordinance would then be presented to the Board of Supervisors with a recommendation from the Planning Commission. Mr. Woods further stated that there would be a number of opportunities for citizens to provide input on the draft ordinance.

Mr. Purse noted that this matter would be the subject of at least two more Policy Committee meetings.

Ms. Felix inquired whether any of the petitions previously filed on behalf of the chicken keepers would be considered.

Mr. Purse stated that the work done by the chicken keepers is what has brought the matter forward for consideration.

The chicken keepers noted that any limit on the number of chickens should not be overly restrictive because of the laying cycles and life cycles. It was noted that the laying cycle of chickens is approximately three years and the life span is approximately ten years.

Ms. Bledsoe thanked the citizens for attending and participating in the discussion. Ms. Bledsoe stated that the Committee's goal is to ensure that any regulations will address the needs of all stakeholders.

4.) New Business

Planning Commission Organizational Items for 2014

Mr. Chris Johnson, Principal Planner, stated that the bulk of the calendar information provided was for informational purposes and discussion among the full Commission at its organizational meeting. Mr. Johnson stated that the one decision point for this meeting was to determine from the list of meeting dates provided whether there was a preference for holding the April 2014 Policy Committee and CPT meeting on the 10th or 14th.

The Committee discussed the options and agreed to the holding the meetings on April 14.

Mr. Johnson requested that the Commissioners review the remaining proposed meeting dates and advise staff if there were any conflicts or concerns. Mr. Johnson stated that the calendar would be voted on at the Planning Commission organizational meeting.

Mr. Johnson stated that copies of the Planning Commission By Laws, Guidelines for Outside Communication and the Public Hearing Speaker Policy were provided for review. Mr. Johnson stated that these items should be reviewed annually and adjustments can be considered. Absent any adjustments the By Laws should be re-adopted by resolution each year.

Mr. Johnson noted the Commission may wish to consider whether to keep the public comment period on the Planning Commission agenda. Mr. Johnson noted that even if there is no public comment period, the chairman has the option to call for public comments.

Ms. Bledsoe inquired where this matter will be discussed.

Mr. Johnson stated that it would be discussed at the Planning Commission organizational meeting.

Mr. Johnson stated that there would also be consideration of the desire or need for a half-day retreat for training in advance of the Comprehensive Plan Review process.

Ms. Bledsoe inquired if any of the Commissioners had additional items for discussion.

Mr. O'Connor noted that he should have asked the chicken keepers why the 49% of the County that does permit chicken keeping is not adequate.

Mr. Woods noted that if everyone who lives where chicken keeping is prohibited wanted to move to where chickens are permitted, there would not be enough parcels available to accommodate them.

Mr. O'Connor noted that not everyone wants to keep chickens.

Mr. Woods stated that he was surprised by the interest generated among citizens by this issue.

Mr. Krapf stated that the County needed to consider the effect of setting a precedent for changing the uses permitted in a residential district.

Mr. O'Connor noted that he was concerned about the effect of allowing the use in areas where participation in a HOA is voluntary.

Mr. Woods noted that he had concerns about areas where there are mandatory HOAs but the HOAs are very small and would not have the resources to enforce restrictive covenants.

Mr. O'Connor noted that there are also areas where there are restrictive covenants recorded with the land records but there is no HOA.

Ms. Bledsoe noted that the responsibility was not only to create the regulations but to consider how the regulations would be enforced.

5.) Adjournment

The meeting was adjourned at 4:49 p.m.

_____

Robin Bledsoe, Chair of the Policy Committee

POLICY COMMITTEE MEETING
February 13, 2014
3:00 p.m.
County Government Center, Building D

1.) Roll Call

Present	**Staff Present**
Ms. Robin Bledsoe	Mr. Paul Holt
Mr. Rich Krapf	Mr. Adam Kinsman
Mr. Tim O'Connor	Mr. Jason Purse
	Mr. Scott Whyte
	Ms. Jennifer VanDyke
	Mr. John Rogerson
	Ms. Beth Klapper

Ms. Robin Bledsoe called the meeting to order at 3:00 p.m.

2.) Minutes

a. January 16, 2014

Mr. Tim O'Conner requested that his statement on page six regarding the size and configurations of lots be amended to specifically include corner and flag lots.

Mr. Rich Krapf moved to approve the minutes as amended.

In a unanimous voice vote the minutes were approved as submitted (3-0).

3.) Old Business

Case No. Z0-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens in Residentially Zoned Areas of the County

Mr. Scott Whyte, Planner, stated that to date, results from a survey of over 600 interested citizens and parties have been reviewed and tabulated and that ordinances from neighboring localities that have recently adopted chicken keeping ordinances have also been reviewed. Mr. Whyte stated that the survey was a good sampling of interested citizens who informed the County about the issues they felt were important to consider in creating a chicken keeping ordinance. The issues included HOA and neighborhood covenants and restrictions, whether the County should consider chicken keeping in all residential areas, how many chickens should be allowed, coop construction and placement, and mitigation of possible nuisances caused by chickens.

Mr. Whyte stated that the primary issue of whether or not the County should consider allowing chickens in residentially zoned areas was a split issue on the survey with 44% agreeing and 54% opposed. Mr. Whyte further stated that 86 percent of the responses favored establishing some restrictions. Citizens felt that the number of birds should be restricted, usually by lot size. Mr. Whyte noted that most localities have requirements for coops and construction standards,

usually requiring an enclosure with a roof to keep the birds contained and safe from the elements and predators. Mr. Whyte further noted that the location of the coop is often regulated, usually restricted to the back yard with setback regulations to keep the coops away from property lines and adjacent structures. Sanitation and rooster restrictions are often applied to mitigate possible nuisance complaints about noise and odor.

Mr. Whyte stated that the County Attorney's office has issued an opinion on HOA covenants and restrictions, basically stating that the more restrictive regulation would prevail.

Mr. Whyte requested that the Committee provide feedback and guidance regarding any next steps.

Mr. Krapf noted that he had compiled a document with the Statement of Intent for each of the residential districts. Mr. Krapf noted that two of the residential districts R-6 and R-8 already permit chickens. Mr. Krapf stated that because of lot size and density, there were some districts where chicken keeping would not be appropriate.

Ms. Bledsoe recommended that the Committee review each district and determine if it would be appropriate to allow chickens in that district.

The Committee and staff concurred.

Ms. Bledsoe stated that R-1, Limited Residential, is primarily low density. Ms. Bledsoe inquired whether staff could provide an example neighborhood for that zoning.

Mr. Purse stated that Berkeley's Green, Fieldcrest, First Colony and Kingspoint among many others are zoned R-1.

Mr. Krapf noted that while many of these subdivisions were in more rural areas, many were not.

Mr. O'Connor inquired what the minimum lot size is for R-1.

Mr. Purse stated that with public water and sewer, the minimum lot size is 15,000 square feet; with private well and septic system, the minimum lot size is 30,000 square feet. Mr. Purse further stated that the majority are on public water and sewer.

Ms. Bledsoe stated that R-2, General Residential, is primarily low-density where the clustering of residential developments is encouraged to maximize shared and purposeful open space.

Mr. Purse provided a list of the larger subdivisions in this zoning district which includes Brookhaven, Burlington Woods, Chickahominy Haven and Season's Trace among many others.

Ms. Bledsoe noted that many of the subdivisions listed include apartments or townhomes.

Mr. Whyte noted that other localities restricted chicken keeping in multifamily areas.

Mr. O'Connor noted that some of the subdivisions have patio homes where the structures are detached but the lots are smaller.

Ms. Bledsoe inquired what the lot sizes are for R-2.

Mr. Purse stated that Lots served by public water and public sewage disposal systems have a minimum area of 10,000 square feet; lots served by individual water and sewage disposal system shall have a minimum area of 30,000 square feet.

Ms. Bledsoe stated that it seemed that R-3, Residential Redevelopment, should be ruled out.

Mr. Krapf provided a summary of the district stating that the purpose of the residential redevelopment district is to encourage the replacement or reuse of existing buildings or previously developed sites to accommodate new residential development.

Mr. Purse stated that there are no example neighborhoods for this zoning district. Mr. Purse further stated that if the R-3 district had been in existence at the time, the Ironbound Square Redevelopment would have been considered for inclusion. Forrest Heights/Neighbors Drive is another redevelopment project that might have been considered. Mr. Purse noted that typically the redevelopment projects would be on small lots.

The Committee concurred that the R-3 zoning district would not be a good candidate for chicken keeping.

Mr. Krapf stated that R-4, Residential Planned Community, is intended to permit development, in accordance with a master plan, of large, cluster-type communities in a manner that will protect and preserve the natural resources, trees, watersheds, contours and topographic features.

Mr. Purse stated that examples of this zoning district include Kingsmill, Fords Colony, Governors Land and Powhatan Secondary.

Mr. Krapf noted that these large communities are likely to have restrictive covenants.

Mr. Purse confirmed.

Ms. Bledsoe stated that since these are cluster developments, it would not be appropriate to consider allowing chickens.

The Committee concurred.

Mr. O'Connor stated that these developments would have a range of housing types from single family to townhomes to condominiums.

Mr. Krapf stated that R-5, Multifamily Residential, is composed of moderate to high-density residential areas and other such areas where similar development is likely to occur.

Mr. Purse stated that a number of the areas zoned R-5 are located within neighborhoods previously mentioned. Other examples include Michelle Point, Pocahontas Square and the Mews. Mr. Purse noted that these are usually very small lots.

Ms. Bledsoe inquired whether small lots would preclude keeping chickens.

Mr. Whyte stated that it would depend on what restrictions the Committee might recommend.

Mr. Purse noted that the York County ordinance set a restriction for one chicken for every 2,500 square feet. Mr. Purse further noted that even with that restriction, a small parcel could have chickens.

Ms. Bledsoe inquired about lot size for the R-5 district.

Mr. Purse responded that there was no lot size specified because the district is for apartments, townhomes and condominiums.

The Committee concurred that this district would not be considered for chicken keeping.

Ms. Bledsoe noted that R-6, Low-Density Residential, and R-8, Rural Residential, already permit chickens by right.

Mr. Krapf stated that the R-6 district is composed of those portions of the county where a quiet, low density residential character has already been established and where limited agricultural operations function concurrently with low-density residential uses.

Mr. Krapf stated that the R-8 District is intended for application to rural areas of the county which remain inside the primary service area where utilities and urban services are planned but not yet fully available and where urban development may be expected in the near future. The district may also be applied to certain. Mr. Krapf further stated that intended to maintain a rural environment suitable for farming, forestry and low-density rural residence.

Ms. Bledsoe stated that the discussion had ruled out R-3, R-4 and R-5; leaving R-1 and R-2 for consideration.

Ms. Bledsoe stated that R-1 included such neighborhoods as Berkeley's green, Kingspoint and Fieldcrest. Ms. Bledsoe stated that the minimum lot size is 15,000 square feet.

Ms. Bledsoe stated that R-2 included such neighborhoods as Season's Trace, Baron Woods and Chickahominy Haven.

Mr. Krapf noted that the R-2 district encouraged clustering and that minimum lot size is smaller at 10,000 square feet.

Mr. Krapf noted that one of his concerns in crafting an ordinance is the impact on staff of enforcing the regulations and responding to complaints.

Mr. Purse stated that there are two zoning officers on staff to respond to complaints. Mr. Purse further stated that the impact would depend on the volume of complaints. Mr. Purse stated that subjective complaints such as noise and odor would need to be egregious for a notice of violation to be issued.

Ms. Bledsoe inquired how chicken complaints are handled in the districts where they are currently allowed.

Mr. Purse stated that chickens are allowed by-right and there are no regulations to enforce.

Mr. Adam Kinsman stated that when crafting an ordinance, it is important to look at requirements that can be measured quantitatively at the property line, particularly when there is the potential for enforcement to result in legal action. Mr. Kinsman noted that it would be very difficult to do that with odors.

Mr. Kinsman further noted that it would be difficult to enforce the number of chickens because it is possible to temporarily relocate or hide chickens.

Mr. Kinsman stated that it would also be difficult to enforce regulations for adequate upkeep. Mr. Kinsman further stated that in the districts that currently permit chickens, those concerns are referred to Animal Control.

Mr. O'Connor posed a question on how a nuisance would be defined.

Mr. Kinsman stated that it was different in every case. Mr. Kinsman stated that there are also distinctions between public and private nuisances. Mr. Kinsman stated that the conditions would need to be egregious to rise to the level of a public nuisance.

Ms. Bledsoe inquired whether chicken keeping could be added to the R-1 and R-2 districts as a by-right use without restrictions.

Mr. Kinsman stated that it was an option or the Committee could recommend reasonable restrictions.

Ms. Bledsoe inquired whether it was appropriate to put restrictions on two districts when there are no restrictions on the districts where chickens are currently permitted.

Mr. Kinsman responded that it would be appropriate if it is deemed that the districts vary sufficiently in their character that restrictions are necessary to make it workable for the district.

Mr. Purse noted that "residential chicken keeping" could be added as a use in R-1 and R-2 with the restrictions being enumerated under Article 2, Special Regulations.

Mr. Krapf inquired whether there were significant hurdles associated with the SUP process.

Mr. Holt stated that it would make every application unique and each one would be subject to the public hearing process. Mr. Holt further stated that it would lead to situations where some are approved and others are not, which would make the process less consistent.

Mr. O'Connor noted that the York County ordinance includes a statement that "… or for any other reason diminishes the rights of adjacent property owners to enjoy reasonable use of their

property" and inquired if Mr. Kinsman would prefer that such a statement would not be included in the James City County ordinance.

Mr. Kinsman stated that the ordinance is working well for York County. Mr. Kinsman further stated that there have been minimal complaints and none have been prosecuted in court. Mr. Kinsman further stated that relying solely on that statement in a court case would be difficult.

Mr. O'Connor inquired what would be required for enforcement purposes to create an ordinance that is not subjective. Mr. O'Connor further stated that it was a question of how to regulate the behavior of the owners.

Ms. Bledsoe noted that Poquoson has issued 31 permits for chicken keeping and York County has issued 34. Ms. Bledsoe further noted that the Peninsula Chicken Keepers are aware of approximately 5 people in James City County who have chickens. Ms. Bledsoe inquired if the County had a better idea of the number of chicken keepers.

Mr. Holt stated that based on the survey responses, there might be 30.

Ms. Bledsoe opened the floor to comments from the public.

Mr. Eric Danuser noted that it seemed as though the County was approaching the ordinance as though everyone in the County would have chickens.

Ms. Bledsoe stated that the goal was to draft an ordinance that would serve everyone.

Mr. O'Connor noted that the ordinance would potentially allow everyone in the affected district(s) to have chickens.

Ms. Carol Bartram, Peninsula Chicken Keepers, inquired whether the Committee has done a site visit to see a small flock. Ms. Bartram noted that her neighbors were only aware of her flock because she notified them. Ms. Bartram stated that what is needed is to chance the perception of backyard chickens from agriculture to pets. Ms. Bartram further stated that the waste and noise produced by chickens was far less than most domestic animals. Ms. Bartram noted that the consideration and discussion by the Policy Committee is identical to the discussions in other localities.

Ms. Michelle Fitzgerald stated that where there are chickens on small lots in Chanco's Grant, there have been no complaints. Ms. Fitzgerald further stated that the one restriction should be on roosters because of the noise.

Ms. Bledsoe closed the public comment.

Ms. Bledsoe asked the Committee if it was feasible to have staff draft ordinance language for the two districts that have not been ruled out.

Mr. Krapf stated that he was still on the fence about the issue. Mr. Krapf further stated because chicken keeping is a use that has not been introduced in the majority of the residential districts,

it is important to look at the potential impacts thoroughly rather than rushing to put an ordinance in place and finding that there are significant issues that have not been addressed.

Mr. Krapf noted that his concerns include: whether zoning regulations should be changed to allow chicken keeping in residential districts when half of the County's land is zoned to allow chickens; the impact on adjacent property owners if there is not a requirement that chickens be kept in an enclosure that prevents escape; whether introducing a new food source such as chickens will draw predators to the area that might not typically be found that district; and the impact on staff of enforcing the ordinance.

Mr. Krapf stated that, despite his concerns, he would be willing to look at a draft ordinance to amend the zoning regulations for the R-1 district. Mr. Krapf noted that he was not in favor of amending the zoning regulations for the R-2 district.

Mr. O'Connor stated that his concerns included minimum lot sizes; the impact of placement of coops where there are flag and corner lots; and the impact on the County of enforcing the ordinance.

Ms. Bledsoe suggested moving forward with a draft ordinance only for the R-1 district.

Ms. Bledsoe noted for the public, that the role of the Policy Committee is to vet the information and to make recommendations to the full Planning Commission. Ms. Bledsoe further noted that the Planning Commission would then forward a recommendation to the Board of Supervisors where the change would ultimately be ratified.

Mr. Holt confirmed that staff would bring back to the Committee draft ordinance language with options to be considered for the R-1 district.

Ms. Bledsoe stated that the Committee would like to make a recommendation at its March meeting.

Mr. O'Connor stated that if there were an application process, he would recommend that the applicant be required to provide proof that there are no deed restrictions or restrictive covenants prohibiting chickens affecting their property.

Mr. Holt noted that staff would work with the County Attorney's office to consider options that a reasonable and enforceable.

4.) New Business

Case No. ZO-0008-2013, Accessory Apartments

Ms. Jennifer VanDyke, Planner, stated that at its January 8, 2014, meeting the Planning Commission approved an initiating resolution to consider revisions to the Zoning Ordinance pertaining to the definition, provisions and procedures relating to accessory apartments.

Ms. VanDyke stated that current ordinance provisions require accessory apartments be: substantially contained within the single family dwelling; may not occupy more than 35% of the floor area of the dwelling; new entrances must be located on the side or rear of the building; and all setback, yard and height regulations applicable to main structures in the zoning district must be met.

Ms. VanDyke stated that currently, accessory apartments are allowed by-right on property that is zoned A-1, R-2, R-3, R-4, R-8, MU and PUD and are allowed as a specially permitted use on land that is zoned R-1 and R-6.

Ms. VanDyke stated that staff requests that the Committee provide input on the possibility of allowing accessory apartments as a matter or right or maintain that they be specially permitted in R-1 and R-6.

Mr. O'Connor stated that he might be willing to consider expanding where accessory apartments are allowed by-right.

Mr. Krapf noted that he would like to see the restrictions on accessory apartments reduced; such as the requirements for sharing a common wall. Mr. Krapf noted that he did not have concerns with accessory apartments located above a detached garage.

Mr. John Rogerson, Zoning Officer, stated that currently accessory structures such as garages could not be used for housekeeping purposes.

Ms. Bledsoe inquired why accessory structures could not be used for an accessory apartment.

Ms. VanDyke by allowing accessory apartments in a separate structure the character of the neighborhood could be impacted.

Ms. Bledsoe inquired if there were ways to allow the accessory apartments in a separate structure without affecting the look of the community.

Ms. VanDyke noted that certain localities require architectural elevations to be submitted; however, that increases the cost to the homeowner.

Mr. O'Connor noted that he would support requirements that the accessory apartment in a separate structure be harmonious with the main structure. Mr. O'Connor also suggested that a sunset clause should be included to avoid the potential for rental use.

Mr. Krapf inquired whether it could be stipulated that the occupant is a family member.

Mr. Holt noted that the Fair Housing Act would prohibit that type of stipulation.

Mr. Krapf noted that restrictions could be included for the location of the entrance and adequate parking.

Ms. VanDyke noted that a stipulation could be added to require the property owner reside in either the main structure or the accessory apartment.

Mr. Holt suggested that staff bring back ordinance options to the March Policy Committee meeting for consideration.

The Committee members confirmed that they would like to review a draft ordinance at the next meeting.

5.) Adjournment

The meeting was adjourned at 4:09 p.m.

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Robin Bledsoe, Chair of the Policy Committee

POLICY COMMITTEE MEETING
March 13, 2014
3:00 p.m.
County Government Center, Building D

1.) Roll Call

Present	**Staff Present**
Mr. Tim O'Connor	Mr. Paul Holt
Mr. Rich Krapf	Ms. Ellen Cook
Ms. Robin Bledsoe	Mr. Jason Purse
Mr. John Wright	Ms. Leanne Pollock
	Ms. Kate Sipes
	Mr. Scott Whyte
	Ms. Jennifer VanDyke
	Mr. John Rogerson
	Ms. Beth Klapper

Mr. Tim O'Connor called the meeting to order at 3:00 p.m.

2.) Minutes

a. February 13, 2014

Mr. Rich Krapf moved to approve the minutes.

In a unanimous voice vote the minutes were approved as submitted (4-0).

3.) New Business

a. Agricultural and Forestry Industries (AFID) Grant Update

Ms. Leanne Pollock, Senior Planner II, stated that the County applied for and received a $20,000 state grant for rural economic development planning. She stated that they have been working in partnership with the Office of Economic Development and the Rural Economic Development Committee.

Ms. Pollock stated that the state grant supports the Economic Development and Land Use Goals, Strategies, and Actions that are in the Comprehensive Plan. Ms. Pollock stated that the purpose of the project is how to support the viability of agriculture and timbering industries; how to encourage business growth; diversification of the tax base through rural economic development; and how to foster new business enterprises that are compatible with or support rural lands goals in the comprehensive plan.

Ms. Pollock further stated that they have been working with a consultant to complete the process and have held stakeholder interviews which included rural land holders, Agricultural and Forestal District and Purchase of Development Rights participants, participants in previous rural lands discussions, local chefs, existing rural businesses, and leaders in the health, institutional and school industries, among many others. Ms. Pollock further stated that they completed a

fiscal assessment of rural activity which is intended to complement the stakeholder interviews in developing a list of actions and projects that promote rural economic development goals.

Ms. Pollock stated that a draft list of actions and projects has been developed ranging from marketing, rural recreation and agri-tourism to infrastructure projects such as food hubs and community gardens. Ms. Pollock stated the Rural Economic Development Committee is in the process of evaluating the projects to narrow the focus and more fully develop the scope of the projects. Ms. Pollock stated that the next steps would entail hosting a workshop and gathering public comment with a goal of having the information ready for inclusion in the Comprehensive Plan.

Ms. Robin Bledsoe inquired how staff would determine which projects were feasible and/or of interest to the community.

Ms. Pollock stated that many of the projects were developed from public input gathered during the stakeholder interviews. Ms. Pollock further stated that ultimately the consultants would flesh out the projects, determine the feasibility and develop a timeframe for implementation.

Ms. Bledsoe inquired whether the County would be implementing the projects or whether the idea was to develop a tool kit so that other entities could implement some of the projects.

Ms. Pollock stated that it would depend on the nature of the project. Some projects would be geared toward a private investment; however, staff would be available to support the effort in the community.

Mr. John Wright inquired whether the criteria for evaluating the projects included a measure to determine how successful a project would be.

Ms. Pollock responded that the Rural Economic Development Committee would provide feedback on the potential success of a project; however, the initial evaluation criteria were geared more toward timeframe, cost and resources required.

Ms. Kate Sipes, Business Development and Retention Coordinator, stated that criteria for the second round of evaluations would be refined and weighted.

Ms. Pollock noted that one of the criteria is how well a project furthered the goals for rural economic development and the benefit to rural property owners.

Mr. Tim O'Connor inquired whether the feedback from rural property owners indicated that they wanted to continue to farm their land.

Ms. Sipes stated that the responses had varied greatly. Ms. Sipes further stated that one of the study goals was to ensure that continuation of productive farming and timbering would be made practically possible by developing options that have a reasonable chance of success.

Mr. O'Connor inquired what the response was from local chefs and restaurants.

Ms. Sipes responded that there is a large demand for locally sourced products. Ms. Sipes noted that the response included not only restaurants but also institutions such as the schools, continuing care facilities and the jail.

Mr. Krapf noted that he was impressed with the consultant's efforts and believed they brought a valuable perspective to the project.

b. Longhill Road Corridor Study - Update

Mr. Carroll Collins, Kimley Horn and Associates provided a presentation on the status of the Longhill Road Corridor Study. The presentation covered feedback from the Project Advisory Committee, the Technical Advisory Committee and public meetings. The presentation also covered recommendations for typical road sections and access management at the various intersections.

Mr. Krapf inquired if it was possible to determine at this stage what percentage of privately owned property would be impacted by roadbed changes.

Mr. Collins responded that this not been part of the considerations to date.

Mr. Krapf inquired if that would be done prior to the final report.

Mr. Collins stated that it could be touched on briefly for the final report but that the effect on properties would not be fully determined until the project was in the design phase.

Mr. Krapf noted that his question related not only to impact on the properties but also to what the effect of acquiring property would be on the project cost.

Ms. Bledsoe inquired if the process would be to purchase the property.

Mr. Collins responded that in most cases it would only require purchasing the portion of the property required for the project.

Mr. Wright inquired about the costs associated with relocation of utilities.

Mr. Collins responded that an estimate of utilities costs would be included in the final report.

Mr. O'Connor inquired what the recommendation is for the intersection at the Warhill Sports Complex.

Mr. Collins stated that the recommendation is a signalized intersection; however, it will require a further study to determine if the warrants are met.

Mr. O'Connor inquired if the speed limit would remain at 45 mph.

Mr. Collins confirmed.

Mr. O'Connor inquired about the plans for the segment of the road between Rt. 199 and Williamsburg West/Lane Place.

Mr. Collins stated that the intention would be two lanes with an exclusive right turn lane at Lane Place.

Mr. O'Connor inquired about the effect of the wetlands between Longhill Grove and Fords Colony on the project; whether there would be sufficient space to construct the typical three lane section.

Mr. Collins stated that one of the benefits of the realignment option is that it would shift the road away from the wetlands as well as away from the pond and the cemetery.

Mr. O'Connor thanked Mr. Collins for his presentation and stated that he was pleased with the way the improvement options are shaping up.

4.) Old Business

a. Case No. ZO-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens in Residentially Zoned Areas of the County

Mr. Scott Whyte, Senior Landscape Planner, II stated that at its February meeting, the Policy Committee instructed staff to prepare draft ordinance options for consideration. Mr. Whyte stated that both draft ordinances would restrict the use to domestic purposes, single family residences and permit only the keeping of hens. Mr. Whyte further stated that both draft ordinances also include regulations for coops and their location and construction and a permitting process. Mr. Whyte noted that where the draft ordinances differ is in the number of birds allowed based on lot size and one requires a permit processing fee where the other does not.

Mr. Krapf noted that the sample ordinance from Prince William County addressed the proximity of chicken coops to the RPA streams and non RPA streams and inquired whether that was a concern that should be considered.

Mr. Jason Purse, Zoning Administrator, stated that staff could bring the question to the attention of the Engineering and Resource Protection division for feedback.

Mr. Krapf noted that his concerns were related to chicken waste leaching into a stream.

Mr. Whyte stated that if the number of birds was restricted to a maximum of 12, the amount of waste produced would be less than the amount of fertilizer generally used on lawns.

Ms. Bledsoe requested clarification on whether section 3.1-796.116 of the Code of Virginia, Dogs killing, injuring or chasing livestock or poultry applied to backyard chickens.

Mr. Paul Holt, Planning Director, stated that there is no distinction in this section or its matching section in the County Code for the various zoning districts. Mr. Holt stated that in County Code there are, however, prohibitions on the discharge of firearms based on the specific neighborhood. Mr. Holt stated that further review would be required to determine on which regulation takes precedence.

Mr. O'Connor inquired whether the recommendation was for three or four square feet of space per bird.

Mr. Holt noted that this portion was to define the inside portion and not the outside run area.

Mr. Wright inquired whether the recommendation was for the birds to always be confined.

Mr. Holt responded that the birds were not limited to the coop only but could have an outside run area.

Mr. O'Connor noted the Prince William County ordinance included a prohibition on dispatching chickens on the property.

Mr. Krapf inquired what the purpose of such a prohibition might be.

Mr. O'Connor noted that the sight of a chicken being dispatched might be upsetting to neighbors.

Mr. O'Connor noted that the Prince William County ordinance also prohibited chicken coops near wellheads.

Mr. Holt stated that he could inquire what the Health Department regulations might be.

Mr. O'Connor inquired whether the Committee had a preference between the two ordinances.

Mr. Holt noted that the Committee would want to choose between the options for minimum lot size as well as the option for a permit fee.

Mr. O'Connor noted that the Committee would want to review the ordinance once more before forwarding a recommendation to the Planning Commission.

Mr. Krapf concurred, noting that there were still several outstanding questions and concerns.

The Committee concurred that they would choose item (b) from draft ordinance option #1. The Committee recommended including a setback restriction that addresses flag lots and corner lots. The Committee also concurred that a permit processing fee should be included.

Mr. Holt stated that staff would bring back a revised ordinance for review at the Committee's April meeting along with answers to the several questions noted.

5.) Adjournment

The meeting was adjourned at 3:55 p.m.

_____

Tim O'Connor, Chair of the Policy Committee

POLICY COMMITTEE MEETING
April 14, 2014
3:00 p.m.
County Government Center, Building D

1.) Roll Call

Present	**Staff Present**
Mr. Tim O'Connor	Mr. Paul Holt
Mr. Rich Krapf	Mr. Jason Purse
Ms. Robin Bledsoe	Mr. Scott Whyte
Mr. John Wright	Ms. Jennifer VanDyke
	Ms. TC Cantwell

Mr. Tim O'Connor called the meeting to order at 3:07 p.m.

2.) Minutes

a. March 13, 2014

Mr. Rich Krapf moved to approve the minutes.

In a unanimous voice vote the minutes were approved as submitted (4-0).

3.) Old Business

Case No. Z0-0007-2013, Zoning Ordinance Amendment to Consider the Keeping of Chickens in Residentially Zoned Areas of the County

Mr. Scott Whyte, Planner, addressed the Policy Committee giving a summary of the staff report included in the Agenda Packet.

Ms. Bledsoe moved to forward the case to the Planning Commission.

Mr. O'Connor stated that the case should go before the Planning Commission to consider and to have a public hearing.

Mr. Paul Holt stated that the Planning Commission may request additional changes.

In a unanimous voice vote the draft Ordinance was forwarded to the Planning Commission for consideration (4-0).

Mr. Roy Hartley of the Powhatan Crossing Home Owner's Association (HOA), inquired if a house is located in the center of a 15,000 square foot lot in R-1, Limited Residential, would they be permitted to keep chickens in the back yard.

Mr. Scott Whyte stated that is total lot area and that chickens would be permitted on lots that are 15,000 square feet or more in R-1, Limited Residential.

Mr. Holt stated that the chickens, coops and runs would remain in the back yard.

Mr. Hartley inquired if a back yard of 6,000 square feet would be sufficient.

Mr. Whyte stated yes that is sufficient.

Mr. O'Connor stated that is their understanding that a Homeowner's Association may have declarations of covenants and restrictions or rules that have been adopted that preclude chickens or any other domestic animals.

Mr. Hartley inquired if the approval of the ordinance would have any effect on the HOA and if the County overrules.

Mr. Krapf stated no.

Mr. Hartley inquired if the HOA would have to change their covenants to accommodate the change in ordinance.

Mr. Holt stated that the HOA has the option to leave the covenants in place and be more restrictive and not permit chickens at all.

Mr. Hartley stated that the HOA could ignore the ordinance.

Mr. Holt stated that it would not be applicable under the neighborhood association rules.

Mr. O'Connor stated that another opportunity to speak on behalf of this ordinance would be during the public hearing section of the May 7, 2014, Planning Commission meeting.

Mr. Krapf stated that if the HOA covenants or rules do not address the issue of chickens and the ordinance were to be approved then the residents would be allowed to have chickens.

Mr. Hartley stated that their covenants specify cats and dogs only.

Mr. Wright stated that the ordinance does not apply.

Mr. Hartley stated that the HOA would have to change the covenants to permit chickens.

Mr. Krapf stated that is correct if the residents are interested in keeping chickens.

Mr. Jason Purse stated that the County would not enforce the HOA covenants and that would be up to the Association.

Case No. ZO-0008-2013, Accessory Apartments

Ms. Jennifer VanDyke, Planner, addressed the Policy Committee giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf requested that staff elaborate on the A-1, General Agricultural District. He requested information regarding both detached and attached apartments as specially permitted uses in A-1 District.

Mr. Krapf stated that the lot size in A-1 is a minimum of 3 acres which means the neighborhood criteria isn't as applicable as other districts. He inquired if staff had an internal discussion regarding the detached accessory apartments in A-1 District.

Ms. VanDyke stated that staff had not discussed the A-1 District in isolation and the proposed ordinance would allow attached apartments by-right uses within the residential districts with the exception of R-5, Multi-family Residential. She stated that the ordinance would allow detached apartments as a legislative review process with the exception of PUD, Planned Unit Development, MU, Mixed Use, and R-5.

Mr. Wright inquired if the MU, Mixed Use District would not allow detached accessory apartments.

Ms. VanDyke stated that is correct and there were more in depth discussions on MU and R-5 due to the nature of those neighborhoods.

Mr. O'Connor asked if in some districts, the entire accessory structure could be converted into an accessory apartment.

Mr. Holt stated that the purpose for limiting the size of an apartment within an accessory structure is due to the potential of creating a non-conforming lot.

Mr. O'Connor inquired if the ordinance allows the garage to be doubled in size to accommodate an accessory apartment.

Mr. Purse stated that the size of the structure could be doubled in size dependent on total size.

Mr. O'Connor inquired if the floor plan for the detached accessory structure could be doubled in size since there is a 3 acre minimum lot size in the A-1 zoning district.

Ms. VanDyke stated that the proposed special regulations language would allow cases to be reviewed based on the size and scale of the primary residence.

Mr. O'Connor stated that the size, scale, and architecturally compatible should be a condition in the ordinance instead of the SUP.

Mr. Holt stated that in agricultural zoned districts accessory structures such as barns, sheds, garages, etc. can be quite large and the SUP would assist with regulating the size of accessory apartments within that district.

Mr. Wright inquired if the detached garages within New Town that could be used as accessory apartments would be precluded from the draft ordinance.

Mr. Purse stated that the definition of dwelling units excludes full baths and kitchens.

Mr. Holt stated that the college students could reside in those units but they would have to utilize the full bath and full kitchen within the principal structure.

Mr. Holt stated that these units could be utilized as an art studio, a work shop, and a bedroom. He stated a 220 service to accommodate a full size stove or oven is not permitted, however, a microwave or hotplate is permitted.

Mr. O'Connor inquired if parking calculations in mixed use districts included garages.

Mr. Wright stated that New Town area provides approximately one parking space per residential unit.

Ms. Bledsoe stated that parking has become an issue within residential areas.

Mr. Purse stated that residential neighborhoods usually have longer driveways and garages which accommodates for more parking, however, multi-family areas are typically not equipped with those options.

In a unanimous voice vote the draft Ordinance was forwarded to Planning Commission for consideration (4-0).

5.) Adjournment

The meeting was adjourned at 3:34 p.m.

_____

Tim O'Connor, Chair of the Policy Committee

ORDINANCE NO. _____

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 ADDING SECTION 24-47, CHICKEN-KEEPING; 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 adding Section 24-47, Chicken-keeping and by amending Section 24-232, Use list.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-47. Chicken-keeping.

The keeping of domestic chickens shall be allowed on residentially-zoned and occupied property with a minimum lot size of 15,000 square feet and containing a single-family home. The chickens shall be solely for personal use and shall comply with the following requirements:

(a) Chickens allowed pursuant to this section shall be kept and raised only for personal use. Commercial activities including, but not limited to, selling eggs or selling chickens for meat, shall not be allowed. Harvesting or dispatching of chickens is not permitted.

(b) For the first 5,000 square feet of total lot area, two (2) hens are permitted. For each additional 5,000

square feet of total lot area, one (1) additional hen is permitted up to a maximum of twelve (12) hens on the property.

(c) No roosters shall be allowed.

(d) A coop or a cage to contain the chickens and a run shall be required and shall meet the following criteria:

1. Shall be enclosed with a minimum four (4) feet high chicken wire fence and provide at least three (3) square feet of area per hen for free movement and a healthy environment. A portion of the total enclosed area shall be covered.

2. 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 use.

3. Shall be situated at least five (5) feet from adjoining property lines and twenty-five (25) feet from any dwelling located on an adjacent property. On corner lots all coops, cages and runs shall be situated no closer than 35 feet from the side street.

4. Shall be located outside of resource protection areas and conservation easements.

(e) It shall be unlawful for any person to keep chickens under this chapter unless such person shall have first obtained a permit from the James City County zoning office. The resident of the property on which chickens are to be kept shall file an application accompanied by a $20.00 processing fee. The application shall include a sketch showing (i) the area where the chickens will be kept; (ii) all coops, cages, and runs; and (iii) all dimensions and setbacks of the property. Upon review of the application and determination that the proposed chicken-keeping complies with the standards set forth in this chapter, the zoning office shall issue a permit. Any permit may be revoked if a permit holder is not in compliance with this chapter.

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	*Keeping of chickens in accordance with section 24-47*	*P*	

ChickenKeeping-ord

James City County Planning Chicken Keeping in Residential Areas Survey

Currently, keeping chickens is allowed on property that is zoned A-1, General Agricultural, R-6, Low Density Residential, and R-8, Rural Residential.

James City County is considering amending the zoning ordinance to include provisions to allow keeping chickens in additional areas of the county on property that is zoned residential (such as property that is zoned R-1, R-2, R-4, PUD-R, etc.). The Board of Supervisors has requested that staff prepare a residential chicken keeping ordinance that would define policy and specify minimum standards within the zoning ordinance.

To assist staff in assessing the desires of the public for chicken keeping in additional residential areas, please complete the following brief survey.

1a. Have you ever considered raising chickens at your residence?

Yes – 241 / 40%
No – 363 / 60%

1b. If you answered "Yes" – why is this important to you?

SEE ATTACHED

1c. If you would like to raise chickens at your residence but are not currently doing so, why not?

SEE ATTACHED

2. Do you currently have chickens?

Yes – 38 / 6%
No – 565 / 94%

Please rate your level of agreement with the following statements. Also, feel free to share any additional comments.

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Comments
3a. James City County should consider allowing people to keep chickens on property that is zoned residential.	200 / 33%	69 / 11%	48 / 8%	281 / 46%	7 / 1%	Why? SEE ATTACHED
3b. Chicken keeping should be permitted equally in all residential districts (e.g. R-1, R-2, R-4, PUD-R, etc.)	132 / 22%	73 / 12%	48 / 8%	309 / 52%	33 / 6%	If you disagree or strongly disagree, why? SEE ATTACHED

3c. If chickens are kept on property that is zoned residential, it should be with restrictions (such as limits on the numbers of chickens or distance of the coops from property lines.)	132 / 61%	73 / 25%	48 / 3%	309 / 8%	33 / 4%	SEE ATTACHED

4a. If James City County was to develop an ordinance that permitted chickens to be kept on property that is zoned residential:

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Comments
Coops or pens should be required.	352 / 61%	107 / 19%	38 / 7%	31 / 5%	49 / 8%	If you agree, what minimum requirements should coops or pens have? SEE ATTACHED
Coops or pens should be set back from property lines or a neighbor's residence.	330 / 57%	130 / 23%	40 / 7%	29 / 5%	45 / 8%	If you agree, how far from property lines or the neighbor's residence should they be? SEE ATTACHED
Chickens should be kept only on properties that have a minimum lot size.	294 / 52%	98 / 17%	80 / 14%	45 / 8%	50 / 9%	If you agree, what should the minimum lot size be? SEE ATTACHED
There should be a maximum number of chickens kept at any one time.	336 / 59%	137 / 24%	24 / 4%	26 / 5%	44 / 8%	If you agree, what should the maximum number of chickens be? SEE ATTACHED
The keeping of roosters should be permitted.	30 / 5%	98 / 17%	95 / 16%	307 / 52%	60 / 10%	SEE ATTACHED

4b. Should James City County require a fee and application to keep chickens on property that is zoned residential to ensure (that the considerations listed above are reviewed and permitted) chicken keeping is monitored?

Yes – 246 / 43%
No – 325 / 57%

5. If chickens are kept on property that is zoned residential, how important are the following considerations to you?

	Very Important	Somewhat Important	Not At All Important
Predators	333 / 56%	153 / 26%	104 / 18%
Rodents	389 / 66%	115 / 19%	86 / 15%
Odor	401 / 68%	110 / 19%	76 / 13%
Noise	392 / 67%	112 / 19%	85 / 14%

Other considerations? __SEE ATTACHED_____

6. In considering an ordinance that would allow for chickens to be kept on residential zoned property, what other localities should serve as a "model" or have "best practices" for James City County?

SEE ATTACHED

7. In the future, should James City County also consider allowing the following on property zoned residential:

a. Other livestock, such as ducks, pheasants or similar fowl/poultry?
Yes – 133 / 23%
No – 360 / 61%
Not sure/no opinion – 98 / 17%

b. Animals, such as miniature goats or pigs?
Yes – 113 / 19%
No – 399 / 67%
Not sure/no opinion – 80 / 14%

c. Insects, such as bee keeping?
Yes – 255 / 43%
No – 250 / 42%
Not sure/no opinion – 84 / 14%

8. To your knowledge, are there covenants in your neighborhood that would restrict the keeping of chickens?
Yes – 317 / 54%
No – 108 / 18%
Don't Know – 167 / 28%

9. What other minimum standards are important to you regarding keeping chickens on land that is zoned residential in James City County?

SEE ATTACHED

10. What other input would you like to share as James City County considers this important question?

SEE ATTACHED

11. Do you live in James City County? (Y/N) If yes, please provide the name of the subdivision where you live. Yes – 547 /95%
No – 30 / 5%

_____

12. Please provide your name (optional).

_____

Thank you for taking the time to complete this questionnaire. The results will be shared with the Policy Committee, the Planning Commission and the Board of Supervisors as they consider this important question.

As a next step, we would like to invite you to participate in a conversation with the James City County Policy Committee on Jan. 16, 2014 at 3 p.m. in Building D of the James City County Government Center, 101 Mounts Bay Rd., Williamsburg, VA.

Should you have further questions or additional comment, please contact W. Scott Whyte, Senior Landscape Planner II, at 757-253-6867.

CHICKEN SURVEY RESPONSE

1a. Have you ever considered raising chickens at your residence?

1b. If you answered "Yes" why is this important to you?

- Because chickens are great pets with benefits; as an extension of my garden; to know where my eggs come from and what goes into them; to have local eggs that are produced humanely. I enjoyed them different breeds and characteristics.
- I enjoyed them different breeds and characteristics.
- It would be important for me to be able to provide for my family in a sustainable way.
- It was important because we wanted to give our children a great pet experience, but because of our lifestyle, dogs and cats are out of the question.
- 1. Raising my own food means that I know exactly what is in it (and what is *not* in it). 2. I thought it was a good idea help teach my children responsibility. Taking care of livestock must be done every day, even if you don't particularly feel like it. 3. Chickens are actually not bad at keeping down ticks, though I think Guinea Fowl may be better.
- Fresh eggs, happy chickens that can live like chickens, and children learning responsibility for keeping livestock.
- Self-sustainability, great pets, bio control of pests, fresh eggs.
- I am interested in laying hens for their fresh eggs. I want to be sure they are treated humanely. They help with some of my gardening chores and provide fertilizer. They are an important part of green/sustainable living.
- I think it's important that our children know where our food actually comes from. Also, we have control over exactly what we are putting into our bodies.
- To have fresh eggs and free compost material for the garden.
- We live currently in R8 and legally have chickens. They reduce the bug and tick population which is wonderful as well as provide fresh, tasty, and healthy eggs.
- Sustainable resources and teaching points for our children.
- For the eggs.
- Fresh organic eggs and meat.
- Additional food source, pets and pest control, helps with my PTSD.
- Fresh eggs.
- A source of eggs and also a "pet."
- Our culture needs to get closer to its food sources. Home raised chickens provide superior eggs and I find them to be fascinating creatures.
- Organic food is the best. I am allergic to some chemicals that are injected into the chicken eggs at the store. I also must follow a high protein diet due to medical conditions.
- Chickens are low-maintenance, food-producing, and pest-reducing. They are an easy and eco-friendly way to improve soil, reduce pesticide use, reduce herbicide use, and produce high-quality food to boot.

- It should not be relevant and is no one's business, however since you asked I would do it to raise eggs and to teach my children responsibility. Both our pediatrician and pastor do this at home.
- I like the idea of knowing where my food comes from.
- Food source that is easy to keep and care for, that is not subject to hormones and other chemicals.
- I would like the option of having a few hens for eggs.
- Food, sustainability, environment, ecology, nature, etc.
- We keep chickens for their eggs.
- Backyard eggs are much healthier than their store bought counterparts. Backyard eggs contain: 1/3 the Cholesterol of store bought eggs 2/3 more vitamin A 1/4 less saturated fat 2 times the amount of Omega 3 fatty acids 3 times the amount of Vitamin E 7 times more Beta Carotene They make excellent chemical free pest and weed controlâ€‹â€‹. Chicken manure has great levels of nitrogen, phosphorus and potassium. Chicken manure is more economically valuable than synthetic fertilizers and much safer for the environment.Easily cared for and provides good eggs.
- Easily cared for and provide good eggs.
- Because I love fresh eggs, and because chickens help keep the tick population under control.
- Home grown eggs and meat.
- We moved to James City County from a sprawling city - Virginia Beach, VA. Living in a rural area.
- So my family will have a better understanding of the food they eat and a healthier relationship with food generally; in order to have fresh eggs.
- Just today results of a study concluded that 97% of all chicken breasts in the United States is contaminated with antibiotic resistant bacteria.
- Because it would be a way of insuring fresh eggs and meat for teh family as well as show the children some responsibility.
- I like the idea of urban homesteading, and while I live in an area of the county that is more rural than urban, I don't have anything bad to say against chickens being owned by anyone so long as they take care of them responsibly.
- To raise my own healthy food.
- For eggs, and for a way to turn food scraps into compost. Also, my Grandparents had chickens.
- Knowing where our food comes, the quality and freshness (eggs), teaching our children how to take care of nature and themselves, and the responsibility of providing some of our own needs. This seems like such a win-win situation.
- To teach my children the importance of self-sustainable food and resources. Fresh eggs are very healthy and taste wonderful.
- 1) Food (eggs) 2) Fun 3) Fertilizer 4) Manage my compost pile far faster and more efficient than I could. I did not need to rely on JCC to remove my leaves, instead allowing the chickens to decompose the pile in a number of months due to their constant scratching for a pile that used to take more than a year to decompose if neglected.
- Fresh eggs, nice hobby, caring for animals...

- Safer food, fresh eggs.
- Fresh, healthy eggs from happy healthy chickens.
- We enjoy fresh eggs.
- Raising your own chicken has health benefits, they eat harmful insects, and raising them allows owners to control what they eat and how they are raised.
- I am against the large factory farms which cruelly confine chickens and force them to produce eggs. I want to be able to know where my eggs are coming from and what is going into the chicken that produces them.
- Chickens control insects in garden, provide eggs.
- Easy to care for pets. Fresh healthy eggs. Good for the environment. Good for the garden.
- Fresh egg and would like to use the droping for my vegs and the chicken will happy child know wear egg and meat come from.
- They are a natural part of insect control, teaching children responsibility, food production, and garden compost.
- Have fresh eggs. Teach my family about where there food comes. Be more sustainable in how we live.
- Fresh eggs
- 1) Chickens do a good job of keeping the yard tic free. 2) I like having low cost fresh eggs.
- Organic reasonable food
- More humane.
- For the eggs and other benefits.
- Having fresh chicken eggs each morning was something I grew up with as a small child & is something I want to be able to share with my children.
- Fresh eggs.
- Eggs provide a local source of fresh food. The eggs you buy in a store are as much as a month old. Eggs raised at home are often nutritionally superior to factory farm-raised eggs.
- To have an access to healthy food, to teach my kids how to grow your own food, care for animals and benefit from it.
- Source for fresh eggs, educational for children, and nice to have animals around.
- Eggs are good. Chickens are relaxing animals.
- Chickens will provide my family with an affordable alternative to the high price organic chicken and eggs. They will also help to keep the tick population down. Having had lyme's disease twice, this may be more of an issue for us than for others.
- Life, liberty and the persuit of happiness.
- To have true organic eggs.
- Economics.
- To have organic eggs and chicken.
- If I were able to raise chickens, the chickens and eggs would be organic, without chemicals added, local, fertilizer would be provided for my garden, mosquitos and bugs would be controlled, the chickens would have a better life than at a commercial facility, rare breeds could be promoted.

- Organic eggs, good fertilizer, great insect/tick control, educational. And, chickens are much quieter and better neighbors than dogs or cats.
- At the time, it was important to me for fresh eggs, fresh chickens, and knowing what was in my food from egg to oven.
- Fresh eggs with no steroids. And it teaches kids a since if responsibility.
- Sustainability.
- Keeping chickens are a way to provide a break to the grocery bill as well as to keep down bugs and pests in ones yard. It’s green, sustainable and has little to no negative social or environmental impact.
- Because I should be able to do as I wish with my own property within reason, and this is within reason Healthy natural food for my family so kids can see where from where their food comes Great lawn fertilizer with a movable cage, they keep ticks down.
- Teaches children responsibility and all else that goes with raising animals for food. Makes you appreciate the work and sacrifice involved in producing food. Provides higher quality and more nutritious eggs and meat. The chickens are much healthier having access to bugs, worms, grasses...
- To show our children that food comes from the Earth, not from a box in the store. We feel it is important to teach children where our food comes from.
- Fresh eggs, teaching tool for the children, compost for the garden, help keep ticks out of my backyard. Chickens fit in our lives, be for the plant we also grow our own vegetables and have fruit trees. Grow and buy local will benefit this area and help our children by having a healthy lifestyle.
- After researching the care of chickens it is a hair-brain idea since chickens live a lot longer than their three years of egg production.
- Fresh eggs, insect control, farming tradition.
- So I can manage the reduction of toxic food products in our diet. If I can have my own chickens I can be in charge of their care and feeding, as it impacts the human food chain. Also, hens eat bugs, such as ticks, termites, spiders and other pests; this is a natural form of pest control without the use of environmentally harmful chemicals that seep into our earth and water supply.
- Belief in organically raised chickens and able to allow free range brings healthy chickens and eggs. Plus chicken are great natural bug and weed control vs constant exposure to chemicals.
- Wholesome food. Have you seen what industrial high density chicken operations do to the feed these birds are given? Back yard chickens give assurance that we are eating food that will not cause unthinkable diseases for consumers.
- It's not very important, but if I decide to do so, I will.
- It's a fun experience for my entire family. We did it at our last home in Canada before moving to JCC. It's a great educational tool for my children and the chickens feed us the healthiest eggs we can get!
- Not only is it an amazing experience and teaching tool for my children, but we also do it for the fresh eggs. Growing up in Europe where we bought fresh eggs on the local market day, there is absolutely no comparison to what you but here at the grocery store.

- I would like the opportunity to raise enough chickens to provide my family with fresh eggs.
- I believe that a small number of hens are productive pets that do not create any more concerns than that of other pets as long as the owners are held to societal standards as are dog owners. Hens are educational, provide eggs, provide companionship and are as compatible dogs, cats and exotic birds.
- I think it would be a fun hobby. And who couldn't use free eggs?
- Self-sufficiency.
- To provide eggs.
- We eat a lot of eggs and it is important to me that we are able to provide a high quality protein for our family no matter what.
- Know where my food is coming from - increased self-sufficiency.
- To have a sustainable food source (eggs). I was also raised on a chicken farm.
- Keeping chickens is in line with the self-sufficient, sustainable lifestyle I try to maintain. And I think they will make awesome pets!
- Organic fresh eggs, helping to decrease bug/tick population.
- Chickens are interesting, and fresh eggs rock. They eat ticks, and their waste can be used as fertilizer.
- It teaches children important skills, as well as providing fresh eggs for a more organic diet.
- To have our own eggs.
- Natural, safe and hormone free eggs for my family... Protecting them from foods that may harm them and saving money.
- I raised chickens on my land 20 years ago in JCC. I like my fresh eggs.
- It’s a Great Thing to Do when Price on the Eggs going up.
- Fresh eggs.
- Knowing where my family's food is coming from and teaching my children about carrying for different types of animals.
- To have better control of the quality of the eggs I get. To know exactly what the chickens are eating and how they are living.
- For Food and to eat scraps that would otherwise on into the landfill.
- I'm a homesteader. I buy fresh eggs from the farmers market now, but I would love to have my own in my backyard. Backyard hens are also educational to kids and helps teach them responsibility. Hen poop is 100% compostable and will keep my garden fertilized year round without adding excess fertilizers, while the hens deal with weeds.
- It’s a source of food that is organic and safe for my family to eat and enjoy.
- Keeps bugs at bay and provides a source of food for my family.
- Fresh eggs, pets, fresh meat.
- Hobby oriented person, love of animals and the interaction between different animals, also wouldn't mind the fresh eggs.
- Healthy benefits of home-raised eggs.

- As a part of living a sustainable life and knowing where my family's food is coming from.
- My grandma use to raise chicken. I want to keep it going in the family.
- Good source of food, and keep the grass under control. Also they can be very comforting and cute.
- Fresh eggs, meat, and compost for garden.
- For your own egg production.
- I'd like to have my own fresh organic eggs. This way I have more. Control of what is going into my food.
- Feeding my family eggs from chickens that I know are well taken care of and fed orangic feed is very important to me.
- Fresh, organic eggs, good exposure/learning for children.
- I want to have eggs where I know the source of them.
- Fresh eggs, teaching opportunities for kids.
- Fresh eggs and natural fertilizer for our vegetable & flower gardens.
- Food quality and to gain understanding for children where food comes from.
- We did this when we lived elsewhere - four laying hens in a coop with a run - it was fun. Our boys loved it! Helped connect us and the boys to an understanding of where our food comes from!
- My choice of a pet, with benefits.
- Fresh eggs.
- Obviously for eggs and eventually meat but also for companionship as pets and the wonderful benefits that they add to gardens through composting and pest control.
- Chicken keeping is a clean, quiet hobby that is good for the environment. A few chickens provide healthy eggs for the family and consume all kitchen waste keeping it out of landfills. If allowed access to lawns, they remove insects without poisons.
- For eggs and food.
- Chickens provide eggs, which my family eats.
- They eat ticks and make eggs.
- To have fresh eggs to eat. Years ago most people had chickens.
- To be able to provide sources of home grown food much like a vegetable garden.
- Fresh eggs are better than store-bought eggs.
- Fresh eggs taste better, and I like knowing where my food has come from and what was done to it. If they have some room to graze, it also helps keep the tick population down.
- Fresh eggs.
- I think anyone should have the right to be self-sufficient with food or anything like this. A way to supply food to my family and others that may need it! Plus I don't feel government should be able to control these areas. My family for generation had had the freedom to raise their own food and produce for centuries.
- Eggs to eat, teach children responsibility.
- Ability to produce my own eggs. Individuals should be able to do what they want on their own property as long as it is not negatively affecting neighbors. Raising just a few female birds will not negatively affect neighbors.

- With the high cost of food my family has started gardening to help provide fresh and free vegetables for us to eat. Chickens are a small and manageable farm animal that will provide eggs for a small family.
- Fresh eggs from well fed chickens are unsurpassed.
- Primarily because I enjoy animals. My daughter and I also have severe allergies and issues with antibiotics. As a result my family likes the idea of eating as may home grown, organic, drug free products as possible. It is also a great hobby and way to teach children about food sources.
- Keep down pests and bugs in my 'forested yard', supply fresh and health eggs to my family.
- I will probably never have chickens but if I wanted to, I would want to raise them to have fresh eggs.
- Freedom to have fresh eggs as well as a natural way to combat ticks on my property. I have a 3/4 acre parcel in Powhatan Secondary that backs up to the woods.
- This would allow me to have much healthier eggs and possibly meat, as well as keep down on all of the awful mosquitoes, ticks, and cockroaches in the area. My kids could learn the value of raising animals and be more connected to the earth and where our food comes from.
- I like chickens in general & knowing exactly where my eggs come from & how humanely the chickens who produce the eggs are treated is important to me.
- Fresh eggs; showing my children how to self-sustain.
- Chickens provide a number of environmental benefits as well as feeding humans with eggs if one is fortunate to keep them happy to do so; the bug population could be reduced in my area as well.
- Fresh eggs, no additives in food, quiet and easily maintained.
- I would like to be able to have fresh eggs and chickens are a natural pest control...would also like to have them as pets.
- A bit of "Back to Nature," plus having health eggs to eat.
- We want healthier chickens and eggs than are currently available commercially.
- I prefer fresh eggs; I know where they are coming from. I know what is being fed to the chickens and they actually make great pets for children. We are talking to them about sustainability, and growing/raising our own food, to not rely on foreign imports that can have contaminants that aren't regulated. Chickens also eat bugs - ticks and mosquitos. My family can safely play in the backyard without worry of getting Lyme disease.
- To be able to produce my own food. To help control ticks and Mosquitos on my property.
- Fresh eggs, remove bugs.
- It would be great to know what type of environment my family's eggs are coming from. Not to mention, it's a wonderful return on investment.
- Would like to have my own eggs, insect control, etc.
- Food. Economy.
- Extension and diversification of food resources is a healthy, "natural" element to fruitful cultures and economies.
- It is important that as homeowners we are able to sustain ourselves. With all of the uncertainty in today's food production system, it is important that we are able to provide for ourselves. Chicken keeping has been proven to be good for the land, and the people, and non-invasive to surrounding areas.

- Fresh healthy food (eggs), the chickens eat bugs and produce healthy organic compost.
- Love chicken.
- Educating children and eggs.
- Hobby.
- Food source, enjoyment, family activity.
- Chickens should not be allowed in residential neighborhoods.
- Only one chicken for a pet.
- I would like to be able to provide safe, organic food for my family.
- Cleaner food source, rid area of bugs and snakes, for the pure joy of having them.
- I am concerned with the quality of the food that is available from the grocery store.
- Nice to have fresh eggs and for pest control, besides they are amusing critters. I would have no objections to any of my neighbors owning them, as long as the numbers were not excessive, say no more than 24 hens. I personally don't mind roosters either, but I think that is a reasonable restriction to prohibit them in residential neighborhoods.
- Because I want to be able to provide fresh eggs for my family.
- Maybe they could keep the 80 geese that congregate there daily away. No one in government will do anything about them.
- They provide healthy untainted food (meat and eggs), especially in times of a crisis such as a natural disaster or a food shortage.
- While not raising animals, I would like to begin. It would be insurance against dire recession and food shortages.
- I believe in giving my family the highest quality foods. Raising the chickens myself, ensures that they are not being given anything that I would not want my family to eat.
- Knowing that my eggs are fresh and who they came from by name.
- To be self-sustaining.
- We want our children to experience the "farm to table" aspect of life. We feel that the responsibility & learning possibilities are limitless & valuable! Also of great value, the bug control (ticks are very bad in our yard- so much so, that we cannot allow our kids to play in the grass sometimes) without the dangerous chemicals used by pest control companies, and organic fertilization! A sustainable source of protein on our own property with a friendly and easy to keep animal is also a key!
- I would like to have a sustainable source of protein in a supply chain I control. I would like to teach my kids responsibility and where their food comes from. Chickens are very friendly animals that provide a rewarding and enjoyable experience.
- It is a wonderful hobby that goes right along with gardening. Chickens eat bugs, which are much better for the environment than spraying chemicals. Fresh eggs are much better than store bought eggs. Chickens can be used to fertilize yard/garden beds. Once again, better for our environment than chemicals! Chickens are very social animals, so much fun to interact with and watch. I actually find that sitting outside and just watching them is very peaceful and relaxing.
- Fresh Eggs. Teach children about poultry keeping. Children should know where their food comes from.

- Because organic home raised sources of protein are important. Chickens also help in the compost process.
- Organic antibiotic free.
- Fresh Eggs.
- Fresh eggs, poultry and knowing where ones food comes from.
- I can control what my chickens are fed and thereby control what my family eats. They are easy and inexpensive to keep and produce wonderful amendments for the garden.
- Healthy eggs and pest control.
- Chemical-free eggs, real fresh eggs.
- Many reasons...Chickens are relaxing and fun to watch, fertilize the soil, easy to take care of, and of course there are the eggs.
- Low cost for eggs. Enjoy the animals. Easy and "green" pest control.
- I'd like to be more self-sufficient in raising my food and like to know where my food is coming from.
- Fresh food and ecologically friendly. Also save a few $'s.
- They are a natural tick control and with all the deer around my house 2 or 3 small hens would help to control the ticks.
- I would like the ability to have fresh eggs. When I was young, I had a pet chicken.
- I would like to raise chickens to produce eggs and know where my food is coming from.
- I would love to raise a couple chickens to have fresh eggs and to minimize insects like tick ect. I believe it is one step towards achieving a healthier lifestyle but, eating fresh eggs.
- To provide fresh eggs for my family and cut down on the ticks in my yard.
- I enjoy fresh chicken eggs, and I think it is important to be aware of where our food comes from.
- Fresh eggs are much better and I know where they come from.
- Fresh eggs, which are fabulous.
- To enjoy fresh organic eggs from healthy chickens.
- Fresh eggs!
- Fresh eggs without hormones or chemicals.
- Born and raised on a farm.
- To collect my own eggs for personal use.

CHICKEN SURVEY RESPONSE

1c. If you would like to raise chickens at your residence but are not currently doing so, why not?

- I had chickens before Irene storm. Tree crossed pen and neighbor turned me in. Was told to remove them because of Zoning, OK Now if I knew which neighbor turned me in I would…
- I have not started because I don't have a fenced in yard. If this step in the process becomes complete, I would not hesitate.
- We did keep chickens for several years, but now my children are grown and chickens take more time than I can give right now. I will likely do it again someday.
- Not a problem--I live in an agricultural zone.
- Want to do it legally.
- Not allowed in my neighborhood, but I sure would like some fresh eggs!
- The reason not is simple the city code doesn't allow it.
- Legality in question. Have more than half acre, just getting ramped up.
- I had two chickens in a small backyard coop but my HOA made me get rid of them.
- Zoning and HOA.
- Zoning laws that are unfair.
- Chickens live a long time (and don't lay eggs for that whole period) and require a lot of maintenance and space; I currently do not have the space or lifestyle to be able to maintain.
- Currently, I travel too much to give them appropriate care.
- I understand it is against county code.
- We have a really small yard.
- Against zoning as I understand it, small property, time constraints.
- I am currently in a townhouse; I would not seriously consider doing this until we purchased a single family home (something we plan to do in the next year or so).
- HOA and local laws.
- We live in a residential neighborhood, and we do not want to violate the county ordinance, even though we have discussed the subject with our immediate neighbors, and they do not allow them.
- Not zoned for chickens.
- Because I'm away too long in the summer.
- Plan to start this spring.
- I don't want my taxes raised to cover the inevitable cost of having County staff monitor and enforce these regulations. I also do not want the BOS to add additional regulatory burden.
- While my neighborhood is in a rural setting and my property is zoned "Agricultural," the neighborhood itself is like any other suburban residential neighborhood with 88 other homes.
- Neighborhood covenants prohibit it; don't want to upset neighbors who might object.

- County zoning laws.
- Don't believe it is permitted in my area.
- I don't have the time to dedicate to taking care of them yet.
- Not able to in our area JCC R!
- Deed restrictions.
- Ordinances in our area prevent doing so.
- I raised 6-10 chickens for years against regulations when I was a resident. No problems or complaints were raised.
- Stupid county regulations. Afraid to become attached to chickens and have the county come and take them away.
- Not allowed.
- I do not want to raise chickens; it is a residential community, not agricultural.
- It is prohibited by our HOA rules.
- I live in a townhome and the outside property is insufficient to raise chickens.
- I assume it is prohibited at my current residence.
- If I had wanted to raise chickens I would consider living on a farm.
- We don't farm and don't believe chickens are good for property values.
- Don't know if I am allowed to in my residential area.
- Do not have space.
- Regulations.
- I haven't been inclined {as of yet].
- Unsure of HOA restrictions.
- I live on Riverview Plantation Drive and my home is just outside the zone that would allow me to raise chickens. I don't have chickens because I don't want to run "a-fowl" of the law.
- Unlike surrounding counties and cities (York and the City of Williamsburg as examples),James City County Ordinance prevents it.
- Doesn't apply; live in New Town townhouse; not zoned for chickens and would not be an appropriate location.
- It's against the law!! Duh!
- Travel too often at the moment.
- We live in a residential zone; however right down the road we have a mixed or agr zone in The Foxes. Also, we are on, .9 acres and surrounded by trees or easement.
- Restrictions in my city are very restrictive. I may apply for a permit this spring.
- I do not have my yard secured enough or coups built in order to accommodate them.
- I don't want to deal w/ the hassles current chicken keepers are having w/ the law.
- Would be fined in residential area.
- It's illegal?

- Currently, I live in much too small of a community. But I have friends and family that raise them, and the chickens have become part of their family. It is nice to see the kids having an interest.
- Because it is not allowed.
- Fear of repercussion.
- I live alone.
- James City Not allow at this time, But soon they say its ok I'm getting some chickens.
- Zoning.
- I have not finished building my coop.
- Not prepared for it at this time.
- Not allowed.
- My city does not allow it.
- Wasn't sure of the laws in the area.
- HOA says no! But I would LOVE to.
- Zoning regulations.
- Zoning ordinances.
- James City is known to be non-chicken friendly; don't want to make the investment in time and materials only to have code compliance shut it down.
- It is against county rules (but not neighborhood) to have chickens.
- James city is too strict on slot things. York co does it without resident complaining.
- Haven't worked out all the details yet.
- Not yet permitted.
- Laws.
- There is an ordinance against it in residential areas.
- I just moved and have not begun to do so.
- It is not permitted.
- Restricted by county &/or HOA.
- JCC rules it out.
- We would love to but I believe we cannot in our zone.
- Your laws.
- County Ordinance.
- Time.
- City zoning and HOA regulations.
- I want to learn more about it first so that I can do it well. I want to build an attractive chicken coop before getting chickens.
- I believe it is not allowed currently.

- Chickens, like any other animal, require food and shelter, veterinary care, all which generate an expense. There is also the matter of feces which must be removed and managed. Chickens and their feces have a strongly unpleasant odor. I cannot stomach this and would not want to impose this on my neighbors.
- Not zoned.
- We are not allowed at this time.
- HOA Rules.
- Zoning regulations.
- Zoning.
- Don’t have time, not allowed.
- Currently living in the heart of town with only a 20x15 foot yard.
- Not allowed by JCC or HOA.
- It’s not allowed by the code in the area where I live.
- Against neighborhood covenants.
- Only because it is against the county rules. We were making plans to build a coup out back about the size of a small doghouse. It was to be located near our garden when we though to call and check the rules.
- We raised chickens when I lived on a 100 acre farm as a teen-ager in western New York State, but that is an entirely different matter than considering raising chickens in an R-1 zoned residential area.
- Would not want to violate the law.
- Because I don't have time to take care of them.
- I am not in the least interested in raising chickens and furthermore, this is not permitted in my neighborhood as stated in the Kingspoint covenants. Yet we have some who have brazenly ignored this.
- Current zoning prevents this.
- Not allowed.
- I have a dog that has a very high prey drive & I don't think that while Sage is around the chickens would stand a chance.
- Zoning.
- Due to zoning ordinances in JCC one is not allowed to maintain various chickens in my neighborhood. Plus some neighbors do not appreciate how they move about through the area during the day; they can venture into other properties for bugs and grit, etc.
- Currently the county tells me I cannot.
- We are not allowed to do so.
- Don't know if it is legal in my neighborhood.
- Government restrictions.
- I am currently raising chickens, and I love the experience it gives out family. Again, they eat bugs, ticks, mosquitos, anything. I also feed them our compost items such as fruit and vegetable peels, stale breads, things that would normally end up in our garbage.
- Time of year. Spring time not winter.

- We have a small yard and I'm unsure whether our HOA would allow it.
- HOA regulations, County Regulations.
- Didn't know it was legal.
- Am city-born and bred and need a lot more education. V0-Tech was way more available than 4-H or the Grange.
- It's against the code, although my neighbors and I would like to have a coop among our backyards.
- The county ordinances are the only things preventing us from having chickens. We would like about three.
- Too restrictive.
- Neighborhood, children and dogs.
- County forced me to get rid of them.
- Not allowed where I live.
- Chickens should not be allowed in residential neighborhoods.
- Too hard to build a coop; covenant restrictions.
- Live in Fords Colony.
- JCC's currently doesn't allow. Afraid JCC will slap me with a $500.00 fine (like they did others) because I have "black market" hens or send their "chicken police" down on us. I don't want to spend the monies to properly support chickens only to be told to tear it down.
- Not permitted.
- Not permitted.
- We are not allowed in my neighborhood.
- See previous answer.
- We live in a gated community (i.e. Ford's Colony), and our covenants prohibit chickens at present. It would be absolutely terrific if we could change that to allow the keeping of a few chickens!!! We even considered having a couple of sheep to keep the grass low..., but for that we would have to move...
- My neighbors may not like for me to be independent. I don't need to raise a rooster, but just chickens.
- It is not legal in my neighborhood at this time.
- WAITING FOR RULING...
- Not allowed.
- No interest.
- County restrictions do not allow us to keep chickens in or neighborhood/backyard.
- It is not legal in JCC under the zoning that my property is on.
- I'm zoned agricultural.
- My property is not suitable. If it were, I would not want the noise and odors associated with raising chickens.
- Because we thought that small numbers of chickens (3-6) were against county laws.
- Zoning.
- It would attract unwanted rodents, pests, predatory an animals, and dis ease.
- Yes, Not legal.

- If I wanted to live on a farm I would move to the country.
- HOA and county regulations.
- Don’t want to.
- No allowed under my HOA.
- Noise, smell, diseases, lack of space. Strong likelihood of attracting predators that could harm neighboring pets or small children. Our area is already attracting coyotes, for instance, and foxes have long lived even in areas zoned residential.
- Do not want to raise chickens.
- Local Laws prohibit it.
- Assumed chickens were against covenants in my subdivision. Many cats at large.
- HOA does not allow.
- Lack of time.
- Not permitted :-(
- I realize it would be an imposition on my neighbors and would be unfair to them both because of noise and attracting predators.
- Because of ordinances in JCC and also my homeowners association.
- Need to read the HOA prohibitions in our area.
- I live in a townhouse & don't think it's allowed.
- Because it is not allowed.
- My yard is not zoned for agriculture or "rural neighborhood."
- We do not live in an appropriate zone and it is forbidden by our HOA. My husband is also less enthusiastic about keeping chickens than am I.
- I am told it is against the law right now.
- Because I can drive to Martin's and buy eggs and chicken.
- Not allowed.
- I believe residential areas should NOT be allowed to have chickens for the following reasons: 1. Raising chickens requires knowledge and daily commitment to the health of the chickens 2. Chickens are not long-lived creatures like dogs and cats; disposing of their remains in a neighborhood setting would be difficult 3. Other animals such as raccoons, foxes and rodents would be difficult to keep out and would be attracted to coming into the neighborhood due to the chickens’ presence. 4. Taking vacations would require finding someone capable of taking on the responsibility of feeding, watering and keeping bedding fresh. This would not be easy to do among my neighbors. 5. In consideration of my down-wind neighbors and odors associated with chickens.
- Knowledge of endeavor, no experience.
- Have not set up pens yet.
- James City is to controlling.
- Was told we couldn’t, especially living in an HOA.
- They smell; their dirty; they can be nasty; they invite predators.

- Covenants do not allow.

CHICKEN SURVEY RESPONSE

3a. James City County should consider allowing people to keep chickens on property that is zoned residential. Why?

- Chickens are no more disruptive than other animals that are already allowed, and less so than most. It's an old paradigm that chickens are farm animals and only belong on farms, and small flocks are not causing problems in the many other communities that allow them.
- Lots of other localities larger and more sophisticated than JCC allow them.
- As long as the resident has the proper penning for the chickens, why not?
- Owning chickens is akin to owning cats or dogs. They are great pets, lay eggs, have useful poop, do not make an inordinate amount of noise, and do not stink.
- Chicken feces are one of the strongest smelling odors one can smell, I don't want that coming from anywhere near my garden. I am from England, and was evacuated to a farm during the war. I still smell that smell. NO THANK YOU.
- Why in the world should they not???? Is this yet another case of 'someone, somewhere, sometime might hypothetically do something wrong, so we are justified in limiting *everyone's* liberty now'??
- With a proper coop any resident can keep 6 chickens without odors and noise. No roosters, please except in agricultural zones.
- Hens are no more offensive than dogs, cats, or rabbits.
- Chickens don't belong in a residential HOA community!
- We got the laws changed in Chesapeake to allow them, and so far it has been a huge success.
- Why not? If space allows, raising a few chickens can enhance the family's lifestyle and is very educational for kids.
- Chickens making noise, defecating or otherwise disturbing my peace in a RESIDENTIAL community within an HOA will NEVER be tolerated here!
- I believe it is a basic fundamental right to keep a small flock of chickens if we so choose...along the same lines as growing your own garden. How long before that is regulated?
- Government is getting to far into people’s business in this country.
- As long as roosters are mot in the picture I don't see a problem for a family to raise for eggs or food.
- For the same reasons I stated above.
- Food source and reduction of pesticides for garden areas. Teaching children responsibility for pets and chores. Strength in community and neighborhood responsibility.
- Chickens and other livestock are not appropriate for residential neighborhoods, many with small lots where homes are close together. Many neighborhood covenants ban keeping livestock. Changing the ordinance will put enforcement responsibility on to HOAs that are not well equipped to handle this.

- As long as it doesn't violate HOA bylaws.
- If they are hens no added noise to the neighbors.
- The current ordinances and restrictions for residential zones have been put in place after years of listening to what the residents want. As with many other lifestyles, there are other areas much more suited in James City County to raise livestock than in a dense residential environment. With livestock can come noise, smell, pests, disease, and any number of other unpleasant experiences. Growing up near a farm, I'm well versed in the fact that not many people can deal with what comes with livestock. If livestock will be permitted in SOME zones, I feel it should be strongly restricted and regulated. And again, when other areas in James City County would be much better suited for raising livestock, I'm not entirely sure why farms, living in the open, and enjoy living off the land. A change to the current ordinance would only create more conflict and problems.
- Pest control, healthy food source, pets and the responsibility in caring for would help with my PTSD.
- They are clean and good for environment.
- Chickens are small domestic animals that require minimal space and are minimally disruptive. I don't see why they should be any different than other small domestic animals that people keep for pets (e.g., cats, dogs, rabbits, parrots). They have the added benefit of providing eggs. However, like those animals, there should be regulations on their care and maintenance.
- Chickens are noisy and messy. The people who want chickens think they will put the chicken pens/coops near their lot lines and as far from their own houses as possible, in other words, as close to their neighbors as they possibly can.
- The care and space required for chickens is similar to dogs, but without the need for daily walks. However, Chicken keeping in residential areas should be limited to hens, which are much quieter than roosters (and most dogs).
- Chickens have many benefits for owners and little/no impact on neighbors.
- To me a family with chickens is practicing sustainability and personal responsibility.
- As long as people take care of them and have the room they should be allowed to have chickens
- Chickens are not a nuisance and they eat insects, which ARE a nuisance.
- Because it allows people to raise better poultry than is available in the stores
- Because that's what freedom is. When I buy a property, I should be allowed to do what I want on it...as long as it doesn't interfere with the rights of others. As long as my chickens were kept on my property, and as long as I kept conditions sanitary to avoid disturbing others, it's not government's business. A little clucking from my back yard during the day does not infringe on my neighbor's enjoyment of his property.
- JCC is no longer a farming community. It is an upscale community with expensive homes.
- Only domestic animals should be permitted in residential zones; chickens are farm animals and should be restricted to rural properties.

- I'm under the impression that chickens wouldn't be much of a nuisance (if at all) to neighbors, even in close proximity. This assumes that no one is keeping a rooster full time (they are definitely a nuisance for folks who like to sleep in!) and that the number of chickens is relatively modest (no huge buildup of waste).
- Why not!
- Keeping chickens can be a noisy event; chickens also attract other animals - possums, coyotes, snakes. The possums eat the eggs as well as the chickens - they can be aggressive towards people. The coyotes eat the chickens and the snakes eat the eggs. Also, hawks and owls like to carry off the chicks. We have these issues on our farm.
- It benefits the owner and can be done without impact to neighbors.
- Keeping chickens allows people to have a reliable source of healthy protein. Also, the more that people know about where food comes from, the better.
- My question to the county is why is this an issue? Live fowl shouldn't be kept in a residential setting. Most residents have other pets. Plus housing that borders wooded lands could draw other wild animals to prey on chickens kept that may potential diseases like rabies causing a danger to residents.
- So citizens can supply there basic needs on there on property.
- I don't want the noise, odor or health concerns.
- Because of the inconvenience it would cause neighbors- pets chasing the chickens, chickens getting out of their cages and escaping into the neighborhood, waste products, etc.
- Chickens are quiet, attractive and have always been a part of domestic life in America; chickens are part of domestic life in most other places in the world where the climate permits it.
- As long as HOA regulations are not over turned by the County Board's decision, I see this as a non-issue.
- Many HOAs have rules that livestock and chickens cannot be raised, kept or bred on a property within the HOA. Many people buy into an HOA because they don't want their neighbors raising chickens, painting their house odd colors or have junk vehicles in the driveway, etc. The county passing such an ordinance will trump the HOA's rules and will create division within the community that didn't exist before. Maybe the ordinance can be drafted in such a way that chickens are only allowed in developments where it's not restricted by the HOA.
- It is an individual's property. The county already oversteps the boundaries as it is.
- Properly regulated, I cannot see why this would be a problem. It encourages self-reliance, a healthier diet, and getting back to nature.
- It is their property and should have a right to do what they want on it, within reason.
- I think chickens should be allowed to be kept by homeowners, 100%.
- No, because keeping chickens in a residential area violates the code/definition of a residential area. There are also Homeowner Associations that have their own bylaws within neighborhoods.
- We should be able to raise own eggs from a small flock.
- Chickens are valuable livestock, and are less disruptive than dogs.

- For all the reasons listed above 1b.
- They attract predators, only lay eggs for a few years and are then abandoned. Noise. Waste runoff and the associated smells.
- It depends on where the residence is. Decision should be made case by case. A home with another home 30 feet away? ---no. An isolated home with an acre or more? Depends on what the nearest neighbor thinks.
- I cannot see any just reason to ban chickens. Any other type of bird can be in my yard, trees, or house. I know that some people don't want to hear a rooster crow, but the mocking birds wake me at the crack of dawn and the world doesn't come to an end. I have raised chickens on and off for years. They certainly pose no danger and have been a source present in over 90% of the chickens being sold at grocery stores, plus many containing antibiotic resistant qualities that pose a danger to humans, might want to consider raising their own and should have every right to do so.
- Food/Fun/Fertilizer. Chickens have been raised in all parts of JCC since it was first developed. It is only because of ever increasing restrictive regulations that it is not allowed currently. Look at the trend / success in other towns and cities of all sizes. It seems unethical to tell people they cannot provide for themselves using their own property to raise food and provide entertainment that has little or no adverse effect on their neighbors. If you oppose chickens in your neighbor's yards, buy a house in a community with HOA that prohibits such. Dogs at large and barking are a far greater nuisance that provides no source of food.
- WHY NOT? Dogs are much more intrusive than chickens!
- My family DOES NOT want to live next door to a chicken coop. Chickens are fine in rural areas, but NOT in residential communities. Keeping chickens in a residential community is a fad. Wait a few years and people will have moved onto something else. We don't want to see or hear them, or smell them. We moved to a nice quiet and clean neighborhood because we didn't want to live in a more rural area where people may have goats, chickens, or other farm type animals.
- While on vacation in Hawaii, we had the misfortune of staying next to a property with chickens. The roosters crowed constantly, not only ruining the ambiance, but awakening us early in the morning. We need to keep our residential areas peaceful.
- This is America, we live in an historic area, we need to become more self-sufficient as the government continues to take away our rights as citizens and ignore the Constitution.
- It is not an agricultural community, it is residential.
- The keeping of livestock in our residential areas creates a broad variety of nuisances (noise and smell primarily) and this activity should be generally permitted in our Agricultural districts. The density allowed in our residential zones is not conductive to agricultural uses beyond gardening.
- Chickens are quieter than dogs and compared waste to waste chickens smell less. Just as you must comply with leash laws, fencing and rabies certifications for a dog, chickens need to comply by good neighborly rules too. Clean adequate shelter, fenced in, not too many and no roosters would be a standard requirement. Raising

chickens is enjoyable and somewhere between pets and growing your own food. The right to be able to grown your own food is important and growing gardens and raising chickens are great lessons for children.

- Noise, sanitation, water runoff into ponds and streams.
- The reason the county has different zoning is to group like-minded property owners to better benefit those owners. Business owners are grouped so a commercial district can create a "destination." Industrial parks are made to keep heavy industry, trucks, exhaust, noise, etc...in one confined area. Residential areas are designed to keep noise and activity at a minimum: 25MPH speed zones, similar value homes, sidewalks, etc... And specifically no livestock and gardens in the front yard. If a person wants a business he must put it in a business zone, if he wants to manufacture a widget, he must do so in an industrial zone. If he wants chickens, he can do it in a rural/farm zone. Let me live in a residential zone in peace.
- They can become a nuisance to neighbors. If roosters are included it threatens a noise disturbance.
- I'm "fed up" with elected and non-elected officials telling me what I can and cannot do to the exclusion of doing something that would adversely affect my fellow man. The latest insult to we mortals was the ruling by the NYC city council outlawing smokeless cigarettes.
- Noisy and expensive to keep.
- Allowing neighbors to have chickens in my neighborhood (Stonehouse Glen) would greatly reduce property value.
- Should not be allowed in large housing areas like KM, Fords colony, etc. Maybe OK in more rural areas of the County.
- Chicken keeping should be kept zoned to A-1 just for pure aesthetics alone. Consider this, could you imagine a backyard chicken coop being placed in a neighborhood such as Landfall at Jamestown? How about Fords Colony, or Scott's Pond? If the chicken owners want to keep live chickens on property, keep it zoned to A-1. I know the county is looking for budget cuts and the like, but maybe some of the publicly owned lands could be re-purposed that are already zoned A-1 into a co-op for chicken owners. This isn't something that needs to happen in R zoned areas.
- Only for personal consumption.
- Any benefit is far outweighed by pollution, disease and a concern neighborhood ambiance. See comments below.
- See answer to 1C.
- We live within the city Limits for a reason. If I wanted to have animals, then I would live outside the city Limits.
- Noise and hygiene. Safety, spread of disease, and regulation of practices such as breeding and producing eggs.
- Dogs and cats are annoying now with dogs barking and loose cats digging and jumping on cars. Does JJC have the manpower in animal control to enforce complaints? Chickens drew rats and mice years ago when they were allowed in towns, after they were banned the rodent population left also. I'm sure they will draw fox and coyote also. I would not be opposed to lots of at least 5 acres, but nothing less.

- Chickens are smelly and pens need to be kept clean to avoid disease transmission. There is not enough supervision to ensure this happens.
- When each person or family has a conscious decision in knowing about, and managing, the quality of food they eat, this will be a healthier world. And hopefully this awareness also will lead to reduction of the "obesity epidemic" in our country.
- I err on the side of freedom. I agree that there should be some sensible limit on how many chickens a person should have. Perhaps this should be acreage based. People have all kinds of pets; so why not chickens?
- For those struggling financially, it may be a survival tactic. However, HOA Rules should prevail in managed communities. Those raising chickens need space, at lease (2) acres or more of land to protect the privacy of their neighbors who may not be raising chickens.
- Smell, noise, predators & rodents, health (avian flu & salmonella), pollution run off, cost to the taxpayers for code enforcement, what happens to them after they can't lay eggs...slaughter on property or send to humane society for slaughter. The animal shelters are already overloaded with unwanted and uncared for pets...do we need to add chickens to this problem?
- We are not a “Third World Country". Raising chickens on zoning less than the current zoning in place, is the maximum the County should go. Have you ever been on a chicken farm? The smell is horrendous! Let alone, the sanitary issues.
- Chickens are noisy! A rooster crowing in the morning is great on a farm with lots of acreage, not next door.
- Potential for spreading of diseases, such as bird flu.
- All individuals should have access to healthy food and to allow the chickens to control pests and weeds.
- Noise, messy and produce odors, and may wonder over to adjacent properties. Food for chickens will increase rat, mice, snake, and predator populations. May carry disease if not vaccinated.
- Noise and sanitation. I raised chicken when I was going up and chickens are noisy and generally disruptive to the quiet of neighborhoods. Secondarily, unless properly cared for their poop smells and if not disposed of properly is a potential health issue (worse than dogs).
- They are noisy, smelly and if not securely caged, intrusive on neighboring properties.
- Increased odor and noise. Having grown up in the country, I can tell you that roosters do not always crow just in the morning. Some breeds crow all through the night.
- In a small community like ours, where the homes are close to each other, the sound of cocks crowing would be very disturbing, especially to those of us who are senior citizens. It would also be very disturbing to my cats.
- Raising chickens or any other livestock is essentially an agrarian activity - if property owners wanted a rural, agricultural environment they would not have bought property in an area that is zoned residential.
- They are loud, dirty, and a general nuisance. Chicken "droppings" are unhealthy and have no business being in a modern residential setting.

- Noisy. Dirty. They attract predators. Uncontrollable if they get free. We moved here for the quite, civilized atmosphere. If we wanted chickens, we would have moved to a farming community.
- Because they pay property taxes.
- Depending on the nature of the neighborhood...near farm land or large acreage, raising chickens would be a nuisance to neighbors. Cats/dogs would chase and harm them. They would be underfoot if small lots. Not enough information given to rule it out for those on more land.
- I think there should be a minimum acreage, such as 1 acre, to keep chickens.
- I grew up in an urban area in the northeast where chickens were common...the smell and sounds live with me to this day and are not pleasant memories. Raising chickens should be confined to non-residential zoning areas only.
- We already allow dogs and chickens (without a rooster) are quieter and produce food.
- For reasons stated above...it's no different from keeping any other pet.
- Raising and keeping hens is the same as keeping other domestic animals as pets if managed properly. having 4 dogs can be far more disruptive than having 4 hens... I know I have lived next to both. a dog is a companion and protector. Hens are companions and providers.
- Reservation that the property should be rural and can accommodate chickens without affecting the quiet enjoyment by adjoining property owners and will not adversely affect home values.
- The question should be why not? Chickens don't bother anyone, they don't smell bad, and they don't come and take a big dump in my yard like my neighbor’s dog. They are harmless!! I have 2 neighbors that keep chickens; they had them for almost a year before the next door neighbor even knew about them.
- People are allowed to have dogs, cats, and other pets. Chicken manure can be used in a very useful way in gardens. If there is no rooster, they are not that loud. Our next door neighbor's dog is much louder than any chicken. There could be a cap on the amount of chickens one could have.
- Fresh eggs from a pet that is less intrusive than a cat or dog.
- Insect eaters, and since James City doesn't have mosquito spraying any more, chickens aren't toxic.
- As long as it is done within reason (with a limit of how many chickens may be kept, under what conditions and perimeters) people should have the right to have their own means of a sustainable food source. Chickens are unlike other livestock, (cattle, etc.) where they do not take up a lot of space.
- People should have the freedom to do as they please on their property as long as they are following the regulations to keep them from disturbing or causing damage to the neighboring properties.
- Benefits of raising chickens includes: providing eggs, poultry, and teaching children the value of taking care of animals.
- They are small; don't require much space to keep, and their waste makes good fertilizer.
- I believe there should, of course, be rules and regulations to protect those who don't want chickens roaming around their neighborhood. But I believe if families would keep their chickens healthy, safe, and if they can be

respectful of people that don't feel the same way, then there should be no problem raising chickens on their own property.

- Chickens are no different than having a dog or a cat (and actually less aggressive).
- It's not any hindrance to others and allows me to keep pets that also provide.
- As long as the chickens are responsibly and humanely taken care of, I have no problems with someone doing it.
- If properly cared for and housed they are not a nuisance.
- We as a country need to be proactive in maintaining a local and/or organic food supply.
- They do not hurt anyone as long as they are kept in clean pens.
- Chickens are much quieter and cleaner than cats and dogs. Yet, people are allowed to have cats and dogs with no problems.
- They stink and they carry bugs, ticks, fleas!!!!
- Will this override HOA rules?
- Should not be restricted just because we choose to live in a nice area. Chickens, too, can make great neighbors.
- There's no reason to prevent it, no harm to property or noise to worry about. Neighbors of those who choose to raise chickens would not see an impact.
- This being done successfully all across the country. When I lived in the CITY of Richmond there wasn't an issue.
- Small, well maintained chicken coops are in no way a blight or bother to neighbors.
- They are a useful pet (that can also create food) and should be allowed just as other animals are.
- While some citizens would be respectful of their neighbors there are too many that would abuse this privilege and make their neighbors suffer disruptions to their peace and tranquility.
- If you own the property is should be up to you. The only caveat is if you reside where a homeowners association doesn't allow it.
- The owners do not keep them in their yard. They are noisy and destructive to shrubs, yards and gardens.
- Look at any major city across the country (including little Williamsburg) and backyard chickens are commonplace. I can understand not allowing roosters accept in agricultural areas, however.
- They are good for environment & cleaner than most cats & dogs pooping everywhere.
- With a limit on number of birds!
- Everybody should be allowed to grow their own food in small quantities at home. Commercially raised hens are treated cruelly, I don't want to contribute to it therefore I buy only local eggs, which are pricey.
- Not an appropriate use in small lot residential areas -- less than 1 acre.
- Allow a way for people to acquire healthy eggs in a self-sufficient way. Perhaps chickens would help with the tick and chigger issues as well if birds are allowed to roam free in yards for some time during the day.
- Chicken keeping belongs in rural areas, not backyards. They are noisy and smelly.
- They are farm animals.
- It may be in conflict with the covenants and HOA regulations of the neighborhood.

- Residents who are living on 2 or more acres of land and have agreement from next door neighbors should be allowed to raise chickens for personal use only.
- Those who wish to keep chickens on their property should move to an area that is not around other homes.
- Fresh eggs, to teach our children about where their food comes from, insect reduction.
- They provide food and are not a problem as long as there is no rooster. Dogs and cats are more of a problem with waste and noise and threats to health and safety. Chickens in a coop and shelter are not a nuisance.
- Residents should be given the opportunity to provide for the family needs. In that said, residents should be held to a high standard of cleanliness and humane treatment of chickens. The county requires registration of dogs and cats in residential areas. Residents should also be held to this standard.
- They are noisy and can get out of control and there will not be anyone that will monitor on the amount and regulated control.
- Chickens should be allowed to be kept as pets similar to many other animals.
- Chickens are interesting and can be just as good for pets as dogs and cats are. They should not be any more bother to neighbors than dogs and cats.
- Private property should qualify for private use.
- Chickens produce a repugnant odor. They also contribute a problem with parasites, feces, and a public nuisance because of those facts. They are filthy animals. There is too much potential of chickens creating problems between neighbors. Also it is a public safety issue because of the rodents and snakes that will be attracted.
- I just think freedom in General is the way to go.
- Chickens lots produce food and not as loud as dogs are if hens are keep.
- To provide a source of food and know that it is done the way you want it to be done.
- I moved to a residential neighborhood because I did not want to be in an agricultural area; I did not want and do not now want to have farm animals raised around my home. I choose a residential area to have regular homes, landscapes and families surrounding my home, not farm lands and farm animals! There are agriculture zones that folks who want to raise animals can move to, don't force it on those of us who moved to residential areas to NOT be exposed to the farm animals!!
- Chickens are quieter than dogs and lay very healthy eggs.
- As long as it’s not a rooster waking people up, why not allow it. I raised chickens when I was younger and only see positives to allowing it.
- Well, we should be willing to consider anything in a reasonable fashion.
- As long as they are cooped and the neighbors don’t have to smell or hear them, isn’t any different than having to put up with dog owners in town who find it ok to come on my property allowing their dog to pee and poop. Actually chicken owners’ don’t do that. Plus dog owners in residential allow their dogs to stay out in their backyard and bark day and night. So therefore chickens are NO PROBLEM!
- Why? They're "green", good for the soul, provides non-engineered good for families.

- I love chickens and fresh eggs but I bought a home in a neighborhood near a park, not a farm, because I don't want to have all sorts of livestock next door (chicken, pigs, cows, etc.). I joined a CSA so I could get fresh pastured raised eggs; I don't need my neighbors in my neat and orderly neighborhood raising chickens.
- Individuals should be able to do what they want on their own property as long as it is not negatively affecting neighbors. Raising just a few female birds will not negatively affect neighbors.
- It is not consistent with my view of what residential zoning should include.
- This is an economical source of food with low impact on the environment and the residential area.
- I pay taxes for my property. I should be able to do what I want to on my property within reason.
- Provide an inexpensive healthy food source for families.
- We pay taxes, it is our property. If there is no homeowners association and it does not disturb neighbors it should not be prohibited.
- Any JCC ordinance that PERMITS/ALLOWS people to keep chickens in certain residential neighborhoods should include language that makes it clear that the ordinance IS NOT MEANT IN ANY WAY to override any neighborhood/association protective covenants that prohibit keeping chickens.
- I would NOT want people keeping roosters -- egg-laying chickens are not as much of a noise intrusion as roosters.
- Because there is nothing wrong with raising chickens so long as they don't plan to have 20 chickens. Perhaps it makes sense to limit the number of chickens allowed - no more than 6 chickens.
- I think that chickens are livestock and need to be on farm land zoned farm.
- They will attract predators.
- A neighbor in Kingspoint kept 11 clucks directly behind my house. There is nothing as shattering as going out on a balmy Sunday morning to read the newspaper and from across the ravine come the clucking of many chickens that seems to go on forever. Help, let me out of here. It was so IRRITATING AND NAUSEATING to hear and be disturbed by. Chickens do not belong in residential areas where houses are close to each other. Please consider the viewpoint of a neighbor having to listen to the noise from morning to evening. It's difficult to stay outside and work when the entire racket is going on. Please say no to allowing them in residential areas. thank you
- Chickens are noisy and dirty. Grew up raising them and would not want in a residential neighborhood. Also my dog got one and buried it in our yard
- Residential areas are not the location to keep chickens. The present zoning ordinance already has zones which allow chickens, so James City County should definitely not add more areas.
- Too many chances for the chickens to get loose and run in the streets and neighborhood, into people's yards - people that don't have or want chickens.
- James City County should not restrict people from a natural source of organic food or a natural way of curbing insect problems, specifically ticks. I would agree that the number of chickens should be limited in residential areas, but to not allow it at all is too restrictive.

- Noise and sanitation concerns.
- Residential neighborhoods should remain that...residential...meaning "people" and normal household pets. Chickens are not normal in this day and age. If someone wants to raise chickens, they should move to a farm or other area currently zoned for this activity.
- I live in a residential subdivision that is zoned R-8 and according to JCC regs we can keep chickens, however the HOA covenants do not allow. I think that people should have a choice and perhaps it should be a subdivision choice.
- This would allow me to have much healthier eggs and possibly meat, as well as keep down on all of the awful mosquitoes, ticks, and cockroaches in the area. My kids could learn the value of raising animals and be more connected to the earth and where our food comes from. It could help low-income folks more cheaply supplement their food supply, at no cost to the county/state, as opposed to food stamps and more social welfare programs. Also, what business is it of local government to restrict a non-dangerous activity such as this? Citizens can make informed decisions themselves. Heck, local government could always make a buck off of the activity by requiring licensing or some other form of restraint and monitoring if really necessary.
- They are noisy, they attract critters and they are dirty.
- If they have sufficient acreage so the chicken could be house and raised a significant distance from property lines, I do not see why this shouldn't be permitted.
- Raising farm animals e.g., - chickens, ducks, rabbits, as well as miniature pigs, goats, and even commercial dog kennels in JCC residential neighborhoods is a radical/nutty idea for several reasons (notwithstanding existing zoning and covenants violations): unsightly and unsanitary pens/enclosures, noise, stench - particularly during summer months, attracts insects, rodents and animals and birds of prey and would destroy entire neighborhood property values.
- Our homes are close in the neighborhood and I do not want to deal with a neighbors chicken! Nor do I want to deal with chickens attracting rodents and predators...or increased bugs related to chicken or chicken droppings and food, i.e. roaches, rats, or other critters!
- Noise and odor impact on neighboring residential properties. Waste disposal issues. It seems to me that we have enough problems with pet waste; without adding agricultural animals to residential neighborhoods.
- Because 3 or 4 laying hens are less trouble & quieter than 1 dog that barks night & day. Chickens are educational for children - they get the idea that food comes from somewhere other than a supermarket. Chicken guano is fantastic for fertilizer in your garden. Chickens also eat ticks that can cause Lyme disease.
- Chickens are not pets they are farm animals, the key word "farm". Maybe a limited number (2-3) in an R8 district, but zero in all others.
- Allows individuals the luxury of having a suitable pet in the yard and the benefits of reducing bugs/mosquitoes as well as having eggs for consumption and sharing; quite healthy.

- If the chickens are cared for and placed in an appropriate area of the yard and cleanly maintained why not. My neighbor's cats use my yard for do its business and I have to clean it up.
- See my reasons for wanting to keep chickens, fresh eggs, natural pest control, good pets
- The noise and smell would upset many neighbors. Not everyone will keep the pens properly cleaned and maintained.
- Chickens are quiet (except roosters), eat lots of ground bugs, and provide healthy eggs to eat…
- Health.
- Freedom to own whatever kind of pet one wants - chickens are great as they give back! Low maintenance and very educational for children. They eat harmful bugs, provide fertilizer, they are a healthier option then factory chicken farms.
- They make too much noise. Make a mess in other people's yards.
- Chickens help our environment. Help people produce healthy food options. Help control pests. Are fun pets!
- Help with bugs, fresh eggs.
- People can have dogs, cats, etc. Why not chickens.
- It's good for all of us! Major hurdle will be roosters and their morning revelry, reveille...
- They are barnyard animals that belong on a farm. They can carry disease, be noisy, and dirty.
- Personal freedoms, greater self-sufficiency and to help build a stronger community.
- Educating children, eggs, no inconvenience to neighbors.
- Anyone with ½ acre or more should be allowed. Those with small lot should first be approved by county on an individual basis.
- I believe that animals permitted to be kept in residential property should be limited to reasonable numbers of what we understand to be usual house pets. Chickens are farm animals.
- This should be done in rural areas, not in residential areas.
- Noisy & unclean.
- If a person wishes to raise chickens I would like them to have the right to do so. I would like to see this practice spread for many reasons. I personally would like to know that the chickens that are producing my eggs or that I am consuming were/are living in humane and sanitary conditions.
- It would lower property values.
- This survey is purely an example of the vocal minority wearing down the silent majority. The ownership of chickens in residential zoned areas has already been addressed. The restrictions against chickens are in the C & R s of most residential communities which most responsible owners read before purchase of their homes, and guaranteeing them the future value of their homes.
- 1.) The bacterial disease: salmonella is a public health hazard. These diseases is caused by healthy chickens and are communicable to people through direct contact, exposure to manure or consumption of undercooked chickens and eggs. Salmonella is in the chickens' droppings, on their bodies, feathers, feet and beaks even when

they appear healthy and clean. The disease salmonella contaminates the people handling the birds. It gets on their clothes, shoes, hands, etc. Also salmonella gets in hay, plants and soil. 2.) Odor 3.) Noise 4.) Increase of flies 5.) Increase of predators (foxes, raccoons, hawks, snakes, owls.)

- I don't want the smell or noise of chickens near my home; if I did I would live on a farm!
- It's zoned residential for a reason. If you want chickens or other farm animals move to a farm. People in this day & age cannot be responsible for their own children or dogs & cats. They get bored with it all and don't want bothered anymore. The number of feral cats should tell you that.
- I want to live in an area that is just residential. I don't believe that the lot sizes in most areas are conducive to raising farm animals. Chickens now what next? What happens to our home values?
- Chickens in a residential neighborhood would be unsanitary and a nuisance to neighbors.
- As a child I lived on a farm where there were chickens. They are noisy and dirty and have no place in an area that is residential.
- It's ok to have a FEW chickens but not enough to be a nuisance to your neighbors.
- Because this is America, that’s why!
- Unsightly, uncleanliness and diseases.
- I would not want to hear them or smell them next door to me.
- Because this is my home, my land. If I want a few well-kept chickens then what's the problem. As long as there are no roosters creating noise, most folks won't even know someone owns hens. People wanting to raise chickens want to do so to teach their children or know where their food comes from. They can rid a yard of bugs, snakes, those darn moles and gives me fertilizer for my garden. You pick up after them like you would your dogs in the back yard. It would also allow me to share more with my neighbors as we do with our garden bounty. JCC allows people to own pit bulls but not chickens. Really.
- I believe strongly that residential areas that are governed by legitimate homeowners' Associations (HOAs) should be allowed to set 'chicken' policies based on the majority vote of the HOA's membership.
- My father-in-law has chickens. He owns 4 acres in a very rural area. The chickens are loud and dirty. On hot days, even a well-kept chicken coop will smell. He has twice moved his coop further from the house. He has had a variety of chickens over the years and none seem to be cleaner or quieter than the rest. Heaven forbid, someone gets a rooster. Not only do they crow in the morning but can do so throughout the day. The chickens eat everything- including every blade of grass they get close to. Even well fed chickens will take out all vegetation within their area. They scratch the ground which kills the grass roots etc. you end up with a dirt area covered in chicken poop. They attract rodents. You just cannot prevent this. The rodents attract snakes, sometimes poisonous ones. It becomes a safety issue for any neighboring children. I live in a residential neighborhood because I do not want to be around farm animals. You are considering allowing something that will impact everyone in the neighborhood to make a small among of people happy. Letting chickens into residential areas is a bad idea.

- Disease. The chickens will not be contained properly and their droppings will be carried by squirrels and other wild animals to adjacent properties.
- Chickens will encourage wild animals - such as coyotes, rats, snakes - to come into residential neighborhoods. Chickens will foster unsanitary and smelly conditions due to their urine and feces. Chickens are noisy. Chickens belong on farms located in open areas, not in close residential neighborhoods.
- The same reason as above.
- The property owner has the right to do what he wants as long as it does not infringe his neighbor's rights.
- Chickens are noisy, messy, smelly and attract other kinds of animal life that could be harmful to humans.
- Unless the county can demonstrate that chickens in a residential area have some profound negative effect, I do not see how the county has the authority to restrict ownership of private property.
- Do not know much about chickens and what diseases they can carry but they are a less nuisance than the all night barking dog and I don't imagine one would have to worry about getting mauled by one. Great source of food and they eat bugs and scraps. Great for kids to raise and learn about with little expense. However, the coop would have to be maintained and cleaned to keep it looking nice, not smelling and not attracting pests, like mice, to their feed. Also, could be a concern attracting predators to neighborhoods. Too many foxes in the hen house, in a more populated neighborhood, would be bad news for more than just the hens.
- Because people should be able to grow and provide their own food for their families. It is their property and they should be able to be able to do this on property that they own or rent.
- Should the county ordinance is amended to permit chicken keeping, the ordinance would not in any way over ride HOA restrictions that exist for communities within JCC. HOA bylaws should prohibit such animals and livestock from being kept. I know our Fords Colony bylaws do.
- They don't just eat & poop.
- Chickens are for the farm, along with the roosters that accompany them.
- I believe that chickens should not be kept on property that is considered residential. In my view farms are where chickens belong.
- We are "preppers" and strive to be prepared for the unexpected, such as an epidemic, a natural disasters, food shortages, contamination of our conventional water and/or food supply, etc.. Chickens are easy to raise and provide a good supply of protein (eggs, and meat).
- People like myself that choose to live in residential areas, choose to do so to avoid the possibility of neighbors keeping chickens, pigs, goats, etc. If this is what someone would like to do, then rural property is there for this purpose.
- For possible recession or depression insurance against starvation.
- Chickens are not pets and should not be treated as such. noise and health issues Why stop at chickens. If you allow chickens why not goats?????

- I feel as long as the chickens are being taken care of properly (as any pet owner is required too) and are not causing an issue with the neighboring residences, the county should allow citizens to keep chickens on their property.
- Chickens should be raised on farms not in residential areas. We don't need the noise, stink and possible contamination of properties from roaming birds. If you would like to have these birds next to you, fine, but not in my neighborhood. If allowed in my area, any birds on my property will become dinner. Does everyone know how to take care of chickens? I doubt it. What in hell are you people thinking?
- They crow and make noise.
- It's my land.
- Nuisance Noise. Smell. Degrades property values in neighborhood. Attracts predictors. You can by chicken and eggs in the grocery store!
- We should consider the matter and come to an informed decision.
- Chickens should only raised in agriculture or rural districts.
- Residential is just that, not farming, nor livestock kept areas. The noise, smell and insects that are a constant by-product of livestock do nothing for neighbors home values, thus to please one, many must suffer.
- Why not?
- Chickens can be a nuisance and possible source of Salmonella if not carefully maintained.
- The noise and the offensive odor of chickens is intolerable to neighbors. Keeping chickens on property zoned residential in James City County should not be permitted.
- Small flocks to use as a source of food for families is a historically "normal" thing to do! Chickens are non-invasive, don't smell & have lots of benefits to the family & neighborhood. They are no different than having dogs in the neighborhood when it comes to noise. There is obviously an interest; otherwise this survey would have not been issued- let folks raise some eggs! JCC is a "rural" county, right?!
- Why not?
- People should be able to take care of their families with as little government interference as possible.
- No matter how regulated it would supposedly be, there will always be those who don't comply. The noise, smell and look of a backyard (or front yard) having "free range" chickens just does not belong in a regular residential setting so close to neighbors. It should only be where the lots are larger, like a rural setting.
- Houses are too close together. The odors and noise are offensive to neighbors.l I went to an elementary school that was next to a chicken farm. Every time they cleaned out the coops, it smelled like the waste was inside the school.
- Dirty, noisy, smelly. They don't belong in a residential neighborhood.
- Too smelly, loud, and not desirable in a residential area. Just moved here. Don't want to have to move because a neighbor keeps chickens. We already hear dogs barking incessantly. Don't want to smell chickens in the summer (gross). This would infringe greatly on my ability to enjoy my home and not allow for use of my yard.

- Because it will encourage more predators in our backyards endangering pets and young children. The smell is not something you can restrict to your own property either.
- It is a beneficial hobby to the environment as well as the one raising them. This is America. As citizens of a free country....
- See 1B. Modern folks live to far from the sources of their food.
- Chickens are farm animals and should be restricted to farm type zoning.
- Residential infers close proximity to ones neighbors. I would prefer NOT having chickens in my neighbor's yards due to smell, noise and attracting predators (coyotes, leash-less dogs, etc.).
- My wife and I spent part of our years growing up on a small farm. We still own the family farm in AL where we lease to our cousin who raises cows and chickens (good sized operation. That is where raising chickens should be - in the country/on the farm. Once you allow chickens, what about goats, pigs, etc.? Have you smelled a chicken coop in the heat of summer or been awakened at dawn by the rooster? In the country that fine but NOT in residential areas. Will roosters crowing at 5AM violate noise ordnance?
- Chickens wander into other people's property. I can't believe this is even being considered in a place like Ford's Colony!
- We believe that living sustainably includes the ability to raise a small portion of our own food.
- We all need to be respectful of our neighbor's privacy and solitude - as we would want our neighbors to respect our privacy and solitude. Perhaps in 3+ acres zoning that is semi-rural.
- If people wanted to raise foul they should have moved to the rural area. Behavior like this always causes problems with neighbors.
- I don't trust that homeowners who would raise farm animals will keep them clean and quiet. Have them live in a farming community and not a family residential area!
- Chickens are farm animals to be kept in rural areas zoned for them! Thank you for asking.
- There is someone keeping chickens in Mirror Lakes and it is creating problems. They are attracting skunks and other animals that were never an issue until the chickens showed up.
- Odor, noise, improper housing and care, impossible to thoroughly regulate.
- Droppings could cause diseases. May entice predators to come into the area.
- People should be allowed to keep chickens, etc. providing they are treated humanely and their surroundings are safe, secure and sanitary.
- Because it would attract unwanted rodents, pests, predatory an animals, and disease and noise.
- Sanitary and smell.
- Chickens are a noise nuisance; thus, they have been restricted to agricultural and rural areas so that adjacent neighbors can live noise-free lives. Chickens attract foxes and other potential predators, and this increases chances of attacks by rabid animals. An individual's right to own a chicken should not supersede society's rights to a noise-free and safe living environment.

- Make noise dirty, owners will not clean yards. Lower property values, why?
- They are noisy and the odor from the chicken feces could be unpleasant. Also, our homeowners association prohibits farm animals.
- Non-intrusive animals that add to the character of the residence and also provide eggs to those who breed for this purpose.
- Odors, rats and other creatures as well as rabies from foxes, etc. Keep them on the farm where they belong.
- Noisy, smelly and attracts predators.
- Noise, pollution, disease, odors would be issues. I worry about rodents. What about the selling of chickens. And, the killing of chickens.
- It will attract predators and the noise they make.
- The current ordinance is adequate to allow residents who wish to raise chickens to live in the appropriately zoned & less dense areas. To amend the ordinance to allow the raising of chickens in more urban/dense areas infringes upon the property rights of residents who decided to live in an area where the raising of livestock is prohibited. It would potentially deprive such residents of the use & enjoyment of their property & could affect their property values. In addition, JCC could be inviting costly legal challenges to such an amended ordinance. Enforcement of the necessary restrictions could be time-consuming & costly, as well.
- They will be noisy, unsightly, will attract predators and rodents, will be smelly and the filth from the birds will promote disease. JCC could become the source for avian flu outbreaks, like China.
- Chickens will attract vermin (rats) and predators (wild dogs, foxes)
- Easy to take care of and great source of food.
- Residential = residents Farms and livestock = rural (not residential community. What about disease and waste.
- If I wanted to live near farm animals, I would have bought rural property. Residences in Williamsburg and JCC are too close together to allow for farm animals roaming around adjacent lots. These animals and their associate noise will be annoying not the mention the provocation that they will cause between neighbors.
- Within limits to encourage home gardening and food production.
- The stanch and noise -- as well as the potential for disease propagation from chickens to other animals/humans could be a serious public health risk.
- Chickens, particularly roosters, are a noise nuisance and can smell, as well, if their coop is not properly cleaned. Farm animals are for farms, not residential areas.
- Look at the planned. Communities within James City. How would this work? Why devalue the property?. Chickens should only be allowed on land designated as farm land with acreage and community restrictions. This makes no sense for areas like Fords Colony, Governors Land, etc.
- Why Chickens do NOT belong in residential neighborhoods. They are livestock--farm animals and do not belong in a neighbors' back yard. Those of us who chose to live in a residential neighborhood should not have to see,

hear, nor smell chickens. If someone wants to raise chickens they should have chosen to buy a house already zoned for the raising of farm animals, including chickens. ?

- Health issues.
- The only reason to keep chickens is for agricultural purposes. They are not pets. Keeping Chickens would require the construction of cages, which are unsightly, and would result in feeding and slaughtering activities which would create noise which could not be contained within a residential property line. Chicken are prone to escaping their cages and would be virtually impossible to round up once they had escaped. Other areas with chickens in residential areas have ended up having a wild chicken population which is uncontrollable. They are not clean animals and could spread germs and disease.
- I moved here from Chesapeake, where they were allowed. I kept four. They make wonderful pets and with only minimal care they are clean, do not smell, and do not bother the neighbors. They also provide endless amusement and are excellent gardening companions.
- Chickens are not conducive in neighborhoods where houses are on small lots. I would suggest that chickens owners are required to have a minimum of five acres. I don't want to have to look at the mess that chickens make.
- Negative impact on bordering neighbors relationships AND negative environmental consequences including pollution of ground water.
- This is absurd! Perhaps on 5 acre parcels, noise and health issues.
- As a former farm boy I know that chickens are noisy, smelly, unsightly, generate a lot of waste and a general nuisance.
- A residential designation for an area is just that...there is an expectation that it is not for business or agriculture.
- Chickens can be extremely noisy, especially when a rooster is introduced to the brood. My main concern, though, is avian flu, which is directly transmitted through chickens. The presence of chickens will also attract rodents, foxes and other predators to residential neighborhoods and perhaps put our children at risk of injury or rabies. In addition, the odor can be overwhelming.
- I think chickens should be kept on farms not on residential property. In other parts of the world, e.g., China, the bird virus is a real problem because people are in close contact with the chickens they raise. We don't need that here.
- Chickens are farm animals. They smell, make noise & are basically dirty. I know I had to feed them as a child & I exited that life & most emphatically do not want to return!
- They are noisy and messy!
- If not maintained properly they can be a nuisance with odors and noise.
- Noise, smell, diseases, unsightly. Strong likelihood of attracting predators that could harm neighboring pets or small children. Our area is already attracting coyotes, for instance, and foxes have long lived even in areas zoned residential.

- Had a next door neighbor in Chesterfield County that had them. Constant "clucking" noise and the neigbordood dogs would constantly bark at the sound. Never barked before that. And we had acre lots ! Also attracts predators such as foxes.
- Zoning laws were enacted for a purpose. Changing them after the fact lowers property values and lowers the confidence citizens have in their local government. After chickens, what next? An Arby's next door? Plus our HOA covenants do not permit farm animals.
- Chickens are Farm Animals.
- Poultry yards are dirty, noisy, and an eyesore. Chickens near my home will de-value my property!
- Mainly because of the nuisance factor. It could also lower real estate values if neighbor has a smelly and/or unsightly chicken coop. If you want to raise chicken, move to an area zoned for such pursuits.
- Chickens (roosters) are noisy and smelly. I don't want to be subjected to that when I am on my own property.
- I think peoples should be able to keep chickens as long as they are treated like domestic house pets, (i.e., sanitary, limited in number (non-commercial use), confined to their yard, and if the neighborhood covanents allow. I would not like a rooster in my neighborhood, but if the chickens were well maintained, that would be fine.
- Poultry are and have always been considered farm animals. Residential properties in close proximity to neighbors do not have sufficient space to properly and humanely raise poultry, especially chickens. Attendant noise alone in such situations will likely result in legal actions based on traditional "quiet enjoyment" grounds. Welcoming neighborhoods will be adversely affected by this litigation between neighbors.
- Chickens smell and are loud and distracting, especially within a gated community like Ford's Colony.
- Smell, noise. Will cause a lot of extra work for JCC police with complaints from neighbors.
- Pest control without pesticides, high quality food, basic human rights.
- The footprint/impact of a small chicken coop is minimal with proper restrictions/oversight.
- There is no place for chickens in residential areas. They are noisy and not having proper disposal facilities for feces would add to watershed pollution. Plus, having them in residential areas would degrade neighboring home values.
- Chickens and pigs need an environment where they have room to run and larger facilities to raise them; housing and pens. A residential area where the homes are close is not fair to other home owners not raising pigs and chickens. Farm land areas are the proper places to raise them animals.
- Unhealthy, noisy environment and attracts predators.
- Without a rooster, they are quiet. My daughter loves taking care of the chickens and it is a good link for her to pastoral farm living. It teaches her responsibility beyond taking care of the cat. We do not live in a homeowners association. We should have the right to use our property to raise chickens if we wish, particularly since it does not disturb the neighbors who were contacted prior to obtaining chicks and asked if they were concerned. No one seemed troubled by it. In fact, if we hadn't told them, I doubt they would know... Chickens really are fun!

- In gated residential communities, we pay high prices to live in well-kept and good smelling quiet zones. Farm animals would change the entire demeanor, atmosphere, and noise levels of our community, and unless the town is willing to buy out properties at value, imposing ordinances like this after we have committed to living in a place like Ford's Colony is absolutely unacceptable.
- At the very least in communities with HOA's, communities with HOA's should be exempted or the ordinance should allow HOA's to establish their own rules regarding these matters.
- I think that for certain people it is an economic issue and there are some who already have them.
- Annoying noises smell issues, predator issues. If I wanted to live on a farm, I would live on a farm.
- Residential are not suitable for this due to small lot size should restricted to county areas of sufficient lot size.
- I believe the amount of chickens should be limited. But restricting residents from having any chickens can increase the poverty gap. Having chickens is an easy way for families to save money and provide safer environment for kids/pets (fewer ticks, fleas, etc.)
- Confined residential spaces are not a place for mini-farms. Infringement on neighbors' properties especially noise levels and sanitation issues would occur.
- As long as residents and their chickens are not a nuisance to their neighbors, I see no reason not to allow people to raise food on their property.
- If some people want to garden organically or raise chickens to supplement their personal diets, then they should be allowed to with certain regulations that prevent lowering of property values and annoyance to neighbors.
- I was raised on a farm and remember well the noise, stench, and general atmosphere of farm life. I'm now retired and live in a pleasant community of homes that has none of the atmosphere I associate with my earlier life; AND I DO NOT WANT ANY OF THOSE MEMORIES RESURECTED BY HAVING MY NEIGHBORS RAISE CHICKENS OR ANY OTHER FARM ANIMALS. IF THEY WANT TO RAISE CHICKENS, THEY SHOULD MOVE TO A FARM!!
- Only if the neighborhood or community agreed.
- NOISE, ODORS SANITATION.
- Keep chickens in more rural areas. They can be noisy and dirty if not cared for properly. Hen houses can also be unsightly.
- Why Next thing people would want are cows and other animals.
- It makes no sense to allow dogs and cats, yet prohibit less harmful and more practical chickens. The risk of nuisance can easily be handling by ordinances for noise etc.
- We live in an area that is governed by a HOA. I knowingly and willingly gave up certain control to live in a neighborhood that would look orderly and have a certain restrictions, including keeping agricultural animals. If we want that changed then we should do it through the HOA and not have nonresidents have a say in it through a change implemented by James City County.

- Like all domesticated animals there will be responsible people and irresponsible ones; the latter will end up abusing both the chickens and their neighbors. At the very least JCC should enable any HOAs that have covenants in their HOA documents that preclude chickens and other animals to exclude chickens, etc.
- Chicken raising is not conducive to an orderly residential neighborhood, especially in gated communities where it would conflict with the covenants of the community.
- While I see nothing wrong with keeping chickens, I do feel that the current regulation are quite adequate and appropriate for this activity. It would create a very unpleasant situation for me and most of my neighbors if chickens were being kept next door to my 1/4 acre property. Potential for noise and rodents in such a close proximity would clearly have a negative impact on the quality of life in my community.
- Because chickens are loud and messy and belong only in rural settings where there is great distance between homes.
- There are lots of small properties that are totally unsuited for raising chickens. It's a big nuisance for the neighbors.
- They are dirty, can spread disease, and lower our home values.
- Because the city of Williamsburg allows them and all of my rural neighbors get to have them. Also they make entertaining pets that provide food and they can teach many lessons about responsible and sustainable living.
- Williamsburg is no longer a farming community. It is a suburban area filled with neighborhoods that are densely populated where the values of homes are important to homeowners. Those values will plummet if this ordinance passes and with values plummeting so will the governments tax revenues. If you pass this legislation it must apply only to rural agricultural areas and not suburban areas.
- Smell from chicken manure, noise from roosters early morning, possible escape from pens or coops, attracting predators.
- The hens are no problem. They make no noise and are not disruptive. A closed pen is best. No worries about hawks or owls or other animals.
- They are noisy and smelly (especially when wet)!! I have never seen a class act chicken roost and their presence would lower property values. If someone wants to raise them, by all means move out into the country or buy a farm.
- This change raises a whole host of issues to appease a very small interest group. For example, noise, loose chickens, fecal matter cleanup and disposal, standards for buildings, standards for fencing, butchering, disease, and attraction of predators, etc. I think local home owner associations should have the right to either restrict further or ban altogether this practice even if the ordinance passes. I personally would be quite upset if my neighbor decided to host chickens next door and I would hold my local government officials responsible when voting in the future.
- Noise, health issues, attracting other animals.
- Noise, odor, health, hazards to children and vehicles.

- Noise, stench, and mess.
- Raising chickens can provide food for families and possibly a source of income. However strict oversight would be needed and wild animals kept strictly as pets should not be allowed.
- Chickens can be offensive to close neighbors. They belong on rural land, not in densely settled neighborhoods.
- Residential property is for "people" to live and raise a family. Commercial property is for chickens.
- Chicken are farm animals. I don't want to be subjected to chickens and their noise and waste.
- I' knowingly purchased my home in a subdivision that is governed by specific HOA docs. It is against the HOA to have 'farm animals' and I agree with the HOA!
- If you are keeping chickens to raise for eggs then you should be able too. The number of chickens to have should be limited. When I was growing up my grandparents had chickens and the eggs tasted so much better than the eggs in the grocery stores today. The chicken farm feeds them differently. I remember they were fed chicken feed, ate grass and worms. The younger generation today has no clue.
- Noise, health and attracting predators into residential areas.
- I definitely would not like to have my next door neighbor raise chickens in their back yard. Yards are less than 1/2 acre; most, even smaller. Having grown up on a farm, I know that chickens smell, are noisy and would mess up the turf in one's yard. If one wants to raise chickens on a large property or on a farm, that's different. Please don't allow for chickens in a neighborhood of small lots.
- As a resident of Ford's Colony Williamsburg, I believe that: Such an ordinance, if issued, should support HOA prohibitions like the one in our covenants recently approved by 85% of the owners in Ford's Colony.
- Not my business if kept confined to neighbor's yard and no rooster crowing at zero-dark-thirty.
- Rural areas are appropriate for chicken keeping. Residential is not.
- Who wants feces all over everyone's yard and listening to roosters early in the morning?
- They are unsanitary and noisy. I can't even imagine living next to someone with a chicken coop. I have a home in Yorktown and drive by a chicken coop in a residential neighborhood and it is a noisy mess.
- There are noise issues, fecal and other waste contamination issues, chicken coops are unsightly in a residential neighborhood.
- They encourage vermin because of their feed. Roosters are extremely noisy at dawn. They belong in a farm yard, not a residential area.
- Potential for wandering fowl and disease is a great concern. Also believe it may lower property values. Predators will follow.
- Noise, odor, possible disease.
- Keeping chickens should be confined to farm land!!!
- Of the 2500 homes in Ford's Colony, 85% voted covenants to our HOA that prohibit such activity.
- It's a good way to help people to help themselves.

- Too difficult and costly for the county to monitor abuses to the policy that would affect both the animals and the neighbors.
- They should have the right to raise chickens for the purpose of consuming fresh eggs and minimizing insects. It is their property and as long as it is within reason (meaning, no roosters that are loud or disruptive to neighbors and the owner keeps chicken pin in good repair and clean)it should be allow.
- The smell, noise, and general mess are not in keeping with residential neighborhoods where there may be 3 or 4 houses per acre.
- Good question "WHY"!
- I live in a house not on a farm!!!
- Chickens are not pets; they are animals raised for the eggs they produce and for their meat. This means they should be raised in a rural/farm environment not in residential areas. If I wanted to raise chickens or to live someplace where my neighbors did so, I would have retired on a farm!
- It is hard enough to keep cats from wandering in your yard killing birds and making deposits in sand boxes. Chickens make noise and smell. They belong in the country on a farm.
- Noise, dirty.
- Because it's Residential not rural or agricultural, they are noisy and if enough of them could pollute local streams.
- Chickens should be limited to agricultural zones. Chickens can spread disease.
- Residences are not farms. Issues with noise and waste. What additional laws will be necessary to control noise and waste?
- They are dirty, noisy and can spread disease.
- Noise, odor, effect on property values.
- In rural residential areas, I would have no objections.
- It's residential, do you need another reason, restrict it to agricultural.
- I agree but I do have some doubts about how some people may care for their chickens and could see the noise and mess becoming a potential problem. I think if you want to keep chickens in a residential area you should have to get a permit and pass a brief quiz on how to care for chickens.
- Health sanitation and odor.
- Would conflict with Ford's Colony covenants.
- The owners are not always responsible then it is a big problem
- It should be restricted to rural areas with acreage minimums.
- The noise, the mess, the look.
- Totally inappropriate for a residential community.

- I'm all for raising chickens in a rural setting; however, there is no place for them in an urban setting. They are up at early, often before sunrise, and ensure all within hearing are up as well. Many people don't want to be awakened at 5AM and chickens can be heard 1/3 of a mile away.
- Residential areas should remain residential meaning no farm animals.
- It will radically affect my home's value if my neighbor is raising chickens. The odor and the appearance of the chickens will be a serious obstacle to selling my home, as well as my retirement, since much of that is tied into what remaining equity I have in my home. Bad idea.
- Raising chickens allows people to be more self-sufficient and helps people build relationships with neighbors. I do believe that roosters, however, should not be permitted in residential districts.
- It really depends on the size of the lot. If you have a few acres it might be OK, but not in an area where people are close by. I like chickens and would raise some if we lived in a large lot (over 3 acres). There is the problem of smell and noise, especially if there is a rooster with them.
- Possible spread of disease, and odor.
- If I wanted to live on a farm, I would. I choose to live in a residential neighborhood because it is just that - residential. Chickens belong on a farm or on huge parcels of property where the sounds and smells of farm animals will not reach the neighbors. I cannot believe JCC is actually considering expansion of current zoning regulations.
- Keeping chickens in residential areas would increase the presence of predators and other undesirable wildlife increasing risks to children and other domesticated animals.
- Allowing chickens would establish a dangerous precedent which could lead to all livestock types being allowed in residential areas.
- Chicken keeping is dirty and flocks can be diseased. Unless there will be Animal Control that monitors the health of the flock, which is cost prohibitive, my vote is NO.
- The eggs are better and folks should have some control over where their food comes from.
- Noise factor.
- Unless you are in a sufficiently rural area it is unseemly to have then in a residential area.
- Primarily for health, odor and sanitation reasons. Secondly, there is a level of noise that is a nuisance to those that don't have or want chickens near their homes. Chicken raising should be restricted to rural areas and not be permitted in residential areas.
- Who wants the smell of chicken waste, noise of roosters, etc...right next door?! We live in a gated community and our Home Owner's Association prohibits this. We do not want chickens in our community. If you go ahead with this terrible idea, allow Covenants of HOA's to take precedence over your new ordinance.
- 9 times out of ten it’s a filthy chicken coop. They want to raise live stock for whatever reason, but they lack the skills to take care of it.
- Noise, mess, especially the smell.

- People should be allowed to have chickens, if they take care of them, keep the area clean. If their neighbors don't care, what is the problem? When you live further out, and have more property there should no rule against chickens.
- Some lots can support this, if they are large enough or isolated enough.
- There is a health hazard from disposing of chicken carcasses and from live chickens attracting wild animals such as foxes and raccoons which may carry rabies into the neighborhood. Roosters are noisy creatures that crow at the crack of dawn and that is a noise nuisance in a residential neighborhood. Raising chickens requires commitment and knowledge which few "back-yard farmers" have. If one wanted to raise chickens then they should have bought or rented in an Agricultural Zoned neighborhood in the first place; they have the option to move to such a neighborhood now. Animal Control and SPCA staff would probably need to be increased to respond to issues to do with chickens living in unhealthy neighborhoods or being abandoned, chickens being attacked by other animals both wild and domestic.
- Smell, unsightliness, etc., especially if on my neighbors' property.
- People’s right to do what they wish with their property as long as it doesn't affect the masses.
- Noise, odor, loose birds, destruction of neighboring gardens, prey for other animals. I have raised chickens elsewhere in the past for 3-4 years, and conclude without doubt that they should never be considered domestic animals.
- Keeps JCC rural feel and pride.
- Their property.
- Residential means residential it is not a chicken farm.
- They smell.
- RESIDENTIAL ZONING IS JUST WHAT IT IS BY DEFINITION. WANT CHICKENS, THEN BUY PROPERTY ZONED AGRICULTURAL OR FARMING. LET'S KEEP OUR DEFINITIONS CLEAN OR OUR COMMUNITIES WILL CHAOTIC.
- With the economy the way it is, ever little bit can help save money.
- Chickens are basically farm animals. They should be raised on farms, not at residences. Most residences would not like to have their neighbor raising chickens.
- This is not a farm community.
- Only on big acreages.
- Chickens are dirty and get out of the coop. They tend to be all over the roads and walk ways. It is difficult to keep them contained. Many then get a rooster and the noise is too disturbing to others. NO NO NO on chickens in residential areas.
- If I wanted to raise chickens, or live next door (or even near) to someone who does, I would live in an area designated as RURAL. I DON'T WANT THE NOISE, THE SMELL, AND THE RAT AND MOUSE INFESTATION THAT ACCOMPANIES THIS. I DON'T WANT THE INCREASED LIABILITY THAT IT WILL ATTRACT RACCOONS AND FOXES, WITH THE POTENTIAL FOR INCREASES IN RABIES IN COMMUNITIES NOW DEDICATED TO RAISING SMALL

CHILDREN, AND KEEPING SMALL DOGS AS PETS. HAVING SUCH A POLICY WILL HAVE A MASSIVE, NEGATIVE, AND LOG STANDING IMPACT ON AFFLUENT RETIREES MOVING INTO THIS ENTIRE IMPACTED AREA.

CHICKEN SURVEY RESPONSE

3b. Chicken keeping should be permitted equally in all residential districts (e.g. R-1, R-2, R-4, PUD-R, etc.); If you disagree or strongly disagree, why?

- Not sure I understand the question: I think chickens should be allowed anywhere there is a yard, but restrictions on the number of birds based on lot size makes sense to avoid overcrowded conditions.
- I am not completely familiar with the zoning codes.
- I feel certain densities have different considerations. The denser the housing, the more restrictive the number of chickens in the flock should be.
- Why should I not raise chickens on my property if I want to do so? Properly managed, the backyard poultry flock should have less of an impact on neighbors than a couple of dogs would have.
- Some neighborhoods are not conducive. You need space.
- Chickens making noise, defecating or otherwise disturbing my peace in a RESIDENTIAL community within an HOA will NEVER be tolerated here!
- They should have appropriate regulations based on the size of the property and zoning so as not to bother neighbors.
- Strongly agree due to belief that community consists of more than waving at the neighbors. Responsibility comes from interaction of neighbors and personal actions.
- In addition, small livestock such as chickens attract coyotes & other predators closer to residential homes. Not all keepers will be good stewards of their flock. HOAs must then enforce. Courts may not uphold covenants where county ordinance does not support the covenant.
- Different residential districts have different property uses. Allowing livestock to be raised in a community with single family attached homes is a much different situation that attempting the same in a neighborhood of single family detached dwellings. This question is absurd.
- Most subdivision lots are much too small for farm animals.
- Many PUD-R neighborhoods do not have sufficient yard space or fences to safely keep the birds.
- Chickens belong on farms or in areas where there is sufficient acreage where they will not offend or intrude on their neighbors. I would not be a happy camper if my neighbors kept chickens.
- Chicken keeping should be permitted in all residential districts, but flock size should possibly be tied to the size of land available for chickens on a particular property. Flocks with too dense a population are susceptible to problems, including infighting within the flock, little/no availability for foraging, and rapid buildup of manure.
- I do not think the county should have restrictions.
- There should be some requirement regarding lot size for the health of the chickens and for the consideration I neighbors (i.e. the chicken coop shouldn’t take up the entire yard).
- Chickens are dirty and coops are unsightly. If someone wants to keep chickens, let them move elsewhere.
- They should not be permitted!

- I am not full up-to-speed on the definitions of each zone, but while I think it may be possible to keep chickens in a high-density situation, it would need to be very carefully considered and potentially highly regulated.
- See my comments above as I feel they apply here just the same.
- Keeping live fowl or farm animals should be kept in the appropriate zoned lands.
- This sets a terrible precedent.
- Because allowing chickens equally across all residential districts defeats the purpose of different residential districts.
- I don't know the difference between residential districts.
- I admit, I don't understand the difference between the district numbers/letters, but I don't think where you live should dictate whether or not you should have chickens.
- Why is this such an issue? Residential zoning does not include keeping/raising poultry!
- OK if rural area.
- Case by case.
- Chickens are farm animals and belong in the country.
- We are not farmers.
- This should not be permitted in our residential districts.
- This should be a right for everyone not just a select few.
- If you disagree or strongly disagree, why? I do not know enough about the differences in R-zone types. Chickens do not require much land but do need some place to scratch and peck. They need a suitable enclosure or fenced yard to keep them safe and to keep them from wandering to a neighbor's property. They also require a place for a suitable house in which to sleep and stay out of bad weather.
- Health and hygiene conditions first the chickens, and then the Rooster devalues property (unsightly coops etc.).
- Good for environment and cuts down on ticks.
- I have no opinion because I don't know what the difference is between these zoning codes.
- I live in a R2 neighborhood with limited covenants. We have minimum 1/4 acre lots. We are currently updating the covenants at the 25 year point and are adding in no chickens at our lawyer's recommendation.
- Everyone Deserves Thee Same Right Regardless Of Location.
- Once one is allowed, many others will follow. There are alternative such as renting small plots of land on property that is already zone for and used for a farm.
- Should be listed to domestic pets only.
- Chickens require coops, and will attract predators, such as fox, raccoon and hawks. The coops require frequent cleaning to prevent the odors involved from invading close neighbor's property, especially in the hot, humid Virginia weather.
- High-density residential districts should not be allowed to have chickens. There should be minimum lot sizes.
- If the county opens up chickens to residential areas, Individual HOAs should be able to regulate within their own communities. My personal feeling.....if no one complains....fine. If people do complain, action should/could be taken.

- Chickens should not be permitted in ANY residential area.
- I think it should only be allowed on property of a reasonable size. I have 1/2 acre and do not think it is enough room. Also, no roosters in smaller residential areas.
- The different districts have different densities. The greater densities carry more powerful objections to keeping farm animals.
- If it is your desire to be a farmer get a piece of property with some land so that you are not imposing on your neighbors with the noise, smell, etc. First chickens then goats, pigs?
- It should only be considered in districts that are not densely populated and where there is sufficient space between residences where the chickens would not pose a nuisance to neighbors.
- It depends on the size of the lot. Even as a dog lover the fact my neighbor has several large dogs in a small lot is much more of a nuisance then a few chickens would be.
- Property rights, If you don't want to be near them then live in a neighborhood where the HOA doesn't allow such.
- Chicken keeping should not be allowed in any residential district. It should be equally disallowed. Chickens should be kept only on land zoned for farming / rural.
- Noisy.
- Keeping chickens in some of these "planned communities" with a specific set of covenants is going to cause huge problems. People that live here actually WANT certain "levels of control" and certainly don't want to see neighbors with chickens on their property (or horses or cows).
- Same reasons stated above. Soon enough chicken keepers will be allowed to have coops in their R zoned areas and neighbors who don't really want this in their community will be forced to see the coops. I find no comfort in the noises the animals make either. This has the potential to make a future sale of your home/property less desirable to buyers.
- Should be limited to rural residential.
- Nuisance factor of increased predator wildlife preying on chickens as well as domesticated animals. Also feral and domesticated animals being tempted to prey on chickens. Anticipate an increase in noise, stench from manure the spread of rabies from predators and rodent borne diseases to domestic animals to humans. Chickens are trouble magnets with feathers.
- Chickens should not be kept anywhere in JCC.
- Chickens should not be permitted in densely populated areas.
- 5 acre minimum size residential lot.
- For reasons outlined above.
- HOA Community rules should overrule. If they do not permit raising of farm type animals, that should overrule the JCC Ordinance.
- All of the above, here are the areas where chickens should be allowed or not allowed: A-1 yes to chickens R-8 yes to chickens B-1 yes to chickens M-1 yes to chickens R-6 yes to chickens M 2 yes to chickens RT yes to chickens PL yes to chickens R-1 no to chickens R-2 no to chickens R-3 no to chickens R-4 no to chickens R-5 no to chickens LB no to chickens B1 no to chickens PUD no to chickens MU no to chickens EO no to chickens.

- Just what I said above, and in addition, leave the chicken raising to to professionals like Perdue, Tyson's, etc.
- Chickens are noisy! A rooster crowing in the morning is great on a farm with lots of acreage, not next door.
- Just say "No" to chickens. Period.
- If you disagree or strongly disagree, why? In a modern, civilized society, chickens are raised to produce eggs or slaughtered for meat on farms designed and operated for that purpose. There is no reason to add pollution to residential areas, including blood, fecal matter and noise just to satisfy someone's desire save a few dollars.
- Would infringe on neighbors and could be a nuisance.
- There is no shortage of eggs in the grocery stores. If we lived out West on the open range, I would have no problem with this activity.
- While I believe chickens should be allowed in all zoning, each zoning classification needs to be evaluated on its specific limitations. for example, a 1 acre lot could easily handle 8 or more hens but a .2 acre lot could only handle 2 hens.
- Not all residential areas are equal. Consideration has to be given to the neighborhood and the impact on home prices if chickens were permitted.
- Because, the conditions should be right. Perhaps a minimum yard size...
- I would restrict it from apartments or condos - otherwise it should be OK.
- Not in apartments or condos or townhouses, I don't know what the lingo is for those.
- It makes no sense how it is currently zoned. We have over an acre of land; and plenty of space to have our own small flock of chickens. Chickens are no messier (and a lot safer) than other animals currently allowed in our zones.
- Allow chickens in residential areas outside of the Primary Service area, but not within the PSA.
- Don't know enough about the different zoning types.
- They stink and they carry bugs, ticks, and fleas!!!!
- With proper regulations and limits there all issues could be solved.
- There are several residential areas where raising chickens would be inappropriate--townhouses, cluster houses, etc. comes to mind.
- Higher density zones should probably have special considerations, as they should with all animals to make sure that neighbors are un-affected.
- There are too many disrespect citizens that don't respect their neighbors.
- (I am not sure what the zoning differences are.)
- Noise, control, and their dirt.
- Again, backyards are not farmland.
- All residential districts are not equal in size, use, or residential density.
- They invite rats and other predators.
- No chickens should be allowed in residential areas. Please purchase a farm for these wants.
- Noise and smell.
- There needs to be strict guidelines to size of area, sanitation, and proximity to easements.

- Exactlyâ€¦WHY??? I do not want to live next door to someone who has chickens. They should be raised in the country!
- I am not sure what some of those residential districts are.
- If people wanted to live near livestock they would seek to live in rural areas. Chickens should not be imposed on folks who live in residential areas who are clearly there to avoid a farming agricultural lifestyle. This includes the predators that will no doubt be present such as snakes, rodents, foxes, and hawks.
- I do not want to have to put up with a neighbor that keeps chickens; I do not want the noise, smell, coyote attractions, rodent population explosions, diseases or escaping chickens next door to me!
- What will happen to the chicken litter on small lots? We have enough problems getting people to pick up after their dogs... I'm concerned about the noise too.
- There is a place for everything and in neighborhoods and communities that are residential, raising chickens is not necessary. Rural homes or homes not within designated neighborhoods would be fine for chickens. Do you really want to sit at Kidsburg and listen to chickens cackling the whole time?
- Landowners should not lose property rights because of how much land they own. It is appropriate to have guidance in denser areas, but freedoms should not be restricted. MANY CITIES allow residents to raise poultry successfully, so there is no reason suburban zones should be restricted.
- I think housing density, services, and other issues might be important here and we should not, a priori, decide that all residential districts must be the same. This doesn't mean that after studying the issue we'd come to the same conclusion. Perhaps the different districts are equivalent for this issue.
- The county should not have any business in this. It should be left up to the subdivisions.
- If you signed a homeowner’s contract that prohibits certain animals you should abide by it.
- Although SOME people may want to raise chickens on property that is zoned R-1, R-2, R-4, PUD-R, this would be totally inconsiderate of MANY other neighbors that would be strongly opposed to such a practice. People that feel so strongly about the need to be able to raise chickens should first consider moving to an area that is zoned agricultural OR very low-density residential or rural residential.
- Some residential areas have houses that are packed closely together and others have lots of space between properties. For those houses spaced in near proximity to each other, their freedoms must be considered on equal basis and therefore the chicken keeping should NOT be allowed for all neighborhoods. Just makes common sense to apply the laws to everyone equally that would be affected by the regulations.
- Raising chickens and other animals for food source should be conducted only in purely rural situations, large lot properties and carefully caged and kept clean.
- Chickens belong on a farm.
- Lot size, and the ability to do this a sufficient distance from those property lines is very important.
- Chicken Ordinance would violate existing JCC residential covenants. Regardless of what JCC Policy Committee or Board of Supervisors may approve, does it seem remotely possible that residential communities such as Kings Mill, Governor's Land, Colonial Heritage and Ford's Colony would comply with such a radical policy or ordinance without legal recourse?

- I chose not to live "on a farm" so I bought my home in a subdivision with residential zoning that did not include allowing raising of farm animals.
- It is important that any James City County ordinances allowing keeping of chickens or other agricultural animals in residential neighborhoods support limitations imposed by HOA covenants and rules as such represent decisions by those most immediately involved. Also, I feel at a minimum any such ordnance needs to address all of the following appropriately for each class of residential property: noise and odor impact on neighboring residential properties and waste disposal issues. It seems to me that we have enough problems with pet waste; without adding agricultural animals to residential neighborhoods.
- Again, these are farm animals.
- There has to some sort of common reasoning.
- In truly rural areas it might be ok but what will constitute a truly rural area?
- Because people should have the right to do what they want on their own property as long as it doesn't have an adverse impact on their neighbors.
- They make too much noise. Make a mess in other people’s yards.
- Rules and their structuring should make variations and limited situations possible anywhere. Benefits outweigh challenges!
- They are barnyard animals that belong on a farm. They can carry disease, be noisy, and dirty.
- Residential should be further defined. If residential is strictly dwelling as in a subdivision or is it residential such as a farm or residential to someone who may have several acres etc., and no nearby neighbors.
- Cannot be equally permitted everywhere, restrictions should be considered on size if property.
- Should be permitted only in rural areas.
- If you want chickens and other barn animals, you should live in the country and not a planned community or the city.
- Because it is a noisy and dirty process.
- Residential districts with HOA's should not be subjected to the county approved ordinance and whether or not to allow chickens should be the decision of the residents associated with a HOA.
- 1.) The bacterial disease: salmonella is a public health hazard. This disease is caused by healthy chickens and are communicable to people through direct contact, exposure to manure or consumption of undercooked chickens and eggs. Salmonella is in the chicken’s droppings, on their bodies, feathers, feet and beaks even when they appear healthily and clean. The disease salmonella contaminates the people handling the birds. It gets on their clothes, shoes, hands, etc. Also salmonella gets in hay, plants and soil. 2.) Odor 3.) Noise 4.) Increase of flies 5.) Increase of predators (foxes, raccoons, hawks, snakes, owls.)
- If it is not zoned for farm land it should not be allowed in residential areas.
- Here again, buy a farm.
- Again I think this would do nothing but hurt home prices, present noise problems and cause health problems.
- A residential neighborhood is not for farm animals. The noise, the smell, the annoyance is not for a residential neighborhood.

- Close neighbors should not be subjected to the noise and dirt created by chickens. In addition to the unpleasantness property values are likely to be reduced.
- Many neighborhoods are too small to keep smelly birds. You have to have enough space so they are not a health and smell problem for yourself and neighbors.
- Unsightly, uncleanliness and diseases.
- Limit the number of grown chickens and no roosters.
- I believe strongly that residential areas that are governed by legitimate homeowners' Associations (HOAs) should be allowed to set 'chicken' policies based on the majority vote of the HOA's membership.
- Chickens require indoor and outdoor space to be kept in a healthy environment. The pens must be maintained daily or the odor is bad. You need space for the chickens to thrive.
- If all properties are equal in size or proximity to others.
- It certainly depends on the size of the yard but as long as they are kept neatly, I don't see a problem.
- More populated areas should be limited on the number of chickens allowed.
- Chickens are noisy, messy, smelly and attract other kinds of animal life that could be harmful to humans.
- More populated areas should be limited on the number of chickens allowed.
- Noise, disease transmission, nuisance, attracts predators.
- This is not West Virginia.
- There are numerous options where chicken keeping is permitted, and not all neighborhoods are equal in character, layout, density, or appearance. Introducing fowl in any and all neighborhoods is illogical and disregards the fact that neighborhoods differ.
- Chickens belong on the farm, not the neighborhood.
- If residents of a community have voted to prohibit chickens in their community, that vote should be honored.
- If a neighborhood is governed by a HOA, then the HOA rules should supersede any permission granted by the county. The members of the HOA should be able to determine by majority voting if such an ordinance should be allowed or barred in the HOA. Property values are at stake here.
- Basic survival and independence.
- Chicken shouldn't be kept on any residential area.
- This is a dumb and stupid proposal. Are we back in the days of the recession of 1939? You folks need to get a life.
- They make noise.
- Noise, smell and potential for aviary-borne diseases may impact neighbors.
- Again I repeat, chicken raising should be restricted from residential districts.
- I do not know the difference in the residential districts.
- Chicken keeping belongs on a farmstead setting. Any residential lot less than 4 acres should not be permitted.
- Chicken keeping should be restricted to rural or farming areas.
- It would be very difficult to allow in only select zones. The same should ALSO apply to neighborhoods in zones A.

- I don't fully understand the districting subtleties. I believe this activity should be allowed, except where local boards (community associations) agree collectively not to permit it.
- All districts are not equal for raising or keeping chickens. The provision that all districts are equal for raising or keeping chickens is not a valid rationale for this provision.
- Chickens are safe animals that provide little noise and distraction to neighbors.
- Any keeping of livestock should net be allowed in any areas where there are residences within 3 acres of each other.
- Shouldn't be allowed in any residential neighborhood.
- Because it will encourage more predators in our backyards endangering pets and young children. The smell is not something you can restrict to your own property either.
- These areas are not sufficiently rural to prevent disturbances to nearby neighbors.
- Chickens are farm animals and should be restricted to farm type zoning.
- Ditto, my comments to 3a. You are going to open up Pandora's Box if you go forward with this.
- If I wanted to live on a farm I would have bought a home on a farm.
- It will effect property values may be smelly and unsightly.
- I didn't buy a beautiful, expensive home only to have a homeowner raise load, smelly animals. I will move out of James City!
- We all need to be respectful of our neighbor’s privacy and solitude - as we would want our neighbors to respect our privacy and solitude. Perhaps in 3+ acres zoning that is semi-rural.
- Chickens are farm animals to be kept in rural areas zoned for them! Thank you for asking.
- They should not be allowed in neighborhoods unless you have several acres.
- If one has restrictive covenants that were agreed to on purchase, then those covenants should be respected unless rescinded by that particular community.
- Odor, noise, lack of space, impossible to thoroughly regulate.
- Size of lot.
- I believe that HOA's should have the right to NOT allow chicken in their communities.
- Chickens do not belong in residential areas, the bring poop and lure foxes into the area and snakes are generally where chicken eggs are hatched!
- It would attract unwanted rodents, pests, predatory an animals, and dis ease. I currently live in a residential area to be protected from people raising chickens.
- Raising live animals in your yard is a business venture. Beside who wants to live next to a chicken coop with all that smell!! First chicken, then come pigs!! These are farm animals and should be zone in farm zone.
- Chickens should not be allowed in dense neighborhoods for reasons cited earlier. Those wishing to keep chickens should move to rural or agriculturally zoned areas in the county.
- It would take away from why we moved here.
- I believe it should be up to the individual neighborhoods and HOAs to determine whether chickens may be kept.
- For same reasons stated above, they add to the character of the residence and are a non-intrusive livestock or pet.

- Noisy, smelly and attracts predators.
- Noise, pollution, disease, odors would be issues. I worry about rodents. What about the selling of chickens. And, the killing of chickens.
- It will attract predators and the noise they make.
- The raising of livestock should be restricted primarily to rural and semi-rural areas, as currently zoned. Residents have chosen to purchase homes in certain areas based upon the zoning & the allowed uses. To amend the ordinance retroactively, apparently because of the desires of a few, would open the door to other non-conforming uses and would undermine property values. Residents who wish to raise chickens should move to the appropriately zoned properties. The current ordinance does not prohibit the raising of chickens; it merely restricts such activity to certain areas. If chickens, why not ducks, turkeys, roosters, peacocks and other fowl? Chickens create noise, odor and waste, and they attract predators & vermin.
- They should only be permitted in areas zoned for agriculture.
- Chickens should be limited to large lots (over 2 acres) in rural areas of JCC.
- I have no problem with chickens being allowed at a residence.
- We selected Ford's Colony as a place to live because of the FCHOA controls. We have covenants that were adopted with an 85% vote to not allow such activity. That should be respected within Ford's Colony and by James City County. Any place with a HOA should be able to make their own decisions about such a matter.
- If I wanted to live near farm animals, I would have bought rural property. Residences in Williamsburg and JCC are too close together to allow for farm animals roaming around adjacent lots. These animals and their associate noise will be annoying not the mention the provocation that they will cause between neighbors.
- Chickens should only be kept in areas that are zoned for agriculture / farms.
- Chickens, particularly roosters, are a noise nuisance and can smell, as well, if their coop is not properly cleaned. Farm animals are for farms, not residential areas.
- Look at the planned. Communities within James City. How would this work? Why devalue the property?. Chickens should only be allowed on land designated as farm land with acreage and community restrictions.
- Health issues.
- Chickens are probably ok in areas of rural residential zoning, but not more dense residential zoned areas.
- Yuk!!
- Chickens are not conducive in neighborhoods where houses are on small lots. I would suggest that chickens owners are required to have a minimum of five acres. I don't want to have to look at the mess that chickens make.
- The purpose of the zoning system is to sort out differing uses, and there are zones intended for farming and husbandry of differing kinds; residential includes none of them.
- A residential designation for an area is just that...there is an expectation that it is not for business or agriculture.
- Chicken keeping should NOT be permitted in any residential district. These are farm animals, not pets.
- Not at all!
- It depends on the neighborhood.

- Noise, smell, diseases transferrable to humans (happened to my boss 30 years ago), unsightly mess, etc. Chicken belong on farms or, at best, on homes with properties of not less than five acres.
- A nuisance anywhere there are neighbors.
- Zoning laws were enacted for a purpose. Changing them after the fact lowers property values and lowers the confidence citizens have in their local government. After chickens, what next? An Arby's next door? Plus our HOA covenants do not permit farm animals.
- Again, Chickens are Farm Animals.
- Raising chickens should be permitted only on land designated as farmland of if permitted on residential areas on land with larger acreage e.g. 3 acres or more.
- Poultry yards are dirty, noisy, and an eyesore. Chickens near my home will de-value my property!
- Not the place for chickens
- Mainly because of the nuisance factor. It could also lower real estate values if neighbor has a smelly and/or unsightly chicken coop. If you want to raise chicken, move to an area zoned for such pursuits.
- It depends on the size of the lots. If it's a subdivision, especially those with lots less than an acre, then chickens should be restricted. If it's a residential area that is more rural with large tracts of land, chickens are more acceptable.
- If the covenants do not allow chickens, don't move into the area. If you want chickens, go to an area that is zoned for them.
- Home values are not maintained or increased by allowing poultry to be raised in all residential districts. Sufficient Acreage should determine whether poultry can be properly and humanely raised. Property with at least 5 or more acres should be the minimum requirement if such an ordinance is being considered. If authorization for any smaller properties is being considered, consent of adjacent neighbors should be a prerequisite.
- Chickens belong on farms!
- Only farm districts NOT residential districts.
- All men are created equal.
- Chicken keeping only makes sense in more rural areas or in areas with larger lots.
- There is no place for chickens in residential areas. They are noisy and not having proper disposal facilities for feces would add to watershed pollution. Plus, having them in residential areas would degrade neighboring home values.
- Pigs and chickens should not be raised in residential areas.
- Unhealthy, noisy environment and attracts predators.
- For the same reasons expressed above. If there are areas that are considered more rural, that are not gated communities with high home owner membership fees, then perhaps the town can oversee those communities. However, the town should not override local regulations implemented by private home owners in private developments.
- There are some communities that have their own restrictions. That should not change.
- Annoying noises smell issues, predator issues. If I wanted to live on a farm, I would live on a farm.

- I believe the amount of chickens should be limited. But restricting residents from having any chickens can increase the poverty gap. Having chickens is an easy way for families to save money and provide safer environment for kids/pets (fewer ticks, fleas, etc.)
- As long as residents and their chickens are not a nuisance to their neighbors, I see no reason not to allow people to raise food on their property.
- HOA restrictions should be honored. Zoning density should also be considered to prevent infringement on the property rights and values of nearby residents.
- I was raised on a farm and remember well the noise, stench, and general atmosphere of farm life. I'm now retired and live in a pleasant community of homes that has none of the atmosphere I associate with my earlier life; AND I DO NOT WANT ANY OF THOSE MEMORIES RESURECTED BY HAVING MY NEIGHBORS RAISE CHICKENS OR ANY OTHER FARM ANIMALS. IF THEY WANT TO RAISE CHICKENS, THEY SHOULD MOVE TO A FARM!!
- LOT LINES IN MOST RESIDENTIAL NEIGHBORHOODS ARE TOO SMALL. SANITATION REASONS AS WELL AS INVITING SNAJES, RODENTS AND WILD ANIMALS INTO THE NEIGHBORHOOD.
- Keep chickens in more rural areas. They can be noisy and dirty if not cared for properly. Hen houses can also be unsightly.
- I do not know the differences between the categories above, but the key to this controversy is how residential is defined.
- We selected our home site because the development prohibits raising chickens and other livestock.
- Don’t think that chickens should be allowed in planned gated communities.
- Like all domesticated animals there will be responsible people and irresponsible ones; the latter will end up abusing both the chickens and their neighbors. At the very least JCC should enable any HOAs that have covenants in their HOA documents that preclude chickens and other animals to exclude chickens, etc.
- Chicken raising is not conducive to an orderly residential neighborhood, especially in gated communities where it would conflict with the covenants of the community. Communities have covenants and rules for maintaining the appearance. No law should be implemented that overrides those covenants.
- While I see nothing wrong with keeping chickens, I do feel that the current regulation are quite adequate and appropriate for this activity. It would create a very unpleasant situation for me and most of my neighbors if chickens were being kept next door to my 1/4 acre property. Potential for noise and rodents in such a close proximity would clearly have a negative impact on the quality of life in my community.
- Because there are certain residential areas where homes are very close together and the noise and messiness from the chickens would infringe upon neighbors.
- There are lots of small properties that are totally unsuited for raising chickens. It's a big nuisance for the neighbors.
- Chickens can be dirty, smelly, and noisy. They can escape into neighbor’s property. Their poop may pollute the area. They will attract rodents, predators, and even pets like cats and dogs. This is a BAD IDEA.
- They belong in a farm, not where people live and have children. Again, the filth and disease.

- Williamsburg is no longer a farming community. It is a suburban area filled with neighborhoods that are densely populated where the values of homes are important to homeowners. Those values will plummet if this ordinance passes and with values plummeting so will the governments tax revenues. If you pass this legislation it must apply only to rural agricultural areas and not suburban areas.
- Smell from chicken manure, noise from roosters early morning, possible escape from pens or coops, attracting predators.
- Size of the lot matters. Very small lot - no. Medium to large lot - yes.
- Not sure what all your R-1 codes etc. mean, but that is right up there with chaining a dog up outside so all of us can hear him bark 24 hours a day. NO THANKS!!
- Clearly there are many variables to consider, including lot size, housing density, character of a neighborhood, local association rules and standards, etc. And not least, how your immediate neighbors feel about your new hobby as chicken farmer.
- I don't want to live in a residential area which is open to farm animals in back yards. My property value will suffer.
- Very rural areas might be okay. Densely populated area would not be okay.
- Most housing development has houses too close together which will only create neighbor to neighbor issues and problems.
- Keeping chickens should only be allowed in areas where lot sizes are large. And fencing should be required as well as offsets to keep animals away from neighbors yards.
- Chickens can be offensive to close neighbors. They belong on rural land, not in densely settled neighborhoods. More specifically, noise and odor.
- Why have residential designations at all if there is to be no difference between them? Why not simply remove all zoning restrictions and regulations?
- Chicken are farm animals. I don't want to be subjected to chickens and their noise and waste.
- Not all residential districts are equal in their goals for neighborhood living standards. These varying levels of standards are what create value differences among districts. A PUD specifically outlines the standard expected and chicken keeping is inconsistent with that standard.
- I'm in a gated community--not a rural farm area with substantial acreage.
- Noise, health and attracting predators into residential areas.
- I definitely would not like to have my next door neighbor raise chickens in their back yard. Yards are less than 1/2 acre; most, even smaller. Having grown up on a farm, I know that chickens smell, are noisy and would mess up the turf in one's yard. If one wants to raise chickens on a large property or on a farm, that's different. Please don't allow for chickens in a neighborhood of small lots.
- If prohibited by HOA covenants.
- Ordinance should consider individual HOA covenants.

- Chicken keeping should occur in areas where there would be none or little disturbance to other neighbors. Presumably, rural areas generally have more land between neighbors. I'm not familiar with the specific "R" districts but density should be a primary concern.
- It is unsanitary.
- People pay a lot of money for their homes in Governor's Land and Ford's Colony, Kingsmill, etc. and you will be downgrading their property values after they bought.
- There are noise issues, fecal and other waste contamination issues, chicken coops are unsightly in a residential neighborhood. I cannot believe that this issue is getting serious consideration.
- They encourage vermin because of their feed. Roosters are extremely noisy at dawn. They belong in a farm yard, not a residential area.
- They are residents not farms. Odors and noise will be a problem.
- They are farm animals and should be raised on farms.
- Such animals with their noise, mess and excrement no not belong in higher density residential districts. We are in a flood plain. Drainage in our area is an ongoing problem. This is another reason not to add excrement to our land and water. Our area is home to hawks that would swoop through our yards to attack the chickens and the rodents they attract.
- If such policy is permitted, should only be permitted in districts where minimal impact to neighbors.
- Chickens in rural areas where there is one residence per five acres or more might be ok, but certainly not in more compressed areas.
- Some communities have covenants prohibiting keeping of agricultural animals. The proposed regulations if passed should not supersede those covenants!
- Noise and odor.
- I do not live on a farm and do not want to live near one!!!
- I don't know what the various designations above (R-1, R-2, R-4, PUD-R, etc.) mean, but if these are not rural areas the County should not allow people to own and raise chickens in these districts.
- It is hard enough to keep cats from wandering in your yard killing birds and making deposits in sand boxes. Chickens make noise and smell. They belong in the country on a farm. I would not enjoy having chickens in my next door neighbors' yard.
- Because it's Residential not rural or agricultural, they are noisy and if enough of them could pollute local streams.
- Chickens should be limited to agricultural zones. Chickens can spread disease.
- Noise, waste and control of other animals looking for a meal.
- They are dirty, noisy and can spread disease. We don't live on a farm.
- Noise, odor, effect on property values.
- Not all residential districts have lots sizes where this would be appropriate.
- It's residential, do you need another reason, restrict it to agricultural.

- I think it should depend on the size of your yard and the distance between houses. It would not be fair to a neighbor if there are 0 lot lines and you are keeping chickens and they have to deal with the smell and noise. If chickens are not cared for well they begin to put off a terrible odor (from their feces).
- Raising chickens is not suitable in a residential neighborhood for sanitary reasons.
- Again, I would not favor chickens in Ford's Colony.
- If a HOA does not allow it then it should remain so.
- I intentionally purchased a home in a gated community to avoid the trash people tend to accumulate over the years in the yards such as boats, trailers, swing sets, lawn art, trampolines, etc., and I view a chicken coop as a similar eyesore.
- I'm all for raising chickens in a rural setting; however, there is no place for them in an urban setting. They are up at early, often before sunrise, and ensure all within hearing are up as well. Many people don't want to be awakened at 5AM and chickens can be heard 1/3 of a mile away.
- It will radically affect my home's value if my neighbor is raising chickens. The odor and the appearance of the chickens will be a serious obstacle to selling my home, as well as my retirement, since much of that is tied into what remaining equity I have in my home. Bad idea.
- Smell and noise plus would they be in a coop or running free?
- Possible spread of disease, and odor.
- Absolutely NOT. Chickens do not below on any residential property.
- Keeping chickens in residential areas would increase the presence of predators and other undesirable wildlife increasing risks to children and other domesticated animals.
- I do not want chickens next door after investing my savings into my home. Resale value of RE will plummet causing your tax base to decline.
- They should not be allowed no matter what the residential community.
- Primarily for health, odor and sanitation reasons. Secondly, there is a level of noise that is a nuisance to those that don't have or want chickens near their homes. Chicken raising should be restricted to rural areas and not be permitted in residential areas.
- See comments above. Also, we live on a very small lot, less than a quarter acre. Our neighbors live very close to us. Too close to have chickens. It would be a different story if we lived on 5 acre lots.
- Noise, mess, especially the smell.
- Any home owner association covenant prohibiting chicken must be honored.
- Some lots can support this, if they are large enough or isolated enough.
- Please see my other comments regarding maintaining healthy chickens and managing diseases such as rabies in residential areas; i.e. chickens attract foxes and other predatory animals which may carry disease into neighborhoods. Raising chickens is an agricultural activity and should remain in agricultural areas. There is no strong need for anyone to raise chickens in their home. The need of keeping residential neighborhoods integrity as residential outweighs the supposed "need" of a lay person (pun intended) raising chickens in their backyard.
- Smell, unsightliness, etc., especially if on my neighbors' property.

- Residents in different types of environments have different, and entirely reasonable, expectations of urban, suburban or rural lifestyles.
- In residential areas could become problematic. In agricultural areas, not a problem due to the less dense population.
- I live in a gated community which is covered by governing rules and regulations which was the reason I bought a house in the development.
- I didn't move here to live on a farm.
- SEE MY COMMENT ABOVE.
- Chickens should be raised on land zoned for farms. In communities of residences there is not usually enough land available to properly raise chickens.
- I don't know what all the R- and Pud- are.
- I strongly disagree. Each neighborhood has covenants to protect the value of their properties. Having chickens lowers the value because they are messy dirty animals and have a way of getting out of their coops and wandering.
- People live in (for the most part) neighborhoods that reflect their economic standard of living , and quality of life. Housing prices generally reflect that factor. One person in such a community, for the reasons stated above, raising chickens, will have a PROFOUNDLY NEGATIVE IMPACT ON HOUSING VALUES throughout the entire community, AND LISTEN UP POLITICIANS - ACCORDINGLY, SIGNIFICANTLY DECREASING TAX REVENUE - YOUR MONOPOLY MONEY!!!
- It will disturb neighbors!

CHICKEN SURVEY RESPONSE

3c. If chickens are kept on property that is zoned residential, it should be with restrictions (such as limits on the numbers of chickens or distance of the coops from property lines.) Comments:

- I think some restrictions on numbers of chickens per lot size protects the animals, as well as avoids the problems that can come with overcrowding any animal. I don't see a need for setback restrictions other than you would have for a similar-sized building or a doghouse. The chickens aren't dangerous to the neighbors, so don't need to be kept far away from a fence line.
- 5-6 chickens, no roosters.
- Considering all residential neighborhood areas are different, restrictions should be contingent upon property information (lot size, property lines, etc.)
- I feel that a limit on number of chickens and distance of coop from places of residence is reasonable. I think keeping coops 10 feet from property lines is sufficient and reasonable.
- BUT better than thatâ€¦â€¦â€¦.NO CHICKENS PERIOD, this is a residential area not farmland, Our feathered friends belong on a farm not someone’s backyard.
- I watched York County go through this exercise and I watched a zoning board, NONE OF WHOM HAD EVER PERSONALLY KEPT POULTRY, if I recall correctly, making DETAILED regulations on how everyone in the County SHALL keep their chickens. Frankly, the rules are arbitrary and capricious and are based more on the fervent desire to control what people do rather than solving a demonstrated problem. The backyard poultry flock IS NOT A PROBLEM! People are so afraid that if you let folks keep a few chickens in the backyard that somehow you are going to end up with a Tyson plant in a residential neighborhood. Folks, that's just not going to happen, PLEASE LET 'WE THE PEOPLE' KEEP CHICKENS!
- Yes 6 hens. A reasonable set back from neighbors’ house.
- No Chickens, Period!
- Restrictions are OK as long as they are reasonable. They might make neighbors more comfortable with the idea of chickens next door.
- NO chickens in a RESIDENTIAL community-PERIOD!!!
- I think the number limits are more important than the coop distance from the property line. The coop should not smell at all if things are being managed properly. The noise is also minimal...I do not see the point of this distance-from-the-property-line regulation.
- As well as the above reference to. O roosters.
- Surely there should be guidelines on paper for dense areas of population. Animal control for errant foxes, and other predators, so rules should exist with maximum chicken population. Responsibility for destruction of a crop due to a rabid pit bull, or wildfire, target practice etc. and guidelines for action.
- Yes. Min distance from residence. No rooster.
- Raising 2 chickens is much different than raising 30 chickens. With more livestock comes more noise, more smell, more waste, and more pests.

- No Chickens in Residential areas.
- There should be some thought into the minimal appropriate requirements for chickens to live safely without disturbing neighbors. I don't know what those restrictions are as I don't know enough about chickens, but I think that something that protects both the animals and neighbors would be appropriate.
- So if you're going to allow chickens, require a lot size of at least an acre and require that chicken coops and pens be located adjacent to the owner's rear house wall.
- This is no different than the controls on other domestic animals or structures.
- I do not see any reason for a setback on a chicken coop. Are there restrictions on dog houses?
- This would point toward not infringing on other people's enjoyment of their property. Also, sanitary conditions would be required to keep the odor to a minimum.
- They should not be permitted!
- No fowl should be kept in residential zoned property.
- Chickens require maintenance to keep sanitary, plus families doing their own food only need enough to feed their home.
- I don't believe chickens or any other type of farm animals should be permitted in any residential district.
- Trust me on this one. Not every neighbor is conscientious about the upkeep of his property. If the county allows chickens there will be heavy abuse of the rules, no matter how effective they are intended to be.
- Yes, there should be regulations to limit inconvenience to the neighbors. More importantly, there should be regulations to enforce humane treatment of the chickens.
- People should show consideration of their neighbors.
- Obviously nobody wants a factory farm in their neighbor's yard, but keeping chickens for eggs and meat for the resident's use should not only be accepted but encouraged! Perhaps limit the number of chickens based on the property size? The US doesn't have a set standard for this, but http://en.wikipedia.org/wiki/Free_range could be a good starting place to find more sources of information to help determine this based on what other laws exist.
- This is a no-brainer ... of course if it's decided to allow this debacle to happen, there should be plenty of restrictions!
- It should be done with responsibility.
- This is a matter of being a good neighbor. The list of annoying things that people find objectionable about neighbors is endless. There are some things that I really wish my neighbors did differently but I believe in "live and let live." It would be silly, a huge waste of time and effort, and an abridgement of the right to pursuit of happiness to try to codify and forbid them all.
- Chickens are a communal animal and should be kept in groups. Roosters allow for self sufficiency and may "crow" at all hours of the day, but are far less of a nuisance if a nuisance at all as compared to barking dogs and dogs at large.
- The property set back regulations in the county are not universal, and unfair, so I would expect any of these restrictions to also be unfair.
- Chickens should NOT be allowed in residential areas.

- That would be reasonable.
- The keeping of chickens should not be allowed in the residential zones. If the County Supervisors intend to allow this it should be HIGHLY regulated and only permitted upon the issuance of a Special Use Permit with a public hearing, insanely high application fee and adjacent property owner notification.
- Distance from property lines needs to be set reasonably low otherwise it could be too restrictive and limit too many residents from being allowed chickens.
- We should be respectful to our neighbors that choose not to have chickens, however, since chickens are not a real nuisance, the ordinance shouldn't be overly restrictive.
- I can understand certain limitations within reason. The point of having chickens in your own yard is to allow them to be free range thus increasing the eggs' health benefits.
- Just as there are restrictions on the number of pets one owns, there should be restrictions on the number of chickens one owns in order to make sure all are well taken care of and not neglected or abused.
- Agree - chickens and eggs for personal use - no farms.
- I do think that a limit to the number of birds is a good idea but in my opinion, an ordinance should be based on how large of a back yard where they will be kept. I do not think that a properly maintained coop should be regulated differently than other structures or for fences as to how near to a property line they should be put.
- Do it my how much land like York county did say 1/2 acre may be 6 chicken look at York county they have a good one.
- Same as with any animal, dog, cat etc. too many for a reasonable lifestyle is not healthy.
- Ordinances don't replace just being considerate and neighborly.
- NO CHICKENS IN RESIDENTIAL AREAS.
- The chickens should be fenced in so as not to bother the abutters.
- Not too many. 3 per acre?
- I think you need to differentiate between Roosters and female chickens.
- The same rules should apply as if one wanted to build a swimming pool or make a significant addition to the house. This should require written approval from all neighbors on continuous properties.
- Yes, but these should be research-based and not arbitrary. No roosters? Fine, they're sometimes noisy. Distance from adjoining properties? OK, what are the regulations for other domestic animal dwellings? Size of the flock? Has to be at least six; there is evidently a flock law that prohibits retailers selling less than six chicks at a time (ask Charlene at Jamestown Feed and Seed...she told us about this odd regulation).
- Distance from property lines, keep the chickens contained (not running free) and in the back of the property.
- The limits of number of chicken is not important in my opinion, where the distance from the adjacent property should be consider in the evaluation of the donning changes.
- 6-9 Chickens are the most that should be kept in a residential environment. This amount could provide for a family. Any more may create a surplus beyond the hobby value.
- They should not be allowed to be a nuisance any more than dogs are allowed to be.

- Some general restrictions should apply. In a nutshell, if neighbors do not complain....no problem. If they do complain, agreed on restrictions should be enforced. Each situation will be different....no "one size fits all" rules can succeed.
- No roosters.
- NO CHICKENS!!!
- 5 or less.
- Chickens poop. They also like to roam to eat insects. Do you want them strolling thru your yard? My dog would go nuts.
- Like above - no roosters on small lots.
- I think limiting the number of chickens would be wise, but the distance of the coops seems overkill.
- Again, no chickens!
- No one wants to see a chicken coop in someone's front yard.
- They could be a nuisance - noise, roaming, attracting dogs and other animals that naturally hunt, and safety of the animal needs to be ensured.
- This is important to limit abuse of any open ended ordinance and limit smells and sounds. Unfortunately we don't do this now with larger animals like dogs.
- The same way sheds are regulated.
- Within reason.
- As long as they are kept humanely, why would the county put its nose in the business of chicken owners?
- Chickens should not be allowed to be on residential property, so the limit should always be 0.
- Reasons stated above.
- Chickens like other pets should not interfere with the peaceful existence of a neighbor.
- Maximum coop size limits in square feet, limited to number of chickens allowed to be kept in R zoned areas. For example, maximum of 144 square feet for chicken keeping purposes with a maximum of 6 chickens. No roosters.
- Hefty bonds should be posted by chicken owners to ensure comply with strict sanitation and nuisance rules. They are going to attract foxes and coyotes, known vectors for rabies. This alone should set off enough alarm bells to keep chickens out of residential areas. Neighboring property owners should have veto power over chickens being maintained on adjoining properties.
- I still don't believe they should be allowed at all.
- NO CHICKENS IN THE CITY LIMITS.
- But I don't agree that chickens should be allowed.
- All neighbors in the subdivision should approve. All neighbors 4 house on all sides from the requester should approve for those not in a subdivision. Annual Permit will be required to pay for processing and annual inspections of at least $100. (Pays for inspectors, training, gas, overhead, salaries, benefits of inspectors). No more than 3 chickens. Hens only no rosters. Chickens will be 25 feet from the residence keeping the chickens and 150 feet from the nearest adjoining neighbor. Coops must be approved. Chickens are not to roam freely. Annual inspection of the coop and area to comply with standards of noise, smell, size, repaired, etc.. New neighbors

moving into the subdivision can request chickens be removed within 1 year of moving in. No slaughter of chickens in residential areas. Coops cleaned monthly. Chickens fed and watered daily. County develops a disposal plan for chickens no longer laying eggs or those that are sick. Annual review of the chicken disposal plan. Violators incur a first offense fine of $100.00 and must comply with finding within 30 days. Non-compliance within 30 days warrants removal of chickens from the residence. Fines found after the first violation are $1000.00. Subdivisions and HOA's can ban chicken keeping from the neighborhood.

- The smell is always evident with chicken coops. Whether a dozen chickens or 50 dozen. They belong only on A-zoning, not Residential.
- Chickens attract predators. Unpenned chickens would provide meals for predators.
- I know in some areas there is a problem where people raise chickens mean well, but are unfamiliar with the process. Many abandoned chickens after 2 year production and these individuals do not want to butcher the chicken.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- Maximum number of chickens should equal zero and the coops must be kept in the kitchen of the house on the property.
- Do NOT agree that they should be allowed.
- Chickens should not be permitted in Kingsmill.
- For consideration of other neighbors.
- No chickens see above.
- I believe in mild restrictions, only to prevent chickens from being kept in overcrowded, deplorable conditions.
- Setbacks and quantity limitations are critical to social harmony. a coop with only 2 hens could exists easily with a 25 foot set back from the property line on a .2 acre lot; but 12 hens should be set back 75-100 feet (and probably on an acre or more of land).
- Limit the number of hens to a reasonable number, no roosters, make it reasonable for neighbors who do not own chickens.
- There should be reasonable restrictions for the health of the neighborhood & chickens.
- Chicken keepers should be respectful of their neighbors, but keeping chickens should be a basic right of property owners as well.
- There should always be guidelines and regulations on things, so to not disturb people that do not agree with a rule.
- Yes, I do think it should be kept to small flocks of chickens; and coops should not be allowed to stand right on the property lines (this should be easy - most people want their coops in their backyards.)
- To maintain order.
- Keep it in a nice size closed Pen. Some people/ Neighbors may not want chickens in their yard.
- Just as there are currently limits on # of dogs or distance of fences from property lines, same for chickens.
- Proper regulation such as York County’s would reduce all objections to backyard chickens.
- You can't let it be a free for all. Rules and regulations need to exist so that a bad apple doesn't ruin this opportunity for the rest of the county.

- A family of 6 only needs 4-6 hens to have fresh eggs everyday. I agree with the restrictions, to keep backyard hen keeping under control, so no one tries to open an egg laying factory in their backyard and things get out of hand.
- York County has a very good residential rule regarding hens only and limiting the number by the square footage of the property.
- However, this should not even come under consideration!
- In a close pen.
- Not even I want 30 rosters next door 50 ft. away.
- At most there could be 2 or 3 chickens in a coop that is properly cleaned regularly and blended with the neighborhood.
- I'm in acceptable with reasonable restrictions.
- Same BSBL as outbuildings & no less than 6.
- Absolutely. This prevents nuisances to adjacent neighbors.
- At least 500 feet from property line.
- There are always people who tend to be extremists... there need to be limits.
- I wonder if there would be concerns if dozens of chickens were kept on a small property.
- Restrictions on distance of coops from neighbors property line.
- Please do not allow.
- Coops need to be strong enough to keep predators out.
- Sanitation should also be considered. Size of pens.
- Again who is going to regulate and keep an eye on these restrictions? It won't work and it will get out of control.
- There should be no more restrictions than there are for dog houses.
- Don't want them to be an annoyance to neighbors.
- I think you should be able to have about 3 chickens per family member in your house. I a few feet on setbacks should be ok.
- Should only be enough for personal/family use, not for commercial purposes. Chickens should be kept from neighbors' yards.
- I DO NOT WANT TO SEE CHICKENS IN RESIDENTIAL ZONES! DO NOT allow them to begin with and then we don't have to tweak options to try to make their introduction into residential areas more palatable to residents who do not want to live in agriculturally zoned areas.
- Sure, I'm not keen on roosters as they are making noise at the crack of dawn, and maybe a reasonable limit to the number would be fine with me.
- One person's right to own chickens should cause a problem for others.
- Agree only should be Allowed 5-10 but should be allowed wherever on their property in a chicken coup.
- Specify #/space, acre.
- While I personally don't have an issue with number of chickens, I think this would help alleviate concerns for residents who have concerns over large flocks. Setting limits on distance from property lines may restrict ownership on smaller lots, which should not be prohibited.

- This seems sensible and obvious.
- If a community association by-laws prohibit keeping of chickens or other livestock, this should be respected.
- Because some people won’t have enough sense to be reasonable with the amount of chickens they would try to keep.
- I would hope that the distances would be reasonable.
- And NO roosters. They make the most noise.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate.
- They will attract predators.
- No restrictions because there should be no chickens at all.
- Still do not want them.
- No chickens should be allowed.
- The restriction should be..."No Chickens."
- Homeowners associations are already restrictive enough and would force property owners to forgo raising chickens with bylaws, if that big a deal. No need for further governmental restrictions.
- Chickens do not belong in a residential neighborhood.
- There should be no chicken coops to begin with.
- I DO NOT agree that chickens or other non-domestic animals (cats, dogs, birds, etc) should be allowed in residential neighborhoods or subdivisions.
- I feel at a minimum any such ordnance needs to address all of the following other issues appropriately for each class of residential property: noise and odor impact on neighboring residential properties and waste disposal issues.
- Residential coops should not have roosters. Not everyone appreciates crowing at 5AM.
- Restrictions should include, how close a chicken coop and pen can be built to property lines. Also that chickens can only be kept in such enclosures, not allowed to run free. If folks want to keep chickens there are any number of locations within 30 minutes of JCC that already allow them.
- As well as the cleanliness of the coops; one should be able to have them on wheels to move them around the yard when those of us work full time and may not be able to clean the coop out properly every day; this will need to be outlined for those that are granted chickens on their property; safety issues need to be addressed as well; this can be a problem as they like to roam.
- As long as the property line question is reasonable 5/10 feet not 100 yards.
- There should be a limit to number of chickens based on property size, no roosters, adequate housing.
- I do not see a need for property line restrictions but there would need to be restrictions on number allowed. 5 chickens and nobody will notice, 20-30 and things will be noticeable!
- Number based on lot/property size.

- I disagree with allowing chickens to be kept. However, to answer the question: yes very tight restrictions should apply.
- I have a ¾ acre lot and I once had a rooster and four hens. They were kept in a 24’ x 24’ wide fence (with roof) and a coop large enough for my birds.
- N/A because I don't think they should be allowed at all.
- 1.) The bacterial disease: salmonella is a public health hazard. This disease is caused by healthy chickens and is communicable to people through direct contact, exposure to manure or consumption of undercooked chickens and eggs. Salmonella is in the chicken’s droppings, on their bodies, feathers, feet and beaks even when they appear healthy and clean. The disease salmonella contaminates the people handling the birds. It gets on their clothes, shoes, hands, etc. Also salmonella gets in hay, plants and soil. 2.) Odor 3.) Noise 4.) Increase of flies 5.) Increase of predators (foxes, raccoons, hawks, snakes, owls.)
- How would this be policed? I don't want my tax money to pay for chicken police. That's not why I moved here.
- No farm Animals.
- NO CHICKENS SHOULD BE ALLOWED TO BE KEPT IN A RESIDENTIAL NEIGHBORHOOD.
- The property should be large enough that neighbors cannot hear or smell the chickens.
- There should be a strong limit on numbers of birds and it could depend on how much space there is, erring on the side of small, not large. That would probably mean inspections to ensure compliance. Also make the permits expensive, increasing in numbers of birds.
- No chickens.
- No chickens in residential neighborhoods! There is no reason for it.
- Partially agree. Need more specification. Yes to limiting the number of "grown" hens but, don't forget, their are different types of hens. Some people are collectors and raise "show hens" like in the state fair, some hens are bread for meat and others for eggs. Define the number for each. Egg layers for example will live for up to three years where meat hens are raised and harvested in the fall. Some may want to raise multiple meat hens to slaughter to fill a freezer. What's this about the property line? That may be a challenge for some folks. Better to discuss a mobile hen house for those with limited property lines. That way it reduces to smell as it disburses the waste across a year. Need to look further into that side of the ordinance.
- If chickens are allowed to be kept on residential properties, the chickens must be kept far enough away from a neighboring property so as to not be a nuisance to the neighbor. 500 feet should be a minimum distance from a property line of a chicken coop and/or a free roaming chicken. The number of chickens kept should also be limited to 2, enough for food for the resident. More than 2 chickens would lead to chicken farming and a commercial business chicken or egg business.
- If a person wants to raise chickens then they should not live in a residential area. There is plenty of rural land. A neighbor should not be forced to endure noise and stink from the neighbor’s house. If there are no limits imposed, there will be the house that has 100 chickens running free on the entire property. There will be no grass where the chickens roam. It becomes an unsightly barren area.

- If JCC is foolish enough to allow chickens in residential neighborhoods, then hopefully they will have enough sense to establish restrictions as to the number of chickens allowed and the requirement of chicken coops close to the chicken owner's house and not anywhere near the property line of their neighbors. Let the chicken owner put up with the smell, noise and potential predators.
- It makes sense to me that there should be a maximum number allowed, given the property size.
- Chickens are noisy, messy, smelly and attract other kinds of animal life that could be harmful to humans.
- I think that 12-24 chickens should be permitted by right, more if the property is large.
- N/A
- I do not agree with chickens on residential property in the first place, so this answer is given as if it is forced on us.
- Having said that I agree, I still do not believe that chickens should be permitted in areas zoned residential.
- Absolutely agree! However, keeping a rooster could present a great nuisance to neighbors, as they are known to make a lot of noise - and not only at dawn! I once had a neighbor who had 1 small rooster that would literally crow loudly all night long and keep waking me up at all hours. On a recent TV "Doomsday prepper" show, a family kept 3 very small hens of a variety called "Silkies". They are very obedient, are good egg layers, make no noise, and are perfect for beginners and residential back yards!!! Also, if one would have to evacuate, they are easily moved and transported by putting them in a box.
- Chickens shouldn't be kept in residential areas.
- Since I don't agree with housing chickens on residential property, restrictions are not applicable. The only restriction is "NO CHICKENS IN RESIDENTIAL NEIGHBORHOODS!!!"
- IT should be at least 4 per person in household. Unless you are also raising them for your own meat.
- DONT DO IT!
- Perhaps this restrictions would address some of the concerns, perhaps even eliminate eligibility of certain properties based on size and situations due to economics of compliance.
- Chickens should not be allowed.
- I don't believe chickens belong in a residential subdivision with high density population.
- No chickens whatsoever should be allowed.
- Allow chickens or not. There shouldn't be conditions on every little thing that is voted upon. Govn't can’t have their hand in everything.
- Government needs to leave people alone and take care of things in areas in which they fail: roads, police protection, and poverty.
- No more than six chickens should be allowed in coops that are at least 200 feet from property lines.
- At most two. Still think you should not allow.
- One chicken. 25 foot setback.
- It should not be permitted at all!!!
- Give me a break - have any of you really lived on the farm? NO CHICKENS IN RESIDENTIAL AREAS! Unless you are in the middle of 10 acres you will offend someone with the noise/order.

- We don't want chickens or other farm animals on or near our property in Ford's Colony!
- No chickens!
- You would be opening a can of worms for abuses.
- Chickens belong on the farm, where they can run all over and poop where they may, not in my yard or on my property!
- I have no idea what a good limit would be but certainly too many of anything is probably not good...unless everything is kept sanitary, safe and secure.
- This whole idea is ridiculous and I'm disappointed that it is even being entertained.
- But who is going to keep count?? The James City County police. That is just a waste of my tax dollars!
- No chickens at all in residential neighborhoods.
- Noise, pollution, disease, odors would be issues. I worry about rodents. What about the selling of chickens. And, the killing of chickens.
- Any already existing covenants & regulations contained in various HOA by-laws should be honored and should take precedence. In residential areas not covered by HOA covenants & regulations, the restrictions should, of course, be adequate to protect neighbors from noise, odor and waste by-products. Any necessary restrictions, such as number of fowl & distance of coops, should be adequate to protect neighbors from even noticing that chickens are on an adjacent property. This would necessarily vary from one neighborhood to the next, a daunting task. Honestly, I fail to understand the pressing need to pursue the proposed amendment. It would merely add another layer of enforcement & compliance problems. Enforcement would be cumbersome, time consuming & costly.
- I strongly disagree with restrictions, because chickens should NOT BE PERMITTED!
- Residential neighborhoods should not allow livestock (chickens). Land is available for livestock in non-residential areas Chickens roaming a yard, are not good public health. Smell!
- Chickens should only be allowed if owners are willing to provide clean maintained space and accommodations.
- If we have to allow chickens in residential areas, then strong restrictions should be put in place to preserve neighborhood safety and ambiance.
- The number of chickens allowed should be less than one!
- Please no chickens in planned communities.
- Chickens should be allowed in a country, rural setting--not in a residential zoned community.
- I don't agree that chickens should be kept in dense residential areas, and if they are allowed with a limit on the number it will become very difficult to monitor the number of chickens someone is keeping. The objections to chickens identified above would apply to even a limited number of chickens.
- There should limits as to numbers. Four worked very well in Chesapeake. This way they have the flock companionship that makes them happy and it is easy to find friends and neighbors to take the "eggtra" egg supply.
- This would be a regulatory process that is easily abused.
- Smell and noise are the major factors. I wouldn't want to be awakened in the morning by crowing roosters.
- However, that does not mean that I support an ordinance that allows chickens in a residential area.

- How would the county ensure that all chickens are kept in their coops? This would be the only acceptable situation, which is cruel to the chickens, not allowing them free range opportunities. It still wouldn't keep the foxes away.
- No chickens, horses, cows, sheep, goats, or any other farm animals.
- But chickens should NOT be allowed on any property zoned residential. While corporations are now people, no court has (yet) ruled that chickens are people.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- Max of 1 chicken & the coop should about the chicken owner's home.
- I think peoples should be able to keep chickens as long as they are treated like domestic house pets, (i.e., sanitary, limited in number (non-commercial use), confined to their yard, and if the neighborhood covenants allow. I would not like a rooster in my neighborhood, but if the chickens were well maintained, that would be fine.
- Chickens should not be allowed in residential areas period. The number of chickens and distance from property lines makes no difference in the smell and noise they will inflict on other nearby properties.
- The purpose of law is to define what is permitted, bans are lazy lawmaking.
- There is no place for chickens in residential areas. They are noisy and not having proper disposal facilities for feces would add to watershed pollution. Plus, having them in residential areas would degrade neighboring home values.
- Rather not allow Chickens on Residential Property.
- Keep in mind that VA law requires buying 6 chicks minimum at each purchase at a local store. I don't think most people with a 1/2 acre or less need more than 10 chickens.
- Animals are wonderful creatures that merit protection and care. Excessive animals for the size of the property, imposing animals on neighbors by having them close to property lines does not promote good citizenship for the people or good care for the animals.
- No chickens should be allowed in a residential area.
- Helps to keep residential areas clean and sanitary. Too many chickens can make a lot of noise and disrupt neighbors. Roosters, contrary to belief, will crow at all hours of the day not just at dawn. Two or three chickens will not be too loud or unsanitary but can provide free eggs to an entire household.
- Still don't like it. Noise...smell...
- This will help keep chickens from becoming a problem in neighborhoods.
- I AM UNALTERABLY OPPOSED TO ALLOWING CHICKENS TO BE RAISED IN ANY RESIDENTIAL AREA!!
- COOPS SHOULD BE KEPT MINIMUM DISTANCE OF 2-3 ACRES FROM PROPERTY LINES.
- If this ordinance is permitted, it should not override current restrictions in place for gated communities.
- Sensible limits to avoid stupidity.
- This is only a fallback position, as I think they should only maintained on farmland.
- They should not be allowed but certainly with restrictions - but those restrictions will not do any good since people will ignore them and enforcing them will be low priority for the county.

- This is not an issue of how many chickens, but whether or not they should be permitted at all. Again, it would be difficult to keep chickens or coops at a significant distance from my home for those of us living on parcels that are 1/4 of an acre.
- No chickens period.
- NO chickens or any other agricultural animals in residential areas.
- I feel there should be reasonable regulations so everyone will be comfortable.
- As stated above, it should be prohibited in residential areas.
- I have a fenced back yard and would want to keep the chickens within the fenced area. I want chickens, but not at the expense of losing the friendship of my neighbors.
- Don't allow it PERIOD!!!! Besides, who would enforce these rules? This would end up creating a "chicken checker" position at JCC complete with a vehicle to ride around and inspect chicken coops etc, NO Thanks. Bad Idea. Way bad idea!!!
- When I sit here looking out the back of my home, I can't imagine anywhere that my neighbors could harbor chickens that I would find acceptable, regardless of the restrictions.
- As already said, lots should be large, fencing should be mandatory and number should be limited to keep down odors and noise.
- They shouldn't be kept on residential property under ANY conditions.
- Once the chickens are out of the hen house, there is no returning to normalcy. I am not sure why the county is even considering this nonsense?
- No chickens in residential zones.
- I feel strongly that chickens should not be allowed on a property that is zoned residential.
- We except in Ford's Colony or other HOA with prohibitive covenants.
- And confined to that property, no "free range" chickens.
- You cannot seriously be considering this in James City County!
- They should not be allowed so this is a mute question.
- Chickens should NOT be allowed.
- I agree on # of chickens, and on restrictions against roosters, but not necessarily on distance of coops from property lines - probably not possible with townhouses.
- The strongest restriction would be one in which an HOA has prohibitions against chickens and other farm animals.
- Zero chickens 1000 feet from property line.
- As long as it follows current or future HOA rules.
- No chickens!!!!
- Recommend exceptions for those neighborhoods who vote against ordnance.
- Don't agree that any chickens should be allowed on residential property.
- I strongly disagree with the entire prospect of chickens in residential areas so there are no restrictions you can impose that will keep the noise issue under control. If you own a multi-acre farm where there is distance between

the chicken and neighbors, fine, but lots are not big enough in residential areas to keep neighbors from hearing neighbor's chickens.

- First, it should not be permitted period. Second, what restricts the odor, and what controls how the residential owner cares for the chickens to prevent disease to neighbors, pets, etc.?
- I recommend not allowing roosters on residential property, and restricting the number of chickens per reasonable area of land.
- CHICKENS SHOULD NOT BE ALLOWED ON RESIDENTIAL PROPERTY, PERIOD. If it is, however, parcels of land should be large enough that chickens can be kept far enough from property lines that neighbors will neither smell nor hear them.
- Chickens should not be allowed on residential property.
- As usual, some folks will go over the top.
- No chickens in residential means no chickens in residential no matter what the excuse or reasoning. Next it will be pigs.
- Chickens should not be permitted at all in residential areas.
- Don't let people do this!! Our community is beautiful. They are going to ruin it.
- Firstly, should not be kept; if allowed, maybe just one.
- I am a strong opponent of allowing residential neighborhoods to morph into agricultural zones. Obviously, if chickens are to be allowed, it requires restrictions and then policing those restrictions. This seems to require county resources which could be spent in better ways.
- Yes, limit to the amount of chickens on the property is vital. There also should me restrictions on Roosters. Roosters can create danger to those who come in contact (if they were to leave property) and they are also a disturbance with their calls.
- It is possible that large flock well-managed chickens may be less of a nuisance than a few poorly-managed birds, but chickens do cause odor, and they and their predators will make noise-- and both travel across property lines with ease.
- Blanket policy is saying every piece of property is identical, when they are not.
- NO CHICKENS ON RESIDENTIAL PROPERTY ... PERIOD !!
- Don't want things to look bad, to many coops, unclean. There should be a limit.
- In addition, the restriction should also include how much property is necessary to raise chickens, i.e. acreage.
- There should not be chickens in residential areas unless the owners have more that 2 acres of property. Chickens are dirty and can carry sickness. many people do not know how to raise them and we will have people raising them just for eggs and not caring how they are housed or fed. When they get sick of them because they don't have eggs they will let them loose and we will have a mess.
- No restrictions on numbers or housing conditions will result in a diminution of the noise and health impacts, and decrease in housing values and tax revenue as discussed above. POLITICIANS HAVE AN OBLIGATION TO THE COVERALL CITIZENRY TO TAKE NO ACTIONS THAT NEGATIVELY (AND BROADLY IN THIS CASE) IMACT OVERALL HOUSING VALUES, AND THEIR HEALTH AND WELFARE!

CHICKEN SURVEY RESPONSE

3d. If chickens are kept on property that is zoned residential, coops and pens should be required. If you agree, what minimum requirements should coops or pens have? Comments:

- I think York County's rules on this are good, because they provide protection for the birds. They need a henhouse for protection from predators and weather, but don't need to be confined under cover all the time. As far as pens ("runs") I think requiring the owner to keep the birds in his/her yard is enough of a restriction.
- Whatever is customary for humane care.
- I would have to do a little more research on the needed square footage for the animal to discuss proper coop/pen requirements.
- It's a good thing to have a coop for the protection of the chickens.
- AGAIN> NO CHICKENS< NO COOPS< NO PENS PERIOD> THIS IS NOT FARMLAND.
- What real demonstrated problem is such regulation supposed to solve? Or is this yet another case of 'someone, somewhere, sometime might hypothetically do something wrong, so we are justified in limiting *everyone's* liberty now'??
- Able to keep 6 to 8 hens with enough room to move and flex their wings.
- Enough room for 6 hens in coop and a covered outside run with enough space.
- No Chickens, period!
- They deter predators.
- Set a minimum no. of square feet per chicken or for example an 8 x 10 foot pen with a run of 10 x 20 feet for say 6 - 8 chickens.
- Chickens making noise, defecating or otherwise disturbing my peace in a RESIDENTIAL community within an HOA will NEVER be tolerated here!
- The standard suggestion for coop size is 4 square feet per chicken. The standard suggestion for run size is 10 square feet per chicken. Coops are far more important than runs. Chickens need to be safely secured at night from predators. A run is only needed if there is no yard coverage (deck, trees, etc.) for chickens to seek shade and safety from overhead (daytime) predators.
- Just make it secure from predators.
- Definitely some sort of cover growth to keep out of sight of neighbors.
- Owners beware. Chickens are survivors, but pleasing neighbors is important too.
- I do not know.
- I would check with other counties on their requirements.
- Again, I can't believe this is even a question.
- Be kept clean.
- No Chickens in Residential areas No Chickens in Residential areas.
- No roosters. No more than six hens.

- There should be no penalty on dog owners if their dog eats one.
- Requirements for pens should coincide with those for fences; requirements for pens should coincide with those for auxiliary sheds. That's basically what the structures are, so we should need additional codes.
- Coops should be required to be available as a shelter from the elements, but birds should not be required to be confined to a coop. They should have a minimum of 12-18 inches of roost space per bird.
- I do not know enough about the practice to make an answer.
- There should be a minimum and maximum size.
- Sufficient area for free range and sanitation.
- Sanitary conditions, confinement to property, POSSIBLY privacy fencing to avoid other people seeing them, though not 100% sure on that.
- They should not be permitted!
- I'm afraid I'm not familiar with coop specifications, but I agree with this concept. Chickens wandering into the road could be a safety hazard, and just as we have leash laws, I think there should be some method by which to ensure that chickens stay on the same property as their owners (unless a community comes up with a standard by which they agree to share a brood).
- Coops and pens should give ample space for movement but be fully enclosed to attempt to keep predators out.
- I would suggest something similar to what the city of Richmond requires.
- Depends on the number. fenced in areas, even with chain link fence is sufficient for containing hens.
- If you want to keep your chickens safe from hawks, you're going to have a coop -- but I don't think it should be required.
- I plan on using a 10 by 10 dog kennel with a fenced top. Not sure how to set requirements but something that is specific for the county is tuff when properties vary in size and prox to other homes...
- I do not agree.
- (a) Three (3) feet off the ground and (b) cleaned weekly.
- Not knowledgeable enough to answer.
- Minimum requirements in my opinion are those that provide the necessary control over the chickens and prevent their free roaming while not unduly burdening or restricting the owner. However, none of these requirements should trump or overrule HOA rules and regulations.
- Adequate space to shelter the poultry during inclement weather and enough space for them to forage.
- Depends on the size of the property. On larger properties they could free-range.
- I'm not 100% sure on this, but from what I understand, a coop or pen is to provide warmth, safety, and extra food/water for the chicken. I think this is an acceptable requirement for anyone who is serious about keeping chickens, unless there are other methods that I am unaware of.
- I can't believe we're wasting time on this topic! I have no idea, but they certainly should not be allowed to free range!
- There are recommended standards for coop design, and SF per chicken.
- There should be a limit on the number of chickens allowed. This is for personal use, not for production.

- Chickens should not be allowed, period. If JCC develops and passes this ordinance, I would vote against each Supervisor incumbent who votes for it.
- Coops/pens should be required. Chickens need a safe place to roost, lay eggs, and keep them free from predators. Chickens to not wander far from their coop.
- 1.5 square feet/bird is the standard. Pens (fenced outdoor access) should only be encouraged and then required if complaints arise for chickens crossing into neighbor's property.
- No requirements, just to keep the chickens safe.
- Allow coop only so chickens are more contained, and limit the size of the coop to small so resident couldn't have a flock of chickens.
- Out of sight of the neighbors, maybe landscape screening. Pens required - NO free range.
- They should be placed at a distance of 200 yds. from any residence and neighboring house.
- Fenced in yard that keeps chickens in plus a coop OR a coop plus a pen. Minimum sq. footage requirement should be met on both the coop and pen.
- If my supervisor agrees to this then I will not support him in future elections.
- Pens or coups would require many thousands of pages of regulations. Coups or pens should be prohibited.
- Wow! I hope James City County is not really even seriously considering allowing chickens in residential areas like Mill Pond or Stonehouse Glen!
- No idea.
- Maximum of 12x12 feet, with a height not over 30 inches. Coops must be fully contained with doors and chicken wire fencing to prevent the animals from escaping the coop and walking around residential property adjacent to the coop.
- Humane, clean, limited capacity
- Able to repel the assaults of predators, Contain any odors from the chickens and their manure. Guarantee there is no runoff of waste into the Chesapeake Bay watershed or neighbors' yard. Contain any noise chickens emit.
- As far out of sight as possible.
- AGAIN, NO CHICKENS IN CITY LIMITS.
- Similar to wolf-hybrid enclosures with high fencing and dug into the ground to keep chickens in and predators out.
- Limit to number of chickens per pen, pens should not be visible from street or neighbor's property.
- Coops to be used at night when chickens are most vulnerable to predators. Also, coops should have enough room, light and ventilation as required by good animal husbandry standards for these fowl.
- I do not know. This is not my area of expertise.
- I do not know that much about such issues. I am not a farmer.
- If you agree, what minimum requirements should coops or pens have? â€¢Be predator-proof, not just from the sides, but from above and below as well. . The holes should be one-half inch square "hardware cloth".) â€¢Be secure from nasty rodents (yes, rats!) that will be attracted to the feed and droppings. Rodents are burrowing creatures, so you need to block them from slipping into the coop from below. If you coop doesn't have a floor,

you need to bury small-mesh fencing down into the ground about 12" all around the coop. â€¢Be breezy enough to prevent respiratory diseases, to which chickens are especially prone, but not so drafty during winter that they freeze their tushes off. Chickens can withstand the cold so long as it's not drafty! â€¢Be easy to clean so bugs and bacteria don't fester. â€¢Provide "roosting poles" for your girls to sleep on (2" wide; rounded edges; allot 5-10" of space per bird side to side and 10" between poles if more than one is necessary; plus ladder-like grading so the pole furthest away is several inches higher than the closest). â€¢Encourage egg-laying with 1 nest box for every three chickens. Nest boxes should be raised off the ground at least a few inches, but lower than the lowest roosting pole. They should also be dark and "out of the way" to cater to the hen's instinct to lay her eggs in a safe, place. â€¢Be roomy: at least 4 square feet per bird if birds are able to roam freely during the day, and at least 10 square feet per bird if they are permanently confined. â€¢Accommodate a feeder and waterer, which should hang 6-8" off the ground. â€¢Include a removable "droppings tray" under roosting poles for capture and easy disposal of droppings. â€¢Require an attached chicken run, should be buried 12" into the soil to keep predators and rodents from digging their way in. Once again, we recommend chicken wire fencing or half-inch hardware cloth. It's also our strong recommendation that you secure the top of the run with aviary netting or deer netting. This will keep wild birds (which can carry communicable diseases) out and provide further defense against sly predators.

- When I go to sell my house, how are chicken coops and pens going to enhance my resale?
- Four sides with a "roof."
- How should I know?
- Pens should have minimum setback of 6 feet from property line. Fence should be sufficiently high to prevent chickens from flying over the fence. Chickens may not be able to fly very well but they can and will fly over a fence that is too low.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- If chickens are permitted to be kept on a property, they should be kept only in the house on the property and permitted to run free in the house.
- I have no knowledge in this area.
- Certain amount of chickens per acre.
- I don't know how to answer that. My grandparents raised chickens in Richmond, VA in the 1940's, and they were penned with prescribed space to roam.
- Chickens should not wander.....too much implied liability....they get run over, the dog eats them...etc...
- This would require more research but a coop that keeps predators out and is the right size for the amount of chickens being kept would be priorities I would look for.
- Coops should be large enough to accommodate the number of chickens and should be predator proof.
- Specifications regarding size should be stated based on the number of chickens being kept.
- Follow IFAS guidelines for housing and husbandry requirements for poultry.
- Minimum setback from adjoining property lines with some form of blind to minimize sight from adjoining property. I was raised on a large farm and have seen all forms of chicken coops. Most chickens can reside in very close quarters, so just a few square feet per chicken is all that is necessary.

- Heat for the winter.
- Not sure-refer to other towns policies.
- Should be a certain size for # chickens kept.
- Require a coop or a mobile tractor. Allow "free range" within fenced areas 50 feet away from water sources.
- I believe an experienced chicken keeper could answer that more appropriately.
- Adequate shelter, with ample distance (as possible) from bordering neighbor's property, measurements large enough to accommodate the number of chickens, etc.
- Our climate and the exiting wildlife populations mean the chickens need a safe place to be.
- Should be enough room for chickens to roost and provide adequate shelter.
- Chickens should have a safe place to roost, but owners should be allowed to let them free range some as well.
- I do not believe that chickens should be allowed to roam free and disturb other people’s property. I have seen some homemade coups that are suitable enough and keep the chickens safe, happy, and away from others.
- I would keep the rules and regs similar to how it is viewed for other animals: cats and dogs. Whatever makes the most sense here. Cats and dogs are out all the time without being confined. Of course, by doing this, owners increase the chances of their animals being run over by cars or hurt by other roaming animals.
- Between 5-10.
- Backyard, certain distance from property line.
- At the very least, a shelter for the chickens and a fence tall enough to keep them in.
- Please see York county relations which are near ideal.
- 6 chickens and 1 coop.
- It depends on the number of hens people want to have. But the coop would have to be sufficient enough to house hens effectively in all weather and it has to be able to have a run bug enough to allow proper exercise for the hens.
- Not sure. I haven't researched it enough to have a valid opinion.
- I am not a chicken expert. They should not be able to get out. It should not be an eyesore.
- Size of coop and run depending on numbers Maximum numbers for the denser residential areas This also helps to protect them from predators and those that may carry disease/ rabies.
- No roosters in small residential lots and specific rules for cleanliness to include odor control. Odor control can be achieved through small coops or mobile coops (aka chicken tractors.)
- Try to keep this requirement to a minimum, based on what is the best for the chickens, and allowing for other options (such as fences) to be sufficient.
- York County has good stuff in there requirements.
- Blend with the neighborhood and cleaned regularly to eliminate offensive odors.
- Fully enclosed for protection at night.
- Setback from property line. HOA (if applicable) should restrict appearance.
- Should be set up to keep them completely confined.
- Specific size, indoor area and outside area to walk and scratch.
- Shelter from rain for the hens?

- They should be kept to the same building code as garage structures. What happens to them in a wind storm like we had last June? Damage to neighboring properties should be considered.
- Please do not allow.
- Distance from neighbors, attractive enclosures.
- Strong shelter and pen that eliminate predator entry by digging, climbing, flying, and force.
- This should be left up to the experts.
- General guidelines are 4SF of inside coop space per bird and 10SF of outside space per bird for pens.
- There are already recognized standards for square footage appropriate for healthy chicken keeping. No other restrictions on coops should limit the creativity or imagination of the people who want chickens. Coops should be required because the chickens need them. This should not restrict allowing chickens free ranging in their own yard during the daytime if people wish; just as you can let your own dog roam your own yard. Chickens don't chase cars or kids on bikes. Many of them are quite friendly. The rest of them usually just mind their own business.
- Keep them clean.
- The coops should be constructed so that the chickens cannot escape. Also the coops should be of a certain size in ratio to the number of chickens allowed so as to provide a humane habitat for the chickens.
- Coops are needed for chickens to live and chickens should be keep in your yard if you live in a neighborhood.
- Chickens should be kept within ones property.
- The minimal requirement should be that the coops or pens must be placed on agriculturally zoned land! Nothing else!
- Dog houses are not required.
- If they have a little room to move they will help kill off the invading ticks that seem to be multiplying each year.
- Size & # of chickens, coops should be away from property lines, coops should be built within HOA specifications - determined by individual neighborhoods
- If this comes to fruition, free range is the way to raise the healthiest chickens.
- Chickens should be allowed to roam free, but should be required to be kept on owner’s property.
- Except, what would keep chickens on the property, and potential predators away, if there is no coop or pen?
- 2 coops.
- The coop area should be fenced in. The coop area should not be bigger than a quarter acre in size. No roosters.
- No coops in the front yard.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate.
- Far enough away from neighbors to avoid odor, noise and droppings.
- Coops and pens must be of quality standards to contain the chickens so that they are NOT a nuisance (much like dogs that get out.)

- It should be recommended but not required. If a home has a fenced yard or a large yard, chickens may be allowed to be free roaming in the yard so long as they do not cause issues for the neighbors.
- 100 ft. from nearest fence or property line.
- Strong fencing that goes at least 1 foot onto the ground.
- Please do not permit these fowl birds to be kept in residential areas.
- High enough that they can't fly out....limit the amount of chickens that can be owned.
- Chickens require a coop for roosting and egg laying. It's also a place they go for protection and overnight.
- Not sure how to accurately answer this. I still say, "No Chickens" in residential neighborhoods.
- Size of yard needs to be such that neighbors cannot view the coops and there need to be major restrictions related to location on property and property lines.
- Lot size: minimum two acres. Kept away from any neighboring dwellings.
- No chicken coops within sight, sound or smell of neighbors.
- Again, they just should not be allowed. NO PEN controls the problems associated with keeping chickens.
- Fully enclosed with sealed containers for feed and waste.
- Coops need to be large enough to accommodate the birds humanely. I believe the minimum is 10 square feet per bird. The yards should be to the same requirements; enough space not to overcrowd the hens.
- Someone that is an expert on raising chicken should answer this.
- Experts in the field of maintaining chickens can provide the correct measurements for a coop and the amount of chickens allowed, etc. It would be necessary especially since the Polar Vortex has now arrived in Virginia - weather would be an important concern when taking care of pets such as chickens, etc.
- Adequate size for number of chickens; I am sure my neighbors would not want my chickens running into their yard if my yard was not fenced and I didn't have a coop or pen.
- Don't know; I've never raised chickens. It would be OK for a neighbor to have chickens, but I don't want them in my yard.
- Get your inputs from other communities that are successful in this endeavor.
- Food water and shelter...
- They should have cover.
- Only a proper fence should be required.
- Unsure.
- This would depend on the circumstances of the county ordinances passed. Coops or pens would be fine if the number of chickens is small.
- Coop size should depend on size and breed of birds.
- No idea.
- Your questions are poorly written, because I do not support the ordinance to allow chickens at all, and therefore, do not wish to speculate on what requirements should be allowed.
- Requirements should be based on the need of the chickens. I haven't researched it myself but they all probably need a certain amount of grazing area, nesting and sleeping area.

- There should be consistency in coop size and construction material as well as maximum number of chickens per coop and total number of coops a homeowner can have.
- They should be surrounded by noise abatement walls.
- None.
- I believe the County would be making a huge mistake if they allow chickens to be keep in a residential neighborhood!
- As mentioned before the property should be large enough that neighbors cannot hear or smell the chickens. Pens would be better than coops to allow the chickens enough room so they are not living in their own waste.
- Birds should NEVER be allowed to wander out free but always be contained in their coop and/or its yard space.
- Possibly a restriction on how many chickens. My suggestion would be 10 or 15.
- Enclosed, must meet Board of Health standards.
- Ability to secure chickens at night - No free ranging when residents are not home - No roosters - Mobil houses encouraged - easily accessible for cleaning - clean watering and food station - figure out space per hen - roosting capability - ability to lock hens in houses at night to protect them (We have foxes, raccoons and other critters in our back yard.) - Protection from elements, weather, i.e. Shade, dry, warm - Protect from birds of prey when not free ranging.
- Coops and pens should be far enough away (a minimum of 500 feet) from a neighboring property so as to avoid interfering with a neighbors right to "quiet enjoyment" of his/her property. "Quiet enjoyment" means not just "no noise" but also "no smell", "no disease", and "no attraction of predators" that might cause harm to neighbors pets and/or children. Pens should also NOT be a blight in a neighborhood. If a HOA does not allow trash cans to be kept in street view, then a chicken coop should be even less visible.
- It would need to be a visually acceptable looking coop and you have to pen chickens in. I am sure there is a recommendation on how much coop space is needed per chicken. as for the pens, There are to many predators not to mention neighborhood cats that will attack the chickens. Not to mention, the chickens will roam to find the nice neighbors grass when they have killed off everything around them.
- The pens should be physically attached to the owner's residence.
- Appearance and size at the very least.
- Not sure what makes sense here. I imagine it would be cruel to leave the birds outside w/o cover in hot or cold weather. I don't mind if they are allowed to run around the yard. Look to other counties for guidance on best practices.
- I think that a standard for healthy coops must be available somewhere through state agricultural dept. I don't have a problem if the birds free range on the owners property, so long as they have clean shelters.
- Well-built and/or maintained structure that is visually appealing and protects the chickens.
- N/A.
- If forced on neighborhoods by the Board of Supervisors, no chance of chickens wandering outside pens, health and noise control so smell, disease, feathers and squawking (including rooster crowing) CANNOT POSSIBLY AFFECT EVEN NEXT-DOOR NEIGHBORS. Must be heated and ventilated for heat and cold considerations.

- In rear of property.
- Fines should be given to those who permit their chickens to escape the coop.
- Again, I am opposed to chickens in residential areas.
- First, the number of chickens allowed per residence should be limited. A chicken coop needs to be well constructed (we would gladly provide some ideas/sketches to the county on request), chickens need also an outside area with a sandbox. Most of all, for the protection of the chickens the coop and outside area needs to be completely enclosed in such a way that predators cannot get to the chickens - that includes most of all snakes - and chickens can't get out!!!
- No more than a coop for 6 chickens. Should not be allowed on lots of less than 1 acre and should be required to be 50 ft. from any property line and fenced. Also, must be in the back of the house away from the street.
- I don't know enough about coops to suggest anything. I might rely on 4H clubs or the Va Farm Bureau or from help from the TRACTOR SUPPLY STORE.
- Noise proofing on the coops must be at least 100 feet from neighbor property line.
- Backyardchickens.com has a wealth of material on this subject.
- You are not reading my prior comments.
- Size and number, distance from boundary, type of coop.
- A chicken needs a coop and a pen the same as a dog.
- DONT DO ITâ€¼ï¸ □
- I am not an expert in this area, but coops or pens should be designed to address the health of the chicken and to reduce noise.
- Limited square footage and number of chickens allowed consistent with lot sizes. The smaller the lot the smaller coops or pens and fewer hens allowed.
- Agreed only if JCC decided against the people and then one must have coop capacity to house all their chickens.
- Provide shelter for chickens.
- I am opposed to such an ordinance.
- NO chickens or chicken coops should be allowed in residential districts.
- Once new chicken keepers realize their flock is in danger of predators, they will choose to use coops. No need for rules. Who wants to be "cooped up" ALL of the time?! The animals should be allowed to range free some of their time!
- As a good measure of of compromise and to assure non-chicken fans that they will be safe, I would not oppose a coop requirement with the allowance for owners to allow free ranging under supervision.
- Coops should be required so that noise is confined. In addition, any waste on the property should be kept in a manner to confine the waste, including odors to the owner's property.
- Coops should be sufficient to provide shelter for the number of hens and be properly ventilated.
- I have no expertise in this.
- It should not be permitted at all.
- NO CHICKENS IN RESIDENTIAL AREAS!

- None should be permitted.
- Appropriately sized for the number you have without being ridiculous!!
- No Chickens.
- Can of worms.
- Should be completely enclosed on the sides.
- 25 feet per chicken.
- They are to be constructed such that the chickens should never run free-take note of chicken FARMS in Delaware!
- I have no idea what would make sense as far as a limit but the chickens need to be protected from stray or wild animals, so coops are mandatory.
- The strictest that would ensure public safety and no noise.
- As far away from my yard or house as possible. Where I could not hear the chicken nor smell it.
- 10 ft by 10 ft and 100 yards away from a neighbor's property.
- Provide an obstacle to the wildlife which may hunt these animals... also contains them if any nearby residence objectives to these animals getting lose.
- No chickens, no coops.
- The "coops" should be fully contained, wooden structures which do not allow the fowl to be seen, heard or smelled. In addition, such a structure should be sufficient to deter the attraction of predators & vermin.
- Two.
- As few animals as possible.
- Coops-two square feet per hen Pens-four square feet per hen.
- Distance of at least 100 feet from neighbor's property lines.
- There should be NO chickens allowed in them!
- There should be NO chickens allowed in them!
- I don't agree that chickens should be allowed in dense residential areas, but if they are allowed chicken pens or coops should be hidden from view or architecturally consistent with neighborhood design requirement. They should be sound insulated, any necessary lighting should be shielded, and they should be capable of being maintained in a highly sanitary and odor free condition.
- The coop should allow a minimum of 3 sq ft per bird plus double that for ranging outside in a pen (if complete freedom is not appropriate and available. Chickens always come home (to the coop) at sunset.
- Sufficient to prevent escape to neighboring properties.
- Closed, climate controlled and some effective way to collect and dispose of waste.
- However, that does not mean that I support an ordinance that allows chickens in a residential area.
- 12 hens to a coop, 2 coops maximum.
- No chickens or farm animals! If you want them, live on a farm!
- Completely enclosed in soundproof containers that do not permit odors or offal to leak out or predators to get in.
- Anything besides running loose onto neighbor’s property.

- Minimum pen size of 20 feet by 20 feet, appropriately wired and with an enclosed coop at least 10 feet by 10 feet with minimum volume 1000 cubic feet.
- Whatever farming regulations require such as size related to the number of chickens, etc.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- Just vote no in the housing area.
- Set distance from property lines/neighboring dwellings, must have roofs and solid walls.
- I have no idea, but like "porn" I know it when I see it. Even if they have a coop or pen, it needs to be maintained in a sanitary condition.
- Conditions for raising any poultry should be humane. Coops or pens, if allowed, must be inspected by the county on a regular basis. Any authorizing ordinance must include such provisions.
- NO chickens period. Coops or pens make no difference in the smell or noise coming from these animals.
- Chickens need pens to roost, animals need shelter to live.
- Minimum size & height, maximum size & height, provision of shelter.
- They would need to be fully enclosed with a controlled environment (heating/cooling) and no external openings to allow sound or odors to escape. Chickens would have to be penned inside and not allowed to roam outside the coop. Sealed containers for feces would be required with regular disposal.
- I still disagree that pigs and chickens should be allowed in residential areas.
- Protective fencing for the chickens to keep out predators. Also, an area to roost in inclement weather. Depending on the size of the residential property, the smaller the property, the larger the coop. The thinking is that if you can't 'free range' you should exceed the recommendations on coop size for chickens. Chickens should remain fenced in back yard if property is less than a 1/2 acre. Encourage attractive coops...
- It is essential to raising chickens that they have a designated coop.
- Chickens should be confined so that they are not a road hazard.
- I do not have the expertise to determine this. Experts should be consulted.
- PEOPLE WHO KEEP CHICKENS SHOULD BE REQUIRED TO KEEP THEM INSIDE THEIR HOUSES.
- Should be large enough where chickens can roam
- Should be well away from property lines and be in good taste.
- Suit animal welfare and out of the neighbor’s yard.
- This will develop into more eyesores in the county.
- I have no idea but they should not be so large as to allow dozens of birds to be housed.
- They should be a minimum of 100 feet from the nearest property line.
- Away from my house.
- As stated above, it should be prohibited in residential areas.
- These are residential areas, not the Bahamas. I want a few chickens for eggs. If I want more I will move to a small farm.
- BAD IDEA. If you develop an ordinance, someone has to enforce it and we get into the cycle of new hires and an expansion of government. NO THANKS.

- The number of pens should be restricted as well.
- Keep them safe and quiet.
- There should be a standard design that fits in with the neighborhood decor. It should have a waste collection system that prevents the waste from contaminating the soil.
- I have no knowledge of the requirements for adequate coops for chickens but they should provide a comfortable living space for the number of animals enclosed in them.
- They shouldn't be kept on residential property under ANY conditions.
- None! Let the chickens roam free throughout the neighborhood.
- They should be meeting a building standard and fit the neighborhood.
- Not within my knowledge.
- Coops might help, but chickens would still be running around in the yard.
- No opinion.....unqualified to state.
- Confine chickens to that property and some minimal distance from mine.
- Large enough for the chickens to roam but also keeps them safe from predators (their neighbors dogs or cats.)
- Not in residential areas.
- I have no idea.
- Only on property lots over 3 acres.
- Chickens should NOT be allowed.
- I'm not very well versed in this, but I know there are guidelines out there. Whatever is reasonable and humane for the chickens.
- Out of sight of neighbors, limits on the number and size of coops/pens and limits on the number of chickens in each coop/pen.
- I think it should be ok for them to roam the yard but, at some point I think it is good for them to pinned for the night or when away so nothing happens.
- Chickens should not be allowed.
- don't know
- Minimum 5 acre lots with coops 200 ft off property line.
- They should be of adequate size and construction so that chickens are not abused. Also, they should be kept as far away from neighbors as possible.
- Have any of you lived in the country next to a chicken farm????? They smell! Unless you also require up keep of coup or pen and limit chickens, the neighbors will pay in real estate de-valuation.
- 1000 feet
- Above ground, clean and sound proof.
- Chickens should not be allowed at all.
- No chickens!!!!!
- Large acreage lots, a few hundred feet from property lines as a minimum.
- I do not think chickens should be kept cooped up.....they should not be in residential neighborhoods - period!

- Free range chickens are not appropriate for a neighborhood...they are for farms.
- There should be 0 coops or pens.
- Totally opposed to chickens in residential communities.
- Must be no bigger than 2 inches by 2 inches. DON’T DO THIS!
- Provide adequate protection from neighborhood cats, etc.
- Distance from other houses, what sort of "building" would they have to shelter the chickens? Also would the person kill their chickens and if so where that would be done - certainly not in sight of another house.
- Adequate size for number of chickens.
- CHICKENS SHOULD NOT BE ALLOWED ON RESIDENTIAL PROPERTY, but if they are, clearly coops or pens should be required. Who wants to live next to a house with chickens (and chicken poop) in the front yard. Not sanitary and not desirable. Adjacent property values will suffer. Are you nuts, JCC?
- Size, location, types of construction, visibility to neighbors
- Soundproof and odor-proof pens.
- 5 with only one rooster.
- Not sure and since it is not allowed, I have not checked into specifics.
- I disagree with having chickens in residential but there would have to be strict limitations if JCC does decide to approve it, which I hope they do not.
- Chickens should not be permitted at all in residential areas.
- no visibility to others
- Not an expert, do not know.
- I have to agree to coop as free range chickens in small backyards are out of the question. However, from an ethical and animal rights point of view, chickens should not be cooped. So the need to coop in a residential neighborhood also goes to my argument that chickens should not be allowed at all in residential neighborhoods.
- They should be large enough to allow chickens roaming space.
- Yes, again this is vital. Keeping chickens contained in the individual’s property is extremely important. Wouldn't vote yes to allowing people to have chickens if they were required to keep them contained.
- I suppose I'd prefer them free-range. That way, they'll be gone in a few nights.
- Again, here we have the county playing owner. Stands to reason if someone wants to keep chicken they have to keep them in something.
- They should be 12"x12"
- I don't know anything about coops and I don't want to learn by living near one!
- NO CHICKENS ON RESIDENTIAL PROPERTY. ...PERIOD !!
- Don't want loose chickens running around.
- The amount of property necessary to house a cooper pen. The height of the coop or pen. The distance from neighbor’s property. The necessity to pick up the excrement frequently.
- They should not be close to the property line and the coop should blend with the other buildings on the property.

- This survey seems to be leaning towards having chickens which isn't what many want. Of course there must be coops and they need to be high and wide enough for the chickens to have room and not fly out.
- THIS IS A NON - ISSUE, BASED ON EVERYTHING STATED ABOVE. NO CONTAINMENT CAN OFFSET HEALTH, NOISE, AND HOME VALUE ISSUES PREVIOUSLY EXPRESSED.

CHICKEN SURVEY RESPONSE

3e. If chickens are kept on property that is zoned residential, coops or pens should be set back from property lines or a neighbor's residence. If you agree, how far from property lines or the neighbor's residence should they be? Comments:

- I think the setbacks are unnecessary, other than following similar building setbacks. They're not potentially dangerous like dogs, and produce less manure, so don't need any more setback restrictions than other pets.
- Zoning people determine. one time fee $20 then $10 per year.
- Around 25-30 feet.
- I feel 10 feet from property lines and 25 feet from neighboring residences (give or take) is reasonable.
- SEE ABOVE.
- Or is this yet another case of 'someone, somewhere, sometime might hypothetically do something wrong, so we are justified in limiting *everyone's* liberty now'??
- 25 feet should be enough.
- I would say 15 ft.
- No Chickens, Period!
- 20 feet.
- In another county!!!
- I don't believe this is necessary at all. More than 5 feet is total overkill.
- A distance of 25ft should be sufficient. Set back pointless. Just as long as 25 ft can be made between coop and neighbors residence.
- At least 20 feet.
- 50 feet.
- As with any accessory structure of substance, setback rules apply.
- They should be completely screened from ALL neighbor's views & from street & in the middle of the property as far from neighbors as possible.
- At least five feet.
- 25 ft.
- I would also suggest coops or pens only be allowed in the rear of the lot, and of course, be restricted in size to the number of chickens allowed. Example: 1-2 chickens: 100 sq. ft. 3-5 chickens: 200 sq. ft.
- Should consult with neighbors and be worked out between both parties.
- 20 feet.
- Coops/pens should be as close as possible to the owners' residence, and no closer than 500 feet to anybody else's occupied dwelling.
- 5 feet - one needs to be able to reach all sides for maintenance.
- I do not see any reason for a setback on a chicken coop. Are there restrictions on dog houses?
- 10 feet or more.

- Where on the property I would put it is my call, not the government. They are known for setting arbitrary rules. I think a more important restriction would be a distance to a neighbor's dwelling.
- They should not be permitted!
- Only in the cases where residences about the property line. Something modest like 50 feet seems sufficient, though I don't have a strong opinion on the subject. In general, I would say "disagree," but I wouldn't want a neighbor putting a chicken coop right under my bedroom window somehow.
- 5-10 feet.
- I do not know that I can say for sure - our coop is quite a distance from the house because of the noise.
- Depends. Neighbors should be able to work this out mutually.
- Requirement should reference the property line, not the neighbor's residence -- 10 feet?
- My home is 40 ft. from another home but i am in a privacy fence and have decided no roosters. They will never see them. Maybe write in a site requirement and or no rooster policy for close residential neighbors?
- 100 miles.
- Not sure--20-30 feet?
- Insufficient information provided to render an opinion.
- I say at least 20 feet. This may present some enforcement challenges.
- 20 feet from residence.
- Far enough not to bother said neighbor!
- 10 feet.
- This can be appropriately decided by those familiar with setbacks.
- Two feet from the chicken Owner's back door.
- As far and possible!
- Property line and a neighbor's residence are two entirely different matters. I have rather close neighbors on either side of my house but my property is deep and the line at the back of my property abuts a large field and would be a good location for a chicken coop.
- 25' from neighbor's property line. Fencing or natural barrier between property lines offer buffer.
- Smell is not a factor for a properly maintained (cleaned) coop where chickens can range outside either free range or in a pen. For those that insist smell is a factor, it is more a factor of which way the wind blows and not the distance.
- Again..DOGS!
- At least 150 feet.
- 20 ft.
- Will depend on lot size.
- In HOA's there are common areas. the chickens should not be placed on the common area or the land for utilities.
- 500 feet. The keeping of chickens should not be allowed in the residential zones.
- 6 feet.
- This is debatable.

- Some people may not have a large enough yard to have a chicken coop if strict regulations are set about property line distance.
- Coops and Pens are two different things - you should have separated this question. But to answer, a pen is like a fence, and this is ok to come right to property line. Coop should be set back 5 feet. Both should be restricted to the back yard.
- I do not think that any different rules should apply than to any other structures or to dogs or doghouses.
- In middle of property line.
- 5 feet from property line 25 feet from residence.
- NO CHICKENS IN RESIDENTIAL AREAS.
- 15 Feet.
- Residents should be required to file a letter with their neighbor stating their intentions to own chickens and a chicken coop. Neighbors should be required to approve of the installation of a coop and given some information about the benefits and challenges of residential chickens.
- 50 ft.
- Three feet.
- 3 feet from property lines.
- Same as for an addition to your home. Also, written approval of all neighbors.
- Out of visual sight.
- Should be the same as other domestic animal shelter regulations currently in county code.
- Again, this should be based upon the recommendations of those who raise chickens and know what it best.
- At least 50 feet.
- 10ft.
- A well maintained coop should pose no problem to a neighbor (odor and visually). But, a poorly maintained coop close to a neighbor’s property (30 feet) could be a nuisance.
- There are probably reasonable guidelines adopted by other communities that we could copy.....I don't have an arbitrary number of feet.
- Depends on the situation. Neighbors should have redress if the chickens are a problem (smell, noise, etc.)
- 15 feet.
- 100 yards.
- In back yards only with at least a 10 foot offset from other property lines.
- Lousy question...this assumes I approve chickens in the neighborhood, which I don't.
- Like a shed would be.
- 500 feet.
- I am not sure if you can just place footage on this as lot sizes differ.
- At least six to 10 feet.
- Minimum of 100 ft.
- Surely!

- Same as sheds
- With a small flock, they aren't offensive.
- 60 feet.
- 100 ft.
- A reasonable distance.
- 50 foot in sound proof enclosures.
- Whatever it takes to COMPLETELY hide the chickens from sight. I don't know how you would do that out here in Stonehouse Glen. Honestly, I can't believe you are considering this. We actually have a woman who lives out here that I think would have chickens....and cows and horses and pigs if you allow something like this to go on.
- At a minimum of 100 ft.
- 10 feet from all sides of the property line.
- Far enough to meet the conditions listed above and only with all neighbors' written approval.
- As far as possible to keep them out of plain sight.
- NO CHICKENS IN CITY LIMITS.
- As far as possible--this is an encroachment.
- 300 ft.
- Again, they should not be permitted in the first place. The chickens should not be seen (or smelled).
- I do not have expertise in this area. When the rooster crows, I suppose I will hear it and awake if the coop or pen is too close.
- 150 feet.
- 150 feet.
- 150 feet from the nearest resident.
- Rural areas only.
- Minimum of 100 feet.
- Depends on if owners have rooster's that can be a noise nuisance.
- 15 feet from property lines and 50 feet from nearest neighbor's house.
- 50 feet.
- As far as possible, if not farther.
- See previous answer. Setback from neighbor's residence should be at least 50 feet.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- No coops or pens should be permitted on the property anywhere in or out.
- At a minimum, it should be 150 feet, to minimize the "noise pollution."
- They should not be permitted.
- 20 feet.
- Only an uneducated guess...20-30ft.
- You can't set them back far enough.

- At least twenty feet.
- Setbacks and quantity limitations are critical to social harmony. a coop with only 2 hens could exists easily with a 25 foot set back from the property line on a .2 acre lot; but 12 hens should be set back 75-100 feet (and probably on an acre or more of land.)
- Purely arbitrary - 200 feet.
- Not sure-refer to other towns policies.
- 20 feet?
- 5 feet.
- Minimum 10 feet.
- I don't know if it should be a specific measurement, but it should definitely be within reason as to not disturb the enjoyment of other neighbors of their own property and peace.
- We should go w/ a similar system, I'm not going to outline every detail. Here is a link http://www.yorkcounty.gov/Portals/0/Chicken-APPFORM.pdf
- 50 feet.
- This again should be common sense. Of course, what makes the most sense here is that neighbors discuss the possibilities with each other. I realize this is the ideal. I don't think they do this with dog houses though - do they? This is where I am a bit confused about why having chickens requires so many more rules and regulations.
- 15 ft.
- Don't have a length because there shouldn't be chickens at all.
- Disagree, should be anywhere on your property.
- At least 3 feet.
- Normal offset.
- At least 10 feet.
- 5-10 feet.
- 5 feet.
- Hens don't make a lot of noise and are generally cleaner than most animals. There doesn't need to be a restriction on property lines.
- Far enough.
- I would mark more from houses then the lines.
- No less than 5 feet.
- Somewhere it won’t be an eye sore.
- 20 feet.
- The coop MUST BE NO closer to a neighbor's house than the coop owners house.
- Minimum of fifty feet.
- 10-15'.
- 15 ft.? It's hard to say - we do not live in a neighborhood per se and my property is 2 acres so I've got the ability to have our chickens far away from the neighbors.

- Not sure.
- 500 feet.
- 5 feet.
- 150 feet.
- Maybe a meter from property lines and four meters from residences? But an exception should be made if all neighbors agree with a smaller distance? As long as there aren't any roosters, there shouldn't be a noise issue.
- The same as all permanent structures.
- 200 feet.
- 300 feet.
- Minimum of 50 feet.
- Ridiculous waste of time and money to even consider this.
- Minimum of 100 feet.
- 100 feet.
- 25 feet from house and all property lines.
- Far enough that smell and noise is not a problem. The neighbors should be made aware that a permit/request to raise chickens on property.
- One mile.
- It depends on the configuration of the yards. In my case, my two side/back neighbors and I all have yards that back up to each other and all three property lines converge in this back corner. It has bushes for landscaping and protects all our views. It would be an ideal location for a chicken coop, but is very close to the property line, but not the neighbor’s house.
- Restrictions should be no more than current dog house restrictions. Some people have 6 foot privacy fences. Coops should be restricted no more than movable sheds. Some coops are just 4/4 feed square and look attractive. See "backyardchickens.com" for many examples. Coops should not create an eyesore for the neighbors.
- 5 feet.
- If allowed, the coops should be directly behind the residence, and set back from the back property line at least 20 feet.
- Coops should have some set back but pens should be allowed close as a fence.
- No distance, just up to the line.
- All the way back to an agricultural property line. If it is not an agricultural zone, do not allow it.
- This should be handled on a case-by-case basis.
- Regular building setback distance.
- Depends on lot size. Approx 25 feet.
- Property line restrictions could eliminate the ability for some small lot owners to house chickens.
- Far enough that chicken feed, feathers and anything else produced by the pen can be largely contained on the owner's property.
- At least 100 feet.

- 15 feet.
- 10 feet.
- 10 ft.
- 10 feet.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate.
- One mile.
- Set back no less than 20 feet from adjoining property.
- 100 ft.
- 100 feet and out of sight.
- No chickens = no coops or pens.
- At least 10 feet.
- Same distance as for a shed. I may want to build a shed that has a coop on the side or in back of of it to conceal it.
- 100 feet.
- It sounds like you are seriously considering allowing this. Is this another case of the minority getting their way again? How many people want to raise chickens? And for what purpose?
- 600 yards. I think that only residences of 1 acre lot size or more should be allowed to have coops/pens.
- Public/private nuisance and trespassing laws are sufficient.
- 50 feet. Again, I do not want chickens kept in residential areas. Only on a farm.
- No chicken coops within sight, sound or smell of neighbors.
- 100 yards.
- 10 feet should be fine.
- At least 150 feet from property line and any existing residential structures.
- Based on the property and the resources that are needed to maintain i.e., water, straw; at least 5 feet? Preferable need trees or behind some organic cover...
- 40 feet.
- Visit successful communities.
- Unsure. w/ smaller properties (<.4 acres), any distance greater than 10' would likely be difficult.
- Min. 15 ft. Proven sound mitigation methods could be encouraged or required in smaller situations.
- Far enough so they are neither seen, heard, or smelled!!
- Again depending on the site and size of the residential property.
- 20’
- Far enough not to cause disturbances from chicken clucking.
- Again, poorly written question. If you don't support the ordinance, the survey should skip these types of questions!

- I imagine a certain amount of people with mobility issues or who have small property would like to raise chickens so I don't think there should be a minimum.
- At least 50 ft.
- 100 feet
- 50 ft.
- 5 miles
- I disagree with keeping chickens in a residential neighborhood. There should be NO COOPS OR PENS ALLOWED!
- Far enough so that no one would know that there are chickens there.
- Beyond the smell and noise lines
- 50 feet from residence and 100 feet from neighbor’s residence.
- 40 feet
- As far as possible.
- Again, here is where that question is squishy. Are you referring to a permanent coop or a mobile one? This is going to be difficult for those with small lots. Cleanliness will be the key here and how well the neighbors get along. If someone has a mobile hen house and moves/rotates the house near their neighbor’s property line for the day for fresh ground is that justification for that neighbor to call police because the house is too near? You need to be specific. Look, not everyone is going to agree with this chicken idea and I don't want my ability to own chickens resting on some northern busy body thinking that these birds will bring the black plague. Heck, I have an elderly neighbor who demanded to know what I had done with the swans because they had migrated for the season. Really. Others (as I love to read about in the Gazette) who can't stand that we sit on our front porches and visit because they didn't do that up north. Moderation is the key here. This question needs more thought before a regulation is issued or you will make all unhappy.
- If you agree, what minimum requirements should coops or pens have? Coops and pens should be far enough away (a minimum of 500 feet) from a neighboring property so as to avoid interfering with a neighbors right to "quiet enjoyment" of his/her property. "Quiet enjoyment" means not just "no noise" but also "no smell", "no disease", and "no attraction of predators" that might cause harm to neighbor’s pets and/or children.
- I am against chickens in residential areas but there should be at least a 30' set back from property lines. These animals are dirty. They create dust with their scratching. They smell. They are noisy. It is unfair to subject people to someone else's chickens. I live in a residential area because I do not want to be around farm animals.
- Attached to owner's house.
- it would depend on the neighborhood and the lot size
- 50 to 200 miles
- Not sure, I always thought that I should place my coop closer to my house than my neighbors, just to be polite.
- At middle of owner's property, preferably against or inside owner's residence and as far from other property lines as possible.
- Out of sight if possible

- If a coop is allowed, it should be against the person's house and a great distance from the neighbor's property line.
- My previous comments still apply!
- At least 10'-15'.
- No more than a coop for 6 chickens. Should not be allowed on lots of less than 1 acre and should be required to be 50 ft. from any property line and fenced. Also, must be in the back of the house away from the street.
- About 10 feel should be enough.
- If you insist on this crazy idea the coops should be least 100feet from neighbor property line
- Read my opinions.
- NONSENSEâ€¼ï¸ □
- 40 feet.
- Again, if JCC decided against the best interest of the people.. at least mitigate their error by forcing the owner to live with their chickens and not force them on the neighbors.
- 8 ft
- They should not be allowed
- NO chickens or chicken coops should be allowed in residential districts in James City County.
- Most lot sizes are not large- saying that a coop needs to be 20 ft from property lines or neighbors homes may require them to be in the middle of a yard- which would be hard for many families to do. And again, allow it or not, don't put a list of stipulations on this.
- Unsure.
- Over 100 feet.
- I should be able to locate items on my property as I wish.
- Coops should be set back 200 feet from all property lines.
- 50 feet
- I have no expertise in this.
- 25 foot setback from property line.
- It should not be permitted at all.
- NO CHICKENS IN RESIDENTIAL AREAS!
- They should be nonexistent!
- 5'-10'back
- Can of worms.
- Not sure.
- At least a mile
- 20 feet
- If you agree, what minimum requirements should coops or pens have? Coops or pens should be no less than 30 feet from property line.
- As far away as possible to cut down on the noise and smell!

- I would rather not have the chickens pushed way to the back of a neighbor's house against my property line but rather closer to their own home.
- At least 50 yards from a neighbor.
- At least 50 yards.
- 100 yards.
- next county
- No chickens, no coops.
- Not less than 50 feet.
- 10 feet
- 1,000 feet
- Minimum distance of 100 acres or more!!
- Not visible from the neighbor's property.
- 3 ft
- Twenty feet min. With a fence or hedge protecting the neighbor's view.
- At least 100 feet.
- Far enough to be on a farm.
- A minimum of 1250 to 1500 feet.
- You should not impose limits that prevent owners of townhouse from keeping them.
- Out if site and far enough away so there would be in stench.
- I have no means to calculate minimum setback.
- 200 feet
- 250 ft.
- 2 acres
- At least 3 miles
- I'd say about 2,500 feet.
- Minimum of 250 feet.
- As far as possible to not create a visual or sensory disturbance such as odors, noise, etc.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- just vote no to chickens
- Coop should about the owner’s home. At a minimum the coop must be at least 200 feet from neighbor's residence. This would preclude having chickens on very small properties.
- just vote no in the housing area
- So they don't disturb the neighbor. It would be best if the neighbor doesn't even know that the chickens are there.
- Far enough to ensure the "quiet enjoyment" of a neighbor's property. The county must certify the compliance of any poultry structures as part of an authorizing ordinance.

- Most residential lots are .5 or less acres it does not matter where on the property the smell and noise is going to over flow into adjacent properties and cause undo harm to the people living around the coop or pen.
- 20 ft should be plenty
- The setback should be, at a minimum, whatever the setback is for house construction. Larger setbacks might be necessary, but I'm not an expert in agricultural/livestock operations and I defer to the opinions of those who are.
- 1000 feet minimum.
- Eight feet...
- Out of view and out of smelling distance.
- I can't say. A lot would depend on the lot sizes.
- at least 50'ft and be screened
- 10 feet should be enough. Chickens should also have their wings clipped so to not interfere with neighbors
- Equidistant from all neighboring properties.
- This needs to be determined on an individual basis.
- AT LEAST TEN MILES
- AT LEAST 2-3 ACRES FROM PROPERTY LINE
- At least 12 feet.
- 10 ft.
- There should be no chickens.
- I don't know.
- A minimum of 100 feet.
- 1000 feet
- This survey's questions indicate a predisposition to the creation of the proposed ordinance.
- If only hens are allowed, there is no noise. Dogs make more noise than chickens. As long as the fences have 10 to 15 feet between them, I think the pens could be up inside the back yard ONLY fence.
- This survey should tell you this is a very involved project that may please 5 folks and upset thousands !!!!!!
- As far as possible.
- 30 feet.
- Depends.
- 25 feet
- Again this is a question better addressed by people with knowledge of poultry needs. However, wooden coops can be a serious fire hazard and therefore should be kept a good distance away from any property lines.
- They shouldn't be kept on residential property under ANY conditions.
- They should be set back far enough so that one cannot be see, hear or smell them.
- 50 feet
- As far away as possible for the convenience of the neighbors.
- Same as restrictions on homes

- Whatever may be deemed appropriate (e.g., I don't want to see or hear them).
- 30 feet at least
- Debatable
- The entire property line.
- Sufficient distance so that they are not visible
- Chickens should NOT be allowed.
- minimum 200 feet from neighbors residence
- Chickens on farms.
- 100 ft
- I disagree, especially in case of townhouses with privacy fences.
- Maybe 5-10 feet.
- Chickens should not be allowed.
- Min 200 ft
- Hawaii
- In the next county
- As far as possible - right up next to the house.
- NO CHICKENS ON RESIDENTIAL PROPERTY ... PERIOD !!
- Not everyone wants this, have to respect neighbors.
- It depends upon the size of the property which is going to be raising the chickens. There should be a maximum size and that would determine how far from property lines, but at least 15 feet.
- one mile
- THIS IS GETTING STUPIDER BY THE MINUTE: YOU ONLY WANT COMMENTS IF WE AGREE WITH THE STATEMENT? HOW FAR BACK IS ACCEPTABLE WHEN YOU LIVE WITHIN EYESIGHT OF ALL OF YOUR NEIGHBOR'S HOMES - IT'S NOT A PRACTICAL CONSIDERATION.
- 500 yards

CHICKEN SURVEY RESPONSE

3f. If chickens are kept on property that is zoned residential, chickens should be kept only on properties that have a minimum lot size. If you agree, what should be minimum lot size be? Comments:

- One-half acre.
- Again, I would need to research on recommended square footage per chicken, but it only makes sense to have a properly sized lot to raise chickens.
- I like how York County does it. For denser residential like R-20, they allow 1 chicken per 2500 square feet of property. Thus, the smaller the lot, the smaller the flock (up to a certain amount like 10). Perhaps for some like townhomes or other denser housing it might be reasonable to severely restrict flock size or outright ban them.
- Chickens can be happily and healthily kept in very modest spaces.
- Depending on the lot size, house footprint, driveway, ET Perhaps 1/4 to 1/3 acre.
- I would say houses and duplexes that are on 4000 sq. ft. lots.
- No Chickens, Period!
- 1/2 acre.
- In another county!!!
- 2,500 square feet per chicken is reasonable.
- Not sure but houses should have at least 20 feet between them.
- 1/4 acre.
- Just be a perimeter fence or more for containment.
- 2 acres.
- At least1/2 acre.
- Most town home lots would be too small.
- Yes, if that minimum lot size is over 1 acre.
- No Chickens in Residential areas.
- 5 acres, with agricultural zoning.
- It's not a lot size but a yard size that concerns me. They should have a minimum fenced yard of 20 by 20. This would allow for the coop setbacks suggested above. Less space would be cruel to the chickens.
- I would need to learn more about what is adequate space for a productive flock.
- 1 acre.
- .40 acres
- I'm not sure how much space chickens need, so I'm unsure of a minimum lot size. But if that is established, it needs to be a small hurdle that would include most residents, not some ridiculous number like 2 acres. Few properties are that size.
- They should not be permitted!
- 3 acres.

- Greater than 0.5 acre.
- My daughter has a good chicken coop on a tiny lot (one-eighth acre).
- 250,000 acres.
- 3/4 acre or greater.
- 1 acre.
- No less than 1/2 acre.
- Half acre.
- Two acres.
- Can't say. If there is going to be a rooster, I don't think I want it close.
- Minimum .40 acre in residential zones.
- I kept mine on a lot just less than 1/2 acre and had plenty of space. My back yard was fenced and the chickens seldom strayed, and returned for food and nighttime roosting.
- Again, UNFAIR!
- Minimum lot size of 3 acres.
- 3/4 acre.
- 10 acres or more.
- At least 1-11/2 acres. These are not farms, they are houses and communities, if you want chickens, get a farm of a few acres.
- It should match the minimum lot size generally permitted in the least restrictive Agricultural zone. The keeping of chickens should not be allowed in the residential zones. The keeping of chickens should not be allowed in the residential zones.
- If you agree, what should be minimum lot size be? This can make it too restrictive just as set back rules can be. A 6' setback for the coop would ensure distance from neighbor but not restrict town homes from having chickens.
- I think it may be more the dimensional configuration of the lot than the fraction of an acre size. a few chickens don't need much room.
- Do no of chickens to size of it 1/2 acre 6 look at York County.
- .15 acre.
- NO CHICKENS IN RESIDENTIAL AREAS.
- 3/4 Acre.
- I think the lawn size should be the determining factor, and I would defer to someone who knows more than I do about raising chickens. How much space does a chicken need to thrive?
- One acre.
- 1/2 half acre.
- 3 acres.
- Agree to the extent that a homeowner should have a lot. Chickens don't belong in apartments.
- Obviously, those who raise chickens should have an input on this because what is needed.
- One acre.

- 0.20 Ac minimum.
- Same as above. A well maintained coop should pose no problem to a neighbor (odor and visually). But, a poorly maintained coop close to a neighbor's property (30 feet) could be a nuisance.
- .25 acres.
- Depends on individual circumstance.
- 1/4 acre.
- 2 acres.
- Another lousy question, I don't want them in my residential neighborhood. Keep them in rural areas.
- .25 acre.
- I would say at least an acre. Like noted above, I have 1/2 and do not feel it is enough.
- One quarter acre or more.
- 1 acre.
- I do not have a firm number on this, but it would be reasonable to not have a small, postage stamp type yard. It seems impossible to maintain a healthy group of chicken that way.
- Yes.
- 10 acres.
- 100 acres.
- I'm inclined to agree because smaller lots are bound to have consequences for neighbors who might be "harmed" by the presence of chickens (especially roosters.)
- 5 acres.
- 10 acres. To have chickens, you really need to be classified as a "small farm". Please don't allow folks to have chickens in neighborhoods like Stonehouse Glen.
- 2-3 acres.
- 0.5 acres.
- One-half acre.
- 40,000 sq. ft.
- No less than an acre and with the permission of ALL adjoining property owners.
- At least an acre.
- NO CHICKENS IN CITY LIMITS.
- 5 acres.
- 2 acres.
- WAIT: You need to also know why I disagree! Let anyone keep chickens if they have enough land to support them being free-range at least part of the day.
- 10 acres.
- (2) acres.
- 1 acre.

- Lot size should be no less than 20-30 acres.
- Many acres.
- 4 acres.
- Needs to be researched by those individuals who are familiar with stress free raising of chickens, where chickens are not neglected or hurt due to poor conditions and crowding.
- One acre.
- One acre.
- None at all.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- 400 acres.
- At least 2 acres.
- Greater than 1 acre.
- .25 acres.
- 3 to 5 acres??? A guess/
- 1 acre.
- This would probably be best.
- Probably .1 acre. While I believe chickens should be allowed in all zoning, each zoning classification needs to be evaluated on its specific limitations. for example, a 1 acre lot could easily handle 8 or more hens but a .2 acre lot could only handle 2 hens.
- 1 acre.
- ½ acre.
- I am open to having them on small lots. If there has to be a restriction, I would say 5000 sf.
- Same as York.
- Probably a quarter of an acre. The townhome we used to own would probably not be suitable for chicken keeping.
- Well, I do not believe one should have chickens in a townhouse backyard setting but, a half-acre to a full acre should be big enough.
- Do we have this rule for dogs or cats? If so, I would make it comparable.
- Only if this law is passed; minimum 5 acres.
- Maybe 1/3 acre or more.
- There must be enough room for a coop large enough to hold however many chickens are owned.
- Different chicken coops can be used for different size lots. Ie mobile chicken coops are good for small lots to keep the chicken healthy and smell free.
- There has to be room sufficient enough to house the number of hens you are trying to have.
- Should be proportional.
- Unless there is no green space there should be enough room but restrict the number of birds instead.

- Lot size is irrelevant if the chickens are kept properly.
- Shouldn't be lot size.
- 1 acre.
- Half an acre.
- An acre at least.
- One acre.
- 1/4 acre
- SFD detached.
- The setback rule would take care of this.
- 5 acres.
- 5000 square feet.
- 2 acres or more.
- 0.2 acres or so? Just thinking if houses are attached and properties are very small, there could be some concerns. Not sure.
- Because they really belong in only rural zones, at least 5 acres.
- 5 acres.
- 3 acres.
- Five acres.
- .5 acre.
- 25 feet setbacks from houses and property lines.
- This should be left up to the experts. The lot size should be large enough for the chickens get out of cages/pens.
- 2 acres.
- I am not sure about property size, but even a small townhouse back yard is just as well suited for 2 to 4 chickens as it is for 2 cats.
- The minimum size lots should be at least an acre. Any less would be encroaching on their neighbors' right not to smell feces and be impacted by the rodents, insects, snakes and other predators and parasites attracted by the chickens.
- Minimal lot size should be 5 acres.
- 1/2 acre.
- 1 acre or more.
- .25 acre.
- I don't know. My lot is over 1 acre and is clearly big enough. I suspect 1/2 an acre could be OK.
- 1 acre.
- Half acre.
- 1/2 acre at least.
- Over five acres - preferably over 10 acres.

- As long as they have at least a 0.125 to 0.25 acre lot up to 2 chickens, 0.25 to 0.5 acres up to 6 chickens, etc.
- 5 acres.
- 1 acre.
- 3 acres.
- No chickens regardless of the lot size. Why don't you people get it??? Unbelievable.
- I cannot set a minimum lot size as I don't agree that the ordinance should be allowed in residential areas period!!
- Bigger than a standard building lot.
- You have to factor in more than lot size. Is it a wooded lot? Does it back up to woods? How close are the neighbors? Are there barriers between you and the neighbors? Is it a fenced property? How tall is the fence? Many factors could drive this besides lot size. If a minimum lot size is specified, then it should be .25 acre, but there should be exceptions for property features.
- Greater than 2 acres.
- The lot size should be at least 50 acres.
- Minimum of 1 acre.
- Just have a limit as to how many chickens may be on lot based on size so as to ensure health of birds.
- Minimum: 2 acre lot.
- 5 acres.
- Five acres.
- 5 acres.
- One that can accommodate all of the setback restrictions.
- 1 acre would work for older residential areas in the county and for the residences sake in the areas.
- 1/4 acre.
- 1/2 acre or larger.
- See other communities.
- Chicken raising can be done on any property size.
- 10 acres or more.
- .5 acres.
- 1/4 acre.
- 10 acres.
- Depending on location.
- 1/4 acre.
- 1/2 acre.
- At least 1 acre in a rural area; preferably a minimum of 5 acres.
- 3-5 acres.
- 5 acres.
- Only allowed in RURAL areas.

- Five acres
- 10 acres
- Chickens should not be allowed AT ALL!
- Probably at least 10 acres.
- No, lots!
- 3 acres
- So we are going to say who can and can't have them. People have dogs within apartments and properties with minimum lot sizes. What's the difference? Recommend you go to Lowes and look at some of the DIY books on keeping chickens. Some people keep them in their houses or apartments with great success. Lot size when raising hens really doesn't make a lot of difference.
- 10 acres
- 3 acres
- Should not be kept on residential property unless that property is a farm with no other residence within a mile on any side.
- Probably any lot size with a freestanding dwelling would be okay--chicken-keeping is likely not suited to condo or townhome dwelling.
- If it works within the setback property lines, it should be allowed.
- Minimum must allow for neighbors not to see, hear, smell, or be affected by the chickens.
- five acres
- .40 to .50 acres
- 1 acre
- About 1/4 acre.
- 1 acre
- This is a joke.
- Forty thousand square feet at the minimum and 120000 would be even better.
- No less than 4 acres
- NO chickens or chicken coops should be allowed in residential districts in James City County.
- We are all in, or not at all.
- 1/3 acre
- 1.5 acres
- Requiring a minimum lot size would exclude people from being able to take care of their families.
- Lot sizes should be one acre in rural areas, and three acres in non-rural areas. Non rural areas should include any property that is within one mile of any residential development.
- They should not be kept. But a 1 acre minimum if you must.
- 5 acres
- I think it makes more sense to restrict the number of birds allowed on a lot based on the size. Any small yard could accommodate a few chickens.

- 5 acres
- Minimum lot size of 3 ac.
- NO CHICKENS IN RESIDENTIAL AREAS!
- 3+ acres
- Don't know
- No chickens
- Can of worms.
- half an acre
- 2acres or more
- At least one half of an acre.
- .50 acre
- 3/4 acres
- at least two acres
- 2 acres
- 1 acre or more at least.
- 250 yards by 250 yards
- 3 acres
- No chickens, no coops.
- Not less than 1 acre.
- 3 acres
- 100 acres for properties zoned residential
- 2 acres
- As large as possible.
- 1/2 acre
- At least 3 acres.
- 100 acres
- Minimum of 3-5 acres
- 3 to 5 acres.
- 5 acres
- Sufficient to isolate the chickens. Maybe 5 acres
- 2-5 acres
- 1 or more acres.
- one acre
- 5 acres
- Not less than 5 acres!
- 3 acres

- One acre or larger.
- Five acres, in an area not zoned residential
- Minimum lot size: 5 acres.
- Three acres or better.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- 10 acres lots
- half acre
- 2 acres
- If the chickens are well maintained and sanitary, people can keep them in their living room for all I care.
- over 1 acre
- The lot size should be farm use only. NO residential lots should be included in this.
- 2 chickens need very little space
- 1/4 to 1/2 acre minimum
- 10 acres. Note that 10 acres is equal to 2087 feet square, so the above 1000 foot minimum distance from the property line could be maintained by placing the coop in the middle of the property.
- 1/4 of an acre~3 chickens...
- Large enough that there is separation out of sight, sound, and smell from a neighbor.
- 1 acre
- at least 5arces
- Chickens do not need a lot of space. So the requirement does not need to be very big. However without the appropriate amount of space, chickens will not lay or be happy.
- At least 3 acres.
- .5 acre
- I do not have the expertise to determine this. Experts need to be consulted.
- 100 ACRES.
- 10 ACRE LOTS
- Depends on location and shape. Should be determined by other factors not simply size.
- one acre
- Two acres
- One acre.
- One acre.
- 1 acre.
- 2 to 3 acres
- 5 acres
- Several acres.

- This is the same answer as the question above. "I do not agree with keeping chickens in small yards or yards that are very close together."
- Please kill this idea now. Which Supervisor do we need to talk to about this??????????
- 200 feet from each neighbor's property line.
- 1/2 acre
- Don't know.
- Half acre.
- The lots should be at least 2 acres to provide a adequate distance from any neighbors yards or buildings.
- minimum 10 acres
- This requirement is impossible to measure. When the wind is right, you can smell the brewery across town. When the wind is right, you can smell the paper plant in West Point.
- 10 acres
- 3 acres
- At least 3 acres.
- 1 acre
- Zoned for small farm-5 acres.
- Whatever may be deemed appropriate per above
- At least an acre
- not sure
- 10 acres
- 3 acres
- Chickens should NOT be allowed.
- 1 acre
- 3 acres
- It can be pretty small. My backyard at Jamestown 1607 is about 450 SF and would be adequate.
- 1 acre
- Chickens should not be allowed.
- Min 5 acre lots.
- 20 acres
- 3-5 acres
- Huge!
- Should depend on number of chickens.
- At least 5 acres.
- 14 acres
- Somewhere between 3 and 5 acres.
- As stated before NO CHICKENS unless the property is over 2 acres.

- THIS CONTINUES TO GET STUPIDER BY THE MINUTE: YOU AGAIN ONLY WANT COMMENTS IF WE AGREE WITH THE STATEMENT? FINE - GREATER THAN 5 ACRES. MOST OF US HAVE 1/4 TO 1/2 ACRE PROPERTIES. IT IS UNIMAGINABLE TO CONSIDER CHICKENS ON SUCH MINUSCULE PROPERTIES.
- 3 acres

CHICKEN SURVEY RESPONSE

3g. If chickens are kept on property that is zoned residential, there should be a maximum number of chickens kept at any one time. If you agree, what should the maximum number of chickens be? Comments:

- I think it should be dependent on lot size.
- 6 if neighbors sign exception for certain # OK.
- I believe it would be contingent to lot size.
- I have eight in my backyard flock and that is PLENTY. Perhaps capping at 8 for your more suburban zones would be reasonable.
- What real demonstrated problem is such regulation supposed to solve? Or is this yet another case of 'someone, somewhere, sometime might hypothetically do something wrong, so we are justified in limiting *everyone's* liberty now'??
- 6 to 8 Hens.
- 6 hens
- No Chickens, Period!
- 10.
- ZERO chickens in James City County that are zoned residential!!!
- This should be entirely dependent on lot size (2,500 square feet per chicken).
- There should be weight limit. Not a number of birds limit. Depending on the breed of chicken some are very small and six won't even be noticed.
- 6-10.
- It should be 10 chickens max. Anything more than that isn't person or friend use but would be commercial use.
- Individual circumstances vary, but understand guidelines.
- 6-12.
- SIX should be enough to produce eggs for a family of six.
- Scaled to lot size. We already do this with horses.
- Once again, with increased livestock numbers comes increased problems. Dense neighborhoods are no place to start a farm.
- 6 to 12.
- No Chickens in Residential areas.
- Six hens.
- 2 unless zoned agricultural.
- Varies with yard size.
- I would need to know more about what number is a productive flock.
- 10.

- It should be based on lot size. We're not promoting cruelty, we're promoting freedom. But again, the hurdles should not be arbitrary or ridiculous to meet.
- Zero!!!
- I think number restrictions could be related to residential density and/or lot size. EG a lot size of 0.5 acres could be limited to 3 chickens. I don't have any good reasoning behind this number; just an example.
- Should be based on lot size.
- 5 with no rooster as he is the noise maker over and above the hens.
- I think it could be dependent on lot size. Our lot is more than a 1/2 acre, and it is wooded. We could probably have 8 or 10 without them even being noticed, but this might not be true of other homes with smaller lots or fewer trees.
- 12 – 18.
- Ten? Twelve? Or the number of family members plus two or three?
- 25.
- ZERO!
- Should depend on lot size.
- Too many variables to render an opinion based on the question.
- Depends on the size of the lot in my opinion.
- 6-8.
- From my experiences hearing from chicken-owners, chickens can die from random things so having "extra" seems acceptable, especially if raising them for meat. Also, when purchasing chicks, not all of them make it so people tend to buy more than they expect to need - and if all of them survive and grow, it'd be stupid to butcher one right out of the gate just to conform to the law.
- This would be funny if it weren't so serious ... 12!
- 6.
- Six.
- Probably 6 or fewer.
- Zero.
- When buying chicks in James City County, you must buy 6 at a time. Between 4-6 hens at a time in residential zones.
- Flat 20 or based on lot size. Say <= 0.5 acres allow up to 10. For 2 or more acres up to 30 in residential areas. For Ag zoned no limit.
- With a lot size of 3 acres, maximum of 5 chickens.
- 8-10.
- Zero.
- Depends on lot size.
- 6-8.
- 1. The keeping of chickens should not be allowed in the residential zones.

- 8.
- I can understand a max of 10 if the property lot size is very small.
- I think 5-6 would be the maximum number.
- Not sure - would be related to lot size, but perhaps 25 is a starting point.
- Some residential areas have many acre lots. But the average lot size i would guess is Half an acre and i think 8 chickens is a good manageable maximum. But also chickens are flock birds and need at least two for them to be happy at minimum.
- How much land you have.
- Depending on lot and coop size I would say 12.
- It should probably vary on a sliding scale compared to the lot size. 3-5 chickens at small property aren't too much to handle, but there are a lot of large residential properties in the county that could handle much more.
- Five.
- There should be a per 1/2 acre limit, something like 3 or 5.
- 4-5 no roosters.
- A maximum of six.
- 1 per acre.
- Six is the minimum number of chicks the folks will sell you at Jamestown Feed and Seed where I get my birds.
- Obviously, that would be based upon lot size as to what can be accommodated.
- 20.
- 6-9 Chickens are the most that should be kept in a residential environment. This amount could provide for a family. Any more may create a surplus beyond the hobby value.
- Wouldn't that be more appropriately determined by the size of the lot and the neighborhood density?
- Depends on individual circumstance.
- Should be based on size of lot.
- One.
- The maximum number is ZERO.
- Depends on the lot size but 2-4.
- It could be based on the size of the property.
- Six maximum - no roosters.
- Yes.
- When you do this (which I'm sure you will), remember that this is a great source of protein, minerals (iron for one) and vitamins. Growing kids and repairing adults highly benefit from fresh eggs.
- 6 hens.
- Zero.
- I don't know enough about the subject to guess any number.
- 5-10.

- In a pen/coop of no more than 144 square feet, 6 chickens.
- Three to four no roosters.
- 2.
- 1.5 (insert laugh here.)
- Half dozen.
- NO CHICKENS IN CITY LIMITS.
- 1.
- 8.
- This depends on the lot size.
- I think it should depend on acreage. Some allowance for baby chicks arriving must be factored in.
- Not sure.
- 3 chickens.
- 20.
- Dependent on property size, home owners circumstances where they are able to raise the chickens safely, compassionately, and knowledgeably.
- 5.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- Zero.
- 10.
- Zero.
- Chickens/per ac.
- 2.
- I like the number zero.
- This should be relative to the lot size. I would also want to research this more but .25 of an acre lot or less, max 6. Then above .5 acres there's a lot more room so I think one could have many more.
- Approximately ten.
- Based on lot size and setbacks. This varies by jurisdiction. I prefer a sliding scale starting with 2 hens with .1-.2acres; 3 hens @.3 acres, 4 hens @.4acres 5 at .5 acres and so on not to exceed 15. All will require suitable setbacks and on smaller lots, visual buffers (fences or vegetation.)
- Purely arbitrary - 20 per acre.
- 6 to 10.
- 24.
- Not sure-refer to other towns policies.
- 6-8 per half acre and pro rate after that?
- It should depend on the lot size. Certainly 4 chickens can be kept in a small coop on a 5000 sf lot. On 1 acre lots I would restrict it to 15 or so, with intermediate sized lots having 6-10 allowed.

- That should be figured upon the size of the acreage. For every six hens, there should no more than one rooster.
- Same as York.
- 20.
- I'm not sure, but too many is too many.
- I believe it should be based on property size in conjunction with coup size.
- It would depend on the size of the lot - chickens, like any animal, need a certain amount of space to live in humane conditions. You might think about setting the max number of chickens based on lot size.
- 10.
- 5-10 chickens.
- Appropriate for the space.
- Not sure, but I am concerned that someone might decide to keep very large flocks (25+).
- 4-8 hens for a small residential lot.
- 10.
- 6.
- Six hens are sufficient enough to provide fresh eggs and plenty of fertilizer to a family of 6-10.
- Proportional to the coop size.
- Base that on area and lot size.
- At a guess, no more than 10 per 1/3 acre.
- Just done over do it. Go by the size of the coop.
- 5/acre
- Not sure, but there is probably research on a good number.
- Six.
- 2 or 3, 4 at the extreme max!
- 10.
- Four.
- Ten.
- Could you make it contingent on lot size? We've had between 4 - 11 chickens. In Virginia the fewest you can purchase is 6 at one time so I'd say 6 at a min.
- 5 or 6 -- unless the lot size is very large.
- 3.
- 10.
- 5.
- Perhaps dependent on property size? I would be happy with 4-6 chickens myself. Seems manageable.
- 0.
- 5 chickens per acre.
- 10-12

- 6.
- 6.
- 20 based on lot non improved area, 1 chicken per 100 square feet.
- The number of chickens should vary with lot size, number of people in household and the density of a neighborhood.
- Any maximum should be based on property size, but no private back yard is too small for some chickens.
- 20.
- I do not have knowledge of poultry raising but I think 6 chickens should be sufficient to produce eggs for a family.
- Allow # by family size.
- Enough for personal/immediate family consumption.
- One chicken.
- This should be based on the lot size.
- Only in a residence that is within town and smaller lots.
- Depends on property size.
- I can't recommend a specific number. Seems to me that the purpose of expanding chicken keeping is to allow people to produce some of their own food. Given that general guideline, the number of chickens should not be much larger than needed to provide eggs for a single family, or maybe a couple of families. Say 10 people. These should not become commercial operations!
- 5
- 10 per half acre.
- 10
- 5 chickens 1/2 acre.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate. be?
- One.
- It depends on the size of the property.
- 0
- 4
- 6
- Not 1, 2, 3, 4, 5, 6, 7, etc. chickens at all.
- 4
- Many factors could drive this. I would say 3 chickens per .25 acre.
- < 25
- One chicken per acre in an area already zone for chickens.
- 1 dozen.

- Based on size of lot ratio.
- Zero.
- Zero.
- 0
- No more than necessary to meet egg and meat usage of chicken keeping house hold.
- If you agree, what should the maximum number of chickens be? The maximum should be linked to the size of the lot &/or the size of the pen. Also, people need to realize that a laying hen in her prime produces an egg a day. 12 hens, with proper care, would give you a dozen eggs a day, 7 days a week. That's a LOT of eggs!
- Assuming that R8 is the only allowed district, a very small number. The number could depend on the size of the coop & pen that meets all restrictions, but in no case should exceed 5.
- Maximum number 10.
- It should depend on lot size (i.e. 2-3 for .25 acre lot.)
- 4
- Don't know. A family of two would need fewer chickens than say a family of six or seven.
- Six.
- As long as they are taken care of the size of the flock should not matter.
- 10.
- Based on lot size.
- There should be a maximum amount of chickens for a certain square footage.
- Set by property space size in application.
- Who knows?
- This would depend on the size of the residence.
- Depend on size and breed.
- 12±
- No more than 6.
- poorly written question..... I say NO TO THE ORDINANCE!
- This is the city, not the country, so just enough to conceivably meet a families needs. Maybe 4 to 6 chickens.
- 2
- 6
- 4 and not more than 6
- Zero
- No number of chickens should be allowed to be kept. KEEP CHICKENS OUT OF RESIDENTIAL NEIGHBORHOODS!
- It would depend on the space available.
- no more than 2 in small spaces; 4 in medium spaces; and 6 or 8 in large places
- 10 or 15

- Zero
- None
- 20. But, recommend breaking that down by type/function (i.e. meat, egg layer, show) with an overarching limit. Also, grown hens vs chicks. Let's say someone had a visiting rooster and we have chicks; there could be dozens of baby chicks in the pen. Chicks should not count until they get to laying size.
- The number of chickens kept should also be limited to 2, enough for food for the resident. More than 2 chickens would lead to chicken farming and a commercial business chicken or egg business.
- Zero
- Again, I think that this should be determined by the coop size which would depend on the lot size
- Probably should be based on lot size, for the well-being of the chickens and the comfort of the residents. Look to other counties for guidance on best practices.
- In a basic 1/3rd acre lot I think that 18 hens is reasonable.
- More people=less chickens
- ZERO
- 10 hens and a happy rooster
- Two
- For a family of 2-4 people, 3 chickens are more than plenty
- 6
- I would say about six. Depends on the coop size.
- Zero
- It should depend on the number in the household and the amount of space you have.
- One
- Doesn't matter.....don't do it!
- We should follow the recommended population density of experts familiar with the raising of healthy chickens.
- 33-4
- The max number should be 0
- Depends on lot size
- 12
- NO chickens or chicken coops should be allowed in residential districts in James City County.
- This may be an area for animal control, not county officials.
- tie it to lot size or other relevant factors for human AND animal health and safety
- 10
- This would be a good measure of compromise. A half dozen would be good since it is not legal to buy less than that in this state.
- The maximum number of chickens in any residential area should be limited to six.
- 2

- 2
- None
- 2 and no roosters
- One
- NO CHICKENS IN RESIDENTIAL AREAS!
- should be 3-6 chickens as a minimum depending on lot size
- Can of worms.
- it would vary with the lot size
- Zero
- 8
- depends on the zoning and lot size
- 4
- One rooster and four hens
- How do you police this? What makes sense? What do you recommend be done with the excess chickens? I would not want to be policing my neighbor.....or monitoring his treatment of chickens.
- 2
- 5
- One
- No chickens, no coops,
- Not more than 10.
- 3
- Zero
- 6
- 20
- None
- Dependent upon acreage approx. 6 - 8 per half acre
- No more than 5.
- Zero
- 2
- Zero (0)
- 5
- Four
- I don’t have any real knowledge, but if you are raising for eggs, then I would say three or four max.
- I have no way to make that calculation, but the number low enough to prevent commercial poultry business at residences.
- Zero

- Don’t know
- Not knowledgeable about what is reasonable.
- 24
- 0
- Zero
- No more than one chicken per acre
- Would be determined by the size of the property and would need to be monitored.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- Yes, NONE
- 1
- Just like other domesticated animals, how many dogs, cats, rabbits etc. can you have?
- Far enough to ensure the "quiet enjoyment" of a neighbor's property. The county must certify the compliance of any poultry structures as part of an authorizing ordinance.
- 5 chickens
- NO chickens at all, not 1 single chicken should be kept on a residential lot.
- The purpose of backyard chicken raising is to produce eggs and control pests. Having more chickens means having more eggs, and at some point you will have more eggs than you can eat.
- This question is impossible to answer without having the other parameters in place (coop size, lot size, etc.) -- the maximum number should be determined by animal welfare considerations as well as minimizing noise and smells for neighbors.
- Zero given they should not be allowed.
- I think suggestions should be made as to # of chickens allowed for lot sizes. Is there any defined # of cats and dogs a resident should have concerning lot size? Isn't that left to the home owner?
- A determination should be made by experts in animals as to the ideal number of square feet per animal for a given coop.
- 6-10
- 5-10
- Twelve
- I think it should depend on lot/pen size with a maximum of 10.
- NONE. NONE. NONE.
- NO MORE THAN 5
- 6 chickens
- 12
- None
- One
- Four

- One
- 2
- ONE
- Six or fewer
- The max number is ZERO!!!!
- None
- 3
- Depends on lot size
- The number of chickens would be somewhat dependent on the lot size. Obviously fewer chickens can be maintained on a 2 acre lot and more could be accommodated on a 5 acre lot.
- Zero
- Obviously, zero.
- 5
- What does the USDA suggest?
- 4 to 6
- 12-15
- One
- Whatever may be deemed appropriate to lot size and spacing of coop(s) between dwellings.
- Number of chickens allowed should be proportional to the minimum lot size.
- 3
- 1
- One
- Chickens should NOT be allowed.
- 2
- Should be based on lot size.
- 4
- It is nice to have the option to raise chickens but, you do not want them to become a problem for the neighbors and it should be an amount that can be cared for appropriately.
- Chickens should not be allowed.
- 12
- 0
- Zero!
- No idea
- 0
- Should be no more than 5.
- 0

- Should be based on the number of acres, with 4 acres as a beginning, and 20 chickens for each acre over for.
- 5
- “0”
- 6 per half acre
- 5
- 5
- 5 - residential neighborhoods should not be used as farms.
- 10
- 12
- 5 with only one rooster
- Again, I have not checked into specifics but I know some folks will go beyond.
- Five
- None!
- I have no idea about this.
- Don' let people do this
- Two
- Depends on the size of the lot, if you have 5 acres who cares
- This all depends on what the other restrictions are regarding lot size. Obviously you are going down a slippery slope allowing chickens in residential areas at all. Policing to count the number of chickens someone has at any given time is going to be difficult. I have relatives that live on a ten acre farm in New England; to provide eggs for a family of five they have between 10 and 15 chickens at any given time.
- 20
- 1/2
- 1
- Let's not over do things, I don't want 100 chickens.
- No more than 6.
- depends on the property size
- NO CHICKENS
- YES, THE ANSWER IS NONE! FOR ALL OF THE ABOVE REASONS!

CHICKEN SURVEY RESPONSE

3h. If chickens are kept on property that is zoned residential, the keeping of roosters should be permitted. Comments:

- I think again, it should depend on lot size, and also for smaller lots, exceptions could be made with approval of adjacent neighbors. I say this because I ended up keeping a rooster on our half-acre lot In York Co. (it's legal because we're RR), and we check with our neighbors if the crowing is bothering them, and the ones that can ever hear it either like the sound, or say it's not as loud as the dogs around. We were prepared to keep him in the garage until later in the a.m. if it was a problem, but it hasn't been. Certainly, it's easier to put a blanket "no roosters" rule, but I've come to believe that it can work just fine. I know nuisance laws are hard to enforce, but I'd like to see roosters fall under that kind of rule instead.
- If the resident would like to continue their quest for a sustainable food source, the rooster would be required to replace the chickens.
- Only for more rural or lower density housing. In York County only folks in rural residential can have a backyard rooster. Personally, I don't want one as they add too much trouble and another huge layer of flock management.
- ABSOLUTELY NOT< NOT WAY< NOT EVER> THEY ARE NOISY BLIGHTERS RE BELOW" THE FEE SHOULD BE IN THE TENS OF MILLIONS OF DOLLARS< IF THE PERSON WANTING CHICKENS CAN AFFORD THAT KIND OF FEE< THEY CAN AFFORD TO BUY A FARM AWAY FROM MY HOUSE AND HAVE AS MANY CHICKENS AS THEY WANT> THE HOUSING MARKET IS IN ENOUGH TROUBLE< I DON"T WANT THE VALUE OF MY HOME TO GO DOWN BECAUSE SOME IDIOT WANTS CHICENS IN A RESIDENTIAL NEGHBOHOOD.
- Roosters are a natural part of the home poultry flock. They act as sentinels and guard the hens. When we had a flock of chickens, if you watched when a hawk flew over, the rooster would make a noise and all of the hens would flatten in the bushes until the hawk left the area. Do roosters make noise? Of course then do, but it is (to my mind) much less objectionable than many dogs or some neighbor's stereo. Even though I do not keep chickens right now, a neighbor nearby does and if I am outside, I can sometimes hear his roosters crowing. It makes far less noise than the cars going by on the road... ROOSTERS ARE NOT GENERALLY A PROBLEM. If someone has neighbors that are bothered by a rooster crowing, let the neighbors work it out between them. Don't impose some arbitrary 'one size fits all' ruling on everyone!!!!
- They are not necessary for egg production but are valuable for free range flocks.
- No Chickens, Period!
- Unfortunately, roosters are noisy. While some cities permit them, I could see them being a nuisance in residential areas.
- Aren't roosters needed also?
- This should be entirely dependent on lot size as well...one rooster per acre, perhaps? Roosters are much louder than hens...hens are actually not noisy at all. They can also act as a protector of the flock, so they do have their place, but not everyone wants to listen to one crowing all day.

- Roosters are noisy. There's no reason to keep a rooster other than breeding purposes and if there's a bird limit you can't have a breeding program.
- Too much noise from roosters.
- Hens can be as noisy as roosters. Limit to one per home though.
- Roosters where neighbors have no objections. No disturbing the fabric.
- Roosters crow at all hours of day & night. I know because I have lived near one!
- If you're breeding livestock, you obviously need a male and female. However, anyone who's grown up around chickens knows that roosters call. Often. For many reasons.
- No Chickens in Residential areas.
- Roosters make a lot of noise.
- Hens kept without roosters still lay eggs, but are much quieter than roosters.
- Seriously!!
- Cocks should be permitted on properties of a larger size. While they provide a complete social structure and protection for the flock, they also can be noisy in the wee hours of the morning.
- I think that would probably create noise hazards and a lot of discontent between neighbors.
- 20 ft?
- Too noisy and too aggressive.
- The whole idea of chickens is to maintain a food source. Without the rooster, how could they be replenished?
- But not in high-density residential zones. I would restrict roosters to agricultural zones (or possibly residential rural).
- Roosters crow at all hours in many different cases. Ours crows when someone comes to the coop to show that it is his space. Can really get on your nerves.
- Roosters can often be loud (especially for the morning wake-up call) an may infringe upon the rights (and sleep) of neighbors. The benefits of having chickens (hens) can be enjoyed without being a nuisance to neighbors.
- I am personally fine with being waked up by a rooster, but in the interest of harmonious neighborly relations ....maybe roosters are a deal-breaker for late sleepers.
- If proximity of neighbors and or agreement of neighbors are confirmed first.
- I know roosters may be aggressive, but I am not sufficiently knowledgeable to answer the question.
- What additional value does the keeping of roosters bring?
- I happen to like the sound of roosters crowing. I see no problem with keeping them domestically. But some might use this as a loophole for keeping FIGHTING roosters. That must not be allowed to happen. Keeping roosters should be allowed but regulated so that they are not used for fighting.
- Roosters should be limited to per group...
- From what I understand, you can't really tell the gender of a chicken till it's a bit older than chick-size, when you're buying a bunch of chicks. I don't think it's fair to restrict gender of chickens, despite preconceptions of roosters being noisy.
- Roosters are aggressive as well as noisy.

- No roosters, no chickens.
- Aghhh.
- If you want to have fertile eggs or to increase or replace your flock, you need a rooster, especially for expensive or exotic breeds. A rooster is also an alarm system and protector in case of predators.
- No roosters should be permitted in residential zones.
- Roosters crowing are far less of a nuisance than barking dogs and stray cats.
- Are you kidding me? In a residential neighborhood you already are close enough to your neighbors to hear them outside just doing normal activities; do we really want to hear their roosters crowing?! Not us!
- Very noisy/loud.
- Noise pollution.
- And how else do you plan to get eggs? Regarding 4 B below- Now you are finding another way to Tax! A onetime fee only and yes monitoring should be permitted.
- I am the pres. of an HOA and i don't want to have to deal with complaints about roosters crowing, what do you do, call the cops on them?? It is a problem; i do not want to deal with. People have enough concerns, we don't need anymore.
- The keeping of chickens should not be allowed in the residential zones.
- Even in a farm setting roosters can be an annoyance to neighbors. Roosters are not required to have hens lay eggs.
- One rooster only.
- Yes - You need a rooster if you are going to get any new chicks, to replace old chickens.
- No rooters, just hens.
- Roosters are noisy and aggressive.
- All of the above.
- I had a neighbor with a rooster and it woke me up too early on weekends.
- Too much noise.
- Chickens only need to be impregnated once to lay eggs and that can be handled elsewhere.
- Roosters crow. Not good for a residential neighborhood.
- They are loud and disruptive at unreasonable hours.
- The only thing worse than a penned barking hound is the crow of the rooster.
- I'm hesitant to disagree. Wish there was an "on the fence" button. This really should be a case-by-case basis. If a home is at the end of a cul-de-sac and the backyard is well-surrounded by trees, neighbors will scarcely hear the rooster. Of course, in a swanky new development where the houses are right close to one another, that's a different story...
- Roosters can be as much of a nuisance as a barking dog, but unlike dogs there's no way to make them be quiet.
- Roosters can be very nice, but they will crow at all times of the day which can be a nuisance, especially within a crowded residential environment. Roosters can also be aggressive. If someone keeps chickens in a residential environment then they should be able to manage the culling of the roosters.
- Relaxing sounds...neat

- Depends on individual circumstance.
- That might irritate the neighbors.
- Unnecessary for egg laying and extremely loud and annoying.
- I grew up with roosters and chickens in the backyard. They woke us up early every day. Not desirable in residential areas. My dad would stuff the rooster in a 50 gallon drum to muffle its crowing.
- Depends on the lot size but w/ a rooster you are looking to repopulate and I feel that should be done in a rural setting.
- The roosters are the ones that make the noise, which seems to be the main complaint.
- If they do not disturb nearby property owners.
- Roosters are noisy and sometimes aggressive.
- Why not?
- Noise.
- It’s not necessary and would be the major detractor in noise and potential harm. Thus I think the addition of a rooster to any brood should be based on lot size.
- Although I know fertilized eggs are healthier, most people don't get up when the sun does.
- Same as a barking dog...
- Our country is in strong opposition to discrimination.
- You can't wake folks up at the crack of dawn in a neighborhood like Stonehouse Glen where I live. There are covenants out here concerning noise that would prevent that.
- Roosters provide no benefit to the flock. They simply eat and seek to reproduce. They provide no benefit to the regular chickens and are not required to help produce eggs.
- Too noisy.
- NO CHICKENS IN CITY LIMITS.
- There would certainly be noise issues.
- Roosters are the fowl that make noise. The hens are relatively quiet.
- Noise pollution.
- Roosters make too much noise and make new chickens.
- If I wanted a living, natural alarm clock, I wouldn't need my smart phone.
- Roosters are fine on rural acreage.
- Noise.
- Roosters crowing at night and sometimes throughout the day.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- Noisy. Unclean.
- Noise factor...
- To my knowledge, you can't control the rooster crowing at daybreak!!!!!

- They make noise, as I mentioned I have experience with them in my youth and from my Air Force Assignment to Guam...no roosters.
- Not within a residential neighborhood.
- Some people would be bothered by the noise. Personally, it would not bother me.
- No roosters in residential.
- 1 per acre.
- Those suckers make noise. They're not needed for egg production.
- Need a rooster for herd.
- If one is raising chicks.
- Only in very large lots (1 acre plus).
- They love to wake up people for too early!
- Roosters are an unnecessary nuisance.
- Only 1 rooster per home.
- A single rooster should be OK, although they can be aggressive.
- Unsure about this - roosters are loud :) They are wonderful animals, but I cannot deny they are noisy at certain times. Personally, I will not have them.
- No Rooster or less you live isolated area. Another words your Neighbors got to be far as if the Rooster start to make those funny sounds in the morning it won't bother them.
- Limited number.
- Noise issues.
- They are not needed for eggs.
- They make too much noise and would bother some people.
- Too loud in the morning. I'll shoot a neighbor's rooster if it wakes me up.
- I am not against this but this is where most complaints would come from I wouldn't restrict roosters from the denser area.
- They should not be kept in dense residential areas.
- Rooster makes too much noise.
- This could be allowed but require much more regulation to ensure that neighbors are not disturbed. Certain areas that are higher density should not be allowed to have roosters.
- Too loud in a residential area.
- They are too noisy.
- They are noisy and cackle any hour of the day or night.
- I would not want to subject my neighbors to a rooster and we live in an area where everyone has at least an acre, if not more. I do not think roosters should be allowed in urban areas, although it is a hoot that Charlottesville must allow them because I've heard roosters in the City.
- Roosters are much more likely to cause a nuisance.
- They are a noise problem. A nuisance.

- Noise from roosters could possibly disrupt other households.
- Roosters are hard to keep contained. Falmouth, MA has a problem with groups of roosters, which are very territorial, chasing people and dogs.
- Have crow removed.
- If neighbors don't object.
- Noise!
- I disagree with roosters being permitted except in rural areas.
- I would much rather hear a rooster crow than hear a dog bark. I don't want to hear either one at 5 AM. I would tolerate either one during reasonable daytime hours to allow my neighbors to pursue their interests. Roosters do not crow all night like some dogs. Roosters can be kept in the coop in the early morning if neighbors are affected.
- Roosters should not be kept if houses are close to you.
- Noise limits should be considered.
- NO ROOSTERS UNLESS THERE IS ONE AND THE CHICKENS CAN NOT BE ON LOT SIZES LESS THAN 5 ACRES!
- Only one per coup within close residential.
- Optional, with neighbor approval, where property is less than 2 acres.
- I'm not informed on the issues surrounding roosters.
- They make too much noise.
- Roosters can be mean and loud however they aren't any worse than many dogs.
- No, this might disturb neighbors.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate.
- Only if they have 2 acres or more - otherwise the rooster will be waking up all the neighbors.
- Noise.
- CAN YOU IMAGING THE NOISE PRODUCED BY THESE BIRDS????????? PLEASE DO NOT ALLOW THIS FOR JAMES CITY COUNTY.
- Noise concerns.
- If you don't have chickens in a residential neighborhood, why do you want a rooster?
- Drives one crazy with the crowing at all hours.
- Are you kidding?
- Noise.
- See crowing comment above.
- Farm animal, so no, but if set back restrictions could be increased to 450 feet then maybe a maximum of ONE, in R8 only.
- Sometimes roosters are born if the owner does not find the egg, etc. A fee for the chickens on property should be the same for a dog/cat, etc.

- Not in residential areas.
- Roosters are too noisy for residential areas.
- Only one.
- Why not?
- Only where sound is not a problem.
- Noise.
- Too noisy.
- Unless neighbors wish to have roosters.
- Roosters should be considered by size of property. None allowed if lot is less than 1/4 acre.
- Not with neighbors!
- This only adds to noise levels in neighborhoods and in some areas this might not be agreeable.
- Chickens, Roosters, why not horses, cows, sheep.etc.
- They are noisy and can be heard from long distances away.
- Nuisance ~ keep chickens and roosters out of residential neighborhoods, please.
- Too much breeding and crowing
- Need to be able to provide a means of creating eggs. Wouldnt that be a reason for having the chickens in the first place?
- No, reeters!
- No chickens!!!
- No roosters. That is where your problems will start and I'm sure the police have better things to do then answer rooster noise complaints. If folks want chicks, buy them at the Feed and Seed or at Tractor supply. If they do get a rooster chick by mistake, when he is mature enough to start crowing, he goes in the pot. I'm not cold, but roosters are a whole 'nuther kettle of fish and problems.
- Roosters are too noisy and are likely to cause disputes among neighbors who don't enjoy living in a farm area.
- Aggressive, dirty, loud. If you want to wake up to a rooster crowing everyday, move to the countryside.
- Roosters are pretty noisy and could be aggressive. I wouldn't want one next door.
- Roosters can be loud and can crow at all hours, even in the middle of the night, or at least mine does. I'm on 32 acres so he doesn't bother my neighbors.
- Alarm clocks will not be needed!
- For a while we had roosters at a home in our neighborhood, against covenants, and were wakened or disturbed at all hours with crowing even though we live in another end of the neighborhood. VERY VERY ANNOYING! BREACH OF PEACE level noise, and the owners were unresponsive to complaints.
- Absolutely not!
- A rooster is noisy so maybe a lot size of an acre. A noise standard would be good also, about 50-70 decibels would be sufficient.
- they make noise
- NOT IN RESIDENTIAL!!!!!!!!!

- This is ridiculous!
- The noise factor would be a nuisance.
- noise, smell & insects
- Adds to the nuisance factor
- Roosters cackling are a noise nuisance from dawn until dark. This is an affront to our tranquility.
- I personally don't want a rooster- but they are a key part of a working flock.
- Roosters are violent animals that can cause harm to others.
- We don't need roosters sounding their wake up alarms at every sunrise, approaching storm, or any other time they feel like it. While on vacation in Bora Bora, a rooster across the road from a small hotel woke up everyone at the hotel during the middle of the night, about a hour before a strong storm arrived.
- NOOOOOOO! No windows can be open overnight.
- Please! No additional noise.
- Should only be allowed on lots of several acres as they are noisy and might disturb the sleep of neighbors living close by.
- Roosters are noisy in the morning.
- NO CHICKENS IN RESIDENTIAL AREAS!
- Come on! Is this the sticks!
- You have to be kidding
- Noise
- Noise!
- you have got to have roosters if you have chickens..right! What would be the reason to have chickens if you have no rooster?
- Roosters makes noise in the morning and being retired, I do not care to wake up that early. If I want to hear a rooster, I will go to a farm or live in a farm
- We don't like to be awakened at sunrise.
- Absolutely not!
- Noise issues would be a problem.
- too much noise
- Really? Let's just wake up the neighbors at the crack of dawn, even though said neighbors moved here not expecting to be living next to a farm!
- Noise annoyance.
- Too disruptive for neighbors
- Roosters are unwanted alarm clocks in residential areas.
- Too much noise.
- Too loud in residential areas.
- Noise nuisance

- Roosters make noise and are the reason neighbors complain. Breeding additional chickens should be the aim for pet chickens.
- If you want eggs, don't you need a rooster?
- Roosters would be necessary for production of eggs.
- Morning rooster crowing can be quite loud and cause people to be awakened.
- Roosters can be quite mean and aggressive. And loud. They belong on a farm where they can run free and oversee their hens. They do not belong outside my bedroom window crowing at the crack of dawn.
- Noise, dirt, smell!
- Roosters are even noisier than the hens and are also subject to the same avian diseases - and, of course, they also produce an unpleasant smell. Strong likelihood of attracting predators that could harm neighboring pets or small children. Our area is already attracting coyotes, for instance, and foxes have long lived even in areas zoned residential.
- Want to be awakened at dawn every day. CRAZY even to consider.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- None no chickens
- Roosters cannot tell time, and they don't adhere to noise ordinances.
- If you have chickens and a rooster makes them happy, go for it. However, like a barking dog, if they are a nuisance there is a problem.
- See quiet enjoyment discussion above.
- Now you're talking about breeding and an early wakeup call each AM.
- Same as above dirty, nasty, smell, and NOISE.
- Roosters are not needed for chickens to produce eggs.
- Roosters should only be allowed on large lots with a substantial coop setback. Those things are NOISY.
- Unhealthy, noisy environment and attracts predators.
- Again~ depends on lot size but roosters can be a significant annoyance to neighbors especially in tighter neighborhoods. We ended up with a baby rooster that was supposed to be a hen and found a good home for him, (they send us updates and pics).
- The noise would be offensive.
- You've got to keep the hens happy.
- Some chickens will not lay without a rooster. Also, some people may use it as a means to get chicks. However they make an awful lot of noise and should be limited
- Noise level
- Roosters will most likely create a disturbance.
- NEITHER CHICKENS NOR ROOSTERS SHOULD BE ALLOWED IN RESIDENTIAL AREAS.
- ROOSTERS ARE WAY TOO NOISY
- Too noisy and aggressive

- THey can be noisey. It would be better to just exclude noisey chickens. Using existing noise ordinance. Rather than target any rooster anywhere.
- You have got to be kidding - absolutely NOT.
- Noisy.
- Too much potential for noise.
- same as above
- They are very noisy
- Roosters are noisy and can cause disruption in pen.
- What next, Cock fighting ??????????????
- This is a residential area, not a farm!!
- Noise
- Noise will be a problem most definitely.
- This becomes a noise issue. People who buy in an area zoned residential should not be expected to accept crowing roosters as part of their neighborhood. If they wanted agricultural noises they would buy in a farming area. To change the zoning after people have settled is not acceptable.
- Too noisy.
- Once the county opens the door for chickens, what is to prevent the influx of other commercial (question 7) and/or zoo animals?
- Roosters are noisy and can be aggressive.
- If I wanted to rise to the rooster I would have purchased a farm
- Roosters are protective of their hens...so chicken fighting would be happening.
- Noise control
- Don't want to hear rooster(s) at zero-dark-thirty! Or, preferably, ever.
- I have my own alarm clock, thank you.
- Noise, fecal contamination and unsightly.
- Chickens and roosters should NOT be allowed.
- Only in very rural areas. They are too noisy, and not necessary to produce eggs.
- It could be disruptive to the neighbors
- Chickens should not be allowed.
- Waking up to a rooster is irritating.
- Seems like a necessary.
- Roosters should no be permitted.The noise from a rooster at sunrise can be very disturbing especially to families with babies and young children.
- Noise at all hours of the day and night
- If my neighbors felt the need for such a source of noise pollution, then I might feel the need to cut my grass and blow my car horn when they went to bed every night. Redidential areas are not suited for chickens and especially not roosters.

- Noise at 5AM! I don't want to be awakened when a rooster wakes up.
- The noise issues in a purely residential area would be alarming.
- Roosters are quite loud and obnoxious and would disrupt sleep of most neighbors.
- Noise.
- Noise abatement and can be aggressive
- How can you keep chickens without roosters? Can hens lay eggs without them?
- soon there will be a new ordinance for goats, whats next. We are a civilized County were taking steps backward. If this raises my taxes in any way shape or form I am ardently against it. You must explain to these chicken people that this WILL absolutely lower property values.
- Noise ordinance in residential neighborhoods would be breached.
- No roosters in non-agricultural areas. Ever. Period.
- this question shows how little the county knows about chickens
- Don't need them for egg laying.
- Roosters are loud and vicious.
- NOW YOU ARE GETTING INTO MAINTAINING BREEDING STOCK (HOW DO YOU PROPOSE TO CONTROL POULTRY POPULATIONS THEN?), AND ADDITIONAL NOISE, ANIMAL AND RODENT INFESTATION ISSUES, AND HEALTH FACTORS. EVEN MORE UNACCEPTABLE.

CHICKEN SURVEY RESPONSE

4b. Should James City County require a fee and application to keep chickens on property that is zoned residential to ensure (that the considerations listed above are reviewed and permitted) chicken keeping is monitored? Other considerations:

- The above considerations are all important because if there's a problem with any of the first three, then it might mean the birds aren't being cared for properly. They need to be protected from predators, but the predators are around anyway, so chickens are not the cause of them being in the area. If there's an strong odor, the owner needs to change his/her litter management to fix the problem. Hens in a small flock are not noisy, and one rooster is not noisier than many dogs, weed whackers, etc.
- I have eight chickens and I regularly check in with my neighbors about noise and smell. They have both stated they have no issues or concerns about either.
- SEE above, but apart from those issue you list, property values, noise, odor, my peace of mind. I did not buy my house in James City County because I wanted to live on farmland. I live in a small townhouse community of 43 homes. We are a tight knit family; I don't believe there is a framer amongst us.
- I think in the general case these "issues" are primarily hypothetical. In my experience, NONE of them is a real problem, and we had up to 40 chickens over a period of years.
- Rodents can be controlled with proper suspended feeding containers, Predators can be controlled by well maintained and secure coops. Coops should be well designed with an upper level for roosting and a lower level with access to an open area. Such a coop can run between $1000 and $2000. Dogs are also a problem and will kill an entire flock.
- No Chickens, Period!
- Concerns such as noise and odor are probably already covered in other parts of the municipal code.
- This is NOT the country... it's the suburbs!!!
- Rodents and odor should not become issue at all if flocks are managed properly. For example, food should be kept where rodents cannot get into it. Chicken manure (from the coop only, and only accumulates at night time) should be composted properly or the deep-litter method used. Manure only smells if there's an abundance of it piled in one spot, i.e.: a bucket or pile in the yard that is not turned and mixed with the proper ratio of other organic matter.
- None.
- As long as residents keep a clean pen I do not see a problem.
- No Chickens in Residential areas.
- I think pigs would make better neighbors and you guys require a special use permit for them, even on agriculturally zoned land.
- Personal property rights to do whatever the homeowner wants to do so long as it does not infringe on other's rights.
- Property values.

- A group to help keep those interested in raising chickens accountable to each other.
- I am against a tax increase to hire the staff necessary to enforce these regulations. I am also against increasing the burden to current staff that will come from adding a new set of regulations governing chickens.
- Violations of HOA rules and regulations.
- Problems should be dealt with on a case-by-case basis. Just because there "might be odor or noise" is no reason to deny conscientious homeowners the right to keep chickens, as long as they follow the regulations.
- I think humane conditions are something to think about. While many people raise chickens for meat - so killing them is on the agenda from the start - we want to be sure they are not suffering while they are alive.
- Waste water runoff.
- Please note that more and more large cities and urban areas across the country, from Seattle to Boston and New York, are now permitting the raising of "backyard chickens."
- Think about it, dogs and children are not regulated!
- I don't think it is a good idea. Get a farm if you want chickens. There are other aspects like predators and other things involved. NOT A GOOD IDEA....
- The keeping of chickens should not be allowed in the residential zones.
- Predators are in JCC. Hawks mostly, and Raccoon are everywhere. I have seen Coyotes on Richmond road but never in my neighborhood. My chickens did not bring them here. My chickens have not attracted any rodents. Their food is all consumed when they are fed. Fresh feed is stored inside and in an airtight container. Chickens will eat small mice. There is no perceivable odor around the coop. Chickens make less noise in the environment than trains, vehicular traffic, dogs, cats, lawn equipment, Etc.
- If you look after them and put them away at night and have them in good place and look after them like a pet because that is what they are in my house my go to vet if not looking good just like a dog or cat my sit on my knee so please look after them like I do.
- Cats and Dogs. Chicken owners should be warned that cats and dogs may attack their chickens and, if they are attacked, it would be the chicken owner's fault. They need to watch their loose chickens and provide adequate protection for them by way of a coop.
- If you allow chickens, how about ducks, geese, pigs, other farm animals?.
- I think the above listed considerations are not identified clearly. The people I know who raise chickens have standards and protections because of their awareness of possible predators and rodents. Because of their knowledge on how to maintain their coops, odor is not a problem.
- Gifting eggs to the neighbors would be a plus :)
- Should limit roosters.
- Unsightly appearance.
- Prudent plan to take care of droppings.
- General housing value of neighborhood.
- I think predators and rodents are already out there. I am not sure chickens would increase them. Also, chickens help with ticks. Although it is natural fertilizer, I am concerned about runoff.

- Attractiveness of coop and pen.
- Inhumane living conditions for the chickens.
- Predators are the problem for the homeowner. Do we seriously expect a rodent explosion over a few chickens?
- I'd recommend getting the Extension Agent involved to teach people how to keep these issues at bay. Remember, these can be problems with dogs and cats too.
- If I wanted to live next to a farm I would not have purchased property in a residential area.
- I am opposed to allowing chickens on residential properties.
- How in heaven's name can you even think that you can come up with a general rule about chickens in the yard when every property is different? Have you considered allowing live chickens for sale in the front of grocery stores, like, for special occasions such as Thanksgiving or Easter?
- Please don't allow chickens on residential property, particularly in these "planned neighborhoods like Stonehouse Glen, Mill Pond, Westminster, Governor's Land, Kingsmill, etc. Property values will drop GREATLY and IMMEDIATELY and folks will move out.
- The increased pollution of the watershed from chicken waste.
- NO CHICKENS IN CITY LIMITS.
- Safety, hygiene.
- Feces collection or disposal.
- Avian bird flu.
- Pollution, run off, disease, disposal of chickens no longer laying eggs.
- You have saved of the best questions at the end of your survey. You can add pollution from runoff water into tributaries, storm sewers, etc.
- Potential for disease, such as bird flu.
- Monitoring needs to be done to ensure chickens are not mistreated or forced to live in unsafe, intolerable conditions i.e. crowded.
- This question is strictly NOT APPLICABLE since chickens should not be allowed on residential zoned property.
- Discarded entrails thrown about the property.
- Potential for disease(s) from their droppings AND potential water pollution from run-off.
- Keep any fee modest; possibly allow raising chickens for meat.
- All of these concerns are not a problem with proper chicken keeping habits (just as they are for other animals).
- When I did have my chickens, I kept the area clean and the chickens actually cut down on the ticks and such in my yard.
- You should have a private fence around your back yard, Between 5 and 10 chickens no Rooster or less you live in an isolated area. Chickens have to be in a Nice size closed Pen. Got to be kept clean.
- Sharing of eggs amongst neighbors. Community omelet days.
- If the some residents not allow having chicken as long as u have a private fence.
- Be realistic an apartment shouldn't have 30 rosters and frankly lower income housing have smaller lots these are the people who would benefit most from being allowed to have an health food source

- Control, they must be keep off the property of others.
- In our experience, a few hens make much, much less noise than dogs kept as pets.
- Following the guidelines of the covenants and HOA regulations. Must have 100% consent from neighborhood to make changes.
- Please do not consider this issue.
- No chicken coop should cause an odor in a neighbor’s yard.
- A county webpage listing the home phone numbers of all the Board of Supervisor phone numbers, the Chicken Inspectors numbers and Emergency Contact personnel to call at any time during the day/night to get assistance in taking care of problems created by chickens at residential neighbors' yards.
- Poop from chicken coming in my yard.
- Disposal of waste.
- I have been kept awake many times by barking dogs, and there are not restrictions on dogs in the county, so why should chicken pets be different.
- Noise.
- Health of animals.
- Chickens SHOULD NOT BE PERMITTED in areas zoned residential (R-1, R-2, R-4, PUD-R, etc.) so the question is poorly phrased - there should be NO discussion of restrictions, since there should be NO CHICKENS in these areas, so the question of "what type of restrictions should be imposed" is totally inappropriate
- Once you allow chickens and roosters - who is to say that the next consideration will be sheep, then goats, then pigs, then horses and finally livestock of all kinds. THE COUNTY SHOULD NOT ALLOW POULTRY IN RESIDENTIAL NEIGHBORHOODS AT ALL. NEVER, NEVER, NEVER.
- Overall sanitation concerns.
- Pollution...very important. Health...very important. (FYI, I am extremely allergic to feathers...I wonder how many other health issues would become evident?)
- The waste is a consideration and the proper disposal of the waste. Additionally, the mess and the potential for very unsightly coops.
- Should not be allowed.
- Property Values and JCC State and Nat'l Community Reputation. We are not living in the "sticks."
- Suggest that residents who want to keep chickens research what is involved. Excellent resources online & books are available in the county library system - "Keeping Chickens the Modern Way" & "Chickens for Dummies" are 2 that spring to mind.
- Any permit and ongoing licensing should carry a fee that would pay for the enforcement costs.
- The owner is responsible for maintaining the area and is subject to inspection.
- If owners care about having chickens, they will ensure the above is not an issue for the health and well-being of the chickens and the family that raises them.
- Can be a road hazard. Free roaming and like to roam.

- Monitoring and enforcement of rules should be the same as with any other animal (Dog, cat, fish, etc.) If there are county permits for them, then yes. If not, no.
- "Whole/Big Picture" structuring should include not only owning and raising chickens, but, also market opportunities, and community use of all by-products of the activities. It shouldn't be a spectator sport!
- Unsightly.
- No roosters.
- Neighbors should not be significantly inconvenienced by others animals.
- They should not be allowed in residential neighborhoods!
- disposal of manure
- Renewal/approval of fee - just like dog license.
- Decrease in property value. Unsightly views. Excessive noise from domestic animals (dogs) because of chickens.
- Health issues.
- PLEASE ~ Keep chickens out of residential neighborhoods.
- If someone wants to keep farm animals, they should live on a farm.
- Any such law should contain exemptions for gated communities that already have covenants addressing keeping chickens. The law should NOT superceede the covenant nor change the covenant. Communities voted to have their covenants and they should vote to change if necessary per their own covenant voting rules in response to any chicken desiring residents who request a vote to change.
- Property Value
- Rodents: Chickens eat rodents. Why do you think I want to get chickens. So you might have mice and rats, the chickens will take care of them. Odor: Responsible ownership will help with that. Noise: And hence the reason for no roosters. Hens are really quite quiet. Unless one of those foxes get in there.
- Once the "keeping of non-pet animals" prohibition is broken, the next step will be asking to "keep pigs", then sheep, then a horse.
- Disease
- Disease
- Can we get eggs at a reasonable price? Not to eat but to throw at any supervisor that votes for this!
- Health issues
- Chickens will attract rodents, which will attract snakes. Special precaution must be met to keep area very clean. Appoint a Chicken Inspector!
- Property values
- Are you folks dense? No chickens, no problems.
- We have dogs running loose all the time but nothing is done. They bark all the time. If they can be here why can't chickens ?
- DONT DO IT!
- Possible diseases from improper coops, pens or over-population.

- insects (flys)
- we back up to woods so rodents & predators are already in our back yard so to speak. Odor & noise is comparable to the lady three doors down who breeds dogs. They are noisy all of the time!
- Waste disposal should be performed in a manner that does not allow odors or contamination to infringe neighbors.
- Viruses and disease
- Just disgusting unless in a very rural area with lots of space around and not near neighbor homes.
- NO CHICKENS IN RESIDENTIAL AREAS!
- It should be like a dog license, relatively self regulated. Requiring additional county staff should not be needed.
- Impossible to make sure people comply with regulations It will be added expense to JCC to try to enforce regulations
- may cause diseases
- Fees and applications are very necessary so that the properties can be monitored. Any monitoring will be paid by everyone in the way of taxes if fees and applications are not required up front and renewed on a continued basis.
- Sanitary and chicken running loose.
- Selling and killing the chickens would be an issue.
- Disposal of the waste matter & overall cleanliness of the enterprise.
- Disease outbreaks, such as the avian flu.
- Waste
- Loose chickens would create a mess and enrage dogs.
- Health issues
- Don't allow chickens on residential property!!!!!
- These are misconceptions. You would do well to talk to those who have or gave had a few hens as backyard pets.
- Bottom line is I don't want to live next door to a bunch of chickens! If I wanted to raise chickens I woul live on four to five acres of land. That's the reason I live in a community which inforces it's covenants.
- Runoff of pollutants into streams and storm sewers and also percolating into ground water aquifers.
- Waste collection, storage and disposal.
- Would Homeowner Association covenants that prohibit farm animals on residential properties be considered and upheld? I bought into a gated community, residential neighborhood. If I wanted to live with chickens, I would have bought a farm. If my neighbors keep chickens, will JCC buy my house at my price so I can move to another county?
- People don't know how to care for chickens properly.
- Avian diseases that can spread to humans.
- HOA restrictions should be kept in place no matter what the county does.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- No chickens at all if you want to stay in office I would vote you out of office if I can. This will reduce property values.

- If people want chickens as pets then that is fine with me. Whatever rules apply to dogs, cats, rabbits, hamsters, parrots, should apply to the chickens.
- See discussions about the county's attendant duties if it authorizes poultry raising in residential areas, consent of adjacent neighbors, and likelihood of litigation adversely affecting neighborhoods above.
- Ever hear of Avian Flu. Better keep between 3 and 4 million dollars on hand to pay for Tamiflu during an outbreak.
- No chickens, roosters or pigs in residential areas.
- Unhealthy, noisy environment and attracts predators.
- I don't believe an extra tax should be implemented for keeping chickens. Is there a tax for keeping other animals or birds on private property now?
- Visual appearance that might lower property values for neighbors who have to view unsightly coops or pens. I would also be concerned given the onset of novel viruses associated with fowl that sufficient care is taken to ensure that neighbors are not placed at risk and that animals are not over crowded.
- Gould take into considerations the benefits the entire neighborhood would get. Such as a cut down in area bugs and parasites. Also free eggs
- Cleanliness and orderly housing
- IF CHICKENS ARE ALLOWED, PEOPLE SHOULD BE REQUIRED TO KEEP THEM INSIDE THEIR HOUSES.
- THE INVASION OF SNAKES
- Honor HOA restrictions those residents have voted to have.
- Potential for disease or contamination of surface water.
- Appearance, chickens can create hostility between neighbors, possible violence
- lowering of property values
- Neighbor approval.
- diseases that may potentially spread to humans from chickens.
- Appearance of the coop and visibility from the street. Should not be visible from the street.
- Disease and coop fires
- The presence of chickens in the community would "brand" us as a rural community, and seriously degrade the desirability of living here, reducing the marketability of our homes and their VALUE!
- The negative and detrimental impact it would have on pets, such as dogs and cats. Property values would plummet. Neighbors would be pitted against one another.
- Get real, no chickens in residential zones.
- Chickens bring all those listed above
- Use common sense when crafting such an ordinance.
- Visual and property values
- Appearance and people coming and going into the neighborhood to purchase eggs.
- bird flu!!!

- Diseases that chickens carry,
- Impact on property values
- Chickens must be in a coop.
- We already have wildlife in James city county, and this will just attract more, and endanger our domestic pets and children.
- Property values
- Impact on property values.
- PROPERTY VALUES?? HOW CAN YOU NOT INCLUDE THIS????? HAVEN'T WE BEEN HURT ENOUGH ALREADY ON OUR EQUITY. WHAT IS NEXT...ALLOWING MOONSHINE STILLS?
- Type of coop and fence
- Sanitation and pollution in the water systems and ponds.
- Health concerns with waste products. How do you dispose of them?
- property values, disease, think about what it will do to our already falling visitors from other states.
- That chickens are being properly taken care of and dead chickens being disposed of properly so as not to cause disease.
- you have to deal with items listed in 5 above without chickens
- We should allow neighbors having chickens living next door be permitted to raising foxes
- If kept for the purpose of laying eggs, cages kept clean and maintained,, there should be no problems. Those that miss use it, should be held accountable.
- Impact on real estate value. The ability to sell one’s home next door to a property with chickens.
- Size of coop and ability to raise properly.
- HEALTH - 1.) RABIES, 2.) AIR-BORN INHALATION ISSUES RELATED TO FECES DRYING AND PARTICULATE MATTER ENTERING THE AIR (especially critical in confined residential areas).

CHICKEN SURVEY RESPONSE

6. In considering an ordinance that would allow for chickens to be kept on residential zoned property, what other localities should serve as a "model" or have "best practices" for James City County?

- York County's is working well. Also look at Cleveland, OH. Not Norfolk-- way too restrictive.
- Poquoson other similar neighbors.
- Jamestown Feed and Seed store is a great place to receive knowledge on best practices.
- York County.
- Let those who want to have chickens buy a farm. Chickens simply do not belong in a residential neighborhood, what's next, cows, goats; we have a couple of horse farms already, that's fine they like us are self-contained and self-providing. They are not trying to move in next door.
- WHY IS IT SO IMPORTANT TO YOU ALL TO REGULATE THIS ACTIVITY? What REAL DEMONSTRATED problem is such regulation supposed to solve? Notice I said "REAL", not "hypothetical"... Or is this yet another case of 'someone, somewhere, sometime might hypothetically do something wrong, so we are justified in limiting *everyone's* liberty now'??
- No knowledge.
- Chesapeake, Portsmouth, Hampton, Norfolk is still working on theirs.
- No Chickens, Period!
- Portsmouth and Chesapeake both have successfully changed their ordinances within the past year. Restrictions are reasonable, especially in Chesapeake. Do NOT use Norfolk's current code as an example. They are so draconian that nobody has applied for a permit yet (law changed in September).
- You know better than I not that question.
- Those with 5000 or less!!!
- I think York County's regulations are reasonable.
- Hampton city code seems to work well.
- No idea.
- The ordinance should be rejected.
- Only counties in Virginia.
- Chickahominy Haven.
- No Chickens in Residential areas.
- Other counties who have adopted chicken ordinances should be looked at.
- Nowhere.
- York County seems to do fine with it. Our pediatrician has been at it for years in Queen's Lake.
- York County.
- It should not be considered.
- I'm not sure.

- Perhaps the City of Williamsburg.
- Not aware of one.
- Floyd County, Virginia.
- Don't know.
- Chesterfield County, Albemarle County.
- While I haven't been here personally, I was happy with the CSA from Dayspring Farm - http://www.dayspringfarm.org/ - their website says they keep chickens. They also do interning and have given a presentation at the library on their CSA and farm, so I know they are good educators - it wouldn't hurt to contact them for more info! :)
- York County.
- Areas in Henrico County (Richmond) have ordinances.
- None. No chickens.
- I have no idea.
- York County.
- Any other locality that allows ALL of their citizens to FREELY keep chickens.
- A farm with about 5 acres.
- No contemporary jurisdiction that is considered a good place to live allows the keeping of chickens in the residential zones.
- Chesapeake.
- York County is our closest neighbor that has residential chickens, but I think looking at many different ordinances around the country to pick different considerations is a good idea. There are many web sites devoted to the issue.
- Just like dog with a license.
- Richmond, York County Chesapeake, Va. Beach, Chicago...the list goes on.
- Charlottesville.
- No comment.
- Don’t know about others.
- It should not be considered at all.
- Chesapeake recently went through a similar chicken soup for the soul-searching.
- Peninsula Chicken Keepers would be of help in answering this.
- We should listen to the voice of our residents and come out with the zoning changes that will work the best for our community.
- I do not know.
- Salt Lake City, Fredericksburg, New York City.
- Yorktown, city of Williamsburg, many others I am sure.
- Smithfield.
- I am really not sure.

- Seattle, probably York County.
- Raleigh, NC.
- York County, Hanover, Suffolk.
- None. James City County should not allow chickens.
- Have no idea! But, I strongly suggest that you allow only on a case by case basis with an unbiased "Chicken Committee" having the final say. At least 7 members with a 4 to 3 vote in favor required.
- Instead of worrying about chickens and looking at other localities, James City County needs to look at other areas of the country (other states) as far as something important, like school facilities and see how we are selfish with our children. Even the coal mine area of eastern Kentucky has nicer public schools than we have here. Chickens on residential property? We need to be worrying about how the folks who live here build "bare-bones" schools, facilities-wise for the children who live here.....not worrying about putting chickens (or cows or pigs) on residential property.
- Not sure, we should set our own ordinance on this one. We have a unique bedroom community with loads of R zoning. Maybe Cleveland Heights in Ohio. They have a pretty comprehensive policy.
- Do not know.
- Norfolk: you cannot keep chickens. Exception: a few chickens are posted by the public health service throughout the city as sentinels for mosquito borne diseases such as West Nile and Equine virus.
- NO CHICKENS IN CITY LIMITS.
- I have no such knowledge.
- Uncertain.
- Check out the Eastern Shore of Maryland. One of Perdue's largest suppliers of chicken to the American public€¦..
- North County, away from developments.
- I don't know.
- There are no acceptable models for this noxious and offensive practice. RESIDENTIAL MEANS RESIDENTIAL.
- I don't know.
- None.
- Unknown.
- So far, I think Chesapeake has come the closest.
- York County seems to have a working model.
- Don't know; heard that York County already has one so look at their codes. I am sure other counties, especially in the western part of Virginia, have some codes on chicken keeping like around Roanoke.
- Do not know.
- Salem VA.
- A good question for professional chicken keepers.
- I don't really know a comparison.
- York County; Madison, WI.

- York County.
- York County VA.
- All of the surrounding counties have pretty good best practices - I would review and evaluate those (no need to reinvent the wheel). There is also a good list of experts in the area (Carol Bartram for one). She keeps backyard chickens and does an amazing job. She always has great tips/advice. There are more community experts as well.
- Don't know.
- York County.
- Fauquier County.
- I don't know of any other then Gloucester but I'm not sure of regulation.
- York County.
- Look close to home - Williamsburg. Otherwise, not familiar with details of other areas.
- http://www.panoramio.com/photo/12994166 In Germany, the county buys a piece of land, divides in into individual pens of different sizes and coops, and rents those to interested citizens. Citizens keep chickens and other fowl (sometimes rabbits etc.). Additionally to the rent, citizens pay a yearly membership fee which helps with the general upkeep. The link above shows a picture of how it looks like. The area is usually open for everybody to enter and look around. It is a cool place to bring kids to as citizens often keep "interesting birds".
- I don't know.
- York.
- http://rvanews.com/features/a-game-of-chicken-will-richmond-finally-allow-ba Chesterfield has some good recommendations that are listed in the website above.
- I have no idea. I think this is a bad idea.
- Not sure.
- Unknown.
- No "model" wanted. I moved to a James City County residential zone; I chose to buy a home and live here, not some other "model" town.
- Hampton just passed a law allowing chickens on a limited basis.
- Neighboring counties.
- Roanoke County (Residential), Virginia Chicken Ordinance: http://library.municode.com/HTML/12222/level4/PTICOCO_CH5ANFO_ARTIIDOCAOTAN_DIV1GE.html #PTICOCO_CH5ANFO_ARTIIDOCAOTAN_DIV1GE_S5-38STRECHKE Sec. 5-38. - Standards for residential chicken keeping.
- I used to live in Austin, TX and keeping chickens was relatively popular there. You might use them as an example: http://www.austintexas.gov/article/dont-run-afowl-urban-chicken-laws.
- I don't know.
- Don't know any.
- I am not personally aware or any such localities - chickens and other farm animals should be allowed primarily on FARMS.

- You have got to be kidding!!!
- Can’t answer.
- Don’t know.
- Huh?
- Arlington County, VA.
- Have not researched.
- Unknown.
- Don’t know.
- Northern Neck or some rural areas of New Kent County.
- Look up the City of Chicago’s “Urban Chickens” ordinances.
- Wisconsin; PBS/DIY show provide guidance and options for having chickens, etc.
- ?
- See model communities.
- Las Vegas, Nevada. Chickens are allowed in residential areas, but must be 300 feet from the next resident, that said, with permission from the resident, chicken owners.
- Have no experience other than New Kent.
- York.
- Any rural area has plenty of experience with this.
- City of Alexandria, VA.
- Take a look at Florida! Their experiences with the import (illegal!) of exotic animals has gone completely out of control.
- I haven't checked into it in great depth. I didn't think James City County would ever consider it. Really glad that you are!
- Chickens belong on farms where they can be properly care for and housed. What will be next?
- I don't know of any.
- I don't know.
- Recommend referring to other online localities. Keeping chickens is big and there should be plenty of information out there. Again, check Lowes for reference books or the web site GRIT for more information. It's worth a Google.
- I have no idea.
- No idea Yoy
- James City's current practice is all the "model" that is needed. Only a persistent, insistent self-interested group is advocating for this change, the burden for acceptable models is on them. Why look for models that are not based on James City's history and on consideration for neighborhoods ' character and neighbors' peace of mind and preference for quiet?
- Hollywood CA

- If you give people a guide to successful raising chickens for eggs and meat that has a healthful balance that would be ideal. The best practices are a good guideline.
- Your property.
- Ridiculous
- I am not aware of any. Most municipalities that I know of are opposed to chickens being allowed in residential areas, including the additional time thatâ€™d be spent by the cityâ€™s code enforcement officer and Planning Department policing chicken coops and chickens, the possibility of disease, nuisances and complaints arising, budgetary concerns, aesthetics and the possibility of negatively effecting property values.
- NO CHICKENS IN RESIDENTIAL AREAS!
- Review this link http://www.backyardchickens.com/a/salem-massachusetts-chicken-ordinance
- Don't know
- Don't know
- Any chicken farm on route 113 in the state of Maryland
- Have not looked into the matter.
- JCC should exhibit leadership and should not allow this.
- I do not understand this question! This is just a poorly worded question..
- Don't know
- Farm animals and fouls should be kept only on Farms.
- None. JCC is unique.
- I haven't the slightest notion - if you are really serious about this, you will have to do your homework!
- I do not know of any.
- There is no best practice for keeping chickens in residential areas.
- None. Chickens belong on a farm. Not a golf course.
- The City of Alexandria, VA
- Chesapeake
- I'm not knowledgeable.
- Unknown
- Don't know
- Don't know.
- Anywhere they are prohibited
- No idea, sorry.
- I have never lived in a community that retroactively modified zoning laws and I am unalterably OPPOSED to the whole idea,
- Unknown
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- NO CHICKENS AT ALL

- N/A
- Don't allow it. It is bad all around. If someone wants chickens they need to move to a farm area.
- The residence lot size should be at least 10 acres.
- Homes that have small properties should have best practices because their neighbors are so close.
- Defer to experts who specialize in poulty.
- No opinion
- York
- THOSE THAT DO NOT PERMIT THE KEEPING OF CHICKENS UNDER ANY CIRCUMSTANCES!!
- I HAVE ONLY BEEN AROUND CHICKENS KEPT ON FARMS AND RANCHES
- None - never been successful in my experience.
- I have no idea.
- This area has become populated to the point that chickens, as well as other farm animals, should be restricted to farms or significantly large pieces of property.
- I have not researched this
- None.
- Consult small farmers or www.mypetchicken.com
- Manhattan
- Disney World
- No idea.
- No idea.
- No opinion.
- Don't know of any
- Pig Farms
- don't know
- Chickens should NOT be allowed.
- I don't know.
- you're opening pandora's box
- No idea
- I grew up on a farm with chickens and know what I'm talking about. There is no place for chickens in a residential setting.
- Home owners associations should be permitted to set their own restrictions for the keeping of chickens or other livestock and non-domestic animals.
- Do not know
- a farm in toano which is where these people should move to.
- I have no idea
- parks would be a great place for chickens

- DO NOT KNOW OF ANY AND DO NOT CARE. NO CHICKENS ON RESIDENTIALLY ZONED PROPERTIES IN JAME CITY COUNTY!!
- HOA
- I don't know!

CHICKEN SURVEY RESPONSE

9. What other minimum standards are important you regarding keeping chickens on land that is zoned residential in James City County?

- No running at large, the same animal welfare rules that apply to other pets.
- Neighbor’s complaints allow to be corrected or mediated to a "chicken" authority. That sounds official right.
- None at this time.
- Ensuring owners are aware of all issues of chicken keeping so they don't go in blindly or keep chickens in a manner that is bad for the health of the chickens.
- BUY A FARM.
- Why do you believe that you must have "minimum standards"?? Why can you not trust your citizens to do the right thing with their poultry??
- Hen keeper education.
- No Chickens, Period!
- Consideration should be given to the slaughter of chickens in residential areas. Chesapeake prohibits this. I actually disagree about it, but understand why it was put in place. Consideration should be given about what happens to old, spent hens, if people are discouraged from making soup of them.
- ZERO!!!
- None.
- What is the reasoning behind the person wanting to raise chickens? Is it for food? Companionship (pet)? Is it because they think it's "cool", and the trendy thing to do? The welfare of the animals in question should be addressed as well as the welfare of the community.
- Cleanliness.
- Chickens should be allowed only where they can't be seen, heard or smelled by neighboring property owners.
- Manure containment - standards are needed for removing and storing droppings and bedding so that water ways can be protected from additional nitrogen.
- Let people have at it.
- None. This is America. And if further regulations were required, they could be adopted later, after public input.
- There are no "standards" that would make it acceptable.
- Animal welfare standards.
- Minimum standards are those that allow for the defined activity without having an negative impact on neighbors and their right to live free and peaceably.
- Have regulations and enforce them.
- That the county be on "our side" - as in, not seeing chicken-keepers as trouble-makers. All the press I've seen about this issue makes it seem like the county has been pooh-pooh'ing those who speak out about this issue, so I'm REALLY glad to see this survey and have the opportunity to easily make my voice heard. Thank you!

- I am not familiar enough with the subject to give and intelligent answer.
- You are making a simple decision way too complicated!
- Clean, healthy chickens only. Safe environment.
- The odors, the predators, the complaints, people not taking care of them properly. .it is a bad idea, get a farm....
- The keeping of chickens should not be allowed in the residential zones.
- Just like dog and cat both have to be licensed and so must chickens.
- Courtesy to your neighbors, some folks like dogs, some like cats, some like chickens..just be kind and respectful to your neighbors.
- Do not allow.
- Covered above.
- The safety and wellbeing of the animals be taken care of, to ensure they are not abused or neglected.
- This Is America Let Them Live Our Freedom.
- I prefer no chicks as it would open the door for other animals.
- None.
- Require coop (that is not an eyesore), no adult roosters, free of odor.
- To provide adequate housing, safe environment, proper disposal of bedding.
- NO CHICKENS.
- Enforcement with heavy fines for violations.
- A well-constructed attractive chicken coop doesn't exist.
- Addressed above.
- Inspection to ensure that limitations are being observed.
- We live in the Powhatan Creek watershed. Chickens waste will harm the creek.
- I'm opposed to keeping them.
- But, all these items for consideration should keep you sufficiently occupied so that we can keep the costs of operating county in check!
- Don't allow chickens at all on residential property.
- Cleanliness of the pen. Some of the folks that would want to do this would simply do it to irritate neighbors and would have serious neglect of cleaning duties.
- Posting of hefty bonds to ensure compliance and any fees should not be viewed as a revenue source to the county but set aside to fund a stringent and vigorous and inspection and enforcement program because public health is surely at risk.
- That they don't reside there at all!
- Humane treatment of the animals must be of utmost importance. Specifically, do not allow keeping hens in coops only - they must be able to be free range.
- Look at 7a. Duck etc. are not livestock. I have ducks near my property now. They live on the pond and lay eggs in my yard some years.
- All of the above.

- When is the last time you heard someone complain that there wasn't any chickens or other livestock in the neighborhood they were considering moving to? Even worse, if you didn't have covenants protecting the buyers of residential properties, of less than 5-10 acres, you would have a hard time selling your biggest investment you made in your life.
- That chickens are not abandoned when they no longer produce. They are feed appropriately and sufficient amounts without overcrowding. Owners need to attend some form of instruction in proper care and raising of chickens.
- The maximum number of chickens allowed should be zero.
- Water pollution should be considered from their droppings.
- Unknown.
- Disposal of manure, which is a waste stream and smells. This needs to be closely looked at, especially in light of the potential impact to the Chesapeake. Owners need to use a licensed, insured waste stream eliminator...storage of waste on the property should be prohibited.
- Adherence to the guidelines. Revoking of a person's right to raise chickens if their chickens are not cared for properly or coops maintained.
- It is important to get the lots size, setbacks and quantities right.
- Quick responses to any complaints from neighbors to those keeping chickens.
- Keeping the chickens fed and clean area.
- Minimum coop square footage per bird.
- Animals should not suffer neglect.
- Health and well-being of the animals-humane treatment.
- Same as York, see above.
- Need to keep them from wandering into other neighbors' yards.
- If there are lots of concerns about people having chickens - one option would be to make sure everyone who wants chickens has to take a chickens 101 course (they are offered through WALT for example).
- A minimum animal right grated to domesticated animals is satisfactory to me.
- Resident education so that they follow the easy and proper steps to control pests and odor.
- Cleanliness and disease testing.
- It should not be allowed. If people want chickens they should live on a farm.
- Mandatory class to educate citizens on how to raise chickens properly.
- Cleanliness, removal of waste promptly, use of wood shavings in coops to contain smells, etc.
- The minimum standard I expect to see in James City County is the current ordinance where chickens are NOT allowed in residential areas!! I bought my home with that understanding and chose not to buy and live in agricultural zoned areas.
- Chicken keepers must share fresh eggs with their neighbors! (This is a joke).
- None.
- Just best management practices.

- Respect property owners association rules - county ordinance should not have precedence over community rules.
- None.
- Any JCC ordinance that PERMITS/ALLOWS people to keep chickens in certain residential neighborhoods should include language that makes it clear that the ordinance IS NOT MEANT IN ANY WAY to override any neighborhood/association protective covenants that prohibit keeping chickens.
- Requirement of fence 6 ft. THIS IS A FAMILY ORIENTED NEIGHBORHOOD NOT A FARMING COMMUNITY. RESTRICT THEM FROM RESIDENTIAL AREAS. High, wood fence surrounding property of the chicken keeping person.
- No others. This is not complicated.
- HOA restrictions should trump any zoning permission.
- Just don't permit chickens in residential zones.
- I would suggest that the County inspect the coops/pens and the chicken keeping practices of the residents who elect to keep chickens.
- See all above comments.
- Sanitation guidelines to prevent any significant odors.
- The Planning Committee is moving backwards by seriously considering a Chicken Ordinance in JCC residential neighborhoods in 2014!
- No night time or early morning noise impacting neighbors. Neighbors are protected from loss of property value.
- Like any pet, you have to pick up after it properly. How many folks in the county have 2 or more dogs in their backyard & all summer long, the place reeks of dog poop?
- Cost of upkeep; licenses; individuals that have problems having chickens as their neighbors~
- The owner is responsible to control odor, noise and cleanliness.
- Pigs, goats, etc. are very smelly; not only the animals but their waste products, i.c., feces and urine. They can also be noisy.
- The HOA covets should not be offset by JCC rules.
- The county has knowledgeable, supportive staff with all needed resources to have this be a successful, healthy facet of our community.
- None.
- Any ordinance permitting chicken-keeping on residential land should be subject to neighborhood covenants which preclude keeping of chickens and other livestock.
- They should not be allowed! Dogs are bad enough! They are loud, unpredictable and people don't clean up after them! I can only imagine what it would be like with CHICKENS!
- Just health of the animals and limited consideration of the neighbors.
- If someone wants to keep farm animals I strongly suggest they purchase a farm.
- Our covenants do not allow chickens to be kept on property.
- Keeping chickens in a residential area should not be allowed at all.
- MUST have clear disposal of their waste rules and regulations.
- None other that having them in a pen and responsibly maintaining them.
- no, lots!

- No chickens!!
- - Flexibility with JCC. I don't want my ability to responsibility keep these critters dependent on one busy body neighbor.
- In a Democracy, the majority of the local (meaning neighborhood/HOA) population should be able to decide for themselves how their neighborhood should be kept and maintained within Federal and State laws. The rights of a few should respect the rights of a majority.
- If this gets implemented, I think there should be something that if the county receives complaints from two different neighbors, you loose the right to keep the chickens. Otherwise, the county becomes a mediator and will spend to much time and money (via manpower) over chickens.
- None. Should NOT be allowed!!!!!!
- Again, I think that the coops need to be kept neat and clean and the size should be proportional to the size of the lot.
- Coops do need to kept clean.
- Extant neighborhood covenants, with strict interpretation, should be grandfathered to stand and rule neighborhoods if chicken keeping is accepted.
- Our neighborhood probably has as many dogs as there are people. Inconderate neighbors allow their dogs to poop all over other people's property, which creates a health hazard in my opinion. So, why not allow some considerate folks the opportunity to raise a few chickens as long as they abide by county rules. If they don't, they could be fined or shut down...
- Property density that has lots that are less than 1 acre, max. number of chickens, no roosters,50 ft. off property lines, fencing.
- just to be allowed. This is something my family has wanted for a several years!
- none
- No Chickens
- no chickens on residential property
- Should not be considered. Parts of JCC are nowhere near rural. The homes are too close together to allow this.
- The number of chickens should be limited to say 2 for an acre or less and then increase by a few per acre.
- NO CHICKENS IN RESIDENTIAL AREAS!
- simple respect of others property, lets not get carried away and try to legislate everything. Can we try common sense?
- Some covenants may not restrict because the developer knew the jcc zoning restrictions covered it
- Don't allow it.
- If zone residential, why turn it into a farm zone?? This is just weird!!
- removal of deceased animals
- No Chickens
- The rights of existing neighbors, who never expected to be confronted with a chicken raising operation, should be paramount.
- A "no chickens on residential property policy" requires no minimum standards.
- It can progess to horses, cows. You are startiun a mess.
- Whatever it takes to keep them out or at the smallest minimum possible.
- Same as with pets - controlled numbers, cleanliness, care, consideration for neighbors and noise control.
- no noise, no odor, no coops, no killing of chickens on premises, penalties for escaped chickens
- I believe any ordinance adopted in James City County should specifically reference and be subordinate to any HOA convenants or restrictions that have been duely adopted by the HOA

- NO chickens. Going back to question 7: if you allow chickens how can you NOT allow other listed livestock without incurring a discrimination suit? Allowing chickens in residential neighborhoods will open an ugly can of worms.
- Keep residential neighborhoods residential. If you want to be a. Farmer, live on a farm!
- Again, chickens should be kept in totally enclosed containers that are also soundproof,predator proof, rodent proof, and that suppress any odors omitted by the birds.
- That they be frozen and wrapped in plastic.
- The ordinance should not supersede any home owner association requirements.
- Chickens should NOT be allowed on additional residential zoning under ANY CONDITION!
- JUST VOTE NO TO THIS , NO CHICKENS AT ALL UNLESS YOU WANT TO CREATE A LARGER PROBLEM.
- That they not be able to escape onto the roadway.
- FDA
- NOT allowed period.
- I think that the same expectations of care in keeping cats and dogs, should be applied to all animals. The expectation is that they should have a clean and safe living environment that is hopefully not an eye sore.
- Mandatory minimal annual monitoring of the health of the chickens, the cleanliness of the coops, the overall configuration of the coops as it might impact on the animals and the neighbors. Random checking of chickens for the presence of novel viruses that humans might get.
- Lic by JCC and periodic inspection
- Keep farm animals on farms.
- NO CHICKENS SHOULD BE ALLOWED IN RESIDENTIAL AREAS!
- WHAT STANDARDS WILL BE ENFORCED?? IF INDIVIDUALS DO NOT TAKE CARE OF PETS, WHAT WILL THEY DO WITH CHICKENS THEY NO LONGER WANT????
- Should meet animal welfare standards.
- Simple... Don't do it,
- Don't allow this to go forward
- I did not move to the city to live next to a farm. If someone wants to raise food animals they should live in a rural area.
- Standards not necessary when the practice is not allowed.
- As previously mentioned, neighbors should not see them, hear them or smell them and there should be absolutely no negative influences brought to bear such as the influx of predators, rodents or any other yet to be identified plagues.
- Unknown
- None
- Use common sense! Goats, pigs and etc may just not be appropriate. What's next, a horse?
- Allow HOA's to manage their own communities. We don't need the government deciding how to change our lifestyles. With all the issues that you face how can you in good conscience consider this issue? Ridiculous!!
- Chickens should NOT be allowed.
- That the chickens coop is kept clean to avoid rodents and that they are kept in coop if owner is away and at night to avoid problems with predators.
- Proper sanitation, not for profit.
- zoned A-1
- Size, space, distance, enclosure, fees, licensing, noise,
- Farm animals do not belong in residential neighborhoods.
- Allergies of neighbors

- USDA inspections, Health code inspections,
- if you want farm animals, go live on a farm
- acerage
- Veterinarians or inspectors should be involved in ascertaining the chickens are disease free. There should be no commercial enterprise associated with the raising of chickens in residential neighborhoods.
- shouldn't be any
- KEEP RESIDENTIAL PROPERTY RESIDENTIAL
- Inspections
- big fences

CHICKEN SURVEY RESPONSE

10. What other input would you like to share as James City County considers this important question?

- I'd encourage the policy makers to visit some backyard flocks, talk with neighbors of chicken-keepers in residential areas. The Peninsula Chicken Keepers (PeCK) group can help with more info. I'd also consider adding a question to this survey indicating the respondent's level of experience with backyard chickens (have they lived near any?), because I know a lot of people have opinions based on myths and fear of the unknown without any direct experience. Also, Questions #5 can be misleading without comments -- e.g., if someone answers "yes" to predators being a major concern, you don't know if it's because they think chickens draw coyotes into a neighborhood, or if, like any chicken owner, predators are always a concern but one that can be handled with knowledge of how to protect the chickens. Thanks for gathering this input! Neighbor's complaints allow correcting or mediating to a "chicken" authority. That sounds official right.
- If a parcel is questionable by regs give a conditional permit for 90 days and see if all is satisfactory.
- Not at this time.
- My children have LOVED this experience! I give major kudos to our Board of Supes for allowing us this opportunity!
- SEE ABOVE I think I have made my feelings more than clear.
- I wish the folks who founded James City County could see that the County now thinks it needs to regulate home poultry keeping. I can just imagine what they would say... I realize that fewer and fewer folks in this country grow up with poultry or other livestock, so somehow chickens have become something strange and worrisome. People are not used to the idea of neighbors keeping chickens and so they imagine all sorts of problems. In the general case, I think the problems are more imaginary than real.
- Residents who decide to keep hens should prepare themselves by taking a class and agree to abide by best practices. A chicken keeping club should be encouraged to support novices. Hens will lay for 3 to 5 years; owners must be prepared to deal humanely with geriatric birds who have ceased laying.
- Look at the real science not fear inducing hype such as VA Beach and Norfolk have.
- No Chickens, Period!
- People may raise concerns about the state depredation law. It is the duty of Animal Control Officers to immediately kill a dog caught *in the act of* killing poultry or livestock. To our knowledge this has never happened in a residential area. 4 Virginia Beach Hens plans to soon try to get the state to update this law. James City County is welcome to join in these efforts. Most residential areas have laws against dogs roaming at large, and an ordinance that requires the poultry to stay behind a sturdy fence or pen will help, too.
- Recall and re-election!
- Pets can be more than dogs and cats.
- Would you like to live next to chickens? Goats? Pigs? Cows? Could you tolerate the noise? The smell? Would you move to a home where livestock is kept next door? The JCC Council should ask itself these questions, as

well as the residents. They live in the community, work here, and do business here, just like everyone else. I realize this topic is trending due to the news out of Florida, but realize that popular events have no place in the land development business. Please think VERY CAREFULLY when considering this ordinance.

- Be fair, many citizens support this measure. Chickens provide a healthy source of food and are good for the environment.
- I think the proper care and humane treatment of chickens should be as important a consideration as the impacts to neighbors. While I think chickens should be allowed, I think responsible ownership should be encouraged to the extent possible.
- This is not an important question. I can't imagine how anybody thinks they can raise a small number of chickens for what Costco charges for roasted ones on a per pound basis. Eggs are less than $1 per dozen at the grocery store. This is a really goofy idea, perhaps founded the romantic farm fantasy of somebody who hasn't actually seen a chicken up close. They aren't pets, and they make no economic sense. Is there a real reason people want to own them, like cock fighting?
- Once you start with chickens, then the chickens will have to have the rooster with his cock-a-doodle-do (which is a sound I love to hear on a farm), and soon to join will be homeowners who will want sheep, or goats, or bees (have you seen a hive that has decided it wants to live elsewhere and attaches itself to a neighbor’s swing set next door...then there goes the neighborhood!!
- Sustainable future....Isn't this part of that?
- Should definitely consider allowing bee hives!
- I consider this questionnaire flawed, as it does not allow for "not permit" as an option for many of the issues.
- Given James City County's long history as an agricultural community; it is ironic that the keeping of chickens, long understood as a normal activity, should now be something we have to consider "allowing." Backyard chickens turn bugs into eggs, and they offer children an excellent chance to learn how to take care of something important.
- Chickens should not be kept in residential zoned property!
- Many regulations currently on the books in JCC are important for our health, safety and well-being. There are, however, many other regulations that are only related to quality of life. In these tight economic times, we cannot afford the government we have much less the government the chicken keepers will require.
- I believe the issues should be largely dependent on lot size. Additionally, even if JCC permits "farm" animals on residential land, POAs should be able to reasonably regulate ownership more strictly if it chooses.
- The Board of Supervisors really has more important work to do than revisit this issue. The appearance is that this matter is politically motivated. If this is in fact the case, then all supervisors supporting such activities should be voted out of office at the first possible opportunity.
- I am glad that this issue is being reconsidered by the Board.
- I want the people drawing up this ordinance to be well-read and educated on this topic! Please, please, please do proper research before committing to a law (not just Googling!). Talk to existing chicken-keepers, in the county and in surrounding areas. Maybe even go to the library and have the librarians help you do research into what

studies and laws are already out there so you don't have to start from scratch. And finally, focus on the good that can come from it, rather than allowing "what-if's" to deter the process.

- Taking care and cleaning after chickens takes time and dedication. Raising chickens are not for everyone and those of us who raise chickens are dedicated to the birds. They not only provide food on the table, but friendship and laughs.
- Will provide under separate cover.
- Don't muddy the waters by bringing up other animals when you are considering CHICKENS. We are talking about raising a few chickens as a hobby and for natural food, not expecting a Tyson operation in our backyards.
- Afraid our property value will decline if chickens or other livestock is allowed in residential communities. Afraid we wouldn't be able to sell our home if chickens are allowed. We certainly wouldn't purchase another home in a James City County community that allows chickens or livestock.
- I have lived in the Racefield Subdivision for over 30 yrs. We are a RESIDENTIAL subdivision but zoned A-1 for some unknown reason. There are at least 6 homes that I know of that have chickens. One of them has several roosters. Some of the chickens run wild through the neighborhood. The rooster’s crow at all hours of the day and night - VERY ANNOYING. Since we are zoned A-1, I was told there's nothing that can be done. I wouldn't wish this on anyone.....so just say NO to chickens. Tell them to buy a farm out in the rural areas.
- the safety issue is really important, mainly predators that could come into the neighborhoods looking for their next meal. bad idea, grocery stores sell eggs.....
- This is not an important question that the County should spend any time considering. It's a ridiculous question. What has happened in James City County it used to be a nice place to live with reasonably sane governance? This survey and consideration of this issue is a waste of our taxes. If you get tripped up on the easy stuff (like looking the 10 special interest folks in the face and saying I'm sorry chickens are not permitted in our residential zones, if they are important to you need to move to an agricultural zone) what the heck can we expect on the more complicated issues?.
- Do not waste time on a survey; you just do your job. Enough chicken shit for one survey!!!
- Please tell residents that want chickens to purchase farmland and raise their chickens. I want to raise my children in a quiet, odor-free neighborhood...not on a farm.
- None.
- Why did you insist on insulting us with this questionnaire? This entire matter should have been turned over to committee of interested and non-interested citizens for resolution.
- Oh my, this appears to be serious! When I 1st saw this questionnaire, I thought it was a joke! How did "Keeping chickens on residential property" get this far???? I mean, what about keeping pigs, or cattle on residential property? How about making sure every front porch has a wash machine or coke machine or each driveway has a 1960 Oldsmobile jacked up on blocks? It almost appears that some county official who could have (and should have) just said no to this "chicken thing" got pushed around and didn't do his job! I mean, come on, chickens on residential property like Mill Pond or Stonehouse Glen? I mean, I can believe a discussion on WHY Warhill H.S. was built with only classrooms, a little tiny gym, and a tiny auditorium and "shared" football field, etc., but a

discussion on chickens (or pigs) in neighborhoods? I would say this cannot be serious, but apparently, it is! Wow! Why not just make my front yard, here in Stonehouse Glen a full working farm with cattle, pigs, and chickens? Maybe a couple of llamas too.

- Just allow this in A-1. Find a way to utilize public lands owned by the county to allow for co-op of chicken keeping. Such as the garden that the City of Newport News has in close proximity of Warwick Blvd in the Lee Hall area. Do this wrong and you could have a potential disaster of residential farming on your hands.
- Although I would like to keep chickens, I am guessing that in Kingsmill this would not be allowed. However, I believe that other county residents would like the opportunity to keep chickens.
- Chicken predators as vectors for rabies and rodent borne diseases: Huge public health issue. We are taking a leap backward if we allow chickens which attract rabies' vectors and rodents into residential areas. How long before the fleas that rodents carry-fleas that have been known to carry serious disease carrying microorganisms-transfer to pets and onto humans? This risk of epidemic serious illness alone far outweighs any benefit residential chickens may convey. Do we really need neighborhood suppliers of avian flu?
- If people want to keep chickens they should move to a more rural area that allows them.
- As you open up what is allowed in JCC as you have shown above on your questionnaire someone will find another animal/fowl to request an exception. Again no problem if the property owners have enough land 5 acres or larger. I think the current zoning is acceptable and does not need any changes. Enforce the zoning ordinance now. It only becomes more problematic if it is not enforced across the board.
- Town hall meetings.
- No other comment.
- One neighbor’s survival or attempt to save money is another resident’s heartache & nightmare.
- I think I have said enough.
- The keeping of chickens will improve the health of the residents and generate a new economic sector in the county. The county SHOULD NOT even consider taxing this.
- I'm thoroughly offended that JCC would waste precious tax dollars with even the slightest consideration of this fowl/foul proposal. RESIDENTIAL MEANS RESIDENTIAL.
- None.
- Paragraph 9 of the Amended and Restated Declaration of Restrictions for Jamestown Hundred states "No livestock, poultry or other animals of any kind shall be raised, bred, or kept on any lot". The para then goes on to except household pets (poultry is not a pet). If the county decides to allow poultry keeping, it is very important to us to not allow the ordinance to wipe away the covenants of our HOA. In short, we expect and require our prohibition to be grandfathered.
- I'm guessing people may be concerned about chickens getting out of yards and wandering around neighborhoods so either fence height and/or clipped wings may be worth discussing.
- None - thanks.
- In the depression, my mom was raised in Mathews, VA. They raised many animals and were fairly self-sufficient. They did not suffer like my dad's family in suburbs on Ohio. This would allow people to be able to eat substantial

protein during lean times, connect with nature, and have nutritious gardens, fed by the chicken manure. Should be on a case by case basis, our property would be perfect.

- Living in an older subdivision without a homeowners association is a blessing and far more affordable option. Home owners that live here do their best to maintain their homes, or neighbors help others who need it. As for the few rentals, homeowners are quick and persistent to notify absent landlords if problems with tenants are occurring. In neighborhoods with associations it may be ultimately up the board to make decisions are to what is appropriate for their neighborhood. If folks don't like their decisions, they are free to move.
- I really appreciate the board taking time to consider allowing chickens in JCC. Many of the other counties have already updated their rules and regs to allow for backyard chickens. I'm very excited at the possibility of having them too. Thank you!!
- Diseases of chickens should be considered and watched closely.
- I don't have a lot of knowledge about raising chickens, but it is an opportunity that we should not let pass by if the county allows it again.
- Please help to bring light to backyard hens. Help residents in VA have backyard hens, and please help Virginia Beach pass this law as well.
- Chickens can fly. Fences restrict, coops or runs are required to contain. Predators will eat your chickens. I will eat my chickens.
- Chickens belong on a farm; we have enough problems with neighbors, cats, and dogs defecating on our lawn and killing the birds that we feed!
- Don’t just think of the money, think of the other residents who live there.
- Regarding the keeping of honeybees... Allowing beekeeping would seem like a good idea as well. Keeping bees within cities is becoming very popular in North America. There is a high need for beekeeping as the world wide problem of the disappearing of bees is going on. Pollination is a must for most vegetables and fruits! Also, the price of local honey in Virginia is very expensive - among the highest in the country. Perhaps increasing the amount of honey available would bring down the price.
- Those wanting to have chickens and who live in residential areas are the minority. Is this an issue that should be voted on by the citizens?
- Please have these people move away from residential neighborhoods if they want to keep chickens. This is ridiculous.
- James City County is taking on a great responsibility to ensure the raising of chickens is monitored. Right now, James City County has not kept up with the monitoring of the cleanliness and removal of vacant home and trash clutter homes in neighborhoods. How are you going to ensure chickens are kept humanely? Sending out of notice does not always work for enforcing Codes in neighborhoods. This could be costly.
- Any back yard suited for 2 dogs can be just as well suited for 2 miniature goats if the homeowner wants to enjoy them. Goats are just a clean and also quieter than dogs. I knew someone once who kept 2 hives of bees on his apartment balcony without bothering anyone. Ducks will eat the bugs from your vegetable garden without eating

the plants or poisoning your food. Some people keep animals well, some don't. Let's allow people the liberty to make their own choices as much as possible.

- Neighborhoods are for the raising of families, not livestock.
- I do not believe there are any neighborhoods with covenants in James City County that have the funding needed to take an individual through the courts to protect the neighborhood from chickens by enforcing their covenants. Changing the current ordinance and allowing chickens in residential areas and believing the residents will be protected by their covenants are just wrong.
- I am concerned about waste - all of these animals will produce waste - where will it go?
- Problem with bee keeping our pigs they are outdoors and pose a threat. Anything allowed in residential needs to be kept in a barn or coup so no threat and no smell.
- Promoting such practices as chicken-keeping is good for our communities, encouraging clean eating, back-to-basics responsibility, and can help families financially by cutting the grocery bill.
- Have wanted to raise layer hens for a long time now, and am excited about the potential for myself and many others who I know would like to raise a few birds that are currently prohibited from doing so. The website: http://www.backyardchickens.com/ has great information on the value/benefit of raising poultry in urban/non-rural environments, and information supporting it, and debunking myths against poultry ownership..
- I really hope that there are more important questions for James City County to consider - roads, schools, water, land use....
- None.
- My comment to Question 9 is VERY important! IF JCC merely states that they are lifting the prior prohibition on keeping chickens in residential areas, and remains silent about the existence of any protective covenants, certain residents who favor chicken-keeping will almost certainly want to interpret the JCC "permission" as over-riding such protective covenants, and could even attempt to pursue litigation to make their point. This would cause the homeowners association to incur legal expenses to fight the lawsuit on behalf of MOST of their residents. JCC SHOULD NOT PUT ANY HOA/POA in that position, and thus SHOULD follow the comment in response to Question 9.
- Contiguous neighbors should have to be in agreement.
- THIS WHOLE THING HAS GOTTEN REALLY OUT OF CONTROL AND BECOME A SITUATION OF EMBARRASSMENT FOR THE HOMEOWNERS AND RENTERS OF THE RESIDENTIAL AREAS OF THE COUNTY.
- If zoning is changed to permit chickens in residential zoned property, the county should refrain from creating a bureaucratic mess with registration, fees/taxes, monitoring, etc. We should be free to raise our own food without government interference.
- Paramount importance to allow HOA'a and CA's to restrict such activity within their environs.
- I think I have made my point if you read all my comments.
- Please look at other more urban areas in Northern VA and review the pros and the cons and let the citizenry here review the implementation plans.

- Basic protections for neighbors should be a minimum in any consideration.
- Cease pursuing this radical idea.
- This is a bad idea! This is not fair to people who already live here!!!! We would NEVER have moved here if we would have known this was a possibility! We lived in an area where we owned an acre and the neighbors owned 17 acres and kept chickens. We were forced to deal with issues of someone else owning chickens. PLEASE do not allow this, please!!!
- Please don't do this. But if you do then it is important that any James City County ordinance allowing keeping of chickens or other agricultural animals in residential neighborhoods support limitations imposed by HOA covenants and rules as such represent decisions by those most immediately involved.
- If the Board of Supervisors has approved the keeping of wolf hybrids with certain minimum requirements, why are chickens even an issue? I have NEVER heard anyone in James City County complain of their pets or children being attacked by a chicken! No one would be terrified if their neighbor's chickens got loose & wandered into their yard. They would be more irritated if their neighbor's cat came in their yard & dug up their flowerbed & attacked songbirds at their birdfeeder.
- Farm animals should be kept on a farm. If any residential district is allowed chickens, then those that keep them must pay sufficient fees to cover enforcement and annual inspections to ensure a problem does not exist. My preference would be no chickens in residential areas, but if allowed then restrict them to R8. If chickens are important to folks then they should consider existing restrictions before making a property purchase.
- Please research other model communities.
- Let me start by saying that I have no interest in the chicken issue except for the references to HOA covenants. As a past Chair of the Governor's Land Covenants Committee and also Architecture Review Board I am puzzled as to why community covenants are a matter of discussion. Something being permitted by the county does not mean it would be permitted if it violates a community covenants restrictions. The converse also applies in that something permitted by community covenants in violation of a county ordinance would not be lawful. All of this assumes that the community covenants are a referenced in declarations or another legal document referenced in the residents' deeds. Absent this there is no ability of the community to enforce their covenants anyway. My feeling is that you all need to just drop the HOA Covenants issue because it appears to be simply an excuse for not permitting something. Regards, John Streeter, 1609 River Ridge, Williamsburg, VA 23185.
- Chickens are mess free, very easy to keep and care for. Supply an excellent safe, healthy food choice.
- If you apply fee for allowing chickens in an ordinance then you should also have an ordinance to tag cats like dogs. Will chickens then be considered domestic property like cats and dogs?
- Contact all farming resources for meetings and input.
- If chickens were to be allowed on residential property, then (1) the county zoning ordinance should clearly state that the ordinance does not negate or override any existing restrictive covenants that may exist in a community such as a homeowners association, and (2) the amended ordinance would not preclude any community such as a homeowners association from subsequently adopting such restrictions if the community elected to do so.
- None.

- Clearer definition of residential property, location, size etc.
- I'm baffled by the idea that there would be sufficient groundswell in James City County to, in fact, make this "an important question". Hopefully, the Supervisors will move on to consideration of more significant issues which are of concern to the majority of the citizenry and not waste more time on this.
- A great deal of James City County is too highly developed as residential areas to allow for something like keeping chickens. Keeping chickens should only be allowed in rural areas of the county.
- If you allow chickens, were will it stop??? You know people will want everything else! Take a look at Florida! They are overrun with exotic animals gone wild. We already have problems with people have wolves as dogs and look what is happening with that!
- I believe allowing private keeping of chickens will make James City County a more desirable place to live for many people. I would love to organize extra egg collections for donation to FISH or Ben's Gift. It is often difficult for low income families and individuals to obtain fresh food.
- This survey is purely an example of the vocal minority wearing down the silent majority. The ownership of chickens in residential zoned areas has already been addressed. The restrictions against chickens are in the C & R s of most residential communities which most responsible owners read before purchase of their homes, and guaranteeing them the future value of their homes. In my previous home, on 5 acres, zoned agriculture, I owned chickens and ducks. My current neighbor (not part of Drummond's Field), but zoned ?3 acres, owns chickens and rooster. They have the right per their zoning. They attempt to be responsible owners with perimeter fencing and pen fencing. Never the less, chickens can fly over, and they do, when out of pen area. I have raced to their rescue from attack from my little terrier dog, and have had to rake areas where they have scratched up my garden. No major problem with these neighbors. Not so, another set of neighbors in Drummond's Field who owned chickens in violation of our covenants. They were constantly loose and roaming the streets, one being GreenSprings Road. The bottom line is zoning. As I did in the past, if you wish to own assorted barnyard animals, then you move to a zoned area where it is permitted. J.C.C. needs to hold strong, and encourage responsible ownership, and people to read their covenants before purchase of home.
- Talk with other jurisdictions in Virginia that have considered, approved or rejected a chicken ordinance. Use lessons learned/best practices of others in making your decision.
- This would be a disaster waiting to happen the first hurricane or ice storm that came along or family vacation. Think about all the puppies that end up at the shelters after Christmas vacation when school reopens and the novelty wears off or puppies start to grow. People are not capable of this responsibility. Besides, this is not Old McDonald's Farm. Being able to keep farm animals is not why people want to live here. We can go to CW to see animals.
- Please consider the neighborhood covenants and by laws against chickens and live stock.
- I expect that there would be a decrease in property values and therefore a decrease in revenue to the County.

- Insects should be limited to bees only. NO to pigs, goats, etc. too big, too messy, too smelly. If people want those animals, they should move to a farm.
- No, Chickens!
- No chickens!!
- Be fare, be quick, and use common sense. Then, make a decision. This isn't rocket science. This is something that the public has wanted for a long time but the city counsel has seen fit to delay, again and again, and not to listen to us, the people that elected them. Quit pretending JCC must keep up a reputation and do what the public has hired you to do. Listen to us! We want this freedom in our own back yard, for our families and health. It's not hard, make a fair decision. I would be happy to discuss or speak on this issue.
- If ordinance amended it should state that it does not override restrictions in home owner covenants already established.
- Chickens are MUCH quieter than dogs and eat insects. Neighbors share the eggs, generating goodwill and fostering community ties. Chicken-keeping fosters self-reliance. I have multiple neighbors keeping chickens and they are NO problem at all.
- Vote no. Even Obama has more sense than to vote for this.
- We have had this happen in our neighborhood. There was noise, smell, loose chickens in the road and neighbors' yards, roosters crowing, people's leashed dogs becoming excited and unruly on what should be undisturbed walks, neighbor resentment, disdain for covenants. Since there is no effective policing of chicken raising once it occurs, serious consideration should be given to preventing its allowance where it is not currently allowed. If homeowners moved into a restricted area, protecting their investment should be the paramount interest in this issue. Owners who after the fact decide to raise fowl have plenty of options to move to where they can do so without changing the nature, character, and/or value of a neighborhood.
- If chickens are allowed in residential areas, neighborhoods with homeowner associations should be allowed to ban them if the homeowners approve.
- Allowing chickens should override HOA covenants.
- Property values will be negatively impacted by this decision. People in HOA communities have chosen to live in these communities to avoid this type of issue with neighboring lots. Please do not overrule the rulings of HOA's which is done through a democratic process at this time. Recent poll in Fords Colony showed 85% have chosen not to allow chickens.
- Why are you even going there? Don't we have bigger issues? Why should we all suffer the side effects because of just a few who want a chicken? If this is passed then others will get on the band wagon so their kid can have a chicken for a pet.
- Communities within James City County that have restrictive convents that regulate what pets/animals that may be keep should not be made to be in conflict with a to general ordinance. This could lead to unnecessary law suits.

- If chicken keeping were approved, what are the costs for developing code and code compliance?
- Property values in James City County residential districts would be adversely affected. Predator animals and rodents will increase in residential districts. Chicken keepers could post unattractive signs to sell eggs on their property.
- I feel as though there is far more benefit to allowing chickens that not. -There is a great interest in our community - an obvious benefit is that of food, of fresh eggs - chickens for the oven -left over kitchen scraps can simply be gobbled up by your chickens to make new, fresh food! Life couldnâ€™t get much greener than that. - Chickens love insects, snails, dandelions and other weeds that to the average gardener become the bane of their lives - the droppings make excellent manure with the straw composting down into the perfect mulch for your garden borders. -chickens also come with fantastic personalities. Friendly, playful and docile. -They are cheap to care for, hardy and resilient and very easy to look after. -Home-Kept Eggs Are Healthier.
- I'd support bee-keeping only: 1. If it were tightly regulated and monitored, 2. If neighbors had to be informed, and 3. If an existing neighbor were allergic, and had a doctor's note, that the bee-keeping application would be denied.
- Number of dogs, cats and other animals allowed to be kept at a residence.
- JCC needs to respect the right of its citizens to care for their families.
- Please do not allow this as a blanket for JCC. If very rural areas want this (1-2 acres with setback rules), perhaps this might be appropriate. Not in areas with subdivisions. The houses are too close together for this not to infringe on neighbors' rights to enjoy their homes and properties. This is true not only within subdivisions but also backing up to other non-HOA properties.
- This will also lower property values and should not be forced upon current owners.
- I canot believe this is an issue.
- HOAs should be allowed to restrict or refuse chickens in their developments even if allowed by JCC
- Increasing the burden of enforcing regulations concerning the keeping of farm animals in residential areas seems totally unnecessary. Farm animals need lots of space for appropriate care and to control bacteria and disease. Those who desire to raise chickens and other farm animals should seek other means to do so rather than bring farm animals to residential areas. How can cleaning up after chickens be enforced when some people are negligent to clean up after their dogs?
- Let's keep our town clean and air quality clear as possible
- Live and let live as long as no harm is done to the chickens or animals...
- Residential mean an area for people to live, not farming animals. If people want to raise farm animals, they should live in farm zone.
- Already existing prohibitions contained in the regulations & covenants of various HOA's should take precedence over & be excepted from any amended ordinance. I would like to know what special interest prompted such a

time-consuming and, frankly, silly proposal. In addition, my perception is that JCC did a poor job of outreach to the community in considering such an amendment.

- I can't believe you are even considering this.
- Allowing chickens in all residential areas would be a public nuisance decreasing property values and thus lowering the tax base.
- Our membership approved covenants disallowing such activity.
- Most people I know moved here from other urban centers to retire. Don't chase us away.
- Livestock should be limited to farms. Typical pets such as domesticated dogs and cats are okay. Caged small birds kept indoors are okay. Non domestic animals should be kept in controlled, purpose designed facilities, not residential homes.
- Residential, high density (less than 5 acres) communities and sub divisions are no place for any livestock.
- Please see above comments. CHICKENS and any other farm animals should only be kept on property zoned for farm activities.
- I can think of no justification for turning a serene residential neighborhood of up to 1 acre sized lots into a neighborhood of barnyards. Allowing a limited number of chickens on such lots, when a single lot may border as many as three or four additional lots, would create the potential for a very large number of chickens being housed in a relatively confined area. This would diminish real estate values and ultimately tax revenues in the County.
- Chickens naked great family pets and we should look back to the days when having a few hens was common place and taught children respect for living creatures and how to be responsible for their care.
- I would want measures included that state if a community has an ordanance against chickens that would not change, because of any JCC change in their laws.
- Important to prevent this from turning into commercial activity on residential property.
- Hardly an important consideration should focus on other items that have much more impact to our community
- Why would the county even consider this option? Livestock belongs on farms, not in our homes. This is not China!
- Butchering! Manure, feed attracting rodents.
- Neighborhoods are not Farms!
- I'd really like to know whose bright idea this was. It's utterly irresponsible for the county even to consider allowing the raising of chickens in areas zoned residential.
- People who want this are free to purchase outside residential areas whereas if you approve it current residential neigborhoods are stuck with a rule change enacted after their move.
- Don't do it!
- This is a bad idea, unnecessary, and likely to lead to many problems.

- My views are should such an ordnance, if issued, support HOA prohibitions like the one in our covenants recently approved by 85% of the owners in Ford's Colony. I did not move to this beautiful location to be next door to farm animals and other less desirable ideas you may think of in the future.
- We vote in EVERY ELECTION!
- If your in a voted in office we need to vote you out. Big problems if this is approved.
- If the county ordinance is amended to permit chicken keeping,the ordinance should NOT in any way over ride HOA restrictions that exist that prohibit such animals and livestock.
- None
- livestock, chickens, goats, etc. are to be keep away from the general population on farms. You are asking for a health disaster if you start allowing any of this. Some of the diseases that were only seen in animals have now mutated and can be passed to humans. i.e. avian flu, swine flu, etc. So risk the health and welfare of the residential population. If people want livestock, chickens, etc. they need to move to a farm area.
- Residents of individual neighborhoods, through their HOAs and bylaws, should be allowed to further restrict or eliminate chicken keeping within their boundaries.
- This is stupid to even be considering this. Most people wanting to keep chickens or other small farm animals are doing so for subsistence reasons. Given the degree of governmental assistance to the poor, it is totally unnecessary to even consider this. However, if the County were to allow keeping farm animals, such ordinance should provide that HOA covenants that restrict farm animals override the County allowance.
- These are farm animals and should be raised on farms.
- Chickens are delightful to have and require less effort than large dogs. They are quieter than my next door neighbor's dachshund, who is also very cute.
- I believe individual gated developments should be allowed to accept or reject such an ordinance based on the desires of the individuals living in their community should James City County decide to allow this ordinance.
- It should only be allowed in certain areas.
- THis is what our government leaders have time to debate? Really???? DId one person decide they wanted to raise chickens so now we all have to go back to the drawing board to accommodate their wishes? WHY???? If they want to raise chickens, they should live on a farm.
- More people would be interested in living in such a forward thinking area
- There is plenty of rural land in this area if people want to have farms and raise chickens and farm animals
- I CAN'T BELIEVE YOU ARE SERIOUSLY CONSIDERING THIS.
- VOTE NO
- Gated communities have their own covenants and these should take precedence.
- I am concerned the tenor of this questionnaire seems to have a bias to allowing chickens. This is a mistake.
- I do not believe chickens or other livestock should be permitted in residential areas.
- Just say NO,

- If I wanted these animals around, I would have moved to a nearby farm
- I will vote against and support financially the opponent of any supervisor that supports this ordinance.
- Any new ordinance should not overrule homeowners association covenants. Anyone who wants to keep farm animals should live on a farm.
- Find out how many folks really want this. Then help them move to the country
- If the county passes this ordinance, please at least give community organizations the right reject it by covenant.
- That property values will fall in areas where this is permitted....and people, who are retired, will move away which will hurt revenues for the county.
- If you pass this ordinance it should specifically state that HOA covenants and bylaws that probibit chickens trump this ordinance.
- The County should not pass any legislation that would usurp the right of citizens to restrict land use in private developments. The law should not override land use limitations established as part of the covenants of homeowner associations. How many residents would sell and move away if this is allowed?
- What positive impact could this possibly have on any residential neighborhood? If none, why even consider it?
- No other comments.
- DON'T Allow the keeping of chickens or any other farm animal on a residential property.
- Not certain it is possible for politicians/supervisors to employ "common sense," but would like to see it used.
- Maybe it is not an important question as it applies to residential areas
- This is not an important issue with all the other issues that you face. Give it up.
- Chickens should NOT be allowed.
- No chickens or other fowls or animals should be permitted in residential areas in JCC,
- This should never have been considered. Why are our officials even considering this? Obviously they do not think that they have important problems to consider. I do not plan to vote for any of those who voted for situation.
- If an ordinance is approved in any way, shape or form for the keeping of chickens or other livestock/insects in James City County, it should be worded in such a way that the ordinance only applies if there is not a more restrictive homeowners policy in place that restricts such activities.
- Many neighborhoods have HOAs and those HOAs may have prohibitions on farm animals including chickens. Should an ordinance be passed allowing chickens, it must clearly indicate that any HOA policy prohibiting chickens takes priority.
- HOA's should decide their restrictions.
- Home owner association covenants should take precedence over any county statute concerning livestock.
- I live in an HOA managed community which has its own covenants regarding animals such as chickens, goats and pigs. Any ordinance should be respectful of these covenants and not infringe on their restrictions.
- If neighborhoods could be excluded once passed, I would have a different opinion.

- You are asking people on this survey to answer questions of which they most likely have no knowledge or understanding. I live in a neighborhood (Fords Colony) I love animals, so also have a rural property where I keep horses. We have to respect common decency and acceptability. There are areas of the county and surrounding counties that can accommodate both rural and neighborhood activities. Everyone needs to be respectful of each other and not move somewhere to try and change it.
- PLEASE EXPLAIN TO ME WHY THIS IS AN IMPORTANT QUESTION? WHAT IS THE DOWNSIDE TO JAMES CITY IF THIS IS NOT APPROVED? WILL SOME CITIZENS LOCATE IN YORK COUNTY? IS THAT BETTER THAN HAVING PEOPLE LIKE ME RELOCATE OUTSIDE THE AREA TO GET AWAY FROM THIS AND PRESERVE MY EQUITY IN MY HOME? NOT ONLY WILL THIS ERODE HOME VALUES, IT WILL SET UP MANY NEIGHBOR TO NEIGHBOR CONFRONTATIONS THAT THE POLICE WILL HAVE TO ADDRESS. LIKELY NOT IN FORDS COLONY, BUT IN THE NEIGHBORHOODS WHERE THE CITIZENS MAY BE MORE INCLINED TO TAKE ISSUES OVER ODOR AND PROPERTY VALUES PERSONALLY AND ACTIVELY HARM NEIGHBORS. NOT GOOD. WAKE UP.
- I think the people wanting to keep chickens in a residential community should have to get the permission of people on either side of them. There will be more noise and smell, and of course you will have people who never kept chickens before who think there would be no work involved and let their chickens run all over.
- HOA rules should take precedence over anything JCC decides about the keeping of chickens. If the homeowners in a community vote that they do not want chickens, they should not have to allow them. The impact on property values would be devastating. Who wants to live next to chickens? Is no one considering that? Why should all residents be hurt because a tiny minority of people want to bring farm animals into residential neighborhoods?
- Thanks for asking and keep up the great work!
- Learn how to develop a survey. This one is awful.
- Do not supersede Home Owners Association Covenants. People moved to these living areas due to the restrictions placed on them by the Covenants.
- This is ridiculous.
- if you want farm animals, go live on a farm
- I believe that people who bought and own property in an area currently zoned residential have the right to maintain the integrity of that zoning and agricultural animals should not be allowed including chickens. If one wants to raise chickens then they should purchase or rent property in a neighborhood currently zoned for that purpose.
- I think it's a terrible idea, for all of the above noted reasons.
- Raising chickens for eggs is great. I have a number of friends who do it correctly and respectfully to their neighbors. Raising other animals not for the production and consumption of food (just to keep them around) is not good for residential areas. Nor is slaughtering animals for food. Thats why we have farms. But chickens and

their egs are different. Eating unfertilized eggs and ensuring a good life for your chickens is a different playing field.

- I can't think anything more divisive JCC could do to provoke neighbor-to-neighbor animosity than to permit livestock in residential areas. And when the next election rolls around, the challengers will be only too happy to 'chicken-out' on the incumbents.
- nothing wrong with a chicken or anything else
- First I don't think it is an important question. It is ridiculous. Secondly why ask me all the other questions oonce I said I am against chickens being raised in residential areas.
- It's just good for the people. Like hunting for self-preservation.
- This is an issue that is so remote from any consideration for changing the zoning laws that I question why it is getting this kind of attention. It is a non-issue and the zoning laws should remain as they are.
- Homeowners associations should be able to decide that chickens are not allowed in their neighborhoods.
- We had chickens in the neighborhood which was against the covenants. They ended up getting out and wandered all over the neighborhood before we could legally stop them.
- Many of our communities have Home Owner Associations (HOAs). In ALL cases, county laws and regulations should be secondary to the rules and regulations of those HOAs. HOA regulations are the reasons many people live in those neighborhoods, and the County should not be able to void those prohibitions on livestock.
- They need to be kept on rural farms.

Mr. Whyte:

I see your name on the last page of the survey on the county web site regarding this matter. That page invites further comment be addressed to you. I am therefore attaching a communication on behalf of the Drummond's Field Homeowners Association Board which addresses our concerns about possible changes to the existing zoning governing chicken culture in neighborhoods.

We have sent this attachment to our representative Supervisor Mary Jones, at least once, possibly twice, when the topic has come up previously, and I am copying Ms. Jones again here as evidence of our ongoing concern about and continuing opposition to any change in the rules governing having chickens in residential neighborhoods. As you will see, we speak from experience.

The work-day timing of the public comment session may prevent our having representation there, but that does not mean we do not feel strongly about this and wish our opposition to be noted and considered.

Please proceed with serious and deliberate concern for others in the James City County neighborhoods who would be affected by any change after good faith purchases and long-term residence in the neighborhoods as currently zoned.

More importantly, please be governed by and inform the Board of Supervisors concerning what is the greater good for James City County's residential neighborhoods.

Thank you.

Michael H. Bruno, Beautification Chair
Drummond's Field on the James Homeowners Association Board
Home: 229-3414
Copies to the DFHOA Board

October 9, 2012
Ms. Mary K. Jones, Berkeley District Supervisor, James City County Board of Supervisors

Dear Ms. Jones:

We have noted in *The Virginia Gazette* that there are appeals to the Board of Supervisors to make changes in county regulations concerning having and raising chickens in residential neighborhoods. As the board of a homeowners association that has dealt with this issue in our neighborhood, and having discussed providing input as a board, we strongly encourage you *not* to allow this to happen. We had a protracted and not very pleasant dialog with a homeowner who unilaterally began raising chickens and other non-domestic animals on the homeowners' property. We want to bring the following experiences and observations to your attention:

1. The chickens were an annoyance to other homeowners, some at distant locations in the neighborhood, who complained to us and urged us to take action. The chickens escaped from whatever pen they were in and were a nuisance and safety hazard in the street and in other homeowners' yards and driveways.
2. The chickens wandered onto adjacent County Road 614 and startled and distracted drivers there, who did not have much room between the road and ditches into which to swerve to avoid them.
3. The roost included at least one rooster whose morning crowing started before daybreak and continued, and which could be heard through closed doors and windows throughout Drummond's Field and adjacent residential properties at least half a mile away, causing additional complaints by homeowners to us seeking remedy of this situation.
4. The homeowner was not raising the chickens only for personal use but, we believe, for sale of both hens and eggs, a commercial enterprise not consistent with our residential zoning. Monitoring development into commercial activity is beyond our ability to manage, and would be an additional burden to the county, to us, and to other neighborhoods.
5. Not only were fowl introduced, but rabbits, possibly for sale, were also introduced on the property, another step in turning this situation from a residential to a farming/commercial enterprise.
6. Homeowners expressed concern that the "curb appeal" of the neighborhood was threatened with chickens and other animals present, and the additional crowing, and potential sale of properties at value would be compromised.
7. When we approached the homeowners with the concerns raised to us, we were met with defensive arguments along the lines we see mentioned in the *Gazette* articles and "Last Word" entries rather than a spirit of co-operation and consideration for neighbors being inconvenienced and annoyed.
8. What finally solved the situation in our case was our covenants that state only domestic animals may be kept in the neighborhood. When the homeowners argued that chickens are "domestic" animals in the sense of not being wild, we had to define [*interpret?]* domestic as including house pets kept indoors, maintaining that interpretation as the intent of the covenants for a community establishing itself as residential, separate and distinct from the adjacent farm lands.
9. Introduction of chickens in a residential neighborhood, in our experience, is something that might satisfy the desires of an individual homeowner, but disrupts the good order, quiet, and common appearance one expects in a neighborhood with a unified, consistently residential, personality. Barnyard animals and commercial operations do not have a place in a residential community.
10. The situation deteriorated and the issue left a scar on relationships in the community that should have been and could have been avoided.

We would be happy to meet with you concerning our strong feelings about this.

Thank you for your consideration,

The Drummond's Field Homeowners Association Board: Mr. Mark Sanders, President; Mr. James Smith, Vice-President, Ms. Kathy Kersey, Treasurer, Mr. John Hunt, A&E Committee Chair, Ms. Sheila Ricca, Social Chair, Mr. Michael Bruno, Beautification Chair. ***Contact for the DFHOA Board: Mr. Michael Bruno, 3522 Mott Lane, Williamsburg VA 23185, 229-3414.***

Questions	No. Respondent	Yes	No	Don't Know	No Opinion / Not Sure	Agree	Disagree	Strongly Agree	Strongly Disagree	Somewhat Important	Not at all Important	Very Important	Percentage Yes	Percentage No	Percentage Don't Know	Percentage No Opinion	Percentage Agree	Percentage Disagree	Percentage Strongly Agree	Percentage Strongly Disagree	Percentage Somewhat Important	Percentage Not at all Important	Percentage Very Important
1a.	604	241	363										40%	60%									
2	603	38	565										6%	94%									
3	605				7	69	48	200	281							1%	11%	8%	33%	46%			
3b	595				33	73	48	132	309							6%	12%	8%	22%	52%			
3c	573				22	143	16	349	43							4%	25%	3%	61%	8%			
Coops & Pens	577				49	107	38	352	31							8%	19%	7%	61%	5%			
Coops/Pens away from Property Lines	574				45	130	40	330	29							8%	23%	7%	57%	5%			
Min. lot size property	567				50	98	80	294	45							9%	17%	14%	52%	8%			
Max. No. of Chix	567				44	137	24	336	26							8%	24%	4%	59%	5%			
Roosters permitted	590				60	98	95	30	307							10%	17%	16%	5%	52%			
4b.	571	246	325										43%	57%									
Predators	590									153	104	333									26%	18%	56%
Rodents	590									115	86	389									19%	15%	66%
Odor	587									110	76	401									19%	13%	68%
Noise	589									112	85	392									19%	14%	67%
7a	591	133	360		98								23%	61%		17%							
7b	592	113	399		80								19%	67%		14%							
7c	589	255	250		84								43%	42%		14%							
8	592	317	108	167									54%	18%	28%								
8	577	547	30										95%	5%									

Total Number of Respondents: 607

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From: Carol Bartram [mailto:peninsulachickenkeepers@gmail.com]
Sent: Tuesday, April 15, 2014 9:02 AM
To: Planning
Cc: JCC Board
Subject: Chicken-keeping

Dear Members of the Planning Commission,

I just read that the Policy Committee voted yesterday to move the chicken-keeping discussion forward to the full Planning Commission, and wanted to thank you for continuing to consider this issue. I hope that as this moves forward, you will look at allowing all the single-family residences to have chickens, with restrictions based on lot size, as other localities have done.

I also ask that you take the time to learn more about *backyard* chicken-keeping and how it's different from traditional farming, and ask that you visit some local small flocks. I think first-hand experience (with a small backyard flock, not your grandmother's farm) will allay many of the fears that I heard discussed at previous meetings I attended. Hens truly have less environmental and noise impact than other commonly-kept pets such as dogs and cats, but I realize it's hard to convince people of that on paper; that's why I urge you to take a look for yourselves. I am very willing to provide any information and to help arrange coop visits.

Sincerely,
Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com

From: Richard Krapf
Sent: Wednesday, April 23, 2014 3:35 PM
To: Carol Bartram; Ryan Fitzgerald
Cc: Planning; PlanComm
Subject: RE: Predator question

Carol & Michelle - Thank you both for taking the additional time to research and follow-up on this. Rich

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From: Carol Bartram [peninsulachickenkeepers@gmail.com]
Sent: Wednesday, April 23, 2014 12:33 PM
To: Ryan Fitzgerald; Richard Krapf; Chris Basic
Cc: Planning
Subject: Predator question

Dear Planning Commissioners,

Michelle makes excellent points about something that is always brought up as a concern when talk of legalizing chickens comes about! And as I said when we met yesterday, I asked Nathan Fowler (wildlife specialist from APHIS/USDA who spoke about predators at our last PeCK meeting) the same question-- does having chickens bring predators into cities/neighborhoods? He basically had the same line of thinking as Michelle...they are present anyway (did anyone see the PBS show on raccoons, tracking them in cities? They're ubiquitous!), but if you are making your chickens easy prey, basically feeding the predators chicken dinner, then they might be attracted to set up a den closer, and visit your yard for their daily meal. But in a few days of this, you would be out of a small flock of chickens anyway, so the wildlife would be out of luck and looking or other food elsewhere.

I've frequently seen foxes in my neighborhood (pre-chickens), but the easier prey for them is the rabbits, so I have yet to see one in my yard. All my neighbors tell me every time they see a fox or snake or coyote, and my adrenaline rushes for a minute, but then I breathe and remember they've always been here. One article I read in Backyard Poultry Magazine said that it's better not to trap a chicken predator that is not causing your chickens problems, because they have learned they can't get to your birds-- if you remove one raccoon, then another will just move into it's territory, and that one might be more persistent.

Like Michelle, I'm also happy to have these animals around -- it means we have a healthy ecosystem -- and feel like we need to learn to live with them. The black snake that lived in our garage pre-chicken did a great job on the mice! I hope he's still around, but he has not been problematic.

Thanks,
Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com

On Apr 23, 2014, at 11:58 AM, Ryan Fitzgerald wrote:

Hello all,

Thanks for coming out yesterday to visit Coop de Fitzgerald!

After everyone left yesterday, my husband and I had a chance to chat about how it went. I mentioned to him that if there was one question that was still being pondered, it would have been the one regarding chickens attracting "predators". As my husband and I tried to understand the concern, we came up with a few thoughts.

Researching the issue this morning has been quite unproductive. There aren't any real studies that I can find, other than blogs or general websites talking about the issue. There are no research backed sites offering information that I could find in the short time I spent searching, but I'm sure I could track down a wildlife expert to discuss the idea, if needed. But here are our thoughts, even though I can't locate anything "official" to back them up… yet!

First, "predators" is a scary word! Humans don't react positively to that term, and the reality is that these "predators" we spoke about: snakes, foxes, opossum, raccoons and hawks… are not predators of humans. So, I will call these animals wildlife. Additionally, I stand by my comment, especially in a county like JCC where neighborhoods are almost always surrounded by some sort of undeveloped land, that the wildlife listed above are already in existence. How close are they? I think they are lot closer than a lot of us would be personally comfortable with. I think what is more accurate to say is that the wildlife is there, has always been there, and they are just often unseen. A family without a garden may not see rabbits, but rabbits are in their neighborhood. A family without a small dog or cat may not see a fox or coyote lingering, but again, I don't think this means that the fox or coyote isn't there. In fact, many residents struggle with black snakes, opossum and raccoons, and they might not have any animals at all! Those creatures are attracted to compost and trash, and EVERYBODY has trash. Ultimately, I think that a community fearing wildlife, and ultimately thinking of them as "predators", may just be a case of unfamiliarity with how our ecosystem works as a whole, especially in a suburban setting.

So my husband and I drew diagrams and talked for quite some time. We would urge you to think of any single family neighborhood in the county as a natural environment for all of the wildlife listed above. If a fox is seen by a neighborhood, because the fox happened to check out a new resident chicken, this would be no different than if the fox came to check out the new resident chihuahua or kitten it saw roaming through the fence. It's funny, because there are those that say if you see a fox in your lifetime, then you are lucky. I think this statement exists because we just don't typically see much wildlife in our suburban settings. But let's be confident that the wildlife/predators that are dangerous to chickens, are not dangerous to humans. If the so called predator does any damage, it would be to the chicken, not the human. So there isn't anything to be fearful or worried about.

Finally, when we moved into our home 6 years ago, we had no chickens. Our neighbor didn't have any chickens. But one night, the second week we were here, we heard the most dreadful sound coming from the land behind us! A few weeks later, after searching the internet a bit, we discovered that the noise was a fox marking its territory. Google it… it's a sound that'll make

you cringe. A few months after that, we met another neighbor that lives behind us, and he spoke at length about how these red foxes have been around for quite some time, and that on occasion, he has seen them walking down the street! Again, this was all before chickens moved into the neighborhood! Our neighborhood is not different than any other neighborhood in the county. We don't have any more or less green space, on average, than other neighborhoods. So I would propose once again, that the wildlife is there. It's just a matter of if we've actually seen them!

I hope this makes some sense. I for one do count myself lucky to have seen, first hand and up close: many black snakes, a handful of foxes, an opossum, a raccoon and more hawks than I'd like to admit! It hasn't been a problem at all, but this southwest girl is always, always humbled by how much grows and lives in Virginia!

Thanks for listening,
Michelle

Paul Holt

Subject: FW: Chicken Keeping

-----Original Message-----
From: Bob Richardson [mailto:bob@jccegov.org]
Sent: Wednesday, December 11, 2013 9:49 AM
To: JCC Board
Subject: Chicken Keeping

Greetings,

As a chicken keeper both currently and formally in JCC I offer the following for your consideration. Please share with the policy committee that will formulate JCC regulations.

I fully support relaxing the chicken keeping regulations to allow keeping of small flocks (say < 16) hens in residential areas where not otherwise prohibited by HOA regulations.

That said, those developing the JCC regulations should consider the following:

1) Will Bantam Chickens be included (they stray more)
2) Will other fowl be allowed such as ducks, turkeys, guinea hens, peacocks, and quail. If not, why not?
3) What if you keep your non-chicken fowl in your garage, barn or other structure? Would that allow such breeds?
4) Will humane treatment be incorporated into the regulations?
5) What about disposal of deceased birds. Will that be addressed?
6) What about dog attacks on fowl, how will this be addressed?
7) What about the inevitable rooster that shows up when ordering hens.
Will they have to be destroyed?
8) I picked <16 for when ordering chickens, often 15 is a standard order.
Also, chickens are a communal animal and should be kept in groups. I believe VA law does not allow purchase of less than 6 at a time.

CC: WYDaily online comments.

Paul Holt

Subject: FW: Chicken keeping

From: Carol Bartram [mailto:peninsulachickenkeepers@gmail.com]
Sent: Tuesday, December 10, 2013 5:33 PM
To: JCC Board
Subject: Chicken keeping

Dear Members of the Board,

I just learned of the proposed resolution to initiate consideration of an amendment to the chicken keeping ordinance that is on tonight's meeting agenda. I would like to express my support, on behalf of the Peninsula Chicken Keepers (PeCK) organization, for adoption of this proposal.

I again offer PeCK's assistance in the form of information or setting up visits to local backyard coops (legal in York County) as you go through the process. I also urge you to work with your local chicken-keepers in exploring the issue and developing ordinance changes. As I've shared with some of you before, we were able to work closely with the York County staff in developing rules that fit the needs of the county, the chicken-keepers and their neighbors, and protected the animals. It was a positive experience for us and helped us feel that we were listened to and that we had a part to play in local government. It also helped me better understand the types of issues the county needs to consider when going through this process.

Thank you for bringing this issue back up!

Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com
102 Pageland Drive
Yorktown, VA

Paul Holt

Subject: FW: Chickens

From: John Streeter [mailto:merimoth@gmail.com]
Sent: Wednesday, January 08, 2014 7:15 AM
To: Planning
Subject: Chickens

Hi,

Let me start by saying that I have no interest in the chicken issue except for the references to HOA covenants. As a past Chair of the Governor's Land Covenants Committee and also Architecture Review Board I am puzzled as to why community covenants are a matter of discussion. Something being permitted by the county does not mean it would be permitted if it violates a community covenants restrictions. The converse also applies in that something permitted by community covenants in violation of a county ordinance would not be lawful. All of this assumes that the community covenants are a referenced in declarations or another legal document referenced in the residents deeds. Absent this there is no ability of the community to enforce their covenants anyway.

My feeling is that you all need to just drop the HOA Covenants issue because it appears to be simply an excuse for not permitting something.

Regards,

John Streeter
1609 River Ridge
Williamsburg, VA 23185

Paul Holt

Subject: FW: Changing Zoning to Allow Chickens in Residential Neighborhoods
Attachments: DFHOA Board letter to Berkeley Supervisor Mary K. Jones re Chickens 121009.doc

-----Original Message-----
From: Michael Bruno [mailto:michaelbruno@verizon.net]
Sent: Saturday, January 11, 2014 5:26 PM
To: Scott Whyte
Cc: Mary Jones; feliciahunt@verizon.net; Kathy Kersey; Mark Sanders; Ptspdlr@aol.com; Ric44@cox.net
Subject: Re: Changing Zoning to Allow Chickens in Residential Neighborhoods

Mr. W. Scott Whyte

Senior Landscape Planner II

James City County, Virginia

Mr. Whyte:

I see your name on the last page of the survey on the county web site regarding this matter. That page invites further comment be addressed to you. I am therefore attaching a communication on behalf of the Drummond's Field Homeowners Association Board which addresses our concerns about possible changes to the existing zoning governing chicken culture in neighborhoods.

We have sent this attachment to our representative Supervisor Mary Jones, at least once, possibly twice, when the topic has come up previously, and I am copying Ms. Jones again here as evidence of our ongoing concern about and continuing opposition to any change in the rules governing having chickens in residential neighborhoods. As you will see, we speak from experience.

The work-day timing of the public comment session may prevent our having representation there, but that does not mean we do not feel strongly about this and wish our opposition to be noted and considered.

Please proceed with serious and deliberate concern for others in the James City County neighborhoods who would be affected by any change after good faith purchases and long-term residence in the neighborhoods as currently zoned.

More importantly, please be governed by and inform the Board of Supervisors concerning what is the greater good for James City County's residential neighborhoods.

Thank you.

Michael H. Bruno, Beautification Chair

Drummond's Field on the James Homeowners Association Board

Home: 229-3414

Copies to the DFHOA Board

Paul Holt

Subject: FW: The "chicken meeting" on Thursday

-----Original Message-----
From: Robert Byrd [mailto:threepointshootripcity@yahoo.com]
Sent: Sunday, January 19, 2014 3:07 PM
To: Planning
Subject: The "chicken meeting" on Thursday

Dear James City County Planning Commission,

I am Bob Byrd and I attended the meeting at 3 p.m. on Thursday about residents having chickens on their properties. I didn't say anything; just sat and listened.

Here is what I observed: 2 main groups of people, wanting to have chickens in their yards. I said "yards" not farms.

One group was certainly not from this country, at least originally. The heavy accents gave that away. And, it may very well be a custom (in the countries they moved from) to have chickens at "in-town" residences. The "other" group, (and I am not sure what types of housing these folks live in), seemed to want to have chickens for a multitude of other reason, some even teaching their children about pets and responsibility. There may have been 2-3 folks there that actually wanted to raise chickens for the eggs. By the way, eggs are EXTREMELY cheap at the grocery store; one of the cheapest items you can buy.

Has the Planning Commission given thought to the idea that chickens, pigs, etc., are (at least in most parts of the U.S.) kept on farms, not homes with less than an acre of land???? And with that, just giving these folks a simple "No"?

I would love to see the Planning Commission involved in some other issues. One of the most important issues in James City County being the school facilities. We moved here from the Midwest 8 days after Warhill officially opened its doors in August of 2007. I was VERY excited (and so were my children) when we pulled up in the parking lot of the brand new school and it looked so nice from the outside and then.....we found out that all that was inside Warhill were: a) classrooms b) a little tiny gym and c) a small auditorium. That's all that's inside the Warhill school and it was built in 2007. No planetarium, no indoor pool, no auxiliary gym, not much in the way of "tech" (although we had seen in the newspaper a year or so before the completion of Warhill how "tech" advanced the new Warhill facility would be). Plus, only 6 tennis courts (and the boys and girls seasons are the SAME: spring) and a "shared" football field.

What's the deal around here with building bare-bones schools? Are we a little selfish are we?

Let's see, I get to live in Stonehouse Glen, a beautiful area with gorgeous homes and we have other areas around Williamsburg-James City County like Fords Colony, Governors Land, Greensprings East and West, Kingsmill, and I could go on and on. Are we destitute? Why do our kids have to go to schools with lesser facilities than folks who live in the poor areas of the coal mines of eastern Kentucky? I'm personally from Kentucky and Indiana and went to high school in Centerville, Indiana where the nicest homes are 1400 square foot ranches. They have a gym that seats nearly 3,000, and auxiliary gym that would seat 1,000, a beautiful auditorium, lots and lots of tennis courts, and indoor pool with bleachers (natatorium), and many more facilities.

My taxes here are about the same for the same type of home I lived in when I was in the Hamilton SE school system in Indiana. I actually paid about $100 more per 6 months. Check out the facilities Hamilton SE had: tennis courts----- even at all the junior highs, 2 indoor swimming pools at one of the high schools (Hamilton SE) and an even larger one at

the 2nd high school (Fishers High School) in the district. Each school (even the junior highs) have their own football fields (not "shared" football fields). Schools have things in them like planetariums, auxiliary gyms, etc.

Look at what parents/families do to have their kids on a swim team: drive all over Williamsburg at 4:30 a.m each morning. To be in a high school meet, we all drive down to Hampton University's pool (and it's not nice!). Notice, I said "We all drive down to Hampton University". Let's see, Jamestown H.S. often has over 100 kids on their team, Lafayette has about 70, Warhill about 40. How many gallons of gas is that for one meet?

Can't the Planning commission do a little better? "The way we've always done things" is nothing to be proud of!!!! What are we comparing ourselves to? York County? They don't do anything for their kids either. I am not talking about increasing taxes so much that we make the James Ctiy County Williamsburg area like a New Jersey, tax-wise, where folks move away due to taxes. I am talking about increasing property taxes maybe $100 per 6 months per home. Start acting like we CARE about THE CHILDREN WHO LIVE HERE.

The school board has heard from me (they always blame the supervisors who set tax rates). I have talked/written supervisors. In some cases, they agree with me, but nothing EVER happens. In other cases (Andy Bradshaw), he takes the stance that "this was good enough for my kids".

Just seems a little selfish that I get to live in a nice place like Stonehouse and we build a bare-bones facility like Warhill.....in 2007 none the less, at the "top" of an economic boom. My kids were athletes and scholars. Brook and Ryan were both "Male & Female" Athletes of the Year" their senior years and won the $500 Booster Club scholarships. Both kids made straight A's all through high school (not a single "B"). But, wow, we drove all over the country to have Brook on a swim team (and at ALL times of day...like 4:30 a.m.).

Who "planned" WHERE Warhill was built? I have been told (by school board members) that the supervisors did that. Wow! With all the new, projected growth that will happen out here in the Stonehouse area (3,500 homes approved between where I live and the York River), one would have thought the school would have been built at least in Norge, if not around Toano! Was ANYONE thinking? Was ANYONE planning? We drove (and drove and drove) to go to EVERYTHING while Ryan and Brook were in high school. I mean, it's a long way from here to Warhill. Why are Lafayette H.S. and Warhill H.S. so close geographically???

My kids are out of school and I admit: they had great teachers. I am not speaking of the teachers. I am speaking of "bare-bones" facilities in our schools that seem to be so prevalent in this area of Virginia. Why would anyone build something like Warhill.....in 2007????

I have nothing to gain from writing this; my kids are out of the public schools here. But, I am not going to be blind (like one supervisor e-mailed me recently) and say "this was good enough for my kids". I actually CARE about the kids who live here and what we are doing IS NOT GOOD ENOUGH.

Here is the "other thing" that someone moving here from the Midwest notices right away down here: While it seems the actual school board members don't have decision making power on some of the most important issues concerning our schools (setting property tax rates which determines how nice of a facility we can build for our children) as well as WHERE schools will be built, the Supervisors HAVE A TON OF POWER OVER SCHOOLS. When I attend band concerts, school plays, athletic contests, you NEVER see a Supervisor there! Down here in Virginia, we let the Supervisors have all this "power" and "authority" over the public schools and you hardly ever see one at a school function?

Something doesn't quite seem right here.

Certainly "planning" school facilities/locations, etc. is just as important as chickens.

Sincerely,

Bob Byrd
757-775-5408

Paul Holt

Subject: FW: Chicken keeping amendment

From: Carol Bartram [mailto:peninsulachickenkeepers@gmail.com]
Sent: Thursday, January 16, 2014 6:31 AM
To: Planning
Subject: Chicken keeping amendment

Dear Members of the Planning Commission,

I understand that the Policy Committee will be discussing a zoning ordinance amendment to consider keeping of chickens in residential areas of the county at today's meeting. I would like to express my support, on behalf of the Peninsula Chicken Keepers (PeCK) organization, for bringing this amendment forward.

PeCK is an educational group started in 2010 to help local backyard chicken keepers learn about keeping small flocks humanely and responsibly, and we now have over 300 members, some of whom live in James City County. There are a number of other local groups (Pet Chickens of Virginia, Hampton Roads Hens, local Cooperative Extension offices, etc.) that are also valuable resources available to help people learn how to keep backyard flocks. Five beginning chicken keeping classes are already scheduled for this spring in Hampton Roads, two on the Peninsula. The support is out there to help people do this right!

You are probably aware that if you do decide to make a change, you will be part of a growing trend across the country, and more recently in Virginia: York County in 2011, Chesapeake in 2012, Hampton, Richmond, Portsmouth, and Norfolk last year. These localities have seen that the benefits to individuals, families, and communities are many, and the doomsday predictions that are routinely brought up by people unfamiliar with the new ways of keeping small flocks prove to be unfounded once the laws are changed. A June 6, 2013 article in *Fresh Water Cleveland* documents this eloquently, stating, "Despite a handful of vocal residents predicting a chicken-induced apocalypse as a result of the legislation [to allow chickens], there has been almost zero blowback, say city officials." http://freshwatercleveland.com/features/petswithbenefits060613.aspx

In York County in 2011, a number of us chicken-keepers worked closely with county staff to develop revisions to the code that is working well. We found working with local government to be a positive experience, and the staff's willingness to meet with us and take our feedback and expertise seriously, while helping us to understand their constraints, allowed compromises to happen, resulting in an outcome that was acceptable to almost all parties.

Those of us who keep small flocks find that the most vocal and adamant objections come from people who either have no direct experiences with chickens, or whose experience has been with birds that are kept in overcrowded, unsanitary, and inhumane situations. We invite you and other county employees who are charged with making informed decisions about this issue to visit some coops in residential areas so you can see the sights and the lack of unpleasant sounds and smells for yourselves. Our York County supervisors and Planning Commissioners took the time to do this, and I believe it was helpful in the final outcome. If you are interested, I would be happy to help arrange some site visits and/or provide other chicken-related information.

I ask that this time around, you give this issue the consideration it deserves. Thank you, and please contact me if I or our group can be of assistance.

Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com
102 Pageland Drive
Yorktown, VA
(757) 867-8547

Paul Holt

Subject: FW: Chicken Keeping

From: Carol Bartram [peninsulachickenkeepers@gmail.com]
Sent: Tuesday, February 11, 2014 3:23 PM
To: Al Woods; George Drummond; Richard Krapf; Robin Bledsoe; Chris Basic; Tim OConnor; Michael Maddocks
Cc: Planning
Subject: Chicken Keeping

Dear Members of the James City County Planning Commission:

I and other members of the Peninsula Chicken Keepers (PeCK) are very appreciative of the effort that you and Planning staff are making to explore the chicken keeping issue, listening to citizen input, and looking at the experiences of surrounding localities. I felt that the staff report, especially the consideration of the issues relating to covenants and HOA restrictions, was thorough and balanced.

In York County, the only vocal opposition to loosening the chicken-keeping rules that I am aware of was from an HOA president, expressing the concern that if passed, the new regulations would encourage people in his community to go against HOA rules and get chickens, necessitating that they spend money to litigate. While I understood his concern, I had never heard of this being an issue in other areas, and so far his fears have been unfounded in York County.

In our PeCK meetings, classes, and on our website, we educate people about their local laws and emphasize that HOA chicken restrictions trump local code. Thus far, I have not heard of people going against their HOA rules, but I have heard of people in our group who are looking to move out of HOA communities into neighborhoods that allow chickens, or people who ask where they can buy a home where they can legally keep them. Of course, not everyone will obey rules, but I think the fears related to HOA's are not based in real-life experience. I have found that the vast majority of people who understand the laws related to chicken keeping do not want to risk losing their animals or getting fined, so will not knowingly get chickens if they are not allowed.

I recently learned of a study conducted at DePaul University, looking at 20 different localities that had legalized chickens; they surveyed their specific ordinances and their impact on the communities since the rules were changed. None of the 20 reported an overall negative experience. The study can be viewed here: http://gallery.mailchimp.com/923d8af6802cd35b0a1f16530/files/Chicken_Ordinance_Report.1.pdf

Please allow your planning staff to move forward with further research and preparing of draft language options for review at the next Policy Committee meeting.

Sincerely,
Carol Bartram
102 Pageland Drive
Yorktown, VA 23693
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com

Paul Holt

Subject: FW: Public Input on Chicken Keeping in Residentially Zoned Areas

From: Eric Danuser [mailto:eric.danuser@gmail.com]
Sent: Thursday, February 20, 2014 9:51 AM
To: Planning
Subject: Public Input on Chicken Keeping in Residentially Zoned Areas

Hello, after finally discovering that the email address you have been putting out is invalid, we have finally run it to ground. Here is the email that was sent a week ago.

Thank you for the opportunity to further this effort with James City County.

I feel like I should apologize for what may have been as an emotional rant during the comment section of the meeting. I am and will always try to make my point as direct as possible, and it may come across as an attack.

My point that I was trying to make is simply that there were more than 10 people on the other side of the table speaking to what I would call novices in the planning department (us citizens), and that there are localities all across the state who have done this exact thing, and it seems as though JCC is trying to go it on their own. I don't know for a fact but I would hazard a guess that JCC may be one of the last localities to adopt such a plan for allowing chickens on the peninsula. I was trying to pass along is why are we standing alone when other folks have already done this before, and worked through all the pitfalls. Charles Colton said "Imitation is the sincerest form of flattery" I like to believe that JCC is a unique place to live as I have been coming here for 45 years, but are we so unique that nothing any other locality has done regarding this issue can apply.

The question I was trying to ask yesterday when I was put off evidently due to time constraints was: If this committee has effectively excluded all but one of the restricted Zoning Districts based on what seemed to be subjective criteria other then the words "cluster development", how does this affect the rest of the 'R' zones, or has this committee permanently disqualified all other Residential Zoning Districts?

Has this committee considered making an across the board change to the Zoning Ordinances effectively letting the HOA's develop there own more restrictive rules if they chose.

Perhaps simply removing the word "chicken" from JCC's fowl definition vs defining a whole new Ordinance could be a route.

Trust me when I say we are all here to help JCC make the best and most educated decision possible. Please let me know if there is anything more we can do to help.

Thank you in advance

Eric Danuser
eric.danuser@gmail.com
757-566-1874 (H)
571-214-7246 (C)
405-428-3749 (Google Voice)

Paul Holt

Subject: FW: Chicken-keeping

From: Carol Bartram [mailto:peninsulachickenkeepers@gmail.com]
Sent: Tuesday, April 15, 2014 9:02 AM
To: Planning
Cc: JCC Board
Subject: Chicken-keeping

Dear Members of the Planning Commission,

I just read that the Policy Committee voted yesterday to move the chicken-keeping discussion forward to the full Planning Commission, and wanted to thank you for continuing to consider this issue. I hope that as this moves forward, you will look at allowing all the single-family residences to have chickens, with restrictions based on lot size, as other localities have done.

I also ask that you take the time to learn more about *backyard* chicken-keeping and how it's different from traditional farming, and ask that you visit some local small flocks. I think first-hand experience (with a small backyard flock, not your grandmother's farm) will allay many of the fears that I heard discussed at previous meetings I attended. Hens truly have less environmental and noise impact than other commonly-kept pets such as dogs and cats, but I realize it's hard to convince people of that on paper; that's why I urge you to take a look for yourselves. I am very willing to provide any information and to help arrange coop visits.

Sincerely,
Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com

Paul Holt

Subject: FW: Predator question

From: Carol Bartram [peninsulachickenkeepers@gmail.com]
Sent: Wednesday, April 23, 2014 12:33 PM
To: Ryan Fitzgerald; Richard Krapf; Chris Basic
Cc: Planning
Subject: Predator question

Dear Planning Commissioners,

Michelle makes excellent points about something that is always brought up as a concern when talk of legalizing chickens comes about! And as I said when we met yesterday, I asked Nathan Fowler (wildlife specialist from APHIS/USDA who spoke about predators at our last PeCK meeting) the same question-- does having chickens bring predators into cities/neighborhoods? He basically had the same line of thinking as Michelle...they are present anyway (did anyone see the PBS show on raccoons, tracking them in cities? They're ubiquitous!), but if you are making your chickens easy prey, basically feeding the predators chicken dinner, then they might be attracted to set up a den closer, and visit your yard for their daily meal. But in a few days of this, you would be out of a small flock of chickens anyway, so the wildlife would be out of luck and looking or other food elsewhere.

I've frequently seen foxes in my neighborhood (pre-chickens), but the easier prey for them is the rabbits, so I have yet to see one in my yard. All my neighbors tell me every time they see a fox or snake or coyote, and my adrenaline rushes for a minute, but then I breathe and remember they've always been here. One article I read in Backyard Poultry Magazine said that it's better not to trap a chicken predator that is not causing your chickens problems, because they have learned they can't get to your birds-- if you remove one raccoon, then another will just move into it's territory, and that one might be more persistent.

Like Michelle, I'm also happy to have these animals around -- it means we have a healthy ecosystem -- and feel like we need to learn to live with them. The black snake that lived in our garage pre-chicken did a great job on the mice! I hope he's still around, but he has not been problematic.

Thanks,
Carol Bartram
Peninsula Chicken Keepers (PeCK)
peninsulachickenkeepers.weebly.com

On Apr 23, 2014, at 11:58 AM, Ryan Fitzgerald wrote:

Hello all,

Thanks for coming out yesterday to visit Coop de Fitzgerald!

After everyone left yesterday, my husband and I had a chance to chat about how it went. I mentioned to him that if there was one question that was still being pondered, it would have been the one regarding chickens attracting "predators". As my husband and I tried to understand the concern, we came up with a few thoughts.

Researching the issue this morning has been quite unproductive. There aren't any real studies that I can find, other than blogs or general websites talking about the issue. There are no research backed sites offering information that I could find in the short time I spent searching, but I'm sure I could track down a wildlife expert to discuss the idea, if needed. But here are our thoughts, even though I can't locate anything "official" to back them up… yet!

First, "predators" is a scary word! Humans don't react positively to that term, and the reality is that these "predators" we spoke about: snakes, foxes, opossum, raccoons and hawks… are not predators of humans. So, I will call these animals wildlife. Additionally, I stand by my comment, especially in a county like JCC where neighborhoods are almost always surrounded by some sort of undeveloped land, that the wildlife listed above are already in existence. How close are they? I think they are lot closer than a lot of us would be personally comfortable with. I think what is more accurate to say is that the wildlife is there, has always been there, and they are just often unseen. A family without a garden may not see rabbits, but rabbits are in their neighborhood. A family without a small dog or cat may not see a fox or coyote lingering, but again, I don't think this means that the fox or coyote isn't there. In fact, many residents struggle with black snakes, opossum and raccoons, and they might not have any animals at all! Those creatures are attracted to compost and trash, and EVERYBODY has trash. Ultimately, I think that a community fearing wildlife, and ultimately thinking of them as "predators", may just be a case of unfamiliarity with how our ecosystem works as a whole, especially in a suburban setting.

So my husband and I drew diagrams and talked for quite some time. We would urge you to think of any single family neighborhood in the county as a natural environment for all of the wildlife listed above. If a fox is seen by a neighborhood, because the fox happened to check out a new resident chicken, this would be no different than if the fox came to check out the new resident chihuahua or kitten it saw roaming through the fence. It's funny, because there are those that say if you see a fox in your lifetime, then you are lucky. I think this statement exists because we just don't typically see much wildlife in our suburban settings. But let's be confident that the wildlife/predators that are dangerous to chickens, are not dangerous to humans. If the so called predator does any damage, it would be to the chicken, not the human. So there isn't anything to be fearful or worried about.

Finally, when we moved into our home 6 years ago, we had no chickens. Our neighbor didn't have any chickens. But one night, the second week we were here, we heard the most dreadful sound coming from the land behind us! A few weeks later, after searching the internet a bit, we discovered that the noise was a fox marking its territory. Google it… it's a sound that'll make you cringe. A few months after that, we met another neighbor that lives behind us, and he spoke at length about how these red foxes have been around for quite some time, and that on occasion, he has seen them walking down the street! Again, this was all before chickens moved into the neighborhood! Our neighborhood is not different than any other neighborhood in the county. We don't have any more or less green space, on average, than other neighborhoods. So I would propose once again, that the wildlife is there. It's just a matter of if we've actually seen them!

I hope this makes some sense. I for one do count myself lucky to have seen, first hand and up close: many black snakes, a handful of foxes, an opossum, a raccoon and more hawks than I'd like to admit! It hasn't been a problem at all, but this southwest girl is always, always humbled by how much grows and lives in Virginia!

Thanks for listening,
Michelle

MEMORANDUM

DATE: May 7, 2014

TO: The Planning Commission

FROM: Jennifer VanDyke, Planner
John Rogerson, Senior Zoning Officer

SUBJECT: Case No. ZO-0008-2013. Accessory Apartments

On January 8, 2014 the Planning Commission adopted an initiating resolution to consider ordinance changes relevant to accessory apartments.

Staff received feedback from the Policy Committee indicating an interest in considering revisions to allow for detached accessory apartments. The Policy Committee also indicated that staff should examine and provide recommendations for expanding allowances for accessory apartments within residential Zoning districts.

In response to the direction provided by the Policy Committee, and taking into account input received as part of a citizen survey (copy attached), staff drafted proposed ordinance amendments following review and discussion by the Policy Committee. The following items highlight the proposed changes to the Zoning Ordinance:

- A new definition has been created for detached accessory apartments. The proposed changes also include defining accessory apartments as either attached or detached with performance standards outlined for each.
- Under Special Regulations, additional language has been added to include new requirements for detached, accessory apartments. In the interest of preserving the character of the neighborhood, staff recommends including a cap of 400 square feet on the size of the accessory apartment. Further, a 50% cap on the allotment of floor area dedicated to the apartment within the accessory structure. The proposed language would require that detached accessory apartments meet all setback, yard and height regulations of the zoning district in which it is located. In addition, compatibility in size and scale with surrounding structures would be required.
- Additional requirements for detached accessory apartments under Special Regulations would require that the property owner, or an immediate family member, occupy either the single-family dwelling or the accessory apartment.
- Any application proposing a detached, accessory apartment would be required to obtain approval from the Health Department for those properties that have individual well and/or sewer disposal systems in Zoning districts which are located outside the Primary Service Area or are not otherwise required to connect to public utilities.
- Off-street parking is currently required for all accessory apartments in accordance with Sec. 24-54 of the Ordinance. This would be maintained as a requirement for both attached and detached, accessory apartments.

Currently, accessory apartments are allowed as a permitted use on properties that are zoned A-1, R-2, R-3, R-4, R-8, MU and PUD and are allowed as a specially permitted use on land that is zoned R-1 and R-6. The following changes are recommended as part of the ordinance revisions:

- Attached, accessory apartment in accordance with section 24-32 – permitted use in: A-1, R-1, R-2, R-3, R-4, R-6, R-8, MU and PUD.
  If approved, the revisions would permit attached, accessory apartments in each residential district, except for R-5, the Multifamily Residential District. The R-5 district is intended for moderate to high-density residential development; therefore, is not a suitable fit for accessory apartments.
- Accessory apartment, detached, in accordance with section 24-32 – specially permitted in: A-1, R-1, R-2, R-3, R-4, R-6, R-8, and PUD.
  If approved, the revisions would specially permit detached, accessory apartments in each residential district, except for MU, Mixed Use and R-5, the Multifamily Residential District.

By allowing detached accessory apartments upon issuance of a special use permit from the Board of Supervisors, discretionary measures are built into the approval process, surrounding property owners may offer comment on proposed apartments and each application will be reviewed on a case-by-case basis.

Recommendation:
The Policy Committee discussed staff's proposed revisions at the April 14, 2014 meeting. At that meeting the Policy Committee voted 4-0 to forward the proposed ordinance changes to the Planning Commission for consideration. Staff recommends that the Planning Commission recommend approval of the proposed ordinance changes to the Board of Supervisors.

Attachments:
1. Ordinance - Article I, In General, definitions
2. Ordinance - Article II, Special Regulations
3. Ordinance - General Agricultural District, A-1
4. Ordinance - Limited Residential District, R-1
5. Ordinance - General Residential District, R-2
6. Ordinance - Residential Redevelopment District, R-3
7. Ordinance - Residential Planned Community, R-4
8. Ordinance - Low-Density Residential District, R-6
9. Ordinance - Rural Residential District, R-8
10. Ordinance - Planned Unit Development District, PUD-R
11. Ordinance - Mixed Use, MU
12. Minutes from the April 14, 2014 Policy Committee meeting
13. Survey
14. Survey Results

Jennifer Van Dyke

John Rogerson

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, BY AMENDING SECTION 24-2, DEFINITIONS; ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL, SECTION 24-32, SPECIAL REQUIREMENTS FOR ACCESSORY APARTMENTS; AND BY AMENDING ARTICLE V. DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, SECTION 24-212, PERMITTED USES, SECTION 24-213 USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST; DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, SECTION 24-273.2, USE LIST; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST; DIVISION 7, LOW DENSITY RESIDENTIAL DISTRICT, R-6, SECTION 24-328, PERMITTED USES, SECTION 24-329, USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 8, RURAL RESIDENTIAL DISTRICT, R-8, SECTION 24-348, PERMITTED USES, SECTION 24-349, USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST; DIVISION 15, MIXED USE, MU, SECTION 24-518, 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 I, In General, by amending Section 24-2, Definitions; Article II, Special Regulations, Division 1, In General, Section 24-32, Special Requirements for Accessory Apartments; and by amending Article V. Districts, Division 2, General Agricultural District, A-1, Section 24-212, Permitted uses, Section 24-213 Uses permitted by special use permit only; Division 3, Limited Residential District, R-1, Section 24-232, Use list; Division 4, General Residential District, R-2, Section 24-252, Use list;

Division 4.1, Residential Redevelopment District, R-3, Section 24-273.2, Use list; Division 5, Residential Planned Community District, R-4, Section 24-281, Use list; Division 7, Low Density Residential District, R-6, Section 24-328, Permitted uses, Section 24-329, Uses permitted by special use permit only; Division 8, Rural Residential District, R-8, Section 24-348, Permitted uses, Section 24-349, Uses permitted by special use permit only; Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use list; Division 15, Mixed Use, MU, Section 24-518, Use list.

Chapter 24. Zoning

ARTICLE I. IN GENERAL

Sec. 24-2. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

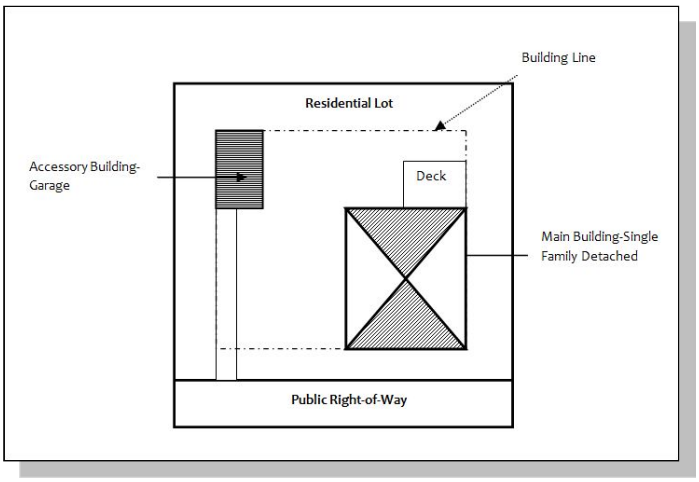
A

Accessory apartment, attached. A separate, complete housekeeping unit that is substantially contained within the structure of, and clearly secondary to, a single-family dwelling. The accessory apartment may not occupy more than 35 percent of the floor area of the dwelling.

Accessory apartment, detached. A separate, complete housekeeping unit that is incidental to and located on the same lot occupied by a single-family dwelling. The detached accessory apartment may not occupy more than 50 percent of the floor area of the accessory structure.

Accessory building or structure. A subordinate building or structure customarily incidental to and located upon the same lot occupied by the main use or building. *With the exception of*

detached accessory apartments, as may be approved by a special use permit, ~~N~~no such accessory building or structure shall be used for housekeeping purposes. Garages or other accessory structures such as carports, porches, decks and stoops attached to the main building shall be considered part of the main building. Accessory buildings and structures located ten feet or less from a main structure shall be considered part of the main structure for the purpose of determining side and rear yards. (Refer to the definition of "structure.")



D

Dwelling unit. One or more rooms in a dwelling designed for living or sleeping purposes, and having at least one kitchen. *For purposes of this chapter, attached and detached accessory apartments shall not be considered dwelling units.*

ARTICLE II. SPECIAL REGULATIONS

DIVISION 1. IN GENERAL

Sec. 24-32. Special requirements for accessory apartments.

a. Attached ~~A~~*a*ccessory apartments shall comply with the following requirements:

(1) Only one accessory apartment shall be created within a single-family dwelling.

(2) The accessory apartment shall be designed so that the appearance of the building remains that of a ~~one-family~~ *single-family* residence. New entrances shall be located on the side or rear of the building and the apartment may not occupy more than 35 percent of the floor area of the dwelling.

(3) For purposes of location and design, the accessory apartment is part of the main structure and shall meet all setback, yard and height regulations applicable to main structures in the zoning district in which it is located.

(4) Off-street parking shall be required in accordance with section 24-54 of this chapter.

b. Detached, accessory apartments, where approved, shall comply with the following requirements:

(1) Only one accessory apartment shall be created per lot.

(2) The accessory apartment may not occupy more than 50 percent of the floor area of the accessory structure and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

(3) The accessory apartment shall not exceed 400 square feet in size and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

(4) The property owner or an immediate family member as defined in section 19-17 of the Subdivision Ordinance shall reside in either the single-family dwelling or the accessory apartment.

(5) Approval from the health department shall be required where the property is served by an individual well and/or sewer disposal system.

(6) The accessory structure shall be so designed such that the size and scale of the structure is compatible with surrounding structures.

(7) Off-street parking shall be required in accordance with section 24-54 of this chapter.

ARTICLE V. DISTRICTS

DIVISION 2. GENERAL AGRICULTURAL DISTRICT, A-1

Sec. 24-212. Permitted uses.

In the General Agricultural District, A-1, structures to be erected or land to be used shall be for the following uses:

Accessory apartments, *attached,* in accordance with section 24-32.

Sec. 24-213. Uses permitted by special use permit only.

In the General Agricultural District, A-1, buildings to be erected or land to be used for the following uses shall be permitted only after the issuance of a special use permit approved by the board of supervisors in accordance with the procedures, guides and standards of sections 24-9 and 24-10 and such other guides and standards as may be contained in this chapter.

Accessory apartment, detached, in accordance with section 24-32.

ARTICLE V. DISTRICTS

DIVISION 3. LIMITED RESIDENTIAL DISTRICT, R-1

Sec. 24-232. Use list.

In the Limited Residential District, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, *attached,* in accordance with section 24-32	*P*	~~SUP~~
	Accessory apartment, detached, in accordance with section 24-32		*SUP*
	Accessory buildings or structures as defined	P	
	Group home or residential facility, for eight or fewer adults	P	
	Single-family detached dwellings contained within cluster development in accordance with article VI, division 1 of this chapter		SUP
	Single-family detached dwellings with a maximum gross density of one dwelling unit per acre in accordance with section 24-233(a)	P	
	Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre in accordance with section 24-233(b)		SUP

ARTICLE V. DISTRICTS

DIVISION 4. GENERAL RESIDENTIAL DISTRICT, R-2

Sec. 24-252. Use list.

In the General Residential District, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory apartments, *attached,* in accordance with section 24-32	P	
	Accessory apartment, detached, in accordance with section 24-32		*SUP*
	Accessory buildings or structures as defined	P	
	Group home or residential facilities, for eight or fewer adults	P	
	Multifamily dwellings of between five and eight units, contained within a residential cluster development with a maximum gross density of more than one unit per acre in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including four units, with a maximum gross density of one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Multifamily dwellings, up to and including four units, with a maximum gross density of more than one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including two units, in accordance with section 24-260		SUP
	Single-family detached dwellings with a maximum gross density of one dwelling unit per acre, either ● in accordance with section 24-253(a), or ● contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Single-family detached dwellings with a maximum gross density of more than one dwelling unit per acre, either ● in accordance with section 24-253(b), or ● contained within residential cluster development in accordance with article VI, division 1 of this chapter		SUP

ARTICLE V. DISTRICTS

DIVISION 4.1. RESIDENTIAL REDEVELOPMENT DISTRICT, R-3

Sec. 24-273.2. Use list.

In the Residential Redevelopment District, R-3, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory buildings or structures as defined	P	
	Accessory apartments, *attached,* in accordance with section 24-32	P	
	Accessory apartment, detached, in accordance with section 24-32		*SUP*
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Independent living facilities		SUP
	Multifamily dwellings up to and including four units	P	
	Multifamily dwellings greater than four units	P	
	Single-family dwellings	P	

ARTICLE V. DISTRICTS

DIVISION 5. RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4

Sec. 24-281. Use list.

In the residential planned community district, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory buildings or structures, as defined	P	
	Accessory apartments, *attached,* in accordance with section 24-32	P	
	Accessory apartment, detached, in accordance with section 24-32 and located in an area designated as "A" on the approved master plan		*SUP*

	Apartments	P	
	Group homes or residential facilities for eight or fewer adults	P	
	Group homes or residential facilities for nine or more adults		SUP
	Independent living facilities		SUP
	Multi-family dwellings (up to and including four dwelling units)	P	
	Multi-family dwellings (more than four dwelling units)	P	
	Single-family dwellings	P	

ARTICLE V. DISTRICTS

DIVISION 7. LOW-DENSITY RESIDENTIAL DISTRICT, R-6

Sec. 24-328. Permitted uses.

In the Low-Density Residential, R-6, structures to be erected or land to be used shall be for the following uses:

Accessory apartments, attached, in accordance with section 24-32.

Sec. 24-329. Uses permitted by special use permit only.

In the Low-Density Residential, R-6, buildings to be erected or land to be used for the following or similar uses shall be permitted only after the issuance of a special use permit by the board of supervisors:

~~Accessory apartments in accord with section 24-32.~~

Accessory apartment, detached, in accordance with section 24-32.

ARTICLE V. DISTRICTS

DIVISION 8. RURAL RESIDENTIAL DISTRICT, R-8

Sec. 24-348. Permitted uses.

In the Rural Residential District, R-8, structures to be erected or land to be used shall be for the following uses:

Accessory apartments, *attached,* in accordance with section 24-32.

Sec. 24-349. Uses permitted by special use permit only.

In the Rural Residential District, R-8, structures to be erected or land to be used for the following uses shall be permitted only after the issuance of a special use permit approved by the board of supervisors in accordance with the procedures, guides and standards of sections 24-9 and 24-10 and such other guides and standards as may be contained in this chapter:

Accessory apartment, detached, in accordance with section 24-32.

ARTICLE V. DISTRICTS

DIVISION 14. PLANNED UNIT DEVELOPMENT DISTRICTS, PUD

Sec. 24-493. Use list.

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory buildings or structures, as defined	P	
	Accessory apartments, *attached,* in accordance with section 24-32	P	
	Accessory apartment, detached, in accordance with section 24-32 and located in an area designated for detached, single-family units		*SUP*
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Home occupations, as defined	P	
	Independent living facilities	P	
	Multi-family dwellings up to and including four dwellings	P	
	Multi-family dwellings more than four dwellings	P	
	Single-family dwellings	P	

ARTICLE V. DISTRICTS

DIVISION 15. MIXED USE, MU

Sec. 24-518. Use list.

In the mixed use districts, all structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Accessory structures, as defined in section 24-2	P	
	Accessory apartments, *attached,* in accordance with section 24-32	P	
	Apartments	P	
	Group homes or residential facilities, for eight or fewer adults	P	
	Group homes or residential facilities, for nine or more adults		SUP
	Group quarters	P	
	Home care facilities	P	
	Home occupations, as defined	P	
	Independent living facilities	P	
	Multi-family dwellings up to and including four dwelling units	P	
	Multi-family dwellings more than four dwelling units	P	
	Single-family dwellings	P	

Policy Committee Minutes - UNAPPROVED
April 14, 2014

Case No. ZO-0008-2013, Accessory Apartments

Ms. Jennifer VanDyke, Planner, addressed the Policy Committee giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf requested that staff elaborate on the A-1, General Agricultural District. He requested information regarding both detached and attached apartments as specially permitted uses in A-1 District.

Mr. Krapf stated that the lot size in A-1 is a minimum of 3 acres which means the neighborhood criteria isn't as applicable as other districts. He inquired if staff had an internal discussion regarding the detached accessory apartments in A-1 District.

Ms. VanDyke stated that staff had not discussed the A-1 District in isolation and the proposed ordinance would allow attached apartments by-right uses within the residential districts with the exception of R-5, Multi-family Residential. She stated that the ordinance would allow detached apartments as a legislative review process with the exception of PUD, Planned Unit Development, MU, Mixed Use, and R-5.

Mr. Wright inquired if the MU, Mixed Use District would not allow detached accessory apartments.

Ms. VanDyke stated that is correct and there were more in depth discussions on MU and R-5 due to the nature of those neighborhoods.

Mr. O'Connor asked if in some districts, the entire accessory structure could be converted into an accessory apartment.

Mr. Holt stated that the purpose for limiting the size of an apartment within an accessory structure is due to the potential of creating a non-conforming lot.

Mr. O'Connor inquired if the ordinance allows the garage to be doubled in size to accommodate an accessory apartment.

Mr. Purse stated that the size of the structure could be doubled in size dependent on total size.

Mr. O'Connor inquired if the floor plan for the detached accessory structure could be doubled in size since there is a 3 acre minimum lot size in the A-1 zoning district.

Ms. VanDyke stated that the proposed special regulations language would allow cases to be reviewed based on the size and scale of the primary residence.

Mr. O'Connor stated that the size, scale, and architecturally compatible should be a condition in the ordinance instead of the SUP.

Mr. Holt stated that in agricultural zoned districts accessory structures such as barns, sheds, garages, etc. can be quite large and the SUP would assist with regulating the size of accessory apartments within that district.

Mr. Wright inquired if the detached garages within New Town that could be used as accessory apartments would be precluded from the draft ordinance.

Mr. Purse stated that the definition of dwelling units excludes full baths and kitchens.

Mr. Holt stated that the college students could reside in those units but they would have to utilize the full bath and full kitchen within the principal structure.

Mr. Holt stated that these units could be utilized as an art studio, a work shop, and a bedroom. He stated a 220 service to accommodate a full size stove or oven is not permitted, however, a microwave or hotplate is permitted.

Mr. O'Connor inquired if parking calculations in mixed use districts included garages.

Mr. Wright stated that New Town area provides approximately one parking space per residential unit.

Ms. Bledsoe stated that parking has become an issue within residential areas.

Mr. Purse stated that residential neighborhoods usually have longer driveways and garages which accommodates for more parking, however, multi-family areas are typically not equipped with those options.

In a unanimous voice vote the draft Ordinance was forwarded to Planning Commission for consideration (4-0).

James City County Planning Accessory Apartments in Residential Areas Survey

Currently, accessory apartments are allowed by-right on property that is zoned A-1, R-2, R-3, R-4, R-8, MU and PUD and there are specially permitted uses on land that is zoned R-1 and R-6.

James City County is considering amending the zoning ordinance to modify the regulations governing accessory apartments. Currently accessory apartments must be a separate, complete housekeeping unit that is substantially contained within the structure of, and clearly secondary to, a single-family dwelling. Accessory apartments may not occupy more than 35 percent of the floor area of the dwelling. The Planning Commission has requested that staff consider and suggest revisions to the Zoning Ordinance pertaining to the definition of and provisions and procedures relating to accessory apartments. Staff will also review the Zoning Ordinance districts section to add accessory apartments as a use permitted as a matter of right or upon issuance of a special use permit.

To assist staff in assessing the desires of the public for accessory apartments, please complete the following brief survey.

1a. Have you ever considered constructing an accessory apartment on your property?

Yes – 21 / 75%
No – 7 / 25%

2. Do you see a need or desire for accessory apartments in the community?

Yes – 8 / 29%
No – 20 / 71%

2a. If you answered "Yes" – please elaborate on the need or desire:

SEE ATTACHED.

Please rate your level of agreement with the following statements. Also, feel free to share any additional comments.

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Comments
3a. James City County should consider allowing detached, accessory apartments.	12 / 43%	7 / 25%	4 / 14%	4 / 14%	1 / 4%	Why? SEE ATTACHED.
3b. James City County should consider allowing accessory apartments attached by breezeway as opposed to substantially contained within the single-family dwelling.	7 / 25%	10 / 36%	3 / 11%	4 / 14%	4 / 14%	SEE ATTACHED.
3c. James City County should limit the number of occupants allowed to live in an accessory apartment at any one time.	14 / 50%	7 / 25%	3 / 11%	3 / 11%	1 / 4%	If you agree, what should the maximum number of occupants be? SEE ATTACHED.
3d. Detached accessory apartments that are not substantially contained within the single-family dwelling will negatively impact the character of the neighborhood.	4 / 14%	9 / 32%	7 /25%	8 / 29%	0 / 0%	If you strongly disagree or strongly agree, why? SEE ATTACHED.

4. If allowances for accessory apartments are expanded upon, how important are the following considerations to you?

	Very Important	Somewhat Important	Not At All Important
Parking	20 / 71%	8 / 29%	0 / 0%
Traffic	16 / 57%	8 / 29%	4 / 14%
Noise	18 / 64%	7 / 25%	3 / 11%

5. James City County currently has a limitation on floor area of accessory apartments. The size of the accessory apartment cannot exceed 35 percent of the floor area of the dwelling. Do you feel this limitation is too restrictive or should be more restrictive?

	Too Limiting	Appropriate Size Limitation	Should Be More Restrictive
Floor area limitation at 35 percent	9 / 33%	15 / 56%	3 / 11%

Other considerations? _____

6. To your knowledge, are there covenants in your neighborhood that would restrict having an accessory apartment?

Yes – 11 / 39%
No – 11 / 39%
Don't know – 6 / 21%

7. What other minimum standards are important to you regarding accessory apartments in James City County?

SEE ATTACHED.

8. What other input would you like to share as James City County considers this important question?

SEE ATTACHED.

9. Do you live in James City County? (Y/N) If yes, please provide the name of the subdivision where you live.

Yes – 26 / 93%
No – 0 / 0%

SEE ATTACHED.

Thank you for taking the time to complete this questionnaire. The results will be shared with the Policy Committee as they consider this important question.

Should you have further questions or additional comment, please contact Jennifer VanDyke, Planner, at 757-253-6882.

Questions	No. Respondent	Yes	No	Agree	Disagree	Don't Know	No Opinion / Not Sure	Strongly Agree	Strongly Disagree	Apprpriate Size Limitations	Too Limiting	Should Be More Restrictive	Somewhat Important	Not at all Important	Very Important	% Yes	% No	% Agree	% Disagree	% Don't Know	% No Opinion	% Strongly Agree	% Strongly Disagree	% No Opinion	% Apprpriate Size Limitations	% Too Limiting	% Should Be More Restrictive	% Somewhat Important	% Not at all Important	% Very Important
1a.	28	21	7													75%	25%													
2	28	8	20													29%	71%													
3a	28			7	4		1	12	4									25%	14%	0%	4%	43%	14%	0%						
3b	28			10	3		4	7	4									36%	11%	0%	14%	25%	14%	0%						
3c	28			7	3		1	14	3									25%	11%	0%	4%	50%	11%	#REF!						
3d	28			9	7			4	8									32%	25%	0%	0%	14%	29%	#REF!						
Parking	28												8		20													29%	0%	71%
Traffic	28												8	4	16													29%	14%	57%
Noise	28												7	3	18													25%	11%	64%
Floor area limitation at 35%	27									15	9	3													56%	33%	11%			
6	28	11	11			6										39%	39%			21%										
9	26	26														93%	0%													

Total Number of Respondents: 28

ACCESSORY APARTMENT SURVEY RESPONSE

Are there any other Considerations?

- But again you need some type of specific limitations. For example, a 4000 square foot home would mean 1400 square feet which is decent size and could accommodate a large group of people. Use 35% but not to exceed _____ square feet.
- I would be more comfortable with "not to exceed" square footage for the unit. 35% of a 1500 SF house would be 525 -- pretty tiny.
- 50%
- Size of apartment should be based on size of the home AND/OR the size of the property.
- Should not happen. There are tons of empty apartments in the area already.
- Once again, it should be a quality plan that fits within the architecture and the need.
- Should not happen. There are tons of empty apartments in the area already.
- I would be more comfortable with "not to exceed" square footage for the unit. 35% of a 1500 SF house would be 525 -- pretty tiny.
- When people are going to that much expense, they often will want to add storage, hobby, or garage space in the construction. Would the 35% apply only to the apartment portion??? If so, then it is OK.
- But again you need some type of specific limitations. For example, a 4000 square foot home would mean 1400 square feet which is decent size and could accommodate a large group of people. Use 35% but not to exceed _____ square feet.
- Size of apartment should be based on size of the home AND/OR the size of the property.

ACCESSORY APARTMENT SURVEY RESPONSE

2. Do you see a need or desire for accessory apartments in the community?

2a. If you answered "Yes" - please elaborate on the need or desire:

- Housing for in-laws who cannot afford to live on their own nor are eligible for government assistance.
- For some families, an in-law suite would be a viable alternative to housing in a senior/independent living complex.
- Accessory apartments increase affordable housing options, can allow seniors to "age in place", increase density to make more efficient use of public utilities and transportation. In a university community, as well, these can provide more housing options for students.
- The option for homeowners to have an accessory apartment should always be allowed.
- Many seniors would benefit from allowing accessory apartments. Accessory Apts. could allow them to live with their adult children, but retain some autonomy. In other cases, it would allow a senior to remain at home with a caregiver living in the accessory apartment; could also be a source of income for seniors. It's a way to increase the very limited stock of affordable workforce housing available for hospitality workers in the area as well as provide options for W&M students to live off campus.
- Just let people have the ability to make money by renting out these accessory apartments.
- Accessory apartments have a variety of uses from hosting elderly family members, allowing cost share/income to help cover high mortgage expenses, allowing college age students a safe, lower cost place to live, etc. They are always needed in any community.
- WM students are short of housing.
- Aging population wishing to remain independent while living near family or caretakers, grown children/divorced children moving back home, elderly/ill family members needing temporary care/living arrangements, creation of more affordable rental options for singles, creation of an additional income stream from a small apartment is a plus to homeowners in a bad economy, creation of more short term rental opportunities for people with temporary jobs, going thru divorce/separation, domestic abuse, between moves, etc. Purchasing a property with an ancillary apartment would increase property value. City of Williamsburg has always had such arrangements and it has seemed to work well for all parties.
- We wanted to build a detached garage with an apartment for guests on the second floor.
- In-Law apartments for their independence by close supervision for their safety and health.
- As an example, some older folks who desire to age in place need the help of their children to manage their affairs. But often both the elderly parents and the caregiver children want to live under separate roofs.
- It is desirable to allow property owners the option of accessory apartments for a variety of uses, some of which may involve providing living accommodations for unrelated individuals or families.
- As more intergenerational families live together, this kind of apartment is a must.
- Only for a family member who may need to live with you, an elderly parent or close family member or grown child that needs to live with you for an extended time.

- I think can be a need for one additional apt within a single family dwelling. Sometimes people need to care for family or rent a space for income. I do not agree with multiple apartments or rentals on a residential lot in a neighborhood of single family houses.
- For some families, an in-law suite would be a viable alternative to housing in a senior/independent living complex.

ACCESSORY APARTMENT SURVEY RESPONSE

3a. James City County should consider allowing detached, accessory apartments. Comments:

- Some county residents have adequate property that is well suited to this offer.
- In the area I live in Powhatan Shores, Page Landing, Gatehouse Farms, Peleg's Point, there is only one road leading in and out. This area does not need more cares and people.
- I agree with this use for members of the owners' family. I do not agree with use as a rental property.
- As a Residential HOA president the approval of ordnance will be unmanageable for the local HOA as well as the county.
- The existing unit may not lend itself to subdivision internally or adding a structure onto an existing exterior wall.
- In our struggling economy it provides an added income for families to have a detached accessory apartment. This could be very important for adult children with grandchildren to have a place to live.
- The effect on quality of life must always be the principal consideration in county planning. Allowing accessory apartments would erode quality of life by substantially changing the character and nature of neighborhoods. Bad idea.
- Property assessments could be increased on those finished buildings. More money for the county.
- People own, care for, and pay taxes on their property. The county should not regulate every single thing homeowners do. It doesn't hurt anyone if we allow detached accessory apartments to be build; rather, it helps fill the need for them. Accessory apartments have so many benefits. I would like to be able to build an accessory apartment for my son who is going to college in 2 years. College prices are sending our kids into the work force in massive debt. He would be able to live at home, but have the freedom of his own place.
- Aging population wishing to remain independent while living near family or caretakers, grown children/divorced children moving back home, elderly/ill family members needing temporary care/living arrangements, creation of more affordable rental options for singles, creation of an additional income stream from a small apartment is a plus to homeowners in a bad economy, creation of more short term rental opportunities for people with temporary jobs, going thru divorce/separation, domestic abuse, between moves, etc. Purchasing a property with an ancillary apartment would increase property value. City of Williamsburg has always had such arrangements and it has seemed to work well for all parties.
- In-Law apartments for their independence by close supervision for their safety and health.
- There is a need.
- A small apartment over a separate garage or workshop is acceptable. Again only on larger multi acre lots that I think this would be acceptable.
- Physical attachment to a residence or building should have no bearing on the right of a property owner to construct an accessory apartment.
- This is a really bad idea.3
- Covered this in above response.

- Accessory apartment might also provide opportunity for a family unable to rent housing through traditional means.
- It has potential to negatively change the character of a neighborhood.
- For reason supported above. Families will continue to burden the responsibilities to care for older adults/spouses within their home.
- This is a really bad idea.
- Dependent on the size of the lot. Only in very specific situations.
- To support and or supervise a family member while allowing them a greater degree of independence and privacy.
- I guess aesthetics would probably be the only thing I can think of.

ACCESSORY APARTMENT SURVEY RESPONSE

3b. James City County should consider allowing accessory apartments attached by breezeway as opposed to substantially contained within the single-family dwelling. Comments:

- Not sure needs to be attached by a breeze way; I have seen situations where the accessory apartment would probably be above a detached garage or other building in close proximity to the main house/building. Also, how do you define a "breezeway"? Does that mean have to have a roof on the breezeway?
- In the area I live in Powhatan Shores, Page Landing, Gatehouse Farms, Peleg's Point, there is only one road leading in and out. This area does not need more cares and people.
- I think a breezeway could be a nice architectural feature, but is not significant in the shelter aspect of creating an accessory apartment.
- This would be a great compromise if allowing completely separate accessory apartments is off the table.
- Breezeway regulation is silly and likely prohibits many other good design options; ex: the logical location for an apartment might NOT be in close proximity to the house. Regulation should allow for apartments contained within the residence as well as separate from the home.
- That might be nice if you are using the apartment for an elderly parent to live with you.
- Still close enough for in-law protection.
- The County should have little regulation over the architectural solutions available to the property owner in developing a plan for an accessory apartment.
- More families are becoming tri-generational. By that I mean taking care of elder parents: Family with children and grandparents living together. Reviewing the demographics of our community should alert planners to the above average number of seniors presently in our community and the continued migration of seniors.
- With the assumption a family member is being taken care of, it is easier to do within a single building.
- I can just picture the lengths people will go to satisfy that requirement and it won't be pretty.

ACCESSORY APARTMENT SURVEY RESPONSE

3c. James City County should limit the number of occupants allowed to live in an accessory apartment at any one time.
Comments:

- Same as current rules - 3 unrelated. Of course there has to be some definition of construction AND SIZING to permit this many people. You might want to add other criteria for RELATED folks such as a father, mother and two children under age 19 unless employed. Need to leave home sooner or later.
- 2
- 2
- 2
- Two adults and two children.
- No more than 3, the size of a small family.
- I do not believe accessory apartments should be allowed. If they are allowed, however, occupancy should be limited to no more than two (2) people.
- This question needs clarification. I could say yes if the home is build close to other homes, but no if it is located on over an acre. My overall answer is no, we should not limit the number of occupants.
- Depends on size of apartment.
- Perhaps 2 to 4 depending on the size of the apartment.
- 2 or 1per bedroom if unrelated.
- Number is not relevant, either a caregiver or a family of whatever size that acts as caregiver.
- The familial relationship between occupants should have some bearing; however, some property owners may have a need for multiple attendants who are unrelated. The limitation of floor area of the accessory apartment based on the area of the principle residence effectively sets an occupant limitation.
- If you allow accessory apartments put aside lots of money for increased police services.
- It could be 6, but there should be the option for adjustment. For example: If families with more than 2 children want to take care of an elder parent (s), they should be able to.
- I think 3 for unrelated persons, 4 for related persons.
- 2 people.
- The number should reflect the same state requirement of three before applying for a certificate of need.
- 2.
- Not more than 2 adults or 1 adult and 2 preteen children.

ACCESSORY APARTMENT SURVEY RESPONSE

3d. Detached accessory apartments that are not substantially contained within the single-family dwelling will negatively impact the character of the neighborhood. Comments:

- Prospective rules can define specific requirements that are favorable to a developing community. However for those communities already in place, these may require some fine tuning, especially if they do not have a neighborhood HOA with very specific covenants, rules, and regulations in place now.
- Most lots are not large enough to accommodate a detached structure.
- This is a perception which is not substantiated by good design. We are not talking about putting the structure in the front yard. Many properties have sheds or garages at the back which are not considered negative impacts.
- As long as there is no criminal activity or squalor associated with the accessory apartment there should be no negative impact.
- If this is a concern, design standards could be used to ensure the accessory apartment fits into the neighborhood.
- As I previously stated, accessory apartments will dramatically change the character and nature of neighborhoods.
- This is done all the time in much larger cities and localities. Even the city of Williamsburg has this. James City County will someday be a very large city and we should plan to give people the opportunity to live in the county even if only on a rental basis.
- Honestly, that is a ridiculous statement. They aren't any different than a large work shed.
- If done tastefully and with common sense it should increase the property value of a home.
- It should have to be approved by an JCC ARB so that it is well done and fits the character of the neighborhood.
- Countless homes have outbuildings that do not detract from the neighborhood. We are talking about use of structure, not accessory structures as they are nearly universally permitted.
- Depending on the lot size.
- The provision to allow a detached accessory apartment (where an "attached" accessory apartment is currently permitted) would have no significant effect on the neighborhood character. The subdivision of the principle residence into individual units, or the permitting of "congregate living" units in the principle residence would. The essential term is "accessory" apartment. Assuming the accessory apartment is truly accessory to the main residence, attached or detached would be irrelevant.
- I would agree if the units were poorly constructed and poorly taken care of. If they are nicely built and nicely taken care of then I would disagree.
- Again, it depends on the size and location of the lot and the siting of the apartment.
- The number of such apartments within any neighborhood should be limited to less than 20% of the total homes and should be issued on a first come first serve basis and equally distributed across the development.

ACCESSORY APARTMENT SURVEY RESPONSE

7. What other minimum standards are important to you regarding accessory apartments in James City County?

- Any proposed language needs to include specific reference to existing HOA covenants and rules are superior in enforcement to the James City County code. I do not want our HOA having to spend legal fees to dispute any homeowner argument saying "JCC code allows it so I don't have to follow the HOA rules."
- If apartments are built, then I believe public transportation should be extended.
- Lot size.
- 1 level structure.
- Exterior design & finish consistent with the "host" structure.
- Those dwelling in accessory apartments should be required to park in the driveway. There should be a limit on the number of vehicles there at any given time.
- Require design standards so fit into the neighborhood.
- If allowed, accessory apartment dwellers should be required to pay a special county tax and provide proof that they have adequate means of disposing of trash.
- Architectural standards, size of unit, number of residents, parking.
- Must stay within setbacks.
- Don't allow it!!
- Quality of building, how it is maintained, internally as well as externally. Owners and occupants should have mutual responsibility for upkeep. Number of people who live in the apartment is important, but not the only factor. Standards and cleanliness, etc. is very important. Are there Inspectors to monitor?? Should have adequate parking,
- One bedroom only with maximum of 2 people. Should be attached to or inside the home vs. detached.
- Identifying who will be living in them. The need should be to allow families to accommodate their older adults.
- Must have a handicap accessible bathroom, must have a partial kitchen, must incorporate universal design standards.
- Should have separate e I electric, gas, and water meters. No wood burning stoves or fireplaces.
- I think the multiple dwellings grandfathered in in Indigo Park have degraded the neighborhood. There are rental houses with multiple tenants that are not taken care of on Cooley. It is frustrating that older neighborhoods with no HOA's have no protection in keeping up the neighborhood.

ACCESSORY APARTMENT SURVEY RESPONSE

8. What other input would you like to share as James City County considers this important question?

- I would suggest that an accessory apartment only be occupied by adult relatives of the property owners.
- Twenty-one percent of James City County's population is 65 or older, and is also a destination for retirees. As the baby-boom generation ages, their desire to remain in their homes, to supplement incomes impacted by inflation will increase. Accessory apartments are one way of addressing this challenge.
- Those dwelling in accessory apartments should not be allowed to create any type of public nuisance.
- This is a great opportunity to help seniors remain living in the community, as well as a way to increase the amount of affordable workforce housing for people working in low paying hospitality jobs.
- I love this idea of an online survey to get citizens' input! Many cannot be at the county meetings, but appreciate an opportunity to have their voices heard. Thank you!
- If size of the lot is large enough noise, parking and traffic should not be an issue.
- Accessory apartments offer property owners a variety of benefits but should not be a means for evildoers to circumvent zoning to build multi-family developments where otherwise restricted, including creating densities that would otherwise be prohibited. The current requirement of attachment to the principle dwelling seems too restrictive, maintaining a small relative size to the principle dwelling seems prudent, and revising the zoning ordinance to allow for detached apartments of a similar size as is currently permitted is reasonable and would not represent creating an increased level of density not already permitted.
- I have seen other communities destroyed by this exact thing. Criminals love these as hideouts.
- Quality of building, how it is maintained, internally as well as externally. Owners and occupants should have mutual responsibility for upkeep. Number of people who live in the apartment is important, but not the only factor. Standards and cleanliness, etc. is very important. Are there Inspectors to monitor?? Should have adequate parking.
- There is great need for flexible housing options in JCC. Accessory apartments is one. They provide opportunties for sharing the cost of housing will assist with seniors staying in their homes longer, help those unable to afford market apartment rates.
- I think accessory apartments should be limited to family, medical caretakers or employees of the property owner and not open to the public to rent.
- The initial building permit should require the unit be built to support a family member or full time caregiver. After that person leaves, I'm not sure how to regulate the apartments.
- Don't.
- These apartments should not be used as a rental to non-family members and should not be used.

ACCESSORY APARTMENT SURVEY RESPONSE

9. Do you live in James City County? (Y/N) If yes, please provide the name of the subdivision where you live.

- Stonehouse
- yes Hickory Sign Post Road
- Yes, Gatehouse Farms
- Yes in Adams Hunt
- Yes
- Yes. Fords colony
- yes, sycamore landing
- Yes, Braemar Creek
- Y Fenwick Hills
- Yes, Poplar Hall Plantation
- Yes Rolling Woods. We restrict detached apartments but have several attached.
- Peleg's Point
- Yes; Indigo Park
- Yes, New Town Residential Association. I serve on the NTRA Residential Advisory Board.
- Yes Powhatan secondary
- Y - Monticello Woods
- Yes, White Hall
- Yes. Great Woods.
- Yes. Rolling Woods.
- Y, Indigo Park
- Yes, Ford's Colony
- Yes... Great Woods/Sand Hill
- Yes. Kingswood
- Peleg's Point
- Yes. Rural area Not a neighborhood.
- Yes

SPECIAL USE PERMIT- 0002-2014. HRSD Microwave Tower - 300 Ron Springs Dr.
Staff Report for the May 7, 2014 Planning Commission Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS	**Building F Board Room; County Government Complex**	
Planning Commission:	May 7, 2014	7:00 p.m.
Board of Supervisors:	June 10, 2014	7:00 p.m. (tentative)

SUMMARY FACTS

Applicant:	Mr. Stephen Romine, LaClair Ryan
Land Owner:	Hampton Roads Sanitation District
Proposal:	134-foot-tall microwave tower
Location:	300 Ron Springs Drive
Tax Map/Parcel Nos.:	5820100003
Parcel Size:	+/-37.9 acres
Zoning:	PL, Public Lands
Comprehensive Plan:	Federal, State and County Land
Primary Service Area:	Inside

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this proposal to the James City County Board of Supervisors with the conditions listed at the end of the report. Staff finds that the proposal is consistent with the 2009 Comprehensive Plan and is also compatible with the surrounding zoning and development.

Staff Contact: Leanne Pollock Phone: 253-6876

PROJECT DESCRIPTION

Mr. Stephen Romine, on behalf of the Hampton Roads Sanitation District (HRSD), has applied for a Special Use Permit to allow a microwave tower not to exceed 134 feet in height (130' tower with a 4' lightning rod) to be located on the HRSD Treatment Plant property at 300 Ron Springs Drive. Towers over 35 feet in height require a Special Use Permit in the PL, Public Land district. The proposed monopole tower will include equipment such as a dipole antenna and two microwave dishes located on the outside of the tower structure. Proposed tower placement and appearance is in Attachment 1.

The proposed tower is part of a wider network that, when completed, will enable HRSD to operate and control pipes, pump stations and treatment plants remotely during daily operations and more importantly during major storm events. HRSD is building this network as part of a 2010 consent decree from the Environmental Protection Agency (EPA). To complete the network, HRSD has identified several existing wireless communications facilities across Hampton Roads that they may be able to collocate on to provide a relay signal between each of their treatment plants and related facilities. However; it is important that the proposed tower

be located at the treatment plant itself so that the plant can be tied into the larger network. Since it will operate as a microwave network, the dishes need to be able to "see" each of the related pieces of the network in order to function.

Surrounding Zoning and Land Use
The project site is immediately surrounded by property that is zoned R-2, General Residential and surrounding property is also part of the Carter's Grove Agricultural and Forestal District (AFD). The HRSD treatment plant itself is not located within an AFD. The property is adjacent to the James River and also adjacent to Carter's Grove, which is zoned R-8, Rural Residential and designated as Park, Public and Semi-Public Open Space by the 2009 Comprehensive Plan. Portions of Kingsmill, specifically the Woods Course (zoned M-1, Limited Business/Industrial) and River Bluffs (zoned R-4, Residential Planned Community) lie to the north and west.These areas are designated Limited Industry and Low Density Residential on the Comprehensive Plan respectively.

PUBLIC IMPACTS

1. **Environmental Impacts**
   Watershed: James River
   Engineering and Resource Protection Staff Comments: The Engineering and Resource Protection Division has reviewed the proposal and does not have any comments.

2. **Public Utilities and Transportation**
   The site is located inside the Primary Service Area. The proposed tower would not generate additional needs for the use of public utilities or significant additional vehicular trips in the area.

VISUAL IMPACTS

The proposed tower is located on the northern-most portion of the HRSD property and is surrounded by a wooded parcel that is currently part of the Carter's Grove AFD. This parcel contains a segment of the now out-of-use Carter's Grove Country Road. The tower would be roughly 1,700 feet from the closest residence in Kingsmill and 1,990 feet from the closest residence on Ron Springs Road. The tower would be roughly 1,300 feet from the banks of the James River and would be located behind the other treatment plant facilities, buildings and tanks.

Staff finds that the base and the equipment enclosures of the proposed tower would not be visible from surrounding properties given the distance to property lines, the wooded nature of the property, an existing fence around the perimeter of the treatment facility and a row of existing trees planted on a berm near the HRSD plant's northern property line that were required as part of a previous SUP case. Based on a publically advertised balloon test conducted on February 19 and 20, 2014, staff expects that the top portion of the tower would be visible along a short distance of Magruder Avenue where it makes a 90-degree turn and from various points along the James River as shown on Attachment 2. A picture of the view of Mach Tower from the James River is also included in Attachment 3 as a point of comparison. Mach Tower is approximately 4,500 feet from the river and is 340 feet above mean sea level (AMSL). The proposed HRSD microwave tower is about 1,300 feet from the river and would be 196 feet AMSL. For further reference, the existing smoke stacks on the plant property at 166 feet AMSL. The proposed tower is also significantly smaller in diameter than Mach Tower. The balloon was not visible from anywhere in Kingsmill, along Route 60 or on the Carter's Grove property.

Both staff and the applicant recognize the importance of protecting viewsheds from the historic James River and include a condition to this Special Use Permit requiring that the tower color be muted. Typically, towers are gray in color to minimize the visual impacts. The applicant also has experience with a new type of digital camouflaged wrapping that can be added to the top of towers that may be a more effective way of reducing the tower's visual impacts. The applicant has indicated that they are open to considering this approach to segments of the tower that are above the treeline.

The applicant held a public meeting on February 19 to discuss the proposed tower with any interested residents or businesses. Additionally, the applicant has posted information about the project, simulations and balloon test photos to http://hrsdwilliamsburg.com/. Neither the applicant nor staff has received any objections or concerns from members of the public.

COMPREHENSIVE PLAN

The 2009 James City County Comprehensive Plan Land Use Map designates this property as Federal, State and County Land. Federal, State and County Land areas are reserved for publically-owned offices, facilities and larger utility sites. In general, the Comprehensive Plan discusses minimizing the impacts of newly approved wireless communications facilities (WCFs). Though the tower does not meet the definition of a WCF, the concept of minimizing visibility is applicable.

Staff Comments: As discussed earlier, staff finds the tower would be only minimally visible from one adjacent residential area and would be generally unnoticeable to the casual observer at that point. The tower would be partially visible from the James River, but the applicant has accepted a condition to continue to explore alternative paint colors/wraps to minimize this visibility. Also, the property is surrounded by a significant wooded buffer that is protected in the short-term as part of an Agricultural and Forestal District and shields the tower from residences.

PERFORMANCE STANDARDS

The James City County Board of Supervisors adopted several performance standards for WCFs (Attachment 4). Though the tower is not a WCF as defined by the Zoning Ordinance, as the uses are similar, staff finds these performance standards germane to the application.

These standards note that tower mounted WCFs should be located and designed in a manner that minimizes their impacts to the maximum extent possible and minimizes their presence in areas where they would depart from existing and future patterns of development. While all standards support the goals outlined in the Comprehensive Plan, some may be more critical to the County's ability to achieve these goals on a case-by-case basis. Therefore, some standards may be weighed more heavily in any recommendation or decision on an SUP. To date, towers granted an SUP have substantially met these standards.

A. Collocation and Alternative Analysis

Standard A1 encourages collocation. HRSD has indicated that the proposed tower must be located on the HRSD treatment plant property to ensure the functionality of the system. There are no other existing WCFs nearby.

Standard A2 pertains to the demonstration of a need for the proposal and the examination of alternatives, including using alternative mounting structures. HRSD has demonstrated a need for the tower on the treatment plant site as part of the EPA mandate. HRSD did explore the potential to locate the dishes and antenna on existing structures within the treatment plan property, including the smokestacks, rooftops and tanks, but they either could not get the height required to connect the microwave dishes to the rest of the network or the structure could not carry the additional loads of the required dishes, antenna and cablings.

Standard A3 recommends that the site be able to contain at least two towers on site to minimize the need for additional towers elsewhere. It appears to be possible to accommodate a second tower and the related equipment enclosure on the current site. No service providers contacted by HRSD have expressed an interest in a second tower on the site at this time.

Standard A4 pertains to the allowance of future service providers to collocate on the tower. HRSD is willing and able to allow collocation for additional wireless carriers. HRSD has contacted some wireless providers but none have expressed an interest in collocating on the tower at this time. HRSD also contacted JCC public safety staff who determined there was no need to collocate on the tower.

B. Location and Design

Performance standard B1 states that towers and tower sites should be consistent with existing and future surrounding development and the Comprehensive Plan. More specifically, towers should be compatible with the use, scale, height, size, design and character of surrounding existing and future uses. The proposed tower is only slightly taller than the existing structures at the HRSD plant and is taller than the existing mature trees. Staff understands that due to the nature of the technology, the antenna must be above the trees. Staff also understands that there have been some conceptual proposals by Xanterra for development of the Woods Golf Course into residential housing. The proposed tower site is about 550 feet from the property line of the Woods Course; however, there is an additional approximately 500 foot existing conservation easement, which would put any residence about 1,000 feet from the tower.

Performance Standard B2(a) states that towers should be located in a manner that use a camouflaged design or have minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors. Staff finds the tower will not impact any residential area, Community Character Corridor, Carter's Grove or the Colonial Parkway. As previously discussed, there would be a minimal impact to visibility from the James River; however, the tower is set back as far as possible from the river while still meeting setbacks on the property and SUP conditions related to color are proposed to minimize the visibility. As part of the Section 106 process, the State Historic Preservation Officer has determined that there will be no adverse impacts to archaeological or architectural resources nearby or on the site.

Performance Standard B3 states that towers should be less than 200 feet to avoid lighting. This application meets this standard and the FAA has confirmed that no lighting would be required as a result of the proximity to nearby military installations.

Performance Standard B4 states that towers should be freestanding and not supported by guy wires. This application meets this standard.

C. Buffering

The Performance Standards state that towers should be placed on a site in a manner that maximizes buffering from existing trees, including a recommended 100-foot wide wooded buffer around the base of the tower, and that the access drive should be designed in a manner that provides no off-site view of the tower base or related facilities. The tower is proposed to have about a 152-foot wooded buffer contained on the property in addition to another 300 to 1,000-foot wooded buffer on adjacent property contained in an AFD. The access road is internal to the HRSD treatment plant site and no changes would be need outside of the property. Staff considers this standard to be met by the application.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this proposal to the James City County Board of Supervisors with the conditions listed at the end of the report. Staff finds that the proposal is consistent with the 2009 Comprehensive Plan and is also compatible with the surrounding zoning and development.

1. *Master Plan and Use:* This Special Use Permit shall be valid for the installation of a microwave tower at a total height of 134 feet, including all appurtenances, on the Property as shown on the Master Plan.
2. *Enclosure:* Should a future provider collocate on the tower and determine that equipment needs to be enclosed by fencing, the fencing shall be vinyl-coated and shall be dark green or black in color. Any fencing shall be reviewed and approved by the Planning Director prior to final site plan approval.
3. *Tower Color:* Any tower shall have a finish that is grey in color as approved by the Planning Director. Any alternative color used, including but not limited to a camouflage wrap, shall be approved by the Planning Director, or his designee, prior to final site plan approval.

4. *Lighting:* Lighting, beacons, and other similar devices shall be prohibited on the Project unless required by the FCC or FAA. When required by the FCC or FAA, a red beacon light or lights of low-medium intensity shall be used rather than a white strobe light. Should the regulations and requirements of this subsection conflict with any regulation or requirement by the FCC or FAA, then the regulations of the FCC and FAA shall govern. At the time of site plan review, a copy of the FAA and/or FCC findings shall be provided to the County.
5. *Commencement.* A Certificate of Occupancy shall be obtained within twenty-four (24) months from the date of the issuance of this special use permit, or this special use permit shall be void.
6. *Severance Clause.* This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Leanne Pollock

Leanne Pollock

ATTACHMENTS:

1. HRSD master plan and narrative
2. Balloon test location map
3. Balloon test photos
4. Performance Standards for Wireless Communications Facilities that Require a Special Use Permit

HRSD

Cleaning wastewater every day for a better Bay.

SITE NAME: WILLIAMSBURG TREATMENT PLANT
300 RON SPRINGS RD
WILLIAMSBURG, VA 23185

811 Know what's below. Call before you dig.

PERMIT INFORMATION

PERMITS AND INSPECTIONS

ADDRESS:	CITY OF NEWPORT NEWS 2400 WASHINGTON AVENUE NEWPORT NEWS, VA 23607
PHONE:	(757) 926-8634
ATTN:	PLANS REVIEWER

SITE INFORMATION

SCOPE OF WORK:	MILESTONE COMMUNICATIONS PROPOSES TO BUILD A TELECOMMUNICATIONS FACILITY ON THE PROPERTY LISTED BELOW. THE FACILITY CONSISTS OF A 130' MONOPOLE WITH A 4' LIGHTNING ROD AND SPACE FOR MULTIPLE CARRIERS IN A COMPOUND.
SITE ADDRESS:	300 RON SPRINGS ROAD WILLIAMSBURG, VA 23185
PROPERTY OWNER: ADDRESS:	HAMPTON ROADS SANITATION DISTRICT PO BOX 5915 VIRGINIA BEACH, VA 23471
PARCEL ID: PARCEL AREA:	58-2-01-0-0003 37.91 ± ACRES
LATITUDE (NAD 83): LONGITUDE (NAD 83):	37° 12' 59.01" -76° 38'05.81"
JURISDICTION:	JAMES CITY COUNTY
ZONING:	PL
PROPOSED USE:	TELECOMMUNICATIONS FACILITY
GROUND ELEVATION:	61.4' (AMSL) (NAVD88)
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	134.0' (AGL)
HANDICAP REQUIREMENTS:	FACILITY IS UN-MANNED AND NOT FOR HUMAN HABITATION. DISABLED ACCESS NOT REQUIRED

NOTE: ALL ELEVATIONS ARE NAVD88 VERTICAL DATUM.

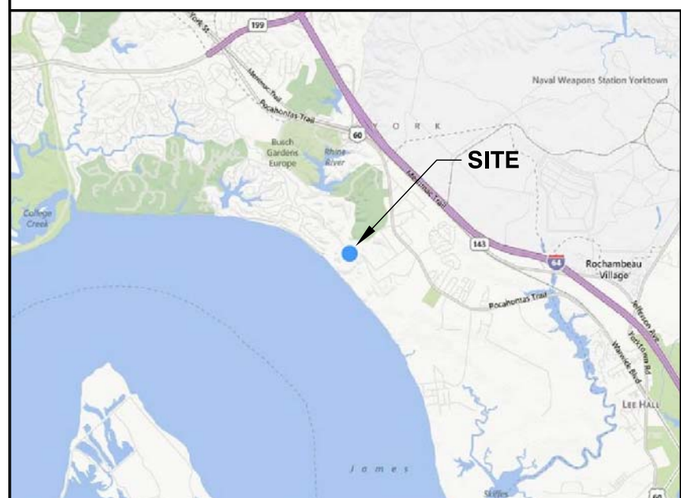
PROJECT TEAM

APPLICANT:	HRSD 1434 AIR RAIL AVENUE VIRGINIA BEACH, VIRGINIA 23455
PROJECT MANAGEMENT FIRM:	NETWORK BUILDING & CONSULTING, LLC. 7380 COCA COLA DRIVE, SUITE 106 HANOVER, MD 21076 (410) 712-7092
ENGINEERING FIRM:	NB&C ENGINEERING SERVICES, LLC. 7380 COCA COLA DRIVE, SUITE 106 HANOVER, MD 21076 (410) 712-7092

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL-SIZE AT 24"X36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

VICINITY MAP



DIRECTIONS

FROM THE MILESTONE OFFICE:

DEPART VA-675 E / SUNSET HILLS RD. TURN RIGHT ONTO VA-602 S / RESTON PKWY. TAKE RAMP RIGHT FOR VA-267-TOLL EAST TOWARD WASHINGTON. AT EXIT 18A, TAKE RAMP RIGHT FOR I-495 SOUTH TOWARD RICHMOND. AT EXIT 57A, TAKE RAMP RIGHT FOR I-95 S TOWARD RICHMOND. AT EXIT 84A, TAKE RAMP LEFT FOR I-295 SOUTH TOWARD ROCKY MOUNT NC / RICHMOND INT'L AIRPORT. AT EXIT 28A, TAKE RAMP RIGHT FOR I-64 EAST TOWARD VA BEACH / NORFOLK. AT EXIT 243 TAKE RAMP RIGHT TOWARD BUSCH GARDENS. TAKE RAMP RIGHT AND FOLLOW SIGNS FOR US-60. BEAR RIGHT ONTO US-60. TURN RIGHT ONTO RON SPRINGS DRIVE. TURN RIGHT ONTO LOG CABIN BEACH ROAD. THE SITE IS ON YOUR RIGHT.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2009 INTERNATIONAL BUILDING CODE
- 2008 NATIONAL ELECTRICAL CODE
- 2009 NFPA 101, LIFE SAFETY CODE
- 2009 IFC
- AMERICAN CONCRETE INSTITUTE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION
- ANSI/TIA-222-G
- TIA 607
- INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSI/T 311

DRAWING INDEX

T-1	TITLE SHEET
Z-1	SITE PLAN
C-1	COMPOUND PLAN AND ELEVATION

SIGNATURE BLOCK

PROJECT MANAGER	DATE
LEASING	DATE
ZONING	DATE
CONSTRUCTION	DATE
UTILITIES	DATE
NET OPS	DATE
LANDLORD	DATE
RF ENGINEER	DATE

ENGINEER

NB+C TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
7380 COCA COLA DRIVE, SUITE 106
HANOVER, MD 21076
(410) 712-7092

APPLICANT

HRSD Cleaning wastewater every day for a better Bay.

1434 AIR RAIL AVENUE
VIRGINIA BEACH, VIRGINIA 23455

SITE INFORMATION

WILLIAMSBURG
TREATMENT PLANT
300 RON SPRINGS DRIVE
JAMES CITY COUNTY, VA 23185

DESIGN RECORD

REVISIONS

REV	DATE	DESCRIPTION	BY
C	03/13/14	REVIEW COMMENTS	DET
B	01/27/14	REDLINES	DET
A	01/22/2014	PRELIMINARY	PJP

PROFESSIONAL STAMP

ENGINEER

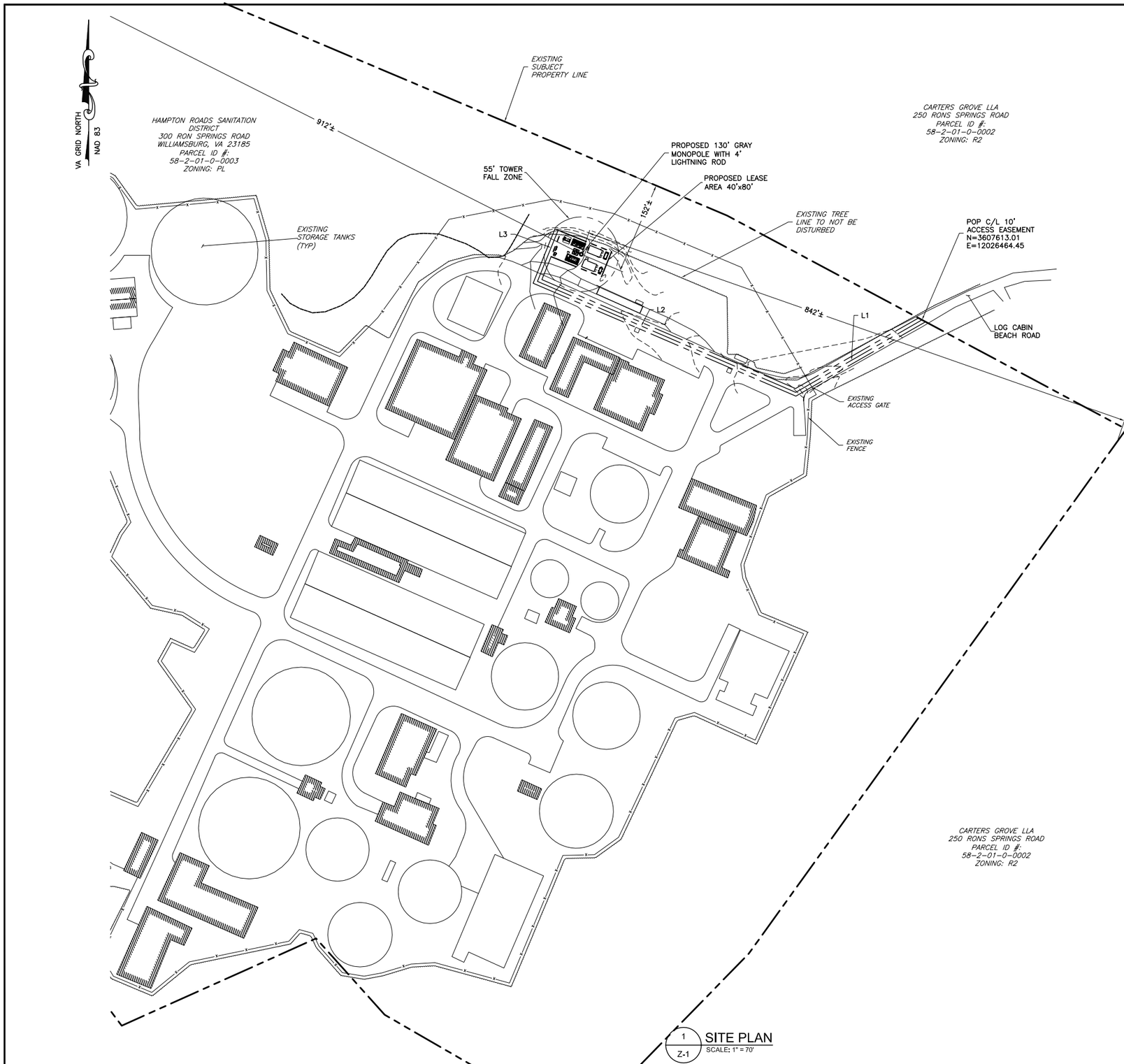
TRENT SNARR, P.E.
VA PROFESSIONAL ENGINEER LIC. #049978

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1



1 / Z-1 SITE PLAN
SCALE: 1" = 70'

ZONING INFORMATION

JURISDICTION: CITY OF NEWPORT NEWS

ZONING: PL

DIMENSION	REQUIRED	PROPOSED ±
FRONT YARD SETBACK:	30'	842'
REAR YARD SETBACK:	100'	912'
SIDE YARD SETBACK:	30'	152'

LOT AREA: 37.91± ACRES

(ALL MEASUREMENTS ARE IN FEET ± UNLESS OTHERWISE NOTED)

GENERAL SURVEY NOTES:

1. ALL SETBACKS SHOWN ARE FROM PROPOSED TOWER TO EXISTING PROPERTY LINES.
2. THIS EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF MILESTONE COMMUNICATIONS AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE LEASEHOLD AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE SUBJECT PROPERTY NOR ANY PORTION OR PORTIONS THEREOF. NO BOUNDARY SURVEY WAS PERFORMED.
3. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.
4. EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TCRA 1103 ROBOTIC
5. THE FIELD DATA UPON WHICH THIS EASEMENT SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000+ FEET AND AN ANGULAR ERROR OF 5.0" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.
6. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN 1 FOOT IN 100,000+ FEET.
7. THE 2' CONTOURS SHOWN ON THIS EASEMENT SURVEY ARE ADJUSTED TO NAVD 88 DATUM AND HAVE A VERTICAL ACCURACY OF ± 1'. CONTOURS OUTSIDE IMMEDIATE AREA ARE APPROXIMATE..
8. BEARINGS SHOWN ON THIS EASEMENT SURVEY ARE BASED ON VA. GRID NORTH (NAD 83)
9. A PORTION OF THIS PROPERTY AND PROPOSED LEASE AREA IS LOCATED IN A SPECIAL FLOOD AREA (ZONE AB) AS PER F.I.R.M. COMMUNITY PANEL NO. 5101030017C DATED 1/17/1986.
10. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEY MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
11. EXISTING LANDSCAPING TO REMAIN.
12. TOWER WILL BE DESIGNED TO COLLAPSE ON ITSELF. TOWER BREAK POINT WILL BE ALL 100'

LEGEND

- PROPERTY LINE – SUBJECT PARCEL
- PROPERTY LINE – ABUTTERS
- CONTOUR LINE
- EXISTING ROAD
- EXISTING TREE LINE
- IRON PIN FOUND (IPF)
- R/W RIGHT-OF-WAY
- EXISTING BUILDING

SUBJECT PARCEL INFORMATION
WILLIAMSBURG WATER TREATMENT PLANT
300 RON SPRINGS ROAD
WILLIAMSBURG, VA 23185
PARCEL ID: 58-2-01-0-0003
ZONING: PL
AREA: 37.91± ACRES

ACCESS & UTILITY EASEMENT

LINE CHART

LINE	BEARING	DISTANCE
1	S60°10'02"W	214.77'
L2	N66°45'30"W	141.59'
L3	N21°55'19"E	81.36'

GRAPHIC SCALE
70 0 35 70 140 280
(IN FEET)
1 INCH = 70 FEET

ENGINEER

NB+C TOTALLY COMMITTED.
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ENGINEER

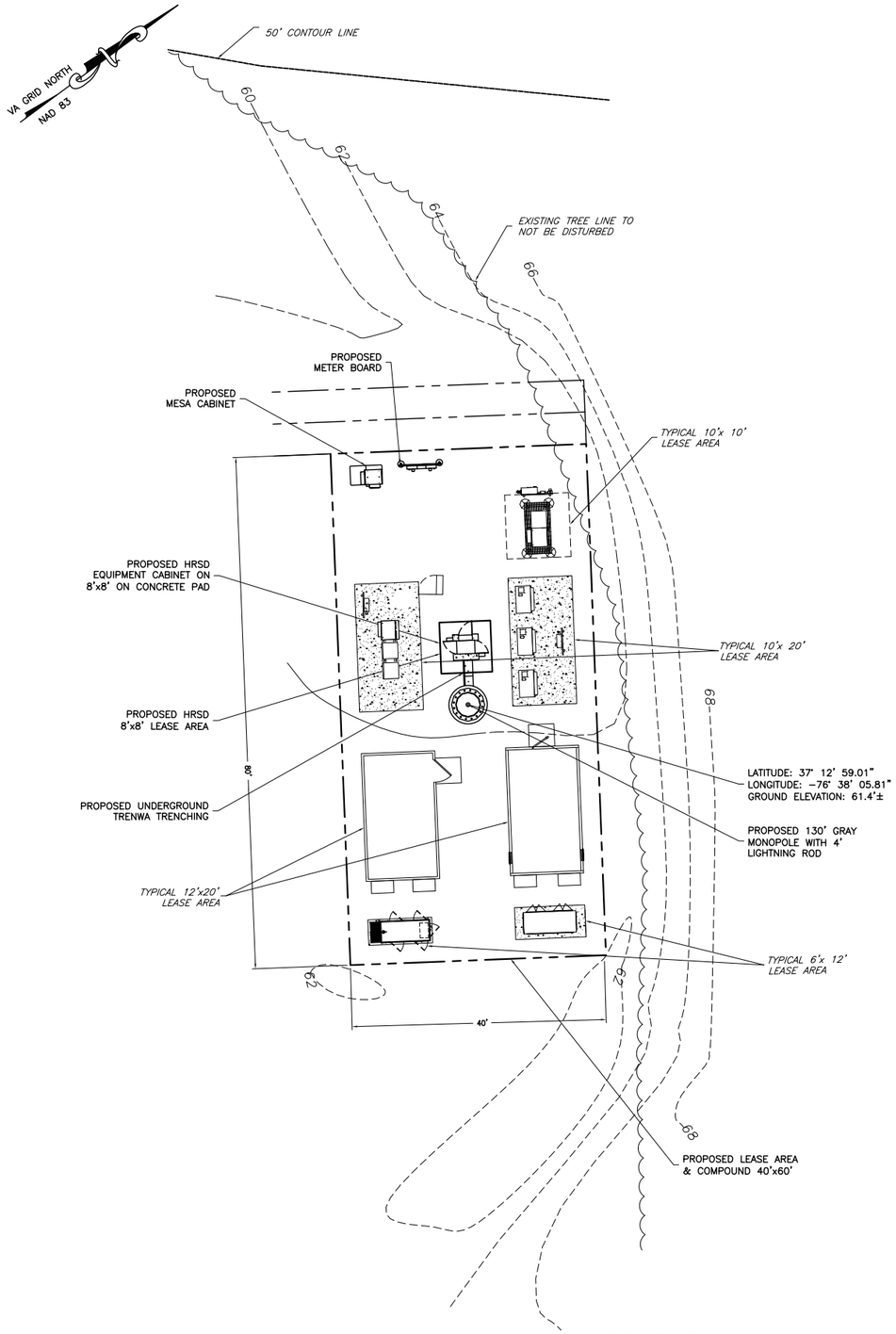
TRENT SNARR, P.E.
VA PROFESSIONAL ENGINEER LIC. #049978

SHEET TITLE

SITE PLAN

SHEET NUMBER

Z-1



1 / C-1 COMPOUND PLAN
SCALE: 1" = 10'-0"

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 INCH = 10 FEET

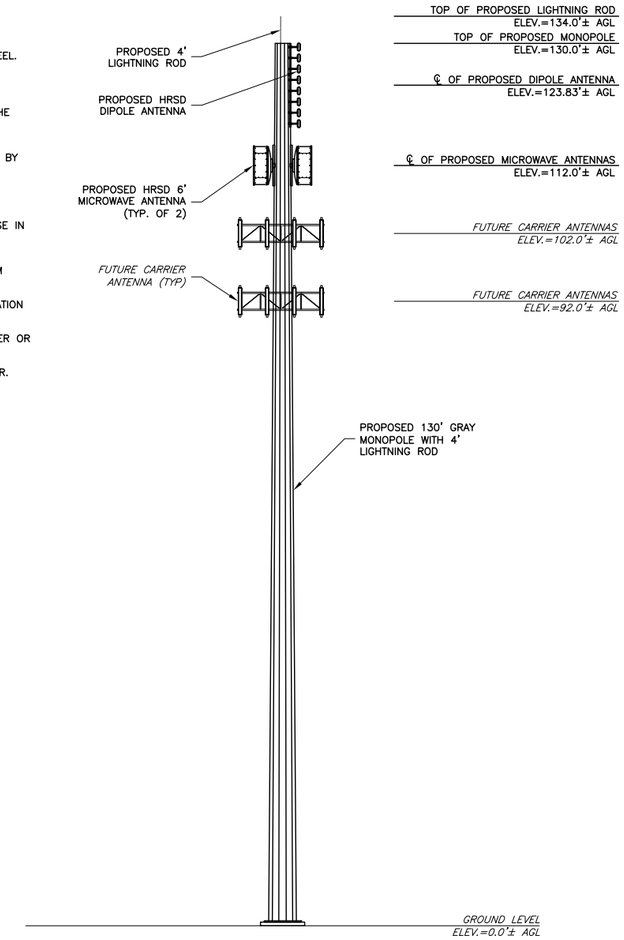
GENERAL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
8. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/EIA/TIA 222-G (VA EDITION) REQUIREMENTS.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
11. IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
12. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
13. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
14. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
15. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
16. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
17. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
18. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.

PROPOSED LEASE AREA

LINE CHART

LINE	BEARING	DISTANCE
L1	N21°55'19"E	40'
L2	S68°04'41"E	80'
L3	S21°55'19"W	40'
L4	N68°04'41"W	80'



2 / C-1 ELEVATION
SCALE: 1" = 10'"

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 INCH = 10 FEET

ENGINEER

NB+C TOTALLY COMMITTED.
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PROFESSIONAL STAMP

ENGINEER

TRENT SNARR, P.E.
VA PROFESSIONAL ENGINEER LIC. #049978

SHEET TITLE

COMPOUND PLAN & ELEVATION

SHEET NUMBER

C-1

WRITTEN NARRATIVE

NATURE OF PROPOSED USE

Hampton Roads Sanitation District ("HRSD") requests approval for a Special Use Permit for the proposed one hundred thirty foot (130') wireless communications facility ("WCF") with a four foot (4') lightning rod on a forty-three (43) acre parcel, identified as Parcel ID No. 58201000[03] and located at 300 Ron Springs Drive and commonly known as the HRSD Williamsburg Treatment Plant ("Property" or "Site"). The total height of the WCF will be one hundred thirty-four feet (134'), which includes all appurtenances.

The Property is currently zoned Public Lands ("PL"), on which a WCF, such as proposed by HRSD, is a permissible use with a special use permit. See §24-535.2 of the James City County Zoning Ordinance ("Zoning Ordinance").

The one hundred thirty-four foot (134') WCF as set forth in the enclosed site plans titled, "Williamsburg Treatment Plant ("WTP"), 300 Ron Springs Drive, Williamsburg, VA 23185, prepared by NB&C, dated February 5, 2014 ("Site Plan") will be enclosed and secured within the existing WTP compound.

HRSD proposes to use wireless technology to protect public health and area waterways in conjunction with their smart sewer initiative.

SUPPLEMENTARY REQUIREMENTS

In accordance with Article II, Division 6 of the Zoning Ordinance and the Performance Standards for Wireless Communications Facilities, HRSD has provided all supplemental materials with its Special Use Permit Application.

EPA MANDATED PROJECT

HRSD, whose system is among the largest in the nation, is required by law and has agreed with the EPA under a 2010 consent decree to create the ability to operate and control its pipes, pump stations and treatment plants remotely during daily operations and more importantly during major and catastrophic storm events. The lack of this ability to control the HRSD network can lead to major environmental, health and economic impacts during such storm events. To address this requirement, the HRSD wireless network has been designed with a high degree of redundancy and reliability to meet the demanding requirements. The HRSD digital SCADA network will initially collect and transmit data from more than 120 sites across the HRSD service area and will replace an outdated analog network now in operation. The most common failure point and weakest link of existing SCADA network are the existing telephony connections. The vital foundation upon which this network is being built is a wireless tower that is to be installed at each of HRSD's water treatment plants and each of the three (3) operation

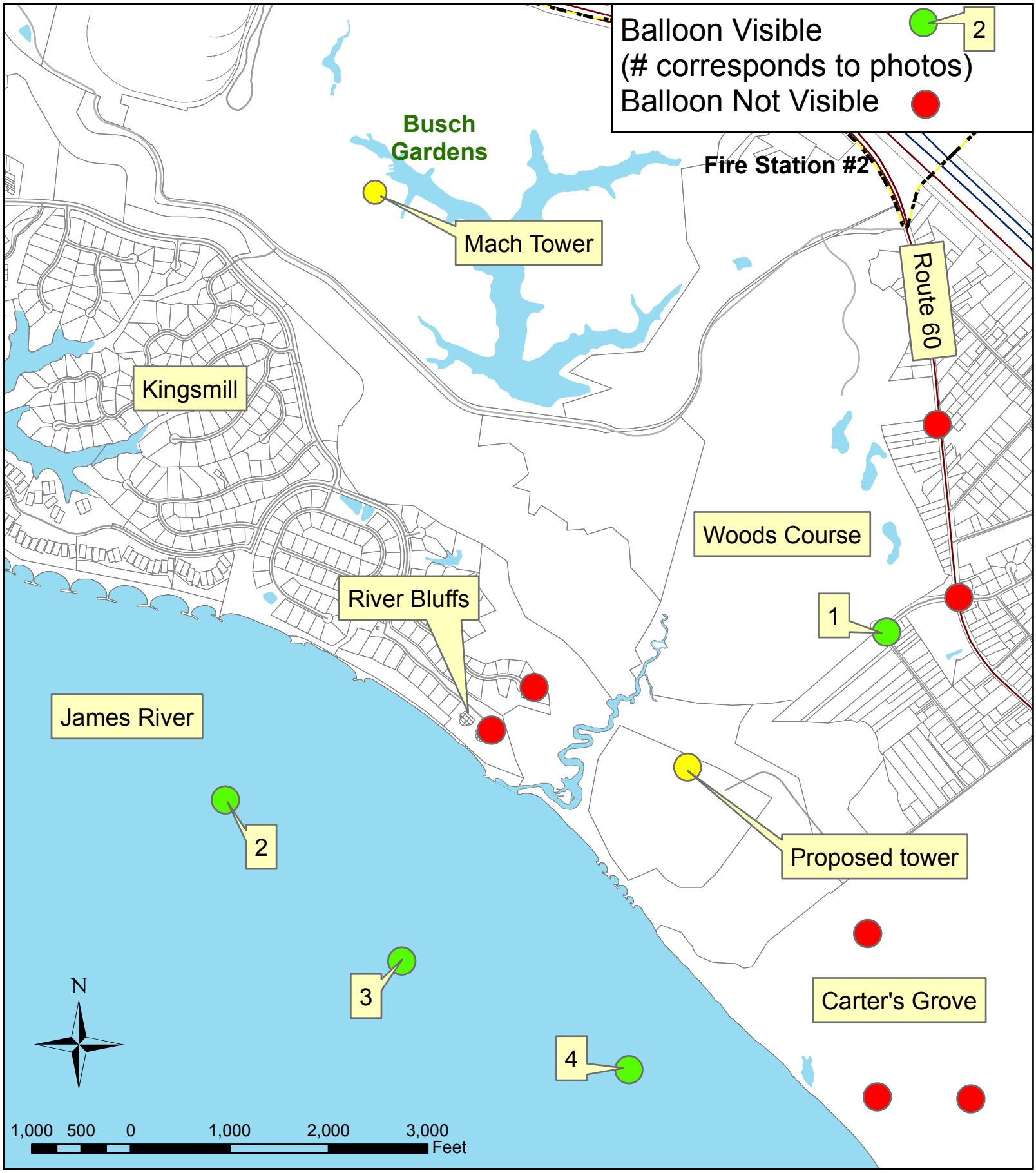
The location of the proposed site offers the greatest potential for allowing HRSD to create a reliable network while realizing improvement of the HRSD network and to update the current outdated analog network.

SUMMARY

In conclusion, the proposed site appears to be the best solution as it will:

- Ensure HRSD's ability to operate its pump stations and treatment plants remotely during major storm events;
- Reduce possibility of sanitary overflows during storm events thus reducing the potential environmental, health and economic impact of major storm events;
- Bring HRSD in compliance with EPA mandate;
- Is the least visually obtrusive facility to achieve the required results and enhancements; and
- Will further lay the foundation for HRSD's long term plans for launching "Smart Sewer" operations. This Smart Sewer capability allows HRSD to streamline manpower while expanding to meet the requirements for capacity expansion and thus delivering cost savings to the HRSD rate payer.

Attachment 2: JCC-SUP-0002-2014
HRSD Microwave Tower - 300 Ron Springs Dr.

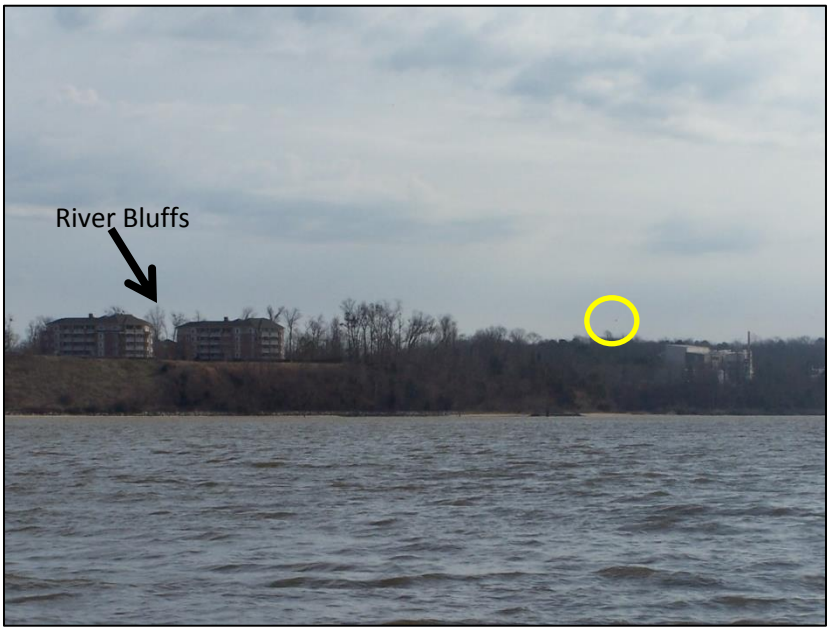


Attachment 3: Balloon Test Photos

Location #1: Magruder Avenue

Location #2: James River (NW)

(Normal view)



(Zoomed)

Location #3: James River (W)

Location #4: James River (SW)

Point of Comparison: Mach Tower (SW) *(340 feet above sea level)*

PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES THAT REQUIRE A SPECIAL USE PERMIT
January 10, 2012

In order to maintain the integrity of the James City County's significant historic, natural, rural and scenic resources, to preserve its existing aesthetic quality and its landscape, to maintain its quality of life and to protect its health, safety, general welfare, and property values, wireless communications facilities (WCFs) should be located and designed in a manner that minimizes their impacts to the maximum extent possible and minimizes their presence in areas where they would depart from existing and future patterns of development. To implement these goals, the Planning Commission and the Board of Supervisors have adopted these performance standards for use in evaluating special use permit applications for WCFs. While all of the standards support these goals, some may be more critical to the County's ability to achieve these goals on a case by case basis. Therefore, some standards may be weighed more heavily in any recommendation or decision on a special use permit, and cases that meet a majority of the standards may or may not be approved. The terms used in these standards shall have the same definition as those same terms in the Zoning Ordinance. In considering an application for a special use permit, the Planning Commission and the Board of Supervisors will consider the extent to which an application meets the following performance standards:

A. Collocation and Alternatives Analysis

1. Applicants should provide verifiable evidence that they have cooperated with others in co-locating additional antenna on both existing and proposed structures and replacing existing towers with ones with greater co-location capabilities. It should be demonstrated by verifiable evidence that such co-locations or existing tower replacements are not feasible, and that proposed new sites contribute to the goal of minimizing new tower sites.

2. Applicants should demonstrate the following:

    a. That all existing WCFs and potential alternative mounting structures more than 60 feet tall within a three-mile radius of the proposed site for a new WCF cannot provide adequate service coverage or an antenna mounting opportunity.

    b. That adequate service coverage cannot be provided through an increase in transmission power, replacement of an existing WCF within a three mile radius of the site of the proposed WCF, or through the use of a camouflaged WCF, alternative mounting structure, multi-antenna system or a system that uses lower antenna heights than proposed.

    c. The radii of these study areas may be reduced where the intended coverage of the proposed WCF is less than three miles.

3. Towers should be sited in a manner that allows placement of additional WCF facilities. A minimum of two tower locations, each meeting all of the requirements of the Zoning Ordinance and these standards, should be provided at all newly approved tower sites.

4. All newly permitted towers should be capable of accommodating enough antennas for at least three service providers or two service providers and one government agency. Exceptions may be made where shorter heights are used to achieve minimal intrusion of the tower as described in Section B.2. below.

B. Location and Design

1. WCFs should be consistent with existing and future surrounding development and the Comprehensive Plan. While the Comprehensive Plan should be consulted to determine all applicable land use principles, goals, objectives, strategies, development standards, and other policies, certain policies in the Plan will frequently apply. Some of these include the following: (1) WCFs should be compatible with the use, scale, height, size, design and character of surrounding existing and future uses, and such uses that are generally located in the land use designation in which the WCF would be located; and (2) WCFs should be located and designed in a manner that protects the character of the County's Community Character Corridors and historic and scenic resource areas and their view sheds.

2. WCFs should be located and designed consistent with the following criteria:

Proposed Location of WCF	*Impact Criteria*
a. Within a residential zone or residential designation in the Comprehensive Plan	*Use a camouflage design, a well buffered slickstick, Multi-Antenna system, or have a minimal intrusion on to residential areas, historic and scenic resource~~s~~ areas or roads in such areas, or community character corridors.*
b. Near a historic or scenic resource area or on a *Community Character Corridor*	*Use a camouflaged design or slicksticks that have minimal intrusion on to residential areas, historic and scenic resources areas or on community character corridors.*
c. Within a rural lands designation in the Comprehensive Plan	*For areas designated rural lands in the Comprehensive Plan that are within 1,500 feet from the tower, use a well buffered monopole, a camouflaged design, or other design that has minimal intrusion on to residential areas, or community character corridors.* *For rural lands more than 1,500 feet from the tower, no more than the upper 25% of the tower should be visible.*
d. Within a commercial or in an industrial designation in the Comprehensive Plan	*Use a camouflage design, well buffered monopole, or other design that has minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or community character corridors.*

Notes for the above table:

1. Exceptions to these criteria may be made on a case by case basis where the impact of the proposed WCF is only on the following areas: (1) An area designated residential on the Comprehensive Plan or zoning map which is not a logical extension of a residential subdivision or which is a transitional area between residential and nonresidential uses, (2) a golf course or a golf course and some combination of commercial areas, industrial areas, or utility easements, provided the tower is located on the golf course property, or (3) a scenic easement.

2. A *WCF* will meet the minimal intrusion criteria if it is not visible off site above the tree line. Such *WCF* should only be visible off-site when viewed through surrounding trees that have shed their leaves.
3. Camouflaged towers having the design of a tree should be compatible in scale and species with surrounding natural trees or trees native to Eastern Virginia.
4. WCFs should be less than 200 feet in height in order to avoid the need for lighting. Taller heights may be acceptable where views of the WCF from residential areas and public roads are very limited. At a minimum, WCFs 200 feet or more in height should exceed the location standards listed above.
5. Towers should be freestanding and not supported with guy wires.

C. <u>Buffering</u>

1. WCFs should be placed on a site in a manner that takes maximum advantage of existing trees, vegetation and structures so as to screen as much of the entire WCF as possible from view from adjacent properties and public roads. Access drives should be designed in a manner that provides no view of the WCFs base or related facilities.

Figure 1: Example of a well buffered slickstick with minimal intrusion

2. Towers should be buffered from adjacent land uses and public roads as much as possible. Following buffer widths and standards should be met:

   a. In or adjacent to residential or agricultural zoning districts, areas designated residential or rural lands on the Comprehensive Plan, historic or scenic resource areas, or community character corridors, an undisturbed, completely wooded buffer consisting of existing mature trees at least 100 feet wide should be provided around the tower.

   b. In or adjacent to all other areas, at least a 50 foot wide vegetative buffer consisting of a mix of deciduous and evergreen trees native to Eastern Virginia should be provided.

PLANNING DIRECTOR'S REPORT
May 2014

This report summarizes the status of selected Planning Division activities during the past month.

- **New Town.** The Design Review Board did not meet in April. The DRB considered the following items via email: landscaping for the Pier 1 building, changes to the Section 12 apartment plans, addition of a chimney to the Noodles and Co. building and plats for Section 9 townhomes (Village Walk), Section 7 Parcel C townhomes and Section 7 Phase 10 single-family detached units. The next DRB meeting is scheduled for May 15.

- **Longhill Road Corridor Study.** Kimley Horn and Associates has continued to refine the draft access plan, typical sections and renderings per comments received at the February public meetings and subsequent meetings with stakeholders. The final public meeting is May 8th from 7-9 p.m. at the New Zion Baptist Church, 3991 Longhill Road.

- **Mooretown Road Corridor Study.** The first public meeting for the Mooretown Road Corridor Study took place on April 29th at the Croaker Library. A brief update of the project will be presented to the Policy Committee at its May 15th regularly scheduled meeting.

- **Rural Lands.** Planning staff continues to coordinate with the Office of Economic Development on the Agricultural and Forestry Industrial Development (AFID) grant project. At its April meetings, the Rural Economic Development Committee continued to flesh out potential projects and evaluation criteria. The REDC is hosting a related presentation by Edward T. McMahon titled "Nature, Agriculture, Economy, and Community Character" on May 12 from 4-6 p.m. at the James City County Library.

- **Comprehensive Plan.** The Community Participation Team continues to meet to plan for public outreach and input. The CPT will be holding the following two forums to receive input from organizations:
    - May 8 – 5 p.m. – Building F, County Government Center, 101 Mounts Bay Rd.
    - May 22 – 5 p.m. – Kitzinger Community Room, James City County Library, 7770 Croaker Rd.

  Staff and the CPT have also been giving presentations about the Comprehensive Plan to various community groups and participating in events around the County to distribute information. Three public meetings are also planned for June 9, 10 and 11. More information to come.

- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached documents.

- **Board Action Results:**
    - March 25, 2014
        - No planning related public hearing cases
    - April 8, 2014
        - No planning related public hearing cases

New Cases for May						
Case Type	**Case Number**	**Case Title**	**Address**	**Description**	**Planner**	**District**
Conceptual Plans	C-0014-2014	Stonehouse Road Improvements		Revision to the schedule of road and intersection improvements and the phasing thereof set forth in the Amended and Restated Stonehouse Proffers dated 11/27/07, in accordance with Sec. 3.10 of the Proffers.	Ellen Cook	01-Stonehouse
	C-0015-2014	Araceli's Family Child Care	3500 Frederick Dr.	Provide child care services for 12 children.	Jose Ribeiro	01-Stonehouse
	C-0016-2014	McDonalds at Lightfoot Upgrade	6473 Richmond Rd.	Upgrade of services at existing location with replacement building and facilities.	Ellen Cook	01-Stonehouse
	C-0017-2014	Chestnut Grove Fence	104 Wisteria Garden Dr.	Installation of 4 ft. vinyl rail fence facing Rt. 60 on both sides of entrance.	Jose Ribeiro	05-Roberts
	C-0018-2014	Norge Internal Medicine Parking Lot Expansion	7364 Richmond Rd.	Addition of approximately 18 parking spaces to existing lot.	Scott Whyte	01-Stonehouse
	C-0019-2014	Jacob's Industrial Center Parcel 1	190 Industrial Blvd.	Application proposes eight office/warehouse buildings on Parcel 1.	Jennifer VanDyke	01-Stonehouse
	C-0020-2014	Candle Factory Building 8 Handicap Parking	7521 Richmond Rd.	Changing location of one handicap parking space.	Jose Ribeiro	01-Stonehouse
	C-0021-2014	JSG Corporation Expansion	5701 Centerville Rd.	Proposal to add the manufacture and sale of wood products, a contractor's office, storage sheds and petroleum storage to the existing JSG Corp. surface mining facility. Proposed uses will require issuance of a SUP by the BOS.	Chris Johnson	02-Powhatan
	C-0022-2014	3116 Ironbound Road Furniture Store	3116 Ironbound Rd.	Proposal to operate funiture store. Property currently used as offices and contractor warehouse.	Leanne Pollock	03-Berkeley
	C-0023-2014	2692 John Tyler Highway Parking Expansion	2692 John Tyler Hwy.	Consideration of possible parking expansion options.	Scott Whyte	03-Berkeley
Master Plan	MP-0001-2014	Greensprings Rezoning and Master Plan Amendment	3942 Thorngate Dr.	Modification of density in LandBay 5-1; Additional 32 lots (changing total from 368 to 400).	Luke Vinciguerra	03-Berkeley

New Cases for May						
Case Type	**Case Number**	**Case Title**	**Address**	**Description**	**Planner**	**District**
Subdivision	S-0018-2014	Settlement at Powhatan Creek, Ph. 1 Lots 5-9 BLA	4014 Coronation	Adjusting lot lines within lots 5-9 (previously approved for attached units) to create 4 single family detached lots (4-8) with necessary utility adjustments and slight grading adjustments.	Luke Vinciguerra	03-Berkeley
	S-0019-2014	Meadows Forge Road Subdivision and BLA	3123 Forge Rd.	BLA to move 50 ft stem of Parcel 28 from the west side of parcel 26B to the east (shifting parcel 26B to the west); Subdivision would divide Parcel 28 into two, each with a 25 ft. stem.	Scott Whyte	01-Stonehouse
	S-0020-2014	Hypes Merry Oaks Lane	8850 Merry Oaks Lane	Subdivision into two lots.	Luke Vinciguerra	01-Stonehouse
	S-0021-2014	Jacob's Industrial Center Parcel 1	190 Industrial Blvd.	Subdivision into two lots.	Jennifer VanDyke	01-Stonehouse
	S-0022-2014	3527 Saunders Bridge Rear Setback Vacation	3527 Saunder's Bridge	Vacation of rear setback line.	Chris Johnson	03-Berkeley
	S-0023-2014	New Town Sec. 7, Phs. 10, Lots 63, 64, 89-106	4375 Elizabeth Davis Blvd.	Final plat of 20 single-family detached lots.	Leanne Pollock	04-Jamestown
	S-0024-2014	"W.H. Cowles" Subdivision	9250 Barnes Rd.	Creation of 4 new lots with one remainder parent parcel on Barnes Road. Originally approved under S-0080-2007 but it expired before it was recorded.	Leanne Pollock	01-Stonehouse
	S-0025-2014	New Town Sec. 7, Parcel C Townhomes, Ph. A	5455 Center St.	Final plat of lots 125-134, 135-138, 142-145, 149-152, 158-165. Units located between pool and Roper-Homestead Park.	Leanne Pollock	04-Jamestown
Site Plan	SP-0026-2014	Settlement at Powhatan Creek, Ph. 1 Lots 5-9 SP Amend.	4014 Coronation	Adjusting lot lines within lots 5-9 (previously approved as attached products) to create 4 single family detached lots (5-8) with necessary utility adjustments and slight grading adjustments.	Luke Vinciguerra	03-Berkeley
	SP-0027-2014	Sprint Brick Bat Road Tower SP Amend.	3470 Brick Bat Rd.	Installation of 3 panel antennas and relocation of existing ancillary equipment.	Luke Vinciguerra	03-Berkeley
	SP-0028-2014	Verizon Wireless Centerville Road Tower SP Amend.	5791 Centerville Rd.	Antenna modification on existing tower.	Jose Ribeiro	02-Powhatan
	SP-0029-2014	Jacob's Industrial Center Parcel 9	190 Industrial Blvd.	7,000 SF office/warehouse building with fenced gravel parking/storage yard.	Jennifer VanDyke	01-Stonehouse
	SP-0030-2014	Jamestown Pie Company Outdoor Smoker	1804 Jamestown Rd.	Installation of 21'x8' outdoor smoker.	Luke Vinciguerra	03-Berkeley
	SP-0031-2014	Chisel Run Sunroom SP Amend.	5346 Gardner Ct.	Converting deck into sunroom.	Scott Whyte	04-Jamestown
	SP-0032-2014	Busch Gardens Festa Italia Exp.	7851 Pocahontas Trail	Addition of the new attraction in Festa Italia.	Leanne Pollock	05-Roberts
Special Use Permit	SUP-0003-2014	Amerigas Propane Tank Installation	124 Industrial Blvd.	Installation of one additional 30,000 gallon storage tank.	Luke Vinciguerra	01-Stonehouse
Rezoning	Z-0002-2014	Greensprings Rezoning and Master Plan Amendment	3942 Thorngate Dr.	Increasing dwelling units within Land Bay 7 by 32 lots (increasing total from 368 to 400).	Luke Vinciguerra	03-Berkeley