



# **BOARD OF SUPERVISORS**

# **PRINCE GEORGE COUNTY**

**August 11, 2020**



# RESIDENTIAL POULTRY

## ORDINANCE DISCUSSION



## IN YOUR PACKET:

1. Photos of Coops and Runs
2. Draft Ordinance
3. Comparison table with other counties' ordinance requirements
4. Sample Ordinance from Warren County

## RECENT EVENTS

- ▶ **May 2020** – Complaint filed about hens in residential neighborhood. Complainee and other neighbors requested the ordinance be reconsidered.
- ▶ **June 23 - Planning Commission Meeting** – Commission requested Staff draft an ordinance amendment to consider possible changes.
- ▶ **August 11 – BOS Work Session (Tonight)**
- ▶ **August 27 – Planning Commission Public Hearing (Scheduled)**

## MINIMUM RECOMMENDED “HOUSEKEEPING” CHANGES

- Poultry and bees changed to an accessory use (currently a principal use in residential districts)
- Generally limit poultry to the rear yard
- Definitions for “Coop” and “Run”
- Improved formatting and enforceability
- Generally consistent requirements across all zoning districts

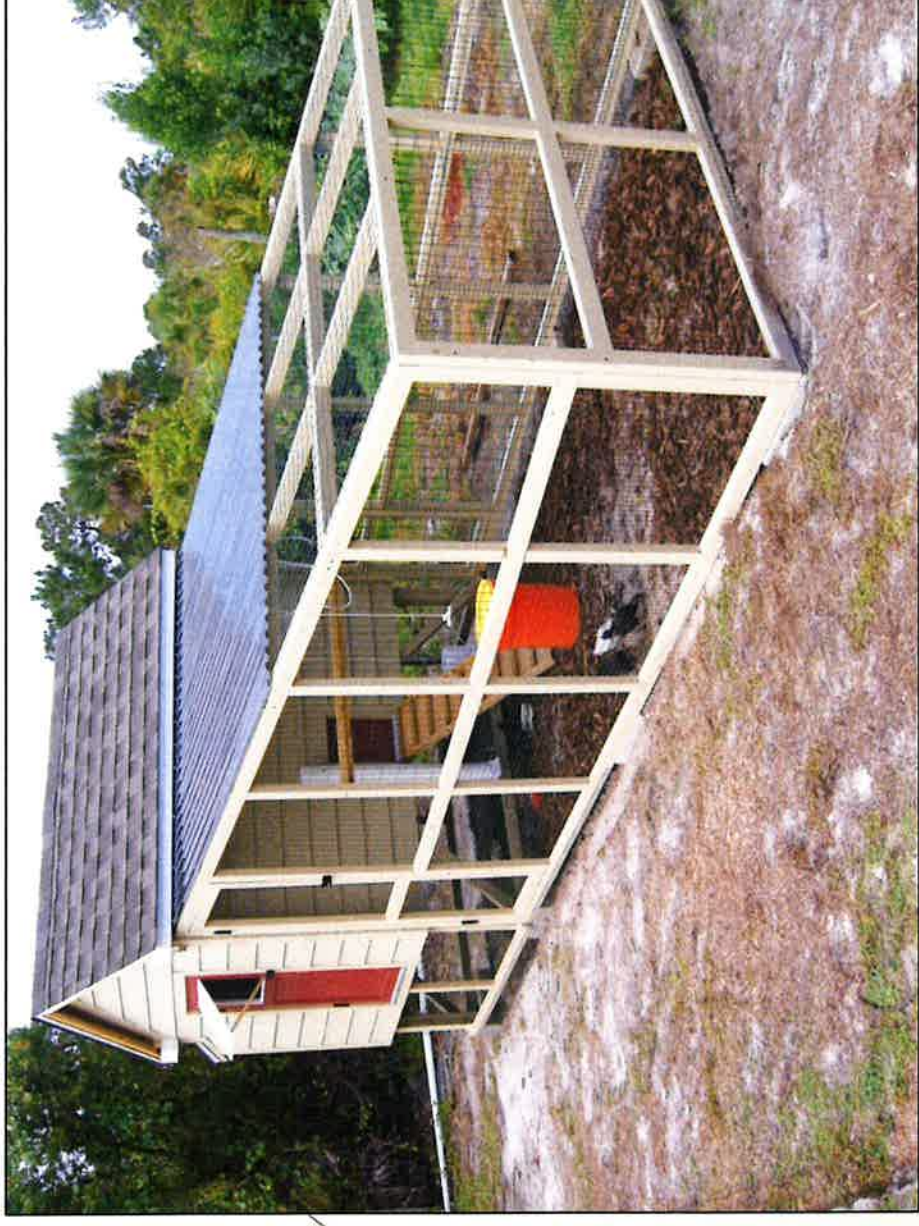
# ORDINANCE AMENDMENT OPTIONS

ORDINANCE COMPONENT	OPTION A (Housekeeping only)	OPTION B (Changes with PC Input)
Includes "Housekeeping"?	✓	✓
Minimum lot size for chickens	<p><b>R-1, etc.:</b> 2 acres</p> <p><b>R-A / A-1:</b> No minimum</p>	No minimum lot size, however there would be limits on number of chickens on different sizes of lots
Number of chickens permitted	<p><b>R-1, etc.:</b> Up to 6 poultry on 2 acres or more</p> <p><b>R-A / A-1:</b> Up to 6 poultry on 2 acres or less</p> <p>+6 for each additional 2 acres</p>	<p><b>All districts:</b></p> <p>Up to 2 poultry on 1 acre or less</p> <p>+1 for each additional 0.5 acres</p>
Roosters OK?	Only in R-A or A-1	Only in R-A or A-1 AND 700+ feet from any adjacent dwelling.
Minimum setback from adjacent dwellings	<p><b>R-1, etc.:</b> 150 feet</p> <p><b>R-A / A-1:</b> No requirement</p>	<p><b>All districts:</b></p> <p>50 feet for up to 6 poultry</p> <p>100 feet for 7-12 poultry</p> <p>300 feet for &gt; 12 poultry</p>

# EXAMPLES

		OPTION A (Housekeeping only)	OPTION B (Changes with PC Input)
<b>Base Requirements</b>	Accessory Use only; Coop and Run provided; Generally rear yard only; 25-foot setback from rear and side property lines.		
<b>0.7-acre lot Zoned R-1</b>	No poultry allowed	2 hens (no roosters) allowed, 50+ feet from adjacent dwellings	
<b>2.1-acre lot Zoned R-1</b>	6 hens (no roosters) allowed, 150 feet from adjacent dwellings	6 hens (no roosters) allowed, 50+ feet from adjacent dwellings	
<b>6-acre lot Zoned R-1</b>	18 hens (no roosters) allowed, 150 feet from adjacent dwellings	12 hens (no roosters) allowed, 100+ feet from adjacent dwellings	
<b>1-acre lot Zoned R-A</b>	6 hens (or roosters) allowed, 150 feet from adjacent dwellings	2 hens allowed, 50+ feet from adjacent dwellings. Roosters only allowed if 700+ feet from adjacent dwellings	

# QUESTIONS / COMMENTS?





## **NEXT STEPS** (IF PURSUING ORDINANCE AMENDMENT)

- 1. August** – Public Input / Update Draft
- 2. August 27** – PC Public Hearing on any ordinance amendments
- 3. September** – BOS Public Hearing

## Refresher - Coops and Runs for Residential Chickens

Source: [mypetchicken.com](http://mypetchicken.com)

**Q:** What is a chicken run?

**A:**

A chicken run is the fenced or enclosed outdoor space you provide for your chickens. The coop is the indoor space---where they go to sleep on their roost and lay eggs in their nests---and the run is the outdoor space, where they may sun bathe or dust bathe, forage in grass and scratch in the dirt.

In general, you want to provide your chickens a MINIMUM of about 10 square feet per bird of space overall, split between the coop and the run. The more space the better! Since chickens prefer to spend most of their time outdoors foraging in the yard, make your run as large as you can.

Keep in mind that while chickens don't generally fly for long distances, most breeds can at least fly high enough to clear regular 4 foot fences, and some bantam breeds can fly up to the tippy-top of trees! That's why it's popular in town to have a small run fully enclosed with welded wire hardware cloth (chicken wire is actually too weak to exclude predators) attached to the coop.



A small, attached keeps the chickens enclosed and safe... but also allows them to be let out into the larger yard when their owners are around to supervise and make sure they don't wander too far, jump fences, or squeeze through them. Coops with small, attached runs are usually not meant for full-time confinement, because they may not provide enough space, which increases your flock's stress level. The exception to this would be "tractor-style" mobile coops.

The mobile coops are moved to fresh pasture every day or every few days, and so they maintain a grassy run that is entertaining to the flock. Chickens in permanently sited coops with small attached runs will quickly eat the grass down to dust. With nothing to forage on, they're more likely to pick on one another.

For those reasons, be sure to provide your birds with plenty of space, outdoors and in.

**Q:** What is a chicken coop?

**A:**

The word "coop" simply refers to the structure that your chickens live in. A run refers to the enclosed part of the chickens' area that is outside, ideally with access to pasture.

In hot dry areas, sometimes coops are three-sided, with the fourth wall made of welded wire for security against predators. The "missing" wall provides extra ventilation and makes sure the coop doesn't get too hot inside. In cold areas, they can be quite small. A coop can be a purpose-built structure or a converted shed or building, made of wood, plastic, adobe, etc. They can be large or small.



*Small coop with attached run.*



*Large coop and run, attached to house*



*Coop built out of recycled pallets*



*Small coop with small run*



*Mobile chicken coop, or chicken tractor*



*Movable chicken run*

1 **Residential Poultry**

2 Draft Ordinance Amendment

3 Version 7-31-20

4  
5 **GUIDE:**

- 6 • ~~EXAMPLE~~ Black font with strikethrough indicates that text is proposed to be REMOVED from the zoning ordinance.
- 7
- 8 • **Black font** indicates a heading existing in the ordinance which is not proposed to be changed.
- 9 • Plain black font indicates relevant text existing in the ordinance which is not proposed to be changed.
- 10 • Red font signifies that text is proposed to be ADDED to the zoning ordinance.
- 11 • Blue font with yellow highlighting indicates Ordinance Options:
  - 12 ○ **OPTION A:** Mostly housekeeping changes, Poultry still not allowed on less than 2 acres except in R-A and A-1
  - 13 ○ **OPTION B:** Housekeeping changes and poultry allowed on less than 2 acres (With PC Input)
- 14 • Yellow highlighting indicates the remaining optional changes for Planning Commission consideration

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16  
17  
18  
19 **CHAPTER 90 - ZONING**

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21 **ARTICLE I. – IN GENERAL**

22  
23 **Sec. 90-1. – Definitions.**

24  
25 *Agriculture* means the tilling of the soil, the raising of crops, horticulture, forestry and gardening, including the  
26 keeping of animals and fowl and any agricultural industry or business, such as fruit packing plants, dairies or  
27 similar uses.

28  
29 *Animal unit* is a measurement defined as a single slaughter or feeder cattle or its equivalent of: 2.5 swine, each  
30 weighing over 55 pounds; 0.5 horse; ten sheep or lambs; 0.67 mature dairy cattle; 55 turkeys; or 100 laying hens  
31 or broilers.

32  
33 *Apiary* means a place where bee colonies or hives are kept and that contains an on-site water source for honey  
34 production and bees wax related products.

35  
36 *Coop* means the enclosed space or shelter provided for poultry.

37  
38 *Pen* means a small enclosure for the concentrated confinement and housing of animals or poultry; a place for  
39 feeding and fattening animals or a coop. Enclosed pasture or range with an area in excess of 100 feet for each  
40 hog or small animal or 200 square feet for each larger animal shall not be regarded as a pen.

41  
42 *Poultry* means domesticated fowl normally raised on a farm such as chickens, ducks, geese, turkeys, doves,  
43 guinea hens, peacocks, pigeons, and other similar domesticated poultry or fowl.

44  
45 *Run* means the outdoor space provided for poultry which is fenced or enclosed on the top and sides with  
46 chicken wire mesh or a similar fenced material to effectively maintain such poultry on the premises.

47  
48 *Slaughtering* means the killing of animals, usually domesticated livestock for food or for personal use or  
49 consumption only meeting USDA requirements.

53 **ARTICLE XXIII – MISCELLANEOUS PROVISIONS**

54  
55 **Sec. 90-1035.1. – Requirements for poultry and bees as an accessory use. in R-E, R-1, R-2 and R-3 districts.**

56 ~~So long as such use is consistent with the health, safety and welfare requirements in this chapter, there may be~~  
57 ~~housed and maintained in R-E, R-1, R-2 and R-3 Zoning Districts poultry and bees on parcels of two acres or~~  
58 ~~more.~~

59 ~~There shall be no more than six poultry and two bee hives on two acres.~~

60 ~~For each additional two acres in excess of two acres, six poultry and two bee hives shall be permitted. There~~  
61 ~~shall be no roosters, gamecocks or male peacocks and no slaughtering of poultry will be permitted unless for~~  
62 ~~personal use.~~

63 ~~In order to protect the health, safety and welfare of animals, animal owners, and the residents of the surrounding~~  
64 ~~community, the following conditions shall be met:~~

65 **(1) Poultry and bees on an individual parcel, or contiguous parcels under single ownership:**

66 **a. Number of poultry permitted:**

67 **OPTION A:**

- 68 • R-A or A-1 zoning: Up to 6 poultry on 2 acres (87,120 square feet) or less;
- 69 • Other districts: Up to 6 poultry on 2 acres or more;
- 70 • 6 more poultry for each additional 2 acres in excess of 2 acres;

71 **OPTION B:**

- 72 • Up to 2 poultry on 1 acre or less (43,560 square feet);
- 73 • 1 more poultry for each additional 0.5 acres in excess of 1 acre (21,780 square feet)

74 **b. No roosters, gamecocks or male peacocks,**

75 **OPTION A:** unless located in R-A or A-1 district.

76 **OPTION B:** unless located in R-A or A-1 district and at least 700 feet from any dwelling on  
77 an adjacent lot.

78 **c. Slaughtering of poultry is prohibited unless for personal use.**

79 **d. No more than two bee hives on parcels of at least two acres. For each additional two acres**  
80 **in excess of two acres, two bee hives shall be permitted.**

81  
82 ~~(1) A fence shall be erected around the entire enclosed area for poultry. The fence shall not be located~~  
83 ~~closer than 150 feet to the front property line, nor closer than 150 feet to an existing dwelling located on~~  
84 ~~an adjacent lot.~~

85  
86 ~~(2) A poultry coop and the coop fencing shall be a minimum of 25 feet to the property line. A perimeter~~  
87 ~~boundary fence may be placed on the property line for both containment and security purposes. The~~  
88 ~~fenced outside run area shall be securely enclosed on the top and sides with chicken wire mesh or a~~  
89 ~~similar fenced material to maintain such poultry on the premises.~~

90  
91 **(3) A coop and run shall be provided and shall meet the following requirements:**

92 **a. The coop and run combined shall provide a minimum of 10 square feet per poultry and shall**  
93 **not exceed ten feet in height.**

94 **b. Located in the rear yard or otherwise exceed any applicable front or corner side setbacks.**

95 **c. Minimum setback of 25 feet from rear and side property lines.**

96 **d. Minimum setback of \_\_\_ feet from any dwellings on adjacent lots.**

97 **OPTION A:** 150 feet; No requirement in R-A / A-1 zoning district

98 **OPTION B:** 50 feet for up to 6 poultry, 100 feet for 7 to 12 poultry, 300 feet for more than 12  
99 poultry

101 (4) The owner of the poultry shall employ effective means to contain the poultry on the property and  
102 maintain a distance at all times of at least the minimum setback requirement of a coop and run.  
103

104 (5) ~~(3)~~ Storage of feed, grain and hay shall be provided and it shall be properly maintained. A bedding  
105 area shall be provided and maintained in a sanitary manner for such poultry. Bee keepers shall maintain  
106 an on-site water source near the apiary.  
107

108 (6) ~~(4)~~ The keeping of poultry and bees shall be done in such a manner so as not to be **reasonably**  
109 objectionable to the neighborhood by reason of odor, dust, insects, noise, air pollution or water  
110 pollution. No animal waste may be put into household trash. Animal waste ~~should~~ shall be composted  
111 **properly** on site or ~~shall be~~ disposed of in separate-containers: **which are removed from the premises**  
112 **regularly.**  
113

114 (7) ~~(5)~~ The keeping of poultry and bees is for personal use only; no retail or wholesale use may be made  
115 of poultry and bees **as an accessory use, except in R-A or A-1 zoning districts.** However, their by-  
116 products such as eggs, honey and beeswax products may be sold off-site at farmer's markets or at retail  
117 stores as regulated by ~~certain~~ **applicable** state or federal agencies.  
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## 120 ARTICLE II. – A-1 GENERAL AGRICULTURAL DISTRICT

### 122 Sec. 90-52. - Uses and structures permitted by right.

123 The following uses and structures are permitted by right in the A-1 general agricultural district:

124 (2) Livestock, dairy or poultry facilities, other than those ~~of an accessory use nature~~ **permitted as an**  
125 **accessory use**, are permitted subject to **the following requirements:**

126 a. Minimum acreage requirements in individual ownership may consist of one or more  
127 contiguous parcels: less than 150 animal units, 75 acres; 150 to 299 animal units, 150 acres; 300  
128 or more animal units, 225 acres.

129 b. Setbacks, measured from the edge of the area of enclosure or fenced area as well as area of  
130 nutrient application, are as follows:

131 1. Existing dwellings, not on the same parcel as the facility, one mile.

132 2. Public facilities or other places of congregation, one mile.

133 3. Zoning district boundary other than A-1 general agricultural and individual or public  
134 water supplies, 1,000 feet.

135 4. Existing recorded subdivision boundary, one mile.

136 c. A nutrient management plan will be developed for all livestock, dairy or poultry facilities  
137 with no minimum requirement for animal unit numbers. This plan must be reviewed and  
138 approved by the state department of conservation and recreation or local cooperative extension  
139 office and will be updated every five years.  
140

### 141 Sec. 90-54. - Accessory uses and structures permitted.

142 (b) The following contained or fenced animal and poultry operations are considered accessory uses but are  
143 subject to the noted provisions:

144 (1) ~~Fowl and poultry: not to exceed 250 birds per tract~~ **Maintaining poultry and bees as defined in 90-**  
145 **1035.1**

146 ~~(6) Apiary for honey production and bee wax products.~~  
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## 149 ARTICLE III. – R-A RESIDENTIAL AGRICULTURAL DISTRICT

151 **Sec. 90-104. - Accessory uses and structures permitted.**  
152 (b) The following contained or fenced animal and poultry operations are considered accessory uses with the R-  
153 A residential agricultural district, but are subject to the noted provisions:

154 (1) ~~Fowl and poultry: not to exceed 250 birds per tract~~ **Maintaining poultry and bees as defined in 90-**  
155 **1035.1**

156 ~~(6) Apiary for honey production and bee wax products.~~  
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159 **ARTICLE IV. – R-E RESIDENTIAL ESTATE DISTRICT**

160

161 **Sec. 90-152. - Permitted uses.**

162 The following are permitted uses in the R-E residential estate district:

163 ~~(8) Maintaining poultry and bees as defined in 90-1035.1~~  
164

165

165 **Sec. 90-160. - Accessory uses and structures permitted.**

166 (b) The following are considered accessory uses within the R-E residential estate district, but are subject to the  
167 noted provisions:

168 **(3) Maintaining poultry and bees as defined in 90-1035.1**  
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171 **ARTICLE V. – R-1 LIMITED RESIDENTIAL DISTRICT**

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173 **Sec. 90-202. - Permitted uses.**

174 In the R-1 limited residential district, structures to be erected or land to be used shall be one or more of the  
175 following uses:

176 ~~(12) Maintaining poultry and bees as defined in 90-1035.1.~~  
177

178

178 **Sec. 90-210. - Accessory uses and structures permitted.**

179 (b) The following are considered accessory uses within the R-1 limited residential district, but are subject to the  
180 noted provisions:

181 **(3) Maintaining poultry and bees as defined in 90-1035.1**  
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184 **ARTICLE VI. – R-2 LIMITED RESIDENTIAL DISTRICT**

185

186 **Sec. 90-242. - Permitted uses.**

187 In the R-2 limited residential district, structures to be erected or land to be used shall be for one or more of the  
188 following uses:

189 ~~(13) Maintaining poultry and bees as defined in 90-1035.1.~~  
190

191

191 **Sec. 90-250. - Accessory uses and structures permitted.**

192 ~~(e)~~ (b) The following are considered accessory uses within the R-2 limited residential district, but are subject to  
193 the noted provisions:

194 **(3) Maintaining poultry and bees as defined in 90-1035.1**  
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197 **ARTICLE VII. – R-3 GENERAL RESIDENTIAL DISTRICT**

198

199 **Sec. 90-292. - Permitted uses.**

200 In the R-3 general residential district, structures to be erected or land to be used shall be for one or more of the  
201 following uses:

202 ~~(17) Maintaining poultry and bees as defined in 90-1035.1~~

203  
204 **Sec. 90-300. - Accessory uses and structures permitted.**

205 (b) The following are considered accessory uses within the R-3 general residential district, but are subject to the  
206 noted provisions:

207 (3) Maintaining poultry and bees as defined in 90-1035.1

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210 **ARTICLE VIII. – MHR MOBILE HOME DISTRICT**

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212 **Sec. 90-342. – Permitted Uses**

213 In the mobile home residential district MHR, structures to be erected or land to be used shall be for one or more  
214 of the following uses:

215 ~~(7) Maintaining poultry and bees as defined in 90-1035.1.~~

216

217 **Sec. 90-350. - Accessory uses and structures permitted.**

218 (b) The following are considered accessory uses within the MHR Mobile home residential district, but are  
219 subject to the noted provisions:

220 (3) Maintaining poultry and bees as defined in 90-1035.1



**RESIDENTIAL POULTRY (CHICKENS)**  
Zoning Ordinance Benchmark Table / Summary of Zoning Requirements

	Prince George County (EXISTING ORDINANCE)		Prince George County (DRAFT ORDINANCE)	Dinwiddie County	James City County	Hanover County	Chesterfield County	Warren County
Zoning Districts	R-E, R-1, R-2, R-3, MHR	R-A, A-1	R-E, R-1, R-2, R-3, MHR, R-A, A-1	RR (Residential Conservative)	R-1; R-2	RS, R-1, R-2, and R-3	R-88, R-40, R-25, R-15, R-12, R-9, R-7 Districts MH-2, MH-3 Districts; R-C	R-1; RR
Minimum lot size for zoning districts*	Range: 10,000 to 20,000 SF	5 acres, or 1 acre for family divisions	Range: 10,000 SF to 5 acres	5 acres	Range: 10,000 to 30,000 SF	Range: 10,000 to 20,000 SF	Range: 7,000 SF to 1 acre	1 to 2 acres
Max number of chickens (hens) allowed	6 chickens for every 2 acres	250	TBD - SEE OPTIONS	12	2 hens on 5,000 SF; 1 additional hen for each additional 5,000 SF. Max 12 hens	6	6	6 on < 0.5-ac; 12 on 0.5 to 2 acres; 24 on > 2 acres
Minimum lot size for chickens	2 acres; 6 more chickens per each additional 2 acres	See Min. Lot Size	TBD - SEE OPTIONS	See Min. Lot Size	15,000 SF	See Min. Lot Size	See Min. Lot Size	See Min. Lot Size
Coop & Run/Fence Required?	Yes	Yes - Poultry must be "contained or fenced"	Yes	Yes	Yes	Yes - enclosure with coop	Yes	Yes
Coop and Run Front Setback	150'	Meet front setback	Rear Yard Only, or exceed front/corner setbacks for Zoning District	Rear Yard Only (exception available)	35' from side streets; Rear Yard Only	Rear Yard Only	Rear Yard Only	Rear yard only
Coop and Run Rear and Side Setback	25'	5'	25'	35'	5'	15'	25'	25'
Setbacks from dwellings	150' for fence/run	None [Not Specified]	TBD - SEE OPTIONS	50' for chickens	25' for coops and cages	[Not Specified]	[Not Specified]	[Not Specified]
Coop Size	[Not Specified]	[Not Specified]	Min 10 SF per poultry for Coop + Run	Min 4 SF per chicken	Min 3 SF per bird	[Not Specified]	Min 10 SF; Max 20 SF	[Not Specified]
Fenced Area ("Run") Size	[Not Specified]	[Not Specified]	Min 10 SF per poultry for Coop + Run	Min 10 SF per chicken	Min 3 SF per bird; min height	[Not Specified]	Min 5 SF per chicken; Max 40 SF	[Not Specified]
Rooster(s) allowed?	No	Yes	Only in R-A and A-1 zoning	No	No	No	No	No
Accessory Use Only?	No	Yes except in A-1	Yes except in A-1	No	Yes	Yes	Yes	Yes, to Single Family Dwelling only
Permit required? Sanitation Requirements?	No	No	No	No	Yes	No	No	Yes
Additional requirements / Notes	Personal use only, no retail sale of products on site	Poultry operations as a principal use in A-1 district have different requirements than accessory use	No retail sale of products on site. Poultry operations as a principal use in A-1 district have different requirements than accessory use	Yes	[Not Specified]	Yes	Yes	Yes, via permit

NOTES:  
SF = Square Feet  
1 acre = 43,560 SF  
\* = There are exceptions. Some lots in any county may be smaller than the minimum required lot size, i.e. nonconforming lots, exceptions, etc. For example there are lots < 1 acre in R-A and A-1 zoning districts in FG County. Only counties with ordinance sections specifically related to keeping chickens have been included.  
In some counties, the requirements for keeping and processing of large numbers of chickens for commercial or agricultural purposes may be specified separately from keeping for personal use. In some counties, exceptions may be available for the rear yard requirement by the zoning administrator for odd lot configurations.

# SAMPLE ORDINANCE - WARREN COUNTY

## **§ 180-35.1. Backyard chickens. [Added 11-15-2016]**

- A. Intent: to allow the keeping of chickens on a residential zoned lot for non-commercial purposes. The goal of the permit and regulations is to protect the residential integrity of the surrounding community and the health and safety of the residents and the domestic backyard chickens.
- B. The backyard keeping of chickens shall be subject to certain requirements as set forth below:
  - (1) No more than the following number of chickens (domestic female hens) shall be allowed on a lot or contiguous lots under the same ownership. The backyard chickens are only permitted as an accessory use to the single-family dwelling.
    - (a) For lots 0.5 acre or less in size, no more than six chickens shall be permitted.
    - (b) For lots over 0.5 acres to two acres in size, no more than 12 chickens shall be permitted.
    - (c) For lots over two acres in size, no more than 24 chickens shall be permitted.
  - (2) Roosters, guinea fowl, turkeys, ducks, and peacocks are prohibited.
  - (3) Chickens shall not be allowed to roam free and shall be kept in a stationary or portable pen or coop at all times.
  - (4) Renters of property shall obtain written permission from the property owner or property management company prior to requesting a permit.
  - (5) Chicken pens and coops shall be set back a minimum of 20 feet from the dwelling, a minimum of 25 feet from the adjacent property lines, and be located in the side or rear yards.
  - (6) Pens and coops shall not be located within 30 feet of private wells, stormwater drainage areas, perennial streams and springs.
  - (7) All feed for the chickens shall be kept in secure containers and locations so as to deter rodents and other animals. The containers shall have tight-fitting lids and be secured to the containers with rope or cords and be located within a structure not accessible to other animals.

- (8) The sale of goods or services relating to the chickens is prohibited.
- (9) A management plan shall be submitted to the Planning Department. It shall be approved by the Virginia Cooperative Extension Office agent and shall address all aspects of the keeping of chickens to include:
  - (a) A site sketch showing setbacks to the dwelling and property lines and dimensional criteria for the pen and coop.
  - (b) Biosecurity measures.
  - (c) Chicken litter disposal and odor control.
  - (d) Cleaning and maintenance schedule for the pen and coop.
  - (e) Number of chickens.
  - (f) Feed storage and location.
- (10) A zoning permit shall be required for the use and shall be reviewed on an annual basis. Conditions of approval may be required as part of the zoning permit based on the management plan or on other recommendations from the Virginia Cooperative Extension Office.