



Board of Supervisors

1800 Sandy Hook Road
Goochland, VA 23063

Meeting: 12/02/14 03:00 PM
Department: Planning & Zoning
Category: Ordinance Amendment to Appendix A or B
Prepared By: Jo Ann Hunter
Department Head: Dan Schardein

ADOPTED ORDINANCE

(ID # 1313)

Vote Record - Ordinance 1313						
<ul style="list-style-type: none">☒ Adopted☒ Adopted as Amended☒ Defeated☒ Tabled☒ Withdrawn☒ Meeting Cancelled☒ Deferred☒ Denied☒ Approved☒ Consensus of the Board☒ Tabled by Consensus☒ Approved as Amended			Yes/Aye	No/Nay	Abstain	Absent
	Susan Lascolette	Seconder		☒	☒	☒
	Ned Creasey	Voter		☒	☒	☒
	Manuel Alvarez	Mover		☒	☒	☒
	Robert Minnick	Voter		☒	☒	☒
	Ken Peterson	Voter		☒	☒	☒

AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON DECEMBER 2, 2014, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

Ordinance to amend Article 6 (“Residential, Rural District R-R”), Section 2 (“Uses and structures permitted by right”) and Section 10 (“Special Provisions for limited agriculture uses”); Article 7 (“Rural Preservation District R-P”), Section 2 (“Permitted Uses”); Article 21, Division 1, Section 2 (“Domestic Animals”); and Article 30 (“Definitions”) of the Goochland County Zoning Ordinance (Appendix A to the Goochland County Code of Ordinances) to add Residential chicken keeping as a permitted use with development standards in the R-R and R-P Districts.

WHEREAS, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, Sections 15.2-2280, 15.2-2285, and 15.2-2286 of the Code of Virginia enable a local governing body to adopt and amend zoning ordinances; and

WHEREAS, in order for citizens in the Rural Residential (R-R) and Rural Preservation (R-P) Districts to keep chickens for personal use the County’s Zoning Ordinance must be amended to permit such use; and

WHEREAS, this amendment of the Goochland County Zoning Ordinance is required to serve the public necessity, convenience, general welfare, or good zoning practice pursuant to Section 15.2-2286(A)(7) of the Code of Virginia; and

WHEREAS, the proper advertisement and public hearing was conducted as required by law and the full text of this proposed ordinance amendment was available for public inspection in the Goochland County Administrator’s Office, County Administration Building, 1800 Sandy Hook Road, Goochland, Virginia 23063.

NOW, THEREFORE, BE IT ORDAINED, that the Goochland County Code is hereby amended and this ordinance is hereby enacted as follows:

- 1. Article 6 (“Residential, Rural District R-R”), Section 2 of the Goochland County Zoning Ordinance (Appendix A of the Goochland County Code) is hereby amended as follows:**

Section 2. Uses and structures permitted by right.

...

8. Limited agriculture including farm animals and chicken-keeping, residential in accordance with Article 21, Division 1, Section 2.

- 2. Article 6 (“Residential, Rural District R-R”), Section 10 of the Goochland County Zoning Ordinance (Appendix A of the Goochland County Code) is hereby amended as follows:**

Section 10. Special provisions for limited agriculture uses.

1. Limited agriculture shall be permitted only on lots of not less than ten (10) acres in major subdivisions containing lots with an average size of not less than ten (10) acres. On such parcels that are in excess of ten acres, structures for the sale of farm products raised on the premises are allowed. Open or enclosed storage of farm materials, products or equipment; farm building including barns, stables, sheds, tool rooms, shops, bins, tanks and silos are permitted. This provision shall not apply to chicken keeping, residential.
 2. All large or small animals must be kept within fences or other enclosed areas.
- 3. Article 7 (“Rural Preservation District R-P”), Section 2 of the Goochland County Zoning Ordinance (Appendix A of the Goochland County Code) is hereby amended as follows:**

Section 2. Permitted Uses.

Buildings or land shall be used for the following purposes:

1. Uses of residential lots or other areas outside of the preservation tract:

...

(g) Chicken-keeping, residential in accordance with Article 21, Division 1, Section 2.

- 4. Article 21 (“Supplemental Regulations”), Division 1 (“Generally”), Section 2 of the Goochland County Zoning Ordinance (Appendix A of the Goochland County Code) is hereby amended as follows:**

Section 2. Domestic Animals.

1. On a residential lot of two (2) acres or more, not more than one (1) horse or one (1) pony may be housed and maintained; for each additional acre in excess of two (2) acres, one (1) additional horse or one (1) additional pony may be housed and maintained.
2. In residential zoning districts where chicken-keeping is specifically permitted, no more than six (6) female chickens shall be allowed subject to the following standards:
 - a. The keeping of male chickens is prohibited.
 - b. Chickens shall not be permitted to trespass beyond the property line.
 - c. Coops and chicken enclosures shall be:
 - i. Setback at least ten (10) feet from the side or rear property line and at least fifty (50) feet from any residential dwelling on an adjacent lot.
 - ii. Located behind the front building line of the dwelling unit.
 - iii. Well-ventilated and kept in a clean, dry, and sanitary condition at all times. Chicken manure shall not create a nuisance or health hazard to adjoining property owners.
 - d. Outdoor slaughtering of chickens is prohibited.
5. **Article 30 (“Definitions”), of the Goochland County Zoning Ordinance (Appendix A of the Goochland County Code) is hereby amended as follows:**

...

15.1 Chicken-keeping, residential: Female chickens, including all breeds recognized by the American Poultry Association (APA), raised in non-agriculturally zoned areas of the County, in accordance with Article 21, Division 1, Section 2.
6. **Except as amended herein, all chapters, articles, sections, paragraphs and provisions of the County Code are readopted in their entirety as if set forth herein.**
7. **This ordinance shall be effective immediately.**

A COPY ATTEST:



Rebecca T. Dickson, County Administrator
Goochland County Board of Supervisors