

PRESENT: E. Shipplett, Chairman  
S. Bridge, Vice Chairman  
T. Cole  
J. Curd  
C. Foschini  
K. Leonard  
K. Shiflett  
R.L. Earhart, Senior Planner and Secretary  
J.R. Wilkinson, Zoning Administrator

ABSENT: None

VIRGINIA: At the Worksession Meeting of the Augusta County Planning Commission held on Tuesday, January 13, 2015, at 4:30 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

\* \* \* \* \*

The meeting was called to order by Mr. Shipplett, Chairman.

**Keeping Of Chickens in Rural Residential and Single Family Residential Districts**

Mrs. Earhart explained the history behind the proposed ordinance regarding the keeping of chickens in Rural Residential and Single Family Residential Districts in Augusta County. She stated residents have come before the Board asking to be allowed to keep backyard chickens. The Ordinance Committee initially looked at the issue and recommended no change to the Ordinance. They were instructed to go back and draft an ordinance and that is what is now under consideration. She stated they are proposing strict guidelines for the keeping of chickens in residential. She stated the intent of the ordinance would not be for someone wanting to sell eggs or have a business. She mentioned that the ordinance was drafted so that even small lots can comply with the regulations. She reminded the Commission that they will be providing comments on the ordinance that will allow the keeping of chickens as an accessory use in residential districts. The actual specifics of the Keeping of Poultry Permit are in Chapter 5, which the Commission does not comment on. However, staff wanted to be sure the Commission understood both ordinances prior to the public hearing and making a recommendation on the issue.

Mr. Wilkinson stated chickens in residential districts is nothing new to the County, although it is currently prohibited. He noted the complaints have picked up over the last few years with citizens wanting to produce their own eggs. He stated last year they had six complaints regarding backyard chickens. He presented pictures to the Commission on some sites that have chickens in residential districts and are currently in violation.

Mr. Shipplett asked how many chickens are on these lots.

Mr. Wilkinson stated their complaints range from four to ten chickens or roosters. He stated that other localities prohibit roosters. He has contacted other localities and some of the common issues that they have with backyard chickens is there are too many chickens on the lots, chickens running at large as well as the many issues that Animal Control will need to deal with.

Mrs. Earhart explained that backyard chickens in residential would be under the Accessory Use section of the ordinance and would only be allowed with an Administrative Permit. She stated that Mr. Wilkinson will notify the adjacent property owners and if any of them were to object, the Administrative Permit would be denied and a Special Use Permit could be applied for. She stated the citizen will need to provide staff with a site plan and there are regulations regarding the size of the structure. She mentioned that Animal Control was concerned about the chickens attracting wildlife predators. She stated they are proposing that the chickens have bands on them so that staff knows they are permitted chickens. She stated the draft ordinance is proposing only four (4) chickens be permitted. She stated the fee will be \$50.00 for the Administrative Permit and that it must be renewed yearly to be sure the citizen stays in compliance with all of the regulations. She explained that Animal Control does have some concerns. She noted that the Agriculture Industry Board commented on their concern of the importance of finding out the reason why a chicken died in order to prevent any spread of disease.

Mr. Leonard stated in Oregon there was a backyard chicken operation and one of the chickens picked up a strain of the avian flu and the entire state got shut down.

Mr. Curd stated the ordinance does not prevent the spread of diseases. He explained that these citizens wanting to have backyard chickens are not farmers by nature.

Mrs. Earhart stated the concerns with Animal Control was the additional cost of having to provide overtime because they will not be able to catch the chickens during the day if they are running at large, where they will take the chickens once they are caught, and will the Special Use Permit at the Animal Service Center need to be modified to permit chickens or will they have to contract with someone else to keep the chickens they pick up.

Mr. Leonard stated that Animal Control does have valid concerns. He asked how many does the County anticipate.

Mr. Wilkinson stated he is unsure.

Mrs. Earhart explained that with the ordinance they are giving residential subdivisions a six month window to amend their HOA restrictive covenants. She stated in Rural Residential limited agriculture is permitted currently except for poultry and swine.

Ms. Shiflett stated the chickens will only lay 250 days out of the year. She stated once they age out of laying, the citizens will still need to provide feed, water, and clean the area. She stated if they are kept outside they may even lay less than that and being in the daylight will also make a difference. She stressed that permitting the chickens in residential will also bring in vermin, skunks, snakes and raccoons. She was concerned about the risks of the avian flu affecting commercial operations.

Mr. Leonard stated 95% of the County is zoned agriculture and chickens would be permitted in those areas.

Mrs. Earhart explained that this proposed ordinance will not affect Planned Unit Developments like Teaverton or Spring Lakes. She stated if they would like to permit chickens in their developments they will need to amend their individual ordinances. She stated another change will also need to be made to permit chickens on the lots that are five acres or more in Single Family Residential where a Special Use Permit is applied for to permit limited agriculture. She noted previously swine and poultry were not permitted under the Special Use Permit language.

\* \* \* \* \*

**Dominion Atlantic Coast Pipeline Project**

Mrs. Earhart explained the maps the Commissioners received. She noted the Board of Supervisors will have a public hearing on the Dominion Atlantic Coast Pipeline Project on February 4<sup>th</sup>. She stated at the meeting tonight the Commissioners will put together their comments for the permanent record as part of the Board of Supervisors' Staff Report on the proposed project.

Mr. Shipplett stated there will be much impact east and west of Stuarts Draft.

Mr. Cole stated when the Commission was going through the Comprehensive Plan amendments we did not envision this type of use. He stated this will affect the County for generations.

Mr. Shipplett stated the pipeline will affect many throughout the County.

Mr. Leonard agreed with the comments that staff has provided.

Mr. Cole stressed his concern regarding the future planning of the area and the need to minimize the impact on future development. He stated fifty years from now these areas that are not developed now, may be developed so why not install a thicker pipe now.

Mr. Curd suggested that the Urban Service Areas have a thicker pipe.

Mr. Leonard felt that there should be a collaboration with Dominion and the County as far as the specifics of the pipe size. He noted they should also look at the Future Land Uses of the Comprehensive Plan.

\* \* \* \* \*

The Planning Commission reviewed the items coming before the Board of Zoning Appeals in February.

There being no further discussion, the Planning Commission adjourned for dinner.

---

Chairman

---

Secretary