

County of Spotsylvania
9019 Old Battlefield Blvd., Suite 100
Spotsylvania, VA 22553



Planning & Zoning Department
Phone: 540-507-7434
Fax: 540-507-7281

Application for Keeping of Domestic Laying Hens as Accessory Use.

1. APPLICANT INFORMATION

Name – Individual (s), (Please Print)

Street Address or PO Box

City/State/Zip

Daytime Phone Number

FAX Number

Email Address

Applicant's Status (check the appropriate box below):

- Property Owner
 Rent

2. PROPERTY DESCRIPTION

Address (where hens are to be kept):

Total number of hens (no roosters allowed):

Species Identification:

Square footage of property (See Spotsylvania Code Sec. 23-5.2.1)

Zoning District:

Voting District:

Has coop setback requirements as required in Spotsylvania Code Sec. 23-5.2.2. been met? (See Spotsylvania Code Sec. 23-5.2.2):

ATTACHMENTS AND FEES: (Please read carefully)

- SKETCH PLAN** (A sketch plan must show the location and size of coops where domestic laying hens to be kept. The distance, in feet, separating the coop from property lines and the nearest adjacent dwelling not owned by the applicant shall be shown, including setback from dwelling).
- FILING FEE** (check made payable to: Treasurer, Spotsylvania County) \$ 65.00

3. AUTHORITY FOR APPLICATION

This application must be signed by the owner(s) of the subject property or must have attached to it written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s) authorizing the applicant to act as his or her agent. Signing this application shall constitute the granting of authority to the County to enter onto the property for the purpose of conducting inspections to verify compliance with setbacks and performance standards.

PROPERTY OWNER(S): (Same as Applicant – Sign Below):

Name
Street Address or PO Box
City/State/Zip
Daytime Phone Number
Email Address
Signature
Signature

I understand the **Spotsylvania County Code Requirements for Keeping Domestic Laying Hens** (See Attached):

Applicant Signature:

DO NOT WRITE IN THIS BOX

OFFICE USE ONLY

Application Number:

Approval Date:

Signature of Zoning Official:

SPOTSYLVANIA COUNTY CODE REQUIREMENTS FOR KEEPING OF DOMESTIC LAYING HENS IN R-1, R-2, R-3, R-R, V, PD-H, and A-1, A-2, A-3, Ru, R-A ZONING DISTRICT LOTS UNDER 5 ACRES.

CHAPTER 23. ZONING

ARTICLE 2. – RULES OF CONSTRUCTION

Sec. 23-2.1.4. - Definitions.

Chicken coop includes any fully enclosed and covered hen house, and associated run space providing a predator resistant shelter that is thoroughly ventilated, provides adequate sun and shade and all season protection from the elements, designed to be easily accessed and cleaned where poultry and/ or chicken lives.

Chicken tractor means a movable fully enclosed structure commonly used for pastured chickens who graze on fresh grass daily. The tractor is moved every day or week as needed for the chickens to have fresh grass underneath them. Chicken tractors can be used as permanent or temporary housing for chickens; and are considered a type of *chicken coop*.

Domestic laying hens include any varietal of egg laying chicken, either fertile or barren.

ARTICLE 4. DEVELOPMENT REVIEW PROCEDURES

DIVISION 1. REQUIRED PERMITS AND APPROVALS; FEES

Sec. 23-4.1.1. Required permits and approvals.

- (j) *Coop certificate.* A coop certificate shall be obtained from the county and in accordance with the procedures set out in division 14 of this chapter before domestic laying hens may be kept as permitted in the R-1, R-2, R-3, R-R, VR, PD-H, and A-1, A-2, A-3, Ru, R-A lots under 5 acres.

DIVISION 14. COOP CERTIFICATE FOR KEEPING OF DOMESTIC LAYING HENS

Sec. 23-4.14.1. - Definitions.

Chicken coop, as defined in Sec. 23-2.1.4. - Definitions.

Domestic laying hen, as defined in Sec. 23-2.1.4. - Definitions.

Sec. 23-4.14.2.. - Certificate—Required.

It shall be unlawful for any person to own domestic laying hens as permitted in the R-1, R-2, R-3, R-R, PD-H, and A-2, A-3, Ru, R-A, PRR lots under 5 acres in the county, unless such person has secured a valid coop certificate for the housing of such domestic laying hens in accordance with the provisions of this article. Such certificate is not required in A-2, A-3, Ru, R-A, PRR lots over 5 acres where agricultural uses including but are not limited to the keeping of domestic laying hens, are permitted.

Sec. 23-4.14.3. - Same—Duration, scope and conditions.

- (a) Any coop certificate issued in accordance with this article shall be valid from approval date.
- (b) Only one (1) certificate shall be issued for any single address or household.
- (c) All certificates issued in accordance with this article shall be subject to the following:
 - (1) Coop certificate requirements for keeping domestic laying hens in section 23-4.14; section 23-5.2, Accessory structures; section 23-5.3, Accessory uses; [chapter 13](#), nuisances; and performance standards located in [chapter 4](#), article I, Animals and fowl in general.

Sec. 23-4.14.4. - Same—Application. – Fee

- (a) There shall be an application review and onsite inspection fee associated with securing a required coop certificate for the keeping of domestic laying hens;
- (b) Any person seeking a coop certificate shall complete an application provided by the department of zoning including the following:
 - (1) Applicant identification including name, address, phone number, email address (if applicable), applicant status (renter or owner);
 - (2) Authority for Application must be signed by the owner(s) of the subject property or must have attached to it written evidence of the owner’s consent, which may be in the form of a binding contract of sale with the owner’s signature or a letter signed by the owner(s) authorizing the applicant to act as his or her agent. Signing this application shall constitute the granting of authority to the County to enter onto the property for the purpose of conducting inspections to verify compliance with setbacks and performance standards.
 - (3) Property description including zoning district, lot area, number of domestic laying hens to be kept, species, corresponding square footage of coop, location of coop and coop setbacks;

- (4) Attachments:
- (a) A sketch plan must show the location and size of coops where chickens will be kept. The distance, in feet, separating the coop from property lines and the nearest adjacent dwelling not owned by the applicant shall be shown, including setback from dwelling.
- (5) Signed acknowledgement of receipt of and domestic laying hen standards .

ARTICLE 5. – GENERAL DEVELOPMENT STANDARDS

DIVISION 2. - ACCESSORY STRUCTURES

Sec. 23-5.2.2. – Development standards; Use limitations.

(4) Keeping of *domestic laying hens* as permitted in accessory uses [section 23-5.3.2](#) shall be limited to a permanent confinement within a chicken coop constructed to provide at least three (3) square feet of roost space per chicken in the coop with an additional five (5) square feet of run space per hen;

(a) All feed for the keeping of domestic laying hens shall be kept in a secure container or location in order to prevent the attraction of rodents and other animals;

(b) In addition to the requirements in this section, keeping of *domestic laying hens* shall also be subject to: Coop certificate for keeping domestic laying hens in section 23-4.14; section 23-5.3, Accessory uses; [chapter 13](#), Nuisances, and performance standards located in [chapter 4](#), article I, Animals and fowl in general.

Sec. 23-5.2.3. - Location regulations.

(6) All chicken coops and chicken tractors as permitted in the R-1, R-2, R-3, R-R, V, PD-H, and A-2, A-3, Ru, R-A, PRR lots under 5 acres where the keeping of domestic laying hens are permitted shall be located behind the primary structure (outside of the side yard), or ten (10) feet from adjoining property lines not owned by the applicant, whichever is greater, and thirty-five (35) feet from any dwelling located on a property not owned by the applicant. Additionally:

(a) no such structure in any instance within the zoning districts as specified above shall be located in a resource protection area (RPA) or storm drainage area that would allow fecal matter to enter any storm drainage system, water body or stream.

ARTICLE 5. – GENERAL DEVELOPMENT STANDARDS

DIVISION 3. - ACCESSORY USES

Sec. 23-5.3.2. - Development standards; use limitations.

In addition to the use limitations applicable in the zoning district in which located, accessory uses shall be subject to the following use limitations:

(f) Keeping of domestic laying hens shall be permitted in R-1, R-2, R-3, R-R, V, PD-H, and A-2, A-3, Ru, R-A, PRR zoned lots, subject to the following:

(1) Keeping of domestic laying hens on lots in the R-1, R-2, R-3, R-R, V, PD-H districts, and A-2, A-3, Ru, R-A, PRR lots under five (5) acres shall be limited to a minimum of two (2) hens at one (1) time for lots upon which the dwelling is located up to five thousand (5,000) square feet, and then no more than one (1) additional hen per additional two thousand five hundred (2,500) square feet of lot area upon which the dwelling is located, not to exceed a maximum of six (6) hens. Additionally, keeping of domestic laying hens on such lots shall be subject to the following:

(i) No person shall keep any rooster;

(ii) Domestic laying hens raised on site for personal consumption may be slaughtered on site.

(iii) In addition to the requirements in this section, keeping of domestic laying hens shall also be subject to certificate requirements in section 23-4.14, section 23-5.2, Accessory structures, [chapter 13](#), Nuisances, and performance standards located in [chapter 4](#), article I, Animals and fowl in general.

Small Scale Poultry Housing

Phillip J. Clauer, Poultry Extension Specialist , Animal and Poultry Sciences

Small scale poultry coops seem to be built in almost every possible shape and size. Those building anew coop often ask for plans for the perfect chicken coop. However, few plans for small poultry houses are available. Many existing buildings can easily be adapted to accommodate poultry. Poultry housing can be as crude or elaborate as you wish to build as long as you provide the following:

1. Protection:

A good poultry house protects the birds from the elements (weather), predators, injury and

theft. Poultry require a dry, draft-free house. This can be accomplished by building a relatively draft free house with windows and/or doors which can be opened for ventilation when necessary. Build the coop on high, well-drained areas. This prevents prolonged dampness and water saturation of the floor of the coop and outside runs. Face the front of the coop, the windows and outside run to the south which allows the sun to warm and dry the coop and soil. Allowing an adequate level of space per bird also helps keep the humidity level in the coop to a minimum.

Keeping poultry totally confined to together with fence and covered runs are your best protection from predators. If you are building a new facility, consider laying a concrete floor, and start the wall with one or two concrete blocks. This prevents rodents, snakes, and predators from digging under the walls and the floors. Windows and doors must be securely covered with heavy-gauge mesh wire or screening when opened.

With outside runs, bury the wire along the pen border at least 12" deep, and toe the fence outward about 6 inches. This stops most predators from digging under the fence. Animals always dig at the base of a fence. By toeing the fence outward and burying it, the predator digs down right into more fencing. Some people run electric fencing around the outside of their pens 4" off the ground about one foot from the main fence to discourage predators. If your outside runs are not predator-proof, you need to lock up your poultry before dark.

To prevent problems with hawks and owls, cover your outside runs with mesh wire or netting. A good ground cover of millet, broomcorn, sorghum or other tall leafy vegetation also provides cover for the birds to hide under. Many times a 3-4 ft. grid over the pen constructed of boiling twine will give excellent protection from flying predators.

To protect the birds from theft, lock your building and pens securely whenever you are not home. Have your neighbors watch for visitors while you are away. Some people actually have burglar alarms in their bird coops. A protective dog kept near your coop usually works well to discourage predators and unwanted visitors. Build your poultry house to prevent possible injury to your birds. Remove any loose or ragged wire, nails, or other sharp-edged objects from the coop. Eliminate all areas other than perches where the birds could perch more than 4 feet above the floor. Remove perching areas such as window sills, nest box tops, or electric cords whenever possible. These extra measures could eliminate any injury to you or your birds and may prevent damage to the coop, as well.

2. Adequate Space:

Birds need adequate space for movement and exercise as well as areas to nest and roost. Space requirements vary with the type of bird you raise.

Minimum Space Requirements

Type of Bird inside Sq. Ft./bird outside runs Sq. Ft.

Bantam Chickens 1/4

Laying Hens 1.5/8

Large Chickens 2/10

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Perches: With chickens, always provide 6 to 10 inches of perch space per bird. Perches are not usually used with meat chickens and waterfowl.

Nests: Always provide at least one nest for every 4-5 females in the flock.

3. Easy Access to Feed and Water:

Feeders and waters should be placed conveniently throughout the pen for birds' access. Place the bottom of the waterers and top lip of the feeders at the birds' back height. This will keep the feed and water clean and prevent wastage.

Small birds like bantams only require 1 linear inch/bird of feeder and water space and large birds require 2-3 linear inches/bird.

When possible, place the waterer in the outside runs. This helps to keep the humidity level lower inside the coop.

4. Source of Light:

If you wish to produce eggs from your flock year-round, you must have a source for electric light. One electric light every 40 feet at ceiling height is appropriate. Most small poultry houses do very well with one light above the feeding and watering area. Windows placed on the south side of the coop will also be a good source of light and warmth in winter and a good source of ventilation in summer.

5. Ventilation:

Ample air movement without a draft is essential. Fresh air brings in oxygen while excess moisture, ammonia or carbon dioxide are removed the stale air moves out of the house. Dampness and ammonia build-up is a sign that there is not enough ventilation. For small coops windows or vents on one side of the house usually provide plenty of ventilation. Well-ventilated houses must also have plenty of insulation and a good vapor barrier. Failure to insulate or ventilate properly causes moisture to accumulate on the walls and ceiling in cool weather. Poultry can handle cold very well if they are dry. However, cool and humid conditions can create many health problems. Locate openings on the side away from prevailing winds. The south or east side is usually best.

6. Appearance:

The appearance of any poultry house or outside run that is visible to the neighborhood should never detract from the over-all appearance of the surroundings. Exteriors of structures should be kept painted and well-maintained. Weeds and trash should be removed from around all facilities. Proper landscaping can provide screening and also help muffle sounds from the birds. Unsightly structures are not good for the image of bird raising and may lead to new laws restricting the raising of birds in your area.

7. Use Common Sense:

When building a poultry house, use common sense in designing the structure. Build the roof high enough and situate such permanent structures as nests, roosts, and feeders for easy access and to make it easier to clean all areas of the house. Install doors so that they open

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inward. Use sliding windows so that the birds cannot roost on them rather than windows which swing in or out. Use building materials which will be easy to clean and disinfect. Slightly sloping the floor toward the door can help prevent puddling in the building and will make the building easier to spray out and dry between uses.

Reviewed by Audrey McElroy, associate professor, Animal and Poultry Sciences

Adapted For Spotsylvania County Zoning Ordinance Requirements (3/11/2013).