

County of Spotsylvania
9019 Old Battlefield Blvd., Suite 300
Spotsylvania, VA 22553



Development Services Division
Phone: 540-507-7222
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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) \$ 30.00

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:

ALL APPLICATIONS ARE ACCEPTED ON A CONDITIONAL BASIS. IF, UPON REVIEW, THE APPLICATION IS DEEMED INCOMPLETE, IT WILL BE RETURNED TO THE APPLICANT.

SPOTSYLVANIA COUNTY CODE REQUIREMENTS FOR KEEPING OF DOMESTIC LAYING HENS IN R-1, R-2, R-3, R-R, V, PD-H, and A-2, A-3, Ru, R-A, PRR 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.