



THIS MEETING WILL BE ACCESSIBLE VIA ZOOM:

<https://us02web.zoom.us/j/82086272997?pwd=L3ozeHNQZ3lJRvZOY2JqNXVnbVh1dz09>

DIAL: 1 (301) 715 8592 US

MEETING ID: 820 8627 2997

PASSCODE: 480703

AGENDA

**Page County Planning Commission and Board of Supervisors
Joint Public Hearing
Board of Supervisors Room- County Government Center
103 South Court Street, Luray, VA 22835
April 18, 2022- 7:00 p.m.**

Call to Order

- A. Pledge of Allegiance
- B. Moment of Silence
- C. Microphone Reminder
- D. Attendance Roll Call

Public Hearing

- A. Zoning Ordinance Amendments- Animals in the Residential
Zoning District and Dwelling Changes

Tracy Clatterbuck

Adjourn



County of Page, Virginia
Planning & Community Development
103 South Court St., Suite B
Luray, VA 22835

TO: Page County Planning Commission and Board of Supervisors

FROM: Tracy Clatterbuck, Zoning Administrator

SUBJECT: Amendments to the Page County Zoning Ordinance- Animals in the Residential Zoning District and Dwelling Changes

DATE: April 13, 2022

SUMMARY:
Amendments to the Page County Zoning Ordinance- Animals in the Residential Zoning District and Dwelling Changes

BACKGROUND:
Based on direction from the Page County Board of Supervisors, staff is proposing the following code amendments:

- 1) Add the following new definitions to Section 125-4 of the Page County Zoning Ordinance: *Livestock, Poultry, Companion Animal, Domestic/Domesticated Animal, Apiary, Animal Unit, Gardening, Residential Farm, Agricultural Animals, and Principal Structure.*
- 2) Amend the current definition of “*dwelling*” under Section 125-4 of the Page County Zoning Ordinance to read as follows: “*Any structure which is designed for use for residential purposes, except hotels and motels.*”
- 3) Add the use of “*Residential Farm*” as a permitted use under Section 125-11(B)(13) of the Page County Zoning Ordinance.
- 4) Add “*Residential farm*” supplemental regulations to Section 125-30.22 of the Page County Zoning Ordinance.

MOTION(S):
Planning Commission-
I move that the Page County Planning Commission recommend approval to the Board of Supervisors of the above listed/attached amendments to the Page County Zoning Ordinance as presented.

OR

I move an alternative motion.

Board of Supervisors-
I move that the Page County Board of Supervisors approve the above listed/attached amendments to the Page County Zoning Ordinance as presented.

OR

I move an alternative motion.

**ORDINANCE TO AMEND A PORTION OF CHAPTER 125 (ZONING)
OF THE PAGE COUNTY, VIRGINIA CODE**

WHEREAS, by Ordinance duly adopted, the Board of Supervisors of the County of Page adopted Chapter 125, Zoning, of the Page County Code, which Chapter has been further amended from time to time; and

WHEREAS, such Ordinance is in full force and effect on the date hereof; and

WHEREAS, upon mature consideration, the Board of Supervisors has determined it is in the best interest of the County to further amend the ordinance.

NOW THEREFORE, be it resolved and ordained by the Board of Supervisors of the County of Page, Virginia, that Chapter 125 (Zoning) be amended as follows:

1. § 125-4. The following definitions shall be **added** as follows:

LIVESTOCK:

Domestic animals, including but not limited to cattle, horses, sheep, goats, and swine, raised for home use, pleasure or profit, but does not include companion animals.

POULTRY:

Includes all domestic fowl and game birds raised in captivity.

COMPANION ANIMAL:

For the purpose of the Zoning Ordinance, any pet that is maintained for companionship on a residential property including, but not limited to, domestic dogs, cats, birds, non-poisonous reptiles, rodents, or fish, but shall not include agricultural animals, wild animals and game species, any animals raised for human food or fiber, or any animals regulated under state or federal law as research animals.

DOMESTIC/DOMESTICATED ANIMAL:

An animal, such as a horse or cat, that has been tamed and kept by humans as a work or food source, or pet, especially a member of these species that have through selective breeding, became notably different from their wild ancestors.

APIARY:

A place where bees are kept; a collection of beehives.

ANIMAL UNIT:

The unit of measure used to determine the appropriate density at which livestock and poultry can be raised subject to the restrictions imposed by this Ordinance.

For the purpose of this Ordinance, the following agricultural animals shall constitute 1 animal unit:

- a. One (1) adult bovine animal (cattle, buffalo, etc.)
- b. Two (2) juvenile (less than 1 year old) bovine animals

- c. Three (3) camelid animals (llamas, alpacas, etc.)
- d. One (1) equine animal (horse, donkey, etc.)
- e. Five (5) ovine animals (sheep, etc.),
- f. Five (5) caprinae animals (goats, etc.)
- g. Two (2) porcine animals (pigs, etc.)
- h. Sixteen (16) small poultry (chickens, ducks, etc.)
- i. Eight (8) medium poultry (turkeys, geese, etc.)
- j. Three (3) large poultry (ostriches, emus, etc.)

GARDENING:

Any use of land unenclosed except for fencing for the raising of grass, flowers, vegetables, crops, trees, or other botanical objects of natural growth, but not including accessory structures used for the same purpose.

RESIDENTIAL FARM:

Land incidental to a principal dwelling on which limited agricultural activities such as the keeping of domestic livestock, poultry, apiaries (bee keeping), and gardening is permitted.

AGRICULTURAL ANIMALS:

Means all livestock and poultry.

PRINCIPAL STRUCTURE:

Principal structure means the primary or predominant structure on any lot or parcel. For residential purposes, the principal structure is the primary dwelling.

2. § 125-4. The definition for “Dwelling” shall be **amended** so that it read:

DWELLING:

Any structure which is designed for use for residential purposes, except hotels and motels.

3. Chapter 125, Article IV, “District Regulations”, Section 11, “Residential”, shall be amended by adding the following:

“Residential Farm” shall be added as a permitted use under Chapter 125-11(B), identified therein as 125-11(B)(13).

4. Chapter 125, Article V, “Supplementary Regulations”, shall be amended by adding the following:

Section 125-30.22. – Residential farm.

A. Keeping of livestock, poultry and apiaries accessory to a principal dwelling shall be permitted subject to the following minimum requirements for the numbers and types of animals permitted:

(1) On parcels with an area less than two (2) acres:

(a) Keeping of a collective maximum of one-half (0.5) animal unit of poultry only per acre shall be permitted, except parcels with a minimum area of 16,500 square feet or less shall be limited to keeping of a maximum of six (6) chickens provided standards of Section 125-30.22(B) below are met; however, that the vegetative cover is not over grazed or otherwise disturbed so as to cause, or threaten to cause, erosion and provided further that animal waste is properly managed to prevent off site migration of waste or waste by-products.

(b) Keeping of livestock, including the temporary keeping of livestock as an educational project, shall not occur.

(2) On parcels with an area between two (2) and six (6) acres:

Keeping of a collective maximum of one-half (0.5) animal unit per acre shall be permitted; however, that the vegetative cover is not over grazed or otherwise disturbed so as to cause, or threaten to cause, erosion and provided further that animal waste is properly managed to prevent off site migration of waste or waste by-products.

(3) On parcels with an area of greater than six (6) acres:

Keeping of a collective maximum of one (1) animal unit per acre shall be permitted; however, that the vegetative cover is not over grazed or otherwise disturbed so as to cause, or threaten to cause, erosion and provided further that animal waste is properly managed to prevent off site migration of waste or waste by-products.

(4) In addition to the animal units permitted by Sections 125-30.22(A)(2), and (A)(3) above, temporary keeping of livestock as an educational project approved and sponsored by a youth organization shall be permitted subject to the requirements of Section 125-30.22(B) and the following:

(a) The temporary livestock project must be approved by a bona fide educational or agricultural association for youths, such as the

4-H Livestock Club, Future Farmers of America (FFA) or similar organizations.

(b) Prior written notice of an intent to participate in a temporary livestock project shall be provided to the Zoning Administrator no less than fourteen (14) days prior to the commencement of the project. The notice shall specify the address at which the project will be conducted, the name of the association sponsoring the project, the parcel acreage, and the number and types of animals to be kept on the premises.

(c) The zoning administrator may require verification that any temporary livestock project to be conducted in accordance with this Section has been approved and is sponsored by a bona fide educational or agricultural association for youths.

B. Keeping of livestock, poultry, and apiaries as permitted in this section shall meet the following minimum standards:

(1) Setbacks. All enclosures and structures and areas associated with the keeping of animals shall be located in the rear yard and all enclosures, structures and areas associated with the keeping of animals shall be setback a minimum of twenty-five (25) feet from all property lines and a minimum of 100 feet from any well, surface waters, storm water management facilities, drop inlets, ditches, and other storm drainage.

(2) Fencing. Fencing for animal enclosures shall be installed and maintained in accordance with Virginia Code §55.1-2804, as amended.

(3) Best Management Practices. The property owner shall employ livestock and poultry keeping best management practices for appropriate pasture and any enclosure maintenance, animal feeding, housing and waste, and odor management and reduction in the propagation of insects. This shall not be meant to imply a requirement to eliminate all odors from keeping of livestock or poultry.

(4) Notwithstanding the acreage available for agricultural use, the number of animal units allowed on lots smaller than five (5) acres shall be limited by the owner's ability to meet the following standards:

(a) Vegetative cover shall be maintained as not to cause the migration of soil onto adjoining properties, off-site ditches and waterways; and

(b) Waste shall be properly managed to prevent off-site migration and run-off of waste or waste products.

(5) No onsite slaughtering of livestock or poultry shall be permitted.

(6) Beekeeping/Apiaries. Honeybees must be acquired and beehives constructed and maintained in accordance with Title 3.2, Chapter 44, as amended, of the Code of Virginia, as determined by the state apiarist. No beehive shall be constructed or maintained within thirty (30) feet of any property line. No more than four (4) beehives per acre shall be permitted: with a maximum of ten (10) beehives per residential lot or parcel.

5. Except as added and amended above, Chapter 125, Zoning, shall remain in full force and effect.

This Ordinance shall be in full force and effect from and after the passage hereof as provided by Virginia law.

Dates of Publication: _____

Date of Adoption of Ordinance: _____

Keith Weakley, Chairman-at-Large
Board of Supervisors of the County of Page, Virginia

Attest:

_____, Clerk

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of Page County, Virginia, hereby certifies that the foregoing Ordinance constitutes a true and correct copy thereof adopted by the Board of Supervisors at a regular meeting duly held and called on _____. A record of the roll-call vote by the Board of Supervisors is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Keith Weakley, Chairman-At-Large				
Mark Stroupe				
D. Keith Guzy, Jr.				
Larry Foltz				
Allen Louderback				
Jeff Vaughan				

Dated: _____, 2022

Clerk, Board of Supervisors
Page County, Virginia