

Public Hearing

The Cape Charles Town Council and Planning Commission will hold a joint public hearing at 6:00p.m. on Tuesday, October 7, 2014, at the Cape Charles Civic Center located at 500 Tazewell Avenue to hear public comments regarding proposed modifications to the Cape Charles Zoning Ordinance Sections 3.1 Residential Estate, 3.2 Single Family Residential, and 3.3 Residential Mixed, that if adopted would allow the raising of hens.

This item will be discussed at the regular meeting of the Planning Commission immediately following the public hearing and brought to a vote for a recommendation to the Cape Charles Town Council who will review and vote on the issue at their October 16, 2014 regular meeting.

The proposed ordinance is available for review in the Clerk's Office and online at www.capecharles.org. For handicap assistance or additional questions, please call 757-331-3259 ext. 15.

To be added as a conditional use permit to the R-1, R-2, and RE zoning districts.

1. Keeping up to five (5) hens, provided the following requirements are met:
 - a. The principle use is a single-family dwelling.
 - b. The person raising the hens must own and occupy the residence.
 - c. No person shall keep any rooster, or hen that crows in a manner resembling a rooster.
 - d. No person shall slaughter any hens outdoors.
 - e. The hens shall be provided with both a hen house and a fenced outdoor enclosure.
 - i. The hens must be kept in the hen house or fenced outdoor enclosure at all times and shall not be allowed to roam free.
 - ii. The hen house shall be a covered, predator-resistant, well-ventilated structure providing a minimum of two (2) square feet per hen.
 - iii. The outdoor enclosure shall be adequately fenced to contain the hens and to protect the hens from predators.
 - iv. The hen house must be kept in a clean, dry, and sanitary condition at all times.
 - v. The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste.
 - f. Hen houses and outdoor enclosures may only be located in rear yards, in accordance with Town zoning regulations.
 - g. Hen houses and outdoor enclosures shall be located at least ten (10) feet from side property lines, AND at least thirty (30) feet from any dwelling on an adjacent lot.
 - h. Food for hens must be kept in a rodent-proof, metal container.
 - i. Eggs shall not be sold.
 - j. A permit must be obtained from the Zoning Administrator annually. An annual permit fee of \$15 shall be charged to the applicant.
 - k. Flocks must be registered with the Virginia Department of Agriculture and Consumer Services.
 - l. Backyard flocks and coops will be inspected annually to ensure continual compliance, as well as upon receiving a complaint.
 - m. Should the person raising chickens relocate, the Conditional Use Permit for raising chickens shall become null and void.
 - n. At such a time when the person raising chickens ceases from raising chickens, or relocates, the chicken coop and outdoor enclosure shall be dismantled. Should the Town be required to remove the structures, costs of removal shall be charged to the person previously raising chickens.