

VIRGINIA: MINUTES FOR THE WORKSHOP MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE DINWIDDIE COUNTY GOVERNMENT CENTER BUILDING ON THE 12<sup>th</sup> DAY OF JUNE 2019 AT 6:00 P.M.

PRESENT:	SAMUEL W. HAYES	VICE CHAIRMAN	AT-LARGE
	EVERETTE PROSISE		DIST #1
	JOHN HARVELL		DIST #3
	EDWARD TITMUS		DIST #2
ABSENT:	THOMAS TUCKER		AT-LARGE
	ANTHONY SIMMONS	CHAIRMAN	DIST #5
	BUTCH CUNNINGHAM		DIST #4
OTHER:	MARK BASSETT	PLANNING DIRECTOR	
	JAMIE SHERRY	ZONING ADMINISTRATOR/PRINCIPAL PLANNER	
	TYLER SOUTHALL	COUNTY ATTORNEY	

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**IN RE: CALL TO ORDER**

The Vice Chairman called the workshop meeting to order at 6:04 p.m.

**IN RE: ROLL CALL**

The Vice Chairman call the roll and Mr. Cunningham, Mr. Tucker and Mr. Simmons were not present.

**IN RE: APPROVAL OF AGENDA**

The Vice Chairman asked if there were any additions, deletions, or corrections to the agenda. Hearing none he said he would entertain a motion to accept the agenda as presented.

Mr. Titmus made a motion to accept the agenda as presented. It was seconded by Mr. Harvell and with Mr. Harvell, Mr. Prosise, Mr. Titmus and Mr. Hayes voting "AYE" the agenda was accepted.

The Vice Chairman asked Ms. Sherry to come forward with her presentation.

**IN RE: HOME OCCUPATION ORDINANCE AMENDMENTS– Jamie Sherry, Principal Planner/Zoning Administrator**

Mr. Sherry said this is a follow-up to the conversation we had in November about our Home Occupation Ordinance. I revised it referencing how the home occupation ordinance would be implemented. There are some items eliminated because they cannot be enforced. There was a need to figure out a way for businesses to have employees. Some business owners said they did not need employees or have employees when they actually did. So I wanted to come up with something allowing people to have employees without it becoming a major impact on the neighborhood. So I went back and listened to the recording of our last meeting. I talked to Michael Drewry who has been helping me. What you have before you tonight is the preliminary draft ordinance that came from our previous meeting discussions.

The information in this preliminary draft has been taken out of the City of Chesapeake Zoning Ordinance. Mr. Drewry deleted the references to the City of Chesapeake that had to do with the specifics of their ordinance.

Some of the things that are presented in this document, still conflict with our ordinance, so it is important you remember this is just a starting point to how we can move forward with our home occupation ordinance. Ms. Sherry said she would not go through the ordinance in detail at this time. She said this is an opportunity for us to have some general discussion about the ordinance. After she briefly covered certain items in the ordinance, she asked if there were any questions.

Mr. Prorise said one of the driving forces with trying to come up with a better ordinance is can we enforce it. He asked Ms. Sherry is this proposed ordinance something we can enforce.

Mr. Sherry said certainly. It gives staff the ability to be more exact surrounding what is allowed under a home occupation.

Mr. Titmus asked when is the expected roll out for this home occupation ordinance amendment.

Mr. Sherry said after talking to the Economic Development personnel, who supports this amendment, they would like for us to get started on it right away. As for me, I would like to have this ready when you all are ready. I don't have a timeframe, but from what I have heard here tonight we are not too far off base.

Mr. Hayes asked when do you want additional comments beyond what we have discussed tonight.

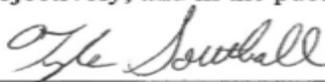
Mr. Sherry said you can provide me with your comments at any time. I will take the comments you have given me tonight and discuss them with Mr. Drewry.

The Vice Chairman said if there are no more questions or comments for Ms. Sherry, Mr. Bassett you can come forward with your presentation.

Mr. Southall asked the Vice Chairman if he could read a disclosure statement before Mr. Bassett begins talking about "Keeping chickens in the R-R zoning district." Mr. Southall read the following:

DISCLOSURE OF INTEREST PURSUANT TO SECTION 2.2-3112 OF THE CODE OF VIRGINIA, 1950, AS AMENDED

My wife and I own five acres and a house located at 4000 Sutherland Road, Sutherland, VA 23885. Our lot is zoned R-R. My wife has asked the Board of Supervisors to consider allowing chickens in the R-R. Any action taken regarding chickens would affect three or more persons, and I am able to participate in the transaction fairly, objectively, and in the public interest.

  
Tyler Southall  
County Attorney  
6/12/2019  
Date

\* This statement may not be required by law, but is being made for full transparency.

**IN RE: KEEPING OF CHICKENS IN THE R-R, RESIDENTIAL, CONSERVATIVE, ZONING DISTRICT- Mark Bassett, Planning Director**

Mr. Bassett said a month and a half ago Board member, Harrison Moody, asked him if Planning staff would work with the Planning Commission to study the keeping of chickens in R-R Residential Zoning district. I told him I would put it on the workshop agenda for discussion.

That is what I'm introducing to you all this evening. I looked at zoning ordinances from Prince George, Hanover County, Chesterfield County, James City County and the City of Richmond to see how these localities manage the keeping of chickens in certain residential zoning districts. All of the localities are very similar in their format and ordinance provisions. There are, however, some differences, and I would like to go over some of them. Staff will have to define "chicken" in our Zoning Ordinance. Of the localities I have listed, there is one locality that defines chicken as "poultry", but most of them seem to stay away from that. Related to that, none of the ordinances discussed any other type of birds that would fit into that category as "poultry". Apparently, peacocks, geese and some other types of poultry would fit under that definition. I think that is why most localities have stuck with just a definition for chicken. That is something to think about as we move forward with our ordinance. All the localities have provisions for the keeping of chickens. Those provisions range from the chickens being kept in a coop; the coop has to be enclosed; the chickens have to be tagged for identification; setbacks and size limitations of the property. Another provision the localities have deals with slaughtering chickens. Some of the County's did allow an individual to slaughter "your own chickens on your property". Some of the County's said "no slaughtering of chickens at all were permitted". I believe this is something to discuss. Another provision I saw listed was the controlling of odor and insects related to the chickens. There was a provision listed dealing with the clean-up and disposal of fecal matter. Those are a list of the main items or provisions that I looked at. I brought them before you to give you something to think about if you choose to move forward with an ordinance.

Mr. Titmus asked if the County's draft ordinance has limits on male or female chickens as well as limits on the number of chickens.

Mr. Bassett said six (6) was the average number and it maxed out at twelve (12) chickens allowed on a property. All the County's said no male chickens or roosters are allowed.

Mr. Hayes asked if this draft ordinance carries with it the Conditional Use Permit rider.

Mr. Bassett said no it will not. This would be for a citizen in R-R to have a by-right provision to keep chickens if they meet all the ordinance requirements.

Mr. Harvell asked if the eggs can be sold.

Mr. Bassett said eggs could be sold off premises i.e. at farmers markets.

**IN RE: ADJOURNMENT**

The Vice Chairman asked if there were any other questions. He said if there are none he would entertain a motion to adjourn the workshop. Mr. Titmus made a motion to adjourn the workshop meeting and Mr. Harvell seconded the motion with all members present voting "AYE" the workshop meeting adjourned at 6:55p.m.

Respectfully submitted,

Mark Bassett  
Planning Director  
**BOOK 5**

Signed: \_\_\_\_\_  
Planning Commission Chairman

Dated: \_\_\_\_\_