

# HAMPTON VA

## **Zoning Ordinance**

### **Amendments:**

**#22-0005 (Uses)**

**#22-0006 (General Provisions)**

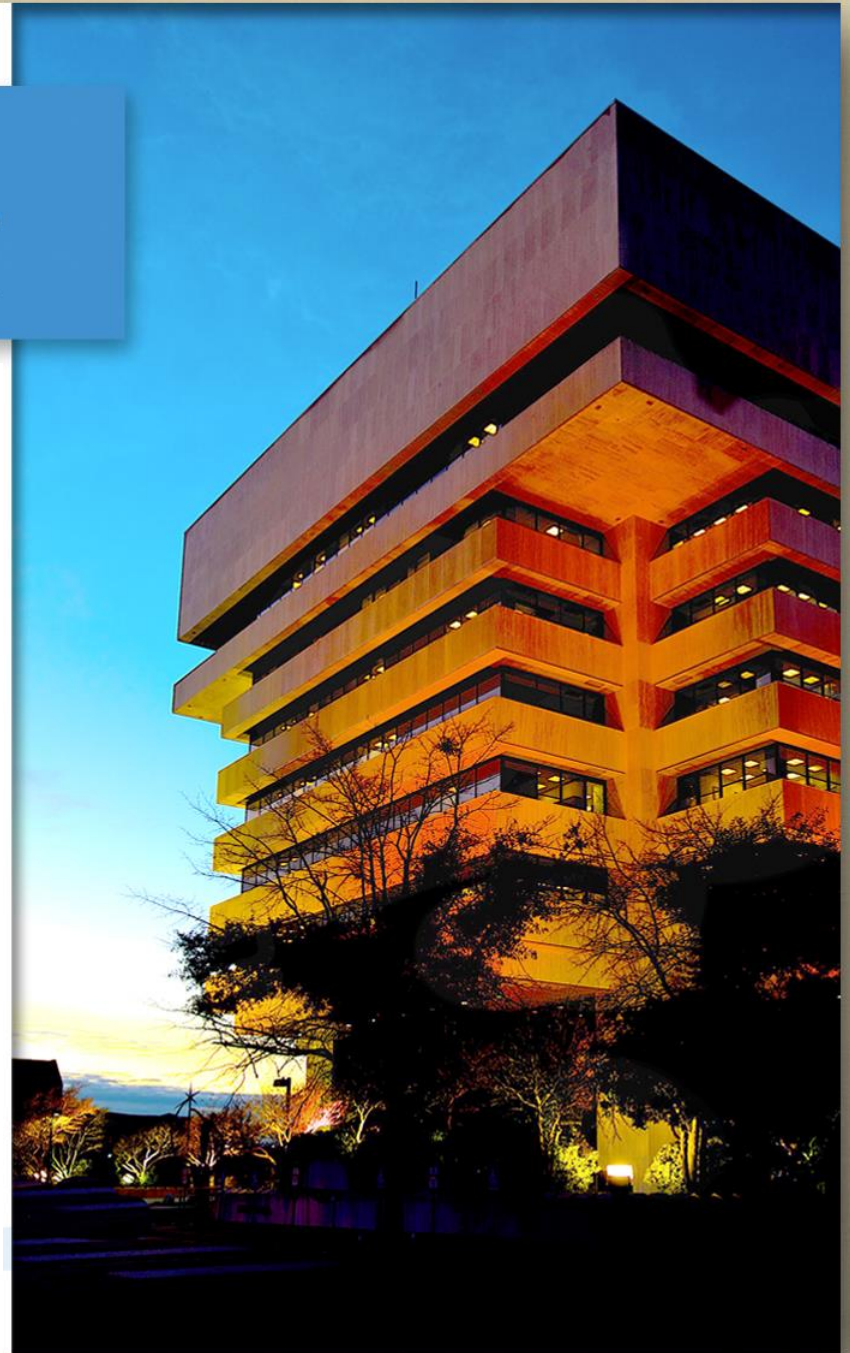
**#22-0007 (Definitions)**

## **City Code Amendments:**

**#22-0012 (Animal Control)**

## **Animal-related Structures and Uses**

**City Council  
January 12, 2022**



# Zoning Ordinance Sections

Amend Section 2-2 “Definitions”

Amend Sec. 3-2 “Table of Uses Permitted” and Sec.  
3-3 “Additional Standards on Uses”

Amend Chapter 1 “General Provisions”

# Purpose

- Build upon amendments from 2020 which clarified regulations for certain animal uses, ex. Kennels
  - Interdepartmental team: Hampton Animal Response Team (HART), CDD, and the CAO
- Move location based regulations to Zoning
- Keep animal welfare regulations in HART
- Organize and clarify animal categories for easier enforcement

# Goals

- Align zoning ordinance with city code definitions
- Comprehensively regulate structures for companion animals and certain agricultural animals

# Proposal



# Proposal



# City Code Amendment - HART

- Require conformance with Zoning Ordinance
- Regulates animal welfare
- Requires proper shelter for animals, including companion animals
- Determines grouping of animals, ex. companion animals

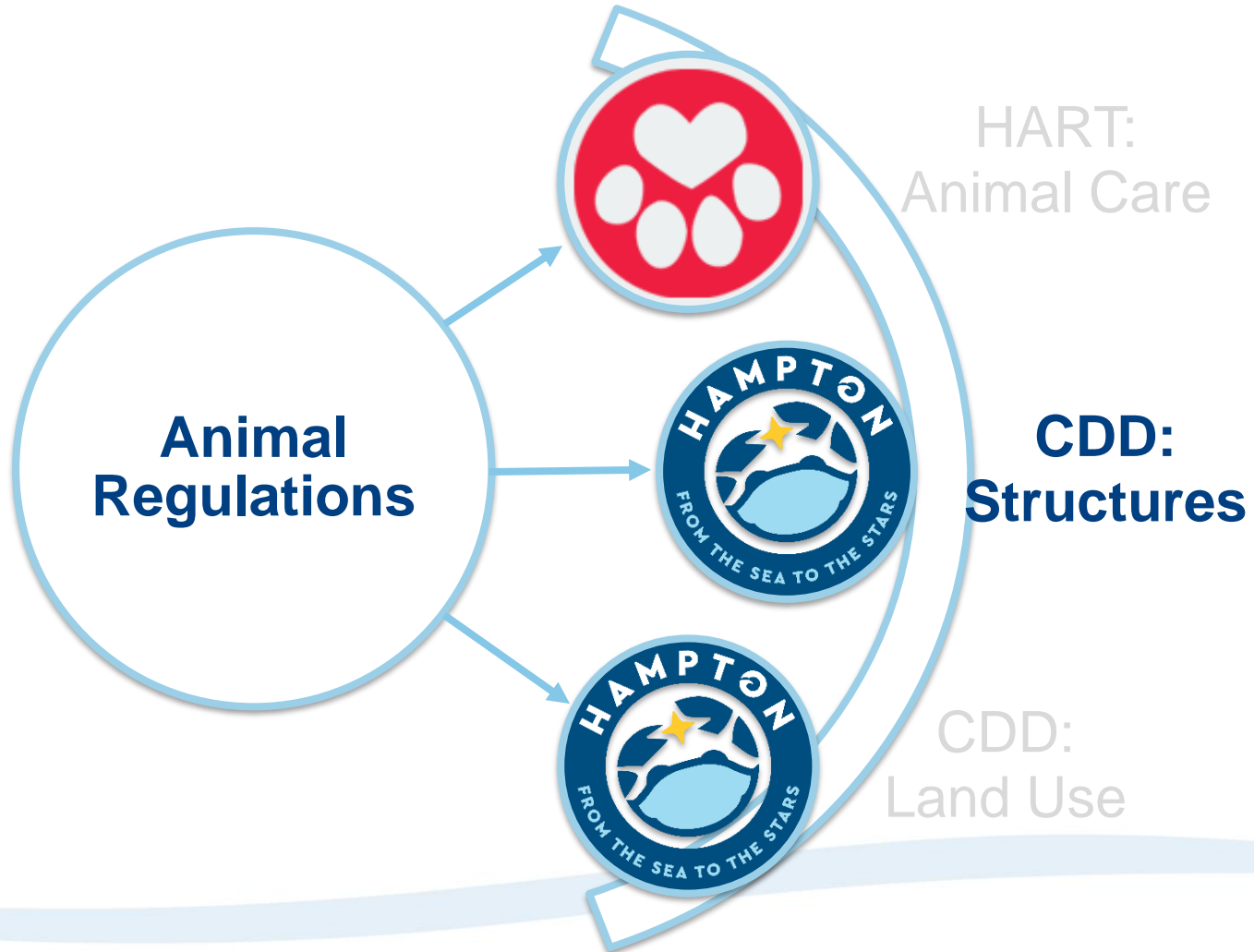
# Proposal - Definitions

Add a definition for *companion animal* which is consistent with HART & VA State Code:

- Dogs, both domestic and feral; cats, both domestic and feral; nonhuman primates; guinea pigs; hamsters; rabbits not raised for human food or fiber; exotic or native animals; reptile; exotic and native birds; or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals.



# Proposal



# Proposal

Structure for:	Permitted
Companion animals	As an accessory in all districts
Domestic chickens, ducks, pigeons, and similar avian animals	As an accessory to single family dwellings
Horses, ponies, or similar equine animals	As an accessory in R-R, R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, R-M, C-1, C-2, C-3, RT-1, DT-1, and DT-2 districts.  Minimum lot size is 1 acre.
Other animals	In conjunction with a farm in the R-R, LFA-1, LFA-2 districts

# Accessory Structures for Companion Animals

## Proposed:

- Shelters up to 25 sq. ft.
  - No permit required
  - 5' rear and 3' side setbacks
- Over 25 sq. ft.
  - Zoning permit required
  - 15' setbacks
- HART notified



# Accessory Coops

## Proposed:

- Applies to coops for chickens, ducks, pigeons, and similar avian animals
- Must be setback 15' from all property lines
- Cannot be located in front or side yards
- No commercial activity

## No Change:

- Chicken permit issued by HART



# Accessory Stables

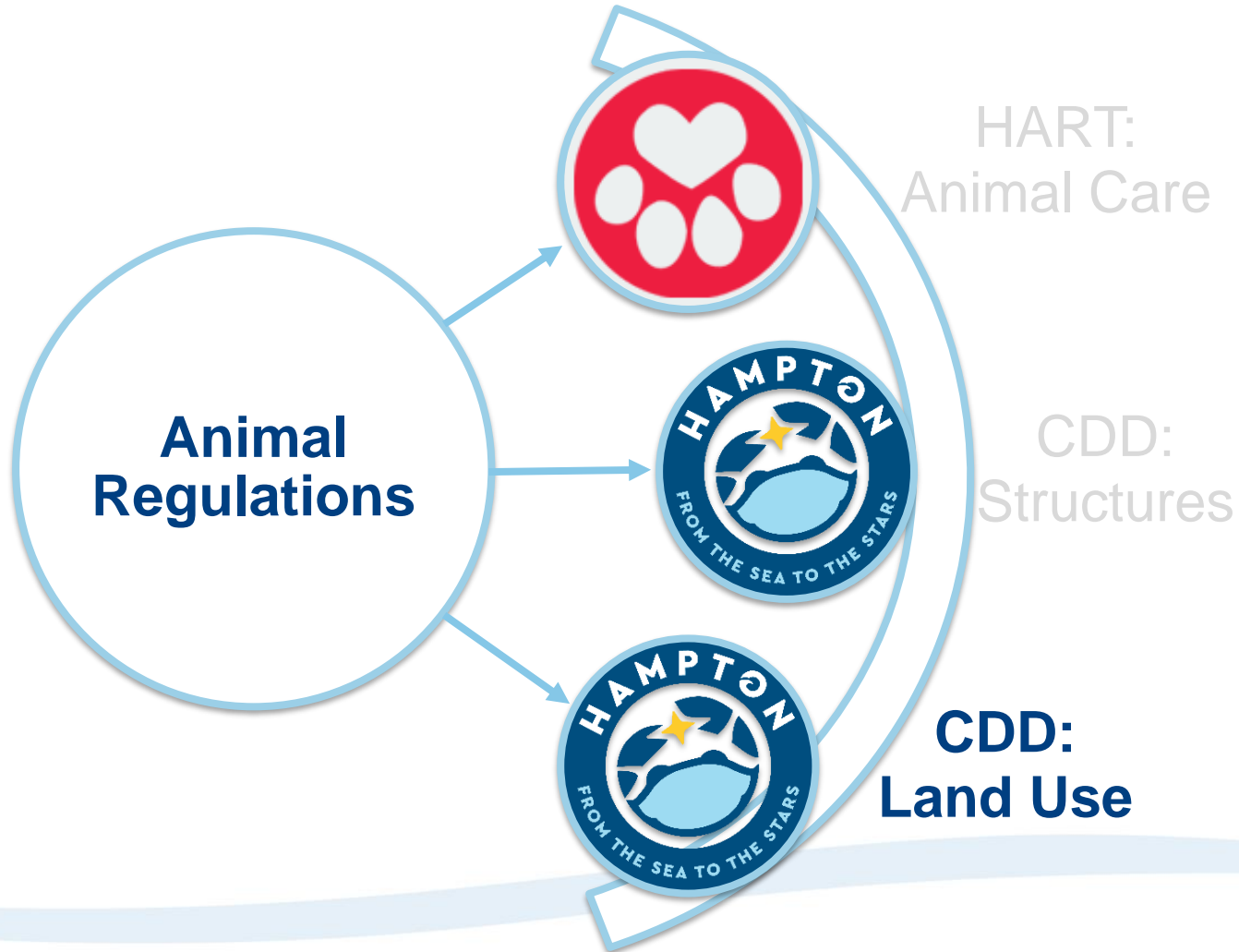
## Proposed:

- Horses, ponies, or similar equine animals
- Minimum lot size of 1 acre
- All accessory structures



- and yards, including stables, manure pits, and bins must be setback 60' from any adjacent lot line
- Number of horses, ponies, or similar animal customarily used for recreational purposes limited by lot size

# Proposal



# Proposal – Primary Uses

## Horse riding school & stable

- No change to permitted districts
- Creates a 60' setback for yards for the keeping of equine animals that is equivalent to the setback for stables, manure pits, and bin

## Agriculture/farming

- No change to permitted districts
- Adds a 100' setback for structures or yards for the keeping of animals

# City Code Amendment

- Remove location-based regulations, which are being added to the Zoning Ordinance
  - Setbacks and permitted zoning districts for poultry and animal yards and chicken coops
- Retain animal welfare regulations in the City Code
  - E.g., number of chickens permitted, provisions regarding adequate shelter, and permitting



# Summary

- Align zoning ordinance with city code definitions
- Comprehensively consider companion animals and certain agricultural animals
  - No substantive change to where animals are permitted
  - Updated regulations for accessory structures for animals and animal yards

# Recommendations

Staff and Planning Commission recommend **approval** of the following Zoning Ordinance amendments:

1. #22-0005 (Uses, Ch. 3)
2. #22-0006 (General Provisions, Ch. 1)
3. #22-0007 (Definitions, Ch. 2)

Staff recommends **approval** of the following City Code amendment:

1. #22-0012 (Animals, Ch. 5)