



City of Harrisonburg, Virginia

Office of the City Manager

409 South Main Street
Harrisonburg, VA 22802
(540) 432-7701 / FAX (540) 432-7778

Kurt D. Hodgen
City Manager

TO: Kurt Hodgen, City Manager
FROM: G. Chris Brown, City Attorney
DATE: 05/16/16
RE: Proposed Chicken Ordinance Amendments – Public Hearing

Summary: Hold a public hearing on proposed revisions to Section 15-2-24 Fowl, Chickens and other Domestic Birds (commonly referred to as the Chicken Ordinance), including revisions requested by Council.

Background: During City Council's May 10, 2016 regular meeting, Council received a report and proposed amendments to the Chicken Ordinance from the Planning Commission. The item memorandum and all attached documents submitted to Council prior to the May 10, 2016 meeting are incorporated by reference into this memo.

At its May 10, 2016 meeting, Council authorized a public hearing on the proposed amendments to the Chicken Ordinance. A public hearing was scheduled for May 24, 2016, with a public notice advertised in the Daily News Record.

At the May 10, 2016 meeting, Council requested that the draft amendments approved by Planning Commission be further amended to require property owners who maintain chickens with a permit from the City under the proposed ordinance also be required to post a placard on the chicken pen setting forth the property owner's permit from the City and applicable rules.

Additionally, Council discussed a requirement of a neighbor waiver, requiring adjoining property owners to agree to the applicant's keeping of chickens or other domestic birds under the Chicken Ordinance. Although no decision was made by Council on this requirement, staff has included a draft of such a neighbor waiver requirement with the newly revised ordinance for Council's consideration. If Council elects not to include a neighbor waiver, this language can be stricken from the proposed ordinance amendments.

Key Issues: The comprehensive changes that the Planning Commission recommended be adopted are set forth within the attached proposed amendments. Also included in the attached proposed amendments is a requirement to post a placard showing the property owner's permit issued by the City and a potential neighbor waiver provision.

Environmental Impact: n/a

Fiscal Impact: n/a



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Prior Actions: n/a

Alternatives:

- (a) Adopt amendments as drafted;
- (b) Adopt one or more of the proposed amendments;
- (c) Do not adopt ordinance amendments at this time

Community Engagement: On February 10, 2016, Planning Commission held a public input session. To promote the event, City staff sent a press release to different media sources informing members of the community where and when they could provide public input. In addition, a discussion topic regarding the chicken ordinance was created on the “Be Heard Harrisonburg” website. A public hearing will be held on May 24, 2016 to receive additional public input.

Recommendation: Planning staff has maintained a neutral position throughout this process and has not offered recommendations on whether the proposed changes should be approved or not. Staff has served as a resource to answer questions regarding implementation of the ordinance from a land use perspective.

Attachments: Draft Amendment

Review: Planning Commission unanimously (7-0) recommended the proposed changes, as presented by staff, be forwarded to City Council, with flexibility on the litter element within sub section 8.

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

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