

## Staff Report

**Subject:** Ordinance Revision  
**Author:** Steve Candler, Director Development Services  
**Department:** Development Services  
**Meeting Date:** November 07, 2023  
**Item Description:** Consideration to **approve** an **amendment** to the Code of Ordinances **Part II – Official Code, Chapter 10, Article IV – Animal Care; 10-112-Keeping of Fowl** the Effingham County Code of Ordinances.

### Summary Recommendation

Staff recommends **approval** of the amendment because this is what code enforcement is enforcing.

### Executive Summary/Background

The amendment allows the public to understand the keeping of all types of fowl for non-commercial uses. This amendment coincides with what code enforcement has been enforcing for some time. The most significant change from the current ordinance reads is the keeping of four (4) chickens in an R-1; provided the homeowner can maintain the proper distances for the coup.

### Alternatives

- 1. Approve an amendment** to the Code of Ordinances **Part II – Official Code, Chapter 10, Article IV – Animal Care; 10-112-Keeping of Fowl** the Effingham County Code of Ordinances.
- 2. Deny an amendment** to the Code of Ordinances **Appendix C –Zoning Ordinance, Article IX – Amendments to Map or Text, Section 9.3 - Procedure for Calling a Public Hearing**

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Draft of Code of Ordinances **Part II Part II – Official Code, Chapter 10, Article IV – Animal Care; 10-112-Keeping of Fowl** the Effingham County Code of Ordinances.

## Sec. 10-112 Keeping of fowl. (also known as “The Chicken Ordinance”)

(1) Residential fowl is subject to the following regulations:

- a. Permitted fowl: chickens, turkeys, guineas, geese, ducks, pigeons, or similar fowl
  1. Permitted fowl per zoning district:
    - a. All permitted fowl: AR-1
    - b. All non-commercial fowl: AR-2
  2. Conditional fowl per zoning district (MUST OBTAIN PERMIT FROM DEVELOPMENT SERVICES):
    - a. Chickens only (NO ROOSTERS, only hens): R-1
  3. Prohibited animals per zoning district:

- a. Commercial fowl: AR-2
  - b. Turkeys, guineas, geese, ducks, swans, quails, partridges, pigeons, peafowls, and peacocks: R-1, and all other zoning districts.
4. Minimum lot size:
- a. AR-1: five (5) acres
  - b. AR-2: one (1) acre
  - c. R-1: half (.5) acre
- b. Location of chicken coop from an occupied residential dwelling: 150 feet
  - c. Permitted number of approved poultry animals, collectively:
    - 1. Properties zoned AR-1: Maximum number may be fifteen (15) per acre.
    - 2. Properties zoned AR-2: Maximum number may be ten (10) per acre.
    - 3. Properties zoned R-1: Maximum number may be four (4) total.
  - d. Obtaining Backyard Hen Permit Process:
    - a. Items Needed:
      - 1. Application Submitted to the Development Services Department
      - 2. Plot plan showing chicken coop location and distance to neighboring residential dwellings.
      - 3. **\$20 Animal Permit Fee**
    - b. Once application has been submitted it will be reviewed by the Zoning Department to verify minimum distance requirements.
    - c. The Permit will be issued to the property owner. The permit must be readily available in case any code enforcement complaint comes in.
    - d. After being approved by zoning, code enforcement will be notified the property owner has received the Backyard Hens Permit.

(2) Such fowl shall be kept at the following minimum distances from any occupied building except the dwelling unit of the owner:

Animal	Distance (Feet)
Chickens (4 or less in R-1)	150
Chickens, turkeys, guineas, geese, ducks, pigeons, or similar fowl (2 or more in AR-1 or AR-2)	200