

Staff Report

Public Hearing

Subject: Ordinance Revision
Author: Samantha Easton, Planner II
Department: Development Services
Meeting Date: April 16, 2024
Item Description: Consideration to approve the amendment of the Code of Ordinances **Part II – Official Code: Chapter 10 – Animals, Section 10-112, Keeping of Fowl** of the Effingham County Code of Ordinances.

Summary Recommendation

Due to the increased Code Enforcement Violations by Effingham County residents in relation to owning Livestock in R Zoning Districts, Staff recommends **approval** of an update to the Animal Ordinance.

Executive Summary/Background

- **On April 16, 2024, an amendment of the Animals Ordinance was adopted.**
- This amendment corrects the number of Chickens allowed in R-1 to reflect what was approved by the Board of Commissioners at the April Meeting, which is 4 hens and 1 rooster, for a total of 5 chickens.
- This amendment also changes the name of the required Permit from “Backyard Hen Permit” to “Backyard Flock Permit”
- This amendment also requires Platted Non-Conforming AR-1 Subdivisions to also adhere to R-1 guidelines.

Alternatives

1. **Approve an amendment** to the Code of Ordinances **Chapter 10 – Animals, Section 10-112, Keeping of Fowl.**
2. **Deny an amendment** to the Code of Ordinances **Chapter 10 – Animals, Section 10-112, Keeping of Fowl..**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: **FUNDING: N/A**

Attachments: 1. Chapter 10 – Animals, Section 10-112, Keeping of Fowl

AMENDMENT TO CHAPTER 10
OF THE OFFICIAL CODE OF EFFINGHAM COUNTY, GEORGIA

AN ORDINANCE TO AMEND CHAPTER 10 OF THE OFFICIAL CODE OF EFFINGHAM COUNTY, GEORGIA AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

Chapter 10 - ANIMALS^[1]

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: all AR-1 excluding Platted Non-Conforming AR-1 Subdivision
 - b. All non-commercial fowl: AR-2
 2. Conditional fowl per zoning district (MUST OBTAIN PERMIT FROM DEVELOPMENT SERVICES):
 - a. Chickens only (4 hens and 1 rooster): R-1, Platted Non-Conforming AR-1 Subdivision
 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, AR-2 & 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:
 - a. Properties zoned
 1. R-1 and Platted Non-Conforming AR-1 Subdivision:
Maximum number may be five (5) total.
 - d. Obtaining Backyard Flock 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.
 - 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 Flock 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 hens and 1 rooster or less in R-1 and Platted Non-Conforming AR-1 Subdivision)	150
Chickens, turkeys, guineas, geese, ducks, pigeons, or similar fowl (2 or more in AR-1 or AR-2)	200

- (3) Commercial fowl is subject to the following regulations:
- i. Permitted fowl: chickens, turkeys, guineas, geese, ducks, pigeons, or similar fowl
 - a. Permitted fowl per zoning district:
 - i. All Commercial Fowl: AR-1
 - b. Prohibited fowl per zoning district:
 - i. Commercial Fowl in AR-2, R-1, and all other zoning districts, including a Platted Non-Conforming AR-1 Subdivision.

The text of section _____ is deleted in its entirety and replaced with the following:

The text of section _____ is deleted in its entirety and replaced with the following:

A new section _____, is inserted, as follows:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ____ day of _____, 20__.

BOARD OF COMMISSIONERS,

EFFINGHAM COUNTY, GEORGIA

BY: _____
CHAIRMAN

ATTEST:

STEPHANIE JOHNSON
EFFINGHAM COUNTY CLERK

FIRST READING _____

SECOND READING _____