

**An Ordinance to Amend Article 5.4.C.1 of the Town Code entitled:
Agricultural Uses.**

Article 5.4.C.1 is written as follows:

Article 5.4.C.1 – Agricultural Uses

1. Level 1

The production, principally for use or consumption of the property owner or community members, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to the following: gardening, fruit production, beekeeping, and poultry and livestock products for household use only.

- a. The keeping of animals is subject to the requirements contained in the Code of Ordinances of the Town of Sylva: Chapter 6, Animals and Chapter 16, Health and Sanitation.

The ordinance is now after discussion and affirmative vote amended to state the following:

Article 5.4.C.1 – Agricultural Uses

1. Level 1

The production, principally for use or consumption of the property owner or community members, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to the following: gardening, fruit production, beekeeping, and poultry and livestock products for household use only.

- a. The keeping of animals is subject to the requirements contained in the Code of Ordinances of the Town of Sylva: Chapter 6, Animals and Chapter 16, Health and Sanitation.

- b. Poultry. Poultry keeping is allowed within the Town of Sylva's jurisdiction, subject to meeting certain standards.

- (1) Poultry keeping is not allowed in the Downtown Business (DTB) district.

- (2) Poultry are permitted on lots with single-family detached dwelling units only.

- (3) Poultry must be kept in a coop and pen, or portable chicken tractors, and such coops and enclosures may not include residential structures or garages. All poultry must be contained.

- (4) A minimum setback of fifteen (15) feet is required from all property lines or not within fifty (50) feet of an adjoining property's residential unit. The coop and pen must be closer to the chicken owner's primary residential unit than the neighboring residential unit. The coop must follow standards for accessory use structures.

- (5) Where the minimum lot size meets or exceeds seven thousand (7,000) square feet and is no more than one (1) acre in size up to ten (10) hens are allowed. Where the lot size is greater than one (1) acre, no more than twenty (20) hens are allowed.

- (6) One (1) rooster is allowed for every ten (10) hens.

This ordinance shall be in full force and effect upon its adoption on April 13, 2023.

David Nestler, Mayor

Attest:

Approved as to form:

Amanda W. Murajda, Town Clerk

Eric Ridenour, Town Attorney