



Revised: July 1, 2018
Effective: July 1, 2018

Confined Poultry Operation Permit Application Packet Accomack County, Virginia

This packet contains information needed to complete an application to construct and operate a confined poultry operation in Accomack County, Virginia. Please read the instructions below and submit your completed application along with the necessary supporting documentation to the Accomack County Department of Building and Zoning. Please stop by our office or call if you have any questions about the application process. The Department of Building and Zoning is located in suite 105 of the County Administration Building, between the Courthouse at 23296 Courthouse Avenue and the Department of Planning at 23282 Courthouse Avenue.

Telephone numbers are (757) 787-5721 or (757) 824-5223.

INSTRUCTIONS

- 1. Review the zoning regulations listed on pages three (3) through five (5).**
- 2. Obtain a Virginia Pollution Abatement (VPA) Permit for Poultry Waste Management and Groundwater Withdrawal Permit (if required) through the Department of Environmental Quality (DEQ).** Contact Mr. Steve Thomas at (757) 414-0750 in Belle Haven, Virginia for assistance with obtaining a VPA Permit. Contact Ms. Shannon Alexander at the Accomack-Northampton Planning District Commission for more information on Groundwater withdrawal permits at (757) 787-2936.
- 3. Complete the attached confined poultry operation permit application.** Include a site plan, drawn to scale and in sufficient detail to show that the proposed confined poultry operation meets all applicable requirements.

The site plan shall show the size of the parcel, the location and size of existing and proposed buildings and structures including manure sheds, the location of buildings and structures within 600 feet of any site property lines, the location of proposed entrances, driveways and access roads, the location of adjacent zoning districts or incorporated town boundaries, the location of the closest drainage ditch, watercourse, wetland or Resource Protection Area (RPA), existing and proposed drainage patterns, the location of earthen berms if proposed (see section 106-232(f)(7)) and two (2) Emergency Contact Numbers. A landscape plan showing conformance with the landscape buffer requirements (see section 106-232 (g)) is also required.

The site plan shall also include a written statement by which the applicant certifies that the confined poultry operation shown on the site plan meets all applicable setback requirements of this ordinance and that the site plan is complete and accurate depiction of the confined poultry operation as it is to be located on the parcel.

- 4. Submit the poultry house application to the Accomack County Department of Building and Zoning.** The application may be submitted in person to Suite 105 of the County Administration Building in Accomac or by mail to: Accomack County Department of Building and Zoning, P.O. Box. 93 Accomac, Virginia 23301.
- 5. Submit a Stormwater Management/Erosion and Sediment Control Permit Application to the Accomack County Environmental Program.** The application may be submitted in person to the Department of Planning and Community Development building in Accomac or by mail to: Environmental Program, P.O. Box 686, Accomac, Virginia 23301.
- 6.** When your application is complete and approved, a confined poultry operation permit will be issued once we receive the zoning fee of \$65.00. Separate fees for the Stormwater Management/Erosion and Sediment Control permit application will be required. Contact the Environmental Program for more information.
- 7. Permits for confined poultry operations shall expire one (1) year after the date of issuance unless substantial construction has commenced and is progressing towards completion in accordance with the approved site plan.**
- 8. Posting of Permit:** A copy of the permit for approved confined poultry operations shall be posted at the entrance of the property in a location that is clearly visible from the roadway.
- 9. Setback Verification:** The permittee shall contact the County prior to beginning construction on a confined poultry operation to arrange for an on-site verification of the required minimum setbacks.
- 10. Obtain approval from Virginia Department of Transportation:** Contact Mr. Dale Pusey at (757) 302-2072 in Accomac, Virginia, for assistance.

ZONING REGULATIONS (Article X, Section 106-232)

1. **Lot Size:** The minimum lot size for confined poultry operations shall be six (6) acres.
2. **Poultry House Density:** The overall density per parcel of poultry houses is one (1) house per five (5) acres of land.
3. **Poultry House Limit:** The maximum limit of poultry houses is twelve (12) per parcel.
4. **Minimum Separation Distance:** The minimum separation distance between poultry operations shall be four hundred (400) feet.
5. **Setbacks:** The minimum setbacks for any portion of a confined poultry operation shall be as follows:
 - a. Five hundred feet (500) feet from any existing dwelling on an adjacent property, except where tunnel fans are on the end next to the dwelling, in which case the minimum setback shall be six hundred (600) feet.
 - b. Four hundred (400) feet from any existing business on an adjacent property.
 - c. Two hundred (200) feet from any property line.
 - d. Two hundred (200) feet from the center of U.S. Route 13, measured from the center of the northbound or southbound lanes, whichever is closer. One hundred twenty-five (125) feet from the center of state or county maintained roads, other than U.S. Route 13, or one hundred fifty (150) feet from state or county maintained roads, other than U.S. Route 13, if the tunnel fans directed towards the road.
 - e. Five hundred (500) feet from any property line of schools, churches, nursing homes, day care centers, campgrounds, public recreation areas, and public wells, except where tunnel fans discharge toward the school, church, nursing home, day care center, campground, public recreation area, and public well, in which case, the minimum setback shall be six hundred (600) feet.
 - f. In agricultural or general business zoning districts: five hundred (500) feet from incorporated towns or residential zoning district boundaries, improved subdivisions or ten or more lots, and mobile home parks or travel trailer parks with ten or more units, except where tunnel fans are pointed toward the incorporated town or residential zoning district boundary, improved subdivision of ten or more lots and mobile home park or travel trailer park with ten or more units, in which case the minimum setback shall be six hundred (600) feet.
 - g. In agricultural, residential or general business zoning districts: four hundred (400) feet from unimproved subdivisions of ten or more lots. In the event that preliminary subdivision approval expires after the effective date of this ordinance amendment, the setbacks shall be as specified in section 106-232(f)(5)(a) through section 106-232 (f)(5)(f).
6. **Poultry Waste Management:** Confined poultry operations must obtain a Virginia Pollution Abatement Permit for Poultry Waste Management, in accordance with regulations established by the Virginia State Water Control Board, which is submitted to

the Virginia Department of Environmental Quality and establishes requirements for the storage, treatment and management of poultry waste, including dry litter. A Virginia Pollutant Discharge Elimination System General Permit may also be required through the Department of Environmental Quality. A Nutrient Management Plan is required for approval by the Virginia Department of Conservation and Recreation and is necessary to complete the application for either a Virginia Pollution Abatement General Permit or a Virginia Pollutant Discharge Elimination System General Permit.

7. **Earthen Berms:** Earthen Berms may be required as determined by the zoning administrator in order to protect environmentally sensitive areas and open waters from poultry litter runoff.
8. **Landscaping:** A landscape plan shall be submitted to the zoning administrator demonstrating a vegetative buffer suitable for the visual screening of the confined poultry operation. A vegetative buffer may not be required if sufficient vegetation exists as determined by the zoning administrator.

The vegetative buffer shall be installed as follows:

- 1) A minimum of three (3) staggered rows of plant materials shall be placed at a width of 10 to 20 feet between rows from closest to the poultry operation outwards as follows:
 - a. The row closest to the poultry operation shall consist of evergreen trees/shrubs, deciduous trees/shrubs or suitable grasses.
 - b. The middle row shall consist of deciduous trees.
 - c. The row furthest from the poultry operation shall consist of evergreen trees.
- 2) Buffers should be installed in accord with best management practices and to insure growth and plant material survival. Suitable resources are the Delmarva Poultry Industry, Inc. Vegetative Environmental Buffer Coordinator, the 'Guide to Vegetative Environmental Buffers for Tunnel – Ventilated Poultry Houses Tool Kit' prepared by Delmarva Poultry Industry, Inc., or the Eastern Shore of Virginia Nurseryman's Association's Recommended Species Listing.
- 3) Plant material spacing within the rows shall be as follows:
 - a. Evergreens – Pines/Spruce shall be spaced between eight (8) and fourteen feet apart.
 - b. Evergreens – All others shall be spaced between six (6) and ten feet apart.
 - c. Small Shrubs shall be spaced between three (3) and four (4) feet apart.
 - d. Large Shrubs shall be spaced between three (3) and six (6) feet apart.
 - e. Small Deciduous Trees shall be spaced between five (5) and eight (8) feet apart.
 - f. Large Deciduous Trees shall be spaced between five (5) and eight (8) feet apart.
- 4) *Maintenance of Vegetative Buffer:* All required vegetative buffers shall be preserved and maintained so as to effectively provide visual screening along with other benefits. Routine maintenance of the vegetative buffer is permitted, provided that it does not

- diminish the effectiveness of the buffer. Dead or dying vegetative buffer materials shall be replaced with similar plant materials within six (6) months. Modifications to approved vegetative buffers may be made by the zoning administrator.
9. **Zoning Districts:** Confined poultry operations are allowed by-right in the Agricultural zoning district and by special use permit in general business and residential zoning districts.
 10. **Traffic Safety:** Care should be taken in the site selection process for a confined poultry operation regarding traffic safety and existing road conditions.
 11. **Existing confined poultry operations:** Confined poultry operations in existence and operation on the effective date of this section as determined by the zoning administrator that do not meet the minimum acreage and/or setback requirements, shall be considered nonconforming uses and nonconforming structures so long as the existing use of the facility or structures is not interrupted for more than two (2) years. (Grandfathered).



Confined Poultry Operation Permit Application

Accomack County, Virginia

Applicant: _____

Property Owner: _____

Confined Poultry Operator (if different from applicant or property owner): _____

Mailing Address: _____

Telephone Number: _____

Emergency Contact Number 1: _____

Emergency Contact Number 2: _____

Project Description (number of houses being built, size of each house, location of manure shed(s)): _____

Project Location (directions to property from Route 13 and tax parcel number and/or 911 address, if known) _____

Size of Parcel (must be at least six acres): _____

**Please note that the overall density per parcel of poultry houses is one (1) house per five (5) acres of land and that the maximum limit of poultry houses is twelve per parcel.*

Site plan:

Submit a site plan, drawn to scale and in sufficient detail to show that the proposed confined poultry operation meets all applicable requirements. The site plan must show:

- The size of the parcel.
- The location and size of existing and proposed buildings and structures on the parcel (including manure sheds).
- The location of buildings and structures within 600 feet of any site property lines.
- The location of proposed entrances, driveways and access roads.
- The location of adjacent zoning districts or incorporated town boundaries.
- A landscape plan showing conformance with the landscape buffer requirements (see section 106-232 (g)).
- The location of the closest drainage ditch, watercourse, wetland or Resource Protection Area (RPA).
- Existing and proposed drainage patterns.
- The location of earthen berms if proposed (see section 106-232(f)(7)).
- Two (2) Emergency Contact Numbers.

I certify that the proposed confined poultry operation meets all applicable setback requirements and the submitted site plan is complete and accurate depiction of the confined poultry operation as it is to be located on the parcel.

Applicant's signature: _____

Owner: _____

Application Received Date: _____