

## Sec. 3-060 Supplemental Regulations Pertaining to Land Use Table

51. **Urban Agriculture** in any district shall be regulated as follows:

- a. The Board of Zoning Appeals must determine the Urban Farm use is compatible with area.
- b. The Board of Zoning Appeals may limit the Urban Farm hours of operation.
- c. The use shall not create a nuisance due to noise, smoke, electrical interference, dust, or obnoxious odor.
- d. The use shall not create unacceptable congestion or traffic hazards on the neighboring streets.
- e. Land devoted to agricultural use shall be well-maintained, regularly cleared of debris and free of excessively tall weeds and grass (inspection code). Urban Agricultural uses may include greenhouses as accessory structures, subject to applicable setbacks, and shall also be well maintained.
- f. Hens may be kept on residential properties only. Ownership, care, and control of the hens shall be the responsibility of a resident of the dwelling on the lot. A maximum of six (6) hens may be kept on a lots (although health regulations may further limit the number and/or manner of keeping of hens on lots). Keeping roosters or seven (7) or more hens on a lot is strictly prohibited, except as provided in the land use table under poultry. Henhouses are subject to accessory structure setback requirements. Hens and henhouses are not permitted in front yards. Hens must be confined to the lot. Keeping six or fewer hens closer than 25 feet of any inhabited structure, so long as consistent with the requirements and limitations set forth herein, is an exception to, and is not prohibited by, City Code §10-11.
- g. Honeybees may be kept on residential properties only. Ownership, care and control of the honeybees shall be the responsibility of a resident of the dwelling on the lot. A maximum of three (3) colonies may be kept on lots smaller than one acre (although health regulations may further limit the number and/or manner of keeping of bees on lots). Structures for honeybees are subject to accessory structure setback requirements. Honeybees and beekeeping materials are not permitted in front yards.
- h. Roof farms must receive a building permit. All applicable West Virginia building and fire codes must be met.
- i. Commercial farming/greenhouse, including but not limited to aquaponic and hydroponic farming, is permitted on municipal land, in municipal buildings, on roofs of municipal buildings and/or in greenhouses on municipal land with permission from City and subject to all applicable permits and licenses.
- j. Farms and greenhouses shall be subject to building code requirements and any applicable rules and regulations.
- k. Hoop houses, cold frames, or other similar structures shall be allowed as accessory structures subject to the building code and subject to the zoning ordinance, and the cover shall be removed and stored when plants are not being cultivated.