

# COUNTY OF YORK

## MEMORANDUM

**DATE:** January 5, 2026 (BOS Mtg. 1/20/26)  
**TO:** York County Board of Supervisors  
**FROM:** Mark L. Bellamy, Jr., County Administrator *89 for MB*  
**SUBJECT:** Application No. ZT-215-25, Theft-Deterrent Wire

### LAND USE APPLICATION SUMMARY

*Applicant:* York County Planning Commission

*Request:* To amend the York County Zoning Ordinance, Chapter 24.1, Sections 104. *Definitions*, 271. *Accessory uses permitted in conjunction with residential uses*, and 272. *Accessory uses permitted in conjunction with commercial and industrial uses*, for the use of theft-deterrent wire.

### BACKGROUND

The York County Code prohibits the use of theft-deterrent wire (barbed wire, razor wire, concertina wire, theft-deterrent composite cables [TDCCs], and electrified wire) except when used in conjunction with a bona fide agricultural operation in residential districts. Section 24.1-272 establishes accessory uses permitted in conjunction with commercial and industrial uses and states, “land uses not listed in this section and not deemed similar to a listed use ... shall be deemed not allowed as commercial or industrial accessory uses”. Historically, the County has interpreted the Code’s lack of reference to theft-deterrent wire in commercial and industrial districts as an indication that its use is not authorized. However, some of the County’s businesses have expressed their desire to use theft-deterrent wire to protect their property and restrict access to dangerous equipment and machinery. If approved, the proposed amendments would change three sections of the Code by:

- Adding a definition for theft-deterrent wire to Section 24.1-104,
- Clarifying when it can be used in residential districts in Section 24.1-241, and
- Allowing for the use of theft-deterrent wire in commercial and industrial districts and establishing performance standards for the use in Section 24.1-272.

The goal of the revisions is to balance community need with safety and aesthetic expectations. Considerations for theft-deterrent wire include minimizing hazards to public safety and potential visual blight, while also permitting security and safety measures for property, especially for commercial businesses and industrial locations.

Local ordinances that regulate theft-deterrent wire were reviewed, compiled, and analyzed. The ordinances analyzed include those of the City of Norfolk, City of Petersburg, City of

Local ordinances that regulate theft-deterrent wire were reviewed, compiled, and analyzed. The ordinances analyzed include those of the City of Norfolk, City of Petersburg, City of Hampton, City of Newport News, Fairfax County, Stafford County, James City County, and Gloucester County. A compilation of this research is attached.

The majority of analyzed ordinances prohibit the use of theft-deterrent wire in residential zoning districts unless the property is used for agricultural purposes, as required by State Code. Some localities require the theft deterrent wire to be placed at least six feet (6') above ground level in commercial and industrial districts. Other localities prohibit theft-deterrent wire altogether, while many only have standards for theft-deterrent wire in commercial and industrial zoning districts.

A work session was conducted on November 24, 2025, with the Planning Commission's Ordinance Amendment Subcommittee. During the meeting, concerns were raised about how the ordinance was addressing residential uses, which resulted in adding the clarification regarding domestic livestock and gardening practices. For commercial and industrial uses, the permissible location and manner of placement of the wire were discussed. Lastly, there was a discussion on a process for residents to request an exemption, followed by a discussion on the procedure for enforcement of the ordinance.

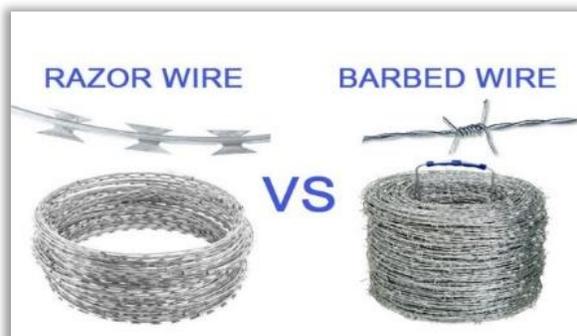
### **Public Comments**

Public notice through advertisements of the public hearing for the amendments were posted. During the December 10, 2025 Planning Commission public hearing, no citizens spoke. No additional public comments have been received as of the publication of this report. Any additional public comments received prior to the Board meeting will be forwarded to the Board members for consideration.

## **SUMMARY AND EXPLANATION OF PROPOSED TEXT AMENDMENTS**

### **Section 24.1-104. – Definitions.**

A definition for theft-deterrent wire is proposed to be added to Section 24.1-104. The Zoning Ordinance should include precise definitions to ensure there is no legal ambiguity regarding what qualifies as theft-deterrent wire. Theft-deterrent wire is proposed to include security fencing materials that deter unauthorized entry by means of sharp edges, electrical charge, or specialized construction that impedes climbing, cutting, or breaching. By having an all-encompassing definition, this provides clear interpretation for application. Below are some visual examples of different types of theft-deterrent wire.



**Single Coil Concertina Wire**



**Fencing using theft-deterrent composite cables (TDCC)**



**Electric Fence around a garden**

**Section 24.1-271. – Accessory uses permitted in conjunction with residential uses.**

Section 24.1-271(j), as it currently exists, prohibits the use of barbed wire and electrified fences in single-family residential areas unless it is used in conjunction with a bona fide agricultural operation. The proposed amendments to this section would change three things: The first update would remove the term “single-family” so that the regulations apply to theft-deterrent wire in any residential district. The second change would replace the terms “barbed wire or electrified” fence with theft-deterrent wire because it encompasses additional security fencing materials. The third revision would increase clarity of the requirements by replacing the phrase “in conjunction with bona fide agricultural operation” with “when used for gardening operations or to secure domesticated livestock that is consistent with Va. Code § 55.1-2804”. What constitutes a “bona fide agricultural operation” can vary depending on the reader. The proposed revision reduces ambiguity by referencing the relevant section of the Code of Virginia, which defines lawful fencing in this context.

**Section 24.1-272. – Accessory uses permitted in conjunction with commercial and industrial uses.**

Section 24.1-272(a) addresses the use of fences and walls in conjunction with commercial and industrial uses. Proposed amendments to Sections 24.1-272(a)(5)(a-d) address the design and aesthetics of theft-deterrent wire, such as where the wire can be located, including outward projections, and types of colors to be used to reduce visual impact. Proposed amendments to Sections 24.1-272(a)(5)(e-f) establish enforcement mechanisms for public safety and sets out administrative exceptions to one or more of the standards. An administrative exception can only be granted if the strict application would create an unnecessary hardship or if equivalent safety and aesthetic objectives can be achieved through alternative design. This exception allows for flexibility of different needs and applications, for example, in situations where more than usual security needs are required.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its December 10, 2025, meeting and, subsequent to a public hearing to which no citizens spoke, voted 7:0 to recommend approval.

**COUNTY ADMINISTRATOR RECOMMENDATION**

This amendment would add a definition for theft-deterrent wire, provide clarification on when it can be used in residential districts, and establishes performance standards for theft-deterrent wire in commercial and industrial districts. Public safety, visual blight, and security concerns were considered, and surrounding localities’ requirements were reviewed. Therefore, due to the considerations and conclusions noted herein, I recommend the Board of Supervisors approve this application, subject to the conditions set forth in proposed Ordinance No. O26-2.

York County Board of Supervisors

January 5, 2026

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Attachments:

- Excerpts from the December 10, 2025 Planning Commission Meeting
- Virginia Localities Research
- Proposed Ord. No. O26-2

**MINUTES**  
**YORK COUNTY PLANNING COMMISSION**

Regular Meeting  
York Hall, 301 Main Street  
December 10, 2025

**MEMBERS**

Thomas W. Chamberlain  
Glen D. Titus  
Gregory "Skip" Brooks  
Michael S. King  
Robert T. Criner  
Jeffrey D. Wassmer  
Joseph P. Smith

**CALL TO ORDER**

**Chair Chamberlain** stated that the Code of Virginia requires local governments to have a Planning Commission, the purpose of which is to advise the Board of Supervisors on land use and planning issues affecting the County. He explained that this responsibility is exercised through recommendations conveyed by resolutions or other official means, all of which are matters of public record. He stated that the Commission is comprised of seven citizen volunteers appointed by the Board, including one representative from each voting district and two at-large members.

**ROLL CALL**

The roll was called, all Commissioners were present. Staff members present were Earl W. Anderson, Acting Director of Planning and Development Services; Dessi Bradecich, Principal Planner; Jeanne Carner, Senior Planner; Sheree Konstantinou, Deputy County Attorney; Madison Scalf, Planner; Cathy Tartabini, Planning Assistant.

**PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

**Chair Chamberlain** led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Mr. Titus** moved to adopt the minutes of the regular meeting on November 12, 2025. The motion was approved (5:0) with Mr. Smith and Mr. Wassmer abstaining.

**CITIZEN COMMENTS**

There were no citizen comments.

**PUBLIC HEARINGS**

**Application No. UP-1061-25, Lafayette Gun Club:** Authorize a Special Use Permit, pursuant to Section 24.1-306 (Category 9, No. 7) of the York County Zoning Ordinance. Request to establish an indoor firing range on a 26.3-acre parcel (GPIN S06b-4802-3797) located at 331 Dare Road (Route 621). The property is zoned RC (Resource Conservation) and R20 (medium density single-family

3435, & Q08b-4531-3505) located at 7900, 7908, 7914, & 7920 George Washington Memorial Highway (Route 17).

2. A site plan prepared in accordance with the provisions set forth in Article V of the Zoning Ordinance shall be submitted to and approved by the York County Division of Development Services prior to the commencement of any construction or land disturbing activities on the site. Said site plan shall be in substantial conformance with the conceptual plan titled “SHEETZ – YORKTOWN, VA CONCEPTUAL DEVELOPMENT PLAN” prepared by Timmons Group, and dated November 28, 2025, except as modified herein. A copy of the conceptual plan shall remain on file in the office of the Planning Division.
3. A re-subdivision of the properties shall be approved prior to site plan approval.
4. In accordance with Section 24.1-115(b) (6) of the York County Zoning Ordinance, a certified copy of the resolution approving the Special Use Permit shall be recorded at the expense of the applicant, in the name of the property owners, Temple Holdings LLC (7900 GWMH), Second Seventeen Miles LLC (7908 GWMH), Ralph M. Goldstein, Barbara B. Goldstein, and Suzanne G. Friedman (7914 GWMH), Seventeen Patriots LLC (7920 GWMH), as grantors in the office of the Clerk of the Circuit Court prior to the establishment of the use on the property.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Yea: (6)       Brooks, King, Criner, Smith, Wassmer, Chamberlain  
Nay: (1)       Titus

\* \* \*

**Application No. ZT-215-25, York County Planning Commission:** Consider amendments to the York County Zoning Ordinance, Chapter 24.1, Sections 104. *Definitions*; 271. *Accessory uses permitted in conjunction with residential uses*; and 272. *Accessory uses permitted in conjunction with commercial and industrial uses*, for the use of theft-deterrent wire.

**Madison Scalf, Planner**, summarized the staff report dated December 2, 2025, and stated that staff recommends the Commission forward this application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in Resolution No. PC25-29(R).

**Mr. Criner** asked if the fence is on the property line, the arms do not project over the property line.

**Ms. Scalf** confirmed the resolution would not allow the wire to go over the property lines.

**Chair Chamberlain** opened the public hearing.

There being no one wishing to speak regarding the application, **Chair Chamberlain** closed the public hearing.

**Mr. Smith** complimented Ms. Scalf for a thorough presentation and is happy York County is aligning themselves with the rest of the localities.

**Chair Chamberlain** stated he worked on that committee and appreciated the staff input.

**Mr. Wassmer** then moved the adoption of Resolution No. PC25-29 ( R ).

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO AMEND VARIOUS SECTIONS OF THE YORK COUNTY ZONING ORDINANCE, CHAPTER 24.1, ZONING, TO INCORPORATE PROVISIONS CONCERNING THEFT-DETERRENT WIRE.

WHEREAS, Virginia Code Section § 15.2-2286(A)(7) and York County Code § 24.1-113(a) authorizes the Board of Supervisors, by resolution, to initiate amendments to the York County zoning ordinance map, including district boundaries, classifications, zoning text amendments and regulations, when the public necessity, convenience, general welfare, or good zoning practice requires; and

WHEREAS, it has come to the attention of the Board of Supervisors and the Planning Commission that revisions to certain sections of Chapter 24.1 of the York County Code should be considered; and

WHEREAS, the application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on the proposed amendments; and

WHEREAS, the Commission previously forwarded its recommendations on all other components of the subject application;

NOW, THEREFORE BE IT RESOLVED by the York County Planning Commission this the \_\_\_ day of \_\_\_\_, 2025, that it does hereby forward the remaining components of Application No. ZT-215-25 to the York County Board of Supervisors with a recommendation of approval to amend Sections 24.1-104, 24.1-271, and 24.1-272 of the York County Zoning Ordinance, to read and provide as follows:

#### **Sec. 24.1-104. Definitions**

*Theft-deterrent wire. Any high-security barrier, typically installed in conjunction with a fence, designed to deter, prevent, or delay unauthorized entry or theft by means of sharp edges, electrical charge, or specialized construction that impedes climbing, cutting, or breaching. Examples include barbed wire, razor wire, concertina wire, theft-deterrent composite cables (TDCCs), and electrified wire.*

**Sec. 24.1-271. Accessory uses permitted in conjunction with residential uses.**

(j) Fences or walls in ~~single-family~~ residential districts provided that:

(9) No ~~theft-deterrent wire~~ ~~barbed wire or electrified or similar type~~ fences shall be permitted except when used to secure domesticated livestock or gardening operations that are in conjunction with a bona fide agricultural operation consistent with Va. Code § 55.1-2804.

**Sec. 24.1-272. Accessory uses permitted in conjunction with commercial and industrial uses.**

(a) Fences or walls provided that:

(5) When a fence incorporates theft-deterrent wire, as defined in § 24.1-104, the following standards shall apply:

(a) The theft-deterrent wire shall be mounted atop a primary fence or wall and shall not constitute the primary fence structure;

(b) The lowest strand or element of theft-deterrent wire shall be at least six (6) feet above finished grade;

~~(c) The design shall not include outward-projecting arms or other protrusions beyond the plane of the fence;~~

(d) No portion of the theft-deterrent wire shall overhang or extend beyond a property line or public right-of-way;

(e) Where visible from a public right-of-way or adjacent residential district, the fencing shall be painted or coated in a neutral, non-reflective color to reduce visual impact;

(f) All theft-deterrent wire installations shall be maintained in good condition and shall be repaired or removed if found by the Zoning Administrator to constitute a public hazard;

(g) The Zoning Administrator may grant a written administrative exception to one or more of the above standards upon finding that strict application would create an unnecessary hardship or that equivalent safety and aesthetic objectives can be achieved through alternative design.

Yea: (7)  
Nay: (0)

Smith, Wassmer, Titus, Brooks, King, Criner, Chamberlain

\* \* \*

## **STAFF REPORTS**

**Mr. Anderson** presented the Development Activity Report provided to the Planning Commission. He thanked those who volunteered for the Comprehensive Plan Subcommittee and the Ordinance Amendment Subcommittee and said the November 24 Subcommittee meetings were very productive. Mr. Smith volunteered for the Ordinance Subcommittee. Mr. Anderson wished everyone happy holidays.

## **OLD BUSINESS**

There was no old business.

## **NEW BUSINESS**

There was no new business.

## **COMMITTEE REPORTS**

There were no committee reports.

## **COMMISSION REPORTS AND REQUESTS**

There were no Commission reports.

## **ADJOURN**

Chair Chamberlain wished everybody Happy Holidays. There being no further business to discuss, the meeting was adjourned at 8:52 PM.

## **SUBMITTED:**

\_\_\_\_\_  
Catherine G. Tartabini  
Planning Commission Secretary

## **APPROVED:**

\_\_\_\_\_  
Thomas W. Chamberlain, Chair

## **DATE:**

\_\_\_\_\_

# Virginia Localities Research

Locality in Virginia	Key Takeaways about Theft-Deterrent Wire Fences
<b>City of Norfolk</b>	Barbed and/or razor wire are prohibited, unless installed in accordance to the City Code approved as part of a security exemption plan or on land used for installation and operation of high-voltage equipment for utilities. Above-ground fences that carry electrical current in the Residential and Downtown districts are prohibited. If a government facility, commercial, or industrial use is in need of heightened security, a security exemption plan can be submitted to allow for barbed and/or razor wire or electric wire atop a fence or wall. <sup>1</sup>
<b>City of Petersburg</b>	In residentially zoned areas, fences made wholly or partly of barbed, concertina, or razor wire, or other material designed to pierce, puncture, cut or emit an injurious electric shock are banned; except some large lots (> 3 acres) for confining livestock. Also, along street lines in any zoned district, such fences are a nuisance, may be removed, and violations are misdemeanors. <sup>2</sup>
<b>City of Hampton</b>	Expressly prohibits barbed wire and electric fences for manufactured/mobile home parks or subdivisions. Their zoning ordinance has a whole article dedicated to barbed wire standards (Chapter 9 article VI). No barbed wire shall be used for the purpose of wholly or partially enclosing any lot or premises within the city, except that barbed wire may be used on top of any wall or fence wholly or partially enclosing any lot or premises in any commercial or manufacturing district. Specifications and requirements for barbed wire when it is permitted are described (e.g. top of fence at least six feet high, how many strands, etc.). <sup>3</sup>
<b>City of Newport News</b>	Defines security fence to include barbed wire. Under building regulations, there are restrictions on barbed wire and electrified fences. Including not to be allowed in residential zones, and when allowed in storage areas, similar commercial uses or swimming pools, the strands must be on the uppermost portion of the fence and cannot be lower than six feet from the ground. Electrified fences are only allowed to confine livestock or wild animals. A security fence not to exceed twenty (20) feet in height shall be permitted on any lot in a non-residential zoning district provided that said fence is located no closer than one hundred (100) feet from a public right-of-way and is attached or connected to the primary structure. <sup>4</sup>
<b>Fairfax County</b>	Barbed wire fences are prohibited in all zoning districts except on at least five acres in certain residential districts. However, barbed wire strands may be used to enclose storage yards, other similar industrial or commercial uses, or swimming pools where the strands are restricted to the uppermost portion of the fence and do not extend lower than a height of six feet. Electric fences are not allowed on lots of two acres or less that are located within a subdivision. <sup>5</sup>
<b>Stafford County</b>	In residential districts: no barbed wire, razor wire, or similar allowed. In commercial/industrial districts, permitted only if installed high (e.g. at least 7 feet from grade) and not protruding over property lines. <sup>6</sup>

<b>James City County</b>	For communication facilities, antenna, towers and/or support structures (CATS), security fencing if used needs to be screened from view with landscaping, chain-link fences to be black or green color, and no fences shall exceed six feet in height and cannot contain any barbed wire or similar barrier. <sup>7</sup> For a hybrid canine permit if fencing is used it must be eight feet in height with an additional overhand of fencing or barbed wire angling a minimum of three feet into the pen or enclosure. <sup>8</sup>
<b>Gloucester County</b>	The zoning FAQ notes the county generally does not regulate residential fences, but for fire control purposes for used tire storage, a heavy-gauge wire fence eight feet in height with two strands of barbed wire extending along the top must enclose the entire storage site. <sup>9</sup>

## ENDNOTE REFERENCES

<sup>1</sup>[https://www.norfolkva.gov/norfolkzoningordinance/#Norfolk-ZO/5\\_11\\_Accessory\\_Structures.htm#Toc502655835?TocPath=Article%25205%253A%2520Development%2520Standards%257C5.11%2520Accessory%2520Structures%257C6](https://www.norfolkva.gov/norfolkzoningordinance/#Norfolk-ZO/5_11_Accessory_Structures.htm#Toc502655835?TocPath=Article%25205%253A%2520Development%2520Standards%257C5.11%2520Accessory%2520Structures%257C6)

<https://www.norfolk.gov/DocumentCenter/View/17482/Fences-Brochure#:~:text=There%20are%20different%20height%20requirements,be%20increased%20to%208%20feet.>

<sup>2</sup>[https://library.municode.com/va/petersburg/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH74\\_OFMIPR\\_ARTIINGE\\_S74-3FEMABACORAWIETREPRSTLI](https://library.municode.com/va/petersburg/codes/code_of_ordinances?nodeId=PTIICO_CH74_OFMIPR_ARTIINGE_S74-3FEMABACORAWIETREPRSTLI)

<sup>3</sup>[https://library.municode.com/va/hampton/codes/code\\_of\\_ordinances?nodeId=CO\\_CH9BUDERE\\_ARTVIBAWI](https://library.municode.com/va/hampton/codes/code_of_ordinances?nodeId=CO_CH9BUDERE_ARTVIBAWI)

<https://www.hampton.gov/DocumentCenter/View/3836/Zoning-Ordinance-Chapter-2-Uses-Permitted?bidId=>

<sup>4</sup>[https://librarystage.municode.com/va/newport\\_news/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH13BURE\\_ARTVIFE\\_S13-143MAREBAWIELFE](https://librarystage.municode.com/va/newport_news/codes/code_of_ordinances?nodeId=CD_ORD_CH13BURE_ARTVIFE_S13-143MAREBAWIELFE)

[https://librarystage.municode.com/va/newport\\_news/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH13BURE\\_ARTVIFE\\_S13-145SANNODI](https://librarystage.municode.com/va/newport_news/codes/code_of_ordinances?nodeId=CD_ORD_CH13BURE_ARTVIFE_S13-145SANNODI)

<sup>5</sup><https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx?secid=2553#secid-2553>

<sup>6</sup>[https://cdn.staffordcountyva.gov/faq/Fences%20Walls%20%20Hedges\\_202005010921571281.pdf#:~:text=Fences%2C%20walls%2C%20and%20hedges%20shall%20not%20exceed,in%20front%20of%20the%20front%20setback%20line.](https://cdn.staffordcountyva.gov/faq/Fences%20Walls%20%20Hedges_202005010921571281.pdf#:~:text=Fences%2C%20walls%2C%20and%20hedges%20shall%20not%20exceed,in%20front%20of%20the%20front%20setback%20line.)

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<sup>7</sup>[https://library.municode.com/va/james\\_city\\_county/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH24ZO\\_ARTIISPRES\\_DIV6COFA\\_S24-123GERE](https://library.municode.com/va/james_city_county/codes/code_of_ordinances?nodeId=CD_ORD_CH24ZO_ARTIISPRES_DIV6COFA_S24-123GERE)

<sup>8</sup>[https://library.municode.com/va/james\\_city\\_county/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH3ANLA\\_ARTIIDO\\_DIV3HYCA\\_S3-41PERE](https://library.municode.com/va/james_city_county/codes/code_of_ordinances?nodeId=CD_ORD_CH3ANLA_ARTIIDO_DIV3HYCA_S3-41PERE)

<sup>9</sup> <https://gloucesterva.gov/planning-zoning/faq>

[https://library.municode.com/va/gloucester\\_county/codes/code\\_of\\_ordinances?nodeId=CH9GARE\\_ARTIREDISIOP\\_S9-33SAIRCO](https://library.municode.com/va/gloucester_county/codes/code_of_ordinances?nodeId=CH9GARE_ARTIREDISIOP_S9-33SAIRCO)

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2026:

Present

Vote

Sheila S. Noll, Chairman  
Douglas R. Holroyd, Vice Chairman  
M. Wayne Drewry  
G. Stephen Roane, Jr.  
Thomas G. Shepperd, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE APPROVING AMENDMENTS TO THE YORK COUNTY ZONING ORDINANCE, CHAPTER 24.1., SECTIONS 104. DEFINITIONS; 271. ACCESSORY USES PERMITTED IN CONJUNCTION WITH RESIDENTIAL USES; AND 272. ACCESSORY USES PERMITTED IN CONJUNCTION WITH COMMERCIAL AND INDUSTRIAL USES, FOR THE USE OF THEFT-DETERRENT WIRE.

WHEREAS, Virginia Code Section §15. 2- 2286(A)(7) and York County Code §24. 1- 113(a) authorizes the Board of Supervisors, by resolution, to initiate amendments to the York County zoning ordinance map, including district boundaries, classifications, zoning text amendments and regulations, when the public necessity, convenience, general welfare, or good zoning practice requires; and

WHEREAS, the Board of Supervisors and the Planning Commission finds that good zoning practices require clarification on the use of theft-deterrent wire in residential and commercial zoning; and

WHEREAS, it has come to the attention of the Board of Supervisors and the Planning Commission that revisions to certain sections of Chapter 24.1 of the York County Code should be considered; and

WHEREAS, said amendments have been considered by the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of these amendments; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on these amendments; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to these amendments.

NOW, THEREFORE BE IT ORDAINED by the York County Board of Supervisors this the \_\_\_ day of \_\_\_\_, 2026, that it does hereby approve Application No. ZT-215-25 to amend Sections 24.1-104. *Definitions*, 24.1-271. *Accessory uses permitted in conjunction with residential uses*, and 24.1-272. *Accessory uses permitted in conjunction with commercial and industrial uses*, for the use of theft-deterrent wire, of the York County Zoning Ordinance, to read and provide as follows:

**Sec. 24.1-104. Definitions**

*Theft-deterrent wire.* Any high-security barrier, typically installed in conjunction with a fence, designed to deter, prevent, or delay unauthorized entry or theft by means of sharp edges, electrical charge, or specialized construction that impedes climbing, cutting, or breaching. Examples include barbed wire, razor wire, concertina wire, theft-deterrent composite cables (TDCCs), and electrified wire.

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**Sec. 24.1-271. Accessory uses permitted in conjunction with residential uses.**

(j) Fences or walls in ~~single-family~~ residential districts provided that:

(9) No theft-deterrent wire ~~barbed wire or electrified or similar type~~ fences shall be permitted except when used for gardening operations or to secure domesticated livestock that is in conjunction with a bona fide agricultural operation consistent with Va. Code § 55.1-2804.

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**Sec. 24.1-272. Accessory uses permitted in conjunction with commercial and industrial uses.**

(a) Fences or walls provided that:

(5) When a fence incorporates theft-deterrent wire, as defined in § 24.1-104, the following standards shall apply:

(a) The theft-deterrent wire shall be mounted atop a primary fence or wall and shall not constitute the primary fence structure;

(b) The lowest strand or element of theft-deterrent wire shall be at least six (6) feet above finished grade;

(c) No portion of the theft-deterrent wire shall overhang or extend beyond a property line or public right-of-way;

(d) Where visible from a public right-of-way or adjacent residential district, the fencing shall be painted or coated in a neutral, non-reflective color to reduce visual impact;

(e) All theft-deterrent wire installations shall be maintained in good condition and shall be repaired or removed if found by the Zoning Administrator to constitute a public hazard;

(f) The Zoning Administrator may grant a written administrative exception to one or more of the above standards upon finding that strict application would create an unnecessary hardship or that equivalent safety and aesthetic objectives can be achieved through alternative design.

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