

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

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

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 barbed wire or electrified or similar type fences shall be permitted except in conjunction with a bona fide agricultural operation.~~ Razor wire and concertina wire shall be prohibited. All other theft-deterrent wire fencing shall be prohibited except:

(a) for the confinement of domesticated livestock consistent with Va. Code §55.1-2804; or

(b) for the use of animal deterrent fencing used for garden or landscape protection, provided such fencing:

1. is low-energy, non-lethal, and intended solely to deter wildlife or pests and is not designed or configured to prevent human entry;
2. consists of material such as smooth wire, polywire, or tape;

3. does not exceed four (4) feet in height, except in Resource Conservation (RC) and Rural Residential (RR) districts with a maximum of six (6) feet in height;
4. is located in a rear yard only, except in Resource Conservation (RC) and Rural Residential (RR) districts where the location can be in the front, side, or rear yard;
5. be installed immediately adjacent to the garden or landscaped area being protected and shall not be located more than two (2) feet from the outer edge of such garden or planting area;
6. encloses an area not exceeding one thousand (1,000) square feet;
- ~~4.~~7. is maintained in good condition and shall be removed when no longer actively used for garden or landscape protection.

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.
