



# PLANNING STAFF REPORT

**MEMO DATE:** February 3, 2021

**MTG. DATE:** FEBRUARY 10, 2021

**TO:** Village of Cottage Grove Plan Commission  
Village of Cottage Grove Ordinance Review Committee

**CC:** Village of Cottage Grove Board of Trustees  
Matt Giese – Village Administrator  
Lisa Kalata – Village Clerk  
Larry Konopacki – Village Attorney

**FROM:** [Erin Ruth, AICP – Village Planning Director](#)

**RE:** Ordinance Amendment to Allow Keeping of Chickens

## BACKGROUND

Keeping chickens in residential neighborhoods for the purpose of gathering eggs as a local and sustainable food source is an increasingly common trend. The practice is permitted under both Dane County and City of Madison ordinances, among other local jurisdictions.

A Village Trustee submitted an Ordinance Request Form requesting clarification and updating of Ordinance 116 and noting that residents had asked if chickens were allowed.

The Village of Cottage Grove's Ordinance Review Committee has investigated example ordinances and recommended criteria for consideration in a Village of Cottage Grove ordinance amendment as described below. The intent is for the ordinance to apply only to chickens and not other types of domesticated fowl.

Since the amendment includes portions of Chapter 325, Zoning Ordinance, the Plan Commission must hold a public hearing and take formal action upon the proposed amendment.

## PROPOSED AMENDMENT

The text below represents the proposed amendment. Text to be deleted is ~~struckthrough~~. Text to be added is *italicized*.

### **116-3 Keeping of animals restricted.**

Amend: No person shall keep within the Village any animal except a domesticated pet unless within a licensed animal hospital or kennel, ~~except on premises on which animals were~~

~~customarily kept on January 1, 1965 and/or as specifically permitted by Chapter 325, Zoning Ordinance.~~

**325-49(H) – Accessory Land Uses.**

Add: (26) *Keeping of chickens; description. It is the intent of this section to provide a means of keeping chickens as an accessory use at a single-family residence.*

(a) *Regulations.*

(1) *No more than 4 female chickens are permitted.*

(2) *Roosters are not permitted.*

(3) *No slaughtering of chickens shall occur on the property.*

(4) *Chickens must have access to a coop or covered enclosure.*

I. *Maximum size: 120 square feet.*

II. *Maximum height: 12 feet*

III. *Min. 4' setback from any property line.*

IV. *Min. 25' setback from principal structure on any adjacent lot.*

V.

(5) *Chickens may not roam free and must be contained in a fenced outdoor enclosure at all times.*

I. *Fence no less than 6' high.*

II. *Shall meet the requirements of 325-88, Fences and hedges.*

III.

(6) *Enclosure must be clean, dry, and odor-free and shall be kept in a manner that will not disturb use or enjoyment of adjacent lots.*

(7) *Failure to comply with this section shall be deemed a public nuisance per Ch. 224.*

**325-38(A) – Single-Family Residential-4 (SR-4) District.**

Add as an accessory use permitted by right: (3)(a)(11) *Keeping of chickens.*

**325-38(B) – Single-Family Residential-6 (SR-6) District.**

Add as an accessory use permitted by right: (3)(a)(11) *Keeping of chickens.*

**325-38(D) – Historic Residential-9 (HR-9) District.**

Add as an accessory use permitted by right: (3)(a)(11) *Keeping of chickens.*

**STAFF RECOMMENDATION**

The intent at this meeting is for the Plan Commission to review and discuss the proposed amendment. After gathering feedback from the Commission staff will schedule a public hearing at the March Plan Commission meeting.