



Decision Tree for understanding the 2019 Urban Agriculture Zoning Amendment, Ord. # 0251-2019

IMPORTANT INFORMATION BEFORE YOU START:

- This ordinance amended the City of Cincinnati's Zoning Code. The City of Cincinnati's zoning laws are administered by the Department of Buildings & Inspections. The department's zoning plans examiners review the proposed use and development of property to determine compliance with applicable zoning laws. If you have any questions, please call (513) 352-2430 or email zoninginfo@cincinnati-oh.gov.
- Other municipal, state, and federal law also applies to any agricultural activities in the City, including but not limited to Board of Health regulations, Ohio EPA regulations, Ohio Department of Agriculture regulations, Federal labor and tax law, etc. This section of the code does not modify any requirements imposed by other legal authorities!
- Fencing, structures, noise and business rules that would normally apply in any district still apply. If you are unsure about the permissibility or rules governing a particular activity, contact the Department of Buildings & Inspections.
- Tall grass, even when being done to remediate soil, is often perceived as weedy. , contact the Department of Buildings & Inspections about your plans before doing a cover crop.
- Food service and value added preparation are not covered by this amendment of the code. They are subject to zoning restrictions that limit the districts where they may occur and additionally are regulated by the Board of Health and state and federal law regarding food safety.
- The ordinance will go into effect on 09/24/2019.

What are you doing?			
<p>Growing indoors = INDOOR AGRICULTURE.</p> <p>Permitted throughout the city.</p>	<p>Growing plants on under ½ acre of land = GARDEN (includes personal, community, and market garden).</p> <p>Rules governing activities depend on district.</p>	<p>Growing plants on over ½ acre of land = FARM</p> <p>Rules governing activities depend on district.</p>	<p>Raising animals = ANIMAL KEEPING.</p> <p>Number of animals permitted, set-back requirements, and housing requirements are in § 1422.05. Zoning district does not matter. (A link to the charts will be added once the on-line municipal code is updated).</p>
<p>Be sure to follow building, water, and health codes.</p>	<p>Where are you doing it? Check your zoning district.</p>		<p>Other info you need to follow: the Board of Health has standards of cleanliness for keeping animals, which are enforced on a nuisance basis when neighbors complain. If animals are unreasonably smelly or noisy, they may be considered a nuisance. Slaughtering animals is not permitted unless in a licensed facility!</p>
	<p>Residential = Permitted</p> <p>Manufacturing = Requires a certificate of compliance from the Department of Buildings and Inspections.</p>	<p>Residential = allowed subject to conditional use. Contact Department of Buildings & Inspection for information on conditional use approval process.</p> <p>Anywhere non-residential = permitted.</p>	

What are you doing?					
<p>Selling food you have grown = RETAIL SALES</p>		<p>Building a structure, such as shed or hoop house Rules concerning the structure depend on the size and how long the structure will be up.</p>		<p>COMPOSTING Defined as “solid waste disposal using controlled biological decomposition”. Rules depend on the size.</p>	
<p>Where are you doing it? Check your zoning district.</p>		<p>How long will your building be up?</p>		<p>How large will your pile be?</p>	
<p>Residential districts = sales are limited to 7 am to 7 pm and 30 days per year. No sales structures are permitted. A Certificate of Compliance from the Department of Buildings and Inspections is required.</p>	<p>Anywhere non residential = follow the rules on retail for the zoning code in which you are located.</p>	<p>Under 179 days it’s a temporary structure. How big is your building? If under 4 feet in height, must meet setback requirements. If over 4 feet in height and under 400 sq feet, must comply with Ohio Building Code. If over 4 feet in height and 400 sq feet, submit plans to Buildings & Inspections for a building permit. Cost depends on size of project.</p>	<p>Over 180 days it’s a building, and may require a building permit. How big is your building? Over 200 sq feet – requires a building permit. Cost depends on size of project. Under 200 sq feet No building permit required</p>	<p>Under 500 square feet = allowed throughout the city. Piles must be set back from neighboring property lines, contained by a fence, they must ONLY CONTAIN PLANT DERIVED MATERIALS, and are subject to Cincinnati Board of Health Regulations, S. 00053-7.</p>	<p>Over 500 square feet = this is a waste facility subject to Ohio EPA licensing and restricted sites in the city. https://ebiz.epa.ohio.gov/</p>

Further resources:

The Cincinnati Civic Garden Center offers gardening classes and a community garden leader certification (twelve 3 hour classes over the course of twelve weeks). The Community Garden Leadership Certification is strongly recommended for anyone considering establishing a community garden. The Civic Garden Center also offers classes on composting. <https://www.civiggardencenter.org/>

The City of Cincinnati Office of Environment and Sustainability often has funding available to help with the purchase of equipment and materials for gardens and farms. <https://www.cincinnati-oh.gov/oes/>

Hamilton County Soil and Water Conservation District can help connect farmers to numerous resources on soil building and water run off management. <https://www.hcswcd.org/>

Hamilton County Department of Recycling and Solid Waste may have additional resources on composting. <http://www.hamiltoncountyrecycles.org/>