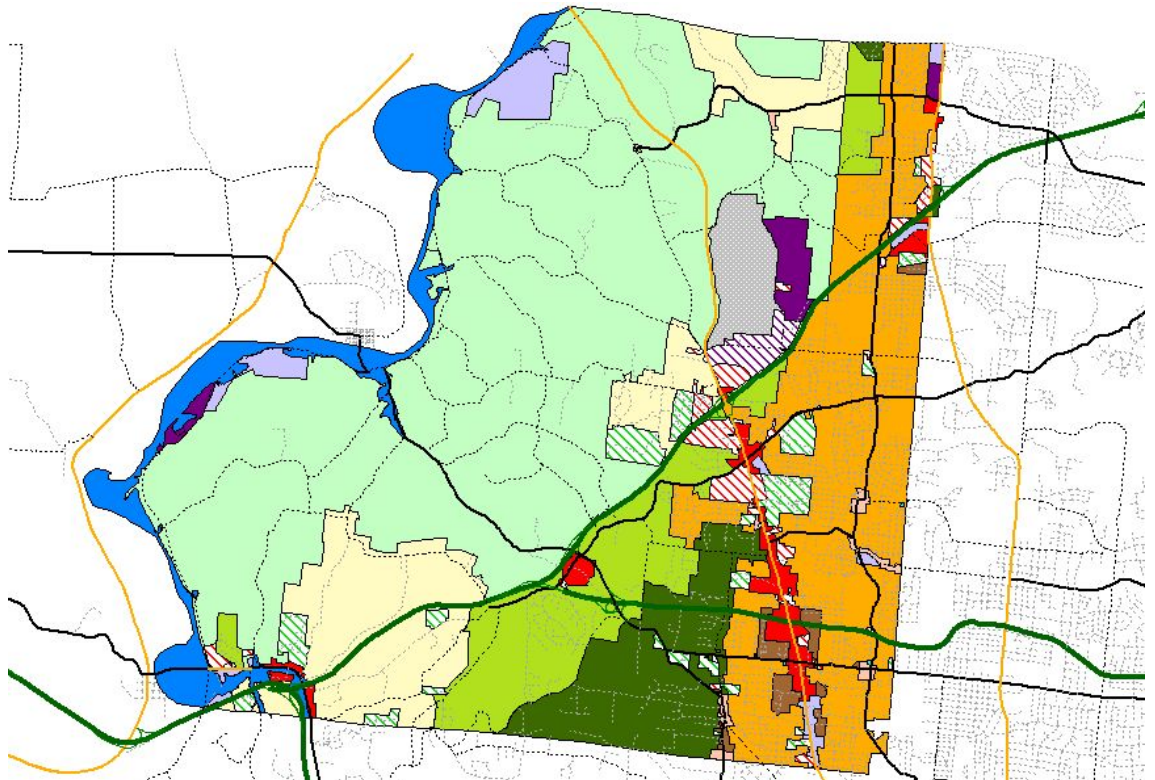


# Colerain Township Hamilton County Regional Planning Commission



Planning & Zoning Department

Project: Text Amendment  
Case No.: ZA2010-05  
Prepared By: Susan H. Roschke  
Action Requested: Zoning Text Amendment  
Proposal: Amendments to Article 7.4.2 regarding urban agriculture  
Applicant: Colerain Township Board of Trustees



**PURPOSE:**

To improve development regulations in Colerain Township by:

- Amending Section 7.4.2, Agricultural and Residential Use-Specific Regulations/Agricultural Uses, to provide for urban agricultural uses on lots smaller than 5 acres.

**PROPOSAL:**

On October 19th, 2010, the Colerain Township Zoning Commission initiated a text amendment to modify a section of the Colerain Township Zoning Resolution to permit urban agricultural uses on lots smaller than 5 acres. Following is an analysis of the proposed modifications (see attached full text of amendment in context).

**ANALYSIS:**

The Township receives calls approximately once a week inquiring about the keeping of small agricultural animals or the placement of agricultural structures for small-scale farming. Currently, Colerain Township requires that animal enclosures be located 100 feet from all property lines, effectively prohibiting the keeping of farm animals on most subdivision lots. Many communities are adopting similar regulations in response to the desire of their residents to have increased access to fresh eggs, milk, and produce. In adding these regulations, the Township seeks to permit small-scale farming activities while limiting potential harm or nuisance arising from agricultural activities in proximity to residences.

A variety of similar codes were reviewed in the course of developing the proposed changes, with particular emphasis on the City of Cleveland's very thorough zoning code for these issues.

Section 4.4.2

4.4.2(B)(4) - Reference to Section 7.4.2 for regulations of non-exempt agricultural activities.

Section 7.4.2 (Section revised and expanded)

The addition of the word "urban" to the Section title reinforces that these regulations apply to non-farm sites.

7.4.2(A) - requirement that urban agriculture uses (except Community Gardens) take place on occupied sites.

7.4.2(C) - requirement that related structures must be kept in the backyard.

7.4.2(D) - requirement for indoor equipment/tool storage in off season.

7.4.2(E) - standards for plant product farming. Highlights include: row crops are not permitted in the front yard, vision clearance triangles must be maintained, structures must be in the rear yard, structures over 6' tall require zoning certificates, permanent structures count toward lot coverage maximum but temporary structures do not.

7.4.2(F) - standards for farm animals and bees. Highlights include: areas must be kept clean and sanitary, odors and noise must not disturb neighbors, small animals may be slaughtered only for consumption by occupants, larger animals may not be slaughtered onsite. A zoning certificate is required.

7.4.2(G) - requirements for Community Gardens (managed and maintained by a group). Highlights include: gardens must be maintained free of litter and weeds year-round, a sign is permitted, a tool shed or bin is permitted, plant gardening follows the requirements of 7.4.2(E), animals are permitted only on occupied sites, parking is limited, pavement should be pervious (except for driveway aprons), contact information and garden rules must be kept up-to-date and on file at the Planning & Zoning office. A zoning certificate is required.

7.4.2(I) - requirements for sale of urban agricultural products. Highlights include: sales should be on-site, no unattended displays, a sign is permitted, community gardens in commercial districts may sell excess produce in accordance with Section 12.10. A zoning certificate is required (may be included with the zoning certificate for the keeping of farm animals defined in 7.4.2(E)(9)).

Table 7-4 (new table)

This new Table defines requirements for permitted urban farm animals and bees, including the minimum lot sizes, number of animals permitted (by area and by maximum number per type), setbacks for enclosures, enclosure requirements and limits, specific prohibitions, and other requirements. In general, enclosures are required both to keep animals confined on the owner's property and to protect the animals from predation. Other highlights include: water is required on-site for bees to discourage them from seeking water at neighboring pools and ponds; predatory birds and Africanized bees are prohibited.

Article 16—Definitions

Please see attached for relevant definitions to be added. A definition of Animal Units is already existing. Definitions for Community Garden, Cold-frame, Coop and Cage, Enclosure, Farm Animal, Flyway Barrier, Greenhouse, Hoophouse, Predatory Bird, Row Crop, and Similar Animal are included in the text to be added.

**PREVIOUS ACTION:**

Colerain Twp. Zoning Commission      Initiated by motion and transmitted to RPC      10-19-2010

Submitted for the Commission's consideration,

A handwritten signature in black ink, appearing to read 'S. Roschke', with a long horizontal flourish extending to the right.

Susan H. Roschke, Ph.D.  
Planning & Zoning Administrator