

## 10.22 – AGRICULTURE

Except as otherwise provided herein, nothing contained in this Zoning Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, and no zoning permit shall be required for any such use, building, or structure. In accordance with Section 519.21(D) of the Ohio Revised Code (effective September 8, 2016) Harrison Township prohibits the cultivation, processing, or retail dispensing of medical marijuana in all zoning districts within the unincorporated areas of the Township.

Notwithstanding the foregoing, in any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, agricultural uses and structures are subject to the terms and conditions of this Zoning Resolution in the following manner:

1. Agricultural uses, except for well-maintained gardens for personal consumption, are prohibited on lots of one (1) acre or less.
2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres must conform to all setbacks, size, and height requirements that apply in the underlying zoning district.
3. Dairying and animal and poultry husbandry are permitted on lots greater than one (1) acre but not greater than five (5) acres only until thirty-five percent (35%) of the lots in a platted subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under ORC Section 4503.06. After thirty-five percent (35%) of the lots in the subdivision are so developed, ongoing dairying and animal and poultry husbandry shall be considered a nonconforming use pursuant to ORC Section 519.19 and Article 21 of this Zoning Resolution. Dairying and animal and poultry husbandry shall be prohibited on such lots after thirty-five percent (35%) of the lots are so developed.
4. Kennels prohibited on lots less than five (5) acres.
5. Animal Containment: Generally, residents are responsible for the care, safety and confinement of on-farm livestock and other animals. Residents must provide adequate fencing and gates to confine animals on site in a safe and reasonable manner. The public should be protected from animals that may cause bodily harm and/or property damage. Therefore, local animal control laws that require animals on site to be confined and not “run at large” without restraint, confinement or supervision, are reasonable and help to protect public health.

This section confers no power on any Township Zoning Commission, Board of Township Trustees, or Board of Zoning Appeals to regulate agriculture, buildings or structures, or dairying and animal and poultry husbandry on lots greater than five acres.