

Applicable Regulations & Permits Explained

It can be hard to understand what is and is not permitted in a typical urban food production site; therefore, as a service to our Columbus growers, we have compiled this information in a simplified format below.

Land

Growing fruits and vegetables is acceptable on properties in the City of Columbus, which means you are allowed to grow these foods anywhere in the City. Growing fruits and vegetables on lots less than five (5) acres in residential zoning districts must comply with all building and zoning regulations and permits. (Specifics apply. Reference City Code chapters 3332 and 3333.)

The City of Columbus Land Bank holds vacant parcels until they are able to be purchased for redevelopment or as a side yard. Meanwhile, groups and individuals who want to garden can license these parcels for \$50 per year, per parcel for the first year, and \$10 per year for renewals. Contact the Land Bank at 614-645-LAND (5263) or go to their website: [Land Bank Community Gardens](#) for more information. While the City cannot guarantee that these licenses will continue indefinitely, it makes every effort to ensure gardens do not need to be relocated without cause. The best way to ensure renewal of a license is to continuously maintain the property as a garden. Additionally, nonprofits who have successfully licensed a parcel for three consecutive years on an annual license may qualify for a five-year lease.

Properties that have or had structures built before 1978 may contain unsafe levels of lead in the soil. If the land has been previously used for commercial or industrial purposes, it may also contain unsafe or hazardous contaminants. Soil testing should, and in some cases must, be conducted before growing food directly in the soil. [OSU Extension Franklin County](#) provides soil testing for both soil safety and soil fertility at low cost (and in some cases, for free). To reduce the risk of contact with lead or other contaminants that may be in the soil, it is recommended that 12-inch raised beds be constructed with untreated wood and filled with at least 12 inches of uncontaminated soil safe for growing food crops.

Vision Clearance & Residential Setback

In Columbus, **fences, structures (including high tunnels) and plantings over 2 ½ feet tall** must adhere to vision clearance standards and residential setback requirements. (Reference City Code 3321.05.)

Residential setbacks define the distance from a curb, property line or structure, within which buildings are prohibited. **Setbacks** are established for safety, privacy and/or environmental protection reasons.

Vision clearance standards ensure that motorists can clearly see other motorists, bicyclists and pedestrians at points where vehicles enter the street. They establish guidelines for the placement, opacity, height and configuration of any fence, wall, planting or other obstruction.

- If the property is at the **intersection of two streets**, all structures and plantings over 2 ½ feet tall must be set back 30 feet from the property line adjacent to the intersection.
- If the property is at the **intersection of a street and alley**, then all structures and plantings over 2 ½ feet tall must be set back 10 feet from the property line adjacent to the intersection.
- Setbacks are not required at the **intersection of two alleys or the rear property line**.
- If there is a **neighboring front driveway** to the property, then all structures and plantings over 2 ½ feet tall must be set back 12 feet from the street right-of-way line.

Water

The steps and costs for obtaining water service for your growing site can vary greatly depending on where the existing water main is within the right of way. Maintenance of traffic and pavement restoration costs can increase significantly depending on how far away the water main is from the growing site. Two of the most common scenarios and costs for obtaining water service are listed below:

If there is an existing water service tap for the parcel but NOT existing access to a water spigot

- Contact a licensed water contractor to install: piping from the tap (curb stop) to the meter enclosure, meter setting, meter, backflow preventer and the meter enclosure. The estimated cost for these services varies, but at the time this document was created, is approximately \$4,500.

If there is no existing water service tap for the parcel

- Contact a licensed water contractor to install: piping from the tap (curb stop) to the meter enclosure, meter setting, meter, backflow preventer and the meter enclosure AND to make a tap at the water main and to install the piping from the water main to the curb stop. The estimated cost for these services varies, but at the time this document was created, is approximately \$6,000.

For more information about how to obtain water service for your growing site, visit the Department of Public Utilities [website](#) or call the Permit Office at 614-645-7490. You can also visit weekdays in person at 111 N. Front Street in the Michael B. Coleman Government Center.

Water storage systems, such as cisterns and rain barrels, are allowed. They must comply with all applicable setbacks and vision clearance requirements. A list of water haulers serving Central Ohio is available on the [Department of Public Utilities website](#).

The City of Columbus Land Bank provides 50-gallon rain barrels to first-year gardens licensed by the Land Bank that can be upgraded to 550-gallon cisterns once the Land Bank property is fully developed for growing. The Land Bank will ensure cisterns are filled at least once per year.

To prevent health risks and nuisance complaints, make sure that mosquitoes are not able to enter and breed in cisterns and rain barrels. Columbus Public Health offers [free rain barrel treatments](#) for mosquitos.

Composting

Composting is allowed as long as the material being composted was generated on site. The amount of material being composted must be less than 500 square feet (finished compost does not count towards this size limit). Your site should not accept food scraps from any outside source. You may only accept food scraps from an outside source on sites zoned for manufacturing and you will be required to obtain permission from the City as well as a permit from the State. (Reference city code: 3303.03, 3389.034, 3332.039, 3332.34, 3333.31, 4703.01 and Ohio Administrative Code: 3745-27-03, 3745-560.)

All compost must be rodent-proof so that it is not a food source for rodents including rats. Columbus Public Health offers [tips and resources to prevent rats](#).

To rodent-proof your compost:

- Do not compost meat, chicken, fish, cheese, oils or greasy foods.
- Do not compost pet feces including dog or cat feces or cat litter.
- Layer food scraps into the center of the pile and layer with yard and/or paper waste.
- Keep compost away from other rodent food sources like bird feeders, pet food, garbage cans and fruit trees or berry bushes.
- Keep compost away from places rodents like to hide like stacked wood piles, brush piles, sheds or outbuildings
- Use commercially available closed compost containers OR use rodent-proof construction for compost bins.

- Use half-inch hardware cloth or welded wire.
- Cover vents with one-fourth to half-inch wire mesh.
- Cover with a secure, tight-fitting lid.
- Place containers or bins on a solid foundation of concrete or patio stones.

The Department of Public Utilities Compost Facility provides [Com-Til](#), a bio solids compost and mulch. If the urban agriculture is located on City-owned property licensed by the Land Bank, Com-Til will be provided for free, excluding delivery cost. Com-Til is available at market rate for non-Land Bank licensed properties.

Supplies & Services

Many hand and power tools can be rented for free or at a low cost through the Tool Library at, [Modcon Living](#), formerly Rebuilding Together Central Ohio. Tool Library membership at the time of this writing is \$40 for individuals and free for 501(c)(3) nonprofits with annual revenue under \$75,000. When funds are available, the City may offer grants that can assist with these types of expenses.

Planting

When planning your growing site, make sure your beds and plants do not block the vision triangle for streets and alleys. Any plant with a mature height over 2 ½ feet tall must adhere to vision clearance standards and residential setback requirements. (Reference City Code 3321.05.)

It is also important to keep your growing site free of the following potential health hazards, which could endanger public safety: weeds, noxious weeds or rank growth, which may include but are not limited to brush, vines, shrubs, thistles, burdock, jimson weed, ragweed, mullein, poison ivy, poison oak, poison sumac, pokeberry, grass or other plant species. These plants may be allowed if being grown for agricultural or horticultural use. Milkweed is allowed. (Reference City Code Chapter 709.)

Structures, Fences & Retaining Walls

Structures, including sheds, gazebos, retaining walls, fences, pathways or parking spaces, must comply with all applicable Department of Building and Zoning regulations and permits, including the drafting of stamped engineer drawings. (Reference city code chapters 3332 and 3333.) Fees apply for full-site compliance plan review/approval.

Zoning review and building permits are required as follows:

- Any structure greater than 120 square feet being constructed on a vacant lot requires a building permit and zoning review/approval.
- Any structure greater than 169 square feet but less than 200 square feet being constructed on a lot with an existing residential building requires zoning review/approval but does not require a building permit.
- Any structure greater than 200 square feet being constructed on a lot with an existing residential building requires a building permit and zoning review/approval.
- Any retaining wall greater than 4 feet high from bottom of the foundation to the top requires a building permit and zoning review/approval.
- Any fence greater than 6 feet tall requires a building permit and zoning review/approval.

Before installing any structure, fence or retaining walls, contact the Department of Building and Zoning Services at 614- 645-8637 or zoninginfo@columbus.gov to ensure the structure is in compliance with applicable zoning regulations, including overlay, which can vary depending on location.

If you are using Columbus-owned Land Bank property for your growing site, you must submit or

update a site plan to the Land Bank in order to receive written approval for any improvements, including structures, fences or retaining walls. Written approval from the Land Bank is required **in addition** to all other required reviews, approvals and permits.

Season Extension Structures

Please review the detailed Season Extension Structure Guidance Document (link when final) BEFORE ordering any kits or materials.

Season extension structures such as high tunnels, row covers, low tunnels and caterpillar tunnels for fruit and vegetable production are allowed in the City of Columbus. Season extension structures do not require a building permit. Zoning review is required to ensure that all season extension structures comply with applicable setbacks and vision clearance requirements. (Reference city code 3321.05.)

- Season extension structures should be at least 12 feet away from any other structure, including fences.
- Season extension structures must be sited fully within the boundaries of a single parcel - they cannot cross property lines.
- Structures larger than 2,000 square feet are likely to require storm water engineered plans.

Taking **ALL** of the above into consideration, draw a site plan with all distances measured between parcel lines, season extension structures, plant beds and any other use on the site (e.g. sheds, gazebos, retaining walls, fences, pathways or parking spaces).

- Email the drafted site drawing to zoninginfo@columbus.gov.
- A staff member will review and send you comments about potential adjustments.
 - There is no cost for this email review.
 - This email review does not provide approval but an informal conversation to ensure you place the season extension structures in accordance with the zoning code.

If electricity is needed in the season extension structure for fans, lights, heaters, automated ventilation, etc., an electrical permit will need to be obtained by a certified electrician to install an electric service breaker box outside of the structure with outlets for plugging in cords.

If you plan to install water pipes inside the structure to provide plumbing for sinks, etc., you will need to hire a licensed plumber and obtain a plumbing permit. This is not necessary for garden hoses and simple drip irrigation watering systems.

To install a season extension structure on a **Columbus-owned Land Bank property** you must **also**:

- Submit a site plan to the Land Bank.
 - Receive approval, in writing, from the Land Bank.
 - Submit a letter of support from the appropriate Area Commission to the Land Bank before installation.
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Storm Water

When planning your project, remember that adding more than 2,000 square feet of impervious surfaces (e.g., sheds, high tunnels, crushed stone walkways, pavers, etc.) or disturbing more than 10,000 square feet of the lot (including planting beds, walkways, etc.) will require a storm water management plan prepared by a licensed professional. These costs should be considered during project planning. If there was a house on the lot within the last five (5) years, the project will be given credit for the past impervious area before subtracting from the 2,000-square foot criteria.

To minimize storm water runoff, raised beds and circular planting patterns are preferred over straight-row, in-ground planting

Signage:

A permanent, non-illuminated sign of 10 square feet or less may be installed on growing sites located on private property without need for a permit; however, signage must be installed according to City code. Contact the Department of Building and Zoning Services at 614-645-8637 before beginning any signage projects.

For illuminated signage or signage greater than 10 square feet, contact the Department of Building and Zoning Services at 614-645-6090.

Prior to making any improvements, including signage, on Columbus-owned Land Bank property, an updated site plan must be submitted and written approval obtained from the Land Bank. Written approval from the Land Bank is required **in addition** to all other required reviews, approvals and permits.

Sales:

Local farmers markets are always looking for new vendors and this can be one of the best places to sell **unprocessed fruits and vegetables**. Contact the [Ohio Farmers Market Network](#) or [OSU Extension Franklin County](#) to learn more about local farmers market opportunities. At a registered farmers market, vendors may be able to sell processed foods as a cottage foods producer. Contact the Ohio Department of Agriculture to learn more about [cottage food rules](#).

Much like a garage sale, occasional sales of **unprocessed fruits and vegetables** are allowed to take place on the garden site without the need for any permits for a maximum of two times each year and a maximum of four days at a time. (Reference City Code: 3390.02 and Columbus Health Code: 255.02.) **Unprocessed fruits and vegetables** may be given away on the parcel on which they are grown. Regular or permanent sales of unprocessed fruits and vegetables are allowed only in manufacturing or commercial districts. (Reference city code: 3351.03, 3363.01.) Parking is required for regular or permanent sales. (Reference City Code: 3312.49.)

Processing foods, such as canning or bottling, require approval from the Ohio Department of Agriculture. Vendors **selling processed food, preparing food or cooking food** must obtain a retail food establishment license or food service operation license from Columbus Public Health. Food will be subject to inspection at the sale location by Columbus Public Health and the Ohio Department of Agriculture. Depending on where and how the food is prepared, additional licenses and rules apply. Please thoroughly research these laws before proceeding with the sale of processed foods.

(Reference Ohio Revised Code: 3717.221, 3717.22, 3717.22(B)(3), 3715.01(A)(20) and 3715.023, Ohio Administrative Code: 3717.41, 3717.42, 3717.43, 901:3-20-04 and 901:3-20, City Code: 3332.37 and 3333.34.)