



Legislation Details (With Text)

File #: 0536-2012 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/2/2012 **In control:** Development Committee
On agenda: 3/19/2012 **Final action:** 3/21/2012
Title: To approve the applications of David and Lisa Schacht to designate 129.8 acres of farmland (5950 Shannon Road) and Peters Family Farm to designate 182.4 acres farmland (east side of Lockbourne Road south of SR 317) respectively as agricultural districts pursuant to ORC Section 929.02; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0536-2012 Schact Ag District Territory - February 2012, 2. ORD0536-2012 Peters Ag District Territory - February 2012

Date	Ver.	Action By	Action	Result
3/21/2012	1	ACTING CITY CLERK	Attest	
3/20/2012	1	MAYOR	Signed	
3/19/2012	1	COUNCIL PRESIDENT	Signed	
3/19/2012	1	Columbus City Council	Approved	Pass

BACKGROUND:

This ordinance is submitted to City Council in response to two applications to establish Agricultural Districts within the City of Columbus. The Agricultural District designation was created by the Ohio General Assembly and is governed by Chapter 929 of the Ohio Revised Code (ORC). The five-year designation provides certain protections to farmers against utility assessment, nuisance civil actions, and land appropriation. David and Lisa Schacht filed an application on January 24, 2012 for a 129.8 acres tract (PID 490-193733) located on the north side of Shannon Road between Brice and Gender Roads. Peters Family Farm, Inc. filed an application on February 1, 2012 for a 182.4 acres tract (PID 495-263119) on the east side of Lockbourne Road south of SR 317. Both properties (see attached maps) are actively farmed. The ORC requires that the City hold a hearing to consider the designation within 30 days of receiving an application. A hearing was held on February 21, 2012 at which there was no opposition to the applications. The ORC further requires that City Council act on the application within 30 days of the hearing. These applications would renew existing designations, established through Franklin County. The Administration has reviewed the applications and determined that they meet the provisions of the ORC and recommends that they be approved. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT:

The designation of an Agricultural District will have no fiscal impact.

To approve the applications of David and Lisa Schacht to designate 129.8 acres of farmland (5950 Shannon Road) and Peters Family Farm to designate 182.4 acres farmland (east side of Lockbourne Road south of SR 317) respectively as agricultural districts pursuant to ORC Section 929.02; and to declare an emergency.

WHEREAS, section 929.02 of the Ohio Revised Code provides for the designation of Agricultural Districts; and

WHEREAS, an application to designate 129.8 acres of farmland (PID 490-193733) as an Agricultural District was filed by David and Lisa Schacht on January 24, 2012; and

WHEREAS, an application to designate 182.4 acres farmland (PID 495-263119) as an Agricultural District was filed by Peters Family Farm, Inc. as an Agricultural Districts on February 1, 2012; and

WHEREAS, a public hearing was held on February 21, 2012 at which there was no opposition to the applications; and

WHEREAS, the Administration has reviewed the applications and determined that they meet the provisions set forth in the Revised Code and further recommends that they be approved; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that the Ohio Revised Code requires that City Council act on the applications within 30 days of the hearing; **now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That pursuant to section 929.02 of the Ohio Revised Code the applications of David and Lisa Schacht filed on January 24, 2012 to designate 129.8 acres of farmland (PID 490-193733) and Peters Family Farm filed on February 1, 2012 to designate 182.4 acres farmland (PID 495-263119) respectively as Agricultural Districts are hereby approved.

Section 2. That within five (5) days of the passage of this ordinance, the City Clerk is hereby authorized and directed to indicate Council's action on the applications and send a certified copy of this ordinance by certified mail, return receipt requested, to: David and Lisa Schacht, 5950 Shannon Road, Canal Winchester OH 43110; and Peters Family Farms Inc., 5812 Lockbourne Road, Lockbourne OH 43137. A certified copy of the ordinance shall also be sent to the Franklin County Auditor, care of Margie Betts, 373 South High Street, 20th Floor, Columbus, OH 43215.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.