



Legislation Details (With Text)

File #: 1067-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/5/2022 **In control:** Economic Development Committee

On agenda: 4/18/2022 **Final action:** 4/20/2022

Title: To approve the applications of David and Lisa Schacht to designate 129.8 acres of farmland at 5950 Shannon Road and 43.1 acres of farmland at 3701 Brice Road and Peters Family Farm to designate 182.4 acres farmland on the east side of Lockbourne Road south of SR 317 and 80.8 acres on the east side of Lockbourne Road north of SR 317 respectively as agricultural districts pursuant to ORC Section 929.02; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1067-2022 Application - Peters Family Farms Inc. 2022 (Lockbourne Rd), 2. 1067-2022 Application - David Lisa Schact 2022 (5950 Shannon Rd)

Date	Ver.	Action By	Action	Result
4/20/2022	1	CITY CLERK	Attest	
4/19/2022	1	ACTING MAYOR	Signed	
4/18/2022	1	COUNCIL PRESIDENT	Signed	
4/18/2022	1	Columbus City Council	Approved	Pass

BACKGROUND:

This ordinance is submitted to City Council in response to two applications to renew 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 have filed an application for renewal for a 129.8 acres tract (PID 490-193733) located at 5950 Shannon Road and a 43.1 acres tract (PID 530-166401) located at 3701 Brice Road. Peters Family Farm, Inc. has filed an application for renewal for a 182.4 acres tract (PID 495-263119) on the east side of Lockbourne Road south of SR 317 with the addition of a new 80.8 acres tract (PID 150-000070) located east of Lockbourne Road north of SR 317. All properties are actively farmed. Both applications were received by the City Clerk’s Office on February 24, 2022. 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 March 28, 2022 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 three existing designations, established through Franklin County and provide one new designation. 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 at 5950 Shannon Road and 43.1 acres of farmland at 3701 Brice Road and Peters Family Farm to designate 182.4 acres farmland on the east side of Lockbourne Road south of SR 317 and 80.8 acres on the east side of Lockbourne Road north 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 172.9 acres of farmland (PIDs 490-193733 and 530-166401) as an Agricultural District has been filed by David and Lisa Schacht and received by the City Clerk's Office on February 24, 2022; and

WHEREAS, an application to designate 263.2 acres farmland (PIDs 495-263119 and 150-000070) as an Agricultural District has been filed by Peters Family Farm, Inc. and received by the City Clerk's Office on February 24, 2022; and

WHEREAS, a public hearing was held on March 28, 2022 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;

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 received by the City Clerk's Office on February 24, 2022 of David and Lisa Schacht to designate 172.9 acres of farmland (PIDs 490-193733 and 530-166401) and Peters Family Farm to designate 263.2 acres farmland (PIDs 495-263119 and 150-000070) 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.