



Legislation Text

File #: 1456-2024, **Version:** 1

BACKGROUND:

This ordinance is submitted to City Council in response to an application to establish an Agricultural District 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. Jerry Wildermuth and The Wildermuth Family Revocable Living Trust has filed an application for 378 acres located at 3801 Brice Rd (530-166394), 3771 Brice Rd (530-1663900), and Parcel IDs 530-166384, 530-166407, 181-000127, 181-000161. All properties are actively farmed. The application was received by the City Clerk's Office on April 5, 2024. 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 May 1, 2024 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. This application would provide one new designation. The Administration has reviewed the application and determined that they meet the provisions of the ORC and recommends that they be approved.

FISCAL IMPACT:

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

To approve the application of Jerry Wildermuth and The Wildermuth Family Revocable Living Trust 378 acres of farmland at 3801 Brice Rd (530-166394), 3771 Brice Rd (530-1663900), and Parcel IDs 530-166384, 530-166407, 181-000127, 181-000161 as agricultural districts pursuant to ORC Section 929.02.

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

WHEREAS, an application to designate 378 acres of farmland (3801 Brice Rd (530-166394), 3771 Brice Rd (530-1663900), and Parcel IDs 530-166384, 530-166407, 181-000127, 181-000161) as an Agricultural District has been filed by Jerry Wildermuth and The Wildermuth Family Revocable Living Trust and received by the City Clerk's Office on April 5, 2024; and

WHEREAS, a public hearing was held on May 1, 2024 at which there was no opposition to the application; 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; **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 application received by the City Clerk's Office on April 5, 2024 of Jerry Wildermuth and The Wildermuth Family Revocable Living Trust to designate 378 acres of farmland (3801 Brice Rd (530-166394), 3771 Brice Rd (530-1663900), and Parcel IDs 530-166384, 530-166407, 181-000127, 181-000161) 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 application(s) and send a certified copy of this ordinance by certified

mail, return receipt requested, to: Jerry Wildermuth, 5680 Winchester Pike, Canal Winchester, OH 43110. A certified copy of the ordinance shall also be sent to the Franklin County Auditor, care of Michael Stinziano, 373 S. High St., 21st Floor, Columbus, Ohio 43215.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.