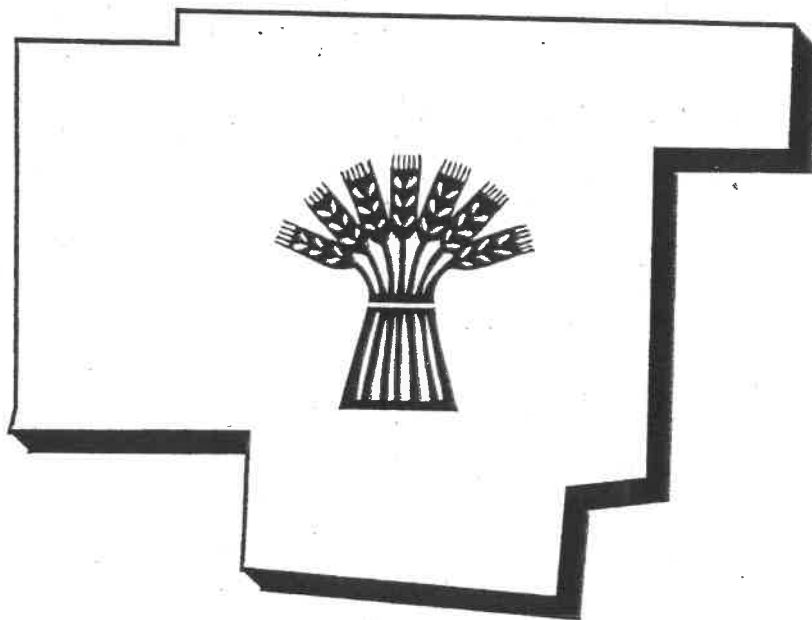


MARION COUNTY



1999 FARMLAND PLAN

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Table 3.1
Number of Minor Land Divisions for Residential Dwelling Units by Political
Subdivision 1966 to 1998

SUBDIVISION	MINOR LAND DIVISIONS 1966 TO 1976	MINOR LAND DIVISIONS 1977 TO 1987	MINOR LAND DIVISIONS 1988 TO 1998	TOTAL
Big Island Twp.	108	36	48	192
Bowling Green Twp.	22	7	9	38
Claridon Twp.	102	24	46	172
Caledonia Village	-	-	1	1
Grand Twp.	11	11	4	26
Grand Prairie Twp.	85	33	30	148
Green Camp Twp.	38	53	17	108
Green Camp Village	-	-	-	-
Marion City	78	7	12	97
Marion Twp.	103	19	24	142
Montgomery Twp.	73	26	16	115
La Rue Village	-	-	-	-
New Bloomington Village	-	-	-	-
Pleasant Twp.	261	70	76	407
Prospect Twp.	41	50	41	132
Prospect Village	-	-	4	4
Richland Twp.	117	57	43	217
Salt Rock Twp.	19	10	7	36
Morrall Village	-	-	-	-
Scott Twp.	20	9	9	48
Tully Twp.	22	16	11	48
Waldo Twp.	65	27	25	118
Waldo Village	-	-	-	-
TOTAL	1,171	455	423	2,049

4. Oppose a South Bypass of Marion unless farmland impacts are minimized. One way to move in this direction would be to use Campbell Road as a connector instead of a new road alignment one or two miles to the west.
5. Promote Residential and Commercial In Fill Development - Continue to support in fill development in the villages and Marion urban area.
6. Industrial: Ask the State of Ohio for additional "Brownfield" development assistance and funding of environmental studies liability concern.

FARMLAND PRESERVATION

1. Background: Various programs have been touted in various states and Ohio to preserve farmland, including:

Agricultural District
Farmland Purchase
Farmland Easements
Purchase of Development Acreage

The thrust of these programs have been to attempt to aggressively retain unique prime farmland in danger of urban sprawl. The unique aspects of some land justifies the expenditure of public funds.

Uniqueness can be in terms of:

1. Unique soils for crops not readily found elsewhere.
2. Unique climate, such as fruit growing areas next to Lake Erie where the slower steadier spring warm up and later autumn frost later create a huge advantage.
3. Excellent locations, such as agricultural to metropolitan areas, so that local farm to market food crops from "truck" farms can't be easily replaced.

In addition, at various farm preservation conferences, we have heard discussed the fact that an "open space" preservation issue is also either a silent or spelled out objective making it desirable to keep several farms in between hundreds of new homes and businesses to save rural ambiance.

Marion County's situation, as reviewed in previous chapters does not easily fit into any of these molds.

ANALYSIS OF UNIQUE FARMLAND IN MARION COUNTY:

There are not large significant unique farming areas in Marion County. This is because of the following:

1. A few common soil types cover large sections of Marion County.
2. About 246,000 acres or 95% of Marion's land is, from soil characteristics, capable of being prime farmland; * thus, prime farmland is not unique.

*An inventory of Ohio Soil: Marion County, O.D.N.R., Soil & Water Conservation.

3. Climate is more or less uniform through the County with no large hills or valleys or large bodies of water.
4. Marion County is not part of a metropolitan area. There are numerous farms geographically closer to the Columbus Urban Area to provide farm to market produce for local stores. However, several good quality strawberry, grape, apple and other specialized farms continue to exist in Marion County.

In conclusion, most of Marion County's undeveloped acreage is excellent prime farmland when properly drained and not flooded. But it would appear difficult to select several hundred acres in one place or another that are unique enough to spend public tax dollars to buy or in some way protect from development versus a similar sized tract somewhere else in the County.

A word of disclaimer. Even though at this time no Marion County land appears unique, it is important to keep open the possibility that other crops might be especially well suited to a particular parcel of land or a particular soil in the future.

WORKING PRESERVATION HYPOTHESIS

Based on the previous analysis, a working hypothesis is that *the strategy of farmland preservation in Marion County should be to keep in rural Marion County, large tracts of land available for cash crops or livestock production. The only exception to this strategy would be to allow rural home sites for people who want and understand true country living. Medium and high density growth in these areas should be strongly discouraged.*

POLICY CONSEQUENCES OF WORKING HYPOTHESIS

If the above hypothesis is accepted, then use of public taxpayer money for selective farmland purchase, selective farmland easements, and/or purchase of development rights will not be effective in Marion County at the current time. Why use these types of programs on one parcel of land and not another?

An answer to this might be to preserve one last farm that is surrounded by development, such as the McMahan farm at St. Rt. 95 in Marion Township near U. S. 23. But, if this is to preserve part of rural character and open space, then rural character and open space are now the goals, not the overall Marion County farm economy and production.

Because of this analysis, relying on the purchase programs alone, to have a chance to be effective, possibly as much as 25% or more of the development rights in the County would have to be purchased.

If we assume that the market difference between development value and value for agriculture is only \$5,000/acre, which in many cases would be unrealistically low, thus the price tag would be:

$$\$5,000/\text{acre} \times 25\% (233,000 \text{ acres}) \text{ land in farms} = \$291,250,000.$$

Rather than spending large sums of money a better policy answer would appear to be programs that can have some effort on thousands of acres of land such as the following:

1. Agricultural Districts

This voluntary action by landowners allows protection from assessments for utility expansions and limited protection from agricultural nuisance suits (See Appendix).

2. Agricultural Zoning

Some communities in Ohio try agricultural zoning with minimum lot sizes of up to 20 acres. Other alternatives would be large frontage requirements, such as used by Salt Rock Township (350 ft.).

3. The committee might consider recommending changes in state law to strengthen the ability of the County and Township to regulate the number of land divisions per existing parcels. This alternative has the advantage of not drastically driving up the cost of housing due to the necessity of purchasing large lots or large frontage parcels to build on, but still directly controls density.

1. County. The state needs to extend subdivision authority for tracts larger than five (5) acres and better define original tract.

2. Townships. The state needs to directly enable townships to limit the number of land splits per farm.

4. Housing Units as Conditional Uses

Prospect Township currently allows new homes as conditional permitted uses, not allowed as of right, within 1,000 feet of a confinement operation. This requires approval by the Township Board of Zoning Appeals after a public hearing before the home can be built. At the hearing, the prospective homebuilder can be warned about potential odors, flies, noise, etc.

This concept could be used on a greater basis, such as within a 2,000 ft. distance, for example.

5. Change in State Law to Allow Townships and Counties the Right to Comment on Compensating Wetland Purchases.

It is ironic in Marion County, that over the last five years possibly more farmland has been lost to the State of Ohio's wetland compensatory set-aside programs than any other type of development!

To date, most of the wetland developed has been marginal for farmland, because it is in either an annual, five-year, ten-year, or twenty-year flood plain. But future expansion could start to encroach on excellent, well-drained prime farmland. In addition, the reintroduction of larger wild predators in these natural areas has the potential to impact smaller traditional livestock operations.

LARGE SCALE INDUSTRIAL FARMS

There are various views of the newer large-scale industrial type farms.

View #1

Rural Ohio has never restricted agriculture. Large scale industrial farms are just a modern, more technically efficient and cost effective version of agriculture. As such, these should continue to be allowed.

Residents who have moved out to the country have never had veto power over the neighboring farmers raising hogs, cattle or chickens, and since agriculture has been exempt from zoning, the farmer has always had a right to build barns or sheds right up to the property line.

The farmer who is next to a new home built in the country has no obligation to keep a traditional red barn and silo family farm appearance, has no obligation to keep tree rows, has no obligation to stop spreading manure, and has no obligation to perpetually only use the land next to the home for neat rows of corn and soybeans, or provide landscaping to perpetually give the new homeowner a "traditional bucolic view."

View #2.

Large structural steel buildings with literally millions of chickens or thousands of hogs, with computerized tube feeding and thousands of tons of manure are much closer to factories than old fashioned farms. As such, some of the local controls zoning has over industries should apply as well as some protection for neighboring property owners. In fact, it can be argued, as conventional industries meet higher emission and design standards, that many people would rather live within 1,000 feet of a new auto or furniture factory than within 1,000 feet of a new factory farm.

Secondary impacts from poor practice manure spreading, now done on a large scale and from thousands of annual truck trips on thinly paved, narrow, rural roads are potentially far worse than the actual physical plant of the factory farm itself. While rural residents cannot veto use of surrounding property for agriculture, they are entitled to clean water in streams, protection of wells, and not having to put up with thousands of flies.

Which view above is right, View #1 or View #2?

It is our opinion that the reason that large scale industrial or factory farms are a difficult issue, is that both views are actually correct.

ANSWERS:

1. Enforcement and Litigation: Currently, the Marion County Prosecutor and the Attorney General are taking action against the Buckeye Egg Farm. The Municipal Court on City Law Director, will be considering action against manure spreading which involved the dumping of dead and live chickens alleged near Burnford Rd.
2. Using existing zoning laws where applicable: Buckeye Egg Farm argued that a proposed feed mill on St. Rt. 309 and 37 was completely exempt from zoning because it was incidental to agriculture. The Regional Planning Commission, County Prosecutor, and Montgomery Township Zoning Inspector argued it was not exempt. The company had to apply for a conditional use as a agri-business and make road improvements before construction.
3. Changes in Regulatory Authority: Senator Larry Mumper has a proposed bill that would turn over many factory farm enforcement issues from the Ohio EPA to the Ohio Department of Agriculture.
4. Change State Zoning Conditioning Legislation: Many different proposals could be made. An example might be a requirement similar to the following:

Allow township zoning commissions and trustees limited permissive zoning power:

1. Keep new factory farms (over 1,000 animal units) or expansion of existing operation at least 1½ miles from any village corporation limit as the boundary existed as of January 1, 2001 or 3 miles from any city boundary again as it existed on January 1, 2001.
2. Allow townships to require new plants or expansions to be at least 4,000 feet from and building in a platted subdivision (platted before January 1, 2001), 2,000 feet from any platted subdivision platted after January 1, 2001, and at least 1,000 feet from any home not part of a major platted subdivision.
3. Allow township trustees to request anywhere in the township the following before permit approval:
 1. Traffic impact study, including impact on pavement life.
 2. County Engineer review of the traffic study.
 3. Regional Planning Commission review of the traffic study.
 4. Drainage impact study.
 5. Evidence that all permits have been approved by State agencies.
 6. Evidence of a regulation fly and other vector control program.

SUMMARY

Marion County is blessed with 95% of its soil being prime farmland.

While we have large areas of good soil and growing conditions, we do not have any unique pockets of soil nor do we have areas of unique farmland because of climate or geography. Stated another way, Marion County has over 200,000 acres of great farmland versus the situation in some other counties where there is only a limited amounts of prime farmland. Some of the other counties that have lakes, hills, valleys or urban sprawl might also have a very limited amount of unique farmland for specific crops. The Committee could not really find crop specific unique farmland in Marion County.

Because of this situation, this report recommends not investing any public monies into saving any individual farms through preservation programs but:

1. Keeping high density residential, commercial, and industrial growth next to the City or Villages through careful sanitary sewer and highway extension policies, i.e. "Smart Growth." Marion has already had some success based on policies established in the 1970 and 1977 Land Use Plans.

2. Encourage urban in-fill through zoning, public works projects and brownfield redevelopment. This is also now part of what is called "Smart Growth."
3. Recommending the Ohio Environmental Protection Agency (OEPA) mandate inspections of rural septic systems, especially aerators, so that homeowners and taxpayers in the future are not hit with large expenses for otherwise unnecessary sewer extensions out into the County, which would then open the door for high density sprawl.
4. Recommend that the State of Ohio strengthen the ability of Township Zoning and County Subdivision Regulations to limit the number of land divisions in rural areas. This is seen as more effective than large lot zoning, which raises the price of housing and ends up using extra acreage. The intent is to leave open land divisions for people who truly want to move out to the country and understand country living versus encouraging a large number of semi-urban developments lacking urban service.

NET EFFECT OF THESE POLICIES

The net effect of these policies will be to:

1. Help preserve the farmland economy across the whole country versus selected areas.
2. Reduce the likelihood of high future assessments on rural landowners, farmers, and homeowners out in the country.
3. Save tax dollars on infrastructure.
4. For the time being, save tax dollars by not purchasing farmland or development rights of farmland.

TWO SPECIAL SITUATIONS:

1. Wetland Compensation Development

Future land being purchased by the State for wetland development should be monitored. Local counties and townships should be given a voice in this process.

2. Factory Farms

The committee is size neutral on farms, recognizing that larger farms for both crops and livestock production will be the future trend.

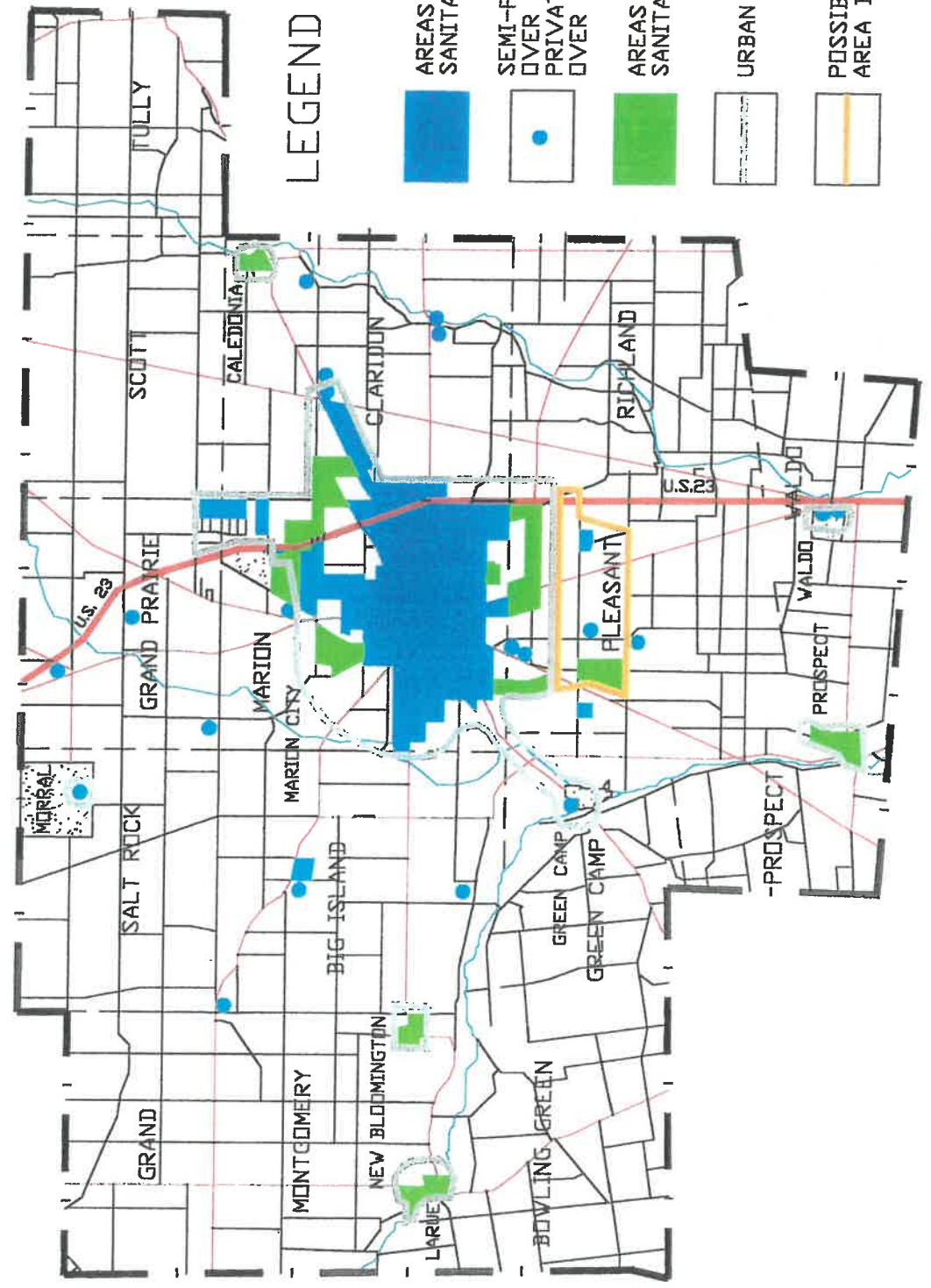
On factory farms, however, some newer reasonable laws are needed before a few bad operators completely tear apart rural communities eventually hurting all farmers.

Besides changes in OEPA and Department of Agriculture rules, some limited local health and zoning review is badly needed based on projected impact.

Table 1.5
Number of Acres in CAUV by Political Subdivision 1994 thru 1998

SUBDIVISION	1994 ACRES IN CAUV	1995 ACRES IN CAUV	1996 ACRES IN CAUV	1997 ACRES IN CAUV	1998 ACRES IN CAUV
Big Island Twp.	19,169	16,602	16,623	16,594	16,567
Bowling Green Twp.	17,085	17,086	17,070	17,056	17,045
Claridon Twp.	20,362	20,230	20,268	20,229	20,187
Caledonia Village	0	0	0	0	0
Grand Twp.	11,106	11,089	11,079	11,085	11,065
Grand Prairie Twp.	13,791	13,788	13,783	13,768	13,771
Green Camp Twp.	14,520	14,516	14,521	14,508	14,482
Green Camp Village	70	70	70	70	70
Marion City	158	158	226	649	466
Marion Twp.	11,090	10,810	10,959	10,305	9,980
Montgomery Twp.	16,481	16,246	16,183	16,084	15,972
La Rue Village	80	80	80	80	80
New Bloomington Village	38	38	38	38	38
Pleasant Twp.	14,385	14,304	14,274	14,159	14,138
Prospect Twp.	13,889	13,881	13,871	13,840	13,776
Prospect Village	81	81	86	86	113
Richland Twp.	17,389	17,344	17,351	17,309	17,209
Salt Rock Twp.	13,022	13,018	13,018	12,989	12,968
Morrall Village	1,444	1,444	1,444	1,441	1,435
Scott Twp.	14,884	14,871	14,892	14,870	14,835
Tully Twp.	11,738	11,792	11,803	11,792	11,747
Waldo Twp.	9,397	9,363	9,329	9,291	9,278
Waldo Village	87	87	87	75	75
TOTAL	220,266	216,898	217,055	216,318	215,297

MAP VIII POSSIBLE URBAN AREA SERVICE BOUNDARY



LEGEND

- AREAS SERVED BY PUBLIC SANITARY SEWER BEFORE 1977
- SEMI-PUBLIC TREATMENT PLANTS OVER 1500 gpd. CAPACITY AND PRIVATE TREATMENT PLANTS OVER 1500 gpd. CAPACITY
- AREAS SERVED BY PUBLIC SANITARY SEWER AFTER 1977
- URBAN SERVICE BOUNDARY
- POSSIBLE FUTURE SERVICE AREA BOUNDARY (OPTIONAL)

NO SCALE