

GREENE COUNTY
FARMLAND PRESERVATION
PLAN

Adopted
by the
Greene County Farmland Preservation Task Force on
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by the
Regional Planning and Coordinating Commission
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Greene County Farmland Preservation Plan

Table of Contents	ii
Glossary	iv
Farmland Preservation Framework	vi
Mission Statement	1
Chapter One: Introduction	1
Sensitivity of Farmland Preservation	1
Benefits to the Farmer	1
Benefits to the community.....	3
Basic Conflicts.....	3
Chapter Two: Role of Agriculture in Greene County	5
Greene County Agricultural History	5
Agricultural Lands in Greene County	7
Land Absorption for Development in Greene County from 1976 to 1998.....	11
Chapter Three: Farmland Competition in Greene County.....	13
Introduction	13
Primary Concern.....	13
Factors Affecting Farmland Preservation and Rural Non-Farm Lots.....	13
Approach: Tailor Policies to Fit Area Needs.....	14
A Crossroads	14
General Farmland Preservation Policies.....	16
Chapter Four: Focus on Farmland.....	17
Farmland Suitability Analysis	17
Soils	17
Topography.....	20
Floodplains	20
Drainage (tiles and ditches)	20
Wetlands	20
Visual Aspects	21
Archaeological & Historic Resources	21
Urban Service Areas.....	21
Zoning.....	21
Access.....	26
Adjacent Land Use Compatibility	26
Compatibility with County Land Use Plan	26
Compatibility with detailed Local Jurisdiction Plans.....	28
Support Services.....	28
Public Water	29

Enrolled in Agriculture District	29
Size of Farm	31
Enrolled in Current Agriculture Use Value (CAUV)	31
Chapter Five: Farmland Protection Areas	32
Chapter Six: Implementation Programs	34
Education	34
Conservation Easements; Purchase of Ag. Conservation Easements.....	35
Transfer of Development Rights	37
Agricultural Zoning	38
Urban Growth Boundaries.....	39
Cluster Development/Conservation Design	40
Agricultural District	41
Current Agriculture Use Value.....	42
Economics	42
The Five Acre Dilemma	43
List of Figures	iii
Figure 1 Greene Co. Farms	5
Figure 2 Greene Co. Farm Size.....	6
Figure 3 Greene Co. Crop Units per Acre	6
Figure 4 Greene Co. Crops by Acres	7
Figure 5 Greene Co. Livestock and Poultry Farms.....	7
Figure 6 Greene Co. CAUV by Jurisdiction (1999)	8
Figure 7 Greene Co. Land Absorption 1976-1998 Summary	12
Figure 8 Greene Co. Soils by Capability Groupings and Jurisdictions (Acres)....	18
Figure 9 Greene Co Agricultural & Rural Residential Zoning by Jurisdictions...	25
Figure 10 Land Enrolled in an Agriculture District by Parcel Size	29
Figure 11 Land Enrolled in CAUV by Parcel Size	31
List of Maps	iii
Map 1 Greene County with rural townships highlighted.....	9
Map 2 Lands Enrolled in CAUV Program (1999).....	10
Map 3 Soils by Soil Class	19
Map 4 Identifies (100 year) Floodplain	22
Map 5 County Ditch Projects and other Drainage Improvements	23
Map 6 Urban Service Boundaries and Areas	24
Map 7 Agricultural Zoning Districts by Acres Required.....	27
Map 8 Parcels Enrolled in Agricultural Districts (1999).....	30
Map 9 Greene Co. Farmland Protection Areas	33

Glossary

Agribusiness: support services for agricultural uses which include the farm supply sector (feeds, fertilizer, seeds, chemicals, machinery, etc.), storage facilities, marketing firms, production, food processing, and other essential services needed for the vitality of the agricultural community.

Agriculture: the science and/or art of the production of food, fiber, animal and forestry products for human consumption and/or use.

Agricultural District: *Ohio Revised Code, Sections 929-292.03* Program designed to preserve farmland by protecting farmers from nuisance suits over farm operations, deferring tax assessments on land to build sewer and water lines, and allowing for additional review if land is taken by eminent domain for public purpose. This is not the same as a zoning classification.

Agricultural/Rural Character: refers to the image that non-residents and residents have of an area. The character is derived primarily from its history, cultural heritage, and the nature and quality of the natural and manmade environment. In this case the landscape would include -- farm fields, hedgerows, woodlands, fence rows, riparian corridors, country roads, farm houses, barns and their associated outbuildings.

Cluster Development: is a preservation tool intended to allow structures to be grouped on a portion of a development site to preserve the remaining open space, agriculture land or unique natural feature.

Conservation Easement (Agricultural Conservation Easement): an easement designed to exclude certain activities on the land. Its primary purpose is to conserve natural, including farmland or man-made resources.

Current Agricultural Use Value (CAUV): *Ohio Revised Code, Sections 5713.30 - 5713.36* is a real estate tax program that affords owners of qualified farmland the opportunity to have their parcels taxed according to their value in agriculture, rather than full market value. Currently the criteria to get into the program is a minimum parcel size of 10 acres or \$2,500 in revenue.

Farm: land and buildings devoted to agriculture.

Farming: the business of operating a farm.

Growth Management: is a means of guiding new development into existing urban growth areas so as to make optimal use of the existing infrastructure and public services while conserving prime agricultural land, community character, and fragile environmental areas.

Land Trust: a local, regional, statewide, or national organization that is established to protect land and its resources. Their main purpose is to protect land that has natural, recreational, scenic, historic, or productive value.

Land Use: a description of how land is occupied or utilized.

Open Space: any area of land or water essentially unimproved that is designed or reserved to provide “breathing space,” environmental protection, recreational opportunities, visual beauty, educational opportunities, and countless other benefits.

Prime Farmland: land that has the best combination of physical and chemical characteristics for producing food, fiber, animal and forestry products. It must also be available for these uses. It has the soil quality, growing season, and moisture supply needed to produce economically sustained high yields of farm products when treated and managed according to acceptable farming methods.

Purchase of Development Rights (Purchase of an Agricultural Conservation Easement, PACE): the purchase of the right to develop a piece of land for commercial, residential, or industrial purposes while leaving all of the other inherent rights of the land to the owner.

Rural Non-Farm Lots: lots randomly placed along existing roadways in rural areas of the county. Each lot conforms with local zoning and is generally created by minor subdivision (metes and bounds description).

Rural Residential Development: residential lots of a rural and spacious nature, with an average gross density of one (1) dwelling unit per three (3) acres. Unusually developed as part of a major subdivision (plat or record plan).

Sprawl: growth, usually of a low-density nature, in previously rural areas and as a lineal extension of or some distance from existing development and infrastructure.

Transfer of Development Rights: a method of protecting open space, natural resources, farmland, and historic urban areas by transferring the right to develop these land to another location.

Urban Growth Areas: areas in which urban growth shall be encouraged and outside of which growth can only occur if it is not urban in nature.

Urban Service Boundaries: a growth management tool, that consists of lines on a map marking the separation of rural land from land on which development should be concentrated.

Farmland Preservation Framework

The future will be no less demanding of our efforts than the past. In the years to come, there will be a continuing need to guide the development and preservation issues of our communities.

The issues at stake are many and varied - population trends, economic vitality, consumer opportunity, quality of life, the environment, maintenance, sustainability, infrastructure, transportation, land use & growth management, housing, recreation, education, health and safety, to name a few. These issues will become more critical as population pressures increase, requiring even more innovative and sensitive management.

Can we allow development to continue within our communities and still preserve its integrity and natural character for the benefit of future generations? That is the challenge. The answer is yes - if we do it right. Doing it right will require more attention, better public understanding, and more oversight in the future. The role we have within the region is to set the highest standards for our community and fight to maintain them. One of the biggest threats to our resources is not a single major stroke by a developer or an administrative agency or a court. Rather it is the individual numerous compromises made under pressure from many conflicting interests that result in minor changes and subtle degradation year by year - until, suddenly, we discover that the essence of what we intended to create, protect, preserve or maintain is gone. Forever.

At no time in our history has our work been more important. On a day to day basis and in the future, significant decisions will be made that will determine how each parcel within our communities will be developed, used, preserved or managed. These decisions will have an enormous impact on the quality of life enjoyed by future generations. It is our primary mission to make sure that we are committed to ensuring that these decisions are made in everyone's best interest.

The Greene County Farmland Preservation Task Force recognizes that farmland is one of the county's and state's most important resources. The issue of farmland preservation is more than preserving farmland – it encompasses the landscape in cities, suburbs, rural communities and transportation corridors between cities, villages, and the country. Land use impacts every aspect of life; therefore, farmland preservation efforts are destined to fail if they are anti-development or anti-growth. To be successful, the efforts must preserve prime farmland while still respecting the farm owner's property rights and directing industrial, residential, and commercial growth to areas less suitable for farming. Farmland preservation must support balanced growth, incorporating the proper mix of people and economic activity. It must incorporate and integrate rural, suburban and urban growth, enabling all citizens to enjoy a high quality of life.

The Task Force is concerned with balanced utilization and structured development of Greene County's land resources. In this sense, the conservation of our land resources must address both urban sprawl and urban revitalization. Open space and farmland

cannot be protected without making cities and their suburbs an attractive place to live and work.

The Task Force believes that if society in general is educated on the issues involved in farmland preservation, and particularly the benefits that would be accrued to non-farmland owners, they might support a means for government to help financially support farmland preservation. Thus the Task Force feels that education and publicity is very important and even though we have dedicated only a small part of this plan to education, it is a crucial element and needs to be developed and implemented by the appropriate experts. Furthermore, if any of the suggested funding proposals are to pass, it is important that there be a coordinated effort between all departments of government and other interested parties to achieve the overall goal of this plan, farmland preservation.

Because the citizens of Greene County prefer to make land use decisions at the local level, the Task Force focuses its recommendations on measures that can be developed and adopted by local communities. The role of the Regional Planning and Coordinating Commission of Greene County, Greene Soil & Water Conservation District and OSU Cooperative Extension Service will be to assist and enable local leaders to do what they think is best for their communities.

The Greene County Farmland Preservation Task Force has developed a plan: to raise awareness; to promote in an ordered fashion; recommend methods to assist local jurisdictions on how to conserve and maintain our agricultural resources; and has made recommendations for passing or modifying legislation to protect farmland. Options to achieve the goal of farmland preservation are limited, the following tools have been recommended and are specifically addressed in Chapter 6, Implementation Program:

Education

Conservation Easements

Purchase or Lease of Development Rights

Agricultural Zoning Districts

Urban Growth Boundaries

Cluster Development/Conservation Design

Agricultural District

Current Agriculture Use Value

Economics

The Five Acre Dilemma

MISSION STATEMENT

To develop a plan to implement Perspectives: A Future Land Use Plan for Greene County, Ohio identified goals, objectives and policies for the protection and preservation of the land best suited for farming, that maintains agriculture as an integral and viable part of the county's economy, landscape, natural resource base, sense of community; and to develop strategies to implement the plan.

- A) Ways to stem the loss of farmland to non-agricultural use.**
- B) Identify methods for preserving and protecting land for agricultural production.**
- C) Make recommendations for enhancing the continued viability of agricultural activity in Greene County.**
- D) To assure the maintenance of the health, safety, and welfare of the residents of Greene County**

CHAPTER ONE

INTRODUCTION

Sensitivity of Farmland Preservation

Closely related to quality of life and economic considerations in growth management planning is the need to preserve the land necessary for the continuation of the agricultural industry in Greene County. A strategy for regulating development in our rural areas is vital to the future of the agricultural industry both in Greene County and the entire State of Ohio. In other words - any adverse impacts on the resource (land) will have an effect on the industry (agriculture). Increased prices of farmland and potential incompatibility with development in rural areas over the long run will impact this vital industry. While some jobs resulting from agriculture may not be the highest paying, we must do all we can to retain this historically important industry, which contributes so strongly to our sense of uniqueness. We must focus our attention on the needs of a healthy agricultural industry and the issues and concerns that the development of rural areas brings to the agricultural industry, while we still have viable farmland within Greene County.

Benefits to the Farmer

Not only is farmland preservation an important objective to area residents, it is also of great benefit to the farming community. Guiding rural non-farm residential development in agricultural areas helps to reduce land use conflicts or nuisances caused by the farmer's residential neighbors. Land use conflicts result when one person interferes with the way that another person wants to use their land. These conflicts are, of course, two-sided. Agricultural operations can interfere with residential uses while rural dwellers can hinder the use of land for agricultural purposes. These conflicts increase as more and more rural non-farm land uses take place and additional people move into agricultural areas. Any

one of a number of land use conflicts can arise and the problem is compounded by the fact that these conflicts tend to occur simultaneously. Land use conflicts, or nuisances, frequently cited by farmers include: residents' complaints (that may become law suits) or zoning related complaints over farm odors, flies, noise, dust, chemicals and pesticide spraying; predation of livestock by domestic pets, especially dogs; indiscriminate refuse disposal and littering; trespassing, theft and vandalism; traffic congestion; and significantly altered traffic patterns. Highway improvements necessitated by increased traffic can result in farmland being taken out of production for road widening. Farmers can also be held financially responsible for any damage caused to residential areas by wandering farm animals. Coping with these nuisances has proven highly annoying as well as financially burdensome for farmers.

New residents to the County from urban areas, who view the rural areas of the County as a more desirable place to live, are often totally unaware of all the aspects that make up rural life in an agricultural area. They fail to appreciate or respect the farmers' business and are quick to complain about, or even sue over, annoying farm practices. People overlook the fact that agriculture is an industry and like many other industries, such as auto and steel, involves some noise, pollution and even some degree of physical danger. Therefore, efforts, other than curtailing farm activity, should be made to reduce land use conflicts.

The simplest way to avoid land use conflicts is to only allow agricultural related uses in agricultural areas. If other types of development cannot be avoided, the land owner and/or developer shall be responsible for conflict mitigation.

The rural economy depends on farm support services for its survival. As more and more farms change use as a result of suburban development, the critical mass needed to maintain farm support services is reduced. Farm implement dealers, seed and feed stores, and grain elevators depend upon a minimum level of business generated by area farmers. As farmers sell out and business levels decline, these dealers are forced to move on to more agriculturally intense communities or retire. As support services vanish from the community, existing farmers find it increasingly difficult to farm their land efficiently and cost effectively.

At the present time farmers in Greene County, like those across the country, are fighting to retain land for agricultural purposes. A number of these farmers are third and fourth generation, and to them farming is more than just a business; it is a way of life. Owners of farmland that "sell out" do so because farming is no longer economically feasible for them, the pressures for development are so great that they find it difficult to pass up the price they can get for their land. Or, development on neighboring farms results in aggravation brought on by naive new residential neighbors who don't understand what "living in the country" really means. Selling land that represents a major portion of their capital enables them to realize retirement dreams. However, when farmers can be assured of some sort of permanency (economically viable), they often opt to continue farming as opposed to giving up their land.

Benefits to the Community

Farmland preservation is not only beneficial to the community as an important industry. A positive externality of preserving farmland is the containment of sprawl. Promoting compact development saves energy, money, and non-renewable resources. Any policy that permits, or worse yet, encourages the piecemeal development of farmland results in a development pattern that is more expensive to service than more compact forms of development. School busing, police, emergency services, and roads are some of the areas in which the cost of services will either have to rise or the level of service decline.

An increase in the number of land use conflicts will arise as more development makes its way into rural areas of Greene County. Thus we need ways to protect the farmers from new land use conflicts. Subdivisions often create inefficient land use patterns for agricultural purposes, taking more land out of agricultural production than they actually displace. When the land is subdivided, but not yet developed, it results in small or oddly shaped lots that are usually not economical to farm, especially given the large equipment used today. A scattered development pattern also detracts from the County's rural character. Generally, this impact is difficult to assess and is cumulative in nature. As can be seen when several farms in a particular area are developed.

Agricultural land, like energy, is a non-renewable resource. Once development occurs on prime soils and the demand for commodities causes farm prices to rise, inferior soils or new techniques will have to be used to maintain current levels of production. Because the practice of upgrading and maintaining inferior soils is energy-intensive, preserving the highly productive soils for agricultural use can conserve energy. Maintaining these productive soils near urban centers will also cut down on the amount of energy needed for the transportation of agricultural products. Unfortunately, the soils most productive for farming are also in many cases best suited for residential development given residential on-site waste disposal standards of the Greene County Combined Health District.

Farmland preservation programs also result in the continuation of open space (private). Open space gained as a result of farmland preservation can provide some essence of community well-being through: 1) community identity and separation; 2) aesthetic quality preservation; and 3) resource protection. Local preservation programs can capitalize on the open space qualities of farmland resources.

Basic Conflicts

Two conflicting aspects of agriculture preservation create the central issue that tends to confound efforts to preserve farmland. This issue is the conflict between two widely held views of land. The first view holds land to be a commodity to be owned, bought or sold for profit. The value of this commodity is determined by the real estate market and, for all practical purposes, can be realized only once when the farmland is converted to some non-resource use. Farmers jokingly refer to homes that spring up in what were formerly fields as the last cash crop, a perennial.

The second view, and one that is coming into increasingly popular acceptance, is that land is a resource and, as such, has values that must be measured differently. If it were simply a clash between the public interest view of land and greedy speculators, then the political task would be much easier. However, many farmers hold both views simultaneously: on the one hand complaining about the problems of residential development in agricultural areas, while, on the other, citing a need to be able to sell their land for development when necessary. Some may feel that the two views are mutually exclusive but the task force has attempted to consider each issue on its own merit and to recognize the value contained in both of these positions. A critical decision within the farm community, therefore, is whether to choose one extreme or the other or settle on an outcome that falls somewhere in between.

The mathematics of this clash of land values is very important. Preservation programs that are strictly resource oriented, i.e., that seek the preservation of farmland above all else, ignore the reality that the land is the farmer's prime asset. Farmers understand all too well that land is a commodity and that it may be their retirement fund. This commodity can also be used to secure financing for such things as capital equipment or additional land acquisition. During hard times, the farmer can resort to selling off portions of his land for development to cover living and operating expenses. Pure agricultural preservation, however, leaves the farmer with no choice. The land has only agricultural value and it cannot be sold at an increased value for development purposes. In fact, the density (dwelling units per acre) selected is usually so low that it discourages most gentlemen farmers. At the other extreme, conventional one to ten-acre zoning recognizes the value of land for development, but does nothing to retard its conversion. **The key to success for any preservation program is working with the farm community to strike an acceptable balance between the two values.** The farm community, county planning officials, and elected officials must recognize this by balancing conflicting needs in the most appropriate way within Greene County. Without farmers and farm property owner support of selected preservation strategies, there will be little chance of program success.

In order to ensure the unique advantages that farming provides to the local residents, we need to keep the farmer. Currently, many Greene County farmers face economic difficulties caused by volatile markets and competition from competing land uses. Preserving farmland and farming is a challenge not only for Greene County but the nation. There are major factors influencing the farming industry that reach far beyond Greene County. Most experts recommend a combination of approaches - recognizing that no single tool can be effective by itself. The most important consideration is involving the farm community in the evaluation process. In turn, the benefits to the Greene County community of maintaining a rural character and working farms will endure.

CHAPTER TWO

ROLE OF AGRICUL Page 4 GREENE COUNTY

Greene County has historically been an agrarian region. Agriculture has been the dominate land use in the county for decades and still occupies approximately 178,000 acres in Greene County, according to the *1997 Census of Agriculture*, Bureau of the Census, U.S. Department of Commerce. This represents around 65% of the total land area within Greene County. As a predominant industry, agriculture plays a vital role in the county's economy. A major threat to agriculture is the encroachment of development and the conflicts that arise between farm and non-farm uses. **The plan strongly discourages premature conversion of farmland through protective land use strategies and by guiding development towards the identified Urban Service Areas.**

Greene County Agricultural History

Agriculture is an integral part of Greene County's economy, landscape and natural resource base.

The industry consists of predominately family owned businesses with 87 percent of farms in 1997 owned by individuals, families, or family corporations. Partnerships account for most of the remaining farms. Since 1969, the number of Greene County farms has been decreasing. However, this decline has been offset by an increase in average farm size (Figure 1). In 1997, nearly 30 percent of Greene County farms were 180 acres or more in size, 30 percent were 50 to 180 acres, and the remaining 40 percent were less then 50 acres (Figure 2).

Figure 1
Greene County Farms

	Number of farms	Average Farm Size (acres)	Land in Farms (acres)
1969	1198	177	196,400
1974	924	194	178,600
1978	994	197	196,300
1982	976	194	189,500
1987	903	216	195,100
1992	835	221	184,380
1997	764	233	178,300

Source: *Census of Agriculture*, Bureau of the Census, U.S. Department of Commerce

In 1969, county farmers harvested 6.6 million bushels of grain (5.45 million bushels of corn, 0.59 million bushels of soybeans, and 0.6 million bushels of wheat) and 24,570 tons of hay. This was an average of 96 bushels of corn per acre, 36 bushels of soybeans per acre, 39 bushels of wheat per acre and 2.1 tons of hay per acre. In 1997, county farmers harvested 12.5 million bushels of grain (8.95 million bushels of corn, 3.07 million bushels of soybeans, and 0.46 million bushels of wheat) and 20,550 tons of hay. This was an average of 146 bushels of corn per acre, 47.1 bushels of soybeans per acre, 64 bushels

of wheat per acre and 4.1 tons of hay per acre (Figure 3). From the year 1969 to 1997 yields of corn increased by 66%, soybeans 76%, wheat 61%, and hay 52%.

Figure 2
Greene County Farm Size

	1-50 ac.	50-180 ac.	180-500 ac.	500-2000 ac.	2000+ ac.
1969	336	485	309	68	0
1974	317	378	237	74	2
1978	420	337	239	95	3
1982	370	289	206	103	2
1987	323	284	187	106	3
1992	320	256	157	95	7
1997	312	226	123	94	9

Source: *Census of Agriculture*, Bureau of the Census, U.S. Department of Commerce

Figure 3
Greene County Crop Units per Acre

	Corn	Soybeans	Wheat	Hay (tons per acre)
1969	96.0	36.0	39.0	2.1
1974	90.9	32.7	38.5	1.9
1978	115.8	39.1	41.6	2.6
1982	128.6	40.4	45.9	3.2
1987	123.2	36.7	60.7	3.6
1992	153.0	42.4	52.9	3.5
1997	146.0	47.1	64.0	4.1

Source: *Census of Agricultural Statistics*, Bureau of the Census, U.S. Department Agricultural Statistics

Corn, soybean, wheat, and hay crops account for most of the farming acres in Greene County. Pastures, vegetables, woodlands, livestock and poultry account for the remainder (Figure 4 & 5). Unfortunately, as can be seen, Greene County is losing permanent pasture; woodland acreage; farms & numbers of livestock and poultry.

Each year more and more farmland is being converted to non-farm uses. It is important for us to remember that past and present land use decisions greatly affect future production capabilities, and for this reason, the need to preserve productive farmland becomes increasingly important for future generations. Terms such as stewardship and sustainability leads one to question whether present land owners have a responsibility to future generations which is equal to or greater than the responsibility to their current needs.

Figure 4
Greene County Crops by Acres

	Corn	Soybeans	Wheat	Hay	Pasture	Veg.	Woodland
1969	56,800	16,500	15,300	11,700	9,000	174	15,800
1974	56,600	34,400	17,000	9,100	8,229	132	13,500
1978	69,400	53,500	11,000	10,000	7,284	185	12,800
1982	78,500	45,900	12,800	8,900	5,041	171	12,100
1987	63,700	54,500	7,400	8,200	7,868	403	8,900
1992	68,100	58,700	8,000	6,300	5,804	415	10,100
1997	61,300	65,100	7,200	5,000	6,430	738	9,900

Source: *Census of Agriculture*, Bureau of the Census, U.S. Department of Commerce

Figure 5
Greene County Livestock and Poultry Farms

	1969	1974	1978	1982	1987	1992	1997
Farms with cattle	653	548	447	462	336	301	276
# of cattle	28,578	22,558	N/A	16,642	13,095	12,471	9,287
Farms with hogs	544	345	275	247	171	130	80
# of hogs	99,771	59,794	64,921	78,078	58,362	40,431	27,407
Farms with sheep	283	186	113	98	89	64	51
# of sheep	14,112	5,155	3,464	2,941	2,755	2,688	2,354
Poultry farms	204	127	102	96	62	53	43
# of chickens	32,794	15,230	9,836	3,931	2,140	1,814	721
Horse farms	207	147	154	141	145	128	119
# of horses	880	711	885	754	941	1,014	836

Source: *Census of Agriculture*, Bureau of the Census, U.S. Department of Commerce

Rural townships (Map 1) (Caesarscreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silver Creek, Spring Valley, and Xenia) contain most of the county's farmland. Productive soil, adequate water supplies, and contiguous plots of land devoid of land use conflicts are essential to sustaining farmland productivity.

Agricultural Land in Greene County

Currently (1999) lands enrolled in Current Agricultural Use Value (CAUV) (Map 2) indicates that 77 percent or approximately 175,619 acres of the unincorporated Greene County is in agriculture, by definition, making it the predominant land use in the county. The agricultural presence becomes stronger as one goes east across the county. Most of the agricultural lands are concentrated in the eastern and central townships. Within the

townships, the percentage of unincorporated land in CAUV/agriculture in 1999 was: rural townships (Caesarscreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silver Creek, Spring Valley and Xenia) - 84.4 percent; suburban townships (Bath, Beavercreek, and Sugarcreek) - 46.7 percent (Figure 6).

Current Agricultural Use Value (CAUV) is a differential real estate tax assessment program that gives owners of farmland the opportunity to have their parcels taxed according to their value in agriculture, rather than full market value. This gives us a general indication of land within Greene County that is agricultural.

Figure 6
Greene County CAUV by Jurisdiction (1999)

	Acres in CAUV	Acres in Jurisdiction	% CAUV
Bath Twp.	5,052.2	16,723.2	30.2
Fairborn	915.2	7,609.6	12.0
Beavercreek Twp.	8,149.5	13,760.0	59.2
City of Beavercreek	2,336.3	16,908.8	13.8
Caesarscreek Twp.	15,782.8	17,683.2	89.3
Cedarville Twp.	22,196.6	24,204.8	91.7
Cedarville Village	-0-	633.6	-0-
Jefferson Twp.	17,504.5	18,425.6	95.0
Bowersville	8.0	102.4	7.8
Miami Twp.	12,661.2	16,480.0	76.8
Clifton	6.5	57.6	11.3
Yellow Springs	51.5	1,196.8	4.3
New Jasper Twp.	11,626.4	13,772.8	84.4
Ross Twp.	22,286.0	23,308.8	96.0
Silvercreek Twp.	14,124.1	16,000.0	88.3
Jamestown	145.0	704.0	20.6
Spring Valley Twp.	15,952.8	22,304.0	71.6
Spring Valley Village	16.8	172.8	9.7
Sugarcreek Twp.	8,990.8	17,088.0	52.6
Bellbrook	262.8	1,996.8	13.2
Xenia Twp.	21,292.3	29,561.6	72.0
Xenia City	1,517.5	6,617.6	23.0
total	180,878.8	271,865.6	66.6
Bold = rural Townships			

Land Absorption for Development in Greene County from 1976 to 1998

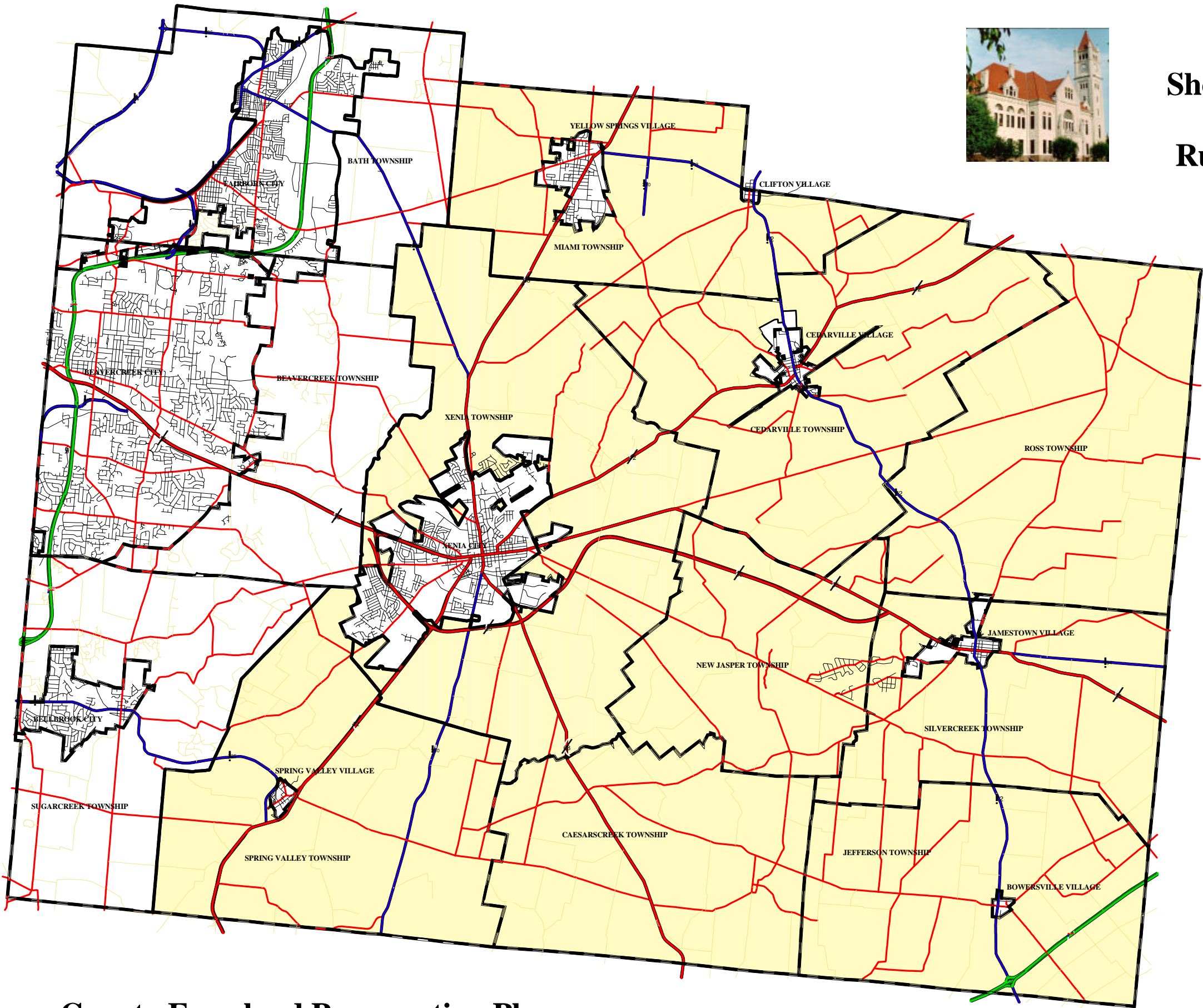
Map 1

Map of Greene County

Showing Political Jurisdictions

with

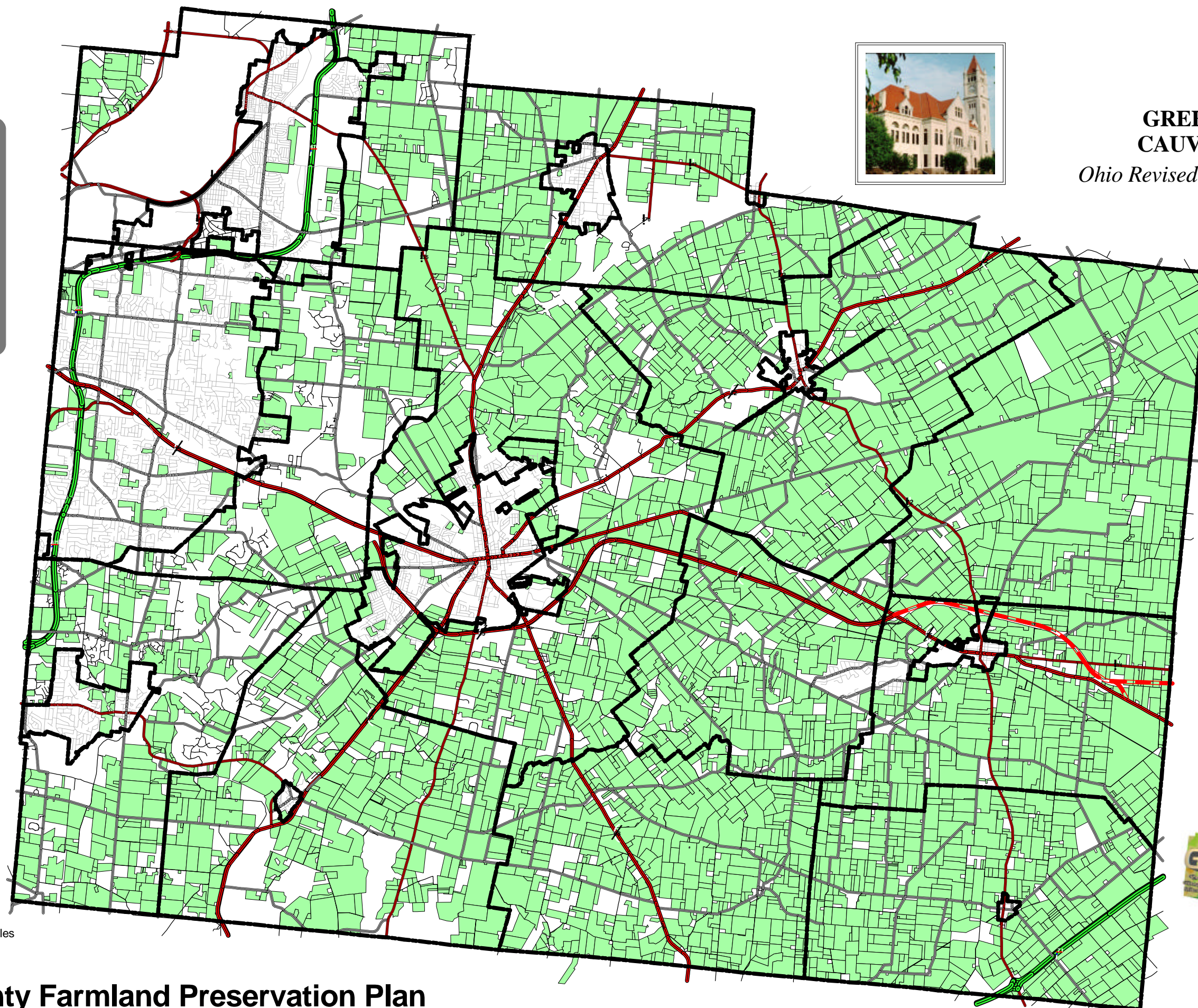
Rural Townships Highlighted





Map 2
GREENE COUNTY
CAUV Program 1999
Ohio Revised Code, Section 5713.30

- Legend**
- Parcels Enrolled in CAUV**
- CAUV Program, 1999
- Centerline**
- INTERSTATES
 - U.S. ROUTES
 - STATE ROUTES
 - COUNTY ROADS
 - STREETS
 - MUNICIPAL ARTERIALS
 - TOWNSHIP ROADS
- Corporation Line**
- Proposed U.S. 35



1 0 1 2 Miles

Greene County Farmland Preservation Plan



Prepared By:
GIMS, RPCC
Page 10

Residential land use is the second largest land use in Greene County after agriculture. The dominant housing type in the unincorporated areas is single family detached housing on large lots - rural non-farm lots. The result of this trend **is that more land (farmland) is being used to accommodate growth outside of the Urban Service Areas.**

This portion of the plan will look at the absorption of land for development purposes. To accomplish this task the Regional Planning and Coordinating Commission of Greene County (RPCC) made some assumptions to define lands, which are considered, absorbed for uses besides agriculture. The assumptions include:

1. Large areas of land are necessary for viable row crop farming.
2. Land is also necessary to support development.
3. The division of land into parcels smaller than ten acres (critical mass) represents land that is more suitable for other uses besides agriculture as an industry. The ten (10) acre criteria are based upon minimum acres of land needed to be in Current Agricultural Use Value (using parcel size only). It is also the maximum acreage possible that can be transferred under Greene County subdivision regulations without a record plan.

Based upon those assumptions, the division of parcels of land will be used as a proxy for land absorption. The division of land or subdivision takes two forms for the purpose of recording in the State of Ohio.

- A) A major subdivision (plat or record plan) is the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax role, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels of adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted.
- B) A minor subdivision (metes and bounds description) is a division of a parcel of land that does not require a record plan to be approved by the RPCC as specified in 711.131 of the Ohio Revised Code. Also known as a lot split.

One of the greatest accomplishments of the 1978 Perspectives: A Future Land Use Plan for Greene County, Ohio has been the emphases placed on the protection of our natural resources including farmland preservation. To help accomplish this task the RPCC adopted the idea of "Controlled Trend Concepts" or Urban Service Boundaries. This idea has influenced the location of development within Greene County and generally has worked fairly well. From 1969 to 1998 approximately 75 percent of the land absorbed in Greene County has occurred within areas identified for urban growth (Figure 7). This is a good indicator that development is generally occurring where it should.

However, in the rural townships (Caesarscreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, and Xenia) development has been occurring as rural non-farm lots scattered sporadically over the townships along existing roads.

Within these townships 7,489.4 acres or 11.7 square miles have been absorbed. Of the 7,489.4 acres absorbed, 91.9% (6,884.5 acres) were created as minor subdivisions/survey records and are classified as rural non-farm lots which are in direct competitors for our agricultural land.

Major subdivision within the rural townships have accounted for 604.9 acres of land absorbed for residential use, that is 8.1 percent of the land absorbed in the rural townships. When major subdivisions are developed in the rural townships they are considered rural residential developments and during the review process potential conflicts can be mitigated by the RPCC and the effected township.

Figure 7
Greene County Land Absorption 1976-1998 Summary

	Acres Platted	Ac. in Plots < 10 acres	Total	Acres in Jurisdiction	% developed
Bath Twp.	524.1	517.8	1,045.0	16,723.2	6.2
Fairborn	947.0	275.4	1,234.8	7,609.6	16.2
Beavercreek Twp.	678.2	1,180.3	1,863.4	13,760.0	13.5
City of Beavercreek	3,402.8	754.5	4,177.4	16,908.8	24.6
Caesarscreek Twp.	0.0	653.7	653.7	17,683.2	3.7
Cedarville Twp.	75.5	777.6	853.4	24,204.8	3.5
Cedarville Village	19.9	56.8	79.8	633.6	12.1
Jefferson Twp.	0.0	573.6	573.6	18,425.6	3.1
Bowersville	0.0	9.8	9.8	102.4	9.6
Miami Twp.	81.4	443.2	525.1	16,480.0	3.9
Clifton	0.0	2.9	2.9	57.6	5.1
Yellow Springs	54.3	62.9	121.7	1,196.8	9.8
New Jasper Twp.	35.4	688.8	724.5	13,772.8	5.3
Ross Twp.	0.0	354.1	354.1	23,308.8	1.5
Silvercreek Twp.	0.0	484.7	484.7	16,000.0	3.0
Jamestown	28.0	122.6	154.2	704.0	21.0
Spring Valley Twp.	135.8	912.8	1,049.2	22,304.0	4.7
Spring Valley Village	0.0	16.1	16.1	172.8	9.3
Sugarcreek Twp.	1,746.4	1,705.3	3,461.9	22,304.0	15.5
Bellbrook	378.5	113.2	510.7	1,996.8	24.0
Xenia Twp.	276.8	1,994.3	2,272.2	29,561.6	7.7
Xenia City	478.4	116.8	602.4	6,617.6	9.0
total	8,862.6	11,817.2	20,679.8	271,865.6	7.6

Bold = all or partially within Urban Service Boundary

With our current trends, more land will be used for non-farm purposes; and at the same time, the demand for food and fiber will increase with the world's growing population. The time to start planning to meet these growing needs is while farmland is still available for agricultural uses.

CHAPTER THREE FARMLAND COMPETITION IN GREENE COUNTY

Introduction

The subject of this chapter is the development of rural non-farm activities in the unincorporated areas of the county. The extent of this development has been generally documented in Chapter Two, Land Absorption for Development in Greene County from 1976 to present.

Primary Concern

In the process of developing the Greene County Farmland Preservation Plan, the task force and technical staff have identified trends in rural non-farm development, which, if allowed to continue, will further exacerbate this land use conflict between residential and agricultural uses. Although there are many land use issues, the primary concern that evolves is with the impact of rural non-farm lots on agricultural operations. There are both direct impacts such as conflicts between farm and non-farm activities, and indirect impacts such as differing expectations of rural services.

Factors Affecting Farmland Preservation and Rural Non-Farm Lots

There is a need for a rational basis for rural development policies. The factors are numerous and complex. The following factors have been identified by the task force and have been found to be relevant and significant:

1. There is an interest by the county's residents to protect the county's rich agriculture base.
2. Agricultural activities and agricultural lands need protection from non-farm uses if they are to remain active and economically viable.
3. Conflicts with agricultural operations often occur where non-farm residences are randomly located in farming areas.
4. Based on past trends, it appears that sufficient undeveloped land exists within the urban service boundaries to accommodate non-farm growth over the next 20 plus years. This capacity for growth is distributed among various cities, villages, and townships, both large and small.
5. Groundwater supplies are threatened by development; existing problems will be further aggravated by an increasing number of wells drilled into these limited resources.
6. Sewage treatment in rural areas is a difficult problem because centralized systems can't economically serve sparse development; water quality may be threatened by the multitude of private septic systems and leach fields, older systems may have been either inadequately designed, installed or maintained.
7. Rural services (roadways, police and fire protection, etc.) have evolved to serve the sparsely settled farming community and they are not easily adapted or economically expanded to serve non-farm lots or developments; communities within the Urban Service Boundaries are better equipped for these needs.

8. Rural non-farm homesites place a greater demand on our transportation network; adding random curb cuts and additional trips onto the local roadways.

Approach: Tailor Policies to Fit Area Needs

In order to guide rural development in a way that will foster rational and orderly growth, the following approach should be applied:

Different areas of the county should be subject to different policies that fit the needs and conditions of those areas. Therefore, each township is encouraged to develop their own policies to fit the needs and conditions of their governmental jurisdictions and their detailed land use plan.

1. Rural Agricultural areas - Generally, the policies recommend that the remaining rural areas be considered for preservation as the primary domain of agriculture.
2. Areas within the Urban Service Boundary - On the other hand, are best suited to foster urban development and provide urban services. In order to attract such growth, municipalities must attempt to make their living environments as pleasant as possible, including certain attributes of the rural environment.
3. Areas adjacent to the Urban Service Boundary - Clearly we must recognize the extent of existing development needs in these areas. In some parts of the county (western townships) it is extensively developed as rural residential and it obviously cannot be considered part of the rural-agriculture area.

A Crossroads

For the unincorporated part of Greene County there are two general directions that could be followed.

Expanded Services...?

First, it would be possible for the county to expand its level of operation to include a full range of urban services, similar to the Urban Service Areas. An example of expanded services would be a rural water system or a sanitary sewer system (sponsored by the County government) both of which tend to invite non-farm uses into the rural areas and are costly.

... or Limited Services?

The second direction would be for the County government to continue its past approach: providing only limited services in the rural area, but recognizing the existence of certain residential clusters already present. In recognizing existing developments, certain improvements may be needed. However, these improvements should be carefully designed to remedy current problems, but not expand urban type services that might encourage further growth. For example, the boundaries of special services should be carefully chosen, as in the case of a rural sewer district, so as to solve a known problem but not be so large as to cause an unwanted incentive for growth.

For the purpose of farmland preservation, the first direction - expanded rural services- has been determined to be unnecessary, counter-productive, and very costly. In particular, it has been rejected for the following reasons:

- A) It would tend to cause more rural non-farm uses in the agricultural areas of the county and it would further aggravate the inequities of property taxation to finance such services.
- B) There remains a basic incompatibility between agriculture and rural non-farm residential development.
- C) Urban Service Areas are better suited to administer urban type services, and in most cases the necessary service systems are already in place.
- D) Expanded rural services would compete with the areas identified as Urban Service Areas and could cause unwanted growth just beyond the Urban Service Boundary.
- E) Both long-term and immediate service costs are unavoidably higher for a pattern of scattered rural non-farm lots in the rural areas.

The second and recommended direction - limited services - is seen as being supportive of a rational farmland preservation policy. Limiting the extension of utilities would generate compatible and efficient relationships between the provision of public services and the land use patterns of the rural areas of the county. It also emphasizes the distinction between Urban Service Areas where a higher level of services are provided and the rural area where only basic services will be available.

The following criteria has been developed to help with the establishment of general goals for farmland preservation; they:

- a ...should recognize that some areas of the county are better suited for development than others, primarily dependent on the kinds of manmade (levels and types of services) and environmental factors;
- b ...should foster greater communication and mutual understanding among local governments about the most desirable pattern(s) of development;
- c ...should be guided by factors of efficiency, equity, environmental quality, and protection of natural resources, especially agricultural lands;
- d ...should recognize the existing pattern of land uses, and attempt to minimize disruptions to those existing uses; and
- e ...should recognize diverse living styles and provide for a variety of living environments.

General Farmland Preservation Policies

- 1. It shall be a general policy of Greene County to promote and protect agriculture as a primary use of land in rural Greene County.**

- 2. It shall be a general policy of Greene County to encourage and promote the majority of anticipated future population growth within the established Urban Service Boundaries of Greene County.**
- 3. It shall be a general policy of Greene County that future growth within the Urban Service Boundaries shall be in an orderly manner in the interest of the individual community and all county residents.**
- 4. It shall be a general policy of Greene County to direct development to non-agricultural areas of the county.**
- 5. It shall be a general policy of Greene County to protect farmers' ability to maintain and expand their level of agricultural activities in accordance with local and State regulations.**
- 6. It shall be a general policy of Greene County to maintain and enhance our county's quality of life, to be fundamentally fair to all citizens and to respect their individual property rights.**

With rural non-farm lots being a major issue in farmland preservation for Greene County, some new and fresh approaches need to be considered. Our current criteria for the siting of rural non-farm lots are that they are encouraged on non-prime soils, along existing roadways. Considering that most of Greene County is Class I and Class II soils, which are considered prime soils for Greene County, not much land exists that would allow for the siting of rural non-farm lots using our current criteria. The other soils classes within Greene County are generally too steep or wet for agriculture, which also present challenges for other uses.

As for the criteria of being located along existing roadways, the cumulative effect of this has been the creation of non-farm lots along most of the existing roadways in Greene County - disrupting the operations of our agricultural community, adding random curb cuts rather than controlled points of ingress and egress and additional trips (traffic) to the rural roadways. Platted development has/can minimize many of the conflict and concerns.

CHAPTER FOUR
FOCUS ON FARMLAND
Page 16
Farmland Suitability Analysis

The principal question facing those responsible for land-use decisions is “How shall we prepare for a process of sustainable development to protect what we value most in our community?” We must consider environmental, cultural and aesthetic characteristics of the land while meeting the essential needs of our changing population for new housing, roads, shopping centers, businesses, parks, industries, and the agricultural community.

Land itself is a resource that must be used with wisdom. Therefore, it is important to understand the interdependence between the natural and built environment. Through this understanding, we strive to achieve sustainable development, which meets the needs of current residents without compromising the ability of future generations to meet their needs. Farmland suitability analysis is a tool to help us understand the links between the natural features of the land capability and its suitability for farming.

Farmland suitability analysis is a way of analyzing natural feature (resources) information along with man-made features to evaluate an area’s tolerance for various land uses. Resource data such as soil, topography, visual aspects, energy aspects, special features and floodplain are collected and their interrelationships assessed to determine the type of activities for which an area is best suited. These features are then integrated with man made features such as public utilities, transportation facilities, current zoning and adjacent land use compatibility to identify the most suitable land for agricultural purposes. The guiding principle behind farmland suitability analysis is that some land is better suited for farming than other.

Soils (Map 3)

Wise soil management is important to humans because, to some degree, all of man’s activities relate to the soils. This is particularly true when considering row crop farming. Success or failure depends in part upon the soils on which the crops are grown. The suitability of land to support row crop farming is related to the land’s soil characteristics, the basic building blocks upon which crop production takes place. Each type of soil poses specific characteristics that positively or negatively affect farming activities.

Soils within Greene County have been grouped by capability classes. This shows in a general way the suitability of soil for growing field crops. The soils are grouped according to their limitations when used for agriculture, the hazards associated with this use, and the way they respond to treatment. The first two groupings, Class I and II, are considered to be prime agricultural soils in Greene County. Class III includes soils that have severe limitations for growing crops. Class IV and higher (Class VI and VII, there are no Class V or Class VIII soils groups in Greene County) means they have very severe limitations for crop production. The following is a list of definitions as presented in *Soil Survey for Greene County, a U.S. Department of Agriculture Soil Conservation Service*:

Class I - Soils with few limitations that restrict their use. These soils are on slopes of 0 to 2 percent. They are medium textured, deep, well drained, with good water holding capacity. They are suited for continuous use for row crops, small grains, hay crops, and pasture as well as vegetable or other specialty crops.

Class II - Soils with moderate limitations that influence the choice of plants grown or that requires the use of moderate conservation practices.

Class III - Soils with severe limitations, which influence the choice of plants or require special conservation practices or both. These soils have more restrictions than those in Class II when used for cultivating crops. The conservation practices are usually more difficult to apply and maintain. Subject to these restrictions, they may be used for the same purposes as Class I or Class II soils.

Class IV - Soils with very severe limitations that restrict the choice of plants, require careful management, or both. The restrictions on these soils are greater than on previous classes, they should be used as pasture, woodland, or wildlife, but the intensity of use is necessarily lower on Class IV soils.

Class V and VIII - None in Greene County.

Class VI - Soils have severe limitations that make them generally unsuitable to cultivate and limit their use largely to pasture or range, woodland or wildlife habitat.

Class VII - Soils have very severe limitations that make them unsuitable to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.

Figure 8
Greene County Soils by capability groupings and Jurisdiction (acres)

	Class I	Class II	Class III and higher	% prime
Bath Twp.	827.7	8,215.5	15,632.1	36.6
Beavercreek Twp.	1,327.5	20,324.4	9,509.8	69.5
Caesarscreek Twp.	228.6	13,298.8	4,223.5	76.2
Cedarville Twp.	910.3	19,475.6	4,566.9	81.7
Jefferson Twp.	139.4	17,762.5	574.9	96.9
Miami Twp.	1,105.6	13,228.8	3,495.2	80.4
New Jasper Twp.	258.1	9,743.7	3,848.7	72.2
Ross Twp.	727.1	21,354.6	1,103.6	95.2
Silvercreek Twp.	344.2	15,154.2	1,201.2	92.8
Spring Valley Twp.	2,077.4	13,323.5	7,076.6	68.5
Sugarcreek Twp.	845.3	12,546.1	5,635.2	70.4
Xenia Twp.	2,554.5	20,767.6	12,730.2	64.7
Total	11,345.7	185,195.3	69,597.9	73.8

With soil types defined, it is easy to point out that most of the land in Greene County, Ohio, contains Class II soil, approximately 69 percent of the county. There are small pockets of Class I soil, especially in the central and western portion of the county. This is, interestingly enough, where most of the development in Greene County has and will continue to take place. Note, that soils well suited for agriculture are also well suited for development.

Map 3 GREENE COUNTY SOILS MAP



Legend

Soil Classes

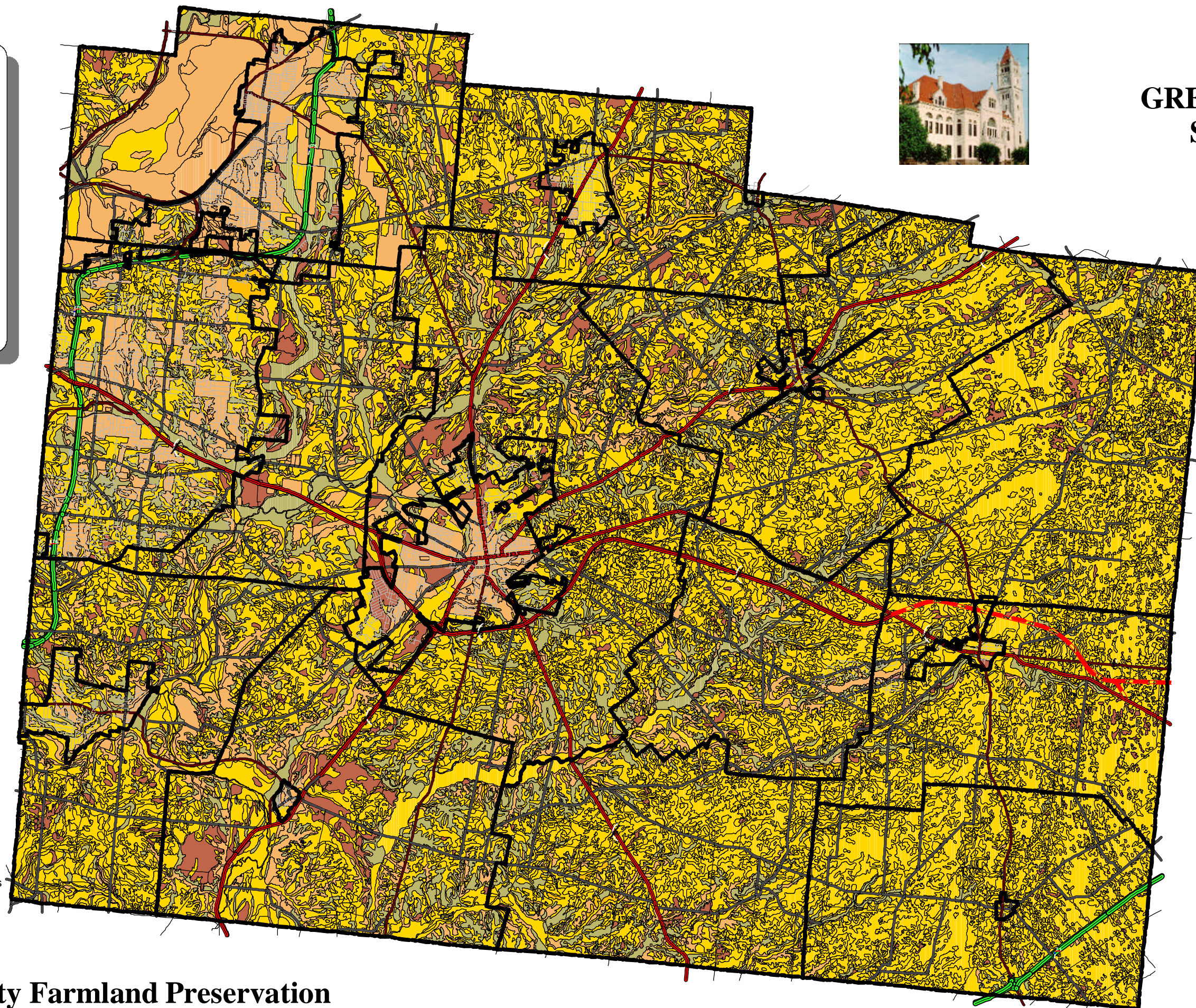
- I
- II
- III
- IV - VIII

Corporation Line

Proposed U.S. 35

Centerline

- INTERSTATES
- U.S. ROUTES
- STATE ROUTES
- COUNTY ROADS
- STREETS
- MUNICIPAL ARTERIALS
- TOWNSHIP ROADS



1 0 1 2 Miles

Greene County Farmland Preservation



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GIMS, RPCC

Page 19

Topography

Topography is the “lay of the land,” the degree and variation of slopes which characterize the site. For row cropping purposes nearly level (0-2% slope) to gently sloping (2-6% slope) land usually makes for the best sites in Greene County. Agricultural practices are strongly affected by the slope of the land. The practicality of raising row crops decreases as slope increases.

Floodplains (Map 4)

Floodplains and their associated ecosystems are nature's flood control network. Nutrient rich soils thus deposited by floodwaters provide fertile areas for crop production. Within Greene County most of the identified floodplains are linear in nature thus not providing the most ideal location for row crop production. However areas of the identified floodplain that do broaden out over the landscape make suitable sites for row crop farming.

Drainage (tiles and ditches) (Map 5)

Natural and manmade drainage systems help to convey excess surface and groundwater to suitable outlets, so that the desired land use can be achieved. Existing and proposed drainage improvements within the agricultural community are viewed as agricultural infrastructure and are very important to successful farming in Greene County. If investments have been made to improve the productivity of the land, these improvements should be considered when preserving agricultural lands.

Wetlands

It is a policy of the RPCC to preserve and protect wetland no matter where they are located. The functions served by the wetlands are irreplaceable. If wetlands are a part of the agricultural area being considered for farmland preservation, the wetlands should be preserved and maintained so they can serve their natural functions of: water purification and aeration; sedimentation control; flood water storage; and public and private water supply enhancement. With such attributes, the preservation of wetlands as a part of farmland preservation is essential.

Visual Aspects

Visual aspects include the basic views, features, and characteristics within an area that make it attractive to the residents of a community in the first place. Usually composed of a variety of elements, including views along or from a rural roadway, an existing rustic barn or old farm house, gently rolling and expansive farm fields with tree lined

hedgerows, or an isolated stand of trees, the appearance of which reveal the rural character and private open spaces of the area.

From a community standpoint, larger sites or contiguous smaller sites (especially those adjacent to public roads) may represent a significant portion of the character of the community, providing the ambiance of a farming community. While farmland preservation preserves the function of the existing natural resource base, the long-term economic and character impact on a community is also considered. The rural ambiance associated with the visual aspects of farmland is incidental to farmland preservation.

Archaeological & Historic Resources

In some areas of the county, there are archaeological and historical features that are attractive not only from a visual standpoint, but are unique or important in terms of regional history and/or culture. These man made features distinguish Greene County from other regions of the state and they are a source of the region's cultural, educational and recreational character.

An important feature of farmland preservation can be the preservation of a site and/or building that may be important for strictly local reasons, but in any case such resources are often attractive landmarks.

Urban Service Areas (Map 6)

The availability of public utilities (water and wastewater collection) generally makes the land suitable for more intense types of land use. Urban Service Areas are primarily concerned with the effective and economical provisions of urban or governmental services - water and wastewater collection. It is the area in which services are now available or may be provided physically and economically during the planning period. Therefore, the extension of public utilities should occur within the Urban Service Area, directing development to those areas of the county that are capable of handling the pressures associated with new development and leaving the remainder of the county in a rural/agrarian nature.

Zoning


Zoning has been a traditional method of land use control and will continue to be a valuable source of control in the future. It is also noted that the rural areas of the county have Township zoning. This reflects the different needs for the different areas of the county. Each Township within Greene County has the ability to change their current zoning and zoning is recognized to be an evolving process. Specific zoning is often affected by the economic conditions at the time as well as the existing development in the area; the development and expansion of infrastructure, including roads, sanitary sewer and public water; and as such has local supervision.

MAP 4 **GREENE COUNTY** **100 YEAR FLOOD PLAIN**




Legend

FLOOD PLAIN

 100 Year Flood Plain

 Corporation Line

 Proposed U.S. 35


Centerline

 INTERSTATES

 U.S. ROUTES

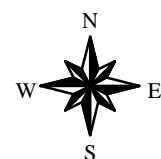
 STATE ROUTES

 COUNTY ROADS

 STREETS

 MUNICIPAL ARTERIALS

 TOWNSHIP ROADS



1 0 1 2 Miles



LEGEND

Centerline

- INTERSTATES
- U.S. ROUTES
- STATE ROUTES
- COUNTY ROADS
- STREETS
- MUNICIPAL ARTERIALS
- TOWNSHIP ROADS

Ditch Projects

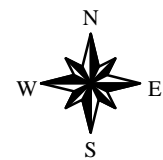
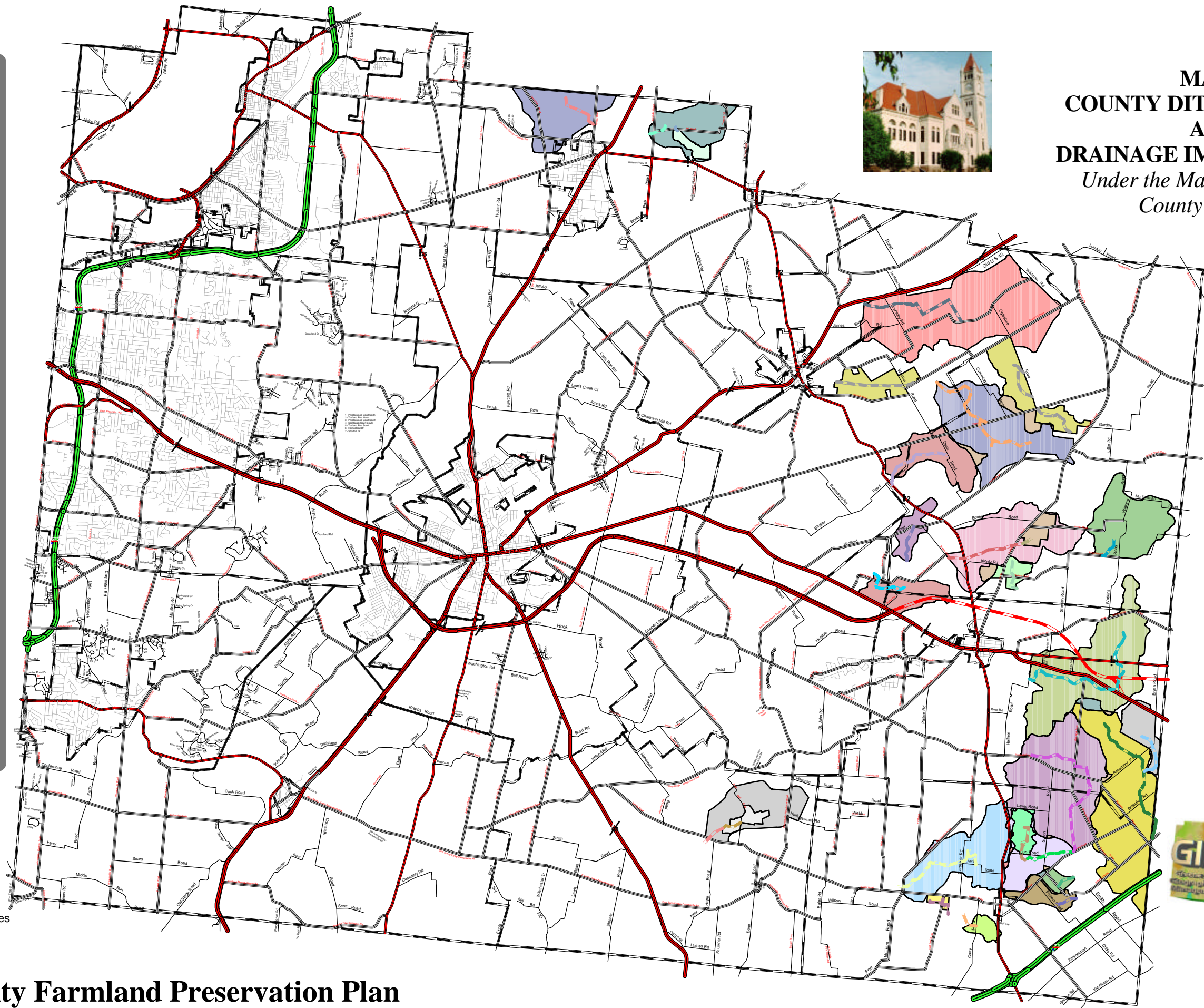
- BEAL DITCH
- BIRCHCREEK DITCH
- BURCHNEAL DITCH
- CHITTY DITCH
- DEAN-COSGRAY DITCH
- EARL ATLEY DITCH
- EVANS-TRELAWNY DITCH
- GORDIN-SHEELEY DITCH
- GORDIN-SPAHR DITCH
- GRASSY BRANCH DITCH
- GUESS-DARDING-BALES DITCH
- HARGRAVE DITCH
- HARTMAN DITCH
- JOHNSTON-KIRK-LUCAS DITCH
- LIMING DITCH
- MEREDITH-HARTLEY DITCH
- MIDDLETON DITCH
- MOTT-SPAHR DITCH
- NORTH BRANCH BREAKFIELD
- NORTH BRANCH LIMING
- NORTH FORK GRASSY BRANCH
- PAULIN GROUP
- STERRETT-LACKEY DITCH
- WEST BRANCH RATTLESNAKE
- WILDMAN-PAULIN-ANDREWS
- YELLOW SPRINGS-WHITEHALL

Water Sheds

- BEAL DITCH
- BIRCHCREEK DITCH
- BURCHNEAL DITCH
- CHITTY DITCH
- DEAN-COSGRAY DITCH
- EARL ATLEY DITCH
- EMPTY
- EVANS-TRELAWNY DITCH
- GORDIN-SHEELEY DITCH
- GORDIN-SPAHR DITCH
- GRASSY BRANCH DITCH
- GUESS-DARDING-BALES DITCH
- HARGRAVE DITCH
- HARTMAN DITCH
- JOHNSTON-KIRK-LUCAS DITCH
- LIMING DITCH
- MEREDITH-HARTLEY DITCH
- MIDDLETON DITCH
- MOTT-SPAHR DITCH
- NORTH BRANCH BREAKFIELD
- NORTH BRANCH LIMING DITCH
- NORTH FORK GRASSY BRANCH
- OPEN
- OVERLAP
- PAULIN GROUP
- STERRETT-LACKEY DITCH
- WEST BRANCH RATTLESNAKE
- WILDMAN-PAULIN-ANDREWS
- YELLOW SPRINGS-WHITEHALL



MAP 5 **COUNTY DITCH PROJECTS** **AND** **DRAINAGE IMPROVEMENTS** *Under the Maintenance of the* *County Engineer*



1 0 1 2 Miles





Prepared By:
 GIMS, RPCC
 Page 23

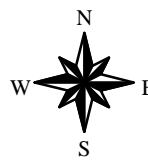
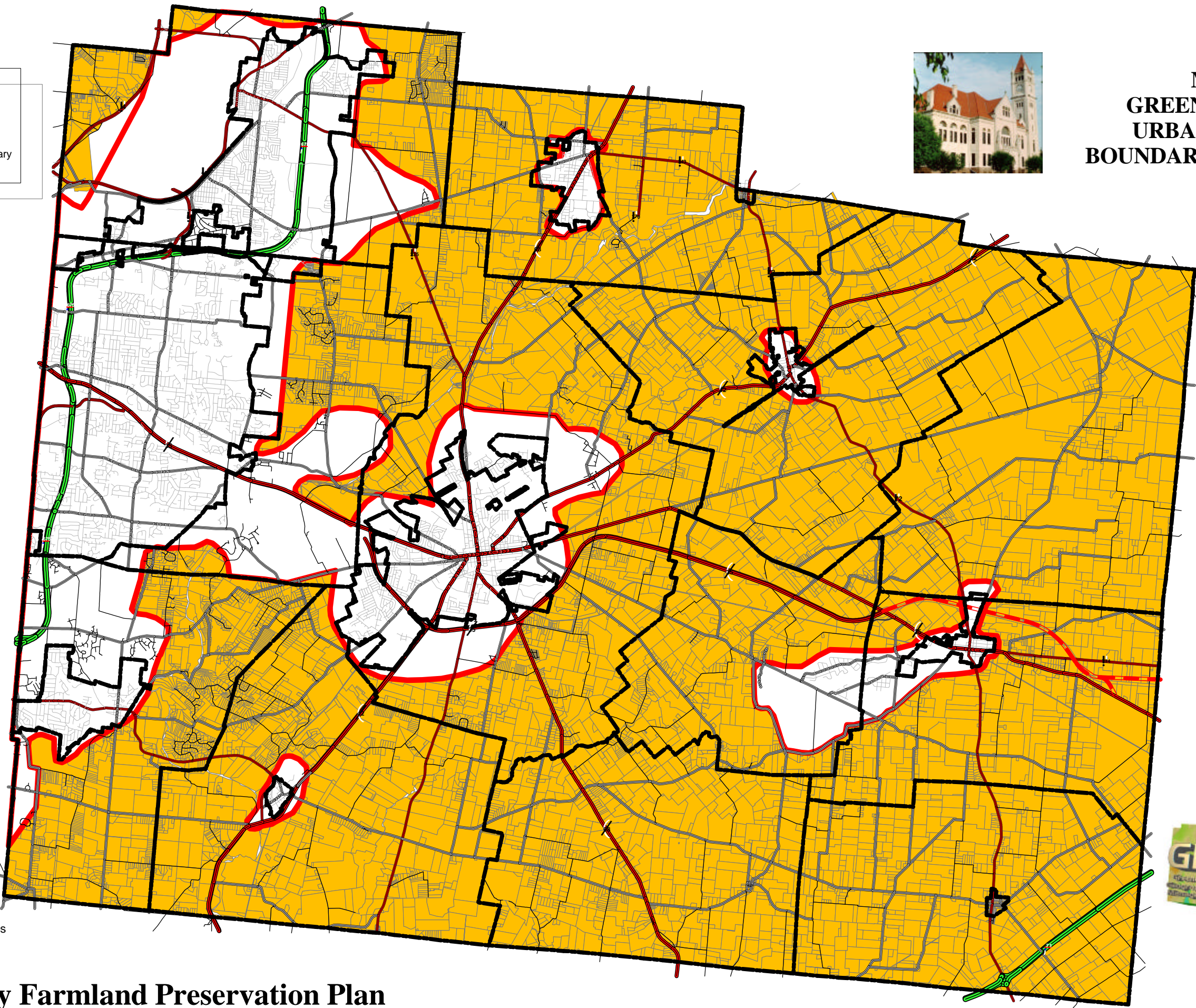
**MAP 6
GREENE COUNTY
URBAN SERVICE
BOUNDARIES AND AREAS**



Legend

 Urban Service Area

 Urban Service Boundary



1 0 1 2 Miles



Another intent of zoning is to put land to use as it is best suited in the context of overall community development. Of course, determining the best use for land is not always easy and can change over time. Zoning is significant because it protects property values by assuring that incompatible uses will be separated.

Agricultural zoning (Map 7)

This zoning district is a factor because it is an indicator of the agricultural character of any given area of the county. Areas of the county that are dominated by agricultural zoning are generally more viable for the retention of farmland.

Figure 9
Greene County Agricultural & Rural Residential Zoning by Jurisdiction

	Ag. Dist. 1 Acres/Frontage	Ag. Dist. 2 Acres/Frontage	Rural Residential Acres/Frontage
Bath Twp.	5/240 ft.	N/A	3/150 ft.
Beavercreek Twp.	5/250 ft.	N/A	2.5/175 ft.
Caesarscreek Twp.	10/350 ft.	N/A	2.5/175 ft.
Cedarville Twp.	10 or 2/300 ft.	N/A	3/200 ft.
Jefferson Twp.	2/250 ft.	N/A	1/100 ft.
Miami Twp.	3/300 ft.	N/A	1/150 ft.
New Jasper Twp.	2/300 ft.	N/A	1/125 ft.
Ross Twp.	2/300 ft.	N/A	1/100 ft.
Silvercreek Twp.	10/300 ft.	2.5/300 ft.	3/200 ft.
Spring Valley Twp.	10/350 ft.	5/250 ft.	3/200 ft.
Sugarcreek Twp.	5/250 ft.	N/A	2.5/175 ft.
Xenia Twp.	5/250 ft.	N/A	3/250 ft.

As can be seen above, some Townships use two (2) acres as a basis for their agricultural zoning, others have three (3) acres with 300 ft. of road frontage, while others have ten (10) acres with 350 ft. of frontage. Each of these have proponents and opposition for various reasons, and are issues with which each Township must wrestle.

Access

Since automobiles became commonplace, woven into our way of life, streets have been the unifying force in getting people and goods from one place to another. This is also true for the rural parts of the county. However, rural roadways reveal the rural character of the area. The view of the country side along these roadways gives a sense of stability in a

fast-changing world. Points of interest along the rural roadways, both manmade and natural add to the enjoyment of roadside scenery and to the sense of place. In Greene County rural roadways provide views of Midwestern charm - gently rolling woods, and expansive farm fields, rivers, creeks, streams and their tributaries, farm houses, barns, hedgerows and churches.

Roadside land is often the first and most visible land to be converted to other uses adding: disruptions to the operation of our agricultural community; random curb cuts; and additional trips (traffic) to the rural roadways. Everyone can benefit from street improvements that are functional, durable and cost-effective. When streets are improved and laid out with the agricultural community in mind, they provide for a functional network to get people from their residences to work, shopping and recreational opportunities in a logical manner. While providing adequate capacity to do so for many years to come, this includes being adequate for continuous use by farm equipment and vehicles. In some cases the carrying capacity of the roadway is a limiting factor to potential future development.

Adjacent Land Use Compatibility

The existing adjacent land uses around a site sets general guidelines for how any particular site should be used. It is important that new land uses do not negatively affect existing adjacent uses and that the character of the community remain.

Within the farming community any adjacent land use other than a farm is a potential conflicting use. Within Ohio the average farmer has to put up with approximately 13 residential neighbors around their farm. Each of these new residents to the County from urban areas, who view the rural areas of the County as a more desirable place to live, are often totally unaware of all the aspects that make up the agricultural community. They fail to acknowledge the farmer's business and are quick to complain about, or even sue over, annoying farm practices. Far too often people overlook the fact that agriculture is an industry and like many other industries involves some noise, dust, pollution and even some degree of physical danger. Therefore, efforts, other than curtailing farm activity, should be made to reduce potential land use conflicts within the farming community.

Compatibility with the County Land Use Plan

This is an important consideration because it is the policy document that involves a comprehensive analysis of the entire county. The current adopted plan has both text that states official policies and maps that interpret the policies in a graphic form. Consistency with the intent of the plan should be determined when a land use change is proposed.

The agriculture category within the land use plan applies to extensive areas on the Perspectives: A Future Land Use Plan map. These areas generally contain farmland, priority farmland or farmland of importance. Also, some of the land in the agriculture category is used for farmsteads and very low density residential uses (rural residential and

MAP 7 AGRICULTURAL ZONING MINIMUM LOT SIZE BY TOWNSHIPS 1999



*Only a Representation of the Most Restrictive
Agricultural Zoning - Shown*

LEGEND

Corporation Boundary

Proposed U.S. 35

Centerline

INTERSTATES

U.S. ROUTES

STATE ROUTES

COUNTY ROADS

STREETS

MUNICIPAL ARTERIALS

TOWNSHIP ROADS

10 ACRES

5 ACRES

3 ACRES

2 ACRES

Incorporated Areas

1 0 1 2 Miles

Greene County Farmland Preservation Plan

PREPARED BY:
GIMS, RPCC
Page 27

rural non-farm residential development). A major strategy of the county's objectives, policies and Perspectives: A Future Land Use Plan is to direct development to non-agricultural areas. However, it is recognizes that some land in these areas is not well-suited for agriculture because of soil productivity, topography, vegetation, wetness, man-made barriers, etc., and, therefore, could be more suitable for other purposes. It is also recognized that many farmers and agricultural land owners may wish to create a lot or erect a dwelling unit for a child, dependent, or relative on a portion of their land which is indicated as agricultural.

With respect to these types of situations and where clear and convincing evidence is provided, Greene County policy is that individual residential land uses are appropriate after it has been determined that the property is adequately suited for the intended use; that the soils are suitable for wastewater disposal; that the use will not impair the drainage of surface or sub-surface water; that access will not create dangerous traffic conditions or congestion; and that the use will not interfere with normal agricultural practices on adjoining lands.

This category (agriculture) also provides for limited agribusiness, farm support services, and other related uses that are dependent upon, or closely allied to, modern agricultural practices. Greene County recognizes that prime farmland can be best utilized as agricultural land when a full range of agribusiness and farm services in the immediate area supports it. Any proposed uses of this nature would be evaluated by the same criteria listed in the preceding paragraph.

Compatibility with detailed Local Jurisdiction Plans

For the same reasons that compatibility with the County Land Use Plan is important, compatibility with detailed local jurisdictions plans is also important. This document is the policy of the specific jurisdiction. It's the community vision for the future based on community input, local ideas, desires, and needs.

Support Services

The livelihoods of farmers and rural communities are dependent on access to advice, input, processing facilities, trucking, seed and fertilizer, farm equipment dealers, markets, etc. There is a need in Greene County to improve some aspects of agricultural support services and to better inform the farming sector of useful technology and services.

Public Water Supply

Within Greene County, public water supply systems (central water supply) exist in all cities, villages and some townships. Despite this, there are a significant number of rural areas that are supported by individual wells. **It is a policy of the Regional Planning and Coordinating Commission of Greene County that areas of the county that have a public water supply available without public wastewater collection are still**

considered rural. As Greene County continues to grow, decisions must be made about providing public water to rural areas of the county. The decision to extend or create public water systems in the rural areas of the county should be based upon a series of factors, with the most significant being public health, fire protection and impacts on farmland.

Enrolled in Agriculture District (Map 8)

An Agricultural District provides some protection against nuisance suits over farm operations, deferment and tax assessments on land to build sewer and water lines, and allows for additional review if land is taken by eminent domain for a public purpose. To qualify for an Agricultural District the land must be in agricultural production and comply with the guidelines set forth in the Ohio Revised Code, Section 929. Figure 10, and Map 7, will provide a visual and statistical illustration of the Agricultural District program in Greene County (1999).

Farmers who chose to participate in an Agricultural District have realized several advantages: deferment of special assessment, protection granted from civil actions for nuisances and from criminal statutes, and an additional review process if the land is taken by eminent domain. For farmland preservation purposes, if a parcel is enrolled in an Agricultural District a commitment to preserving agricultural land is already present.

Figure 10
Land Enrolled in an Agricultural District by Parcel Size

Acres	# of Parcels	Total Acres
0 - 0.99	28 (4.2%)	10.8 (0.1%)
1 - 9.99	93 (13.9%)	436.2 (1.3%)
10 - 19.99	70 (10.4%)	973.6 (3.1%)
20 +	479 (6.7%)	30,341.4 (95.5%)
total	670	31,762.0

Size of Farm


For the purpose of this study it is assumed that large areas of land are necessary for viable row crop farming. It is also assumed that the division of land into parcels smaller than ten (10) acres represents land that is more suitable for other uses besides agriculture. The ten (10) acre criteria is based upon minimum acres of land needed to be in Current Agriculture Use Value (CAUV) using parcel size only. It is also the threshold necessary

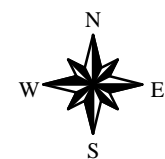
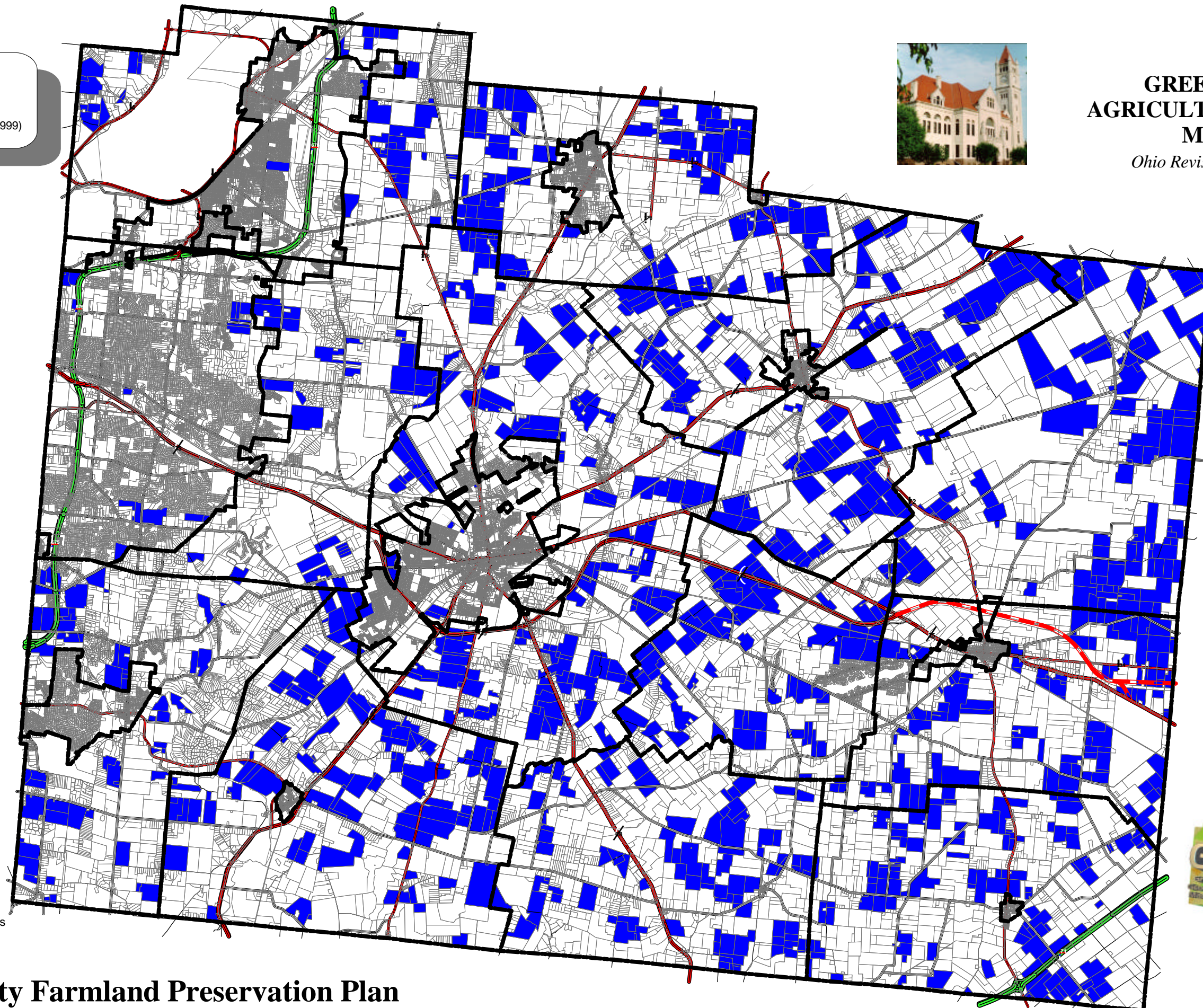
MAP 8
GREENE COUNTY
AGRICULTURAL DISTRICTS
March, 2000

Ohio Revised Code, Section 929



Legend

 Parcels Enrolled in Ag District (Sept, 1999)



1 0 1 2 Miles



in which a parcel can be transferred under the Greene County Subdivision Regulations without review. In order to have economical agricultural operations, the size of the farming area can be critical. Parcels larger than 10 acres in size are necessary for efficient farming practices.

Enrolled in Current Agriculture Use Value (CAUV) (Map 2)

People who exercise their rights granted under the Ohio Revised Code (ORC), Section 5713.30 to try to retain farmland by maintaining their tax status as agricultural land are seen as individuals who are trying to preserve farmland. Ohio Revised Code, Section 5713.30 states the landowner must devote the parcel “exclusively to agricultural use.” Currently, (1999) in Greene County there are 4,070 parcels enrolled in the CAUV program. Figure 11, and Map 8, will provide a visual and statistical illustration of the CAUV program in Greene County.

Having their parcel(s) taxed according to their value in agriculture, rather than full market value benefit individuals who enroll their parcel(s) in the CAUV program. The reduction in taxes may help farmers from being “pushed” out of business due to increased higher operating cost.

Figure 11
Land Enrolled in CAUV by Parcel Size

Acres	# of Parcels	Total Acres
0 - 9.99	916 (22.51%)	3,821.23 (2.15%)
10 - 14.99	407 (10.00%)	4,883.23 (2.75%)
15 - 19.99	253 (6.22%)	4,392.83 (2.47%)
20 - 24.99	251 (6.71%)	5,557.97 (3.12%)
25 - 39.99	605 (14.86%)	19,088.88 (10.73%)
40+	1,638 (40.24%)	140,131.65 (78.78%)
totals	4,070	177,875.79

CHAPTER FIVE FARMLAND PROTECTION AREAS

Major threats to farmland in Greene County are encroaching urbanization and the conflicts and incompatibilities that arise between farm and non-farm land uses. Many intruding non-farm uses in the agricultural areas not only permanently remove the land from production, but also create new problems. These include bringing conflicting land

uses into contact, stimulating land speculation, and increasing property assessment and the cost of public services. Further, encroaching development discourages new investment in farm improvements. The new non-farm neighbors must contend with odors, dust, noise, and other conditions naturally present in agricultural areas.

This document establishes policies to promote the protection of Greene County farmland from unnecessary conversion and degradation. It is the intent of the Farmland Preservation Plan together with Perspective: A Future Land Use Plan, to minimize conflicts between farming and other land uses. The Plans also will encourage development within the county to occur in such a fashion as to minimize conflicts between farming and other land uses (Perspective: A Future Land Use Plan, Chapter 2.)

The farmland protection areas map (Map 9) was prepared based on prime soils (Class I and Class II), land use, areas outside of the Urban Service Boundaries, community plans, participation in CAUV and Agricultural Districts, drainage, floodplains, and man-made features such as existing subdivision, parcels ten acres and less in size, and roads. Approximately 130,650 acres or around 48 percent of Greene County is included in the Farmland Protection Areas (FPA). The purpose of the Farmland Protection Areas is to maintain the designated area in farming use and uses ancillary to and supportive of the farming economy and community (Map 9).

The FPA map will be used by Greene County and local jurisdictions when reviewing land use changes, development proposals, rezoning requests, and utility extensions. The map is an important tool for the implementation of the county's farmland preservation policies and can be useful in preventing land use conflicts and "leap-frog" development into the Farmland Preservation Areas.

Farmland protection is valuable because it:

1. Contributes to a stable economy, both locally and nationally, and provides jobs and a market for products.
2. Preserves a valued livelihood and way of life.
3. Retains open land for possible future natural resource use.
4. Provides visible, privately owned open space with its rural aesthetics and environmental benefits.
5. Controls stormwater runoff and sediment damage, protects groundwater recharge areas, and conserves soil when appropriate farming practices are used.

CHAPTER SIX

IMPLEMENTATION PROGRAMS

The Greene County Farmland Preservation Plan represents a continuation and expansion of the implementation efforts of the 1978 Perspectives: A Future Land Use Plan for Greene County, Ohio. Building upon the Future Land Use Plan, the Farmland Preservation Plan advocates providing the appropriate tools for local communities to

**MAP 9
GREENE COUNTY
COMPOSIT MAP
FARM LAND PRESERVATION
SEPTEMBER 30, 1999**



LEGEND

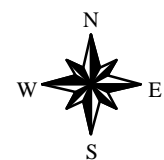
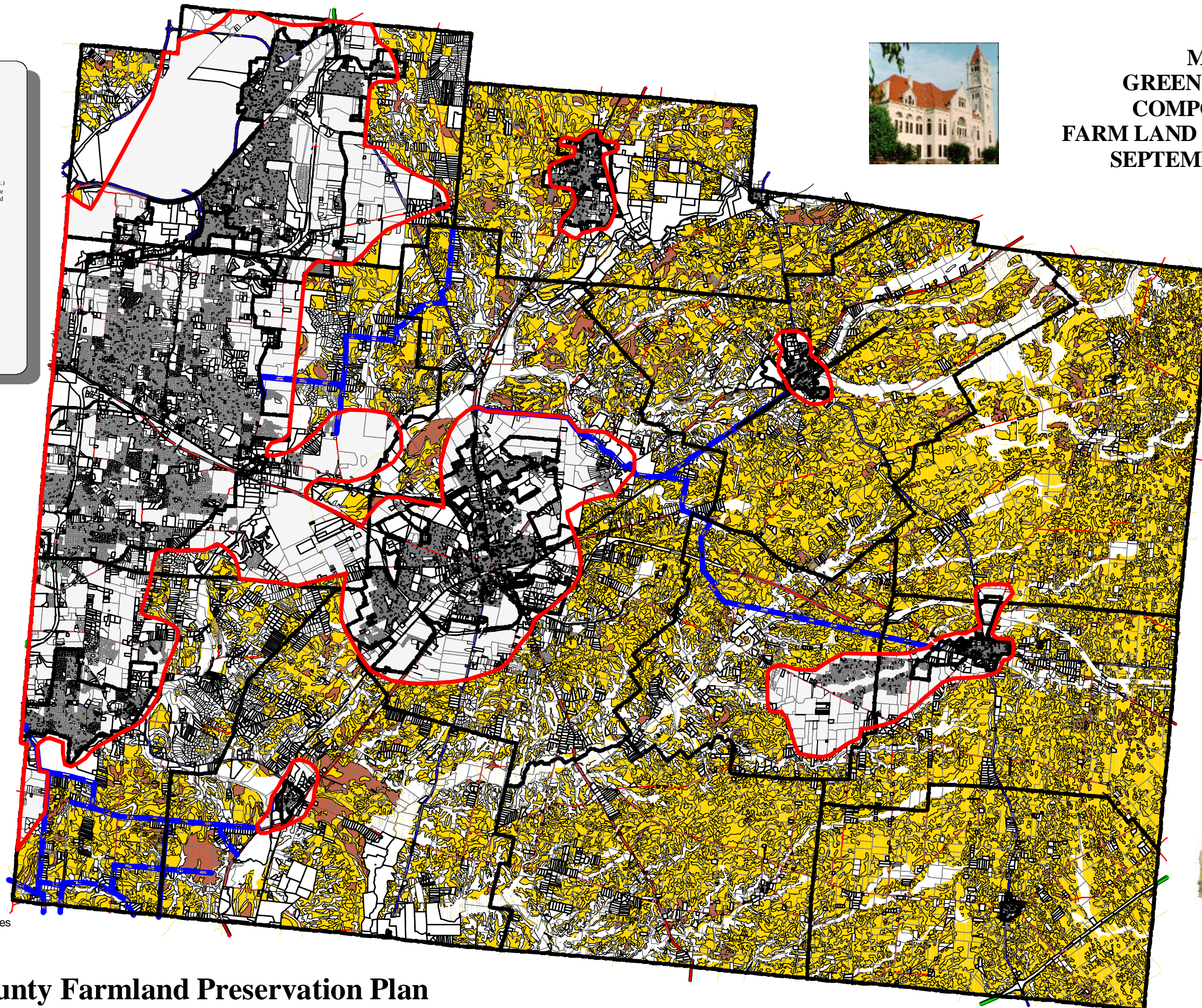
- PROPERTY LINE
- TOWNSHIP LINES
- RURAL WATER LINES
- PROPOSED ROUTE 35
- URBAN SERVICE BOUDARY
- SURVEYS (parcels less than 10 Ac.)
- Subdivisions, Public and Open space
- Urban Service Area, 100 Year Flood
- Plain, Soils Class III - VIII

Soils Production

- Class I
- Class II

Centerline

- INTERSTATES
- U S ROUTES
- STATE ROUTES
- COUNTY ROADS
- STREETS
- MUNICIPAL ARTERIALS
- TOWNSHIP ROADS



1 0 1 2 Miles

Greene County Farmland Preservation Plan



Prepared By:
GIMS, RPCC

make the best possible decisions about their future land uses, coordination of planning efforts, and cooperation in managing land resources.

There needs to be a common understanding between the Regional Planning & Coordinating Commission, the local boards, and elected officials that the ultimate success or failure of the Greene County Farmland Preservation Plan will depend on the ability of the Regional Planning & Coordinating Commission to effectively communicate to the local jurisdictions the long term benefits of managing our common land and water resources.

The choice is ours! Planning and zoning commissions, elected officials, and citizens throughout Greene County can take the initiative and move in a proactive way by forging ahead to support cooperation, coordination, and the establishment of the appropriate tools needed to achieve the successful implementation of the Greene County Farmland Preservation Plan.

Education

Important to any effort or program is the understanding of all participating individuals and/or groups. Education plays a key part in spreading the word and providing the opportunity for everyone to have the same information on which to base their decision. Education helps people appreciate and take advantage of opportunities around them, gives expanded perspectives of the world, and makes us better citizens. It is important to recognize, however, that education is not limited to formal education through the schools. It involves a lifelong commitment to learning, including schools, the workplace, the home, and community institutions such as churches, youth programs and adult social groups.

The Greene County Farmland Preservation Plan is an educational document itself. It provides the reader with information addressing the concept(s) of preserving our land resources for agricultural purposes. It also gives individuals, groups, organizations, commissions, and boards the elements needed to determine what is suitable to preserve for farmland in a specific area/site.

The Greene County Farmland Preservation Taskforce recommends the following ways to get the information out about the importance of farmland preservation:

- 1. Provide a copy of the adopted Greene County Farmland Preservation Plan to all elected officials who are representatives of the Regional Planning and Coordinating Commission of _____ County, each jurisdictions zoning commission/planning boards chairperson, etc.**
- 2. Produce a short video (have photos, video clips put together with music and narration; might be able to use or mimic video made by another county) - distribute copies to:**
 - a. public access and cable t.v.**

- b. real estate agents
 - c. groups (Farm Bureau, Rotary, etc)
 - d. libraries
 - e. public officials
 - f. high school teachers
3. **Develop public service announcements, news releases and articles. Distribute for use in local media and partner agency newsletters.**
 4. **Develop a stand alone display(s). Display at area businesses, county fair, festivals, etc.**
 5. **Develop and distribute brochure to note plan strategies.**
 6. **Provide a program and/or tour to explain background and promote plan strategies. Utilize video.**
 7. **Encourage youth leadership by involving Greene County F.F.A. Chapter in promoting plan strategies. (--include brochure in fruit sales boxes, help distribute video and/or display(s).)**
 8. **Promote essay and poster contests with farmland preservation topics.**
 9. **Place the Farmland Preservation Plan on the County website.**

Conservation Easements; Purchase of Agricultural Conservation Easements

(see OSU Extension Fact Sheet CDFS-1261-98, *Conservation Easements*)

(see OSU Extension Fact Sheet CDFS-1262-98, *Land Trusts*)

(see OSU Extension Fact Sheet CDFS-1263-98, *Purchase of Development Rights*)

Landowners who want to preserve their land for farming may find an effective way to do that by donating or selling a conservation easement to a qualified government agency or a non-profit land preservation organization.

A conservation easement is a legal mechanism that enables landowners to decide how their land will be used in the future. Landowners decide what uses of their land they want to prohibit or permit, for how long, and who will have the responsibility for long-term enforcement. All other landowner rights are retained, unaffected, including the right to lease, sell, or bequeath to heirs or give to others their property.

Conservation easements are completely voluntary agreements. Each conservation easement is individually designed to protect a property according to the owner's wishes. The individual design is shaped in four steps: (1) landowners determine how they want their land to be used in the future, (2) they negotiate an agreement with a government agency or non-profit land preservation organization to be their agent to carry out their land use wishes, (3) the agreement (a deed) is signed and recorded, and (4) the agent is legally bound for the life of the easement to guarantee that the land is used only as permitted by the agreement, by periodic monitoring and, if necessary, by taking legal action for enforcement.

The life of a conservation easement may be for a specific number of years or "in perpetuity" (i.e., forever).

Landowners may place a conservation easement upon their land for a wide variety of purposes, such as wildlife habitat protection, watershed protection, protection of scenic views and open space, and preservation of historic places and structures. An agricultural conservation easement may include some or all of those purposes, but it is essentially designed to keep the land productive and open for agricultural uses and it would restrict the development of farmable areas.

Landowners who want to donate an agricultural conservation easement may qualify for significant estate and income tax benefits. Since IRS regulations allow tax benefits only for conservation easements made “in perpetuity,” most donated conservation easements are forever. Landowners should plan such a donation with the guidance of a well-informed tax adviser, an accountant and/or attorney.

Landowners may sell an agricultural conservation easement. An agricultural conservation easement may be purchased with private or public funds. When purchased with public funds, the transaction was, until recently, called a Purchase of Development Rights (PDR); now the transaction is more accurately called a Purchase of an Agricultural Conservation Easement (PACE).

A PACE program can be beneficial to both the individual landowner and the community. The landowner benefits by (1) retaining ownership of the property, (2) receiving money for the conservation easement, and (3) keeping the property tax the agricultural value for the duration of the easement. The community benefits by having the land in question remain in open space through agricultural use.

Recent legislation (SB 223, 5/21/99) enables both governmental agencies and private benevolent land preservation organizations to hold, supervise and enforce agricultural conservation easements. Governmental bodies with such authority are municipalities, counties, townships, park districts, and soil and water conservation districts. In Greene County, these private organizations currently hold conservation easements and may take agricultural conservation easements: Beavercreek Wetlands Association, Five Rivers Metroparks, Little Miami Inc., and Tecumseh Land Trust. (see appendix A)

The Greene County Farmland Preservation Taskforce encourages all owners of farmland within the areas identified as Farmland Protection Areas to establish conservation easements on their property. Local and/or regional land trusts should be used to:

- 1. be the conservation easement holder;**
- 2. monitor the use of the land on a regular basis in accordance with the easement;**
- 3. enforce the restrictions of the easement; and**
- 4. maintain records.**

The Greene County Farmland Preservation Taskforce recommends that this voluntary program be utilized to protect Greene County’s farmland.

The Taskforce realizes that implementing these programs (Conservation Easements, or PACE) will require FUNDING. An established dedicated funding source for agricultural preservation programs needs to be developed. Some potential sources might include:

- 1. increasing the real estate transfer fees;**
- 2. increasing the recorder's fees;**
- 3. increasing sales tax and use the increase to fund farmland preservation activities;**
- 4. private donations;**
- 5. percent or all of township, municipal, county, and/or state inheritance tax;**
- 6. special purpose levy, additional millage on property;**
- 7. the county set aside a percentage of the increase in sales tax revenue each year;**
- 8. reallocation of current budget revenues;**
- 9. specific line or budgeted amount for the PACE program; etc**

Transfer of Development Rights

(see OSU Extension Fact Sheet CDFS-1264-98, *Transfer of Development Rights*)

Transfer of Development Rights (TDR) provides a mechanism for compensating landowners who resist development on their land by selling their development rights. If properly structured, the system can guide new development to areas that can best support it and pay for the preservation of land in areas that cannot.

The right to develop or build in one area is transferred to a receiving district where denser development is allowed. This is a relatively new land development control tool used to preserve open space and farmland and to direct development to suitable areas. This tool allows the owner of real property to sell or exchange the development rights associated with that property to another owner in return for compensation.

At this time the Greene County Farmland Preservation Taskforce can not recommends that this tool be used.

Agricultural Zoning

The intent of Agricultural Districts within township zoning resolutions is to recognize the long-range physical, social, and economic needs of the agricultural community within the Township. Since agricultural pursuits provide a substantial economic base for the Townships and many areas still exist which possess an existing agricultural character and prime agricultural soils, it is the intent of the district to maintain and protect such areas. Only those land uses that perform necessary functions within the agricultural community will be encouraged to locate within the agricultural district. Rural farm dwellings are permitted to locate within the Agricultural District at a maximum density set forth in their Zoning Resolution. Unnecessary encroachment by nonagricultural land uses which limits

agricultural effectiveness either through encroachment of land resources or through incompatibility of land uses will be discouraged.

Agricultural Zoning can protect the agricultural land base by limiting non-farm uses, restricting lot sizes and controlling density. Agricultural Zoning can take many forms:

Exclusive agricultural zoning - prohibits non-farm residences and most non-agricultural activities; exceptions are made for parcels of land that are not suitable for farming.

Large minimum lot size zoning - require a certain size lot for every non-farm dwelling, typically 20 acres.

Area-based allowance zoning - establishes a formula for the number of non-farm dwellings permitted per acre, but houses are typically built on small lots.

Fixed area-based allowance zoning - specify a certain number of units per acre.

Sliding scale area-based allowance zoning - the number of dwelling permitted varies with the size of the tract. Owners of smaller parcels are allowed to divide their land into more lots on a per-acre basis than owners of larger parcels.

The Greene County Farmland Preservation Taskforce suggests that the Regional Planning and Coordinating Commission of Greene County (RPCC) prepare model zoning resolutions for:

- A. Exclusive Agriculture Zoning;**
- B. Large Minimum Lot Size Zoning; and**
- C. some type of Area-Based Allowance Zoning.**

The Greene County Farmland Preservation Task Force recognizes the fact that one type of Agricultural Zoning District will not satisfy the diverse needs of the Townships within Greene County.

The Taskforce further recommends that each rural township consider (Caesarscreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silver Creek, Spring Valley, and Xenia) amending their zoning resolution using one or more of the above mentioned Agriculture Zoning models within six (6) months of being developed and adopted by the RPCC.

The Taskforce further recommends that a modification to the statement of purpose for township zoning *Ohio Revised Code* Section 519.02, delete the word “morals” and replace it with “general welfare.”

Urban Growth Boundaries

(see Perspectives: A Future Land Use Plan for Greene County, Ohio, Chapter 2, Coordinated Land and Water Management Program, *Urban Growth Management* and *Utility Extension Policies*)

Urban Service Areas are an implementation tool for the broader topic of Growth Management. In general terms, Growth Management is a concept of concentrating development/growth in the existing developed portions of the County to make optimal use of the existing infrastructure and public services while minimizing the impacts of growth in rural, and natural areas.

The idea of Urban Service Areas was first adopted in this area by the Miami Valley Regional Planning Commission and incorporated into Perspectives: A Future Land Use Plan for Greene County, Ohio in 1978. This initial idea was called the “Controlled Trend Concept” and it was a basis for the outward expansion of suburban municipalities and the gradual development of land within the urban areas. The concept consisted of lines drawn on a map showing the recommended limits of urban development the area for the extension of urban infrastructure to the year 2000.

These lines are now called Urban Growth Boundaries and they are placed on a land use map and mark the desired separation of urbanized land from rural land and within which urban growth should be contained for a period of time specified by the Plan. When establishing Urban Growth Boundaries, population forecasts are used to ensure there is sufficient area to permit the urban growth that is projected to occur. Other factors include the efficient provision of urban or governmental services (water, wastewater collection, schools, roads, police and fire protection, etc). In other words the Urban Service Area are areas in which services, are now available or may be provided physically and economically within the designed planning period.

Farmland Preservation is an issue of smart land use.

There is room for everyone - areas for housing, areas where public water and wastewater collection are available, areas for industry, areas for business and commercial development, areas for parks, land for airports, and areas for farming - like the above mentioned more intense uses we should also look at agriculture as a good use of the land and not as a holding area for some future use.

All areas neither can nor should receive urban services because of physical and economic limitations or social desires.

The Greene County Farmland Preservation Taskforce recommends that the Regional Planning and Coordinating Commission of Greene County:

- 1. Establish and maintain Urban Growth Boundaries and Urban Growth Areas as identified in Perspectives: A Future Land Use Plan for Greene County, Ohio (revised);**
- 2. Promote urban density development within the identified Urban Growth Boundaries; and**
- 3. Encourages growth and revitalization of existing urban areas within the county before allowing urban type development within the rural areas of the county.**

Cluster Development/Conservation Design

(See OSU Extension Fact Sheet CDFS-1270-99, *Cluster development*)

The concept of open space development is considered a modern design technique for land planning. It is an approach that permits flexibility of design, while addressing the

aesthetic and environmental protection objectives of the community. The process encourages the concentration or grouping of buildings on areas of a site that are best suited for development, allowing the remaining land to be retained as common open space, while maintaining the natural character of the site. A primary objective of clustering is to protect wetlands, and other environmentally sensitive areas such as stream banks, lake shores, aquifer areas, and agricultural lands. An example of this development concept that has been used in Ohio is the Countryside Program. It was developed by the Western Reserve RC&D Council in northeast Ohio. The program's mission is to conserve community identity, rural character, and natural, agricultural, and historical resources through the encouragement of sensitive planning and development.

Clustering is not solely a zoning technique but may be permitted and/or encouraged through the subdivision regulations, and other planning techniques. Among the options a community could exercise is one that would require that cluster techniques be utilized in all new subdivisions. Under this scenario, the potential developer would then be required to justify the use of a conventional layout. The zoning resolution should, at a minimum, contain a provision allowing cluster development and authorizing the planning commission to administer the cluster provision, through subdivision. The cluster regulation should articulate the purpose of the provision and establish the required standards. The requirements may involve basic fundamentals such as density, setback and perimeter buffer, road requirements and the amount of open space to be left in common ownership. They should also include the mechanism by which the open space will be legally protected in perpetuity.

For farmland preservation purposes, farmers often need more than their own land and therefore may lease surrounding fields to grow crops. To preserve farmland while allowing development to occur, the open space attributed to cluster development could be incorporated in a long-term lease agreement with a local farmer. A small portion of the open space would be needed as a buffer and the remaining land could be preserved as farmland.

The Greene County Farmland Preservation Taskforce recommends that the Regional Planning and Coordinating Commission of Greene County study the possibility of incorporating the Coun^{Page 40}tryside Program Model into the County's and local jurisdictions development criteria (subdivision & zoning.)

Agricultural District

(see OSU Extension Fact Sheet CDFS-1268-99, *Agricultural Districts*)

The purpose of the agricultural district program is to mitigate the push to convert farmland to other uses. The amount of protection offered farmland must be balanced by society's need for public easements and development. Creation of agricultural districts does not take into account the productivity of the soil or the amenities that agricultural land contributes to the community (such as scenery, rural character, wildlife habitat, and

the protection of watersheds). The agricultural district legislation attempts to establish agricultural activities as legitimate and somewhat a priority use in rural areas and within municipalities with special review. The districts provide very little effect as to the “pull,” i.e. the financial incentive to convert farmland to other uses. Other tools such as conservation easements, purchase, transfer or lease of development rights and exclusive agricultural zoning, would be needed to protect farmland from development. However, the agricultural district program does provide the landowner some risk protection. Often delays in land use conversion afforded by this program can help an owner-operator time land sales to meet retirement plans or other occupational goals.

As land changes to other uses, a number of factors may arise for the local farmers and may cause some problems.

Additional congestion on the roadway making it harder to move equipment.

Objections by neighbors to farm odors, dust and noise.

Potential problems with the application of pesticides and herbicides.

Increased problems with trespassing and debris in the fields.

The Legislature needs to be aggressive in providing protection to the farm land owners. The Constitution may prohibit adequate protection for the farm land owners, if so, the Legislature needs to consider amendments to the Constitution. The Task Force recognizes that economic factors may be the primary method by which agriculture can be a viable business in the State of Ohio and the above listed problems caused by increased land use conflicts (urbanization, rural non-farm home sites, utility extension, etc.) significantly impact farmers’ economics. Thus the Legislature should take a strong and definitive action to protect farming operations from lawsuits and should add additional right to farm protection.

The Task Force feels that there are a number of general directions in farmland preservation. One is to limit the development of viable farmland, no matter who owns it. Another is to provide positive incentives for people who prefer to live within the urban service boundaries, thus limiting the demand for rural residences. It is also suggested that laws be put in place to favor the farmer’s ability to continue to farm without harassment or interference by those who do decide to live in the rural areas of the state.

The Greene County Farmland Preservation Taskforce encourages owners of land that is in agricultural production and meets the requirements of an Agricultural District within Greene County to be enrolled in the Agricultural District program.

Current Agriculture Use Value

(see OSU Extension Fact Sheet CDFS-1267-99, *Current Agricultural Use Valuation*)

The Current Agriculture Use Value program allows farmland to be assessed at an agricultural value for real-estate tax purposes rather than a “highest and best use” valuation. In 1997, Greene County had approximately 178,300 acres identified by the *Census of Agriculture*, as land in farms. Despite this, over 180,878 acres are listed for CAUV tax reduction in 1999. It is clear that the current ten (10) acre parcel size (within

Greene County around 916 parcels are less than ten (10) acres in size and are enrolled in CAUV), \$2,500 agricultural product limit and three (3) year recoupment are all negatively affecting sound development patterns in Greene County as well as negatively affecting tax generation potential for all political jurisdictions and school districts.

The Greene County Farmland Preservation Taskforce suggests the following changes to the CAUV Policies:

- 1. acreage requirements for CAUV should be at least 20 acres or \$5,000.00 of agricultural products produced on the land per year;**
- 2. the recoupment time should be returned to at least five (5) years;**
- 3. the program should be discontinued within incorporated communities; and**
- 4. give the County Auditor the authority to require proof of the property meeting the established \$ requirement.**

Economics

A reason for the conversion of farmland to non-farm uses is economics. When farming is no longer profitable or when outside economic pressures arises, many farmers and owners of farmland sell their property. If a farmer or the owner of farmland is making a true profit on their property selling their land becomes less of a concern. A strong and viable local and national farm economy is needed.

With volatile and uncertain local and world markets, and the location of Greene County to a large population base, non-traditional markets, crops, value adding and direct marketing should be explored and developed.

The Greene County Farmland Preservation Taskforce encourages farmers and businesses to come together to develop and promote local/regional markets and products and to encourage the development of value added products.

The Five Acre Dilemma

Currently, Ohio law exempts any land transfer over five (5) acres from having to adhere to local subdivision regulations, *Ohio Revised Code*, Section 711.001 (B) (1). This has resulted in five (5) plus acre tracts (rural non-farm lots) being created along existing roads through out the county. Often times this types of development result in problems for the entire community. These problems include surface and subsurface drainage, traffic congestion, increased roadway conflicts, land use conflicts between residential and agricultural uses, and other items discussed in Chapters One and Three.

The Greene County Farmland Preservation Taskforce recommends that the definition of Subdivision in the *Ohio Revised Code*, Section 711.001 (B) be modified to - “The division of a single lot, tract or parcel of land, or a part thereof, into two or

more lots, tracts, or parcels of land, including changes in street lines or lot lines, for the purpose, whether immediate or future, of transfer or ownership or of building development: Provided, however, that division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new streets or easements of purpose, shall not be included within the meaning of “subdivision.”

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Summary: Exhibit Applicant Exh 83 electronically filed by Mr. Ken Spencer on
behalf of Armstrong & Okey, Inc.