



Ohio Administrative Code

Rule 901-2-02 Eligibility requirements for application property.

Effective: [September 26, 2024](#)

(A) To be eligible for consideration for a matching grant, the agricultural easement proposed to be purchased shall be on agricultural land that meets all the following criteria:

(1) The application property shall be valued, at the time the application is made, at the property's current agricultural use valuation for real estate tax purposes under section 5713.31 of the Revised Code, with the exception of the homestead; wind energy-producing facilities, including windmills and wind turbines; bio-digesters; and/or other land uses as determined by the director.

(2) Application landowner must have fee simple title to the land.

(3) The landowner certifies that, to the best of the landowner's knowledge, the application property contains no hazardous substances or toxic wastes.

(4) Title to the application property shall not be subordinate to any other legal or equitable interest, the exercise of which would result in a conversion of the land from predominately agricultural use. A subordination agreement must be obtained by the landowner within a reasonable timeframe, as determined by the director. An extension of time to obtain subordination may be granted by the department.

(5) All parcels submitted under one application shall be contiguous and no land that is included as part of the submitted parcels shall be excluded. Waiver of this requirement may be considered by the department.

(6) The application property shall be enrolled, at the time the application is made, in the agricultural district program, under section 929.02 of the Revised Code, with the exception of the homestead; wind energy-producing facilities, including windmills and wind turbines; bio-digesters; and/or other land uses as determined by the director.



(7) Where the local government has adopted zoning, the application property shall be zoned for agricultural use or a designation compatible with agricultural use.

(B) All applications for matching grants which meet all of the foregoing eligibility requirements shall be ranked in accordance with the criteria established in rule 901-2-05 of the Administrative Code.

(C) If the application does not meet all of the above requirements, the director or certified local sponsor may disqualify such application.