

2018 KENT COUNTY PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM		Kent/MSU Extension Attn: Stacy Byers 775 Ball Ave NE Grand Rapids, MI 49503 Email: stacy@sheridanland.com Tel: (616) 632-7878	FOR OFFICIAL USE ONLY Application Number
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PURCHASE OF DEVELOPMENT RIGHTS (PDR) APPLICATION

This information is required by authority of Kent County Farmland Preservation Ordinance adopted November 26, 2002 for farmland development rights to be considered for purchase by County of Kent.

APPLICATION DEADLINE: Postmarked by July 31, 2018 to Kent/MSU Extension

PART 1 - LANDOWNER INFORMATION

LANDOWNER: Please clearly print or type all information. **Be sure to complete the front and back sides of all pages.**

1. Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number	Email Address (<i>this is the preferred form of communication</i>)		Business Name (if applicable)
City	State	Zip Code	Business Telephone Number

PROPERTY INFORMATION

2. Township(s) Where Nominated Property Is Located: _____

More than one parcel may be submitted as one application if the parcels are owned by the same person(s) and are LESS THAN ½ MILE APART. For parcels more than ½ mile apart, a separate application must be completed.

Tax Parcel Number(s) of Nominated Property. (You may use a separate sheet if necessary.)

3. Total Number of Acres Nominated in this Application:	4. Total Number of Nominated Acres Currently in Agricultural Production. (<i>see lands eligible for Development Rights Purchase</i>)
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5. If applicable, list parcel numbers and acreage amounts for each parcel currently in the **PA 116** program. (You may use a separate sheet if necessary.)
Parcel number(s): _____

6. Type of Agriculture Practiced on Nominated Property (*Check all that apply*)

<input type="checkbox"/> Livestock	<input type="checkbox"/> Cash Crops	<input type="checkbox"/> Greenhouse and/or Nursery
Type:	<input type="checkbox"/> Vegetables	<input type="checkbox"/> Christmas Trees
<input type="checkbox"/> Aquaculture	<input type="checkbox"/> Fruit	<input type="checkbox"/> CRP or Other Set Aside Program
		<input type="checkbox"/> Other:

7. I own the nominated property by:

(Please attach a copy of the deed or land contract as proof of ownership.)

Deed

Land Contract *

*Land Contract Seller's signature must appear on back page indicating agreement with this application.

8. Block Application: Property owners may earn points toward their application for applying with other contiguous (next door or across the street) property owners. In order to earn points, all owners must write each other's names here. The same names must appear on each set of applications in the block. (Note: Property owners that apply for PDR for 300 or more contiguous acres will be awarded points for their own block.)

Name of Contiguous Property Owners Applying for PDR as a Block: _____

9. **Ownership of Mineral Rights on the Nominated Property: Your land is eligible for consideration even if you do not own the mineral rights. However, the owners of the mineral rights must be willing to sign a subordination agreement. (Check one box only)**

I own all mineral rights. I own some mineral rights. Name the other party that also owns some mineral rights: _____

I do not own any mineral rights. Name the other Party that owns the mineral rights: _____ I do not know who owns the mineral rights.

10. Is the nominated property already restricted from being developed? Are there any restrictive covenants, leases or easements on the nominated property, such as land entered into the Federal Wetland Reserve Program (WRP), an existing conservation easement with a private conservancy, or a long-term lease that restricts the use of the land for agricultural purposes only?

No Yes If yes, please explain:

11. **Please include an aerial photograph** from the Farm Service Agency (616-942-4111) and attach it to this application. Attach additional sheets if necessary. An online map of your property can also be found and downloaded free of charge from www.terraser.com.

Please specify if you are not including the whole parcel described in the tax bill, deed or land contract by drawing on the aerial photo. A survey is not required for this application. If appropriate, please indicate by drawing on the aerial photograph which part(s) of the parcel will be left out of the PDR Program with dimensions in feet.

Applications reserving more than one future building site will be penalized a minimum of 10 points (out of a total of 100 points). For example, applications excluding two future building sites will be penalized 10 points, three building sites equals a loss of 15 points. Federal guidelines state that the one allowed future building site be reserved for a person/family connected with the farming operation. Applicants who exclude non-prime farmland in order to meet federal/state 50% prime and/or 51% tillable/productive agriculture criteria will not be penalized. See 2018 Scoring Criteria for more detail. Applicants excluding future building sites will want to make the sites meet township regulations.

In addition, **we recommend you exclude your existing home site(s)**. You need not provide a survey of the excluded areas when you submit this application, but you will be asked to cover the cost of a survey if your application is funded. New structures and/or improvements that are necessary to continue the farming operation are permitted on land entered into a PDR easement.

12. **Do you as the landowner plan to donate a portion of the development rights value as matching funds?** In order to apply for federal matching funds in early 2019, 50% of the appraised value of your development rights must be secured. Without matching funds, Kent County cannot move forward with your application.

_____ Yes _____ No (Please do not answer "Maybe." If you need to, write a letter to explain your intentions.)

If yes, please indicate the dollar amount. \$ _____

If yes, please calculate what percentage of the property's SEV (State Equalized Value found on your property tax bills) that your donation equals. _____ % of property's SEV. SEV of property is \$ _____.

A donation may result in an income tax benefit. Discuss this with your CPA or tax attorney to confirm your eligibility. Applicant's offering to take less than the appraised value will be scored higher, but must honor that offer at time of closing.

13. Unique or historical characteristics of the property will be awarded points. Do any of the following apply to the property: Certified Organic Farm, Centennial Farm, National Historical Registry for historical or archeological value, property contains a natural water course or water body such as a stream, river, or lake shoreline, property contains threatened or endangered species? (You may use a separate sheet if necessary.)

Yes Explain: _____ No

14. Is the property currently in compliance with Michigan Department of Environmental Quality regulations?

Yes No If answered No, please explain: _____

16. Properties where the township financially supports the purchase of development rights will receive greater priority in the scoring criteria. Four (4) points will be granted for a minimum of \$2,000 contribution from the township and three (3) points will be awarded for townships that have a line item in the township's annual budget to support farmland preservation. You may want to contact your township and make a request that the township board consider both of these options.

17. Does the property have irrigation or tiling? Yes No

If yes, how many acres of the property in your application are irrigated or tiled? _____

18. Does the property have a USDA NRCS Resource Management System Level conservation plan?

Yes No If yes, date the plan was signed: _____

19. Please verify that the owner(s) of the property do not exceed USDA income limits.

The owner(s) of the property have not had a non-farm income exceeding \$1 million in any year of the last three years.

The owner(s) of the property have had a non-farm income exceeding \$1 million in at least one of the past three years. Therefore, we acknowledge that we are not eligible for USDA grant funds to preserve our farm.

For more information on this issue, please contact the USDA Farm Service Agency at (616) 942-4111.

20. Is the property enrolled in a formal public access program? (Hunters Access Program, trail easement, etc.)

Yes No If yes, please list program: _____

CERTIFICATION

PLEASE NOTE: *All individuals who own an interest in the nominated property, including the Land Contract Seller, must sign below, if necessary, for Kent County to consider this application.*

I (we) certify that the statements made above are a true and accurate representation of the facts regarding the nominated parcel(s). It is understood that signature does not obligate sale of development rights but simply permits the County to consider purchase of the development rights. I (we) also understand this information will be subject to public record if the nominated property is selected. By signing the below, I am signifying by intent to move forward with the process if selected.

_____	Landowners Signature	_____	Date
_____	Landowners Signature	_____	Date
_____	Landowners Signature	_____	Date
_____	Land Contract Seller's Signature (If Applicable)	_____	Date

FOR OFFICIAL USE ONLY

**2018 KENT COUNTY
PURCHASE OF DEVELOPMENT
RIGHTS (PDR) PROGRAM**

Kent/MSU Extension
Attn: Stacy Byers
775 Ball Ave NE
Grand Rapids, MI 49503
Email: stacy@sheridanland.com
Tel:(616) 632-7878

Application Number

**PART 2 - USDA NRCS DISTRICT OFFICE INFORMATION
FOR PURCHASE OF DEVELOPMENT RIGHTS (PDR) APPLICATION**

This information is required by authority of Part 361 of Act 451 of 1994, as amended for farmland development rights to be considered for purchase by the County of Kent.

Please complete and return to Stacy Byers at the above address by July 31, 2018.

1. Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number			Business Name (if applicable)
City	State	Zip Code	Business Telephone Number

PROPERTY INFORMATION

2. Township Where Nominated Property Is Located:	
Tax Parcel Number(s) of Nominated Property	
Total Number of Acres Nominated in this Application:	Total Number of Nominated Acres Currently in Agriculture Production. <i>(As stated by landowner. See lands eligible for Development Rights Purchase)</i>

Please clearly print or type all information.

3. Please verify and state the total number of acres devoted agricultural use: _____
4. Percent of nominated acres devoted to agricultural use: _____
5. Does the nominated parcel have a minimum of 50% Prime or Unique soils as defined in the attached list?
 Yes No
- Total number of acres = _____ divided by acres of Prime or Unique soils = _____ =
 _____ % Prime/Unique
6. Does the property have ANY type of conservation plan (including RSML) or an appointment to develop a conservation plan? Please explain:

CERTIFICATION

I hereby certify that the statements made above are a true and accurate representation of the facts regarding the nominated property. I also agree to work with this landowner if they are accepted by the Federal Farm and Ranch Lands Protection Program to finalize a required Resource Management System Level conservation plan. USDA NRCS Representative or Soil Conservation District Representative may sign.

Signature of USDA NRCS Representative _____
Date

Lands Eligible for Development Rights Purchase

A parcel of any size is eligible for consideration for development rights purchase, provided that at least 51% of the nominated property is currently devoted to an agricultural use. Agricultural use means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. **The management and harvesting of a wood lot is not an agricultural use under this act.** A farm enrolled in a federal acreage set aside program or federal Conservation Reserve Program (CRP) is considered an agricultural use.

AGRICULTURAL USE DEFINITION

(from Kent County Farmland Preservation Ordinance, Adopted December 2002)

Section 2

B. "Agricultural use" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervida, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. Agricultural use includes use in a federal acreage set-aside program, a federal conservation reserve program, or a wetland reserve program. Agricultural use does not include the management and harvesting of a woodlot.

PRIME OR UNIQUE LAND DEFINITION

The definition of prime, unique, or other productive soil, as defined in Section 1540(c)(1)(A) of the Farmland Protection Policy Act of 1980, as amended, 7 U.S.C. 4201 et seq., is as follows:

- (a) Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber. It does not include land already in or committed to urban development or water storage;
- (b) Unique farmland is specific to each county and will be defined by the Soil Conservation District Agent.

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PART 3 - LOCAL GOVERNMENT INFORMATION

FOR PURCHASE OF DEVELOPMENT RIGHTS (PDR) APPLICATION

This information is required by authority of Part 361 of Act 451 of 1994, as amended for farmland development rights to be considered for purchase by the County of Kent.

Please complete and return (2 sides) to Stacy Byers at the above address by July 31, 2018.

If your Board meeting occurs after this date, please contact Stacy Byers at stacy@sheridanland.com or (616) 632-7878 and inform her of your meeting date.

Please notify the landowner(s) of the date and time their application will be considered by the Board so they are able to attend the meeting and answer any questions the Board may have. Stacy Byers is also willing to attend Board meetings if requested.

1. Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number			Business Name (if applicable)
City	State	Zip Code	Business Telephone Number

PROPERTY INFORMATION

2. County Where Nominated Property Is Located	Township
Kent	
Tax Parcel Number(s) of Nominated Property	
Total Number of Acres Nominated by Landowner	Total Number of Nominated Acres Currently in Agriculture (see "Lands Eligible for Development Rights Purchase")

LOCAL GOVERNMENT OFFICIAL: *Please clearly print or type all information.*

3. Is the resolution the Township passed to allow landowners to apply for the PDR Program still active?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Is the nominated property in an area slated for commercial, industrial, or within a designated urban services district (water and sewer) in the master plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Is the township willing to contribute funds towards the purchase of development rights on this property? If so, please state the amount, if known.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Dollar amount or percentage of the value of development rights: _____		
6. Is the nominated property currently zoned for agricultural use?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
You may want to have the township zoning administrator review the application, particularly if there are reserved future building sites.		
7. Is the property located in an exclusive agricultural zoning district that allows no more than one dwelling unit per 20 acres AND the zoning also allows houses to be built on 3 acre lots or smaller (cluster or open space development)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

8. Has the Township approved this PDR application?

Yes

No

Please attach the record (Board meeting minutes) of approval or denial of application to this form.

CERTIFICATION

We (I) certify that the statements made above are a true and accurate representation of the facts regarding the nominated property.

Signature of Township Planner – if applicable

Date

Signature of Local Government Official

Date

Lands Eligible for Development Rights Purchase:

A parcel of any size is eligible for consideration for development rights purchase, provided that at least 51% of the nominated property is currently devoted to an agricultural use. Agricultural use means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. **The management and harvesting of a wood lot is not an agricultural use under this act.** A farm enrolled in a federal acreage set aside program or federal Conservation Reserve Program (CRP) is considered an agricultural use.