

		<b>FOR OFFICIAL USE ONLY</b>
<b>OTTAWA COUNTY PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM</b>	(Contact Information)	<b>Application Number</b>

## PURCHASE OF DEVELOPMENT RIGHTS (PDR) APPLICATION

*This information is required by authority of Ottawa County Farmland Preservation Ordinance adopted 4/22/2008 and as amended July 23, 2013 for farmland development rights to be considered for purchase by County of Ottawa.*

### ELIGIBILITY CRITERIA

To be eligible to submit this application, all of the following criteria must be met:

- A. The property owner has signed the application, indicating interest in voluntarily selling the development rights to the parcel.
- B. At least 51% of the parcel's area is devoted to an active agricultural use and no more than 49% of the parcel may be devoted to non-agricultural open space consisting of wetlands, woodlands, or otherwise unusable land.
- C. The property is not planned for commercial or industrial uses under the township, city, or village Master Plan.
- D. Agricultural activities are a permitted use on the parcel under all applicable zoning ordinances.

To be eligible to have development rights purchased under this Ordinance, the following requirements must be met:

- A. The development rights ordinance provisions for the PDR program are consistent with the plan upon which the township, city, or village, zoning are based.
- B. The legislative body of the city, village, or township adopts a resolution authorizing the PDR program to apply in the township, city, or village.
- C. The township, city, or village provides the County with written approval to purchase the development rights through the County PDR program.

**APPLICATION DEADLINE: March 31, 2018 at 5pm to: Ottawa County Planning & Performance Improvement Department, 12220 Fillmore St, Rm 260. West Olive, MI 49460**

### PART 1 - LANDOWNER INFORMATION

**LANDOWNER:** Please clearly print or type all information. **Be sure to complete all pages.**

1. Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number		Email Address	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.  
(see lands eligible for Development Rights Purchase)

**PART 1 - LANDOWNER INFORMATION (continued)**

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: _____	Acreage in PA 116: _____
Parcel number: _____	Acreage in PA 116: _____
Parcel number: _____	Acreage in PA 116: _____
Parcel number: _____	Acreage in PA 116: _____

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

Other: \_\_\_\_\_

7. I own the nominated property by: (You must attach a copy of the appropriate document.)	<input type="checkbox"/> Deed	<input type="checkbox"/> Land Contract * * Land Contract Seller's signature must appear on back page indicating agreement with this application.
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8. Ownership of Mineral Rights on the Nominated Property:  
*(Check one box only)*

<input type="checkbox"/> I own all mineral rights.	<input type="checkbox"/> I own some mineral rights. Name the other party that also owns some mineral rights:
<input type="checkbox"/> I do not know who owns the mineral rights.	<input type="checkbox"/> I do not own any mineral rights. Name the other party that owns the mineral rights:

9. 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:

10. **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 <http://gis.miottawa.org/>

**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.

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 County Ordinance for more detail. Applicants excluding a future building site will want to make the sites meet township regulations. New structures and/or improvements that are necessary to continue the farming operation are permitted on land entered into a PDR easement.

**PART 1 - LANDOWNER INFORMATION (continued)**

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

Yes  No If answered No, please explain: \_\_\_\_\_

Answering "No" will not automatically disqualify the application, however the Board will use their discretion on this issue in considering the application.

12. Did you apply for PDR on this property in the past?

Yes  No If yes, please indicate the year(s) in which you applied: \_\_\_\_\_

13. Is the property enrolled in any type of 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 Ottawa 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 State 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.

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

**LOCAL UNIT OF GOVERNMENT SUPPORT**

I certify that the local unit of government supports this application for a purchase of development rights and also certify that the property(ies) listed in the application is(are) not planned for commercial or industrial uses in the local unit of government master plan. Please note, in order for this application to be considered for the program, that the local unit of government must have adopted a resolution supporting the Ottawa County PDR Ordinance. If this application is selected for purchase of development rights, the local unit of government board or council will have an opportunity to approve the purchase of development rights before it is completed by the County).

_____	_____
Authorized Official's Signature	Date

## PART 2 – SCORING SYSTEM CRITERIA

### Section 1: PRIMARY CHARACTERISTICS

These characteristics apply directly to those outlined by the USDA ACEP-ALE grant application.

#### 1. AGRICULTURAL PRODUCTIVITY

What percentage of the property qualifies as prime and unique or locally significant soils as defined in the USDA Soil Conservation Service Soil Survey.

\_\_\_\_\_

#### 2. CREATION OF BLOCKS OF PRESERVED LAND

- a) How many acres are contained in the parcel of farmland? \_\_\_\_\_
- b) Is the parcel located less than 2 miles from other permanently preserved farmland, publicly owned land, conservation land, or agricultural conservation easements?
- Yes       No

*If yes, please indicate distance to nearest permanently preserved farmland, publicly owned land, conservation land, or agricultural conservation easements:*

- Parcel is directly adjacent to preserved land
- Parcel is not adjacent but within ½ mile of preserved land
- Parcel is not adjacent but between ½ to 2 miles of preserved land

*Please list the addresses of the surrounding preserved parcels and the type of preservation that is in place for each parcel:*

\_\_\_\_\_

\_\_\_\_\_

#### 3. MATCHING FUNDS

In order to apply for federal funds, a minimum of 25% of the appraised value of your development rights must be secured. Without matching funds, Ottawa County cannot move forward with your application. Do you as the landowner plan to donate a portion of the development rights value as matching funds?

- Yes       No

*If yes, please indicate the percentage \_\_\_\_\_*

#### 4. CONSERVATION PRACTICES/VALUES

Does the property have a RMSL Soil Conservation Plan?

- Yes       No

*Please attach a confirmation letter from USDA-NCRS verifying that a conservation plan is in place on the parcel.*

#### 5. MAEAP PARTICIPATION/ORGANIC CERTIFICATION

Is the property enrolled in the Michigan Department of Agriculture's Michigan Agriculture Environmental Assurance Program (MAEAP) or certified under the U.S. Department of Agriculture's National Organic Program (NOP)?

- Yes       No

*Please attach a copy of certification from MAEAP or the USDA.*

#### 6. LOCAL AGRICULTURAL PLANNING

Is your parcel designated as Agricultural in the local zoning ordinance?  Yes       No

Is your parcel designated as Agricultural in the local master plan and within Tier B of the Ottawa County Development Plan?

- Yes       No

## 7. ENROLLMENT IN PA 116

Is the parcel enrolled in the Michigan Farmland and Open Space Preservation Act (P.A. 116)?

Yes       No

If yes, please list the percentage of the parcel that is enrolled in a P.A. 116 agreement: \_\_\_\_\_

Please provide verification of PA 116 Enrollment.

## 8. ROAD FRONTAGE

What amount of road frontage does the parcel have?

- No road frontage  
 Road frontage less than ¼ mile  
 Road frontage between ¼ mile to ½ mile  
 Road frontage between ½ mile to ¾ mile  
 Road frontage greater than ¾ mile

Please list all roads where frontage exists and the length of frontage on each road:

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## 9. PROXIMITY TO EXISTING PUBLIC SANITARY SEWER AND/OR WATER

What is the linear distance to existing, usable public sanitary sewer and/or water service (transmission lines not included)?

- Less Than ½ mile from sewer or water  
 ½ Mile or more but less than 1 ½ miles  
 1 ½ Miles or more but less than 3 miles  
 3 Miles or more but less than 5 miles  
 5 Miles or more

Please provide the address of the closest parcel with sewer and/or water lines, and please designate whether the referenced public infrastructure is a water and/or sewer line.

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## SECTION 2 – SECONDARY CHARACTERISTICS

These characteristics are not scored by the federal government. They will be used to select suitable applicants for the local program.

## 10. TYPE OF AG PRODUCTION/LOCAL ECONOMIC IMPACT

a) Is a specialty crop (defined as a vegetable, tree fruit, blueberries, or grapes fit for human consumption or nursery crops) grown on the property?

Yes       No

If yes, please list type of specialty crop(s) grown, and the percentage of the parcel on which they are grown:

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Please provide FSA (Farm Services Agency) records listing the crops that were grown in the previous three years. If FSA records are unavailable, please provide personal crop records.

b) Is a commodity crop (defined as crops which produce fee, food, fiber, or fuel and include hay crops and pastureland) grown on the property?

Yes     No

If yes, please list type of commodity crop(s) grown and the percentage of the parcel on which they are grown:

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*Please provide FSA (Farm Services Agency) records listing the crops that were grown in the previous three years. If FSA records are unavailable, please provide personal crop records.*

c) Is the property located within a MILE of an existing livestock operation? (A livestock operation for this purpose means a farm with more than 100 animal units (EPA definition).

Yes, less than 0.5 miles

Yes, between 0.5 miles and 1 mile

No

If yes, please list address or cross streets of livestock operation:

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d) Does the property produce a locally value added/processed agricultural product or service (to include, but not limited to crops, livestock, food, and fiber or otherwise? The product must receive an added value or be processed within Ottawa County or an adjoining county.

Yes     No

If yes, please list the percentage of the parcel's crops that are processed locally and list the name and address of the facility (ies) where products are processed:

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## 11. AMOUNT OF LAND IN THE SURROUNDING AREA IN AGRICULTURE USE

What amount of land surrounding the parcel is currently in agricultural use? (Agricultural use means 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.)

75% or more of the surrounding land area is in agriculture production

50% or more but less than 75% of the surrounding area is in agriculture production

25% or more but less than 50% of the surrounding area is in agriculture production

Less than 25% of the surrounding area is in agriculture production

*Please list land owner(s) names and the address of their property which surrounds your farm. Further, please provide the percentage of land in each surrounding parcel that is in ag production.*

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**12. UNIQUE ENVIRONMENTAL OR HISTORICAL CHARACTERISTICS**

Is the farm a Centennial Farm or are there other registered historical characteristics?

[ ] Yes      [ ] No

*If yes, please list unique features of your farm:*

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**PART 3 – COST ALLOCATION**

1. County Responsibilities

- a) Appraisal(s)
- b) Title Work
- c) Closing Costs (except Administration Fee)

*The appraisal provided by Ottawa County may not be used for IRS tax purposes. The IRS requires an appraisal that meets uniform standards of professional appraisal practices (USPAP).*

2. Land Owner Responsibilities

- a) Survey Costs
- b) Closing Cost Administration Fee (3% of the Redevelopment Rights Easement Value or \$500, whichever is greater)