

## 8.0 FARMLAND AND OPEN SPACE PRESERVATION

← PLEASE INITIAL

### 8.1 INTRODUCTION

Pine Grove Township has always been a rural Township. As a part of Van Buren County, where agriculture is one of the leading industries, farming is an important part of the Township culture. Over the past 10–15 years however, a transition has taken place, and some of this farmland has been converted to residential development. Pine Grove Township has become a desirable place to live for those seeking a rural estate or homestead outside of Kalamazoo, Allegan, Otsego, or Gobles. As this pressure to develop continues to build, the Township seeks opportunities to protect its valuable remaining farmland and its agriculture heritage.

In September 2004, Van Buren County passed a Farmland and Open Space Preservation Ordinance enabling communities within the County to create their own Preservation Plans. Then, lands designated in those plans for preservation would be eligible to apply for the Purchase of Development Rights (PDR) Program from the State of Michigan. This section fulfills the requirements of Van Buren County and the State of Michigan. It explains why farmland and open space should be protected, what means will be used to protect it, and how the areas to be protected were selected. The areas to be protected are displayed on the Future Land Use Map, shown in Section 7.

The PDR program allows development rights to be purchased from landowners in participating townships in Van Buren County who farm at least 51% of their property. The amount a landowner may receive for selling his/her development rights is the difference between the value of the land as farmland and its value if sold for development. In order to be eligible, not only must the property be located in a designated portion of an eligible Township's future land use map and have at least 51% active agriculture area, but it must also meet the following criteria:

- Be at least 20 acres in size or located adjacent to already preserved land or a viable agricultural entity.
- Mineral rights must be either owned by the landowner or subordinated when the development rights are acquired.
- A 25% match is required by the Michigan Department of Agriculture, which can be accomplished not only through private payment, but also through grants, tax levy, or by reduction of payment received by the landowner.

Funding for the program by Van Buren County is received from the Michigan Department of Agriculture. Applications for funds are scored by the Land Preservation Board based on established scoring criteria, and the top scoring applications are selected to receive appraisals.

The scoring of the applications and the scoring criteria are established on the County level without Township involvement. While the criteria reflect the goals of the Township, the Township has a particular interest in preserving the remaining large parcels and

California, Missouri & New York at a cost of \$17.50 - \$27.50 per acre

significant natural features in the Township. The number of agricultural property owners in the community is decreasing, and the number of large contiguous parcels for farming is decreasing as well. These are an important asset for the agricultural community, and the Township would like this tool to be used to protect these lands from being split up by development. Similarly, the wetlands, woodlands, gullies, and ravines that exist throughout the Township, around the lakes, and along the streams and drains are an important environmental and aesthetic asset to the community. They protect the water quality and are an important component of the rural character. However, development of adjacent lands often means the destruction of these natural features. By preserving farmland and providing an alternative to development, this can be avoided.

## 8.2 DEFINITIONS - AGRICULTURAL AND OPEN SPACE LANDS

The Township Zoning Act, P.A. 184 of 1943, as amended and the Farmland and Open Space Preservation Act, P.A. 116 of 1974, as amended by P.A. 262 of 2000, define *agriculture lands* as:

“Substantially undeveloped land devoted to the production of plants and animals useful to humans, including forage and sod crops; grains; feed crops and field crops; dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities.”

*Open Space* defined by the Farmland and Open Space Preservation Act, is land that meets one of the following definitions:

- Any undeveloped site included in a national registry of historic places or designated as a historic site pursuant to state or federal law;
- Riverfront ownership subject to designation under part 305, (P.A. 451 of 1994) to the extent that full legal descriptions may be declared open space under the meaning of this part, if the undeveloped parcel or government lot parcel or portions of the undeveloped parcel or government lot parcel as assessed and owned is affected by that part and lies within 1/4 mile of the river;
- Undeveloped lands designated as environmental areas under part 323, including unregulated portions of those lands;
- Any other area approved by the local governing body, the preservation of which area in its present condition would conserve natural or scenic resources, including the promotion of the conservation of soils, wetlands, and beaches; the enhancement of recreation opportunities; the preservation of historic sites; and idle potential farmland of not less than 40 acres that is substantially undeveloped and because of its soil, terrain, and location is

capable of being devoted to agricultural uses as identified by the department of agriculture.”

To a large extent, it is the Township's responsibility to designate the specific parcels of land that meet these definitions. This has typically been based on the land that is remaining unbuildable or engaged in active agriculture

### 8.3 FARMLAND AND OPEN SPACE PRESERVATION IN PINE GROVE TOWNSHIP

The concept of preserving farmland is a recent concept in Pine Grove Township. There was no need for it in the past. Agriculture was a dominant industry and the primary land use. Pine Grove Township had not yet faced the type of pressure it faces today.

Then, more and more people discovered the rural Township, and residential development brought many new residents to the community. Lots along road frontage began to be sold off, and large agricultural parcels were converted to residential development. Economic pressures were dictating land use decisions, and the rural character that attracted the new residents to the community was rapidly disappearing.

Nonetheless, in the face of these pressures and these changes, policies existed to protect the farmland and open space in the Township.

- **2000 Master Plan.** In 2000, the Township amended its 1992 General Development Plan. There were several issues that prompted the update to the General Development Plan including the loss of family farms and farmland, the lack of cluster or open space housing options, and the amount of development along rural road frontage. These items were addressed in the goals and objectives of the 2000 Master Plan. The Plan describes some of the pressures the agricultural land was facing at that time and various methods available to relieve them while still maintaining the rural character and farming practices. It indicates, however, that several major farms were lost in the period between 1992 and 2000 to provide space for residential development. Finally, one of the goals of the Plan is to “Preserve the agricultural lands of the Township being used for farming and undeveloped / open space areas in order to maintain the rural character of the community.”
- **Zoning Ordinance.** The primary means of protecting farmland and open space through the Zoning Ordinance is with the minimum lot area requirement. The minimum lot area in the Agriculture zoning district is two (2) acres. This size allows for some division of individual home sites but is too large for most subdivisions and other larger development. The Zoning Ordinance also includes provisions allowing for Open Space Preservation Development, which conserves at least 50% of any development site.

#### 8.4 CREATING A FARMLAND AND OPEN SPACE PRESERVATION POLICY

On \_\_\_\_\_, the Pine Grove Township Planning Commission passed a Resolution stating their intention to create a farmland and open space preservation policy and partner with the County's program. During this process of updating the Master Plan, it has been confirmed that farmland and open space preservation is an important element of future planning in the Township.

- **Community Surveys.** Two community surveys were distributed to residents of the Township to gauge public interest in a Farmland and Open Space Preservation Program. The first survey was a very short post card sent to agricultural property owners owning 20 acres or more. Fifty-three (53) people responded (approximately 50% response rate) with overwhelming interest (85% in favor). A second survey was assembled to gather additional information and confirm citizen interest. This survey had ten questions and asked for more information about the interest. Forty-four (44) of the 250 surveys that were sent out at random were returned for a response rate of 17.6%. About two-thirds of respondents owned farmland and one third did not. Almost 70% of respondents strongly agreed and over 92% agreed or strongly agreed that the Township should do "everything in its power to protect farming and agricultural operations in the Township." Over 78% of the people surveyed even agreed to support using Township tax revenues to preserve active farmland. These results show clear positive support for the program and its inclusion in this Plan. (A summary of the results and a list of all the written comments included with the second survey are provided in the Appendix.)
- **Public Meetings.** During the time leading up to the Master Plan update, the Township and Planning Commission held public meetings to discuss the County PDR program and the possible update of the plan. Two such meetings were held and were attended by staff from the County MSU Extension who administers the PDR program. The meetings included a presentation on the program and an explanation of what individuals would have to do to take advantage of the program and what the Township would have to do to take advantage of the program. The first session was held in the summer of 2005 with the second being held in the fall of 2005. The first session had a higher attendance than the second, but they were both fairly well attended by a broad spectrum of the Township population, not just agricultural property owners.

#### 8.5 REASONS TO PRESERVE TOWNSHIP FARMLAND AND OPEN SPACE

It has already been established that the farmland and open space in Pine Grove Township contributes to the aesthetic appeal and character of the area. This draws people to the area, creating demand for development, increasing property values, and benefiting the community. However, if left unchecked, uncontrolled growth and development will destroy more of this area and take with it the appeal and character of

the community. This is certainly one reason for enabling this farmland and open space preservation option during the Master Plan update process. There are other reasons for protecting farmland and open space as well.

### *Van Buren County Agricultural Economy*

Agriculture is an economic cornerstone in the Township. Although only 4.2% of Township residents are employed in the industry, it is the most significant use of land in the Township (2000 U.S. Census). Furthermore, this is a higher percentage of employment than in the County (3.8%), which is one of the leading agricultural producers in the State. The U.S. Census does not provide information documenting the value of agricultural production on a township basis. However, the amount of land dedicated to agriculture relative to other commercial and industrial uses underscores its economic importance in the community.

The U.S. Department of Agriculture, National Agriculture Statistics Service (USDA-NASS) prepares a census of agricultural statistics every five years for Counties. The most recent agricultural census in Van Buren County was done in 2002.

In 2002, there were 1,160 farms in Van Buren County. Those farms covered 176,260 acres at an average of 152 acres per farm. The market value of all products sold in 2002 was \$96,724,000. The estimated market value of production per farm on average in 2002 was \$83,382.

These numbers, when compared to the results from the 1997 agricultural census, show the impact of increasing economic and development pressures. The number of farms has decreased 5% (1,217 to 1,160). The land in farms has decreased 7% (189,432 acres to 176,260 acres). The market value of production has decreased 8% (\$104,868,000 to \$96,724,000). Finally the average government payment per farm has increased 57% (\$4,764 to \$7,473).

Economically, the increase in the value of the land has far outpaced the increase in the value of the agricultural products. The estimated market value of land and buildings has increased over 25% between 1997 and 2002 (\$373,099,000 to \$467,397,000). Meanwhile, the market value of production has decreased by 8%. (This does not account for inflation). This demonstrates the pressure being placed on farmers to give up farming and begin developing their property.

Specialty crops, such as berries and vegetables, are certainly a considerable component of the agricultural picture in Van Buren County. The County is the State's top producer of berries and second highest producers of vegetables. Since 1997, the number of acres harvesting vegetables has fallen from 12,132 to 10,553 in 2002, just over 13%. The number of berry farms has also decreased from 237 to 201 between 1997 and 2002. However, the number of acres in those farms has increased from 7,682 acres to 7,840 acres.

### *Township Recognizes Importance of Agriculture*

Although these statistics are for the entire County, they include and are representative of Pine Grove Township. As a part of Van Buren County and in affirmation of the County Farmland and Open Space Preservation Ordinance, the Township acknowledges the importance of agriculture in the economic and social fabric of the community. The farms and farm products establish the rural character of the community and provide tourist draws for the area, such as farm markets and you-pick farms.

Farmland, with rich soils built up over years of planting and use, are a natural resource not to be wasted or permanently lost to development. So far, efforts through the County to prevent this have been largely ineffective, and the recent influx of population growth and development pressure in the Township indicates that past efforts made by Pine Grove Township would also be ineffective. This plan in conjunction with the County program is seen as a significant tool in the protection of this essential community reserve.

### *Provides Public Benefit*

Establishing a Farmland and Open Space Preservation Plan and protecting these lands will provide specific public benefits to the residents of Pine Grove Township.

1. Lessening congestion on certain streets, roads and highways;
2. Promoting the concentration of population in appropriate areas;
3. Lessening scattered urban sprawl development, which will lead to increased efficiencies in the provision of governmental services;
4. Retention of the historic, rural character of the Township necessary for the continuation of the Township vision and the tourism industry;
5. Increasing opportunities and incentives for young farmers to carry on the agricultural legacy important to the Township;
6. Supporting existing efforts to cooperatively plan communities;
7. Maintaining quality hunting, fishing, and other recreational activities;
8. Retention of large blocks of farmland suitable for economic agricultural production purposes;
9. Retention of large blocks of open space including woodlands, wetlands, and wildlife habitat to protect the natural environment of the Township including the protection of rivers, streams, and underground aquifers; and

10. Encouraging the most appropriate use of land throughout the Township.

The first step in establishing the Farmland and Open Space Preservation area was to begin preparation of the Future Land Use Map. The Farmland and Open Space Preservation Area would be shown on the Future Land Use Map within the areas designated Agricultural Preservation. The first step was therefore to determine where Agricultural area would be located, and then to determine where within this area the Farmland and Open Space Preservation opportunity would be permitted.

**8.6 FARMLAND AND OPEN SPACE PRESERVATION ELIGIBLE AREAS**

Specifics about the purpose of the Agricultural Preservation area are included in the Future Land Use Chapter of this Plan. Selection of lands to be included within this area was based on the results of the public input process, population projections, and data received from the existing land use survey, the opportunity and constraints analysis, the natural resources analysis, and the maps of wetlands and prime soils.

In order to determine which lands would be eligible for the program, a considerable amount of information was utilized. The Planning Commission considered the natural features, existing land uses, currently enrolled P.A. 116 lands, and soil features when making their determination. They also discussed the issue with local experts and members of the farming community.

When they set out to make lands eligible for the program, their goal was to protect prime, active farmland. Also, they wanted to provide a tool that could be used to protect open space, rural character, and natural features as well as the rural character of the Township. Finally, they wanted this to be an easy program to understand and use so that it was more likely to be implemented by the landowners of the Township. Achieving these goals within the proposed Agricultural Preservation area of the Township established the eligibility of practically the entire area. Therefore, the Planning Commission determined that the entire Agricultural Preservation area shall be eligible for enrollment in the Farmland and Open Space Preservation Program.

However, even though these lands may be listed as eligible at this point does not necessarily mean that application for funding will be accepted. There are site specific requirements for the County's Farmland and Open Space Preservation Program, including that the land must meet the definition of "agricultural lands" and "open space" as provided at the beginning of this chapter, which determine the specific qualifications of each property.

The Agricultural Preservation area will incorporate additional strategies to protect the farmland and open space resources. These will include reduced densities than in other parts of the Township, cluster/open space development, shared driveway and driveway spacing standards to reduce development along road frontages, as well as inclusion in the PDR program. This means that property owners within this area will be eligible to

sell their development rights to the County using the State funds set aside for this purpose. This makes it more economically feasible for the owner to continue farming.

The Agricultural Preservation area, and therefore the areas eligible for inclusion in the Farmland and Open Space Preservation program, is shown on the Future Land Use Map in Section 7, previously in this Document. (Maps showing the areas enrolled in the PA 116 Program and demonstrating the currently sizes of parcels in the Township are shown here.)