Farmland & Open Space Preservation Program Enrollment

WHAT IS FARMLAND & OPEN SPACE PRESERVATION PROGRAM

The Michigan Department of Agriculture and Rural Development's Farmland and Open Space Preservation Program is designed to protect farmland and open space through agreements that restrict development and provide tax incentives for program participation.

How does the landowner benefit from enrollment in the program?

Landowners may be entitled to an income tax credit equal to the amount of the property taxes on the land, less 3.5% of the total household income. This tax credit is in addition to the Homestead Property Tax Credit, for which the landowner may already be qualified.

Qualified land enrolled under an agreement may be exempt from special assessments for sanitary sewers, water, lights, or non-farm drainage, unless the assessments were imposed prior to the recording of the farmland agreement.

TAX YEAR DEADLINE

Tax credits may be claimed this year for fully approved applications if the local approval is completed by Nov. 1. Days in this graphic refer to calendar days.

APPLICATION RESULTS

Approved
The applicant must record the agreement with the Register of Deeds and return a copy to MDARD.

Rejected
The landowner is informed of the reasons for rejection. The landowner may appeal directly to MDARD within 30 days.

No Action Taken
MDARD does not receive responses from the landowner or the local governing body, and informs the landowner of rejection.

1 LANDOWNER

New landowner applicants should check eligibility requirements:

- 40 or more acres
  - At least 51% agricultural use
- 5 acres or more, but less than 40 acres
  - At least 51% agricultural use
  - $200 gross annual income from agriculture per acre cleared and tillable land
- Specialty farm (15 or more acres)
  - $2,000 gross annual income
  - Designated by MDARD as a specialty farm

The landowner completes the application accurately and provides the following supporting documents:

- ○ Copy of the most recent property tax assessment notice or tax bill
- ○ Copy of recorded deed(s) or land contract(s)
- ○ Map of the farm with structures and natural features
- ○ Assessor statement specifying current fair market value

Landowner submits the application and supporting documents to the clerk of the local governing body.

2 LOCAL GOVERNING BODY

The local clerk receives the application and supporting documents from the landowner and issues a receipt.

- The local clerk sends copies of the application to the local conservation district and county or regional planning commission to review and comment.

  REVIEWING AGENCIES HAVE 30 DAYS TO PROVIDE COMMENTS.

- The local clerk presents the application at the next scheduled meeting of the local governing body.

Local governing body approves or rejects the application.

THEY HAVE 45 DAYS TO APPROVE OR REJECT APPLICATION.

Approved – Local governing body forwards approved application and supporting materials to MDARD.

THE LOCAL GOVERNING BODY HAS 10 DAYS TO NOTIFY LANDOWNER AND MDARD.

Rejected – The landowner is informed of the reasons for rejection.

No Action Taken – The application is treated as a rejection, and the landowner may appeal the rejection to MDARD.

Local governing body sends the approved application and supporting documents to MDARD.

3 MDARD

MDARD receives the application and supporting documents from the local governing body.

- MDARD verifies the application has been filled out accurately and approved by the local governing body, and reviews for approval or rejection.
- If MDARD needs to address missing information, documents, or other concerns, they will contact the landowner and the local governing body for the correct items.
- **MDARD APPROVES OR REJECTS THE APPLICATION WITHIN 60 DAYS OF RECEIPT.**

  MDARD may reject an application if documents are insufficient to determine ownership, parcel size, parcel use, or income (if appropriate).

LANDOWNER IS NOTIFIED WITHIN 15 DAYS OF DATE OF APPROVAL OR REJECTION.

Scan QR code or go to Michigan.gov/Farmland for more information.

Michigan Department of AGRICULTURE & Rural Development

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