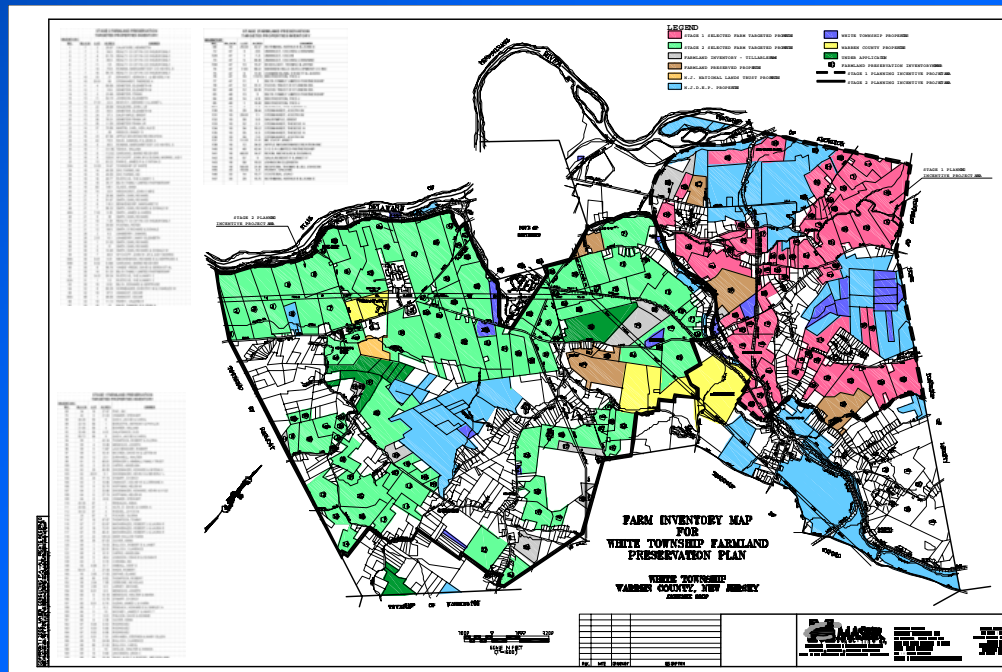




# *Municipal Planning Incentive Grant Program*



# *Proposed Regulations*

*March 2, 2007*

# *Goals of Rule Changes*

- ❑ Reduce time required for acquisition
- ❑ Expend Garden State Preservation Trust (GSPT) funds in a timely fashion
- ❑ Streamline and simplify procedures
- ❑ Reduce redundancy of processing
- ❑ Insure quality of all farms preserved

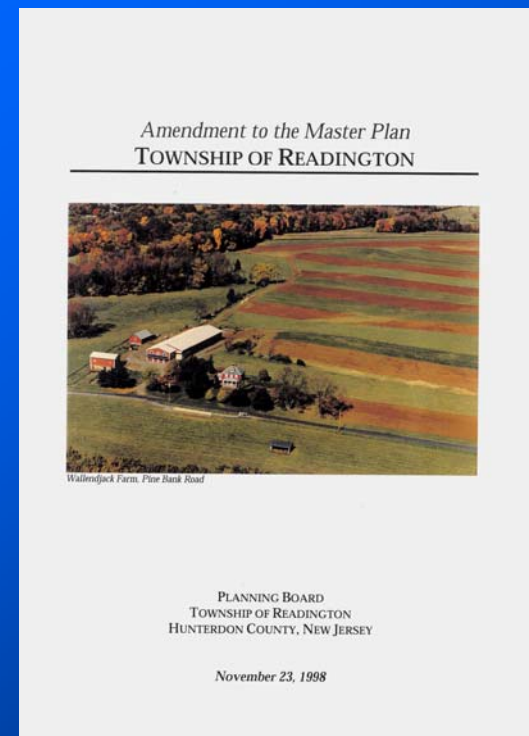
# *Primary Program Changes*

- ❑ Create COUNTY Planning Incentive Grant (PIG) Program separate from MUNICIPAL PIG program
- ❑ Establish minimum quality standards that all farms in every SADC program must meet

# *Municipal PIG Program*

*(New Subchapter 17A)*

- ❑ Municipal Eligibility (2:76-17A.3)
  - ✓ Agricultural Advisory Committee
  - ✓ Dedicated funding source
  - ✓ Municipality adopts a Farmland Preservation Master Plan Element
  - ✓ Right-to-Farm Ordinance



# *Municipal Farmland Preservation Master Plan Element (2:76-17A.3(a)3)*

## ☐ Pursuant to Municipal Land Use Law

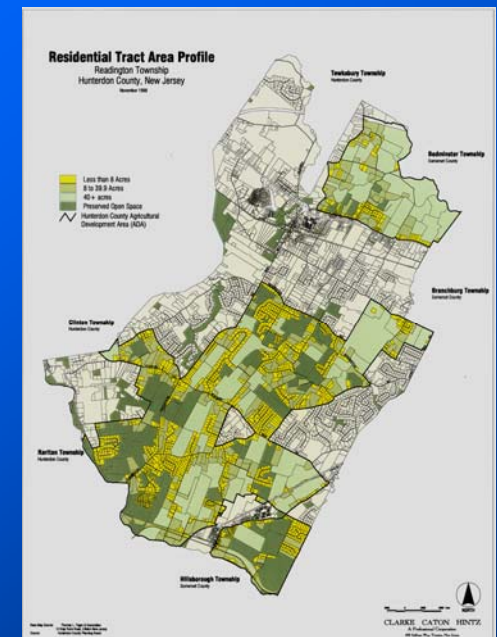
(Paragraph 13 of Section 19 of P.L. 1975, c. 291 (N.J.S.A. 40:55D-28b(13)))

- ✓ Inventory of All Farm Property in Municipality
- ✓ Map of Significant Areas of Farmland
- ✓ Detailed Statement Showing that Municipal Plans and Ordinances Support and Promote Agriculture as a Business
- ✓ A Plan for Preserving as Much Farmland as Possible in the Short Term by Leveraging Monies Made Available by the GSPT Act  
(Option Agreements, Installment Purchases, Donations, etc.)

# *Municipal Farmland Preservation Plan*

*(17A.4)*

1. Adopted Farmland Preservation Master Plan Element
2. Map and Description of Agricultural Resource Base
  - ✓ Proposed Project Areas
3. Land Use Planning Context
  - ✓ County Agricultural Development Area(s)
  - ✓ Consistency with County and Other Farmland Preservation Initiatives
  - ✓ Consistency with Municipal, Regional & State Land Use Planning and Conservation Initiatives



# *Municipal Farmland Preservation Plan*      *(17A.4 continued)*

## 4. Municipality's Farmland Preservation Activities

- ✓ Program Goals and Objectives
  - Municipal Dedicated and/or Available Funding
  - Funding Plan Consistent with 1-, 5- and 10-Year Projections

## 5. Agricultural Economic Development Initiatives

## 6. Other Farmland Preservation Techniques



# *Municipal Farmland Preservation Plan* (17A.4 continued)

## 7. Farmland Preservation Policies, Guidelines, Standards

- ✓ Municipal Minimum Eligibility Criteria or Standards
  - Addressing SADC Minimum Quality Standards (6.20)
- ✓ Adopted Application Ranking Criteria
  - Addressing SADC Ranking Criteria at a Minimum (6.16)
- ✓ Other Municipal Applications Policies, Guidelines or Standards

## 8. Staff and/or Consultant Program Support

## 9. Other Relevant Information

*SADC Guidelines Under Development*

# *Project Area Summaries (17A.5)*

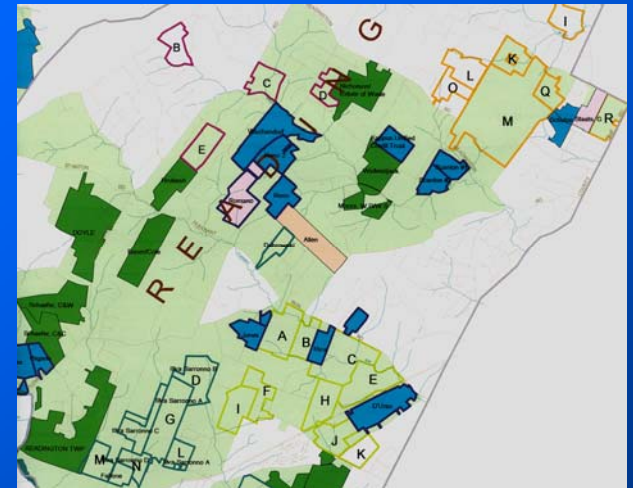
## *PIG Enabling Act: N.J.S.A. 4:1C-43.1*

*“To be eligible to apply for a grant, a county or municipality shall identify project areas of multiple farms that are reasonably contiguous and located in an ADA”*

*“...funding criteria shall be applied to the project area as a whole ... and priority shall be given to those application that utilize... leveraging”*

# *Project Area Summaries (17A.5)*

- ❑ Inventory of number of farms w/ individual and aggregate acreage, for each of the following:
  - ✓ Targeted farms
  - ✓ Already preserved or approved for farmland preservation
  - ✓ 8 year programs
  - ✓ Preserved, compatible open space
- ❑ Aggregate size of project area
- ❑ Density
- ❑ Soil productivity
- ❑ Cost estimates; any multi-year plan for purchase; leverage



# *Municipal PIG Submission Procedures*

- ❑ Municipal PIG Application Procedures (17A.6)
  - ✓ Submit Municipal Farmland Preservation Plan and Project Area Summaries by 12/15 of 1<sup>st</sup> year
  - ✓ Submit Amended Plan and Project Area Summaries in Subsequent Years (*if amended*)
  - ✓ Mandatory notice and interface with county
- ❑ SADC Review (17A.7)
  - ✓ Determine all components are complete and accurate, or, notify municipality of deficiencies
  - ✓ Determine all project area summaries complete and accurate
  - ✓ Grant preliminary approval to plan and appropriate project areas

# *Municipal PIG Funding (17A.8)*

- SADC establishes a preliminary funding eligibility to the municipality for all Project Areas receiving approval
  - ✓ Estimated Total Cost of Easement Acquisitions
    - 10-Year Plan Requiring \$1 million / year = \$10 million Total Cost
  - ✓ Estimated SADC Cost Share Based on Municipal, County or Statewide Average
    - \$10 million Total Cost x 65% = \$6.5 million
  - ✓ Eligibility Established at 75% of Total SADC Cost Share, subject to:
    - Available Funds Earmarked by SADC for Municipal PIGs
    - Maximum Eligibility Limited to \$1.5 million / year
    - SADC can Increase Maximum Allocation based on Annual Review

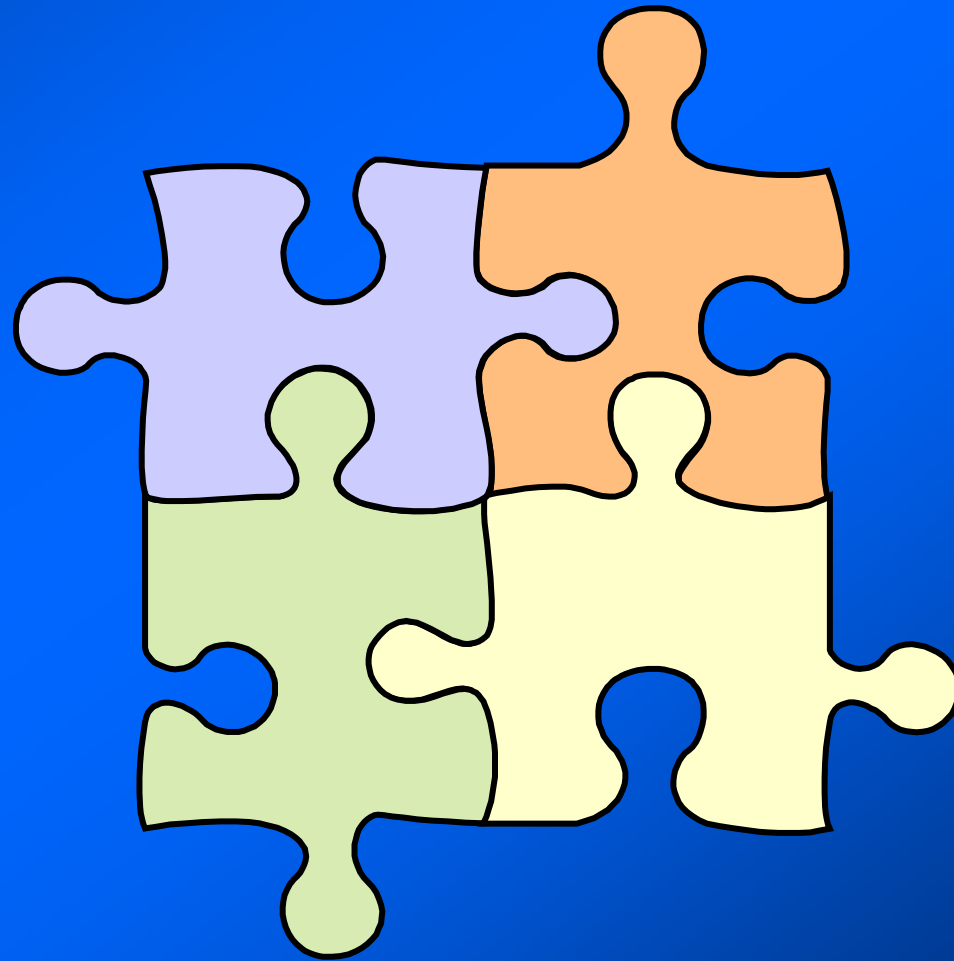
## *Municipal PIG Funding - continued*

- ❑ SADC submits preliminary funding eligibility to the Garden State Preservation Trust
  - ✓ Including notice of future funding requests for installment purchases
- ❑ SADC will monitor the municipality's funding plan annually (17A.17) and adjust the eligibility of funds based on progress in implementing its funding plan
  - ✓ Municipality shall expend its funding eligibility within 3 years from the date of appropriation or risk loss of funds or future funding

# *Individual Farm Application Procedures*

- ❑ Municipality submits landowner application and all GIS information to SADC for review prior to commencing appraisals (17A.9)
- ❑ SADC issues “green light” approval
- ❑ Municipality conducts appraisals (17A.10)
- ❑ SADC certifies easement value (17A.11)
- ❑ Landowner offer made; if accepted, SADC and local final approvals obtained
- ❑ If landowner rejects offer of  $\geq$  CFMV, SADC shall not accept the same application (from same owner) in any program for 2 years from orig. application date (17.12)

# *Implementation Timeline*



# *Transitioning “Out” of Old Rules*

*(SADC Policy P-50 – Approved February 22, 2007)*

- All PIG applications shall proceed under the new rules unless:
  - ✓ Both appraisals were authorized prior to effective date of the new rule (executed contract), AND
  - ✓ Valuation date of both appraisals is prior to effective date of new rule
- 1998 zoning/appraisal provision applies only to PIG funds appropriated thru FY08
- Strongly encourage expenditure of all PIG appropriations made thru FY08 by June 30, 2008

# *Transitioning “In” To New Rules*

- ❑ SADC will offer informal “green light” reviews during transition for counties and municipalities already commencing appraisals for FY09 round
  
- ❑ SADC to develop standard forms/format for submission of all requests for approval required under new rules
  - ✓ “Green light” approval requests
  - ✓ Final approval requests
  - ✓ Improve standard landowner application form
  - ✓ Web access to all resources



# *Minimum Quality Standards for all SADC Programs (6.20)*

- For farms  $\leq$  10 acres in size:
  - i. Land produces ag./hort. products of  $\geq$  \$2,500/yr.
  - ii. At least 75% tillable, or a minimum of 5 acres, whichever is less
  - iii. At least 75% of farm has soils capable of supporting ag/hort production, or a minimum of 5 acres, whichever is less
  - iv. Land must exhibit development potential
  - v. Land shall not contain more than 80% wetlands or slopes  $>$  15%

# *Minimum Quality Standards for all SADC Programs (6.20)*

- For farms > 10 acres in size:
  - i. At least 50% tillable, or a minimum of 25 acres, whichever is less
  - ii. At least 50% of farm has soils capable of supporting ag/hort production, or a minimum of 25 acres, whichever is less
  - iii. Land must exhibit development potential
  - iv. For farms < 25 acres, land shall not contain more than 80% wetlands or slopes > 15%

# *Rules for Locally Acquired Fee Simple Projects (6.23)*

- ❑ Local government must submit application within 3 subsequent funding rounds, or 3 years from date of acquisition
- ❑ SADC will base its cost share on the least of the following:
  - ✓ CFMV of easement
  - ✓ Purchase price, less certified “after” value
  - ✓ Purchase price, less actual resale value
- ❑ If underlying fee is not yet sold, grant agreement will provide for pro-rata reimbursement