



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

July 7, 2026

Angie Thygesen, Deputy Clerk
Vienna Township
3400 W. Vienna Rd.
Clio, MI 48420

**SUBJECT: Farmland Open Space (FOS) – 06-26-01; Vienna Township – Kurt Kern,
Section 6, Tax Roll #18-06-200-025**

Dear Ms. Thygesen:

At a regular meeting held on July 7, 2026, the Genesee County Metropolitan Planning Commission took the following action (memorandum enclosed). Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as P.A. 116, established the right of a landowner, if all qualifications are met, to enter into a temporary restrictive agreement where the owner and the state agree to jointly hold the right to develop a parcel of farmland. Your application for Farmland and Open Space Review has been reviewed as noted above.

Action Taken: Motion by Deborah Cherry, supported by Ian Shetron, to approve staff recommendation as provided in 06-26-01; Vienna Township – Kurt Kern, Farmland Agreement.

MOTION CARRIED UNANIMOUSLY

Should you have any questions, please feel free to contact me at (810) 257-3010.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Christine A. Durgan'.

Christine A. Durgan, Assistant Director
Genesee County Metropolitan Planning Commission

Enclosures

Derek Bradshaw, Director Christine Durgan, Assistant Director

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MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Dan Moulton, Planning Specialist

DATE: July 7, 2026

SUBJECT: FOS-06-26-01; Vienna Township – Kurt Kern – Application For Farmland Agreement

I. LEGISLATIVE BASIS FOR GCMPC REVIEW

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as P.A. 116, enacted in 1974, establishes the right of a landowner, if all qualifications are met, to enter into a temporary restrictive agreement where the owner and the state agree to jointly hold the right to develop a parcel of farmland. This covenant is an agreement to not develop the property except as specifically stated within the agreement. The covenant runs with the land and is for a jointly agreed upon length of time (at least 10 years). Upon receipt of an application, the local governing body has 45 days to approve or reject the application. Within this 45-day period, the local governing body must seek comment from a number of bodies including "the county or regional planning commission". Any comment received is strictly advisory as "these reviewing agencies do not have an approval or rejection power over the application".

II. STAFF ANALYSIS

The request for comment from the Genesee County Metropolitan Planning Commission was received within the required 45-day period starting at the onset of application.

The parcel, located in Vienna Township, is identified as T-9N, Section 6, R-6E, Parcel #18-06-200-025. The parcel is 52.7 acres, of which all is used for cash crop production. There are no buildings on the property. The parcel is located along Webster Rd. to the east, North Elms to the west, West Lake to the South, and West Willard and the County line to the north. This parcel meets the criteria for eligibility as it is greater than 40 acres and over 51% agriculturally active.

The Vienna Township Current Zoning District Map, last updated in March 2021, designates the parcel as Agricultural. The surrounding parcels are designated as Agricultural, Single-Family Residential or Vacant/Fallow. Vienna Township's Future

Derek Bradshaw, Director Christine Durgan, Assistant Director

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Land Use Map, adopted in October 2020, designates the parcel as Agriculture and all surrounding parcels as either Agriculture or Single Family Residential.

A major goal of the Vienna Township Master Plan, adopted in October 2021, is farmland preservation. The plan polled residents and found that 85% either strongly or somewhat agree that the rural areas in the township should be encouraged to stay agricultural. Since the parcel is currently zoned as Agricultural, preserving the parcel is consistent with the goal of the Master Plan and the opinion of Vienna Township residents.

Preserving the parcel is also consistent with goals set forth by GCMPC. Agriculture is an important element of Genesee County's economy as mentioned in the *Genesee: Our County, Our Future* Master Plan. The plan states that there are over 1,000 producers related to farming in Genesee County. Cash crops, like those produced on this parcel, have a "market value of products sold topping \$74 million annually".

There are fourteen other parcels that are protected under P.A. 116 in Vienna Township.

The requested length of preservation is 50 years.

III. STAFF RECOMMENDATION

Pursuant to the provisions of Public Act 116, staff recommends that the Genesee County Metropolitan Planning Commission submit the following comments to Vienna Township in regards to FOS-06-26-01:

1. This parcel is eligible for Farmland and Open Space preservation. The parcel meets the criteria of being greater than 40 acres in size and a minimum of 51% of the land is agriculturally active.
2. The enrollment of the parcel in P.A. 116 is consistent with Vienna Township's Current and Future Land Use Plans. This parcel's preservation under P.A. 116 is supported by goals within the Township's Master Plan.

IV. MAP OF PARCEL

Please see the following page for a map of parcel #18-06-200-025.