

HARFORD COUNTY BILL NO. 17-005

Brief Title (Agricultural Preservation Easement Incentive)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Mylie A. Dixon  
Council Administrator

Date 5/2/17

**ENROLLED**

Richard C. Nutty  
Council President

Date 5/2/17

**BY THE COUNCIL**

Read the third time.

Passed: LSD 17-014

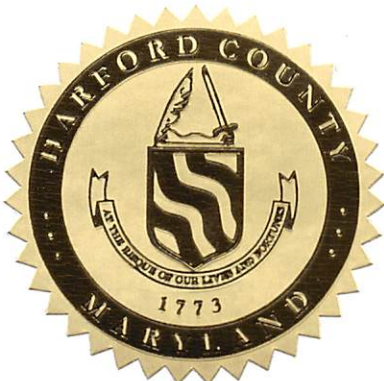
Failed of Passage: \_\_\_\_\_

By Order

Mylie A. Dixon  
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3<sup>rd</sup> day of May, 2017 at 3:00 p.m.

Mylie A. Dixon  
Council Administrator



**BY THE EXECUTIVE**

[Signature]  
COUNTY EXECUTIVE

APPROVED: Date 5/18/17

**BY THE COUNCIL**

This Bill No. 17-005 having been approved by the Executive and returned to the Council, becomes law on May 18, 2017.

EFFECTIVE: July 17, 2017

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 17-005

Introduced by Council President Slutzky at the request of the County Executive

Legislative Day No. 17-010 Date March 21, 2017

AN ACT to repeal and reenact, with amendments, Subsection J, Value of easement; and to add new Subsection T, Tax credit, of Section 60-12, Agricultural preservation easement, of Article II, Agricultural Land Preservation and Purchase of Development Rights Program, of Chapter 60, Agriculture, of the Harford County Code, as amended; to provide for a one-time cash incentive for properties located in the Agricultural Preservation Incentive area; to set forth the potential for a tax credit; and otherwise related to the Agricultural Preservation Program.

By the Council, March 21, 2017

Introduced, read first time, ordered posted and public hearing scheduled

on: April 18, 2017

at: 7:00 PM

By Order: *Mylin A. Dixon*, Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 18, 2017, and concluded on April 18, 2017.

*Mylin A. Dixon*, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1           WHEREAS, the County has a long history of supporting Agricultural Preservation; and

2           WHEREAS, in addition to ongoing efforts, the County has identified a need to encourage  
3 additional participation in Agricultural Preservation that supports the implementation of a Green  
4 Infrastructure Plan as established in Harford Next; and

5           WHEREAS, the County is seeking to incentivize property owners in certain areas to include  
6 their farms in the Agricultural Preservation Program; and

7           WHEREAS, this will help the County to preserve its rural heritage while at the same time  
8 focusing growth in strategic areas intended for development.

9           NOW THEREFORE,

10 Section 1.     Be It Enacted By The County Council of Harford County, Maryland that Subsection J,  
11 Value of easement, of Section 60-12, Agricultural preservation easement, be, and it is hereby,  
12 repealed and reenacted, with amendments; and that Subsection T, Tax credit, be, and it is hereby, added  
13 to Section 60-12, Agricultural preservation easement, of Article II, Agricultural Land Preservation and  
14 Purchase of Development Rights Program, of Chapter 60, Agriculture, of the Harford County Code,  
15 as amended, and all to read as follows:

16     **Chapter 60. Agriculture**

17     **Article II. Agricultural Land Preservation and Purchase of Development Rights Program**

18     **§ 60-12. Agricultural preservation easement.**

19     J.     Value of easement.

20           (1)    The actual easement value paid to a landowner shall be based on an overall evaluation  
21                   of the property using factors such as size, development potential, best management  
22                   practices and soil productivity and percentage of soil class. The easement value paid  
23                   shall be either the maximum easement per acre value or the maximum development

1 right value, whichever is lower, and in no case will the easement value exceed the  
2 maximum per acre cap. The maximum easement value per acre value is determined by  
3 the total valuation number multiplied by the base multiplication easement value.

4 (2) The base multiplication easement value, the maximum development right value and the  
5 per acre cap shall be reviewed by the Agricultural Land Preservation Advisory Board  
6 every 6 months taking into consideration market conditions, funding and demand.  
7 Upon the recommendation of the Harford County Agricultural Land Preservation  
8 Advisory Board, the Department of Planning and Zoning shall establish a base  
9 multiplication easement value, a maximum per acre value and a maximum per  
10 residential development right/confirmed family conveyance value that the County is  
11 willing to pay a landowner.

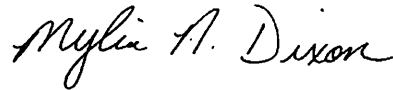
12 (3) NOTWITHSTANDING ANYTHING CONTAINED HEREIN, THE APPLICANT, IN  
13 THE DISCRETION OF THE COUNTY AND UPON REVIEW BY THE  
14 AGRICULTURAL LAND PRESERVATION ADVISORY BOARD, MAY RECEIVE  
15 A ONE-TIME CASH INCENTIVE IF THE PROPERTY SUBJECT TO THE  
16 EASEMENT IS IN THE "AGRICULTURAL PRESERVATION INCENTIVE"  
17 AREA OF THE COUNTY AS SET FORTH ON THE 2017 AGRICULTURAL  
18 PRESERVATION INCENTIVE MAP WHICH SHALL BE KEPT ON FILE IN THE  
19 DEPARTMENT OF PLANNING AND ZONING. THIS ONE-TIME CASH  
20 INCENTIVE SHALL BE CALCULATED PURSUANT TO A FORMULA  
21 APPROVED BY THE DEPARTMENT OF PLANNING AND ZONING. THIS  
22 ONE-TIME CASH INCENTIVE SHALL NOT AFFECT THE POINTS SYSTEM OR  
23 RANKING OF THE SUBJECT PROPERTY.

1  
2 T. TAX CREDIT. LANDOWNERS MAY BE ELIGIBLE FOR A TAX CREDIT UNDER  
3 SECTION 123-43.3.1 OF THE HARFORD COUNTY CODE.

4 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
5 it becomes law.

EFFECTIVE: July 17, 2017

*The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.*



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Council Administrator