



**Office of the County Executive
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ANNE ARUNDEL COUNTY GOVERNMENT RELATIONS OFFICE

Legislative and Fiscal Summary of Administration Legislation

To: Members, Anne Arundel County Council

From: Ethan Hunt, Director of Government Affairs /s/

Date: June 15, 2026

Subject: Bill No. 55-26 – Subdivision and Development – Agricultural and Woodland Land Preservation – Real Property Taxes – Land Preservation Tax Credit

This summary was prepared by the Anne Arundel County Government Relations Office for use by members of the Anne Arundel County Council during consideration of Bill No. 55-26.

Summary

This legislation, introduced at the request of the Administration on behalf of the Office of Planning and Zoning, updates the Anne Arundel County Agricultural and Woodland Preservation Program, which was last updated in 1999. The Program regulations are out of date and the Program needs to adjust to changes in the County Zoning Code and to meet the changing landscape and operations on farms, a need that is highlighted in the County’s General Development Plan, Plan2040, and the Region 8 and 9 Plans as well. *See* Plan2040 Goal NE3 (Expand, enhance and continue to protect the County’s greenways, open space, rural areas, including the Priority Preservation Area (PPA); Strategy NE3.3.e. Update program regulations for the Agriculture and Woodland Preservation Program to correct outdated Code references, and to revise the permitted uses within the Agricultural and Woodland Preservation Program to include accessory uses on minimal acreage that will not interfere with farming operations, as well as other rural economy uses; Region 9 Plan Strategy NE4. Evaluate and, if feasible, revise the County Agricultural Preservation Program to support farms under 50 acres and allow more flexibility of uses, like agri-tourism). The Program is governed by Article 17 of the Anne Arundel County Code and the Program Regulations. Therefore, any changes to the Program necessitate legislation. Some elements of the Regulations are proposed to be placed into the County Code and others that are more process-related are proposed to be incorporated into an

Note: This Legislative and Fiscal Summary provides a synopsis of the legislation as introduced. It does not address subsequent amendments to the legislation.

administrative policies and procedures document created and maintained by the Planning and Zoning Officer.

The County's Agricultural and Woodland Preservation program was established in 1990 and is a "purchase of development rights" program. County easements are voluntary and "in perpetuity." Permitted activities on land preserved under the program include timbering or any agricultural use of the land. General requirements are that the parcel must have 50 acres of agricultural land or more, meet certain soils criteria, and have an active Soil and Water Quality Conservation Plan, or have a minimum of 25 acres of contiguous woodland with an active Forest Stewardship Plan. Payment is 60% of the appraised Fair Market Value, depending County funding availability. As of November 30, 2024, the program protects 6,732 acres. A full summary of the program background, planning process and outreach, and recommendations arising from that outreach, is available on the County website¹ and has been provided to the Council. Additionally a program update webpage is available at: <https://www.aacounty.org/planning-and-zoning/agricultural-preservation/program-regulations-update>.

The legislation makes the following changes based on recommendations from the public outreach process:

1. *Update references in County Code.* The bill accounts for changes in Code since 1999. This includes references to the Zoning Code and the Water and Sewer Master Plan.
2. *Property Tax Credit*
 - a. The bill applies the tax credit for agricultural land preservation directly to properties in agricultural preservation easements. Landowners will need to renew the tax credit every 10 years, but will not need to sign Agricultural District Agreements, so it reduces paperwork and redundancy.
 - b. The Bill allows properties under Rural Legacy Conservation Easements to receive the same tax credit. Under current County Code, Maryland Agricultural Land Preservation Foundation (MALPF) and County agricultural preservation easement properties already are eligible. State enabling legislation was passed in 2026 to allow Rural Legacy easement properties to also be eligible. *See* Acts of the Maryland General Assembly 2026, Chs. 619, 620.
3. *Change from Program Regulations to Administrative Policies and Procedures.* Currently, the defining elements of the program are divided between the County Code and adopted Program Regulations. The Bill moves the key elements of the program into the County Code (including eligibility criteria and the price paid for easements) and supplements them with Administrative Policies and Procedures that outline details of implementation.

¹ See <https://www.aacounty.org/sites/default/files/2025-12/summary-ag-and-woodland-pres-program-outreach.pdf>

4. *Eligibility Criteria for an Agricultural Preservation Easement*

- a. The Bill reduces the minimum size required for easements to 30 acres if the land is next to other preserved land. The minimum size for subdivision in the RA zoning district is 30 acres. Currently, the minimum size for easements is 50 acres for agricultural land and 25 acres for woodlands.
- b. For agricultural easements, the Bill provides an option for a soils expert to conduct an assessment to demonstrate soil productivity if mapped soils don't meet criteria.
- c. Current program regulations require that an easement be outside the Public Sewer and Water Service Areas. The Bill moves this requirement into the County Code, based on the recommendations from stakeholder engagement.
- d. Current program regulations require that an easement be on property in an RA, RLD, R1, or OS Zoning Districts. The Bill moves this requirement into the County Code, based on the recommendations from stakeholder engagement.
- e. Current law requires that in order for a property to be eligible for an Agricultural Preservation Easement, it must have an approved Soil Conservation and Water Quality Plan. This is not changing.
- f. Current law requires that in order for a property to be eligible for an Agricultural Preservation Easement, the property must have subdivision or other development potential. This is not changing.

5. *Purchase Price for a County Agricultural Preservation Easement.* Currently, the easement price is set in county regulations as 60% of the Fair Market Value. The bill increases this to 70% of the Fair Market Value, which is an increase from the current 60% of Fair Market Value in County regulations, and closer, but lower than the Maryland Agricultural Land Preservation Foundation (MALPF) cap of 75% of Fair Market Value.

6. *Agricultural Preservation Subdivision.* The Bill would allow for subdivision of property under easement for agricultural purposes. This would be a new change for Anne Arundel County, but is allowed under MALPF and Rural Legacy easements, and in some other Maryland counties. In order for a property under easement for agricultural purposes to be subdivided, it must comply with the following criteria

- a. The original parcel must be more than 60 acres;
- b. After subdivision, each lot must be at least 30 acres; an exception to this limit may be made based on physical characteristics such as separation of land by a public road;
- c. The subdivision plan must be reviewed and recommended by the Agricultural Preservation Advisory Board (Board);
- d. No net additional dwelling units are permitted; and

- e. Updated agricultural preservation easements are recorded on the newly created parcels.
7. *Release of an Unrestricted Lot.* Release of an unrestricted lot is currently allowed in the County Code. The Bill clarifies this existing option allowed in Anne Arundel County Code, which was complicated by the Zoning Code update in 2005 that removed family conveyance lots. Release of a limited number of residential lots is allowed under MALPF and Rural Legacy easements. The Bill adds the following conditions for releasing an unrestricted lot:
- a. The original parcel must be over 50 acres. This ensures there is subdivision potential for at least 3 lots in an RA zoning district, so if there is an existing house and one lot released there is still one development right that has been removed by the easement.
 - b. The new lot shall be limited to 40,000 square feet, and be located to minimize impacts on the agricultural operation. The lot size may be increased to 80,000 square feet if necessary to meet requirements of the Department of Health
 - c. The lot size and location must be reviewed and recommended by the Board
 - d. The landowner must repay the County for the value of the land released from the preservation easement based on 70% of current fair market value of the land for new easements and 60% for existing easements purchased prior to this Code update (to match the percentage County paid for the easement).
8. *Regulations.* The Bill provides that the Planning and Zoning Officer shall prepare and maintain administrative policies and procedures related to the implementation of the program, with review by and input from the Agricultural Preservation Advisory Board. The policies and procedures are to be posted on the county website and publicly available upon request. Additionally, the regulations entitled “Anne Arundel County Agricultural Land and Woodland Preservation Program”, and dated August 1999, shall apply only to preservation districts created and preservation easements entered into during the effective period of those regulations.

Purpose

The purpose of this legislation is to update the Anne Arundel County Agricultural and Woodland Preservation Program, which was last updated in 1999.

Fiscal Impact

Please see the Fiscal Note that the Budget Office has prepared describing the fiscal impact of this legislation.

Additional Information

The Government Relations Office is available to answer any additional questions regarding this Bill. Specific questions should be directed to Lori Blair Klasmeier, Office of Law,

Christina Pompa, or Michael Stringer, Office of Planning & Zoning. Thank you.

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
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