

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2026, Legislative Day No. 13

Bill No. 55-26

Introduced by Ms. Hummer, Chair
(by request of the County Executive)

By the County Council, June 15, 2026

Introduced and first read on June 15, 2026
Public Hearing set for July 6, 2026
Bill Expires September 18, 2026

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Finance, Taxation, and Budget – Real Property Taxes –
2 Land Preservation Tax Credit – Subdivision and Development – Agricultural Land and
3 Woodland Preservation
4

5 FOR the purpose of modifying provisions related to the agricultural land real property tax
6 credit; modifying the definition of “agricultural preservation subdivision”; modifying
7 provisions relating to the establishment of the County agricultural land preservation
8 areas and program; modifying and adding certain definitions applicable to the County
9 agricultural and woodland preservation program; modifying the membership, duties,
10 quorum, and actions of the Agricultural Preservation Advisory Board; modifying the
11 procedures and requirements for the establishment of County agricultural and
12 woodland preservation districts; modifying provisions related to the use of land in a
13 County agricultural or woodland preservation district; modifying the procedures for
14 termination or modification of a County agricultural or woodland preservation district;
15 modifying the program for acquiring County land preservation easements; modifying
16 provisions relating to the application by a landowner for the sale of a County
17 preservation easement; modifying provisions related to the valuation and County
18 priority for purchase of preservation easements; modifying provisions related to the
19 donation of preservation easements to the County; repealing a certain provision relating
20 to a right to sell land in an agricultural district or under an easement; adding provisions
21 allowing the release of certain land from a County preservation easement under certain
22 conditions; adding provisions allowing corrections to County preservation easements
23 under certain conditions; adding a provision allowing the County to inspect property
24 under a County preservation easement under certain conditions; modifying a provision
25 relating to public access to land under a County preservation easement; repealing a

EXPLANATION: CAPITALS indicate new matter added to existing law and taglines.
[[Brackets]] indicate matter deleted from existing law and taglines.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 provision relating to regulations adopted in 1999; adding a provision relating to the
2 preparation and maintenance of administrative policies and procedures related to the
3 County agricultural land preservation program; modifying the application of the
4 County land preservation program regulations adopted in 1999; making certain stylistic
5 changes; and generally relating to finance, taxation, and budget, and subdivision and
6 development.

7
8 BY repealing: §§ 17-10-210 and 17-10-212
9 Anne Arundel County Code (2005, as amended)

10
11 BY repealing, reenacting, and renumbering, with amendments: § 17-10-211 to be § 17-10-
12 213
13 Anne Arundel County Code (2005, as amended)

14
15 BY repealing and reenacting, with amendments: §§ 4-2-302; 17-1-101(5); 17-10-101; 17-
16 10-102; and 17-10-201 through 17-10-209
17 Anne Arundel County Code (2005, as amended)

18
19 BY adding: §§ 17-10-210 through 17-10-212; and 17-10-214
20 Anne Arundel County Code (2005, as amended)

21
22 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
23 *That §§ 17-10-210 and 17-10-212 of the Anne Arundel County Code (2005, as amended)*
24 *be repealed.*

25
26 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
27 Code (2005, as amended) read as follows:

28
29 **ARTICLE 4. FINANCE, TAXATION, AND BUDGET**

30
31 **TITLE 2. REAL PROPERTY TAXES**

32
33 **4-2-302. Agricultural land, WOODLANDS, AND RURAL LEGACY AREAS.**

34
35 (a) **Creation.** There is a **[[10-year]]** tax credit **[[from]]** AGAINST County real property
36 taxes levied on **[[agricultural land and woodland if the]]** property **[[is]]** included in:

37
38 (1) an agricultural LAND preservation **[[district as provided in]]** PROGRAM
39 ESTABLISHED UNDER SUBTITLE 5 OF TITLE 2 OF the Agriculture Article**[[, § 2-509,]]** of the
40 State Code**[[, or]]**;

41
42 (2) a County **[[agricultural]]** PRESERVATION district **[[as provided in §§ 17-10-201,**
43 **et seq. of this Code and the landowner has agreed to remain in the district for at least 10**
44 **years]]** ESTABLISHED UNDER SUBTITLE 2 OF TITLE 10 OF ARTICLE 17 OF THIS CODE;

45
46 (3) A COUNTY AGRICULTURAL OR WOODLAND PRESERVATION EASEMENT
47 ESTABLISHED UNDER SUBTITLE 2 OF TITLE 10 OF ARTICLE 17 OF THIS CODE; OR

48
49 (4) A RURAL LEGACY AREA, AS DEFINED IN § 5-9A-02 OF THE NATURAL RESOURCES
50 ARTICLE OF THE STATE CODE, IF THE LANDOWNER HAS SOLD THE DEVELOPMENT RIGHTS

1 UNDER THE RURAL LEGACY PROGRAM ESTABLISHED UNDER SUBTITLE 9A OF TITLE 5 OF
2 THE NATURAL RESOURCES ARTICLE OF THE STATE CODE.

3
4 (B) **DURATION.** THE DURATION OF THE CREDIT SHALL BE THE LESSER OF 10 YEARS OR
5 THE PERIOD OF TIME THAT THE PROPERTY REMAINS ELIGIBLE FOR THE CREDIT.

6
7 ~~[(b)]~~ (C) **Time for filing application.** An application for the tax credit created by this
8 section shall be filed on or before October 1 of the first taxable year for which the ~~[[10-~~
9 ~~year tax]]~~ credit is sought. If the application is filed after October 1, the credit shall be
10 disallowed that year but shall be treated as an application for a tax credit ~~[[for]]~~ BEGINNING
11 the next succeeding taxable year.

12
13 ~~[(c)]~~ (D) **Form of application.** An application for the tax credit shall be submitted to
14 the Controller on forms that the Office of Finance requires~~[[;]]~~ AND be accompanied by:

15
16 (1) proof that ~~[[the landowner has entered into a binding agreement with the State~~
17 ~~or County to retain the landowner's property in an agricultural preservation district or a~~
18 ~~County agricultural district for 10 years commencing with the year in which application is~~
19 ~~made]]~~ THE PROPERTY MEETS THE REQUIREMENTS OF SUBSECTION (A); and

20
21 (2) ~~[[be under oath, containing]]~~ a declaration UNDER OATH preceding the signature
22 of the applicant to the effect that it is made under the penalties of perjury ~~[[provided by]]~~
23 IN ACCORDANCE WITH § 1-201 OF the Tax-Property Article~~[[, § 1-201,]]~~ of the State Code.

24
25 ~~[(d)]~~ (E) **Review by Planning and Zoning.** The Office of Planning and Zoning shall
26 review each application for a tax credit and certify that the property qualifies for the credit.

27
28 ~~[(e)]~~ (F) **Calculation.** The ANNUAL tax credit shall be calculated and credited based
29 on the total taxable assessment on land that is subject to an agricultural use assessment and
30 up to \$250,000 of the total taxable assessment on all buildings on the property.

31
32 ~~[(f)]~~ (G) **Reapplication.** ~~[[At]]~~ THE LANDOWNER MAY REAPPLY FOR THE TAX CREDIT
33 IF, AT the ~~[[end]]~~ EXPIRATION of the ~~[[10-year period]]~~ TAX CREDIT, ~~[[if]]~~ the landowner
34 ~~[[elects to remain in the district for an additional 10 years and enters into a binding~~
35 ~~agreement with the State or County, the landowner may reapply]]~~ CONTINUES TO QUALIFY
36 for the tax credit.

37
38 ~~[(g)]~~ (H) **Termination OF A PRESERVATION DISTRICT.** If a landowner terminates ~~[[a~~
39 ~~property as an agricultural preservation district or a County]]~~ AN agricultural OR
40 WOODLAND PRESERVATION district before the expiration of any ~~[[10-year]]~~ period
41 DURING WHICH THE LANDOWNER RECEIVES THE TAX CREDIT UNDER THIS SECTION
42 without the approval of the State or County, the landowner shall be liable for all property
43 taxes that ~~[[any owner of the property]]~~ would have been ~~[[liable for]]~~ DUE if the property
44 tax credit had not been granted under this section, and interest and penalties on those taxes
45 computed as provided under § 4-1-103. The TERMINATION OF AN AGRICULTURAL OR
46 WOODLAND PRESERVATION DISTRICT IN CONJUNCTION WITH THE granting of an easement
47 to the County or Maryland Agricultural Land Preservation Foundation does not ~~[[terminate~~
48 ~~the tax credit]]~~ CONSTITUTE A TERMINATION UNDER THIS SUBSECTION.

TITLE 1. DEFINITIONS

17-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, the definitions of words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(5) “Agricultural preservation subdivision” means a subdivision of land in a State agricultural preservation program for which an agricultural preservation easement has been acquired pursuant to SUBTITLE 5 OF TITLE 2 OF the Agriculture Article[[, Title 2, Subtitle 5,]] of the State Code, [[and]] OR, AS PERMITTED UNDER § 17-10-210(C), a subdivision of land in a County agricultural preservation program for which an agricultural easement has been acquired pursuant to this Code[[, including a subdivision under an easement that permits subdivision of “family conveyance lots.”]].

TITLE 10. AGRICULTURAL LAND PRESERVATION

17-10-101. Agricultural land preservation areas.

(a) **Establishment; uses.** In accordance with SUBTITLE 5 OF TITLE 2 OF the Agriculture Article[[, Title 2, Subtitle 5,]] of the State Code, agricultural land preservation areas may be established in the County. Each agricultural land preservation area shall provide for the protection of and permit the following normal agricultural activities:

(1) [[any farm use of land]] FARMING AS DEFINED IN § 18-1-101 OF THIS CODE;

(2) operation at any time of machinery used in farm production or the primary processing of any agricultural products;

(3) any normal agricultural activities and operations, in accordance with good husbandry practices, that do not cause bodily injury or directly endanger human health, including activities that may produce normal agriculturally related noise and odors; and

(4) the sale of farm products produced on the farm where the sales are made.

(b) **Official maps.** Official maps of agricultural land preservation areas shall be [[located at]] MAINTAINED BY the Office of Planning and Zoning AND SHALL BE AVAILABLE TO THE PUBLIC. [[The official maps shall be made current at least once a year by June 30 of each year and shall be published at the same scale as the tax maps of the Department of Assessments and Taxation.]]

17-10-102. Agricultural land preservation program.

In accordance with SUBTITLE 5 OF TITLE 2 OF the Agriculture Article[[, Title 2, Subtitle 5,]] of the State Code, the County agricultural land preservation area program is established by this [[title]] TITLE, on formal notification to the County Council by the Maryland Agricultural Land Preservation Foundation. Each district agreement, [[together with property]] descriptions of the property in each agricultural land preservation area[[,]] AND

1 EACH AGRICULTURAL LAND PRESERVATION EASEMENT shall be maintained in an official
2 file and shall be available from the Office of Planning and Zoning.

3
4 **17-10-201. Definitions.**

5
6 In this subtitle, the following words have the meanings indicated:

7
8 (1) ~~[[“Agricultural Land Coordinator means an individual appointed by the~~
9 ~~Planning and Zoning Officer to assist the landowner concerning the establishment of a~~
10 ~~County agricultural district or the sale of an easement and to administer the provisions of~~
11 ~~this subtitle.~~

12
13 (2) ~~]] “Agricultural Preservation Advisory Board” means a board that is established~~
14 ~~in accordance with [[the Agriculture Article,]] § 2-504.1[[,]] OF THE AGRICULTURE~~
15 ~~ARTICLE of the State Code AND § 17-10-202[[, and contains at least one member with a~~
16 ~~forestry background or experience]].~~

17
18 (2) “AGRICULTURAL PRESERVATION DISTRICT” MEANS A DISTRICT THAT
19 CONTAINS AGRICULTURAL LAND AND IS ESTABLISHED IN ACCORDANCE WITH § 17-10-203.

20
21 (3) “AGRICULTURAL PRESERVATION EASEMENT” MEANS A COVENANT RUNNING
22 WITH THE LAND THAT LIMITS THE USES PERMITTED ON A PROPERTY TO AGRICULTURE
23 USES.

24
25 ~~[[3)] (4) “Agriculture” [[means the science, art, and business of cultivating the~~
26 ~~soil; producing crops; breeding, boarding, or training of animals; horticulture; apiaries;~~
27 ~~hydroponics; viticulture; forestry;]] HAS THE MEANING OF “FARMING” UNDER § 18-1-101 OF~~
28 ~~THIS CODE, INCLUDING ANY USES ACCESSORY TO FARMING AS ALLOWED UNDER ARTICLE~~
29 ~~18, and ANY OTHER related agricultural activities as [[approved]] RECOMMENDED by the~~
30 ~~Agricultural Preservation Advisory Board AND APPROVED BY THE PLANNING AND ZONING~~
31 ~~OFFICER.~~

32
33 (5) “CONFRONTING PARCELS” MEANS PARCELS OF LAND THAT WOULD ABUT OR
34 ADJOIN BUT FOR A PUBLIC OR PRIVATE ROAD RIGHT-OF-WAY.

35
36 (6) “CONTIGUOUS PARCELS” MEANS PARCELS OF LAND THAT SHARE A BOUNDARY
37 LINE.

38
39 ~~[[4)] “County agricultural district” means a district that contains agricultural land~~
40 ~~or woodlands and is established in accordance with § 17-10-203.]]~~

41
42 (7) “DEVELOPMENT POTENTIAL” MEANS THE LEGAL RIGHT TO SUBDIVIDE OR
43 DEVELOP LAND OR CONVERT LAND TO NON-AGRICULTURAL USE IN ACCORDANCE WITH
44 ARTICLES 17 AND 18 OF THIS CODE.

45
46 ~~[[5)] (8) “Easement” means a covenant running with the land that limits the uses~~
47 ~~permitted on a property [[to agriculture and woodlands uses]].~~

48
49 ~~[[6)] (9) “Foundation” means the Maryland Agricultural Land Preservation~~
50 ~~Foundation.~~

1 [[(7)]] (10) “Landowner” means a person owning or having an interest in land
2 situated within Anne Arundel County.

3
4 (11) “PRESERVATION DISTRICT” MEANS AN AGRICULTURAL PRESERVATION
5 DISTRICT OR A WOODLAND PRESERVATION DISTRICT.

6
7 (12) “PRESERVATION EASEMENT” MEANS AN AGRICULTURAL PRESERVATION
8 EASEMENT OR WOODLAND PRESERVATION EASEMENT.

9
10 [[(8)]] “Productive agricultural land” means land eligible to be included in a State
11 agricultural district in accordance with regulations promulgated by the Foundation.

12
13 (9) “State agricultural district” means an agricultural district established in
14 accordance with the provisions of the Agriculture Article, Title 2, Subtitle 5, of the State
15 Code.]]

16
17 [[(10)]] (13) “Woodland” means a land area dominated by trees and other woody
18 plants including trees and woody plants that have been cut but not cleared and managed
19 under an approved forest management plan prepared by a registered forester.

20
21 (14) “WOODLAND PRESERVATION DISTRICT” MEANS A DISTRICT THAT CONTAINS
22 WOODLANDS AND IS ESTABLISHED IN ACCORDANCE WITH § 17-10-203.

23
24 (15) “WOODLAND PRESERVATION EASEMENT” MEANS A COVENANT RUNNING
25 WITH THE LAND THAT LIMITS THE USES PERMITTED ON A PROPERTY TO WOODLAND USES,
26 INCLUDING TIMBER HARVESTING.

27
28 **17-10-202. Agricultural Preservation Advisory Board.**

29
30 (a) **Establishment[; duties].** There is an Agricultural Preservation Advisory Board
31 WHOSE MEMBERS SHALL BE APPOINTED AND SERVE IN ACCORDANCE WITH § 2-504.1 OF
32 THE AGRICULTURE ARTICLE OF THE STATE CODE. AT LEAST ONE OF THE MEMBERS SHALL
33 HAVE A BACKGROUND AND EXPERIENCE IN FORESTRY.

34
35 (b) **DUTIES.** [[with]] THE BOARD SHALL HAVE the following duties and responsibilities:

36
37 (1) to advise the County concerning the establishment of County agricultural AND
38 WOODLAND PRESERVATION districts and purchases of PRESERVATION easements WITHIN
39 THE COUNTY by the County OR BY THE FOUNDATION;

40
41 (2) to assist the County [[government]] in reviewing the status of County
42 agricultural AND WOODLAND PRESERVATION districts and land [[under]] SUBJECT TO A
43 PRESERVATION easement;

44
45 (3) to advise the County AND THE FOUNDATION concerning County priorities for
46 agricultural and woodland preservation;

47
48 (4) TO APPROVE OR DISAPPROVE AN APPLICATION BY THE COUNTY FOR
49 CERTIFICATION OR RECERTIFICATION UNDER § 5-408 OF THE STATE FINANCE AND
50 PROCUREMENT ARTICLE;

1 [[(4)]] (5) to promote preservation of agriculture within the County by [[fostering
2 such activities as a farmers' market and by]] offering information and assistance to farmers
3 concerning establishment of County agricultural PRESERVATION districts and the purchase
4 of PRESERVATION easements;

5
6 (6) TO MEET AT LEAST ANNUALLY WITH FOREST CONSERVATION DISTRICT
7 BOARDS TO WORK COOPERATIVELY TO ENCOURAGE THE PROMOTION AND RETENTION OF
8 AGRICULTURAL LAND AND WOODLAND IN THE COUNTY;

9
10 [[(5)]] (7) to make recommendations to the County Executive concerning budget
11 and appropriation requests RELATED TO COUNTY AGRICULTURAL AND WOODLAND
12 PRESERVATION DISTRICTS AND PRESERVATION EASEMENTS;

13
14 [[(6)]] (8) to recommend the delineation of areas of productive agricultural land in
15 the County;

16
17 [[(7)]] (9) to recommend procedures concerning the determination of values of
18 PRESERVATION easements;

19
20 [[(8)]] (10) to review and make recommendations to the County concerning
21 [[proposed regulations]] ADMINISTRATIVE POLICIES AND PROCEDURES for [[State and]]
22 County agricultural AND WOODLAND PRESERVATION districts;

23
24 [[(9)]] (11) to prepare and review recommendations to the County concerning
25 County policies and programs for agricultural and woodland preservation;

26
27 [[(10)]] (12) to seek the advice of and cooperate with the Agricultural Extension
28 Service, the Soil Conservation District, and the State foresters in carrying out its
29 responsibilities; and

30
31 [[(11)]] (13) to perform other[[,]] duties RELATED TO AGRICULTURAL AND
32 WOODLAND PRESERVATION as may be assigned by the County [[Council or County
33 Executive]].

34
35 [[(b)]] (C) **Meetings.** The Board shall meet at the direction of the Chair or on the request
36 of two members of the Board, but [[in]] no [[event]] less than [[once every three months]]
37 FOUR TIMES PER YEAR.

38
39 [[(c)]] **Decisions.** Decisions of the Board shall be made if a majority of the members is
40 present at a meeting and if a majority of the members present concurs.]]

41
42 (D) **QUORUM; ACTIONS OF THE BOARD.** A QUORUM CONSISTS OF A MAJORITY OF THE
43 VOTING MEMBERS OF THE BOARD. AN AFFIRMATIVE VOTE OF A MAJORITY OF THOSE
44 VOTING MEMBERS PRESENT AT ANY MEETING AT WHICH THERE IS A QUORUM SHALL BE
45 SUFFICIENT FOR ANY ACTION OF THE BOARD.

46
47 [[(d)]] (E) **Staff support.** The Office of Planning and Zoning shall provide staff support
48 to the Board.

1 ~~[(e)]~~ (F) **Public ethics issues.** Notwithstanding the provisions of Article 7 of this
2 Code, a person may be appointed to and may serve on the Agricultural Preservation
3 Advisory Board even if the person has a PRESERVATION district agreement with the ~~[[State~~
4 ~~or]]~~ County or has sold ~~[[an]]~~ A PRESERVATION easement on the person’s agricultural land
5 or woodland to the State or County. Nothing in this subsection excuses a member of the
6 Agricultural Preservation Advisory Board from compliance with ~~[[§ 7-3-101]]~~ § 7-5-101 of
7 this Code.

8
9 **17-10-203. Procedures, requirements for establishment of County agricultural OR**
10 **WOODLAND PRESERVATION district.**

11
12 (a) **Establishment procedures.** The following procedures shall be used to establish a
13 County agricultural PRESERVATION district OR A COUNTY WOODLAND PRESERVATION
14 DISTRICT~~[[:]~~.

15
16 (1) Any landowner whose land either in whole or in part is devoted to agriculture
17 or woodlands or otherwise meets the criteria of this subtitle may file a petition with the
18 Office of Planning and Zoning requesting the establishment of a County agricultural
19 PRESERVATION district OR A COUNTY WOODLAND PRESERVATION DISTRICT on that land.

20
21 (2) The petition shall include maps and descriptions of the current use of the land
22 in the proposed district and the names and addresses of all adjacent property owners.

23
24 (3) ~~[[All]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (4), land proposed to be placed in
25 a County agricultural OR WOODLAND PRESERVATION district must MEET THE FOLLOWING
26 REQUIREMENTS:

27
28 (i) 1. include at least 50 contiguous OR CONFRONTING acres ~~[[for]]~~ OF
29 agricultural land or ~~[[at least 10 contiguous acres for]]~~ woodlands; OR

30
31 2. IF CONTIGUOUS TO OR CONFRONTING LAND SUBJECT TO A
32 PRESERVATION EASEMENT OR OTHER PRESERVATION OR CONSERVATION AGREEMENT,
33 INCLUDE MORE THAN 30 ACRES; AND

34
35 (II) EACH PARCEL OF CONFRONTING LAND MUST CONTAIN AT LEAST 10 ACRES;

36
37 (III) 1. AT LEAST 50 PERCENT OF AGRICULTURAL LAND MUST BE IN U.S.
38 DEPARTMENT OF AGRICULTURAL SOIL COMPATIBILITY CLASSES I, II, III, OR IV, AND CLASS
39 IV SOILS MUST MEET THE C3 AND D2 SLOPE CLASSIFICATIONS; OR

40
41 2. IF NOT WITHIN THE REQUIRED SOIL COMPATIBILITY CLASSES, BE
42 APPROVED BY THE PLANNING AND ZONING OFFICER BASED ON SOIL ANALYSIS AND
43 INFORMATION OBTAINED FROM THE UNIVERSITY OF MARYLAND COOPERATIVE
44 AGRICULTURAL EXTENSION SERVICE, ANNE ARUNDEL COUNTY SOIL CONSERVATION
45 DISTRICT, OR OTHER QUALIFIED SOURCE ON SOIL CAPABILITY AND PRODUCTIVITY ON
46 AGRICULTURAL LAND;

47
48 ~~[[ii]]~~ (IV) be ~~[[located outside water and sewer categories 1, 2, and 3 shown]]~~
49 IN THE “NO PUBLIC SERVICE” WATER AND SEWER CATEGORIES MAPPED in the Anne
50 Arundel County Master Plan for Water Supply and Sewerage Systems; ~~[[and]]~~

1 [[(iii)] (V) have an approved soil CONSERVATION and water [[conservation]]
2 QUALITY plan [[prepared]] APPROVED by the Anne Arundel Soil Conservation District;

3
4 (VI) BE ZONED RA, RLD, R1, OR OS; AND

5
6 (VII) BE CURRENTLY ASSESSED AS AGRICULTURAL BY THE MARYLAND STATE
7 DEPARTMENT OF ASSESSMENTS AND TAXATION PURSUANT TO § 8-209 OF THE TAX-
8 PROPERTY ARTICLE OF THE STATE CODE.

9
10 (4) AGRICULTURAL AND WOODLAND PRESERVATION DISTRICT AGREEMENTS IN
11 EFFECT AS OF THE EFFECTIVE DATE OF BILL NO. 55-26 MAY BE RENEWED WITHOUT
12 MEETING THE REQUIREMENTS OF THIS SUBSECTION.

13
14 [[(4) Within 60 days after] (5) AFTER receipt of a petition, the Planning and Zoning
15 Officer shall determine whether to approve the establishment of a County agricultural OR
16 WOODLAND PRESERVATION district.

17
18 [[(5) In making a determination, the Planning and Zoning Officer:

19
20 (i) shall consider the provisions of the General Development Plan; and

21
22 (ii) may not approve the establishment of a district on property on which further
23 development is precluded by law or by contract.]]

24
25 (b) **County's offer to purchase PRESERVATION easement.** A landowner's acceptance
26 of an offer from the County for the purchase of [[an]] A PRESERVATION easement under §
27 17-10-208(d) may be the basis for establishment of [[a]] AN AGRICULTURAL OR
28 WOODLAND PRESERVATION district, without the necessity of the landowner making
29 application to establish a district.

30
31 (c) **[[Establishment of district.]] DISTRICT AGREEMENT.** Following approval by the
32 Planning and Zoning Officer or on acceptance of an offer from the County for the purchase
33 of [[an]] A PRESERVATION easement, a County agricultural OR WOODLAND
34 PRESERVATION district shall be established on execution by the landowner of a district
35 agreement that incorporates the conditions that are set forth in the [[regulations]]
36 ADMINISTRATIVE POLICIES AND PROCEDURES adopted under [[§ 17-10-212]] § 17-10-214.

37
38 **17-10-204. Use of land in County agricultural OR WOODLAND PRESERVATION district.**

39
40 (a) **Special exception and variance.** The establishment of [[a]] AN AGRICULTURAL OR
41 WOODLAND PRESERVATION district or the sale of [[an]] A PRESERVATION easement does
42 not alter special exception or variance requirements applicable to a zoning classification in
43 which the County agricultural OR WOODLAND PRESERVATION district is located.

44
45 (b) **Restrictions.** A [[person who owns]] LANDOWNER WHOSE land [[that has been]]
46 IS included in a County agricultural OR WOODLAND PRESERVATION district:

47
48 (1) may not subdivide the land except [[to provide owner or children's lots]] to the
49 extent allowed [[by the]] UNDER AN APPLICABLE PRESERVATION easement OR § 17-10-210;
50 [[and]]

1 (2) shall be subject to the provisions of this [[article]] ARTICLE and Article 18 of
2 this Code; AND

3
4 (3) MUST MAINTAIN THE LAND IN AN AGRICULTURAL PRESERVATION DISTRICT IN
5 AGRICULTURAL USE OR IN A PROPERLY MANAGED STATE SO THAT IT IS AVAILABLE FOR
6 AGRICULTURAL USE DURING THE TERM OF THE DISTRICT AGREEMENT.

7
8 **17-10-205. Procedure to terminate OR MODIFY County agricultural or woodland**
9 **PRESERVATION district.**

10
11 (a) **Withdrawal by notification.** Except when [[an]] A PRESERVATION easement has
12 been purchased, a landowner may withdraw from a County agricultural OR WOODLAND
13 PRESERVATION district by giving notification in writing to the Office of Planning and
14 Zoning:

15
16 (1) no earlier than five years after the date the landowner's land is included in a
17 district [[or, if a landowner is receiving a tax credit under § 4-2-301 of this Code, no earlier
18 than ten years after the landowner's land is included in a district]];

19
20 (2) subject to the provisions of [[§ 4-2-301]] § 4-2-302 of this Code, after the County
21 has rejected the purchase of [[an]] A PRESERVATION easement on the landowner's
22 property; or

23
24 (3) if the Planning and Zoning Officer finds that continuation in the PRESERVATION
25 district will cause the landowner severe economic hardship, consisting of financial peril to
26 the landowner, whether caused by natural disaster, the disability of the landowner, or some
27 other occurrence.

28
29 (b) **Adjustment of acreage.** In a [[County agricultural]] PRESERVATION district that
30 contains land [[from]] OWNED BY more than one landowner, if WITHDRAWAL OF A
31 landowner's [[withdrawal]] LAND from the PRESERVATION district causes the
32 PRESERVATION district TO no longer [[to]] meet the ACREAGE requirements for a
33 [[County]] PRESERVATION district, the Office of Planning and Zoning may [[adjust the
34 district to]] ALLOW the remaining acreage TO COMPRISE THE PRESERVATION DISTRICT.

35
36 (C) **TERMINATION FOR NON-COMPLIANCE.** A PRESERVATION DISTRICT MAY BE
37 TERMINATED AT THE DISCRETION OF THE PLANNING AND ZONING OFFICER IF THE
38 PROPERTY NO LONGER MEETS THE REQUIREMENTS OF THIS SUBTITLE OR IF THE
39 PROPERTY IS NOT IN COMPLIANCE WITH AN APPLICABLE APPROVED SOIL AND WATER
40 CONSERVATION PLAN OR FOREST MANAGEMENT PLAN.

41
42 **17-10-206. Program to purchase PRESERVATION easements.**

43
44 (a) **Establishment.** There is a COUNTY program to finance the purchase of
45 PRESERVATION easements.

46
47 (b) **Agreement.**

48
49 (1) The County Executive shall determine the methods of paying landowners for
50 COUNTY PRESERVATION easements, and the appropriate terms and conditions for any

1 agreement to purchase ~~[[an]]~~ A COUNTY PRESERVATION easement in accordance with the
2 requirements set forth in this subtitle or in other applicable provisions of law.

3
4 (2) The County may provide for the payment for COUNTY PRESERVATION
5 easements by the execution and delivery of long-term obligations of the County, including
6 long-term obligations in the form of installment purchase agreements for deferred payment
7 of the purchase price.

8
9 (3) The execution and delivery of any such long-term obligations shall be
10 authorized by ordinance, which shall prescribe the security ~~[[for]]~~, form, manner of
11 execution, delivery, and sale, if applicable, the maturity and the other terms and conditions
12 of such long-term obligations or, in each case, the manner of determining the same. The
13 final maturity of such long-term obligations may not exceed 30 years.

14
15 (c) **Payment.** Payment for COUNTY PRESERVATION easements may be made from
16 dedicated transfer tax revenues that are appropriated as provided under § 4-11-111 of this
17 Code; from any other legally available appropriated funds or revenues; and as provided in
18 subsection (b)(2).

19
20 (d) **Termination ~~[[and release]]~~.**

21
22 ~~[[~~(1) Subject to subsection (d)(2), an]] A PRESERVATION easement purchased by
23 the County ~~[[shall be given by the landowner in perpetuity and]]~~ may not be terminated by
24 the landowner~~[[,]]~~ and may not be extinguished by the County without approval of the
25 County Council.

26
27 ~~[[~~(2) Except for an easement purchased under an installment purchase agreement,
28 and subject to the provisions of Article 18 of this Code, a landowner may have one 40,000
29 square foot lot released from an easement.~~]]~~

30
31 (E) **RESTRICTIONS.**

32
33 (1) A COUNTY PRESERVATION EASEMENT SHALL BE IN PERPETUITY, SHALL RUN
34 WITH THE LAND, SHALL BIND ALL SUBSEQUENT OWNERS OF THE PROPERTY, AND SHALL
35 BE ENFORCEABLE BY THE COUNTY.

36
37 (2) EXCEPT AS PROVIDED IN A PRESERVATION EASEMENT, PROPERTY SUBJECT TO
38 A COUNTY AGRICULTURAL PRESERVATION EASEMENT MAY NOT BE:

39
40 (I) DEVELOPED FOR PURPOSES OTHER THAN THOSE RELATED TO
41 AGRICULTURE;

42
43 (II) USED FOR COMMERCIAL, INDUSTRIAL, OR RESIDENTIAL PURPOSES OTHER
44 THAN THOSE ASSOCIATED WITH AGRICULTURE; OR

45
46 (III) SUBDIVIDED EXCEPT AS PERMITTED IN THIS TITLE.

47
48 (3) CONSTRUCTION OF BUILDINGS OR STRUCTURES NOT DIRECTLY RELATED TO
49 AGRICULTURAL USES ON THE LAND UNDER PRESERVATION EASEMENT THAT DID NOT
50 EXIST AT THE EFFECTIVE DATE OF THE COUNTY PRESERVATION EASEMENT IS SUBJECT TO
51 REVIEW BY AND RECOMMENDATION OF THE AGRICULTURAL PRESERVATION ADVISORY
52 BOARD.

1 (F) **OBLIGATIONS.**

2
3 (1) A LANDOWNER OF LAND SUBJECT TO A COUNTY AGRICULTURAL
4 PRESERVATION EASEMENT:

5
6 (I) SHALL IMPLEMENT AND MAINTAIN A SOIL CONSERVATION AND WATER
7 QUALITY PLAN APPROVED BY THE COUNTY SOIL CONSERVATION DISTRICT;

8
9 (II) MAY NOT REDUCE THE AGRICULTURAL VALUE OF THE LAND BY USE OR
10 PRACTICES UNACCEPTABLE TO THE UNITED STATES DEPARTMENT OF AGRICULTURE OR
11 THE MARYLAND DEPARTMENT OF AGRICULTURE; AND

12
13 (III) SHALL MAINTAIN THE LAND TO CONTROL EROSION AND NOXIOUS WEEDS
14 IF THE LAND IS NOT IN ACTIVE AGRICULTURE USE.

15
16 (2) A LANDOWNER OF LAND SUBJECT TO A COUNTY WOODLAND PRESERVATION
17 EASEMENT CONSISTING OF 10 ACRES OR MORE OF CONTIGUOUS OR CONFRONTING
18 WOODLANDS SHALL MAINTAIN A FOREST STEWARDSHIP PLAN PREPARED BY A LICENSED
19 FORESTER.

20
21 (G) **RESERVED RIGHTS.**

22
23 (1) A LANDOWNER OF PROPERTY SUBJECT TO A COUNTY PRESERVATION
24 EASEMENT RETAINS ALL RIGHTS OF A FEE SIMPLE OWNER, EXCEPT FOR THE
25 DEVELOPMENT RIGHTS, WHICH ARE RESTRICTED BY THE DEED OF EASEMENT, AND THE
26 OTHER RESTRICTIONS AND CONDITIONS IMPOSED BY THE DEED OF EASEMENT AND THIS
27 SUBTITLE.

28
29 (2) THIS TITLE DOES NOT RESTRICT THE RIGHT OF AN OWNER TO SELL LAND
30 LOCATED IN A COUNTY PRESERVATION DISTRICT OR LAND SUBJECT TO A PRESERVATION
31 EASEMENT, PROVIDED THAT THE SALE IS SUBJECT TO THE PRESERVATION DISTRICT
32 AGREEMENT OR PRESERVATION EASEMENT.

33
34 **17-10-207. Application for sale of easement.**

35
36 (a) **[[Generally.]] ELIGIBILITY.** Any landowner whose land is devoted in whole or in
37 part to agriculture or woodlands may file an application with the Office of Planning and
38 Zoning requesting that the County purchase **[[an]]** A COUNTY PRESERVATION easement if
39 THE FOLLOWING CONDITIONS ARE MET:

40
41 (1) the land includes at least 50 **[[contiguous]]** acres **[[for agricultural]]** OF land or
42 **[[at least 25 contiguous acres for woodlands]]**, IF THE LAND CONSISTS OF PARCELS THAT
43 ARE CONTIGUOUS TO OR CONFRONTING PERMANENTLY PRESERVED LAND, INCLUDES
44 MORE THAN 30 ACRES OF LAND;

45
46 (2) FOR AN AGRICULTURAL PRESERVATION EASEMENT:

47
48 (I) AT LEAST 50 PERCENT OF THE LAND IS IN U.S. DEPARTMENT OF
49 AGRICULTURE SOIL COMPATIBILITY CLASSES I, II, III, OR IV, AND CLASS IV SOILS MEET
50 THE C3 AND D2 SLOPE CLASSIFICATIONS; OR

51
52 (II) IF AT LEAST 50 PERCENT OF THE LAND IS NOT WITHIN THE REQUIRED SOIL
53 COMPATIBILITY CLASSES, THE PLANNING AND ZONING OFFICER APPROVES INCLUSION IN
54 THE PRESERVATION EASEMENT BASED ON SOIL ANALYSIS AND INFORMATION OBTAINED
55 FROM THE UNIVERSITY OF MARYLAND COOPERATIVE AGRICULTURAL EXTENSION
56 SERVICE, ANNE ARUNDEL COUNTY SOIL CONSERVATION DISTRICT, OR ANOTHER

1 QUALIFIED SOURCE THAT ESTABLISHES THE SOIL CAPABILITY AND PRODUCTIVITY OF
2 AGRICULTURAL LAND;

3
4 (3) THE LAND IS LOCATED IN THE “NO PUBLIC SERVICE” WATER AND SEWER
5 CATEGORIES MAPPED IN THE ANNE ARUNDEL COUNTY MASTER PLAN FOR WATER SUPPLY
6 AND SEWERAGE SYSTEMS;

7
8 (4) FOR AGRICULTURAL PRESERVATION EASEMENTS, THE LANDOWNER HAS AN
9 APPROVED SOIL CONSERVATION AND WATER QUALITY PLAN APPROVED BY THE ANNE
10 ARUNDEL COUNTY SOIL CONSERVATION DISTRICT;

11
12 (5) FOR WOODLAND PRESERVATION EASEMENTS, THE LANDOWNER HAS A FOREST
13 STEWARDSHIP PLAN OR FOREST MANAGEMENT PLAN PREPARED BY A PROFESSIONAL
14 FORESTER LICENSED BY THE STATE OF MARYLAND;

15
16 (6) THE LAND IS ZONED RA, RLD, R1, OR OS;

17
18 (7) THE LAND IS CURRENTLY ASSESSED AGRICULTURAL BY THE MARYLAND STATE
19 DEPARTMENT OF ASSESSMENTS AND TAXATION PURSUANT TO § 8-209 OF THE TAX-
20 PROPERTY ARTICLE OF THE STATE CODE; AND

21
22 (8) THE LAND HAS DEVELOPMENT POTENTIAL UNDER ITS CURRENT ZONING
23 DESIGNATION AND THE PROVISIONS OF THIS CODE, AS WELL AS ANY CONTRACTS,
24 EASEMENTS, COVENANTS, AND RESTRICTIONS APPLICABLE TO THE LAND.

25
26 **(b) Application.** ~~[[The]]~~ AN application FOR A COUNTY PRESERVATION EASEMENT
27 shall be filed in the manner and with the supporting documentation required by the Office
28 of Planning and Zoning AND SHALL BE PROCESSED AS PROVIDED IN ADMINISTRATIVE
29 POLICES AND PROCEDURES ADOPTED BY THE PLANNING AND ZONING OFFICER UNDER §
30 17-10-214.

31
32 **[[c) Review by Agricultural Land Coordinator.** On receipt of an application, the
33 Agricultural Land Coordinator shall review the application, meet with the landowner, and
34 recommend to the Planning and Zoning Officer whether to purchase an easement.

35
36 **(d) Planning and Zoning Officer.** Within 60 days after receipt of an application, the
37 Planning and Zoning Officer shall determine whether the property is eligible for purchase
38 by the County of an easement and, if an eligibility determination is made, direct the
39 Agricultural Land Coordinator to order an appraisal.

40
41 **(e) Ineligibility.** Among other factors, a property may not be eligible for the purchase
42 of an easement if:

43
44 (1) the landowner fails to provide the information requested by the County or to
45 cooperate with the Agricultural Land Coordinator or any State or County agency with
46 regard to admission into a program; or

47
48 (2) the property does not meet the minimum qualifications for acreage, soil
49 classification, water and sewer service designation, and applicable zoning as set forth in
50 regulations adopted under § 17-10-212.

1 (f) **Purchase price.** The purchase price of the proposed easement shall be established
2 in accordance with § 17-10-208(a).

3
4 (g) **State program.** If a property is eligible for the State program, the Agricultural Land
5 Coordinator shall refer the landowner to the State program instead of processing the
6 application through the County program.]]

7
8 **17-10-208. Valuation, priority of PRESERVATION easement purchase.**

9
10 (a) **Purchase price.**

11
12 (1) [[Except as provided in]] SUBJECT TO subsection (b) for PRESERVATION
13 easements purchased by the execution and delivery of long-term obligations, including
14 installment purchase agreements, the [[purchase price of an]] AMOUNT PAID BY THE
15 COUNTY TO THE LANDOWNER FOR A PRESERVATION easement shall be [[based on]]:

16
17 [[(1)]] (I) 70% OF THE FAIR MARKET VALUE OF THE LAND BEING PLACED
18 UNDER PRESERVATION EASEMENT, NOT INCLUDING THE VALUE OF ANY IMPROVEMENTS,
19 AS DETERMINED BY an INDEPENDENT appraisal obtained by the County; or

20
21 [[(2)]] (II) if the landowner is dissatisfied with the FAIR MARKET VALUE
22 ESTABLISHED IN AN appraisal obtained by the County, the average of the [[amount set
23 forth]] FAIR MARKET VALUE ESTABLISHED in the County's appraisal and THE FAIR
24 MARKET VALUE ESTABLISHED IN an appraisal obtained by the landowner at the
25 landowner's sole expense from a list of appraisers approved by the County, but in no event
26 less than the [[amount set forth]] FAIR MARKET VALUE ESTABLISHED in the County's
27 appraisal.

28
29 (2) IF THE LAND BEING PLACED UNDER PRESERVATION EASEMENT INCLUDES AN
30 EXISTING RESIDENTIAL DWELLING UNIT, THEN ONE ACRE SHALL BE EXCLUDED FROM THE
31 ACREAGE INCLUDED IN THE CALCULATION OF THE PURCHASE PRICE OF THE
32 PRESERVATION EASEMENT.

33
34 (b) **Long-term obligation.** Except as otherwise provided by ordinance, for easements
35 purchased by installment purchase agreements, the Planning and Zoning Officer, with the
36 advice of the Controller, may negotiate the terms of a long-term obligation, including the
37 stated purchase price or amount, the interest rate, and other appropriate provisions such
38 that, in the reasonable determination of the Planning and Zoning Officer, the face value of
39 the long-term obligation is less than or commensurate with the value of the easement based
40 on an appraisal.

41
42 (c) **Priorities for PRESERVATION easement purchases.** [[For properties referred into
43 the County program,]] IF THERE ARE MULTIPLE APPLICATIONS FOR PRESERVATION
44 EASEMENTS AND THE LAND INCLUDED IN THE APPLICATIONS QUALIFIES FOR THE
45 ACQUISITION OF PRESERVATION EASEMENTS BY THE COUNTY, the Planning and Zoning
46 Officer shall [[set]] ESTABLISH priorities for the purchase of PRESERVATION easements[[,]]
47 based on factors [[the Planning and Zoning Officer determines are necessary to preserve
48 agricultural land or woodlands, including the]] THAT INCLUDE purchase price, [[whether
49 the land is in the General Development Plan as agricultural or open space, and whether the

1 land borders a municipality or other developing area]] GROWTH MANAGEMENT POLICIES,
2 PROPERTY SIZE, AND PROPERTY LOCATION.

3
4 (d) **Terms for payment.** The purchase price shall be paid to the landowner
5 [[immediately on]] UPON execution of [[an]] THE DEED OF easement or [[on such terms]]
6 AT SUCH OTHER TIME as the County and the landowner agree, provided that the purchase
7 price under an installment purchase agreement shall be available and encumbered in the
8 fiscal year that the easement is purchased, unless otherwise authorized by ordinance of the
9 County Council.

10
11 (e) **County not obligated.** Neither the determination by the Planning and Zoning
12 Officer that a property is eligible for the purchase of [[an]] A PRESERVATION easement nor
13 [[the]] obtaining [[of]] an appraisal obligates the County to purchase [[an]] A
14 PRESERVATION easement.

15
16 **17-10-209. [[Easement]] PRESERVATION EASEMENT donation.**

17
18 (a) **Acceptance of donation.** In addition to its authority to purchase PRESERVATION
19 easements under this subtitle, the County [[or the County's designee]] may accept the
20 donation of [[an]] A PRESERVATION easement or other interest in [[property]] LAND for
21 agricultural [[land]] or woodland preservation purposes.

22
23 (b) **When prohibited.** The County may not PURCHASE OR accept [[the grant of]] a gift
24 of A residual interest, [[in a property on which the County has accepted an easement or of]]
25 a life estate, or [[of]] any OTHER interest IN LAND SUBJECT TO A PRESERVATION EASEMENT
26 that would result in the merger of the easement with the [[gift]] OWNERSHIP OF THE LAND
27 and thereby extinguish the PRESERVATION easement held by the County.

28
29 **[[17-10-210. Right to sell.**

30
31 This title does not restrict the right of an owner to sell land located in a County
32 agricultural district or land on which the County holds an easement, provided that the sale
33 is subject to the easement.]]

34
35 **17-10-210. RELEASE AND AGRICULTURAL PRESERVATION SUBDIVISION.**

36
37 (A) **APPLICABILITY.** THIS SECTION APPLIES ONLY TO LAND CONSISTING OF AT LEAST
38 50 ACRES THAT IS SUBJECT TO A COUNTY PRESERVATION EASEMENT.

39
40 (B) **RELEASE OF LAND FOR RESIDENTIAL USE.**

41
42 (1) A LANDOWNER MAY REQUEST AT ANY TIME A RELEASE FROM THE
43 PRESERVATION EASEMENT OF THE FOLLOWING FOR RESIDENTIAL USE:

44
45 (I) 40,000 SQUARE FEET OR LESS OF CONTIGUOUS LAND; OR

46
47 (II) IF REQUIRED BY THE DEPARTMENT OF HEALTH FOR THE PLACEMENT OF A
48 PRIVATE WATER SUPPLY OR SEWAGE DISPOSAL SYSTEM FOR A SINGLE RESIDENTIAL
49 DWELLING STRUCTURE, UP TO 80,000 SQUARE FEET OF CONTIGUOUS LAND.

50
51 (2) THE LAND MAY BE RELEASED FROM THE EASEMENT IF:

1 (I) THE AGRICULTURAL PRESERVATION ADVISORY BOARD HAS APPROVED THE
2 RELEASE AFTER FINDING THAT THE LAND IS LOCATED TO MINIMIZE DISRUPTION OF
3 EXISTING OR PLANNED AGRICULTURE USE;

4
5 (II) 1. FOR PROPERTY PLACED UNDER EASEMENT PRIOR TO THE EFFECTIVE
6 DATE OF BILL NO. 55-26, THE LANDOWNER PAYS TO THE COUNTY 60% OF THE FAIR MARKET
7 VALUE OF THE LAND TO BE RELEASED AS DETERMINED BY AN INDEPENDENT APPRAISAL
8 OBTAINED BY THE COUNTY; OR

9
10 2. FOR PROPERTY PLACED UNDER EASEMENT ON OR AFTER THE EFFECTIVE
11 DATE OF BILL NO. 55-26, THE LANDOWNER PAYS TO THE COUNTY 70% OF THE FAIR MARKET
12 VALUE OF THE LAND TO BE RELEASED AS DETERMINED BY AN INDEPENDENT APPRAISAL
13 OBTAINED BY THE COUNTY;

14
15 (III) THE AGRICULTURAL PRESERVATION EASEMENT REFLECTING THE EXTENT
16 OF THE REVISED EASEMENT AREA IS EXECUTED AND RECORDED; AND

17
18 (IV) SUBDIVISION AND USE OF THE LAND RELEASED FROM THE AGRICULTURAL
19 PRESERVATION EASEMENT IS SUBJECT TO ALL PROVISIONS OF THIS CODE.

20
21 (C) **AGRICULTURAL PRESERVATION SUBDIVISION.** A LANDOWNER OF PROPERTY
22 SUBJECT TO A COUNTY AGRICULTURAL PRESERVATION EASEMENT MAY SEEK AN
23 AGRICULTURAL PRESERVATION SUBDIVISION IF:

24
25 (1) THE AGRICULTURAL PRESERVATION ADVISORY BOARD HAS REVIEWED THE
26 PROPOSED SUBDIVISION AND HAS DETERMINED THAT IT MEETS THE REQUIREMENTS OF
27 THIS SUBSECTION;

28
29 (2) THE LAND BEING SUBDIVIDED CONSISTS OF AT LEAST 60 ACRES;

30
31 (3) EACH SUBDIVIDED PARCEL CONSISTS OF AT LEAST 30 ACRES, UNLESS THE
32 PLANNING AND ZONING OFFICER APPROVES SMALLER SUBDIVIDED PARCEL SIZES BASED
33 ON THE PHYSICAL CHARACTERISTICS OF THE PROPERTY, INCLUDING LAND BEING
34 SEPARATED BY A PUBLIC ROAD;

35
36 (4) COUNTY AGRICULTURAL PRESERVATION EASEMENTS ARE RECORDED ON EACH
37 SUBDIVIDED LOT; AND

38
39 (5) SUBDIVISION OF THE LOTS IS OTHERWISE SUBJECT TO THE PROVISIONS OF THIS
40 ARTICLE.

41
42 (D) **NO ADDITIONAL RESIDENTIAL DWELLING.** SUBSECTION (C) DOES NOT CREATE
43 THE RIGHT TO AN ADDITIONAL RESIDENTIAL DWELLING BEYOND WHAT IS ALLOWED IN
44 §.17-10-210(B) AND THE TERMS OF THE CONSERVATION EASEMENT.

45
46 **17-10-211. CORRECTIVE EASEMENTS.**

47
48 (A) **WHEN ALLOWED.** THE COUNTY MAY ENTER INTO CORRECTIVE EASEMENTS WITH
49 LANDOWNERS WHOSE PROPERTY IS SUBJECT TO A COUNTY PRESERVATION EASEMENT
50 UNDER TERMS AND CONDITIONS ACCEPTABLE TO THE PLANNING AND ZONING OFFICER
51 TO:

52
53 (1) ADJUST PARCEL BOUNDARY LINES OR OTHER TECHNICAL ERRORS;

54
55 (2) RESOLVE EASEMENT VIOLATIONS; OR

56
57 (3) ACCOMMODATE A PLAN OF THE LANDOWNER THAT THE PLANNING AND
58 ZONING OFFICER DETERMINES WILL BENEFIT AGRICULTURAL OPERATIONS OR
59 WOODLAND PRESERVATION.

1 (B) **METHOD.** CORRECTIVE EASEMENTS UNDER THIS SECTION MAY INCLUDE THE
2 EXCHANGE AND RELEASE OF LAND SUBJECT TO PRESERVATION EASEMENT
3 RESTRICTIONS WITH OTHER LAND THAT MEETS THE REQUIREMENTS OF THIS SUBTITLE.
4

5 (C) **RESULTS.** LAND REMAINING OR PLACED UNDER PRESERVATION EASEMENT AFTER
6 A CORRECTIVE EASEMENT SHALL MEET THE REQUIREMENTS FOR A PRESERVATION
7 EASEMENT UNDER THIS TITLE.
8

9 **17-10-212. INSPECTIONS.**

10 WITH PRIOR REASONABLE NOTICE TO THE LANDOWNER, THE COUNTY MAY ENTER
11 UPON LAND UNDER A PRESERVATION EASEMENT TO INSPECT AND DETERMINE WHETHER
12 THE LAND IS IN COMPLIANCE WITH THE TERMS OF THE PRESERVATION EASEMENT.
13

14
15 **[[17-10-211.]] 17-10-213. Public access.**

16
17 Purchase of [[an]] A PRESERVATION easement by the County does not create a right of
18 public access to the land unless the DEED OF easement [[contract]] specifically provides for
19 public access.
20

21 **[[17-10-212. Executive regulations.**

22
23 The regulations “Anne Arundel County Agricultural Land and Woodland Preservation
24 Program” prepared by the Department and dated August, 1999 are approved and adopted
25 as the regulations governing the County agricultural land and woodland preservation
26 program.]]
27

28 **17-10-214. ADMINISTRATIVE POLICIES AND PROCEDURES.**

29
30 WITH REVIEW BY AND INPUT FROM THE AGRICULTURAL PRESERVATION ADVISORY
31 BOARD, THE PLANNING AND ZONING OFFICER SHALL PREPARE AND MAINTAIN
32 ADMINISTRATIVE POLICIES AND PROCEDURES RELATED TO THE IMPLEMENTATION OF
33 THIS TITLE, WHICH SHALL BE POSTED ON THE COUNTY WEBSITE AND PUBLICLY
34 AVAILABLE UPON REQUEST.
35

36 SECTION 3. *And be it further enacted,* That the regulations entitled “Anne Arundel
37 County Agricultural Land and Woodland Preservation Program”, and dated August 1999,
38 shall apply only to preservation districts created and preservation easements entered into
39 on or after October 28, 1999, and prior to the effective date of Bill No. 55-26, and shall
40 otherwise be of no further force and effect after the effective date of Bill No. 55-26.
41

42 SECTION 4. *And be it further enacted,* That all references in this Ordinance to “the
43 effective date of Bill No. 55-26”, or words to that effect, shall, upon codification, be
44 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
45 County Charter as certified by the Administrative Officer to the Country Council.
46

47 SECTION 5. *And be it further enacted,* That this ordinance shall take effect 45 days
48 from the date that it becomes law.