
By: **Harford County Delegation and Howard County Delegation**

Introduced and read first time: March 5, 2001

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Harford and Howard Counties - Annexation of Agricultural Land**

3 FOR the purpose of authorizing the county governing bodies of Harford County and
4 Howard County to enact an ordinance requiring a certain payment from a
5 municipal corporation for rezoning certain annexed agricultural lands; stating
6 findings of the General Assembly; defining a certain term; and generally
7 relating to annexation of agricultural land in Harford County and Howard
8 County.

9 BY adding to
10 Article 24 - Political Subdivisions - Miscellaneous Provisions
11 Section 18-101 to be under the new title "Title 18. Annexed Agricultural Land"
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 2000 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

17 TITLE 18. ANNEXED AGRICULTURAL LAND.

18 18-101.

19 (A) IN THIS SECTION "ANNEXED AGRICULTURAL LAND" MEANS
20 AGRICULTURAL LAND THAT:

21 (1) IS LOCATED OUTSIDE A DESIGNATED GROWTH AREA OF A COUNTY;
22 AND

23 (2) IS ANNEXED BY A MUNICIPAL CORPORATION.

24 (B) THIS SECTION APPLIES IN HARFORD COUNTY AND HOWARD COUNTY.

25 (C) THE GENERAL ASSEMBLY FINDS THAT:

1 (1) AGRICULTURE IS AMONG THE LARGEST ECONOMIC SECTORS IN THE
2 STATE, AND REPRESENTS A MAJOR PORTION OF THE ECONOMIES OF MANY
3 MARYLAND COUNTIES, WHILE PRESERVING A GENTLER QUALITY OF LIFE THAN
4 PREVAILS IN MORE DENSELY DEVELOPED AREAS;

5 (2) THE CONVERSION OF AGRICULTURAL LAND TO MORE INTENSIVE
6 USES HAS AN ADVERSE IMPACT ON THE CONTINUITY AND STABILITY OF FARMING
7 COMMUNITIES IN THE STATE;

8 (3) COUNTIES THAT RECOGNIZE THE VALUE OF AGRICULTURAL LAND
9 INCORPORATE THE CONSERVATION AND PRESERVATION OF THAT LAND IN THEIR
10 COMPREHENSIVE PLANS;

11 (4) COUNTY COMPREHENSIVE PLANS RETAIN AGRICULTURAL
12 DESIGNATIONS FOR FARMLAND LOCATED IN AREAS OUTSIDE DESIGNATED GROWTH
13 AREAS IN ORDER TO PRESERVE VITAL ECONOMIC ACTIVITY ASSOCIATED WITH
14 FARMS IN SUITABLE AREAS, AND TO PRESERVE OPEN SPACE;

15 (5) THE ADVANCE OF DENSE DEVELOPMENT NEAR FARMS SERIOUSLY
16 IMPEDES THE ABILITY OF FARMERS TO CONDUCT AGRICULTURAL ACTIVITIES
17 EFFICIENTLY, GRADUALLY FORCING FARMERS TO ABANDON AGRICULTURE
18 ENTIRELY;

19 (6) WHEN AGRICULTURAL LAND THAT IS LOCATED OUTSIDE OF A
20 COUNTY'S DESIGNATED GROWTH AREAS IS ANNEXED, IT IS SUBJECT TO REZONING
21 FOR INTENSIVE DEVELOPMENT AT HIGHER DENSITY IN RESIDENTIAL, COMMERCIAL,
22 OR INDUSTRIAL USES; AND

23 (7) THE ENCROACHMENT OF HIGHER DENSITY USES CAUSED BY
24 REZONING OF ANNEXED AGRICULTURAL LAND REPRESENTS A LOSS OF VALUABLE
25 ECONOMIC ACTIVITY IN THE STATE AND COUNTY AS WELL AS A LOSS OF QUALITY OF
26 LIFE ASSOCIATED WITH OPEN SPACE.

27 (D) (1) IN ACCORDANCE WITH ARTICLE 23A, § 2B OF THE CODE, THE COUNTY
28 GOVERNING BODY MAY ENACT AN ORDINANCE REQUIRING A LOCAL LEGISLATIVE
29 BODY OF A MUNICIPAL CORPORATION THAT REZONES ANNEXED AGRICULTURAL
30 LAND FOR RESIDENTIAL USE TO PAY A CHARGE TO THE COUNTY AGRICULTURAL
31 LAND PRESERVATION PROGRAM FOR THE ANNEXED AGRICULTURAL LAND THAT IS
32 REZONED.

33 (2) THE CHARGE SHALL BE NOT LESS THAN THE DIFFERENCE BETWEEN
34 THE FAIR MARKET VALUE OF THE LAND AND THE AGRICULTURAL VALUE OF THE
35 LAND, AS OF THE DATE OF THE REZONING, CALCULATED IN THE SAME MANNER AS
36 THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION VALUES LAND
37 FOR GENERAL PURCHASES OF EASEMENTS UNDER TITLE 2, SUBTITLE 5 OF THE
38 AGRICULTURE ARTICLE.

39 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
40 October 1, 2001.