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

Introduced and read first time: March 5, 2001

Assigned to: Rules and Executive Nominations

Re-referred to: Commerce and Government Matters, March 14, 2001

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2001

CHAPTER _____

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:

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

3 (2) IS ANNEXED BY A MUNICIPAL CORPORATION.

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

5 (C) THE GENERAL ASSEMBLY FINDS THAT:

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

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

13 (3) COUNTIES THAT RECOGNIZE THE VALUE OF AGRICULTURAL LAND
14 INCORPORATE THE CONSERVATION AND PRESERVATION OF THAT LAND IN THEIR
15 COMPREHENSIVE PLANS;

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

20 (5) THE ADVANCE OF DENSE DEVELOPMENT NEAR FARMS SERIOUSLY
21 IMPEDES THE ABILITY OF FARMERS TO CONDUCT AGRICULTURAL ACTIVITIES
22 EFFICIENTLY, GRADUALLY FORCING FARMERS TO ABANDON AGRICULTURE
23 ENTIRELY;

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

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

32 (D) (1) IN ACCORDANCE WITH ARTICLE 23A, § 2B OF THE CODE, THE COUNTY
33 GOVERNING BODY MAY ENACT AN ORDINANCE REQUIRING A LOCAL LEGISLATIVE
34 BODY OF A MUNICIPAL CORPORATION THAT REZONES ANNEXED AGRICULTURAL
35 LAND FOR ~~RESIDENTIAL~~ A MORE INTENSIVE USE TO PAY A CHARGE TO THE COUNTY
36 AGRICULTURAL LAND PRESERVATION PROGRAM FOR THE ANNEXED AGRICULTURAL
37 LAND THAT IS REZONED.

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

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