
By: **Howard County Delegation**

Introduced and read first time: February 20, 2004

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 1, 2004

Committee Report: Favorable

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Howard County - Property Tax - Planned Development Land**
3 **Ho. Co. 20-04**

4 FOR the purpose of providing that certain provisions of law providing for the
5 assessment of certain planned development land do not apply to Howard County
6 for county property tax purposes; providing that a planned development land
7 assessment is available to qualified land in Howard County for a certain period
8 of time under certain circumstances; providing for a delayed effective date;
9 providing for the application of this Act; and generally relating to the
10 assessment of planned development land.

11 BY repealing and reenacting, without amendments,
12 Article - Tax - Property
13 Section 8-220, 8-221, and 8-223 through 8-225
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Tax - Property
18 Section 8-222
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

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

1 **Article - Tax - Property**

2 8-220.

3 (a) The General Assembly states that it is in the public interest to provide for
4 the development of lands in a planned manner.

5 (b) The development of lands in a planned manner is necessary to:

6 (1) obtain economic and environmental benefits;

7 (2) relieve economic pressures that result from the assessment of
8 planned development land at levels inconsistent with planned development;

9 (3) aid the assembly of land for planned development land;

10 (4) facilitate cooperation among landowners; and

11 (5) permit holding of planned development land in an undeveloped
12 status for orderly and staged improvement, particularly for the development of new
13 communities.

14 8-221.

15 Land that is assessed under § 8-222 of this subtitle must:

16 (1) be located in an area shown on a current master plan or a general or
17 regional plan, or otherwise designated for planned development by a plan adopted by
18 the county or municipal corporation that has planning or zoning jurisdiction over the
19 land;

20 (2) be zoned in a classification that:

21 (i) permits development only under the plans listed in item (1) of
22 this section;23 (ii) requires a land use and comprehensive site development or
24 subdivision plan, approved before development by the county or municipal
25 corporation that has planning or zoning jurisdiction over the land, if those plans
26 consider:

27 1. land use;

28 2. utility requirements;

29 3. highway needs;

30 4. water and sewers;

31 5. industrial uses;

1 8-223.

2 (a) If land assessed under § 8-222 of this subtitle has a greater value than its
3 value as planned development land, the land shall be assessed on the basis of both the
4 greater value and the assessment under § 8-222 of this subtitle. When land is
5 assessed under this section on the greater value, both assessments shall be recorded
6 in the assessment records.

7 (b) Any assessment made under this section or § 8-222 of this subtitle is
8 subject to the notice and appeal procedures of this article for real property.

9 8-224.

10 (a) (1) If a part of any land that meets the requirements of § 8-221 of this
11 subtitle is subdivided by a recorded plat or is improved by the construction of
12 permanent buildings, the assessment of that part under § 8-222 of this subtitle shall
13 be terminated, and the part shall be assessed as provided under § 8-205 of this
14 subtitle.

15 (2) The remaining part of the land described under paragraph (1) of this
16 subsection may continue to be assessed under § 8-222 of this subtitle if the remainder
17 meets all of the requirements of § 8-221 of this subtitle other than the 500-acre
18 requirement.

19 (b) (1) If a part of any land that meets the requirements of § 8-221 of this
20 subtitle is rezoned at the request of the owner to a zoning classification that does not
21 meet the requirements of § 8-221 of this subtitle, the assessment of that part under §
22 8-222 of this subtitle shall be terminated and the part shall be assessed at the greater
23 value determined under § 8-223 of this subtitle.

24 (2) When a property is assessed under paragraph (1) of this subsection, a
25 deferred property tax is due for the amount of the difference, if any, between the
26 assessment of the land under § 8-222 of this subtitle and the assessment under §
27 8-223 of this subtitle for each year in which the assessment was determined under §
28 8-222 of this subtitle.

29 (3) The total of the deferred property tax due may not exceed 4% of the
30 assessment under § 8-223 of this subtitle in effect at the time of rezoning under
31 paragraph (1) of this subsection.

32 (4) The proceeds of the deferred property tax are collected and
33 distributed as provided by Title 13 of this article.

34 8-225.

35 Planning and zoning agencies in the counties shall provide the supervisors with
36 copies of all official papers, plans, or maps necessary to implement the provisions of
37 §§ 8-220 through 8-224 of this subtitle.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect June 1, 2009, and shall be applicable to all taxable years beginning after June
3 30, 2009.