



**The History of the Carroll County, Maryland Agricultural Land
Preservation Program
Balancing the Needs of the Community**

Ralph Robertson, Program Manager



Carroll County, Maryland

- Located in the Baltimore region and adjacent to the Washington, D.C. region
- Total acres: 287,458
- Agricultural acres 160,180 (188,500 acres zoned agricultural)
- % in Agriculture 55.7
- Acres under easement 50,000 +
- Program Goal: 100,000 acres (critical mass)





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History

1973 – Carroll County Commissioners adopted Master Plan goals and objectives to serve as a basis for decision making

1. To encourage and accommodate development in and around town centers and their environs
 - a. Community planning areas
 - b. Water and sewer

2. To promote the preservation of agricultural land beyond these designated areas



3. Agricultural related objectives of the Master Plan:

- a. Achieve orderly development of the County rather than wasteful suburban sprawl
- b. Achieve the best possible standard of public services and improvements



c. To this the County declared its intentions to pursue policies which will encourage the majority of new developments in and around the designated areas.

d. County government (to achieve these objectives) pledges fiscal contributions to these areas, i.e. water, sewer, infrastructure improvements, and schools



Tools Available to Accomplish the Master Plan Objective

- Restrictive agricultural zoning
- Development rights easement purchases on farmland
- Designated community planning areas
- Capital improvement programs
- Town-County agreements (revenue sharing)



Implementing the Concept

- Carroll's early settlements were small rural towns surrounded by large (by our standards) expanses of open farmland and forest land
- Eight incorporated towns now dot the County and many small villages sit at the intersections of County roads
- The incorporated towns provide the natural focus for growth

1978 – A Chance to Protect Agriculture

- A series of master plan studies that documented the effects of non-agricultural uses on farming was conducted by the County
- After an extensive round of public hearings before the Carroll County Commissioners, the desire of County citizens to maintain productive agricultural land and a rural heritage was made clear

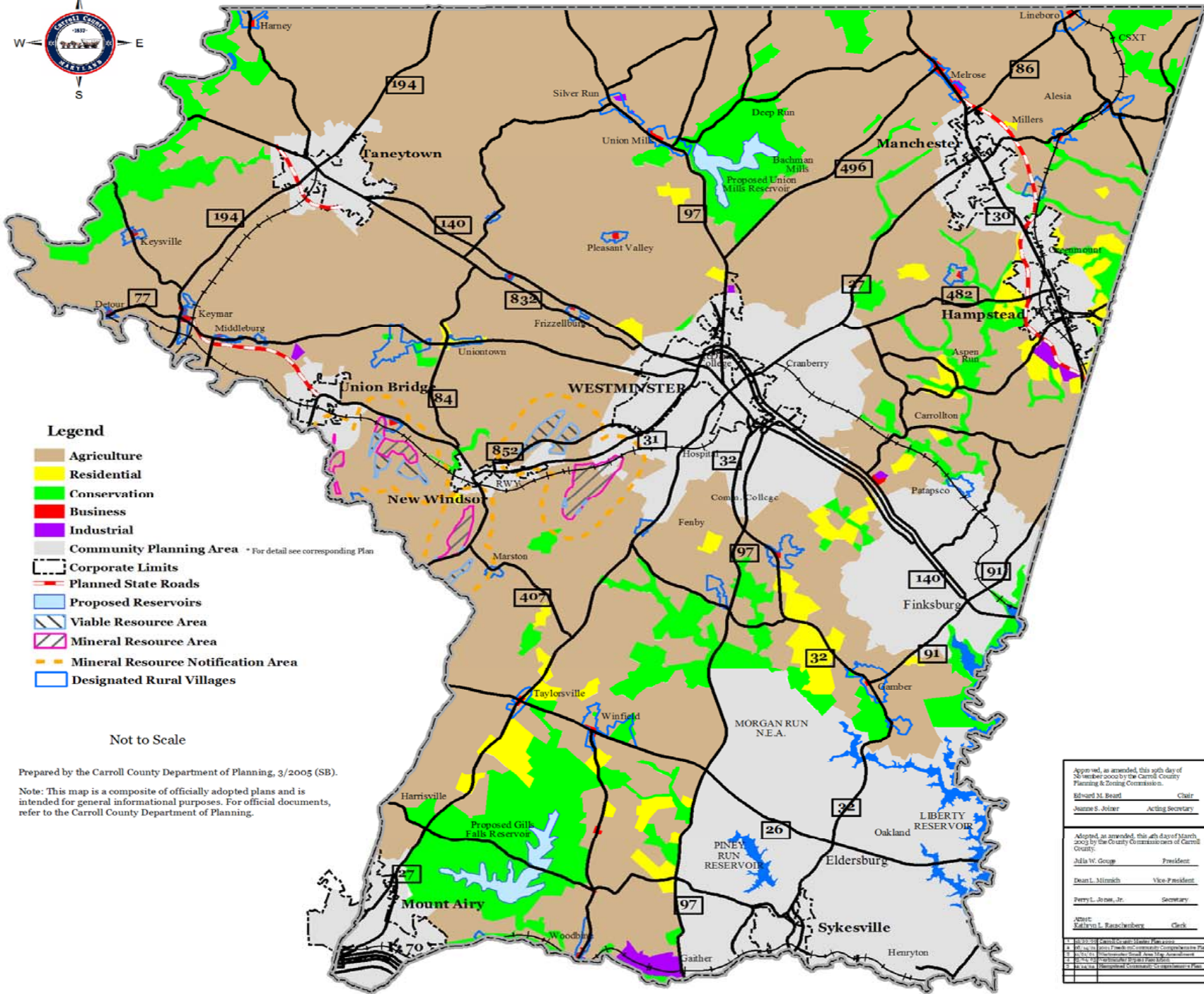
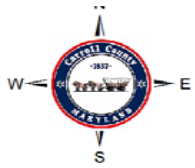


- A recommendation was made by the Carroll County Planning Commission to:
 1. Direct residential growth into acres with planned or available services
 2. Create an Agricultural Zoning District containing 188,000 acres on 64% of the county land area
 3. Establish agriculture and agribusiness as the preferred uses in the agricultural zone





4. Restrict residential development within the new district to one lot (minimum lot size of one acre) for every 20 acres of land
5. Provide a right-to-farm provision to ensure the protection of normal farming activities
6. Create a program to provide the opportunity for land owners to regain lost equity



Legend

- Agriculture
- Residential
- Conservation
- Business
- Industrial
- Community Planning Area * For detail see corresponding Plan
- Corporate Limits
- Planned State Roads
- Proposed Reservoirs
- Viable Resource Area
- Mineral Resource Area
- Mineral Resource Notification Area
- Designated Rural Villages

Not to Scale

Prepared by the Carroll County Department of Planning, 3/2005 (SB).

Note: This map is a composite of officially adopted plans and is intended for general informational purposes. For official documents, refer to the Carroll County Department of Planning.

Approved, as amended, this 9th day of November 2005 by the Carroll County Planning & Zoning Commission.	
Edward M. Beant	Chair
Joanne S. Joiner	Acting Secretary
Approved, as amended, this 4th day of March, 2007 by the County Commissioners of Carroll County.	
Julia W. Gepp	President
Dean L. Mirnich	Vice President
Perry L. Jones, Jr.	Secretary
Attest:	
Kathryn L. Frazzelleberry	Clerk
1. 2005-03-04	2005-03-04
2. 2005-03-04	2005-03-04
3. 2005-03-04	2005-03-04
4. 2005-03-04	2005-03-04
5. 2005-03-04	2005-03-04
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8. 2005-03-04	2005-03-04
9. 2005-03-04	2005-03-04
10. 2005-03-04	2005-03-04

Adding Equity Back to the Agricultural Zone

- ◆ 1978 – Carroll County Commissioners adopted the new Zoning Ordinance
- ◆ Along with a strong stand to preserve agricultural land through essential land use controls, Carroll County made a commitment to an equity program for farm land owners through participation in the Maryland State Agricultural Land Preservation Program.



The Maryland Agricultural Land Preservation Foundation (MALPF) History

- Created in 1977 by the Maryland General Assembly as one of the first state farmland preservation programs in the Country.
- Governed by the Agricultural Article, §§ 2-501 through 2-515 of the Annotated Code of Maryland as part of the Maryland Department of Agriculture
- 25th year of purchasing easements (first easement purchased on October 11, 1980).
- State-County Partnership program.



MALPF: Primary Statutory Objective

- MALPF's primary purpose is to preserve productive agricultural land and woodland in Maryland to provide for the continuing production of food and fiber for the citizens of Maryland.

- In other words, its primary purpose is to preserve the central input on which Maryland's agricultural and forestry industry depends: the land resource base.



MALPF: Secondary Statutory Objectives

- Help control the extent of urban expansion in the State
- Help curb the spread of urban blight and deterioration
- Help protect agricultural land and woodland as open space
- Help improve the water quality of the Chesapeake Bay (not a statutory goal).



MALPF: Operations

- Two-step program: three year term easement is a precondition to be eligible to sell a perpetual easement to the Foundation (law is changing as we speak)
- County initiative in approving district and easement applications, ranking properties for easement purchase, and on-going program operation (County control)
- Governing structure is a twelve-member Board of Trustees with four exofficio and eight Governor-appointed members
- Each County has a local appointed Agricultural Land Preservation Advisory Board
- Each County must have an effective program that is certified by the MALPF Board

The Certification Program

The Maryland General Assembly's Agricultural Land Preservation Act of 1990 allows counties to retain a greater portion of the Agricultural Transfer Tax collected by their county if a number of conditions are met.

The four basic conditions are:

1. The County must have an effective program for agricultural land preservation that is certified by the Maryland Agricultural Land Preservation Foundation and the Maryland Office of Planning.
2. The County must provide matching funds equal to the amount retained as a result of certification.
3. The funds must be used for the purchase of development rights (or for enhancements related to the purchase of development rights) on farmland that meets the minimum criteria of the Maryland Agricultural Land Preservation Foundation.
4. Certification is for a two-year period.

MALPF: Participation and Eligibility

- Landowner participation is voluntary
- Property eligibility is based on three criteria:
 - Location – the property must be located outside of a ten-year water and sewer service area
 - Size - the property must be 50 acres or larger or, if smaller than 50 acres, be located contiguous to already preserved property
 - Productive Soils – the property must have 50% or more USA soils classification Class I, II, and/or III and/or Woodland Group I and/or 2

State Sources of Funding

- ✓ Real Estate Transfer Taxes (1/2 of 1% of the value of the transaction). MALPF receives 17.05% of this dedicated revenue source. \$15-25 million annually.
- ✓ Agricultural Transfer Taxes (3-5% of the value of the land, depending on size and improvements). MALPF gets 66% and the County receives 33% of this tax unless the County is certified, in which case MALPF gets 25% and the County keeps 75% of this tax. \$4-8 million annually.
- ✓ MALPF's Matching Funds Program and 100% County Funds. \$6-13 million annually.
- ✓ General Obligation Bonds. Temporary infusion of bond funds to replace a proportion of the Real Estate Transfer Tax revenues that were transferred to the General Fund between FY 2003-2005.

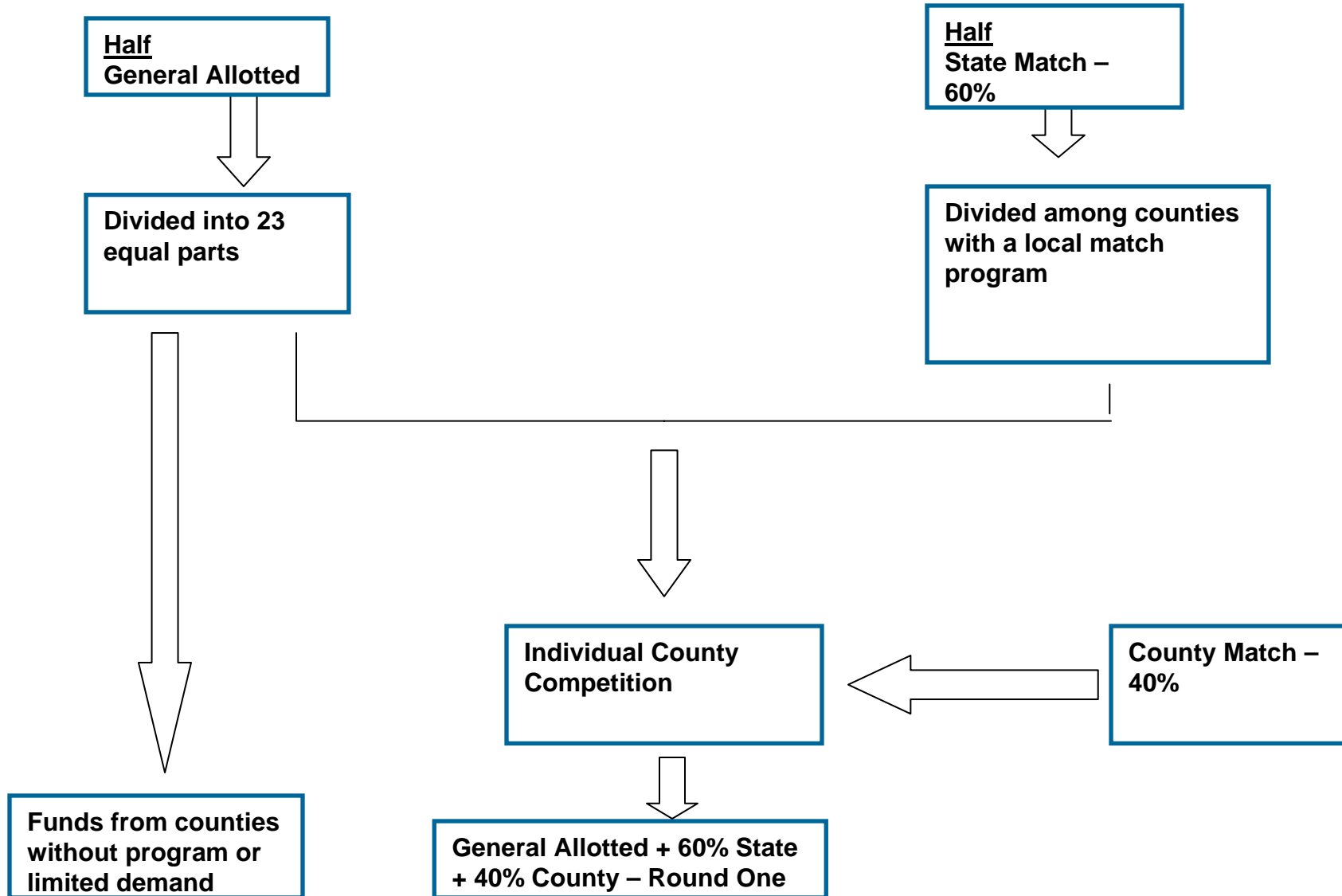


Make Better Use of State and County Resources Easement Acquisition Costs (per acre)

For Carroll County, note the following relationships:

- The Easement Value (EV) is the most a landowner can receive for his or her easement (or, in some cases in Carroll County, 70% of the Fair Market Value or FMV)
- Carroll County's EV and FMV are generally 20-40% higher than the statewide average (approximately \$1,000 per acre more than the statewide average)
- Carroll County's EV is estimated to have been \$5,286 per acre for Fiscal Year 2005 and \$6,300 per acre in Fiscal Year 2006
- The EV in Carroll County is capped at 70% of the FMV of the land only

STATE FUNDS



What is an Easement?

A Conservation Easement is a legal agreement between a landowner and a land preservation organization (State-County-Private Land Trust). It is a permanent recorded deed restriction which preserves the character of the property by restricting further development.



How an Easement Works ...

- ⌠ An owner of land has a bundle of rights associated with the land.
- ⌠ With a Conservation Easement, a landowner voluntarily sells a portion of those rights.
- ⌠ The Conservation easement will be tailored to protect the property's conservation value and achieve the landowner's goal of preservation for future generations.

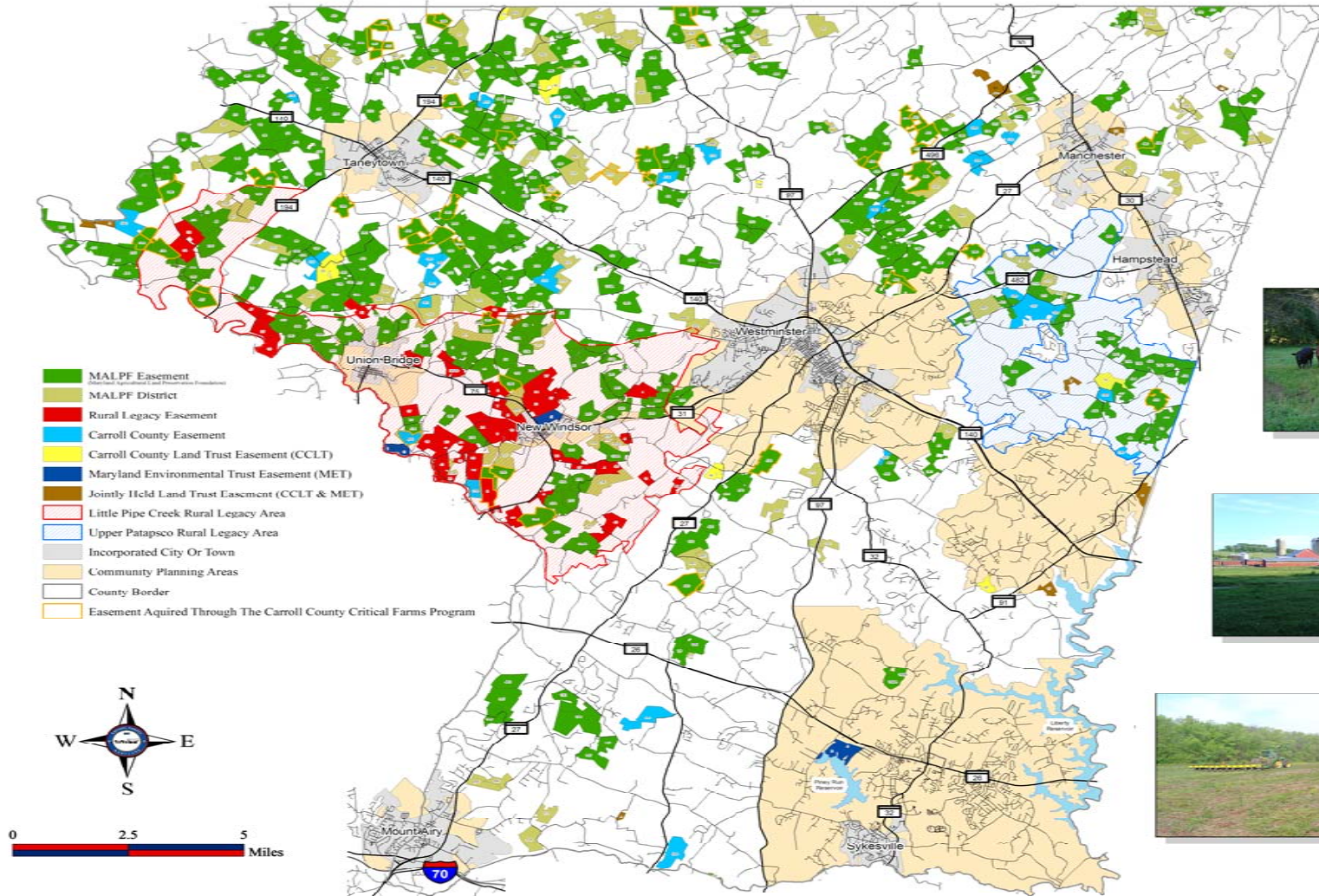
Sources

▪ County – Ag Transfer Tax		\$ 9,211,226
General Obligations Bonds		20,500,000
Property Tax & General Funds		<u>25,500,000</u>
		\$ 55,211,226
▪ County per acre	\$1,104.22	
State and Federal	<u>811.43</u>	
	\$1,915.65	x 50,000 acres = \$95,782,500

Note: 50,000 acres ÷ 15 is the actual zoning breakdown with multi-parcel deeds, off-conveyance rights and 1/20 zoning, = 3,333 lots removed from the Agricultural Zone = **\$28,737/lot right**

Agricultural Land Preservation & Land Trust Easements Carroll County, Maryland

Acres of land in Carroll County: 289,920
 Acres of land in the County in agricultural use: 188,069
 Acres of land that is permanently preserved: 49,300
 Acres of land in MALPF Districts: 53,702
 Acres of land in MALPF Easements: 39,546
 Acres of land in Rural Legacy Easements: 3,991
 Acres of land in Carroll County Land Trust Easements: 4,203
 The Maryland Environmental Trust Easements: 1,560
 Preservation Goal: 100,000 acres



For more information about Agricultural Land Preservation in Carroll County, Maryland
 please call 410-386-2214 or visit the following website : <http://ccgovernment.carr.org/ccg/agpres/default.asp>



“Tools to the Toolbox”

- The program has slowly and cautiously added “Tools to the Toolbox” to build flexibility for the landowner.
- Carroll County has been the leading participant in the Maryland Agricultural Land Preservation Program since its inception. In the early years, this was accomplished by relying on State Matching Funds and State Funds that were not utilized by other counties.



- As more counties began to participate, Carroll County increased its annual commitment of County Matching Funds to \$666,667 which was the amount necessary to receive the annual maximum of 1.0 million dollars of State Matching Funds.
- Carroll County introduced legislation in 2006 that increased the Matching Funds from a county to \$1,333,333 in order to receive 2.0 million dollars of State Matching Funds. This gives the counties an incentive to more fully participate.

- In response to landowner concerns regarding the tax consequences of easement sale, Carroll County began offering an Installment Purchase Agreement (IPA) as an option. The IPA essentially pays tax free interest from a 20 year treasury bond.
- Carroll County and the State have established priority areas that channel grant dollars to areas that are in jeopardy of immediate development or have environmentally sensitive watersheds that effect County and metropolitan Baltimore water supply. Farming is the preferred use in the priority areas.



In 1992, Carroll County established “The Critical Farms Program”

- Applicants are contract purchasers and farms must meet all qualifying criteria.
- The Critical Farms Program provides up-front funding for new owners and provides an opportunity for the contract purchaser to compete with all applicants to sell an easement.
- Reimbursement to the Program occurs when final easement settlement is recorded. Forty-five landowners have utilized this Program with a resulting 5,700 + acres under easement.

Ranking According to Bid Ratio

Assume a 100 acre farm with a Fair Market Value of \$800,000. Five (5) farms are same size-same value

Bid ÷ Fair Market Value

<i>Landowner Bid/Acre</i>	<i>Ratio</i>
\$4,000/acre	.50
\$4,500/acre	.55
\$5,000/acre	.62
<u>\$5,600/acre</u>	<u>.70 county cap</u>
\$6,000/acre	.75

Ranking According to Bid Ratio: Continued

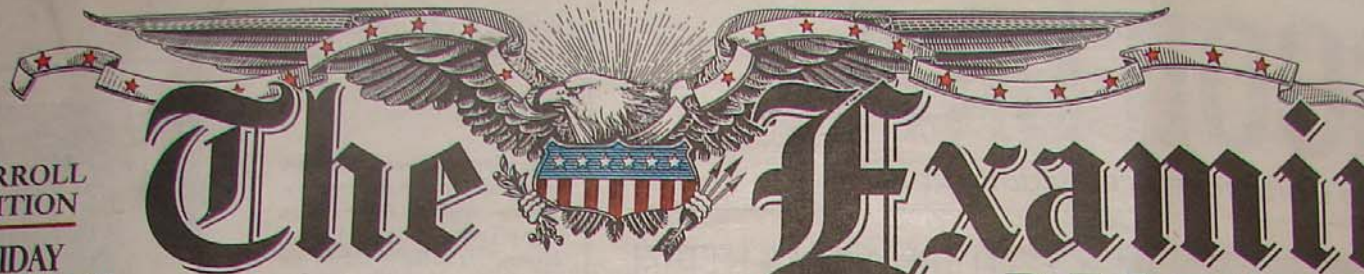
Landowners have discounted bids to assure an offer.

Offers are extended until all dollars available for the current year are expended.

How Do We Pay For This?

- Since the first easement was settled in 1980, Carroll County has spent over 95 million dollars of State, Local and Federal money to acquire easements.

–	County	\$55,211,226
–	State	39,402,901
–	Federal	<u>1,169,032</u>
		\$95,783,159



CARROLL
EDITION

FRIDAY
FEBRUARY 23, 2007

The Examiner

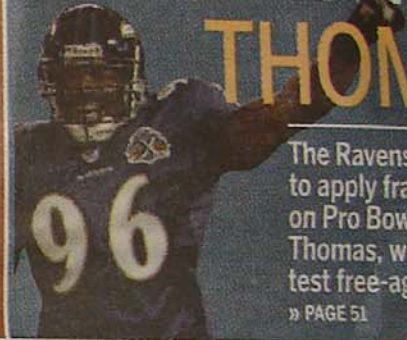
BALTIMORE



RETURN TO GLORY?

The No. 6 Johns Hopkins men's lacrosse team hopes to bounce back after a subpar 2006 season » PAGE 53

UNLEASHING THOMAS



The Ravens declined to apply franchise tag on Pro Bowler Adalius Thomas, who is set to test free-agent waters » PAGE 51

EDUCATOR DIVERSITY

Wages may deter men from teaching

Officials say they hope salary raise will attract more males to help close large gender gap. » Page 5

EDUCATION

\$75 million school may not be needed

Projections show area schools will be under capacity if it is built
School Board OK'd new 1,250-student northeast county facility in midst of county population boom. » Page 5

EMPTY VIEWS



New school in northeast county may not be needed

By Megan McIlroy
Examiner Staff Writer

Carroll County residents will shoulder the cost of a new \$75 million high school in northeast county — but it might not be needed.

“Essentially what we are seeing across the county is a decreasing high school enrollment population,” said Steve Guthrie, Carroll County schools’ assistant superintendent for administration.

A new school enrollment projection shows that if a new school is built in northeast county, North Carroll, Winters Mill and Westminster high schools will be 1,500 students under capacity. Enrollment projections are based on birth rates, student migration trends and development permits issued.

Southern Carroll parents raised concerns about the price tag, espe-

cially since the state has denied requests to help fund work needed at the school from cracks in the tennis courts to the overall modernization of the school.

“Building new is always wonderful. ... I think some of that money needs to be dumped into South Carroll,” said Mary Alexander, president of the South Carroll High School Parent Teacher Student Association.

The school board approved the new high school for 1,250 students about two years ago in the midst of a population boom in Carroll County.

Enrollment projections have dropped off, partly because Manchester, Hampstead and the county have slowed growth by enforcing adequate public facility regulations which controls growth around schools, Guthrie said.

The county also has experienced a lower birth rate over the past five years and a decline in elementary

school populations, he said.

School board members said they will push ahead with plans for the school, which is set to open in 2009.

“At this time, I don’t think it has changed everything. Right now, it’s a blimp, but we have to give it another year. If the trend continues downward, that’s something we need to look at,” said Board Member Gary Bauer.

Northern Carroll parents said they are skeptical of the projections, and overcrowding at high schools must be addressed immediately.

Kaaren Priester, a Manchester resident with two middle and one elementary school student, said she continues to see families moving into developments around her home.

“I don’t know where folks think these kids are going to go to high school,” she said.

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▶ CONCLUSIONS ◀



















SPEED
LIMIT
25

1. It takes strong leadership to set the vision and stay on track.
2. The agricultural community must be convinced that this can and will work. Create a vision of protected areas. Involve local farm organizations.
3. Keep the TOTAL community involved. (Make it a “feel good” program.) Show them how it enhances the quality of life.
4. Zoning is a key component.

5. A steady source of revenue
6. Build the Program according to the level of success (“Tools to the Toolbox”).
7. Establish value that compensates the landowner fairly.
8. The goals of the Program are not easily attained.
9. Agriculture can not survive without a land base.