

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 3

Resolution No. 36 -2020

Introduced by: The Chairperson at the request of the County Executive
and cosponsored by David Yungmann

A RESOLUTION amending the purchase price formula used to determine the price that Howard County pays when purchasing development rights under the Agricultural Land Preservation Program; and specifying that the purchase price formula shall be effective upon passage of the Resolution and shall remain in effect until changed or repealed by Resolution of the County Council.

Introduced and read first time _____, 2020.

By order _____
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on _____, 2020.

By order _____
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council
on _____, 2020.

Certified By _____
Diane Schwartz Jones, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Section 15.505 of the Howard County Code requires that the County
2 Council adopt the purchase price formula used to calculate the price per acre the County pays
3 when it purchases development rights on eligible land through the Agricultural Land
4 Preservation Program; and

5
6 **WHEREAS**, the purchase price formula was last revised by the passage of Council
7 Resolution No. 23-2013; and

8
9 **WHEREAS**, the Howard County Agricultural Preservation Board (APB) has proposed
10 amendments to the purchase price formula and the County Executive has reviewed and supports
11 the proposed amendments, as shown in the attached Exhibit A; and

12
13 **WHEREAS**, the proposed amendment changes how points will be assigned for parcel
14 size and soil capability and productivity; and

15
16 **WHEREAS**, the proposed amendment also better reflects the ongoing stewardship and
17 implementation of the Soil Conservation and Water Quality Plan, increases the points awarded
18 for parcels that are adjacent to preserved land, amends the distribution of points for the
19 concentration of preserved lands, removes the preference for parcels located in the RC Zoning
20 District, amends the points awarded when a certain percentage of a property is in agricultural
21 use, removes points for road frontage and reinstates optional points previously awarded by the
22 Agricultural Preservation Board; and

23
24 **WHEREAS**, the County Council has reviewed the amended purchase price formula and
25 has determined that its adoption is in the best interest of the County.

26
27 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
28 Maryland, this ____ day of _____, 2020, that the County Council amends the
29 purchase price formula for the purchase of development rights on eligible land through the
30 Agricultural Land Preservation Program, in accordance with Exhibit A as attached to this
31 Resolution.

1

2 **AND BE IT FURTHER RESOLVED**, that the purchase price formula shall be effective

3 upon passage of this Resolution and shall continue in effect until changed or repealed by

4 Resolution of the County Council.

4) Adjacency to Preserved Land - Maximum [[100]] 125 points	
75 to 100% perimeter adjacent to preserved land	[[100]] 125 points
50 to 74% perimeter adjacent to preserved land	[[75]] 100 points
25 to 49% perimeter adjacent to preserved land	[[50]] 75 points
Less than 25% perimeter adjacent to preserved land	[[25]] 50 points
[[5)] Concentration of Preserved Lands - Maximum 100 points	
More than 1000 acres of preserved land within 1 mile	100 points
750-999 acres of preserved land within 1 mile	75 points
500-749 acres of preserved land within 1 mile	50 points
Less than 500 acres of preserved land within 1 mile	25 points]]
5) CONCENTRATION OF PRESERVED LANDS - MAXIMUM 125 POINTS	
MORE THAN 600 ACRES OF PRESERVED LAND WITHIN 3/4 MILE	125 POINTS
400-599 ACRES OF PRESERVED LAND WITHIN 3/4 MILE	100 POINTS
200-399 ACRES OF PRESERVED LAND WITHIN 3/4 MILE	75 POINTS
LESS THAN 200 ACRES OF PRESERVED LAND WITHIN 3/4 MILE	50 POINTS
[[6)] Zoning - RC Zoning District = 100 points	
RC District	100 points]]
[[7)] Current Land Use - Maximum 100 points	
75% or more of property in agricultural use	100 points
50 to 74% of property in agricultural use	75 points
25 to 49% of property in agricultural use	50 points
Less than 25% of property in agricultural use	25 points]]
7) CURRENT LAND USE - MAXIMUM 150 POINTS	
90% OR GREATER OF PROPERTY IN AGRICULTURAL USE	150 POINTS
80% TO 89% OF PROPERTY IN AGRICULTURAL USE	125 POINTS
70% TO 79% OF PROPERTY IN AGRICULTURAL USE	100 POINTS
60% TO 69% OF PROPERTY IN AGRICULTURAL USE	75 POINTS
LESS THAN 60% OF PROPERTY IN AGRICULTURAL USE	50 POINTS
[[8)] Implementation of Soil Conservation and Water Quality Plan - Maximum 100 points	
Current plan fully implemented	100 points
Current plan not fully implemented	75 points
Plan needs updating	50 points
Plan not implemented or no plan on record	0 points]]
8) SOIL CONSERVATION AND WATER QUALITY PLAN (SCWQP)/BEST MANAGEMENT PRACTICES (BMPs) – MAXIMUM 100 POINTS	

LONGSTANDING LANDOWNER RELATIONSHIP WITH SCD, AND SCWQP ON THE PROPERTY IS PREDOMINANTLY IMPLEMENTED WITH NO MAJOR RESOURCE CONCERNS

100 POINTS

LANDOWNER HAS RELATIONSHIP WITH SCD AND HAS MADE CONSIDERABLE EFFORTS TO IMPLEMENT SCWQP ON THIS PROPERTY OR ANOTHER PROPERTY, OR LANDOWNER HAS IMPLEMENTED CONSIDERABLE BMPs ON THEIR OWN

75 POINTS

NEW RELATIONSHIP WITH SCD AND HAS MADE CONSIDERABLE EFFORTS TO IMPLEMENT SCWQP ON THIS PROPERTY OR ANOTHER PROPERTY, OR LANDOWNER HAS IMPLEMENTED CONSIDERABLE BMPs ON THEIR OWN

50 POINTS

NEW SCWQP WITH NO CONSERVATION OR BMP ACTIVITY

0 POINTS

9) Ownership and Operation - Maximum 50 points

Owner operated	50 points
Non-owner operated	25 points
No current operation	0 points

[[10) Road Frontage - Maximum 50 points

Lin Ft / 100 = _____	x 2.0 on scenic road	_____ points
Lin Ft / 100 = _____	x 1.0 on other road	_____ points]]

SUBTOTAL POINTS - Maximum 1,000 points

PRELIMINARY PRICE CALCULATION - Maximum \$40,000 per acre

0 points x \$40/point = 0

ADDITIONAL POINTS - Maximum ~~[[200]]~~100 points

~~[[1. Relinquishment of Parcel Division Rights, if applicable - Maximum 50 points
Number of 50+ acre parcels allowed by right at 1 per 50 acres, if over 100 acres
Number of 50+ acre parcels relinquished x 10 points per parcel]]~~

~~[[2.]]1) Relinquishment of Tenant House Rights, if applicable - Maximum 50 points
Number of tenant houses allowed by right at 1 per 25 acres
Tenant house rights relinquished x 10 points per house~~

~~[[2. Protection of Green Infrastructure Network- Maximum 100 points
See separate scoring sheet 100 points]]~~

2) OPTIONAL APB POINTS - MAXIMUM 50 POINTS MAY BE ADDED OR SUBTRACTED

TOTAL PRICE POINTS - Maximum 1000 Points 0

FINAL PRICE CALCULATION - Maximum \$40,000 per acre \$0

0 points x \$40/point = \$0.00

**2020 PRICE FORMULA WORKSHEET – OPTIONAL APB POINTS
AS APPROVED BY APB ON 1/27/20**

OWNER	TAX MAP	PARCEL(S)	ACRES
FARM ADDRESS			

TOTAL OF 50 POTENTIAL POINTS CAN BE ADDED

- 1) CONTRIBUTION TO AGRICULTURAL ECONOMY – MAXIMUM 10 POINTS
 1. 5 POINTS – THE FARM HAS A SPECIALIZED OR UNIQUE OPERATION
 2. 5 POINTS – THE FARM HAS SIGNIFICANT AGRICULTURAL INFRASTRUCTURE
 3. 5 POINTS – THE FARM BUSINESS IS ACTIVE WITHIN THE LOCAL COMMUNITY BY:
 - a. PURCHASING AGRICULTURAL PRODUCTS FROM OTHER AREA FARMS
 - b. SUPPLYING AGRICULTURAL PRODUCTS TO FARMS, BUSINESSES OR INDIVIDUALS

- 2) CONTRIBUTION TO AGRICULTURAL SUSTAINABILITY – MAXIMUM 10 POINTS
 - 5 POINTS – AN EASEMENT ACQUISITION ON THIS FARM WOULD BE A NEW ADDITION TO PROPERTIES ALREADY UNDER EASEMENT BELONGING TO SAME OWNER
 - 5 POINTS – THIS IS A CENTURY FARM
 - 10 POINTS – IF THE FARM IS FOR SALE AT THE TIME OF APPLICATION, PURCHASE OF AN EASEMENT WILL ASSIST IN THE TRANSFER TO A NEW AND/OR NEXT GENERATION FARMER

- 3) GREEN INFRASTRUCTURE NETWORK (GIN)/WATER QUALITY – MAXIMUM 10 POINTS
 - 5 POINTS – FARM INCLUDES PORTIONS OF GIN HUB(S)
 - 3 POINTS - FARM INCLUDES PORTIONS OF GIN CORRIDOR(S)
 - 5 POINTS – 50’ MINIMUM FORESTED RIPARIAN BUFFER WIDTH
 - 3 POINTS - 35’ MINIMUM FORESTED RIPARIAN BUFFER WIDTH

- 4) HISTORIC AND SCENIC RESOURCES – MAXIMUM 10 POINTS
 - 5 POINTS – FARM INCLUDES AN HISTORIC STRUCTURE ENCUMBERED BY A MARYLAND HISTORIC TRUST EASEMENT
 - 3 POINTS – FARM INCLUDES A STRUCTURE LISTED ON THE NATIONAL, MARYLAND OR HOWARD COUNTY REGISTERS OF HISTORIC PLACES
 - 5 POINTS – FARM IS LOCATED ON THE HISTORIC NATIONAL ROAD (RT. 144)
 - 3 POINTS – FARM IS LOCATED ON A MARYLAND OR HOWARD COUNTY SCENIC ROAD

- 5) DISCRETIONARY - MAXIMUM 10 POINTS

REASON FOR ALLOCATING POINTS _____
