



Howard County

Internal Memorandum

Subject: Testimony on Council Bill No. 9-2013
Code Changes to Enhance the Agricultural Land Preservation Program

To: Lonnie Robbins, Chief Administrative Office
Department of County Administration

Through: Marsha McLaughlin, Director
Department of Planning and Zoning

From: Joy Levy, Administrator, Agricultural Land Preservation Program
Department of Planning and Zoning

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The Department of Planning and Zoning supports Council Bill No. 9-2013, which amends Section 15.500 of the Howard County Code to reflect proposed enhancements to the Agricultural Land Preservation Program (ALPP).

There are three significant changes to the ALPP in the proposed bill. The first amends Section 15.505 by allowing the County to retain and the option to resell the development rights we purchase from property owners. This can assist the County in financing the commitment being made to preserve any farm that is offered for easement acquisition. Instead of the rights being extinguished, the County will have the option to sell them through the Density Exchange program to eligible Tier III properties.

The second significant change alters the eligibility criteria for applying to the ALPP so that all properties 20 acres or larger will be eligible. Currently, properties between 20 and 50 acres must be adjacent to land that is already preserved in order to apply. This change will open up the program to more farms, and will provide the ALPP as an option for retaining property values to those parcels recently designated as Tier IV that no longer have major subdivision potential.

Lastly, Section 15.507 is proposed to be amended so that applications to the ALPP can be submitted on an open enrollment basis and will no longer have to be considered as a "batch". The batching requirement inherently creates deadlines and a competitive situation, which the enhanced program no longer supports.

As for fiscal impact, amending these three sections will have minimal to no impact on staff workloads or the Department's operating budget.

cc: Jennifer Sager, Legislative Coordinator, Department of County Administration
Stan Milesky, Director, Department of Finance
Ray Wacks, Administrator, Office of Budget
Beth Burgess, Chief, Resource Conservation Division