

## Chapter III

# Agricultural Land Preservation

### *State Agriculture Land Preservation Goals*

Though agricultural and natural resource land is essential to Maryland's economy, environment, and identity, it is constantly under development pressure to meet the need for houses and apartments, vacation and retirement homes, stores and businesses, industry, roads and schools, etc. The state legislature responded by creating a farmland preservation goal of 1,030,000 to be placed under easement through three programs combined: The Maryland Agricultural Land Preservation Foundation, Rural Legacy, and Local Purchase/Transfer of Development Rights Programs. Under these programs, landowners voluntarily sell an easement on their properties to the government. The land stays in private hands, and owners can farm it, sell it, and conduct a range of business activities that maintain the productive capability of the land, but they cannot develop it. So far these three programs have preserved over 480,640 acres... a little less than half of the goal. The two primary State funding programs for agricultural land preservation are the Maryland Agricultural Land Preservation Foundation (MALPF) and the Rural Legacy program. Most local preservation programs operate in conjunction with one or both of these programs. Both the State and the local programs work within the context of county zoning and land use management plans for farmland.

The following state goals and objectives form the core operating principals for agricultural preservation programs, funding mechanisms and cooperative interjurisdictional efforts:

1. Permanently preserve agricultural land capable of supporting a diversity of agricultural production.
2. Protect natural, forestry, and historic resources and the rural character of the landscape associated with Maryland's farmland.
3. To the greatest degree possible, concentrate preserved land in large, relatively contiguous blocks to effectively support long-term protection of resources and resource-based industries.
4. Limit the intrusion of development and its impacts on rural resources and resource-based industries.
5. Preserve approximately 1,030,000 acres of productive agricultural land by 2020.
6. Ensure good return on public investment by concentrating State agricultural land preservation funds in areas where the investment is reasonably well supported by both local investment and land use management programs.
7. Work with local governments to:
  - Establish preservation areas, goals, and strategies through local comprehensive planning processes that address and complement State goals;
  - In each area designated for preservation, develop a shared understanding of goals and the strategy to achieve them among rural landowners, the public at large, and State and local government officials;

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- Protect the equity interests of rural landowners in preservation areas by ensuring sufficient public commitment and investment in preservation through easement acquisition and incentive programs;
- Use local land use management authority effectively to protect public investment in preservation by managing development in rural preservation areas; and
- Establish effective measures to support profitable agriculture, including assistance in production, marketing, and the practice of stewardship, so that farming remains a desirable way of life for both the farmer and the public.

### Local Agricultural Preservation Goals

The 2000 county master plan, *Carroll County: Challenges and Choices – A Master Plan for the Future*, contains the following goal related to agricultural preservation:

1. Preserve 100,000 acres of tillable agricultural land for the production of agricultural products and promotion of related agribusiness

In fact, Carroll County has had a goal of preserving at least 100,000 acres of productive farmland since 1998. This number represents over 60 percent of the total land in the county that is in agricultural production, and has long been considered the “critical mass” of land needed to keep farming and agribusinesses viable ventures. Prior to 2000, this goal was an unofficial target which spurred significant interest and investment in land preservation. With the adoption of the current County Master Plan in 2000, the goal of preserving “100,000 acres of tillable agricultural land for the production of agricultural products and promotion of related agribusiness” was formalized as part of the county’s policy agenda.

The County’s agricultural preservation goal was based on a reasoned evaluation that this was the minimum amount of land needed to support both a viable agricultural base and the associated agribusiness economy. It also represents approximately one third of Carroll’s total land area. Affirming this goal also indicates a significant level of commitment to agriculture both as a preferred land use and as an economic engine.

The State’s goal of protecting 1,030,000 acres of agricultural lands represents approximately 16.5 percent of the state’s total land area of 6,251,090 acres as reported in the 2007 Census of Agriculture. By comparison, Carroll County’s goal of 100,000 preserved acres represents approximately 35 percent of its 286,153 total acres.

Preservation efforts targeting other types of resource lands besides productive farmland add to the total land area permanently protected. These specialized efforts are supported by the implementation of various resource conservation plans or best management practices plans mandated on Carroll’s easement properties. These plans address issues such as soil conservation, floodplain protections, stream buffers or other sensitive areas, and nutrient and waste management. In recent years, many easement agreements also have included water recharge or wellhead protection agreements. Additionally, the County participates in the Maryland Rural Legacy Program, which provides additional flexibility in defining qualifying characteristics for properties, enabling smaller properties with more natural or historic resources than productive agricultural soils to participate in a land preservation program.

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The 2005 Carroll County Land Preservation, Parks and Recreation Plan outlined the following five implementation strategies. They broadly address the County’s policy approach to continuing pursuit of the agricultural land preservation goal adopted in the Carroll County Master Plan. Taken together, these measures describe a flexible and effective program that has a strong track record of rapidly responding to critical issues and capitalizing on immediate opportunities.

1. In order to achieve the 100,000 acre goal, Carroll County must acquire easements on 60 percent of the 89,000 acres of unprotected land that is in parcels greater than 20 acres. The best strategy to accomplish this is to make as many easement offers as possible to the owners who apply. For the past three years, offers have been made to all applicants in the MALPF, Rural Legacy, and County easement programs. Restoring the Program Open Space funding and implementing the funding recommendations of the MALPF Task Force are essential for this strategy to continue.
2. Designated preservation areas in Carroll County are the Little Pipe Creek Rural Legacy Area and the Upper Patapsco Rural Legacy Area. The strategy is to promote easement acquisition within these areas and to provide County matching funds for State Rural Legacy grants to acquire as many easements as possible within these areas.
3. The County Critical Farms Program is best described as a “fast-track preservation program that guarantees at least minimum easement funding and enables a preservation buyer to acquire the farm”. Farms being marketed are at the greatest risk of development, and it is the County’s strategy to continue allocating a portion of preservation funding to this program.
4. The County recently strengthened the clustering provisions of the Rural Development Guides and Standards by adopting them as a County ordinance rather than operating under guidance. The strategy of clustering lots to preserve the maximum tillable ground will continue.
5. The County has adopted a strategy to contain easement costs by adopting maximum easement values as a percent of the appraised fair market value. Currently, the County does not offer more than 70 percent of fair market value for an easement in the County and Rural Legacy Programs, and for MALPF easements with 100 percent County funding. To date, the competitive bidding has held the State-funded MALPF offers to less than 70 percent of fair market value but this may not always be the case. The MALPF law should be amended to allow counties to establish a maximum value for all offers.

## Current Implementation Program for Agricultural Land Preservation

### **County Implementation Program**

#### *Designated Preservation Areas*

The County’s stated Master Plan policy directs that “all parcels with Agricultural zoning that meet the Maryland Agricultural Land Preservation Foundation criteria will have an equal opportunity to offer to sell an easement.” To better prioritize regions where land preservation is most desired and can most effectively connect contiguous preserved parcels, the County designated two important watersheds as Rural Legacy Areas: Little Pipe Creek (1998) and Upper Patapsco(2003).

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In 2006, the State Legislature passed the Agricultural Stewardship Act of 2006. The Act requires counties that are certified under the Maryland Agricultural Land Preservation Foundation (MALPF) to receive funding for farmland preservation to establish Priority Preservation Areas (PPAs) in their comprehensive plans and manage them according to certain criteria to maintain certification. On September 30, 2010, the Board of County Commissioners adopted the Agricultural Land PPA as an element of the *Carroll County Master Plan*. The total area encompassed by the PPA contains an estimated 92,909 acres of land, and generally includes the Little Pipe Creek Watershed Rural Legacy Area. The plan describes the methodology followed to delineate the PPA lands based on designated growth area and municipal boundaries, land use, existing easements, soil types and existing Rural Legacy areas. Geographic analysis of these characteristics enabled identification of the portions of the county where preservation efforts and investments will be focused. To further refine these efforts, the plan defines a goal to preserve 80 percent of the undeveloped lands within the PPA boundary. This equates to preserving 64,589 acres within the PPA boundary. Further, successful accomplishment of the PPA targets will account for more than 64 percent of Carroll's overall agricultural preservation goal. (Refer to Map 7)

Prior to 2008, easements in the Rural Legacy Areas that were acquired with 100 percent county matching funds were listed as Rural Legacy easements. Since 2008, these easements are designated as part of the Carroll County Easement Program (i.e., the leveraged IPA program). Easements designated under the Rural Legacy Program include only easements acquired with State grant funds or a combination of state and county funding.

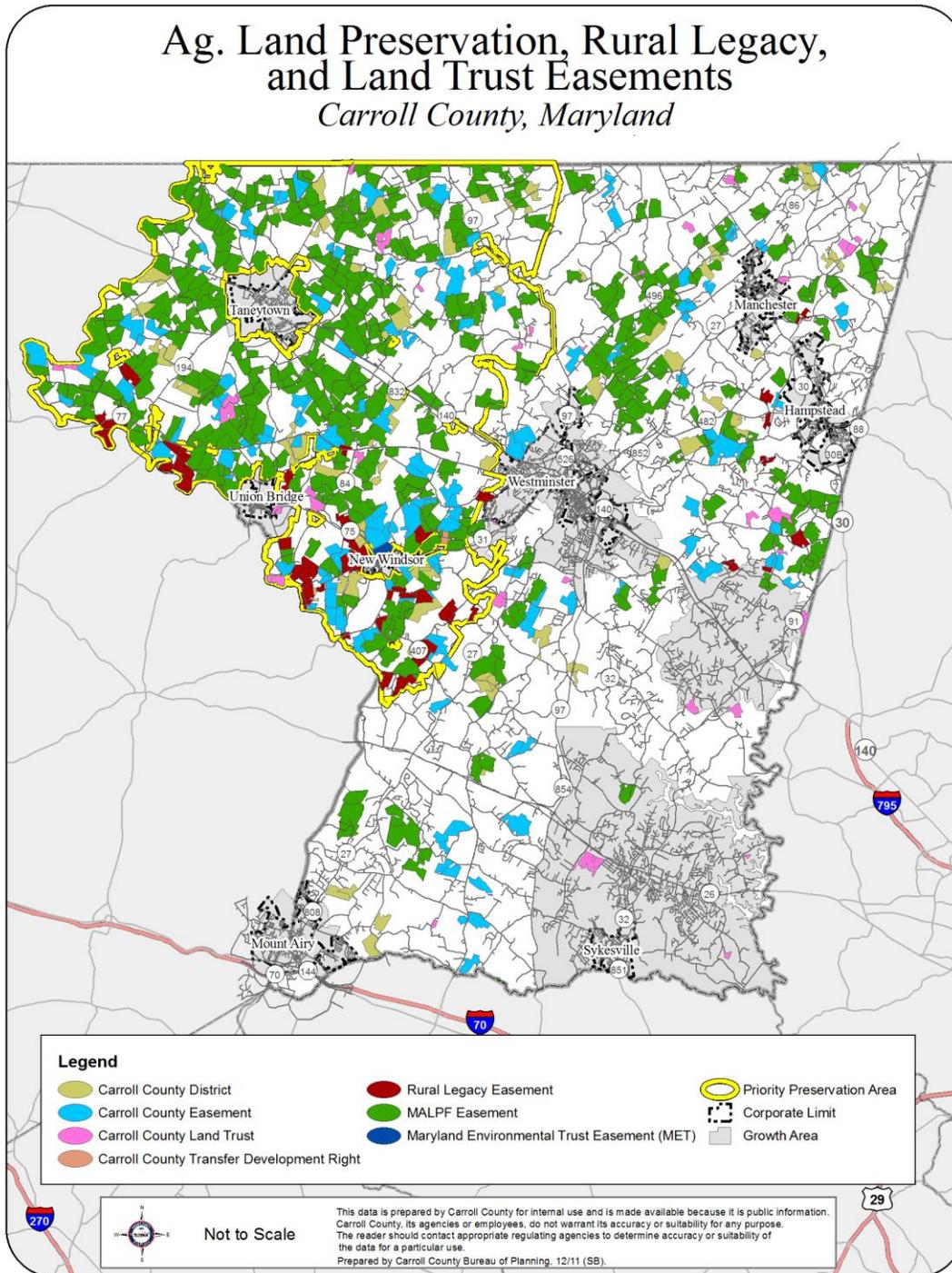
In 2009, both Rural Legacy Areas were expanded. The Little Pipe Creek Watershed Rural Legacy Area was enlarged to nearly 58,500 acres and the Upper Patapsco Watershed Rural Legacy Area increased to nearly 14,150 acres.

In 2010, an estimated 80,736 acres within the PPA were undeveloped. The County's goal is to permanently preserve 64,589 acres (80 percent) of this for agricultural production. Given that 42,569 acres were already preserved (by either permanent easement, or as designated "Remaining Portions"), the County's objective is to preserve the remaining 22,020 acres in the PPA through easement purchase and zoning restrictions. For Carroll to achieve its countywide goal of 100,000 acres of preserved farmland, additional acreage outside the PPA will need to be permanently preserved as well.

The only effect of the PPA on the MALPF program is in the ranking of easement proposals; the county can still purchase MALPF easements for property located outside the PPA, provided the property is ranked high enough. The county also can acquire installment purchase agreements (IPA) for property located outside the PPA.

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Map 7



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## *Easement Acquisition Mechanisms*

The County has used nearly every possible form of easement acquisition to preserve its agricultural land; although the use of Transfer of Development Rights (TDR) has only been utilized in one case to preserve agriculturally designated land with viable mineral resource potential. These mechanisms include:

- Maryland Agricultural Land Preservation Foundation (MALPF)
- Rural Legacy
- Land Trust
- Leveraged Installment Purchase Agreement

Despite fluctuating state funding, the County has made regular and significant budget commitments to ensure continual progress towards the agricultural preservation goals.

The Rural Legacy Program has been used to protect over 4,000 acres of land in the Little Pipe Creek Watershed Rural Legacy Area. The watershed is replete with historic sites, sensitive environmental features, and rural landscapes relatively untouched by time. A second Rural Legacy Area, the Upper Patapsco Watershed Rural Legacy Area, was designated in 2003. In addition to preserving a rural landscape that is threatened because of its close proximity to significant growth centers both in the county and in neighboring Baltimore County, its primary benefit is protecting the quality of water entering Liberty Reservoir. Unlike other parts of the county that have very little forestland remaining, this area has large blocks of forested areas and is heavily populated with historic sites as well.

By the end of calendar year 2011, Carroll County had secured permanent agricultural preservation easements on 61,870 acres through a combination of all programs and funding sources. These preservation agreements extinguish subdivision lot rights on the subject parcels. However, easements are structured to support continued and evolving agricultural uses by enabling creation of family lots, dwellings for farm managers or other required structures. Support for agricultural preservation remains strong even as the county continues to grow and its demographics alter. The general perception of Carroll as a rural county deeply rooted in productive farming, fuels many people's desire to live here. Ironically, those desires and perceptions exert ever-increasing pressures to develop rural parts of the county. Fortunately it also simultaneously drives the continued support for agricultural land preservation.

In 2011, the newly expanded Board of County Commissioners appointed a taskforce to conduct a comprehensive review of the current means and methods available to the county's agricultural preservation program. As a result of that review, recommendations were offered to consider a limited expansion of the existing Transfer of Development Rights program to address remaining portions of farms which still had non-residential development potential, and to add a lump sum payment option to the existing preservation programs. The taskforce also reported that the recently-enabled leveraged installment purchase agreement (IPA) had proven to be a highly successful and extremely cost-effective tool with a well-managed budget and per-acre pricing controls built into the program.

## *Funding for Easement Acquisition*

For long term budget planning, Carroll County maps out its projections for the agricultural preservation programs through its six-year Community Investment Plan (CIP). The following tables reflect the budget allocation and revenue sources for fiscal years 2012 through 2017. As later tables describing easement acquisitions by program and funding source reveal, this current County CIP funding commitment follows a pattern dating back nearly three decades.

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## COMMUNITY INVESTMENT PLAN FOR FISCAL YEARS 2012 TO 2017

Adopted

	Fiscal Year						Prior Allocation	Balance to Complete	Total Project Cost
	2012	2013	2014	2015	2016	2017			
<b>CONSERVATION AND OPEN SPACE:</b>									
Agricultural Land Preservation - IPA	\$4,226,420	\$2,370,160	\$1,832,380	\$1,337,430	\$954,070	\$827,080	\$0	\$0	\$11,547,540
Agricultural Land - Maryland Ag Land Preservation Program	2,583,330	2,583,330	2,583,330	2,583,330	2,583,330	2,583,330	0	0	15,900,020
Environmental Compliance	100,000	100,000	100,000	100,000	100,000	100,000	0	0	600,000
Rural Legacy	1,000,000	0	0	0	0	0	0	0	1,000,000
Storm Water Facility Reconstruction	1,115,000	855,000	640,000	704,000	960,000	920,000	0	0	5,194,000
Water Development	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	22,757,009	0	52,757,009
Watershed Assessment and Improvement (NPDES)	2,030,000	3,605,000	2,930,000	2,240,000	2,190,000	2,600,000	0	0	15,595,000
<b>CONSERVATION AND OPEN SPACE TOTAL</b>	<b>\$16,054,750</b>	<b>\$14,513,490</b>	<b>\$13,085,710</b>	<b>\$11,964,760</b>	<b>\$11,787,420</b>	<b>\$12,030,430</b>	<b>\$24,392,660</b>	<b>\$0</b>	<b>\$103,829,220</b>
<b>SOURCES OF FUNDING:</b>									
Transfer from General Fund	\$1,234,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,234,000
Property Tax	2,992,420	2,350,160	1,802,380	1,297,430	904,070	767,080	1,260,000	0	11,373,540
Bonds	6,378,330	10,893,330	10,003,330	9,377,330	9,583,350	9,953,350	14,586,409	0	70,775,429
Bond Interest	0	0	0	0	0	0	3,000,000	0	3,000,000
Reallocated Bonds	3,200,000	0	0	0	0	0	5,494,270	0	8,694,270
Reallocated GF Transfer	0	0	0	0	0	0	5,730	0	5,730
Ag Transfer Tax	0	20,000	30,000	40,000	50,000	60,000	0	0	200,000
State Ag. Preservation (MALPF)	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	0	0	7,500,000
Grants - Private	1,000,000	0	0	0	0	0	46,251	0	1,046,251
<b>CONSERVATION AND OPEN SPACE TOTAL</b>	<b>\$16,054,750</b>	<b>\$14,513,490</b>	<b>\$13,085,710</b>	<b>\$11,964,760</b>	<b>\$11,787,420</b>	<b>\$12,030,430</b>	<b>\$24,392,660</b>	<b>\$0</b>	<b>\$103,829,220</b>

### Land Use Management Authority

The County uses a number of land use planning tools to protect farmland from conversion to non-agricultural uses while still allowing farm owners to realize a profit on the equity they have in their land if they choose. The broadest tool utilized is the County Master Plan and the small area comprehensive plans. These plans are implemented through zoning and subdivision regulations, which in turn are enhanced by specific ordinances such as the Right-to-Farm Ordinance.

The 1964 County Master Plan established a land use pattern in the county that has endured for nearly fifty years. It designated growth centers, originally known as Community Planning Areas (CPAs) and now known as Designated Growth Areas (DGAs), into which the majority of growth in the county was to be directed. For the most part, land outside of these areas was designated Agriculture or Conservation and was to be used for farming or natural resource protection. Within the CPAs, small area comprehensive plans designated land uses, identified infrastructure improvements, and recommended policies that encouraged growth in and around the county's eight municipalities and other growth centers rather than in the rural areas. This pattern consistently has been validated by subsequent updates to the Master Plan and comprehensive plans.

Recent legislative changes have required the adoption of new comprehensive plan elements, which have included a Water Resources Element (WRE) and, for incorporated towns, a Municipal Growth Element (MGE). As a result of these various requirements, and the improved public facilities information that their drafting has prompted, several of Carroll's municipalities have reduced their planned growth areas. In most of these cases, the lands in those reduced areas have retained an agricultural designation. In at least one case, the reduced area was enacted to specifically enable the property owner to participate in the agricultural preservation program.

The two primary tools used to implement the County Master Plan and the community comprehensive plans are zoning and subdivision regulations. The vast majority of farms in the county are zoned

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Agricultural. The Agricultural zone is a restrictive zone with the stated purpose “... to provide for continued farming activities, conserve Agricultural land, and reaffirm Agricultural use, activities, and operations as the preferred dominant use of the land within the District... The intent of this article is to recognize the need for and appropriateness of very limited residential development in the Agricultural District, but to prohibit residential development of a more extensive nature. It is the further purpose of this district to maintain and promote the open character of this land as well as to promote the continuance and viability of the farming and agri-business uses.” New residential lots in the Agricultural zone are permitted at a density of one unit for the first 6 to 20 acres and one for each 20 acres (or portion of 20 acres) above the initial 20 acres. Properties under 6 acres are not subdividable.

The Conservation zone applies to the second largest number of acres outside of the Designated Growth Areas. Many farms have some amount of Conservation zoning on them. Residential development in the Conservation zone is permitted at a density of one unit for every 3 acres.

Further, each lot that legally existed as of April 23, 1963 is permitted two off-conveyances plus a remainder as long as the minimum requirements of the associated zone can be met. Off-conveyances are lots that can be created by deed rather than by a recorded subdivision plat.

In addition to zoning, subdivision regulations limit the impact that development might have on farming practices and the preservation of farmland. Specifically, the Development and Subdivision of Land chapter of the County Code requires that lots created in the Agricultural zone be kept as close to one acre in size as possible and be clustered away from productive farmland. Naturally, the lot size also is governed by the various setback requirements imposed by the County Health Department for a lot with individual well and septic systems.

The provision of public facilities, such as water and sewer, is planned for in the County Water & Sewer Master Plan and implemented through the subdivision process. The county’s Designated Growth Areas are the regions in which most water and sewer facilities are planned and constructed as capital projects or features of development. Most of the area zoned Agricultural and Conservation are designated in the Water & Sewer Master Plan as “no planned service” areas. This limits the amount and intensity of development that is possible in these areas.

Finally, the Carroll County Code of Public Local Laws and Ordinances contains a Right-to-Farm Ordinance supporting the protection of agricultural lands. The chapter’s first section begins:

“It is the declared policy of the county to preserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. It is the purpose of this chapter to reduce the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance, trespass, or other interference with the reasonable use and enjoyment of land, including, but not limited to, smoke, odors, flies, dust, noise, chemicals, or vibration, provided that nothing in this chapter shall in any way restrict or impede the authority of the state and of the County to protect the public health, safety, and welfare authority of the state and of the County to protect the public health, safety, and welfare.”

The ordinance requires that, upon any transfer of real property, a statement must be provided to the purchaser that states, in part:

“Agricultural operations (as defined in the Carroll County Right to Farm Chapter) lawfully exist in all zoning districts within the County. You may be subject to

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inconveniences or discomforts arising from such operations, including but not limited to noise, odors, fumes, dust, flies, the operation of machinery of any kind during any 24-hour period (including aircraft), vibration, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, and pesticides. Carroll County has determined that inconveniences or discomforts associated with such agricultural operations shall not be considered to be an interference with reasonable use and enjoyment of land, if such operations are conducted in accordance with generally accepted agricultural management practices.”

### *Farming Assistance Programs*

The Carroll County Department of Economic Development maintains a website ([www.carrollag.org](http://www.carrollag.org)) developed “to assist consumers and producers of farm goods to more easily find agricultural products and to assist in marketing Carroll’s homegrown products.” The website and its various marketing materials link consumers with agribusinesses. Publications include a directory of county farmer’s markets and choose-and-cut Christmas tree farms, as well as a “Farm Product and Service Directory,” and directories of dairy farms and buyers and sellers of forage. Publications are designed to make connections between buyers and sellers both within the farming community and outside of it. An Agriculture Marketing Specialist position within the Department of Economic Development was created to further the promotion of the county’s agricultural products. This effort is enhanced by the “Home Grown in Carroll County” logo that appears on products and marketing materials.

Several organizations provide information and technical assistance to county farmers. Carroll County has a branch of the University of Maryland’s Maryland Cooperative Extension that provides programming in four areas: agriculture, 4-H club, horticulture and home economics. Extension education, which is funded through a combination of federal, state, and county monies, offers technical assistance, special classes and programs, and outreach materials in each of these four areas. Included in these offerings is assistance to farmers and homeowners with practices that will enhance natural resource protection. Such practices include pesticide and fertilizer use and alternatives, soil erosion control, composting, and water conservation.

The Carroll Soil Conservation District also works with farmers to develop and implement soil and water conservation plans and best management practices (BMPs). These plans are developed cooperatively with the Maryland Department of Agriculture and the Natural Resources Conservation Service, and seek to control soil erosion and sedimentation and protect water quality and other natural resources.

### *State and Federal Programs*

Carroll County farmers make great use of the various state and federal programs available for resource conservation and nutrient management. The Carroll Soil Conservation District administers the Maryland Agricultural Cost Share (MACS) program for Carroll County. The District provides administration, planning and design for BMPs.-

### *Implementation of the Priority Preservation Area*

Within the adopted plan recommendations of the 2010 PPA Element, three measures were proposed for action:

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Consider strategies to reduce rural residential densities, thereby decreasing future impervious cover, road impacts, water quality impacts, and demand for new, or improved existing facilities

Incorporate strategies identified through the Builders for the Bay process into the appropriate Code chapters, practices, and manuals

Revise Chapter 103, Development and Subdivision of Land, to offer a preservation incentive lot in exchange for the placement of a permanent preservation easement on eligible remaining portions

The first implementation measure continues to be discussed both in terms of how the agricultural land preservation program is structured and in how the issues of land use patterns, environmental resource protections, and public facilities and services are reflected in the County's Master Plan. As of early 2012, this document was under review and revision .

More pronounced progress has been made on implementing the second measure. For many years Carroll's efforts to protect agricultural and forest land preservation efforts have been coordinated with and incorporated into natural resources protection programs. Between June 2007 and July 2008, the County and private sector stakeholders convened a "Builders for the Bay" roundtable to review codes, development procedures and other measures to incorporate the best environmental management practices into practical and achievable revisions to codes, procedures, functional plans and policy. In 2008, the county started to include water recharge credits as a stipulation in the deed of easement for the Carroll County Easement Program. The credits become part of the easement agreement's conditions and are provided for the benefit of future water supply development. The Builders for the Bay process was initiated in to prepare for drafting the county-wide unified Water Resources Element (WRE) which was adopted in April 2010. As described in more detail in the Natural Resources chapters of this plan, since February 2009, many measures of the Builders for the Bay have been implemented as new or revised code or practices and procedures. The implementation of these latest code revisions will result in progress toward achieving master plan land use and agricultural preservation objectives reflected in the PPA, WRE, and LPPRP goals.

The third PPA recommendation to address the issue of agricultural remainders has been studied for several years. Agricultural remainders are those portions of farm parcels which have exhausted their residential lot right potential but may still be developed for other non-residential purposes such as schools, churches, public institutional buildings or public or private recreation centers. A recently convened Agricultural Task Force identified the development potential of these remainders as a threat to the long-term security of agricultural land. As an alternative to the lot right recommended in the PPA, they proposed a specialized TDR program as another option to study further.

Carroll County began offering an installment purchase agreement (IPA) program in 2002 as an optional method of paying for easements. This has enabled the County to obtain easements on farms that otherwise would have not been in the program due to the tax consequences to the owner. When an applicant who wants an IPA is ranked by MALPF to receive an offer that contains state funding, that applicant must reject the offer in favor of a County-held easement to be paid for with the IPA. In 2009, the Maryland General Assembly passed legislation authorizing Carroll County to use cash to purchase bonds for the IPA program. The IPA program changed to a leveraged IPA program, and has become the essential component of the Carroll County Easement Program. This program offers significant

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advantages to both the county and to the landowner. From a programmatic perspective, easements can be acquired and retired more rapidly and budgeting for current and future costs are far more predictable. Present value is the basis for the lot right appraisals, and payments are made in depreciated future dollars. From the landowners perspective, the program offers a long term income potential and lower tax impacts while returning a higher long term value for the retired development right. For all parties, a regularly funded leveraged IPA program eliminates the unpredictable funding streams which have resulted in delays, frustration and undoubtedly lost preservation opportunities while waiting on funding through programs which may be zeroed out in any given year to resolve other financial crises.

### Progress in Implementing the Strategy for Agricultural Land Preservation

As described earlier in this chapter, the 2005 *Carroll County Land Preservation, Park, and Recreation Plan* contained five strategies for agricultural land preservation program development. These strategies are, for the most part, ongoing in nature, as opposed to involving a finite completion.

1. In order to achieve the 100,000 acre goal, Carroll County must acquire easements on 60 percent of the 89,000 acres of unprotected land that is in parcels greater than 20 acres. The best strategy to accomplish this is to make as many easement offers as possible to the owners who apply. For the past three years, offers have been made to all applicants in the MALPF, Rural Legacy, and County easement programs. Restoring the Program Open Space funding for Rural Legacy and implementing the funding recommendations of the MALPF Task Force are essential for this strategy to continue. Irregular funding of critical programs such as POS hinders the County's ability to offer predictable and timely responses to interested property owners which increases the risk of losing vital easements.
- 2-4. The continued use of the Rural Legacy and the Critical Farms programs along with the clustering provisions of the County's development code remain essential components of Carroll's long-term agricultural preservation strategy.
5. The County has adopted a strategy to contain easement costs by adopting maximum easement values as a percent of the appraised fair market value. Currently, the County does not pay more than a total of 70 percent of appraised fair market value for an easement in the County and Rural Legacy Programs, and for MALPF easements with 100 percent County funding. To date, the competitive bidding has held the State-funded MALPF offers to less than 70 percent of appraised fair market value but this may not always be the case. The MALPF law should be amended to allow counties to establish a maximum value for all offers.

The following tables document the County's progress toward achieving agricultural land preservation goals described within its adopted Priority Preservation Element, the most recent County master plan, and the Land Preservation, Parks and Recreation Plan (LPPRP).

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### Carroll County Agricultural Land Analysis Acres Lost vs. Acres Preserved 2005 through 2011

Year	2005	2006	2007	2008	2009	2010	2011	Totals
<b>Acres Lost *</b>	751.14	335.14	372.97	352.12	247.28	20.4	175.47	2,254.52
<b>Acres Preserved</b>	2,326	2,806	1,655	2,599	1,316	1,771	4,598	17,071

\* Based on Agricultural Land Transfer Tax data  
 Source: Carroll County Dept. of Land Use, Planning & Development/GIS, 1/2012; Ag Transfer Tax Data from State Dept of Assessments and Taxation, compiled by Carroll County Dept of Collections, 1/2012

### Carroll County Agricultural Acreage Preserved By Easement Type

Fiscal Year	MALPF Conventional Funding	MALPF Full County Funding	Total MALPF	Rural Legacy	Carroll County Easement Programs	All Land Trust	Totals
Through 1996	23,568	472	24,040	-	52	552	24,644
1997	1,043	480	1,523	-	100	153	1,776
1998	1,718	738	2,456	-	-	24	2,480
1999	1,066	862	1,928	-	-	10	1,938
2000	1,172	459	1,631	524	355	18	2,528
2001	881	1,949	2,830	872	-	149	3,851
2002	743	994	1,737	593	138	147	2,615
2003	492	492	984	150	772	251	2,157
2004	--	923	923	-	1,462	342	2,727
2005	301	273	574	-	1,639	120	2,333
2006	553	348	901	156	1,641	121	2,819
2007	690	204	894	44	701	16	1,655
2008	710	366	1,076	491	922	110	2,599
2009	472	-	472	107	727	10	1,316
2010	-	-	-	196	1,498	77	1,771
2011	533	-	533	487	3,554	24	4,598
<b>Totals</b>	33,942	8,560	42,502	3,620	13,561	2,124	61,807

Source: Carroll County Dept. of Land Use, Planning & Development, 1/2012