

**COUNTY ORDINANCE NO. 09-26**

**A BILL ENTITLED**

**AN ACT CONCERNING the Establishment of a Critical Farm Program in Queen Anne’s County, Maryland.**

**FOR THE PURPOSE of establishing a program for the purchase of development rights from parcels designated as “Critical Farms” in Queen Anne’s County; defining terms and establishing criteria for designation as a Critical Farm; and generally dealing with the establishment of a Critical Farm Program in Queen Anne’s County;**

**BY AMENDING Chapter 14:5 of the Code of Public Local Laws of Queen Anne’s County; adding a definition of “Critical Farm” to Section 14:5-1, adding a new Section 14:5-6 and renumbering Sections 14:5-6 and 14:5-7 of the Code of Public Local Laws:**

**SECTION I**

**BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that the following definition be added to Section 14:5-1 of the Code of Public Local Laws:**

**§14:5-1. Terms Defined.**

**...**

**CRITICAL FARM – A contiguous parcel of land of at least 200 acres devoted to active agricultural activity which meets 1 or more of the following criteria:**

- A. The preservation of the farm will provide for a larger contiguous area of preserved lands.**
- B. The farm is either subject to significant, imminent development pressure, adjacent to an incorporated jurisdiction or within an identified municipal green-belt.**
- C. The conversion of the farm to non-agriculture use is pending or anticipated and such non-agricultural use is determined to have a potentially deleterious effect on surrounding or adjacent properties.**

## **SECTION II**

**BE IT FURTHER ENACTED** that a new Section 14:5-6 be added to Chapter 14:5 of the Code of Public Local Laws to read as set forth below:

**§14:5-6. Critical Farms.**

As an alternative to the purchase of rights under §14:5-5 or in combination therewith, the County may use funds available to the program to purchase development rights from a Critical Farm. The valuation of such development rights shall generally follow the rules, regulations and procedures (i) of the Foundation, and (ii) adopted under Subtitle 5 of Title 2 of the Agricultural Article of the Annotated Code of Maryland.

## **SECTION III**

**BE IT FURTHER ENACTED** that former Sections 14:5-6 and 14:5-7 of the Code of Public Local Laws be renumbered as 14:5-7 and 14:5-8.

## **SECTION IV**

**BE IT FURTHER ENACTED** that this Ordinance shall be effective on the forty-sixth (46<sup>th</sup>) day following its enactment.

**INTRODUCED BY:** Commissioner Gunther

**CO-SPONSORED BY:** Commissioners Billups, Ransom and Wargotz

**DATE:** December 8, 2009

**PUBLIC HEARING HELD:** January 26, 2010 @ 6:45 p.m.

**VOTE:** 5 Yea 0 Nay

**DATE OF ADOPTION:** January 26, 2010

**EFFECTIVE DATE:** March 13, 2010