

AGRICULTURAL PRESERVATION DISTRICTS

This fact sheet describes the benefits and restrictions associated with agricultural preservation districts and their role in the Agricultural Land Preservation Program.

Since the Washington County program was founded in 1977, the agricultural preservation districts have been a statutory prerequisite for easement application. Landowners voluntarily agree to a ten year restriction on development of an eligible farming property in return for the ability to receive property tax credits and to apply to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF). Districts help the County control the location of development and act as a mechanism to ensure eligibility for program participation.

Districts were once held by the MALPF program but are now held by the County. The Board of County Commissioners approved the County District program on 1/2009.

Benefits from District Establishment

An agricultural district is established when you (or the landowner at the time) sign an agreement, which is notarized and recorded in the land records of the County. The agreement, which is in effect for at least ten years even if the property is sold or transferred during that period, provides the following benefits:

- The security of knowing that the land and any nearby districts and easements are protected from development.
- An official acknowledgement from the County that farming is the preferred use of the land. This also helps to protect you, the landowner, from nuisance complaints.
- The retention of eligibility by the original owner who signed the district agreement, for family, owner's, or child's lots to be released from the district agreement.
- County property tax credits for the farmland, farm buildings, and partial tax credit for the home.

Restrictions of the Ten Year District Agreement

The district agreement in force on agricultural properties contains substantially the same restrictions that are in force on permanently preserved properties by Maryland Agricultural Land Preservation Foundation easements:

- The land may not be developed or subdivided for industrial, commercial or residential use except for certain personal eligibility options you retain.
- Signs or billboards may not be displayed on the property except for signs smaller than four feet square which may only be erected for the following purposes:
 - To state the name of the property and the name and address of the occupant.
 - To advertise a home based occupation consistent with the purposes of the easements; or
 - To advertise the property's sale or rental.
- Trash or rubbish may not be dumped on the property. Any material which is for regular agricultural use may be dumped.
- Soil erosion and water quality practices contained within a soil conservation plan approved by the local soil conservation district must be implemented. The practices shall be installed on the land according to the schedule of implementation within the plan. The plan must be completely implemented within 10 years of the easement settlement date.

Qualifications for Ten-Year District Agreement

- Must be 50 acres minimum stand alone or 20 acres if contiguous to other districts.
- Must have a minimum of 50% of soil classes I, II and III.
- Must be outside water and sewer service areas.
- Must be outside of growth areas.

Terminating your Ten Year District Agreement

When your ten year district agreement expires, you may terminate the agreement at any time for any reason. The agreement remains in effect until all current titled landowners have signed and returned a Release and Termination document and it is recorded in the County Land Records.

Consider a Permanent Agricultural Preservation Easement

As an owner of an agricultural district property, the County encourages you to apply to MALPF for a permanent agricultural district easement on your property. Contact the Planning Department's Agricultural Land Preservation personnel for guidance with that process.