
Fact Sheet – Calvert County’s Agricultural Land Preservation Program

Background- Calvert’s efforts to preserve farmland dates all the way back to the preparation of the Comprehensive Plan 1974, known as the “Pleasant Peninsula Plan.” Citizens participating in the Plan raised concerns about the environment and loss of farmland.

As a result, Calvert’s **Agricultural Land Preservation Program** was adopted in 1977 and was the first such program established in the state. It enabled the use of Transferable Development Rights (TDR) to move residential development from prime farm and forest properties to developing lands in other parts of the county.

The Program is operated by the Agricultural Preservation Advisory Board (APAB) which prepares and approves Rules and Regulations for the Program, subject to the final adoption by the Board of County Commissioners. The APAB, comprised of at least three farmers, approves or denies Agricultural Preservation District (APD) applications and modifications to APDs. Owners of APDs are eligible to sell the number of development rights certified by the Commissioners in lieu of developing lots.



Figure 1: Farm preserved using TDRs

In 1980, the Commissioners adopted the **Maryland Agricultural Land Preservation Program** which purchases easements on farmland. The program is run by the Maryland Agricultural Land Preservation Advisory Board (MALPF). The County APAB serves as

the local board, making recommendations about proposed state APDs and easement sales.

In 1992, Calvert County established its own development rights **Purchase and Retirement (PAR) Fund**, buying up to 10 TDRs from willing sellers from County APDs. The applications are ranked based on the criteria established in the Rules and Regulations in cases there are more applications than money available for purchase. The PAR program provides a market during economic downturns.

The 1997 Comprehensive Plan called for reducing residential buildout (the maximum number of dwellings allowed by zoning) and additional purchase of development rights was identified as a way to reduce residential buildout as well as preserve prime farm and forestland. As a result, the **Leveraging and Retirement (LAR) Program** was created. Under this program, the County purchases most or all development rights from an Agricultural Preservation District. Willing owners sell their development rights at an agreed upon price at the end of a term of 10 to 20 years. Meanwhile, the owners receive tax-free interest on the value of the development rights over the term.



Figure 2: Farm preserved using the LAR Fund

To help finance land preservation programs, the county increased the recordation fee for property transactions in the County and dedicated at least \$1.5 million per year for land preservation.

Fact Sheet – Calvert County’s Agricultural Land Preservation Program

In 1998, the state created another program for land preservation. **The Rural Legacy Program** is intended to focus resources to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry and environmental protection through cooperative efforts among state and local governments and land trusts.

Great progress has been made since the establishment of the TDR program in 1977. Utilizing all of the land preservation tools, the County has preserved nearly 29,000 acres of land.

Program ‘13	Acres
Transferable Development Rights	14,442
Purchase and Retirement (PAR)	4,287
Leveraging and Retirement (LAR)	2,165
Maryland Agricultural Land Preservation	4,715
Rural Legacy Program	1,783
Other	1,518
Total	28,910

However, only a portion of the development rights have been sold from many of the farms that have been preserved. Many land owners are concerned that the County has lost interest in land preservation and its commitments to maintain funding of land preservation programs. The PAR fund stopped for several years and the County withdrew the funds from the **Revolving Loan Fund**, used by land trusts to purchase and preserve critical farms.

Page IV-10 of the **Calvert County Land Preservation, Parks and Recreation Plan 2014** states that “Calvert increased its recordation tax and allocates \$1.5 million annually from the tax for land preservation. Recent financial stress caused by the 2007 Recession has currently reduced the County’s ability to dedicate this level of funding.” The 2015 Budget indicates that the

County will collect \$6,120,000 in recordations in FY 2015. Approximately \$2,000,000 will be due to the increase in recordation fee adopted in 1999.

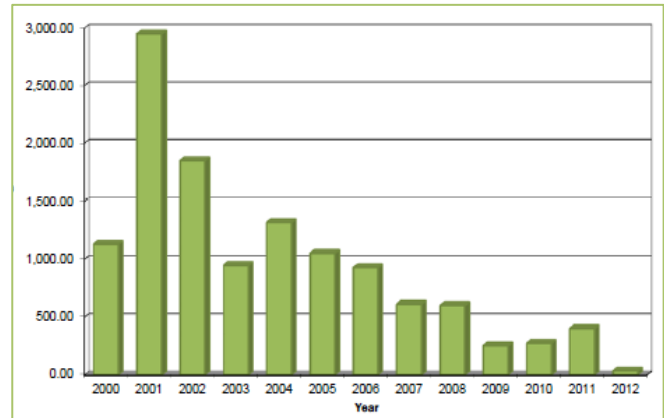


Figure 3: Acres preserved 2000 to 2012

The PAR Fund was adopted precisely to provide a market for TDRS during an economic downturn. It should be noted that while there were no PAR fund purchases for several years, none of our groups raised concerns at budget hearings.

A role of the Network may be to assure the County of our continued interest in land preservation and the commitments called for in the 2010 Comprehensive Plan, which include the following actions:

- Continue to support and strengthen the County Purchase and Retirement Programs as a means of promoting participation in the Agricultural Preservation Program,
- Provide local support to the Maryland Agricultural Land Preservation Program and other State and federal agricultural preservation programs,
- Continue to work with the County’s land trusts to identify and preserve farms that are critical to the protection of lands in Priority Preservation Areas.