

PRIORITY PRESERVATION AREA PLAN



A Master Plan for the Next Generation



Introduction and Background

In response to the Agricultural Stewardship Act of 2006, Harford County adopted a Priority Preservation Plan in 2008 which applied to the Lower Deer Creek Rural Legacy Area. In 2009, the Deer Creek Rural Legacy Area and the Priority Preservation Area (PPA) were expanded to include the majority of the upper Deer Creek watershed (Figure 1). To date over 34,000 acres have been protected within the PPA, and the County continues working toward an 80% preservation rate for the undeveloped lands in that area (Figure 2).

To enhance preservation efforts, the 2016 Priority Preservation Area Plan expands the PPA boundary to include all lands north of the 2009 boundary and the Harford County portion of the Manor Rural Legacy Area (Figure 3). This new PPA encompasses portions of several watersheds (Figure 4), and this designation is consistent with the goals of the Sustainable Growth and Agricultural Preservation Act of 2012 (SB 236). The area is designated Agricultural on the County's 2012 Land Use Map and is located outside of the designated growth area (Figure 5).

Defining the Priority Preservation Area

To be designated as a Priority Preservation Area, the area should exhibit the characteristics noted in the Agricultural Stewardship Act. These are:

1. Contain productive agricultural or forest soils, or be capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking;
2. Be governed by local policies that stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources;
3. Be large enough to support the kind of agricultural operations that the County seeks to preserve, as represented in the comprehensive plan; and
4. Be accompanied by the County's acreage goal for land to be preserved through easements and zoning in the PPA equal to at least 80% of the remaining undeveloped areas of land in the area.

Another important consideration in selecting an area for designation as a PPA is how well the area exemplifies the goals of the MALPF Program. The state goals for agricultural land preservation are:

1. Permanently preserve agricultural land capable of supporting a reasonable diversity of agricultural products;
2. Protect natural, forestry, and historic resources and the rural area 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;

2008 & 2009 PRIORITY PRESERVATION AREAS

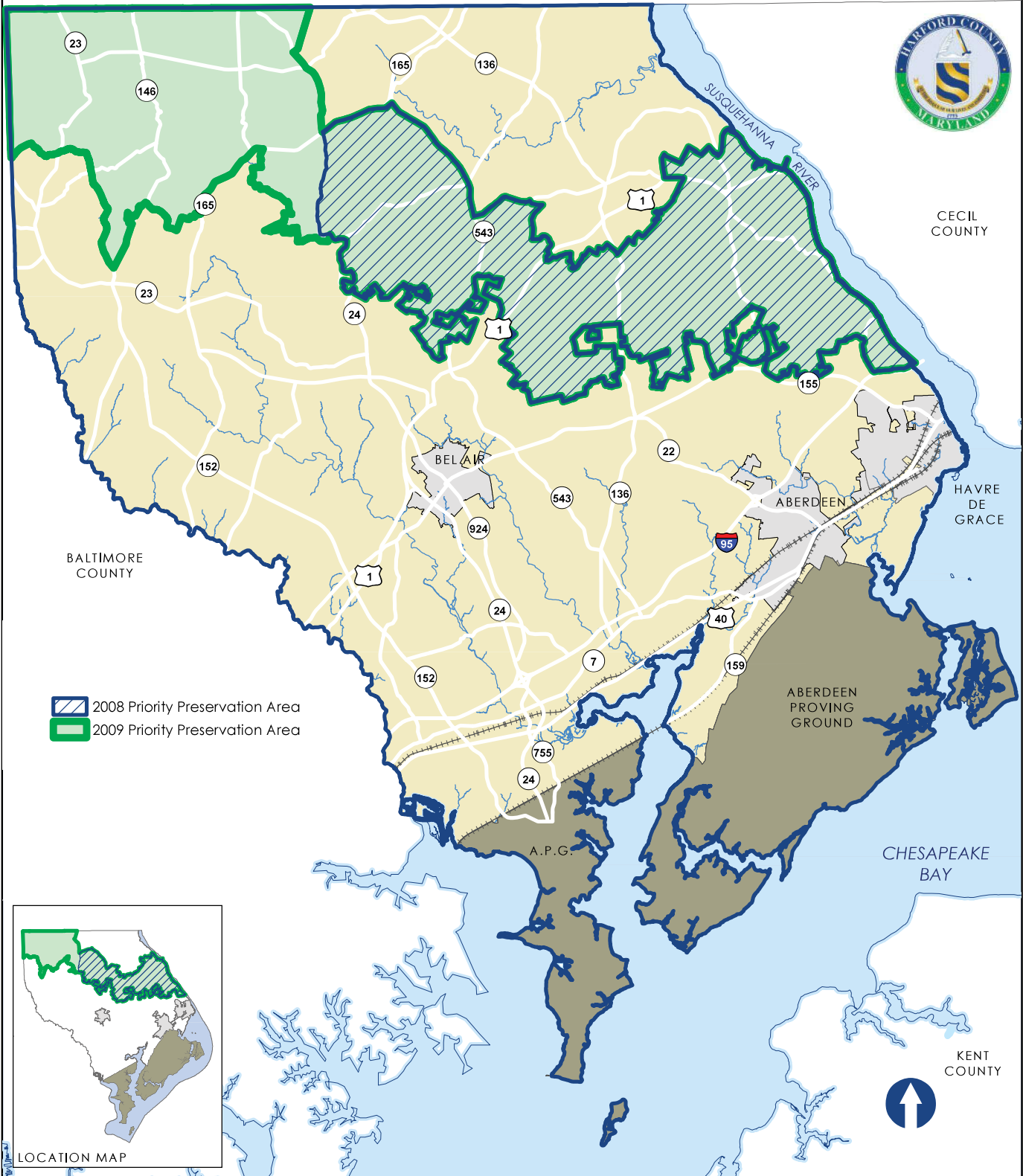


FIGURE 1

AGRICULTURAL PRESERVATION

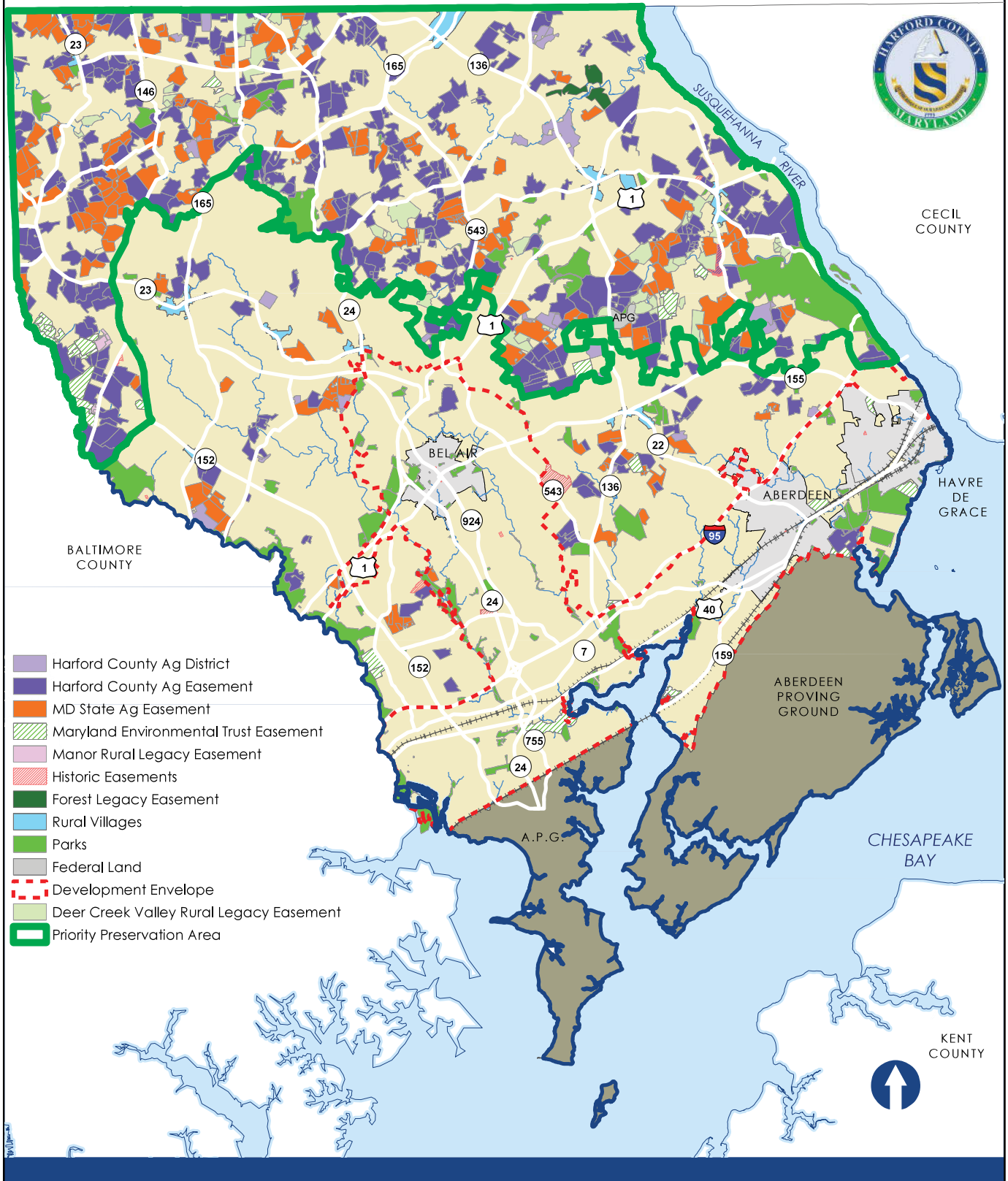


FIGURE 2

NEW PRIORITY PRESERVATION AREA

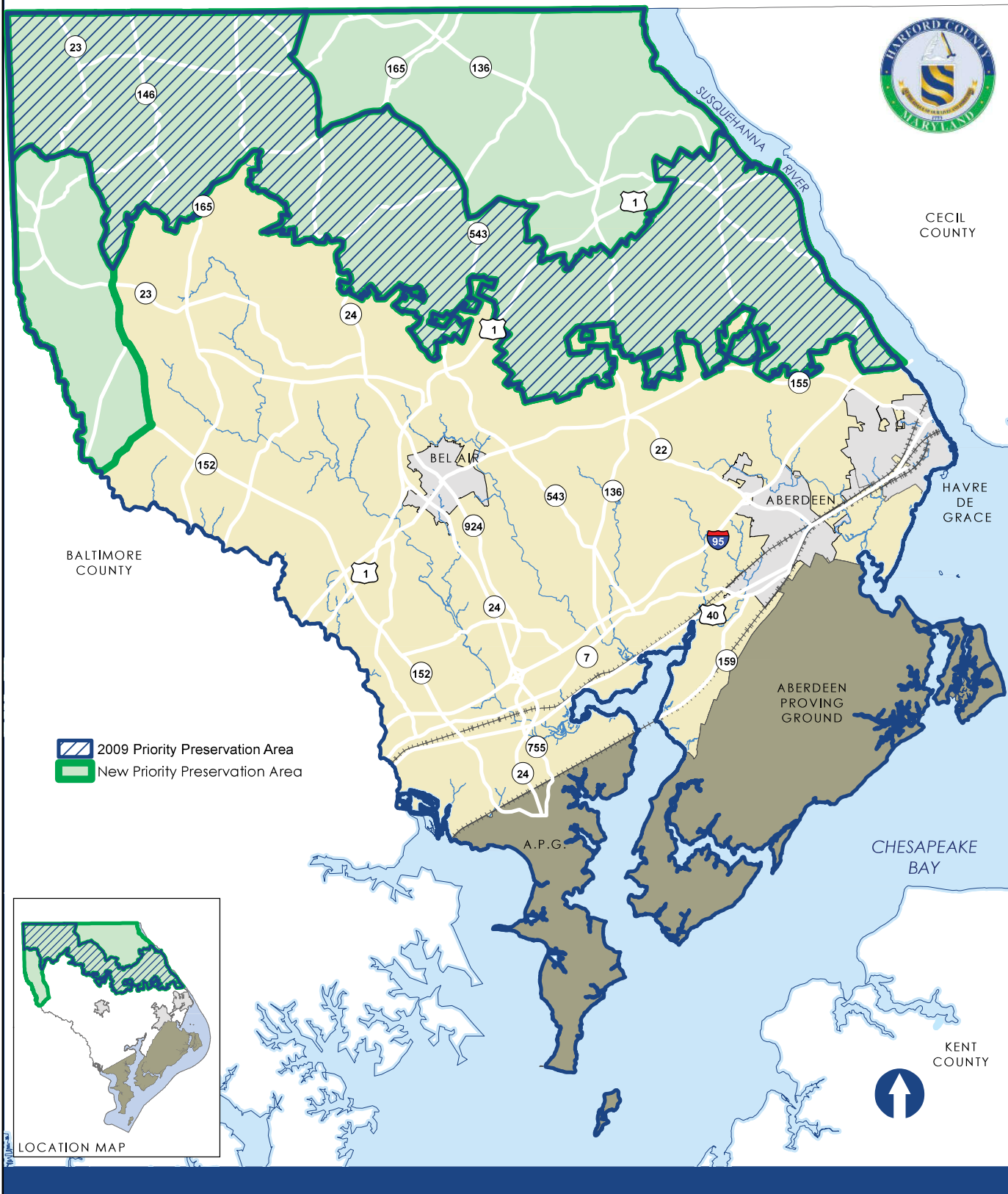


FIGURE 3

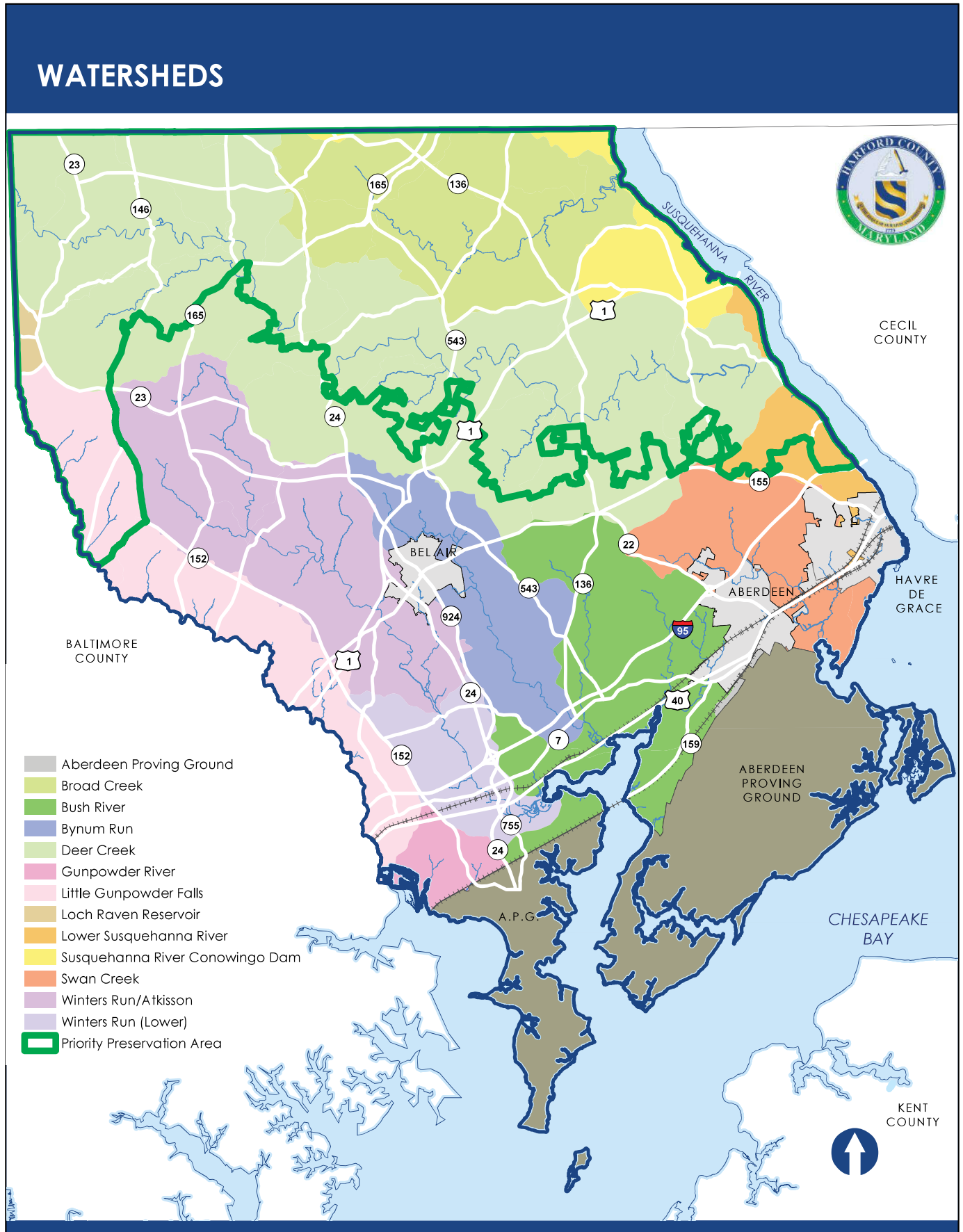


FIGURE 4



FIGURE 5

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; and
7. Work with local governments to:
 - a) Establish preservation areas, goals, and strategies through local comprehensive planning processes that address and complement state goals;
 - b) 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;
 - c) 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;
 - d) Use local land use management authority effectively to protect public investment in preservation by managing development in rural preservation areas; and
 - e) 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 public-at-large.

Thus, the PPA should be capable of supporting profitable agricultural and forestry enterprises and should be managed by local policies that help stabilize the land base so that agricultural and/or forest resources are not compromised. The area should also be large enough to support traditional large-scale agricultural operations, such as dairy, grain, and horse and beef cattle, that the County seeks to preserve.

Based on the PPA goal of protecting 80% of the remaining undeveloped land, and program goals to concentrate preserved land in large relatively contiguous blocks, the Lower Deer Creek Valley was selected as the County's first PPA. There was, however, strong support to include the upper portion of the watershed. In 2009, the PPA was expanded concurrent with the expansion of the Deer Creek Valley Rural Legacy Area (See Figure 1). The area encompasses 66,701 acres of which 52% (34,683 acres) has been protected.

In 2012, the Maryland General Assembly enacted the Sustainable Growth and Agricultural Preservation Act. Subsequent to its implementation, the Tier IV areas of the County were reevaluated to determine if they also met the criteria for potential designation as a PPA (Figure 6). Utilizing the same criteria employed previously (percentage of the area already preserved, acreage needed to reach the 80% goal, and the percentage of the area developed), it was determined that the expansion of the PPA should include the area north of the current boundary and the Harford County portion of the Manor Rural Legacy Area (See Figure 3).

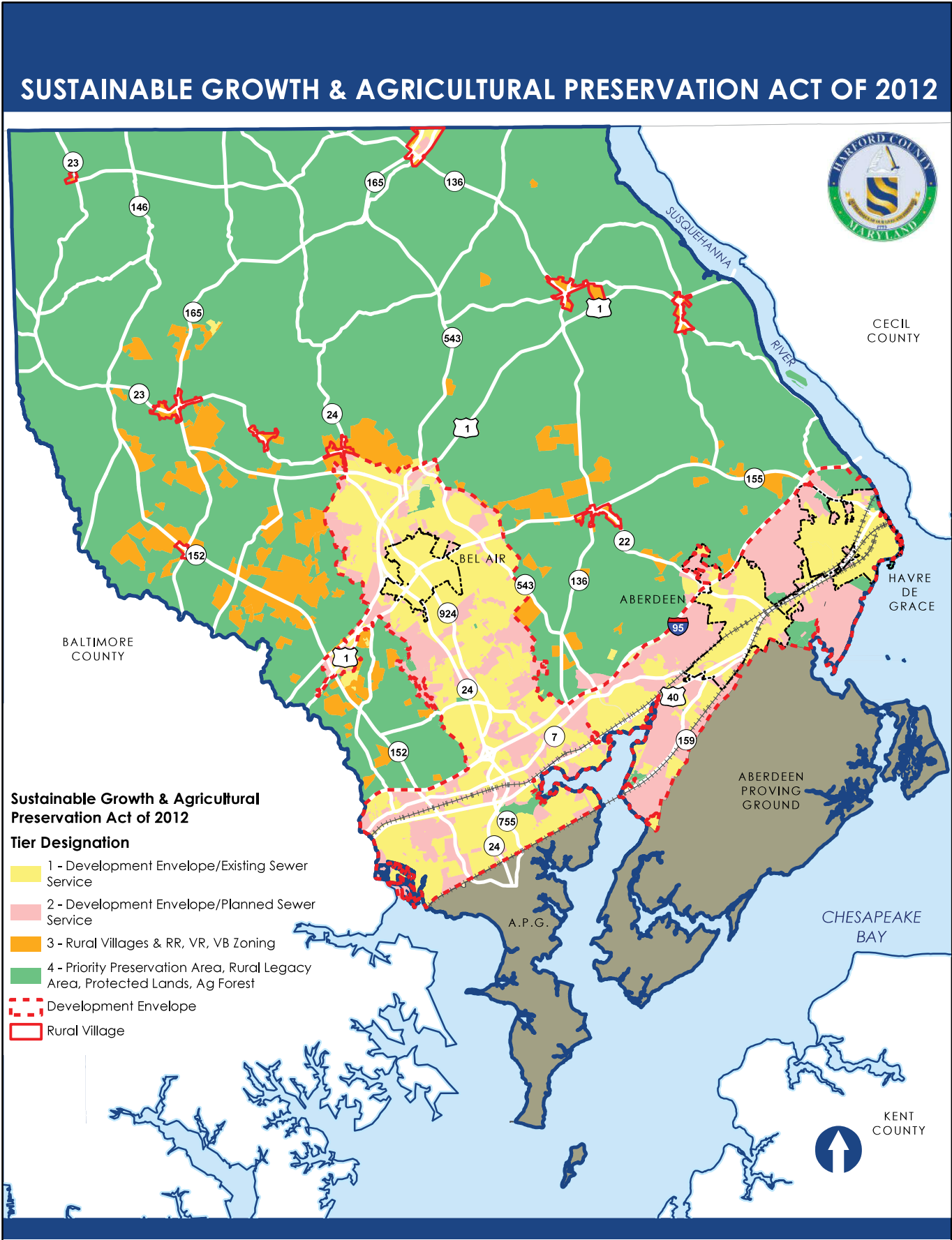


FIGURE 6

Characteristics of the Harford County Priority Preservation Area

The newly defined PPA now encompasses over 110,000 acres of which 96,373 are zoned agricultural. Of the agriculturally zoned land, 47% (45,224 acres) has been preserved through a variety of measures. Preservation efforts in the PPA reflect a combination of easements and other protected lands. A mix of state parks and camps are located within the area; including Parker Conservation Area, Rocks, Palmer, and Susquehanna State Parks along with the Broad Creek Memorial Scout Reservation. The majority of the easements are held through Harford Agricultural Land Preservation Program (HALPP), Maryland Agricultural Land Preservation Foundation (MALPF), or Rural Legacy, with the Maryland Historical Trust and Maryland Environmental Trust holding the remainder. A portion of the 1,600 acre Broad Creek Memorial Scout Reservation has been preserved through the Forest Legacy and the

While the largest blocks of contiguous preserved lands tend to be located within the Deer Creek and Manor Rural Legacy Areas, the Broad Creek area offers a strong opportunity for continuing this pattern of land preservation which will help to maintain the viability of agricultural operations in the area.

With its high concentration of prime agricultural soils, the PPA is a major contributor to the County's agricultural economy. Almost 48% of the area is comprised of Class I, Class II, and Class III soils for crops, and over 37% of the area is comprised of Class I and Class II soils for forests. This highly productive base supports a diversified mix of agricultural and forestry enterprises.

Land uses in the area are a mix of agriculture, woodland, and residential with small areas of commercial and industrial uses. Agriculture and woodland uses comprise almost 85% of the area. There are also 55 state identified habitat sites within the area.

According to the 2012 Census of Agriculture, there are 582 farms in Harford County, and a substantial portion of these farms are located in the PPA. The average producing farm is approximately 112 acres with many farmers owning or renting multiple parcels. The area is home to some of the County's largest grain and soy producers.

While traditional beef, dairy, and cash grain operations are the major agricultural enterprise, other sectors such as equine, orchards, vineyards, and commercial horticulture are expanding. Area farmers have also demonstrated their ability to adapt to changing demographics by moving to more value added products through direct marketing aimed at the County's growing population.

Area farmers participate in Farmer's Markets, both in and outside the County, as well as the operation of roadside stands, "pick your own" fields, and Community Supported Agriculture (CSA) programs. The processing of their products into cheese, ice cream, and retail ready beef and lamb have given producers access to new markets. Many stores and restaurants actively promote their utilization of locally grown products on their shelves and farm to table menus.

National and international markets play an important role for producers within the PPA. Local horticulture operations have developed a marketing edge through the introduction of unique

plants that are being grown and developed for innovative uses. Several beef and dairy farms within the PPA are nationally known for their quality stock. Likewise, local wineries and viniculture operations continue to grow and be recognized for their international award winning wines.

Serving the racing industry and pleasure riders, the equine industry has a strong presence in the area. County thoroughbred breeders and trainers are nationally recognized for their quality bloodstock. Numerous riding stables operate throughout the PPA, providing recreational opportunities as well as competitive show events. These businesses are also providing a strong market for local hay growers and support infrastructure businesses such as feed stores, farriers, and veterinarians. The Manor Area is renowned for its long history of fox hunting and steeplechase. Steeplechase racing is showcased by races which occur each spring, and many of the farms already have horse jumps built into them.

Equally important as their quality products, many area farmers have earned recognition for taking environmental stewardship beyond mandated levels. They have taken leadership roles in their respective state, regional and national industry organizations. Their innovative land preservation, environmental stewardship, and production practices draw tour groups from across the country.

The selection of the northern portion of Harford County as a PPA clearly supports the state's goals for land preservation. This area also includes the County's two designated Rural Legacy Areas, a Certified Heritage Area, and three Scenic Byways – Horses and Hounds, Mason and Dixon, and Lower Susquehanna. All of these programs promote and support tourism while retaining the rural and natural characteristics of the area.

The Master Plan and Land Use Element Plan

The Harford County Charter requires the development of a Master Plan, and it requires the inclusion of a series of elements or components which “further advance the purposes” of the Master Plan. In 2015, the Department of Planning and Zoning initiated the update to the 2012 Master Plan and Land Use Element Plan. The Department's approach to the update is based on a thematic structure which incorporates the Transportation, Priority Preservation Area, Natural Resources, and Historic Preservation Element Plans into one cohesive and streamlined document known as HarfordNEXT.

The designation of the PPA is consistent with HarfordNEXT, as well as other County plans, policies, and programs. HarfordNEXT supports the continuation of agriculture and preservation of the rural quality of life that has been an important part of Harford County's history. The PPA is consistent with the Grow With Purpose, Economic Vitality, Environmental Stewardship, Promoting Healthy Communities, and Preserving Our Heritage themes explored in HarfordNEXT. These themes serve as the common thread that provides continuity and consistency throughout HarfordNEXT. In addition, various County boards and programs help to implement these policies that are designed to protect the character of the rural area.

As a component of the County's Master Plan, the PPA promotes an integrated approach to preservation efforts by establishing appropriate goals for the amount of land to be preserved, and by describing the kind of agricultural production this area will support along with the way the preservation goals will be accomplished.

Senate Bill 236 the Sustainable Growth and Agricultural Preservation Act of 2012

The Sustainable Growth and Agricultural Preservation Act was passed by the Maryland General Assembly in the spring of 2012. The three main purposes of the bill are:

1. To reduce the impacts of nitrogen that is deposited in the soil by septic systems and the resulting impacts on the Chesapeake Bay;
2. To preserve agricultural and forestry uses in rural areas; and
3. To direct new growth where public infrastructure already exists such as sewer service, roads, schools, police, and fire in keeping with statewide growth policies.

The Sustainable Growth and Agricultural Preservation Act requires the creation of four growth tiers and applies only to residential development. It specifies where subdivisions may occur and what type of sewerage system will serve them. The tiers are defined as follows:

1. Tier I – Areas currently served by public sewer and within a Priority Funding Area or currently served by public sewer and mapped as a locally designated growth area;
2. Tier II – Areas currently planned for public sewer and in the municipal growth element or mapped locally as a designated growth area;
3. Tier III – Areas not planned for public sewer and not dominated by agriculture or forests; areas not planned or zoned for agricultural or resource protection; and is one of the following:
 - a. A municipality not served by public systems;
 - b. A defined rural village;
 - c. A mapped designated growth area; or areas planned and zoned for large lot and rural development.
4. Tier IV – Areas not planned for public sewer and that are:
 - a. Planned and zoned for agricultural and resource protection;
 - b. Dominated by agricultural and resource areas;
 - c. Rural Legacy, Priority Preservation Areas; or
 - d. Areas protected to the benefit of the state or local jurisdiction.

Zoning Code

Through the years, the Zoning Code has been amended to address changes in the agricultural industry and development in agriculturally zoned areas. The Code details the various zoning classifications and establishes regulations regarding permitted uses and buffers. It also addresses the development potential associated with agriculturally zoned lands. Within the PPA, 96,373 acres or 87% is zoned agricultural, and the remaining area is a mix of residential, commercial,

and industrial zoning.

The Code states that an agricultural operation or facility cannot be considered a nuisance as a result of changes to the surrounding lands. Agriculturally related commercial opportunities and agricultural public events have been added to the Code to improve the economic viability of farms.

Agriculturally zoned land can be developed at a density of one unit per 10 acres on parcels described in the land records as of February 8, 1977. On parcels where the individual owner was also the owner of record as of the 1977 date, additional lots may be permitted for the immediate family members. Development rights, purchased under an easement program, are determined in part on these criteria, thereby supporting the landowners' equity.

The passage of the Sustainable Growth and Agricultural Preservation Act placed limits on the number of lots that would be permitted on any property that is designated as a Tier IV property. It also required that local jurisdictions have legislation in place that defines major and minor subdivisions. Major subdivisions are prohibited in Tier IV areas.

The Code also includes Conservation Development Standards (CDS) to provide for increased preservation opportunities when development occurs. Under CDS, a buffer is required between the development and adjoining active farms.

Countywide Preservation Program Evaluation

There are four major preservation programs used throughout the County; including the Harford County Agricultural Land Preservation Program (HALPP), Maryland Agricultural Land Preservation Foundation (MALPF), Rural Legacy, and Maryland Environmental Trust (MET). These programs have protected over 49,000 acres in the County (Figures 6 and 7). The Rural Legacy Program has protected over 3,100 acres while the County program has protected over 29,500 acres. The state program has protected an additional 13,757 acres through December 2015. There are also 2,915 acres preserved through MET, and 539 acres of donated easements through MHT.

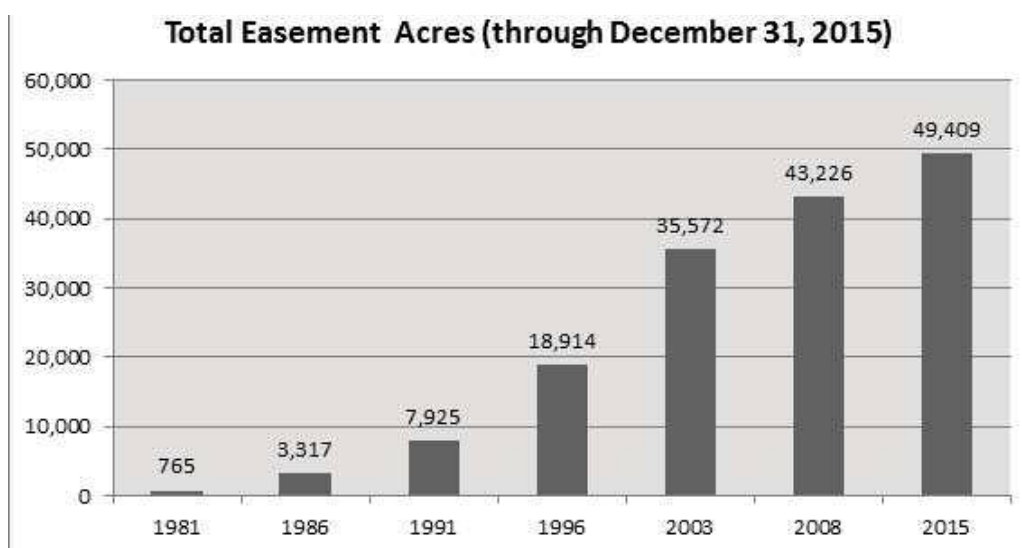


Figure 7

Preservation efforts in the PPA also include parklands owned by the state and County. The Maryland Department of Natural Resources (DNR) manages publicly owned lands in the County, overseeing approximately 4,100 acres of public land and protected open space including Susquehanna, Palmer, and Rocks State Parks. County parks in the PPA comprise nearly 800 acres.

Continued development pressure on areas outside of the Development Envelope as well as changing agricultural markets and practices have continued to impact the County's remaining farmland. The 2012 Census of Agriculture shows that between 2007 and 2012, the County lost 9,694 acres of farmland which is about 3,000 acres less than during the previous five year reporting period (Figure 8).

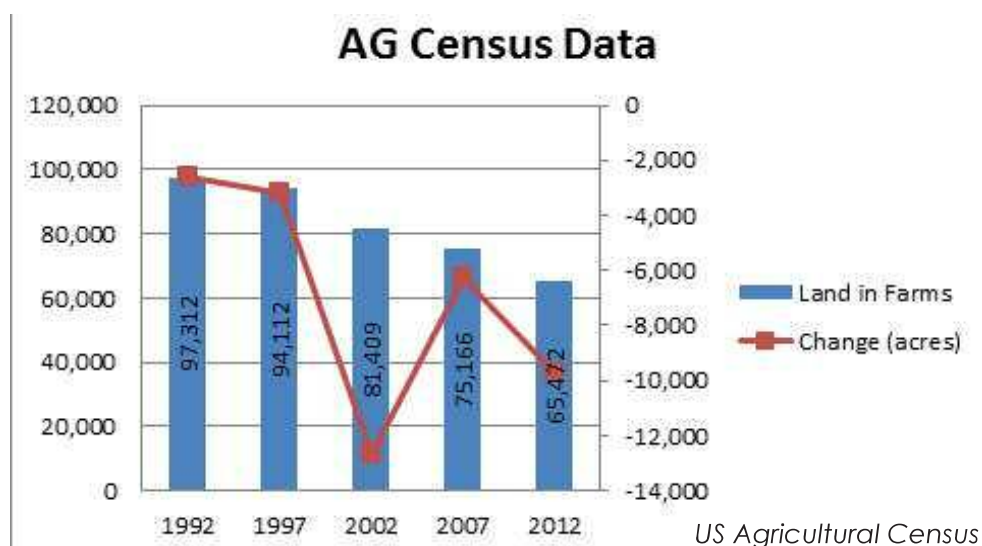


Figure 8

The Census of Agriculture statistics also reported that while the number of farms in the County declined between 2007 and 2012, the average farm size increased slightly (Figure 9).

Farm Number and Size	1997	2002	2007	2012
Number of Farms	651	683	704	582
Average size (acres)	145	119	107	112

Figure 9

During the period 2002-2012, the value of land fluctuated requiring adjustments in the per acre offer prices. Recently, discounting has been part of the negotiations for most preservation settlements. The average cost per acre has markedly decreased significantly since 2008, and the market remains farmer driven versus development driven. Concurrent with this downturn in the market, County offers have been lowered by half since the 2008 peak.

Since the adoption of the 2009 PPA, funding for preservation efforts has been impacted by the downturn in the economy. Since funding for agricultural preservation is linked to the land transfer tax, funding sources are taking longer to accumulate. To help stretch available funds, the County continues to encourage discounting of up to 50% from the original Rural Legacy

formulas, and MALPF has established a 70% fair market value as its cap. The County's ability to offer interested parties a variety of preservation options has helped to keep preservation efforts moving forward even through tougher economic times. The County maintains a waiting list of farms interested in receiving offers for preservation.

Protected Lands

Protection Program	Countywide	PPA
Maryland Agricultural Land Preservation Foundation (MALPF)	13,757	10,843
Harford County Agricultural Land Preservation Program	29,572	24,704
Rural Legacy	3,136	3,136
Maryland Environmental Land Trust	2,915	1,453
Maryland Historical Trust	539	141
State Parks	7,087	4,158
County Parks	5,020	789
Total	62,025	45,224

Figure 10

Program Marketing

The County's marketing program emphasizes a one-on-one effort to interested landowners. In addition, the County has taken a proactive approach to soliciting participants by offering a regular series of workshops. These workshops present the benefits of estate planning and demonstrate how selecting a preservation option can benefit the landowner and their heirs. The County also holds an annual Celebration of Agriculture that recognizes farming in Harford County with several awards including Preservationist of the Year.

Purchase of Development Rights

In 2006, the County updated its Purchase of Development Rights Program to enable the Harford County Agricultural Land Preservation Advisory Board to adjust the County's per acre value on an annual basis to ensure that offers remained competitive with the real estate market. In early 2007, legislation was adopted that again updated the County's 10 year old Purchase of Development Rights Program to make the program and process clearer to those interested participants. The ranking system was also adjusted to add points for properties located within or adjacent to designated PPA and Rural Legacy Areas.

Principles, Goals, and Policies for Priority Preservation Area (PPA)**FOCUS PRESERVATION EFFORTS IN THE PRIORITY PRESERVATION AREA TO MAINTAIN THE CONTINUED VIABILITY OF THE AREA'S AGRICULTURAL INDUSTRY.**

Within the designated PPA, approximately 15,489 additional acres will need to be preserved to meet the requirements of the Agricultural Stewardship Act. Zoning and development procedures in Harford County must continue to direct development into the Development Envelope while discouraging development outside of the designated growth areas. Harford County must do this in a manner that respects and values its multi-generational farms, while demonstrating support for its young farmers as they face the challenges and opportunities of farming for future generations.

The commitment to agricultural preservation must be combined with efforts to provide for a diversification of agricultural businesses and the continued promotion of its agricultural products.

PPA 1.1 Preserve 80% of the remaining undeveloped lands within the designated Priority Preservation Area.

Under the State's Agricultural Stewardship Act, jurisdictions with a designated PPA are required to establish a goal of preserving 80% of the remaining undeveloped lands within the PPA. While Harford County's PPA encompasses an area of about 110,000 acres, just over 87% is zoned agricultural. However, not all of these agriculturally zoned lands are eligible for preservation.

To determine the amount of additional acreage that must be preserved to achieve the Agricultural Stewardship Act's goal of

80%, an analysis of the PPA was completed in 2014. Within the PPA, 45,112 acres have been protected through easements or as parks. There is also an additional 24,900+ acres that consist of larger active agricultural lands and parcels - some containing a residential structure on 20 or more acres – while others are woodlands or agricultural fields. Most of these properties lack development rights; however, they continue to support the agricultural operations within the PPA while also contributing to the agricultural nature of the area. There are approximately 7,000 additional acres that have been developed for non-agricultural uses. This leaves 19,361 acres, of which 80% or 15,489 acres will need to be preserved to meet the preservation goal within the PPA.

Implementation

- (a) Continue to preserve a minimum of 1,000 acres per year in the PPA.
- (b) Investigate the possibility of designating the Broad Creek watershed as a Rural Legacy Area.
- (c) Continue to utilize the Harford County Agricultural Land Preservation Program, MALPF, and Rural Legacy to fund preservation efforts.
- (d) Work with the State to shorten the timeframe for MALPF settlements.
- (e) Maintain the County's MALPF certification to leverage state funds with County funds.
- (f) Work with local land trusts to seek alternative funding sources including state, federal, and private funds along with donations and match challenges to support preservation efforts.
- (g) Investigate opportunities and programs to create additional incentives to preserve farmland.

(h) Continue to encourage the application of Conservation Development Standards for proposed residential development and include the 75% of the parcel that is preserved in preservation totals.

PPA 1.2 Monitor current preservation programs and residential development patterns to determine the impact on working farmland.

Each year the Department of Planning and Zoning prepares an Annual Growth Report to meet the requirements of the Adequate Public Facilities legislation and the 2009 Smart Green and Growing legislation enacted by the Maryland General Assembly. This reporting requires the tracking of development inside and outside the County's designated growth areas. In addition, the Department monitors agricultural preservation efforts countywide, as well as changes to the agricultural land base.

The Department also maintains a data base which monitors development of properties that are designated as either Tier III or Tier IV properties under the Sustainable Growth and Agricultural Preservation Act of 2012. A separate data base is maintained to track subdivisions grandfathered under this legislation since their grandfathered status is subject to an expiration date.

These data bases enable the Department to identify any changes in development or preservation patterns, and it provides a foundation for identifying changes that might be needed to programs and regulations to continue to meet plan goals. These efforts are important to identifying where preservation efforts should be focused or the additional marketing of programs would be beneficial.

Implementation

(a) Continue to track projects grandfathered by the Sustainable Growth and Agricultural Preservation Act of 2012.

(b) Continue to direct a minimum of 80% of all new development to the designated growth areas.

(c) Continue to report preservation efforts and development impacts as part of the Annual Growth Report and determine if additional steps should be taken to further stabilize the agricultural land base.

PPA 1.3 Ensure that within the Priority Preservation Area there is support for a range of agricultural enterprises and the potential to adapt to new markets.

Harford County has a long and rich agricultural history, sustained by farm families that have managed to evolve with the changing agricultural climate. While recent years have seen farmers continue to focus on traditional agricultural practices, they have also begun to expand their operations to include products, services and events that appeal to the changing demographics of Harford County.

As more families opt to "Buy Local" participation at local Farmer's Markets have risen, and the number of Community Supported Agriculture co-ops within the County has also increased. The CSAs involve a network or association of individuals who have pledged to support one or more local farms, with growers and consumers sharing the risks and benefits of food production. CSA members or subscribers receive a share of the anticipated harvest; once harvesting begins, they receive weekly shares of vegetables and fruit. CSA's can also include herbs, honey, eggs, dairy products and meat, in addition

to cut flowers and various ornamental plants as part of their weekly pickup arrangement.

Production and marketing of value added products along with farm centered events such as corn mazes, pumpkin patches, and wineries help to attract business from non-county residents. Agricultural related tourism is also supported by State Heritage Area and Scenic Byway programs, but continued marketing of rural tourism is needed if the County is to compete with regional attractions. In addition, the Agricultural Economic Development Advisory Committee should focus on taking the necessary steps to support local farming operations while also helping them maintain their competitive edge.

Implementation

(a) Promote community supported agriculture, farmer's markets, and other emerging local and regional markets and distribution systems.

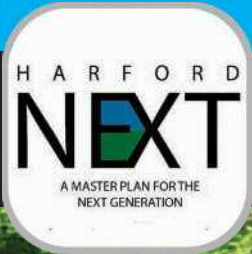
(b) Continue to support agricultural and rural based tourism.

(c) Review and update the Agricultural Economic Development Initiatives to specifically support agriculture within the PPA.

(d) Continue to review and revise zoning regulations to permit compatible agriculturally related uses in areas easily accessible to farm operators while also minimizing impacts to surrounding properties.

APPENDIX II

WATER RESOURCE ELEMENT PLAN



A Master Plan for the Next Generation

