

TITLE 1

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY

SUBTITLE 6. AGRICULTURAL LAND PRESERVATION

Chapter 01. Value of Easements

Authority: §§ 24-1-102 and 24-3-106, Baltimore County Code, 2015

.01 Scope.

Pursuant to the authority conferred on the Director of the Department of Environmental Protection and Sustainability and in consultation with the Baltimore County Agricultural Land Preservation Advisory Board, this chapter applies to the formula that shall be used for determining the value that will be offered to a landowner for an agricultural easement.

.02 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Easement price" means the dollar amount as determined by the average Fair Market Value, multiplied by the formula points.
- (2) "Percent of farm in production" means the percentage of the farm that is in production agriculture not including forestry as determined by the County.
- (3) "Percent of farm in woodland" means the percentage of the farm that is in production forestry. To be counted as production forestry, the forest land must have a Maryland Department of Natural Resources Forest Stewardship Plan or an application for such plan with timber production as a landowner goal or a timber management plan prepared by a registered forester.
- (4) "Size" means gross acreage of the property under consideration for the easement.
- (5) "Soils Capability" means the suitability of soils for most kinds of field crops as defined in the USDA, Soil Conservation Service, Soil Survey, Baltimore County, Maryland, 1976.
- (6) "Subdivision rights" means the right to subdivide the property for the purposes of constructed residences and for creating separate lots of record.

.03 Formula.

EASEMENT VALUATION FORMULA

Section 1: Soils and Site Analysis

Section 2: Subdivision Rights

Section 1. Soils and Site Analysis:

A. Size

Acres x 0.17

Points (Max = 20 pts) _____

B. Soils Capability

Use the following formula to calculate your soils capability score:

Calculate the percent of your farm that is

Capability Class I, II, III, and Woodlands I & II.

Multiply percent Class I by 40,

percent Class II by 30,

percent Class III by 20,

and percent Woodlands I & II by 10.

Add up those four numbers for total soils capability score.

Points (Max =30 pts) _____

C. Percent of Farm in Production

i. Crops

% values are % of total farm acreage

Points (Max=20 pts) _____

90% and greater	20
70%-<90%	16
50%-<70%	12
30%-<50%	8
20%-<30%	6
10%-<20%	4
Less than 10%	0

ii. Woodland

Points (Max=10 pts) _____

Percent values equal the percent of total farm acreage

90% and greater	10
70%-<90%	8
50%-<70%	6
30%-<50%	5
20%-<30%	4
10%-<20%	2
Less than 10%	0

<p>Total Soils and Site Analysis Score Add the three totals from A, B, and C above for the total Soils and Site Analysis</p>	Points (Max= 80)
--	------------------

Section 2: Subdivision Rights:

Quantity of Subdivision Rights	Points
High (4 or more)	40
Medium (2 or 3)	30
Low (1 right)	20
Zero	0

Total Development Rights Score

Points (Max=40) _____

Section 3. Total Score:

Section 1: Soils & Site Analysis	_____
Section 2: Development Rights	_____

Total Score

Add the final totals from section 1 and section 2 above for the total score.

Section 4. Easement Price:

A. Properties with Subdivision Rights

Use the following formula to calculate easement price:

$Total\ Score / 120 \times 13,282 = \text{Easement Price per acre}$
 Capped at 80% FMV which is \$10,625

B. Properties without Subdivision Rights

Use the following formula to calculate easement price:

$Total\ Score / 80 \times 6,641 = \text{Easement Price per acre}$
 Capped at 50% FMV which is \$6,641