

(d) The board shall accept and approve or reject all applications, promulgate rules and regulations, and develop procedures for the formation of agricultural preservation districts and designated agricultural areas subject to the provisions of this subtitle. The rules and regulations shall include the following:

(1) The minimum acreage permitted to join an agricultural preservation district is [ten] 10 acres that are actively devoted to agricultural or forest use. However, the board may admit parcels of less than [ten] 10 acres that are contiguous to an agricultural preservation district and are in a designated agricultural area.

(2) Agricultural preservation district boundaries should follow as closely as possible, existing physical separations, such as streams, valleys, roads, etc.

(3) The minimum requirement to form an agricultural preservation district is 300 acres of contiguous land or 500 acres of noncontiguous land. However, after the formation of an agricultural preservation district, the board shall accept all applications of [ten] 10 or more acres during the open enrollment period and shall expand that district accordingly.

(4) An agricultural preservation district shall remain in force for a minimum of [eight] 8 years. Members of the district who have not conveyed any development options may withdraw their land by giving the board a [one] 1-year notice, providing the parcel to be withdrawn has been in the district a minimum of [eight] 8 years. In the event of withdrawals from an agricultural preservation district, the remaining property owners may retain the district regardless of acreage.

(5) The board shall promote an open enrollment program annually to attract new landowners to join existing or new agricultural preservation districts.

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(a) Local ordinances inconsistent with normal efficient agricultural or forestry practices may not be enacted or enforced in the agricultural preservation district.

(b) Within an agricultural preservation district, the right of eminent domain is limited to those rare instances where no other viable alternative exists.

(c) Within an agricultural preservation district, special assessments may not be permitted for the support of any public service including, BUT NOT LIMITED TO, water and sewer service.

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