

Prince George's County Council

Agenda Item Summary

Meeting Date: 3/15/2011
Reference No.: CR-004-2011
Draft No.: 1
Proposer(s): Park & Planning
Sponsor(s): Franklin
Item Title: A Resolution recommending that the Maryland Agricultural Land Preservation Foundation approves the application of the Estate of Francis Moore James Donohue to preserve their property, reference Tax Map 160/Grid E2/Parcel 46/Tax Account 05-0309443.

Drafter: Todd M. Turner, Office of Law
Resource Personnel: Yates Clagett, Prince George's Soil Conservation District
E. Fatimah Hasan, M-NCPPC

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	4/1/2011 S
Committee Referral:	2/1/2011 - THE	Effective Date:	
Committee Action:	2/10/2011 - FAV		
Date Introduced:	2/1/2011		
Public Hearing:	3/15/2011 - 10:00 AM		
Council Action (1)	3/15/2011 - ADOPTED		
Council Votes:	WC:A, MRF:A, AH:A, LJ:A, ML:A, EO:A, OP:-, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

Transportation, Housing and Environment

Date 2/10/2011

CR-4-2011

Committee Vote, Favorable, 5-0 (In favor: Council Members Olson, Toles, Lehman, Patterson and Turner)

Staff provided a summary of the resolution and referral comments that were received. CR-4-2011 recommends that the Maryland Agricultural Land Preservation Foundation approves the petition of the Estate of Francis Moore James Donohue to preserve their property, reference Tax Map 160/Grid E2/ Parcel 46/Tax Accounts 05-0309443.

A landowner of active agricultural use may file a petition with the county governing body requesting the establishment of an agricultural district composed of the land owned by the petitioners. The petition must be reviewed by the agricultural preservation advisory board and the county's planning board. The agricultural preservation advisory board determines if the proposed district meets the qualifications established by the Maryland Agricultural Land Preservation Foundation (MALPF) and whether or not the advisory board recommends

establishment of the district. The Planning Board determines if the district is compatible with existing and approved county plans and overall county policy, and whether or not the planning and zoning body recommends establishment of the district.

If a landowner eventually sells an easement to the State, benefits to the landowner includes receiving some of the equity from his land while still retaining full use of the land for agricultural purposes. This also provides an economic means for the landowner to pass the property on to his heirs and ensure that the land remains in agricultural and open space use. The state benefits in that productive agricultural land remains in production and contributes to the economy. The county benefits in that the land remains in open space, preserves sensitive land in forests and wetlands and is compatible with its efforts in land use planning initiatives such as Commission 2000 and the rural tier.

According to the Office of Audits and Investigations adopting CR-4-2011 will not have an adverse fiscal impact on Prince George's County.

The Office of Law finds CR-4-2011 to be in proper legislative form.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

Subtitle 5 of Title 2 (Agriculture) of the Annotated Code of Maryland provides for the establishment of the Maryland Agricultural Land Preservation Foundation and a procedure for the formation of agricultural districts. This program allows one or more landowners to voluntarily form an agricultural district to encourage the preservation of land. If adopted, this resolution provides the County governing body approval of the petition for the district.

CODE INDEX TOPICS:

INCLUSION FILES:
