



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Office of the Chairman
Prince George's County Planning Board

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3561

March 31, 2009

The Honorable Marilyn Bland, Chairperson
Prince George's County Council
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Dear Chairperson Bland:

The Prince George's County Planning Board is pleased to transmit its recommendation for approval of the application for the formation of a new Agricultural Preservation Parcel composed of 164.6774 acres in Upper Marlboro. The property consists of Parcels 1 and 55, and includes cropland, woodland, wetlands, and pasture. The parcel contains two existing dwellings, which are included in the district; however, the land owner is not compensated for this area.

Pursuant to Title 2, Subtitle 5 of the Annotated Code of Maryland and COMAR Title 15, formation of the easement requires the approval of the county governing body, which agrees thereby to limit construction of large capital facilities on the properties in the district and to not acquire the land. The Planning Board's recommendation attests that establishment of this easement is compatible with existing and approved county plans, programs, and overall land use policy.

The enclosed information has been prepared by the Prince George's County Soil Conservation District for your use in reviewing this application. Mr. Yates Clagett of that agency is available to present the information or answer questions about the agricultural land preservation program. He can be reached at 301-574-5162 extension 3 or you may consult the Planning Director at 301-952-3595 should additional information regarding our recommendation be required.

Sincerely,

Samuel J. Parker, Jr., AICP
Chairman

Enclosure

c: Fern Piret, Planning Director, Prince George's County Planning Department
John Funk, Chief, Countywide Planning Division
Yates Clagett, Conservation Planner, Prince George's County Soil Conservation District



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301-952-3650

March 26, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Fern Piret, Planning Director *F.P.*
John Funk, Chief, Countywide Planning Division *J.F.*

FROM: E. Fatimah Hasan, Planner Coordinator, Special Projects Section, Countywide Planning Division *F.H.*

SUBJECT: Application for the creation of one Agricultural Preservation Parcel (Tucker)

BACKGROUND:

Attachment 1 is a copy of the application to create the Agricultural Preservation Parcel submitted by Sidney L. Tucker, Michele Anne Tucker, and John L. Tucker, Jr. for Parcels 1 and 55. The total easement is composed of 164.6774 acres in Upper Marlboro, Maryland.

The purpose of the Planning Board's decision on this application is to inform the County Council regarding "...whether the preservation of the properties is compatible with existing and approved county plans, programs, and overall county policy, and whether the planning and zoning body recommends the preservation of the property." Staff support the analyses provided in Attachment 1 regarding the appropriateness of the establishment of an Agricultural Preservation Parcel on the subject property.

RECOMMENDATION:

Staff recommend approval of an application for an Agricultural Preservation Parcel on the property of Sidney, Michele, and John Tucker. Staff recommend approval to transmit the proposed Agricultural Preservation Parcel to the County Council. A draft letter of transmittal is provided as Attachment 2.

Attachments

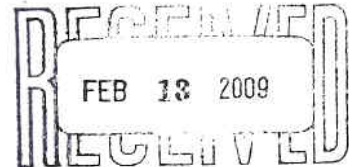
- c. Yates Clagett, Conservation Planner, Prince George's County Soil Conservation District



Prince George's Soil Conservation District
5301 Marlboro Race Track Road, Suite 100 - Upper Marlboro, MD 20772
Phone (301) 574-5162 x3 - Fax (301) 574-5156

February 9, 2009

MD. NAT'L CAP. PK. & PL. COMM
PRINCE GEORGE'S COUNTY



COUNTYWIDE PLANNING DIVISION
TRANSPORTATION PLANNING SECTION

MEMORANDUM

TO: Prince George's County Planning Board

VIA: E. Fatimah Hasan, Planner Coordinator

FROM: Yates Clagett, Conservation Planner
Prince George's Soil Conservation District *R/C*

SUBJECT: Formation of Agricultural District

Background

The State of Maryland, through the Maryland Agricultural Land Preservation Foundation (MALPF), has established a program to encourage the preservation of agricultural land. This program allows one or more landowners to voluntarily form agricultural districts if certain criteria are met. The proposed district is reviewed by the Agricultural Preservation Advisory Board, County government and MALPF. If the district is approved, the landowner agrees to continue farming for at least five years. The County, on the other hand, agrees to limit construction of large capital facilities in the district and not acquire the land.

After formation of a district, a property owner may negotiate to sell development rights to the State. The value of the easement is subject to negotiation between the owner and MALPF. Funds for this program come from the state share of Program Open Space and the agricultural transfer tax. If an easement is purchased, the land must remain in agricultural use.

Maryland regulations state the county "planning and zoning body shall inform the local governing body whether establishment of the district is compatible with existing and approved county plans, programs, and overall county policy, and whether the planning and zoning body recommends establishment of the district. In the process of review, the local planning and zoning body shall consider compatibility of district establishment with state and local plans and programs."

Proposal

An application has been received and approved by the County Agricultural Preservation Advisory Board for the following District:

Sidney L., Michele A. and John L. Tucker

11900 Croom Road
Upper Marlboro, Md. 20772
Tax Account: 04-0264499 and 04-0264507
Map/Grid/Parcel: 138/A2/1 and 137/E1/55
Liber/Folio: 20863/451 and 13887/454
Total Property Acres: 183.7774
2 Dwellings: 2.0
Acres withheld from total: 17.1
Total Easement Acres: 164.6774

Land Uses:

Cropland: 88.0 ac
Woodland: 64.1774 ac
Wetland: 26.6 ac
50% of the soils are class I, II, III

are

This parcel contains two (2) existing dwellings, which ~~is~~ included in the District, however the landowner is not compensated for this area.

The parcel is located in the Rural Tier. Current production on the farm includes grain and timber. Some of the acreage is both woodland and wetland. Explanation of withheld acreage: MALPF requires 50% of the proposed district must be comprised of Soil Classes I, II, III. MALPF will allow landowner to withhold the non-qualified acres from the district and enroll an area of the farm that does qualify. The 17.1 acres are not included in the district. However the withheld acreage is restricted to a maximum 3 development rights no matter how large. In this case zoning in the area of the withheld acres is O-S Zone (5 acres). Therefore the 17.1 acres will have 3 developments rights associated with it. At time of easement this area must be surveyed out of the property and be recorded as a separate parcel.

Analysis

The approved Master Plan for Subregion VI (1993) shows the subject property as part of a "Low Rural Living Area" in Category IV. These areas are rural areas, primarily agricultural, vacant or forested where there is no foreseeable extension of urban service – zoned predominately for rural agricultural, or open space.

Creation of this district would also be in conformance with the following visions set by the Maryland Planning Act of 1992:

- "2. Sensitive areas are protected...
- "4. Stewardship of the Chesapeake Bay and the land is a universal ethic...
- "5. Conservation of resources...is practiced..."

We believe that establishment of the proposed agricultural district is compatible with county plans and policies. Agriculture is in conformance with the master plan, the county's General Plan and the visions established by the Maryland Planning Act of 1992.

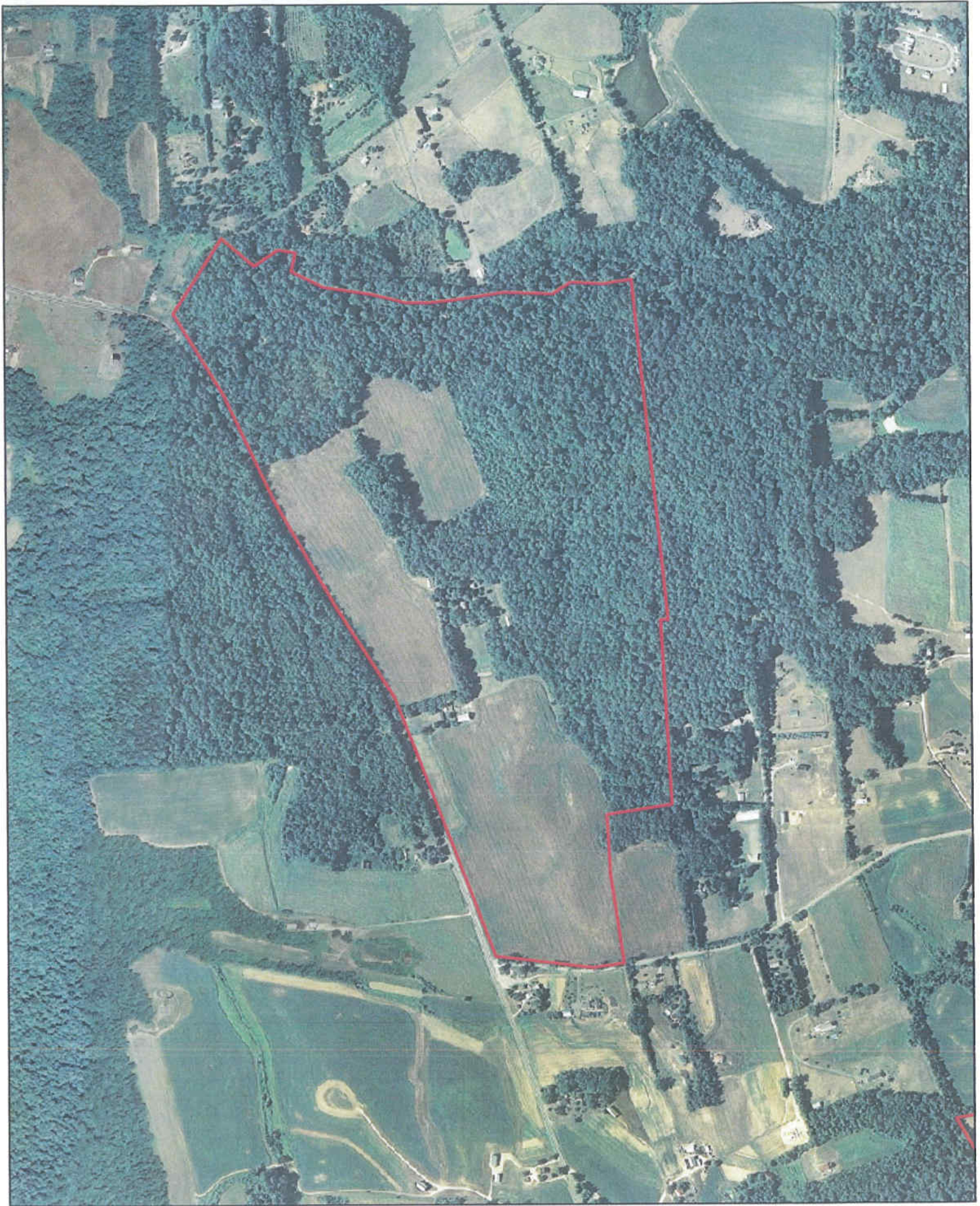
Farming is a permitted use in the property's existing zone. Finally, agriculture is compatible with existing and planned neighboring uses.

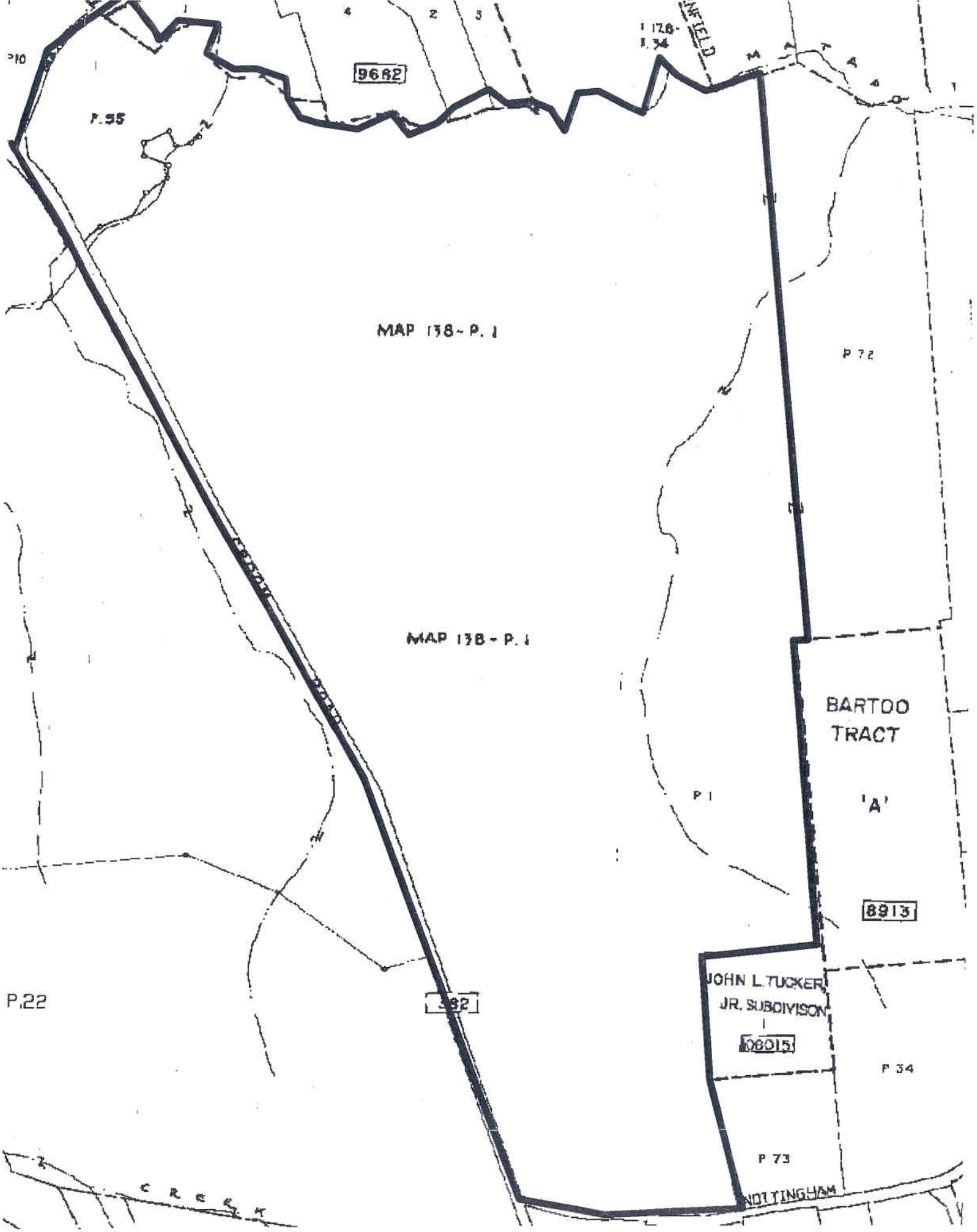
Recommendation

The Planning Board should recommend approval of the establishment of the proposed agricultural district.

Attachments

C: David J. Byrd, Deputy Chief Administrative Officer
for Governmental Operations/Environmental Services
and Economic Development
Craig Price, Council Administrator





9682

MAP 138 - P. 1

MAP 138 - P. 1

P 72

BARTOO TRACT

'A'

8913

JOHN L. TUCKER JR. SUBDIVISION

08015

P 34

P 73

NOTTINGHAM

CREEK

AIRFIELD

P. 55

P. 10

4 2 3

1178-1.34

P. 22

382

12 SE

870,000 FT

76°45'00"

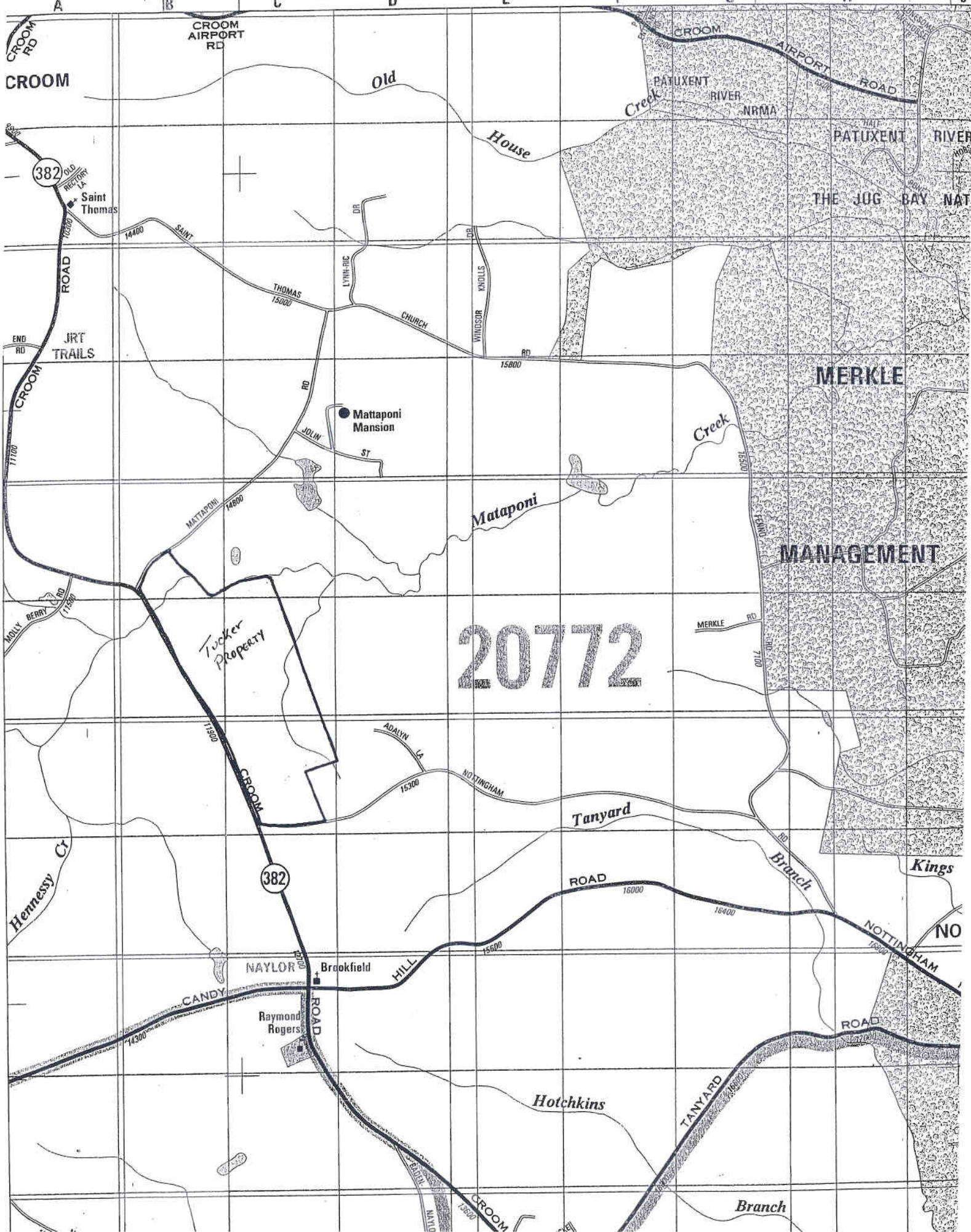
13 SE

Joins Map 21

14 SE

880,000 FT

76°42'30"



20772