

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Resolution No. CR-24-2014

Proposed by Council Member Franklin

Introduced by Council Members Franklin, Davis, Olson and Patterson

Co-Sponsors _____

Date of Introduction April 29, 2014

RESOLUTION

1 A RESOLUTION concerning

2 Transfer of Development Rights Work Group

3 For the purpose of convening a Transfer of Development Rights (“TDR”) Work Group to
4 consider and recommend to the County Council a proposal for the voluntary transfer of
5 development rights in Prince George’s County.

6 WHEREAS, the Rural Tier of Prince George’s County, as designated in the 2002 *Approved*
7 *General Plan*, as amended, encompasses the eastern and southern portions of the County, in the
8 Patuxent River, Potomac River, and Mattawoman Creek watersheds, including 171 square miles,
9 approximately 35 percent of the County’s land area; and

10 WHEREAS, the Rural Tier is the most scenic part of the County, characterized by fine and
11 diverse landscapes, many of the County’s remaining farmlands, extensive woodlands and
12 wetland areas, numerous streams and stream valleys, and diverse wildlife habitat; and

13 WHEREAS, the main features of the Rural Tier, forests and agricultural lands, present
14 unique planning, land use, and development issues and policy problems; and

15 WHEREAS, during the 2006 Legislative Year, the County Council proposed various
16 legislation for the purpose of establishing a comprehensive policy on agricultural preservation in
17 the Rural Tier; and

18 WHEREAS, the Agricultural Preservation Work Group held 25 meetings over an 18-month
19 period and conducted a comprehensive review of all preservation mechanisms and all County
20 policies including Maryland Agricultural Land Preservation Foundation (MALPF), Rural
21 Legacy, Tree Conservation, Purchase of Development Rights (PDRs), Transfer of Development
22 Rights, Right to Farm, Property Tax Exemptions, and State of the Agricultural Industry and

1 Potential Marketing Options; and

2 WHEREAS, the County Council continues to recognize both the need and the public value
3 of protecting farm and forest lands, ecologically fragile watershed and floodplains, as well as the
4 more general need to protect scenic vistas and view sheds enjoyed by the citizens and residents
5 of the County; and

6 WHEREAS, the County Council would like to consider whether to establish a program for
7 the voluntary transfer of development rights to encourage the preservation of natural resources,
8 protect and increase land equities in Rural Tier communities restricted from development, and
9 facilitate orderly growth and development in the County, including the possibility of transferring
10 densities from properties located in designated Sending Districts to properties located within
11 designated Receiving Districts; and

12 WHEREAS, Section 506 of the County Charter provides that the County Council may
13 appoint, for designated periods, temporary citizen advisory boards to assist in the consideration
14 of County policies and programs.

15 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
16 County, Maryland, that a Transfer of Development Rights ("TDR") Work Group is hereby
17 convened to consider and recommend to the Council a proposal for a voluntary TDR program for
18 the County ("Final Recommendation"), including providing any supporting written
19 documentation for such a proposal.

20 BE IT FURTHER RESOLVED that the TDR Work Group shall be composed of eleven
21 (11) members appointed by the County Council Chairman in consultation with the Council, with
22 the Chair of the TDR Work Group being a representative selected by the Prince George's County
23 Farm Bureau (the "Farm Bureau"). The TDR Work Group shall consist of:

- 24 (1) Two representatives selected by the Farm Bureau, including the TDR Work Group
25 Chair,
- 26 (2) One representative selected by the Prince George's County Soil Conservation
27 District,
- 28 (3) Four County residents, including at least two with farming ownership interests in the
29 Rural Tier,
- 30 (4) One representative selected by the Prince George's County Association of Realtors,
- 31 (5) One representative selected by the County Executive,

1 (6) One representative selected by an environmental organization in the County, and

2 (7) One representative selected by the Maryland National Capital Building Industry
3 Association.

4 BE IT FURTHER RESOLVED that any Final Recommendation or other proposal by the
5 TDR Work Group must be endorsed in writing by at least six (6) of its members.

6 BE IT FURTHER RESOLVED that the Council Administrator shall assign appropriate
7 technical and administrative support personnel to assist the TDR Work Group in its work, and
8 additional support shall be provided by the Prince George's County Soil Conservation District,
9 and the Prince George's County Planning Director (or the Planning Director's designee).

10 BE IT FURTHER RESOLVED that the TDR Work Group shall transmit its Final
11 Recommendation to the Clerk of the Council in writing by February 1, 2015, and present its
12 Final Recommendation to the County Council shortly thereafter, with the option to extend its
13 transmittal deadline to a date no later than May 1, 2015 at the discretion of the TDR Work Group
14 Chair.

15 BE IT FURTHER RESOLVED that the TDR Work Group shall cease to exist on (i) the
16 date it presents its Final Recommendation to the County Council or (ii) May 1, 2015, whichever
17 is earlier.

Adopted this 15th day of July, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council