

Prince George's County Council Agenda Item Summary

Meeting Date: 10/16/2012
Reference No.: CR-061-2012
Draft No.: 1
Proposer(s): Park & Planning
Sponsor(s): Davis, Franklin, Lehman
Item Title: A Resolution recommending that the Maryland Agricultural Land Preservation Foundation approve the application of Garner Farms, LLC, to preserve their property, reference Tax Map 128/Grid C4/Parcel 29/Tax Account 04-0255778 and Tax Map 137/Grid C1/Parcel 3/Tax Account 04-0255752), located at 11407 Croom Road in Upper Marlboro, Prince George's County, Maryland.

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

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	10/31/2012 S
Committee Referral:	9/11/2012 - THE	Effective Date:	
Committee Action:	9/13/2012 - FAV		
Date Introduced:	9/11/2012		
Public Hearing:	10/16/2012 - 1:30 PM		
Council Action (1)	10/16/2012 - ADOPTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:-, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

Transportation, Housing and Environment Committee

Date 9/13/2012

Committee Vote, Favorable, 4-0 (In favor: Council Members Olson, Lehman, Patterson and Davis)

Staff provided a summary of the resolution and referral comments that were received. CR-61-2012 recommends that the Maryland Agricultural Land Preservation Foundation approves the petition of Garner Farms, LLC to permanently preserve their property consisting of 205 acres (reference Tax Map 128/Grid C4/ Parcel 29/Tax Account 04-0255778 and Tax Map 137/ Grid C1/ Parcel 3/ Tax Account 04-0255752), located at 11407 Croom Road in Upper Marlboro, Prince Georges County, Maryland.

Under Maryland law (Subtitle 5 of Title 2-Agriculture of the Maryland Annotated Code) 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 County Agricultural

Preservation Advisory Board (“Advisory Board”) and the County’s Planning Board. The Advisory Board determines if the proposed district meets the qualifications established by 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. Both the Advisory Board and the Planning Board approved the petition of Garner Farms, LLC.

According to the Office of Audits and Investigations adopting CR-61-2012 will not have an adverse fiscal impact on Prince George’s County since it State funds and the Agricultural Transfer Tax Fund will be used to purchase the property.

The Office of Law finds CR-61-2012 to be in proper legislative form with no legal impediments to its adoption.

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:

I-CR-61-2012 Attachments.pdf
