

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/7/2009
Reference No.: CR-034-2009
Draft No.: 2
Proposer(s): Park & Planning
Sponsor(s): Bland, Dernoga
Item Title: A Resolution recommending that the Maryland Agricultural Land Preservation Foundation approves the petition of Sidney L. Tucker, Michele Ann Tucker and John L. Tucker, Jr. to establish agricultural districts, reference Tax Map 137/Grid E1/Parcel 55/Tax Account 04-0264507 and Tax Map 138/Grid A2/Parcel 1/Tax Account 04-0264499.

Drafter: Todd M. Turner, Legislative Officer
Resource Personnel: Yates Clagett, Soil Conservation District
E. Fatimah Hasan, MNCPPC

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	7/30/2009 S
Committee Referral:	6/9/2009 - THE	Effective Date:	
Committee Action:	6/25/2009 - FAV(A)		
Date Introduced:	6/9/2009		
Public Hearing:	7/7/2009 - 10:00 AM		
Council Action (1)	7/7/2009 - ADOPTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:A, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

Transportation, Housing and Environment

Date 6/25/2009

CR-34-2009

Committee Vote: Favorable as Amended, 4-0 (In favor: Council Members Dernoga, Dean, Knotts and Harrison).

The Legislative Officer provided an overview of the resolution seeking to recommend approval of the establishment of the agricultural district and noted the following technical amendments to the resolution:

- (1) page 1, line 9, after "approximately", delete "183.7774" and replace with "164.6774";
- (2) page 1, starting at line 10, after "Account", delete "17-040264507," and replace with "04-0264507 and" and after second "Account", delete "17-040264499 and Tax Map 138/Grid E13/Parcel 1/Tax Account 17-040264481" and replace with "04-0264499";
- (3) page 2, starting at line 4, after "Account", delete "17-040264507," and replace with "04-0264507 and" and after

second "Account", delete "17-040264499 and Tax Map 138/Grid E13/Parcel 1/Tax Account 17-040264481" and replace with "04-0264499";

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-34-2009 will not have an adverse fiscal impact on Prince George's County.

The Office of Law finds CR-34-2009 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:

I-CR-34-2009 Attachments.pdf
