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By: **Delegates Glassman and James**  
Introduced and read first time: January 28, 2000  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation - Development Rights**

3 FOR the purpose of requiring a local governing body to submit a certain statement  
4 upon approval of a certain application; requiring a certain statement to include  
5 the total number of development rights that have been subdivided or  
6 transferred; and generally relating to development rights under the Maryland  
7 Agricultural Land Preservation Foundation.

8 BY repealing and reenacting, with amendments,  
9 Article - Agriculture  
10 Section 2-510(e)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Agriculture**

16 2-510.

17 (e) (1) (I) Within 30 days after the receipt of an application to sell, the  
18 Foundation shall notify the governing body of the county containing the subject land,  
19 that an application to sell has been received.

20 (II) 1. Within 60 days of the notification, the county governing  
21 body shall advise the Foundation as to local approval or disapproval of the  
22 application. The Foundation shall grant a 30-day extension of this response period if  
23 the county governing body applies to the Foundation for an extension and states its  
24 reasons for seeking an extension.

25 2. UPON LOCAL APPROVAL OF THE APPLICATION, THE  
26 COUNTY GOVERNING BODY SHALL SUBMIT A STATEMENT OF THE TOTAL CURRENT  
27 DEVELOPMENT RIGHTS ON THE SUBJECT LAND. THE STATEMENT SHALL INCLUDE

1 THE TOTAL NUMBER OF DEVELOPMENT RIGHTS THAT HAVE BEEN SUBDIVIDED OR  
2 TRANSFERRED.

3 (2) In deciding whether to approve the application, the county governing  
4 body shall:

5 (i) Receive the recommendation of the county agricultural  
6 preservation advisory board established under § 2-504.1 of this subtitle; and

7 (ii) Rank all applications based on its locally established priorities  
8 as approved by the Foundation, which, for purposes of enhancing competitive bidding,  
9 may include a system that ranks properties in ascending order with respect to the  
10 proportion obtained by dividing the asking price by the value of the easement.

11 (3) In making its recommendation, the county agricultural preservation  
12 advisory board shall:

13 (i) Take into consideration criteria and standards established by  
14 the Foundation under this subtitle, current local regulations, local patterns of land  
15 development, the kinds of pressures to develop the subject land, state smart growth  
16 goals, and any locally established priorities for the preservation of agricultural land;  
17 and

18 (ii) Recommend for ranking any application that qualifies and  
19 meets the priorities established by the county governing body for the preservation of  
20 agricultural land.

21 (4) The county agricultural preservation advisory board shall provide a  
22 public hearing concerning any application to sell if such a hearing is requested by a  
23 majority of the county agricultural preservation advisory board, or by a majority of  
24 the county governing body, or by the applicant.

25 (5) The board of trustees of the Foundation shall not approve any  
26 application to sell which has not been approved by the governing body of the county  
27 containing the subject land.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2000.