Unofficial Copy M4 2000 Regular Session 0lr0872

By: <b>Delegates Glassman and James</b> Introduced and read first time: January 28, 2000 Assigned to: Appropriations
Committee Report: Favorable with amendments House action: Adopted Read second time: March 21, 2000
CHAPTER
1 AN ACT concerning
2 Maryland Agricultural Land Preservation Foundation - Development Rights
FOR the purpose of requiring a local governing body to submit to the Maryland  Agricultural Land Preservation Foundation a certain statement upon approval  of a certain application; requiring a certain statement to include the total  number of development rights that have been subdivided or transferred; and  generally relating to development rights under the Maryland Agricultural Land  Preservation Foundation.
9 BY repealing and reenacting, with amendments, 10 Article - Agriculture 11 Section 2-510(e) 12 Annotated Code of Maryland 13 (1999 Replacement Volume and 1999 Supplement)
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
16 Article - Agriculture
17 2-510.
18 (e) (1) (I) Within 30 days after the receipt of an application to sell, the 19 Foundation shall notify the governing body of the county containing the subject land, 20 that an application to sell has been received.
21 (II) 1. Within 60 days of the notification, the county governing 22 body shall advise the Foundation as to local approval or disapproval of the

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1 application. The Foundation shall grant a 30-day extension of this response period if

<ul><li>2 the county governing body applies to the Foundation for an extension and states its</li><li>3 reasons for seeking an extension.</li></ul>
2. UPON LOCAL APPROVAL OF THE APPLICATION, THE 5 COUNTY GOVERNING BODY SHALL SUBMIT A STATEMENT OF THE TOTAL CURRENT 6 DEVELOPMENT RIGHTS ON THE SUBJECT LAND TO THE MARYLAND AGRICULTURAL 7 LAND PRESERVATION FOUNDATION, ALONG WITH THE APPLICATION APPROVAL 8 NOTIFICATION. THE STATEMENT SHALL INCLUDE THE TOTAL NUMBER OF 9 DEVELOPMENT RIGHTS THAT HAVE BEEN SUBDIVIDED OR TRANSFERRED.
10 (2) In deciding whether to approve the application, the county governing 11 body shall:
12 (i) Receive the recommendation of the county agricultural 13 preservation advisory board established under § 2-504.1 of this subtitle; and
14 (ii) Rank all applications based on its locally established priorities 15 as approved by the Foundation, which, for purposes of enhancing competitive bidding, 16 may include a system that ranks properties in ascending order with respect to the 17 proportion obtained by dividing the asking price by the value of the easement.
18 (3) In making its recommendation, the county agricultural preservation 19 advisory board shall:
20 (i) Take into consideration criteria and standards established by 21 the Foundation under this subtitle, current local regulations, local patterns of land 22 development, the kinds of pressures to develop the subject land, state smart growth 23 goals, and any locally established priorities for the preservation of agricultural land; 24 and
25 (ii) Recommend for ranking any application that qualifies and 26 meets the priorities established by the county governing body for the preservation of 27 agricultural land.
28 (4) The county agricultural preservation advisory board shall provide a 29 public hearing concerning any application to sell if such a hearing is requested by a 30 majority of the county agricultural preservation advisory board, or by a majority of 31 the county governing body, or by the applicant.
32 (5) The board of trustees of the Foundation shall not approve any 33 application to sell which has not been approved by the governing body of the county 34 containing the subject land.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 36 October July 1, 2000.