

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2014-15**

BILL NO. 2014-32

Title of Resolution: Approval - Maryland Agricultural Land Preservation Foundation - Brewer Property

Synopsis: A Bill to approve the petition of Rodney & Rebecca Brewer for the property of 832 Lombard Rd. Rising Sun, MD 21911 (Tax Map 5, Grid 15, Parcels 7, 83 & 153) requesting a recommendation of approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Introduced by: Council President at the request of the Department of Planning and Zoning

Introduced and order posted on: _____ December 2, 2014 _____

Public hearing scheduled on: _____ January 6, 2015 _____ at _____ 7:00 p.m. _____

Consideration scheduled on: _____ January 20, 2015 _____

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by _____ December 4, 2014 _____ at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on _____ December 19, 2014 and December 26, 2014 _____, a public hearing was held on _____ January 6, 2015 _____, and concluded on _____.

By: _____
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
{Brackets} indicate matter deleted from existing ordinance.
Underlining indicates language added to ordinance by amendment.
~~Strike through~~ indicates language stricken out of an Ordinance by amendment.

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1 **WHEREAS**, pursuant to Section 2-501-502 of the Agriculture Article of the Annotated Code of
 2 Maryland, the Maryland Agricultural Land Preservation Foundation (MALPF) was established in the
 3 Department of Agriculture to protect agricultural land and woodland as open-space land; and

4 **WHEREAS**, pursuant to Section 2-504.1(a), in each county containing productive agricultural land,
 5 the county governing body shall appoint an agricultural preservation board; and

6 **WHEREAS**, the county agricultural land preservation board shall advise the county governing
 7 body with respect to the establishment of agricultural districts; and to approve or disapprove an application
 8 for certification; and

9 **WHEREAS**, pursuant to Section 2-509(b)(1-2) one or more owners of land actively devoted to
 10 agricultural use may file a petition with the county governing body requesting the establishment of an
 11 agricultural district or an application for the purchase of an easement by the Foundation; and shall refer the
 12 petition or application to the county agricultural land preservation board and to the county planning and
 13 zoning body; and

14 **WHEREAS**, the county agricultural land preservation board shall advise the county governing
 15 body as to whether or not the land in the proposed district or proposed easement meets the qualifications
 16 established by MALPF; and whether or not the board recommends establishment of the district; and

17 **WHEREAS**, the county planning and zoning board shall advise the local governing body as to
 18 whether or not establishment of the district is compatible with existing and approved county plans and
 19 overall county policy, and whether or not the planning and zoning body recommends establishment of the
 20 district; and

21 **WHEREAS**, if either the county agricultural land preservation board or the planning and zoning
 22 body recommends approval, the county governing body shall hold a public hearing on the petition;

23 **WHEREAS**, the county governing body shall render a decision as to whether or not the petition or
 24 application shall be recommended to MALPF for approval; and

25 **WHEREAS**, if the county governing body decides to recommend approval of the petition or
 26 application, it shall notify MALPF and forward the petition or application and all accompanying materials,
 27 including the recommendations of the county agricultural land preservation board and county planning and
 28 zoning body; and

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29 **WHEREAS**, the Cecil County Agricultural Land Preservation Advisory Board has recommended
30 approval of the application of Rodney & Rebecca Brewer for the property of 832 Lombard Rd. Rising Sun,
31 MD 21911 (Tax Map 5, Grid 15, Parcels 7, 83 & 153) and

32 **WHEREAS**, the Cecil County Office of Planning and Zoning has recommended approval of the
33 petition Rodney & Rebecca Brewer for the property of 832 Lombard Rd. Rising Sun, MD 21911 (Tax Map 5,
34 Grid 15, Parcels 7, 83 & 153), and

35 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County,
36 Maryland, recommends approval of the application by Rodney & Rebecca Brewer for the property of 832
37 Lombard Rd. Rising Sun, MD 21911 (Tax Map 5, Grid 15, Parcels 7, 83 & 153); and

38 **BE IT FURTHER RESOLVED** that the petition be forwarded to the Maryland Agricultural Land
39 Preservation Foundation for their approval.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY Council Manager