

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2014-21**

BILL NO. 2014-31

Title of Bill: Approval - Agricultural Preservation District - Dudkewitz Property

Synopsis: A Bill to approve the petition of David and Charlotte Dudkewitz for the property located at 1777 Appleton Road, Elkton, MD 21921 (Tax Map 14, Grid 21, Parcel 26) requesting the establishment of an agricultural preservation district .

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.

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; and shall refer the petition or application to the county agricultural land preservation
12 board and to the county planning and zoning body; and

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

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

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

22 **WHEREAS**, the county governing body shall render a decision as to whether or not an agricultural
23 district shall be established for this petition or application; and

24 **WHEREAS**, the Cecil County Department of Planning and Zoning has recommended approval of
25 the petition of David and Charlotte Dudkewitz for land located 1777 Appleton Road, Elkton, MD
26 21921(Tax Map 14, Grid 21, Parcel 26) and

27 **WHEREAS**, the Cecil County Agricultural Land Preservation Advisory Board has recommended
28 approval of the petition of David and Charlotte Dudkewitz for land located 1777 Appleton Road, Elkton,
29 MD 21921 (Tax Map 14, Grid 21, Parcel 26) ,and

30 **WHEREAS**, the Cecil County Planning Commission has recommended approval of the petition
31 David and Charlotte Dudkewitz for land located at 1777 Appleton Road, Elkton, MD 21921 (Tax Map 14,
32 Grid 21, Parcel 26) ,and

33 **WHEREAS**, pursuant to Section A385-3 Standards, in Chapter A385. Purchase of Development
34 Rights Program and Fund, in the Code of Cecil County, the Cecil County Purchase of Development Rights
35 Program allows a landowner the option of establishing an agricultural preservation district, a minimum of
36 five-year agreement by the landowner not to develop the land and sets standards.

37 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County,
38 Maryland, that the petition of David and Charlotte Dudkewitz for land located 1777 Appleton Road,
39 Elkton, MD 21921 (Tax Map 14, Grid 21, Parcel 26) is approved for the establishment of an agricultural
40 preservation district; and

41 **AND, BE IT FURTHER RESOLVED** that this Bill shall take effect sixty days from the date that
42 it becomes law.

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