

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION 2016-11**

**BILL NO. 2016-13**

**Title of Bill:** Agricultural Preservation District - Steven and Lindsay Haines

**Synopsis:** A Bill to approve the petition of Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora, MD 21917, (Tax Map 9, Grid 24, Parcel 131) requesting the establishment of an agricultural preservation district.

**Introduced by:** Council President at the request of the County Executive

**Introduced and order posted on:** June 7, 2016

**Public hearing scheduled on:** July 5, 2016 at 7:00 p.m.

**Consideration scheduled on:** July 19, 2016

By: \_\_\_\_\_  
Council Manager

**PUBLIC HEARING**

Notice of time and place of public hearing and title of Bill having been posted by \_\_\_\_\_ at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on \_\_\_\_, a public hearing was held on \_\_\_\_\_ 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.

**Approval - Agricultural District - Steven and Lindsay Haines**

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; and

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 Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora, MD 21917,  
26 (Tax Map 9, Grid 24, Parcel 131); and

27           **WHEREAS**, the Cecil County Agricultural Land Preservation Advisory Board has recommended  
28 approval of the petition of Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora,  
29 MD 21917, (Tax Map 9, Grid 24, Parcel 131); and

**Approval - Agricultural District - Steven and Lindsay Haines**

30           **WHEREAS**, the Cecil County Planning Commission has recommended approval of the petition  
31 Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora, MD 21917, (Tax Map 9, Grid  
32 24, Parcel 131); 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 Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora,  
39 MD 21917, (Tax Map 9, Grid 24, Parcel 131) is approved for the establishment of an agricultural  
40 preservation district.

41           **AND BE IT FURTHER ENACTED** that this Act shall take effect in 60 calendar days from the  
42 date 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.

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BY Council Manager