

Article - Agriculture

2-510.

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

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

2. UPON LOCAL APPROVAL OF THE APPLICATION, THE COUNTY GOVERNING BODY SHALL SUBMIT A STATEMENT OF THE TOTAL CURRENT DEVELOPMENT RIGHTS ON THE SUBJECT LAND TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, ALONG WITH THE APPLICATION APPROVAL NOTIFICATION. THE STATEMENT SHALL INCLUDE THE TOTAL NUMBER OF DEVELOPMENT RIGHTS THAT HAVE BEEN SUBDIVIDED OR TRANSFERRED.

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

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

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

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

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

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

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