

(5) WITHIN 60 DAYS AFTER THE REFERRAL OF A PETITION, THE COUNTY PLANNING COMMISSION SHALL ADVISE THE COMMISSIONERS:

(I) WHETHER ESTABLISHMENT OF THE DISTRICT IS COMPATIBLE WITH EXISTING OR APPROVED COUNTY PLANS AND POLICY; AND

(II) WHETHER THE COUNTY PLANNING COMMISSION RECOMMENDS ESTABLISHMENT OF THE DISTRICT.

(6) IF EITHER THE ADVISORY BOARD OR THE COUNTY PLANNING COMMISSION RECOMMENDS APPROVAL, THE COMMISSIONERS SHALL HOLD A PUBLIC HEARING ON THE PETITION;

(7) ADEQUATE NOTICE OF A HEARING UNDER ITEM (6) OF THIS SUBSECTION SHALL BE MADE TO:

(I) ALL LANDOWNERS IN THE PROPOSED DISTRICT; AND

(II) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION;

(8) WITHIN 120 DAYS AFTER THE RECEIPT OF THE PETITION OR APPLICATION, THE COMMISSIONERS SHALL DECIDE WHETHER THE PROPOSED AGRICULTURAL DISTRICT WILL BE ESTABLISHED;

(9) THE ESTABLISHMENT OF AN AGRICULTURAL DISTRICT DOES NOT TAKE EFFECT UNTIL ALL LANDOWNERS IN THE PROPOSED DISTRICT HAVE EXECUTED AN AGREEMENT WITH THE COMMISSIONERS THAT:

(I) IS RECORDED IN THE COUNTY LAND RECORDS;

(II) REQUIRES A LANDOWNER TO KEEP THE LANDOWNER'S LAND IN AGRICULTURAL USE FOR A MINIMUM OF 3 YEARS FROM THE ESTABLISHMENT OF THE AGRICULTURAL DISTRICT; AND

(III) MAINTAINS THE RIGHT OF A LANDOWNER TO SELL AN EASEMENT FOR DEVELOPMENT RIGHTS ON THE LAND TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION;

(10) IN THE EVENT OF SEVERE ECONOMIC HARDSHIP, THE COMMISSIONERS MAY RELEASE THE LANDOWNER'S PROPERTY FROM THE AGRICULTURAL DISTRICT;