

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2014 Legislative Session**

Resolution No. CR-24-2014  
Proposed by Council Member Franklin  
Introduced by Council Members Franklin, Davis, Olson and Patterson  
Co-Sponsors \_\_\_\_\_  
Date of Introduction April 29, 2014

## RESOLUTION

## A RESOLUTION concerning

## Transfer of Development Rights Work Group

For the purpose of convening a Transfer of Development Rights (“TDR”) Work Group to consider and recommend to the County Council a proposal for the voluntary transfer of development rights in Prince George’s County.

WHEREAS, the Rural Tier of Prince George's County, as designated in the 2002 *Approved General Plan*, as amended, encompasses the eastern and southern portions of the County, in the Patuxent River, Potomac River, and Mattawoman Creek watersheds, including 171 square miles, approximately 35 percent of the County's land area; and

WHEREAS, the Rural Tier is the most scenic part of the County, characterized by fine and diverse landscapes, many of the County's remaining farmlands, extensive woodlands and wetland areas, numerous streams and stream valleys, and diverse wildlife habitat; and

WHEREAS, the main features of the Rural Tier, forests and agricultural lands, present unique planning, land use, and development issues and policy problems; and

WHEREAS, during the 2006 Legislative Year, the County Council proposed various legislation for the purpose of establishing a comprehensive policy on agricultural preservation in the Rural Tier; and

WHEREAS, the Agricultural Preservation Work Group held 25 meetings over an 18-month period and conducted a comprehensive review of all preservation mechanisms and all County policies including Maryland Agricultural Land Preservation Foundation (MALPF), Rural Legacy, Tree Conservation, Purchase of Development Rights (PDRs), Transfer of Development Rights, Right to Farm, Property Tax Exemptions, and State of the Agricultural Industry and

1 Potential Marketing Options; and

2 WHEREAS, the County Council continues to recognize both the need and the public value  
3 of protecting farm and forest lands, ecologically fragile watershed and floodplains, as well as the  
4 more general need to protect scenic vistas and view sheds enjoyed by the citizens and residents  
5 of the County; and

6 WHEREAS, the County Council would like to consider whether to establish a program for  
7 the voluntary transfer of development rights to encourage the preservation of natural resources,  
8 protect and increase land equities in Rural Tier communities restricted from development, and  
9 facilitate orderly growth and development in the County, including the possibility of transferring  
10 densities from properties located in designated Sending Districts to properties located within  
11 designated Receiving Districts; and

12 WHEREAS, Section 506 of the County Charter provides that the County Council may  
13 appoint, for designated periods, temporary citizen advisory boards to assist in the consideration  
14 of County policies and programs.

15 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
16 County, Maryland, that a Transfer of Development Rights ("TDR") Work Group is hereby  
17 convened to consider and recommend to the Council a proposal for a voluntary TDR program for  
18 the County ("Final Recommendation"), including providing any supporting written  
19 documentation for such a proposal.

20 BE IT FURTHER RESOLVED that the TDR Work Group shall be composed of eleven  
21 (11) members appointed by the County Council Chairman in consultation with the Council, with  
22 the Chair of the TDR Work Group being a representative selected by the Prince George's County  
23 Farm Bureau (the "Farm Bureau"). The TDR Work Group shall consist of:

- 24 (1) Two representatives selected by the Farm Bureau, including the TDR Work Group  
25 Chair,
- 26 (2) One representative selected by the Prince George's County Soil Conservation  
27 District,
- 28 (3) Four County residents, including at least two with farming ownership interests in the  
29 Rural Tier,
- 30 (4) One representative selected by the Prince George's County Association of Realtors,
- 31 (5) One representative selected by the County Executive,

- (6) One representative selected by an environmental organization in the County, and
- (7) One representative selected by the Maryland National Capital Building Industry Association.

BE IT FURTHER RESOLVED that any Final Recommendation or other proposal by the TDR Work Group must be endorsed in writing by at least six (6) of its members.

BE IT FURTHER RESOLVED that the Council Administrator shall assign appropriate technical and administrative support personnel to assist the TDR Work Group in its work, and additional support shall be provided by the Prince George's County Soil Conservation District, and the Prince George's County Planning Director (or the Planning Director's designee).

BE IT FURTHER RESOLVED that the TDR Work Group shall transmit its Final Recommendation to the Clerk of the Council in writing by February 1, 2015, and present its Final Recommendation to the County Council shortly thereafter, with the option to extend its transmittal deadline to a date no later than May 1, 2015 at the discretion of the TDR Work Group Chair.

BE IT FURTHER RESOLVED that the TDR Work Group shall cease to exist on (i) the date it presents its Final Recommendation to the County Council or (ii) May 1, 2015, whichever is earlier.

Adopted this 15<sup>th</sup> day of July, 2014.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Mel Franklin  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council