

Introduced 10/5/16  
Public Hearing 10/17/16  
Council Action 11/9/16  
Executive Action 11/14/16  
Effective Date 1/14/17

## County Council of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 16

### Bill No. 68-2016

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the duties and responsibilities of the Agricultural Land Preservation Board;  
and generally relating to the Agricultural Land Preservation Board.

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Introduced and read first time October 5, 2016. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on October 17, 2016.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on November 9, 2016 and Passed , Passed with amendments , Failed .

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 12<sup>th</sup> day of November, 2016 at 5 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive Nov 14, 2016

Allan H. Kittleman  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that the Howard  
2 County Code is amended as follows:

3 *By amending Title 15 "Natural Resources"*  
4 *Section 15.518 "Agricultural Land Preservation Board"*  
5 *Subsection (h)*

6  
7 **Title 15. Natural Resources.**  
8 **Subtitle 5. Agricultural Land Preservation.**  
9

10 **Section 15.518. Agricultural Land Preservation Board.**

11 (h) *Duties and Responsibilities.* The Board shall:

- 12 (1) Make recommendations to the County Executive AND COUNTY COUNCIL on the  
13 acquisition of AGRICULTURAL LAND PRESERVATION easements as provided in this  
14 subtitle[[]];
- 15 [(2) Review proposals for the location of permitted lots and the construction of tenant  
16 housing on land subject to an agricultural land preservation easement.
- 17 (3) Review proposals for proposed subdivisions on land subject to an agricultural  
18 land preservation easement.]]
- 19 (2) RECOMMEND TO THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL THE  
20 CRITERIA AND METHOD FOR CALCULATING THE PRICE FOR PURCHASE OF AN  
21 AGRICULTURAL LAND PRESERVATION EASEMENT;
- 22 (3) IN ACCORDANCE WITH THE TERMS OF THE DEED OF EASEMENT AND THIS SUBTITLE,  
23 REVIEW AND MAKE RECOMMENDATIONS ON:
- 24 (I) PROPOSALS FOR THE LOCATION OF PERMITTED LOTS AND DWELLINGS;  
25 (II) PROPOSALS FOR THE CONSTRUCTION OF TENANT HOUSING; AND  
26 (III) PROPOSALS FOR PARCEL SUBDIVISION OF THE LAND;
- 27 (4) REVIEW AND MAKE RECOMMENDATIONS ON AGRICULTURAL LAND PRESERVATION  
28 PROGRAM POLICY, AND AGRICULTURAL POLICY IN GENERAL;
- 29 (5) SERVE IN AN ADVISORY CAPACITY TO THE DEPARTMENT OF PLANNING AND ZONING  
30 AND COUNTY COUNCIL ON AGRICULTURAL ISSUES, INCLUDING THE EVALUATION OF

1 ZONING RELATED COMPLAINTS, BASED ON THE BOARD'S KNOWLEDGE OF COMMON  
2 AND ACCEPTABLE FARMING PRACTICES; ~~AND~~

3 (6) REVIEW AND MAKE RECOMMENDATIONS ON COMMERCIAL SOLAR FACILITY  
4 CONDITIONAL USES AS PROVIDED IN THE HOWARD COUNTY ZONING  
5 REGULATIONS; AND

6 [[(4) Make recommendations to the County Executive concerning its budget and  
7 appropriations requests.]]

8 ([[5]]~~6~~7) Report annually on the status of the program to the County Executive and  
9 the County Council.

10 [[(6) Recommend to the County Executive and the County Council the criteria and  
11 method for calculating the price for purchase of an agricultural land preservation  
12 easement.

13 (7) Solicit donations of funds to be used in this program from all appropriate sources  
14 and to solicit donations of easement on land.]]

15  
16 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that  
17 *this Act shall become effective 61 days after its enactment.*

Amendment 1 to Council Bill 68-2016

BY: Mary Kay Sigaty

Legislative Day No: 18  
Date: 11/9/16

Amendment No. 1

1 (This amendment adds the County Council to the list of recipients which will receive  
2 recommendations acquisition on agricultural land preservation easements).  
3  
4  
5

6 On page 1, in line 12, after “Executive”, insert "AND COUNTY COUNCIL".  
7

8 On page 1, in line 28, after “Zoning”, insert "AND COUNTY COUNCIL".  
9  
10  
11  
12  
13  
14

ADOPTED 11/9/16  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Feldman

Amendment 2 to Council Bill 68-2016

BY: Mary Kay Sigaty

Legislative Day No: 18  
Date: 11/9/16

Amendment No. 2

1 (This amendment adds the Board's role of making recommendations on Commercial Solar  
2 Facilities to the list of Duties and Responsibilities).  
3  
4  
5

6 On page 2, in line 1, after the semi-colon, strike "AND". On the same page, immediately  
7 following line 1, insert the following:

8 "(6) REVIEW AND MAKE RECOMMENDATIONS ON COMMERCIAL SOLAR FACILITY CONDITIONAL  
9 USES AS PROVIDED IN THE HOWARD COUNTY ZONING REGULATIONS; AND"  
10

11 Also, on page 2, in line 4, strike the "6" and substitute "7".  
12  
13  
14  
15  
16

ADOPTED 11/9/16  
FILED \_\_\_\_\_  
SIGNATURE Jessica Feldman

Introduced \_\_\_\_\_  
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Jessica Feldmark, Administrator

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By order \_\_\_\_\_  
Jessica Feldmark, Administrator

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By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2016

\_\_\_\_\_  
Allan H. Kittleman, County Executive

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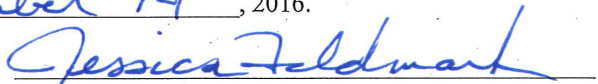
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12 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that***  
13 ***this Act shall become effective 61 days after its enactment.***



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 14, 2016.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council