

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 5

Bill No.23-2017

Introduced by: Mary Kay Sigaty

Co-Sponsored by: Calvin Ball and Jon Weinstein

AN ACT amending the Howard County Code to clarify that parcels may be eligible for the County's Agricultural Land Preservation Program notwithstanding the effect of the Growth Tier designation of the parcel on the County's General Plan; and generally relating to the Howard County Agricultural Land Preservation Program.

Introduced and read first time _____, 2017. Ordered posted and hearing scheduled.

By order _____
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 _____, 2017.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2017 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2017 at ____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2017

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 County
2 Code is hereby amended as follows:

3 *By Amending:*

4 *Title 15 - NATURAL RESOURCES*

5 *Subtitle 5. - AGRICULTURAL LAND PRESERVATION*

6 *Section 15.506. – Eligibility criteria.*

7 *Subsection (a). Buying Easements.*

8

9

10 **TITLE 15 - NATURAL RESOURCES**

11 **SUBTITLE 5. - AGRICULTURAL LAND PRESERVATION**

12

13 **Sec. 15.506. - Eligibility criteria.**

14 (a) Buying Easements. Howard County may buy the development rights on a parcel provided
15 that the purchase is consistent with the intentions and policies of the general plan and the parcel
16 meets each of the criteria listed below:

17 (1) Developable. The parcel shall be capable of being further developed to a greater
18 residential density than presently exists or for nonagricultural uses. To meet this criteria,
19 the parcel shall:

20 (i) Be in a zoning district which permits development to a higher residential
21 density than presently exists; and

22 (ii) A. Be capable of being subdivided or developed for nonagricultural uses by
23 right[[]], NOTWITHSTANDING THE EFFECT OF THE GROWTH TIER
24 DESIGNATION OF THE PARCEL ON THE COUNTY’S GENERAL PLAN IN TERMS OF
25 THE PARCEL'S MAJOR SUBDIVISION CAPABILITY WHEN THE LANDOWNER

1 APPLIES TO SELL DEVELOPMENT RIGHTS TO THE COUNTY UNDER THE
2 HOWARD COUNTY AGRICULTURAL LAND PRESERVATION ACT.

3 (2) Size. The parcel contains at least 20 contiguous acres.

4 (3) Soils. The parcel shall meet the following soils criteria:

5 (i) More than 50 percent of the parcel shall be U.S. Department of Agriculture
6 capability Class I, II and III soils, and more than 66 percent of the parcel shall be
7 Class I through IV soils; and

8 (ii) The parcel shall have:

9 a. A complete soil conservation and water quality plan approved by the
10 local soil conservation district; and

11 b. Verification by the local soil conservation district that the plan reflects
12 current conditions and activities on the land.

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