

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2021 Legislative Session

Legislative day 5

### BILL NO. 19 – 2021

**Introduced by:**  
David Yungmann

**AN ACT** to alter the method to calculate the number of one-acre lots that could be subject to release of easement; removing the minimum size criteria for a parcel on which a landowner's dwelling could be built; and generally relating to agricultural preservation.

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Introduced and read first time \_\_\_\_\_, 2021. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Theodore Wimberly, 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 \_\_\_\_\_, 2021.

By order \_\_\_\_\_  
Theodore Wimberly, Administrator

This Bill was read the third time on \_\_\_\_\_, 2021 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Theodore Wimberly, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Theodore Wimberly, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2021

\_\_\_\_\_  
Calvin Ball, 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:

4 Title 15. Natural Resources

5 Subtitle 5. Agricultural Preservation

6 Section. 15.514(a) and (c)

7  
8  
9 **HOWARD COUNTY CODE**

10 **Title 15. Natural Resources**

11 **Subtitle 5. Agricultural Preservation**

12 **Section 15.514. - Rights.**

13 (b) *Limited Number of One-Acre Lots.* This subsection applies only to parcels of 50 acres or more.  
14 A landowner may subdivide one one-acre lot per 50 acres OR PORTION THEREOF of the total  
15 contiguous acreage which is subject to the easement. The County will release the easement for each  
16 one-acre lot permitted after all the following conditions are met:

17 (1) The Board has approved the release of the easement after determining that each lot is  
18 located to minimize any disruption of existing or potential future agricultural activities; and

19 (2) The landowner repays the County the price per acre that the County paid for the  
20 easement for each lot released.

21 (3) The one-acre maximum lot size permitted under this section may be increased by a  
22 maximum of 20 percent pursuant to sections 104.E.6 and 105.E.6 of the Howard County Zoning  
23 Regulations.

24 (c) *Limited Number of Dwellings.* Only the following dwellings, which may not be subdivided from  
25 the land, may be constructed on land subject to an agricultural land preservation easement, after the  
26 Board has determined that they are located so as to minimize disruption of existing or potential future  
27 agricultural activities:

28 (1) An existing dwelling which is no longer habitable may be replaced, provided that the

1 existing dwelling is demolished;

2 (2) If permitted under the deed of easement; tenant housing may be constructed at a density  
3 of one tenant dwelling per 25 acres; this density includes tenant housing which existed when the  
4 County acquired the easement;

5 (3) A landowner's dwelling, if:

6 (i) There were no dwellings other than tenant housing on the parcel when the  
7 County acquired the easement; and

8 (ii) [[The parcel is 50 acres or larger; and

9 (iii)]] The parcel is not a subdivision or separate portion of the parcel on which the  
10 County acquired the easement, unless the landowner has relinquished the right to subdivide one of the  
11 one-acre lots allowed pursuant to section 15.517.

12 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that this Act  
13 *shall become effective 61 days after its enactment.*

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