

Amendment No. 10 to Council Bill No. 74-2025

BY: The Chairperson at the request  
of the County Executive

Legislative Day No. 17  
Date: December 1, 2025

Amendment No. 10

*(This amendment modifies provisions related to driveways. The amendment will require a use-in-common easement for shared driveway access under the Agritourism, small-scale agritourism, farm alcohol producer (accessory and conditional use), and rural venue space uses.*

*There will need to be an easement that is:*

- 1. Signed by all property owners using the shared driveway,*
- 2. States property owners using the shared driveway do not object to the proposed use,*
- 3. Runs with the land and binds future landowners,*
- 4. Recorded with the land records of Howard County.)*

On page 35, strike lines 11, through 24, inclusive and in their entirety and substitute:

**“[d]4.THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE PROVIDES ADEQUATE SITE DISTANCE AND HAS THE ABILITY TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY ACCESS TO THE SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER THE DIRECTOR OF PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES A USE-IN-COMMON EASEMENT SIGNED BY THE OWNERS OF ALL PROPERTIES THAT HAVE A LEGAL RIGHT TO SHARE THE DRIVEWAY ASSERTING THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE. THE EASEMENT SHALL (I) STATE THAT THE AGREEMENT RUNS WITH THE LAND AND BINDS ALL FUTURE OWNERS AND (II) BE RECORDED IN THE LAND RECORDS OF HOWARD COUNTY.”**

On page 37, strike lines 1 through 13, inclusive and in their entirety and substitute:

**“4. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE PROVIDES ADEQUATE SITE DISTANCE AND HAS THE ABILITY TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY ACCESS TO THE SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER THE DIRECTOR OF PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER**

1 PROVIDES A USE-IN-COMMON EASEMENT SIGNED BY THE OWNERS OF ALL PROPERTIES THAT  
2 HAVE A LEGAL RIGHT TO SHARE THE DRIVEWAY ASSERTING THEY DO NOT OBJECT TO THE  
3 USE OF THE DRIVEWAY FOR THE USE. THE EASEMENT SHALL (I) STATE THAT THE  
4 AGREEMENT RUNS WITH THE LAND AND BINDS ALL FUTURE OWNERS AND (II) BE RECORDED  
5 IN THE LAND RECORDS OF HOWARD COUNTY.”.  
6

7 On page 43, strike beginning with “affidavits” in line 13 down through and including “use” in line  
8 19 and substitute:

9 “A USE-IN-COMMON EASEMENT SIGNED BY THE OWNERS OF ALL PROPERTIES THAT HAVE A  
10 LEGAL RIGHT TO SHARE THE DRIVEWAY ASSERTING THEY DO NOT OBJECT TO THE USE OF THE  
11 DRIVEWAY FOR THE USE. THE EASEMENT SHALL (I) STATE THAT THE AGREEMENT RUNS WITH  
12 THE LAND AND BINDS ALL FUTURE OWNERS AND (II) BE RECORDED IN THE LAND RECORDS OF  
13 HOWARD COUNTY”.  
14

15 On page 48, in line 8, after “has]]”, strike beginning with “THE” down through and including  
16 “USE.” in line 19 and substitute:

17 “THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE PROVIDES ADEQUATE SITE  
18 DISTANCE AND HAS THE ABILITY TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY  
19 ACCESS TO THE SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER, THE  
20 HEARING AUTHORITY MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES A USE-IN-  
21 COMMON EASEMENT SIGNED BY THE OWNERS OF ALL PROPERTIES THAT HAVE A LEGAL RIGHT  
22 TO SHARE THE DRIVEWAY ASSERTING THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR  
23 THE USE. THE EASEMENT SHALL (I) STATE THAT THE AGREEMENT RUNS WITH THE LAND AND  
24 BINDS ALL FUTURE OWNERS AND (II) BE RECORDED IN THE LAND RECORDS OF HOWARD  
25 COUNTY.”.  
26

27 On page 53, strike beginning with “THE DRIVEWAY” in line 19 down through and including “USE.”  
28 in line 30 and substitute:

29 “THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE PROVIDES ADEQUATE SITE  
30 DISTANCE AND HAS THE ABILITY TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY

1 ACCESS TO THE SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER THE HEARING  
2 AUTHORITY MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES A USE-IN-COMMON  
3 EASEMENT SIGNED BY THE OWNERS OF ALL PROPERTIES THAT HAVE A LEGAL RIGHT TO SHARE  
4 THE DRIVEWAY ASSERTING THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE.  
5 THE EASEMENT SHALL (I) STATE THAT THE AGREEMENT RUNS WITH THE LAND AND BINDS ALL  
6 FUTURE OWNERS AND (II) BE RECORDED IN THE LAND RECORDS OF HOWARD COUNTY.”.