

Introduced 12/1/14
Public Hearing 12/15/14 Tabled 1/5/15
Council Action 2/2/15
Executive Action 2/4/15
Effective Date 4/6/15

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 13

Bill No. 54-2014 (ZRA 152)

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

AN ACT amending the Howard County Zoning Regulations to add provisions concerning the use and subdivision of R-ED properties that contain Agricultural Land Preservation Easements; and generally relating to the Howard County Zoning Regulations.

Introduced and read first time December 1, 2014. 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 December 15, 2014.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Tabled January 5, 2015

This Bill was read the third time on February 2 2015 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 3rd day of February 2015 at 4:00 a.m./p.m.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

☒ Approved/☐ Vetoed by the County Executive February 4, 2015

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
2 Howard County Zoning Regulations are amended as follows:

3 By adding

4 Subsection K, Regulations for ALPP Purchased Easements

5 Section 107.0.J: R-ED (Residential: Environmental Development) District

7 **Howard County Zoning Regulations.**

8 **Section 107.0. R-ED (Residential: Environmental Development) District.**

10 K. REGULATIONS FOR ALPP PURCHASED EASEMENTS

11
12 1. USES ON ALPP PURCHASED EASEMENTS SHALL BE IN ACCORDANCE WITH
13 SECTION 106.1.B THROUGH SECTION 106.1.D, PROVIDED, HOWEVER,

14
15 FOR THE ALLOWABLE ACCESSORY USES LISTED IN SECTION 106.1.C.1, ONLY
16 THOSE USES WHICH ARE ELIGIBLE AS POTENTIAL FARM USES IN THE R-ED
17 DISTRICT, AS SPECIFIED IN SECTION 128.0.I, ARE PERMITTED, AND

18
19 FOR THE ALLOWABLE CONDITIONAL USES LISTED IN SECTION 106.1.D.1.A,
20 ONLY THOSE USES WHICH ARE ELIGIBLE AS CONDITIONAL USES IN THE R-ED
21 DISTRICT, AS SPECIFIED IN SECTION 131.0.N, ARE PERMITTED.

22
23 2. BULK REQUIREMENTS FOR ALPP PURCHASED EASEMENTS

24
25 ON HOWARD COUNTY ALPP PURCHASED EASEMENT PROPERTIES, LOTS
26 MAY BE CREATED PURSUANT TO THE APPLICABLE HOWARD COUNTY LAWS
27 AND REGULATIONS GOVERNING THE EASEMENT, SUBJECT TO THE
28 FOLLOWING REQUIREMENTS.

29
30 A. THE FOLLOWING REQUIREMENTS SHALL APPLY INSTEAD OF THE
31 REQUIREMENTS OF SECTION 107.0.D.2:

1 LOT SIZE: MAXIMUM -- 1 ACRE
2 MINIMUM -- 40,000 SQUARE FEET
3

4 B. FOR PROPERTIES NOT SERVED BY PUBLIC WATER AND SEWER THE 1
5 ACRE MAXIMUM LOT SIZE REQUIRED BY THIS SECTION MAY BE
6 INCREASED UP TO A MAXIMUM OF 1.2 ACRES PROVIDED THAT:

7 (1) THE LOCATION OF THE PROPOSED LOT HAS BEEN APPROVED
8 BY THE HOWARD COUNTY AGRICULTURAL LAND
9 PRESERVATION BOARD, AND

10 (2) THE DEPARTMENT OF PLANNING AND ZONING DETERMINES
11 THAT:

12 (A) THE INCREASE IN LOT SIZE IS NECESSARY TO
13 ACCOMMODATE THE HEALTH DEPARTMENT
14 APPROVED LOCATIONS FOR THE SEWAGE DISPOSAL
15 EASEMENT AND WELL; AND

16 (B) THE PROPOSED LOT IS A REGULARLY SHAPED LOT IN
17 ACCORDANCE WITH SECTION 16.120 (B) OF THE
18 HOWARD COUNTY CODE.

19 (3) THE INCREASE IN LOT SIZE SHALL BE APPROVED:

20 (A) BY THE DEPARTMENT OF PLANNING AND ZONING AS
21 AN ADMINISTRATIVE ADJUSTMENT PURSUANT TO
22 SECTION 100.0.F OF THE ZONING REGULATIONS; OR

23 (B) BY THE HEARING AUTHORITY AS A VARIANCE
24 PURSUANT TO SECTION 130.0.B OF THE ZONING
25 REGULATIONS.
26

27 3. SECTIONS 107.0.E THROUGH 107.0.I ARE NOT APPLICABLE.
28

29 ***Section 2. And Be It Further Enacted by the County Council of Howard County,***
30 ***Maryland, that 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 February 4, 2015.


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 _____, 2015.

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 _____, 2015.

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 _____, 2015.

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 _____, 2015.

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 _____, 2015.

Jessica Feldmark, Administrator to the County Council