

UNOFFICIAL COPY OF SENATE BILL 1089  
EMERGENCY BILL

N1

6lr3702  
CF 6lr3690

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By: **Senator Kasemeyer**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 13, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - New Town Zoning District - Consolidation of Land**

3 FOR the purpose of authorizing, under certain circumstances, a certain parcel of land  
4 located in a certain new town zoning district of Howard County that is not part  
5 of a village or town center to be consolidated into the village or town center in  
6 which the parcel of land is located; requiring a certain owner or developer to  
7 apply to a certain village or town center community association for  
8 consolidation; requiring certain entities to approve the consolidation; requiring  
9 the instrument consolidating a parcel of land into a village or town center to be  
10 recorded in the county land records; subjecting the parcel of land to certain  
11 recorded covenants and restrictions of the village or town center; providing for  
12 the application of this Act; making this Act an emergency measure; and  
13 generally relating to the consolidation of land in the new town zoning district of  
14 Howard County.

15 BY adding to

16 Article - Real Property

17 Section 11B-113.5

18 Annotated Code of Maryland

19 (2003 Replacement Volume and 2005 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Real Property**

23 11B-113.5.

24 (A) THIS SECTION ONLY APPLIES TO A DEVELOPMENT THAT CONTAINS AT  
25 LEAST 13,000 ACRES OF LAND AND HAS A POPULATION OF AT LEAST 80,000.

26 (B) NOTWITHSTANDING ANY PROVISION OF LAW OR CONTRACT, A PARCEL OF  
27 LAND LOCATED IN THE NEW TOWN ZONING DISTRICT AND RECORDED IN THE LAND

1 RECORDS OF HOWARD COUNTY THAT IS NOT PART OF THE VILLAGE OR TOWN  
2 CENTER IN WHICH THE LAND IS LOCATED MAY BE CONSOLIDATED INTO THE  
3 VILLAGE OR TOWN CENTER IF:

4 (1) THE OWNER OR DEVELOPER OF THE LAND MAKES AN APPLICATION  
5 FOR CONSOLIDATION TO THE VILLAGE OR TOWN CENTER COMMUNITY  
6 ASSOCIATION; AND

7 (2) THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION OR ITS  
8 SUCCESSOR, THE COLUMBIA ASSOCIATION OR ITS SUCCESSOR, AND THE VILLAGE OR  
9 TOWN CENTER COMMUNITY ASSOCIATION APPROVE THE CONSOLIDATION.

10 (C) AN INSTRUMENT THAT CONSOLIDATES A PARCEL OF LAND INTO THE  
11 VILLAGE OR TOWN CENTER IN WHICH THE LAND IS LOCATED SHALL BE EXECUTED  
12 AND FILED FOR RECORDATION IN THE LAND RECORDS OF HOWARD COUNTY.

13 (D) A PARCEL OF LAND THAT IS CONSOLIDATED INTO A VILLAGE OR TOWN  
14 CENTER IN ACCORDANCE WITH THIS SECTION SHALL BE SUBJECT TO THE  
15 RECORDED COVENANTS AND RESTRICTIONS OF THE VILLAGE OR TOWN CENTER IN  
16 WHICH THE PARCEL OF LAND IS LOCATED.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
18 measure, is necessary for the immediate preservation of the public health or safety,  
19 has been passed by a yea and nay vote supported by three-fifths of all the members  
20 elected to each of the two Houses of the General Assembly, and shall take effect from  
21 the date it is enacted.