

## Article - Agriculture

## Section 2-513

## Annotated Code of Maryland

(1999 Replacement Volume and 2002 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Agriculture**

2-513.

(a) Agricultural land preservation easements may be purchased under this subtitle for any land in agricultural use which meets the minimum criteria established under § 2-509 of this subtitle if the easement and county regulations governing the use of the land include the following provisions:

(1) Any farm use of land is permitted.

(2) Operation at any time of any machinery used in farm production or the primary processing of agricultural products is permitted.

(3) All normal agricultural operations performed in accordance with good husbandry practices which do not cause bodily injury or directly endanger human health are permitted including, but not limited to, sale of farm products produced on the farm where such sales are made.

(b) (1) ~~Except as otherwise provided in this section, a landowner, whose land is subject to an easement, may not use the land for any commercial, industrial, or residential purpose, EXCEPT FOR FARM AND FOREST RELATED USES AND HOME OCCUPATIONS AS DETERMINED BY THE FOUNDATION~~ A LANDOWNER WHOSE LAND IS SUBJECT TO AN EASEMENT MAY NOT USE THE LAND FOR ANY COMMERCIAL, INDUSTRIAL, OR RESIDENTIAL PURPOSE EXCEPT:

(I) AS DETERMINED BY THE FOUNDATION, FOR FARM AND FOREST RELATED USES AND HOME OCCUPATIONS; OR

(II) AS OTHERWISE PROVIDED UNDER THIS SECTION.

(2) Except as provided in ~~[paragraph (5)]~~ PARAGRAPHS (3) AND (6) of this subsection, on written application, the Foundation shall release free of easement restrictions only for the landowner who originally sold an easement, 1 acre or less for the purpose of constructing a dwelling house for the use only of that landowner or child of the landowner, UP TO A MAXIMUM OF THREE LOTS, subject to the following conditions:

(i) The ~~total~~ number of lots allowed to be released under this section, except as provided in paragraph ~~[(5)]~~ (6) of this subsection, may not exceed ~~[10] 2 lots of 1 acre or less at a maximum of not more than 1 lot for [each]~~ THE FIRST FULL 20 acres [or portion thereof] AND 1 LOT FOR EACH ADDITIONAL FULL 50 ACRES;