# COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2015, Legislative Day No. 2

#### Bill No. 6-15

### Councilmembers Almond, Kach, Marks, Quirk, Jones & Bevins

### By the County Council, <u>January 20, 2015</u>

## A BILL ENTITLED

### AN ACT concerning

Zoning Regulations - Conservation Burial Ground

FOR the purpose of permitting a conservation burial ground in the R.C. 8 Zone by special exception; defining terms; providing certain conditions applicable to a conservation burial ground; and generally relating to conservation burial grounds.

#### BY adding

Section 101.1, the definition, alphabetically, of Conservation Burial Ground, and Sections 1A09.3.B.9 and 401.1.1
Baltimore County Zoning Regulations, as amended

WHEREAS, natural burial is an environmentally friendly burial option, free from the carbon emissions produced through the embalming or cremation process, that allows the internment of the body of a deceased person in a manner that does not inhibit decomposition but allows the body to recycle naturally; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

Strike out indicates matter stricken from bill. Underlining indicates amendments to bill.

WHEREAS, natural burial grounds provide the added benefit of conserving and restoring the land when established in conjunction with a conservation easement that protects the open space, wildlife, and habitat of the burial ground; now therefore

1	SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2	COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:
3	Section 101.1. Word usage; definitions.
4	CONSERVATION BURIAL GROUND
5	ANY PROPERTY, PERMANENTLY PROTECTED UNDER A CONSERVATION
6	EASEMENT, INTENDED FOR USE FOR THE BURIAL OR PERMANENT DISPOSITION
7	OF THE REMAINS OF THE DEAD, UTILIZING NATURAL BURIAL METHODS AND
8	BIODEGRADABLE MATERIALS THAT PERMIT THE BODY TO RETURN NATURALLY
9	TO THE EARTH.
10	Section 1A09. R.C. 8 (Environmental Enhancement) Zone.
11	1A09.3. Permitted Uses.
12	B. Uses permitted by special exception. The following uses only are permitted by special
13	exception in an R.C. 8 Zone:
14	9. CONSERVATION BURIAL GROUND (SEE SECTION 401.1.1)
15	Section 401. Cemeteries.
16	401.1.1. CONSERVATION BURIAL GROUND.

1	A CONSERVATION BURIAL GROUND IS PERMITTED SUBJECT TO THE
2	FOLLOWING CONDITIONS:
3	1. A CONSERVATION BURIAL GROUND SHALL BE DESIGNED, OPERATED, AND
4	MAINTAINED IN A MANNER THAT PRODUCES A NATURAL APPEARANCE, BY USING
5	PLANTS AND MATERIALS NATIVE TO THE REGION, AND LANDSCAPE PATTERNS
6	DERIVED FROM AND COMPATIBLE WITH REGIONAL ECOSYSTEMS.
7	2. THE LAND ON WHICH A CONSERVATION BURIAL GROUND IS LOCATED
8	SHALL BE SUBJECT TO A PERMANENT CONSERVATION EASEMENT AND WITH A
9	QUALIFIED LAND TRUST. A MINIMUM TRACT OF 60 ACRES IS REQUIRED. BUILDINGS
10	OR STRUCTURES ON THE PROPERTY ARE SUBJECT TO THE EASEMENT LIMITATIONS.
11	FENCES ARE NOT PERMITTED, EXCEPT IN CONNECTION WITH AN AGRICULTURAL
12	USE.
13	3. MEMORIAL GRAVE MARKERS MAY NOT BE RAISED ABOVE THE GROUND.
14	MARKERS SHALL CONSIST OF NATURAL AND NATIVE MATERIALS THAT WILL NOT
15	IMPEDE THE NATURAL LANDSCAPE.
16	4. A MAXIMUM OF 100 BURIALS PER ACRE IS PERMITTED.
17	5. A CONSERVATION BURIAL GROUND SHALL COMPLY WITH ALL
18	REQUIREMENTS OF STATE LAW, INCLUDING THE REGISTRATION REQUIREMENTS OF
19	TITLE 5, SUBTITLE 3 OF THE BUSINESS REGULATION ARTICLE OF THE ANNOTATED
20	CODE OF MARYLAND.
21	6. THE OWNER OF A CONSERVATION BURIAL GROUND SHALL FILE A PLAT OF
22	THE BURIAL GROUND WITH THE DEPARTMENT OF PERMITS, APPROVALS AND
23	INSPECTIONS. THE PLAT SHALL DEPICT THE EXISTENCE OF AN EASEMENT THAT

COMPLIES WITH THE REQUIREMENTS OF SECTION 14-121 OF THE REAL PROPERTY

- 1 ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- 2 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
- 3 affirmative vote of five members of the County Council, shall take effect on March 2, 2015.

b00615.wpd