

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 3

Bill No. 9 -2010

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

AN ACT amending the General Plan 2000 by adjusting the Planned Service Area boundary of the Master Plan for Water and Sewerage to include approximately 221.1 acres of the historic Doughoregan property located south of Frederick Road (Md Route 144) and just west of the Kiwanis-Wallis Park, in Ellicott City, Howard County, Maryland; providing that certain expansions will be null and void unless certain conditions are met; and generally relating to the General Plan 2000.

Introduced and read first time _____, 2010. Ordered posted and hearing scheduled.

By order _____
Stephen LeGendre, 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 _____, 2010.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2010 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2010 at ____ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2010

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, the General Plan 2000 and the Master Plan for Water and Sewerage
2 establish the Planned Service Area, which is the area within which the County provides public
3 water and sewer service; and
4

5 **WHEREAS**, the General Plan 2000 provides that any requests for a General Plan
6 amendment for the expansion of the Planned Service Area for water and sewer service should be
7 denied unless the following minimum criteria are met: the proposed expansion of the Planned
8 Service Area is part of a proposed zoning and is consistent with the General Plan and Smart
9 Growth policies, or the proposed expansion of the Planned Service Area is intended to provide
10 for a public or institutional use such as a religious facility, charitable or philanthropic institution,
11 or academic school; and
12

13 **WHEREAS**, the Department of Planning and Zoning (DPZ) and the Department of
14 Public Works (DPW) have reviewed the proposed expansion of the Planned Service Area
15 boundary to include approximately 221.1 acres of the historic Doughoregan property known as
16 Tax Map 23, Grid 10, part of Parcel 71 (the "Property") located south of Frederick Road (Md
17 Route 144) and just west of the Kiwanis-Wallis Park in Ellicott City, Maryland, as shown in the
18 attached Exhibits A and B; and
19

20 **WHEREAS**, the proposed expansion of the Planned Service Area is an important part of
21 a comprehensive, multi-part strategy for the preservation of Doughoregan Manor, a unique
22 National Historic Landmark property; and
23

24 **WHEREAS**, Doughoregan Manor was the country home of Charles Carroll of Carrollton,
25 a landowner, farmer, politician, U.S. Senator and the only Roman Catholic signer of the
26 Declaration of Independence; and
27

28 **WHEREAS**, Carroll was the Declaration's last surviving signer and Doughoregan
29 Manor is the only home of a signer of the Declaration that is still in family ownership; and
30

1 **WHEREAS**, the multi-part strategy for the preservation of Doughoregan Manor includes
2 preserving approximately 500 acres by permanent agricultural land preservation easement,
3 donating 34 acres to the Kiwanis-Wallis Park, rezoning a portion of the property to be R-ED, and
4 preserving the 90-acre historic core that includes the manor house and historic outbuildings; and
5

6 **WHEREAS**, another part of the strategy for the preservation of Doughoregan Manor
7 includes this request for an extension of the Planned Service Area for water and sewer service in
8 order to construct up to 325 single-family detached residences and the sale of those residences
9 will generate funds to restore the manor house; and
10

11 **WHEREAS**, DPZ and DPW have determined that the Property meets the criteria for expansion
12 of the Planned Service Area as part of a proposed rezoning that is consistent with General Plan
13 and Smart Growth policies that promote cluster development in order to minimize adverse
14 impacts on historic and agricultural resources, as well as to increase public open space; and
15

16 **WHEREAS**, DPW has analyzed the water and sewer infrastructure capacity and costs
17 and has confirmed that the capacity exists to serve the Property with water and sewer, and water
18 is available and sewer is feasible to serve the Property; and
19

20 **WHEREAS**, DPW has also determined that the Property is adjacent to the existing
21 boundary of the Planned Service Area and that the inclusion of the Property will continue the
22 linear boundary line of the Planned Service Area without including an intervening privately
23 owned parcel currently not located in the Planned Service Area; and
24

25 **WHEREAS**, the Planning Board has reviewed and recommended approval of the
26 proposed expansion.
27

28 **NOW, THEREFORE,**
29

30 *Section 1. Be It Enacted by the County Council of Howard County, Maryland that the General*

1 *Plan 2000 Policies Map 2000-2020 is amended to expand the Planned Service Area boundary*
2 *for water and sewer service to include approximately 221.1 acres of the historic Doughoregan*
3 *property known as Tax Map 23, Grid 10, part of Parcel 71 located south of Frederick Road (Md*
4 *Route 144) and just west of the Kiwanis-Wallis Park in Ellicott City, Maryland, as shown in the*
5 *attached Exhibits A and B.*

6
7 ***Section 2. And Be It Further Enacted*** *by the County Council of Howard County, Maryland,*
8 *that the provisions of this Act providing for the expansion of the Planned Service Area and the*
9 *Metropolitan District inclusion, if applicable, shall be null and void and the Planned Service*
10 *Area and the Metropolitan District, as it relates to this Property, shall revert to the boundary*
11 *area in place prior to this Act approving the expansion without any additional action of the*
12 *County Council if:*

13 (1) *The Property is not rezoned to be R-ED within 1 year from the effective date of*
14 *this Act; or*

15 (2) *The connection is not made within 10 years from the effective date of this Act.*

16
17 ***Section 3. And Be It Further Enacted*** *by the County Council of Howard County, Maryland,*
18 *that this amendment be attached to the 2000 General Plan.*

19
20 ***Section 4. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that*
21 *this Act shall become effective 61 days after its enactment.*

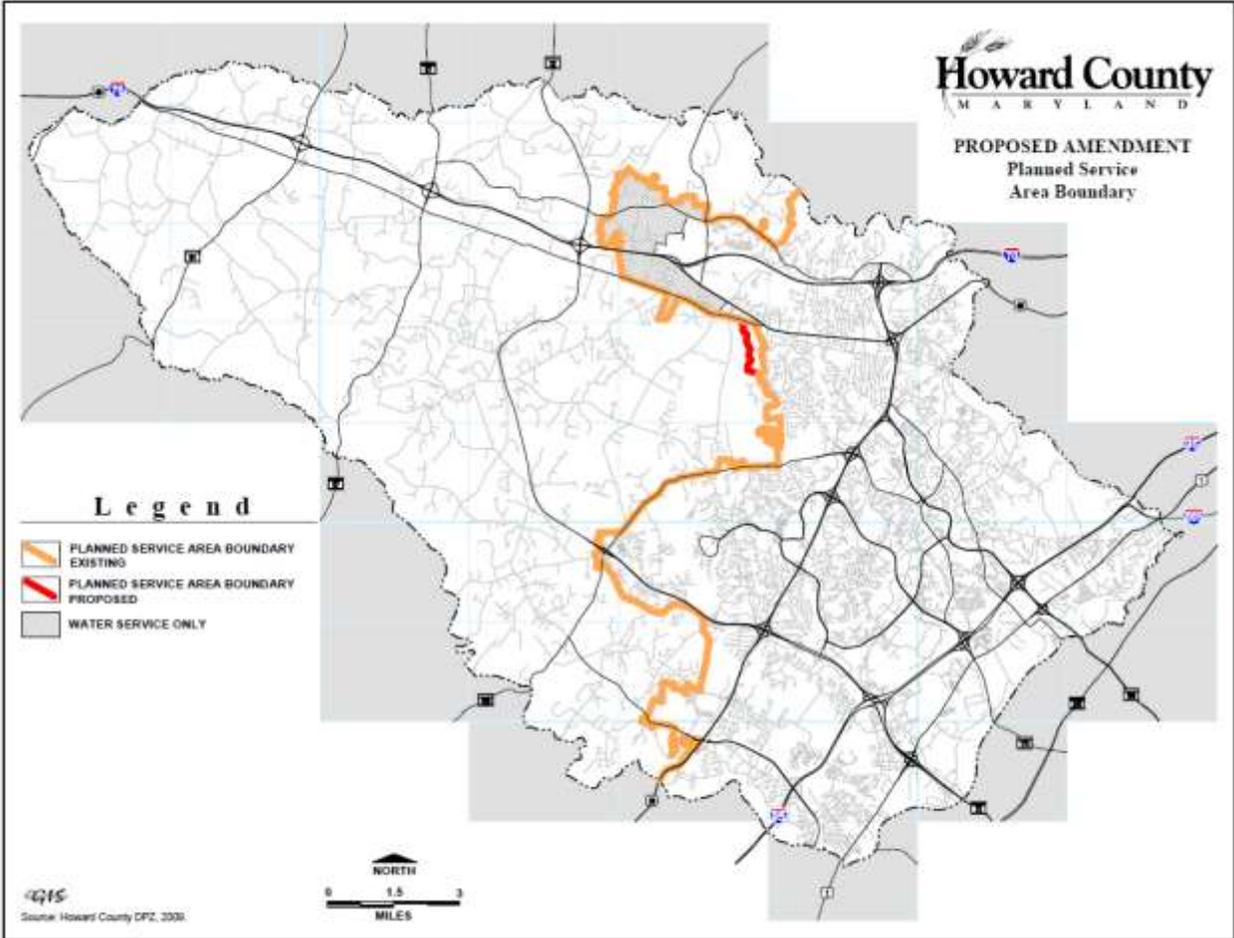
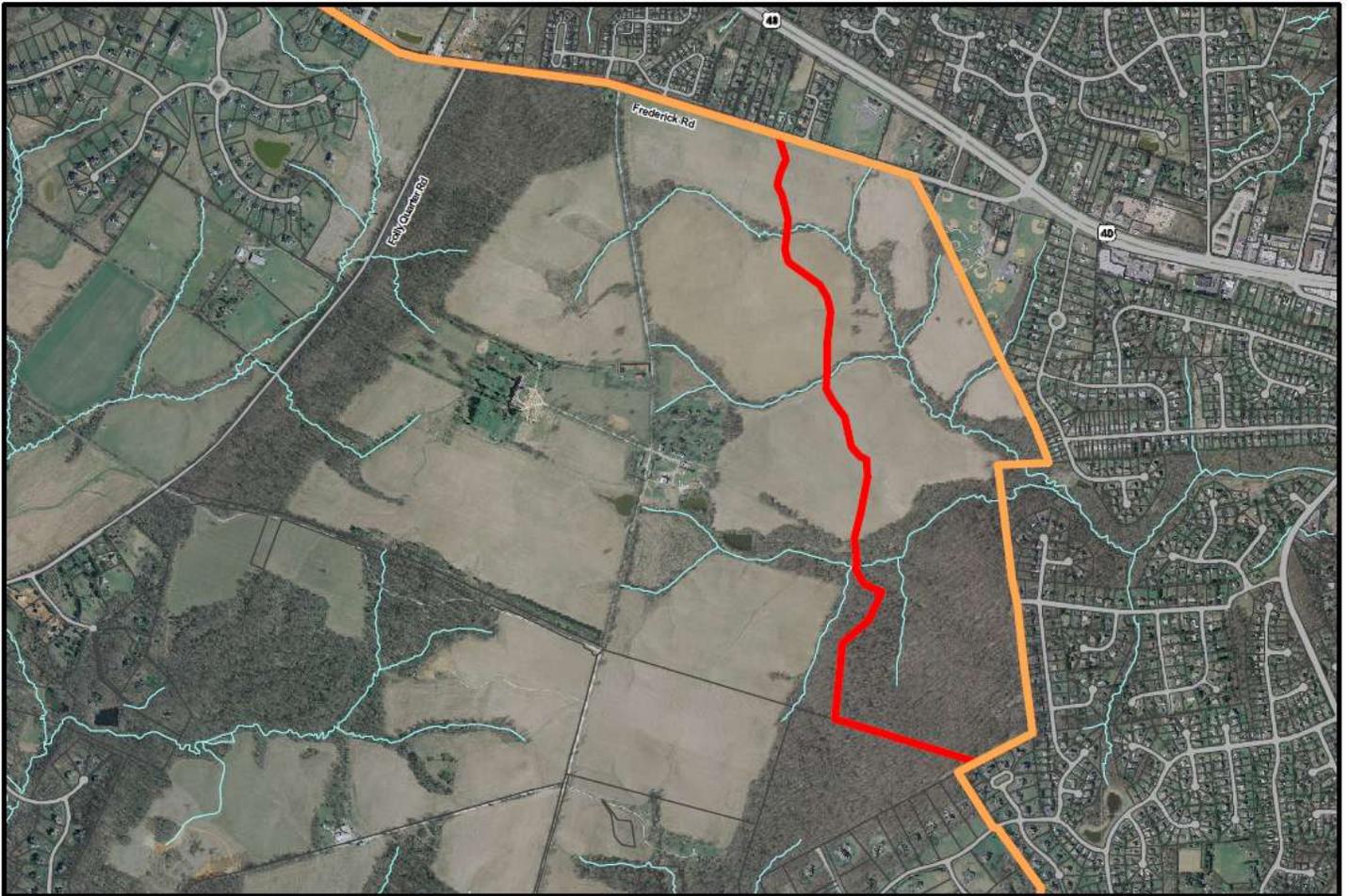


Exhibit A

Exhibit B



Doughoregan Manor - Current & Proposed Planned Service Area Line

— Current Planned Service Area Line — Proposed Planned Service Area Line

