





Howard County

Internal Memorandum

Subject: Testimony on CR#107-2020

A resolution authorizing the execution of a First Amendment to a Development Rights and Responsibilities Agreement by and between Camilla Carroll and Philip D. Carroll and Howard County, Maryland in accordance Title 16, Subtitle 17 of the Howard County Code.

To: Lonnie R. Robbins
Chief Administrative Officer

From: Amy Gowan, Director 
Department of Planning and Zoning and
Thomas Meunier, Acting Director 
Department of Public Works

Date: July 9, 2020

The Departments of Planning and Zoning (DPZ) and Public Works (DPW) request your consideration of CR#107-2020 which authorizes the execution of a First Amendment to a Development Rights and Responsibilities Agreement (DRRA) by and between Camilla Carroll and Philip D. Carroll and Howard County, Maryland. The purpose for the Amendment is to extend the term of the Current DRRA by a period of five (5) years. No other changes are proposed to be made to the Current DRRA.

Background

The original DRRA was executed on September 23, 2010, for a period of 10 years, and expires on September 23, 2020 without an extension. The DRRA was the result of extensive discussions between the parties with the purpose of preserving the Doughoregan Manor House and the immediately adjacent lands.

Actions by both parties prior to signing the agreement included:

- CB 9-2010 adopted on April 5, 2010. Howard County General Plan 2000 was amended to adjust the Planned Service Area boundary for water and sewer service to include 221.1 acres of the Doughoregan property.

- CB 32-2010 adopted July 6, 2010. This authorized an Installment Purchase Agreement (IPA) to acquire a permanent Agricultural Land Preservation Easement on 500 acres of the Doughoregan property.
- CR 103-2010 adopted July 29, 2010. This created the authorization to execute a DRRA.
- ZB 1087M with D&O issued Sept. 13, 2010. This authorized an amendment to the zoning map reclassifying 221.1 acres of the Doughoregan property from RC-DEO to R-ED.

Proposal

The original DRRA was signed September 2010 and most provisions have been completed: a perpetual covenant was established on 94 acres around the Manor House to preclude subdivision; 500 acres were preserved in the County’s Agricultural Land Preservation Program; a 36-acre open space lot adjacent to Kiwanis Wallas Park was deeded to the Department of Recreation and Parks; and infrastructure commitments have been satisfied, including funding of Capital Project S-6274.

To date, 132 lots have been recorded for the Westmount Subdivision, with 93 in process and 100 remaining. The R-ED zoning permits this development and extending the DRRA does not impact the ability to complete the subdivision. However, it allows the terms of the agreement to remain in place through completion of the subdivision.

The Petitioner seeks approval of a five-year extension to complete the following remaining items:

- Burnside Drive terminus - There is currently no road connection to Burnside Drive. The 2 residential lots that will abut the open space lot are part of phase 3
- Fund for restoration of the Manor House - Thus far, income from lot sales has been reserved for ongoing costs of construction. It is anticipated that after-tax sums will be distributed to the restoration fund with the required 50% set aside for the fund beginning in Phase 3 - to be completed.
- Wastewater nutrient reduction fee. \$3,000 per lot is collected with each building permit and 235 building permits remain to be issued.

Fiscal Impacts

If the DRRA is extended, the remaining Westmount Subdivision can continue to apply a \$3,000 per unit wastewater nutrient fee to the remaining 235 units. This fee requirement expires upon termination of the agreement.

cc: Sameer Sidh, Chief of Staff
 Jennifer Sager, Legislative Coordinator