

Introduced 6-7-2021  
Public Hearing 6-21-2021  
Council Action 7-6-2021  
Executive Action 7-7-2021  
Effective Date 9-10-2021

## County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 10

### Bill No. 50-2021

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

AN ACT amending Council Bill No. 59-2018 to provide an additional ~~two years~~ one-year before certain adjustments will be null and void unless certain conditions are met related to Zoning Board approval and the connection to public water and sewer related to the development of Property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; and generally relating to PlanHoward 2030.

Introduced and read first time June 7, 2021. Ordered posted and hearing scheduled.

By order

Michelle Harrod  
Michelle Harrod, 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 June 21, 2021.

By order

Michelle Harrod  
Michelle Harrod, Administrator

This Bill was read the third time on July 6, 2021 and Passed   , Passed with amendments , Failed   .

By order

Michelle Harrod  
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 7 day of July, 2021 at 12 a.m./p.m.

By order

Michelle Harrod  
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive July 7, 2021

Calvin Ball  
Calvin Ball, County Executive

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

1       **WHEREAS**, the General Plan for Howard County (“PlanHoward 2030”) establishes the  
2 Planned Service Area, which is the area within which the County provides public water and  
3 sewer service; and  
4

5       **WHEREAS**, PlanHoward 2030 also establishes the Growth Tier Maps of Howard County  
6 which maps were adopted by Howard County in fulfillment of its obligations under the  
7 Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and  
8

9       **WHEREAS**, PlanHoward 2030 further establishes the Designated Place Type Maps of  
10 Howard County which maps were also adopted by Howard County in fulfillment of its  
11 obligations under the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill  
12 236); and  
13

14       **WHEREAS**, on July 27, 2018, the County Council unanimously approved Council Bill No.  
15 59-2018 (a copy of which is attached as Exhibit A); and  
16

17       **WHEREAS**, Council Bill No. 59-2018 was signed by the County Executive, enacted on  
18 August 6, 2018, and effective on October 6, 2018; and  
19

20       **WHEREAS**, among other things, Council Bill No. 59-2018 had the effect of modifying the  
21 Planned Service Area boundary, the Growth Tier Designation and the Designated Place type, to  
22 include approximately 61 acres of property located west of Clarksville Pike (Md Route 108) and  
23 south of Sheppard Lane, in Clarksville, Howard County, Maryland and further identified as Tax  
24 Map 34, Parcel 185 and a part of Tax Map 28, Parcel 100 (the “Property”); and  
25

26       **WHEREAS**, as enacted, the final version of Council Bill No. 59-2018 contained a  
27 reversionary provision that provided:

28       *Section 2. Be It Further Enacted by the County Council of Howard County, Maryland*  
29 *that the provisions of this Act providing for expansion of the Planned Service Area and*  
30 *amendments to the Growth Tier Maps and Designated Place Types for Howard County*  
31 *shall be null and void and the Planned Service Area, Growth Tier Map, and Designated*

1 *Place Type as it relates to this Property, shall revert to the Planned Service Area, Growth*  
2 *Tier, and Designated Place Type in place prior to this Act without any additional action*  
3 *of the County Council if:*

4 (1) *The Howard County Zoning Board shall fail to issue a Decision and Order*  
5 *approving a Petition to Amend the Zoning Maps of Howard County to rezone the*  
6 *Property to CEF-M for the stated purpose of developing a CCRC community within 3*  
7 *years from the effective date of this Act; or*

8 (2) *The connection between the Property and the public water and sewer infrastructure*  
9 *for the purpose of serving a CCRC development is not made within 10 years of the*  
10 *effective date of this Act.*

11  
12 **WHEREAS**, on November 6, 2018, a Petition to Amend the Zoning Maps of Howard  
13 County to rezone the Property to CEF-M for the stated purpose of developing a CCRC  
14 community (the “Zoning Petition”) was filed with the Howard County Zoning Board (“Zoning  
15 Board”); and

16  
17 **WHEREAS**, subsequent to the filing of the Zoning Petition, the initial public hearing on the  
18 Rezoning Petition was not scheduled until March 4, 2020; and

19  
20 **WHEREAS**, after the initial public hearing on the Rezoning Petition unforeseen  
21 circumstances arose that further delayed the ability of the Zoning Board to schedule and conduct  
22 public hearings related to the Rezoning Petition; foremost among these unforeseen circumstances  
23 was the outbreak of the Covid-19 pandemic; and

24  
25 **WHEREAS**, as a result of the Covid-19 pandemic the County Executive issued an  
26 Emergency Order directing County owned buildings to be closed to the public; and

27  
28 **WHEREAS**, subsequent to the issuance of the County Executive’s Emergency Order, the  
29 Zoning Board has held numerous internet-based and well-attended virtual public hearings  
30 relating to the Rezoning Petition but the hearings have not concluded as of the submission of this  
31 request; and

1       **WHEREAS**, in consideration of the above described unforeseen circumstances that include  
2 the Covid-19 pandemic, the County Council believes it to be in the public interest that the  
3 Zoning Board have additional time to fully consider the testimony of all interested parties as it  
4 considers the Rezoning Petition without the impending time constraints as currently imposed by  
5 the provisions of Council Bill No. 59-2018.

6  
7       **Now, Therefore,**

8  
9       **Section 1. Be It Enacted by the County Council of Howard County, Maryland that the Section 2**  
10 *of Council Bill No. 59-2018 (page 3, line 29 through page 4, line 7 of Exhibit A) is hereby*  
11 *amended as provided in Section 2, below.*

12  
13       **Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that**  
14 *the provisions of this Act providing for expansion of the Planned Service Area and amendments*  
15 *to the Growth Tier Maps and Designated Place Types for Howard County shall be null and void*  
16 *and the Planned Service Area, Growth Tier Map, and Designated Place Type as it relates to this*  
17 *Property, shall revert to the Planned Service Area, Growth Tier, and Designated Place Type in*  
18 *place prior to this Act without any additional action of the County Council if:*

- 19       (1) *The Howard County Zoning Board shall fail to issue a Decision and Order approving a*  
20       *Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M*  
21       *for the stated purpose of developing a CCRC community within ~~5 years~~ 4 years from the*  
22       *effective date of this Act (referring to the effective date of Council Bill No. 59-2018); or*  
23       (2) *The connection between the Property and the public water and sewer infrastructure are*  
24       *not made within ~~12 years~~ 11 years of the effective date of this Act (referring to the*  
25       *effective date of Council Bill No. 59-2018).*

26  
27       **Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland that**  
28 *this amendment be attached to PlanHoward 2030.*

29  
30       **Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland that**  
31 *if any provision of this Act or the application thereof to any person or circumstance is held*

1 *invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other*  
2 *provisions or any other application of this Act which can be given effect without the invalid*  
3 *provisions or application, and for this purpose the provisions of this Act are severable.*

4

5 ***Section 5. And Be It Further Enacted*** by the County Council of Howard County, Maryland that  
6 *this Act shall become effective 61 days after its enactment.*

# Exhibit A

Introduced 7/2/18  
Public hearing 7/6/18  
Council action 7/27/18  
Executive action 8/6/18  
Effective date 10/6/18

## County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 10

**BILL NO. 59 – 2018**

### Introduced by:

The Chairperson at the request of Erickson Living Properties II, LLC

**AN ACT** amending the General Plan for Howard County (“PlanHoward 2030”) by adjusting the Planned Service Area boundary for water and sewer service to include approximately 61 acres of property located west of Clarksville Pike (MD Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; to adjust the Growth Tier Maps of Howard County to reflect the incorporation of said property into the Planned Service Area and the designation of said property within the Growth Tier 1 area of Howard County; and further designating said property as a Targeted Growth and Revitalization Designated Place Type; and providing that certain adjustments will be null and void unless certain conditions are met; and generally relating to PlanHoward 2030.

Introduced and read first time July 2, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, 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 July 16, 2018.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on July 27, 2018 and Passed   , Passed with amendments    ✓, Failed   .

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 30<sup>th</sup> day of July, 2018 at 11:00 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive Aug 6, 2018

Allan H. Kittleman  
Allan H. Kittleman, County Executive

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

1 **WHEREAS**, the General Plan for Howard County (“PlanHoward 2030”) establishes the Planned  
2 Service Area, which is the area within which the County provides public water and sewer  
3 service; and  
4

5 **WHEREAS**, PlanHoward 2030 also establishes the Growth Tier Maps of Howard County which  
6 maps were adopted by Howard County in fulfillment of its obligations under the Sustainable  
7 Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and  
8

9 **WHEREAS**, PlanHoward 2030 further establishes the Designated Place Type Maps of Howard  
10 County which maps were also adopted by Howard County in fulfillment of its obligations under  
11 the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236); and  
12

13 **WHEREAS**, PlanHoward 2030 provides that any requests for a General Plan amendment for the  
14 expansion of the Planned Service Area for water and sewer service should be denied unless the  
15 following minimum criteria are met: the proposed expansion of the Planned Service Area is part  
16 of a zoning proposal and is consistent with the General Plan and Smart Growth policies; or the  
17 proposed expansion of the Planned Service Area is intended to provide for a public or  
18 institutional use such as a religious facility, charitable or philanthropic institution, or academic  
19 school; and  
20

21 **WHEREAS**, the proposed expansion of the Planned Service Area boundary to include  
22 approximately 61 acres of property located west of Clarksville Pike (MD Route 108) and south  
23 of Sheppard Lane, in Clarksville, Howard County, Maryland is further identified as Tax Map 34,  
24 Parcel 185 and a part of Tax Map 28, Parcel 100 (the “Property”), as shown on attached **Exhibit**  
25 **A** and **Exhibit B**; and  
26

27 **WHEREAS**, the proposed expansion of the Planned Service Area is a part of a specific zoning  
28 proposal to rezone the Property from RC-DEO to CEF-M for the stated purpose of providing a  
29 continuing care retirement community (“CCRC”) to consist of independent living units; assisted  
30 living; and skilled nursing care; and  
31

32 **WHEREAS**, the establishment of a CCRC on the Property in accordance with the Petitioner’s  
33 stated purpose advances a number of stated land use policies within the General Plan and will  
34 satisfy in part a growing and well documented need for continuing care retirement communities

1 within Howard County for people over the age of 62.

2  
3 **WHEREAS**, the establishment of such a CCRC at the proposed location will afford the County's  
4 senior population much needed additional flexibility to age in place within the County; and

5  
6 **WHEREAS**, Chapter 6 (Growth) of the Howard County General Plan notes the following:

7  
8 *[w]hereas the total U.S. population grew by 9.7% from 2000 to*  
9 *2010, those entering the 45 to 64 year age cohort, the approximate*  
10 *ages of the baby boomers, increased by 31.5% during that time*  
11 *period. Baby boomers currently make up about 29% of the*  
12 *countywide population and are starting to move into the 65-plus age*  
13 *cohort.*

14  
15 *PlanHoward, Chapter 6 (Growth), pg. 66*

16  
17 In addition, Chapter 6 (Growth) of the Howard County General Plan makes the following  
18 pertinent finding:

19  
20 *[w]hereas the overall County population increased by 16%, those*  
21 *65 and over increased by 57%. There are now 10,577 more*  
22 *residents 65 and older compared to ten years ago – 29,045 total in*  
23 *2010 compared to 18,468 in 2000. Almost 27% of the total increase*  
24 *of 39,243 residents over the decade was comprised of those aged 65*  
25 *and older. The very old, 85 and over, increased by 47%. This trend*  
26 *will continue as the baby boomers continue to age.*

27  
28 *PlanHoward, Chapter 6 (Growth), pg. 66*

29  
30 Furthermore, Policy 9.4 of the Howard County General Plan aims to “expand housing options to  
31 accommodate the County’s senior population who prefer to age in place and people with special  
32 needs.” In support of that Policy Goal, the Howard County General Plan finds that the

33  
34 *County’s housing stock should support the aging population and*  
35 *will need to continue General Plan 2000 policies to promote diverse*  
36 *senior housing for those that wish or need to downsize to more easily*  
37 *maintained units as they age. The policies should also continue to*  
38 *support seniors who choose to age in place in their own homes or in*  
39 *their own communities...The County also recognizes that as older*  
40 *residents’ ability to live independently diminishes, they often need*  
41 *to move to housing that provides support services. There are both*





1 (1) The Howard County Zoning Board shall fail to issue a Decision and Order approving a  
2 Petition to Amend the Zoning Maps of Howard County to rezone the Property to CEF-M  
3 for the stated purpose of developing a CCRC community within 3 years from the  
4 effective date of this Act; or

5 (2) The connection between the Property and the public water and sewer infrastructure are  
6 for the purpose of serving a CCRC development is not made within 10 years of the effective date of  
7 this Act.

8  
9 **Section 3. Be It Further Enacted** by the County Council of Howard County, Maryland that this  
10 amendment be attached to PlanHoward 2030.

11  
12 **Section 4. Be It Further Enacted** by the County Council of Howard County, Maryland that if  
13 any provision of this Act or the application thereof to any person or circumstance is held invalid  
14 for any reason in a court of competent jurisdiction, the invalidity shall not affect other provisions  
15 or any other application of this Act which can be given effect without the invalid provisions or  
16 application, and for this purpose the provisions of this Act are severable.

17  
18 **Section 5. Be It Further Enacted** by the County Council of Howard County, Maryland that this  
19 Act shall become effective 61 days after its enactment.

20

EXHIBIT A

SURVEYED DESCRIPTION  
PROPOSED PARCEL

BEING PART OF THE PROPERTY ACQUIRED BY LIMESTONE VALLEY FARM, A MARYLAND GENERAL PARTNERSHIP FROM BARBARA L. WARFIELD BY DEED DATED AUGUST 8, 1995 AS RECORDED IN LIBER 3583 FOLIO 234, AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

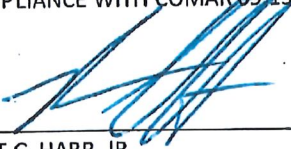
COMMENCING FROM THE INTERSECTION OF THE DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY (LIBER 5341 FOLIO 656) ON THE WEST, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE EAST, WITH THE DIVISION LINE BETWEEN THE LANDS OF LIMESTONE VALLEY FARM (LIBER 3583 FOLIO 234) ON THE NORTH AND THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE SOUTH, THENCE WITH SAID DIVISION LINE;

A. SOUTH 67° 25'003" EAST, 365.13 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID DIVISION LINE AND WITH A LINE THROUGH THE SAID LANDS OF LIMESTONE VALLEY FARM, THE FOLLOWING FIVE COURSES AND DISTANCES

1. NORTH 07° 01' 21" WEST, 154.40 FEET, THENCE;
2. CONTINUING, NORTH 17° 32' 18" WEST, 123.97 FEET, THENCE;
3. CONTINUING, NORTH 64° 44' 46" EAST, 193.40 FEET, THENCE;
4. CONTINUING, SOUTH 86° 08' 09" EAST, 802.70 FEET, THENCE;
5. CONTINUING, SOUTH 74° 18' 35" EAST, 781.09 FEET TO THE CENTERLINE OF SHEPARD LANE (VARIABLE WIDTH AND PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID CENTERLINE;
6. SOUTH 14° 10' 35" EAST, 458.61 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTHERLY SIDE OF CLARKSVILLE PIKE - MD RTE. 108 (PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID SOUTHERLY SIDE;
7. SOUTH 39° 34' 56" WEST, 372.59 FEET; THENCE DEPARTING SAID SOUTHERLY SIDE OF CLARKSVILLE ROAD AND WITH A LINE THROUGH SAID CLARKSVILLE PIKE AND WITH THE EXTENSION OF THE DIVISION LINE OF THE SAID LANDS OF LIMESTONE VALLEY FARM ON THE NORTH, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE SOUTH;
8. NORTH 67° 25' 03" WEST, 1674.87 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1,054,111 SQUARE FEET OR 24.199 ACRES

I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREIN WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREIN WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12.

  
\_\_\_\_\_  
ROBERT C. HARR, JR.  
STATE OF MARYLAND  
PROFESSIONAL LAND SURVEYOR NO. 21587  
EXPIRATION DATE JANUARY 16, 2019



DATE

7/2/18

SURVEYED DESCRIPTION

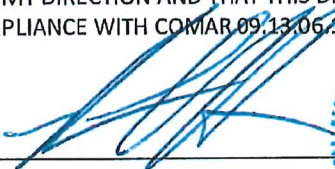
BEING PART OF THE PROPERTY ACQUIRED BY LENORE, LLC AS TO AN UNDIVIDED 50% INTEREST FROM LENORE R. SHAVELL BY DEED DATED NOVEMBER 29, 2007 AS RECORDED IN LIBER 11056 FOLIO 243 AND BY SERVILLE LLC AS TO AN UNDIVIDED 50% INTEREST FROM IRENE C. GLASER BY DEED DATED JANUARY 30, 2008 AS RECORDED IN LIBER 11119 FOLIO 401, AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY (LIBER 5341 FOLIO 656) ON THE WEST, AND THE LANDS OF LENORE, LLC (LIBER 11056 FOLIO 243) AND SERVILLE LLC (LIBER 11119 FOLIO 401) ON THE EAST, WITH THE DIVISION LINE BETWEEN THE LANDS OF LIMESTONE VALLEY FARM (LIBER 3583 FOLIO 234) ON THE NORTH AND THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE SOUTH, THENCE WITH SAID DIVISION LINE;

1. SOUTH 67° 25' 03" EAST, 2026.07 FEET TO THE INTERSECTION OF SAID DIVISION LINE, WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE WEST, AND THE LANDS OF STEPHEN KLEIN & ASSOCIATES, LLC (LIBER 5082 FOLIO 679) ON THE EAST, ALSO BEING THE CENTERLINE OF CLARKSVILLE PIKE – MD RTE. 108 (PRESCRIPTIVE RIGHT-OF-WAY), THENCE WITH SAID DIVISION LINE;
2. SOUTH 40° 23' 40" WEST, 548.04 FEET, THENCE CONTINUING WITH A LINE THROUGH SAID CLARKSVILLE PIKE;
3. SOUTH 17° 13' 42" EAST, 33.00 FEET, THENCE CONTINUING WITH SAID THROUGH LINE AND FURTHER CONTINUING WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF LENORE, LLC AND SERVILLE LLC ON THE NORTH, AND THE LANDS OF CLARKSVILLE FREESTATE, LLC (LIBER 16629 FOLIO 30), CLARKSVILLE AUTO PROPERTIES, LLC (LIBER 3903 FOLIO 315), LOT 2, FOSTER PROPERTY (PLAT NO. 14068) AND THE LANDS OF CLARKSVILLE SQUARE, LLC (LIBER 4516 FOLIO 389) ON THE SOUTH;
4. SOUTH 86° 46' 18" WEST, 1582.00 FEET TO THE INTERSECTION OF SAID DIVISION LINE, WITH THE SAID DIVISION LINE BETWEEN THE LANDS OF BREEDEN FAMILY LIMITED LIABILITY COMPANY ON THE WEST, AND THE LANDS OF LENORE, LLC AND SERVILLE LLC ON THE EAST, THENCE WITH SAID DIVISION LINE;
5. NORTH 02° 21' 22" EAST, 1317.16 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1,583,544 SQUARE FEET OR 36.353 ACRES

I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREIN WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREIN WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12.

  
ROBERT C. HARR, JR.  
STATE OF MARYLAND  
PROFESSIONAL LAND SURVEYOR NO. 21587  
EXPIRATION DATE JANUARY 16, 2019.



7/2/18  
DATE

RT/rl

S:\Surveys\2017\SD172015\Admin\Metes and Bounds\SURVEYED DESCRIPTION-ROUTE 108.docx



# EXHIBIT B



**AREA TO BE INCLUDED IN THE PLANNED  
 SERVICE AREA FOR WATER & SEWER; AND TO  
 BE DESIGNATED AS GROWTH TIER I AND  
 GROWTH & REVITALIZATION DESIGNATED  
 PLACE TYPE**

### LEGEND

	PROPOSED SERVICE AREA
	ELEVATION
	SPOT ELEVATION
	CONTOUR ELEVATION
	WATER FEATURE
	UTILITY LINE
	ROAD
	BUILDING
	FENCE
	TREE
	AREA OF POSSIBLE OVERLAP
	PROPERTY BOUNDARY
	EASEMENT
	RIGHT-OF-WAY
	SURVEY BOUNDARY
	SURVEY POINT
	SURVEY LINE
	SURVEY AREA
	(A) SURVEY POINT
	(R) SURVEY POINT
	(S) SURVEY POINT
	(T) SURVEY POINT
	(U) SURVEY POINT
	(V) SURVEY POINT
	(W) SURVEY POINT
	(X) SURVEY POINT
	(Y) SURVEY POINT
	(Z) SURVEY POINT

- NOTES**
- PROPERTY BOUNDARIES SHOWN ON THIS MAP ARE BASED ON RECORD SURVEYS AND FIELD MEASUREMENTS. THE PROPERTY BOUNDARIES SHOWN ON THIS MAP ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY BY THE SURVEYOR.
  - ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF. DIMENSIONS ARE TO BE TAKEN AS SHOWN UNLESS OTHERWISE NOTED.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
  - THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.
- REFERENCES**
- RECORD SURVEY NO. 123456789, DATED AND PROVIDED BY THE SURVEYOR.
  - RECORD SURVEY NO. 987654321, DATED AND PROVIDED BY THE SURVEYOR.



DATE	DESCRIPTION	BY	FOR
10/25/2023	PREPARED	RCH	CLIENT
10/25/2023	REVIEWED	RCH	CLIENT
10/25/2023	APPROVED	RCH	CLIENT
10/25/2023	ISSUED	RCH	CLIENT

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE SURVEYING PROFESSION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA. I HAVE NOT BEEN ADVISED OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY BOUNDARIES SHOWN ON THIS MAP.

ROBERT C. HARR, JR.  
 LICENSED PROFESSIONAL LAND SURVEYOR NO. 2142

BOUNDARY & TOPOGRAPHIC SURVEY

**ERICKSON LIVING PROPERTIES, II, LLC**

QUANTAS LANE, SITE 10

**BOHLER**  
 ENGINEERS & SURVEYORS  
 1000 W. WILSON ST., SUITE 100  
 WILSON, NC 27597  
 (919) 241-1111

DATE	10/25/2023	BY	RCH
DATE	10/25/2023	BY	RCH
DATE	10/25/2023	BY	RCH
DATE	10/25/2023	BY	RCH

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on August 6, 2018.

Jessica Feldmark  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council






# Howard County

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## *Internal Memorandum*

**Subject:** Written Testimony for Council Bill No. \_\_\_\_ (General Plan Amendment 2021-01)

**To:** Lonnie Robbins, Chief Administrative Officer, Department of Administration

**From:** Amy Gowan, Director  
Department of Planning and Zoning 

**Date:** May 27, 2021

The Department of Planning and Zoning supports Council Bill No. -2021. This bill allows a two year timeline extension to a General Plan amendment as adopted in Council Bill No. 59-2018. CB59 amended the 2030 General Plan by adjusting the Planned Service Area (PSA); Growth Tier Map; and Designated Place Type for approximately 61 acres of land consisting of two adjoining parcels located in Clarksville for the purposes of establishing a Community Enhancement Floating District for Erickson Living.

The final version of CB 59 contained provisions that would cause the approved General Plan amendments to become null and void if certain conditions that required Zoning Board approval were not met on or before October 6, 2021. As the Zoning Board continues their proceedings into this calendar year, an extension may be needed to ensure there is adequate time prior to October 6, 2021 for the Zoning Board to complete deliberations and issue a Decision & Order.

Therefore, Erickson Living submitted a petition to the Department of Planning and Zoning (DPZ) on March 4, 2021 requesting this extension. DPZ prepared a Technical Staff Report and the Planning Board held a public meeting on April 15, 2021. The Board voted in support (5-0) of this General Plan Amendment.

### Fiscal Impact Analysis:

This legislation will have no fiscal impact on the Department of Planning and Zoning's operations, revenues or expenses. While there will be fiscal impacts associated with the Erickson development project, it is too early to determine them since the project, and the enhancement associated with it, has not yet been approved.

cc: Holly Sun, Budget Administrator  
Brook Mamo, Deputy Budget Administrator  
Jennifer Sager, Legislative Coordinator, County Administration




# Howard County

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## *Internal Memorandum*

**Subject:** GPA 2021-01 Planning Board Recommendation

**To:** Liz Walsh, Council Chair  
Deb Jung, Council Vice-Chair  
Christiana Mercer Rigby, Council Member  
Opel Jones, Council Member  
David Yungmann, Council Member

**From:** Ed Coleman, Chair   
Howard County Planning Board

**Date:** May 4, 2021

On April 15, 2021, the Planning Board held a public meeting on General Plan Amendment 2021-01 (GPA 2021-01). If approved by Council, the amendment would extend by two years, the General Plan Amendment as adopted in Council Bill No. 59-2018. CB 59 amended PlanHoward 2030's Policy Maps as follows: 1) change in the Planned Service Area (PSA) boundary for public water and sewer service to include the Property (only Parcel 259 is currently within the PSA); 2) change the Property's Growth Tier designation from Tier IV to Tier I; and 3) change the Property's Designated Place Type from Rural Conservation to Growth and Revitalization.

Per Section 16.900(i) of the Howard County Code, a thirty-day notice of the meeting was posted on the County's website. Per Section 1.108.B of the Planning Board Rules of Procedure, notice of the meeting was placed at least two weeks prior to the meeting date in at least two newspapers of general circulation in the County. A Technical Staff Report from the Department of Planning and Zoning (DPZ) was posted on the County's website at least two weeks prior to the meeting date.

Both written and oral testimony were presented to the Board during the meeting. The Board held a work session following the public's testimony. Documentation of the proceedings is on file at DPZ.

### **Recommendation**

Based on the information presented, and the Board's discussion, the Board made a motion to recommend to Council to adopt GPA 2021-01 which adds a two-year time extension to the General Plan Amendment adopted in CB59-2018.

The motion passed 5-0.



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on July 7, 2021.

Michelle Harrod  
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Michelle Harrod, Administrator to the County Council