

CONCEPT/PRELIMINARY SUBDIVISION PLAN REPORT
to the
Carroll County Planning and Zoning Commission
March 15, 2022

Prepared by
David Becraft, Bureau of Development Review

SUBJECT: P-21-0003 – Lake Hills, Section 3
LOCATION: 7200 Ridge Road, Marriottsville, MD 21104; E.D. 5
OWNER: S. Purnell Klapp, 7200 Ridge Road, Marriottsville, MD 21104
DEVELOPER: same as owner
SURVEYOR: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21157
ZONING: Conservation
ACREAGE: 25.529 acres
WATERSHED: South Branch Patapsco
NO. OF LOTS: 1 lot
MASTER PLAN: Resource Conservation – 2018 Freedom Community Comprehensive Plan
PRIORITY FUNDING AREA: Outside
DESIGNATED GROWTH AREA: Freedom
PUBLIC FACILITIES IMPACTED
SCHOOLS: Carrolltowne Elementary
Oklahoma Road Middle
Liberty High
ROADS: Ridge Road
FIRE & EMS: Sykesville
POLICE: Carroll County Sheriff's Office/Maryland State Police

❖ **Action Requested:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept major subdivision plan and preliminary approval.

Two actions are required:

1. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 155, Development and Subdivision of Land, of the Code of Public Local Laws and Ordinances of Carroll County.
2. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 156, Adequate Public Facilities and Concurrency Management, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **History:**

The original property was comprised of 80.35 acres and extended to both sides of Ridge Road. Off-Conveyance lots were approved and recorded from the original property in 1977. In 1979, Section One of Lake Hills was recorded within Plat Book 20, Page 36, creating 3 lots of subdivision on the south side of Ridge Road. In 1981, the plat of Section Two of Lake Hills was recorded in Plat Book 23, Page 171, creating an additional 10 lots of subdivision on the north side of Ridge Road. The remaining 25.529 acres currently lies on the south side of Ridge Road and hosts a private residence with various outbuildings. Access is via a private drive to Ridge Road. The property is outside of the Priority Funding Area but is located within the Freedom Designated Growth Area.

The surrounding properties to the north, south, and east are zoned Conservation and improved with single-family residences. Adjoining properties to the west are zoned R-40,000 and are improved with private residences or vacant. The subject property and all surrounding properties are currently served by private well and septic systems.

Plan Review:

The developer is now proposing to subdivide the remaining 25.529 acres to create Section Three of Lake Hills. This proposed subdivision is for the creation of one additional lot of subdivision: Lot 14. The proposed Lot 14 will be a 3.76-acre residential lot and will have direct access to Ridge Road via a new private driveway. The proposed lot meets the standard minimum size of three acres, lot width of 300', and setback requirements of 50' from all property lines as applicable to the Conservation zoning district, outlined in Chapter 158.071. After this lot has been recorded, the parent property will consist of 20.499-acres.

The concept subdivision plan was initially submitted June 1, 2021. The plan was subject to citizen involvement during a regularly held meeting of the Technical Review Committee (TRC) on July 26, 2021. No citizens signed in at the meeting and no citizens have sent correspondence regarding this project.

The plan is exempt from Landscaping and Floodplain requirements. Water Resource Management, Soil Conservation, Zoning, and Grading and Sediment Control have granted approval of the plan. Forest Conservation is approved with a Forest Conservation Easement proposed on the new lot. Engineering Review and State Highway Administration have reviewed and approved the plan. The Carroll County Health Department and the Bureau of Utilities have approved the plan with on-site well and septic proposed.

Stormwater Management has granted final approval of the plan. Achievement of stormwater management is via a wide grass shoulder for the driveway, drywells for the proposed dwelling, and a grass swale for the proposed driveway turn around.

In their review, the Department of Planning determined that the proposed plan is consistent with the 2018 Freedom Community Comprehensive Plan land use designation of Resource Conservation.

With regards to a preliminary plan, Chapter 155.057(D)(2) states, "Final plans need not be brought before the Planning Commission for review of compliance with the approved preliminary plan and all other applicable regulations at its regular meeting, unless specifically requested by the Planning Commission. If final plan review is not requested by the Planning Commission, in accordance with this chapter, the Chairperson or the Secretary of the Planning Commission shall be empowered to approve and sign the final plan upon confirmation from the Bureau that the plan meets all requirements of this chapter and all conditions for approval of

such plat have been met, or shall disapprove the final subdivision plan or may approve it with conditions with respect to the timing of recordation or building permits.”

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the preliminary plan subject to the following conditions:

1. That the Owner/Developer enters into a Public Works Agreement with Carroll County that guarantees completion of any required improvements.
2. That the parcel shown on the plans as “Parcel A”, with a total acreage of 1.270 acres, shall be deeded to the Carroll County Commissioners simultaneously with the recordation of the subdivision plat.
3. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with recordation of the subdivision plat.
4. That a Forest Conservation Easement shall be granted to the County Commissioners of Carroll County by a deed to be recorded simultaneously with the recordation of the subdivision plat.
5. That any changes to the Preliminary Plan as submitted and approved by the Commission herein shall be resubmitted to the Commission for further review and approval.

CONCURRENCY MANAGEMENT REPORT

❖ **Background:**

Pursuant to Chapter 156 of the Code of Public Local Laws and Ordinances, once the Department has determined that the residential development plan may be presented to the Commission, the plan is reviewed for Available Threshold Capacity.

❖ **Agency Responses:**

Police Services:

The ratio shall be calculated by counting all sworn officers with law enforcement responsibility in an incorporated municipality or within the county and by counting the total population within the incorporated municipalities and within the unincorporated county.

The estimated Carroll County population as of January 2022 was 174,952. There are currently 243 sworn law officers with 11 sworn personnel currently in training; an additional 18 positions are funded. Based on a total of 272 funded positions, the ratio of law enforcement positions to Carroll County population as of the end of January 2022 was 1.55. Based on a total of 254 positions, the ratio of sworn law enforcement positions to Carroll County population as of the end of January 2022 was 1.45. Including the development projects in the pipeline along with the funded positions, the ratio will be over 1.3. Services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1,000.

Schools:

The proposed subdivision is located in the Carrolltowne Elementary, Oklahoma Road Middle, and Liberty High attendance areas. In accordance with the criteria established in Chapter 156, all schools are rated adequate for Fiscal Years 2021-2026, with the exception of Carrolltowne

Elementary and Oklahoma Road Middle, which is approaching inadequate.

The December 2020 enrollment projections, prepared by Carroll County Public Schools, indicate that Carrolltowne Elementary had an actual enrollment of 101.4% of state-rated capacity. The projections indicate that enrollment will be at 114.6% in FY 2026 at the end of the 6-year CIP cycle. In this attendance area, there are 2 additional residential developments, both of which will be age-restricted communities which will not be tested for school capacity. There is approximately 1 development of 1 residential unit in the Carrolltowne attendance area that has been recorded since the adoption of Concurrency Management (3/5/98) which has not been issued a building permit. An elementary school serving a proposed project is approaching inadequate, for the purposes of Chapter 156, when current or projected enrollment is 110% to 119% of the state-rated capacity.

The December 2020 enrollment projections indicate that Oklahoma Road had an actual enrollment of 91.8% of functional capacity. The projections indicate that enrollment will be at 113.2% in FY 2026 at the end of the 6-year CIP cycle. In this attendance area, there are 11 additional residential developments, comprised of 159 lots, currently in the review process. There are also 3 additional residential developments which will be age-restricted communities and will not be tested for school capacity. There are approximately 5 developments of 5 residential units in the Oklahoma Road attendance area that have been recorded since the adoption of Concurrency Management (3/5/98) that have not been issued a building permit. A middle school serving a proposed project is approaching inadequate, for the purposes of Chapter 156, when current or projected enrollment is 110% to 119% of the functional capacity.

The December 2020 enrollment projections indicate that Liberty High had an actual enrollment of 87.6% of state-rated capacity. The projections indicate that enrollment will be at 92.7% in FY 2026 at the end of the 6-year CIP cycle. In this attendance area, there are 11 additional residential developments, comprised of 159 lots, currently in the review process. There are also 3 additional residential developments which will be age-restricted communities and will not be tested for school capacity. There are approximately 5 developments of 5 residential units in the Liberty attendance area that have been recorded since the adoption of Concurrency Management (3/5/98) that have not been issued a building permit. A high school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

Fire and Emergency Medical Services:

The proposed subdivision is located in the Sykesville fire and emergency medical services district. The most recent data from the Office of Public Safety reports that for the two-year period of July 2019- June 2021, late and no response statistical data indicates that of the first due total fire calls in the Sykesville district, 1.34% were categorized as no responses, and 5.36% as late and no responses. Of the first due emergency medical service calls, 0.39% were categorized as no responses and 0.43% as late and no responses. Sykesville is rated adequate for late and no response criteria for fire and emergency medical services.

With regard to fire call average response time, for the same two-year period, Sykesville had an average response time of 6 minutes and 31 seconds – adequate. With regard to emergency medical call average response time, Sykesville had an average response time of 6 minutes and 28 seconds – adequate. Services are rated adequate if when utilizing an average over the previous 24 months, response time is 8 minutes or less from time of dispatch to on-scene arrival with adequate apparatus and personnel.

The primary route from the firehouse to the proposed development does not include travel over bridges that cannot adequately support fire and emergency response apparatus – adequate.

Roads:

Ridge Road is rated adequate.

❖ **Chapter 156 Recommendation:**

As this is a one-lot subdivision with no County road improvements, the concept plan and preliminary plan were simultaneously processed and reviewed.

With regard to a preliminary plan, Chapter 156.06D(4)(b) states “If a public facility or service is inadequate and a relief facility is planned in the six-year CIP to address the inadequacy or mitigation is accepted by the county pursuant to § 156.06(B), or a public facility or service is approaching inadequate during the current CIP, the Planning Commission may conditionally approve the plan to proceed to the final plan stage and issue a tentative recordation schedule and tentative building permit reservations, subject to modification at the final plan stage. “

Currently, police, roads, fire, and emergency medical services are considered adequate; two of the three schools are considered approaching inadequate. Per the above referenced code, the Planning Commission may conditionally approve the plan to proceed to the final stage and issue a tentative recordation schedule and tentative building permit reservations, subject to modification at the final plan stage.

Pursuant to Chapter 156, staff recommends that the Planning Commission conditionally approve the preliminary plan with conditions as follows:

1. Police, roads, fire, and emergency medical services are considered adequate; schools are considered approaching inadequate;
2. the building permit reservation is for 1 lot in FY22, subject to modification at the final plat stage;
3. the recordation schedule requires the plat to be recorded within 24 months of preliminary approval;
4. the building permit reservation is allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.