



**COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
AGENDA**

**Legislative Session 2022, Legislative Day No. 17
September 19, 2022**

Legislative Session and Public Hearings
Council Chambers
7:00 P.M.

- A. Call to Order
- B. Invocation (Mr. Pruski)
- C. Pledge of Allegiance
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items not Appearing on Agenda
- G. Preliminary Motion
- H. Approval of Minutes

September 6, 2022 – Legislative Day No. 16

- I. Introduction of Bills

BILL NO. 85-22 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – Position Control – Department of Aging and Disabilities and Police Department – FOR the purpose of decreasing certain positions in the classified service; increasing certain positions in the classified service; and generally relating to personnel.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 86-22 – AN ORDINANCE concerning: Purchasing – Acquisition of Real Property by Gift – FOR the purpose of approving acceptance of a gift of real property totaling 12.101 acres of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland, from Cynthia P. Alexander and Katherine P. Schaeffgen.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 87-22 – AN ORDINANCE concerning: Public Works and Zoning – Small Cell Systems and Commercial Telecommunication Facilities on Scenic or Historic Roads – FOR the purpose of requiring that a developer submit a certified technical analysis that demonstrates the need for a small cell system or commercial telecommunication facility to be located along a scenic or historic road located south of Maryland Route 214 in Anne Arundel County as a condition precedent to project approval; making certain technical changes; and generally relating to public works and zoning.
Introduced by Mr. Volke

BILL NO. 88-22 – AN ORDINANCE concerning: Subdivision and Development – BRAC Mixed Use Development – Applicability – FOR the purpose of amending the grandfathering provision applicable to development applications for BRAC Mixed Use Development established by Bill No. 31-22; and generally relating to subdivision and development.
Introduced by Mr. Pruski

J. Introduction of Resolutions

RESOLUTION NO. 40-22 – RESOLUTION approving appointments to the Board of Trustees for the Anne Arundel County Retirement and Pension System
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 41-22 – RESOLUTION confirming the reappointment of an Anne Arundel County resident to serve on the Spending Affordability Committee
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 42-22 – RESOLUTION approving the nomination for appointment to the Stakeholder Advisory Committee for Region Planning Area No. 2
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 43-22 – RESOLUTION approving the nominations for appointment to the Stakeholder Advisory Committee for Region Planning Area No. 4
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 44-22 – RESOLUTION expressing the need for land located in Edgewater, Maryland, and owned by the Anne Arundel County Board of Education, to be utilized for construction of the Woodland Beach Volunteer Fire Department
Introduced by Mr. Pruski, Ms. Rodvien, and Ms. Haire

K. Public Hearings and Call of Bills and Resolutions for Final Reading and Vote

BILL NO. 71-22 (As Amended) – AN ORDINANCE concerning: Zoning – Critical Area Overlay – Growth Allocation – FOR the purpose of modifying the critical area growth allocation process; removing the growth allocation application acceptance schedule;

limiting growth allocation requests to nonresidential uses or nonresidential zoning districts; modifying the criteria for rescission of growth allocation; making the effective date of this Ordinance contingent on the approval of the Maryland Critical Area Commission; and generally relating to zoning.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 73-22 (As Amended) (Amendments Proposed) – AN ORDINANCE concerning: Subdivision and Development and Zoning – Cluster Development – FOR the purpose of defining “cluster development”; requiring cluster development to include landscaped screening and buffer areas; and generally relating subdivision and development and zoning. Introduced by Ms. Fiedler

RESOLUTION NO. 34-22 – RESOLUTION confirming the appointment of a resident of the County to serve on the Pension Oversight Commission for Anne Arundel County
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 35-22 – RESOLUTION reappointing members to the Anne Arundel County Adult Public Guardianship Review Board
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 36-22 – RESOLUTION confirming the appointment of the Executive Director of the Police Accountability Board
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

L. Other Business

M. Adjournment

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The September 19, 2022 Council meeting will be broadcast on Arundel TV. To find a list of local cable channels or to access Arundel TV you may visit: www.aacounty.org/services-and-programs/government-television. For more details on all the ways to participate please visit: www.aacounty.org/services-and-programs/county-council-meeting-participation.

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COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of
Legislative Session 2022, Legislative Day No. 16
September 6, 2022 - 7:00 P.M.

The meeting was called to order by Chair Rodvien at 7:00 P.M. and opened with the Invocation given by Mr. Volke, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 40 persons in the audience.

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Nathan Volke	Third District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

The County Auditor's Office was represented by Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

ETHICS STATEMENT

Laura Corby, Administrative Officer, read aloud the Ethics Statement.

INVITATION TO AUDIENCE

The Chair opened Invitation to Audience.

The Administrative Officer stated there was one submission of written public testimony received for Invitation to Audience through the online testimony tool, which was shared with the Council and posted on the County Council website.

There was no one present who wished to speak, and the Invitation to Audience was concluded.

ITEMS NOT APPEARING ON AGENDA

Mr. Volke withdrew Bill No. 74-22 without objection.

Mr. Volke also added Bill No. 84-22 to the agenda.

PRELIMINARY MOTION

On motion of Ms. Fielder, seconded by Mr. Pruski, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

APPROVAL OF MINUTES

On motion of Mr. Pruski, seconded by Mr. Volke, the minutes of the meeting of July 18, 2022 and August 4, 2022 was approved as presented.

INTRODUCTION OF BILLS

BILL NO. 78-22 – AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Grants Special Revenue Fund – CAO Contingency Fund – Capital Budget and Program – Woodland Beach Vol FS Reloc – Amending Scope and Description of Project – FOR the purpose of making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies and in certain special funds of the County for the current fiscal year; amending the Capital Budget by amending the scope and description of the Woodland Beach Vol FS Reloc capital project; amending the Capital Program and Capital Projects Bond Ordinance; and generally relating to making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023, and the Woodland Beach Vol FS Reloc capital project.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 79-22 – AN ORDINANCE concerning: Construction and Property Maintenance Codes – Nuisance Properties – Enforcement – FOR the purpose of defining “nuisance property”; authorizing the County to declare a property a nuisance property; requiring notice to a property owner prior to a declaration; requiring nuisance properties be safeguarded in a certain manner; requiring the County to monitor certain nuisance properties; allowing for the rescission of a declaration of nuisance property; providing for civil penalties for violations; and generally relating to Construction and Property Maintenance Codes.
Introduced by Mr. Volke, Ms. Pickard, and Ms. Fiedler

BILL NO. 80-22 – AN ORDINANCE concerning: Recreation and Parks – Civil Offenses in County Parks – Enforcement – FOR the purpose of making violations of provisions that prohibit specific conduct in County parks a Class E civil offense; making a violation of the time limit on mooring a boat at a pier in a County park a Class E civil offense; and generally relating to recreation and parks.
Introduced by Mr. Volke, Ms. Fiedler, and Ms. Pickard

BILL NO. 81-22 – AN ORDINANCE concerning: Zoning – Carwash Facilities – FOR the purpose of allowing a carwash as a conditional use in C1 and C2 commercial zoning districts; adding the conditional use requirements for carwashes; and generally relating to zoning.
Introduced by Mr. Pruski and Ms. Pickard

BILL NO. 82-22 – AN ORDINANCE concerning: Subdivision and Development – Modifications – Notice – FOR the purpose of allowing a certain notice requirement to be satisfied by mailing notice to the president of any community or homeowners’ association of any subdivision that is located within a certain distance of a property that

is the subject of an application for a modification; and generally relating to subdivision and development.

Introduced by Ms. Fiedler

BILL NO. 83-22 – AN ORDINANCE concerning: Scenic and Historic Roads – Designation of Roads – Furnace Avenue and Ridge Road – FOR the purpose of amending the map entitled “Scenic and Historic Roads, 2006” to include certain roads; adopting an amended map; and generally relating to scenic and historic roads.

Introduced by Ms. Lacey

BILL NO. 84-22 – AN ORDINANCE concerning: General Provisions – Flags on County Property – FOR the purpose of prohibiting the County from authorizing private persons or entities to fly flags on County flagpoles; and generally relating to general provisions.

Introduced by Mr. Volke

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 33-22 – RESOLUTION recognizing Childhood Cancer Awareness Month in Anne Arundel County

Introduced by the Entire Council

RESOLUTION NO. 34-22 – RESOLUTION confirming the appointment of a resident of the County to serve on the Pension Oversight Commission for Anne Arundel County

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 35-22 – RESOLUTION reappointing members to the Anne Arundel County Adult Public Guardianship Review Board

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 36-22 – RESOLUTION confirming the appointment of the Executive Director of the Police Accountability Board

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 37-22 – RESOLUTION approving Anne Arundel County’s 2022 Financial Assurance Plan for compliance with the National Pollutant Discharge Elimination Phase I Municipal Separate Storm Sewer System Permit

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 38-22 – RESOLUTION authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an Annual Transportation Plan grant and other funds under the Federal Transit Act for federal fiscal year 2023

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 39-22 – RESOLUTION approving the application to the United States Department of Justice, Office of Justice Programs, for a grant under the Edward Byrne Memorial Justice Assistance Grant Program federal FY 2022 Local Solicitation and recognizing the County Executive’s authority to act in connection with the grant
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

PUBLIC HEARINGS AND CALL OF BILLS FOR FINAL READING AND/OR VOTE

On motion by Mr. Pruski, seconded by Ms. Pickard, the motion to vote on Resolution No. 33-22 first was passed by the following roll call vote:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

RESOLUTION NO. 33-22

The Chair called for Resolution No. 33-22, a Resolution recognizing Childhood Cancer Awareness Month in Anne Arundel County; and the Administrative Officer read the title.

Ms. Rodvien, Co-sponsor, acknowledged those who have suffered through childhood cancer.

Ms. Fiedler, Co-sponsor, expressed her appreciation of the resolution and spoke on awareness.

Peter Baron, Director, Government Affairs, expressed his appreciation of the resolution.

Resolution No. 33-22 was adopted by the following roll call:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

BILL NO. 71-22

The Chair called for the public hearing on Bill No. 71-22, An Ordinance concerning: Zoning – Critical Area Overlay – Growth Allocation – For the purpose of modifying the critical area growth allocation process; removing the growth allocation application acceptance schedule; modifying the criteria for rescission of growth allocation; making the effective date of this Ordinance contingent on the approval of the Maryland Critical Area Commission; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Kelly Krinetz, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 71-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 71-22.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 71-22, An Ordinance concerning: Zoning – Critical Area Overlay – Growth Allocation; and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment provides that requests for growth allocations are limited to nonresidential uses or nonresidential zoning districts.

Mr. Baron explained the amendment.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

Amendment No. 2

This technical amendment corrects a numbering error.

Mr. Baron explained the amendment.

On motion of Mr. Pruski, seconded by Mr. Volke, Amendment No. 2 was adopted by the following roll call vote:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

The Chair stated that Bill No. 71-22, as amended, will be heard on September 19, 2022.

BILL NO. 72-22

The Chair called for Bill No. 72-22, An Ordinance concerning: Bay Ridge Shore Erosion Control District – For the purpose of authorizing a certain shore erosion control project in the Bay Ridge Shore Erosion Control District; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 72-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 72-22.

The following persons spoke on Bill No. 72-22:

Lily Openshaw, Annapolis
William Davidson, Annapolis

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 72-22, An Ordinance concerning: Bay Ridge Shore Erosion Control District; and the Administrative Officer read a portion of the title.

Bill No. 72-22 was passed by the following roll call:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

BILL NO. 73-22

The Chair called for Bill No. 73-22, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development – For the purpose of defining “cluster development”; requiring cluster development to include landscaped screening and buffer areas; and generally relating subdivision and development and zoning; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Ms. Fiedler, Sponsor, explained the bill.

Mr. Baron stated there was no opposition to the bill on behalf of the Administration.

The Chair called for the public hearing on Bill No. 73-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 73-22.

The following persons spoke on Bill No. 73-22:

Amy Leahy, Severna Park

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 73-22, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development; and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment reorders current Code language to more clearly state provisions pertaining to lots in cluster developments and building envelopes.

Ms. Fiedler, Sponsor, explained the amendment.

On motion of Ms. Fiedler, seconded by Ms. Haire, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

The Chair stated that Bill No. 73-22, as amended, will be heard on September 19, 2022.

BILL NO. 75-22

The Chair called for Bill No. 75-22, An EMERGENCY Ordinance concerning: Licenses and Registrations – Amusements – Licensing of Coin-Operated Amusement Devices – For the purpose of allowing a Class E license for coin-operated amusement devices to be issued to a Class I licensee; making this Ordinance an emergency measure; and generally relating to licenses and registrations; and the Administrative Officer read a portion of the title.

Ms. Fiedler, Sponsor, explained the bill.

Pete Baron, Director, Government Affairs, was accompanied by Holly Velez, Inspections and Permits, and Curran Ritter, Office of Law.

Mr. Baron stated there was no opposition to the bill on behalf of the Administration.

Ms. Velez explained how the department has handled licenses.

Mr. Pruski asked a clarifying question.

Mr. Ritter responded.

The Chair called for the public hearing on Bill No. 75-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 75-22.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 75-22, An EMERGENCY Ordinance concerning: Licenses and Registrations – Amusements – Licensing of Coin-Operated Amusement Devices; and the Administrative Officer read a portion of the title.

Bill No. 75-22 was passed by the following roll call:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien
Nay – None

BILL NO. 76-22

The Chair called for Bill No. 76-22, An Ordinance concerning: Licenses and Registrations – Massage Therapy Establishments – For the purpose of establishing a massage therapy establishment license requirement; designating the authority to administer and enforce the licensing provisions; adding certain definitions; establishing the term of a license; adding an application process for a license; prohibiting violations of the licensing requirements; allowing enforcement under certain circumstances; allowing fines for violations; and generally relating to licenses and registrations; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Sgt. Tim Phelan, AACPD, Holly Velez, Inspections and Permits, and Curran Ritter, Office of Law.

Mr. Baron explained the bill.

Mr. Pruski asked to be added as a co-sponsor.

Mr. Volke asked if the bill will do what the Police Department needed and where this has been happening in the County.

Sgt. Phelan responded.

Mr. Volke verified this bill will help the Police Department.

Sgt. Phelan confirmed.

Ms. Rodvien asked what the mandatory requirements for businesses were.

Mr. Baron and Mr. Ritter responded.

Ms. Lacey asked how the County and State Board overlap on this issue.

Mr. Ritter replied.

Mr. Pruski explained how the bill holds up in the courts.

Ms. Lacey explained her understanding of the bill.

Ms. Haire asked a clarifying question.

Mr. Ritter responded.

Mr. Volke shared the state law.

The Chair called for the public hearing on Bill No. 76-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 76-22.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 76-22, An Ordinance concerning: Licenses and Registrations – Massage Therapy Establishments; and the Administrative Officer read a portion of the title.

Bill No. 76-22 was passed by the following roll call:

Aye – Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard,
Ms. Rodvien

Nay – None

BILL NO. 77-22

The Chair called for Bill No. 77-22, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Youth Advisory Council – For the purpose of establishing the Anne Arundel County Youth Advisory Council; providing for the purpose, composition, terms of members, meeting standards, and duties of the Youth Advisory Council; and generally relating to boards, commissions, and similar bodies; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the amended bill.

The Chair called for the public hearing on Bill No. 77-22.

The Administrative Officer stated there were three submissions of written public testimony received for Bill No. 77-22 through the online testimony tool, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 77-22:

Conor Curran, Pasadena

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 77-22, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Youth Advisory Council; and the Administrative Officer read a portion of the title.

Ms. Pickard, Mr. Pruski, and Ms. Rodvien asked to be added as co-sponsors.

Ms. Pickard shared her thanks for the bill.

Ms. Rodvien expressed her thanks for the bill.

Mr. Volke asked clarifying questions.

Mr. Baron responded.

Bill No. 77-22 was passed by the following roll call:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Lacey, Ms. Pickard, Ms. Rodvien

Nay – Mr. Volke

OTHER BUSINESS

Ms. Lacey asked that the artist of the Chamber murals be recognized.

Ms. Rodvien gave a brief review of the unveiling of the mural and thanked the artist for their work.

Ms. Rodvien asked for preferences on the work session for September 13, 2022. The Council agreed to start the work session at 9:30 A.M.

Mr. Pruski stated he would not be attending the work session.

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Ms. Rodvien, the meeting adjourned at 8:02 P.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby
Administrative Officer



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: September 14, 2022
Subject: Auditor's Review of Legislation for the September 19, 2022 Council Meeting

**Bill 71-22:
Zoning – Critical Area
Overlay – Growth
Allocation (As Amended)**

Summary of Legislation

This bill modifies the critical area growth allocation process, removes the growth allocation application acceptance schedule, modifies the criteria for rescission of growth allocation, and makes the effective date of this bill contingent on the approval of the Maryland Critical Area Commission.

We commented on this bill in our letter dated August 31, 2022. At the September 6, 2022 Council meeting, this bill was amended to provide that requests for growth allocations are limited to nonresidential uses or nonresidential zoning districts and to correct a numbering error. We have no further comments on this bill.

**Bill 73-22:
Subdivision and
Development and Zoning –
Cluster Development (As
Amended)**

Summary of Legislation

This bill defines cluster development and requires cluster development to include landscaped screening and buffer areas.

We commented on this bill in our letter dated August 31, 2022. At the September 6, 2022 Council meeting, this bill was amended to reorder current Anne Arundel County Code language to more clearly state provisions pertaining to lots in cluster developments and building envelopes. We have no further comments on this bill.

**Resolution 34-22:
Confirming Appointment
to the Pension Oversight
Commission**

Summary of Legislation

This resolution confirms the appointment of Julius Jones, a resident of the County, to serve on the Pension Oversight Commission for Anne Arundel County.

Review of Fiscal Impact

This resolution has no fiscal impact.

**Resolution 35-22:
Reappointing Members to
the Anne Arundel County
Public Guardianship
Review Board**

Summary of Legislation

This resolution reappoints members to the Anne Arundel County Adult Public Guardianship Review Board. The members are Carol Allison, who meets the requirement of one professional representative of a local department of social services, and Julie Provan, who meets the requirement of one professional in the field of disabilities.

Review of Fiscal Impact

This resolution has no fiscal impact.

**Resolution 36-22:
Confirming Appointment
of the Executive Director
of the Police
Accountability Board**

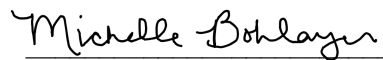
Summary of Legislation

This resolution confirms the appointment of Janssen Evelyn as the Executive Director of the Police Accountability Board.

Review of Fiscal Impact

This position was included in the Fiscal Year 2023 Approved Budget as an E7 position (salary range \$109,500 to \$192,400). Although the appointment of Mr. Evelyn was announced on the County's website on August 9, 2022, and he is listed on the Police Accountability Board website as the Executive Director, we were informed by the Administration that he started in an acting capacity on August 4, 2022 pending confirmation of his appointment by the County Council.

Sincerely,


Michelle Bohlayer
County Auditor

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Bill No. 85-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

Introduced and first read on September 19, 2022
Public Hearing set for October 17, 2022
Bill Expires November 1, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Personnel – Positions in the Classified Service – Position
2 Control – Department of Aging and Disabilities and Police Department

3
4 FOR the purpose of decreasing certain positions in the classified service; increasing certain
5 positions in the classified service; and generally relating to personnel.

6
7 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
8 That, in accordance with § 6-1-110 of the Anne Arundel County Code (2005, as amended),
9 this Ordinance shall approve a decrease of one Human Services Aide I position from the
10 number of positions approved in this classification in the Department of Aging and
11 Disabilities as part of the Annual Budget and Appropriation Ordinance, and an increase of
12 one Program Specialist I position to the positions approved in this classification in the
13 Department of Aging and Disabilities as part of the Annual Budget and Appropriation
14 Ordinance.

15
16 SECTION 2. *And be it further enacted,* That, in accordance with § 6-1-110 of the Anne
17 Arundel County Code (2005, as amended), this Ordinance shall approve a decrease of one
18 Police Officer position from the number of positions approved in this classification in the
19 Police Department as part of the Annual Budget and Appropriation Ordinance, and an
20 increase of one Police Captain position to the positions approved in this classification in
21 the Police Department as part of the Annual Budget and Appropriation Ordinance.

22
23 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
24 from the date it becomes law.

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET**

BILL NUMBER: 85-22

INTRO. DATE: September 19, 2021

FISCAL NOTE

BILL: AN ORDINANCE CONCERNING: PERSONNEL – POSITIONS IN THE CLASSIFIED SERVICE

SUMMARY OF LEGISLATION

The purpose of this legislation is to modify the positions approved as part of the Annual Budget and Appropriation Ordinance (ABAO) for the Police Department and the Department of Aging and Disabilities.

FISCAL IMPACT

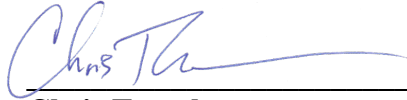
The modifications to positions approved as part of the ABAO are summarized in **Exhibit 1**.

Exhibit 1				
Modifications to Positions Approved in ABAO				
<u>Position Classification</u>	<u>Change</u>	<u>Grade</u>	<u>Salary Range</u>	
			<u>Minimum</u>	<u>Maximum</u>
<i>Police Department</i>				
Police Officer	-1	P-00	\$57,779	\$109,439
Police Captain	1	P-4	\$109,450	\$176,426
<i>Department of Aging and Disabilities</i>				
Human Services Aide I	-1	OS-7	\$39,021	\$61,277
Program Specialist I	1	NR-15	\$53,515	\$90,939

The decrease of one Police Officer position and increase of one Police Captain position in the Police Department will increase the base salary for one position by \$51,779 due to the change in pay grade from P-00 to P-4. County expenses for the Federal Insurance Contributions Act (FICA) cost associated with the position will increase by about \$749. Within the Department of Aging and Disabilities the decrease of one Human Services Aide I position and increase of one Program Specialist I position in the department will increase the base salary for one position by

\$14,494 due to the change in pay grade from OS-7 to NR-15. FICA associated with this position will increase by \$1,109.

The cost increases resulting from this legislation are anticipated to be absorbed within existing appropriation limits and therefore no additional appropriation is anticipated at this time. The Office of the Budget will continue to monitor departmental spending throughout the remainder of the fiscal year.



Chris Trumbauer
Budget Officer

9/16/2022

Date

Prepared by: Steven Theroux

cc: Karin McQuade, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Bill No. 86-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

Introduced and first read on September 19, 2022
Public Hearing set for October 17, 2022
Bill Expires November 1, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Purchasing – Acquisition of Real Property by Gift

2
3 FOR the purpose of approving acceptance of a gift of real property totaling 12.101 acres
4 of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland, from
5 Cynthia P. Alexander and Katherine P. Schaeffen.
6

7 WHEREAS, Section 306 of the County Charter empowers the County Council to
8 accept gifts and grants on behalf of Anne Arundel County, Maryland (the
9 “County”); and
10

11 WHEREAS, § 8-3-101 of the County Code requires that gifts of real property to
12 the County must be approved by the County Council by ordinance; and
13

14 WHEREAS, Cynthia P. Alexander and Katherine P. Schaeffen (collectively, the
15 “Grantors”) own real property consisting of 12.101 acres of land, more or less,
16 fronting on Laurel Ft. Meade Road, in Laurel, Maryland 20724 (“Property”); and
17

18 WHEREAS, the Property is described in a deed dated July 11, 2015, and recorded
19 among the land records of Anne Arundel County (“Land Records”) in Book 28751,
20 Page 51; and
21

22 WHEREAS, the Grantors desire to convey the Property to the County as a gift; and
23

24 WHEREAS, in accordance with § 8-3-101(b)(1) of the County Code, the County
25 Executive has identified a public purpose for the Property, in that the Property will
26 be used by the County’s Bureau of Watershed Protection and Restoration for a
27 stream restoration project; and

1 WHEREAS, in accordance with § 8-3-101(b)(2) of the County Code, the County
2 Executive ensured that the Director of Public Works conducted an environmental
3 assessment and provided a written determination of any potential hazard or future
4 remediation expense, which determination is acceptable; and

5
6 WHEREAS, in accordance with § 8-3-101(b)(3) of the County Code, the County
7 Executive ensured that the Budget Officer provided a written assessment of the
8 fiscal impact of the proposed gift, including any impact on future expenditures,
9 which assessment is acceptable; and

10
11 WHEREAS, the County Executive seeks County Council approval of the
12 acceptance of the Property as a gift; now, therefore

13
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
15 That it approves acceptance of the gift of fee simple title to the real property consisting of
16 12.101 acres of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland,
17 20724, the property being described in a deed dated July 11, 2015, and recorded among the
18 Land Records in Book 28751, Page 51, under the terms and conditions as may be
19 negotiated between the County Executive, or their designee, and Grantors.

20
21 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
22 from the date it becomes law.



Christopher J. Phipps, P.E., Director

MEMORANDUM

TO: Members of the County Council

FROM: Christopher Phipps, Director

SUBJECT: Acceptance of Gift of Real Property at Laurel Ft. Meade Rd.

DATE: September 1, 2022

DocuSigned by:

Christopher Phipps

307D4D83FDC54FF...

In accordance with Anne Arundel County Code §8-3-101 (b) Gifts of Real Property, this memo serves as the Director of Public Works written determination of any potential hazard or future remediation expense identified in the Environmental Assessment conducted in order to accept a gift of real property.

DPW contracted with Arc Environmental to conduct a Phase I Environmental Site Assessment (EA) for the property located at Laurel Fort Meade Road, Laurel, MD. The EA revealed that there is no evidence of significant environmental hazards on the property. However, the EA identified two minor environmental conditions that DPW will be able to mitigate.

1. Solid Waste Dumping: trash, wooden pallets and tarps were observed on the site, but the soils beneath the dumping areas were not impacted. Once the property is acquired, DPW will remove any dumped materials and estimates the cost to be approximately \$5,000
2. Surrounding Property Listed on the State Hazardous Waste Sites Database: The adjoining property to the donated property is listed on this database as the Laurel City Landfill with metal impacts to soils listed for the property. However, the adjoining property is in a closed case status and has been redeveloped into ball fields, which poses very low risk that the property to be acquired will be impacted. There is no fiscal impact for this environmental condition.

Please let me know if you have any questions.

cc. Peter Baron
Karen Henry
Christine Neiderer



Office of the Budget

Arundel Center
44 Calvert Street
Annapolis, MD 21401

Memorandum

TO: Christopher Phipps, Director, Department of Public Works

FROM: Hujia Hasim, Budget Administrator 

VIA: Chris Trumbauer, Budget Officer

DATE: September 8, 2022

SUBJECT: Fiscal Impact Assessment - Acceptance of Gift of Real Property at Laurel Ft. Meade Rd

Your department requested a fiscal impact assessment for accepting a gift of real property containing 12.101 acres unimproved parcel of land fronting on Laurel Ft. Meade Road in Laurel.

Fiscal Impact Assessment

The property tax account number of the 12.101 acres of land proposed to be gifted is 04-000-01303705. Department of Public work memo indicates that a Phase I Environmental Site Assessment was completed which identified no recognized hazards on these parcels, and there is about \$5,000 expenses are anticipated for removing dumped materials.

The State Department of Assessments and Taxation (SDAT) has placed an assessed value of \$12,100 which generates \$113 property tax revenue to the County based on FY2023 property tax rate. Therefore, by the County accepting these properties as a gift, there will be a minimal fiscal impact with respect to a reduction in the County's property tax receipts.

Obviously there will be some one-time costs associated with the process of recording the change in ownership of the properties, and some regular maintenance cost but that cost should be de minimis.

These parcels of land will be used for stream restoration purposes. Given that the properties have no environmental or legal liabilities associated with them, Budget Office concurs in the Department of Public Works' recommendation to accept this gift.

cc: Matt Power
Christine Romans
Pete Baron
Greg Swain

Real Property Data Search ()
Search Result for ANNE ARUNDEL COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 04 Subdivision - 000 Account Number - 01303705

Owner Information

Owner Name:	ALEXANDER CYNTHIA P SCHAEFGEN KATHERINE P	Use:	RESIDENTIAL
Mailing Address:	C/O KP SCHAEFGEN 11904 PINEY GLEN LN POTOMAC MD 20854-	Principal Residence:	NO
		Deed Reference:	/28751/ 00051

Location & Structure Information

Premises Address:	LAUREL FT MEADE RD LAUREL 20724-0000	Legal Description:	12.101 ACRES LAUREL FT MEADE RD LAUREL
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0019	0016	0087	4020003.02	000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			12.1000 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
			/				

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2020	07/01/2022	07/01/2023
Land:	12,100	12,100		
Improvements	0	0		
Total:	12,100	12,100	12,100	
Preferential Land:	0			

Transfer Information

Seller: CROCKETT GEORGE N	Date: 08/28/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /28751/ 00051	Deed2:
Seller:	Date:	Price: \$0
Type:	Deed1: /02335/ 00572	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

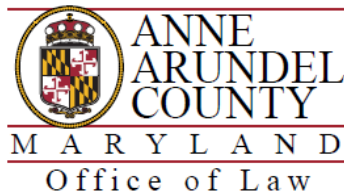
Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application	Date:
--	--------------



Gregory J. Swain, County Attorney

MEMORANDUM

To: Members, Anne Arundel County Council

From: Christine B. Neiderer, Senior Assistant County Attorney

Via: Gregory J. Swain, County Attorney

Date: September 19, 2022

Subject: Bill No. 86-22 – Purchasing – Acquisition of real property by gift

Legislative Summary

This summary was prepared by the Anne Arundel County Office Law for use by members of the Anne Arundel County Council during consideration of Bill No. 86-22, which approves the County's acquisition of real property by gift.

Background. Cynthia P. Alexander and Katherine P. Schaeffen (collectively, the "Grantors") own real property consisting of 12.101 acres of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland 20724 ("Property"). The Property is further described in a deed dated July 11, 2015, and recorded among the land records of Anne Arundel County ("Land Records") in Book 28751, Page 51. The Property is heavily wooded and impacted by flooding from the Little Patuxent River, and is part of the natural drainage system.

The Grantors desire to donate, and the County Department of Public Works Bureau of Watershed Protection and Restoration Program ("BWPR") desires to acquire, the Property to use for a stream restoration project. Specifically, BWPR intends to use the Property as part of a restoration project being implemented to provide ecological enhancement and support the requirements of the National Pollutant Discharge Elimination System ("NPDES") Municipal Separate Storm Sewer System ("MS4") permit issued to the County by the Maryland Department of the Environment and to assist the County in meeting pollutant load reductions associated with the Chesapeake Bay Total Maximum Daily Load ("TMDL").

Section 8-3-101(b) of the County Code requires that gifts of real property to the County must be approved by the County Council by ordinance. Before seeking the Council's approval,

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

the County Executive is required to identify a public purpose for the property, to ensure that the Director of the Department of Public Works conducts an environmental assessment and identifies potential hazards and remediation expenses, and to ensure that the Budget Officer provides an assessment of any fiscal impact of the gift.

The County Executive has identified a public purpose for the Property as it borders on the Little Patuxent River and will be used for a stream restoration project.

The Director of Public Works contracted with Arc Environmental to conduct a Phase I Environmental Site Assessment for the Property. The EA revealed no evidence of significant environmental hazards on the Property. The EA, however, identified two minor environmental conditions that DPW intends to mitigate.

In addition, the Budget Officer provided a written assessment of the fiscal impact of the proposed gift, concluding that the proposed gift will have a minimal fiscal impact with respect to a reduction in the County's property tax receipts, and that certain one-time recordation costs and ongoing modest maintenance costs should be de minimis.

Purpose and Summary. The purpose of the ordinance is to approve the County's acquisition by gift of real property totaling 12.101 acres of land more or less, from Cynthia P. Alexander and Katherine P. Schaeffgen, as required by § 8-3-101 of the County Code.

The Office of Law is available to answer any additional questions regarding the attached ordinance. Thank you.

cc: Honorable Steuart Pittman, County Executive
Matthew Power, Chief Administrative Officer
Dr. Kai Boggess-de Bruin, Chief of Staff
Peter Baron, Director of Government Relations
Chris Trumbauer, Senior Policy Advisor to the County Executive and Budget Officer
Christine Anderson, Central Services Officer
Christopher Phipps, Director of Public Works

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET**

BILL NUMBER: 86-22

INTRO. DATE: Sept 19, 2022

FISCAL NOTE

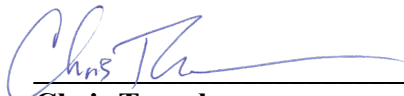
**BILL: AN ORDINANCE CONCERNING: PURCHASING – ACQUISITION OF
REAL PROPERTY BY GIFT.**

SUMMARY OF LEGISLATION

The purpose of this legislation is to approve acceptance of a gift of real property consisting of approximately 12.101 acres of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland, from Cynthia P. Alexander and Katherine P. Schaeffen.

FISCAL IMPACT

By accepting this gift, the County will no longer receive property tax revenue from this property. Based on the current State Department of Assessment and Taxation assessed value, this amount would be \$113. Any operational or maintenance costs are expected to be *de minimis*.



Chris Trumbauer
Budget Officer

9/16/2022

Date

Prepared by: Samantha Chiriaco, Budget Analyst

cc: Karin McQuade, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Bill No. 87-22

Introduced by Mr. Volke

By the County Council, September 19, 2022

Introduced and first read on September 19, 2022
Public Hearing set for October 17, 2022
Bill Expires on November 1, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works and Zoning – Small Cell Systems and
2 Commercial Telecommunication Facilities on Scenic or Historic Roads

3
4 FOR the purpose of requiring that a developer submit a certified technical analysis that
5 demonstrates the need for a small cell system or commercial telecommunication facility
6 to be located along a scenic or historic road located south of Maryland Route 214 in
7 Anne Arundel County as a condition precedent to project approval; making certain
8 technical changes; and generally relating to public works and zoning.

9
10 BY repealing and reenacting, with amendments: § 13-3-106; and 18-11-117(8)
11 Anne Arundel County Code (2005, as amended)

12
13 BY adding: §§ 18-10-115(13); and 18-10-155(b)(11)
14 Anne Arundel County Code (2005, as amended)

15
16 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
17 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 13. PUBLIC WORKS

TITLE 3. PERMITS FOR USE OF COUNTY RIGHTS-OF-WAY

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

13-3-106. Small cell systems.

(A) **Definition.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "SCENIC OR HISTORIC ROAD" HAS THE MEANING STATED IN ARTICLE 17 OF THIS CODE.

(2) "SMALL CELL SYSTEM" HAS THE MEANING STATED IN ARTICLE 18 OF THIS CODE.

(B) **Scope.** THIS SECTION APPLIES TO A SMALL CELL SYSTEM LOCATING IN COUNTY RIGHTS-OF-WAY OR ATTACHING TO COUNTY ASSETS AND IS IN ADDITION TO THE OTHER REQUIREMENTS OF THIS TITLE.

(C) **[[In addition to the other requirements of this title, any small cell system, as defined in § 18-1-101 of this Code, locating in County rights-of-way or attaching to County assets]]** THE DEVELOPER OF A SMALL CELL SYSTEM shall enter into a lease or license agreement with the County in a form provided by the County, the terms of which **[[will]]** SHALL include:

- (1) compliance with all requirements of this title;
- (2) compliance with all requirements of § 18-10-155 of this Code;
- (3) requirements to remove a small cell system at the owner's expense if the system is no longer needed;
- (4) provisions relating to the County's rights and owner's obligations if a small cell system is abandoned;
- (5) the fees for the use of the County rights-of-way and attaching to County assets;
- (6) requirements for insurance related to the small cell system and indemnification of the County; and
- (7) bonding requirements, including bonding against the failure to remove any abandoned or improperly placed small cell system and failure of the owner of the small cell system to pay any outstanding amounts due to the County.

(D) **Small cell systems on scenic or historic roads.** THE DEVELOPER OF A SMALL CELL SYSTEM PROPOSED TO BE LOCATED ON A SCENIC OR HISTORIC ROAD SOUTH OF MARYLAND ROUTE 214 SHALL PROVIDE A TECHNICAL ANALYSIS CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER DEMONSTRATING TO THE SATISFACTION OF THE COUNTY THAT THE PROPOSED PLACEMENT IS NECESSARY TO THE FUNCTIONALITY OF THE CELLULAR NETWORK AND THERE ARE NO REASONABLE ALTERNATIVE LOCATIONS FOR THE SYSTEM.

ARTICLE 18. ZONING

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

1 **18-10-115. Commercial telecommunication facilities.**

2
3 A commercial telecommunication facility shall comply with all of the following
4 requirements.

5
6 ***

7
8 (13) FOR A STRUCTURE PERMANENTLY LOCATED ON THE GROUND PROPOSED TO
9 BE LOCATED ON A SCENIC OR HISTORIC ROAD THAT IS SOUTH OF MARYLAND ROUTE 214,
10 THE DEVELOPER SHALL PROVIDE A TECHNICAL ANALYSIS CERTIFIED BY A REGISTERED
11 PROFESSIONAL ENGINEER TO DEMONSTRATE TO THE SATISFACTION OF THE COUNTY
12 THAT THE STRUCTURE IS NECESSARY TO THE FUNCTIONALITY OF THE CELLULAR
13 NETWORK AND THERE ARE NO REASONABLE ALTERNATIVE LOCATIONS FOR THE SYSTEM.
14

15 **18-10-155. Small cell systems.**

16
17 (b) **Requirements.** A small cell system on private property shall comply with all of the
18 following requirements.

19
20 ***

21
22 (11) THE DEVELOPER OF A SYSTEM PROPOSED TO BE LOCATED ON A SCENIC OR
23 HISTORIC ROAD SOUTH OF MARYLAND ROUTE 214 SHALL PROVIDE A TECHNICAL
24 ANALYSIS CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER DEMONSTRATING TO
25 THE SATISFACTION OF THE COUNTY THAT THE PROPOSED PLACEMENT IS NECESSARY TO
26 THE FUNCTIONALITY OF THE CELLULAR NETWORK AND THERE ARE NO REASONABLE
27 ALTERNATIVE LOCATIONS FOR THE SYSTEM.
28

29 **TITLE 11. REQUIREMENTS FOR SPECIAL EXCEPTION USES**

30
31 **18-11-117. Commercial telecommunication facilities.**

32
33 A commercial telecommunication facility shall comply with all of the following
34 requirements.

35
36 ***

37
38 (8) The facility shall meet the requirements of § 18-10-115(2) through ~~[(12)]~~ (13).
39

40 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
41 from the date it becomes law.

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Bill No. 88-22

Introduced by Mr. Pruski and Ms. Lacey

By the County Council, September 19, 2022

Introduced and first read on September 19, 2022
Public Hearing set for October 17, 2022
Bill Expires on November 1, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – BRAC Mixed Use
2 Development – Applicability
3

4 FOR the purpose of amending the grandfathering provision applicable to development
5 applications for BRAC Mixed Use Development established by Bill No. 31-22; and
6 generally relating to subdivision and development.
7

8 BY repealing and reenacting, with amendments: § 17-2-101(b)(15)
9 Anne Arundel County Code (2005, as amended)
10

11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
13

14 ARTICLE 17. SUBDIVISION AND DEVELOPMENT

15 TITLE 2. GENERAL PROVISIONS

16 17-2-101. Scope; applicability. 17

18 (b) **Applicability to pending and future proceedings.** Subject to the grandfathering
19 provisions of COMAR Title 27, this article applies to all pending and future proceedings
20 and actions of any board, department, or agency empowered to decide applications under
21 this Code, except that:
22
23
24

25 (15) an application for sketch plan approval, final plan approval, preliminary plan
26 approval, or approval of a building or grading permit associated with a BRAC Mixed Use

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 Development plan that was filed before ~~[[June 27, 2022]]~~ DECEMBER 15, 2022 shall be
2 governed by the law as it existed prior to June 27, 2022.

3

4 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
5 from the date it becomes law.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Resolution No. 40-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

1 RESOLUTION approving appointments to the Board of Trustees for the Anne Arundel
2 County Retirement and Pension System

3
4 WHEREAS, § 5-2-104 of the Anne Arundel County Code provides that there is a
5 Board of Trustees for the Anne Arundel County Retirement and Pension System;
6 and

7
8 WHEREAS, § 5-2-105(a)(7) of the Anne Arundel County Code provides that three
9 of the Trustees shall be residents of the County; may not be employees of the
10 County; may not be participants in any of the retirement or pension plans governed
11 by the Board of Trustees; and shall be knowledgeable in the administration and
12 operation of pension systems and trust funds; and

13
14 WHEREAS, § 5-2-105(c) of the Anne Arundel County Code provides that these
15 three Trustees shall be appointed by the County Executive with the approval of the
16 County Council, given by resolution; and

17
18 WHEREAS, § 5-2-105(e) of the Anne Arundel County Code provides that these
19 three Trustees shall serve for terms of three years; and

20
21 WHEREAS, Mary Kathleen Sulick completed a term as one of the three Trustees
22 described in § 5-2-105(a)(7) on April 30, 2021, and has continued to serve because
23 a successor has not been appointed; and

24
25 WHEREAS, Alan J. Hyatt completed a term as one of the three Trustees described
26 in § 5-2-105(a)(7) on December 1, 2021, and has continued to serve because a
27 successor has not been appointed; and

28
29 WHEREAS, the County Executive, subject to the approval of the County Council,
30 has reappointed Mary Kathleen Sulick to serve on the Board of Trustees for a three
31 year term expiring on April 30, 2024; and has reappointed Alan J. Hyatt to a term
32 expiring on December 1, 2024; and

33
34 WHEREAS, the County Council, finds that Mary Kathleen Sulick and Alan J. Hyatt
35 meet the eligibility requirements under § 5-2-105 of the Anne Arundel County
36 Code and are qualified to serve on the Board of Trustees; now, therefore, be it

1 *Resolved by the County Council of Anne Arundel County, Maryland,* That it hereby
2 approves the reappointment of Mary Kathleen Sulick to serve as a member of the Board of
3 Trustees for the Anne Arundel County Retirement and Pension System for a three year
4 term expiring on April 30, 2024; and the reappointment of Alan J. Hyatt to serve as a
5 member of the Board of Trustees for the Board of Trustees for the Anne Arundel County
6 Retirement and Pension System for a three year term expiring on December 1, 2024; and
7 be it further
8

9 *Resolved,* That a copy of this Resolution be sent to Steuart Pittman, County Executive;
10 Mary Kathleen Sulick, Trustee; Alan J. Hyatt, Trustee; Chris Trumbauer, Chairman, Board
11 of Trustees for the Anne Arundel County Retirement and Pension System; and Staci
12 Gorden, Boards and Commissions Coordinator.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Resolution No. 41-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

1 RESOLUTION confirming the reappointment of an Anne Arundel County resident to
2 serve on the Spending Affordability Committee

3
4 WHEREAS, Section 610(a) of the Charter of Anne Arundel County, Maryland,
5 provides that there is a Spending Affordability Committee that is appointed by the
6 County Executive and confirmed by resolution of the County Council; and

7
8 WHEREAS, Section 610(c) of the Charter provides that the Spending Affordability
9 Committee shall consist of one resident from each councilmanic district who is
10 knowledgeable in the field of economics, finance, fiscal planning, or a related field;
11 and

12
13 WHEREAS, Section 610(d) of the Charter provides that each member of the
14 Spending Affordability Committee shall be appointed for a term of four years not
15 to exceed two successive terms; and

16
17 WHEREAS, Section 610(d) of the Charter further provides that, at the end of a
18 term, a member shall continue to serve until a successor has been appointed and
19 qualified; and

20
21 WHEREAS, the initial term of Deborah Ritchie, a resident of District 3, expired on
22 December 1, 2021; and

23
24 WHEREAS, the County Executive, subject to confirmation by the County Council,
25 has reappointed Deborah Ritchie to serve on the Spending Affordability Committee
26 for a second term ending on December 1, 2025; and

27
28 WHEREAS, the County Council, finds that Deborah Ritchie meets the eligibility
29 requirements under Section 610 of the Charter to serve on the Spending
30 Affordability Committee; now, therefore, be it

31
32 *Resolved by the County Council of Anne Arundel County, Maryland, That it hereby*
33 *approves the reappointment of Deborah Ritchie, a resident of District 3, to serve on the*
34 *Spending Affordability Committee for a term ending on December 1, 2025; and be it*
35 *further*

- 1 *Resolved*, That copies of this Resolution be sent to Steuart Pittman, County Executive;
- 2 Matthew J. Power, Chief Administrative Officer; Deborah Ritchie, appointee; and Staci
- 3 Gorden, Boards and Commissions Coordinator.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Resolution No. 42-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

1 RESOLUTION approving the nomination for appointment to the Stakeholder Advisory
2 Committee for Region Planning Area No. 2

3
4 WHEREAS, § 18-2-103(e) of the County Code provides that each General
5 Development Plan adopted by the County Council shall designate at least seven
6 region planning areas encompassing all of the unincorporated areas of the County
7 and shall provide for the creation of region plans for each region planning area; and
8

9 WHEREAS, § 18-2-103(e) further provides that the General Development Plan
10 shall specify the composition of Stakeholder Advisory Committees, which shall
11 include between 9 and 15 citizens who are residents or, own property in, or have an
12 interest in land use planning in the region planning area; and who are nominated by
13 the County Executive and approved by Resolution of the County Council; and
14

15 WHEREAS, § 18-2-103(e) also provides that two-thirds of the members of each
16 Stakeholder Advisory Committee shall be residents of the region; and that the
17 committees shall include at least one resident of each councilmanic district included
18 in the region planning area, who shall be recommended to the County Executive by
19 the Councilmember from the district; and
20

21 WHEREAS, § 18-2-103(e) states that the Stakeholder Advisory Committees will
22 work with the Office of Planning and Zoning to develop the region plans and to
23 ensure that the region plans are consistent with the goals and policies contained in
24 the General Development Plan; and
25

26 WHEREAS, by Bill No. 11-21, the County Council adopted “Plan2040”, the
27 General Development Plan for the County; and
28

29 WHEREAS, Plan2040 identifies and designates 9 region planning areas in the
30 County; and
31

32 WHEREAS, Plan2040 specifies that the membership of the Stakeholder Advisory
33 Committees shall reflect the ethnic and minority diversity of the regions and will
34 include a broad cross-section of a region’s civic, business, environmental, and other
35 stakeholders who reside in or own or manage a business in the planning area, such
36 as long-time resident property owners or renters, recent resident property owners
37 or renters, homeowners’ association or civic association board members, local
38 business representatives, home builders, real estate developers or brokers, military

1 members or other relevant government agency employees or contractors;
2 affordable housing advocates, community or social organization members,
3 environmental organization members, commercial or maritime association
4 members, school organization members, youth adult representatives, local
5 recreation council or group members, and farming and agriculture representatives;
6 and
7

8 WHEREAS, the County Executive nominated members of the Stakeholder
9 Advisory Committee for Region Planning Area No. 2, as identified in Plan2040
10 who met the eligibility requirements of § 18-2-103(e) and Plan2040, and the County
11 Council approved those members by Resolution No. 55-21; and
12

13 WHEREAS, one member of the Stakeholder Advisory Committee for Region
14 Planning Area No. 2, Angela Thomas, is unable to serve on the Committee, and the
15 County Executive has nominated Chad Jones (military members or other relevant
16 government agency employee or contractor) to fill the vacancy; and
17

18 WHEREAS, the County Council, after a public hearing, finds that Chad Jones
19 meets the eligibility requirements of § 18-2-103(e) and Plan2040, and is qualified
20 to serve on the Stakeholder Advisory Committee for Region Planning Area No. 2;
21 now, therefore, be it
22

23 *Resolved by the County Council of Anne Arundel County, Maryland,* That it approves
24 the appointment of Chad Jones to serve on the Stakeholder Advisory Committee for Region
25 Planning Area No. 2, as the region is identified in Plan2040; and be it further
26

27 *Resolved,* That copies of this Resolution be sent to County Executive Steuart Pittman;
28 Lori Rhodes, Deputy Chief Administrative Officer for Land Use; Steven Kaii-Ziegler,
29 Planning and Zoning Officer; Chad Jones, the appointee; and Staci Gorden, Boards and
30 Commissions Coordinator.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Resolution No. 43-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, September 19, 2022

1 RESOLUTION approving the nominations for appointment to the Stakeholder
2 Advisory Committee for Region Planning Area No. 4

3
4 WHEREAS, § 18-2-103(e) of the County Code provides that each General
5 Development Plan adopted by the County Council shall designate at least seven
6 region planning areas encompassing all of the unincorporated areas of the County
7 and shall provide for the creation of region plans for each region planning area; and

8
9 WHEREAS, § 18-2-103(e) further provides that the General Development Plan
10 shall specify the composition of Stakeholder Advisory Committees, which shall
11 include between 9 and 15 citizens who are residents or, own property in, or have an
12 interest in land use planning in the region planning area; and who are nominated by
13 the County Executive and approved by Resolution of the County Council; and

14
15 WHEREAS, § 18-2-103(e) also provides that two-thirds of the members of each
16 Stakeholder Advisory Committee shall be residents of the region; and that the
17 committees shall include at least one resident of each councilmanic district included
18 in the region planning area, who shall be recommended to the County Executive by
19 the Councilmember from the district; and

20
21 WHEREAS, § 18-2-103(e) states that the Stakeholder Advisory Committees will
22 work with the Office of Planning and Zoning to develop the region plans and to
23 ensure that the region plans are consistent with the goals and policies contained in
24 the General Development Plan; and

25
26 WHEREAS, by Bill No. 11-21, the County Council adopted “Plan2040”, the
27 General Development Plan for the County; and

28
29 WHEREAS, Plan2040 identifies and designates 9 region planning areas in the
30 County; and

31
32 WHEREAS, Plan2040 specifies that the membership of the Stakeholder Advisory
33 Committees shall reflect the ethnic and minority diversity of the regions and will
34 include a broad cross-section of a region’s civic, business, environmental, and other
35 stakeholders who reside in or own or manage a business in the planning area, such
36 as long-time resident property owners or renters, recent resident property owners
37 or renters, homeowners’ association or civic association board members, local
38 business representatives, home builders, real estate developers or brokers, military

1 members or other relevant government agency employees or contractors;
2 affordable housing advocates, community or social organization members,
3 environmental organization members, commercial or maritime association
4 members, school organization members, youth adult representatives, local
5 recreation council or group members, and farming and agriculture representatives;
6 and
7

8 WHEREAS, the County Executive nominated members of the Stakeholder
9 Advisory Committee for Region Planning Area No. 4, as identified in Plan2040
10 who met the eligibility requirements of § 18-2-103(e) and Plan2040, and the County
11 Council approved those members by Resolution No. 56-21; and
12

13 WHEREAS, two of the members of the Stakeholder Advisory Committee for
14 Region Planning Area No. 4, Joshua Fornwalt and Ben Hilliard, have been removed
15 from the Committee, and the County Executive has nominated Amy Beall
16 (Resident Property Owner) and Lori Cann (Resident Property Owner), to fill the
17 vacancies; and
18

19 WHEREAS, the County Council, after a public hearing, finds that Amy Beall and
20 Lori Cann meet the eligibility requirements of § 18-2-103(e) and Plan2040, and are
21 qualified to serve on the Stakeholder Advisory Committee for Region Planning
22 Area No. 4; now, therefore, be it
23

24 *Resolved by the County Council of Anne Arundel County, Maryland,* That it approves
25 the appointments of Amy Beall and Lori Cann to serve on the Stakeholder Advisory
26 Committee for Region Planning Area No. 4, as the region is identified in Plan2040; and be
27 it further
28

29 *Resolved,* That copies of this Resolution be sent to County Executive Steuart Pittman;
30 Lori Rhodes, Deputy Chief Administrative Officer for Land Use; Steven Kaii-Ziegler,
31 Planning and Zoning Officer; Amy Beall and Lori Cann, the appointees; and Staci Gorden,
32 Boards and Commissions Coordinator.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 17

Resolution No. 44-22

Introduced by Mr. Pruski, Ms. Rodvien, and Ms. Haire

By the County Council, September 19, 2022

1 RESOLUTION expressing the need for land located in Edgewater, Maryland, and
2 owned by the Anne Arundel County Board of Education, to be utilized for construction of
3 the Woodland Beach Volunteer Fire Department

4
5 WHEREAS, the Anne Arundel County Board of Education (the “Board”) owns
6 approximately 3.049 acres of land on Stepney’s Lane in Edgewater, Maryland, as
7 shown on Exhibit A hereto (the “Property”); and

8
9 WHEREAS, the Board is authorized by § 4-115 of the Education Article of the
10 State Code to transfer real property owned by it to the county in which such
11 property is located if the property is no longer needed for school purposes; and

12
13 WHEREAS, on July 13, 2022, the Board agreed to recommend approval of a fee
14 simple conveyance of the Property for a fire station at the South River Complex;
15 and

16
17 WHEREAS, the Board will refer the decision to the State Superintendent of
18 Schools for approval; and

19
20 WHEREAS, Anne Arundel County (the “County”) has long planned for the
21 replacement of the Woodland Beach Volunteer Fire Department’s station, and has
22 provided funding for the development and construction of the new Woodland
23 Beach Volunteer Fire Station in the fiscal year 2023 Annual Budget and
24 Appropriation Ordinance; and

25
26 WHEREAS, the County has existing economic development plans that will benefit
27 from the acquisition of the Property, namely, the Anne Arundel County
28 Consolidated Plan for Fiscal Years 2021-2025, approved by Bill No. 40-20, and
29 Plan 2040, the County’s General Development Plan, approved by Bill No. 11-21;
30 and

31
32 WHEREAS, the Property is an integral part of plans for the replacement Woodland
33 Beach Volunteer Fire Station project, and the County and the Board and the public
34 will benefit in various ways from the Property acquisition and construction and the
35 enhanced level of public safety the Station will provide to the residents to be served
36 by the operation of the Station; now, therefore, be it

1 *Resolved by the County Council of Anne Arundel County, Maryland,* That it finds
2 that there is a need for the Property, as more fully described in Exhibit A attached
3 hereto, to be transferred to the County from the Board because the Property is an
4 integral part of existing economic development plans that will significantly benefit
5 Anne Arundel County; and be it further

6
7 *Resolved,* That, upon the Board providing the notice required by § 4-115(c)(1)(i) of
8 the Education Article of the State Code, a copy of this Resolution shall be sent to
9 Dr. Mark Bedell, Superintendent of Anne Arundel County Public Schools;
10 Dr. Joanna Bache Tobin, President of the Anne Arundel County Board of Education;
11 and County Executive Steuart Pittman.

Item No. 6.04

Anne Arundel County Public Schools

Agenda for: July 13, 2022

Exhibit Attached: ☒ Y N

AGENDA ITEM FOR THE BOARD OF EDUCATION

 Information

 X Action

 Review

July 13, 2022
(Preferred Date)

STAFF PRESENTATION: ☒ YES NO

BUDGETED: YES ☒ NO

FISCAL IMPACT: YES ☒ NO

DOLLAR AMOUNT: N/A

BUDGET SOURCE: N/A

SUBJECT:

South River Complex – Fee Simple Conveyance for a fire station

BACKGROUND:

The county has identified a critical need to relocate and reconstruct a fire station to service Edgewater and the surrounding communities. The County has requested a fee simple conveyance for a fire station site on a portion of the South River Complex.

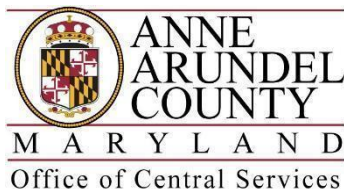
DISCUSSION:

The County has prepared the attached concept plan and description of the fee simple area.

The Board Attorney has reviewed the attached documents. Upon approval of the Board of Education and approval by the IAC, a deed of fee simple conveyance will be created, executed, and recorded.

SUPERINTENDENT'S RECOMMENDATION:

The Superintendent recommends approval of the Fee Simple Conveyance for a fire station at the South River Complex.



Heritage Office Complex
2660 Riva Road, 3rd Floor
Annapolis, MD 21401
Phone (410) 222-7644
Fax (410) 222-7623

Christine M. Anderson
Central Services Officer

July 7, 2022

Alex L. Szachnowicz, P.E.
Chief Operating Officer
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, MD 21401

Dear Mr. Szachnowicz,

As you may be aware, the County is working closely with the Woodland Beach Volunteer Fire Department to construct a new fire station. We have identified a portion of property held by the Anne Arundel County Board of Education on Stepney's Lane (Parcel 417) which would be ideal for this purpose. The County is supportive of the initiative to reduce response times and provide new and improved fire support services facilities to County residents.

The County is requesting fee simple conveyance of the necessary parcel to County ownership from the County Board of Education. The total acreage is approximately 3 acres. The property line has been drawn on the attached to include the existing water and sewer lines which will continue to have an easement for County access. Attached to this letter you will find a description of the property as well as a draft concept layout showing how the County would see the property used in the future.

Please reach out should you need additional information.

Sincerely,

DocuSigned by:

Christine M. Anderson

86941CD26F1542F...

Christine M. Anderson

cc: Greg Stewart, AACPS Senior Manager of Planning
Christopher Daniels, County Real Estate Manager



EXHIBIT A

**Description of a Fee Simple Area
Parcel 417, Grid 24, Parcel 417
Property of The Board of Education of Anne Arundel County
Liber 2603 Folio 448
1st Tax District
Anne Arundel County, Maryland**

BEING part of the conveyance from Federated Enterprises, Inc., to The Board of Education of Anne Arundel County, by deed dated June 18, 1973 and recorded among the Land records of Anne Arundel County, Maryland in Liber 2603, Folio 448; and being more particularly described in the Maryland State Plane Datum (NAD 83/2011) as follows;

BEGINNING for the same at a point located on the southeastern right of way line of Stepney's Lane (variable width public R/W), said point being at the end of the 22nd or the North 35°49'50" West 981.24' line in the conveyance from Dundalk Gardens Apartments to The Board of Education of Anne Arundel County, by deed dated December 12, 1967 and recorded among the Land Records of Anne Arundel County, Maryland in Liber 2128 Folio 362, said point being further located at the beginning point in the conveyance from Federated Enterprises, Inc., to The Board of Education of Anne Arundel County, by deed dated June 18, 1973 and recorded among the Land Records of Anne Arundel County, Maryland in Liber 2603 Folio 448;

THENCE leaving said point of beginning and said Stepney's Lane and binding reversely on a portion of said 22nd or the North 35°49'50" West 981.24' line in the conveyance to The Board of Education of Anne Arundel County (2603/448), with bearings referenced to NAD 83/2011, and as now described;

1. South 35°52'03" East 172.91' to a point

THENCE leaving said line and running through a portion of the conveyance to The Board of Education of Anne Arundel County (2603/448), the following seven (7) courses and distances;

2. South 34°30'26" West 329.47' to a point;
3. South 58°45'10" West 183.88' to a point;
4. North 31°14'50" West 93.24' to a point;
5. North 68°39'09" West 36.74' to a point;
6. North 35°06'17" West 57.15' to a point;
7. North 59°19'51" West 84.50' to a point, and;
8. North 31°14'50" West 44.14' to a point on the southeastern right of way line of said Stepney's Lane;

THENCE with the same, the following two (2) courses and distances;

9. North 58°39'30" East 177.87' to a point, and;
10. North 57°16'46" East 358.55' to the point of beginning.

CONTAINING 132,831 square feet or 3.049 acres of land more or less.

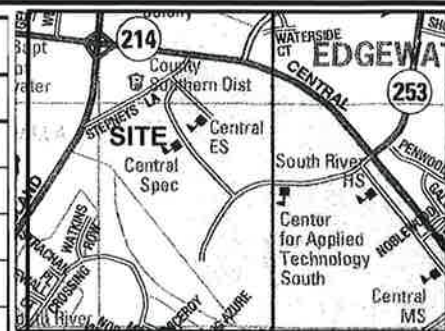
THIS description was prepared under my responsible charge and is in compliance with the requirements set forth in COMAR, Regulation 09.13.06.12.



Expiration/Renewal Date:
August 3, 2024

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
2. THIS SURVEY IS BASED ON DEEDS OF RECORD & A. A. CO. G. I. S. DATA. NO FIELD SURVEY PERFORMED AT THIS TIME.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N47°08'10"E	93.10'
L2	N26°20'30"W	5.00'
L3	N31°14'50"W	93.24'
L4	N68°39'09"W	36.74'
L5	N35°06'17"W	57.15'
L6	N59°19'51"W	84.50'
L7	N31°14'50"W	44.14'

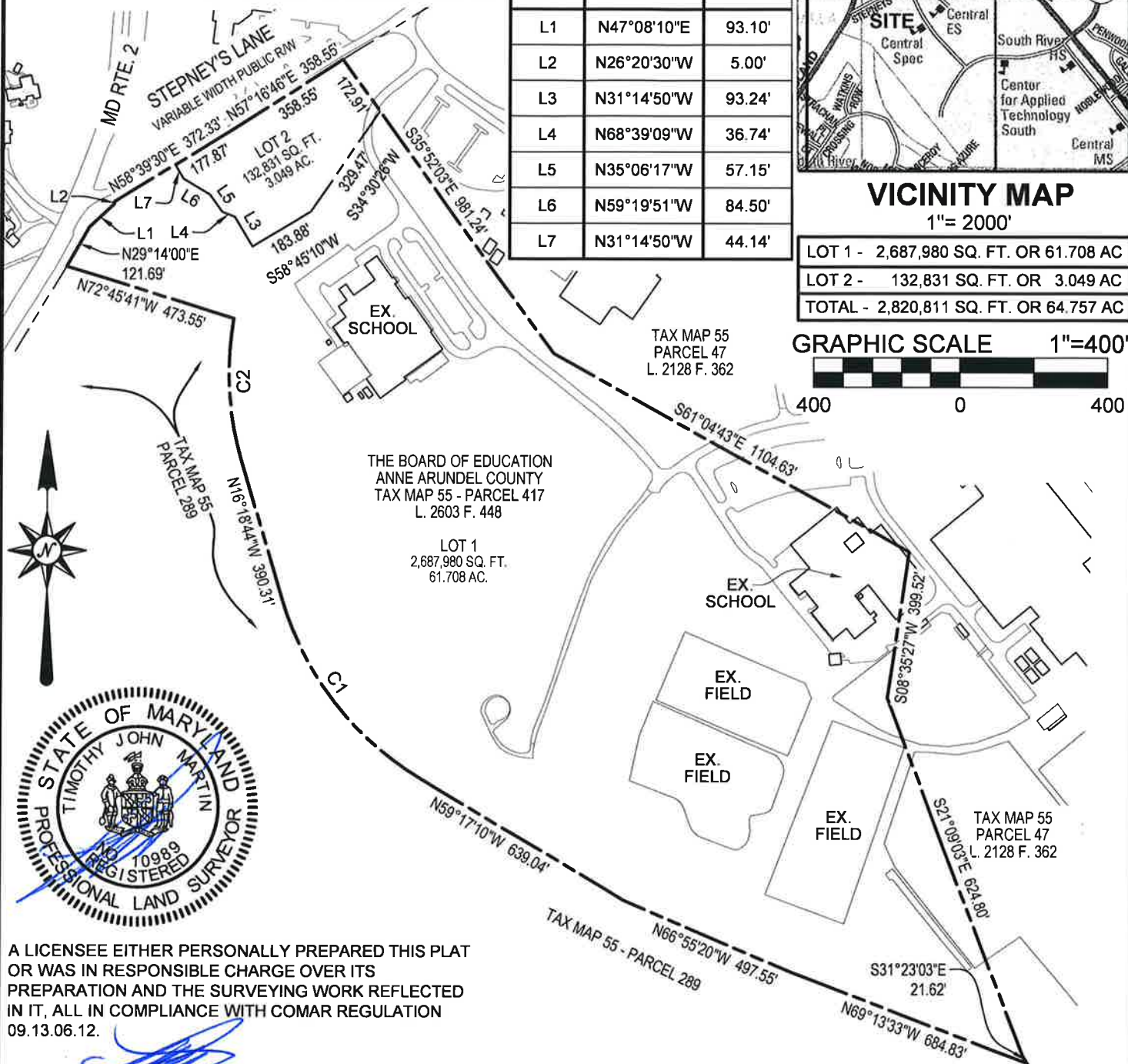


VICINITY MAP

1"= 2000'

LOT 1 -	2,687,980 SQ. FT. OR 61.708 AC
LOT 2 -	132,831 SQ. FT. OR 3.049 AC
TOTAL -	2,820,811 SQ. FT. OR 64.757 AC

GRAPHIC SCALE 1"=400'



A LICENSEE EITHER PERSONALLY PREPARED THIS PLAT OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH COMAR REGULATION 09.13.06.12.

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	TANGENT	CHORD
C1	841.42'	631.09'	42°58'24"	331.22'	N37°47'57"W 616.40'
C2	850.00'	384.85'	25°56'30"	195.78'	N03°21'06"W 381.57'

DRAWN BY: S.W.D.

JOB NUMBER: 21-8267

CHECKED BY:

SHEET NUMBER

1 OF 1

ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

WOODLAND BEACH VOLUNTEER FIRE DEPARTMENT
FEE SIMPLE ACQUISITION/UTILITY EASEMENT

THE BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY
LIBER 2603, FOLIO 448

TAX MAP 55 - GRID 24 - PARCEL 417

TAX ID NO. 01-000-90011326 - DISTRICT NO. 1

SCALE: 1"=400'

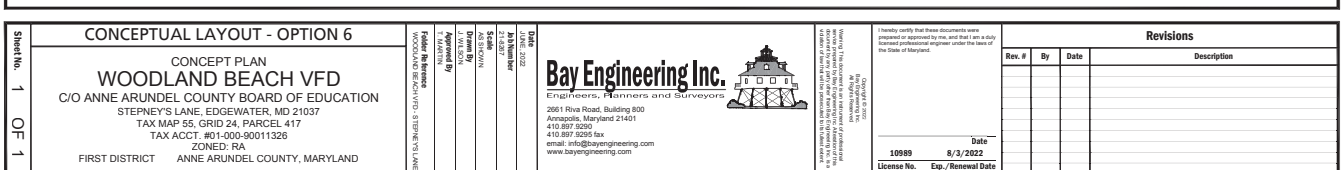
PROJ./CONTRACT NO.:

FIELD WORK DATE:

EXHIBIT PLAT DATE: 07-13-2022

APPROVED:

CHIEF OF RIGHT OF WAY



AMENDMENT TO BILL NO. 73-22, AS AMENDED
(Subdivision and Development and Zoning – Cluster Development)

September 19, 2022

Introduced by Ms. Pickard

Amendment No. 2

On page 1 of the amended bill, in line 5, after the semi-colon insert “exempting applications for cluster development made before a certain date from certain requirements;”; and strike in their entirety lines 16 through 20, inclusive, and substitute:

“BY repealing and reenacting, with amendments: §§ 17-2-101(b)(14) and (15); and 17-3-502(b) Anne Arundel County Code (2005, as amended)

BY adding: §§ 17-1-101(16); and 17-2-101(16) Anne Arundel County Code (2005, as amended)”.

On page 2, after line 28, insert:

“TITLE 2. GENERAL PROVISIONS

17-2-101. Scope; applicability.

(b) **Applicability to pending and future proceedings.** Subject to the grandfathering provisions of COMAR Title 27, this article applies to all pending and future proceedings and actions of any board, department, or agency empowered to decide applications under this Code, except that:

(14) the following shall be governed by the law as it existed prior to January 9, 2020:

(i) an application for approval of a sketch plan, final plan, final infrastructure construction plan, preliminary plan, or site development plan, and any building or grading permits associated with these plans, filed on or before December 15, 2019;

(ii) applications for building and grading permits that are not associated with a final plan or site development plan filed on or before December 15, 2019;

(iii) revisions to the plans and permits referenced in subparagraphs (i) and (ii) that do not materially alter the proposed or actual limits of disturbance; and

(iv) an application for a special exception filed on or before December 15, 2019 and all applications associated with the special exception; [[and]]

Amendment No. 2 (Continued)

(15) an application for sketch plan approval, final plan approval, preliminary plan approval, or approval of a building or grading permit associated with a BRAC Mixed Use Development plan that was filed before June 27, 2022 shall be governed by the law as it existed prior to June 27, 2022[.]; AND

(16) AN APPLICATION FOR APPROVAL OF A SKETCH PLAN OR FINAL PLAN FOR A CLUSTER DEVELOPMENT, AND ANY BUILDING PERMIT, GRADING PERMIT, OR OTHER APPLICATION ASSOCIATED WITH A CLUSTER DEVELOPMENT, FILED BEFORE THE EFFECTIVE DATE OF BILL NO. 73-22 SHALL BE GOVERNED BY THE LAW AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 73-22.”;

after line 47, insert:

“SECTION 4. *And be it further enacted,* That all references in this Ordinance to “the effective date of Bill No. 73-22”, or words to that effect, shall upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as Certified by the Administrative Officer to the County Council.”;

and in line 49, strike “4” and substitute “5”.

(This amendment adds a grandfathering provision for applications for cluster development filed before the effective date of the bill.)

AMENDMENT TO BILL NO. 73-22, AS AMENDED
(Subdivision and Development and Zoning – Cluster Development)

September 19, 2022

Introduced by Ms. Fiedler

Amendment No. 3

On page 2 of the amended bill, strike beginning with “OF” in line 45 down through the comma in line 46 and substitute “, THAT HAVE A WIDTH OF 25 FEET, ALONG ADJACENT, NON-LOCAL ROADS”.

(This amendment specifies the size of the landscaped screening and buffer areas required along adjacent, non-local roads and adjoining properties that are not part of the cluster development.)