



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

**Legislative Session 2023, Legislative Day No. 2
January 17, 2023**

Legislative Session
Council Chambers*
7:00 P.M.

A. Call to Order

B. Invocation

- Apostle Antonio Palmer, Pastor, Kingdom Celebration Center

C. Pledge of Allegiance

D. Ethics Statement

E. Invitation to Audience

F. Announcement of Items Not Appearing

G. Preliminary Motion

H. Approval of Minutes

January 3, 2023 – Legislative Day No. 1

I. Introduction of Bills

BILL NO. 3-23 – AN ORDINANCE concerning: Zoning – Small Business Districts – Religious Facilities – FOR the purpose of allowing religious facilities as a permitted use in Small Business Districts; and generally relating to zoning.

Introduced by Mr. Smith, Chair

(by request of the County Executive)

BILL NO. 4-23 – AN ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfer of Funds – FOR the purpose of transferring appropriations of funds between major categories in the Local Education Fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2023.

Introduced by Mr. Smith, Chair

(by request of the County Executive)

BILL NO. 5-23 – AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund – 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; and generally relating to making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 6-23 – AN ORDINANCE concerning: Subdivision and Development – Zoning – Accessory Dwelling Units – FOR the purpose of exempting accessory dwelling units from impact fees; amending the definitions of “density” and “dwelling unit, accessory”; repealing certain parking requirements for accessory dwelling units; amending the conditional use requirements for accessory dwelling units; allowing accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements; and generally relating to subdivision and development and zoning.

Introduced by Ms. Rodvien and Ms. Pickard

J. Public Hearings and Call of Bills for Final Reading and/or Vote

BILL NO. 89-22 – AN ORDINANCE concerning: Capital Budget and Program – Board of Education Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects – Supplementary Appropriations – FOR the purpose of amending the Capital Budget for the current fiscal year by making a supplementary appropriation of funds to the Board of Education Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects; amending the Capital Program and Capital Projects Bond Ordinance for the current fiscal year; and generally relating to appropriations of funds in projects in the Capital Budget for the fiscal year ending June 30, 2023.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 90-22 – AN ORDINANCE concerning: Subdivision and Development – Adequate Public School Facilities – School Utilization Chart – FOR the purpose of approving the 2024 School Utilization Chart prepared by the Planning and Zoning Officer.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 91-22 – AN ORDINANCE concerning: Sherwood Forest Special Community Benefit District – Approval of Loan and Assignment Agreement – FOR the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Sherwood Forest Special Community Benefit District in an amount sufficient to repay a loan from First Citizens Bank to the Sherwood Forest Club, Inc. in each of up to eleven (11) fiscal years during the term of the loan.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

[BILL NO. 92-22](#) – AN ORDINANCE concerning: Zoning – Critical Area Overlay – RCA Uses – Nurseries with Landscaping and Plant Sales – FOR the purpose of amending the use “nurseries with landscaping and plant sales” to allow the use in the resource conservation area of the critical area if incidental uses are limited to a certain portion of the lot; 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. Fiedler and Ms. Pickard

[BILL NO. 93-22](#) – AN ORDINANCE concerning: Board of Appeals – Notice of Zoning Appeals – Property Address – FOR the purpose of altering the information the Board of Appeals is required to include in a notice of hearing related to rezonings, critical area reclassifications, and special exceptions; and generally relating to boards, commissions, and similar bodies.
Introduced by Ms. Fiedler

- K. Other Business
- L. Adjournment

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ACCESSIBILITY POLICY

Anyone with a disability who requires a reasonable accommodation to fully participate in Council meeting should contact the Administrative Officer at least 72 hours before the meeting to discuss your accessibility needs. The Administrative Officer may be reached by email at Lcorby@aacounty.org or by telephone at 410-222-1401. TTY users, please call Maryland Relay via 7-1-1.

* Council meetings are also 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

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2022, Legislative Day No. 22

January 3, 2023 – 7:00 P.M.

The County Council meeting was called to order by Vice Chair Pickard at 7:00 P.M. It was opened with the Invocation, given by Ms. Pickard, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 10 persons in the audience.

The following members of the County Council were present:

Allison Pickard	Second District
Nathan Volke	Third District
Julie K. Hummer	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District

Pete Smith, First District, and Shannon Leadbetter, Seventh District, were absent.

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 were no submissions of public testimony received ahead of time for Invitation to Audience.

The following persons spoke at Invitation to Audience:

Brian Kozy, Gambrills
Ray Sullivan, Annapolis
Karl Hauss, Annapolis

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

ITEMS NOT APPEARING

Mr. Volke and Ms. Fiedler asked to be added as co-sponsors on Bill No. 1-23.

PRELIMINARY MOTION

On motion of Mr. Volke, seconded by Ms. Fiedler, 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. Volke, seconded by Ms. Rodvien, the minutes of the meeting of December 19, 2022 was approved as presented.

INTRODUCTION OF BILLS

BILL NO. 1-23 – AN EMERGENCY ORDINANCE concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses – FOR the purpose of amending certain termination dates established by Bill No. 55-21, as amended by Bill No. 83-21, to extend the temporary use authorization for outdoor seating at restaurants; and making this Ordinance an emergency measure.

Introduced by Mr. Smith, Chair
by request of the County Executive

BILL NO. 2-23 – AN ORDINANCE concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland – FOR the purpose of approving the terms and conditions under which the County may transfer its interest in real property determined to be surplus, consisting of approximately 0.058 acres, and located on the North Side of Overlea Drive in Severna Park, Maryland to Chessie Homes, LLC.

Introduced by Mr. Smith, Chair
by request of the County Executive

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Rodvien, the meeting adjourned at 7:13 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: January 11, 2023
Subject: Auditor's Review of Legislation for the January 17, 2023 Council Meeting

**Bill 89-22:
Capital Budget and
Program – Board of
Education –
Supplementary
Appropriations**

Summary of Legislation

This bill makes supplementary appropriations from anticipated sources in excess of budget estimates to Board of Education (BOE) Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects. This bill reflects the budgetary changes adopted by the BOE at their meetings on September 21, 2022 and November 16, 2022.

These changes to the fiscal year 2023 (FY23) Capital Budget have been reviewed by the Planning Advisory Board, and they have offered an advisory recommendation of approval.

Review of Fiscal Impact

The bill recognizes a total of \$3,334,000 in additional state grants from the Maryland Center of School Security (MCSS), Maryland Energy Administration (MEA), and the Interagency Commission on School Construction (IAC) to the BOE.

The BOE approved FY23 Supplemental Capital Budget Appropriation includes the following increases:

- Security Related Upgrades capital project (Project #E538100) – increases \$792,000 in other state grants,
- Maintenance Backlog capital project (Project #E538300) – increases \$1,250,000 in other state grants,
- Roof Replacement capital project (Project #E538400) – increases \$1,210,000 in other state grants, and
- Upgrade Various Schools capital project (Project #E539100) – increases \$82,000 in other state grants.

The \$792,000 in supplementary appropriation from MCSS is for the FY23 School Safety Grant Program. These funds will be used to cover the construction cost of guided entrance security vestibules to provide

Bill 89-22 (continued)

controlled access to the front of the school buildings for eight elementary and middle schools.

The \$1,250,000 from MEA is for the fiscal year 2022 Maryland Anchor Customer Grant. These funds will assist with converting Wiley H. Bates Middle School from heating oil to natural gas and seven schools across the County from heating oil fired water heaters to natural gas fired water heaters.

The \$1,210,000 in supplementary appropriation from IAC is for the FY23 Healthy School Facility Fund. These funds will be used to replace the existing roof at Woodside Elementary School.

The \$82,000 in supplementary appropriation from MEA is for the Decarbonizing Public Schools Pilot Program Grant. These funds will be used to defray BOE's cost of procuring consulting capacity to generate a district-wide planning document for identifying net zero energy opportunities in future new, replacement, or full renovation school construction projects.

The Controller certified that such funds are available for appropriation.

**Bill 90-22:
Subdivision and
Development – Adequate
Public School Facilities –
School Utilization Chart****Summary of Legislation**

This bill approves the 2024 School Utilization Chart. We have reviewed the bill and related attachments and agree with the information presented. The Council approved the 2023 School Utilization Chart in Bill 113-21.

The following schools were closed in 2022 and are now open: Arnold Elementary, Frank Hebron-Harman Elementary, High Point Elementary, Meade Heights Elementary, Oak Hill Elementary, Park Elementary, Ridgeway Elementary, Severna Park Elementary, Tyler Heights Elementary, West Annapolis Elementary, Broadneck High, and Glen Burnie High Schools.

The following schools were open in 2022 and are now closed: Bodkin Elementary, Odenton Elementary, Old Mill Middle North, and Meade High Schools.

Review of Fiscal Impact

While there is no direct fiscal impact of this legislation, it could allow or limit future development within the related feeder systems, which may have a future fiscal impact.

**Bill 91-22:
Sherwood Forest Special
Community Benefit
District – Approval of
Loan and Assignment
Agreement**

Summary of Legislation

This bill obligates the County to levy a special tax on the property owners in the Sherwood Forest Special Community Benefit District (SCBD) beginning in fiscal year 2024 (FY24) in an amount sufficient to repay a loan for up to \$1,000,000 from First Citizens Bank to the Sherwood Forest Club, Inc. (Corporation). The loan commitment letter provided by the bank shows a fixed interest rate of 4.8% for an 11 year loan repayment period.

The Corporation intends to use the proceeds to improve a clubhouse and tennis courts. The purpose of the SCBD includes providing total administration, personnel, operation, maintenance, and repair or replacement of all community facilities and property; including recreational areas and all community buildings, roads, providing security, erosion control, snow removal, and solid waste collection. The SCBD bylaws require a majority vote of the full members in good standing for any matter properly brought before the meeting, which was received on August 10, 2022. Documentation of this vote was provided and it was approved by a majority vote.

A FY24 budget request for Sherwood Forest SCBD was submitted to the Office of the Budget to include the repayment of the loan of \$129,239, which will cover the annual payment of this loan based on the terms and conditions provided by the Corporation.

Review of Fiscal Impact

The Corporation is responsible and the County does not commit its full faith and credit to the repayment of the loan, therefore, this bill has no direct fiscal impact.

**Bill 92-22:
Zoning – Critical Area
Overlay – RCA Uses –
Nurseries with
Landscaping and Plant
Sales**

Summary of Legislation

This bill amends the use “nurseries with landscaping and plant sales” to allow the use in the resource conservation area of the critical area if incidental uses are limited to a certain portion of the lot and makes the effective date of this bill contingent on the approval of the Maryland Critical Area Commission.

Review of Fiscal Impact

This bill has no direct fiscal impact.

**Bill 93-22:
Board of Appeals – Notice
of Zoning Appeals –
Property Address**

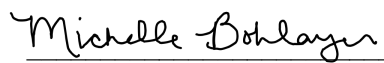
Summary of Legislation

This bill alters the information the Board of Appeals is required to include in a notice of hearing related to rezonings, critical area reclassifications, and special exceptions.

Review of Fiscal Impact

This bill has no fiscal impact.

Sincerely,



Michelle Bohlayer
County Auditor

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 2

Bill No. 3-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, January 17, 2023

Introduced and first read on January 17, 2023
Public Hearing set for February 21, 2023
Bill Expires April 22, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Small Business Districts – Religious Facilities
2
3 FOR the purpose of allowing religious facilities as a permitted use in Small Business
4 Districts; and generally relating to zoning.
5

6 BY repealing and reenacting, with amendments: § 18-9-402
7 Anne Arundel County Code (2005, as amended)
8

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

ARTICLE 18. ZONING

TITLE 9. OTHER ZONING DISTRICTS

18-9-402. Permitted, conditional, and special exception uses.

17
18 The permitted, conditional, and special exception uses allowed in the Small Business
19 Districts are listed in the chart in this section using the following key: P = permitted use; C
20 = conditional use; SE = special exception use. Except as provided otherwise in this article,
21 uses and structures customarily accessory to the listed uses also are allowed. Outside
22 storage as an accessory use is not allowed, except that the owner-occupant of a dwelling
23 may store on the lot one commercial vehicle or a vehicle used for commercial purposes
24 having a manufacturer's gross vehicle weight rating of not more than 10,000 pounds.

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.

1

Permitted, Conditional, and Special Exception Uses	

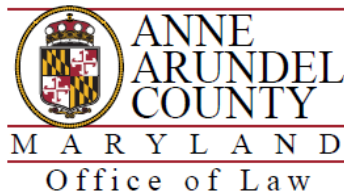
Public utility uses	SE
RELIGIOUS FACILITIES	P

2

3

4

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



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

From: Kelly Phillips Kenney, Supervising County Attorney /s/

Through: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Date: January 17, 2023

Subject: Bill No. 3-23, Zoning – Small Business Districts – Religious Facilities

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 3-23.

Background. The County currently has a capital improvement project entitled “Race Road – Jessup Village H573100” to design, acquire rights-of-way, and construct improvements along MD 175 (Annapolis Road), Redbud Avenue, Champion Forest Avenue, Chestnut Avenue, Race Road, and National Business Parkway for the purpose of providing improved vehicle, bicycle, and pedestrian access to Jessup Elementary School (“Project”). The land abutting Redbud Avenue that is necessary for the improvements is currently owned by a third party and is improved with a church (the “Church property”). Pursuant to §13-2-102(a)(1), the County intends to obtain the Church property, in exchange for County-owned property across the street from the Church. The County-owned property that the Church will eventually own (and construct a new church upon) is zoned SB-Small Business District.¹

A “religious facility” is a permitted use in many other zoning districts in the County, but not in the SB-Small Business District. Prohibiting the construction of a church in the SB District may be a violation of the federal Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”). The land use provisions of RLUIPA, 42 U.S.C. §§ 2000cc, et seq., protect individuals, houses of worship, and other religious institutions from discrimination in zoning laws by requiring that they be allowed to operate and meet on properties where similarly sized secular

¹ The property upon which the Church currently sits is zoned C1-Local Commercial District and religious facilities are allowed.

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

groups are permitted to meet (e.g., theaters, meeting halls). RLUIPA is violated when zoning laws substantially burden religious institutions or assemblies unless those burdens are the least restrictive means of furthering a compelling governmental interest.

Purpose. The purpose of the Bill is to allow religious facilities as a permitted use in the SB District.

Bill provisions. The SB District use chart in § 18-9-402 is revised to add “religious facilities” as a permitted use in the zoning district.

Section 2. of the Bill provides that the Ordinance shall take effect 45 days from the date it becomes law.

The Office of Law is available to answer any additional questions regarding this Bill.

Thank you.

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Peter Baron, Chief Strategy Officer
Jennifer Purcell, Deputy Chief Administrative Officer
Janssen Evelyn, Deputy Chief Administrative Officer
Mark Wedemeyer, Acting Planning and Zoning Officer
Lynn Miller, Assistant Planning and Zoning Officer
Chris Trumbauer, Budget Officer
Karen Henry, Acting Director, Department of Public Works

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

BILL NUMBER: 3-23

INTRO. DATE: January 17, 2023

FISCAL NOTE

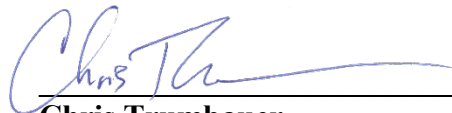
**BILL: AN ORDINANCE CONCERNING: ZONING – SMALL BUSINESS
DISTRICTS - RELIGIOUS FACILITIES**

SUMMARY OF LEGISLATION

The purpose of this legislation is to allow religious facilities as a permitted use in SB-Small Business Districts. A religious facility is a permitted use in almost every other zoning district in the County.

FISCAL IMPACT

There is no estimated fiscal impact to the County associated with this legislation.



Chris Trumbauer
Budget Officer

1/12/2023
Date

Prepared by: Darlene Flynn

cc: Billie Penley, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 2

Bill No. 4-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, January 17, 2023

Introduced and first read on January 17, 2023
Public Hearing set for February 21, 2023
Bill Expires April 22, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Current Expense Budget – Board of Education –
2 Supplementary Appropriation and Transfer of Funds
3

4 FOR the purpose of transferring appropriations of funds between major categories in the
5 Local Education Fund; making supplementary appropriations from unanticipated
6 revenues to the Local Education Fund for the current fiscal year; and generally relating
7 to transferring appropriations of funds and supplementary appropriations to the current
8 expense budget for the fiscal year ending June 30, 2023.
9

10 BY amending: Current Expense Budget
11

12 WHEREAS, under Section 712 of the Charter, upon the recommendation of the
13 County Executive, the County Council may make supplementary appropriations
14 from revenues received from anticipated sources but in excess of budget estimates
15 and from revenues received from sources not anticipated in the budget for the
16 current fiscal year, provided that the Controller shall first certify in writing that such
17 funds are available for appropriation; and
18

19 WHEREAS, § 5-105(a) of the Education Article of the Annotated Code of
20 Maryland, requires that all revenues received by the Board of Education be spent
21 in accordance with the major categories of its annual budget as provided under
22 § 5-101 of the Education Article, and § 5-105(b) of the Education Article requires
23 that transfers between major categories be approved by the County Council; and
24

25 WHEREAS, the County Executive has recommended the transfer and
26 supplementary appropriation of certain funds, and the Controller has certified in
27 writing that such funds are available for appropriation; now, therefore,

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That the Current Expense Budget for the fiscal year ending June 30, 2023, be and it is hereby amended by making supplementary appropriations of revenues received from sources not anticipated in the budget and from revenues received from anticipated sources in excess of budget estimates in the Local Education Fund as follows:

Federal, State, and Local Restricted Funds	\$ 18,032,343
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Federal, State, and Local Unrestricted Funds	\$ 1,000,000
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SECTION 2. *And be it further enacted,* That the Current Expense Budget for the fiscal year ending June 30, 2023, is hereby amended by transferring funds from the Pupil Transportation account in the Local Education Fund in the amount of \$1,466,658.

SECTION 3. *And be it further enacted,* That the Current Expense Budget for the fiscal year ending June 30, 2023, is hereby amended by making supplementary appropriations of such funds and by transferring such funds as enumerated in Sections 1 and 2 of this Ordinance to the below-listed accounts in the Local Education Fund in the respective amounts set forth:

(1) Administration	\$ 399,135
(2) Mid-Level Administration	\$ 1,074,075
(3) Instructional Salaries and Wages	\$ 270,426
(4) Textbooks & Classroom Supplies	\$ 2,637,636
(5) Other Instructional Costs	\$ 4,577,925
(6) Special Education	\$ 1,121,697
(7) Pupil Services	\$ 715,400
(8) Health Services	\$ 755,200
(9) Operation of Plant	\$ 1,292,660
(10) Maintenance of Plant	\$ 5,185,100
(11) Fixed Charges	\$ 2,222,662
(12) Community Services	\$ 197,085
(13) Capital Outlay	\$ 50,000

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

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

BILL NUMBER: 4-23

INTRO. DATE: January 17, 2023

FISCAL NOTE

**BILL: AN ORDINANCE CONCERNING: CURRENT EXPENSE BUDGET –
BOARD OF EDUCATION – SUPPLEMENTARY APPROPRIATION**

SUMMARY OF LEGISLATION

The purpose of this legislation is to make supplementary appropriations and transfer appropriations for unanticipated revenues to the Local Education Fund for fiscal year 2023.

FISCAL IMPACT

Exhibit 1 details the sources of the \$19,032,343 in additional funding in this bill, and **Exhibit 2** summarizes the appropriation of those funds. No additional County general funds are included in these appropriations.

Exhibit 1	
Board of Education - Supplemental Funds	
Federal Grant Revenue	
Individuals with Disability Education Act (IDEA)	\$365,728
Infants & Toddlers	\$216,706
Title I, Improving Basic Programs	\$153,283
Striving Readers	\$56,900
Elementary and Secondary School Relief Fund (ESSER II)	\$10,515,292
Elementary and Secondary School Relief Fund (ESSER III)	\$977,383
Behavioral Health (ARP Supplemental Grants I and II)	\$494,900
Homeless (ARP Supplemental Grant I & II)	\$417,212
Maryland LEADS	\$123,085
Special Education (ARP Supplemental Grant I)	\$1,540,363
Summer School (ARP Supplemental Grants I and II)	\$1,292,500
Tutoring (ARP Supplemental Grant II)	\$807,400
<i>Federal Subtotal</i>	<i>\$16,960,752</i>
State Grant Revenue	
Judy Center	\$188,212
Prekindergarten Expansion Grant	\$883,379
<i>State Subtotal</i>	<i>\$1,071,591</i>
Local Funding	
Investment Income	\$1,000,000
Total Revenue	\$19,032,343

Exhibit 2	
Board of Education - Supplementary and Transfer Appropriations	
Administration	\$399,135
Mid-Level Administration	\$1,074,075
Instructional Salaries and Wages	\$270,426
Textbooks/Instructional Supplies	\$2,637,636
Other Insutrctional Costs	\$4,577,925
Special Education	\$1,121,697
Pupil Services	\$715,400
Health Services	\$755,200
Transportation Services	-\$1,466,658
Operational of Plant	\$1,292,660
Maintennce of Plant	\$5,185,100
Fixed Charges	\$2,222,662
Community Services	\$197,085
Capital Outlay	\$50,000
Total	\$19,032,343



Chris Trumbauer
Budget Officer

1/12/2023

Date

Prepared by: Steven Theroux

cc: Billie Penley, Controller

**Anne Arundel County
Office of Finance**

BILL No: 4-23

INTRO. DATE: 1/17/23

CERTIFICATION OF FUNDS

In accordance with the Anne Arundel County Charter, Section 712, I certify that such funds are available for appropriation.

**BILL: AN ORDINANCE CONCERNING: CURRENT EXPENSE BUDGET –
BOARD OF EDUCATION – SUPPLEMENTARY APPROPRIATION**

Exhibit 1	
Board of Education - Supplemental Funds	
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Fixed Charges	\$2,222,662
Community Services	\$197,085
Capital Outlay	\$50,000
Total	\$19,032,343

Billie Penley

Billie Penley
Acting Controller

11/2/2023

Date

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 2

Bill No. 5-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, January 17, 2023

Introduced and first read on January 17, 2023
Public Hearing set for February 21, 2023
Bill Expires April 22, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations
2 – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants
3 Special Revenue Fund
4

5 FOR the purpose of making supplementary appropriations from unanticipated revenues to
6 certain offices, departments, institutions, boards, commissions or other agencies and in
7 certain special funds of the County for the current fiscal year; and generally relating to
8 making supplementary appropriations of funds to the current expense budget for the
9 fiscal year ending June 30, 2023.
10

11 BY amending: Current Expense Budget
12

13 WHEREAS, under Section 712 of the Charter, upon the recommendation of the
14 County Executive, the County Council may make supplementary appropriations
15 from revenues received from anticipated sources but in excess of budget estimates
16 and from revenues received from sources not anticipated in the budget for the
17 current fiscal year, provided that the Controller shall first certify in writing that such
18 funds are available for appropriation; and
19

20 WHEREAS, the County Executive has recommended the supplementary
21 appropriation of certain funds, and the Controller has certified in writing that such
22 funds are available for appropriation; now, therefore,
23

24 SECTION 1. *Be it enacted by the County Council of Anne Arundel County*, That the
25 Current Expense Budget for the fiscal year ending June 30, 2023, be and it is hereby
26 amended by making supplementary appropriations from revenues received from
27 anticipated sources but in excess of budget estimates and from revenues received from

sources not anticipated in the budget for the current fiscal year to the Cattail Creek and Upper Magothy River Waterways Improvement District in the amount of \$5,500.

SECTION 2. *And be it further enacted*, That the Current Expense Budget for the fiscal year ending June 30, 2023, be and it is hereby amended by making supplementary appropriations from revenues received and from anticipated sources but in excess of budget estimates and from revenues received from sources not anticipated in the budget for the current fiscal year in the total amount of \$500,233 to the Grants Special Revenue Fund, as follows:

Health Department

Family Health Services

Personal Services	\$	13,918
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Contractual Services	\$	194,915
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Supplies & Materials	\$	24,000
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Business & Travel	\$	8,000
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Housing and Food Protection

Personal Services	\$	90,000
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Contractual Services	\$	69,475
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Supplies & Materials	\$	14,925
----------------------	----	--------

Business & Travel	\$	10,000
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Partnership Children Yth & Fam

Partnership Children Yth & Fam

Contractual Services	\$	75,000
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SECTION 3. *And be it further enacted*, That this Ordinance shall take effect from the date that it becomes law.

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

BILL NUMBER: 5-23

INTRO. DATE: January 17, 2023

FISCAL NOTE

BILL: **AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund**

SUMMARY OF LEGISLATION

The purpose of this legislation is to make supplementary appropriations from unanticipated grant funds and other revenue.

FISCAL IMPACT

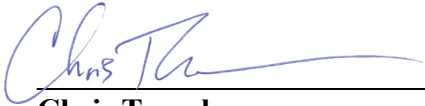
There is no fiscal impact to the County's general fund.

Exhibit 1 summarizes the appropriation of \$500,233 in the Grants Special Revenue Fund.

Exhibit 1		
Grants Special Revenue Fund Appropriations		
<u>Department</u>	<u>Grant Description</u>	<u>Amount</u>
Health Department	ePRA Expansion and Linkages to Care Enhancement	\$15,000
Health Department	Project W-Linkages to Care and Support	80,000
Health Department	Tobacco, Diabetes, and Chronic Disease Prevention and Management Gun Violence Intervention	145,833
Health Department	Team	184,400
Partnership for Children, Youth & Families	Emergency Food and Shelter Program (EFSP)	75,000
Total Appropriations		\$500,233

Exhibit 2 summarizes the appropriation of \$5,500 in the Cattail Creek and Upper Magothy River Waterway Districts Fund. The District will utilize existing funds to make the loan payment.

Exhibit 2		
Waterway Improvement District Appropriations		
<u>Community</u>	<u>Description</u>	<u>Amount</u>
Cattail Creek and Upper Magothy River Waterways	DNR Loan Payment	\$5,500



Chris Trumbauer
Budget Officer

1/12/2023

Date

Prepared by: Steven Theroux

cc: Billie Penley, Acting Controller

**Anne Arundel County
Office of Finance**

BILL NO: 5-23

INTRO. DATE: 1/17/23

CERTIFICATION OF FUNDS

In accordance with the Anne Arundel County Charter, Section 712, I certify that such funds are available for appropriation.

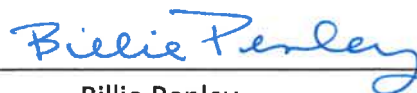
BILL: **AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund**

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Billie Penley
Acting Controller

1/12/2023
Date

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 2

Bill No. 6-23

Introduced by Ms. Rodvien and Ms. Pickard

By the County Council, January 17, 2023

Introduced and first read on January 17, 2023
Public Hearing set for February 21, 2023
Bill Expires on April 22, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Zoning – Accessory
2 Dwelling Units

3
4 FOR the purpose of exempting accessory dwelling units from impact fees; amending the
5 definitions of “density” and “dwelling unit, accessory”; repealing certain parking
6 requirements for accessory dwelling units; amending the conditional use requirements
7 for accessory dwelling units; allowing accessory dwelling units in use as of a certain
8 date to be exempt from certain conditional use requirements; and generally relating to
9 subdivision and development and zoning.

10
11 BY repealing and reenacting, with amendments: §§ 17-11-203(c)(1); 18-1-101(44) and
12 (47)(vi); 18-3-104; and 18-10-121
13 Anne Arundel County Code (2005, as amended)

14
15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
16 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

17 ARTICLE 17. SUBDIVISION AND DEVELOPMENT

18 TITLE 11. FEES AND SECURITY

19
20
21
22 **17-11-203. Who must pay fees.**

23
24 **(c) Exemptions.**

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.

(1) Subject to the conditions set forth in paragraphs (2) and (3) of this subsection, the following shall be exempt from impact fees:

(vi) a fire station on property owned by a volunteer fire company formed pursuant to § 12-1-201 of this Code; [[and]]

(vii) facilities for Anne Arundel Community College on property owned by or leased to Anne Arundel Community College; AND

(VIII) ACCESSORY DWELLING UNITS.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(44) “Density” means the number of dwelling units for each acre of gross area, EXCEPT THAT ACCESSORY DWELLING UNITS AND FARM TENANT HOUSES MAY NOT BE INCLUDED WHEN CALCULATING DENSITY, UNLESS THEY ARE LOCATED WITHIN THE RESOURCE CONSERVATION AREA OF THE CRITICAL AREA.

(47) “Dwelling unit” means a single unit, including attached garages and decks, providing complete, independent living facilities for at least one person, including permanent provisions for sanitation, cooking, eating, sleeping, and other activities routinely associated with daily life. The following variations of “dwelling” have the meanings indicated:

(vi) “Dwelling unit, accessory” means [[a second dwelling unit in an owner-occupied, single-family detached dwelling that occupies the lesser of a maximum of 1,000 square feet of floor area or one-third of the floor area of the dwelling]] A SMALLER DWELLING UNIT LOCATED ON THE SAME LOT AS A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING.

TITLE 3. PARKING, OUTDOOR LIGHTING, AND SIGNAGE

18-3-104. Parking space requirements.

The minimum onsite required parking spaces are listed in the chart below. They may be increased based on site development plan review or special exception approval, reduced as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The Planning and Zoning Officer may determine reasonable and appropriate onsite parking requirements for structures and land uses that are not listed on the chart based on requirements for similar uses, comments from reviewing agencies, and the parking needs of the proposed use.

Use	Parking
[[Dwellings: accessory units]]	[[1 space for each dwelling unit]]

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-121. Dwelling units, accessory.

An accessory dwelling unit shall comply with all of the following requirements.

(1) [[An accessory dwelling unit shall be located in a principal dwelling unit that is located on a lot of at least 14,000 square feet.

(2)] No more than one accessory dwelling unit PER LOT is allowed.

(2) AN ACCESSORY DWELLING UNIT MAY NOT BE A MOBILE HOME OR A MANUFACTURED HOME, AS DEFINED IN § 11-9-101 OF THIS CODE.

(3) [[The accessory dwelling unit may not be separated from the principal dwelling by an attached garage or by a breezeway, open or enclosed.]] AN ACCESSORY DWELLING UNIT SHALL BE LOCATED:

(I) IN A SEPARATE DWELLING UNIT IN A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING, OR CONNECTED BY A BREEZEWAY, OPEN OR ENCLOSED, TO A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING;

(II) IN AN ATTACHED OR DETACHED GARAGE; OR

(III) IN A DETACHED STRUCTURE.

(4) AN ACCESSORY DWELLING UNIT LOCATED IN A DETACHED STRUCTURE MAY NOT EXCEED THE LESSER OF 800 SQUARE FEET OR 50% OF THE FLOOR AREA OF THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING. AN ACCESSORY DWELLING UNIT, OR THE CONVERSION OF ALL OR PART OF AN EXISTING STRUCTURE INTO AN ACCESSORY DWELLING UNIT, SHALL BE CONSTRUCTED PURSUANT TO ANY PERMITS REQUIRED BY THIS CODE.

(5) AN ACCESSORY DWELLING UNIT SHALL HAVE A SEPARATE ENTRANCE.

(6) AN ACCESSORY DWELLING UNIT SHALL USE THE SAME STREET ADDRESS AS THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING AND SHALL BE DESIGNATED AS "UNIT B".

1 (7) (I) THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR THE ACCESSORY
2 DWELLING UNIT SHALL BE OWNER-OCCUPIED.

3
4 (II) THE PROPERTY OWNER SHALL RECORD NOTICE OF THE REQUIREMENT
5 UNDER SUBPARAGRAPH (I) IN THE LAND RECORDS OF THE COUNTY.

6
7 (8) SHORT-TERM RESIDENTIAL RENTALS, AS DEFINED IN ARTICLE 11 OF THIS CODE,
8 OF THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR THE ACCESSORY DWELLING
9 UNIT SEPARATELY ARE PROHIBITED, BUT SHORT-TERM RESIDENTIAL RENTALS OF THE
10 PROPERTY AS A WHOLE ARE ALLOWED.

11
12 (9) AN ACCESSORY DWELLING UNIT IN USE AND IN COMPLIANCE WITH THE
13 PROVISIONS OF THIS SECTION PRIOR TO THE EFFECTIVE DATE OF BILL NO. 6-23 IS NOT
14 SUBJECT TO SUBSECTIONS (4), (5), (6), OR (8), UNLESS THE ACCESSORY DWELLING UNIT IS
15 ALTERED OR EXPANDED AFTER THE EFFECTIVE DATE OF BILL NO. 6-23.

16
17 SECTION 2. *And be it further enacted*, That 90 days after the effective of this
18 Ordinance, and on or before January 31 of each year, the Department of Inspections and
19 Permits shall provide a report to the County Executive and the County Council indicating
20 the number of accessory dwelling unit permit applications filed during the preceding year
21 and the number of occupancy certificates issued for accessory dwelling units during the
22 preceding year for the purposes of tracking the pace of accessory dwelling unit growth.
23 The report should include GIS location mapping whenever possible.

24
25 SECTION 3. *And be it further enacted*, That all references in this Ordinance to “the
26 effective date of Bill No. 6-23”, or words that that effect, shall, upon codification, be
27 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
28 County Charter as certified by the Administrative Officer to the County Council.

29
30 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days
31 from the date it becomes law.