

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 4
February 21, 2023 – 7:00 P.M.

The County Council meeting was called to order by Chair Smith at 7:00 P.M. It was opened with the Invocation, given Ms. Fiedler, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 15 persons in the audience.

The following members of the County Council were present:

Pete Smith	First District
Nathan Volke	Third District
Julie K. Hummer	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Shannon Leadbetter	Seventh District

Allison Pickard, Second District, was 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.

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

PRELIMINARY MOTION

On motion of Ms. Rodvien, seconded by Mr. Volke, 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 Ms. Rodvien, seconded by Mr. Volke, the minutes of the meeting of February 6, 2023 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 12-23 – AN ORDINANCE concerning: Conveyance of Surplus Property – Improved County-Owned Property – Part of the Dorsey Run Road Right-of-Way in Annapolis Junction, Maryland – FOR the purpose of approving the conveyance of certain County-owned property comprised of approximately 2.9245 acres of land, being part of the Dorsey Run Road right-of-way, in Annapolis Junction, Maryland.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 13-23 – AN ORDINANCE concerning: Licenses and Registrations – Special Events – Permitting – FOR the purpose of establishing a uniform permitting process for special events; defining certain terms; requiring certain persons to obtain a permit to hold special events; requiring the permit application to contain certain information; establishing the basis for granting or denying the permit application; establishing fees and fee waivers for special event permit applications; requiring reimbursement of costs incurred by the County and allowing for the waiver of such reimbursement; requiring certain inspections be performed; allowing for the termination of permits in certain circumstances; and generally relating to licenses and registrations.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 14-23 – AN ORDINANCE concerning: General Provisions – Fair Housing – Denial of Rental Application – Notice – FOR the purpose of requiring a landlord provide a denied renter written notice of the reason for a refusal to rent or denial of the rental application within a certain number of days of a request by the denied renter; making a failure to provide written notice a Class C civil offense; and generally relating to general provisions.
Introduced by Ms. Rodvien and Ms. Hummer

BILL NO. 15-23 – AN ORDINANCE concerning: Zoning – Residential Districts – Business Complexes as a Conditional Use – FOR the purpose of allowing business complexes as a conditional use in R1 residential zoning districts; adding the conditional use requirements for business complexes in a residential district; allowing a business complex in a residential district to include certain additional uses allowed in C1 or C3 commercial zoning districts; and generally relating to zoning.
Introduced by Ms. Fiedler

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2-23 – RESOLUTION approving the determination of certain improved County-owned property, known as 100 Summit Avenue in Glen Burnie, Maryland, as surplus property
Introduced by Mr. Smith, Chair
(by request of the County Executive)

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

BILL NO. 2-23 (As Amended)

The Chair called for Bill No. 2-23, as amended, 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; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelly Kenney, Office of Law, Susan Herrold, Office of Central Services, and Christopher Daniels, Office of Central Services.

Mr. Baron explained the background and purpose of the bill.

Ms. Fiedler asked for support of the bill.

The Chair called for the public hearing on Bill No. 2-23, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 2-23, as amended.

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

The Chair called Bill No. 2-23, as amended, An Ordinance concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland; and the Administrative Officer read a portion of the title.

Bill No. 2-23, as amended, was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith

Nay – None

Absent – Ms. Pickard

BILL NO. 3-23

The Chair called for 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; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelly Kenney, Office of Law, Tom Burke, Department of Public Works, and Lynn Miller, Office of Planning and Zoning.

Mr. Baron explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 3-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 3-23.

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

The Chair called Bill No. 3-23, An Ordinance concerning: Zoning – Small Business Districts – Religious Facilities; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment repeals a prohibition on outside storage as an accessory use in small business districts; and allows outside storage as permitted use in small business districts if the outside storage is accessory to a permitted use and is limited to 10% of the allowed lot coverage.

Ms. Fiedler, Sponsor, explained the purpose of the amendment.

The Administration gave its support.

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

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith

Nay – None

Absent – Ms. Pickard

The Chair stated that Bill No. 3-23 will be heard on March 6, 2023.

BILL NO. 4-23

The Chair called for 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; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Steven Theroux, Budget Office, Matt Stanski, Board of Education, Melissa Comella, Board of Education, and Kelly Kenney, Office of Law.

Ms. Dier explained the background and purpose of the bill.

Mr. Smith clarified the use of work sessions.

The Chair called for the public hearing on Bill No. 4-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 4-23.

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

The Chair called Bill No. 4-23, An Ordinance concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfer of Funds; and the Administrative Officer read a portion of the title.

Bill No. 4-23 was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith

Nay – None

Absent – Ms. Pickard

Mr. Smith clarified that the work sessions are recorded and available on the County's website.

BILL NO. 5-23

The Chair called for 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; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Steven Theroux, Budget Office, Grace Tydings, Health Department, Donna Perkins, Health Department, and Kelly Kenney, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 5-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 5-23.

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

The Chair called 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; and the Administrative Officer read a portion of the title.

Ms. Rodvien stated that the bill was discussed thoroughly at the work session.

Bill No. 5-23 was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith

Nay – None

Absent – Ms. Pickard

BILL NO. 6-23

The Chair called for 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; and the Administrative Officer read a portion of the title.

Ms. Rodvien, Sponsor, explained the background and purpose of the bill.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, Andrew McCarra, Inspections and Permits, and Kelly Kenney, Office of Law.

The Administration gave its support.

The Chair called for the public hearing on Bill No. 6-23.

The Administrative Officer stated there were nineteen submissions of written testimony received through the online testimony tool for Bill No. 6-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 6-23:

Marygrace Fitzhenry, Annapolis
Greg Cantori, Annapolis
Erica Smith Ewing, Arlington, VA
Abby Root, Odenton
William “Jeff” Hill, Severna Park
Trudy McFall, Annapolis
Stuart Cohen, Annapolis
Steven Waddy, Severn
Susan Margulies, Annapolis

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

Ms. Fiedler clarified the ADUs would be subject to the inspection, permits, and building laws.

Ms. Rodvien agreed.

Ms. Leadbetter asked if the ADUs would be subject to the same process of well and septic as other areas of the county.

Mr. McCarra agreed.

Ms. Leadbetter asked if EDUs would be required.

Ms. Kenney responded.

Mr. Smith clarified if a small garage apartment would be an ADU and what the parking requirements would be.

Ms. Kenney answered.

There was continued discussion regarding parking for ADUs.

The Chair called Bill No. 6-23, An Ordinance concerning: Subdivision and Development – Zoning – Accessory Dwelling Units; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment maintains existing parking requirements for accessory dwelling units.

Mr. Volke, Sponsor, explained the purpose of the amendment.

Ms. Leadbetter asked to be added as a co-sponsor.

Ms. Fiedler shared her support of the amendment.

Ms. Rodvien and Ms. Hummer explained their opposition to the amendment.

There was further discussion on the amendment.

On motion of Mr. Volke, seconded by Ms. Fielder, Amendment No. 1 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Leadbetter, Mr. Volke

Nay – Ms. Rodvien, Ms. Hummer, Mr. Smith

Absent – Ms. Pickard

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment strikes a conditional use requirement that the principal single-family detached dwelling or the accessory dwelling unit be owner-occupied and that notice of this requirement be recorded.

Ms. Rodvien, Sponsor, explained the purpose of the amendment.

Mr. Smith shared his support of the amendment.

The Administration gave its support.

Ms. Fiedler asked a clarifying question regarding short term rentals.

Ms. Rodvien responded.

Ms. Hummer expressed her support of the amendment.

On motion of Ms. Hummer, seconded by Ms. Rodvien, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment removes the authorization to use the property as a whole for short-term rentals and substitutes a provision to allow the short-term rental of the principal single-family dwelling or accessory dwelling unit if the principal single-family dwelling or accessory dwelling unit is owner-occupied.

Ms. Rodvien, Sponsor, withdrew the amendment.

The Chair stated that Bill No. 6-23 will be heard on March 6, 2023.

OTHER BUSINESS

Ms. Fiedler gave a statement on the capacity issues at Anne Arundel County Animal Care and Control.

ADJOURNMENT

There being no further business, on motion of Ms. Fiedler, seconded by Ms. Rodvien, the meeting adjourned at 8:30 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer