



COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

AGENDA

Legislative Session 2023, Legislative Day No. 6 March 20, 2023

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

- A. Call to Order
- B. Invocation (Ms. Leadbetter)
- C. Pledge of Allegiance
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items Not Appearing
- G. Preliminary Motion
- H. Approval of Minutes

March 6, 2023 – Legislative Day No. 5

- I. Introduction of Bills

BILL NO. 20-23 – AN ORDINANCE concerning: Pedestrian and Bicycle Master Plan – Walk & Roll Anne Arundel! – Adoption – FOR the purpose of repealing the 2003 Pedestrian and Bicycle Master Plan and the 2013 update to that Plan; adopting the County’s 2023 Pedestrian and Bicycle Master Plan, entitled “Walk & Roll Anne Arundel!”; and generally relating to the pedestrian and bicycle master plan.

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

BILL NO. 21-23 – AN ORDINANCE concerning: Zoning – Requirements for Conditional Uses – Housing for the Elderly of Moderate Means – FOR the purpose of requiring a covenant enforceable by the County for housing for the elderly of moderate means; adding certain government-funded developments with at least one resident that is 62 years of age or older as a type of “housing for the elderly of moderate means”; and generally relating to zoning.

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

J. Introduction of Resolutions

RESOLUTION NO. 5-23 – 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)

RESOLUTION NO. 6-23 – RESOLUTION supporting the Anne Arundel County Board of Education’s revised Fiscal Year 2024 Public School Construction Capital Improvement Program request for submission to the Interagency Commission on School Construction
Introduced by Mr. Smith, Chair
(by request of the County Executive)

RESOLUTION NO. 7-23 – RESOLUTION urging the Maryland General Assembly to oppose House Bill 119 and any amendments to conform Senate Bill 199 to State House Bill 119
Introduced by Ms. Leadbetter, Mr. Smith, and Ms. Fiedler

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

[BILL NO. 6-23 \(As Amended\) \(Amendment\(s\) Proposed\)](#) – AN ORDINANCE concerning: Public Works – Subdivision and Development – Zoning – Accessory Dwelling Units – FOR the purpose of exempting certain accessory dwelling units from capital facility connection charges and 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 public works, subdivision and development, and zoning.
Introduced by Ms. Rodvien, Ms. Pickard, Ms. Hummer, and Mr. Smith

[BILL NO. 10-23 \(As Amended\)](#) – AN ORDINANCE concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects – FOR the purpose of defining “water quality improvement project”; exempting certain water quality improvement projects from the prohibition against development in natural feature areas; exempting certain water quality improvement projects from the site development plan process; and generally relating to floodplain management, erosion and sediment control, and stormwater management, and subdivision and development.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

[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 \(Amendments Proposed\)](#) – 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 \(To be withdrawn\)](#) – 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

[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

- L. Other Business
- M. Adjournment

~

(See following page for general information)

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 2023, Legislative Day No. 5
March 6, 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. Rodvien, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 40 persons in the audience.

The following members of the County Council were present:

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

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

PRESENTATION

Ms. Rodvien presented Distinguished Citizen Pins to four constituents to honor their commitment to community by helping to stop a thief.

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:

Luis da Conceicao, Riva
Kathrynn Mangum, Annapolis
Michael Mangum, Annapolis
Kurt Svendsen, Arnold
John Grasso, Glen Burnie

Kate Fox, Davidsonville
Matt Minahan, Edgewater

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

ITEMS NOT APPEARING

Pete Baron, Director, Government Affairs, withdrew Resolution No. 2-23.

PRELIMINARY MOTION

On motion of Ms. Pickard, 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 Mr. Volke, seconded by Ms. Hummer, the minutes of the meeting of February 21, 2023 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 16-23 – AN ORDINANCE concerning: Public Ethics – FOR the purpose of defining “quasi-governmental entity”; repealing a provision that allows for the disclosure of a complainant; prohibiting the acceptance of gifts from certain entities; prohibiting retaliation against a complainant; requiring the disclosure of certain gifts and relationships in financial disclosure statements; amending the terms for disclosing certain real property and business interests; allowing the public inspection of certain records by electronic means; and generally relating to public ethics.

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

BILL NO. 17-23 – AN ORDINANCE concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment – FOR the purpose of authorizing the County Executive to enter into a certain amendment to the agreement for payment in lieu of County real property taxes for a certain property located in Glen Burnie, Maryland.

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

BILL NO. 18-23 – AN ORDINANCE concerning: Planning and Development – Master Plan for Water Supply and Sewerage System – FOR the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2022 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.

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

BILL NO. 19-23 – AN ORDINANCE concerning: Public Safety – Ban the Bag Act of Anne Arundel County – FOR the purpose of prohibiting the retail distribution of plastic bags in Anne Arundel County; defining certain terms; establishing the duties of retail establishments; making a violation a Class C civil offense; providing for the enforcement of the prohibition on plastic bags; allowing retail establishments to distribute paper and reusable bags at no cost until a certain date; providing for a delayed effective date; and generally relating to public safety.

Introduced by Ms. Rodvien, Ms. Hummer, and Ms. Pickard

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 3-23 – RESOLUTION approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property

Introduced by Mr. Smith, Chair

(by request of the County Executive)

RESOLUTION NO. 4-23 – RESOLUTION approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, 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. 3-23 (As Amended)

The Chair called for Bill No. 3-23, as amended, An Ordinance concerning: Zoning – Small Business Districts – Religious Facilities – Outside Storage – FOR the purpose of allowing religious facilities as a permitted use in Small Business Districts; repealing a certain prohibition on outside storage as an accessory use in Small Business Districts; allowing outside storage as a permitted use in Small Business Districts if the outside storage is accessory to a permitted use and limited to a certain percentage of the allowed lot coverage; 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, as amended.

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

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

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

Bill No. 3-23, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 6-23 (As Amended)

The Chair called for Bill No. 6-23, as amended, 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, Co-Sponsor, explained the background and purpose of the bill.

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

The Administration stated its support.

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

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

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

Richard Fredericks, Severna Park
Stephen Miller, Annapolis
Melissa Stanton, Davidsonville
Kurt Svendsen, Arnold
Brooks Schandelmeier, Annapolis
Edward Ervin, Annapolis
Amy Leahy, Severna Park
Kate Fox, Davidsonville
William Davidson, Annapolis
Matt Minahan, Edgewater

Sandra Salvatore, Annapolis
Richard Jones, Annapolis
Susan Margulies, Annapolis

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

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

Mr. Smith asked if an HOA could be restrictive in regards to ADUs.

Ms. Kenney answered.

Mr. Smith asked if the fire code governs the occupancy in the ADUs.

Ms. Keith responded.

Ms. Fiedler clarified the grandfathering prevision.

Ms. Kenney agreed.

Ms. Rodvien clarified that critical areas and setbacks do not go away, and stated that the bill was not fast tracked.

Ms. Kenney confirmed.

Amendment No. 4

The Administrative Officer read a brief summary of the amendment:

This amendment exempts accessory dwelling units from capital facility connection charges.

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

Mr. Baron shared the Administration's concerns.

Ms. Fiedler asked what the solution for an unfavorable flow test would be.

Mr. Baron answered.

Mr. Volke asked what the connection charges would be.

Ms. Kenney responded.

Ms. Pickard asked where else the charges have been exempted and shared her desire to keep the cost for the ADU down.

Ms. Rodvien responded.

There was continued discussion on Amendment No. 4.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 4 was adopted by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Ms. Hummer, Mr. Smith

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

Amendment No. 5

The Administrative Officer read a brief summary of the amendment:

This amendment limits the exemption from impact fees for accessory dwelling units to only accessory dwelling units that are not part of the new construction of a principal single-family detached dwelling.

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

Ms. Pickard asked how the limit would be applied.

Ms. Miller answered.

Mr. Volke shared his intent on the policy.

There was continued discussion on Amendment No. 5.

On motion of Mr. Volke, seconded by Ms. Pickard, Amendment No. 5 was adopted by the following roll call vote:

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

Nay – Ms. Rodvien, Ms. Pickard

Amendment No. 6

The Administrative Officer read a brief summary of the amendment:

This amendment reduces the number of required parking spaces for accessory dwelling units from 1 space per unit to ½ a space per unit.

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

Ms. Pickard shared her view of the amendment.

Mr. Smith explained his struggle with the ½ space per unit.

The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 6 was defeated by the following roll call vote:

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

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

Amendment No. 7

The Administrative Officer read a brief summary of the amendment:

This amendment allows the short-term rental of the principal single-family detached dwelling or accessory dwelling unit if the principal single-family detached dwelling or accessory dwelling unit is owner-occupied.

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

The Administration supports.

Mr. Volke clarified the meaning of the amendment.

Ms. Rodvien responded.

Ms. Fiedler confirmed the amendment does not address the residences that do not have an ADU.

Mr. Baron and Ms. Rodvien responded.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 7 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 8

The Administrative Officer read a brief summary of the amendment:

This amendment prohibits a variance for an accessory dwelling unit that reduces the minimum set back requirements to an adjacent lot located in a residential district.

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

Ms. Hummer asked about HOA setback requirements.

Ms. Kenney responded.

Ms. Pickard spoke on the need for variances.

The Administration does not support.

Ms. Leadbetter expressed her thoughts on the amendment.

Ms. Fiedler explained her reasoning behind the amendment.

Ms. Rodvien asked for a description of the variance process and what the criteria for it is.

Ms. Miller answered.

On motion of Ms. Fiedler, seconded by Mr. Volke, Amendment No. 8 was adopted by the following roll call vote:

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

Nay – Ms. Rodvien, Ms. Picard, Ms. Hummer

Amendment No. 9

Ms. Fiedler withdrew Amendment No. 9.

Amendment No. 10

The Administrative Officer read a brief summary of the amendment:

This amendment allows the short-term residential rental of the principal single-family detached dwelling or accessory dwelling unit if either is owner-occupied; and prohibits the use of an accessory dwelling unit for short-term residential rentals for more than two weeks each calendar year if it is separated from the principal single-family detached dwelling unit by an attached garage or a breezeway or is in a structure detached from the principal single-family dwelling unit.

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

Ms. Pickard spoke on keeping housing affordable.

Mr. Volke clarified the meaning of the amendment and expressed his concern.

Ms. Kenney responded.

There was continued discussion of Amendment No. 10.

On motion of Ms. Fiedler, seconded by Ms. Leadbetter, Amendment No. 10 was defeated by the following roll call vote:

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

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

Amendment No. 11

The Administrative Officer read a brief summary of the amendment:

This amendment corrects references to preceding requirements.

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

The Administration supports.

On motion of Ms. Pickard, seconded by Mr. Volke, Amendment No. 11 was adopted by the following roll call vote:

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

Nay – None

The Chair stated that Bill No. 6-23, as amended, will be heard on March 20, 2023.

BILL NO. 7-23

The Chair called for Bill No. 7-23, An Ordinance concerning: Personnel – Positions in the Classified Service – Position Control – For the purpose of decreasing and increasing certain positions in the Office of Law, Police Department, Department of Detention Facilities, and Office of Finance in the classified service approved as part of the annual budget and appropriation ordinance; and generally relating to personnel; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Jacqueline Rickers-Atkinson, Personnel Department, Sarah Heffernan, Personnel Department, Steven Theroux, Budget Office, Major Ross Passman, Police Department, Pat Moore, Detention, Billie Penley, Finance, Lori Blair Klasmeier, Office of Law, and Greg Swain, Office of Law.

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

Mr. Smith asked for the position changes.

Ms. Dier responded.

The Chair called for the public hearing on Bill No. 7-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 7-23.

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

The Chair called Bill No. 7-23, An Ordinance concerning: Personnel – Positions in the Classified Service – Position Control; and the Administrative Officer read a portion of the title.

Bill No. 7-23 was passed by the following roll call:

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

Nay – None

BILL NO. 8-23

The Chair called for Bill No. 8-23, An Ordinance concerning: Personnel – Positions in the Classified Service – For the purpose of amending the pay grade for a position in the Public Safety and Criminal Justice class; adding new positions in the Recreation and Parks class; amending the pay schedule for Park Ranger employees; decreasing and increasing certain positions in the Department of Recreation and Parks approved as part of the annual budget and appropriation ordinance; and generally relating to personnel; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Jacqueline Rickers-Atkinson, Personnel Department, Sarah Heffernan, Personnel Department, Steven Theroux, Budget Office, Major Ross Passman, Police Department, and Lori Blair Klasmeier, Office of Law.

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

Mr. Smith asked if the positions were being hired for.

Ms. Dier responded.

Mr. Volke asked a question about the Police Chief Coordinator position.

Major Passman answered.

The Chair called for the public hearing on Bill No. 8-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 8-23.

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

The Chair called Bill No. 8-23, An Ordinance concerning: Personnel – Positions in the Classified Service; and the Administrative Officer read a portion of the title.

Bill No. 8-23 was passed by the following roll call:

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

BILL NO. 9-23

The Chair called for Bill No. 9-23, An Ordinance concerning: Subdivision and Development – Adequate Public Facilities – Public Schools – For the purpose of extending the termination date established by Bill No. 85-21 for certain provisions related to adequate public facilities and public schools; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Lori Blair Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 9-23.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 9-23, which was shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 9-23:

Kurt Svendsen, Arnold

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

Ms. Pickard explained the reason for the bill.

Ms. Fiedler asked a question regarding the work group.

Mr. Baron responded.

The Chair called Bill No. 9-23, An Ordinance concerning: Subdivision and Development – Adequate Public Facilities – Public Schools; and the Administrative Officer read a portion of the title.

Bill No. 9-23 was passed by the following roll call:

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

Nay – None

BILL NO. 10-23

The Chair called for Bill No. 10-23, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects – For the purpose of defining “water quality improvement project”; exempting certain water quality improvement projects from the prohibition against development in natural feature areas; and generally relating to floodplain management, erosion and sediment control, and stormwater management, and subdivision and development; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Erik Michelsen, Department of Public Works, Environment, Lynn Miller, Office of Planning and Zoning, Raghu Badami, Inspections and Permits, and Kelly Kenney, Office of Law.

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

The Chair called for the public hearing on Bill No. 10-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 10-23.

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

The Chair called Bill No. 10-23, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects; 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 makes a certain stylistic change to the definition of “water quality improvement project”.

Mr. Baron explained the purpose of the amendment.

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

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

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment exempts certain water quality improvement projects from the site development plan process.

Mr. Baron and Mr. Michelsen explained the purpose of the amendment.

Mr. Smith expressed his desire to expedite the process.

Mr. Volke asked why this was added to the Code.

Ms. Kenney responded.

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

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

The Chair stated that Bill No. 10-23, as amended, will be heard on March 20, 2023.

BILL NO. 11-23

The Chair called for Bill No. 11-23, An Ordinance concerning: Zoning – Mixed Use Districts – Uses Under the Optional Method of Development – For the purpose of transferring certain permitted uses allowed under the optional method of development in mixed use districts from the retail and service or other categories to the office or industrial categories; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Ms. Hummer, Co-Sponsor, explained the background and purpose of the bill.

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

The Administration states its support.

Mr. Smith asked to be added as a sponsor to the bill. He spoke on a meeting he attended regarding mixed use.

Ms. Fiedler asked to be added as a sponsor to the bill.

The Chair called for the public hearing on Bill No. 11-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 11-23.

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

The Chair called Bill No. 11-23, An Ordinance concerning: Zoning – Mixed Use Districts – Uses Under the Optional Method of Development; and the Administrative Officer read a portion of the title.

Bill No. 11-23 was passed by the following roll call:

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

Nay – None

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Pickard, the meeting adjourned at 9:37 P.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby
Administrative Officer

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 6

Bill No. 20-23

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

By the County Council, March 20, 2023

Introduced and first read on March 20, 2023
Public Hearing set for April 17, 2023
Bill Expires June 23, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Pedestrian and Bicycle Master Plan – Walk & Roll Anne
2 Arundel! – Adoption

3
4 FOR the purpose of repealing the 2003 Pedestrian and Bicycle Master Plan and the 2013
5 update to that Plan; adopting the County’s 2023 Pedestrian and Bicycle Master Plan,
6 entitled “Walk & Roll Anne Arundel!”; and generally relating to the pedestrian and
7 bicycle master plan.

8
9 WHEREAS, the County Council finds that, improvement and advancement of the
10 transportation network and conditions for pedestrians and bicyclists in the County
11 is in the public interest; and

12
13 WHEREAS, the County Council further finds that that the County should prioritize
14 a safe and comfortable walking and rolling network between essential destinations
15 in the County and ensure that all residents have access to an active transportation
16 infrastructure; and

17
18 WHEREAS, the County Council further finds the 2023 Pedestrian and Bicycle
19 Master Plan is an official policy document that is intended to guide the future
20 development of land and the location of public services and facilities in Anne
21 Arundel County; and

22
23 WHEREAS, the County Council further finds that the 2023 Pedestrian and Bicycle
24 Master Plan sets forth a plan and policy for the improvement and advancement of
25 transportation conditions for pedestrians and bicyclists in the County; and

1 WHEREAS, the County Council further finds that the 2023 Pedestrian and Bicycle
2 Master Plan prioritizes a safe and comfortable walking and rolling network between
3 essential destinations in the County and ensures that all residents have access to an
4 active transportation infrastructure; now, therefore

5
6 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
7 That the County's 2003 Pedestrian and Bicycle Master Plan, and the 2013 update thereto,
8 are hereby repealed.

9
10 SECTION 2. *And be it further enacted,* That the County's 2023 Pedestrian and Bicycle
11 Master Plan, entitled "Walk & Roll Anne Arundel!", incorporated herein by reference as
12 if fully set forth, is hereby adopted.

13
14 SECTION 3. *And be it further enacted,* That a certified copy of the County's 2023
15 Pedestrian and Bicycle Master Plan, entitled "Walk & Roll Anne Arundel!", prepared by
16 the Office of Transportation, shall be permanently kept on file in the Office of the County
17 Council, and a certified copy of same shall be permanently kept on file in the Office of
18 Planning and Zoning.

19
20 SECTION 4. *And be it further enacted,* That this Ordinance shall take effect 45 days
21 from the date it becomes law.

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

BILL NUMBER: 20-23

INTRO DATE: March 20, 2023

FISCAL NOTE

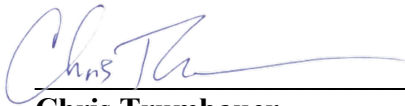
**BILL: AN ORDINANCE CONCERNING: PEDESTRIAN AND BICYCLE
MASTER PLAN – WALK & ROLL ANNE ARUNDEL!**

SUMMARY OF LEGISLATION

The purpose of this legislation is to repeal the 2003 Pedestrian and Bicycle Master Plan and the 2013 update to the Plan and adopt the County's 2023 Pedestrian and Bicycle Master Plan, entitled "Walk & Roll Anne Arundel!"

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the 2023 Pedestrian and Bicycle Master Plan. However, implementation of the Plan is anticipated to have a fiscal impact. Proposed projects associated with the Plan would be considered as part of future Capital Budget and Program deliberations.



Chris Trumbauer
Budget Officer

3/16/2023

Date

Prepared by: Darlene Flynn

cc: Billie Penley, Acting Controller



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

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

Via: Gregory J. Swain, County Attorney /s/

Date: March 20, 2023

Subject: Bill No. 20-23 – Pedestrian and Bicycle Master Plan – Walk & Roll Anne Arundel!

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. 20-23.

Background

“Plan2040”, the County’s General Development Plan, as adopted by this Council on May 3, 2021, recognized several Functional Master Plans to be presented to the Council for approval, including the Pedestrian and Bicycle Master Plan.

Purpose

The purpose of Bill No. 20-23 is to repeal the 2003 Pedestrian and Bicycle Master Plan and the 2013 update, and to adopt the County’s 2023 Pedestrian and Bicycle Master Plan, entitled “Walk & Roll Anne Arundel!” (the “Plan”).

The “whereas” clauses of the Ordinance set forth the background, and explain that the Plan is an official policy document that is intended to improve and advance the transportation network and conditions for pedestrians and bicyclists in the County, prioritize a safe and comfortable walking and rolling network between essential destinations in the County, and ensure that all residents have access to an active transportation infrastructure.

Bill No. 20-23

SECTION 1.

This section repeals the County’s 2003 Pedestrian and Bicycle Master Plan and the 2013 update.

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

SECTION 2.

This section adopts the Plan.

SECTION 3.

This section requires that certified copies of the Plan be permanently kept on file in the Office of the County Council and in the Office of Planning and Zoning.

SECTION 4.

This section 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
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Janssen Evelyn, Deputy Chief Administrative Officer
Jenny Jarkowski, Planning and Zoning Officer
Samuel Snead, Director, Office of Transportation
Brian Ulrich, Office of Transportation
Tanya Asman, Office of Transportation

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 6

Bill No. 21-23

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

By the County Council, March 20, 2023

Introduced and first read on March 20, 2023
Public Hearing set for April 17, 2023
Bill Expires June 23, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Requirements for Conditional Uses – Housing
2 for the Elderly of Moderate Means
3

4 FOR the purpose of requiring a covenant enforceable by the County for housing for the
5 elderly of moderate means; adding certain government-funded developments with at
6 least one resident that is 62 years of age or older as a type of “housing for the elderly
7 of moderate means”; and generally relating to zoning.
8

9 BY repealing: § 18-10-137(9)
10 Anne Arundel County Code (2005, as amended)
11

12 BY repealing and reenacting, with amendments: § 18-10-137(1)
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 § 18-10-137(9) of the Anne Arundel County Code (2005, as amended) is hereby
17 repealed.
18

19 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
20 Code (2005, as amended) read as follows:
21

ARTICLE 18. ZONING

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

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 **18-10-137. Housing for the elderly of moderate means.**

2
3 Housing for the elderly of moderate means shall consist of rental dwelling units only
4 and shall comply with all of the following requirements.

5
6 (1) The property shall be encumbered by a recorded [[deed restriction]] COVENANT
7 ENFORCEABLE BY THE COUNTY OR ITS DESIGNEE, that:

8
9 (i) requires the units to be occupied by:

10
11 1. individuals who are 62 years of age or older, except that a live-in caregiver
12 who is less than 62 years of age is allowed for a resident with a disability that meets the
13 definition of a disability under 42 U.S.C. § 12102; OR

14
15 2. FOR A DEVELOPMENT FUNDED IN WHOLE OR IN PART WITH
16 GOVERNMENT FUNDS CONTINGENT ON ADHERENCE TO THE DEFINITION OF “ELDERLY
17 FAMILY” IN 24 C.F.R. 5.403, A FAMILY WHOSE HEAD (INCLUDING CO-HEAD), SPOUSE, OR
18 SOLE MEMBER IS A PERSON WHO IS AT LEAST 62 YEARS OF AGE OR OLDER;

19
20 (ii) requires that at least 60% of the units be occupied by individuals with an
21 income that does not exceed 60% of the median income adjusted for household size for the
22 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
23 United States Department of Housing and Urban Development; and

24
25 (iii) requires that the remaining units be occupied by individuals with an
26 income that does not exceed 80% of the median income adjusted for household size for the
27 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
28 United States Department of Housing and Urban Development.

29
30 ***

31
32 [[(9) The deed restrictions contained in this section shall be enforceable by the
33 County or its designee.]]

34
35 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
36 from the date it becomes law.

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

BILL NUMBER: 21-23

INTRO. DATE: March 20, 2023

FISCAL NOTE

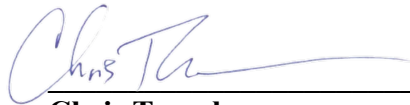
**BILL: AN ORDINANCE CONCERNING: ZONING – REQUIREMENTS FOR
CONDITIONAL USES – HOUSING FOR THE ELDERLY OF MODERATE
MEANS.**

SUMMARY OF LEGISLATION

The purpose of this legislation is to require a covenant enforceable by the County for housing for the elderly of moderate means; adding certain government-funded developments with at least one resident that is 62 years of age or older as a type of “housing for the elderly of moderate means”; and generally relating to zoning.

FISCAL IMPACT

There is no anticipated fiscal impact to the County. However, this legislation will align the County with federal guidelines and ensure the County is eligible for appropriate federal funding opportunities.



**Chris Trumbauer
Budget Officer**

3/16/2023

Date

Prepared by: Samantha Chiriaco, Budget Analyst

cc: Billie Penley, Acting Controller



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

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

Via: Gregory J. Swain, County Attorney /s/

Date: March 20, 2023

Subject: Bill No. 21-23 – Zoning – Requirements for Conditional Uses – Housing for the Elderly of Moderate Means

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. 21-23.

Background

“Housing for the elderly of moderate means” is a conditional use, with the conditions set forth in § 18-10-137.¹ In addition to requiring that the occupants meet certain low and moderate income restrictions, the County Code requires that the property be encumbered by a deed restriction that requires that the rental units be occupied by individuals who are 62 years of age or older. § 18-10-137(1)(i). This provision on its face requires that *all* residents be 62 years of age or older.

It has recently been brought to the County’s attention that many of these projects receive federal or State funding that requires only *one* resident be 62 years of age or older. Some of these funding provisions refer to 24 C.F.R. 5.403, under which the Housing and Urban Development (“HUD”) defines “elderly family” as “a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.”

¹ Housing for elderly of moderate means is allowed as a conditional use in the R2, R5, R10, R15, and R22 Zones. See § 18-4-106.

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

Purpose

The purpose of Bill No. 21-23 is to revise the conditions of § 18-10-137 to allow projects that receive government funding to restrict the age of the residents in line with the criteria in federal law discussed above.²

Bill No. 21-23

SECTION 1.

This section repeals § 18-10-137(9), which currently provides, “The deed restrictions contained in this section shall be enforceable by the County or its designee.” This enforcement language is moved into paragraph (1).

SECTION 2.

Subsection 18-10-137(1) is revised to change the requirement for a “deed restriction” to a “covenant”. The language from existing paragraph (9) that provides for the enforcement by the County or its designee is moved into paragraph (1) for clarity.

Subparagraph (1)(i)1. is existing language broke out into a separate item number that requires all individuals to be 62 years of age or older Subparagraph 2. is new and provides that, for a development funded in whole or in part with government funds contingent on adherence to the definition of “elderly family” in 24 C.F.R. 5.403 (as set forth above), the units may be occupied by a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age or older.

² In Bill No. 97-19, the conditions in § 18-10-137 were changed from requiring one resident to be 62 years of age or older to requiring all residents meet the age restriction. The language was modified to conform to the Fair Housing Act (“FHA”). The FHA prohibits discrimination against families with minor children, but it creates a “safe harbor” provision for housing that qualifies as “housing for older persons”. In other words, the owner of a property that meets the definition of “housing for older persons” is generally not subject to a discrimination claim under the FHA if families are not allowed.

“Housing for older persons” means housing--

- (A) provided under any State or Federal program that the Secretary determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or
- (B) intended for, and solely occupied by, persons 62 years of age or older; or
- (C) intended and operated for occupancy by persons 55 years of age or older, and--
 - (i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;...

42 U.S.C.A. § 3607.

The current condition in § 18-10-137 comports with paragraph (B). The C.F.R. provision that is the basis of the change in the current Bill is a funding-eligibly requirement, not a FHA requirement. It is our understanding that when an elderly family is not eligible to live in a community that falls under the new category in this Bill, it would be due to failure to meet the funding criteria and not a basis for familial status discrimination under the FHA.

SECTION 3.

This section 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
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Janssen Evelyn, Deputy Chief Administrative Officer
Jenny Jarkowski, Planning and Zoning Officer
Erin Shearman Karpewicz, Arundel Community Development Services

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 6

Resolution No. 5-23

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

By the County Council, March 20, 2023

1 RESOLUTION approving the determination of certain improved County-owned
2 property, known as 100 Summit Avenue in Glen Burnie, Maryland, as surplus property

3
4 WHEREAS, § 8-3-202 of the County Code authorizes the County Executive to
5 dispose of real property owned by the County when the County Executive, with the
6 approval of the County Council by resolution, has determined that the real property
7 is surplus property; and

8
9 WHEREAS, in accordance with § 8-3-202(a) of the County Code, the County
10 Executive inquired whether any office, department, or agency of the County has a
11 present need, or reasonably anticipates a future need, for the property, and no such
12 present or future need has been identified; and

13
14 WHEREAS, the County Executive has determined that the property known and
15 designated as 100 Summit Avenue in Glen Burnie, Maryland, located in the Third
16 Councilmanic District, and more particularly described in Exhibit A, attached
17 hereto (the "Property"), is surplus property and wishes to dispose of it in accordance
18 with Article 8, Title 3, Subtitle 2 of the County Code; and

19
20 WHEREAS, in accordance with § 8-3-202(b) of the County Code, prior to the
21 introduction of this Resolution, notice was mailed to each adjacent property owner
22 and to the community association representing the area in which the Property is
23 located; and

24
25 WHEREAS, the County Council, after a public hearing on this Resolution, finds
26 that the public interest will be furthered by declaring the Property to be surplus
27 property; now, therefore, be it

28
29 *Resolved by the County Council of Anne Arundel County, Maryland, That in*
30 *accordance with § 8-3-202 of the County Code, it hereby approves the County Executive's*
31 *determination that the Property described in Exhibit A, attached hereto, and located in the*
32 *Third Councilmanic District, is surplus property; and be it further*

33
34 *Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman.*

EXHIBIT A

All those lots or parcels of ground situate, lying and being in the Third Assessment District of Anne Arundel County, State of Maryland, and described as follows:

PARCEL NO. 1

Lots 1, 2, and 3 of Block O, Marley Park Beach, as shown on the Plat of Marley Park Beach, and recorded, on October 19, 1922, among the land records of Anne Arundel County in Plat 13, Plat Book 2, at Page 19.

PARCEL NO. 2

BEGINNING for the same at a point on the Northwestern most side of Highland Road, Marley Park Beach, which marks the Southeasternmost corner of Lot 3, Block O, Marley Park Beach, as shown on the Plat of Marley Park Beach as recorded in the Plat Records of Anne Arundel County, Maryland, in Plat Book 2, Page 19; thence from the point of beginning so fixed and binding on the aforesaid side of Highland Road, South 48 degrees 18 minutes West, 184.49 feet to a point of curve; thence with a curve to the right having a radius of ten (10) feet an arc distance of 27.63 feet to the point of tangent on the Southeasternmost side of Summit Avenue; thence with said side of Summit Avenue, North 19 degrees 35 minutes East, 202.25 feet to a point which marks the Northeasternmost corner of Lot 3, Block O, Marley Park Beach; thence leaving the aforementioned side of Summit Avenue, North 70 degrees 25 minutes West, 5.0 feet; thence with a line parallel to and five (5) feet Northwesterly from the Southeasternmost side of Summit Avenue as shown on the Plat of Marley Park Beach, South 19 degrees 35 minutes West, 202.25 feet to a point of curve; thence with a curve to the left having a radius of fifteen (15) feet an arc distance of 41.44 feet to the point of tangent; thence with a line parallel to and five (5) feet Southeasterly from the Northwesternmost side of Highland Road, as shown on the Plat of Marley Park Beach, North 48 degrees 18 minutes East, 184.49 feet; thence leaving said line North 41 degrees 42 minutes West, 5.0 feet to the point of beginning; as more fully shown on a plat entitled "Proposed 5' Strip to be Deeded to Marley Park Fire Department, and recorded, on October 30, 1957, among the land records of Anne Arundel County, Maryland, in Deed Book 1162, at Page 315.

AND BEING all of those parcels of land conveyed by Articles of Sale and Transfer dated March 24, 1987 from The Marley Volunteer Fire Company, Inc., a Maryland corporation to Anne Arundel County, Maryland, a body corporate and politic of the State of Maryland, and recorded, on August 7, 1987, among the Land Records of Anne Arundel County, Maryland in Deed Book 4425, at page 721.

TOGETHER with the building and improvements thereupon erected, made or being and all and every rights, alleys, ways, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

SUBJECT TO any and all easements, agreements, covenants, or restrictions of record.

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

RES. NUMBER: 05-23

DATE: March 20, 2023

FISCAL NOTE

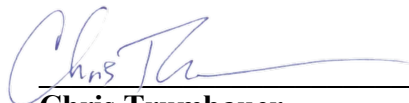
**RESOLUTION: APPROVING THE DETERMINATION OF CERTAIN IMPROVED
COUNTY-OWNED PROPERTY, KNOWN AS 100 SUMMIT
AVENUE IN GLEN BURNIE, MARYLAND, AS SURPLUS
PROPERTY**

SUMMARY OF LEGISLATION

The purpose of this resolution is to declare certain property surplus so the County can proceed with disposition in accordance with Article 8, Title 3, Subtitle 2 of the Anne Arundel County Code.

FISCAL IMPACT

There is no fiscal impact to declare a property surplus. Any future fiscal impact, if applicable, will be detailed in the ordinance disposing of the property.



Chris Trumbauer
Budget Officer

3/16/2023

Date

Prepared by: Kyle Madden, Budget Analyst

cc: Billie Penley, Acting Controller



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

From: Christine Neiderer, Senior Assistant County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: March 20, 2023

Subject: Resolution No. 5-23 – Approving the determination of certain improved County-owned property, known as 100 Summit Avenue in Glen Burnie, Maryland, as surplus property

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 Resolution No. 5-23.

Background

Section 8-3-202 of the County Code authorizes the County Executive to dispose of real property owned by the County when the County Executive, with the approval of the County Council by resolution, has determined that the real property is surplus property. In determining whether property is surplus property, the County Executive inquired whether any office, department, or agency of the County has a present need, or reasonably anticipates a future need, for the property, and no such current or future need has been identified. Prior to the introduction of this Resolution, notice was mailed to each adjacent property owner and to the community association representing the area in which the property is located.

Pursuant to a deed dated December 1, 1950, and recorded among the Land Records of Anne Arundel County in Book 602, page 542, The Marley Volunteer Fire Company, Inc. ("Fire Department") acquired property comprised of 0.34 +/- acres, and known and designated as 100 Summit Avenue in Glen Burnie, Maryland, which property is also identified as Parcel No. 1 in the metes and bounds description attached to the resolution as Exhibit A ("0.34 +/- acre parcel"). In addition, pursuant to a deed dated September 10, 1957, and recorded among the Land Records of Anne Arundel County in Liber 1162, Folio 312, the Fire Department also acquired a 5 foot wide strip of land along the southeast side of Summit Avenue and along the northwest side of Highland Road ("5 foot wide strip"). The 5 foot wide strip is described as Parcel No. 2 in Exhibit A to Resolution No. 5-23 and is depicted on the plat attached hereto as Exhibit 1 (the 0.34 +/- acre parcel and 5 foot wide strip are collectively hereinafter referred to as the "Property"). The County

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

acquired the Property from the Fire Department pursuant to Articles of Sale and Transfer dated March 24, 1987, and recorded among the Land Records in Book 4425, page 721. The Property is the site of the former Marley fire house and the existing building is currently vacant.

The County Executive has determined that the Property identified on the aerial photograph attached hereto as Exhibit 2, is surplus property and wishes to dispose of it in accordance with Article 8, Title 3, Subtitle 2 of the County Code.

Purpose

The purpose of Resolution No. 5-23 is to approve the County Executive's determination that the Property is surplus.

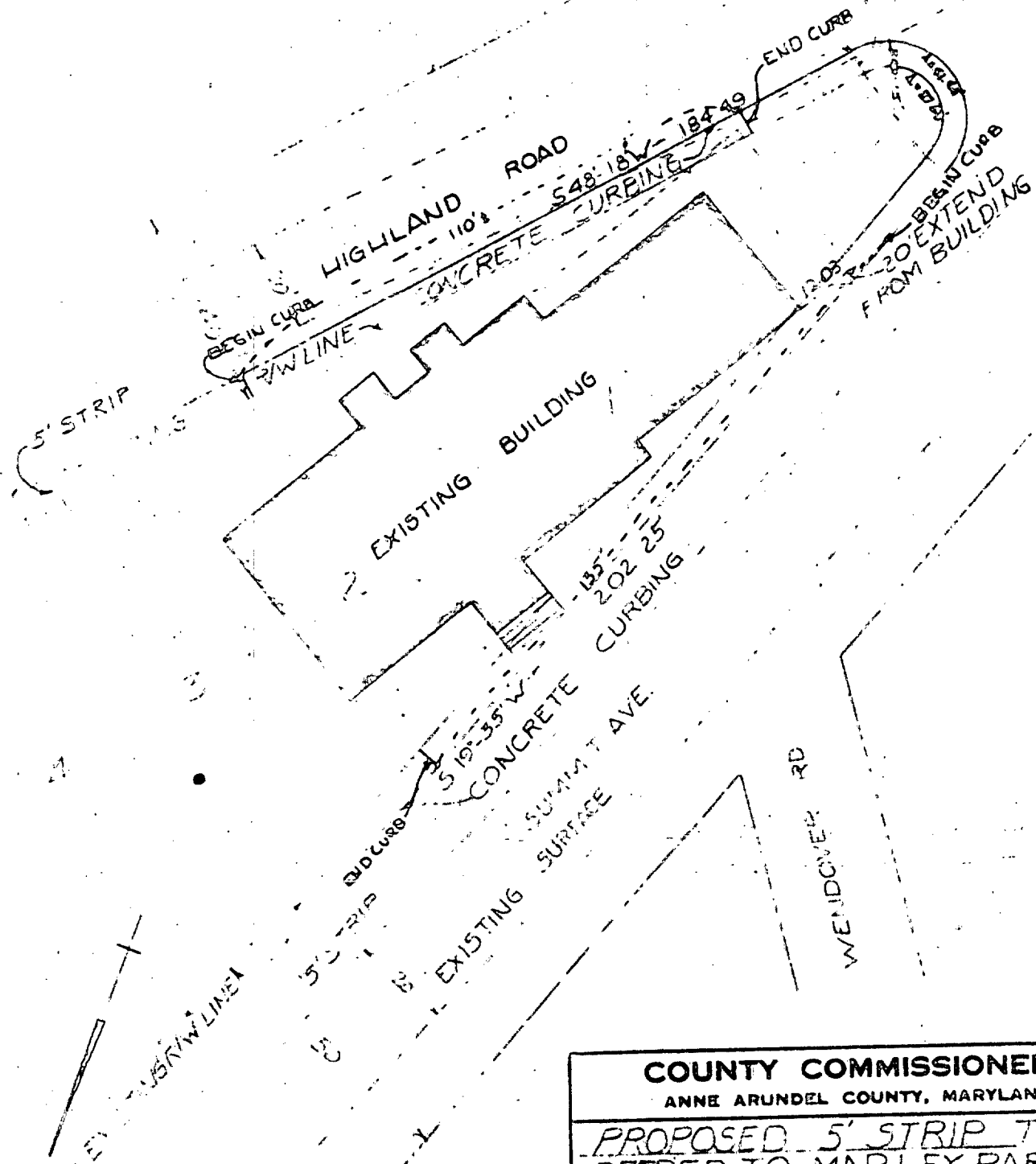
The Office of Law is available to answer any additional questions regarding this Resolution. Thank you.

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Susan Herrold, Acting Central Services Officer

NOTE APPROVED AS TO CONCRETE CURBING

LIBER 1162 PAGE 315

Roy Crostie



NOTE CONCRETE CURB TO BE INSTALLED ALONG R/W LINE FROM FRONT OF FIRE HALL TO BACK.

COUNTY COMMISSIONERS
ANNE ARUNDEL COUNTY, MARYLAND

PROPOSED 5' STRIP TO BE DEEDED TO MARLEY PARK
FIRE DEPARTMENT
DIST. 3 A A Co. Md.

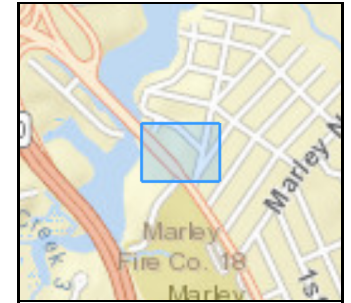
SCALE: 1" = 30'

DATE: 6/27/57

APPROVED: *T. J. Pantalos*

DIRECTOR OF PUBLIC WORKS

100 Summit Avenue, Glen Burnie



Legend

Foundation

Parcels



Parcels - Annapolis City



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 100 200
ft

Esri Community Maps Contributors,
County of Anne Arundel, VGIN, ©
OpenStreetMap, Microsoft, Esri,
HERE, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes SP-359

Resolution No. 5-23
Legislative Summary
Exhibit 2

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 6

Resolution No. 6-23

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

By the County Council, March 20, 2023

1 RESOLUTION supporting the Anne Arundel County Board of Education's revised
2 Fiscal Year 2024 Public School Construction Capital Improvement Program request for
3 submission to the Interagency Commission on School Construction
4

5 WHEREAS, § 5-302 of the Education Article of the State Code provides that the
6 Interagency Commission on School Construction shall prepare projections of
7 school construction and capital improvement needs for the purpose of allocating
8 State school construction funds to local boards of education; and
9

10 WHEREAS, the rules, regulations, and procedures of the Interagency Commission
11 on School Construction require that each local board of education annually submit
12 to the Interagency Commission on School Construction an updated capital
13 improvement program request for the following fiscal year, and for the ensuing five
14 fiscal years, which shall be accompanied by written local governmental support;
15 and
16

17 WHEREAS, by Resolution No. 47-22, the County Executive supported and the
18 County Council confirmed the County Board of Education's original Fiscal Year
19 2024 Public School Construction Capital Improvement Program Request; and
20

21 WHEREAS, on February 9, 2023, the Interagency Commission on School
22 Construction adopted the Fiscal Year 2024 90% Capital Improvement Program and
23 announced additional funding for school construction was available in Fiscal Year
24 2024; and
25

26 WHEREAS, the Interagency Commission on School Construction opened a
27 submission period through March 17, 2023, for additional Capital Improvement
28 Program funding requests for Fiscal Year 2024; and
29

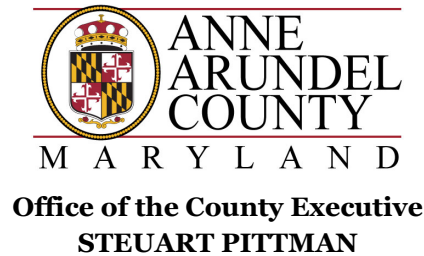
30 WHEREAS, the County Board of Education has prepared a revised Fiscal Year
31 2024 Public School Construction Capital Improvement Program request that
32 includes additional funding for school construction; and
33

34 WHEREAS, the County Executive supports the County Board of Education's
35 revised Fiscal Year 2024 Public School Construction Capital Improvement
36 Program Request for submission to the Interagency Commission on School
37 Construction, and refers this support for submission to the County Council for
38 confirmation; and

1 WHEREAS, the attached letter from the County Executive to the Executive
2 Director of the Interagency Commission on School Construction formally
3 expresses this support; now, therefore, be it
4

5 *Resolved by the County Council of Anne Arundel County, Maryland,* That it hereby
6 confirms the County Executive's support and letter of support for the revised Fiscal Year
7 2024 School Construction Capital Improvement Program Request of the Anne Arundel
8 County Board of Education for submission to the Interagency Commission on School
9 Construction, attached hereto as Exhibit A; and be it further
10

11 *Resolved,* That a copy of this Resolution be sent to County Executive Steuart Pittman,
12 and to Joanna Bache Tobin, President of the Anne Arundel County Board of Education.



March 14, 2023

Mr. Alex Donahue
Executive Director
Maryland State Department of Education
Interagency Commission on School Construction
200 W. Baltimore Street
Baltimore, MD 21201

Dear Mr. Donahue:

The revised Fiscal Year 2024 (FY24) Public School Construction Capital Improvement Program (PSC CIP) request, as submitted to the Interagency Commission on School Construction (IAC) by the Anne Arundel County Local Education Authority (AAC LEA), has been received and reviewed by County Government.

In accordance with procedures set forth by the IAC, written local government support for the PSC CIP request and any subsequent amendments to that request is required by April 13, 2023. I support the revised FY24 PSC CIP request to be submitted to the IAC by the AAC LEA earlier this month, and urge your recommendation of State funding for all FY24 requests presented therein.

The County Charter requires a budget process that provides final approval in June of 2023. It should be noted, that despite the fact that State aid amounts to approximately one-third of the total approved CIP, I am aware of no instances where the County has not supported a Board of Education project that has been approved for funding by the State.

The general guidelines outlined in section 102.1.A.1.a. and b. of the PSC CIP procedures manual are well stated. Accordingly, County support for the FY24 PSC CIP request submitted by the AAC LEA is similarly prioritized in light of the "anticipated availability of both local and State funds" and the recognition that "local capital needs for school construction projects far exceed both local and State resources."

The priority requests submitted by the AAC LEA, accounting for \$85.8 million (the entire PSC CIP revised request for FY24), have already been fully supported by prior approved (FY23 and prior) appropriation authority provided by the County to the Anne Arundel County Board of Education. In other words, County funding has already been made available to the County Board of Education to spend on these projects. These requests should take precedence over any remaining requests.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stuart Pittman".

Steuart Pittman
County Executive

The Best Place - For All

Revised Fiscal Year 2024 Public School Construction Capital Improvement Program Request (Revised FY24 PSC CIP Request)
As Submitted to the Interagency Commission on School Construction (IAC)
By the Anne Arundel County Local Education Authority (AAC LEA)

AAC LEA Priority	AAC Project Name	AAC Project #	BOE - PROJECT TITLE	TOTAL EST. COST	NON-PSCP/IAC FUNDS	TOTAL STATE FUNDS	CURRENT REQUESTS (\$ OR LP)	FY 2024	(Sept 2022)	FY 2024 Revised (Mar 2023)	AACPS CONSTRUCTION STATUS RPT (July 2022)		Anne Arundel County Government Support for FY24 PSC CIP Request
											Current Phase	Construction Start Date	
1	Old Mill MS South	E550400	Old Mill Middle South - Replacement	\$85,766,000	\$54,399,000	\$31,367,000		\$33,641,000		31,367,000	Construction	Jun-22	Prior Year Funding & FY23
2	CAT North	E578000	CAT - North Construction	\$120,833,000	\$85,647,000	\$35,186,000	LP	\$8,000,000		26,800,000	Design	Jun-22	FY23
3	Building Systems	E538200	Glen Burnie HS - Bldg Enc/Windows/Roof	\$7,100,000	\$3,720,000	\$3,380,000		\$3,380,000		3,380,000	Design & Construction	Aug-23	Prior Year Funding & FY23
4	Additions	E549200	Park ES - Classroom Addition	\$6,062,000	\$4,622,000	\$1,440,000		LP		-	Design	Jun-23	Prior Year Funding & FY23
5	Building Systems	E538200	Lindale MS - HVAC	\$33,450,000	\$17,514,000	\$15,936,000		\$4,740,000		4,740,000	Design	Jun-23	Prior Year Funding & FY23
6	Building Systems	E538200	Glen Burnie HS - Bldg F Boilers	\$5,414,000	\$2,797,000	\$2,617,000		\$1,925,000		2,617,000			Prior Year Funding & FY23
7	Building Systems	E538200	Arundel MS - Ceiling & Lights	\$2,231,000	\$1,185,000	\$1,046,000		\$1,431,000		1,046,000			Prior Year Funding & FY23
8	Building Systems	E538200	Van Bokkelen ES - Windows	\$629,000	\$333,000	\$296,000		\$405,000		296,000			Prior Year Funding & FY23
9	Building Systems	E538200	Jacobsville ES - Roof	\$2,500,000	\$1,288,000	\$1,212,000		\$1,212,000		1,212,000			Prior Year Funding & FY23
10	Building Systems	E538200	Four Seasons ES - Roof	\$2,700,000	\$1,388,000	\$1,312,000		\$1,312,000		1,312,000			Prior Year Funding & FY23
11	Building Systems	E538200	Annapolis MS - Roof	\$6,826,000	\$3,558,000	\$3,268,000		\$3,635,000		3,268,000			Prior Year Funding & FY23
12	Building Systems	E538200	North Glen ES - Roof	\$1,800,000	\$943,000	\$857,000		\$857,000		857,000			Prior Year Funding & FY23
13	Building Systems	E538200	Northeast MS - HVAC Gymnasium	\$1,500,000	\$780,000	\$720,000		\$720,000		720,000			Prior Year Funding & FY23
14	Building Systems	E538200	Chesapeake Complex - WWTP	\$3,500,000	\$1,833,000	\$1,667,000		\$1,667,000		1,667,000			Prior Year Funding & FY23
15	Building Systems	E538200	Glen Burnie HS - Bldg A FA	\$700,000	\$362,000	\$338,000		\$338,000		338,000			Prior Year Funding & FY23
16	Building Systems	E538200	Oak Hill ES - MDC/MCC	\$600,000	\$313,000	\$287,000		\$287,000		287,000			Prior Year Funding & FY23
17	Building Systems	E538200	Central ES - MDC/MCC	\$600,000	\$313,000	\$287,000		\$287,000		287,000			Prior Year Funding & FY23
18	Building Systems	E538200	Crofton MS - PA	\$540,000	\$283,000	\$257,000		\$257,000		257,000			Prior Year Funding & FY23
19	Building Systems	E538200	Jones ES - PA/FA	\$800,000	\$419,000	\$381,000		\$381,000		381,000			Prior Year Funding & FY23
20	Building Systems	E538200	Park ES - PA	\$400,000	\$205,000	\$195,000		\$195,000		195,000			Prior Year Funding & FY23
21	Building Systems	E538200	Cape St. Claire ES - PA	\$400,000	\$205,000	\$195,000		\$195,000		195,000			Prior Year Funding & FY23
22	Building Systems	E538200	Northeast MS - Exterior Doors	\$300,000	\$158,000	\$142,000		\$142,000		142,000			Prior Year Funding & FY23
23	Building Systems	E538200	Riviera Beach ES - Exterior Doors	\$125,000	\$66,000	\$59,000		\$59,000		59,000			Prior Year Funding & FY23
24	Building Systems	E538200	Hilltop ES - Ceiling & Lights	\$750,000	\$393,000	\$357,000		\$357,000		357,000			Prior Year Funding & FY23
28	Maintenance Backlog	E538200	Brooklyn Park MS - PA	\$750,000	\$393,000	\$357,000				357,000			Prior Year Funding & FY23
29	Maintenance Backlog	E538200	Glendale ES - Elevator Modification	\$300,000	\$154,000	\$146,000				146,000			Prior Year Funding & FY24
30	Maintenance Backlog	E538200	Four Seasons ES - Elevator	\$300,000	\$154,000	\$146,000				146,000			Prior Year Funding & FY25
31	Maintenance Backlog	E538200	Glen Burnie Park ES - Exterior Doors	\$200,000	\$104,000	\$96,000				96,000			Prior Year Funding & FY26
32	Maintenance Backlog	E538200	Oak Hill ES - Exterior Doors	\$230,000	\$120,000	\$110,000				110,000			Prior Year Funding & FY27
33	Maintenance Backlog	E538200	Sunset ES- Exterior Doors	\$230,000	\$120,000	\$110,000				110,000			Prior Year Funding & FY28
34	Maintenance Backlog	E538200	Brooklyn Park ES - Ceiling & Lights	\$750,000	\$393,000	\$357,000				357,000			Prior Year Funding & FY29
35	Health & Safety	E538000	Health & Safety FY24	\$360,000	\$188,000	\$172,000				172,000			Prior Year Funding & FY30
36	Maintenance Backlog	E538200	Arundel HS - Windows	\$2,500,000	\$1,300,000	\$1,200,000				1,200,000			Prior Year Funding & FY31
37	Roof Replacement	E538400	Roof Replacement '24	\$2,750,000	\$1,413,000	\$1,337,000		\$1,337,000		1,337,000			Prior Year Funding & FY23
				\$293,896,000	\$187,063,000	\$106,833,000	\$0	\$66,760,000		\$85,811,000			

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

RES. NUMBER: 6-23

INTRO. DATE: Mar 15, 2023

FISCAL NOTE

**RESOLUTION: SUPPORTING THE ANNE ARUNDEL COUNTY BOARD OF
EDUCATION'S FISCAL YEAR 2024 PUBLIC SCHOOL CONSTRUCTION
CAPITAL IMPROVEMENT PROGRAM REQUEST FOR SUBMISSION
TO THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION**

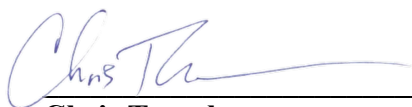
SUMMARY OF LEGISLATION

In February the Interagency Commission (IAC) on School Construction adopted the Fiscal Year 2024 90% Capital Improvement Program (CIP) and announced additional funding for school construction was available in Fiscal Year 2024. As a result the IAC opened a submission period through March 17, 2023 to solicit additional CIP funding requests.

The purpose of this legislation is to confirm the County Executive's support for the revised fiscal 2024 CIP request submitted by the Anne Arundel County Board of Education (BOE) to the IAC for funding under the State's Public School Construction Program. Procedures set forth by the IAC require a written letter of support from the "local government." In accordance with Section 1014 of the County Charter, such a requirement must be acted upon by the County Executive and then referred to the County Council for confirmation.

FISCAL IMPACT

There is no estimated fiscal impact associated with this legislation at this time, however this Resolution will enable the County to be eligible for additional State funding to be included in the Capital Budget and Program. The County's fiscal 2024 Capital Budget and Program, including the BOE's request for County funding and overall appropriation authority, will be reviewed and acted on by the County Council during the fiscal 2024 budget process in May and June of 2023. The fiscal impact will be determined at that time and will be described in the fiscal 2024 budget documents.



**Chris Trumbauer
Budget Officer**

3/16/2023

Date

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 6

Resolution No. 7-23

Introduced by Ms. Leadbetter, Mr. Smith, and Ms. Fiedler

By the County Council, March 20, 2023

1 RESOLUTION urging the Maryland General Assembly to oppose House Bill 119 and
2 any amendments to conform Senate Bill 199 to State House Bill 119

3
4 WHEREAS, the authority to establish curriculum and assessments is the domain of
5 the State Board of Education and the local boards of education; and

6
7 WHEREAS, the relationship between the State Board and local boards allows for
8 collaboration between the State, local boards, and stakeholders to ensure that all
9 students, schools, and school systems are held accountable; and

10
11 WHEREAS, the State Board has established standards and graduation requirements
12 and local boards implement locally developed curriculum to ensure that standards
13 are met and students are prepared to meet graduation requirements; and

14
15 WHEREAS, House Bill 119, as amended, mandates that local school systems
16 follow every element of the policy and guidelines for program instruction
17 established by the State Board; and

18
19 WHEREAS, House Bill 119, as amended, requires that in establishing curriculum
20 guides and courses of study each local board follows the policy and guidelines for
21 the program of instruction for public schools established by the State Board; and

22
23 WHEREAS, if the State Superintendent determines that a local board is not
24 following every detail of the State standards, HB 119, as amended, establishes a
25 process for the State Superintendent to withhold millions of dollars in State
26 education funding; and

27
28 WHEREAS, Anne Arundel County Public Schools is also opposed to House Bill
29 119, as amended, and the elimination of local decision-making authority in
30 developing curriculum, assessments, and instructional programs in collaboration
31 with the State Board; now, therefore, be it

32
33 *Resolved by the County Council of Anne Arundel County, Maryland, That it hereby*
34 *opposes House Bill 119, as amended, and any amendments to conform Senate Bill 199 to*
35 *State House Bill 119; and be it further*

36
37 *Resolved, That the County Council supports Anne Arundel County Public Schools'*
38 *opposition to House Bill 119, as amended; and be it further*

1 *Resolved*, That a copy of this Resolution be sent to Senator Brian J. Feldman, Chair of
2 the Education, Energy, and the Senate Environment Committee; Delegate Vanessa E.
3 Atterbeary, Chair of the House Ways and Means Committee; Senator Bill Ferguson,
4 President of the Senate; and Delegate Adrienne A. Jones, Speaker of the House of
5 Delegates.



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: March 15, 2023
Subject: Auditor's Review of Legislation for the March 20, 2023 Council Meeting

**Bill 6-23:
Subdivision and
Development – Zoning –
Accessory Dwelling Units
(As Amended)**

Summary of Legislation

This bill exempts accessory dwelling units from impact fees; amends the definitions of density and dwelling unit, accessory; repeals certain parking requirements for accessory dwelling units; amends the conditional use requirements for accessory dwelling units; and allows accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements.

We commented on this bill in our letters dated February 16, 2023 and March 1, 2023. At the March 6, 2023 Council meeting, this bill was amended to exempt accessory dwelling units from capital facility connection charges and to limit the exemption from impact fees for accessory dwelling units to only accessory dwelling units that are not part of the new construction of a principal single-family detached dwelling. This bill was also amended to allow the short-term residential rental of the principal single-family detached dwelling or accessory dwelling unit if the principal single-family detached dwelling or accessory dwelling unit is owner-occupied and to prohibit a variance for an accessory dwelling unit that reduces the minimum set back requirements to an adjacent lot located in a residential district. There was also one technical amendment to correct a reference. We have no further comments on this bill.

**Bill 10-23:
Floodplain Management,
Erosion and Sediment
Control, and Stormwater
Management –
Subdivision and
Development – Water
Quality Improvement
Projects (As Amended)**

Summary of Legislation

This bill defines water quality improvement project and exempts certain water quality improvement projects from the prohibition against development in natural feature areas.

We commented on this bill in our letter dated March 1, 2023. At the March 6, 2023 Council meeting, this bill was amended to make a stylistic change to the definition of water quality improvement project and exempt certain water quality improvement projects from the site development plan process. We have no further comments on this bill.

**Bill 12-23:
Conveyance of Surplus
Property – Improved
County-Owned Property –
Part of the Dorsey Run
Road Right-of-Way in
Annapolis Junction**

Summary of Legislation

This bill approves 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, to Microsoft Corporation.

The aforementioned property had two independent appraisals performed to determine the fair market value of the property, as required by County Code. The property appraised for \$1,900,925 as of November 30, 2022 and \$2,547,900 as of December 15, 2022, for an average of \$2,224,412.50.

The Office of Central Services advertised a Notice of Invitation to Bid in The Capital newspaper for three consecutive weeks. The advertisement ran starting January 7, 2023 indicating a minimum acceptable price of \$2,224,412.50. Only one bid was received by the County on January 20, 2023 from Microsoft Corporation for \$2,224,412.50.

Review of Fiscal Impact

We agree with the information presented in the Administration's fiscal note that the County will receive a total of \$2,224,412.50 in exchange for this property.

**Bill 13-23:
Licenses and Registrations
– Special Events –
Permitting**

Summary of Legislation

This bill establishes a uniform permitting process for special events, defines certain terms, requires certain persons to obtain a permit to hold special events, requires the permit application to contain certain information, establishes the basis for granting or denying the permit application, establishes fees and fee waivers for special event permit applications, requires reimbursement of costs incurred by the County and allows for the waiver of such reimbursement, requires certain inspections to be performed, and allows for the termination of permits in certain circumstances.

We agree with the Administration's fiscal note that the impact of this bill will depend on the number of permits applied for special events and the related special services charged for those events. The revenue estimate contained in the fiscal note of \$100,000 to \$150,000 is based on the costs incurred by the Fire Department (Fire) and the Police Department (Police) in fiscal year 2022 (FY22) for special events. These costs totaled \$117,433 but were not reimbursable at that time and would become the responsibility of the applicant based on the requirements of this bill. There were also 64 events that required parade permits during FY22 which would result in application fees of \$3,200 to \$6,400 if the same number of parades were to occur with the proposed application fees, dependent upon if the \$50 or \$100 application fee is charged.

The Department of Inspections and Permits does anticipate a change in workload due to the requirements of this bill and they anticipate needing one additional Licensing Inspector. The annual salary of a Licensing Inspector ranges from approximately \$44,000 to \$67,300. Fire does not anticipate a change in workload due to this bill. They will continue to staff a special event by either taking their 24/7 in-service resources out-of-service making them unavailable to the community and reassigning that unit to the special event or by staffing reserve units at the special event and paying their employees overtime which allows the 24/7 units to remain available in the community. Police does not anticipate a change in workload due to this bill as these events are already staffed by on-duty officers, overtime officers, or secondary employment officers. The Health Department, Board of License Commissioners, Department of Recreation and Parks, Department of Public Works, and Office of Emergency Management anticipates minimal impact to workload due to this bill and do not anticipate needing additional resources to meet the requirements of this bill.

The Administration plans to create a special events workgroup. This workgroup will review applications submitted for special events, determine when to alter or waive application filing deadlines, and determine when to waive an application fee or payment requirements for all or a portion of the special services charges. Modifications to permit applications will be determined by agencies and their individual requirements. The fiscal impact of this bill will depend on whether the workgroup decides to waive or require payment of application fees and special services charges.

**Bill 14-23:
General Provisions – Fair
Housing – Denial of Rental
Application - Notice**

Summary of Legislation

This bill requires a landlord to 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 a written notice a Class C civil offense.

Review of Fiscal Impact

Clarification of the enforcement provision is required to determine fiscal impact.

**Bill 15-23:
Zoning – Residential
Districts – Business
Complexes as a
Conditional Use**

Summary of Legislation

This bill allows business complexes as a conditional use in R1 residential zoning districts, adds the conditional use requirements for business complexes in a residential district, and allows a business complex in a residential district to include certain additional uses allowed in C1 or C3 commercial zoning districts.

Review of Fiscal Impact

The Office of Planning and Zoning does not anticipate a change in workload due to this bill and does not anticipate needing additional resources to meet the requirements of this bill. There are no existing applications that will be impacted by this bill. This bill has no direct fiscal impact.

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 20, 2023

Introduced by Ms. Fiedler

Amendment No. 12

On page 4 of the amended bill, in line 47, after “GRANTED” insert “FOR AN ACCESSORY DWELLING UNIT CONSTRUCTED ON OR AFTER THE EFFECTIVE DATE OF BILL NO 6-23”.

(This amendment prohibits a variance for an accessory dwelling unit constructed on or after the effective date of Bill No. 6-23 to reduce the minimum setback requirements to an adjacent lot located in a residential district.)

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 20, 2023

Introduced by Ms. Pickard and Ms. Rodvien

Amendment No. 13

On page 4 of the amended bill, in line 47, after “(9)” insert “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II).”; and after line 48, insert:

“(II) A VARIANCE TO REDUCE THE MINIMUM SETBACK REQUIREMENTS TO AN ADJACENT LOT LOCATED IN A RESIDENTIAL DISTRICT MAY BE GRANTED IF THE VARIANCE IS FOR A STRUCTURE THAT WAS IN EXISTENCE BEFORE THE EFFECTIVE DATE OF BILL NO 6-23 AND THE STRUCTURE IS BEING CONVERTED TO AN ACCESSORY DWELLING UNIT.”.

(This amendment allows a variance to reduce the minimum setback requirements to an adjacent lot located in a residential district if the variance is for a structure that was in existence before the effective date of Bill No. 6-23 and the structure is being converted to an accessory dwelling unit.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events - Permitting)

March 20, 2023

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

Amendment No. 1

On page 1 of the proposed bill, in line 10, after the semi-colon insert “providing for a delay in the application and collection of certain fees;”.

On page 7, after line 13, insert:

“SECTION 3. And be it further enacted, That the fees provided for in §§ 11-11-105 and 11-11-106 may not begin to be collected until January 1, 2024.”;

and in line 15, strike “3.” and substitute “4.”.

(This amendment delays the application and collection of registration fees and special fees until January 1, 2024.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Ms. Leadbetter

Amendment No. 2

On page 2 of the proposed bill, after line 7, insert:

“(1) “AGRITOURISM” HAS THE MEANING STATED IN § 18-1-101.”;

after line 15, insert:

“(4) A “FARM OR AGRICULTURAL HERITAGE SITE SPECIAL EVENT” HAS THE MEANING STATED IN § 18-1-101.”;

in lines 9, 14, 16, 19, 23, 27, 31, 33, and 36, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(2)”, “(3)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively; and in line 58, strike “OR”.

On page 3, in line 1, after line 1, insert:

3. AN AGRITOURISM EVENT HELD ON PRIVATE PROPERTY THAT DOES NOT REQUIRE THE EXCLUSIVE USE OF PUBLIC STREETS OR ROADS OR THE USE OF COUNTY SERVICES EXCEEDING NORMAL OPERATIONS; OR

4. AN AGRITOURISM EVENT AND A FARM OR AGRICULTURAL HERITAGE SITE SPECIAL EVENT AS DEFINED IN ARTICLE 18 OF THIS CODE AUTHORIZED BY THE PLANNING AND ZONING OFFICER IN ACCORDANCE WITH § 18-2-203 OF THIS CODE.”;

and in line 3, strike “(10)” and substitute “(12)”.

(The amendment excludes from the definition of “special events” an agritourism event held on private property that does not require the exclusive use of public streets or roads or the use of county services exceeding normal operations; and excludes agritourism and farm or agricultural heritage site special events authorized by the Planning and Zoning Officer.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Mr. Smith

Amendment No. 3

On page 3 of the proposed bill, in line 24, strike “AS” and substitute “IF”.

On page 5, strike in its entirety line 8; in line 10, strike “AND APPLICATION FEE”; in lines 10, 14, and 17, strike “(17)”, “(18)”, and “(19)”, respectively, and substitute “(16)”, “(17)”, and “(18)”, respectively; and in line 51, strike “\$50, OR”.

(The amendment eliminates the \$50 application fee for a special event permit.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Ms. Leadbetter and Mr. Smith

Amendment No. 4

On page 1 of the proposed bill, strike in their entirety lines 44 through 46, inclusive, and substitute:

“2. THERE WILL BE A PHYSICAL IMPEDIMENT TO THE SAFE FLOW OF VEHICULAR AND PEDESTRIAN TRAFFIC ALONG ROADWAYS, OR THE PHYSICAL BLOCKING OF ACCESS TO A PART OR A WHOLE ROADWAY OR THE SPECIAL EVENT, THAT DOES NOT COMPLY WITH NORMAL AND USUAL TRAFFIC REGULATIONS OR CONTROLS; OR”

(This amendment edits the vehicular component of the definition of “special event” to require compliance with normal and usual traffic rules.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Ms. Leadbetter and Mr. Smith

Amendment No. 5

On page 4 of the proposed bill, in line 4, after “COUNTY” insert “SUCH AS A SPONTANEOUS RESPONSE TO A CURRENT EVENT”.

(This amendment allows the County to change or waive certain filing deadlines for reasons such as a response to sudden or unexpected event.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Ms. Leadbetter and Mr. Smith

Amendment No. 6

On page 6 of the proposed bill, in line 5, after “COUNTY” insert “SUCH AS:”

(1) A SPONTANEOUS RESPONSE TO A CURRENT EVENT;

(2) AN ACTIVITY OF AN EDUCATIONAL INSTITUTION, COMMUNITY ASSOCIATION, OR NONPROFIT ORGANIZATION;

(3) AN ACTIVITY THAT REQUIRES A LICENSE UNDER TITLE 2;

(4) A FARM OR AGRICULTURAL HERITAGE SITE SPECIAL EVENTS UNDER §§ 18-2-203, 18-10-127, OR 18-11-125 OF THIS CODE; OR

(5) AN ACTIVITY REQUIRING A COUNTY DEPARTMENT OF RECREATION AND PARKS PERMIT FOR THE SAME EVENT”.

(This amendment allows the County to waive an application fee under certain enumerated circumstances.)

AMENDMENT TO BILL NO. 13-23
(Licenses and Registrations – Special Events – Permitting)

March 20, 2023

Introduced by Ms. Leadbetter and Mr. Smith

Amendment No. 7

On page 6 of the proposed bill, in line 35, after “CHARGES” insert “ONLY”; and in the same line, after “IF” insert “THE COUNTY DETERMINES THAT IT CAN SUPPLY ADEQUATE RESOURCES TO SUPPORT THE SPECIAL EVENT AND”.

(This amendment allows the County to waive the special service charges when the County can provide needed resources to support the special event and a waiver is in the best interest of the County.)