

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2024, Legislative Day No. 1
January 2, 2024 – 7:00 P.M.

The County Council meeting was called to order by Chair Pickard at 7:00 P.M. It was opened with the Invocation, given by Mr. Smith, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 20 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 County Auditor Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

SPECIAL RECOGNITION

Ms. Pickard thanked Lee Longo for her twenty-one years of County service.

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:

Julie Johnson, Annapolis

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

PRELIMINARY MOTION

On motion of Mr. Smith, seconded by Ms. Hummer, 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. Leadbetter, seconded by Ms. Rodvien, the minutes for December 18, 2023, Legislative Day No. 22, were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 1-24 – AN ORDINANCE concerning: Public Safety – Animal Care and Control – Potentially Dangerous, Dangerous, and Vicious Animals – FOR the purpose of amending the criteria used to designate an animal as potentially dangerous, dangerous, or vicious; adding and amending the burden of proof required to determine or appeal a designation of potentially dangerous, dangerous, or vicious; allowing for the reconsideration of a potentially dangerous or dangerous animal order within certain timeframes in certain situations; allowing for the waiver of all or a portion of redemption fees in certain situations; amending the special license fee for a dangerous animal; amending the notice requirements for animal cruelty cases; adding conditions under which an animal owner must pay for the costs of care for animals seized or surrendered and establishing notice requirements in certain situations; allowing for the waiver of adoption and spay or neuter fees; and generally relating to public safety.
Introduced by Ms. Pickard, Chair
(by request of the County Executive)

BILL NO. 2-24 – AN ORDINANCE concerning: Zoning – Requirements for Conditional Uses – Self-service Storage Facilities – Outside Storage of Vehicles – FOR the purpose of amending the conditional use requirements for self-service storage facilities located along certain roads in W1 Industrial Districts to allow the outside storage of vehicles as an accessory use; and generally relating to zoning.
Introduced by Ms. Pickard

BILL NO. 3-24 – AN ORDINANCE concerning: Zoning – Maritime Districts – Neighborhood Marina Zoning District – FOR the purpose of defining “dwelling, marina caretakers residence” and “neighborhood marina”; creating the MA-1B Neighborhood Marina zoning district; establishing bulk regulations for MA-1B zoning districts; allowing certain uses as permitted, conditional, or special exception uses in a MA-1B zoning district; adding the conditional use requirements for marina caretakers residence dwellings and neighborhood marinas; and generally relating to zoning.
Introduced by Ms. Fiedler

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 1-24 – RESOLUTION appointing a primary County Council representative to serve on the DC Metroplex BWI Community Roundtable

Introduced by Mr. Smith

The Chair stated Resolution No. 1-24 would be heard and voted on at the end of the meeting.

MOTION TO SUSPEND THE RULES

On motion by Mr. Smith, seconded by Ms. Rodvien, the motion to suspend the rules to change the order to hear and vote on Bill No. 90-23 first was passed by the following roll call:

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

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

BILL NO. 90-23

The Chair called for Bill No. 90-23, An Ordinance concerning: Approval of private disposition of certain improved County-owned property, being part of Brooklyn Heights Park in Baltimore, Maryland – For the purpose of approving the terms and conditions under which the County may convey certain improved County-owned property to the Board of Education of Anne Arundel County; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Marni Watson, Real Estate, Kyle Ruef, Board of Education, and Lori Klasmeier, Office of Law.

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

Ms. Rodvien asked clarifying questions.

Ms. Watson answered.

The Chair called for the public hearing on Bill No. 90-23.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 90-23, which was shared with the Council and posted on the County Council website.

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

The Chair called Bill No. 90-23, An Ordinance concerning: Approval of private disposition of certain improved County-owned property, being part of Brooklyn Heights Park in Baltimore, Maryland; and the Administrative Officer read a portion of the title.

Bill No. 90-23 was passed by the following roll call:

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

BILL NO. 84-23 (As Amended)

The Chair called for Bill No. 84-23, as amended, An Ordinance concerning: Subdivision and Development – Zoning – Boards, Commissions, and Similar Bodies – Finance, Taxation, and Budget – Public Works – Odenton Town Center – Odenton Town Center Master Plan – For the purpose of repealing the 2016 Odenton Town Center Master Plan; renaming the “Odenton Growth Management Area” to the “Odenton Town Center”; establishing provisions related to the Odenton Town Center Advisory Committee; adding grandfathering provisions applicable to certain development applications; revising certain provisions related to the testing and duration of approval of adequate public facilities; establishing standards for testing for adequate public facilities in the Odenton Town Center; setting forth certain criteria for mitigation in the Odenton Town Center; establishing certain development requirements in the Odenton Town Center; adding certain definitions; providing for the scope and applicability of certain provisions; providing for certain standards for transportation improvements, trails and pedestrian facilities and reservation of land for public facilities; requiring certain green areas and activity spaces; creating historic preservation requirements for certain properties; providing for flexibility for certain redevelopment sites; creating an incentive program for certain development; adding the process for applying for and approving an incentive program request; renaming the zoning districts within the Odenton Town Center; creating a certain historic overlay; establishing the permitted, conditional, and special exceptions uses in the Odenton Town Center zoning districts; establishing certain bulk regulations; establishing conditions for certain uses; requiring a mix of uses for properties of a certain size in certain districts; establishing certain vehicle and bicycle parking requirements; regulating signage in the Odenton Town Center; adopting the 2023 Odenton Town Center Master Plan; and generally relating to subdivision and development, zoning, boards, commissions, and similar bodies, finance, taxation, and budget, public works, and the County’s Odenton Town Center Master Plan; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Christina Pompa, Office of Planning and Zoning, Mark Wildonger, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

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

The Chair called for the public hearing on Bill No. 84-23, as amended.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 84-23, as amended, which was shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 84-23, as amended:

Stuart Title, Odenton
Matt Minahan, Edgewater

David Dull, Glen Burnie

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

The Chair called Bill No. 84-23, as amended, An Ordinance concerning: Subdivision and Development – Zoning – Boards, Commissions, and Similar Bodies – Finance, Taxation, and Budget – Public Works – Odenton Town Center – Odenton Town Center Master Plan; and the Administrative Officer read a portion of the title.

Amendment No. 9

The Administrative Officer read a brief summary of the amendment:

This amendment modifies the trip generation offset, on previously developed property, for vehicle trips generated by any prior uses that are being replaced on the site that exist or existed, from five to 10 years of the date of the development application.

Ms. Hummer explained the background and purpose of the amendment.

The Administration supports.

Ms. Rodvien asked for clarification on the offset.

Ms. Pompa answered.

Mr. Smith continued the clarification.

Ms. Pompa responded.

Mr. Volke explained his concern for the amendment.

Ms. Pompa and Ms. Kenney responded.

Ms. Hummer clarified the amendment.

On motion of Ms. Rodvien, seconded by Ms. Hummer, Amendment No. 9 was adopted by the following roll call vote:

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

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

Amendment No. 10

The Administrative Officer read a brief summary of the amendment:

This amendment changes the proposed future zoning district from OTC-WC (West Core) and Historic Village Mix to OTC-I (Industrial) and Historic Village Mix and changes the configuration of the future zoning for the property located on Tax Map 0029, Grid 0004, Parcel 0010, also known as 1405 Odenton Road, Odenton; and revises the applicable maps and figures accordingly.

Ms. Hummer explained the background and purpose of the amendment.

The Administration supports.

Mr. Smith asked a clarifying question.

Ms. Hummer answered.

On motion of Ms. Hummer, seconded by Ms. Rodvien, Amendment No. 10 was adopted by the following roll call vote:

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

The Chair stated that Bill No. 84-23, as amended, would be heard on January 16, 2024.

BILL NO. 86-23 (As Amended)

The Chair called for Bill No. 86-23, as amended, An Ordinance concerning: Subdivision and Development – Zoning – Development Requirements for Particular Types of Development – Redevelopment – For the purpose of adding development requirements for redevelopment; establishing the applicability of new development requirements for redevelopment under certain circumstances to specified policy areas; defining certain terms; setting forth requirements for a concept plan, an application, community meetings, and notice of community meetings for redevelopment; providing that certain applications for development may proceed to final plan or site development plan; providing for certain modifications and exemptions from modifications for redevelopment under certain circumstances; specifying open space, landscape, and natural features requirements for redevelopment; requiring redevelopment in the critical area to comply with applicable law; establishing requirements for redevelopment to pass adequate public facilities testing; reducing certain fees for redevelopment; adding multifamily dwellings as a conditional use and providing for the conditions in the C4 district; modifying conditional use requirements for multifamily dwellings in redevelopment; and generally relating to subdivision and development, and zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Janssen Evelyn, Administration, Lynn Miller, Office of Planning and Zoning, Erik Michelsen, Department of Public Works, and Lori Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 86-23, as amended.

The Administrative Officer stated there were four submissions of written testimony received through the online testimony tool for Bill No. 86-23, as amended, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 86-23, as amended:

Kevin Haines, Severna Park

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

The Chair called Bill No. 86-23, as amended, An Ordinance concerning: Subdivision and Development – Zoning – Development Requirements for Particular Types of Development – Redevelopment; and the Administrative Officer read a portion of the title.

Amendment No. 10

The Administrative Officer read a brief summary of the amendment:

This amendment alters the definition of redevelopment to strike the provision that excludes improvements to a structure or new construction on a lot if the improvements or construction would result in an increase in the existing impervious area of the site; and requires that for a redevelopment project stormwater management be provided as required in the redevelopment criteria outlined in the Anne Arundel County Stormwater Management Practices and Procedures Manual.

Ms. Pickard explained the background and purpose of the amendment.

The Administration opposes.

Ms. Pickard spoke on the amendment.

Ms. Rodvien asked a clarifying question.

Mr. Hunt and Ms. Pickard answered.

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

Aye – Ms. Hummer, Ms. Pickard

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

Amendment No. 11

The Administrative Officer read a brief summary of the amendment:

This amendment provides that the requirement that all other facilities subject to testing for adequacy comply with the standards set forth in Title 5 is subject to the modification procedure authorized under § 17-7-1205(b).

Ms. Pickard explained the background and purpose of the amendment.

Mr. Hunt spoke on the amendment.

Ms. Pickard asked a clarifying question.

On motion of Ms. Pickard, seconded by Ms. Hummer, Amendment No. 11 was defeated by the following roll call vote:

Aye – Ms. Hummer, Ms. Pickard

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

Ms. Rodvien shared her position on the bill.

Bill No. 86-23, as amended, was defeated by the following roll call:

Aye – Ms. Hummer, Ms. Pickard

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

BILL NO. 89-23(As Amended)

The Chair called for Bill No. 89-23, as amended, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – Disabled or Fallen Law Enforcement Officers and Rescue Workers – For the purpose of amending the definition of “law enforcement officer” to include ~~members of the Federal Bureau Investigation and the United States Capitol Police~~ a sworn law enforcement officer of the United States Government with certain authority; amending the period of time that a disabled law enforcement officer or rescue worker or a fallen law enforcement officer or rescue worker or their surviving spouse must live in the State or within which a dwelling must be acquired in order to be eligible for the tax credit; requiring that the application for, or for the renewal of, the tax credit be made on a form provided by the Controller’s Office and include verification that the applicant is eligible for the credit; and generally relating to finance, taxation, and budget; and the Administrative Officer read a portion of the title.

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

Ethan Hunt, Administration, was accompanied by Brian Schenck, Office of Finance, and Kelly Kenney, Office of Law.

The Chair called for the public hearing on Bill No. 89-23, as amended.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 89-23, as amended, which was shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 89-23, as amended:

Mark Cicero, Davidsonville
David Dull, Glen Burnie

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

The Chair called Bill No. 89-23, as amended, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – Disabled or Fallen Law Enforcement Officers and Rescue Workers; and the Administrative Officer read a portion of the title.

Mr. Hunt shared the Administrations concern of the bill.

Bill No. 89-23, as amended, was passed by the following roll call:

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

BILL NO. 91-23

The Chair called for Bill No. 91-23, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Public Safety Officer Property Tax Credit – For the purpose of amending the definition of “Public Safety Officer”; expanding eligibility for the tax credit to retired Public Safety Officers; increasing the maximum amount of the credit; making technical corrections; and generally relating to finance, taxation, and budget; and the Administrative Officer read a portion of the title.

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

Ethan Hunt, Administration, was accompanied by Brian Schenck, Office of Finance, and Kelly Kenney, Office of Law.

Mr. Hunt spoke on the bill.

Mr. Smith asked a clarifying question.

Mr. Schenck answered.

The Chair called for the public hearing on Bill No. 91-23.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 91-23, which was shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 91-23:

David Dull, Glen Burnie
Mike Shier, Crownsville
Joseph Addivinola, Millersville

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

The Chair called Bill No. 91-23, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Public Safety Officer Property Tax Credit; 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 expands eligibility for the Public Safety Officer Tax Credit to members of certain volunteer organizations and individuals eligible for the length of service award program as a result of service to certain volunteer organizations.

Mr. Volke explained the background and purpose of the amendment.

Mr. Schenck spoke on the amendment.

Ms. Leadbetter clarified the amendment.

Mr. Schenck responded.

Ms. Rodvien asked clarifying questions.

Mr. Schenck answered.

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

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

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment requires that the application for the tax credit include verification that the applicant is a retired public safety officer or employed as a public safety officer.

Mr. Volke explained the background and purpose of the amendment.

Mr. Schenck spoke on the amendment.

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

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

Nay – None

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment extends eligibility for the tax credit to public safety officers employed by or retired from the City of Annapolis; and extends eligibility for the tax credit to volunteer firefighters and emergency medical technicians with an Annapolis volunteer company.

Ms. Rodvien explained the background and purpose of the amendment.

Mr. Hunt spoke on the amendment.

Mr. Smith asked a clarifying question.

Mr. Schenck answered.

Ms. Rodvien responded.

Ms. Pickard expressed her concern for the amendment.

Ms. Rodvien responded.

Mr. Volke shared his view of the amendment.

Ms. Fiedler explained her position on the amendment.

Ms. Rodvien responded.

Ms. Pickard spoke on the amendment.

On motion of Ms. Rodvien, seconded by Mr. Smith, Amendment No. 3 was defeated by the following roll call vote:

Aye – Mr. Smith, Ms. Rodvien

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

The Chair stated that Bill No. 91-23, as amended, would be heard on January 16, 2024.

BILL NO. 92-23

The Chair called for Bill No. 92-23, An Ordinance concerning: Subdivision and Development – Zoning – Small Business Districts – For the purpose of requiring architectural features for development in Small Business Districts along certain types of roads to be compatible with the neighborhood; adding certain uses as permitted or conditional uses in Small Business Districts; amending the bulk regulations applicable in Small Business Districts; and generally relating to zoning; and the Administrative Officer read a portion of the title.

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

Ethan Hunt, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

Mr. Hunt spoke on the bill.

The Chair called for the public hearing on Bill No. 92-23.

The Administrative Officer stated there were fifty-seven submissions of written testimony received through the online testimony tool for Bill No. 92-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 92-23:

David Mosberger, Davidsonville

David Dull, Glen Burnie

Julie Johnson, Annapolis

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

The Chair called Bill No. 92-23, An Ordinance concerning: Subdivision and Development – Zoning – Small Business Districts; and the Administrative Officer read a portion of the title.

Ms. Fiedler and Ms. Rodvien spoke on the testimony for the bill.

Ms. Leadbetter asked a clarifying question.

Ms. Fiedler answered.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment repeals the sign requirements in small business districts; and applies the sign requirements for commercial and industrial districts for uses other than dwellings and small business complexes to signs located in a small business district.

Mr. Volke explained the background and purpose of the amendment.

Ms. Miller spoke on the amendment.

Ms. Fiedler responded.

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

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

Nay – Ms. Hummer

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment amends the bulk regulations applicable in Small Business Districts to allow the maximum floor area of a principal structure of a religious facility, on property with frontage on a minor arterial road or higher, to be 15,000 square feet.

Mr. Volke explained the background and purpose of the amendment.

Mr. Hunt expressed the Administrations position on the amendment.

Ms. Rodvien asked a clarifying question.

Ms. Miller answered.

Ms. Pickard clarified the amendment.

Mr. Volke responded.

Ms. Fiedler spoke on the amendment.

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

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

The Chair stated that Bill No. 92-23, as amended, would be heard on January 16, 2024.

**PUBLIC HEARINGS AND CALL OF RESOLUTION FOR FINAL READING AND/OR
VOTE**

RESOLUTION NO. 1-24

The Chair called for Resolution No. 1-24, A Resolution appointing a primary County Council representative to serve on the DC Metroplex BWI Community Roundtable; and the Administrative Officer read a portion of the title.

Mr. Smith explained the purpose of the resolution.

Resolution No. 1-24 was adopted by the following roll call:

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

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Mr. Smith, the meeting adjourned at 9:02 P.M.

Respectfully submitted,

By /s/ Anna Macaulay
Anna Macaulay

For /s/ Laura Corby
Laura Corby
Administrative Officer