



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: January 31, 2024
Subject: Auditor's Review of Legislation for the February 5, 2024 Council Meeting

**Bill 84-23: Subdivision
and Development –
Zoning – Boards,
Commissions, and
Similar Bodies –
Finance, Taxation, and
Budget – Public Works –
Odenton Town Center –
Odenton Town Center
Master Plan (As
Amended)**

Summary of Legislation

This bill repeals the 2016 Odenton Town Center Master Plan and adopts the Odenton Town Center Master Plan, dated October 2023; renames the Odenton Town Center Growth Management Area the Odenton Town Center (OTC); adds uses established since 2016 in other planning areas; eliminates some permitted uses from the OTC Core and OTC Historic Zoning Districts; requires developers to conduct noise mitigation studies and provide noise mitigation measures for specified developments; requires a specified number of electric vehicle charging stations; establishes parking requirements; establishes signage requirements; revises certain standards and procedures related to adequate public facility tests, mitigation plans, an incentive program, and outdoor noise mitigation to be consistent with the Parole Town Center Master Plan; modifies provisions concerning an advisory committee; and requires the OTC Master Plan to be kept in specified locations. The bill places various provisions currently in the 2016 OTC Master Plan into the County Code.

We commented on this bill in our letters dated November 30, 2023, December 15, 2023, January 2, 2024, and January 12, 2024. At the January 16, 2024 Council meeting, this bill was amended to:

- allow business complexes as a permitted use and business complexes with auxiliary use as a conditional use in the Historic Village Mix Block;
- add certain definitions and modify the definition of Transit-Oriented Development Policy Area in the OTC Master Plan;

Bill 84-23 (continued)

- change the proposed future zoning district from OTC West Core (OTC-WC) to OTC Transition (OTC-T), change the configuration of the future zoning for certain properties, revise the applicable maps accordingly, and remove reference to moving the southern section of the OTC-T into the OTC-WC zoning district;
- add various light industrial uses and one retail and service use as conditional or permitted uses in the OTC-T zoning district, establish conditions for uses, and revise the description of the OTC-T zoning district in the OTC Master Plan; and
- make various technical corrections.

We have no further comments on this bill.

Bill 93-23: Pensions – Participation – Transferred Service – Employees’ Retirement Plan – Fire Service Retirement Plan – Police Service Retirement Plan (As Amended)

Summary of Legislation

This bill authorizes certain participants of the Fire Service Retirement Plan (FSRP) and Police Service Retirement Plan (PSRP) hired after a certain date to purchase service credit for prior participation in certain other plans; establishes criteria for and methods of purchasing prior service credits; provides for the calculation and application of the previous plan credit; authorizes employees of the Resilience Authority of Annapolis and Anne Arundel County to participate in the Employees’ Retirement Plan (ERP); amends certain termination criteria for vested participants of the ERP; amends certain disability criteria for participants of the ERP; adds three position classifications to the FSRP; and authorizes rehired participants of FSRP and PSRP to restore prior plan service credit under certain conditions.

We commented on this bill in our letter dated January 12, 2024. At the January 16, 2024 Council meeting, this bill was amended to remove a requirement that a former participant be reemployed after January 1, 2014 to return to participation in the FSRP or the PSRP and add an option for former participants in the FSRP or PSRP who are reemployed and return to participation in the plan to repay refunded contributions in a combination of a lump sum and payroll deductions. We have no further comments on this bill.

Bill 1-24: Public Safety – Animal Care and Control – Potentially Dangerous, Dangerous, and Vicious Animals

Summary of Legislation

This bill amends the criteria for designating an animal as potentially dangerous, dangerous, or vicious; establishes a process for reconsideration of a potentially dangerous or dangerous animal order; authorizes the Police Department’s Animal Care and Control Agency (Agency) to waive redemption, adoption, spay, and neuter fees; amends specified animal license fees in the second and subsequent years they are issued; and requires owners

Bill 1-24 (continued)

to pay specified costs associated with the care of their seized and surrendered animals in cruelty cases.

Review of Fiscal Impact

This bill reduces certain license fees for dangerous and potentially dangerous animals. The estimated annual revenue for fees based on the current number of dangerous and potentially dangerous animal designations is \$29,050. Assuming the current level of designated dangerous and potentially dangerous animals and changes to the payment of the one-year license, this revenue would decrease to approximately \$550. In addition, to the extent that the new rules of evidence result in a reduction in designations, the fees could decrease further. This bill also authorizes the Agency to waive redemption, adoption, spay, and neuter fees, which will decrease annual revenues to the extent more waivers occur than do presently. The fiscal year 2023 total actual Animal Control fee revenue was approximately \$162,000 and the fiscal year 2024 (FY24) estimated revenue is \$155,000 for all current fees.

Agency revenues are expected to increase to the extent owners are required to pay the cost of caring for their seized or surrendered animals in cases of cruelty. This new requirement to pay care expenses of \$15/day per animal plus veterinary expenses not to exceed \$50/day per animal will likely affect fewer than 15 cases per year and could generate as much as \$25,000 annually assuming a 45-day average length of stay and \$1,000 in veterinary costs per animal.

The Administration advises this bill will increase workload associated with investigations, Animal Matters Commission hearings to reconsider dangerous or potentially dangerous animal orders, and administering billing for care of certain seized or surrendered animals and could potentially require an additional position in the future.

The actual fiscal impact will depend on the number of dangerous and potentially dangerous animal licenses issued, the fees waived, the extent to which certain owners pay animal care costs, and any changes in workload associated with this bill.

Bill 2-24: Zoning – Requirements for Conditional Uses – Self-Service Storage Facilities – Outside Storage of Vehicles

Summary of Legislation

This bill authorizes outside storage of vehicles as an accessory use in specified sites at self-service storage facilities located on a principal arterial road in a W1 Industrial zoning district.

Review of Fiscal Impact

The Office of Planning and Zoning (OPZ) 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. This bill has no direct fiscal impact.

Bill 3-24: Zoning – Maritime Districts – Neighborhood Marina Zoning District

Summary of Legislation

This bill establishes a MA1-B Neighborhood Marina zoning district; amends bulk regulations to include requirements for MA1-B zoning districts; adds certain uses as permitted, conditional, and special exception uses in MA1-B zoning districts; and adds conditional use requirements for marina caretakers residences and MA1-B zoning districts.

Review of Fiscal Impact

OPZ and the Department of Inspections and Permits (I&P) do not anticipate a significant change in workload due to this bill and advise no additional resources are required. I&P expects the fiscal impact would be minimal as they anticipate few permit applications from this bill.

Resolution 2-24: Petition to the Maryland Higher Education Commission for Anne Arundel Community College Funding

Summary of Legislation

This resolution petitions the Maryland Higher Education Commission for a grant of \$720,000 from various community college loan acts for the Anne Arundel Community College (AACC) Florestano Renovation (Project #J578700) in Arnold based on a resolution from the AACC Board of Trustees to request Council approval.

Review of Fiscal Impact

The County’s FY24 Approved Capital Budget includes \$720,000 in state grant funds for Project #J578700. Furthermore, the State of Maryland’s FY24 Approved Capital Budget includes \$720,000 for a grant for Project #J578700. Because this action aligns with the previously approved budget, this resolution has no direct fiscal impact.
