



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: March 15, 2024
Subject: Auditor's Review of Legislation for the March 18, 2024 Council Meeting

**Bill 1-24: Public Safety – Summary of Legislation
Animal Care and
Control – Potentially
Dangerous, Dangerous,
and Vicious Animals (As
Amended)**

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

We commented on this bill in our letters dated January 31, 2024, February 16, 2024, and February 29, 2024. At the March 4, 2024 Council meeting, this bill was amended to establish that for certain findings, a designation of an animal as vicious be based on evidence other than solely hearsay. This bill was also amended to provide that the owner of an animal impounded by or surrendered to the Agency for cruelty be required to pay an additional 30 days of cost of care within 14 days of the end of each 30-day period and require the Agency to act in the best interest of the animal in determining the care and shelter provided to animals held by the Agency. We have no further comments on this bill.

**Bill 4-24: Personnel (As Summary of Legislation
Amended)**

This bill repeals existing and establishes new procedures and requirements for implementing County personnel actions. This bill prohibits discrimination within County employee personnel processes on the basis of nine additional protected classes; and expands the Personnel Officer's authority to move and fill a

Bill 4-24 (Continued)

vacant position to include filling positions of equal or higher levels of job responsibility.

This bill authorizes the Personnel Officer to modify the classification plan for all positions in the classified service and implement these modifications upon approval of the Chief Administrative Officer. If the Council ultimately rejects these modifications, the Personnel Officer is authorized to transfer employees to other specified jobs. This bill also increases the number of days of annual leave an employee may carry over into the next calendar year from 35 to 40 days, in addition to other provisions.

We commented on this bill in our letters dated February 16, 2024 and February 29, 2024. At the March 4, 2024 Council meeting, this bill was amended to require a review of employee compensation at least once every two years, modify the pay rates that may be approved for hiring and promotion of employees, and require the Chief Administrative Officer and County Executive approval of certain pay rates on hiring and promotion of employees. This bill was also amended to provide that the changes to the hiring pay for non-represented employees applies only to non-represented employees in the Executive Branch and provide for certain pay standards for hiring in the Legislative Branch. We have no further comments on this bill.

**Bill 6-24: General
Development Plan –
Region 2 Plan (Public
Hearing Continued)
(Eligible for Vote)**

Summary of Legislation

The purpose of this bill is to adopt the Anne Arundel County Region 2 Plan, the region plan for Region Planning Area No. 2 (Area 2), dated January 26, 2024, amend the County’s General Development Plan (Plan2040), and require the Anne Arundel County Region 2 Plan to be kept in specified files.

We commented on this bill in our letter dated February 29, 2024. At the March 4, 2024 Council meeting, this bill was held until the March 18, 2024 Council meeting. We have no further comments on this bill.

**Bill 7-24:
Comprehensive Zoning
– Region 2 (Public
Hearing Continued)
(Eligible for Vote)**

Summary of Legislation

This bill repeals portions of the Digital Zoning Layer dated February 22, 2011, for Area 2, adopts the Digital Zoning Layer dated January 26, 2024 for Area 2, and requires specified offices to keep certified copies of the Digital Zoning Layer dated January 26, 2024 for Area 2.

We commented on this bill in our letter dated February 29, 2024. At the March 4, 2024 Council meeting, this bill was held until the March 18, 2024 Council meeting. We have no further comments on this bill.

**Bill 8-24: General
Development Plan –
Region 7 Plan (Public
Hearing Continued)
(Eligible for Vote)**

Summary of Legislation

The purpose of this bill is to adopt the Anne Arundel County Region 7 Plan, the region plan for Region Planning Area No. 7 (Area 7), dated January 5, 2024, amend Plan2040, and require the Anne Arundel County Region 7 Plan to be kept in specified files.

We commented on this bill in our letter dated February 29, 2024. At the March 4, 2024 Council meeting, this bill was held until the March 18, 2024 Council meeting. We have no further comments on this bill.

**Bill 9-24:
Comprehensive Zoning
– Region 7 (Public
Hearing Continued)
(Eligible for Vote)**

Summary of Legislation

This bill repeals portions of the Digital Zoning Layer dated May 16, 2011, for Area 7, adopts the Digital Zoning Layer dated January 5, 2024 for Area 7, and requires specified offices to keep certified copies of the Digital Zoning Layer dated January 5, 2024 for Area 7.

We commented on this bill in our letter dated February 29, 2024. At the March 4, 2024 Council meeting, this bill was held until the March 18, 2024 Council meeting. We have no further comments on this bill.

Bill 13-24: Payment in Lieu of Taxes – College Parkway Place, Annapolis

Summary of Legislation

This bill authorizes the County Executive to enter into a payment in lieu of taxes (PILOT) agreement for College Parkway Place with RF College Parkway, LLC to replace an existing PILOT ~~for 750 units of rental housing for 40 years~~. This new PILOT is necessary because of a change in ownership. Under the terms of the proposed agreement with RF College Parkway, LLC, 170 dwelling units will be made available to households that have incomes between 30% and 60% below the area median income for 40 years, an increase from the 167 units required in the existing PILOT agreement that expires in 2044.

Review of Fiscal Impact

A PILOT reduces the amount of property taxes collected by the County; however, if the County maximizes the property tax revenue under the tax cap, a PILOT would not impact the property tax revenue collected by the County because the amount would be absorbed by the remaining tax base. Under the terms of the proposed agreement, the payment required by RF College Parkway, LLC will be \$83,810 for the first year. The proposed agreement includes a 4% annual adjustment factor for each subsequent year of the term. If the property did not have a PILOT agreement, the County real property taxes would be \$217,230 based on the assessed value and the current tax rate. The proposed payment amount and adjustment factor are consistent with the existing PILOT agreement, which means that the decreased property tax revenue has already been absorbed by the remaining tax base and there is no additional impact based on this agreement.

Bill 14-24: Subdivision and Development – Zoning – Small Business Districts

Summary of Legislation

This bill modifies architectural feature requirements for development in Small Business Districts (SBD), sign use requirements in SBDs, and minimum lot size requirements applicable to SBDs.

Review of Fiscal Impact

The Office of Planning and Zoning and the Department of Inspections and Permits do not anticipate a change in workload due to this bill or needing additional resources to meet the requirements of this bill. There are no active projects or pending permits impacted by this bill, and the number of permits is expected to be minimal.

**Resolution 8-24:
Establish an Ad Hoc
Committee to Study and
Make Recommendations
on Personnel Policies for
the Legislative Branch of
Anne Arundel County
Government**

Summary of Legislation

This resolution establishes a nine-member ad hoc committee to study and make recommendations on personnel policies for the County's Legislative Branch. The committee must submit a final report to the Council by December 31, 2024.

Review of Fiscal Impact

This resolution has no direct fiscal impact.
