



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

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** October 18, 2024  
**Subject:** Auditor's Review of Legislation for the October 21, 2024 Council Meeting

---

**Bill 73-24: Carrollton  
Manor Special  
Community Benefit  
District**

**Summary of Legislation**

This bill modifies the purposes of the Carrollton Manor Special Community Benefit District (SCBD) to include acquiring real property. County Code § 4-7-203(b) provides that the County Council may modify the purposes of any district if a petition is signed by the owners of a majority of the properties in the existing district whose property will be affected by the modification of the district.

The Carrollton Manor Improvement Association, Inc. (Association) administers the Carrollton Manor SCBD, and they provided 358 petitions to meet the requirements to modify the SCBD's purpose. The Office of the Budget (OOB) reviewed the petitions and determined the following results: 322 qualified "Yes" votes, 29 disqualified "Yes" votes, 5 qualified "No" votes, and 2 disqualified "No" votes. OOB completed their review using a property list report generated by the Office of Information Technology (OIT) as of September 8, 2023. This report disclosed a total of 591 properties eligible to vote.

We attempted to verify the total number of properties in Carrollton Manor by running a report in the County's geographic information system; however, this report concluded there were only 563 properties in Carrollton Manor. Furthermore, we note that the fiscal year 2025 (FY25) budget request submitted to the County by Carrollton Manor states there are 547 billable lots/accounts, which is not consistent with the property totals in the two reports. Although we have been informed that the number of properties used for the tax rate calculations may not include all properties eligible to vote, because there are certain properties that

---

**Bill 73-24 (continued)**

are tax exempt but still eligible to vote, OOB has not reconciled these various sources. Therefore, we have been unable to confirm the actual number of properties in this SCBD and therefore are unable to verify that the petitions submitted are only for eligible properties.

If the OIT report reflects all properties and there are 591 properties eligible to vote in Carrollton Manor SCBD, we can confirm that the petition meets the requirements for modifying the purposes of an SCBD with a majority approval.

**Review of Fiscal Impact**

This bill has no direct fiscal impact.

---

**Bill 74-24: Subdivision and Development – Zoning – Farm Dual Uses**

**Summary of Legislation**

This bill limits specified farm dual-use site development and zoning certificate of use provisions to properties located outside of the Critical Area and implements the changes required for the Maryland Critical Area Commission (CAC) approval in order for all of Bill 62-23 to become effective.

The effective date of Bill 62-23 was contingent upon the CAC’s approval of Bill 62-23 and the provisions of this bill reflect the changes required by the CAC for their approval. An August 9, 2024 letter from CAC to the Office of Planning and Zoning (OPZ) stated the changes required for this CAC approval. At the time of the receipt of this letter, the provisions that were not included in the requested changes went into effect.

Bill 62-23 required OPZ, within five days after receiving any notice from CAC, to forward a copy to the Office of the County Council’s (OCC) Administrative Officer. OPZ received the CAC notice on August 12, 2024. The OCC’s Administrative Officer received this CAC notice from OPZ on September 24, 2024; therefore, OPZ did not notify the Administrative Officer within five days as required by Bill 62-23.

**Review of Fiscal Impact**

This bill has no fiscal impact.

---

---

**Bill 75-24: Boards,  
Commissions, and  
Similar Bodies –  
Subdivision and  
Development – Zoning –  
Development – Mixed  
Use Districts**

**Summary of Legislation**

This bill authorizes a lot to be administratively rezoned to a mixed use district (MXD) if it was designated as a mixed use planned land use in a specified region plan and provides that specified applications associated with property located in a MXD be governed by the law as it existed prior to this bill's effective date. Also, this bill adds and modifies development and design standards in mixed use developments; modifies the names of the four existing MXDs and adds MXD-V Village Mixed Use; reduces the minimum gross area for a site in a MXD; establishes permitted, special exception, and conditional uses for MXDs; requires specified land use categories in a MXD; and adds MXD bulk regulations. This bill eliminates the current requirements that specify required percentages for each category of use and instead requires that mixed use developments include uses from at least two of the following categories: residential, retail and service, office, light industrial, and civic/institutional. Also, it sets new height and bulk limits and open, active recreation, and public activity areas in a MXD.

We identified a typographical error and potential clarifications and informed the OCC staff, who noted that the typographical would be corrected via amendment.

**Review of Fiscal Impact**

OPZ advised the County has approximately 11 mixed use locations and within these locations, the majority of mixed-use projects have approved final plans for most phases and are at least partially constructed. Based on the provisions of this bill, some developers may elect to submit revised development plans for remaining project phases. As required by this bill, any revised plans would need to be approved through either the comprehensive zoning process or the Office of Administrative Hearings (OAH). It is not known what zoning changes may be submitted or what OAH will determine.

To the extent this bill results in additional mixed use development, impact and permit fees and taxes collected by the County and associated expenditures may increase.

---

---

**Bill 76-24: Zoning –  
Maritime Districts –  
Neighborhood Marina  
Zoning District**

**Summary of Legislation**

This bill modifies a conditional use requirement for marina caretaker’s residence dwelling units. This bill removes the requirement that these units be located on a property of at least one-half acre and adds the requirement that, when a marina caretaker’s residence dwelling unit is located on a property with a single-family dwelling, the square footage of the marina caretaker’s residence dwelling unit must be less than the square footage of the single-family detached dwelling unit on the property.

**Review of Fiscal Impact**

This bill has no direct fiscal impact.

---

**Bill 77-24: Licenses and  
Registrations – Towing  
Companies**

**Summary of Legislation**

This bill differentiates heavy-duty towing from light-duty towing; modifies licensing requirements for police-initiated towing; establishes equipment requirements for towing companies that engage in police-initiated towing; alters Police Department (Police) tow area and tow area rotation list requirements; and modifies towing company response standards for police-initiated towing requests.

The County has 18 contracted towing companies for police-initiated towing of which 5 meet this bill’s requirements for both heavy-duty and light-duty towing and 13 meet this bill’s requirements for only light-duty towing. Heavy-duty police-initiated towing requests represented less than 1% (40 out of 7,113 requests) of the total towing requests in fiscal year 2024. Police advised circumstances that would merit a waiver from heavy-duty towing equipment requirements, including the need for specialty vehicles able to tow a trailer.

We identified an erroneous cite to the Code and informed OCC staff, who noted that this error would be corrected via amendment.

**Review of Fiscal Impact**

This bill will increase Police workload to the extent 911 communication operators must gather additional information about scenes to determine towing assignments and will decrease Police workload to the extent heavy-duty tow trucks are dispatched to scenes faster and scenes are cleaned up more quickly so roads can reopen; however, the actual impact will be based on the types of scenes that require towing, information and

---

**Bill 77-24 (continued)**

time needed to make determinations for the type of towing required, and responsiveness of the towing companies and related time for roads to reopen.

---

**Resolution 40-24:  
Endorsing Financial  
Assistance from the  
Maryland Economic  
Development Assistance  
Fund to Allied Trading,  
Inc., doing business as  
PwrQ**

**Summary of Legislation**

This resolution endorses financial assistance from the Maryland Department of Commerce’s Maryland Economic Development Assistance Fund (MEDAF) program to Allied Trading, Inc., doing business as PwrQ. State law requires an endorsement by the governing body of the jurisdiction in which a project is located. PwrQ has received an offer letter expressing intent to approve a conditional loan from MEDAF in the amount of \$780,000 to expand its headquarters and manufacturing operations in the County.

**Review of Fiscal Impact**

Anne Arundel Economic Development Corporation (AAEDC) is responsible for a 10% match, which will be fulfilled with \$78,000 in FY25 Workforce Training Reimbursement Program funding disbursed initially as a conditional loan. AAEDC advised this \$78,000 loan will be converted to a grant if PwrQ meets certain conditions by December 31, 2029 and would no longer need to pay back the loan upon that conversion. AAEDC’s FY25 budget included \$150,000 in Workforce Training Reimbursement Program funding which will be partly used for the purpose of the MEDAF match.