



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

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** August 30, 2024  
**Subject:** Auditor's Review of Legislation for the September 3, 2024 Council Meeting

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**Bill 61-24: Anne Arundel County Transit Development Plan 2024 (Hearing Concluded) (Eligible for Vote)**      **Summary of Legislation**

This bill adopts the Anne Arundel County Transit Development Plan 2024 (TDP), authorizes the Transit Officer to amend the TDP in accordance with any amendments to this bill, authorizes the Transit Officer to make specified corrections and changes to the TDP and publish the TDP, and requires the TDP to be kept in specified locations.

We commented on this bill in our letter dated July 12, 2024. At the July 15, 2024 Council meeting, this bill was held until the September 3, 2024 Council meeting. We have no further comments on this bill.

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**Bill 64-24: Planning and Development – Master Plan for Water Supply and Sewerage Systems**      **Summary of Legislation**

This bill amends the Master Plan for Water Supply and Sewerage Systems, 2022 (Plan) to alter a certain map by changing three privately owned land parcels from No Public Service category in the Rural Service Area to the Planned Service category in the Broadneck Service Area. Also, this bill requires the Plan and associated map amendments to be kept in specified locations. This bill is subject to the approval of the Maryland Department of the Environment.

Parcel 6 is platted as community open space in the Pointfield West subdivision and its use is limited to parks, conservation, recreation, gardening, and similar purposes for the residents of that subdivision. Parcel 371 is platted as a recreation area in the Point Field Landing subdivision and the plat states that this recreation area will be deeded to Anne Arundel County in Trust for the lot owners and residents of the subdivision. Although this is stated, the parcel has not been deeded to the County and the Office of Planning and Zoning (OPZ) does not readily know why. Parcel 399 was included in Region 4 comprehensive zoning legislation (Bills 27-24 and 28-24) as a change from R2 to C2.

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**Bill 64-24 (continued)**

The property owner of parcel 399 filed a zoning change application in order to support future planned development. Per OPZ, this change is consistent with the General Development Plan and would have been pursued during the next Plan had this amendment not been submitted. The next Plan review is due in 2025; however, OPZ advised it intends to request an extension until all comprehensive zoning regions have been updated and approved by the County Council.

This bill was reviewed and recommended by the Planning Advisory Board with certain recommendations, as provided in their letter.

**Review of Fiscal Impact**

This bill has no direct fiscal impact to the County, but there could be a fiscal impact from future development of these three parcels. Costs to connect to public water and sewer are paid by the developers through charges and assessments and upon connection users will be billed for water and sewer usage.

We are unable to determine if there is any fiscal impact associated with parcel 371, if the property is or is not ultimately deeded to the County, without additional information.

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**Bill 65-24: Subdivision  
and Development –  
Adequate School  
Facilities – School  
Utilization Chart**

**Summary of Legislation**

This bill approves the School Utilization Chart, 2024-Revised (Chart). The Chart reflects the most recent redistricting plan approved by the Board of Education, 2023-2024 actual school year enrollment data, updated projected 2026 enrollment data from the 2024 Education Facilities Master Plan (EFMP), and updated state-rated capacities for certain schools. Per County Code § 17-5-502, the school utilization chart designates schools in the County as either open, if the school enrollment is less than 100% of the state-rated capacity, or closed, if the school enrollment is at or over 100% of the state-rated capacity. It also specifies that the school utilization chart shall be revised at least once a year by the Council upon the annual recommendation of the Planning and Zoning Officer and may be revised more often because of significant changes in capacities.

The Council last approved the school utilization chart in Bill 22-24, which is the basis for the comparisons below. The same actual enrollment numbers were used in Bill 22-24 but the enrollment projections were from the 2023 EFMP. Although the County Code does not define significant changes in capacities, OPZ indicated that this is determined in consultation with the Administration and Anne Arundel County Public Schools staff. Per County Code, the Planning and Zoning Officer recommended revision of the school utilization chart due to additional enrollment information and comprehensive redistricting.

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**Bill 65-24 (continued)**

The Chart includes 111 schools, consistent with the School Utilization Chart, 2024. This bill opens 16 schools that are currently closed: Belle Grove Elementary, Brooklyn Park Elementary, Crofton Elementary, Crofton Meadows Elementary, High Point Elementary, Maryland City Elementary, Overlook Elementary, Piney Orchard Elementary, Richard H. Lee Elementary, Severn Elementary, Southgate Elementary, Waugh Chapel Elementary, Annapolis High, Glen Burnie High, North County High, and Old Mill High schools. This bill also reflects 2 newly constructed schools as open: Two Rivers Elementary School and Severn Run High School, which opened in school year 2024-2025.

This bill closes 3 schools that are currently open: Crofton Woods Elementary, Four Seasons Elementary, and Odenton Elementary schools. The Chart reflects a reduction in the total number of closed schools from 22 to 9 schools.

**Review of Fiscal Impact**

While there is no direct fiscal impact of this legislation, it could allow or limit future development within the related feeder systems, which may have a future fiscal impact.

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**Bill 66-24: Approval of the Amended and Restated Lease Between Anne Arundel County and Wiley Bates School LLC****Summary of Legislation**

This bill approves an amended and restated lease (proposed lease) for part of County-owned property in Annapolis known and designated as Wiley H. Bates High School to Wiley Bates School LLC. During our review of this bill, we identified several errors that were shared with the Office of Law and Council staff and will be corrected via amendment.

The original lease term was March 18, 2005 through March 17, 2055. Bill 49-23 extended the lease term through March 17, 2097. This bill alters the lease term to 99 years from this bill's effective date, which is through 2123. The proposed lease reflects the rent payment remaining at \$1 per year. In addition, the proposed lease includes various changes, including changes to the tenant, altered intended financing sources, and expected building renovation work. The proposed renovations include improvements to 71 units of affordable senior housing and related site improvements, fixtures, and surrounding grounds.

The proposed lease also adds language to expressly consent to a sublease with Resurgence Beauty Lounge LLC dated April 1, 2016. This language was not in the original lease.

**Review of Fiscal Impact**

The bill has no direct fiscal impact because there is no change to the County services provided for this property. The tenant will continue to be responsible for maintenance and operating expenses of the leased facility,

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**Bill 66-24 (continued)**

and the County will continue to be responsible for utility connections and provide landscaping services to the property. The County has no plans to fund property improvements at the lease site.

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