



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

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** April 28, 2021  
**Subject:** Auditor Review of Legislation for the May 3, 2021 Council Meeting

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**Bill 11-21:  
Planning and Zoning –  
General Development Plan  
– Plan2040 (As Amended)**

**Summary of Legislation**

This bill repeals the 2009 General Development Plan (GDP) and related amendments and adopts the GDP set forth in “Plan2040,” an official policy document intended to guide future growth, development, resource management and protection, and provision of County services.

We commented on the bill in our letters dated February 24, 2021, March 10, 2021, March 31, 2021, and April 14, 2021. At the April 19, 2021 Council meeting, 62 amendments were adopted to modify or remove various aspects of Bill 11-21. We have no further comments on this bill.

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**Bill 20-21:  
Floodplain Management,  
Erosion and Sediment  
Control, and Stormwater  
Management –  
Subdivision and  
Development – Forest  
Conservation (As  
Amended)**

**Summary of Legislation**

This bill expands the definition of standard grading plan, requires replanting or payment of a fee-in-lieu of replanting when an approved grading permit allows for the clearing of certain trees, establishes civil fines for certain clearing violations, adds penalties for violations of erosion and sediment control and stormwater management provisions, and adds penalties for clearing violations that occur during development.

We commented on the bill in our letters dated March 10, 2021, March 31, 2021, and April 14, 2021. At the April 19, 2021 Council meeting, this bill was amended to: remove the requirement for obtaining a permit to clear more than 2,500 square feet of certain forests, remove language related to civil fines or fees-in-lieu of clearing within the critical area, add a definition of priority forests adopted from the Forest Conservation Ordinance, and require replanting or fee-in-lieu of replanting for permitted clearing of more than 5,000 square feet of trees within a priority forest as defined unless another provision of law provides for a stricter requirement. These changes would further decrease the potential fiscal impact because any fines or fees-in-lieu of replanting would apply only to a narrow set of clearing activities.

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**Bill 27-21:  
Public Works – Permits  
for Use of County Right-  
of-Way – Maintenance  
Permit and Inspection  
Fees (Eligible for Vote)**

**Summary of Legislation**

This bill requires a utility to be invoiced quarterly for right-of-way maintenance permit and inspection fees and assesses a 10% penalty for invoices not paid within 30 days of the invoice date.

We commented on this bill in our letter dated April 14, 2021. At the April 19, 2021 Council meeting, this bill was held until the May 3, 2021 meeting. We have no further comments on this bill.

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**Bill 28-21:  
Subdivision and  
Development –  
Community Meetings –  
Recordings (Eligible for  
Vote)**

**Summary of Legislation**

This bill requires the developer of a subdivision to record the proceedings of each community meeting and provide a copy of the recording to the Office of Planning and Zoning (OPZ). Additionally, this bill requires OPZ to post the recording of the meeting to the County’s webpage for at least 90 days.

We commented on this bill in our letter dated April 14, 2021. At the April 19, 2021 Council meeting, this bill was held until the May 3, 2021 meeting. We have no further comments on this bill.

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**Bill 29-21:  
2021 Amendments to the  
Anne Arundel County  
Solid Waste Management  
Plan 2013**

**Summary of Legislation**

This bill amends Section 5.14.1 Proposed Private Waste Processing Facilities of the Anne Arundel County Solid Waste Management Plan 2013 to include one proposed Tier II compost facility that has not started operation privately owned by Garrity Renewables, LLC.

**Item to Note:** The Administration will be requesting a technical amendment to correct the reference on page 1, line 12 of the bill to page 5-34.

**Review of Fiscal Impact**

This bill has no fiscal impact.

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**Bill 30-21:  
Zoning – Definitions –  
Adult Independent  
Dwelling Unit**

**Summary of Legislation**

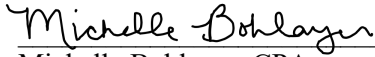
This bill amends the definition of “adult independent dwelling unit” to include “of any type, without reference to the underlying zoning district.”

**Review of Fiscal Impact**

OPZ is not aware of any current projects that will be impacted by this bill and OPZ does not expect a change in workload. This bill has no fiscal impact.

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Sincerely,

  
Michelle Bohlayer, CPA  
County Auditor