

Office of the County Auditor
Auditor's Analysis

Council Bill No. 40-2023

Introduced: October 2, 2023

Auditors: Rebecca Gold and Diane Zagorski

Fiscal Impact:

The fiscal impact of this legislation cannot be estimated, as it is not possible to predict how many future developments may be affected. According to the Chief of the Stormwater Management Division of the Department of Public Works (DPW) and the Director of the Department of Planning and Zoning (DPZ), no additional resources would be needed to implement this legislation. The DPW indicated the legislation could result in a minimal increase to the amount of forest mitigation fees-in-lieu that it pays, which would be charged to a Capital Project Fund.

Purpose:

Council Bill 40-2023 removes the stream restoration project exemption from the forest conservation requirements in Section 16.1202(b)(1) of the County Code. It also removes the definition of a Stream Restoration Project from the list of definitions in Section 16.1201 of the code.

Other Comments:

The DPW indicated it received exemptions for four stream restoration projects over the past five years.

We have requested a list of the stream restoration projects in the pipeline that may be subject to this legislation. We will provide this list to the Council upon its receipt.

According to the DPZ, the application of this change to projects already in process will be handled in accordance with Section 16.102(h) of the County Code. Projects will proceed under the regulations in effect at the time of the following plan approvals:

- Preliminary plan original signature or preliminary equivalent sketch plan original signature approval;
- Final plan approval letter for minor subdivisions and resubdivisions; or
- Site development plan original signature approval.