



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item No. 7

Date: 2/20/2020

Staff Report: Forest Conservation Law Amendments - Modifications



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SUMMARY

Changes to Chapter 22A of the Montgomery County Code (the Forest Conservation Law) are needed primarily to align the Forest Conservation Law with the enabling state law, which was recently amended per [Senate Bill 234](#). Senate Bill 234 became effective, statewide, on October 1, 2019 and Montgomery County is obligated to incorporate these changes. Other changes recommended by staff are intended to clarify and update sections of the Forest Conservation Law. Staff is recommending approval of the recommended changes to Chapter 22A for transmittal and introduction to the County Council.

PROPOSED CHANGES

The proposed changes consisting of additions, deletions and clarifications to the Forest Conservation Law are summarized below. A more detailed discussion and analysis of the proposed changes is in the next section titled **Analysis**.

1. Adding a new definition for “forest edge.” This term would need to be defined if proposed language in the 22A-12(h)(1) *Maintenance agreement* section is adopted.
2. Clarifying the definition of “land disturbing activities.” Currently, this term is defined as having the same meaning as in Chapter 19 but to avoid confusion staff is proposing to amend the definition to explicitly include the cutting, clearing, or grading of forest as a possible land disturbing activity.
3. Adding a new definition for “restoration plan” and clarifying that violators may be required to submit a restoration plan instead of a forest conservation plan.
4. Clarifying the definition of “watershed.” The proposed change clarifies that the MS4-delineated watersheds referenced in the definition are also the State of Maryland’s 8-digit delineated watersheds.

5. Closing a loophole that currently allows developments that include several platted contiguous lots, each less than 40,000 square feet, to not meet the applicability requirements of the Forest Conservation Law. The amendment would require that clearing or grading conducted on two or more platted contiguous lots that collectively total 40,000 square or larger be subject to the Forest Conservation Law.
6. Amending the criteria for agricultural activities to be exempt from the requirements of Article II to ensure that the property would remain in agricultural use. The proposed change would exempt agricultural activities as long as the land remains in commercial agriculture for 5 years after the development application is approved.
7. Exempting local government highway construction activities from the requirements of Article II, in addition to the currently exempt state or County highway construction activities. The new language also clarifies that these highway construction activities are still subject to the requirements of Article III, the Enforcement, Appeals, and Variances section of the Forest Conservation Law.
8. Clarifying that minor subdivisions exempt from the requirements of Article II are exempt if: a) **either** the development located on the resulting lot is a single family dwelling unit or an accessory structure and the development does not result in the cutting, clearing, or grading as specified; **or** b) there is no proposed land disturbance and a declaration of intent is filed with the Planning Director as specified.
9. Clarifying that modifications requiring the approval of a conditional use/special exception are not exempt from the requirements of Article II under the (t) modifications exemption.
10. Amending the criteria for exemptions from requirements of Article II for modifications of non-residential developed property so that in order to qualify for the exemption, modifications must maintain the “principal building(s)” rather than the “existing development.”
11. Clarifying the parties of the binding maintenance agreement required for stream restoration projects exempt from the requirements of Article II in cases where the applicant is also the landowner.
12. Clarifying that the binding maintenance agreement for stream restoration projects exempt from the requirements of Article II is for mitigation tree planting and maintenance, and proposing that financial security be required for those mitigation trees.
13. Amending the tree save plan provisions to require the approval of a tree save plan for any activity or development that would be exempt from the requirements of Article II under Section 22A-5 that will impact a significant, specimen, or champion tree.
14. Introducing an expiration date of 5 years on exemptions from submitting a forest conservation plan if construction of the development has not occurred.

15. Introducing a new requirement for timber harvest operations exempt from submitting a forest conservation plan. This change would require timber harvesting operations to include provisions in the exemption application for the establishment of new forest within two years after overstory trees are removed.
16. Increasing the length of the binding maintenance agreement required as part of a forest conservation plan from “at least 2 years” to “at least 5 years” with the ability for the obligee to request that the binding maintenance agreement be reduced to 3 years if proper maintenance of the planting areas occurred.
17. Creating a new noticing requirement where forest conservation plan applications, not associated with a subdivision or site plan, follow a similar process as for those regulatory plans (see attached staff practice that would notify staff of this change if it were to take effect).
18. Requiring a final forest conservation plan for projects requiring mandatory referrals or park development plans be reviewed with those plans. Currently, only a preliminary forest conservation plan is required.
19. Removing the footnote and associated 15% Forest Conservation Threshold for mixed use and planned unit developments, as it applies to plans approved before January 1, 1992.
20. Modifying the preferred sequence for afforestation and reforestation to align it with the recent amendments to the enabling state law and current staff practice. Purchasing credits from a forest mitigation bank and paying a fee in-lieu have been added to the preferred sequence.
21. Amending the in-lieu fee section per the recent amendments to the enabling state law. These changes require that a contribution to the forest conservation fund be made only if the requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished; or if credits generated by a forest mitigation bank within the same watershed, and if not within the same watershed, within the County, are not available.
22. Increasing the term of the irrevocable letter of credit or cash bond (preferred form of financial security) from a minimum of 2 years to a minimum of 5 years to reflect the proposed change to the length of the binding maintenance agreement.
23. Clarifying that one acre of forest mitigation bank credit equals 1 acre of planted forest or 2 acres of existing forest.
24. Making the Forest Conservation Law consistent with the enabling state law, which requires applicants to acquire forest mitigation bank credits from a forest mitigation bank within the same 8-digit watershed, and only if forest mitigation bank credits are not available within the same 8-digit watershed, applicants can acquire forest mitigation bank credits from any approved forest mitigation bank within the County.

25. Including a new required inspection 2 years after reforestation and afforestation planting has occurred to ensure property owners are completing their required maintenance of planted forests for the 5-year maintenance period.
26. Clarifying which inspections are required for exemptions from submitting a forest conservation plan and plans approved in accordance with Section 22A-9.
27. Aligning the variance application requirement where an applicant must describe the special conditions which would cause unwarranted hardship with the enabling state law.
28. Removing the referral of variances under 22A-12(b)(3) to the County arborist.
29. Adding a new condition that would presume variance recommendations from other agencies to be favorable if a recommendation is not submitted to the Planning Board, or Planning Director within 30 days after the referral.

ANALYSIS

Below is a more detailed discussion and analysis of the proposed changes to the Forest Conservation Law by Section:

Section 22A-3. Definitions.

Proposal. Lines 5 through 7 add a new definition for “forest edge.”

Analysis. The term “forest edge” would need to be defined if proposed language under 22A-12(h)(1) Maintenance agreement is adopted.

Proposal. Lines 9 and 10 clarify the definition of “land disturbing activities.”

Analysis. Currently, “land disturbing activities” is defined as having the same meaning as in Chapter 19. However, the Chapter 19 definition of “land disturbing activities” does not explicitly include the cutting, clearing, or grading of forest as a possible land disturbing activity, and this has resulted in some confusion. Since the Forest Conservation Law regulates the cutting, clearing, or grading of more than 5,000 square feet of forest, this addendum to the definition is being proposed as another possible land disturbance activity for clarification.

Proposal. Line 12 proposes adding a new definition for “restoration plan.”

Analysis. Restoration plans are created in response to a violation in certain cases when a forest conservation plan is not required. This new definition is being proposed in conjunction with the proposed change in Section 22A-17 (line 351), to clarify that violators may be required to submit a restoration plan instead of a forest conservation plan in some cases in response to a violation.

Proposal. Lines 14 through 17 clarify the definition of “watershed.”

Analysis. Watershed is currently defined as either an area delineated as a watershed in the Montgomery County Municipal Separate Storm Sewer System (MS4) Permit Implementation Program or any smaller area within the watershed that is delineated by the State of Maryland as a 12-Digit watershed. The proposed change clarifies that the MS4-delineated watersheds referenced in the definition are also the State of Maryland’s 8-digit delineated watersheds.

Section 22A-4. Applicability.

Proposal. Lines 21 through 23 would require that clearing or grading activities conducted on two or more platted contiguous lots that collectively total 40,000 square feet or larger be subject to the Forest Conservation Law.

Analysis. This amendment would close a loophole. The forest conservation law applies to recorded single lots that are greater than 40,000 square feet. In the past, developers have purchased a string of recorded and unbuilt lots, each individually less than 40,000 square feet, and sold them individually. Then, each new property owner obtained the necessary permits for their individual lot, but all adjacent lots in the development were mass graded as if they are under one sediment control permit, even though they are not. In effect, the development was greater than 40,000 square feet, but the loophole did not require the cumulative effect of the development to comply with the Forest Conservation Law.

Section 22A-5. Exemptions.

Proposal. Lines 28 through 33 clarify which activities are exempt from the requirements of Article II under (b), the agricultural activity exemption.

Analysis. Previously, this section would permit an exemption from the requirements of Article II if the proposed activity did not involve a subdivision or constructing a new principal building. However, this language did not ensure that the property would remain in agricultural use. The proposed change would exempt agricultural activities as long as the land remains in commercial agriculture for 5 years after the development application is approved.

Proposal. Lines 46 and 47 include a new reference to Section 22A-6(c), which introduces a new requirement for timber harvest operations exempt from submitting a forest conservation plan.

Analysis. This change would require timber harvesting operations to include provisions in the exemption application for the establishment of new forest within two years after overstory trees are removed.

Proposal. Line 49 would exempt local government highway construction activities from the requirements of Article II. Lines 50 through 52 direct all highway construction activities exempt from the requirements of Article II to Sections 22A-6(d) and 22A-9 for a full list of exemption requirements.

Analysis. State and County highway construction activities are currently exempt from the requirements of Article II. The proposed changes would exempt local government highway construction activities led by municipalities from the requirements of Article II as well. The change also references sections 22A-6(d) and 22A-9, which clarify that these highway construction activities are still subject to the requirements of Article III, the Enforcement, Appeals, and Variances section of the Forest Conservation Law.

Proposal. Lines 56 and 65 combine sections (1) and (2) of the (n) exemption for minor subdivisions.

Analysis. This minor change clarifies that minor subdivisions exempt from the requirements of Article II are exempt if: a) *either* the development located on the resulting lot is a single family dwelling unit or an accessory structure and the development does not result in cutting, clearing, or grading as specified; *or* b) there is no proposed land disturbance and a declaration of intent is filed with the Planning Director as specified. At present, many interpret this subsection to mean that minor subdivisions must meet all three conditions to be exempt from the requirements of Article II.

Proposal. Line 72 updates the reference to the section on tree save plans within the (r) equestrian facility exemption from 22A-6(b) to 22A-6(a).

Analysis. Section 22A-6(a) is proposed for removal. Deleting section 22A-6(a) would require the reference to the section on tree save plans to change from Section 22A-6(b) to Section 22A-6(a).

Proposal. Line 74 removes a redundant phrase. Lines 81, 82, 90 and 91 clarify that modifications requiring the approval of a conditional use/special exception are not exempt under the (t) modifications exemption. Line 84 amends the criteria for exemptions to modifications of non-residential developed property so that in order to qualify for an exemption from the requirements of Article II, modifications must maintain the “principal building(s),” rather than the “existing development.”

Analysis. The first change would clarify that modifications requiring the approval of a conditional use/special exception are exempt from the requirements of Article II under the (q) exemption. The second change would clarify that non-residential developed properties

requiring a modification are exempt from the requirements of Article II if the principal building(s), rather than the development footprint, are kept intact.

Proposal. Lines 96 through 101 clarify the parties of the binding maintenance agreement required for stream restoration projects exempt from the requirements of Article II in cases where the applicant is also the landowner, and clarify that the binding maintenance agreement is for mitigation tree planting and maintenance, and that financial security for mitigation trees is required.

Analysis. This addition clarifies that if the applicant of a stream restoration project is also the landowner, they should enter into a binding maintenance agreement, as required, with the Commission. Currently, the parties of the binding maintenance agreement in this case are not specified. The changes regarding the binding maintenance agreement clarify that mitigation trees should be planted and add a new proposed requirement of financial security for such mitigation trees.

Section 22A-6. Exemptions and tree save plans.

Proposal. Lines 103 through 108 update the title of Section 22A-6 and remove section (a).

Analysis. The following proposed changes to Section 22A-6 necessitate a title change for this section. In addition, section (a) is out of date and is proposed for removal.

Proposal. Lines 109 through 111 amend the tree save plan provisions to require the approval of a tree save plan for any activity or development that would be exempt from the requirements of Article II under Section 22A-5 that would impact a significant, specimen, or champion tree.

Analysis. Currently, the proposed clearing of a specimen or champion tree requires applicants to acquire an approved tree save plan. This change would require an approved tree save plan for any plan that would impact any tree with a DBH of 24" or greater (any significant tree).

Proposal. Lines 117 and 118 propose a new expiration date for approved exemptions from the requirements of Article II.

Analysis. This new expiration date would cause approved exemptions to expire after 5 years if the development has not occurred. This proposed change adds a layer of protection to account for environmental changes that have occurred since the exemption from the requirements of Article II was granted, such as a tree maturing to qualify as a specimen tree.

Proposal. Lines 119 through 122 introduce a new requirement for timber harvest operations exempt from submitting a forest conservation plan.

Analysis. This change would require timber harvesting operations to include provisions in the exemption application for the establishment of new forest within two years after overstory trees are removed. Currently, timber harvesting operations applying for an exemption from the requirements of Article II are not required to disclose provisions for the establishment of new forest after trees are harvested.

Proposal. Lines 123 and 124 replace language removed from Section 22A-6(a), above, which is proposed for deletion.

Analysis. This change retains enforcement capabilities previously defined under Section 22A-6(a).

Proposal. Lines 125 and 126 add a provision stating that highway construction activities exempt from submitting a forest conservation plan are still subject to the requirements of Article III.

Analysis. This proposed addition clarifies that these highway construction activities exempt from submitting a forest conservation plan are still subject to the requirements of Article III, the Enforcement, Appeals, and Variances section of the Forest Conservation Law.

Section 22A-9. County Highway Projects.

Proposal. Lines 128 and 130 would exempt local government highway construction activities from the requirements of Article II.

Analysis. State and County highway construction activities are currently exempt from the requirements of Article II. These changes exempt local government highway construction activities led by municipalities from the requirements of Article II as well.

Section 22A-10. General.

Proposal. Line 141 would increase the length of the binding maintenance agreement required as part of a forest conservation plan from “at least 2 years” to “at least 5 years.”

Analysis. This change would allow time for proper treatment of non-native invasive vegetation to actually see growth in the plantings. The 5 year maintenance agreement is consistent with the maintenance and management period for any forest planting in Special Protection Areas and for any project that qualifies for an exemption from submitting a forest conservation plan, such as a stream restoration project. Inspection staff have concluded that very few developers maintain their planted trees. Most walk away after planting has occurred and only call the inspector for the final inspection. The inspectors often do not find that the survival requirements needed to release the financial security have been met, and the maintenance period and financial security are subsequently extended. By extending the maintenance and

management period and requiring an inspection after 2 years by the inspector, the inspection team can inform the developer of the maintenance and survival requirements needed to be released from their obligations at the end of the 5 year maintenance period.

Section 22A-11. Application, review, and approval procedures.

Proposal. Lines 147 and 148 introduces a new noticing requirement for forest conservation plan applications.

Analysis. Currently there is not a requirement for any forest conservation plan submitted to the Planning Department to be noticed to the community. The proposed amendment creates a new noticing requirement for forest conservation plans, where applications must be posted and mailed, following a similar process as for regulatory plans. The specifics of this new requirement would be detailed in the Forest Conservation Regulation.

Proposal. Lines 153 through 157 change the required forest conservation plan for projects requiring mandatory referrals or park development plans from a preliminary forest conservation plan to a final forest conservation plan.

Analysis. This change would make the process for approval of mandatory referral applications consistent with that of preliminary plans, so that the final forest conservation plan must be submitted and considered when mandatory referral applications are being reviewed. This provides a timeline for submitting a final forest conservation plan and aligns review of the final forest conservation plan with the planning board hearing. As written, this section does not provide a timeline for submitting the final forest conservation plan.

Section 22A-12. Retention, afforestation, and reforestation requirements.

Proposal. Lines 160 through 166 remove the table footnote and associated 15% Forest Conservation Threshold for mixed use and planned unit developments.

Analysis. This footnote is no longer relevant as it applies to plans approved before January 1, 1992.

Proposal. Lines 171 through 176 modify the preferred sequence for afforestation and reforestation to include purchasing credits from a forest mitigation bank and paying a fee in-lieu.

Analysis. These changes remove afforestation and reforestation options that are no longer used and add afforestation and reforestation options in the appropriate order to bring the preferred sequence section up to date with current practices and align the Forest Conservation Law with the recent amendments to the enabling state law.

Proposal. Lines 184 and 185 update the reference to the definition of “land disturbing activity” from Chapter 19 to Section 22A-3.

Analysis. If the definition of “land disturbing activity” is updated, this reference will need to be changed.

Proposal. Lines 179 through 221 amend the Forest Conservation Law so that in addition to demonstrating that requirements for reforestation on-site or off-site cannot be reasonably accomplished, a person required to meet the Forest Conservation Law must demonstrate that appropriate forest mitigation bank credits in the same watershed or county are not available before contributing to the forest conservation fund. Because Montgomery County has a robust forest mitigation bank program, this amendment would highly restrict contributions to the forest conservation fund as written. However, Section 5-1607(a)(4) of the Maryland Forest Conservation Act allows for an alternative sequence for reforestation and afforestation if necessary, to achieve the objectives of a local jurisdiction’s land use plans or policies. Therefore, the minor reforestation requirements provision was retained to allow applicants to pay the fee if the offsite reforestation requirements are less than ½ acre and no on-site priority planting area or other appropriate on-site planting area is available.

Lines 194 through 221 replace the specific development situations where applicants may be allowed to pay into the forest conservation fund with one provision that a contribution may be made if it is for a reforestation requirement of 0.5 acres or less.

Analysis. These changes incorporate the recent amendments to the enabling state law.

Proposal. Lines 224 through 231 increase the length of the binding maintenance agreement required as part of a forest conservation plan from 2 years to 5 years (the obligee may request that the binding maintenance agreement be reduced to 3 years if the forest conservation inspector finds that the maintenance agreement has been fulfilled) and includes non-native invasive control as a possible maintenance activity.

Analysis. This change would allow time for proper treatment of non-native invasive vegetation. The 5 year maintenance agreement is consistent with the maintenance and management period for any forest planting in Special Protection Areas and for any project that qualifies for an exemption from submitting a forest conservation plan, such as a stream restoration project. Inspection staff have concluded that very few developers maintain their planted trees. Most walk away after planting has occurred and only call the inspector for the final inspection. The inspectors often do not find that the survival requirements needed to release the financial security have been met, and the maintenance period and financial security are subsequently extended. By extending the maintenance and management period and requiring an inspection after 2 years by the inspector, the inspection team can inform the developer of the

maintenance and survival requirements needed to be released from their obligations at the end of the 5 year maintenance period. As proposed, the obligee may request that the binding maintenance agreement be reduced to 3 years if the forest conservation inspector finds that the maintenance agreement has been fulfilled.

Proposal. Line 239 would require financial security for mitigation trees required as part of a binding maintenance agreement.

Analysis. There is currently no requirement to have financial security, such as a bond, for mitigation trees.

Proposal. Lines 243 through 245 add a minimum of 5 years for irrevocable letters of credit or cash bonds, the preferred financial security instruments for required afforestation, reforestation, mitigation trees, and/or maintenance activities. The length of the financial security may be reduced to 3 years upon request by the obligee if the forest conservation inspector finds that the binding maintenance agreement has been fulfilled.

Analysis. This change aligns the length of the financial security instruments with the proposed 5-year binding maintenance agreement.

Proposal. Line 255 updates the reference to the definition of “land disturbing activity” from Chapter 19 to Section 22A-3.

Analysis. If the definition of “land disturbing activity” is updated, this reference will need to be changed.

Section 22A-13. Forest mitigation banks.

Proposal. Generally, lines 259 to 312 edit and restructure the forest mitigation banks section of the Forest Conservation Law. Line 270 aligns the length of the binding maintenance agreement with the proposed changes under 22A-12(h)(1).

Analysis. These proposed modifications clarify the forest mitigation banks section of the Forest Conservation Law and increase the length of the referenced binding maintenance agreement to the proposed 5 years.

Proposal. Lines 277 through 279 clarify that one acre of forest mitigation bank credit equals 1 acre of planted forest or 2 acres of existing forest.

Analysis. This proposed change incorporates the existing incentive to plant new forest mitigation banks into the Forest Conservation Law.

Proposal. Lines 305 through 309 incorporate the amendment to the enabling state law. Applicants must acquire forest mitigation bank credits from a forest mitigation bank within the same 8-digit watershed, and only if forest mitigation bank credits are not available within the same 8-digit watershed, applicants can acquire forest mitigation bank credits from any approved forest mitigation bank within the County.

Analysis. The amendment to the enabling state law is a required change. However, staff currently encourage the purchase of forest mitigation bank credits within the same watershed where possible, so this amendment does not change the way this section of the Forest Conservation Law is implemented.

Section 22A-15. Inspections and notification.

Proposal. Lines 317, 318 and 332 through 335 add a new inspection 2 years after reforestation and afforestation have been completed.

Analysis. This new interim inspection would occur two years after the start of the proposed 5-year binding maintenance agreement. Inspection staff have concluded that very few developers maintain their planted trees. Most walk away after planting has occurred and only call the inspector for the final inspection. The inspectors often do not find that the survival requirements needed to release the financial security have been met, and the maintenance period and financial security are subsequently extended. By extending the maintenance and management period and requiring an inspection after 2 years by the inspector, the inspection team can inform the developer of the maintenance and survival requirements needed to be released from their obligations at the end of the 5 year maintenance period.

Proposal. Lines 338 through 341 clarify which inspections are required for certain plan types.

Analysis. This change clarifies that inspections (A) through (C) are required for confirmed exemptions from submitting a forest conservation plan and inspections (A) through (G) are required for plans approved in accordance with Section 22A-9.

Section 22A-17. Corrective actions.

Proposal. Line 351 adds “restoration plan” as a plan that may be submitted instead of a forest conservation plan in some cases in response to a violation.

Analysis. Currently, restoration plans are created in response to a violation in certain cases when a forest conservation plan is not required. This change aligns this section of the Forest Conservation Law with current practice.

Section 22A-21. Variance.

Proposal. Line 359 addresses the variance application requirement where an applicant must describe the special conditions which would cause unwarranted hardship. This change allows applicants to describe “other circumstances” that would cause unwarranted hardship.

Analysis. This proposed change would align the variance application requirement with the enabling state law.

Proposal. Lines 362 and 363 remove the referral of variances under 22A-12(b)(3) to the County arborist.

Analysis. This change was recommended by the Montgomery County Department of Environmental Protection (DEP). Currently, subdivision applications and site plans must be reviewed by the Planning Board within 120 days of acceptance. However, the DEP County arborist is given an opportunity to comment on related tree variances under 22A-12(b)(3) during a 10 day window through the DRC process before the Planning Board hearing. These two timelines often conflict, and the DEP County arborist is not able to provide input as required during this short timeframe. Therefore, DEP has requested this change to solve this issue and expedite the variance process.

Proposal. Lines 365 through 367 add a new condition that would presume variance recommendations from other agencies to be favorable if a recommendation is not submitted to the Planning Board, or Planning Director within 30 days after the referral.

Analysis. In 2017, the Planning Department, in conjunction with DEP, proposed similar language as described above to remove the referral of tree variances under 22A-12(b)(3) in order to expedite the variance process. However, just before adoption of this amendment, the County determined that it wanted to retain the ability to review tree variances under 22A-12(b)(3). The 30-day timeline for other agencies to submit variance recommendations to the planning board was removed, but the referral of tree variances under 22A-12(b)(3) to the County arborist remained. Therefore, if the County Arborist is removed from reviewing tree variances under 22A-12(b)(3), as staff is suggesting, this section needs to revert to the language that was in place prior to 2017 which gives a date in which all agencies reviewing variances must provide comments to the Planning Department. Without a recommendation the Planning Department can assume the recommendation is favorable.

Section 22A-27. Forest Conservation Fund.

Proposal. Line 372 increases the length of the maintenance agreement referenced in section (b) – Penalties – from 2 years to the proposed 5 years.

Analysis. This modification increases the length of the referenced maintenance agreement to the proposed 5 years.

Section 22A-30. County Arborist.

Proposal. Lines 381 and 382 remove the same referral of variances as lines 355 and 356.

Analysis. This change was recommended by the Montgomery County Department of Environmental Protection (DEP) in 2017 and DEP has requested that this change be re-introduced.

CONCLUSION

Staff recommends the Planning Board approve transmittal of the proposed changes to Chapter 22A of the County Code to the President of the Montgomery County Council for introduction.

Attachment:

- A. Proposed changes to Chapter 22A of the County Code
- B. Staff Practice – Notice of Forest Conservation Plans and Forest Conservation Plan Amendments