

Non-Permitted Structures, Uses, or Disturbances

The following items are not permitted within a recorded forest conservation easement on **privately owned single family residential lots or preservation parcels**:

- Above-ground or in-ground swimming pools and hot tubs, basketball, tennis or other similar athletic courts;
- Barns, detached garages, gazebos, greenhouses, house additions, sheds and other similar structures;
- Board on board, chain link, panel and picket fences, decks and patios;
- Dog kennels and other pet or livestock enclosures;
- Fountains and fish ponds;
- Parking or storage of boats, campers, trailers or other vehicles, permanent masonry barbecue grills, retaining walls.

The installation or construction of any of the preceding non-permitted structures, uses or disturbances within a recorded forest conservation easement shall be considered a violation of the Forest Conservation Regulations and are subject to enforcement action by the Department of Planning and Zoning. Enforcement action may include monetary penalties including civil fines, fee-in-lieu payments for forest easement abandonment and the re-recording of the forest conservation easement plat and/or mitigation to restore the forest area to a quality acceptable to this Department.

Summary

Our forest resources affect everyone. Whether located on public or private land it is imperative that we care for and manage them. As the guardians of this public trust, it is our responsibility to conserve these resources. Together, through our combined efforts in managing and protecting these fragile resources, we will insure they will be viable for many generations to come.

For More Information Contact:

The Howard County Department of Planning and Zoning (DPZ) at (410) 313-2350, or come to the DPZ public service desk on the first floor of the Ascend One Building, 8930 Stanford Blvd., Columbia, MD 21045.

The office hours are: Monday through Friday; 8:00 a.m. to 5:00 p.m.



HOWARD COUNTY GOVERNMENT

Physical Address:

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Columbia, MD 21045

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Phone: 410-313-2350 Fax: 410-313-3467
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Educational Guide For Forest Conservation Areas Located On Private Lots



HOWARD COUNTY GOVERNMENT

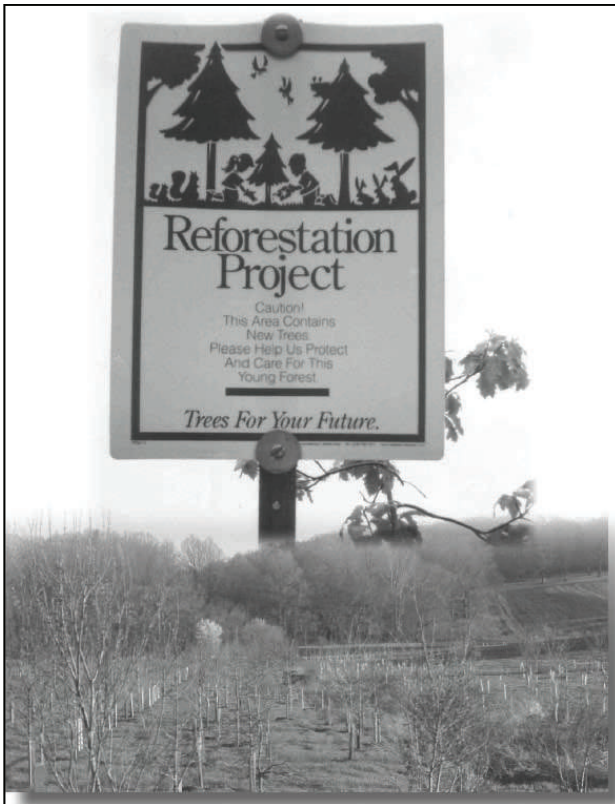


Your County Government Working For You.

Tel: (410) 313-2350

Introduction

Howard County's Forest Conservation Program was enacted pursuant to the requirements of the Maryland Forest Conservation Act of 1991. This law requires local governments to be the guardian of the public trust in protecting and maintaining forest resources. That is why subdivision and land development projects are required to have an approved Forest Conservation Plan as a condition of approval for development. The goal of the program is to protect and preserve trees and other natural vegetation in Howard County by promoting environmentally sensitive design. Additionally, this program promotes the creation of forests in areas where forests do not currently exist or cannot be saved. This brochure outlines our goal of partnering with you and your neighbors to guard the public trust in protecting and maintaining forest resources.



Things You Should Know

The occupants of a new development, whether owners or tenants, must avoid activities that destroy or degrade protected forest resources that have been placed under a public forest conservation easement. The post-construction protection program must therefore include steps to educate the new occupants about the proper use of Forest Conservation Easement areas, about the need for the developer and their designee to carry out the post-construction protection program, the type and duration of the post-construction protection activities, and the eventual transfer of long-term responsibilities to the owners or occupants. Information conveyed to the new occupants should include the following:

- Copies of the Forest Conservation Plan or plat, identifying all Forest Conservation Easement areas on the site.
- Letters or other written material explaining the developer's obligation for post-construction management, any rights of access needed to perform such duties, and a statement citing when new owners of the property or their common legal representative (for example, a homeowners association) will assume full responsibility for the Forest Conservation Easement areas. This material should also include the list of permitted and prohibited activities within Forest Conservation Easement areas cited in the Deed of Forest Conservation Easement.
- Signs posted on the property to delineate the Forest Conservation Easement areas.
- Other methods chosen by the developer.

Privately Owned Lots or Preservation Parcels

Permitted Structures & Uses

A property owner is allowed to install or have the following items within a recorded forest conservation easement **located on their privately owned residential lot or their preservation parcel** provided that no tree clearing, grading, understory removal or disturbance of the Critical Root Zone occurs, no impervious paving is installed, drainage or hydrology is not disturbed, wildlife migration is not inhibited and any required permits are received (the following allowances **do not** include HDA or County owned Open Space or Preservation Parcels):

- Children's swing sets, slides, sand boxes or other similar playground equipment that only involves disturbance for excavation of footings;
- Children's tree play houses less than 100 square feet in size;
- Dog houses;
- Exterior lighting fixtures, flagpoles and other ornamental lawn items such as bird baths, bird feeders, bird houses, sculptures and statues;
- Firewood stacks or piles;
- Flower gardens, landscaping and compost piles or bins;
- Mulched, gravel or stone block pathways;
- Picnic tables;
- Split rail fences with no wire mesh attachment and invisible pet fences;
- Other similar minor structures, uses or disturbances as determined acceptable by the Department of Planning and Zoning on a case by case basis.