

## Forest Conservation Advisory Committee

### Minutes

May 25, 2010

Prepared by: Clark Wagner

#### ATTENDEES

##### Members

Paul Allen (WSSC), ex officio  
Rick Brush, (DPS) ex officio  
Andrew Der  
Ken Ferebee  
Don Galloway  
Caren Madsen  
Norman Mease  
Laura Miller (DEP), ex officio  
David Plummer (MSCD), ex officio  
Jeff Schwartz  
Linda Silversmith  
Kevin Smith  
Clark Wagner

##### Absent members

Ginny Barnes  
Mark Buscaino  
Dan Landry  
Brett Linkletter (DPWT), ex officio  
Bill Pastor  
Mark Pfefferle (M-NCPPC), ex officio  
David Post  
Bryan Straathof

##### Others attending

Stan Edwards, DEP Staff  
Lois Villemarie, M-NCPPC

#### MINUTES

##### **Lois V. – MNCPPC – Zoning Code Re-Write**

- Zoning Code re-write effort started 3/08
- Need to simplify code
- 1977, 41 zones, 177 pages
- Now, 120 zones, 1,100 pages
- 480 footnotes
- 433 land uses listed
- Internal analysis & mapping by staff
- 10% of zones not used in County
- 98 special exception uses listed
- Outreach to stakeholders
- “Zoning Discovery” – won award
- Z.A.P. (Zoning Advisory Panel) named – 23 members
- RFP for drafting project – consultant  
“Code Studio” – Austin, TX
- Bus Tour of County w/ consultants
- 1<sup>st</sup> deliverable is “Approach & Outline”
- “Sustainability Audit” is also in this document
- Drafting go-ahead given by County Council

- Project Objective: “clarity” more graphics
- 4% Greenfield left in County , most new development will be infill & redevelopment.
- Commercial & Mixed Use Development = 2% of county land area
- 120 zones reduced to 15 zones, ie: CR Zone
- No more single use commercial zones – option to mix
- 433 land uses reduced to 120
- Sustainability practices – “S.A.” is framework for code
  - 1. Easy practices
  - 2. Medium practices
  - 3. Hard practices
- General Development Standards – place rules in the right place
- Drafting: 4 modules: Districts/Uses in Sept. – bi-monthly meetings
- May 2011: Consolidation
- August 2011: Draft Code to public
- Web page: [www.zoningmontgomery.org](http://www.zoningmontgomery.org)
- Open house tomorrow at Up County Reg. Services Center
- 6/2 deadline for comments
- Funding of Phase 1 & 2 ok
- Funding of Phase 3 is ??
- Some recommendations sound consistent with DEP Proposal
- Require a % of parking lot shading by trees
- Require street trees @ x spacing
- Require Tree Canopy coverage %
- Require structural soil in tree save areas
- Include tree ord. language in recommendations
- Rick Brush: coordinate with Lois in tree requirements
- Linda –
  - Arlene Bruhn recommendations
    - Save trees on lots
    - Tree protection requirements
    - Flexible setbacks
    - Road side tree law – need to look at it
    - Driveway locations
    - Contr. & workers
    - Silt fences fill trees
    - Is a tree law realistic?
    - Apply to small lots (Under 20,000 sqft)
- Caren M. – do we comment on Sus. Audit (send to ZAP Committee)?
- Rich B. – component of many environmental requirements (don’t have conflicts)
- Flexibility to save trees (setbacks should be more general)
- Caren to send out draft of comments via email.

New or other biz.

1) Operating procedures – BCC staff to review. Table for now.

- Linda –
  - Roberts rules are not flexible enough
  - Call in should be allowed
  - Allow non committee members to participate
- Andy – agrees with most
- Jeff – don't allow participants of non-members during meeting – wait till end
- Caren – agrees with the time slot at end language
- 3 meetings question – clarified by Laura
- Rick B.
  - DEP proposal moving forward with or without consensus from committee
  - Committee rec's on issues are important (i.e. DOT Letter)
- Next mtg topics:
  - Linda – 1) what would be in a tree ord?
  - 2) State Roadside Tree Law
  - June 22<sup>nd</sup>
  - July 27<sup>th</sup>
  - Aug – no meeting
- Andy – Mark P. to review current tree–save practices uses in development review.
- What happens if someone sees a violaton?
  - Call DPS or MNCPPC F.C. Inspector @ 301-495-4240 (Sheila)

Meeting adjourned.