

# Conservation Montgomery

*Working together to enhance our quality of life*

## Finding our Voice

*Perspectives from the CM Board of Directors*

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### Urging Montgomery County to mind the gap

Caren Madsen, Chairman, Conservation Montgomery Board of Directors

Oct. 28, 2010 – Montgomery County residents are intelligent, vocal and engaged. We generally care about the environment and our quality of life and we're quick to let public officials know if we feel they can do better by county taxpayers. So let's look at what is taking place around us and identify what's missing in the plethora of environmental regulations and programs guiding county policy to preserve green infrastructure.

Here are a few facts:

- The USDA Forest Service just released a report on the nation's urban forests, noting the value of trees and tracts of smaller forested areas around "dense human settlements." The study outlines the value of urban forests to our overall quality of life and underscores the critical need to maintain green space as urban areas expand across the United States.
- Urban forestry has been around since the late 1960s. Along with the expansion of urban development, research supporting multiple benefits of the urban forest has become almost overwhelming. In concrete and asphalt-laden urban areas, trees provide a sense of well-being, filter air pollution, shade and cool neighborhoods and contribute to improved water quality. Real estate agents, brokers and commercial landlords are well-aware of the economic benefits of mature trees on residential and commercial property. Homes sell at higher prices where there are large trees. Business is better in areas where customers can patronize landscaped and tree-shaded businesses.
- In 2008, the American Planning Association (APA) issued *Planning the Urban Forest*, a guide to incorporating green infrastructure into urban planning. Note that APA is not an "anti-development" organization. Instead, it is one of the most respected and credible sources of best practices and research on land use planning.
- Another well-established organization, American Forests, recommends these percentages as acceptable levels of urban canopy: 15% for commercial areas, 25% for urban residential, 60% for suburban and 40% on average. To arrive at those numbers, AF looked at urban areas of the 48 contiguous states using Council of Government boundaries. AF estimated the area of forest cover using satellite imagery and computed the tree cover based on regional target values.
- Last year, a Maryland *No Net Loss of Forest Task Force* cited the ecological and societal benefits of urban and street trees among Maryland's forest resources. The task force echoed the conclusion of the 2006 *State of the Chesapeake Forests* recommendations and the opinion of the Chesapeake Executive Council: Increasing urban tree canopy is essential to restoring Chesapeake Bay health. We already know from analyses of our local streams and creeks (that feed to the Bay) that quality is improved where there are riparian buffers.

- The Chesapeake Bay Council has urged communities within the watershed to set urban tree canopy (UTC) goals as part of a broader Bay restoration plan. So far, 36 communities in Maryland have set UTC goals. The communities include Annapolis, Baltimore, Baltimore County (29 communities), Bowie Cumberland, Greenbelt, Hyattsville, and Rockville. Our neighbors in D.C. have initiated community tree-planting programs and Baltimore County has blazed trails with programs to increase urban canopy.

All over the country, counties and cities have responded to the growing body of research supporting the critical role of urban forests in sustainability by developing aggressive urban tree ordinances. Obviously, urban forestry has assumed a prominent place in ecosystem-based management around the country, and around the globe in countries like China and Indonesia, where there has been massive deforestation. What is missing locally is a mandate for better protection of street trees and trees on smaller individual lots and the urban forests. Several incorporated communities like Takoma Park, Gaithersburg and Chevy Chase have their own tree ordinances separate from county law. However, there is no overarching county tree ordinance.

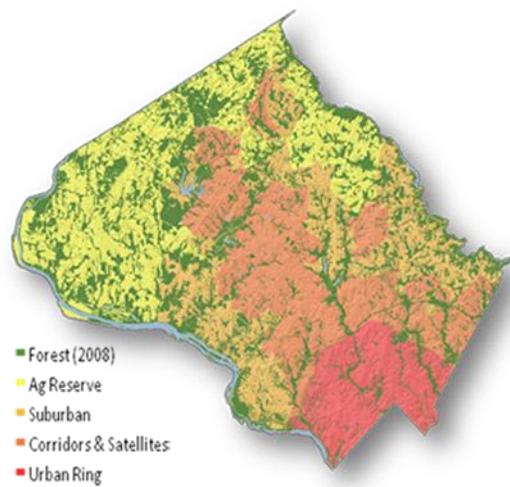
Separate from a tree ordinance, our county has a Forest Conservation Law (FCL) which was originally written to counter losses in the upland forested areas of the county that occurred as a result of sprawl during the 1980s. The FCL was a result of the Maryland legislature sounding the alarm bell statewide and passing a Forest Conservation Act (FCA), mandating that all counties implement their own forestry laws. The State said county forestry laws could be stronger – but not weaker – than the state FCA.

By 1992, the Montgomery County Council adopted the county Forest Conservation Law (FCL). In 2001, it was amended to increase the width of a forest as defined in the law and to add a requirement for replanting or retaining percentages of forested land based on how the land is zoned when it’s developed. At that point, the county had also developed a written forestry strategy that seems to have lost traction somewhere between the Duncan and Leggett administrations.

Over the years, the FCL has been triggered by land disturbance of 5,000 square feet requiring a sediment control permit from the Department of Permitting Services (DPS) and until recently applied to tracts of land of 40,000 square feet or more. Under Maryland State Bill 666, the state recently reduced the amount of forest that can be cleared from 40,000 square feet to 20,000 square feet. Our Council just introduced Bill 53-10 to make our county FCL consistent with the revised state FCA. These revisions still leave healthy street trees and smaller tracts of urban forest outside of the realm of county conservation planning or preservation. The county has an estimated Montgomery County forest cover of about 29%. The “urban ring” in the Down County is about 13% forested – granted, only 2% under the American Forests recommendations for urban commercial districts -- but we are 12% below what is considered healthy tree cover in our urban residential areas.



Montgomery County forest cover in 2008, showing gains in the Up County, but losses in the urban sections of the county.



Forest Cover Analysis from M-NCPPC.

Residents have been promised action on urban forest protection but political wrangling and economic woes have placed a number of key environmental projects on a back burner (with no connection made by local policy makers that where you have a healthy environment, chances of a healthy economy are better). And after at least 6 years of debating the issue, the county has no ordinance to protect individual trees on smaller lots or trees lost to infill development, disease, age or storm damage.

Local development patterns have shifted dramatically since the early 1990s when the FCL was adopted. Density, building near public transportation nodes, infill and redevelopment are considered key to preserving green fields. With only 4% of developable land left in the county, redevelopment of existing developed space in our urban ring and dense building have been accepted by planners and public officials as the way forward. The question is how to incorporate green space in future planning and keep urbanized sections of the county livable as we protect the Agricultural Reserve and upland forest. As an example, note the difference between how Bethesda has been built out and how Vancouver, B.C. has incorporated vegetation into urban design.



**Downtown Bethesda**



**Downtown Vancouver**



The FCL is beginning to fulfill its original function. But we are presented with a double-edged sword in seeing a significant loss of trees in our urban sections of the county where there is heavier traffic, higher density, poor air and stream quality and more stress on the environment. Montgomery County is behind the urban forestry curve – it’s time to catch up with other jurisdictions in the region.

If Frederick Law Olmstead was right in saying that trees are “the lungs” of our communities, then we may slowly suffocate. Without a course correction, urban tree preservation and Montgomery’s contribution to a robust Chesapeake Bay restoration plan will leave a huge gap in regional urban and natural resource planning. Our communities and the economy will pay a high price for inaction.

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For more information on how trees are tied to economic development, go to the Resources section of this site. You’ll find more articles on trees and forests in our Archives section. To comment on this article, please find the link on our *Facebook* page.

**Graphic images credit:** Montgomery County Planning Department (maps) from the annual report. Images of Bethesda and Vancouver: Montgomery County Planning Department: Marion F. Clark