



## **FOREST CONSERVATION PLAN SUBMISSION REQUIREMENTS**

The following material describes the checklist information required to complete a forest conservation plan. The checklist must be filled out and signed by the applicant's plan preparer certifying that the application and checklist are complete and ready for processing. **Only complete applications will be accepted for review.**

The requirements of the Montgomery County Forest Conservation Law, Montgomery County Forest Conservation Regulation, and detailed instructions for preparing forest conservation plans are contained in the latest version of the MNCPPC *Trees Technical Manual*. The manual should always be referred to by individuals submitting forest conservation plans. The following material describes the major items required for the submission of a forest conservation plan. These items must be submitted with all applications.

The major items that must be submitted with a forest conservation plan are:

1. A complete application form and checklist.
2. The appropriate fee.
3. The forest conservation plan drawing.
4. Supporting data and information.

Any material or information submitted to the MNCPPC Environmental Planning Division, as part of or with an application, must be accompanied by a transmittal memo or cover sheet identifying what is being submitted and why. If the material relates to a plan that has already been submitted, the memo or cover sheet must refer to the MNCPPC file number. In addition, **all revised plans and drawings must show the revision date as part of the title information.**

### **REQUIRED GENERAL INFORMATION**

#### **1. Complete Application Form and Checklist**

The application form must be submitted with **all** required information provided on the form. The application must be signed by the applicant and person who prepared the plan and supporting information. The applicant may be either the owner of the property; the owner's appointed representative; or the contract purchaser of the property. Written verification is required for anyone other than the property owner. One copy of the submitted application form must contain an original signature.

#### **REVISIONS TO APPLICATIONS**

A revision to a pending preliminary forest conservation plan (not yet approved by the Planning Board, or the Planning Director, as appropriate) requires resubmission of the Forest Conservation Plan application form (check revision box) if it involves a change in the acreage; a change in ownership, applicant or plan preparer. Complete the form as required for any new application submission and pay appropriate fee.

#### **AMENDMENTS TO APPROVED PLANS**

A request to revise a forest conservation plan approved by the Planning Board, or Planning Director, but not yet recorded by plat, requires resubmission of the Forest Conservation application form (check amendment box) and a new plan. Complete the application form and checklist as required for any new application submission and pay appropriate fee.

A request to revise a forest conservation plan approved by the Planning Board, or Planning Director, before the plat is recorded by plat or deed, requires resubmission of the Forest Conservation application form (check amendment box) and a new plan. **Applicants must contact the Forest Conservation Program Manager, in writing, prior to submittal of a forest conservation plan amendment** for determination on the type of amendment to file (staff review and approval, or staff review and Planning Board approval), and to obtain a new checklist for the required information. Complete the application form and checklist as required for any new application submission and pay appropriate fee.

2. Complete Fee Schedule and Worksheet

The applicant is required to calculate the application filing fees using the Fee Schedule on the worksheet. Submit the appropriate fee payment and worksheet with the application.

3. Forest Conservation Plan Drawing

Number of copies specified as part of the Preliminary or Site Plan Application, or 2 copies if submitting a revision directly to Environmental Planning Division.

The Forest Conservation Plan (FCP) Drawing may be either "Preliminary" or "Final", depending upon the type of development or land-disturbance plan it is being submitted with. If your development plan application only requires one hearing before the Montgomery County Planning Board applicants are encouraged to submit a final forest conservation plan at time of preliminary plan of subdivision. The checklist contains the information that must be included on the FCP, but the level of detail in which this information is presented will vary depending upon whether a Preliminary or Final FCP is required. **Consult Section 109 of the Forest Conservation Regulations for the detailed requirements BEFORE making a submittal.**

The applicant must submit copies of the forest conservation plan drawing for review. **The copies must be folded "accordion" style to a maximum size of 9" x 14"**. The drawing must be folded so that the title "Forest Conservation Plan" appears in the lower right-hand corner. Multiple page plans must be folded individually.

The following information must be included on the forest conservation plan drawings.

Scaled Drawing with North Arrow

A scaled drawing at a scale of 1" = 100' or larger (minimum size 18" x 24", maximum size 36" x 48") is required. If more than one sheet is necessary to show the entire property, a composite plan at a smaller scale (not less than 1" = 400') must be submitted. The sheets must be folded so that the section numbers and composite drawing are clearly visible without unfolding the drawing. All drawings shall be oriented with north to the top of the page to the extent possible.

Title Information

The title information includes the name of the plan, scale, north arrow, revision block to identify plan revision dates, identify of the engineer/surveyor (including address and telephone number) and the applicant's name. The WSSC and the tax map grid numbers should be included in the title block.

Vicinity Location Map

The vicinity location map must be at a scale no smaller than 1" = 2000' and must have a north arrow. The vicinity map should identify, for reference, the nearest major road(s) and intersections, nearby local streets and major features such as schools, libraries, shopping centers etc., that are located near the property.

Plan Notes

Plan notes include the zoning, land use category, size of the plan property, and areas deducted from the net tract area. In addition, the plan notes must identify the watershed the site is located in; show the acreage and percentage of the site that is classified as being environmentally sensitive, including floodplain, wetlands, and stream buffers; and Special Protection Areas.

Certificate and Signature of Qualified Professional

The plan drawing must contain the certification and original signature of the qualified professional as to the source and accuracy of all information shown on the drawing. Signatures must be on each page and be in non-black ink.

Developer/Property Owner's Certificate

The plan drawing must include a signed developer/property owner's certificate indicating that the developer/owner will execute all features of the approved Plan including tree protection, forest and tree planting, maintenance and management of planted areas, and other applicable requirements

#### 4. Forest Conservation Variances

Under Maryland State Law any property subject to a forest conservation plan that proposes to remove certain vegetation is required to receive a variance. The variance provisions apply to any property that proposes to remove:

- any tree 30 inches and greater in diameter at breast height (dbh);
- any tree with a dbh equal to or greater than 75% of the current state champion;
- trees that are part of a historic site or associated with a historic structure;
- any tree designated as the county champion tree; or
- any tree, shrub or plant identified on the list of rare, threatened and endangered list of the U.S. Fish and Wildlife Service or the Maryland Department of Natural Resources.

**A variance request must be submitted with the initial forest conservation plan submission.** All forest conservation plans requiring a variance must request the variance in writing. The applicant must demonstrate that enforcement would result in unwarranted hardship.

The variance requests must include narrative discussion on the following:

- (1) describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- (2) describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;
- (3) verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
- (4) provide any other information appropriate to support the request.