

BY adding to

Article - Natural Resources

Section 5-1603(g)

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

5-1603.

(c) (1) All units of local government with planning and zoning authority shall submit to the Department, by December 31, 1992, their adopted forest conservation program which meets or is more stringent than the requirements and standards of this subtitle.

(2) A local forest conservation program, which has been approved by the Department, shall include:

(i) A policy document and all applicable new and amended local ordinances relating to implementation of the regulated activities, exemptions, the review, approval and appeal processes, incentives, legal instruments for protection, enforcement program, and penalties; and

(ii) A technical manual which outlines submittal requirements for forest stand delineations, required information for the approval of a forest conservation plan, specific forest conservation criteria and protection techniques.

(3) (I) A local authority shall review and amend, as appropriate, all current local ordinances, policies and procedures that are inconsistent with the intent and requirements of this subtitle such as parking, road width, setback, curb and gutter, grading, and sidewalk requirements.

(II) A LOCAL FOREST CONSERVATION PROGRAM, WHEN APPROVED BY THE DEPARTMENT, MAY ALLOW CLUSTERING AND OTHER INNOVATIVE LAND USE TECHNIQUES THAT PROTECT AND ESTABLISH FORESTS WHERE OPEN SPACE IS PRESERVED, SENSITIVE AREAS ARE PROTECTED, AND DEVELOPMENT IS PHYSICALLY CONCENTRATED.

(G) A LOCAL AUTHORITY MAY ESTABLISH REASONABLE AND APPROPRIATE PROCEDURES FOR THE RECOVERY OF ALL COSTS INCURRED IN THE DEVELOPMENT, IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE LOCAL FOREST CONSERVATION PROGRAM.

5-1604.

(a) After December 31, 1992, or after the date on which a local program has been adopted under § 5-1603 of this subtitle, whichever occurs first, a person making application for subdivision or grading or sediment control permits on areas greater than