

Introduced:
1st Reading:
Passed:
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Effective:

ORDINANCE NUMBER

AN ORDINANCE TO AMEND, THE "CITY PARKS AND TREES" DIVISION OF THE "NATURAL RESOURCES" ARTICLE OF THE CITY CODE BY ADDING A NEW SUBTITLE, "FOREST PRESERVE," FOR THE PURPOSE OF CREATING A FOREST PRESERVE AND TO ESTABLISH REGULATIONS FOR ITS MANAGEMENT, MAINTENANCE, AND USE

WHEREAS, the City of Baltimore is the owner of the 999-acre Gwynns Falls/Leakin Park, which includes within its boundaries 842 acres of contiguous woodlands (as shown in the attached map Appendix A), and

WHEREAS, these woodlands are among the largest urban forests on the East Coast, and are of irreplaceable value to the citizens of Baltimore in air and water-cleaning abilities, stormwater functions, biodiverse habitat promotion, educational and recreational opportunities, and

WHEREAS, it is crucial to protect these woodlands from future public or private development that would impair these environmental, educational, and historic values, and

WHEREAS, the City Council believes that the City of Baltimore must take the lead regarding equity access to natural resources and urban woodlands conservation, and has determined that establishing these 842 forested acres as a "Forest Preserve," signals the City's commitment to preserve and protect these lands for the public, as undeveloped and undisturbed for present and future generations; NOW THEREFORE

BE IT ORDAINED THAT the City of Baltimore identifies and restricts the 842 acres as a "Forest Preserve," which shall be held for present and future generations of its citizens as an undisturbed natural area, and that the uses thereon shall be consistent with the preservation and conservation of these lands, minimizing any damage and alteration to them.

BE IT FURTHER ORDAINED THAT the City Code shall be and hereby is amended by adding a new subtitle to the "City Parks and Trees" division of the "Natural Resources" article to read as follows:

ARTICLE: "NATURAL RESOURCES"
DIVISION: "CITY PARKS AND TREES"

Subtitle. Forest Preserve.

Sec. Intent.

In order to protect, manage, and administer this woodland for the present and future benefit and enjoyment of the citizens of Baltimore by protecting them from the impacts of a growing population, expanding growth, and growing mechanization, thus preserving these lands as an enduring natural resource.

Sec. Forest Preserve defined.

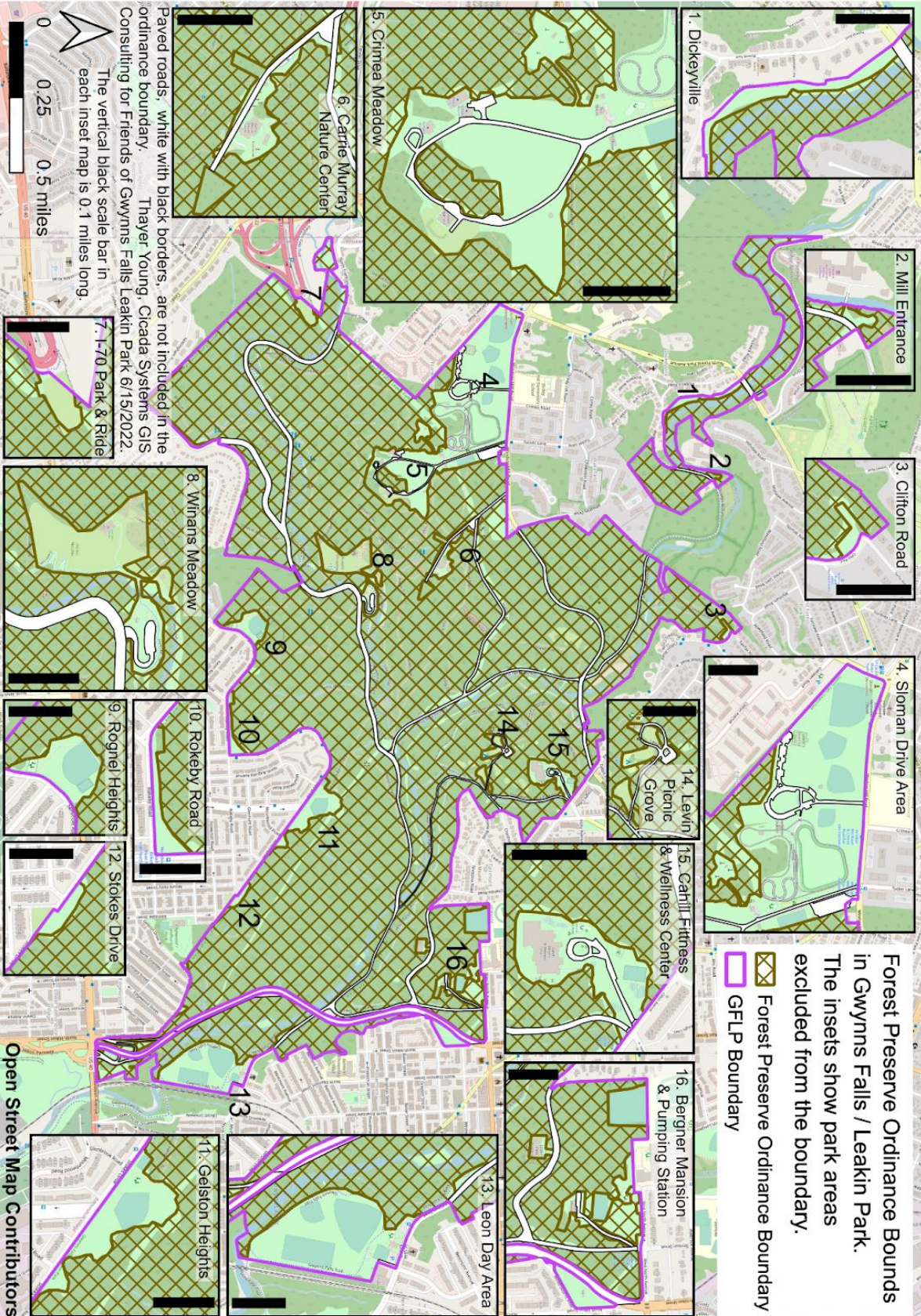
The Forest Preserve shall be considered those parcels and lots of Gwynns Falls/Leakin Park, or portions thereof, characterized as predominantly wooded and/or riparian, which are to be protected and conserved in their existing natural state for the benefit and enjoyment of present and future generations, by restricting uses to those consistent with the goals of protection and conservation and by setting forth procedures for management and maintenance that are consistent with the goals of protection and conservation.

Sec. Designation of Forest Preserve areas.

All of the 842 acres of forested areas of Gwynns Falls/Leakin Park identified in the insets on the attached map entitled "Forest Preserve Bounds in Gwynns Falls/Leakin Park" are designated as Forest Preserve. Excluded from that designation are the active recreational use areas. These active recreational use areas are: 1. Dickeyville; 2. Mill Entrance; 3. Clifton Road; 4. Sloman Drive Area; 5. Crimea Meadow; 6. Carrie Murray Nature Center; 7. I-70 Park & Ride; 8. Winans Meadow; 9. Rognel Heights; 10. Rokeby Road; 11. Gelston Heights; 12. Stokes Drive; 13. Leon Day Area; 14. Levin Picnic Grove; 15. Cahill Fitness & Wellness Center; and 16. Bergner Mansion & Pumping Station.

**Forest Preserve Ordinance Bounds
in Gwynns Falls / Leakin Park.**
The insets show park areas
excluded from the boundary.

-  Forest Preserve Ordinance Boundary
-  GFLP Boundary



Paved roads, white with black borders, are not included in the ordinance boundary. Thayer Young, Cicada Systems GIS Consulting for Friends of Gwynns Falls Leakin Park 6/15/2022.

The vertical black scale bar in each inset map is 0.1 miles long.

0 0.25 0.5 miles

Open Street Map Contributors

Sec. Addition of Forest Preserve areas.

- a. Any proposed additional Forest Preserve woodlands shall be first recommended by way of public notice published in a periodical of general circulation in the City and shall include a description of the proposed area and a map designating that area.
- b. Any addition to any existing Forest Preserve area, or designation of a new Forest Preserve area, shall become effective only after adoption of an ordinance by the City Council.
- c. The City Manager may present to the City Council recommendations for the designation of Forest Preserve areas. Such recommendation shall be accompanied by a description of the unique characteristics of the area as a natural resource and a map indicating the location and boundaries of the proposed Forest Preserve area.

Sec. Removal of Forest Preserve designation.

No ordinance of the City Council to delete or reduce a Forest Preserve area may become effective until approved by the voters of the City of Baltimore, by way of a question placed on the ballot of the next regularly scheduled general City election, unless such general city election will be held less than 60 days following passage of a council ordinance. In such a case, the question shall be delayed to the next regularly scheduled general city election.

Sec. Management, Maintenance and Use Guidelines.

- a. Management of the Forest Preserve as defined in this article shall provide for and protect the natural character of these lands and to allow for the safe use of these lands in a manner that does not alter or degrade their essential natural character.
- b. The City shall adopt maintenance policy guidelines, which shall set forth permissible and prohibited management and maintenance activities. Such policy guidelines shall be subject to the limitation that any maintenance proposed is the minimum necessary to preserve and protect the natural resource while allowing for safe public enjoyment.

Sec. Prohibited activities.

- a. Except as otherwise provided in this article and subject to any existing rights, or existing roads, no new commercial enterprise or permanent road, except for fire roads or temporary roads required in emergencies involving the health and safety of persons and/or the area and its environs, shall be permitted within an area designated under this article as the Forest Preserve. Prohibited activities shall also include the use of **all** motorized vehicles, except for maintenance and public safety vehicles operated in conformance with the management and maintenance policy; landing aircraft; or other forms of mechanical transport except for that authorized subject to the Americans with Disabilities Act.
- b. Bicycle riding, including e-bikes is encouraged on the officially designated Gwynns Falls Trails but prohibited on dirt pathways or the park's understory. Motorcycle-riding is prohibited.
- b. The grading of any area shall be prohibited, except as provided in an adopted management and maintenance policy. Grading shall be considered the alteration of natural and existing grade by any means other than natural forces.
- c. The construction of shelters, culverts, levees, dams, dikes, or other man-made structures shall be prohibited, unless required by a state or federal agency, the authority of which supersedes that of the City, subject to approval by the City Council. Repairs to existing structures are allowed.
- d. No action shall be taken to alter or modify the natural course of any water course or body, even if such body is only seasonal or intermittent in nature, unless required by a state or federal agency, the authority of which supersedes that of the City, subject to approval by the City Council.
- e. Hunting, trapping, fishing, or otherwise capturing or harming wildlife shall be prohibited, with the exception of deer management practices performed by the City or State. Short-term educational capture is allowed.
- k. Dumping or depositing of vehicles, rubble, soil, trash, yard and construction waste, garbage, tires, toxic or other materials shall be prohibited.

Sec. . Resource protection.

- a. Natural resources within the Forest Preserve area are considered protected and may not be harmed, damaged, killed, relocated or removed, unless they are non-native invasive species, or presenting an immediate hazard to visitors. Given that deer overpopulation presents a threat to native vegetation and forest regeneration, deer management practices shall be allowed.
- b. Resources of the forest preserve area shall include all trees, indigenous plants and flora, all forms and species of wildlife, including fish, amphibians, and birds.
- c. Violation of this section shall be considered a misdemeanor.

Sec. Permitted activities.

- a. Any activities intended to and conducted so as to result in the non-destructive experience of the forest preserve and its essential natural qualities are considered consistent with the intent of this article and are permitted activities.
- b.
- c. Research into urban ecology and the regeneration of the urban forest is to be encouraged.

Sec. Management and maintenance activities.

- a. The upgrading within the Forest Preserve of any existing sewer line, electrical distribution line, telephone line, natural gas line, above-ground or underground lines or pipes is permitted, if the person or entity responsible for the line had the right, subject to any required approvals, to upgrade the line in the Forest Preserve prior to the designation of the Forest Preserve.
- b. Normal maintenance of utility lines and related easement areas is permitted, such that the activities are consistent with the right-of-way and/or easement, and such that the utility line, easement, or right-of-way existed prior to the date that the Forest Preserve was so designated.
- c. Any activity related to the management and maintenance of existing public drainage within a forest preserve area is permitted, provided that such maintenance does not increase the impervious area of coverage and does not widen, extend, or modify the

drainage channel such that it would increase volume, velocity, or rates of discharge of natural or stormwater flows.

- d. Maintenance improvements to existing roads and parking areas *within the Forest Preserve*, are permitted so long as such maintenance improvements do not alter the existing surface material, do not expand or extend the area of the improvement, and do nothing to increase impervious surfaces.

Sec. 12 -142. Special events.

Special events planned for the forest preserve area will require permission from the City's Recreation and Parks Department.

Sec. Preexisting improvements.

Improvements existing within the Forest Preserve as of the day of designation shall be considered preexisting improvements and may be continued if safely maintained, but may not be expanded in size, area, or character of the improvement or related use.

Sec. 12-144. Enforcement and violations.

Violations of this article shall be considered a municipal infraction and may be punishable with a fine of \$1,000.00 for each violation.

Sec. 12-145. Changes to article.

- a. Any ordinance that provides for an addition to, amendment of, or deletion from this article, except for revisions to the Forest Preserve boundaries as set forth in Secs. ____, may be referred for voter approval by way of a ballot question, if so directed by a majority vote of the City Council.
- b. Any ballot question shall be placed on the ballot of the next regularly scheduled city election, subject to the procedures set forth in Sec. ____ of this article.
- c. Prior to the consideration of any ordinance to amend this article, the City Council shall make a mandatory referral of the ordinance for review and comment to one or more City Council advisory boards or committees, as determined by the City Council. Nothing

herein constrains the City Council from making additional referrals to other city groups or tasks forces.

, Mayor

ATTEST:

, City Clerk