

Proposed Changes to Baltimore County Weed Ordinance

Presented to Baltimore County Green Alliance

March 11, 2024



Introduction

- Growing interest in low-impact landscaping
- Current laws
- Other jurisdictions
- Details for success



Rodgers Forge

A Growing Interest

In 2021, the National Wildlife Federation (NWF) commissioned the National Gardening Survey of a representative sample of 2601 U.S adults and found:

- 19% are planning to transform a portion of their lawn to wildflower native landscape, up from 9% in 2019
- One in three adults (34%) purchase plants to help wildlife, up from 26% in 2020
- One in four people (25%) specifically buy native plants, up from 17% in 2020

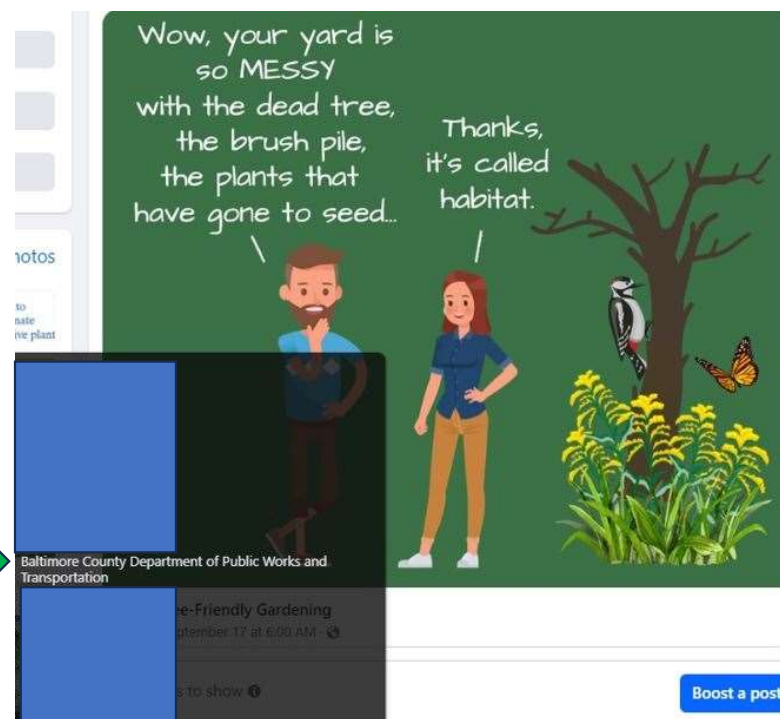
<https://www.nwf.org/Home/Latest-News/Press-Releases/2022/5-02-22-Consumer-Gardening-Report>



“The Resource” Baltimore County DPWT

Turfgrass: The Lawn and Short of It July 2019

“...with the increasing popularity and availability of sustainable and environmentally-friendly lawn alternatives, none of us is stuck with our medieval landscape. You could replace your lawn with xeriscaping, otherwise known as conservation landscaping, or what some in the Chesapeake region call, “BayScaping.””



<https://www.baltimorecountymd.gov/departments/public-works/solid-waste/recycling/theresource/turfgrass-the-lawn-and-short-of-it#:~:text=Baltimore%20County%20Code%20C2%A7%2013,helps%20control%20the%20rodent%20population.>



Low-Impact Landscaping Widely Encouraged

Federal:

U.S. Fish and Wildlife Service
U.S. EPA

State:

Department of Natural Resources
Department of the Environment
University of Maryland Extension
Master Gardeners BayWise Program

Non-Governmental:

National Wildlife Federation
Alliance for the Chesapeake Bay
Chesapeake Bay Foundation
Blue Water Baltimore

Even though lawns have been a part of American culture for generations, we are now in an era in which dramatic declines in [pollinators](#) (loss of natural habitat) and [climate change](#) (more extreme weather events) make a compelling case to think differently about lawns and how to manage our land more sustainably.
(*UME Lawn Alternatives*)

We now strive to work *with* nature and support her creatures in our backyard habitats. The question is – how do we accomplish our goals while convincing those who do not share them of the beauty and purpose in our gardens?
(*DNR HabiChat Wild Acres Program*)

<https://extension.umd.edu/resource/lawn-alternatives>

<https://news.maryland.gov/dnr/2023/06/12/why-certify-an-overview-of-garden-habitat-certifications/>

<https://www.fws.gov/media/native-plants-wildlife-habitat-and-conservation-landscaping-chesapeake-bay-watershed>



Riderwood



Low-Impact Landscaping

Using native plants to create a diverse landscape to help protect clean air and water and support wildlife



<https://stormwater.allianceforthebay.org/take-action/installations/conservation-landscaping>

Benefits

Native Plants

- Require less (if any) inputs
- Retain and filter storm water
- Provide year round food, shelter and nesting sites
- Improve air quality
- Increase biodiversity



<https://stormwater.allianceforthebay.org/take-action/installations/conservation-landscaping>
<https://extension.umd.edu/extension.umd.edu/resource/why-include-native-plants-your-garden>

Pollinators in Crisis



Photo: Judy Fulton

Bumble bee on Crooked-stemmed Aster

- Among native bee species with sufficient data to assess (1,437), more than half (749) are declining.
- 24% are imperiled and at increasing risk of extinction.
- Most bee species were too few for researchers to even measure and are likely declining or at risk of extinction.

In almost all crops, native bees are the primary pollinator or they significantly supplement the activity of European honeybees.

(United States Geological Survey USGS)

https://www.biologicaldiversity.org/campaigns/native_pollinators/pdfs/Pollinators_in_Peril.pdf

<https://www.usgs.gov/faqs/what-role-native-bees-united-states>

Native Plant Gardens



Anneslie yard from Green Towson Alliance 2023 Native Garden Contest

Low-Impact Landscaping

AKA: Conservation Landscaping, Managed Natural Landscaping, BayScaping, Eco-Friendly Landscaping, Xeriscaping etc.



Lutherville front yard

Baltimore County Code

§ 13-7-401. - PROHIBITED ACTS; PENALTY.

(a) *In general.* An owner, occupant, or person in control of a lot or parcel of land in the county may not allow or maintain on the lot or parcel of land:

(1) A growth of grass, weeds, or other rank vegetation to a height exceeding 8 inches; or

(2) Ragweed, poison ivy, and all other noxious weeds that are generally known to be either allergenic, a skin irritant, or toxic when ingested.

Baltimore County Code

§ 13-7-401. - PROHIBITED ACTS; PENALTY.

(b) *Authority to modify the requirements.*

(1) The Department may modify the requirements of subsection (a) of this section in the cases of bona fide agricultural property, natural wooded areas, naturally vegetated landscape buffers in residential areas, stream protection areas, habitat protection areas, steep slope and erodible soil protection areas, storm water management facilities areas, unimproved areas in more than 3 acres, areas publicly owned and maintained as natural areas, and private open-space areas covenanted with the county as recreational areas to be maintained in their natural state.

Maryland State Law

House Bill 322 (2021)

Real Property – Restrictions on Use – Low-Impact Landscaping

Homeowner's associations cannot enact rules prohibiting low-impact landscaping.

Defines “Low-Impact Landscaping” as
“LANDSCAPING TECHNIQUES THAT CONSERVE WATER, LOWER
MAINTENANCE COSTS, PROVIDE POLLUTION PREVENTION, AND
CREATE HABITAT FOR WILDLIFE”

<https://casetext.com/statute/code-of-maryland/article-real-property/title-2-rules-of-construction/section-2-125-low-impact-landscaping>



Maryland State Law

House Bill 322 (2021)

Real Property – Restrictions on Use – Low-Impact Landscaping

Low-Impact Landscaping includes:

- 1. BIO-HABITAT GARDENS** AND OTHER FEATURES DESIGNED TO ATTRACT WILDLIFE;
- 2. POLLINATOR GARDENS** AND OTHER FEATURES DESIGNED TO ATTRACT POLLINATOR SPECIES;
- 3. RAIN GARDENS** AND OTHER FEATURES THAT USE NATURAL BIOLOGICAL PRINCIPLES TO RETURN RAINWATER TO THE SOIL AND TO FILTER RAINWATER OF EXCESS NUTRIENTS; AND
- 4. XERISCAPING** AND OTHER FORMS OF LANDSCAPING OR GARDENING THAT REDUCE OR ELIMINATE THE NEED FOR SUPPLEMENTAL WATER FROM IRRIGATION.

Suggested Change

§ 13-7-401. - PROHIBITED ACTS; PENALTY.

(b) *Authority to modify the requirements.*

(1) The Department may modify the requirements of subsection (a) of this section in the cases of bona fide agricultural property, natural wooded areas, naturally vegetated landscape buffers in residential areas, stream protection areas, habitat protection areas, steep slope and erodible soil protection areas, storm water management facilities areas, unimproved areas in more than 3 acres, areas publicly owned and maintained as natural areas, ~~and~~ private open-space areas covenanted with the county as recreational areas to be maintained in their natural state, *and managed low-impact landscaping areas.*

Add “low-impact landscaping” to the modification of requirements list of exceptions.

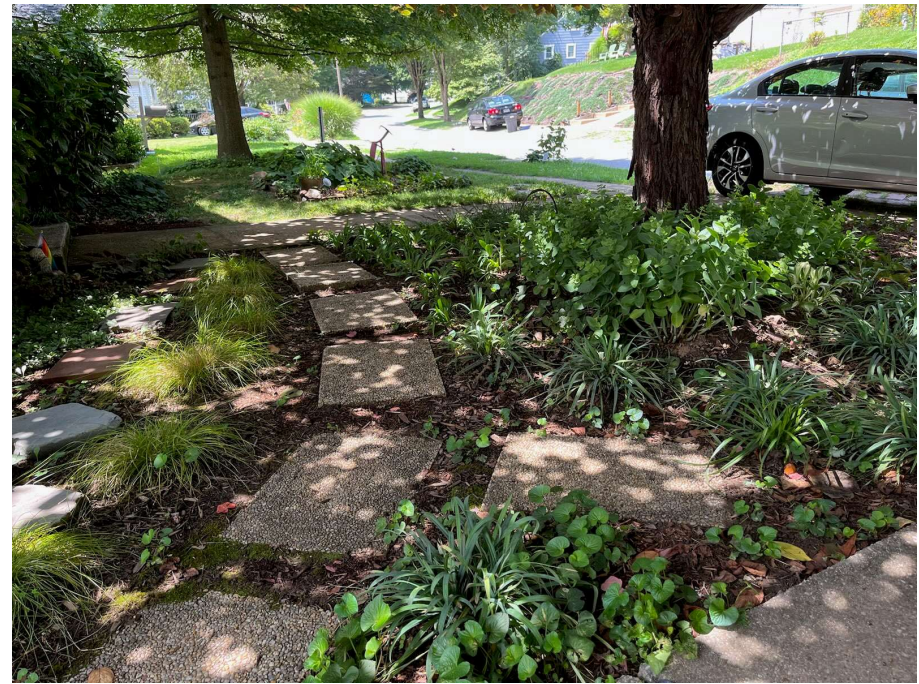
MD Municipal Ordinances

College Park:

[a] All turf grass used as ground cover, which for the purpose of this article shall include weeds, shall not be permitted to grow to a height of more than one foot, **except as allowed for naturalized or native managed landscapes.** (157-5-B-[11]-[a])

Brentwood
Hyattsville
Bowie

<https://ecode360.com/9898177>



Idlewylde

Rats?

“Lawns require significant upkeep. Baltimore County Code § 13-7-401 prohibits “a growth of grass, weeds or other rank vegetation to a height exceeding one (1) foot. (sic)” There are good reasons for that, one being it helps control the rodent population.”

- Department of Public Works Clean Green Baltimore County

How to Deter Rats:

- Store all trash/garbage in cans with tight fitting lids at all times.
- Replace all defective trashcans that are broken or have holes in them.
- Don't feed the animals or birds outside.
- Remove animal feces immediately.
- Remove any accumulated bulk items from the yard.

- Department of Permits Approvals and Inspections (PAI)



Trash and garbage (not native plants) can lead to a rat infestation

<https://www.baltimorecountymd.gov/departments/pai/code-enforcement/rats>

“Cues to Care”



Towson

*Planned
Intentional
Well-maintained*

Well-maintained eco-friendly gardens are the best
influencers to neighbors

<https://www.humanegardener.com/wild-design-home-gardens/>

Other Municipal Ordinances

Minneapolis Provisions for “Managed Natural Landscapes”:

- a) Managed natural landscapes may include plants and grasses in excess of eight (8) inches in height and which have gone to seed, but may not include any noxious weeds and must be maintained so as to not include unintended vegetation.
- b) Managed natural landscapes may not include any plantings, which due to location and manner of growth constitute a hazard to the public or may cause injury or damage to persons or property...
- c) Managed natural landscapes shall not include turf-grass lawns left unattended for the purpose of returning to a natural state.

Other Municipal Ordinances

Green Bay Provisions for “Managed Natural Landscapes”:

Edging required.

A planned natural landscaping area must have a **distinct and clearly defined border**. The border may consist of any combination of mowed grass, fencing of up to three feet in height, a permitted fence installed along a property line, or natural materials neatly arranged to create the appearance of an edge to contain the planned natural landscaping area.

https://library.municode.com/wi/green_bay/codes/code_of_ordinances?nodeId=COOR_CH24NU_ARTIINUAB_DIV2_CHNUPR_S24-84NOWEMAVE



Boundary Conditions



No garden boundary

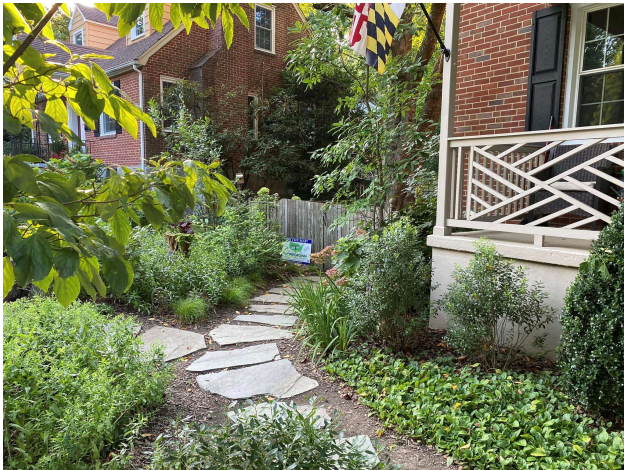


Mulched or mowed boundaries hold low-impact landscaping back from street or sidewalk edge

Other “Cues”

Signs of human stewardship:

1. Pathways
2. General signage
3. Certifications



Conclusion

Low-Impact Landscaping ...

- ❖ Wide public support
- ❖ Many options/choices
- ❖ Safe and beautiful



Ruxton



Stoneleigh