

O-16-26 Forest Conservation

State Forest Conservation Act changes and how Annapolis measures up

The state overhauled the Forest Conservation Act through SB 526, modified by HB 1511, effective July 1, 2026. State policy has moved from slowing forest loss, to no net loss, to actively increasing forest and canopy acreage. O-16-26 conforms our Chapter 21.71 to these changes. In many areas Annapolis already meets or exceeds the new state floor.

Legend: **Conforming** = new state requirement we are adopting. **Already compliant** = our code already does this. **Exceeds** = stronger than the state floor, carried forward.

New state requirements we are adopting (conformance)

State change under SB 526 / HB 1511	Status in O-16-26
Solar photovoltaic facilities exempt from afforestation (5-1606(a)(6))	Conforming
Riparian/stream buffers must be afforested or reforested, with three exceptions (5-1606(d)(2))	Conforming
Written findings required before clearing a priority retention area (5-1607(c)(3))	Conforming
Notice and comment before approval of priority retention clearing (5-1605(d)(1))	Conforming
30-day, record-limited judicial review of plan approval (5-1605(d)(4))	Conforming
Exemptions for forest management, transit-oriented development, and 25+ unit single-structure multifamily (5-1602(b))	Conforming
New definitions: qualified conservation, degraded forest, planted green infrastructure, forest land, tree canopy	Conforming
Expanded mitigation menu: street trees, degraded forest restoration, planted green infrastructure, with credit caps (5-1607(b))	Conforming

Where Annapolis already complies or exceeds the state floor

Provision	Annapolis posture
Reforestation replacement ratios. State moved to a flat 1:1 ratio. Annapolis keeps its threshold-based scheme: 1:1 above the threshold and 2:1 below.	Exceeds
Forest conservation thresholds by land use. State repealed its threshold table; Annapolis retains its own, including Mixed Use and Commercial at 20% where the state floor is 15%.	Exceeds
Stream buffer protection. Annapolis long protected stream buffers; the state buffer distances now match what Annapolis already applied.	Already compliant
Purpose and policy of increasing forest and canopy acreage, tied to the Annapolis Ahead 2040 canopy goal.	Already compliant
Priority retention of sensitive areas, contiguous forest, and urban forest.	Already compliant

Bottom line: O-16-26 adopts every mandatory state change. Where our program was already stronger, we are carrying those protections forward rather than dropping to the weaker state floor.