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..Title
Forest Conservation – No Net Loss – For the purpose of amending the Code of the City of Annapolis concerning reforestation to maintain the City’s current tree canopy percentage.

..Body

CITY COUNCIL OF THE
City of Annapolis

Ordinance 27-18

Introduced by: Alderman Savidge, Alderman Arnett, Alderwoman Tierney, Alderman Rodriguez, Alderman Paone and Alderwoman Henson

Referred to
Planning Commission
Environmental Matters Committee
Rules and City Government Committee

AN ORDINANCE concerning

Forest Conservation – No Net Loss

FOR the purpose of amending the Code of the City of Annapolis concerning reforestation to maintain the City’s current tree canopy percentage.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2018 Edition
21.71.090

WHEREAS on September 26, 2016, the City Council adopted O-22-16 which implemented the State Model Ordinance with amendments; and

WHEREAS the City Council wishes to amend Chapter 21.71 of the Code of the City of Annapolis concerning reforestation to maintain the City’s current tree canopy percentage; and

WHEREAS Forest Conservation Plans approved prior to the effective date of this Ordinance remain subject to the laws at the time of approval.

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

TITLE 21 – PLANNING AND ZONING
Chapter 21.71 – FOREST CONSERVATION

1 **Section 21.71.090 - Reforestation.**

2
3 A. Forest Conservation Threshold.

- 4
- 5 1. There is a forest conservation threshold established for all land use categories, as
6 provided in Subsection A.2 of this section. The forest conservation threshold means
7 the percentage of the net tract area at which the reforestation requirement changes
8 from a ratio of one acre planted for each acre removed above the threshold to a ratio
9 of two acres planted for each acre removed below the threshold.
- 10
- 11 2. After reasonable efforts to minimize the cutting or clearing of trees and other woody
12 plants have been exhausted in the development of a subdivision or project plan,
13 grading and sediment control activities, and implementation of the forest
14 conservation plan, the forest conservation plan shall provide for reforestation,
15 purchase of credits from a forest mitigation bank, or payment into the forest
16 conservation fund, according to the formula set forth below and in Subsection A.3 of
17 this section and consistent with Section 21.71.070.A of this chapter, and the
18 following forest conservation thresholds for the applicable land use category:

19

Category of Use	Threshold Percentage
(1) Agricultural and Resource Areas	50 percent
(2) Medium Density Residential Areas	25 percent
(3) Institutional Development Areas	20 percent
(4) High Density Residential Areas	20 percent
(5) Mixed Use and Planned Unit Development Areas	20 percent
(6) Commercial and Industrial Use Areas	20 percent

20
21 3. Calculations.

- 22
- 23 i. For all existing forest cover measured to the nearest one-tenth acre cleared
24 on the net tract area above the applicable forest conservation threshold, the
25 area of the forest removed shall be reforested at a ratio of one acre planted
26 for each acre removed.
- 27 ii. ~~Each acre of forest retained on the net tract area above the applicable forest~~
28 ~~conservation threshold shall be credited against the total number of acres~~
29 ~~required to be reforested under 3.i. of this subsection. The calculation of the~~
30 ~~credit shall be according to the criteria provided in the Forest Conservation~~
31 ~~Technical Manual.~~
- 32 iii. For all existing forest cover measured to the nearest one-tenth acre cleared
33 on the net tract area below the applicable forest conservation threshold, the
34 area of forest removed shall be reforested at a ratio of two acres planted for
35 each acre removed below the threshold.
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SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its adoption.

EXPLANATION

Underlining indicates matter added to existing law.
[~~Strikethrough~~] indicates matter stricken from existing law.