



City of Annapolis
Planning Commission
Department of Planning & Zoning
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September 16, 2021

To: Annapolis City Council
From: Planning Commission
Re: Findings for Ordinance O-34-21 (ZTA2021-014) Forest Conservation - Reforestation – For the purpose of requiring reforestation in certain circumstances to maintain the City’s current tree canopy percentage; and generally relating to reforestation requirements.

PURPOSE

The purpose of this ordinance is to address changes on sites with approved forest stand delineations and Forest Conservation Plans and to clarify at what point a new forest stand delineations and forest conservation plans are required.

RECOMMENDATIONS

There are two main requirements for addressing the Forest Conservation Act, which is required for all properties outside of the Critical Area that are greater than 40,000 square feet. The first part called is the forest stand delineation (FSD). The FSD is an inventory of the forest and other environmental features on a site. The existing code states in Section 21.71.060(A)(7) that a forest stand delineation is valid for five years. However, staff may require a new delineation in that time period if there are changes on the site that affect a FSD. Language should be added to clarify the intent of the delineation running with the land and not impacted by change of ownership.

A 1. Criteria. A forest stand delineation shall be submitted to the Department as the first step of making application for the plans and permits specified in Section 21.71.045 AND SHALL NOT BE IMPACTED BY CHANGE IN OWNERSHIP OF THE PROPERTY.

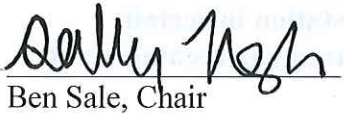
The proposed ordinance adds language that if a new FSD is required in that five-year time frame, it should “identify and account for any forest or trees that may have been removed on the property in the past 10 years if said removal has not already been mitigated for in a current or past forest conservation plan”.

Planning Commission has two recommended amendments for this legislation. The first is that the time frame that is included is extended to 15 years. Remove the word “may” before “have been removed.”

The second recommendation is in Section 21.71.100(A)(1)(iii). Planning Commission concurs with staff that existing language should be not removed, but that "equivalent area of the removed forest" is added to existing language.

The Planning Commission held a public hearing on this on August 23, 2021 and September 2, 2021. There were not public comments on the legislation. The Commission supported the legislation with amendments with a vote of 4 to 0.

Adopted this 16th day of September, 2021


Ben Sale, Chair