

Critical Area Planting Standards (COMAR 27.01.09.01-1,01-2)

Activity	Required Buffer Planting (with a Buffer Management Plan)
Subdivision	
<ul style="list-style-type: none"> new vacant lots 	Establish 100' or 200' Buffer and expanded Buffer
<ul style="list-style-type: none"> vacant lots created before local program Dec. 1, 1985 	Establish buffer based on lot coverage outside of Buffer
<ul style="list-style-type: none"> new lot with existing dwelling 	Establish buffer based on lot coverage outside of Buffer
<ul style="list-style-type: none"> new agricultural lot 	Exempt
<ul style="list-style-type: none"> land use conversion 	Establish 100' or 200' and expanded Buffer
New development	
<ul style="list-style-type: none"> accessory structure 	1:1 establishment based on new lot coverage
<ul style="list-style-type: none"> addition 	1:1 establishment based on new lot coverage
<ul style="list-style-type: none"> new lot coverage 	1:1 establishment based on new lot coverage; or 2:1 in hydric soils*
<ul style="list-style-type: none"> substantial alteration 	1:1 establishment based on total lot coverage
<ul style="list-style-type: none"> shore erosion control 	1:1 mitigation based on permanent disturbances
<ul style="list-style-type: none"> water access 	2:1 mitigation based on permanent disturbances
<ul style="list-style-type: none"> water-dependent structure 	2:1 mitigation based on permanent disturbances
<ul style="list-style-type: none"> in-kind replacement 	Exempt
Buffer Exempt Area	2:1 mitigation based on disturbances
Variance	3:1 mitigation based on disturbances
Violation	4:1 mitigation based on disturbances
Removal of Invasive or Noxious Species	Stabilization of disturbed area with mulch or ground cover until replanted in native species or allowed to regenerate naturally
Removal of Dying, Hazardous or Diseased Trees	One 3/4" caliper tree for every tree removed
Removal of Dead Tree	Exempt
Removal of Healthy Trees	square footage of canopy area coverage removed

*if property meets the "75% rule" in COMAR 27.01.09.01.E.8

Table A: Landscape Stock

Vegetation Type	Minimum Size Eligible for Credit	Maximum Credit Allowed (Square Feet)	Maximum Percent of Landscape Stock Credit
Canopy tree	2-inch caliper	200	Not applicable
Canopy tree	3/4-inch caliper	100	Not applicable
Understory tree	3/4-inch caliper	75	Not applicable
Large shrub	3 feet high	50	30
Small shrub	18 inches high	25	20
Herbaceous perennial	1 quart or based on the area covered by plugs or seed mix	2	10
Planting Cluster for buffer establishment or mitigation of less than 1/2 acre	1 canopy tree; and 3 large shrubs or 6 small shrubs of sizes listed above	300	Not applicable
Planting Cluster for buffer establishment or mitigation of less than 1/2 acre	2 understory trees; and 3 large shrubs or 6 small shrubs of sizes listed above	350	Not applicable

- Projects larger than 5000 square feet also require a Planting Plan Maintenance and Management Agreement with surety (120% of cost of plant material, installation, and long-term maintenance).
- All large-stock trees and shrubs must be 100% guaranteed for at least two years following installation.
- Natural regeneration may be used for Buffer Establishment according to the standards in COMAR 27.01.09.01-2.K and COMAR 27.01.09.01-4.

TABLE B – BUFFER ESTABLISHMENT

Total Establishment Requirement	Options
Less than ¼ acre	Landscaping stock according to Table A
¼ acre to 1 acre	At least 25 percent landscaping stock according to Table A, with the remainder a combination according to Table D or natural regeneration
Greater than 1 acre	At least 10 percent landscaping stock according to Table A, with the remainder a combination according to Table D or natural regeneration

TABLE C – BUFFER MITIGATION

Total Mitigation Requirement	Options
Less than 1 acre	Landscaping stock according to Table A for entire area
1 acre or greater	At least 50 percent of area in landscaping stock according to Table A, with the remainder according to Table D

Location, in order of priority (circle all that apply)

1. On-site within the Buffer
2. On-site adjacent to the Buffer and on-site elsewhere in the Critical Area
3. Off-site in the Critical Area. This option requires prior approval by this office.

Payment into a Fee-in-Lieu Fund. **This option can only be used for Buffer Mitigation and after all other options have been fully explored. Documentation of alternatives attempted must be provided.**

TABLE D – FLEXIBLE STOCKING

Stock Size of Trees Only	Required Number of Stems Per Acre	Survivability Requirement	Minimum Financial Assurance Period After Planting
Bare-root seedling or whip	700	50 percent	5 years
1/2-inch to 1-inch container grown trees	450	75 percent	2 years
More than 1-inch container grown trees	350	90 percent	2 years