



City of Annapolis

**DEPARTMENT OF NEIGHBORHOOD & ENVIRONMENTAL PROGRAMS**

160 Duke of Gloucester Street, Room 202, Annapolis, Maryland 21401

Annapolis 410-263-7946 • FAX 410-263-9158 • TDD 410-263-7943 • [www.annapolis.gov](http://www.annapolis.gov)

**Tree Regulation in the City of Annapolis**

- **City Code:** <http://library.municode.com/index.aspx?clientId=16754&stateId=20&stateName=Maryland>

- **Forms, Permits and Licenses:**

<http://www.annapolis.gov/Government/FormsAndPermits.aspx>

- **Native Plant Manual:** <http://www.nps.gov/plants/pubs/chesapeake/pdf/chesapeakenatives.pdf>

All deciduous replacement trees shall be native and a minimum of two inches in diameter measured six inches of the ground. All coniferous trees shall be native and a minimum of five feet in height.

- **City Code Chapter 14.12 Trees**

1. Applies when no grading permit, building permit, or site design plan review are required.
2. The removal of any tree over five inches in diameter at breast height (dbh) requires a tree permit when the tree is within the legally defined front, side or rear setbacks of any residential or commercial property next to a public right-of-way. For setback info: City Code Chapter 21.50 – Bulk Regulations Tables. Please submit a tree permit to the Department of Neighborhood and Environmental Programs (DNEP).
3. The removal of any tree in the Historic District requires approval of the Historic Preservation Commission. Please submit a tree permit **and** either an administrative approval application **or** a full application to DNEP. To check to see if your property is in the Historic District: [http://www.annapolis.gov/Libraries/Zoning\\_Map\\_Book/Historic\\_District\\_Boundary\\_Map.sflb.ashx](http://www.annapolis.gov/Libraries/Zoning_Map_Book/Historic_District_Boundary_Map.sflb.ashx)
4. Tree replacement requirements for aforementioned item 2 and 3:

Removed tree	Replacement Tree(s)
5–10" Diameter breast height (dbh)	1 tree
10.1–20" Diameter breast height (dbh)	2 trees
Greater than 20"	3 trees

5. The removal of any tree within a hundred feet of the water requires a simplified buffer management plan **or** a buffer management plan for buffer exemption area **or** a major/minor buffer management plan. Please submit the forms to the Department of Planning and Zoning (P&Z).
6. The removal of any tree in a conservation easement area requires approval of the City’s Conservancy Board. Please submit a tree permit to DNEP. Please check to see if part of your property is in a conservation easement or next to one: <http://www.annapolis.gov/Government/Boards/Conservancy/CurrentEasements.aspx>

- **City Code Chapter 17.09 Trees in Development Areas**

1. Applies when a grading permit, building permit, or site design plan review are required.
2. A landscape plan will need to be submitted when any trees are removed and/or impacted by proposed construction. A landscape plan should address the following:
  - A. Show the Limit of Disturbance (LOD) and all existing trees over five inches in diameter within fifteen feet of the LOD. Please include location, species, and dbh for each tree.
  - B. Show building footprints, access drives, parking areas, public streets, existing and proposed utilities and stormwater management structures, proposed finished grades, and sediment and erosion control structures.
  - C. Show all trees regardless of size within the legal boundaries of the property, noting all tree driplines. Please include location, species, and diameter (measured at four and one-half feet above ground) for each tree.
  - D. All required tree preservation details: tree protection fencing, root pruning, areas to be covered with wood chips, aeration matting, and so on.
  - E. Show, preferably in a table format, which trees will be removed, what mitigation is required, and which trees will be planted. Include the following: tree name (botanical and common), quantity, diameter measured at six inches above ground (minimum two inches), type of rootstock, planting detail, proposed and required buffer areas.

**For all details on what needs to be on a landscape plan please check City code section 17.09.030 Landscape Plan**

3. When a property is within a thousand feet of the water (Critical Area) table 17.09.070 (see below) applies for tree replacement requirements. There are three designations within the Critical Area: Intensely Developed Areas, Limited Development Areas, and the Resource Conservation Areas.
4. When a property is outside a thousand feet of the water (Outside Critical Areas) **and** the property is less than forty thousand square feet table 17.09.070 applies for tree replacement requirements.
5. Tree replacement requirements for aforementioned item 3 and 4: see appendix one
6. When a property is outside a thousand feet of the water (outside Critical Area) **and** the property is over forty thousand square feet the Maryland Forest Conservation Act (FCA) applies for forest conservation and tree replacement requirements. For information on the FCA:  
<http://www.dnr.state.md.us/forests/programapps/newFCA.asp> click on: [Natural Resources Article 5-1601 - 1613](#) click on: Maryland Code click on: Natural Resources click on: Title 5. Forests and Parks click on: Subtitle 16. Forest Conservation. One can also check the State Forest Conservation Technical Manual (Third Edition, 1997): <http://www.dnr.state.md.us/irc/docs/00010950.pdf> The removal of certain trees requires a variance: threatened and endangered species, historic trees, trees with 30 inch dbh or greater or 75% of the diameter of a state champion. Furthermore, the trimming, cutting, and removal of a roadside tree in conjunction with a building permit requires a permit from the Maryland Department of Natural Resources. A Forest Stand Delineation and Forest Conservation plan need to be prepared by a qualified professional. Furthermore, all required FCA forms need to be submitted.

## Appendix One

Table 17.09.070

### Tree Replacement Requirements

<b>Plant Material Size</b>	<b>Number to be replaced for number removed: Outside Critical Areas</b>	<b>Number to be replaced for number removed: Intensely Developed Areas</b>	<b>Number to be replaced for number removed: Limited Development Areas</b>	<b>Number to be replaced for number removed: Resource Conservation Areas</b>	<b>Number to be replaced for number removed: 100 foot Buffer Critical Area</b>
<b>Scrub shrub - sapling &lt;1" DBH</b>	<b>no replacement</b>	<b>1 for every 20 square feet</b>	<b>1 for every 40 square feet</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Trees 1 to &lt;4" DBH</b>	<b>no replacement</b>	<b>1 for 1</b>	<b>1 for 1</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Trees 4 to &lt;12" DBH</b>	<b>1 for 2</b>	<b>2 for 1</b>	<b>1 for 1</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Trees 12 to &lt;18" DBH</b>	<b>1 for 1</b>	<b>3 for 1</b>	<b>2 for 1</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Trees 18 to 24" DBH</b>	<b>2 for 1</b>	<b>4 for 1</b>	<b>3 for 1</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Trees &gt;24" DBH</b>	<b>3 for 1</b>	<b>6 for 1</b>	<b>4 for 1</b>	<b>Area basis for area basis</b>	<b>*</b>
<b>Additional requirements found in Section</b>	<b>17.09.070</b>	<b>17.09.070 (G)(1-2)</b>	<b>17.09.070 (H)(1-5)</b>	<b>17.09.070 (I)(1-2)</b>	<b>17.09.070 (J)(1-8)</b>