



Baltimore County Modified Buffer Areas



History

- Original MBA program began 1996
- Applied only to single family residential and marinas
- Hundreds of small (<10,000 sf) grandfathered residential lots
- Allowances for accessory structures in the buffer
- CAC required Baltimore County to report back on MBA before granting final approval in 1998



Updating the program

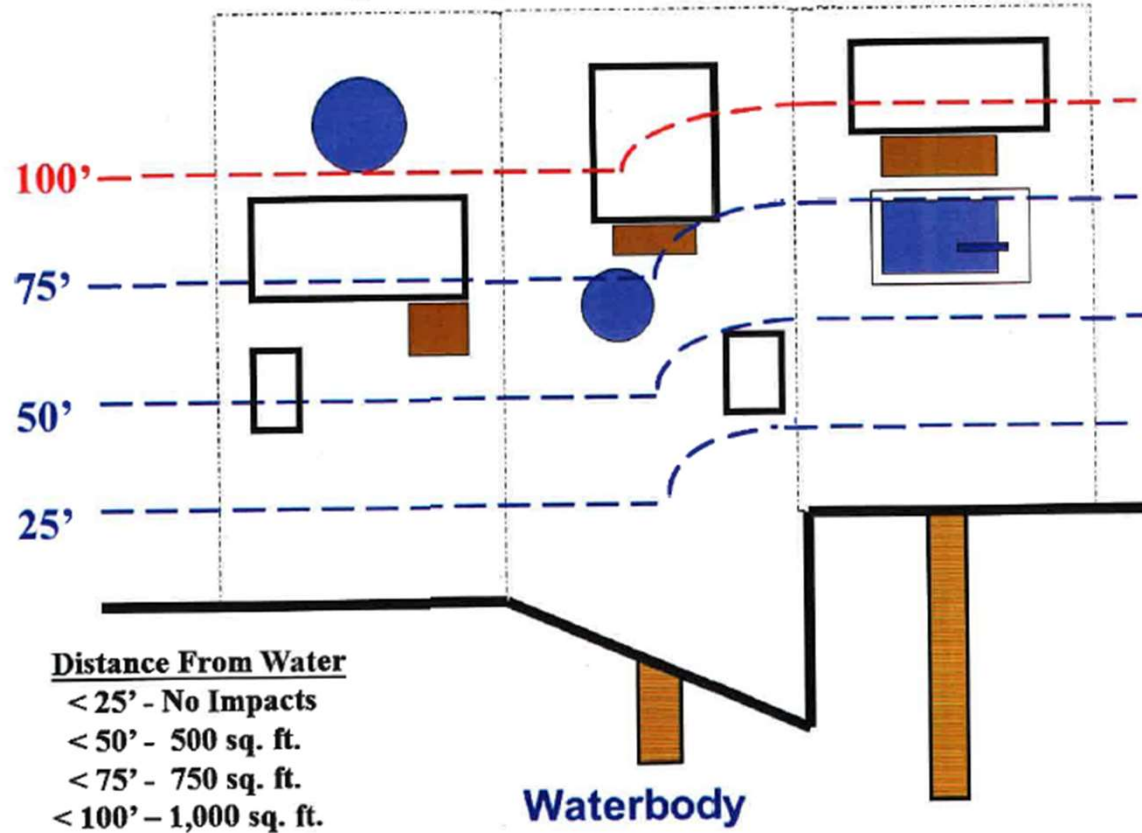
- Updated MBA program (regs and maps) in 2015
- Extensive map update effort in concert with update to CA line
- Updated single family residential provisions
- Added provisions for commercial/industrial/institutional/recreational/multi-family



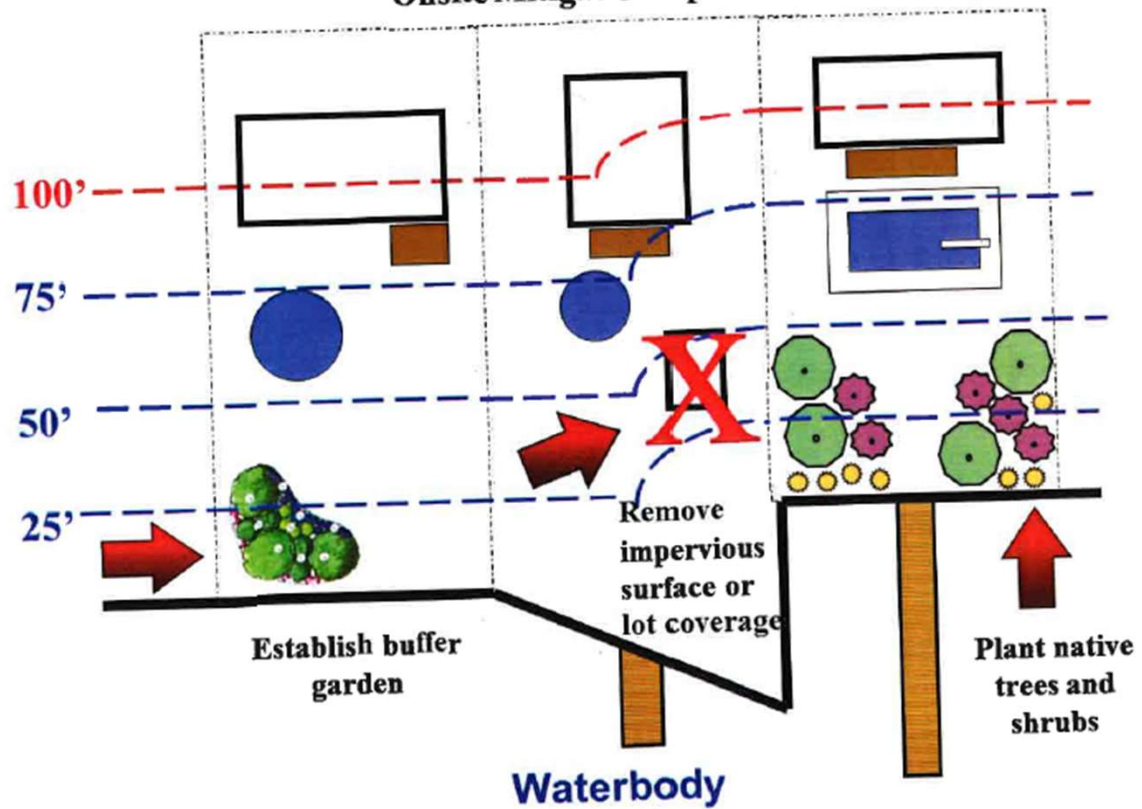
Single family residential differences

- ▶ **Mitigation is:**
- ▶ **3 deciduous trees/100 sf of lot coverage or impervious surface**
- ▶ **(3 shrubs = 1 tree, 2 conifers = 1 deciduous tree)**
- ▶ **1:1 removal of lot coverage or impervious surface on site for buffer impacts**
- ▶ **“The Green Book for the Buffer” options, appropriately sized**
- ▶ **Other options to achieve water quality and habitat functions**
- ▶ **\$1.50 sf fee if no onsite options**

Attachment 4: Allowable Cumulative Impacts of Single Family Dwelling Accessory Structures



Attachment 5: Single Family Dwelling MBA Onsite Mitigation Options






Commercial/industrial/etc differences

- New development no closer than 50 feet
- Redevelopment, where there is no conversion of uses, has a 25 foot setback
- Redevelopment where there is a conversion of uses has a 50 foot setback
- No HPA impacts permitted, other than the buffer. This includes non-tidal wetlands
- 25 foot planted bufferyard is required



Two options for the 25 foot bufferyard

- ▶ 25 foot buffer plantings can be done as specified in COMAR 27.01.09.01-2.L
- ▶ 25 foot buffer plantings can be done as specified in “The Green Book for the Buffer” to cover entire bufferyard



When the 25 foot bufferyard has continuation of existing uses

- ▶ **Modifications may be made if existing conditions limit 25 foot planting area; 1:1 mitigation required for continuance of existing uses**
- ▶ **If substrate or soil conditions preclude conventional planting, then raised beds may be allowed. This was added to address the Bethlehem Steel/Tradepoint Atlantic site that is primarily slag and fill**
- ▶ **No bufferyard establishment required for minor redevelopments IF cumulative total of new/expanded structures or uses in the buffer does not exceed 500 sf within 50 ft of the water/750 sf within 75 ft of the water/1000 sf within 100 ft of the water. Single family residential MBA mitigation standards apply**

Tradepoint Atlantic site

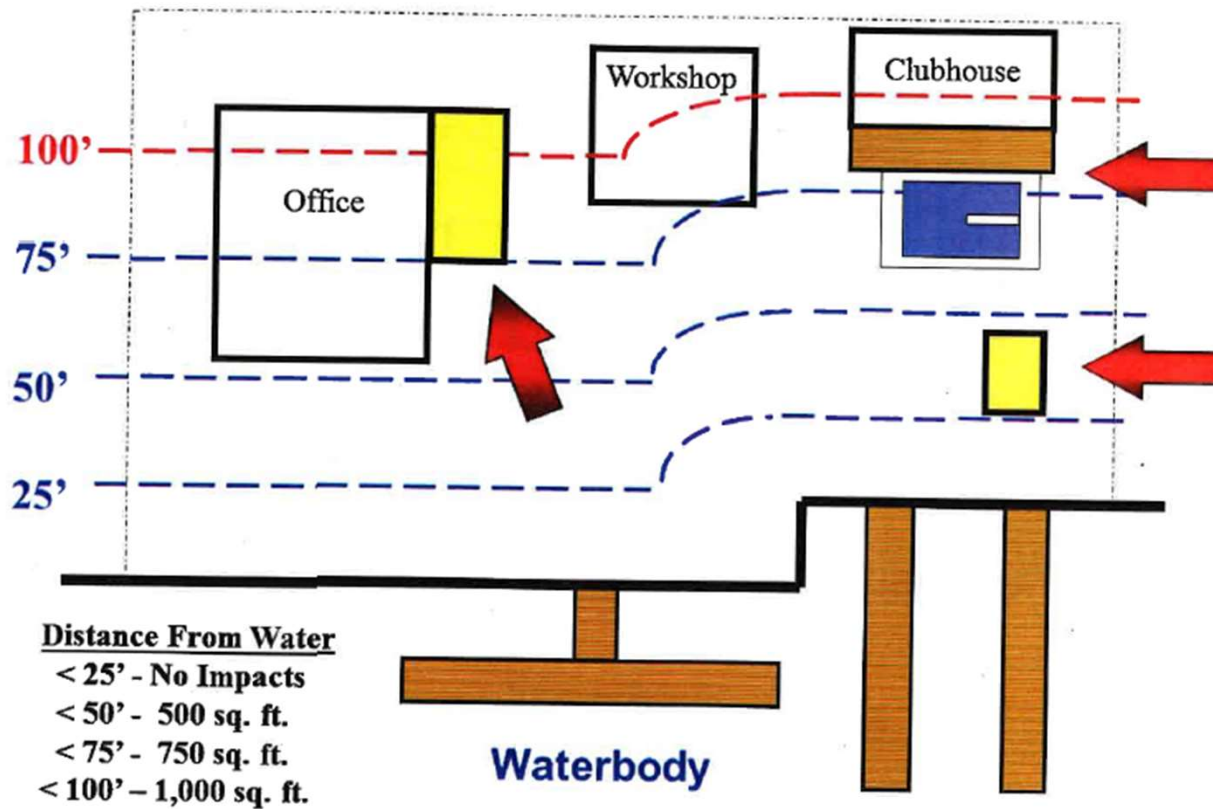
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Attachment 6: Allowable Cumulative Impacts of Accessory Structures Example – Minor Existing Marina Improvements





Planting flexibility

- ▶ May increase the amount of shrubs or herbaceous perennials if:
 - ▶ Existing canopy coverage is at least 50% OR
 - ▶ Site constraints preclude canopy planting (severely eroding slopes, salt water intrusion, predominately sandy soils, unconsolidated fill, locations of existing structures/uses)
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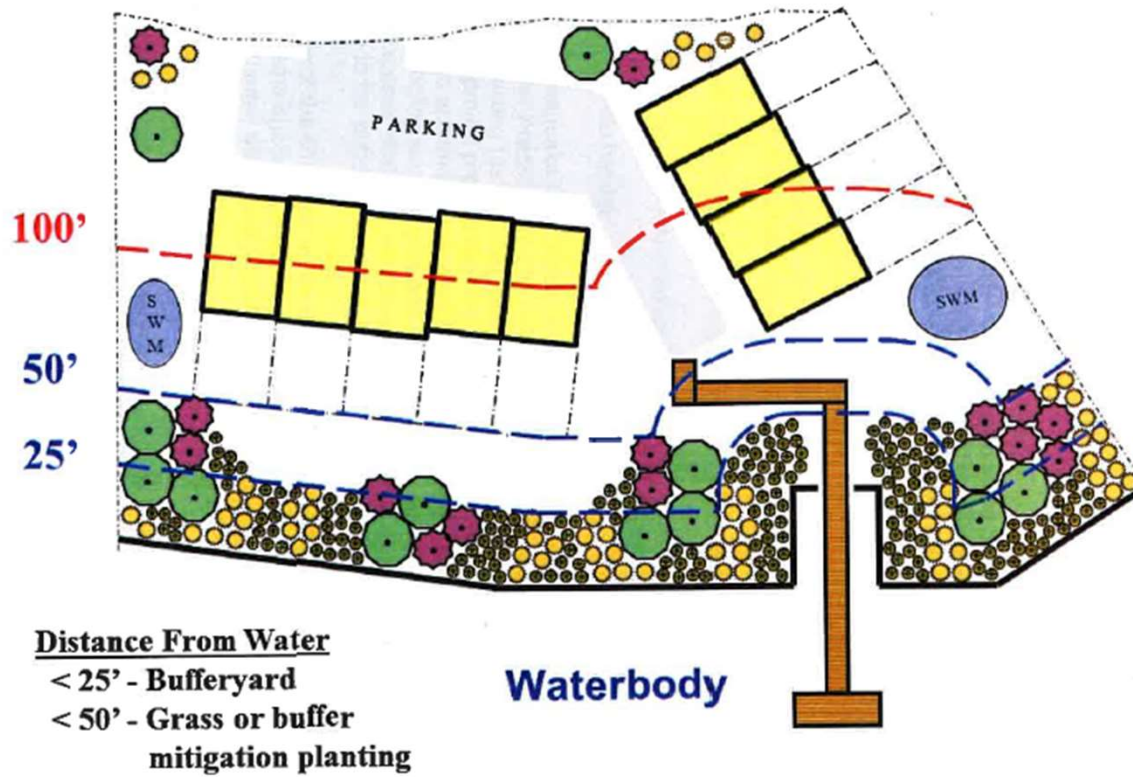


Additional planting requirements

In addition to the 25 foot bufferyard:

- ▶ **2:1 mitigation for development activity, preferably on site and in the buffer**
- ▶ **If 2:1 cannot be fully met, offsets are permitted. Offsets include equivalent removal of lot coverage from buffer, and other measures to improve water quality or riparian habitat. No double credit for ESD measures required for stormwater management**

Attachment 7: Example – Conversion of Commercial Site to Multi-family Residential Development





Fee-in-lieu

- ▶ If mitigation can't be met on site, then fee-in-lieu is \$1.50/sf per foot of required mitigation
- ▶ Fee in lieu used for buffer plantings, shoreline enhancement, stream restoration, water quality improvement, or habitat improvement/restoration



Buffer Management Plans

- ▶ Plan required for tree removal and bufferyard/mitigation planting
- ▶ Standard plan requirements (LOD, landscape schedule, maintenance, inspection agreement, responsible party signature)
- ▶ 100% survival for 2 years after planting. Security of 110% the cost of planting required. Minimum of \$0.25/sf of planting
- ▶ All proposed structures, lot coverage, grading, filling, and mitigation must be shown on a plan and approved by our Dept, even if a permit is not required



Questions?

