



CALVERT COUNTY GUIDE

SUMMARY OF THE CRITICAL AREA REGULATIONS

Revised May 2006

For a complete set of regulations, please refer to the Calvert County Zoning Ordinance and Critical Area Program.

Chesapeake Bay Critical Area – State law enacted in 1984 established the Critical Area as lands within 1000 feet of tidal waters, tidal wetlands, or tributaries to tidal waters.

Critical Area Buffer – The Buffer is a naturally vegetated area extending 100 feet landward from tidal waters, wetland, or tributaries. Human activity in the Buffer is to be minimized. The Buffer may be expanded for adjacent steep slopes (>15%) and erodible soils to further protect non-tidal wetlands and environmentally sensitive areas.

REGULATIONS PERTAINING TO THE 100-FOOT BUFFER

Activities Prohibited (Violations) in the 100-Foot Buffer

- Removal of trees without a permit.
- Removal of existing vegetation, including understory shrubs and ground cover, without a permit.
- Inappropriate horticultural practices such as topping, girdling, over-pruning, or severely damaging trees.
- Grading or disturbance, without tree or vegetation removal.
- Installation of shore erosion control devices, piers, or structures without a permit.
- Construction of structures or installation of impervious surfaces without a permit; any non-water dependent structures or impervious surfaces, unless permitted for access or shore erosion control, require variance from the Board of Appeals.

Activities Requiring Permits in the 100-Foot Buffer

- Trees and vegetation may be removed if a permit is obtained. Vegetation must be replaced on an equal basis. A surety bond must be posted to assure the survivability of the replacement trees and vegetation. Acceptable reasons include: 1) Access to water (minimized access); 2) Shore erosion control installation or maintenance; or 3) Removal of a hazardous tree which is in danger of falling and damaging structures or increasing erosion.
- Dead trees may be removed if a permit is obtained. Dead trees, if they are not hazardous, should remain as snags and habitat for osprey, eagles, and other wildlife.
- Grading, adding fill material, or shore erosion control methods require permits.
- Construction of fences over 4 feet in height requires a permit and Board of Appeals approval.

Activities Not Requiring Permits in the 100-Foot Buffer (Note: Planning and Zoning Approval is Required)

- Mature trees may be pruned without a permit if the pruning is restricted to the lower one-third of the tree (only branches less than a third of the way up the tree may be removed.) No more than one quarter of the tree's branches may be removed in a single year.
- Planting to enhance the Buffer is allowed at any time. Native species are encouraged.