

AND (III) MIXED USE AND PLANNED UNIT DEVELOPMENT AREAS;

(IV) COMMERCIAL AND INDUSTRIAL USE AREAS.

(2) (3) AFFORESTATION REQUIREMENTS MUST CONFORM TO THE CONDITIONS IN §§ 5-1608 AND 5-1611 §§ 5-1607 AND 5-1610 OF THIS SUBTITLE, INCLUDING PAYMENT INTO THE FOREST CONSERVATION FUND, IF AFFORESTATION ON-SITE OR OFF-SITE IS NOT FEASIBLE CANNOT BE REASONABLY ACCOMPLISHED.

(3) (4) (I) THE AFFORESTATION REQUIREMENTS UNDER THIS SUBSECTION SHALL BE ACCOMPLISHED WITHIN 1 YEAR OR 2 GROWING SEASONS AFTER THE COMPLETION OF THE DEVELOPMENT PROJECT.

(II) IF AFFORESTATION CANNOT BE REASONABLY ACCOMPLISHED ON-SITE OR OFF-SITE, THE REQUIREMENT TO CONTRIBUTE MONEY TO A FOREST CONSERVATION FUND UNDER § 5-1611 § 5-1610 OF THIS SUBTITLE SHALL BE MET WITHIN 90 DAYS AFTER THE COMPLETION OF THE DEVELOPMENT PROJECT.

(C) (B) THERE IS A FOREST CONSERVATION THRESHOLD ESTABLISHED FOR ALL LAND USE CATEGORIES AS PROVIDED IN SUBSECTION (D) OF THIS SECTION. THE FOREST CONSERVATION THRESHOLD MEANS THE PERCENTAGE OF THE NET TRACT AREA AT WHICH THE REFORESTATION REQUIREMENT CHANGES FROM A RATIO OF 1/2 1/4 ACRE PLANTED FOR EVERY 1 ACRE REMOVED TO A RATIO OF 2 ACRES PLANTED FOR EVERY 1 ACRE REMOVED.

(D) (C) AFTER EVERY REASONABLE EFFORT TO MINIMIZE THE CUTTING OR CLEARING OF TREES AND OTHER WOODY PLANTS IS EXHAUSTED IN THE DEVELOPMENT OF A SUBDIVISION PLAN AND GRADING AND SEDIMENT CONTROL ACTIVITIES AND IMPLEMENTATION OF THE FOREST CONSERVATION PLAN, THE FOREST CONSERVATION PLAN SHALL PROVIDE FOR REFORESTATION, OR PAYMENT INTO THE FOREST CONSERVATION FUND, ACCORDING TO THE FORMULA SET FORTH IN SUBSECTION (C) OF THIS SECTION AND CONSISTENT WITH THE FOLLOWING FOREST CONSERVATION THRESHOLDS FOR THE APPLICABLE LAND USE CATEGORY:

(1) AGRICULTURAL AND RESOURCE AREAS: 50% OF NET TRACT AREA;

(2) MEDIUM DENSITY RESIDENTIAL AREAS: 40% 25% OF NET TRACT AREA;

(3) INSTITUTIONAL DEVELOPMENT AREAS: 30% 20% OF NET TRACT AREA;