

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 13

Bill No. 37-19

Councilmembers Quirk, Marks, Kach, Bevins & Patoka

By the County Council, August 5, 2019

A BILL
ENTITLED

AN ACT concerning

Open Space - Fees

FOR the purpose of amending certain provisions of the open space fees for the adequate public facilities requirements; and generally relating to open space fees.

BY repealing and re-enacting, with amendments

Section 32-6-108(c) and (i)(2)(iii)
Article 32 – Planning, Zoning, and Subdivision Control
Title 6 – Adequate Public Facilities
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

5 Title 6 – Adequate Public Facilities

6 § 32-6-108 – Open Space.

7 (c) Minimum requirement.

8 [(1)] An applicant shall provide a minimum of 1,000 square feet of open space per residential
9 dwelling unit.

10 [(2) In a C.T., D.T., or C.C.C. District and a R.A.E. Zone, an applicant shall meet the open
11 space requirements in the Baltimore County Zoning Regulations, and the open space provided
12 shall be deducted from the requirement of this section.]

13 (i) Fees.

14 (2) (iii) The fee shall be further reduced by 100 percent of the verified cost of any outdoor
15 public amenity provided on-site or off-site [and 60 percent of the verified cost of any outdoor
16 private amenity provided on-site or off-site.] The fee may not be reduced for any indoor amenity
17 provided on-site or off-site.

18
19 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall not apply to any
20 residential and/or mixed-use development or construction project with a residential component
21 for which the filing of the following has occurred prior to the effective date of this Act: a concept

1 plan, an amendment to any approved residential and/or mixed-use development plan with a
2 residential component, or an application for a Planned Unit Development.

3
4 SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall not apply to any
5 development which has vested prior to the effective date of this Act or to any subsequent
6 amendments to a vested project.

7
8 SECTION 2 4. AND BE IT FURTHER ENACTED, that this Act, having been passed by
9 the affirmative vote of five members of the County Council, shall take effect on September 16,
10 2019.