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

ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

Title 6 – Adequate Public Facilities

§ 32-6-108 – Open Space.

(c) Minimum requirement.

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

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

(i) Fees.

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

SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall not apply to any residential and/or mixed-use development or construction project with a residential component for which the filing of the following has occurred prior to the effective date of this Act: a concept
plan, an amendment to any approved residential and/or mixed-use development plan with a
residential component, or an application for a Planned Unit Development.

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

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