

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2013, Legislative Day No. 8

Bill No. 31-13

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Councilmembers Olszewski, Huff, Bevins, Oliver & Marks

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By the County Council, April 15, 2013

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A BILL  
ENTITLED

AN ACT concerning

Local Open Space Waiver Fees

FOR the purpose of requiring the periodic review of local open space waiver fees; amending the allocation to Neighborspace of Baltimore County, Inc. of such fees collected; requiring posting of the fees on the County's internet website; modifying the application of the fee to small tracts of land in certain cases; and generally relating to the review and disbursement of local open space waiver fees.

By repealing and re-enacting, with amendments

Section 32-6-108 (f)(1) and (g)(4) and ~~(f)(f)~~, (l)(1) and (l)(5)

Article 32 - Planning, Zoning, and Subdivision Control

Title 6 - Adequate Public Facilities

Baltimore County Code, 2003

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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  
2 BALTIMORE COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3 § 32-6-108. Recreational Space.

4 (f) Same – Tracts of five acres or less.

5 (1) (I) This subsection applies to development tracts of five acres or less that are  
6 located within the urban rural demarcation line and are zoned D.R. 10.5 or D.R. 16.

7 (II) THIS SUBSECTION DOES NOT APPLY TO A REDEVELOPMENT  
8 OF IMPROVED PROPERTY, IF THE STRUCTURES ON THE PROPERTY ARE  
9 PROPOSED TO BE RAZED AND A NEW DEVELOPMENT CONSTRUCTED IN THEIR  
10 PLACE.

11 (g) Waiver of standards.

12 (4) The Director shall allocate [up to ten(10)] ~~15~~ 20 percent of any cash fee  
13 collected under this section to Neighborspace of Baltimore County, Inc.

14 (l) Fees.

15 (1)(I) The County Administrative Officer shall establish the fees payable under  
16 this section after consultation with the Department of Recreation and Parks, the Office of Budget  
17 and Finance, and the Department of Permits, Approvals and Inspections.

1 (II) THE COUNTY ADMINISTRATIVE OFFICER SHALL REVIEW THE  
2 FEES ESTABLISHED UNDER THIS SECTION AT LEAST ONCE EVERY ~~FOUR~~ TWO  
3 YEARS.

4 (5)(I) The fees shall be adopted by THE County Council by resolution.

5 (II) THE FEE SCHEDULE SHALL BE POSTED ON THE COUNTY'S INTERNET  
6 WEBSITE, AND INCLUDE A DESCRIPTION OF THE DOCUMENTATION USED IN  
7 CALCULATING THE FEES.

8 SECTION 2. AND BE IT FURTHER ENACTED, that this Act ~~shall take effect forty-~~  
9 ~~five (45) days after its enactment,~~ having been passed by the affirmative vote of five members of  
10 the County Council, shall take effect on June 3, 2013..