

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2018, Legislative Day No. 17

Bill No. 92-18

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Councilmembers Marks & Quirk

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By the County Council, October 15, 2018

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A BILL  
ENTITLED

AN ACT concerning

Open Space Fees

FOR the purpose of ~~increasing~~ repealing the limitation on the percentage of the open space fees allocated to Neighborspace of Baltimore County, Inc. that may be spent on its operating costs; and generally relating to the use of open space fees allocated to Neighborspace.

BY repealing and re-enacting, with amendments

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

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

3 §32-6-108. Open Space.

4 (f) Payment of fee.

5 (1) If it is not feasible to meet the open space requirement on-site or off-site,  
6 the applicant shall submit a fee in lieu proposal and pay a fee to Baltimore County.

7 (2) The fee shall be used in the same Councilmanic District where the property  
8 is located. Fees in lieu of open space for developments in the Downtown Towson District should  
9 be used in the Downtown District or within one mile of the Downtown District.

10 (3) The director shall allocate 20 percent of any cash fee collected under this  
11 section to Neighborspace of Baltimore County, Inc. ~~Neighborspace may use [30] 50 percent of~~  
12 ~~the allocated funds for operating costs, at the discretion of the Neighborspace board of directors.~~  
13 Neighborspace shall file an annual report with the county auditor detailing the use of the funds  
14 allocated to the corporation.

15 (4) The fee shall be established in accordance with subsection (i).

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17 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
18 the affirmative vote of five members of the County Council, shall take effect on December 3,  
19 2018.