

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2016, Legislative Day No. 13

Resolution No. 87-16

Mr. David Marks, Councilman

By the County Council, August 1, 2016

A RESOLUTION to amend certain Local Open Space Waiver fees.

WHEREAS, the Department of Recreation and Parks may allow an applicant for development plan approval to pay a fee to the Local Open Space Revenue Account instead of dedicating a certain portion of land; and

WHEREAS, the Local Open Space Waiver fee was established in March 2000 as a reasonably proportionate offset for the cost to the County to acquire alternate recreational land; and

WHEREAS, the fee rates were last adjusted in October, 2015 (Resolution 90-15); and

WHEREAS, the County Council adopted Bill 49-16 which created a new Downtown Towson District and repealed provisions relating to the C.T. District of Towson; and

WHEREAS, the adoption of Bill 49-16 requires a change to the fees established in Resolution 90-15 as they relate to the new D.T. District; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the fee for local open space waivers shall be:

<u>Zoning Classification</u>	<u>Fee/p Sq. Foot</u>	<u>Zoning Classification</u>	<u>Fee/p. Sq. Foot</u>
DR1	\$1.38	RC 2	\$0.22
DR2	\$2.30	RC 3	\$0.69
DR 3.5	\$3.44	RC 4	\$0.53
DR 5.5	\$3.79	RC 5	\$1.10
DR 10.5	\$4.36	RC 6	\$0.55
DR 16	\$5.74	RC 7	\$0.22
		RC 8	\$0.23
		RC 20	\$0.28
		RC 50	\$0.15

<u>ZONING CLASSIFICATION OR USE</u>	<u>UNIT VALUE/SQ. FOOT</u>	<u>UNIT VALUE/ACRE</u>
RAE (in a commercial revitalization district)	\$0	N/A
RAE (outside a commercial revitalization district)	\$0 (1 - 100 Units) \$5,000 (each 25 units thereafter)	N/A
CT	\$0 (1 - 100 Units) \$5,000 (each 25 units thereafter)	N/A
Domiciliary and nursing care centers	\$0	N/A
Elderly housing facilities that meet the requirements of Section 7-502(a) of The Tax-Property Article	\$0	N/A
All other elderly housing facilities	\$0 (1 - 50 Units) \$2,500 (each 25 units thereafter)	N/A
M.L.-I.M. (in a commercial revitalization district)	\$2,500 per dwelling unit	N/A
[B.M.-C.T. District Of Towson] D.T. (DOWNTOWN TOWSON) DISTRICT	\$2,000 per dwelling unit	
B.M. (in the Towson Commercial Revitalization District, but excluding B.M.-[C.T.] D.T. zoned areas within the district	\$3,800 per dwelling unit	N/A

AND BE IT FURTHER RESOLVED, that the fees adopted herein shall include the operative provisions of Resolution 90-15, including several provisions relating to the application of the fee schedule adopted therein, which shall remain in effect and are not superseded by this Resolution, the only purpose of this Resolution being to update the district references as described herein; and

AND BE IT FURTHER RESOLVED, that the fee adopted herein for the B.M. (in the Towson Commercial Revitalization District, but excluding the B.M.-D.T. zones areas within the district), shall apply retroactively to a development plan filed prior to the effective date of this Resolution; except that the fee shall not apply to a development plan that obtained Hearing Officer approval prior to October 1, 2015, in which case the Local Open Space Fee applicable at the time of the development plan approval shall apply;

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.

local open space waiver fees.downtown towson district.docx