



# Fiscal Year 2025 Residential Open Space and Fee-in-Lieu Report

Prepared by the Baltimore County Department of Recreation  
and Parks, the Department of Permits, Approvals and  
Inspections, and the Office of Budget and Finance

## INTRODUCTION

The “Fiscal Year 2025 Residential Open Space and Fee-in-Lieu Report” has been prepared in accordance with Baltimore County Bill 73-16, which requires that an annual report be provided to the Baltimore County Council, to include:

- Open space provided;
- Fees in lieu of open space, either assessed or collected; and
- Projects funded with fees-in-lieu

Baltimore County development regulation, which incorporate the mandates of the Baltimore County Code (BCC), Baltimore County Zoning Regulations (BCZR), and the Baltimore County Residential Open Space and Greenway Manual (OS Manual), require that open space be provided within most forms of residential development taking place within the County.

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*The terms “residential open space,” “local open space,” and “open space” are used interchangeably within this report, as is the case with the previously referenced guiding documents and regulations. Those terms are intended to reference lands that are required to be dedicated for general open space purposes, via the County’s development process, rather than general open/green space (a term often used to describe any lands that serve as open/green space, whether acquired through the development process, purchase, or other means). For the sake of simplicity, the acronym “OS” shall be used within the body of this report from this point forward.*

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The regulations associated with OS are extensive and complex. Regulations allow for payment of a “fee-in-lieu” of providing OS (also known as an “OS waiver fee”) in some circumstances, or for all or part of an OS obligation to be fulfilled through the construction of certain amenities such as playgrounds, dog parks, community gardens, and various recreational facilities. Fees-in-lieu of open space are allocated to the County’s Parks, Preservation and Greenways capital budget, and are utilized by the Baltimore County Department of Recreation and Parks for park acquisition, development, and enhancements. Additionally, NeighborSpace of Baltimore County (a nonprofit that preserves and improves land within the “urban” portion of the County’s Urban Rural Demarcation Line) receives 20% of open space fees in lieu collected.

The information and data reported below are based upon OS related transactions that took place within FY2025.

## **OPEN SPACE PROVIDED AND OS FEES-IN-LIEU**

**CONVEYANCES:** See following page. There were two conveyances that took place in FY2025, both for the Rolling Manor Estates Subdivision. These adjoining conveyances consisted of OS and greenway lands, which amounted to a combined 3.9 acres.

**OS WAIVER FEES-IN-LIEU:** In certain circumstances, an OS waiver fee-in-lieu may be assessed if all or part of an OS obligation is not being fulfilled through the dedication of OS and/or suitable amenities within a residential development project. The developer's representatives may request permission to pay-a-fee in lieu by petitioning the Department of Recreation and Parks through their assigned representative at the Department of Permits, Approvals and Inspections. The fee that is assessed is based upon the location and zoning of the land being developed, the number and type of residential units proposed, and a fee structure approved by the Baltimore County Council. Fees-in-lieu are commonly modified within Planned Unit Development (PUD) agreements, in which many aspects of development plan approval are more flexible and negotiable. County Council members submit PUD Resolutions that largely dictate the development requirements within the PUDs, often including OS and community benefit requirements. The table on the page after next provides information on fees-in- lieu that were approved in FY2025.

**OPEN SPACE FEES-IN-LIEU APPROVED IN FY2025:** A total of four fees-in-lieu (a.k.a. OS waivers), amounting to approximately \$147,600, were approved in FY2025. It is important to note that the fees-in-lieu, though approved, may or may not ever be paid. In some circumstances proposed developments are abandoned. Less frequently, a development proposal may be changed, with any residential component removed (thereby negating the need for a fee in lieu of open space). Additionally, some waiver requests may be denied if it is deemed that the proposed waiver does not comply with local open space regulations. Such fees must, however, be approved prior to the development of any lot/unit associated with the fee. The table also shows the portion of the fee-in-lieu that NeighborSpace of Baltimore County would be entitled to receive if and when the approved fee is paid.

RESIDENTIAL OPEN SPACE AND GREENWAYS DEEDED TO BALTIMORE COUNTY IN FISCAL YEAR 2025

Development/Project	Location	Council District	Units Proposed	Residential Unit Type(s)	Open Space Acres Provided	Date of Conveyance	Comments
Rolling Manor Estates	Rear of 8356-8374 Church Lane, 21133	4	40	Multi-family Attached	1.67	3/31/2015	ROS conveyance of 1.67 acres to the County is off-site. Another 0.27 acres of HOA open space was provided on-site.
Rolling Manor Estates	Northeast end of Clifmar Road, 21133	4	40	Multi-family Attached	2.31	3/31/2015	Recreational greenway reservation.
Total Open Space and Greenway acres deeded to Baltimore County in FY'25:					3.98		

OPEN SPACE FEES-IN-LIEU APPROVED IN FISCAL YEAR 2025

Development/Project	Location	Council District	Units Proposed	Residential Unit Type(s)	Open Space Waiver Approval Date	Open Space Waiver Fee-in-Lieu Amount	Neighbor Space % Based on Date Approved	Amount Dedicated to Neighbor Space by Law (once paid)
245 Shawan Road Property	245 Shawan Road, 21031	3	290	Apartments	6/17/2025	\$ 45,000.00	20%	\$9,000.00
Loch Raven Overlook PUD	8712 Loch Raven Boulevard, 21286	6	122	Apartments	3/26/2025	\$ 25,000.00	20%	\$5,000.00
Residences at Sparks Valley - Lots 8, 9 & 10	Fox Hill Road, 21093	3	73	Single Family Attached	8/28/2024	\$27,599.13	20%	\$5,519.83
Texas Road House at Executive Plaza	11350 McCormick Road, 21031	3	300	Apartments	7/15/2024	\$ 50,000.00	20%	\$10,000.00
					TOTALS:	\$147,599.13		\$29,519.83

**OPEN SPACE FEES-IN-LIEU PAID/COLLECTED IN FY2025:** See table on the following page. A total of \$32,549 in previously approved OS waiver fees-in-lieu were collected in FY2025, resulting in a new record low since the initiation of LOS Reports. FY2025 was the third straight year with a significant drop in collected fees-in-lieu, with the amount being just 8.2% of the 10-year average. The following table displays the LOS fees-in-lieu collected by fiscal year.

<b>Fiscal Year</b>	<b>Fees-In-Lieu Collected (rounded to nearest dollar)</b>
2016	\$1,197,770
2017	\$232,468
2018	\$578,637
2019	\$405,643
2020	\$93,876
2021	\$342,025
2022	\$809,689
2023	\$203,439
2024	\$91,756
2025	\$32,549
<b>Total:</b>	<b>\$3,987,852</b>
<b>10-year average:</b>	<b>\$398,785</b>

Of the \$32,549 in fees paid, a total of \$6,510 is required to be directed/allocated to NeighborSpace of Baltimore County, as per Code requirements that dedicate 20% of most OS fees-in-lieu collected. Baltimore County sends an annual check to NeighborSpace as payment of the applicable share of fees paid, while NeighborSpace submits an annual report to the Baltimore County Council. In recent years County leadership has opted to supplement the amount of funds NeighborSpace is owed, so as to ensure that they receive at least \$100,000 in annual funding support (figure includes the amount owed, base upon prior fiscal year fee-in-lieu payments, plus general funds from the Department of Recreation and Parks' capital budget).

The majority of LOS fees-in-lieu collected by the County must be reserved for use within the County Council district in which the development is situated. There are special rules associated with fees collected for development within the Downtown Towson (DT) District, requiring fees collected to be expended within one mile of that district. None of the FY2025 fee-in-lieu payments originated from developments within the DT District.

OPEN SPACE WAIVER FEES-IN-LIEU PAID IN FISCAL YEAR 2025

Development/ Project	Location	Council District	Units Proposed	Residential Unit Type(s)	Open Space Waiver Approval Date	Open Space Waiver Fee-in-Lieu Amount	Last Waiver Fee-in-Lieu Payment Date	Open Space Waiver Fee-in-Lieu Payments	Neighbor Space % Based on Date Approved	Amount Dedicated to Neighbor Space by Law	Comments
Becker Property	12170 Falls Road, 21030	2	5	Single Family Detached	1/17/2019	\$2,250.00	1/8/2025	\$2,250.00	20%	\$450.00	
Bedford Property	West Seminary Avenue, 21093	3	6	Single Family Detached	5/4/2023	\$2,700.00	12/11/2024	\$2,700.00	20%	\$540.00	Original Development was for 20 Lots, has been reduced to 3 lots. NeighborSpace share as of time of waiver approval was 10%.
Residences at Sparks Valley - Lots 8, 9 & 10	Fox Hill Road, 21093	3	73	Single Family Attached	8/28/2024	\$27,599.13	9/27/2024	\$27,599.13	20%	\$5,519.83	
							TOTALS:	\$32,549.13		\$6,509.83	

## CAPITAL PROJECTS FUNDED WITH WAIVER REVENUES

OS fee-in-lieu (waiver) revenues are allocated to the Parks, Preservation and Greenways capital improvement program, which is administered by the Department of Recreation and Parks. The revenues are utilized to fully or partially fund a wide range of parks and recreation capital projects. Not counting the annual allocation to NeighborSpace of Baltimore County, \$394,000 in fee-in-lieu revenues were allocated to four projects in FY2025. The table on the following page summarizes the fee-in-lieu revenues that were allocated. It is important to note that the fee-in-lieu revenues utilized in FY2025 would have derived from prior years' collected fees. Below are more thorough descriptions of the underway projects for which the waiver fee revenues are being utilized.

**Fleming Park Renovations and Enhancements:** \$61,000 in OS fee-in-lieu revenues are being used to supplement federal and state grant funding invested into renovations and enhancements at Fleming Park, a 20.1-acre waterfront park in the Turner Station community of southeast Baltimore County. The project's primary features are a replacement pier, improved pier access path, shoreline stabilization, and landscaping.



**Northwest Regional Park Splash Pad and Comfort Station:** This proposed latest enhancement project at Northwest Regional Park is being supported by \$100,000 in waiver fee revenues. The splash pad will be the first public splash pad in Baltimore County, and will add another recreational option to a regional park with a wide variety of facilities. Situated in the Owings Mills area, the 322+ acre park helps to serve one of the most heavily populated communities in Baltimore County.

**Day's Cove Park Development:** \$86,000 in waiver fee revenues are part of the funding program for this park design and development project that will provide a woodlands-based disc golf course, as well as a park lot, at the 98-acre Day's Cove Park in the Bird River - White Marsh area of eastern Baltimore County. The facilities will help to support that strong, growing demand for disc golf venues.

**Cromwell Valley Park Renovations and Enhancements:** This substantial park renovation and enhancement project at the 458-acre Cromwell Valley Park will provide additional needed parking, improve the park access road, and add a pavilion and paved accessible path. \$147,000 in OS waiver revenues are being invested within the project.



CAPITAL PROJECTS FUNDED WITH OPEN SPACE WAIVER REVENUES IN FISCAL YEAR 2025

Capital Project and Location	Council District	Status	General Open Space Waiver Fee Funding	Other Funding	Source of Other Funding	Total Budgeted
NeighborSpace of Baltimore County allocation (based upon legislatively mandated share of FY'24 LOS fee-in-lieu payments, with supplemental County funds to reach a total amount of \$100K)	All/ Any	Complete	\$18,051	\$81,949	County Funds	\$100,000
Fleming Park, 641 Main Street, 21222 - Park Renovations and Enhancements	7	Construction Phase	\$61,000	\$970,000	County Funds	\$1,031,000
Northwest Regional Park, 4515 Deer Park Road, 21117 - Splash Pad and Comfort Station	4	Design Phase	\$100,000	\$3,961,918	County Funds, MD Program Open Space	\$4,061,918
Day's Cove Park, 5907 Allender Road, 21162 - New Park Design and Construction, featuring Disc Golf Course	5	Design Phase	\$86,000	\$2,264,000	County Funds, MD Program Open Space	\$2,350,000
Cromwell Valley Park, 2002 Cromwell Bridge Road, 21234 - Park Renovations and Enhancements	3	Design Phase	\$147,000	\$6,048,000	County Funds, MD Program Open Space, State Aid	\$6,195,000
TOTALS:			\$412,051	\$13,325,867		\$13,737,918

NOTE:Larger projects are typically multi-year in terms of work and funding. Funding amounts displayed are for allotted funds only, and may increase as projects progress through construction phase.