

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 17

Resolution No. 54-25

Mr. Mike Ertel, Councilman

By the County Council, October 20, 2025

A RESOLUTION of the Baltimore County Council amending certain Local Open Space Waiver fees.

WHEREAS, the Department of Permits, Approvals and Inspections may allow an applicant for development plan approval to pay a fee-in-lieu, also known as a Local Open Space Waiver fee, to the Local Open Space Revenue Account instead of dedicating a certain portion of land when it is not feasible to meet the local open space requirement on-site or off-site; and

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

WHEREAS, in November, 2016, the Council enacted Bill 73-16, which modified the Local Open Space Waiver fee structure within the Baltimore County Code from a zoning classification-based structure to a tier-based structure; and

WHEREAS, in July, 2021, the Council enacted Resolution 86-21, which adjusted the Local Open Space Waiver fee rates; and

WHEREAS, in 2024, the Council enacted two bills establishing new districts:

- Bill 9-24, enacted in April, 2024, establishing the Mixed-Use (M.U.) District; and
- Bill 39-24, enacted in June, 2024, establishing the Elderly and Senior Housing

(E.S.H) District; and

WHEREAS, the County Council now proposes, in Bill 71-25, to assign a Tier Designation to developments in the M.U. and E.S.H. Districts and, in this Resolution, to update the fee schedule; now therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Local Open Space Waiver fees shall be:

Tier Designation	Price Per Square Feet or Unit
Tier 1: Residential outside the URDL	\$0.45 per square foot
Tier 2: SFD, SFA, Duplex inside the URDL	\$3.51 per square foot
Tier 3: C.C.C., C.T., R.A.E., TOD, and M.U. inside the URDL	\$5,000 per 25 units
Tier 4: Multifamily not in Tier 3	\$5.05 per square foot
Tier 5: Dormitories and Purpose Built Student Housing; Elderly and Senior Housing; E.S.H.; Affordable Housing	\$5,000 per 25 units
Tier 6: Downtown Towson District	\$2,000 per unit

AND BE IT FURTHER RESOLVED, that the fees adopted herein shall apply to any Local Open Space fee-in-lieu request approved after the effective date of this Resolution; and

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