

March 19, 2015

Baltimore County Planning Board
Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

Re: Local Open Space Waiver Fee Recommendations – Request to Temporarily Delay Action

Dear Baltimore County Planning Board Members:

On behalf of the Baltimore County Chapter of the Maryland Building Industry Association (MBIA), I write to respectfully ask the Planning Board to delay sending the County Council a recommendation for changes to the Local Open Space waiver fee.

Given the Planning Board staff's decision to change its recommendation from a \$1600 per dwelling unit fee to a recommendation of no changes after a draft report had already circulated, the MBIA joins Neighborspace of Baltimore County in asking for additional time to evaluate the recommendation and respond accordingly.

Neighborspace and the MBIA also request the Planning Board consider changes to the Local Open Space Manual before sending a recommendation to the County Council. The Local Open Space Manual has not been updated in roughly 20 years. During this time, community planning and open space creation has changed significantly. Amending the Manual to reflect changed realities will help home builders create better, more useable open space which benefits all stakeholders.

Going forward, the MBIA supports a fee that is predictable, transparent and empirically justifiable that is similar to the per unit fee that is currently part of the Planning Board staff recommendation. Predictability limits the risks inherent in community development and encourages local investment. It is one of the bedrock principals in creating new development opportunities. On the other hand, transparency ensures that all stakeholders – developers, community groups and the County - have the most information possible before breaking ground on a project. This transparency helps builders create communities that better serve the needs of the County while contributing to increased community buy-in and support. Finally, basing the waiver fee on an empirically justifiable study such as a ten year average of Baltimore County open space acquisitions eliminates the large price deviations which can occur due to market trends, parcels with widely varying values, zoning classifications or other factors contributing to the variable costs of an open space acquisition.

Prior to sending a recommendation to the County Council, the MBIA asks the Planning Board to consider identifying specific goals in terms of both open space dollars collected and also land acquisitions needs. Without identifying measurable objectives, it is difficult to ascertain what changes, if any, are needed to meet our goals in creating and maintaining viable open space in our communities. The MBIA and Neighborspace look forward to working with the Planning Board to make a recommendation to the County Council in the future.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at (410) 720-3021 or dmurphy@elmstreetdev.com or Josh Greenfeld at (443) 515-0025 or jgreenfeld@marylandbuilders.org.

Best regards,

David Murphy, Chair, MBIA of Baltimore County