

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2022 Legislative Session

Resolution No. CR-111-2022

Proposed by Council Member Harrison

Introduced by Council Members Harrison, Hawkins, Franklin, Turner, and Medlock

Co-Sponsors _____

Date of Introduction September 20, 2022

RESOLUTION

1 A RESOLUTION concerning

2 The Waiver of Adequate Public Safety Police Response Time Mitigation Fee
3 For the purpose of approving a waiver of the police response time mitigation fee for all
4 residential units of the Dobson Ridge Project.

5 WHEREAS, in Council Bill 89-2004, the County Executive of Prince George's County and
6 the County Council enacted an amendment to section 24-122.01 of the Subdivision regulations,
7 to establish a new APF test and require the submission of data by the Chief of Police to the
8 Office of Audits and Investigation, Office of Management and Budget, and the Planning Board;
9 and

10 WHEREAS, in response to the new APF test and requirement for police response time
11 reporting, the County Council enacted CB-56-2005 to allow for mitigation of inadequate police
12 response times according to response time data submitted to the Planning Board; and

13 WHEREAS, Section 24-122.01(e)(1)(D) requires the Chief of Police to provide a statement
14 that the rolling twelve-month average, adjusted monthly, for police response times in the vicinity
15 of the property proposed for subdivision is a maximum of twenty-five (25) minutes total for non-
16 emergency calls for service and a maximum of ten (10) minutes total for emergency calls for
17 service; and

18 WHEREAS, the required statement is provided monthly by the Chief of Police for all eight
19 (8) Police Districts, but said Districts are geographically different and much larger than what
20 could be deemed the vicinity of any property proposed for subdivision; and

21 WHEREAS, neither the Police General Orders Manual nor the Public Safety
22 Communication's Dispatch Policy dispatch police calls for service based on "emergency" or

1 “non-emergency” calls for service; and

2 WHEREAS, the Police General Orders Manual and the Public Safety Communication’s
3 Dispatch Policy dispatch police calls for service on a priority scale ranging from Priority E,
4 Priority 1, Priority 2, Priority 3, and Priority 4; and

5 WHEREAS, the Dobson Ridge Project has obtained approval of a Preliminary Plan of
6 Subdivision 4-20002 and Detailed Site Plan DSP-20007 for the development of 196 single-
7 family attached (townhouse) units on approximately 80.92 acres of land in the R-T (Residential
8 Townhouse) Zone, and is generally located on the south side of McKendree Road, approximately
9 413 feet west of its intersection with US 301 (Robert Crain Highway), in Planning Area 85A;
10 and

11 WHEREAS, the APF test for police response times is applied on the date the preliminary
12 plan of subdivision is accepted or within three (3) monthly cycles, pursuant to Section 24-
13 122.01(e)(2) of the Subdivision Regulations; and

14 WHEREAS, Preliminary Plan of Subdivision 4-20002 was accepted by the Planning
15 Department on July 9, 2020; and

16 WHEREAS, at that time, and based on the statement provided by the Chief of Police for the
17 twelve (12) month rolling average, adjusted monthly, for police response times, the average
18 response times for Police District VII for the three (3) reporting cycles (i.e., July through
19 November 2020) was:

20 Non-Priority – 5 minutes (The non-priority response time average is less
21 than the average priority response times due to a large number of non-
22 priority calls and other factors that artificially decrease the non-priority
23 response time, such as zero response time calls.)

24 Priority – 11 minutes

25 WHEREAS, based on the current statement provided by the Chief of Police for the twelve
26 (12) month rolling average, adjusted monthly, for police response times, the average response
27 times for Police District VII are now:

28 Non-Priority – 10 minutes

29 Priority – 8 minutes

30 WHEREAS, pursuant to CB-20-2020, Section 24-122.01(f) of the Prince George’s County
31 Code, authorizes the County Council, acting as the governing body of Prince George’s County

1 by ordinance, to waive any public safety facilities mitigation requirement imposed pursuant to
2 Section 24-122.01; and

3 WHEREAS, the Dobson Ridge Project proposes approximately 196 lots and 14 parcels for
4 single-family attached dwellings and is required to dedicate approximately 49.48 acres to The
5 Maryland-National Capital Park and Planning Commission (M-NCPPC) for the construction of
6 the Timothy Branch and Mattawoman Creek Master Planned Trails that will further expand
7 parkland and recreation in the area; and

8 WHEREAS, the Dobson Ridge Project represents high quality residential development in
9 the General Plan's Established Communities Growth Policy Area and fulfills the Subregion 5
10 Master Plan's future land use recommendation of medium-high residential uses on the subject
11 property; and

12 WHEREAS, the County Executive has determined, because the Dobson Ridge Project will
13 have many positive effects on the residential and commercial environment in the Brandywine
14 area, including, but not limited to, the dedication of approximately 49.48 acres of land to the M-
15 NCPPC for expanded parkland and the construction of the Timothy Branch and Mattawoman
16 Creek Master Planned Trails, the incongruous outcome of the police response time data at the
17 time the preliminary plan of subdivision was tested, and the current data that the police response
18 times are now being met in Police District VII, that the police response time mitigation fee
19 required under Section 24-122.01(e) and CR-78-2005 should be waived, and, notwithstanding
20 Condition 19 of PGCPB No. 2021-04, that grading permits may be issued without the imposition
21 of the mitigation fee; and

22 WHEREAS, the County Executive has further determined that the police response time
23 mitigation fee should be waived because the actual vicinity of the subject property is, and will,
24 for the foreseeable future, be more than adequately served by police facilities; and

25 WHEREAS, this Resolution, subject to the County Council approval, will complete the
26 process required for the waiver of police response time mitigation fee for the Dobson Ridge
27 Project; and

28 WHEREAS, any public safety facilities mitigation requirement imposed pursuant to
29 Section 24-122.01 may be waived by the County Executive and County Council, acting as the
30 governing body.

31 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's

1 County, Maryland, that the police response time mitigation fee required in CB-55-2005, CB-56-
2 2005, CR-78-2005, and Section 24-122.01(e) is hereby waived, for the property included in the
3 Dobson Ridge Project and all permits (including grading permits) may be issued for dwelling
4 units with no requirement to pay the police response time mitigation fee.

5 BE IT FURTHER RESOLVED that the police response time mitigation fee be waived in its
6 entirety for the Dobson Ridge Project.

7 BE IT FURTHER RESOLVED that if any permits (including grading permits) for the
8 Dobson Ridge project are issued prior to the date of adoption of this Resolution, the County shall
9 refund or reimburse the Dobson Ridge Project an equal amount of the police response time
10 mitigation fee as if fully exempted.

Adopted this 24th day of October, 2022.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council