

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Resolution No. CR-126-2020

Proposed by The Council Chair (by request – County Executive)

Introduced by Council Members Turner, Davis, Streeter, Franklin and Hawkins

Co-Sponsors _____

Date of Introduction November 17, 2002

RESOLUTION

1 A RESOLUTION concerning

2 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 mixed-use Calm Retreat 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, based on the current statement provided by the Chief of Police for the twelve
6 (12) month rolling average, adjusted monthly, for police response times, the average response
7 times for Police District VII are:

8 Non-Priority – 5 minutes¹

9 Priority – 11 minutes

10 WHEREAS, pursuant to CB-20-2020, Section 24-122.01(f) of the Prince George’s County
11 Code, authorizes the County Council, acting as the governing body of Prince George’s County
12 by ordinance, to waive any public safety facilities mitigation requirement imposed pursuant to
13 Section 24-122.01; and

14 WHEREAS, the Calm Retreat Project, as provided for in Preliminary Plan of Subdivision
15 4-19024, includes approximately 71.94 acres of land in the M-X-T Zone and is located on the
16 west side on MD 5/US 301, approximately 2,100 feet north of its intersection with Chadds Ford
17 Drive; and

18 WHEREAS, the Calm Retreat Project proposes approximately 488 lots and 58 parcels for
19 single-family attached dwellings and 20,000 square feet of commercial development, as part of a
20 mixed-use development; and

21 WHEREAS, the Calm Retreat Project represents high quality mixed-use development in the
22 General Plan Local Community Center for Brandywine; and

23 WHEREAS, the County Executive has determined, because the Calm Retreat Project will
24 have many positive effects on the residential and commercial environment in the Brandywine
25 area, including, but not limited to the construction of A-55 (a master planned arterial roadway to
26 serve the Brandywine area), and the current incongruous outcomes of the police response time
27 data, that the police response time mitigation fee required under Section 24-122.01(e) and CR-
28 78-2005 should be waived, and that grading permits may be issued without the imposition of the
29 mitigation fee; and

¹The non-priority response time average is less than the average priority response times due to a larger number of non-priority calls and other factors that artificially decrease the non-priority response time, such as zero response time calls.

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

4 WHEREAS, this Resolution, subject to the County Council approval, will complete the
5 process required for the waiver of police response time mitigation fee for the Calm Retreat
6 Project; and

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

10 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
11 County, Maryland, that the police response time mitigation fee required in CB-55-2005, CB-56-
12 2005, CR-78-2005, and Section 24-122.01(e) is hereby waived, for the property included in the
13 Calm Retreat Project and all permits (including grading permits) may be issued for dwelling
14 units with no requirement to pay the police response time mitigation fee.

15 NOW, THEREFORE, BE IT FURTHER RESOLVED that the police response time
16 mitigation fee be waived in its entirety for the Calm Retreat Project.

Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council