

## **CB-20-2020–Planning Board Analysis (Attachment1)**

CB-20-2020 amends the Subdivision Regulations to clarify the authority for approval of Public Safety Surcharge fee waivers in Prince George’s County.

**The Planning Board has the following comments and suggestions for consideration by the District Council:**

### **Policy Analysis:**

The bill expands the areas where the County Council may waive the Public Safety Surcharge fee for residential development. After approval of a County Council resolution a development project may be exempted from payment of the fee. The bill deletes from the Subdivision Ordinance an outdated reference to the “Developed Tier” permitting waiver of the impact fee Countywide.

The Planning Board is not clear on whether the intent of the bill is to waive the Public Safety Surcharge fee or the Adequate Public Safety Facilities Mitigation Guidelines. The purpose of the Public Safety Surcharge fee is to collect revenue for police, fire, emergency medical services, construction or rehabilitation of buildings or the purchase of equipment or communication devices used in connection with public safety services. In addition, CB-56-2005 presents the test for adequacy during the time of Preliminary Plan of Subdivision review which is a test of the response times for police, fire, and emergency services. If the response times are not adequate the applicant is required to pay a fee or build infrastructure to ensure adequacy in accordance with the Adequate Public Safety Facilities Mitigation Guidelines.

It should be noted that waiving the Public Safety Surcharge fee or the mitigation fee for specific projects reduces collected revenue for police, fire, emergency medical services or the ability to address public safety infrastructure adequacies throughout the County.

The bill should be clarified to determine what fee the County Council intends to waive. If the intent is to waive the Public Safety Surcharge fee, then revisions to the bill should be made to Section 10-192.11 (Public Safety Surcharge.) not within Section 24-122.01 (Adequacy of public facilities.).

### **Impacted Property:**

The bill would impact all properties in the County.

Following discussion, the Planning Board voted to oppose CB-20-2020 as drafted with the above-mentioned explanation.