

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

Resolution No. CR-85-2020  
Proposed by The Council Chair (by request – County Executive)  
Introduced by Council Members Turner, Glaros, Taveras, Davis and Dernoga  
Co-Sponsors \_\_\_\_\_  
Date of Introduction September 9, 2020

**RESOLUTION**

1 A RESOLUTION concerning

2 Public Safety Facilities Surcharge

3 For the purpose of approving a partial waiver of the public safety facilities surcharge for all  
4 residential units of the mixed-use Atworth Project.

5 WHEREAS, in Council Bill 89-2004, the County Executive of Prince George's County  
6 and the County Council enacted an amendment to section 24-122.01 of the Subdivision  
7 regulations, to impose an adequate public safety facilities surcharge for new residential  
8 construction in the County; and

9 WHEREAS, consistent with the requirements of Chapter 594 of the Laws of Maryland of  
10 2005 (House Bill 1129), codified as Section 10-192.11 of the Prince George's County Code, the  
11 County Executive and County Council approved Council Bill 56-2005 to modify the  
12 requirements of CB 89-2004; and

13 WHEREAS, pursuant to Chapter 461 of the 2020 Laws of Maryland and Section 10-  
14 192.11(a) of the Prince George's County Code, the governing body of Prince George's County,  
15 by resolution, may impose a public safety surcharge on new residential construction for which a  
16 building permit is issued by the County; and

17 WHEREAS, Section 10-192.11(b)(3) authorizes the County Council, acting as the  
18 governing body of Prince George's County, to waive any surcharge imposed within the  
19 Transportation Service Area 1, as defined by the Maryland-National Capital Park and Planning  
20 Commission in the Prince George's County approved General Plan; and an area that abuts an  
21 existing or planned mass transit rail station site operated by the Washington Metropolitan Area  
22 Transit Authority and that is in compliance with any sector plan, master plan, or overlay zone

1 approved by the Prince George’s County District Council; and

2 WHEREAS, the Atworth Project, as approved by the Planning Board in PGCPB No. 19-74  
3 (detailed site plan), includes about 5.58 acres of land in the M-U-I/T-D-O Zone located on the  
4 west side of River Road, immediately south of the College Park Metro Station, approximately  
5 530 feet south of the intersection of River Road and Campus Drive; and

6 WHEREAS, the Atworth Project was approved in File No. DSP-17007, the detailed site  
7 plan, for 451 multi-family residences on Parcel 1 as part of a larger mixed-use development; and

8 WHEREAS, the Atworth Project represents high quality transit-oriented development in the  
9 vicinity of the College Park Metro Station and the greater Discovery District in College Park;  
10 and

11 WHEREAS, the County Executive has determined, because the Atworth Project will have  
12 many positive effects on the residential and commercial environment in the College Park area,  
13 that the public safety facilities surcharge required under CB-55-2005 and CB-56-2005 should be  
14 partially waived, and that building permits may be issued without the full imposition of the  
15 surcharge; and

16 WHEREAS, the County Executive has further determined that the public safety facilities  
17 surcharge should be partially waived because the area of the subject property is, and will for the  
18 foreseeable future, be more than adequately served by the police and fire facilities; and

19 WHEREAS, this Resolution, subject to the County Council approval, will complete the  
20 process required for the partial waiver of the public safety facilities surcharge for the Atworth  
21 Project; and

22 WHEREAS, any surcharge imposed within the Developed Tier may be waived by the  
23 County Executive and County Council, acting as the governing body.

24 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George’s  
25 County, Maryland, that the public safety facilities surcharge required in CB-55-2005 and CB-56-  
26 2005 is hereby waived, for the property included in the Atworth Project and building permits  
27 may be issued for the dwelling units, with partial payment of the surcharge.

28 NOW, THEREFORE, BE IT RESOLVED that the public safety facilities surcharge shall be  
29 partially waived by no greater than fifty percent (50%) for the Atworth Project.

Adopted this 22nd day of January, 2020.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Todd M. Turner  
Council Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council