

HOUSE BILL 225

L2

9lr0595

By: **Prince George's County Delegation**

Introduced and read first time: January 23, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – School Facilities Surcharge – Exemptions –**
3 **Transit Oriented Development – Workforce Housing**

4 **PG 415–19**

5 FOR the purpose of altering the exemptions from the Prince George's County school
6 facilities surcharge to include mixed retirement development or elderly housing,
7 single-family attached dwelling units located in a certain Transforming
8 Neighborhood Initiative area, and certain multi-family housing located within a
9 certain distance of a Metro Station or a Purple Line station; repealing certain
10 exemptions related to certain single-family dwelling units and certain multi-family
11 housing; and generally relating to the school facilities surcharge in Prince George's
12 County.

13 BY repealing and reenacting, without amendments,
14 The Public Local Laws of Prince George's County
15 Section 10–192.01(a)(1)
16 Article 17 – Public Local Laws of Maryland
17 (2015 Edition, as amended)

18 BY repealing and reenacting, with amendments,
19 The Public Local Laws of Prince George's County
20 Section 10–192.01(b)(2)
21 Article 17 – Public Local Laws of Maryland
22 (2015 Edition, as amended)

23 BY repealing
24 The Public Local Laws of Prince George's County
25 Section 10–192.01(b)(3) and (5)
26 Article 17 – Public Local Laws of Maryland
27 (2015 Edition, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing

2 The Public Local Laws of Prince George's County

3 Section 10–192.01(b)(4)

4 Article 17 – Public Local Laws of Maryland

5 (2015 Edition, as amended)

6 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014 and Chapter

7 733 of the Acts of the General Assembly of 2016)

8 BY repealing

9 The Public Local Laws of Prince George's County

10 Section 10–192.01(b)(6)

11 Article 17 – Public Local Laws of Maryland

12 (2015 Edition, as amended)

13 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article 17 – Prince George's County**

17 10–192.01.

18 (a) (1) The County Council, by ordinance, shall impose a school facilities
19 surcharge on new residential construction for which a building permit is issued on or after
20 July 1, 2003.

21 (b) (2) The school facilities surcharge does not apply to [a]:

22 (A) A mixed retirement development or elderly housing;

23 (B) A SINGLE-FAMILY ATTACHED DWELLING UNIT IF THE
24 SINGLE-FAMILY DWELLING UNIT IS LOCATED IN A TRANSFORMING NEIGHBORHOOD
25 INITIATIVE (TNI) AREA; OR

26 (C) MULTI-FAMILY HOUSING THAT IS LOCATED WITHIN
27 ONE-QUARTER MILE OF A METRO STATION OR A PURPLE LINE STATION IF THE
28 MULTI-FAMILY HOUSING IS CONSTRUCTED UNDER A GOVERNMENT REGULATION OR
29 BINDING AGREEMENT THAT DESIGNATES AT LEAST 25% OF THE DWELLING UNITS
30 FOR AT LEAST 30 YEARS AS AFFORDABLE HOUSING FOR RESIDENTS WHOSE INCOME
31 DOES NOT EXCEED 80% OF THE AREA MEDIAN INCOME FOR PRINCE GEORGE'S
32 COUNTY ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN
33 DEVELOPMENT.

34 [(3) The school facilities surcharge does not apply to a single-family
35 detached dwelling that is to be built or subcontracted by an individual owner in a minor

1 subdivision and that is intended to be used as the owner's personal residence.

2 (4) (A) The school facilities surcharge does not apply to multi-family
3 housing designated as student housing that is located in the area within the campus of
4 Capitol Technology University located adjacent to and east of Springfield Road in Parcels
5 1 and 2 in the subdivision of land known as "Parcels 1 and 2, Capitol Institute of
6 Technology", as per plat recorded in Plat Book NLP 115 at Plat 31 among the Land Records
7 of Prince George's County, Maryland.

8 (B) (i) Subject to subsubparagraph (ii) of this subparagraph, the
9 school facilities surcharge does not apply to multi-family housing that is located in the City
10 of College Park and designated as graduate student housing by the City of College Park.

11 (ii) The County Council may, by Resolution, reverse a
12 designation by the City of College Park of multi-family housing as graduate student
13 housing within 60 days of the designation.

14 (C) If the housing is converted from student housing or graduate
15 student housing to multi-family housing for the general population, the owner of the
16 property shall pay, at the time of the conversion, the school facilities surcharge in
17 accordance with the laws at the time of the conversion.

18 (5) The school facilities surcharge does not apply to a single-family
19 dwelling unit that is to be built or subcontracted by an individual owner to replace on the
20 same lot a previously existing single-family dwelling unit that was destroyed by fire,
21 explosion, or a natural disaster if the single-family dwelling unit is:

22 (A) Similar to the previously existing single-family dwelling unit;
23 and

24 (B) Owned and occupied by the same individual who owned and
25 occupied the previously existing single-family dwelling unit.

26 (6) The school facilities surcharge does not apply to a single-family
27 attached dwelling unit if the single-family dwelling unit is:

28 (A) Located in a residential revitalization project;

29 (B) Located in the Developed Tier as defined in the Prince George's
30 County General Plan;

31 (C) Located in a Transforming Neighborhood Initiative (TNI) area;

32 (D) Located on the same property as previously existing
33 multi-family dwelling units;

34 (E) Developed at a lower density than the previously existing

1 multi-family dwelling units;

2 (F) Offered for sale only on a fee simple basis; and

3 (G) Located on a property that is less than 6 acres in size.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2019.