

[5.] (V) The area bounded by the eastern boundary of Paint Branch Stream Valley Park to the west, Park Road and a line extending from the western end of Park Road directly west to Paint Branch Stream Valley Park to the north, U.S. Route 1 to the east, and Erie Street and a line extending from the western end of Erie Street directly west to Paint Branch Stream Valley Park to the south;

[6.] (VI) The area bounded by Autoville Drive and a line extending from the southern end of Autoville Drive directly south to Maryland Route 193 to the west, Erie Street to the north, U.S. Route 1 to the east, and Maryland Route 193 to the south; or

[7.] (VII) The area bounded by U.S. Route 1 to the west, Maryland Route 193 to the north, 48th Avenue to the east, and Greenbelt Road to the south.

[(ii)] (B) Subject to the approval of the County Council and the municipality where the multi-family housing is located, the school facilities surcharge does not apply to multi-family housing designated as student housing for any areas not listed under subparagraph [(i)] (A) of this paragraph in the City of College Park, the City of Hyattsville, and the Town of Riverdale Park.

[(iii)] (C) If the housing is converted from student housing to multi-family housing for the general population, the owner of the property shall pay, at the time of the conversion, the school facilities surcharge in accordance with the laws at the time of the conversion.

(5) THE SCHOOL FACILITIES SURCHARGE DOES NOT APPLY TO A SINGLE-FAMILY DWELLING UNIT THAT IS TO BE BUILT OR SUBCONTRACTED BY AN INDIVIDUAL OWNER TO REPLACE ON THE SAME LOT A PREVIOUSLY EXISTING SINGLE-FAMILY DWELLING UNIT THAT WAS DESTROYED BY FIRE, EXPLOSION, OR A NATURAL DISASTER IF THE SINGLE-FAMILY DWELLING UNIT IS ~~SIMILAR~~:

(I) SIMILAR TO THE PREVIOUSLY EXISTING SINGLE-FAMILY DWELLING UNIT; AND

(II) OWNED AND OCCUPIED BY THE SAME INDIVIDUAL WHO OWNED AND OCCUPIED THE PREVIOUSLY EXISTING SINGLE-FAMILY DWELLING UNIT.

(c) The school facilities surcharge shall be paid by the seller at the time a building permit is issued for the dwelling unit. The school facilities surcharge may not be construed to be a settlement cost.