

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

DRAFT MINUTES

JULY 10, 2024

Attendees:

Council Chair and Work Group Chair - Jolene Ivey
Council Member Ingrid S. Watson - Vice Chair
Griffin Benton - Maryland Building Industry Association (MBIA)
Jim Chandler - Office of the County Executive
Charlesetta Griffin - American Association of Retired Persons (AARP), Chapter 939
Brooke Larman - Maryland - National Capital Park and Planning Commission (M-NCPPC)
Marcus Monroe - American Institute of Architects - Potomac Valley
Tierra Medley - Maryland Inclusive Housing
Lori Parris - Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)
Sarah Reddinger - Habitat for Humanity

Members Absent:

Adam Jiroun - Prince George's County Department of Public Works and Transportation (DPW&T)

Staff:

John W. Sheridan - Policy Director, Council District 5
Kathleen H. Canning - Legislative Attorney
Rana E. Hightower - PHED Committee Director
Shirley M. Anglin - Administrative Aide
Charlotte D. Aheart - Administrative Aide
Sharon Savoy Williams - Administrative Assistant

Welcome and Opening Remarks

The sixth regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:16 a.m. on Wednesday, July 10, 2024, by the Chair of the Work Group. The meeting was in-person, with one member, Griffin Benton attending by audio.

Approval of Meeting Minutes

By a hand vote of the Members, the May 8, 2024, Draft Minutes were approved.

Discussion Item: Waiver Checklist

Ms. Parris updated the Work Group on the status of the waiver checklist. She indicated that the waiver checklist is in final form and that the next step is for her to discuss implementation of the waiver checklist with the DPIE Information Technology (IT) Group. She indicated that she would

provide the Work Group members with a copy of the waiver checklist at the next meeting. She stated that the checklist mirrored the statutory requirements set forth in the County's current universal design law, set forth in CB-65-2023. Further, she indicated that Prince George's County Code sections regarding definitions need to be revised and that the small group members are in agreement about the definitional changes and that the final definitional language is being developed. Moreover, Ms. Parris indicated that the County Attorney's Office is developing language regarding an appeal process for denial of waiver requests and that she will report on the status on the language at the next Work Group meeting. Ms. Parris further indicated that the checklist would require a certified copy statement by a professional engineer indicating why a waiver is required. Chair Ivey inquired as to the cost of engaging a professional engineer, as she wanted to keep costs down. Ms. Parris indicated the developers already had a professional team on retainer and that this would be an item that the professional engineer can review.

The definitions being reviewed are accessibility, useability, slip resistant, and accessible range. A technical amendment to the Prince George's County Code is needed to replace the word "approved" with "acceptance" of a building permit issued by M-NCPPC. Also, in the Prince George's County Code, the term "carbon dioxide" needs to be revised to be "carbon monoxide".

Ms. Medley asked when a draft of the definitions would be available for review and Ms. Parris indicated by the next meeting.

Discussion Item: 50% Waiver

Mr. Chandler talked about the feasibility of the use of a fee-in-lieu. Mr. Benton concurred providing that there is a certain threshold that the developers can meet, that a fee-in-lieu should be considered and that implementation of the law should not stop a project.

Chair Ivey reminded the Work Group that the goal is 100% universal design.

Mr. Benton spoke about the possibility of rolling into 15% to 25% of waiver thresholds and gradually working the way up. He provided that he is not sure if 50% is reasonable and does not want issues in 2026, the implementation date.

Ms. Griffin provided that since the goal is 100%, the farther away that you get from that goal, the farther you go away from that intent.

Mr. Monroe indicated to answer, why or why not to do a 50% waiver, he would want to go back to the American Institute of Architects - Potomac Valley to find out what could be done to meet the 100% universal design goal. The types of development would need to be identified. He stated that there is a need for case studies and test projects. He said that the Parc Redland project was a great project. He noted that there may be specific requests to exceed the 50% waiver that should be addressed.

Chair Ivey noted that Dean Packard's presentation was great and showed how universal design can be done with townhouses that were compliant. Chair Ivey said that the task is to transfer these techniques to Prince George's County.

Mr. Monroe reiterated the need to do test cases.

Ms. Reddinger said that she would agree with Mr. Monroe there is a need for zero step entry especially before the retrofit stage. She indicated that she would not change the waiver percentage without knowing why some projects will not meet the 100% level. She noted that there may be instances where the 50% waiver cannot be met and would not want to stop the project. However, she supports the overall goal of 100% compliance with universal design.

Ms. Parris provided that that she agrees with Mr. Monroe and Ms. Reddinger, but indicated that one compromise would be to change the number for a short period of time, three to six months from the implementation date, to ascertain the workload for implementing the program, with the idea of coming back to make any adjustments, if needed.

Mr. Chandler suggested a reduced amount of compliance on a graduated schedule.

Ms. Parris indicated that she is not sure how many permits are being processed now and the requisite amount of funds for permitting. She indicated that the fees were in the millions annually.

Chair Ivey requested that Ms. Parris go through the data to see what they are getting permits for such as townhome or single-family homes. Ms. Parris said that she would check Plans on File.

Mr. Chandler supported the idea of using test cases to set a waiver provision to see how this works. He was more concerned with data from recent cases that meet the eligibility criteria to test them to see how they meet compliance requirements.

Ms. Parris said that she would work with Mr. Benton and Mr. Chandler to identify existing projects to provide the needed data on specific individual projects.

Chair Ivey indicated that the Work Group would meet on August 7, 2024, to ensure that legislation was prepared in time to be presented at the end of the County Council's August recess.

Next Meeting

August 7, 2027, by Zoom

Adjournment

The meeting was adjourned at 9:48 a.m. on Wednesday, July 10, 2024.