

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

DRAFT MINUTES

AUGUST 7, 2024

Attendees:

Council Chair and Work Group Chair - Jolene Ivey
Council Member Ingrid S. Watson - Vice Chair
Griffin Benton - Maryland Building Industry Association (MBIA)
Charlesetta Griffin - American Association of Retired Persons (AARP), Chapter 939
Dwight Joseph - Prince George's County Department of Public Works and Transportation (DPW&T)
Marcus Monroe - American Institute of Architects - Potomac Valley
Lori Parris - Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)
Sarah Reddinger - Habitat for Humanity

Members Absent:

Jim Chandler - Office of the County Executive
Brooke Larman - Maryland - National Capital Park and Planning Commission (M-NCPPC)
Tierra Medley - Maryland Inclusive Housing

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

Welcome and Opening Remarks

The seventh regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:01 a.m. on Wednesday, August 7, 2024, by the Chair of the Work Group. The meeting was virtual, with one member, Griffin Benton, attending by audio.

Approval of Meeting Minutes

By a hand vote of the Members, the July 10, 2024, Draft Minutes were approved.

Discussion Items:

Waiver Checklist Form, Universal Design Definitions, Universal Design Waiver Appeal Process

Waiver Checklist Form

Ms. Parris updated the Work Group on the status of the Waiver Checklist Form. She provided members of the Work Group the Waiver Checklist Form prior to the meeting. She indicated that the Waiver Checklist Form has been finalized with the exception of a few small follow-up items. Ms. Parris provided that she has had initial communication with the Department of Permitting, Inspections, and Enforcement (DPIE) Information Technology (IT) Unit and it is being determined whether the Waiver Checklist Form can be added to the application. She indicated that there is a desire to add the Waiver Checklist Form and it needs to be determined whether there is a small amount of funds in the Fiscal Year 2025 budget to make this update.

Universal Design Waiver Appeal Process

Ms. Parris indicated that the County Attorney's Office has provided that an appeal process for the denial of a waiver should be administered by the Administrative Hearing Unit provided in Subtitle 13, Division 15, Subdivision 1, Section 13-1133 of the Prince George's County Code. She addressed the Chair stating that the Administrative Hearing Unit hears appeals within 30 days, rather than less timely judicial appeal, which aligns with the Chair's desire for a controlled and expedited process for the applicant.

Chair Ivey asked if the Waiver Checklist Form was easy to complete. From Ms. Parris' perspective, she indicated that it is a yes or no form with space for brief explanations. She indicated that architects and engineers would be filling out the Waiver Checklist Form, mostly regarding the no-step entry due to topography and she believed that this would be an easy form for them to fill out.

Mr. Benton agreed with Ms. Parris that the form would not be complicated to complete but he indicated that it would be novel and may take time for adjustment.

DPIE Administrative Fee for Processing the Waiver Checklist Form

Ms. Parris indicated that more consideration is needed by DPIE regarding the amount of the separate DPIE Administrative Fee for processing the Waiver Checklist Form. She indicated that a separate resolution would need to be adopted which includes the DPIE Administrative Fee for Processing the Waiver Checklist Form.

DPIE Civil Fine for Noncompliance with Universal Design for Housing Code

Ms. Paris indicated that a civil fine would be imposed for Noncompliance with Universal Design for the Housing Code. She indicated that there is an option to have a flat fee or a fee by type of violation. Chair Ivey indicated that the fine should be significant enough to ensure compliance.

Additional Discussion

Mr. Benton asked whether a fee-in-lieu is an option.

Chair Ivey said that we should do all that we can to make compliance the priority and that we should look to DPIE for guidance.

Ms. Parris indicated that continued conversation would be needed regarding the fee-in-lieu option and that some of the considerations would be where to place it in the Prince George's County Code, whether the money would go to the General Fund, and whether the Department of Housing and Community Development would administer the program.

Chair Ivey indicated that if fee-in-lieu is an option, the Department of Housing and Community Development would administer the program and that she would like the funds to go to retrofitting homes.

Ms. Griffith asked about the relationship between the waiver and the fine. She indicated that the waiver should be used sparingly and the fine should be used for those in noncompliance.

Ms. Parris indicated that the Work Group has addressed the waiver, appeals, fines, fees and definitions.

Further, Ms. Parris summarized that the target date for completion of a draft of the legislation for circulation for Work Group comment is August 16, 2024, and that work on the issues of DPIE IT accommodation for the Waiver Checklist Form and a fee-in-lieu would need more discussion.

Next Meeting

September 4, 2024, by Zoom

Chair Ivey indicated that the Work Group would review the legislation prior to the September 4, 2024, meeting in order to vote on the legislation on September 4, 2024, to coincide with the Fall Legislative Schedule.

Adjournment

The meeting was adjourned at 9:20 a.m. on Wednesday, August 7, 2024.