

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

DRAFT MINUTES
SEPTEMBER 4, 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 (On Phone)
Dwight Joseph - Prince George's County Department of Public Works and Transportation (DPW&T)
Tierra Medley - Maryland Inclusive Housing
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:

Brooke Larman - Maryland - National Capital Park and Planning Commission (M-NCPPC)
(Excused Absence)

Staff:

Kathleen H. Canning - Legislative Attorney
Shirley M. Anglin - Administrative Aide
Charlotte D. Aheart - Administrative Aide
Sharon Savoy Williams - Administrative Assistant

Staff Absent:

John W. Sheridan - Policy Director, Council District Five
(Excused Absence)

Welcome and Opening Remarks

The eighth regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:01 a.m. on Wednesday, September 4, 2024, by the Chair of the Work Group. The meeting was virtual, with one member, Charlesetta Griffin, attending by phone.

The Chair indicated that the purpose of the meeting was to vote on legislation that was the culmination of Work Group efforts to implement the County's current Universal Design Law for Housing more fully, enacted pursuant to CB-65-2023 (DR-2).

Approval of Meeting Minutes

August 7, 2024 Draft Minutes vote to be taken at a later date.

Discussion

The civil and criminal penalties applicability to owners and ownership entities was discussed. Specifically discussed was the application of civil fines and criminal fines and penalties for each violation in each dwelling unit. Regarding reaching corporate owners for civil fines and criminal fines and penalties, a friendly amendment will be drafted for review by the Planning, Housing and Economic Development (PHED) Committee regarding the scope of owners and ownership for civil fines and criminal fines and penalties.

Action Items:

Universal Design for Housing – Revisions Bill (LDR-125-2024) (Vote)

Kathleen H. Canning, Legislative Attorney provided an overview of the Universal Design for Housing – Revisions Bill, specifically noting areas in which the bill amended CB-65-2023 (DR-2).

She indicated that the bill revised five main areas of CB-65-2023 (DR-2), it: (1) added and revised definitions; (2) initiated a waiver form checklist; (3) provided for an administrative fee for the Department of Permitting, Inspections and Enforcement (DPIE) in an amount per each waiver per each dwelling unit in a residential development project for processing and reviewing an applicant's waiver request; (4) provided for the imposition of civil fines and criminal fines and penalties; and (5) provided for an applicant's appeal to the Board of Appeals.

In addition, Ms. Canning pointed out the following provisions of the bill: (1) addition of the term "Plans On File"; (2) addition of the detailed site plan language to the exemption section of the bill; (3) doorways on the accessible route and doorways generally, shall have a minimum door width of 36" inches, removing the term "clearance"; and (4) smoke detectors and fire and carbon monoxide alarms shall be equipped, pursuant to the International Building Code (IBC).

Mr. Jim Chandler inquired about and sought clarification of the penalties language, which resulted in the following amendment.

Sec. 4-365.01 Penalties.

The County shall impose a civil fine of \$5,000 or a criminal fine and penalty of \$5,000 and imprisonment not exceeding 6 months for an applicant's non-compliance ***for each violation in each dwelling unit*** with the Universal Design for Housing law contained in the Prince George's County Code for their residential development project. (*Emphasis added.*)

Chair Ivey asked Mr. Monroe, the Work Group's architect, if he had any concerns with the legislation and he indicated that he did not and that his concerns had been resolved.

Chair Ivey inquired about the penalty section of the bill and asked whether the law is reaching all corporate owners of a residential development project and indicated her intent on reaching all those legally responsible for a violation of the County's universal design law.

Ms. Lori Parris from DPIE explained that DPIE prosecutes corporate owners regularly and has experience in doing so. She indicated that DPIE issues citations reaching the managing partners and partners of corporations. Vice-Chair Watson provided information on the use of authorized agents and resident agents in pursuing corporate owners and Ms. Parris provided additional information on that issue.

Prior to the vote, the Chair asked if there was readiness to move forward with the vote, with the discussion of the ownership penalty issue open, and Ms. Parris indicated that there was a readiness and that language could be crafted as a friendly amendment on the issue to be considered in the PHED Committee.

Chair Ivey moved favorable on LDR-125-2024, as amended, and Vice-Chair Watson seconded the motion. The motion carried by a vote of 10-0.

Universal Design for Housing Waiver Request Fee Resolution LDR-130-2024 (Vote)

Kathleen H. Canning, Legislative Attorney provided an overview of the Universal Design for Housing Waiver Request Fee Resolution, LDR-130-2024.

Ms. Canning provided that the Waiver Request Fee was for the processing and review of an applicant's Universal Design for Housing Waiver Request. She indicated that CB-65-2023 (DR-2) provided that no residential development project could be granted waivers for more than 50% percent of the dwelling units. An applicant may request a waiver of a statutorily required universal design housing requirement. The Waiver Request Fee must be established to cover DPIE's costs of processing and reviewing an applicant's universal design for housing waiver request, which is located in the Table of Fees, attached to the resolution, known as Attachment A. The Waiver Request Fee is \$245.00 per waiver, plus a 5% Technology Fee.

Ms. Parris indicated that the purpose of placing the Waiver Request Fee in the Table of Fees is to consolidate it with all DPIE fees which eliminates the need to enact a bill for each change in fee amount.

Chair Ivey moved favorable on LDR-130-2024 and Vice-Chair Watson seconded the motion. The motion carried by a vote of 10-0.

Next Meeting Date and Time

There will be updates on the legislation and the legislative process. Work Group member attendance at the Planning, Housing and Economic Development Committee (PHED) meeting and public hearing and enactment is encouraged.

Adjourn

The meeting was adjourned at 9:34 a.m. on Wednesday, September 4, 2024.