

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT

NOVEMBER 15, 2024

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP
Wayne K. Curry Administration Building
Largo, Maryland 20774

November 15, 2024

Prince George's County Council
Wayne K. Curry Administration Building
1301 McCormick Drive
Largo, Maryland 20774

Dear Council Members,

The Prince George's County Universal Design Implementation Work Group ("Work Group") has completed its work and herewith submits its Report. The members of the Work Group believe that the legislation put forward during the 2024 Legislative Session is representative of its deliberations and reflects the overall mission of the Work Group to promote elements of universal design for housing in the County.

During the 2023 Legislative Session, the Prince George's County Council voted unanimously to enact CB-65-2023 (DR-2) requiring that some elements of universal design be incorporated in certain new residential construction in the County. This legislation was the first of its kind in the County. Selected elements of universal design for housing will now be required for at least half of newly constructed residential dwelling units constructed in the County after January 1, 2026, with some exemptions and waivers possible.

CB-65-2023(DR-2) provided for the establishment of a Universal Design Implementation Work Group by the County Council. The Work Group was tasked with assessing how the new legislation can best be implemented and administered, and to make recommendations to the Council if merited.

The Work Group commenced meeting in November 2023 and completed its work in November 2024. It met for nine monthly meetings to discuss the implementation of CB-65-2023 (DR-2). The product of the Work Group is CB-85-2024 (DR-2) *Universal Design for Housing – Revisions*, which is legislation that captures changes to be considered to the provisions enacted last year. In addition, a companion piece of legislation, CR-83-2024 (DR-1), *Universal Design for Housing Waiver Request Fee*, would establish a fee by Dpie to administer the waiver. The legislation is scheduled for public hearing and consideration for final adoption on Tuesday, November 19, 2024. At the time of submission of this Report, the legislation is pending and a Supplemental Report containing the newly enacted legislation will be issued if this legislation is enacted.

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The Work Group made recommendations for four main changes to existing County law. First, CB-85-2024 (DR-2) provides that an application for a waiver will be accompanied by a Waiver Checklist Form to be completed by an applicant, which would be developed and revised from time to time by the Department of Permitting, Inspections and Enforcement. The purpose of the Waiver Checklist Form is to ease administration of the waiver determination for the County and the County's development community. Ease of administration and reasonable costs were Work Group objectives.

Second, the Department of Permitting, Inspections and Enforcement will assess an administrative fee per each waiver for each dwelling unit in a residential development project. This will allow the County to recoup reasonable administrative costs, and the fee will be prescribed in the Table of Fees.

Third, CB-85-2024 (DR-2) would impose civil and criminal fines and penalties on an applicant for their non-compliance for each violation in each dwelling unit, and provide that it will be a criminal act by an owner and/or authorized representative of a corporation or limited liability company.

Fourth, an appeal of a waiver determination may be made.

In closing, the Work Group Members are grateful for their opportunity to serve the County and look forward to your acceptance of this Report.

Respectfully submitted,



The Honorable Jolene Ivey
Chair of the Prince George's County Council
Chair of the Universal Design Implementation Task Force



The Honorable Ingrid S. Watson
Vice-Chair of the Universal Design Implementation Task Force

UNIVERSAL DESIGN IMPLEMENTATION TASK FORCE

Task Force Membership

Jolene Ivey, Chair	Council Member, Council District 5, Prince George's County Council
Ingrid S. Watson	Vice Chair, Council Member, Council District 4, Prince George's County Council
Jim Chandler	Assistant Deputy Chief Administrative Officer, Economic Development Office of Prince George's County Executive
Lori Parris	Chief of Staff, Prince George's County Department of Permitting, Inspections and Enforcement
Brooke Larman	Supervisor, Permit Review Section Maryland-National Capital Park and Planning Commission
Dwight Joseph	Chief, Construction and Contracts Division Office of Engineering and Project Management Prince George's County Department of Public Works & Transportation
Griffin Benton	Vice President, Government Affairs Maryland Building Industry Association (MBIA)
Marcus Monroe	Architect, American Institute of Architects - Potomac Valley
Sarah Reddinger	Vice President, Community Development, Habitat for Humanity
Charlesetta Griffin	Member, AARP Suitland Chapter #939
Tierra Medley	Director, Advocacy Community, Maryland Inclusive Housing

UNIVERSAL DESIGN IMPLEMENTATION TASK FORCE

Task Force Membership

Task Force Staff

John W. Sheridan	Policy Director, Office of the Council Chair, Council District Five
Kathleen H. Canning	Legislative Attorney
Shirley M. Anglin	Administrative Aide
Charlotte D. Aheart	Administrative Aide
Edwin H. Brown, Jr.	Administrative Assistant
Rhonda Riddick	Administrative Aide
Melody M. Arrington	Administrative Aide
Sharon Savoy Williams	Administrative Assistant

Contributors

Maurene E. McNeil	Zoning Hearing Examiner
Rana Hightower	Planning, Housing and Economic Development Committee Director

Communications

Rita D. Lassiter	Communications Specialist, County Council
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Universal Design Implementation Work Group Report

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"Incorporating universal design elements when building new homes provides a range of benefits for residents. In addition to helping people with temporary or long-term disabilities, universal design elements in a home also helps people age-in-place by providing features that help older adults live independently and with autonomy. Importantly, it also enables people to visit who otherwise would not be able to. As the market has shown, homes built with universal design elements have proven to be appealing to a wider range of home buyers."

- Prince George's County Council Chair and Work Group Chair Jolene Ivey

"Universal Design is an environment designed and built to be accessed and used by all persons, regardless of ability or mobility. Universally designed housing is designed and built to be fully functional for all persons in all stages of life." -- Permit Sonoma, Sonoma, CA.

The core idea behind universal design is to create spaces that accommodate all users' diverse needs and abilities rather than just a select few. This means considering the full spectrum of human experience, from young children and individuals with disabilities to older adults and those with temporary impairments. CB-065-2023 (DR-2) seeks to diminish housing inaccessibility for groups likely to suffer without implementing a universal design. Universal design promotes equity and diversity in housing through accessibility and improving the life span of future housing. This seeks to meet the growing demands of our aging population, further longevity in homeownership, cut costs of future remodeling and improve the overall wellness and mental health of Prince George's County residents. -- Policy Analysis and Fiscal Impact Statement, July 2023, CB-65-2023 (DR-2)

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT – SECTION 1

Legislative History

During the 2023 Legislative Year, the Prince George's County Council voted unanimously on September 12, 2023, to enact CB-65-2023 (DR-2) requiring that some elements of universal design be incorporated in certain new residential construction in the County. This legislation was the first of its kind in the County. Selected elements of universal design for housing will now be required for many newly constructed residential units after January 1, 2026, with some exemptions and waivers. See Appendix A - CB-65-2023 (DR-2).

CB-65-2023 (DR-2) provided for the establishment of a Universal Design Implementation Work Group (Work Group) by the County Council. CR-70-2023 (DR-1) required the Work Group to assess how the new legislation can best be implemented and administered, and how that is to be accomplished. See Appendix B – CR-70-2023 (DR-1) .

CR-70-2023 (DR-1) established the Work Group, set out its purpose, provided for the appointment of its members, and required the issuance of this Report to be transmitted to the County Council no later than November 15, 2024.

Universal Design Implementation Work Group Report
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Pursuant to CR-70-2023 (DR-1), the Work Group was tasked to review the provisions of CB-65-2023 (DR-2) and to provide advice on the County's priorities and goals for requiring some universal design elements, and on any proposed legislation and/or changes to be recommended to the provisions of the previously enacted Universal Design Division of the Prince George's County Code.

CR-70-2023 (DR-1) specified that the members of the Work Group be:

- (1) The Chair of the County Council or the Chair's County Council designee to serve as the Chair;
- (2) A Member of the County Council;
- (3) A Representative of the County Executive or their designee;
- (4) The Director of the Department of Permitting, Inspections and Enforcement or their designee;
- (5) The Director of the Department of Planning or their designee;
- (6) The Director of the Department of Public Works and Transportation or their designee;
- (7) A Representative from the Maryland Building Industry Association, Prince George's County Chapter (MBIA) or their designee;
- (8) A Representative from the American Institute of Architects (AIA) from Prince George's County or their designee;
- (9) A Representative from the non-profit building community;
- (10) A Representative from the disability advocacy community; and
- (11) A Representative from the aging-in-place advocacy community.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT – SECTION 2
Report Findings

The Work Group commenced meeting in November 2023 and completed its work in November 2024. It met for nine monthly meetings to discuss the implementation of CB-65-2023 (DR-2). In addition to its monthly meetings, some members of the Work Group met as a small group, with less than a majority of Work Group members, as required by the Maryland Open Meetings Act, to discuss issues in more detail. The small group briefed the Work Group on their discussions and made audio tapings available from most meetings. (See Appendices C-1 through C-8, Work Group Agendas and Appendices D-1 through D-8, Work Group Minutes, respectively.)

Over the course of the Work Group's deliberations, it focused on the following directives: how the County could implement the waiver review process and create a Waiver Checklist Form to promote certainty and predictability in the waiver determination process; how to support equity interests; how to provide for ease of administration; how to include uniformity in the decision-making process; how to provide the least expensive measures for compliance; how to provide for the use of existing resources of developers for the development community compliance; and how to provide for the simplest manner of implementation.

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The Work Group focused its work on two main issues: namely, the no-step entry, and the waiver percentage. As a result of the efforts of the Work Group, there was no recommendation to consider a change from CB-65-2023 (DR-2); no residential development project can be granted waivers for more than fifty percent (50%) of the dwelling units, and the waiver checklist was created.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT – SECTION 3

Work Group Legislation

CB-85-2024 (DR-2)

The product of the Work Group recommendations is *CB-85-2024 (DR-2) Universal Design for Housing – Revisions*, which is legislation that captures changes to be considered to the provisions of the Universal Design Division of the Prince George's County Code passed in 2023. In addition, a companion piece of legislation, CR-83-2024 (DR-1), *Universal Design for Housing Waiver Request Fee*, establishes an administrative waiver request fee. The legislation is scheduled for public hearing and final consideration on Tuesday, November 19, 2024. At the time of submission of this Report, the legislation will be pending and if enacted and adopted, a Supplemental Report containing the newly enacted and adopted laws will be issued. (See Appendix E - CB-85-2024 (DR-2) and Appendix F - CR-83-2024 (DR-1) Universal Design for Housing Waiver Request Fee, respectively).

Comparison: CB-65-2023 (DR-2), as changed by CB-85-2024 (DR-2)

The following is a chart depicting the main provisions of CB-65-2023 (DR-2) and CB-85-2024 (DR-2), as would be changed by CB-85-2024 (DR-2).

CB-65-2023 (DR-2)	CB-85-2024 (DR-2)
Definitions	Definitions (Revised and added definitions)
Application	Application (No Change)
Exemptions	Exemptions (No Change)
Universal Design Elements	Universal Design Elements (Technical Changes)
Townhouses and Two-Over-Two's	Townhouses and Two-Over-Two's (No Change)
Waiver Provision	Waiver Provision (Added Waiver Checklist Form and Added Waiver Request Administrative Fee)
Waiver Limitation	Waiver Limitation (No Change)
	Added Penalties for Violations
	Added An Appeal Process to the Board of Appeals

**UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT -
SECTION 4(a)**

CB-85-2024 (DR-2) Universal Design for Housing – Revisions

Definitions Section 4-356 (Revisions and Additions)

Some definitions were revised and some definitions were added. Definitions were revised for the terms Accessibility; and Usability.

The new definitions are for the terms: Accepted by the Maryland-National Capital Park and Planning Commission; Approved by the Maryland-National Capital Park and Planning Commission; Accessible Range; Accessible Route; Dwellings covered by the design requirements; Knobs, Levers; Site Impracticality; and Slip Resistant Floors.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(b)

Application - Section 4-357 (No Change)

Sec. 4-357. Universal Design: Application. Exemptions.

- (a) With the exception of exemptions and waivers granted, as set forth in this Division, this Division shall apply to all new single-family attached, single-family detached, two-family, two-over-two's, three-family, and multifamily residential dwelling units constructed in Prince George's County on and after January 1, 2026.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(c)

Exemptions - Section 4-357 (Changes Plans on File) (New Language Underlined)

Sec. 4-357. Universal Design: Application. Exemptions.

- (b) Dwelling units for which a building permit has been issued, or for which a site plan application has been approved pursuant to Subtitle 27 of the Prince George's County Code prior to January 1, 2026, as set forth in Section 4-357(a) above, shall be exempt from the provisions of this Division. This would include phased development plans for which the Department of Permitting, Inspections and Enforcement has approved [plans on file] Plans On File ([i.e.,] building permit plans submitted by the developer and approved by the Department) for various types of homes in the development prior to January 1, 2026. Any Detailed Site Plan approved before January 1, 2026, the Plans On File subject to the Detailed Site Plan do not have to be updated to comply with this Section.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(d)

Additional Exemptions - Section 4-357 (No Change)

There were no changes in the following exemptions: undergraduate and graduate student housing for public and private colleges and universities and private dormitories as defined in Subtitle 27 of the Prince

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George's County Code, a single-family detached dwelling that is built or subcontracted by an individual owner that is used as the owner's personal residence, dwelling, townhouse as defined under Section 27-2500 of the Prince George's County shall be subject to Section 4-364 of this Division and shall otherwise be exempt from the provisions of this Division, and two-over-two's "Dwelling, two-family" as defined under Section 4-356(d) of this Division, shall be subject to Section 4-364 of this Division and shall otherwise be exempt from the provisions of this Division.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(e)

Universal Design Elements (Technical Changes)

Section 4-358. (Changes Door Clearance Reference). Requires a step-free route of travel to at least one step-free entrance to the dwelling unit, and the door of this entrance shall be a minimum of 36 inches wide.

Section 4-359 . (Changes accessibility to egressibility). Requires an interior accessible route to include 42-inch-wide minimum clearance width, measured wall to wall, for hallways and a minimum of 36-inch-wide doorways. This provision also includes slip-resistant floors to promote mobility.

Section 4-360 (No Change). Requires a bathroom, with a sink, shower, and toilet, on the entry-level, slip-resistant floors and to include easy retrofitting grab bars.

Section 4-361 (No Change). Requires all electrical sockets and light control switches to be placed no higher than 48 inches, on center, above the floor and where practicable, all electrical receptacles no lower than 15 inches above the floor.

Section 4-362 (No Change). Requires 40-inch minimum clearance between all opposing base cabinets, counters, appliances, and walls within the kitchen work area, as well, as a 60-inch minimum wide clearance of floor turning area in U-shaped kitchens or 40-inch minimum clearance in pass-through kitchens. For U-shaped kitchens, there shall be a 30-inch by 48-inch minimum clearance floor area for parallel approach centered on the sink and stove and other appliances or forward approach with knee clearance.

Section 4-363 (Changes – corrects references to smoke detectors and carbon monoxide alarms and applies IBC to determine the number of detectors and alarms installed). Requires smoke detectors, fire alarms, and carbon monoxide alarms to be installed pursuant to the IBC.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(f)

Townhouses and Two-Over-Two's – Section 4-364 (No Change)

Only limited universal design elements are required for townhouses and two-over-two's (zero step is not required for townhouses and two-over two's). These are universal design requirements for interior hallways, doorways and stairs, universal design requirements for bathrooms and universal design requirements for smoke detectors, and fire and carbon monoxide alarms.

Sec. 4-364. Townhouses; Two-Over-Two's, Applicable Universal Design Requirements.

Notwithstanding the exemptions set forth in Section 4-357(f) and Section 4-357(g) of this Division, *only the following universal design requirements in this Division shall be required for townhouses and two over two's: (Emphasis added.)*

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Sec. 4-364. Townhouses; Two-Over-Two's, Applicable Universal Design Requirements.

(a) Universal Design: Interior Hallways, Doorways, Stairs.

(1) Hallways shall have a 42-inch-wide minimum clearance width measured from wall to wall.

(2) Doorways shall have a minimum width of 36-inches and all doors shall contain levers for accessible access.

(3) Interior stairs shall be able to accommodate the installation of a chair lift, with an electrical outlet within four feet of the stairs.

(b) Universal Design: Bathroom.

(1) Continuous wall reinforcement at toilet and bathroom fixtures shall be included to enable easy retrofitting with grab bar(s). All wall reinforcement shall be capable of resisting shear and bending forces of a minimum of 250 pounds.

(2) Controls on sinks, tubs, showers, and toilets shall be easily accessible or usable by persons with disabilities.

(c) Universal Design: Smoke Detectors and Fire and Carbon Monoxide Alarms. Audible and visual smoke detectors, fire alarms, and carbon monoxide alarms shall be installed pursuant to the IBC.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(g)

Waiver Provision Section 4-365 (Added Waiver Checklist Form and Waiver Request Administrative Fee)

Section 4-365 (b) provides that an application shall be accompanied by a Waiver Checklist Form to be completed by an applicant, which is developed and revised from time to time by the Department of Permitting, Inspections and Enforcement for the processing and review of a waiver request.

The Department of Permitting, Inspections and Enforcement shall assess an administrative fee in an amount per each waiver per each dwelling unit in a residential development project for processing and reviewing an applicant's waiver request as prescribed in the Table of Fees.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(h)

Waiver Limitation 4-365 (No Change)

The most significant excerpts of the existing Section 4-365 Waiver Provision are:

“(a) The builder must use best efforts to meet the requirements of this Division meaning efforts to the maximum extent practicable were made to meet the requirement(s). A builder that indicates that they cannot satisfy the step-free route of travel to at least one step-free entrance to the dwelling unit requirement, pursuant to Section 4-358 of this Division, shall request a waiver. ...”

“(b) A waiver may be granted by the Director of the Department of Permitting, Inspections and Enforcement (“Director”) or the Director's designee upon a determination that topography or other unusual characteristics of the building or the site exist, or that there are practical difficulties associated with compliance with this Division. No waiver shall be granted unless approved by the Director or the

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Director's designee."

(f) No residential development project can be granted waivers for more than fifty percent (50%) of the dwelling units.

(h) A residential development project with approved waivers shall have the provisions of universal design set forth in this Division waived for those dwelling units of the residential development project covered by the waivers. A residential development project without waivers shall incorporate the provisions of universal design set forth in this Division in the residential development project.

There were no changes in the Section 4-365 Waiver Provision.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(i)
Penalties - Sec. 4-365.01 (Added Penalties Provisions) (New Language Underlined)

Sec. 4-365.01 Penalties.

(a) 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.

(b) It shall be a criminal act by an owner and/or authorized representative of a corporation or limited liability company, as defined in Section 4-203, Criminal Procedure Article, Annotated Code of Maryland, to violate compliance with the Universal Design for Housing law referenced in Section 4-365.01(a) of this Division. An owner and/or authorized representative of a corporation or limited liability company shall be separately charged and upon conviction may be subject to incarceration as authorized by this statute.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(j)
Appeal (Added Appeal to County Board of Administrative Appeals)

CB-85-2024 (DR-2) provides new language for an appeal process. Pursuant to Subtitle 2. Administration, Division 4. Board of Appeals and Section 2-117 Board of Administrative Appeals of the Prince George's County Code, an appeal of a waiver determination may be taken. Sections 2-117 through 2-126 of the Prince George's County Code set forth the manner in which to take an appeal; namely, filing of appeal, hearings, records of hearings, rules and regulations, minutes of proceedings and determinations by the Board.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(k)
Waiver Provision and Waiver Checklist Form - Section 4-365

Work Group members identified objectives for waiver implementation for Work Group review. During the Work Group meetings, it was decided that a DPIE administered checklist should be required for the waiver applicants to use when applying to DPIE for waivers.

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These included:

- Administration of waiver determinations.
- What would the waivers look like.
- Who would review and approve the waivers.
- Waiver process to accommodate Plans on File.
- Staffing needs – separate group or plan reviewer.
- Processing waivers with technology.
- Streamlining the waiver determination process.
- Use of a Waiver Checklist Form.
- As little expense to the County and Development Community as possible.
- Waiver process simplicity.
- Avoiding delays in the process.
- Timing of the waiver determination at the time of building permit and challenges placed on developer financing.
- Coordination with Dpie and WSSC in their input as to inspection of the plumbing and fixtures of the house and their sign-off approval process.

UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(I)
Draft Waiver Checklist Form

The provisions of the Draft Waiver Checklist Form are expressly patterned after the legal universal design for housing requirements set forth in CB-85-2024 (DR-2) and outline the waiver implementation process.

The major provisions of CB-85-2024 (DR-2) are definitions, applicability, exemptions, universal design elements (exterior/entrance, interior accessible route, bathroom, controls, switches, electrical sockets and plugs, kitchen, smoke detectors and fire and carbon monoxide alarms), townhouses and two-over-two's, waiver, waiver checklist form, waiver request administrative fee, penalties, and appeal. These are reflected in the Draft Waiver Checklist Form.

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UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP REPORT - SECTION 4(m)

PARC Redland Presentation – Universal Design for Housing – Excerpt – Project Description and Discussion

May 8, 2024 Work Group Meeting (See Appendix D-5).

Presenters included:

Dean Packard - Civil Engineer and Developer, Managing Member of Universal Communities

Casey Anderson - Consultant, Rogers Consulting

Steve Wasser - Investor and Developer

Caron Prideaux - Broker, Sales and Marketing Manager – PARC Redland

Michael Hines - President/Owner of LIG Group

The Work Group welcomed the Development Team of the PARC Redland Community that features accessible housing that is “Designed for Life.” Dean Packard gave a presentation that focused on the development of the PARC Redland Community. (See Appendix G – “Designed for Life” Presentation).

The development of PARC Redland began in 2007 with the purchase of the Rockville property. At that time, County Executive Leggett and the County Council created the “Design for Life” law that helped to facilitate accessible design in Montgomery County. Next, the zoning ordinance was legislatively amended around the site. The Planning Commission supported the development and provided that it was a conditional use with a special exception.

The budget for the development increased due to architectural requirements suited to accessible design elements and contractors needing to be instructed as to construct the zero-step entry. The development was built with elevators, lower light switches, and other accessible design features so that they are multigenerational and fully adaptable to all at any time, and are suitable for aging in place. There are 1.75 acres with 19 homes built.

Work Group – Presentation Discussion Items

Cost of elevators in the Design for Life model versus houses without an elevator.

Making smaller homes, without an elevator and not one-hundred percent accessible may lower costs and make the homes more favorable to the developer and the buyer.

Financing of an accessible design development with Prince George’s County participation by land donation, Prince George’s County subsidies, and increased speed of permitting.

Need to do one or two test cases to start this type of development in Prince George’s County.

Powder room or a full bathroom on the entry-level? The houses have a full bathroom on the entry-level floor.

Rules pertaining to the Department of Permitting, Inspections and Enforcement (DPIE) may need to provide more flexibility. DPIE stormwater team addressed their concerns.

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Predictability of a waiver is important.

Curb-less shower or “roll-in shower.” There is no-step, with drainage via a sloping tray in the shower base to catch the water.

Width of the house at 24 feet. An 18 feet width would increase the number of units and would be ideal for the builder’s profit margin.

Accessible design elements in the houses; specifically, regarding kitchens and cabinets. Passing widths are 36 inches, and there are dropped cabinets and sinks and an optional roll under island with or without cabinets.

Affordability of these accessible design houses. PARC Redland was a luxury development, but the cost could be lowered with changing different options such as eliminating an elevator, and making only the entry-level floor fully accessible.

Housing stock used is accessible design and indicated and complies with the MPDU (Moderately Priced Dwelling Unit) law.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2023 Legislative Session

Bill No. CB-065-2023

Chapter No. 53

Proposed and Presented by Council Members Ivey, Dernoga, Blegay, Burroughs, Hawkins, Olson, Oriadha and Watson

Introduced by ' Council Members Ivey, Dernoga, Blegay, Burroughs
Hawkins, Olson, Oriadha and Watson

Co-Sponsors

Date of Introduction July 18, 2023

BILL

1 || AN ACT concerning

Universal Design for Housing

3 For the purpose of ensuring safe and inclusive residential dwelling options in future housing
4 developments for all County residents, regardless of their ability, disability or functionality in a
5 universally designed environment; regarding certain definitions; regarding a certain application
6 and certain exemptions; regarding universally designed features; regarding universally designed
7 features for certain types of housing construction; regarding the potential waiver of certain
8 requirements by the Director of the Department of Permitting, Inspections and Enforcement in
9 certain instances; regarding County amendments to applicable Codes; regarding the conflict of
10 laws; regarding establishing a Universal Design Implementation Workgroup by Resolution; and
11 generally regarding Universal Design elements for residential dwelling units.

12 || BY adding:

SUBTITLE 4. BUILDING.

Section 4-356, 4-357, 4-358, 4-359, 4-360, 4-361,

4-362, 4-363, 4-364, 4-365, 4-366, and 4-367,

The Prince George's County Code

(2019 Edition; 2022 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Section 4-356, 4-357, 4-358, 4-359, 4-360, 4-361, 4-362, 4-363, 4-364, 4-365,

1 4-366, and 4-367 of the Prince George's County Code be and the same are hereby added:

2 **SUBTITLE 4. BUILDING.**

3 **DIVISION 6. UNIVERSAL DESIGN FOR HOUSING.**

4 **Sec. 4-356. Universal Design: Definitions.**

5 (a) **Accessible/Accessibility** refers to the design of products, devices, services, or environments
6 to be appropriate for use by people with disabilities and provide the ability to access and
7 benefit from some system or entity.

8 (b) **Disability** a physical condition that limits a person's movements, senses, or
9 activities.

10 (c) **Site plan**, for purposes of this Division, shall include a permit site plan, a detailed site plan,
11 a specific design plan, and a special permit site plan.

12 (d) **Two-over-two's "Dwelling, two-family,"** is a building containing two dwelling units. For
13 the purpose of this Division, two-over-two's are units stacked one above the other in a vertical
14 configuration, sharing common vertical solid walls extending from the grade to the roof, or
15 horizontal floors and ceilings. The building typologies commonly referred to as two-over-two
16 dwellings or stacked dwelling units are examples of two-family dwellings.

17 (e) **Universal Design** is the design of buildings, products, or environments so that they can be
18 accessed, understood, and used to the greatest extent possible by all people regardless of their age,
19 size, ability, or disability.

20 (f) **Usability** refers to the ease of access and/or uses within and around a dwelling unit.

21 **Sec. 4-357. Universal Design: Application. Exemptions.**

22 (a) **With the exception of exemptions and waivers granted, as set forth in this Division, this**
23 **Division shall apply to all new single-family attached, single-family detached, two-**
24 **family, two-over-two's, three-family, and multifamily residential dwelling units**
25 **constructed in Prince George's County on and after January 1, 2026.**

26 (b) **Dwelling units for which a building permit has been issued, or for which a site plan**
27 **application has been approved pursuant to Subtitle 27 of the Prince George's County Code**
28 **prior to January 1, 2026, as set forth in Section 4-357(a) above, shall be exempt from the**
29 **provisions of this Division. This would include phased development plans for which the**
30 **Department of Permitting, Inspections and Enforcement has approved plans on file (i.e.,**

1 building plans submitted by the developer for the various types of homes in the
2 development) prior to January 1, 2026.

3 (c) Application of the provisions of this Division shall not require existing dwelling units to be
4 retrofitted.

5 (d) Undergraduate and graduate student housing for public and private colleges and universities
6 and private dormitories as defined in Subtitle 27 of the Prince George's County Code shall
7 be exempt from this Division.

8 (e) The provisions of this Division shall not apply to a single-family detached dwelling that is
9 built or subcontracted by an individual owner that is used as the owner's personal residence.

10 (f) Dwelling, townhouse as defined under Section 27-2500 of the Prince George's County Code
11 shall be subject to Section 4-364 of this Division and shall otherwise be exempt from the
12 provisions of this Division.

13 (g) Two-over-two's "Dwelling, two-family" as defined under Section 4-356(d) of this Division,
14 shall be subject to Section 4-364 of this Division and shall otherwise be exempt from the
15 provisions of this Division.

16 **Sec. 4-358. Universal Design: Exterior/Entrance.**

17 (a) There shall be a step-free route of travel to at least one step-free entrance to the dwelling
18 unit. Entrance to the unit by way of a garage would qualify as an acceptable route. Multifamily
19 dwelling units located within a building that are above the first floor of the building and are only
20 accessible via stairway are exempt from this requirement.

21 (b) The door of this entrance shall have a 36-inch-wide clearance and shall meet all
22 applicable building requirements.

23 (c) Exterior lead walks shall be structurally firm and slip resistant with a smooth uniform
24 surface.

25 (d) Lead walks shall be a minimum of 42-inch wide from the point of arrival to the primary
26 or garage entrance and any slope should be consistent with all applicable requirements.

27 **Sec. 4-359. Universal Design: Interior Accessible Route.**

28 (a) At least one accessible route shall connect all spaces and elements that are a part of the
29 accessible entry level floor of the dwelling unit.

30 (b) The kitchen shall be on the accessible level and on the accessible route.

- 1 (c) Hallways on the accessible level shall have a 42-inch-wide minimum clearance width
2 measured from wall to wall.
- 3 (d) Doorways on the accessible route shall have a minimum width of clearance of 36-inches
4 and all doors shall contain levers for accessible access.
- 5 (e) Interior thresholds with levels which exceed $\frac{1}{4}$ -inch high, shall be beveled, with a slope
6 not steeper than one-inch rise to a 2-inch run (1:2).
- 7 (f) Accessible routes shall have flooring that allows resistance-free use of a wheelchair or
8 similar mobility aid or device.
- 9 (g) At least one separate room on the accessible entry level floor of the dwelling unit shall
10 include architectural or design features that include but are not limited to a door that closes
11 and a window to ensure accessibility.

Sec. 4-360. Universal Design: Bathroom.

- 13 (a) Dwelling units shall have a bathroom with a sink, a shower, and a toilet on the entry level.
- 14 (b) Outlets shall be within accessible range of an adult sitting in a wheelchair.
- 15 (c) Slip resistant floors shall be used.
- 16 (d) Continuous wall reinforcement at toilet and bathroom fixtures shall be included to enable
17 easy retrofitting with grab bar(s). All wall reinforcement shall be capable of resisting shear
18 and bending forces of a minimum of 250 pounds.
- 19 (e) Controls on sinks, tubs, showers, and toilets shall be easily accessible or usable by persons
20 with disabilities.
- 21 (f) 2x6 lumber blocking centered 34" off of the finished floor to include the entire perimeter
22 of the bathroom shall be used.

Sec. 4-361. Universal Design: Controls, Switches, Electrical Sockets and Plugs

- 24 (a) All rocker light controls and switches shall be placed no higher than 48-inches, on
25 center, above the floor.
- 26 (b) Where practical, all electrical receptacles shall be placed no lower than 15-inches, on
27 center, above the floor.
- 28 (c) All thermostats shall be placed no higher than 54-inches, on center, above the floor.

Sec. 4-362. Universal Design: Kitchen.

- 30 (a) There shall be 40-inch minimum clearances installed between all opposing base cabinets,

1 counters, appliances, and walls within the kitchen work area.

2 (b) There shall be a 60-inch minimum clearance of floor turning area in U-shaped kitchens or
3 a 40-inch minimum clearance for pass through kitchens. For U-shaped kitchens, there shall be a
4 30-inch by 48-inch minimum clearance floor area for parallel approach centered on the sink and
5 stove and other appliances or forward approach with knee clearance.

6 (c) Lever fixtures for sinks shall be installed.

7 **Sec. 4-363. Universal Design: Smoke and CO2 Detectors.**

8 Audible and visual smoke detectors, fire alarms, and CO2 alarms shall be installed on each
9 floor of the dwelling unit.

10 **Sec. 4-364. Townhouses; Two-Over-Two's. Applicable Universal Design Requirements.**

11 Notwithstanding the exemptions set forth in Section 4-357(f) and Section 4-357(g) of this
12 Division, only the following universal design requirements in this Division shall be required for
13 townhouses and two over two's:

14 (a) Universal Design: Interior Hallways, Doorways, Stairs.

15 (1) Hallways shall have a 42-inch-wide minimum clearance width measured from wall to
16 wall.

17 (2) Doorways shall have a minimum width of clearance of 36-inches and all doors shall
18 contain levers for accessible access.

19 (3) Interior stairs shall be able to accommodate the installation of a chair lift, with an
20 electrical outlet within four feet of the stairs.

21 (b) Universal Design: Bathroom.

22 (1) Continuous wall reinforcement at toilet and bathroom fixtures shall be included to
23 enable easy retrofitting with grab bar(s). All wall reinforcement shall be capable of resisting
24 shear and bending forces of a minimum of 250 pounds.

25 (2) Controls on sinks, tubs, showers, and toilets shall be easily accessible or usable by
26 persons with disabilities.

27 (c) Universal Design: Smoke and CO2 Detectors.

28 Audible and visual smoke detectors, fire alarms, and CO2 alarms shall be installed on each
29 floor of the dwelling unit.

30 **Sec. 4-365. Waiver Provision.**

1 (a) The builder must use best efforts to meet the requirements of this Division meaning efforts
2 to the maximum extent practicable were made to meet the requirement(s). A builder that indicates
3 that they cannot satisfy the step-free route of travel to at least one step-free entrance to the dwelling
4 unit requirement, pursuant to Section 4-358 of this Division, shall request a waiver.

5 (b) A waiver may be granted by the Director of the Department of Permitting, Inspections
6 and Enforcement (“Director”) or the Director’s designee upon a determination that topography or
7 other unusual characteristics of the building or the site exist, or that there are practical difficulties
8 associated with compliance with this Division. No waiver shall be granted unless approved by the
9 Director or the Director’s designee. The determination of the waivers shall be made during the
10 normal process of obtaining a building permit.

11 (c) A waiver authorized by this Division shall not be granted by the Director or the Director’s
12 designee unless the builder seeking the waiver provides the following:

13 (1) A detailed written statement of the reason(s) that the builder is unable to meet its
14 obligations under this Division, which shall include:

- 15 a. The specific issue(s) for which a waiver is being requested.
- 16 b. Why the requirement(s) cannot be met.
- 17 c. Proof that the document listed in Section 4-365(c)(1) has been certified by a
18 Maryland Registered Professional Engineer (PE) or by a Maryland Licensed
19 Architect.

20 (d) After review of the waiver request, the Director shall transmit a written decision
21 approving or denying the request concurring or disagreeing with each listed specific
22 issue as set forth in subsection (c).

23 (e) The waiver may only be approved if the Director is satisfied that the waiver meets the
24 criteria in subsection (b).

25 (f) No residential development project can be granted waivers for more than fifty percent
26 (50%) of the dwelling units.

27 (g) Any waiver approved by the Director shall apply to the area that is subject to the
28 approved building permit.

29 (h) A residential development project with approved waivers shall have the provisions of
30 universal design set forth in this Division waived for those dwelling units of the

residential development project covered by the waivers. A residential development project without waivers shall incorporate the provisions of universal design set forth in this Division in the residential development project.

(i) The Director shall notify the County Council in an annual report of waivers of:

(1) the number of waiver applications received; (2) the number of waiver applications denied; (3) the number of waiver applications approved; and (4) the location by Council District of the number of waiver applications received and denied. The Director shall provide the County Council the Department of Permitting, Inspections and Enforcement's letter to an applicant explaining their decision regarding a waiver.

Sec. 4-366. Amendments, additions , and deletions.

Any provision of the IBC- International Building Code, IMC - International Mechanical Code, IECC- International Energy Conservation Code, IRC - International Residential Code, IEBC - International Existing Building Code and ISPSC - International Swimming Pool and Spa Code adopted by this Subtitle, shall be changed, modified, amended, added, deleted or omitted as set out in this Division, and such change, modification, amendment, addition, deletion or omission shall be deemed to supersede the text of these codes in any case where the provisions of this Division are interpreted.

Sec. 4-367. Conflict of Laws.

For any conflict between the provisions set forth in this Division and the Federal Fair Housing Act, Federal Americans with Disabilities Act, the Code of Maryland Regulations, or the Maryland Accessibility Code, and any other applicable law, the Department of Permitting, Inspections and Enforcement shall apply the Maryland Accessibility Code, the Code of Maryland Regulations, Federal Americans with Disabilities Act, and the Federal Fair Housing Act and any other applicable law.

SECTION 2. BE IT FURTHER ENACTED that, pursuant to Section 506 of the County Charter, the Council shall by resolution establish a Universal Design Implementation Workgroup to assist the County in implementing the required procedural and design requirements of Universal Design set forth in this Division. The Workgroup shall review the Universal Design provisions

1 and shall provide advice and recommendations on the County's priorities and goals for requiring
2 Universal Design and on any proposed legislation and/or changes to be considered to the
3 provisions of this Division. The County Council shall review and consider the Workgroup's advice
4 and recommendations when considering proposed legislation and/or changes to be considered to
5 the provisions of this Division.

6 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby
7 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
8 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
9 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,
10 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since
11 the same would have been enacted without the incorporation in this Act of any such invalid or
12 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

13 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
14 calendar days after it becomes law.

Adopted this 12th day of September, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: Thomas E. Dernoga
Thomas E. Dernoga

Chair

ATTEST:

Donna J. Brown

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: October 5, 2023

BY: Angela D. Alsobrooks
Angela D. Alsobrooks
County Executive

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2023 Legislative Session

Resolution No. CR-070-2023
Proposed by Council Member Ivey
Introduced by Council Members Ivey, Harrison, Dernoga, Olson, Oriadha,
Watson and Burroughs
Co-Sponsors _____
Date of Introduction July 18, 2023

RESOLUTION

9 WHEREAS, Universal Design is the design of products and environments to be usable by all
10 people, to the greatest extent possible; and

WHEREAS, the intent of the universal design concept is to simplify life for everyone by making more housing usable by more people at little or no extra cost; and

13 WHEREAS, a benefit of universal design is increased safety by having features such as no-
14 step walkways and entries, and adding grab bars and slip resistant floors that can prevent falls; and

WHEREAS, a benefit of universal design is the provision of ergonomic design by having an environment that accommodates commonly used wheeled devices such as luggage, baby strollers, walkers, and wheelchairs. Lever handles on faucets and doors not only make it easier to turn handles when carrying items, they reduce stress to hands and wrists; and

19 WHEREAS, a benefit of universal design is the provision of a more inclusive design by
20 having a home that incorporates universal design, meaning that people of all ages and abilities are
21 able to use the home; and

1 WHEREAS, universal design allows for individuals to grow old in their homes by
2 accommodating changes over the lifetime of the individual due to aging, injuries, or other health
3 conditions; and

4 WHEREAS, CB-65-2023 (DR-2) requires the use of some universal design elements in new
5 residential construction with certain exemptions and waivers; and

6 WHEREAS, CB-65-2023 (DR-2) requires certain universal design elements for the
7 entrances, interior accessible routes, bathrooms, controls, switches, electrical outlets, kitchens,
8 smoke detectors, fire alarms, and CO2 detectors in new residential construction with certain
9 exemptions and waivers; and

10 WHEREAS, Section 506 of the Charter for Prince George's County provides that the County
11 Council or the County Executive may appoint, for designated periods, one or more temporary
12 advisory boards of citizens of the County who shall assist in the consideration of County policies
13 and programs.

14 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County,
15 Maryland, that there is hereby established a Universal Design Implementation Workgroup to assist
16 the County in implementing the required procedural and design requirements of Universal Design
17 set forth in Subtitle 4, Division 6. Universal Design for Housing of the Prince George's County
18 Code, as enacted pursuant to CB-65-2023 (DR-2):

19 (a) The Universal Design Implementation Workgroup shall review the Universal Design
20 provisions of CB-65-2023 (DR-2) and shall provide advice on the County's priorities and
21 goals for requiring some Universal Design and on any proposed legislation and/or changes
22 to be considered to the provisions of this Division.

23 (b) The Chair of the County Council shall make the appointments to the Universal Design
24 Implementation Workgroup and the Universal Design Implementation Work Group shall
25 be comprised of the following members:

26 (1) The Chair of the County Council or the Chair's County Council designee to serve
27 as the Chair of the Universal Design Implementation Work Group;
28 (2) A Member of the County Council;
29 (3) A Representative of the County Executive or their designee;
30 (4) The Director of the Department of Permitting, Inspections and Enforcement or their
31 designee;

- (5) The Director of the Department of Planning or their designee;
- (6) The Director of the Department of Public Works and Transportation or their designee;
- (7) A Representative from the Maryland Building Industry Association, Prince George's County Chapter (MBIA) or their designee;
- (8) A Representative from the American Institute of Architects (AIA) from Prince George's County or their designee;
- (9) A Representative from the non-profit building community;
- (10) A Representative from the disability advocacy community; and
- (11) A Representative from the aging-in-place advocacy community.

(c) The Council Administrator shall provide for the staff and technical support for the Universal Design Implementation Workgroup.

(d) The Universal Design Implementation Work Group shall issue a report to be transmitted to the County Council no later than November 15, 2024.

Adopted this 18th day of July, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: Thomas E. Dernoga
Thomas E. Dernoga
Chair

ATTEST:

Yvonne J. Brown

Donna J. Brown
Clerk of the Council



Prince George's County Council

Meeting Agenda - Final

Task Forces-Workgroups

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Wednesday, November 8, 2023

9:00 AM

Committee Meeting Room 2027

PRINCE GEORGE'S COUNTY UNIVERSAL IMPLEMENTATION WORK GROUP

AGENDA

Welcome and Introductory Remarks

Workgroup Membership Introductions

Workgroup Mission

Discuss Meeting Preparation, Meeting Dates

Additional Discussion

Next Meeting

Adjournment



Prince George's County Council

Meeting Agenda - Final

Task Forces-Workgroups

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Wednesday, January 10, 2024

9:00 AM

Committee Room 2027

AGENDA

Welcome and Opening Remarks

New Member Introduction

Discussion Item: No-Step Entry

Additional Discussion

Next Meeting

Adjournment



Prince George's County Council

Meeting Agenda - Final

Task Forces-Workgroups

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Wednesday, February 14, 2024

9:00 AM

Committee Room 2027

**PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP
AGENDA**

Welcome and Opening Remarks

Approval of Meeting Minutes

Discussion Items: No-Step Entry and Waiver Checklist

Additional Discussion

Next Meeting

Adjournment



Prince George's County Council

Meeting Agenda - Final

Task Forces-Workgroups

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Wednesday, March 13, 2024

9:00 AM

Committee Room 2027

PRINCE GEORGE'S COUNTY

UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP

AGENDA

Welcome and Opening Remarks

Approval of Meeting Minutes

Discussion Items: Waiver Checklist/No-Step Entry; Where and How the 50% waiver is applied

Next Steps

Additional Discussion

Next Meeting

Adjournment



Prince George's County Council

Meeting Agenda - Final

Task Forces-Workgroups

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Wednesday, May 8, 2024

9:00 AM

Committee Room 2027

**PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP
AGENDA**

Welcome and Opening Remarks

Approval of Meeting Minutes

Discussion Items:

Dean Packard and Casey Anderson

Additional Discussion

Next Meeting

Adjournment



Prince George's County

UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP

Meeting Agenda

Wednesday, July 10, 2024

9:00 AM

Committee Room 2027

Wayne K. Curry Administration Building | 1301 McCormick Drive | Largo, MD 20774

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

1. WELCOME AND OPENING REMARKS

2. APPROVAL OF MEETING MINUTES

3. DISCUSSIONS ITEMS:

Waiver Checklist

50% Waiver

4. ADDITIONAL DISCUSSION

5. NEXT MEETING DATE AND TIME

6. ADJOURN



Prince George's County

UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP

Meeting Agenda

Wednesday, August 7, 2024

9:00 AM

Virtual Meeting

VIEW USING THE LINK PROVIDED BELOW:

<https://mypgc.zoom.us/j/87157256176>

Meeting ID: 871 5725 6176

Passcode: 028164

One tap mobile

+13017158592, 87157256176# US (Washington DC)
877853524,87157256176# US Toll-free

Dial by your location

- +1 301 715 8592 US (Washington DC)
- 877 853 5247 US Toll-free

Meeting ID: 871 5725 6176

Find your local number: <https://mypgc.zoom.us/u/kcqOiqfBEB>

1. WELCOME AND OPENING REMARKS

2. APPROVAL OF MEETING MINUTES

3. DISCUSSION ITEMS:

Waiver Checklist Form

Universal Design Definitions

Universal Design Waiver Appeal Process

4. ADDITIONAL DISCUSSION

5. NEXT MEETING DATE AND TIME

6. ADJOURN



Prince George's County

UNIVERSAL DESIGN IMPLEMENTATION WORKGROUP

Meeting Agenda

Wednesday, September 4, 2024

9:00 AM

Virtual Meeting

VIEW USING THE LINK PROVIDED BELOW:

Join Zoom Meeting

<https://mypgc.zoom.us/j/85637670484>

Meeting ID: 856 3767 0484

Passcode: 622291

One tap mobile

+13017158592,,85637670484# US (Washington DC)

8778535247,,85637670484# US Toll-free

Dial by your location

• +1 301 715 8592 US (Washington DC)

• 877 853 5247 US Toll-free

Meeting ID: 856 3767 0484

Find your local number: <https://mypgc.zoom.us/u/keC1IvlxqA>

1. WELCOME AND OPENING REMARKS

2. APPROVAL OF MEETING MINUTES

3. DISCUSSION

4. ACTION ITEMS:

Universal Design for Housing – Revisions Bill (Vote)

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

5. NEXT MEETING DATE AND TIME

6. ADJOURN



PRINCE GEORGE'S COUNTY UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

MINUTES

NOVEMBER 8, 2023

Attendees:

Council Member Jolene Ivey, Chair
Council Member Ingrid S. Watson, Vice Chair
Jim Chandler, Office of the County Executive
Griffin Benton, Maryland Building Industry Association (MBIA)
Marcus Monroe, American Institute of Architects – Potomac Valley
Sarah Reddinger, Habitat for Humanity
Sarah Basehart, Independence Now
Charlesetta Griffin, American Association of Retired Persons (AARP)

Members Absent:

Lori Parris, Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)
Brooke Larman, Maryland - National Capital Park and Planning Commission (M-NCPPC)
Dwight Joseph, Prince George's County Department of Public Works and Transportation (DPWT)

Council Staff:

Amy J. Fry, Chief of Staff, Council District 5
John W. Sheridan, Policy Director, Council District 5
Kathleen H. Canning, Legislative Officer
Shirley M. Anglin, Administrative Aide
Sharon Savoy Williams, Administrative Assistant
Rhonda Riddick, Administrative Aide
Aminah Bushrod, Council Technical Services

Welcome and Introductory Remarks

The first regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:15 a.m. on Wednesday, November 8, 2023, by Chair Jolene Ivey. Chair Ivey introduced Vice Chair Watson.

Prince George's County Universal Design Implementation Work Group Minutes

November 8, 2023

Page 2

Work Group Membership Introductions

Work Group Members and Council Staff introduced themselves and identified their affiliation.

Work Group Mission

Chair Ivey indicated that the focus of the Work Group would be to work with the law that we have and to implement what we have. She indicated that with big changes we need to make sure that we have can be implemented. If there are tweaks that need to be done, it is better to do them before the new requirements start.

Discuss Meeting Preparation, Meeting Dates

Chair Ivey discussed meeting dates and meeting formats. Chair Ivey indicated that the Work Group would not be meeting in December 2023 and August 2024. She further indicated that Work Group meetings were currently scheduled for 9:00 a.m. to 11:00 a.m. on the second Wednesday of the month, from November 2023 through November 2024, except for December 2023 and August 2024. She provided that due to room location constraints, the two possible days of the week to meet were Wednesday and Friday but that Fridays were not preferred. It was agreed that the Work Group would meet on the second Wednesday of the month, as noted, from 9:00 a.m. to 11:00 a.m.

Chair Ivey discussed the two meeting formats that were possible; namely, in-person meetings and virtual meetings but not hybrid meetings. Marcus Monroe indicated that due to scheduling an occasional virtual meeting would be preferred. Chair Ivey indicated that virtual meetings were possible and could also be utilized in the event of inclement winter weather.

Additional Discussion

Chair Ivey opened the floor for additional discussion of items which the Work Group members found to be most significant for Work Group deliberations.

Griffin Benton stated items for consideration which the Maryland Building Industry Association found to be most important. He indicated that the no-step entry requirement was significant. Further, he indicated that the implications of the administrative process of obtaining a waiver were important. He indicated that the waiver percentage should be unspecified, rather than fifty percent (50%). He asked that the timing of the waiver, currently placed at the time of the building permit, be reconsidered, as it places a challenge on financing.

Jim Chandler of the Office of the County Executive indicated that the framework for the timing of the implementation date of January 1, 2026, should be evaluated.

Prince George's County Universal Design Implementation Work Group Minutes

November 8, 2023

Page 3

Marcus Monroe of the American Institute of Architects - Potomac Valley provided that an area of review should be the issue of the conflict of laws pertaining to the County's Universal Design law and the Federal Fair Housing Act. Chair Ivey indicated that the County's Universal Design law is already in compliance with the applicable County Codes and that the County is not trying to make the County's Universal Design law Federal Americans with Disabilities Act (ADA) compliant at this time.

Charlesetta Griffin, American Association of Retired Persons (AARP) said that the focus of Universal Design should be on outreach and education. In particular, the senior community should know what to expect about the County's Universal Design law. She indicated that seniors moving from their current homes into senior housing can experience some impediments to Universal Design such as walk-in showers that are not wheelchair accessible. Chair Ivey indicated that the County's Universal Design law exempts retrofitting and that there are some State funds available in the amount of up to \$10,000 to assist persons in staying at home. Chair Ivey said that senior housing might need additional legislation.

Chair Ivey summarized that there are three big topics for review; namely, the no-step entry, the waiver, and the implications of implementation. She indicated that the no-step entry would be discussed at the next Work Group meeting.

Next Meeting:

January 10, 2024, In-Person

Adjournment:

The meeting was adjourned at 9:35 a.m. on Wednesday, November 8, 2023.

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

MINUTES

JANUARY 10, 2024

Attendees:

Council Chair and Work Group Chair, Jolene Ivey
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)
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:

Griffin Benton, Maryland Building Industry Association (MBIA)
Dwight Joseph, Prince George's County Department of Public Works and Transportation (DPWT)
Council Member Ingrid S. Watson, Vice Chair

Staff:

Amy J. Fry, Chief of Staff, Council District 5
John W. Sheridan, Policy Director, Council District 5
Kathleen H. Canning, Legislative Officer
Rana Hightower, PHED Committee Director
Shirley M. Anglin, Administrative Aide
Aminah Bushrod, Council Technical Services
Sharon Savoy Williams, Administrative Assistant
Rhonda Riddick, Administrative Aide
Michelle Hughes, MNCPPC
Maurene E. McNeil, Zoning Hearing Examiner

Welcome and Opening Remarks

The second regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:15 a.m. on Wednesday, January 10, 2024, by the Chair of the Work Group.

Prince George's County Universal Design Implementation Work Group
Minutes, January 10, 2024

Work Group Member Introductions

Work Group Members introduced themselves and identified their affiliation.

New Member Introduction

Ms. Tierra Medley, representing Maryland Inclusive Housing, was introduced as the new member, replacing Sarah Basehart, representing the disability community.

Discussion Item: No-Step Entry

Chair Ivey indicated that the topic for discussion at today's meeting was the no-step entry and that it had garnered a lot of discussion during the legislative process. Chair Ivey indicated that Mr. Benton, the Maryland Building Industry Association (MBIA) member, could not attend today's meeting due to an illness in the family. At the meeting on November 8, 2024, Mr. Benton indicated that the no-step entry requirement was significant. However, Chair Ivey indicated that while MBIA raised concerns about the no-step entry requirement during the legislative process, they supported the legislation.

Member Speakers

Lori Parris, Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)

Ms. Parris indicated that she would like the Work Group to consider the following issues regarding the no-step entry: topography, the not to exceed 50% rule, and the waiver. Ms. Parris indicated that DPIE is in the process of recommending how to put practices in place on how to receive the waivers, what they would look like, and who would review and approve the waivers. Ms. Parris indicated that feedback regarding topography from site engineers is needed.

Ms. Parris spoke about the waiver process for the Plans on File. A checklist and form would be needed to be reviewed by either a separate group or plan reviewer, which staffing needs are to be decided. Ms. Parris also spoke about the possibility of processing the waivers with technology, which would incur some cost but would streamline the process. Ms. Parris said that by the next meeting, she would have a draft regarding these items.

Chair Ivey indicated that she would want the waiver process to be as simple as possible with as little expense as possible and that the thought of a checklist is favorable.

Ms. Parris also suggested that a small group be convened to discuss the details and the technical implications of what the waiver process would look like on the front end. Per Chair Ivey's inquiry, Ms. Canning indicated that a smaller group may consist of five or fewer members of the Work Group. Chair Ivey indicated that a small group meeting to iron out the details would be beneficial. She said the goal is to avoid delays in the process and excessive costs. She asked Ms. Parris to be in charge of the small group meeting to discuss questions concerning the waiver.

Prince George's County Universal Design Implementation Work Group
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Brooke Larman, Maryland - National Capital Park and Planning Commission (M-NCPPC)

Ms. Larman indicated that her permit review team can work with Ms. Parris on applications, waivers, and Plans on File. Ms. Larman indicated that topography needs to be addressed.

Sarah Reddinger, Habitat for Humanity

Ms. Reddinger indicated that Habitat for Humanity builds universal design homes in Prince George's County and that they look for priority sites within the County. Ms. Reddinger indicated that the timing of the waiver process is critical and should be at the preliminary plan of subdivision or site plan stage, rather than at the time of building permit. This is important for development and financing. Chair Ivey indicated that Mr. Benton also raised the timing of the waiver. Chair Ivey asked about Habitat choosing sites based on topography and if there were mitigating factors. Ms. Reddinger indicated that site selection was generally based on topography suitable for universal design, but that grading and longer entryways have helped to address the topography issue, but these methods are more costly.

Marcus Monroe, American Institute of Architects – Potomac Valley

Mr. Monroe spoke about the importance of producing a universal design pattern book with predesigns with a checklist and focusing on what to do to incentivize those protocols. Mr. Monroe asked Chair Ivey to request that Mr. Benton submit MBIA's comments regarding the no-step entry for the Work Group's review.

Jim Chandler, Office of the County Executive

Mr. Chandler stressed the importance of creating a procedure up front, earlier than permits.

Charlesetta Griffin, American Association of Retired Persons (AARP)

Ms. Griffin indicated that the persons that AARP represents stand to benefit greatly from the no-step entry as many residents rely on walkers and wheelchairs for mobility. Chair Ivey thanked Ms. Griffin for AARP's support for the legislation from the start.

Tierra Medley, Maryland Inclusive Housing

Ms. Medley spoke of universal design features for new and existing housing. Chair Ivey indicated that this legislation pertains solely to new construction. Ms. Medley said that for new housing having universal design features near the front door is the best option for use by persons with disabilities. Ms. Medley said that for existing housing, ramps are the best option for persons with disabilities.

Prince George's County Universal Design Implementation Work Group
Minutes, January 10, 2024

Additional Discussion

Chair Ivey indicated that a field trip is being planned to view universal design features from a practical viewpoint.

Next Meeting:

February 14, 2024, In-Person

Adjournment:

The meeting was adjourned at 9:45 a.m. on Wednesday, January 10, 2024.

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

MINUTES

FEBRUARY 14, 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)
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:

Dwight Joseph, Prince George's County Department of Public Works and Transportation (DPWT)
Marcus Monroe, American Institute of Architects – Potomac Valley

Others Present:

Adam Jiroun - Meeting Substitute for Dwight Joseph, Prince George's County Department of Public Works and Transportation (DPWT)
Margaret Klotz and Karron Roundtree, Karrie Quigley and Associates
American Sign Language Interpreting Services

Staff:

John W. Sheridan, Policy Director, Council District 5
Kathleen H. Canning, Legislative Attorney
Rana Hightower, PHED Committee Director
Shirley M. Anglin, Administrative Aide
Aminah Bushrod, Council Technical Services
Sharon Savoy Williams, Administrative Assistant
Rhonda Riddick, Administrative Aide

Prince George's County Universal Design Implementation Work Group

Minutes, February 14, 2024

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Welcome and Opening Remarks

The third regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:04 a.m. on Wednesday, February 14, 2024, by the Chair of the Work Group. Chair Ivey indicated that the items for discussion at the meeting were the no-step entry and the waiver checklist.

Discussion Items: Presentation by Small Group

Ms. Parris indicated that the Small Group had met on February 1, 2024, and February 12, 2024, to discuss in depth issues regarding the no-step entry and the waiver. She provided information on seven items that were discussed by the Small Group that need further discussion.

1. What would the waiver process look like?
2. Is there a need for clarification on definitions or terms as related to accessibility and usability?
3. What is the purpose and need for the 50% threshold for the waiver requirement? How will it be applied? 50% for the entire development or 50% per builder?
4. Should the language regarding the implementation date be changed?
5. WSSC's input is needed as to their inspection of the plumbing and fixtures of the house and their sign-off process to be coordinated with DPIE.
6. With the exemption process, how do we identify properties as being exempt at the beginning of the process.
7. DPIE - staffing needs required to be determined for the implementation of urban design in the County; specifically relating to applications and waivers. She will be following up with IT to determine costs and programmatic functions. She indicated that there was consensus on the need for an electronic system to implement the universal design program.

Mr. Chandler stressed the importance of creating a procedure up front, earlier than at the permit stage but indicated that it might not be possible to tie waivers to the Detailed Site Plan or to the Subdivision.

Ms. Parris also raised the issue of the timing of the waiver. She said that the issue has been raised in the Small Group but has not been resolved.

Mr. Benton stressed the importance of a decision on an exemption earlier in the process to address financing and other budgetary and construction concerns. He indicated with the threshold being unspecified a hard cut-off is problematic.

Chair Ivey asked about the possibility of the waiver determination at the time of grading. Ms. Parris indicated at the time of site plan review, it is uncertain where an entrance will be located and on which lots, especially with multiple contractors. Further, Ms. Parris indicated that in addition to being hard to process the waiver at grading, not all Detailed Site Plans go to the Planning Board.

Prince George's County Universal Design Implementation Work Group

Minutes, February 14, 2024

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Ms. Parris spoke about the utilization of the waiver not to exceed 50%. She posed questions regarding how the waiver will be applied. Is it 50% for the entire development or 50% per builder? Also, she asked how the Department of Permitting, Inspections and Enforcement would track the application of the waiver across the properties.

Mr. Benton noted that the hardest universal design requirement for the builders to meet is the zero-step entry and asked whether the Work Group would consider imposing a fee for buy-out for those not able to meet the standards that would go into retrofitting existing homes. He indicated that he would report back on what a fair fee would be.

Ms. Charlesetta Griffin asked Chair Ivey if the meetings were being recorded to aid in understanding the work of the Work Group and the Small Group. Chair Ivey indicated that both were being recorded and Ms. Griffin indicated that she would contact John Sheridan to obtain access to the recordings. Ms. Griffin indicated that the recordings would be most helpful.

Ms. Sarah Reddinger shared thoughts about universal design and the Work Group and Small Group work this far. She indicated that it is important to add certainty to compliance with the universal design process. She supports the idea of a fee to retrofit homes. Chair Ivey asked about Habitat for Humanity's building practices as related to the no-step entry. She indicated that Habitat for Humanity tends to choose lots with zero-step entry or lots that are able to be graded without too much cost. Flat would mean there are no significant changes in grading from the street to the house with sidewalks having a slight incline. Typically, there would not be a basement as slabs are easier to do. Further, she indicated that 100% zero-step would be great because a lot of our housing stock is not accessible, useable, or visitable. In summary, she provided that in houses that they retrofit the width of the doorways with electric and HVAC on opposite walls make it hard to get a wheelchair in and blocking is needed in the bathroom for grab bars.

Chair Ivey asked about the use of chairlifts. Ms. Reddinger indicated that there is usually a chairlift to the second level of the house. Ms. Ivey indicated that the bill, (CB-65-2023), required a wall electrical outlet to accommodate a chairlift.

Chair Ivey asked Mr. Benton for the cost of certain retrofitting improvements. Mr. Benton provided the following cost estimates: installing a chairlift for one flight of stairs with no turns would cost \$2,500; installing a tub cut would cost a few hundred dollars; replacing a tub with a shower would cost \$8,000-\$15,000.

Vice-Chair Watson asked about what was trending in the building industry; namely, whether buyers are interested in a first-floor full bath.

Prince George's County Universal Design Implementation Work Group
Minutes, February 14, 2024
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Mr. Benton indicated that for new construction a first-floor bath would cost \$15,000-\$20,000 and a first-floor half bath would be \$7,500 and the addition of a shower would be an additional \$7,500 for a total cost of \$15,000. Mr. Benton indicated that he would provide information on market trends.

Ms. Griffin asked what the cost would be of adding a shower in a first-floor powder room. Mr. Benton said that it would cost approximately \$4,000 to \$10,000 depending on the length of the plumbing.

Mr. Benton talked about the use of ramps as an alternative for a zero-step entry. Chair Ivey said that the use of ramps and the first-floor bathrooms are being discussed.

Vice-Chair Watson asked what the cost of would be of implementing the bill's, (CB-65-2023), universal design elements. Mr. Benton estimated the cost to be \$13,000-\$15,000 with land costs differing. Chair Ivey indicated that the construction costs would be equal in the housing but that the land costs may differ in different locations in the County.

Ms. Griffin discussed having a shower, sink, and toilet in the first-floor bath versus having a bathtub.

Ms. Tierra Medley described a State funding program available to persons receiving Developmental Disability Administration (DDA) Services. Ms. Medley indicated that there is a DDA allowance of up to \$15,700 used for retrofitting showers, tubs, and grab bars. DDA funds are available and there is no DDA waiting list for this funding.

Chair Ivey asked if these State DDA funds would be available to seniors and Mr. Griffin indicated that while the needs of persons in the DDA community and seniors may overlap, the seniors generally cannot qualify for DDA funding.

Mr. Benton indicated that there are Federal program funds available for retrofitting homes to be universal design compatible.

Next Steps

- The Small Group will meet a couple more times to make sure that the provisions of the bill, CB-65-2023, are implemented correctly.
- Meetings will be recorded.
- Develop potential changes to the bill, (CB-65-2023).

Approval of Meeting Minutes

November 8, 2023, and January 10, 2024

Vice-Chair Watson made a motion to approve the minutes and Chair Ivey seconded the motion. The minutes were approved by a vote of 9-0.

Prince George's County Universal Design Implementation Work Group

Prince George's County Universal Design Implementation Work Group Minutes

February 14, 2024

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Next Meeting

March 13, 2024, In-Person

Adjournment

The meeting was adjourned at 9:52 a.m. on Wednesday, February 14, 2024.

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

MINUTES

MARCH 13, 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
Brooke Larman, Maryland - National Capital Park and Planning Commission (M-NCPPC)
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
Dwight Joseph, Prince George's County Department of Public Works and Transportation (DPWT)

Members Absent:

Charlesetta Griffin, American Association of Retired Persons (AARP), Chapter 939
Tierra Medley, Maryland Inclusive Housing

Others Present:

Valerie Crosby, Maryland Inclusive Housing – Substitute for Tierra Medley
Karron Roundtree, Karrie Quigley and Associates
American Sign Language Interpreting Services

Staff:

John W. Sheridan, Policy Director, Council District 5
Kathleen H. Canning, Legislative Attorney
Rana Hightower, PHED Committee Director
Aminah Bushrod, Council Technical Services
Sharon Savoy Williams, Administrative Assistant
Rhonda Riddick, Administrative Aide
Melody M. Arrington - Administrative Aide

Prince George's County Universal Design Implementation Work Group

Minutes, March 13, 2024

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Welcome and Opening Remarks

The fourth regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:13 a.m. on Wednesday, March 13, 2024, by the Chair of the Work Group.

The Chair introduced Ms. Valerie Crosby with Maryland Inclusive Housing who substituted for Ms. Tierra Medley at the meeting. Members introduced themselves to Ms. Crosby.

Chair Ivey indicated that the items for discussion at the meeting were the waiver checklist, the no-step entry, and where and how the 50% waiver should be applied.

Approval of Meeting Minutes

By motion of the Vice-Chair, a second by Mr. Benton, and a favorable vote by the Members, the February 14, 2024, Minutes were approved.

Discussion Items: Presentation by Small Group

Ms. Parris indicated that the Small Group met on February 28, 2024, and March 7, 2024. She provided information on items that were discussed by the Small Group that need further discussion. Specifically, Ms. Parris indicated that 50% of the waivers applied to the individual builder, not the whole development with multiple builders. Ms. Larman provided, as an example, that if there was a subdivision with 50 lots and there were four builders, if one builder could only do zero-step on six lots, for that builder it would be rounded up to 50%. Mr. Benton indicated that in many instances the last lots have slopes on a hill. Mr. Benton was interested in having a fee-in-lieu language in the bill. Chair Ivey stated that it would not be a fee-in-lieu, rather a fee.

The Chair asked how a waiver would be applied. If there are 50 lots with five builders having 10 lots each and there is a last lot, if 50% of overall waivers were achieved, how will the last lots be treated. Ms. Parris provided that the Small Group is discussing about whether there can be special circumstances for not meeting the 50% waivers. The Chair asked if the Small Group was considering legislation and Ms. Parris commented in the affirmative. Mr. Benton reiterated that grading and no-step entry remain difficult issues. The Chair indicated that she and her staff recently visited Glenarden Hills that incorporated no-step entry in some townhouses. Also, the Chair indicated that one option is to have the no-step entry behind the houses.

Next Steps

The Chair indicated that the next meeting of the Work Group was April 10, 2024. Ms. Parris indicated that the Small Group would focus on the following issues: the use of the term "useability" versus "accessibility," the waiver checklist, the builder 50% language, the implementation of a fine as an option for noncompliance, and a fee for granting exceptions to the waiver.

Prince George's County Universal Design Implementation Work Group

Minutes, March 13, 2024

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Additional Discussion

Mr. Monroe indicated that "useability" is defined in a certain way to accommodate functionality.

Ms. Crosby indicated that it would be good to focus on options for useability such as remote access, remote commands, and alarm and light systems.

Mr. Benton reiterated the proposal that not meeting the waiver could be addressed by a fee for a fund of which the proceeds could be used by the County to fund retrofitting. He also mentioned the fees to DPIE to administer the Universal Design Program.

The Chair stressed the importance of streamlining the process with an on-line checklist and finding ways to incentivize compliance with possibly having those in compliance on a timely basis having their permits approved faster.

Next Meeting

April 10, 2024, In-Person

Adjournment

The meeting was adjourned at 9:36 a.m. on Wednesday, March 13, 2024.

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

MINUTES

MAY 8, 2024

Attendees:

Council Chair and Work Group Chair - Jolene Ivey
Council Member and Work Group Vice Chair - Ingrid Watson
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)
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:

Dwight Joseph - Prince George's County Department of Public Works and Transportation (DPWT)
Marcus Monroe - American Institute of Architects – Potomac Valley

Others Present:

Dean Packard - Civil Engineer and Developer, Managing Member of Universal Communities
Casey Anderson - Consultant, Rogers Consulting
Steve Wasser - Investor and Developer
Caron Prideaux - Broker, Sales and Marketing Manager – Parc Redland
Michael Hines - President/Owner of LIG Group

Staff:

John Sheridan - Policy Director, Council District 5
Kathleen H. Canning - Legislative Attorney
Rana Hightower - PHED Committee Director
Shirley Anglin - Administrative Aide
Edwin H. Brown, Jr. - Administrative Assistant
Sharon Savoy Williams - Administrative Assistant

Prince George's County Universal Design Implementation Work Group

Minutes, May 8, 2024

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Welcome and Opening Remarks

The fifth regular meeting of the Universal Design Implementation Work Group (Work Group) was called to order at 9:10 a.m. on Wednesday, May 8, 2024, by the Chair of the Work Group.

The Chair welcomed the Development Team of the Parc Redland Community that features accessible housing that is "Designed for Life." The Development Team is Dean Packard, Casey Anderson, Steve Wasser, Caron Prideaux, and Michael Hines. They introduced themselves to the Work Group.

Presentation

Dean Packard gave a presentation entitled "Welcome to the World of Home Accessibility – Housing that is Designed for Life Through Form and Function." The presentation focused on the development of the Parc Redland Community. (See Presentation attached).

Mr. Packard gave background information on his interest in accessible design. He stated that his father has a disability and his house would not accommodate his father. His father needed to live in assisted living and he "gave up." That was the impetus of his figuring out how to make accessible design work.

The development of Parc Redland began in 2007 with the purchase of the Rockville property. At that time, County Executive Leggett created the "Design for Life" law that helped to facilitate accessible design in Montgomery County. Next, legislatively, the zoning ordinance was amended around the site. The Planning Commission supported the development and provided that it was a conditional use with a special exception.

The budget for the development was increased due to architectural requirements suited to accessible design elements and contractors needing to be instructed as to construct the zero-step entry. Further, the Development Team did not want houses to look like they had hospital rooms. The development was to be built with elevators, lower light switches, and other accessible design features so that they were multigenerational and fully adaptable to all at any time and were suitable for aging in place. There were 1.75 acres with 19 townhomes built.

The site work was at a 5% slope that was written into the zoning law. The interior work, under the Design for Life law, included levels of differing features. There is "Level I – Visitability" with a no-step entrance, gathering room, powder room or bathroom and 32" doorways, and "Level II – Livability" with all of the design elements of Level I, plus an accessible kitchen, accessible bedroom, and accessible full bathroom on the entry level floor.

Information regarding the cost per unit in the Parc Redland Community development is as follows: \$100,000 cost per unit, \$40,000 property cost, \$150,000 legal fees, hidden costs of \$350,000 to \$525,000 per unit.

Prince George's County Universal Design Implementation Work Group

Minutes, May 8, 2024

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Steve Wasser said that construction costs were roughly \$800,000 and the last unit sold for 1 million dollars. There were supply chain issues that increased cost, and these are high end units with no comparables.

Michael Hines indicated that they were able to find new ideas to take to future accessible design projects.

Discussion

The Chair remarked about the cost of elevators in the Design for Life model versus houses without an elevator.

Casey Anderson spoke about the land use regulation and the zoning text amendment which allowed this development to happen. The dedicated right-of-way helped.

Dean Packard spoke about accessible design development in Prince George's County in that, like developers everywhere, there is a reluctance to change especially with a model that already works. However, making smaller homes, without an elevator and not one-hundred percent accessible may lower costs and make the homes more favorable to the developer and the buyer.

Steve Wasser commented on the financing of an accessible design development with Prince George's County participation by land donation, Prince George's County subsidies, and increased speed of permitting.

Dean Packard spoke about the need to do one or two test cases to start this type of development in Prince George's County. He also brought up the side issue of grading and water drainage and spoke of the need for a storm drain system, as well as a yard drain system to capture underground water.

Chair Ivey asked whether Parc Redland has a powder room or a full bathroom on the entry-level floor. Mr. Packard indicated that the houses have a full bathroom on the entry-level floor.

Casey Anderson indicated that the rules pertaining to the Department of Permitting, Inspections and Enforcement (DPIE) may need to provide more flexibility. Lori Parris said that she would have the DPIE stormwater team address their concerns. Also, the need for predictability of a waiver is important. Dean Packard said that incentives were needed for the building industry to positively respond to building accessible design. Michael Hines said that this is the future. Mr. Packard stressed that accessible design doesn't work everywhere due to topography, site conditions, and economic conditions but it is valuable.

Charlesetta Griffin asked about a curb-less shower or "roll-in shower" because she has known of water drainage outside of the shower. Dean Packard indicated that there is no-step with drainage with a sloping tray in the shower base to catch the water.

Prince George's County Universal Design Implementation Work Group
Minutes, May 8, 2024
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Jim Chandler asked about the width of the house at 24 feet. Dean Packard indicated that going with an 18 feet width would increase the number of units and would be ideal for the builder's profit margin.

The Chair indicated that townhouses are exempt from the step-free entry.

Dean Packard indicated that there is a ten-foot wall bioretention facility on the property.

Vice-Chair Watson inquired about the accessible design elements in the houses; specifically, regarding kitchens and cabinets. Dean Packard indicated that passing widths are 36 inches and that there are dropped cabinets and sinks and an optional roll under island with or without cabinets.

The Chair indicated that there are first floor slabs which correlate into a three-inch drop.

It was commented that for accessible housing there are no age restrictions, that they are suitable for young families, and are multi-generational units.

Tierra Medley asked about the affordability of these accessible design houses and Dean Packard responded that Parc Redland was a luxury development, but the cost could be lowered with changing different options such as eliminating an elevator, making only the entry-level floor fully accessible. Tierra Medley indicated that Maryland Inclusive Housing provides housing support services with up to 15% set aside for those served by Maryland Inclusive Housing.

Sarah Reddinger provided the housing stock that they have used is accessible design and indicated that Habitat for Humanity complies with the MPDU (Moderately Priced Dwelling Unit) law.

Caron Prideaux indicated that accessible design is good for everyone whether they have a disability, have been in an accident, and have experienced any changing events to any family.

The Chair indicated that the goal is to make these more common with 5-15% units available. Also, it should be considered whether to extend the houses to those at a lower income, like using the MPDU model.

Approval of Meeting Minutes

By a hand vote of the Members, the March 13, 2024, Minutes were approved.

Next Meeting
June 12, 2024

Adjournment
The meeting was adjourned at 10:44 a.m. on Wednesday, May 8, 2024.

PRINCE GEORGE'S COUNTY
UNIVERSAL DESIGN IMPLEMENTATION WORK GROUP

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

Prince George's County Universal Design Implementation Work Group

Minutes, July 10, 2024

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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.

Prince George's County Universal Design Implementation Work Group

Minutes, July 10, 2024

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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.

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
Sharon Savoy Williams - Administrative Assistant

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. Parris 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.

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).

Universal Design Implementation Work Group

Draft Minutes, September 4, 2024

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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.)**

Universal Design Implementation Work Group

Draft Minutes, September 4, 2024

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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.

Universal Design Implementation Work Group

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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.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Chapter No. _____

Proposed and Presented by Chair Ivey and Council Member Watson

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 || AN ACT concerning

Universal Design for Housing - Revisions

3 For the purpose of adding and revising certain definitions; providing for certain exemptions;
4 requiring certain alarms; regarding the potential waiver of certain requirements by the Director
5 of the Department of Permitting, Inspections and Enforcement in certain instances; requiring a
6 certain form for the application for certain waiver exemptions; assessing a certain administrative
7 fee in an amount per each waiver per each dwelling unit in a residential development project at
8 the time of building permit for the cost of the Department of Permitting, Inspections and
9 Enforcement's processing and review of the Universal Design for Housing waiver provision as
10 prescribed in the Table of Fees; imposing penalties for non-compliance of certain violations of
11 the Universal Design for Housing law; providing for a certain appeal from a certain waiver
12 denial; and generally regarding Universal Design elements for certain newly constructed
13 residential housing dwelling units.

14 || BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Sections 4-356, 4-363, 4-365, 4-365.01,

The Prince George's County Code

(2023 Edition).

19 BY repealing and reenacting with amendments:

SUBTITLE 2. ADMINISTRATION.

Section 2-117,

The Prince George's County Code (2023 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 4-356, 4-363, 4-365, 4-365.01 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 4. BUILDING.

DIVISION 6. UNIVERSAL DESIGN FOR HOUSING.

Sec. 4-356. Universal Design: Definitions.

(a) **Accepted by the Maryland-National Capital Park and Planning Commission**
means an application that is submitted and accepted by the Department of Permitting,
Inspections and Enforcement and distributed to all agencies for review.

(b)[(a)] [Accessible/]Accessibility [refers to the design of products, devices, services, or environments to be appropriate for use by people with disabilities and provide the ability to access and benefit from some system or entity.] means a site, building, facility, or portion thereof that complies with the ADA Standards for Accessible Design | ADA.gov, IRC requires compliance with IBC chapter 11 when 4 or more dwellings. International Residential Code (IRC) - CHAPTER 3 (iccsafe.org), and IBC – meet all of chapter 11, INTERNATIONAL BUILDING CODE (IBC) | ICC DIGITAL CODES (iccsafe.org).

(c) **Accessible Range** - For reach ranges, ADAAG 308.1, there is forward reach, side reach. ADA Standards for Accessible Design | ADA.gov

(d) **Accessible Route** - Accessible routes shall comply with Chapter 4. 2010 ADA Standards for Accessible Design | ADA.gov, and IBC – a continuous, unobstructed path that complies with chapter 11.

(e) Approved by the Maryland-National Capital Park and Planning Commission
refers to accepted by the building official, per the JRC.

[(b)](f) **Disability** is a physical condition that limits a person's movements, senses, or activities.

(g) **Dwellings covered by the design requirements** means that the public or common use areas of the building can be approached, entered, and used by individuals with physical disabilities.

(h) **Knobs** - handles require more grip strength to grab and turn the handle.

1 (i) **Levers** - handles can be more easily used regardless of the user's grip strength as
2 levers can be pushed.

3 (j) **Site Impracticality** means of evaluating individual buildings and sites with difficult
4 terrain.

5 (k)[(c)] **Site plan**, for purposes of this Division, shall include a permit site plan, a detailed
6 site plan, a specific design plan, and a special permit site plan.

7 (l) **Slip Resistant Floors** mean accessible surfaces must be slip resistant to minimize
8 hazards to people with disabilities, especially those who are ambulatory or semi-ambulatory or
9 who use canes, crutches, and other walking aids. Flooring designed with material properties to
10 help reduce slipperiness and increase traction.

11 (m)[(d)] **Two-over-two's "Dwelling, two-family,"** is a building containing two dwelling
12 units. For the purpose of this Division, two-over-two's are units stacked one above the other in a
13 vertical configuration, sharing common vertical solid walls extending from the grade to the roof,
14 or horizontal floors and ceilings. The building typologies commonly referred to as two-over-two
15 dwellings or stacked dwelling units are examples of two-family dwellings.

16 (n)[(e)] **Universal Design** is the design of buildings, products, or environments so that
17 they can be accessed, understood, and used to the greatest extent possible by all people
18 regardless of their age, size, ability, or disability.

19 (o)[(f)] **Usability** [refers to the ease of access and/or uses within and around a dwelling
20 unit.] means the public or common use areas of the building can be approached, entered, and
21 used by individuals with physical disabilities.

22 **Sec. 4-357. Universal Design: Application. Exemptions.**

23 (a) With the exception of exemptions and waivers granted, as set forth in this Division,
24 this Division shall apply to all new single-family attached, single-family detached, two-family,
25 two-over-two's, three-family, and multifamily residential dwelling units constructed in Prince
26 George's County on and after January 1, 2026.

27 (b) Dwelling units for which a building permit has been issued, or for which a site plan
28 application has been approved pursuant to Subtitle 27 of the Prince George's County Code prior
29 to January 1, 2026, as set forth in Section 4-357(a) above, shall be exempt from the provisions of
30 this Division. This would include phased development plans for which the Department of
31 Permitting, Inspections and Enforcement has approved [plans on file] Plans On File ([i.e.,]

1 building permit plans submitted by the developer and approved by the Department) for various
2 types of homes in the development prior to January 1, 2026. Any Detailed Site Plan approved
3 before January 1, 2026, the Plans On File subject to the Detailed Site Plan do not have to be
4 updated to comply with this Section.

5 (c) Application of the provisions of this Division shall not require existing dwelling units
6 to be retrofitted.

7 (d) Undergraduate and graduate student housing for public and private colleges and
8 universities and private dormitories as defined in Subtitle 27 of the Prince George's County Code
9 shall be exempt from this Division.

10 (e) The provisions of this Division shall not apply to a single-family detached dwelling
11 that is built or subcontracted by an individual owner that is used as the owner's personal
12 residence.

13 (f) Dwelling, townhouse as defined under Section 27-2500 of the Prince George's County
14 Code shall be subject to Section 4-364 of this Division and shall otherwise be exempt from the
15 provisions of this Division.

16 (g) Two-over-two's "Dwelling, two-family" as defined under Section 4-356(d) of this
17 Division, shall be subject to Section 4-364 of this Division and shall otherwise be exempt from
18 the provisions of this Division.

19 **Sec. 4-358. Universal Design: Exterior/Entrance.**

20 (a) There shall be a step-free route of travel to at least one step-free entrance to the
21 dwelling unit. Entrance to the unit by way of a garage would qualify as an acceptable route.
22 Multifamily dwelling units located within a building that are above the first floor of the building
23 and are only accessible via stairway are exempt from this requirement.

24 (b) The door of this entrance shall [have] be a minimum of 36-inches-wide [clearance] and
25 shall meet all applicable building requirements.

26 (c) Exterior lead walks shall be structurally firm and slip resistant with a smooth uniform
27 surface.

28 (d) Lead walks shall be a minimum of 42-inch wide from the point of arrival to the
29 primary or garage entrance and any slope should be consistent with all applicable requirements.

30 **Sec. 4-359. Universal Design: Interior Accessible Route.**

31 (a) At least one accessible route shall connect all spaces and elements that are a part of the

1 accessible entry level floor of the dwelling unit.

2 (b) The kitchen shall be on the accessible level and on the accessible route.

3 (c) Hallways on the accessible level shall have a 42-inch-wide minimum clearance width
4 measured from wall to wall.

5 (d) Doorways on the accessible route shall have a minimum door width of [clearance of]
6 36-inches and all doors shall contain levers for accessible access.

7 (e) Interior thresholds with levels which exceed $\frac{1}{4}$ -inch high, shall be beveled, with a slope
8 not steeper than one-inch rise to a 2-inch run (1:2).

9 (f) Accessible routes shall have flooring that allows resistance-free use of a wheelchair or
10 similar mobility aid or device.

11 (g) At least one separate room on the accessible entry level floor of the dwelling unit shall
12 include architectural or design features that include but are not limited to a door that closes and a
13 window to ensure [accessibility] egressibility.

14 **Sec. 4-360. Universal Design: Bathroom.**

15 (a) Dwelling units shall have a bathroom with a sink, a shower, and a toilet on the entry
16 level.

17 (b) Outlets shall be within accessible range of an adult sitting in a wheelchair.

18 (c) Slip resistant floors shall be used.

19 (d) Continuous wall reinforcement at toilet and bathroom fixtures shall be included to
20 enable easy retrofitting with grab bar(s). All wall reinforcement shall be capable of resisting
21 shear and bending forces of a minimum of 250 pounds.

22 (e) Controls on sinks, tubs, showers, and toilets shall be easily accessible or usable by
23 persons with disabilities.

24 (f) 2×6 lumber blocking centered 34" off of the finished floor to include the entire
25 perimeter of the bathroom shall be used.

26 **Sec. 4-361. Universal Design: Controls, Switches, Electrical Sockets and Plugs.**

27 (a) All rocker light controls and switches shall be placed no higher than 48-inches, on
28 center, above the floor.

29 (b) Where practical, all electrical receptacles shall be placed no lower than 15-inches, on
30 center, above the floor.

31 (c) All thermostats shall be placed no higher than 54-inches, on center, above the floor.

1 **Sec. 4-362. Universal Design: Kitchen.**

2 (a) There shall be 40-inch minimum clearances installed between all opposing base
3 cabinets, counters, appliances, and walls within the kitchen work area.

4 (b) There shall be a 60-inch minimum clearance of floor turning area in U-shaped kitchens
5 or a 40-inch minimum clearance for pass through kitchens. For U-shaped kitchens, there shall be
6 a 30-inch by 48-inch minimum clearance floor area for parallel approach centered on the sink
7 and stove and other appliances or forward approach with knee clearance.

8 (c) Lever fixtures for sinks shall be installed.

9 **Sec. 4-363. Universal Design: Smoke Detectors and [CO2] Fire and Carbon Monoxide**
10 **[Detectors] Alarms.**

11 Audible and visual smoke detectors, fire alarms, and [CO2] carbon monoxide alarms shall
12 be installed [on each floor of the dwelling unit] pursuant to the IBC.

13 **Sec. 4-364. Townhouses; Two-Over-Two's, Applicable Universal Design Requirements.**

14 Notwithstanding the exemptions set forth in Section 4-357(f) and Section 4-357(g) of this
15 Division, only the following universal design requirements in this Division shall be required for
16 townhouses and two over two's:

17 (a) Universal Design: Interior Hallways, Doorways, Stairs.

18 (1) Hallways shall have a 42-inch-wide minimum clearance width measured from
19 wall to wall.

20 (2) Doorways shall have a minimum width [of clearance] of 36-inches and all doors
21 shall contain levers for accessible access.

22 (3) Interior stairs shall be able to accommodate the installation of a chair lift, with an
23 electrical outlet within four feet of the stairs.

24 (b) Universal Design: Bathroom.

25 (1) Continuous wall reinforcement at toilet and bathroom fixtures shall be included to
26 enable easy retrofitting with grab bar(s). All wall reinforcement shall be capable of resisting
27 shear and bending forces of a minimum of 250 pounds.

28 (2) Controls on sinks, tubs, showers, and toilets shall be easily accessible or usable by
29 persons with disabilities.

30 (c) Universal Design: Smoke Detectors and Fire and Carbon Monoxide Alarms. [CO
31 Detectors.] Audible and visual smoke detectors, fire alarms, and [CO] carbon monoxide alarms

1 shall be installed [on each floor of the dwelling unit] pursuant to the IBC.

2 **Sec. 4-365. Waiver Provision.**

3 (a) The builder must use best efforts to meet the requirements of this Division meaning
4 efforts to the maximum extent practicable were made to meet the requirement(s). A builder that
5 indicates that they cannot satisfy the step-free route of travel to at least one step-free entrance to
6 the dwelling unit requirement, pursuant to Section 4-358 of this Division, shall request a waiver.

7 (b) A waiver may be granted by the Director of the Department of Permitting, Inspections
8 and Enforcement ("Director") or the Director's designee upon a determination that topography or
9 other unusual characteristics of the building or the site exist, or that there are practical difficulties
10 associated with compliance with this Division. No waiver shall be granted unless approved by
11 the Director or the Director's designee. An application shall be accompanied by a Waiver
12 Checklist Form to be completed by an applicant, which is developed and revised from time to
13 time, by the Department of Permitting, Inspections and Enforcement for the processing and
14 review of a waiver request. The Department of Permitting, Inspections and Enforcement shall
15 assess an administrative fee in an amount per each waiver per each dwelling unit in a residential
16 development project for processing and reviewing an applicant's waiver request as prescribed in
17 the Table of Fees. The determination of the waivers shall be made during the normal process of
18 obtaining a building permit.

19 (c) A waiver authorized by this Division shall not be granted by the Director or the
20 Director's designee unless the builder seeking the waiver provides the following:

21 (1) A detailed written statement of the reason(s) that the builder is unable to meet its
22 obligations under this Division, which shall include:

23 (A) The specific issue(s) for which a waiver is being requested.
24 (B) Why the requirement(s) cannot be met.
25 (C) Proof that the document listed in Section 4-365(c)(1) has been certified by a
26 Maryland Registered Professional Engineer (PE) or by a Maryland Licensed Architect.

27 (d) After review of the waiver request, the Director shall transmit a written decision
28 approving or denying the request concurring or disagreeing with each listed specific issue as set
29 forth in subsection (c).

30 (e) The waiver may only be approved if the Director is satisfied that the waiver meets the
31 criteria in subsection (b).

(f) No residential development project can be granted waivers for more than fifty percent (50%) of the dwelling units.

(g) Any waiver approved by the Director shall apply to the area that is subject to the approved building permit.

(h) A residential development project with approved waivers shall have the provisions of universal design set forth in this Division waived for those dwelling units of the residential development project covered by the waivers. A residential development project without waivers shall incorporate the provisions of universal design set forth in this Division in the residential development project.

(i) The Director shall notify the County Council in an annual report of waivers of:

(1) the number of waiver applications received;

(2) the number of waiver applications denied;

(3) the number of waiver applications approved; and

(4) the location by Council District of the number of waiver applications received and The Director shall provide the County Council the Department of Permitting, Inspections and Enforcement's letter to an applicant explaining their decision regarding a waiver.

Sec. 4-365.01 Penalties.

(a) 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.

(b) It shall be a criminal act by an owner and/or authorized representative of a corporation or limited liability company, as defined in Section 4-203, Criminal Procedure Article, Annotated Code of Maryland, to violate compliance with the Universal Design for Housing law referenced in Section 4-365.01(a) of this Division. An owner and/or authorized representative of a corporation or limited liability company shall be separately charged and upon conviction may be subject to incarceration as authorized by this statute.

Sec. 4-366. Amendments, additions, and deletions.

Any provision of the IBC - International Building Code, IMC - International Mechanical Code, IECC - International Energy Conservation Code, IRC - International Residential Code, IEBC - International Existing Building Code and ISPSC - International Swimming Pool and Spa

1 Code adopted by this Subtitle, shall be changed, modified, amended, added, deleted or omitted as
2 set out in this Division, and such change, modification, amendment, addition, deletion or
3 omission shall be deemed to supersede the text of these codes in any case where the provisions
4 of this Division are interpreted.

5 **Sec. 4-367. Conflict of Laws.**

6 For any conflict between the provisions set forth in this Division and the Federal Fair
7 Housing Act, Federal Americans with Disabilities Act, the Code of Maryland Regulations, or the
8 Maryland Accessibility Code, and any other applicable law, the Department of Permitting,
9 Inspections and Enforcement shall apply the Maryland Accessibility Code, the Code of
10 Maryland Regulations, Federal Americans with Disabilities Act, and the Federal Fair Housing
11 Act and any other applicable law.

12 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 2-117 of the Prince George's County Code be and the same is hereby
14 repealed and reenacted with the following amendments:

15 **SUBTITLE 2. ADMINISTRATION.**

16 **DIVISION 4. BOARD OF APPEALS.**

17 **Sec. 2-117. Board of Administrative Appeals.**

18 (a) There is created a Board of Administrative Appeals for the County, to hear and
19 determine all administrative appeals allowed by ordinance or law. The jurisdiction of the Board
20 of Administrative Appeals shall not extend to any provision of the County Code which does not
21 expressly provide for such jurisdiction.

22 (b) County law which specifically grants the Board authority to hear appeals includes (but
23 need not be limited to) the following:

24 **SUBTITLE 3. ANIMALS.**

25 Division 2. Licenses and Standards (Animal Holding Facility Licenses).

26 **SUBTITLE 4. BUILDING.**

27 Division 2. Construction or Changes in Floodplain Area.

28 Division 3. Grading, Drainage and Erosion Control.

29 Division 4. Stormwater Management.

30 Division 6. Universal Design for Housing.

31 **SUBTITLE 5. BUSINESSES AND LICENSES.**

1 || Act, since the same would have been enacted without the incorporation in this Act of any such
2 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
3 or section.

4 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
5 calendar days after it becomes law.

Adopted this _____ day of _____, 2024.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:

Underlining indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

* * * * *

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Resolution No. CR-083-2024
Proposed by Chair Ivey and Council Member Watson
Introduced by Council Members Ivey, Watson, Oriadha, Dernoga and Hawkins
Co-Sponsors -
Date of Introduction September 24, 2024

RESOLUTION

A RESOLUTION concerning

Universal Design for Housing Waiver Request Fee

For the purpose of adopting an administrative Universal Design for Housing Waiver Request Fee for the processing and review of an applicant's universal design for housing waiver request; and generally regarding waivers and administrative fees.

WHEREAS, during the County Council's 2023 Legislative Session, CB-65-2023 (DR-2) was enacted which provided for the County's universal design requirements for new residential housing construction, with the exception of exemptions and waivers granted, for dwelling units constructed in the County on and after January 1, 2026.

WHEREAS, CB-65-2023 (DR-2) contains a waiver provision that provides that no residential development project can be granted waivers for more than fifty percent (50%) of the dwelling units. An applicant may request a waiver of statutorily required universal design housing elements. The Department of Permitting, Inspections and Enforcement (DPIE) has the statutory duty to administer the waiver component for compliance with the universal design housing requirements.

WHEREAS, an administrative Universal Design for Housing Waiver Request Fee must be established to cover DPIE's costs of processing and reviewing an applicant's universal design for housing waiver request.

WHEREAS, the administrative Universal Design for Housing Waiver Request Fee shall be adopted and collected per the fee prescribed in the Table of Fees. Pursuant to Section 4-365 of the Prince George's County Code, the Universal Design for Housing Waiver Request Fee shall be in an amount per each waiver per each dwelling unit in a residential development project for

1 processing and reviewing an applicant's waiver request as prescribed in the Table of Fees.

2 WHEREAS, pursuant to Section 2-253.63 of the Prince George's County Code, DPIE shall
3 establish and maintain a Table of Fees for all types of permits and such Table shall be published
4 on the DPIE website.

5 WHEREAS, pursuant to Section 2-253.63 of the Prince George's County Code, the Director
6 of DPIE or County Council shall have the authority to change the fees as deemed necessary.

7 WHEREAS, amendments to the Table of Fees shall be subject to legislative review and
8 approval by the County Council by Resolution, after notice and public hearing, pursuant to Section
9 2-253.63.

10 WHEREAS, Attachment A is the proposed Table of Fees including the administrative
11 Universal Design for Housing Waiver Request Fee, attached hereto and made a part of the record
12 hereof.

13 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County,
14 Maryland, that the administrative Universal Design for Housing Waiver Request Fee to be
15 established, maintained, and published by the DPIE as described in the Table of Fees set forth in
16 Attachment A, attached hereto and made part of the record hereto of is approved as appropriate
17 and necessary.

Adopted this _____ day of _____, 2024.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

Attachment A

DPIE FEE SCHEDULE

ATTACHMENT A

DPIE Fee Description	Minimum Fee Schedule (not including other applicable fees)	Fee Rule — Fee Calculation (if higher than minimum)
PERMITS		
Universal Design For Housing Waiver Request Fee	\$245.00	Plus 5% Technology Fee

WELCOME TO THE WORLD OF HOME ACCESSIBILITY

HOUSING THAT IS DESIGNED FOR LIFE THROUGH FORM AND FUNCTION

INTRODUCTION TO THE TEAM

- Dean Packard, Civil Engineer and Developer
- Steve Wasser, Investor and Developer
- Caron Prideaux, Broker, Sales and Marketing Manager
- Builder Team – Michael Hines, President/Owner of LIG Group

CONCEPT HISTORY AND BACKGROUND

- WHAT IS ACCESSIBILITY IN HOUSING?

- Accessible housing is **housing that people with disabilities can easily enter and use**. Accessible housing has features people may need to live independently, for example, wider doorways, clear floor space for wheelchairs to move throughout the home, low countertops, assistive technology, and grab bars in bathrooms.

WHAT IS 'DESIGNED FOR LIFE?'

- Sitework – Accessible pathway to homes, community elements (i.e., mailboxes, open spaces) and parking
- House Features for DFL
 - Level I – 'Visibility'
 - No-Step Entrance
 - Accessible place to visit = Gathering Room
 - Powder Room or Bathroom
 - 32" doorways

WHAT IS 'DESIGNED FOR LIFE?'" CONTINUED

- Level II – 'Livability'
 - All of Level I plus,
 - Accessible Kitchen
 - Accessible Bedroom
 - Accessible Full (with walk-in or roll-in shower) Bathroom

CONCEPT PICTURE



[Video](#)

PARC REDLAND COMMUNITY



[Aerial Video](#)

PARC REDLAND COMMUNITY



SALES AND MARKETING

- Land Costs
- Development costs were \$100,000 per unit plus
- Acquisition (the purchase of property) of \$40,000 per unit
- Marketing, Legal/Closing Costs/Fees, Commissions, Extraneous costs
- Construction (vertical) Costs
- Started at \$350,000 per unit
- Ended at \$525,000 due to COVID and supply chain, shortages and interest/inflation
- High End Features/Fixtures – Varies per unit purchaser
- Options and Trends – Packages versus a la carte

PRINCE GEORGES COUNTY AND BEYOND

- Land Costs
 - Development costs per unit
 - Acquisition (the purchase of property) per unit
 - Marketing, Legal/Closing Costs/Fees, Commissions, Extraneous costs
- Construction (vertical) Costs
- Challenges
- Meeting more affordable price points

HOW TO BUILD QUALITY MORE AFFORDABLY: STANDARDIZING A PROGRAM FOR BUILDERS TO AVOID EXCESSIVE WAIVERS

- Suggest a Lead System Scoring
- Incentives To Build
- Scores of visitable vs livable
- Achieving construction cost points

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