

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2022 Legislative Session

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**Reference No.:** CB-059-2022

**Draft No.:** 2

**Committee:** PLANNING, HOUSING AND ECONOMIC DEVELOPMENT

**Date:** 9/13/2022

**Action:** FAV (A)

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### REPORT:

Committee Vote: Favorable as amended, 4-0-1 (In favor: Council Members Franklin, Harrison, Hawkins, and Turner. Abstain: Council Member Glaros)

The Planning, Housing and Economic Development (PHED) Committee convened on September 13, 2022, to consider CB-59-2022. The Planning, Housing and Economic Development (PHED) Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. This bill amends Subtitle 4, the Building Code, to include a section requiring DPIE to implement a review process for permits to install electric vehicle (EV) charging stations at single family and multi-family homes.

Council Member Taveras, the bill sponsor, requested the Committee's support of the bill to address the need for EV charging stations for existing residential uses to create a connection through driveways and garages and to make sure low- to- middle income communities are not losing out on the opportunity to come in line with green features and meet greenhouse gas emission controls within the County.

The Zoning Hearing Examiner (ZHE) submitted a September 9, 2022, memorandum to the PHED Committee Director with the following comments:

1. On page 1, I suggest that line 20 should be revised to delete "at the following" and insert "on properties improved with the following uses:".
2. On page 1, line 21, add "dwelling uses" after "Detached".
3. On page 2, line 2 should be revised to "converted structures originally used as a single-family detached dwelling unit".
4. Finally, on page 2, line 3, add "dwellings" after multi-family

The Office of Audits and Investigations (A&I) provided a September 12, 2022, Policy Analysis and Fiscal Impact Statement indicating enactment of CB-059-2022 is not expected to have any direct fiscal impact to the County as the bill only codifies the requirement of a review process which DPIE already conducts. Enactment of CB-059-2022 could have an indirect positive impact in the County's EV charging infrastructure for residential buildings by ensuring that new EV infrastructure is kept up to code.

The A&I Statement also noted the following discussion/policy analysis:

“CB-059-2022 would codify certain processes which DPIE already conducts. Rather than expanding requirements, the bill would simply ensure that a review process cannot be ignored in the future.

The bill, however, only mandates that DPIE create guidelines and a review process, while leaving the details of such up to the Department.

DPIE’s current guidelines for residential electric vehicle charging stations distinguish between Level 1 and Level 2 charging stations and impose different permit requirements for residential and commercial permits. These were last updated on September 2, 2022.”

The Maryland Building Industry Association (MBIA) submitted a September 11, 2022, letter to PHED Chair Franklin in opposition to CB-59-2022 stating: “MBIA does not object to DPIE implementing a more formalized review process to for EV Charging stations, we would welcome a clear process but given how vague the bill is in identifying what that process would entail cause some concern, especially since this bill includes multifamily housing types with no policy in place in Prince Georges County for multifamily and commercial building types”.

The Committee reviewed a Proposed DR-2 (DR-2) that included the ZHE’s recommended revisions. Terry Bell, Council Liaison, Office of County Executive, Department of Permitting, Inspections and Enforcement Director Melinda Bolling and Senior Adviser Lori Parris addressed the Committee indicating that the agency worked closely with industry experts to implement the current process already in place and CB-59-2022 is duplicative to that process.

The Committee discussed DPIE’s concerns and requested that the Director provide a copy of the standards and process that the agency has in place for review of EV charging stations. In response to Council Member Turner’s question regarding DPIE’s authority to create the policy, Ms. Parris noted that their review policy is under the authority of the International Building Code and related updates.

Council Chair Franklin commented that even though DPIE has the authority that the bill gives them, the bill is broad enough that it does not prevent the agency from changing its process. Council Member Turner requested that Council Legislative Officer and Office of Law look into the Building Code issue and the authority that may already be provided to DPIE. Council Member Dernoga suggested a drafting technical amendment on page 1, line 19, to change “This section would require DPIE to implement a review process...” to “shall” or something that is simple and declaratory.

On a motion by Council Chair Franklin and second by Council Member Turner, the Committee voted favorable, 4-0-1, on CB-59-2022 with the amendments in Proposed DR-2 as well as the amendment suggested by Council Member Dernoga.