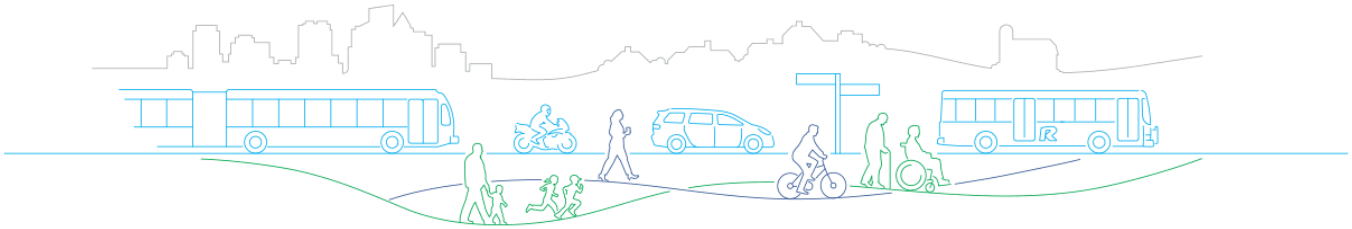


Residential Electric Vehicles (EV) Charging Permitting Guidelines

Montgomery County Department of Transportation
Department of Permitting Services

Revised March 2021

Montgomery County Department of Permitting Services

Residential Electric Vehicle (EV) Policy

Overview

Charging an electric vehicle at home is the most common, convenient, and economical place to refuel. This policy will expand options for home charging, allowing residents to either create new space on their property to accommodate EV charging or to install an EV charging station at the curb by their home for use while parked on the street. This policy must also ensure the public right-of-way continues to serve the public.

Applicants will purchase and install charging stations at their own expense, either on their property or at the curb, depending on the site. The installation of curbside charging stations will only be considered when on-site opportunities do not exist and cannot be created.

An EV charging station installed through this guideline will not create any privilege or priority for use of the adjacent curbside parking. Street parking will remain available to anyone. Any parking restrictions on your street, such as Residential Preferential Parking, will remain in effect.

This program is available to those who reside in single family dwellings or duplexes and the permit will only be issued to the property owner.

Step 1: Initial Inquiry (Work within the Public Right-of-Way)

If your property lacks on-site installation options, you must first submit a letter of interest that includes a plan view drawing or photo showing the proposed location with details of the proposed charging station location. This will allow the County to make an initial determination of whether you are able to charge on your own property or are a candidate for curbside charging.

Step 2: Initial Determination

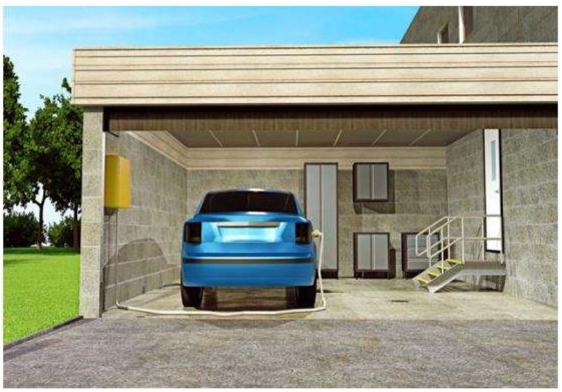
DPS will review your request and issue an initial determination with guidance for next steps. In making this determination, staff will look at specific characteristics of your property and advise you of one of the following options:

a. Deny your request, as there is an existing space, with access to your private property, to install an EV charging station on your own property.
b. Construct a new curb cut (driveway or parking pad) to install an EV charging station and parking space on your property.
c. Install a curbside EV charging station at an appropriate location in front of your property within the public right-of-way.
d. Inform you that your property is not a candidate for an EV charging station in the right-of-way due to space limitations or safety concerns.

Step 3: Permitting Requirements

Option A - Existing Space with Access to Your Private Property

This option is for those who have an existing driveway, garage, or parking pad with space for charging a vehicle. Montgomery County will not consider installation in the public right-of-way. Installation on private property only requires an electrical permit. The electrical permit must be obtained by a licensed electrician.



Option B - New Curb Cut (Driveway or Parking Pad Installation)

This option may be considered if the DPS review finds there is adequate space on your property for a parking pad. The EV charging station will not be allowed in the public right-of-way. Prior to permit issuance, DPS will require a Zoning review to ensure your proposed parking pad will not violate any codes related to front lot parking coverage. A permit is not required for the parking pad itself; however, you will need a right-of-way permit for access to the property, such as a driveway apron. You will also need an electrical permit for the charging station.

Design and Placement

Location of the curb cut and driveway apron will be reviewed by DPS and staff may specify a location for your curb cut. In general, curb cuts should be placed to minimize the reduction of street parking and vegetation. Proper distances should be maintained between the curb cut and features in the public right-of-way, including street trees, utility poles and signs. Work conducted in the public right-of-way must adhere with the materials, designs, and construction methods detailed by the County (available at Curbs, Gutters, Sidewalks, and Driveway Approaches Constructed under County permits). All the elements mentioned will be reviewed when the permit application is submitted.

Permit Application Submittals

Right-of-Way Permit (ROW) application packages must include, at a minimum:

1. ROW Permit application and filing fee.
2. Installation d rawing. Important elements include:
   a. Dimensioned drawings with property lines, lot dimensions, building footprints, walkways, existing above ground and underground utility infrastructure and underground laterals, sidewalks, curbs, and features in the planting strip.
   b. The proposed location of the curb cut, driveway approach, vehicle-related paving, and landscaping screening strip should be dimensioned and called out with shading, hatching, or other methods.
   c. Photographs of existing conditions are encouraged.

Electrical Permit:

Electrical Permit Application and Filing Fee, the electrical permit must be obtained by a licensed electrician.

OPTION C - Within the Public Right of Way

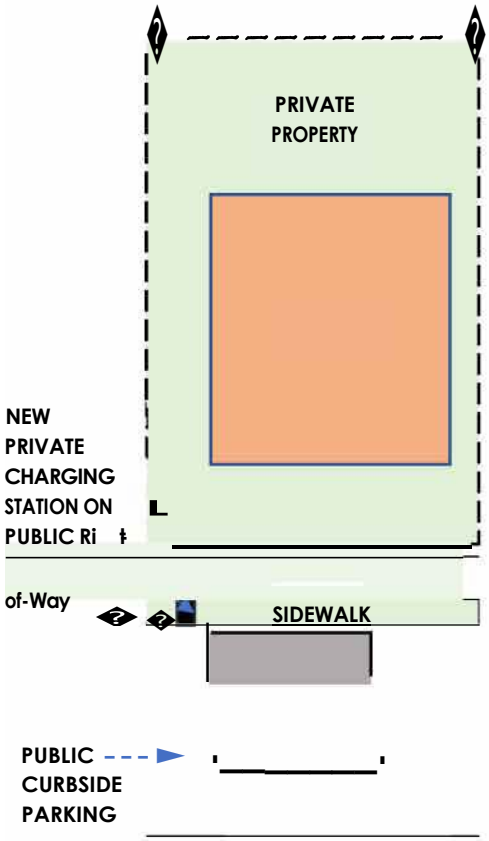
DPS may find that no space exists on your property to construct an off-street parking space for EV charging. If DPS determines your property qualifies for installation in the right-of-way, a public right of way permit and electrical permit are required. The electrical permit must be obtained by a licensed electrician. DPS will determine the exact location of the proposed EV charging station. This option will only be considered when there is no opportunity to install a driveway or parking pad on your property.

The EV charging station will be connected to your home electrical service, as if the charging station was located on your private property. Conduit will be run from your electrical panel to the EV charging station located in the planting strip adjacent to the curb.

The conduit must be underground in the public right-of-way, including under the sidewalk, and it is likely that trenching will also be required on your private property. Property owners are required to work with a licensed electrical contractor to understand all installation options.

Curbside EV charging station installations may be either Level 1 (120 volt) or Level 2 (240 volt), but must meet all the requirements of the Electrical Code; outdoor installations of electric vehicle supply equipment (EV charging stations) must be permanently connected and fastened in place with no exposed live parts. Charging stations must be listed by an approved product listing agency, rated for

outdoor use and installed in accordance with the manufacturer's specifications and the County's right-of-way permit conditions.



Design and Placement Option C

- The space must comply with existing posted parking restrictions.
- It must avoid conflicts with other utility infrastructure (existing utilities and laterals must be shown on site diagram for permit).
- Installation shall be at least 6 feet from fire hydrants.
- It must avoid interference with vehicular sight lines at street corners or driveways.
- Minimize the removal of vegetation.
- Maximize the number of parking spaces the EV charging station could serve.
- EV charging station cords must not cross over sidewalks, walkways, or driveways; rather, station cords shall be automatically retractable.
- Installation shall be at least 18 inches from the back of the curb (in the planting strip if one is present).
- Position the EV charging station such that the stored connector is at a height of 24 inches to 48 inches above the parking surface (Electrical Code, Article 625.30(B)).
- Install an enclosure or cage around the EV charging station to protect and control its use; if the charging station is not fully enclosed, the charging station cord and connector must be secured when not in use.
- Orient the EV charging station such that an enclosure door will not open past the curb face or over the sidewalk.
- Minimize the size of any enclosure around a charging station or cord. Colors and materials for any enclosure should minimize their visibility and integrate with the design of surrounding buildings and landscaping.
- No advertising is permitted on the charging station or associated enclosure.

Permit Application Submittals

Right of Way Permit (ROW) application packages must include, at a minimum:

1. ROW permit application and filing fee;
2. Plan view drawing or photo showing the proposed location for the charging station; and
3. Declaration of Covenants for Maintenance and Liability for Occupation of the Right-of-Way.

Electrical Permit application submittals must include:

1. Electrical permit application and filing fee;
2. Plan view drawing or photo showing the proposed EV charging location, conduit routing and location of the electrical meter;
3. Single line electrical plan/diagram from the meter to the EV charging station (may be provided by licensed electrician);
4. Manufacturer's specifications and installation guidelines for the EV charging station including the approved product listing agency (i.e. UL) number; and
5. Existing panel rating, proposed charging load and calculations for systems over 220 volts and/or 40amp.

Step 4: Installation

Once you have obtained your permits, for either an on-site or curbside EV charging station, you are ready to install the station and any corresponding features. County building and safety staff will inspect the EV charging station connection at the completion of the project. In addition, a right-of-way inspector will inspect the construction in the public right-of-way.

Once your inspections are final, you are ready to charge!

Step 5: Operation

It is your responsibility to operate your EV charging station in keeping with the conditions of its permits. For curbside locations, maintaining a safe EV charging station is particularly critical. It must be operated in a way that minimizes potential trip hazards by including a retractable cord and connector when the charging station is not in use. It must be controlled either by a safety enclosure around the charging station or cord that is locked while the station is idle. The station must not be charged when not in use.

Failure to operate the charging station safely could result in revocation of the right-of-way permit. If the right-of-way permit is revoked, it will be the property owner's responsibility to remove the EV charging station and its associated equipment, conduit, and wiring from the public right-of-way and restore the right-of-way to its original condition.

Applicant Responsibilities

DPS recommends that as the property owner you share information about your project with neighbors before submitting your request. This will provide them an opportunity to ask questions and understand the process.

Please understand your responsibilities and limitations before talking to your neighbors. The cost of purchasi ng, installi ng, usi ng, and mai ntai ni nga curbsi de EV chargi ng stati on shall be pai d by the homeowner (or in combination with a tenant, if applicable).

It is the property owner's responsibilityto maintain the charging station, and any associated safety enclosure and ensure it is in a good and safe operating condition.

The County reserves the right to revoke the public right-of-way permit in cases where there are safety concerns related to the EV charging station installation or when on-going parking issues adjacent to the EV charging station result in enforcement calls to the County.

The parking space adjacent to a curbside EV charging station is available for anyone's use. Any parking restrictions on your street, such as Residential Preferential Parking will remain in effect. Property owners will not have exclusive rights, privileges, or priority for parking adjacent to an EV charging station. If you know it is difficult to park adjacent to your home or you foresee issues that would limit your access to a curbside EV charging station on a regular basis, please consider whether it makes sense for you to participate in this process.

Residential Curbside EV Charging Policy Objectives:
SAFE Home Charging - Montgomery County's Commitment to Vision Zero

Related Sources: City of Berkeley, Pilot Manual: Residential Curbside Electrical Vehicle (EV) Charging Pilot Program; March 26, 2018

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