

Special Session

Agenda Item #	2
Meeting Date	November 5, 2012
Prepared By	Jessie Carpenter City Clerk
Approved By	Suzanne Ludlow Acting City Manager

Discussion Item	First Reading Ordinance Establishing a Residential Permit Parking Area in New Hampshire Gardens
Background	<p>The City Clerk received a petition from residents of the 7300-7500 blocks of New Hampshire Avenue (west side only), the 7300-7500 blocks of Wildwood Drive, the 1100-1200 blocks of Merwood Drive, and the 1200 block of Kingwood Drive, requesting the establishment of residential permit parking on their blocks.</p> <p>Residents in the proposed permit parking zone cited concerns about the lack of available street parking due to parking by residents from the apartments across New Hampshire Avenue and nighttime events held at Zion Evangelical Lutheran Church. Residents have also cited litter in the area left by the non-resident drivers and instances of driveways being blocked by vehicles.</p> <p>The petitioners request that parking on the blocks be limited to permit holders from 7:00 p.m. to 7:00 a.m., seven days a week. The administrative regulation that sets forth the process for establishing permit parking areas offers three options for permit parking hours: 8 a.m. to 7:00 p.m. (Monday through Friday); 7:00 p.m. to 8:00 a.m. (Monday through Friday); or 24 hours (Monday through Friday). The Council has deviated from these times in the past, for instance, in the establishment of a permit parking area in the Hampshire Knolls neighborhood across from Belford Towers.</p> <p>The New Hampshire Gardens Citizens' Association met on September 18, 2012. Mr. Todd Leavitt, President of the Association, reported that a quorum was present at the meeting. When a vote was taken, everyone voting supported the establishment of the permit parking zone. There were two abstentions.</p> <p>The Council held a public hearing on the petitioners' request on June 18, 2012, but proper public notice had not been provided. A second hearing (or continuation of the June 18 hearing) was held on October 22, 2012. The Council reviewed the written testimony and heard oral testimony at both hearings.</p> <p>Notice of the October 22 public hearing was mailed to residences in the proposed permit parking zone and to blocks adjoining the area. Notice signs were posted along proposed permit parking streets.</p> <p>At the hearing on October 22, four residents in the affected area voiced support for the establishment of a permit parking zone. Six residents from the 1100 block of Kingwood Avenue requested that the permit parking area be expanded to include the block because of the likelihood of spillover of vehicles that have been parking in the proposed permit parking area. Two residents of Wildwood Drive spoke in opposition to permit parking.</p> <p>Supporters testified that there is a lack of available on street parking, particularly in the</p>

	<p>evenings and overnight; that drivers returning to their cars late at night or early in the morning are often loud, waking up residents; that driveways are frequently blocked by non-resident cars parking in the area; and that drivers of the vehicles create a trash and litter problem.</p> <p>Opponents testified that permit parking restrictions are not needed on their street (Wildwood Drive), that the public streets should not have restrictive parking regulations to prevent non residents from parking there, and that the requirements of getting and maintaining parking permits and visitor passes are inconvenient.</p> <p>If adopted as written, the attached ordinance would become effective on January 14, 2013 to allow sufficient time for the Police Department to prepare to administer a new permit parking area, for Public Works to fabricate and post the necessary signage, and for residents to purchase their parking permits.</p> <p>Staff recommends that the church property at 7410 New Hampshire Avenue be excluded from the permit parking zone. With this exclusion, approximately 15 unrestricted parking spaces would remain in front of the church property along New Hampshire Avenue.</p> <p>Language that specifically excludes 7410 New Hampshire Avenue could be added to the draft ordinance. Suggested text follows:</p> <p>[add a last “whereas” clause to read]</p> <p>WHEREAS, the Council has found that exclusion of the property at 7410 New Hampshire Avenue from the permit parking zone would save approximately 15 parking spaces along the New Hampshire Avenue service road for use of the general public.</p> <p>[add a new Section 2]</p> <p>SECTION 2. The property at 7410 New Hampshire Avenue (currently Zion Evangelical Lutheran Church) shall be excluded from the permit parking area.</p>
Policy	City Code, Section 13.20.030, establishes a process for designation of residential permit parking areas; Administrative Regulation 99-1 provides written rules and procedures for the residential permit parking area petition process.
Fiscal Impact	<p>If the City Council elects to establish a permit parking area, Public Works would prepare and post the required permanent signage. The approximate cost would be \$1,500 to \$2,000 for labor and materials.</p> <p>The Police Department would purchase parking decals and visitor placards for the area at a cost of \$200-\$400 every two years. This cost would be offset by revenue from the purchase of parking permits by residents.</p>
Attachments	<ul style="list-style-type: none"> • Map of the Proposed Residential Permit Parking Area • Map of Staff Recommended Permit Parking Zone • First Reading Ordinance
Recommendation	Consider the ordinance at first reading with the language that excludes 7410 New

	Hampshire Avenue.
Special Consideration	<p>If the residents of the 1100 block of Kingwood Drive or other blocks wish to be included in the permit parking zone, residents on the unrestricted blocks would follow the same petition and public notice process currently underway, as outlined in Administrative Regulation 99-1.</p> <p>If blocks later wish to be removed from the permit parking area, the residents would need to follow the process outlined in Administrative Regulation 99-1. However, the regulation requires six months to have elapsed from the initial designation of the permit parking area before petitioning for withdrawal.</p>

NEW HAMPSHIRE GARDENS RESIDENTIAL PERMIT PARKING ZONE REQUEST

↔ Arrows denote permit parking zone area.



STAFF RECOMMENDED NEW HAMPSHIRE GARDENS RESIDENTIAL PERMIT PARKING ZONE

↔ Arrows denote permit parking zone area. This map excludes the church property at 7410 New Hampshire.



Introduced by:

First Reading:

Second Reading:

Effective Date:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2012-

**ESTABLISHING A RESIDENTIAL PERMIT PARKING AREA TO INCLUDE THE
7300-7500 BLOCKS OF NEW HAMPSHIRE AVENUE (WEST SIDE), THE 7300-7500
BLOCKS OF WILDWOOD DRIVE, THE 1100-1200 BLOCKS OF MERWOOD DRIVE,
AND THE 1200 BLOCK OF KINGWOOD DRIVE**

WHEREAS, pursuant to the provisions of Administrative Regulation No. 99-1 (by authority of *Takoma Park Code*, Title 13, Vehicles and Traffic, Section 13.20.030, Parking Permit Areas), residents of the 7300-7500 blocks of New Hampshire Avenue (west side), the 7300-7500 blocks of Wildwood Drive, the 1100-1200 blocks of Merwood Drive, and the 1200 block of Kingwood Drive have petitioned the Council to establish a new residential permit parking zone to include these blocks; and

WHEREAS, the petition was certified by the City Clerk as meeting the required percentage (at least 66%) of signatures from households in the subject area; and

WHEREAS, in addition to the certified petition, the petitioners are required to provide evidence to substantiate at least one factor (other than the desire of the residents in the area as demonstrated by signatures on the petition) being used in the evaluation process; and

WHEREAS, petitioners provided statements expressing concerns about the inadequacy of available on street parking for residents during nighttime hours; and

WHEREAS, the request was discussed and supported at the September 18, 2012 meeting of the New Hampshire Gardens Citizens' Association; and

WHEREAS, after proper notification, the City Council conducted a public hearing on October 22, 2012, to receive comments on the request; and

WHEREAS, petitioners indicated that finding on-street parking in their neighborhood is especially difficult in the evenings and at nighttime, parked vehicles block driveways, vehicles leaving the area late at night create a noise nuisance, and drivers leave trash and litter at the curb or in the street; and

WHEREAS, having heard the testimony and reviewed written comments received, the Council has determined that the evidence supports the establishment of Residential Permit Parking Zone 6 in portions of New Hampshire Gardens; and

WHEREAS, based on residents' testimony, the Council agrees that the hours of the residential permit parking restrictions should be expanded beyond the standard hours set forth in Administrative Regulation No. 99-1 so that the restricted hours for Zone 6 would be 7:00 p.m. to 7:00 a.m. seven days a week.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT:

SECTION 1. The 7300-7500 blocks of New Hampshire Avenue (west side), the 7300-7500 blocks of Wildwood Drive, the 1100-1200 blocks of Merwood Drive, and the 1200 block of Kingwood Drive in the City of Takoma Park are hereby established as Residential Permit Parking Area 6.

SECTION 2. The days and hours for the "parking by permit only" restrictions in Residential Permit Parking Area 6 shall be from 7:00 p.m. to 7:00 a.m. seven days a week.

SECTION 3. This ordinance shall become effective on January 14, 2013.

ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK THIS ____ DAY OF _____, 2012 BY ROLL-CALL VOTE AS FOLLOWS:

AYE:

NAY:

ABSENT:

ABSTAIN: