

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
Council Meeting Room
January 3, 1978
7:30 PM

Councilmembers Present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilwoman Medina
Councilman Ricks
Councilman Webb
City Administrator Gilsdorf

The meeting was called to order by Mayor Roth at 7:40 PM.

ADMINISTRATIVE REPORTS - City Administrator Gilsdorf briefed the Council on the following matters:

1. County Council Worksession on Text Amendment 77003. This worksession will be held on January 13, 10:00 AM, County Office Building, Rockville.
2. Suit Against Winchester-Takoma Apartments for Housing Code Violations. The Court case was not heard on December 30 as scheduled, the Council will be advised as to a rescheduled date. The City Administrator was directed to inform the Corporation Counsel in writing that the Mayor and Council urged his strongest action to secure the earliest possible court date.
3. Redesign of Site Plan for Sunoco Station at East-West Highway and New Hampshire Avenue. At citizen request, and in view of the short notice given to the City, the City Administrator was asked to request that this matter be deferred from the January 5, 1978 hearing date for at least a 10 day period to permit notification and input from the Lincoln Valley Citizens Association, neighbors, and other interested parties.

AGENDA ITEMS for January 9 Council Meeting

After discussion, it was decided that ordinances on citizen initiative for placing matters on the Council Agenda and on limiting the municipal tax rate to a levy that would produce no more than a 15% increase over the previous year should be placed on the January 9 Agenda for Council discussion.

Councilman Garcia advised that the Special Committee on multi-family housing will be offering their report at the January 9 Council meeting.

WORKSESSION

1/3/78

AGENDA ITEMS for January 23 Council Meeting

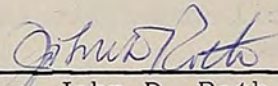
Housing Rehabilitation Guidelines for Historic Districts were briefly discussed and scheduled for the January 23 meeting.

Councilman Ricks and his committee will be prepared to make a report at the January 23 meeting on recommendations and comments on the Takoma-D. C. Plan.

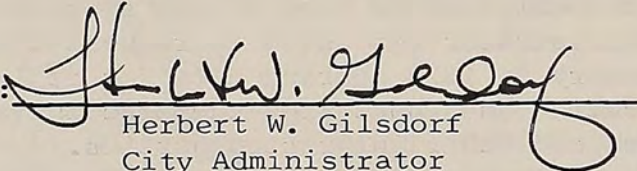
Classification of Cities. Mayor Roth reported that he will be attending a Maryland Municipal League mini-conference to decide whether or not the MML should include as a part of their 1978 Legislative Package a constitutional amendment to enable the General Assembly to classify cities on an "other than" population basis. The Council unanimously authorized the Mayor to vote favorably on this item. The Mayor further reported on the progress of the MML Legislative Action Committee (he is a member), putting particular interest on proposed legislation to regulate signs in municipalities and a levy of occupational fees for certain types of businesses inside city boundaries.

There being no further business to discuss, the meeting adjourned at 9:30 PM.

APPROVED: _____


John D. Roth
Mayor

ATTEST: _____


Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

January 9, 1978

City Officials Present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilwoman Medina
Councilman Nishimoto
Councilman Ricks
Councilman Webb

City Administrator Gilsdorf
Asst. City Administrator Nichols
Administrative Asst. Swinton
Corporation Counsel Gingerich
Asst. Corporation Counsel Hoffman

The Mayor and City Council of Takoma Park, met at 8:00 PM, January 9, 1978 in the Council Chambers, 7500 Maple Avenue, Takoma Park, Md. Following the pledge of allegiance to the flag, a motion to approve the minutes of the last meeting was made and duly seconded. Mayor Roth requested that a correction be made on page 9 concerning continuation; that the vote was not unanimous, but 5:2. With this correction, the minutes were approved.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Councilman Forshee questioned the logic behind not being allowed to make a deletion (at the 12-12-77 Council meeting) from the Council's recommendations to the County on the Zoning Text Amendment when, later on, items were added to it. Mayor Roth stated that at that time the Council was making a reaffirmation of their original statements and to delete something would be inconsistent with previous actions.

Mayor Roth noted a December 16 article in the Montgomery Journal which showed the average percentage of assessments in the County by election districts. Noted that the Bethesda and Potomac areas have a lower assessment than did the Takoma Park area; that these percentages represent a study done by Montgomery County citizens and officials and that these facts would be used in making recommendations to the assessment office. Recommended to the Council that a letter should be written, noting the inequity of the percentages. Upon motion by Councilman Nishimoto, duly seconded, the Council voted unanimously to contact the County Assessment office concerning this.

Announced that he would present a plaque to Vera and James Hash for their many contributions to the City, especially noting their work on the Independence Day Committee. The plaque reads--"The City of Takoma Park, Maryland honors Vera and James Hash for their many years of dedicated service to the Independence Day Committee and other activities in the City's interest. By the Mayor and Council, January 9, 1978."

Announced that the Takoma Park Volunteer Fire Department will be holding a ceremonial dinner in honor of Henry E. Marschalk for his 43 years of service;

that a resolution will be presented to him at that time to read as shown below.

R E S O L U T I O N

WHEREAS, on January 20, 1978, the Takoma Park Volunteer Fire Department, Inc. will honor Mr. Henry E. Marschalk, a member of their organization for over 43 years and a local resident since 1932, for his dedication to the safety of the citizens of Takoma Park, through his involvement in the fire service throughout the State of Maryland and the City of Takoma Park;
AND

WHEREAS, the Mayor and City Council wish to express their appreciation for the dedication and excellence of service provided by Mr. Marschalk who has served the citizens of our City for over 43 years, and will continue to do so.

NOW, THEREFORE, BE IT RESOLVED THAT a copy of this resolution be placed upon the permanent records of the City of Takoma Park, and that a copy be presented to Mr. Henry Marschalk and the Takoma Park Volunteer Fire Department, Inc. at the ceremonial dinner.

Upon motion by Mayor Roth, duly seconded, the Council approved the above resolution.

Stated that the tentative D. C. Plan for zoning around the Metro station has been prepared and that there is a copy of it in the City Office; that a committee has been formed (Councilman Ricks, chairman, Harold Phipps, and Richard Bernardi) and will be making recommendations at the January 23 Council meeting.

Announced that the Montgomery County Council and Executive will be holding a Public Hearing on the County's FY 78-79 Community Development Block Grant Application on Thursday, January 12, 1978, 8:00 PM, County Office Building, Rockville. Noted that he has asked to testify and urged citizens to attend; that the Block Grant funds are being used to improve many aspects of the City.

ADDITIONAL AGENDA ITEMS.

Discussion of Operation Turnaround Board - Councilman Nishimoto

CITIZENS' REMARKS

1. Phil Vogel, 7117 Garland Avenue: thanked the Council for postponing the hearing date for Special Exceptions #81 and #373, concerning the Sunoco Station at 6903 New Hampshire Avenue. Stated that the Longbranch-Sligo Citizens Association would ask the Council to support 3 conditions before endorsing the Special Exceptions: 1) that there be an additional planting strip along the New Hampshire Avenue side of the property; 2) that a smaller, more attractive sign be used, more in keeping with the residential community; and 3) perhaps a bond should be paid for assurance that the station would go along with the provisions of the Special Exceptions. Mayor Roth stated that these items would be considered.

2. Ellen Marsh, 7405 Maple Avenue: announced that the Takoma Theater is now under new management and would be showing Spanish and English films 3 days each a week and on Saturdays would have Kiddie Matinees; felt this would be a means of revitalizing that area and hoped that people would patronize it.
3. Sam Abbott, 7308 Birch Avenue: noted that in the same area that Mrs. Marsh was talking about, there are several new businesses that he hoped would improve the area. Stated that a walkway will be built from the corner of Cedar Street to the new Metro Station, also that there will be new street lights installed in this area. Referring to the 100 parking spaces located at the Metro Station, noted that 35 spaces are for handicapped parking and 65 spaces will be for off-hour shoppers; requested that these parking restrictions be strictly enforced. Stated that he had been informed that a briefing would take place in late January, early February concerning the Metro Impact Plan, questioned when it would be held. Mayor Roth said that he had not been informed of any briefing, but would try to find out about it. Councilman Nishimoto questioned Mr. Abbott as to what input he had on the permit parking for the area and was told that he had signed a petition to institute this; said he would also like to see the minibus service increased to facilitate the use of Metro. Mayor Roth noted that increased minibus routes have been put into the County's budget and also that there would be bike lockers for use.
4. Elaine LaVaute, 240 Park Avenue: stated that she felt that she was being unduly harassed by the Police Department; related an incident which led to that conclusion. Noted that she thought that this problem was actually a "neighbor" dispute, that the police should not have been involved.
5. Ralph Porter, 7108 Maple Avenue: thanked the Council for allowing Landlords-Tenants/PLUS to present their survey, although he was disappointed with the Council's decision to reaffirm their position on the multi-family housing issue. Questioned several items in the Multi-family Housing Committee's report--especially the fact that if landlords must conform to the several regulations included in the proposed registration process, it would put a financial burden on them if they eventually have to phase out.
6. Lou D'Ovidio, 7324 Piney Branch Road: read from a real estate listing which stated that two properties in the City are available for potential "townhouse ground," even though these properties are in single-family zones, requested that the Council investigate this. Stated that he has been told by Montgomery County that there will be 20 new minibus routes that would be in effect soon after Metro opens. Also noted that the D. C. DOT is planning to change 13th Street into a residential roadway; parking on both sides and two-way traffic at all times, this would also be effective on the Piney Branch Road section.
7. Cheryl Jones, 402 Tulip Avenue: noted a large patch of ice at the end of her driveway, requested that it be sanded. Stated that there is a car behind the Exxon Station on Carroll Avenue that is being disassembled gradually; that it is an eyesore, requested that something be done about it.

8. Bob Melvin, 7138 Carroll Avenue: reiterated Mrs. Marsh's comments about the Takoma Theater. Glad that Mayor and Council are concerned about the County's assessment ratio; noted that since many properties listed for sale are done on a computer print-out, thought that the City could request one done specifically on the Takoma Park area. Commented on the Multi-family Housing Committee's report; requested that some mention be made of the original 1954 registration list; that phase-out should be noted in the report; and that there should also be some citizen input into the report. Concerning the proposed square footage requirements in the Committee report, stated that the County assessment office has the square footage records for all properties; thought that the City might be able to obtain a listing by address. Referred to a January 7 article in the Post relating to median square footage size.

9. Lewis Porter, 7128 Willow Avenue: stated that the workings of the Multi-family Housing Committee's report have the majority of support from Landlords-Tenants/PLUS. However, questioned the following items concerning the report-- parking and neighborhood density.

10. John Fleming, 6909 Westmoreland Avenue: questioned the minimum square footage requirements in the Committee report; said BOCA Code requirements seem to fall below the report requirements. Mayor Roth stated that this report is only in the discussion stage now; that nothing has been finalized as of yet.

11. Ed Longen, 7516 Holly Avenue: thanked the Council for having Holly Avenue cleaned; stated that the construction company working on the new Takoma Park Elementary School is making efforts to keep it clean. Informed the Council of the deplorable condition of the property below the tennis courts at Takoma Park Junior High School; that trash and debris are accumulating on the lawn; requested that something be done about it.

12. Mary Ann Leary, 7301 Takoma Avenue: referred to the parking requirements in the Committee report, did not want to see landlords putting down asphalt in their yards just to conform to the requirements.

13. Joan Prosten, 7428 Carroll Avenue: suggested to the Council that the registration fee for apartments be increased enough to cover the administrative costs as well as the costs for appeals. Questioned items in the report prohibiting roomers in registered dwellings and the density requirements.

14. Elizabeth Amt, 7111 Sycamore Avenue: thought that the 50% density requirement in the report was much too high.

15. Stephanie Melvin, 7138 Carroll Avenue: questioned whether the Council intended to present this report to the County Council at their January 13 work-session and was told that the report is to be discussed further by the Council later in the meeting. Thought that if anything is presented to the County Council it should be made clear that it is preliminary; that phase out should be stated clearly in the criteria; also requested a delay in final action by the County until complete input from the City is developed in terms of criteria and until a study is done on the impact.

16. David Prosten, 7428 Carroll Avenue: questioned what the City Council has done to make clear the City's position on multi-family housing to the County. Mayor Roth stated that he had appeared before the County Council at their last worksession (11-4-77) and was rearranging his schedule to appear at the January 13 worksession.

17. Jim Holland, 19 Pine Avenue: was glad to hear that the Mayor would be attending the County Council worksession; commented on the parking requirements in the Committee report, stating that some families living in apartments have more than one car and that he did not like the thought of more asphalt driveways being installed to accommodate this. Also referred to the registration fees--questioned whether the highrise buildings had to pay this fee and was told that they did; Mr. Holland suggested that the fees might be raised to cover the costs of the inspectors' salary.

18. Allan Marsh, 7405 Maple Avenue: noted that he had suggested the raising of registration fees about 5 years ago, thought that \$200 per unit per year was appropriate. Questioned why fire code standards was not mentioned in the Committee report and was told that it was stated in the Council's first letter to the County Council.

19. Dorothy Porter, 7305 Maple Avenue: noted the fact that the highrise buildings pay less per unit than do the R-60 apartments; that the lowest fee is approximately \$1.50. Mayor Roth stated that the highrise buildings pay a "sliding fee"; lower rate for more apartments. Mrs. Porter requested that a study be done to compare the time spent on inspections, types of violations, and the amount of time to correct the violations between properly zoned units and R-60 units.

20. Bob Melvin: suggested that the Council not present the Committee report to the County at their worksession, but wait until it is in its final form; thought that Mrs. Porter's request was valid. Stated that he had been given estimates on the operation costs for a new inspector and secretarial help, that a \$100 per unit per year registration fee should cover these costs.

FINANCIAL STATEMENT

The City Administrator gave a brief summary of the City's financial status.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Robert Melvin, 7138 Carroll Avenue: Requested that the City's 1954 registration list be made available, because he thought that it would be an important document concerning the County's upcoming decision on Text Amendment No. 77003.

2. Elmer Moore, 1007 Elm Avenue: Stated that he was concerned about Linden Avenue at its intersection with Elm Avenue; that it is not an improved street and that residents in the area are parking their cars there. It is an area of concern because he thought that fire emergency vehicles could not get through if necessary because of the parked cars. He feels that it is the City's responsibility to maintain that street and he also stated that he has problems with access to his driveway which is located at this intersection.

3. Montgomery County Board of Appeals: Appeal Case No. A-445, appeal of Montgomery Community College, which charges administrative error on the part of Department of Environmental Protection for the denial of a demolition permit for the property located at 7700 Takoma Avenue (Carroll House). The appeal will be heard on January 19, 9:00 AM, COB, Rockville.

4. Prince George's County Board of Appeals: Appeal Case No. 5027, of Paul O. Davis, 1121 Holton Lane, for a side yard variance. The County Board of Appeals unanimously resolved that the variance be granted.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Report on court date on Winchester Takoma code violations. City Administrator Gilsdorf reported that December 30 was the scheduled date for the code violations to be heard, but that they had to be rescheduled. Stated that he had contacted the Corporation Counsel's office and requested that the earliest possible date be obtained for the rescheduled hearing. Councilman Ricks questioned whether access was obtained to apartments that weren't entered at the time of the full inspection and was told that some apartments have still not been inspected because no one has been home and that if the resident manager were to let inspectors in, it would leave the management open for a liability suit, but the access problem is still being worked on.

2. Board of Appeal action on Special Exception petition (S-591) of Washington Adventist Hospital to renovate physical facilities. The City Administrator reported that this Special Exception would include an addition, but would involve a reduction in the number of beds and staff; also an addition to the South wing of the hospital and the removal of the 1907 structure. Stated that the Special Exception has been granted with conditions, it was also noted that the new Shady Grove Adventist Hospital hopes to employ some of the staff that will be leaving Washington Adventist Hospital.

3. Report on Fall reinspection of Ordinance 1946 violations. City Administrator Gilsdorf reported that this year's reinspection compliance has been the most favorable compared to past years; listed the following percentages of compliance: 1975-45%, 1976-50%, and 1977-64%. Referred to the City's rehabilitation loans as a possible reason for the high compliance rate.

4. Ordinance authorizing 1978 City election and preparatory work. Upon motion by Councilman Nishimoto, duly seconded by Councilman Webb, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2455

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the City Clerk shall call a meeting of the citizens for the nominations for Mayor and Councilmembers at 8:00 PM, Tuesday, February 28, 1978, at the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland. The said meeting shall be conducted as prescribed in the City Charter; AND

SECTION 2. THAT there shall be a City Election for the purpose of electing a Mayor and seven Councilmembers at the Municipal Building, between the hours of 7:00 AM and 8:00 PM, Tuesday, March 28, 1978. The said election shall be conducted by means of voting machines and, as nearly as practicable, all laws and regulations governing the use of voting machines in Montgomery County elections shall apply in the said City Election. Absentee voting procedure shall be conducted in conformity with the City Charter, as amended; AND

SECTION 3. THAT the City Clerk shall make arrangements with the Board of Election Supervisors of Montgomery County for the use of eight voting machines at the said City Election, and shall arrange to have placed on each voting machine the names of all candidates nominated at the Citizens' Meeting on February 28, except any who may within three days thereafter have filed in writing with the City Clerk his/her refusal to have his/her name so placed; AND

SECTION 4. THAT the City Clerk shall cause a notice of the Citizens' Meeting and the City Election to be inserted in the Suburban Record and the Prince George's Post in February, two weeks prior to February 28, 1978. Clerk shall also cause the insertion in the Suburban Record and the Prince George's Post, on the **third** week in March, a facsimile of the arrangement of the names and wards on the voting machine; AND

SECTION 5. THAT the City clerk shall prepare cards bearing the names and addresses of all voters certified by the Boards of Election Supervisors of Montgomery and Prince George's Counties, and shall furnish such cards, along with certified lists from Boards of Election Supervisors, to the judges and Clerks of Election; AND

SECTION 6. THAT the City Clerk shall recommend to the Council the names of eighteen persons for designation by the Council as Judges and Clerks of the Election; AND

SECTION 7. THAT the City Clerk, with the assistance of the Chief of Police, shall see that the City Election is conducted in accordance with the provisions of this ordinance and the City Charter; AND

SECTION 8. THAT the Judges of Election shall meet in the Municipal Building, 7500 Maple Avenue, as a Board of Election, at 10:00 AM, Wednesday, March 29, 1978, and shall determine and certify the results of the election, as provided in the City Charter. The Council shall meet in Special Session to receive the Certification from the Judges at 8:00 PM, Wednesday, March 29, 1978.

5. Ordinance appropriating funds to cover enforcement of certain sections of Montgomery County's Fair Landlord-Tenant Relations Act in City (RSF). Upon motion by Councilman Ricks, duly seconded, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2456

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT on June 6, 1975, the Mayor and Council adopted a resolution authorizing the Montgomery County Office of Landlord-Tenant Affairs to enforce in the Montgomery County Section of Takoma Park, Articles I, II, IV and V of the Montgomery County Fair Landlord-Tenant Relations Act; AND

SECTION 2. THAT funds were set aside to cover this service in the FY-78 Federal Revenue Sharing proposed use schedule; AND

SECTION 3. THAT a bill has been received, with the sum of \$6,970.50 now being due and payable for a six month period.

SECTION 4. THEREFORE THAT funds in the amount of SIX THOUSAND, NINE HUNDRED SEVENTY DOLLARS AND FIFTY CENTS (\$6,970.50) be appropriated from the General Revenue Sharing Fund Account and transferred to the appropriate account for payment to the Montgomery County Office of Landlord-Tenant Affairs for the period January 1, 1978 through June 30, 1978.

6. Ordinance setting up procedure for handling citizen requests for placement of items on Council agenda. Upon motion by Councilman Nishimoto, duly seconded by Councilwoman Medina, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2457

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT Article 1, "Meetings and Procedures of the Council," contained in Chapter 2, "Administration," of the Code of Takoma Park, Md., 1972 (as amended), be amended by the addition of the following Section 2-2.1:

Sec. 2-2.1. Procedure for Handling Citizen Requests for Placing
Items on Council Agenda.

(a) The following procedure shall be followed:

- (1) Request to place an item on the agenda shall be in writing, in such manner as to clearly state the problem and thus avoid misunderstanding or misinterpretation.
- (2) Upon receipt of the written request, the Mayor and Council shall determine whether the item is one for further Council consideration or a matter which can be responded to in a follow-up letter, by a directive for action to staff, or by an administrative report at a future Council meeting.
- (3) If the matter does not lend itself to a clear resolution via the procedures delineated in (2), above, the Mayor and Council, at their next worksession, shall determine whether or not the matter should be placed on the Council agenda. The decision will be announced at the next regular Council meeting, the following possibilities being available:
 - (A) Placement of item on agenda immediately
 - (B) Placement of item on a future agenda for items of sufficient magnitude to warrant a public hearing, lengthy study, etc.
 - (C) Decision not to place item on agenda, in which case reason for decision will be stated at time of announcement.

SECTION 2. THAT this ordinance shall become effective upon adoption.

7. Proposed ordinance (charter amendment) limiting municipal tax levy increase to yield no more than 15% increase of previous year's levy proceeds; subject to referendum if fiscal needs should exceed such increase. Councilman Nishimoto moved that the ordinance be adopted, this was duly seconded by Councilman Forshee. The Council discussed the pros and cons of this ordinance, noting that the referendum vote to increase the levy is very costly and time consuming, also that the City Code limits any increase to a \$2.00 maximum. This ordinance was not adopted by the Council with the following roll call vote: AYE: Councilmembers Forshee and Nishimoto. NAY: Councilmembers Faulkner, Garcia, Medina, Ricks, and Webb. EXCUSED: None.

8. Authorization to solicit bids on Police Department radios and filing cabinets (RSF). A motion to approve this authorization was made and duly seconded and carried unanimously.

9. Consideration of Special Exceptions (#81 & #373) for revised site plan, Sunoco filling station, 6903 New Hampshire Avenue. (Hearing: District Council, County Administration Building, Upper Marlboro, 9:00 AM, 1-19-78). City Administrator Gilsdorf reported that these Special Exceptions would consist of tearing down the building that is now on the lot and replacing it with a modern "gas and go". Questionnaires mailed to residents and citizens associations in the nearby area; one response has been received and it was in opposition to the Special Exceptions. Councilman Faulkner made a motion not to object to the Special Exceptions with conditions, as stated earlier by Mr. Vogel, that a smaller sign be used in keeping with the residential area and that a planting strip be installed along the New Hampshire Avenue side of the property; Corporation Counsel stated that the bond mentioned by Mr. Vogel is not usually required in cases such as this. This motion was duly seconded by Councilman Garcia and approved unanimously by the Council.

10. Report of the multi-family housing standards and criteria committee to the Mayor and Council (Councilman Garcia). (NOTE: Copies of the report were distributed at the meeting and are available in the City Office.) The following points were brought out during Council discussion: no apartments above the 2nd floor because of the need for fire escapes, which are unsightly and not in keeping with the residential design; the fire code was not mentioned specifically in the report, since it applies to all buildings; the 1954 registration list was not referred to since the current registration list includes units registered in 1954 the item requiring a dwelling unit to have at least 2 rooms and a separate bath, would include a kitchen; registration fee would have to be increased to cover administrative costs, but no specific amount was decided upon; the room size should be comparable to that specified in the BOCA Code; the parking requirements were discussed--particularly the probability of asphaltting parts of lawns to meet requirements; the question of whether the City could legally enforce neighborhood density was brought up with the Corporation Counsel noting that the County would probably have to enforce this as part of their zoning authority. Councilwoman Medina suggested that a task force be formed to include members of the Department of Environmental Protection, Park and Planning, Councilmembers and citizens. Mayor Roth thought that this was a good idea; would also like to meet with Park and Planning officials and DEP to obtain their reactions to this report.

11. Report on recommendations vis-a-vis Montgomery County Bill 41-77--demolition of historic sites--of the Legislative Subcommittee, Montgomery County Citizens Advisory Committee on Historic Sites and Districts. Councilwoman Medina reported that an anti-demolition ordinance has been proposed for the protection of historic sites and districts, this emergency legislation was, for the most part, triggered by the proposed demolition of 7700 Takoma Avenue. Stated that three pieces of legislation were introduced on this matter, with all being quite similar. Noted that County Executive Gleason's Bill 41-77 would be the one that she would support with modifications to include a right of appeal through the County Board of Appeals, a stay of issuance of demolition permit until all avenues of appeal had been exhausted and also the decision of the director of DEP should be in writing and the findings should be sent immediately to all persons who had commented on the appeal. Councilwoman Medina made a motion

-11-

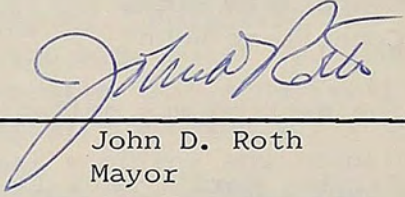
Council meeting minutes
January 9, 1978

that the City Council should direct a letter of support for Bill 41-77 to the County Council stating the modifications. This motion was duly seconded by Councilman Garcia and unanimously approved by the Council.

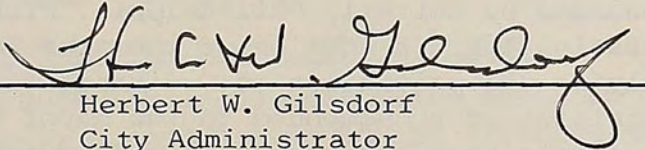
12. Councilman Nishimoto suggested that the Council consider alternatives for the apartments that may be eventually phased out. Recommended that they consider the possibility of using Operation Turnaround funds for renovation.

Upon motion, duly seconded, the meeting adjourned at 11:55 PM, to reconvene on Monday, January 23, 1978 at 8:00 PM.

APPROVED: _____


John D. Roth
Mayor

ATTEST: _____


Herbert W. Gilsdorf
City Administrator

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
Council Meeting Room
January 16, 1978
7:30 PM

Councilmembers Present:

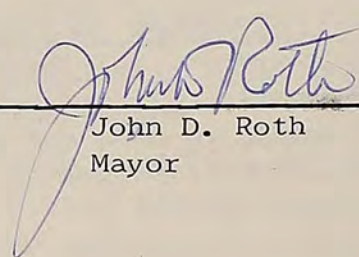
Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilwoman Medina
Councilman Nishimoto
Councilman Ricks
Councilman Webb

The meeting was called to order by Mayor Roth at 7:30 PM.

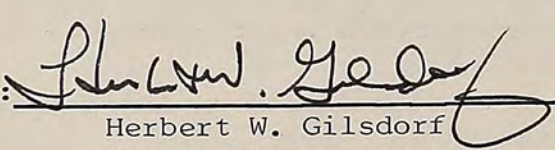
1. Parking Permit Area II. The City Administrator advised the Mayor and Council that the City has been officially presented with a petition from residents of the area roughly bounded by Carroll, Philadelphia, Piney Branch and Eastern Avenues requesting the designation of the area for parking by permit only. In applying the provisions of Ordinance #2382 to this situation, the City Administrator recommended to the Mayor and Council this particular parking permit area. Pursuant to this recommendation, the Mayor and Council voted unanimously to set a Public Hearing on this matter for January 30, 1978 and directed the City Administrator to notify all concerned parties as provided in the ordinance.
2. Draft Guidelines for Non-Criminal Ticketing. Mayor Roth advised the Council of a bill under discussion as part of the MML Legislative Package which would provide a system of non-criminal ticketing for the enforcement of City ordinances. This procedure is not yet in final form, but may well be before the General Assembly during this session of legislature.

At 8:00 PM, the Mayor and Council adjourned to attend a meeting with the Winchester-Takoma Tenants Association.

APPROVED: _____


John D. Roth
Mayor

ATTEST: _____


Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

January 23, 1978

City Officials Present:

Mayor Roth
 Councilman Faulkner
 Councilman Forshee
 Councilman Garcia
 Councilwoman Medina
 Councilman Nishimoto
 Councilman Ricks
 Councilman Webb

City Administrator Gilsdorf
 Asst. City Administrator Nichols
 City Clerk Pusti
 Administrative Asst. Swinton
 Police Chief Porter
 Recreation Director Ziegler
 Corporation Counsel Gingerich
 Asst. Corporation Counsel Hoffman

The Mayor and City Council of Takoma Park, met at 8:00 PM, January 23, 1978 in the Council Chambers, 7500 Maple Avenue, Takoma Park, Md. Following the pledge of allegiance to the flag, a motion to approve the minutes of the January 9, 1978 meeting was made and seconded. Mayor Roth requested that a correction be made on page 6, item 1, second sentence, noting that at the Council's request the City Administrator contacted the Corporation Counsel's office and requested the earliest possible hearing date be obtained. With this correction, the minutes were approved.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth announced that Metro would be having its ceremonial opening of the Takoma-D. C. and Silver Spring stations on February 3, 1978; that regular operation would commence on Monday, February 6. Invited all citizens to participate. Stated that there would be only 100 parking spaces at the Takoma-D. C. Station and they would be for handicapped and off-peak shoppers; no commuter parking will be available in the lot; he also noted other modes available to commuters for transportation to the stations: minibus service will increase, Kiss 'n Ride, bicycle lockers and also walking.

Announced that Prince George's County will be sponsoring a Consumer Awareness Fair at Prince George's Plaza on Saturday, January 28 from 10 AM to 5 PM. Noted the wide variety of booths that will be available to the public.

Noted the receipt of a letter from Alberta Townsend, Winchester-Takoma Tenants Association, requesting that the Council adopt a proposed ordinance requiring landlords to establish a security deposit system to be used when emergency situations pertaining to health and safety of tenants arise. Mayor Roth requested that this item be added to the agenda for introduction and first reading.

ADDITIONAL AGENDA ITEMS

- Options for rehabilitation at Winchester-Takoma - Councilwoman Medina.
- Discussion of Montgomery College use of the "pit" parking area - Councilwoman Medina.
- Request for report on the task force on multi-family standards and criteria - Councilwoman Medina.
- Discussion of proposed ordinance limiting the parking of over-sized vehicles - Councilwoman Medina.
- Recommendation that rehabilitation CDBG funds be used to assist the reconversion of multi-family to single-family - Councilwoman Medina.
- Review of proposed County ordinance pertaining to home occupations - Councilwoman Medina.

CITIZENS' REMARKS

1. Sam Abbott, 7308 Birch Avenue: questioned the propriety of the ~~trans-~~mittal of the Multi-family Housing Committee's report to County agencies before it was actually presented to the City Council. Mayor Roth stated that during the executive session of the last Council meeting, it was noted that copies of this report had been sent informally to County agencies for their reactions and at their request (see item 5, below). Mr. Abbott also objected to the absence of any mention of phase-out in the report.
2. Ralph Goetz, 956 East West Highway: stated that he is having problems with the parking in front of his house; that neighbors use the spaces and he has to park across the street; requested that the Council look into this matter.
3. Elizabeth Amt, 7111 Sycamore Avenue: read portions of a letter from Robert Melvin, Chairman, ZONE, which reiterated ZONE's position on the multi-family housing issue and requested that CDBG funds be used for reconversion of these homes back to single-family. Also stated that M-NCP&P would be supporting the phase-out position. Mayor Roth requested that this item be added to the agenda.
4. Charlene Cohen, 7815 Takoma Avenue: read a letter addressed to the Mayor and Council from P.I.T. (Preservation and Improvement in Takoma Park) that asked that the Council have the "pit" parking area that is now being used by Montgomery College students, returned to the City for use as a park. Asked that this item be added to the agenda, to which the Mayor and Council agreed.
5. Bernice Myers, 7212 Cedar Avenue: reiterated Mr. Abbott's point about having the Multi-family Housing Committee's report ~~tran~~smitted to County agencies. City Administrator Gilsdorf stated that the document in question was entitled "Multi-family Housing Committee Report to Mayor and Council" and that copies of the report had been sent to the agencies because ~~they~~ had been requested; the County was interested in what the Committee was developing; and that his own informal personalized note had been attached to each as the instrument of transmittal. Mrs. Myers also requested that the Council take action to have the "pit" parking area returned to the City.
6. Janet Berry, 815 Colby Avenue: requested that the Council attend to a parking problem in her neighborhood; that residents from the Aspen Court apartments park on Cherry Avenue, blocking the only access to Colby Avenue; that there are no parking restrictions on Cherry or Colby Avenues, parking on both sides. Mayor Roth directed Chief Porter to install temporary NO PARKING signs and that this item would be on the next agenda for permanent action.
7. Steve Burke, 521 Albany Avenue: reiterated requests to have the "pit" parking area returned to the City for use as a park.
8. David Prosten, 7428 Carroll Avenue: inquired about a rumor that a community center is proposed at 206 Lincoln Avenue. The Mayor and City Administrator stated that it was their understanding that Elder Thurber is trying to obtain community support for this center via the Neighborhood Together Community Congress; but that ~~any~~ such proposal would have to be approved by the County.
9. Dave Weisman, 7701 Takoma Avenue: stated that he is a member of P.I.T.; reiterated requests pertaining to the return of the "pit" parking area to the City; noted that the planned park would be a buffer between the Metro and the residents of the area.

10. Debbie Potter, 7515 Maple Avenue: questioned the Council on whether there is a City ordinance pertaining to the shoveling of sidewalks and was told that there is one; requested that this ordinance be enforced because many walkways have been left unshoveled.

11. Joseph Ferrier, 7413 Maple Avenue: requested that the City scrape the snow from the streets so as not to push it up against parked cars; thought that plows could push snow onto the side of the streets where there is no parking; especially noting Park Avenue.

12. Lou D'Ovidio, 7324 Piney Branch Road: questioned the Mayor as to any feedback from the computer print-out real estate listing that he had presented at the last Council meeting and was told that a letter had been written, but no response has been received. Stated that the idea for using CDBG funds for reconversion of multi-family units back to single-family is good. Announced that there will be a meeting of the 13th Street-Piney Branch Road Residents Coalition on February 9, Trinity Church at Logan Circle at 8:00 PM to discuss the reversion of 13th Street to residential parking; that many officials from both Maryland and D. C. will be attending; invited the Council to come.

13. Delores Stowell, 7704 Takoma Avenue: is a member of P.I.T.; concurred with other member requests for the return of the "pit" parking area to the City.

14. Alberta Townsend, 7620 Maple Avenue, #503: is member of Winchester-Takoma Tenants Association; stated that she represents the tenants of the building, noting that many have not had any heat for several weeks, rusty water is coming from the pipes, and also there are not many security locks for apartments. Requested that the Council consider adopting the draft ordinance which was presented to the Council earlier in the meeting, noting that if it is adopted, emergency situations, such as the heating problem at the Winchester-Takoma, could be taken care of without much red tape. Stated that a meeting is to be held on January 24 between the Tenants Association and the landlord, to be chaired by the Director of Montgomery County Landlord-Tenant Affairs, during which some sort of agreement is to be made to correct these problems; that the Tenants Association needs a strong answer from the Council about the proposed ordinance to take with them to the meeting.

15. Paddy Sigmon, 7667 Maple Avenue, #1101: stated that she has had no heat for the past three months and that her ceiling leaks in three places; that she has contacted the resident manager, who will bleed her radiators on occasion, but that afterwards the heat does not last more than 3 days at the most. It was noted by the City Administrator that the violations for her building are in the process of court action now, but that a code enforcement inspector would be sent over to investigate her complaints.

16. Phil Oakes, Montgomery County Tenants Association: stated that his association supports the Winchester-Takoma Tenants Association and thought that the City Council needed to take a strong stand with the owner of that building.

17. Veronica Stoltz, 7620 Maple Avenue: reiterated statements made by Ms. Townsend and asked that the Council take strong action to correct problems.

18. Don Ramsey, 8116 Roanoke Avenue: Noted that in the City Code it is stated that if there is any violation of the Code there is a \$100 fine that is charged day by day until the violation is corrected. Mayor Roth noted that this fine can only be imposed by the Courts and that it is \$100 per day maximum. Also indicated that although he did not oppose the security deposit concept, he would prefer voluntary compliance by the landlords.

19. Dennis Seekins, 8217 Roanoke Avenue: noted that "Second Notice Violations" are required to be posted in the building to which they apply; requested that they be posted in a public area visible to all tenants and prospective tenants.

20. Kathryn Simpson, 7300 Cedar Avenue: stated that she had discussed the multi-family issue with Royce Hanson of Park and Planning and that he told her that the Montgomery County Planning Board did not vote formally to support phase-out, but had agreed to consider it since the City Council had favored it.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Report on 7620 Maple Avenue. The City Administrator reported that the Mayor and Council had met with Winchester-Takoma Tenants Association on January 16 to discuss the problems the tenants are having. Noted that another meeting has been set up for January 24, 8:00 PM in the Municipal Building between the Tenants Association and the owner, Maurice Shapiro. Mr. Thomas Hamilton, Director, Montgomery County Landlord Tenant Affairs, will chair the meeting. This meeting is being called to obtain assurances from the owner that he will have the violations corrected. After further discussion, it was decided that the Mayor and Council would not participate in the meeting, since it was strictly a discussion between representatives of the Tenants Association and the owner and that Council's participation might prejudice the City's court action.

2. Opening of Takoma-D. C. Metro Station--February 3. City Administrator Gilsdorf reported that the Takoma-D. C. Metro station will have its ceremonial opening on Friday, February 3, with a dignitary train arriving at the station for a ribbon cutting ceremony, and then going on to the Silver Spring station for the major ceremony. Noted that free rides would be given between the Brookland and Silver Spring stations.

3. Petition for establishment of Parking Permit Area #2 in the general vicinity of the Metro Station. Public Hearing: 8:00 PM, January 30, Council Chamber. The City Administrator reported that this is the second area to be petitioned by citizens for a parking permit area. Mr. Gilsdorf stated that he had transmitted petitions to this effect to the Mayor and Council at their January 16 worksession. The Council discussed several points including the problem of permit parking around the businesses in that area and also the churches; the time limit for parking; an additional parking enforcement officer; and when to install the parking signs.

4. Closing snow report. City Administrator Gilsdorf reported that in the past 10 days, there have been 3 snow storms; that Public Works ran out of salt during that time, but he thought that most of the streets had been cleared fairly well.

5. First Reading of Proposed Security Deposit Ordinance. (see attached) Mayor Roth introduced the proposed ordinance for first reading and discussion by the Council, with the following points being raised: the probable unlikelihood of having work on violations commencing within 24 hours and being completed within 72 hours as stated in the ordinance (5.e.); pertaining to the Multiple Dwellings Emergency Commission required by the ordinance, it was noted that it should include members of the Council as well as citizens, landlords, and tenants and that these members should have some expertise in the area of maintenance; that the ordinance should be reviewed by the Council as a whole instead of a committee; the ordinance is to be reviewed by the Corporation Counsel and his recommendations should be presented to the Council before the next meeting. The Council agreed to have a second reading of this ordinance at the next Council meeting.

6. Report of special committee on the Takoma-D. C. plan for the Metro area.

Councilman Ricks gave background information and details on the plan and the rationale behind the recommendations of the committee. (Copies of the committee report are attached; a copy of the Takoma-D. C. plan is available in the City Administrator's office.) Mayor Roth appointed Councilman Ricks to represent the City Council in testifying at public hearing on this plan. Upon motion by Councilwoman Medina, duly seconded by Councilman Garcia, the Council approved the special committee's recommendations and asked that they be forwarded on to the D. C. Government.

7. "Pit" parking area.

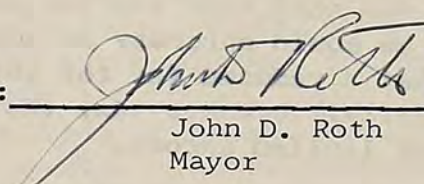
Upon motion by Councilman Nishimoto, duly seconded by Councilwoman Medina, the Council unanimously carried the motion to contact Montgomery College and ask that the "pit" parking area now being used as parking for students, be returned to the City for use as a park by March 3 in time for Spring planting.

8. Options for rehabilitation at Winchester-Takoma.

Councilwoman Medina stated that she has been in contact with Herb Levy, Planner, Montgomery County Community Development Office, to try and devise some long-term solutions for renovating Winchester-Takoma. The following options were noted: 1) seek refinancing for rehabilitation; 2) establish public authority (purchase by City/County) and rehabilitate and resell or retain for public housing; 3) four possibilities for private owner financing rehabilitation--a) purchase and conversion to condominium; b) purchase and rental at market value; c) cooperative ownership by tenants; and d) privately owned, subsidized housing. Also noted possible sources of financing--Montgomery County CDBG funds for multi-family rehabilitation; Montgomery County Section 8 funds as part of COG Fair Share; FHA 207 program for limited rehabilitation; FHA 223F program for modest rehabilitation; and Section 8 HUD monies used so that owner would be guaranteed market rent, tenants paying according to income, and difference subsidized. Councilwoman Medina made a motion, duly seconded, that the Council should establish a task force to study these proposals and give recommendations on which avenue to take. It was requested that this motion, because of its complexity, be put in writing. Mayor Roth stated that this item should be discussed more fully by the Council and requested that it be postponed until the next Council meeting. Councilwoman Medina agreed, and due to the lateness of the hour, requested that the remaining items added to the agenda be placed on the next Council meeting agenda for February 13.

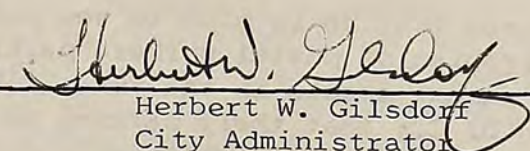
Upon motion, duly seconded, the meeting adjourned at 11:53 PM, to reconvene on Monday, February 13, 1978 at 8:00 PM.

APPROVED:



John D. Roth
Mayor

ATTEST:



Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING
PARKING PERMIT AREA #2
January 30, 1978

Present at the Hearing were: Mayor Roth, Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb; City Administrator Gilsdorf; City Clerk Pusti.

Mayor Roth stated that, upon his direction, the City Administrator had contacted citizens in the Metro area and recommended that they circulate petitions to be submitted for consideration of a parking permit area. Noted that the parking permit ordinance for North Takoma area was established in August, 1976, and that it was quite similar to the ordinance passed by Montgomery County, which was unsuccessfully challenged in the courts along with challenges on other similar ordinances, but that all were upheld by the U. S. Supreme Court as constitutional. This should give the City grounds for proceeding to establish a permit parking area around the Metro station if public hearing indicates that this is what citizens want. Listed the general boundaries as: East side of Piney Branch Road, South side of Eastern Avenue, North side of Carroll Avenue and the West side of Philadelphia Avenue. City Administrator Gilsdorf gave a brief summary of how the parking permit system operates.

CITIZENS' REMARKS

1. Rita Marth, 7308 Cedar Avenue: stated that she is in favor of establishing permit parking in the Metro area and that there is much citizen support for this ordinance.

2. Jim Barclay, representative, Takoma Park Presbyterian Church: stated that the Church foresees problems arising from having permit parking around the Church. Noting that there is a day care center housed in the building and also many activities that take place during the day. Also noted problems that might arise from parking around the post office.

3. Joseph Ferrier, 7413 Maple Avenue: is in favor of the permit parking area. Stated that his senior citizen group meets at the Presbyterian Church on Wednesdays and that he was confident that the Council could come up with a solution for the parking there.

4. Michael Bray, 7216 Holly Avenue: thought that without permit parking, the people using the Church would not have a place to park anyway. Noted that he has a maid that comes to his house regularly and doesn't live in the affected area; he was told that visitor permits would be issued with the parking permits and that he could purchase an additional one for employee. Mr. Bray also suggested that a reduced fee for the permits be used for senior citizens that qualify for the circuit breaker tax; that possibly the fee might be too high for them because of limited income.

5. Sam Abbott, 7308 Birch Avenue: stated that he is glad to see permit parking in Takoma Park. Referring to the problem of postal workers parking, suggested that possibly they could use the vacant spaces in the funeral home lots and also the Review and Herald lot, both in D. C.; that their parking problems are actually the concern of the post office since it is actually a D. C. facility. Also recommended car pools for patrons of the Church.

6. John Coffman, 7412 Birch Avenue: supports petition for permit parking and thinks that it is urgently needed. Noted the safety factor involved because present parking is already high, noting the usage of these streets by commuters who use the Metro busses.

7. Bernice Myers, 7212 Cedar Avenue: is in favor of the initiation of permit parking. Stated that postal employees already park solid on Cedar and Tulip Avenues and that traffic is also terrible on these streets.

8. Lou D'Ovidio, 7324 Piney Branch Road: in response to Mr. D'Ovidio's question, the City Administrator explained that Piney Branch Road residents (East side) may purchase permits for Permit Parking Area #2, just as those that live on the West side were permitted to purchase permits in Area #1.

9. Norma McCann, 7214 Holly Avenue: strongly supports the petition for a parking permit area; that it should be put into effect as soon as possible and that police should be strict in enforcing this ordinance. Questioned whether there was anything to prevent a resident of the area from giving/selling a visitor permit to a commuter.

10. Allan Marsh, 7405 Maple Avenue, speaking for Old Takoma Citizens Asso.: stated that his association supports the parking permit ordinance and hoped that it is put into effect as soon as possible.

11. Joe Ossi, 7215 Maple Avenue: noted that with less cars parked on the streets, there will probably be increased speeding.

12. Ralph Magee, 7203 Holly Avenue: is in favor of parking permit ordinance; suggested that it may be possible to issue permits in different colors for church groups.

13. Margaret Landgraf, 7405 Birch Avenue: stated that she is in favor of the parking permit ordinance.

The following are written communications received for testimony at the hearing:

Mrs. Evelyn Ferry, 24 Hickory Avenue, reiterated comments made regarding parking for the church groups. Mr. & Mrs. Charles Jewett, 214 Dogwood Avenue, stated that they supported the parking permit ordinance.

Mayor Roth noted that the testimony heard tonight was unanimously in support of the ordinance and he did not think there would be many negative communications. Upon motion by Councilman Nishimoto, duly seconded, and unanimously approved by the Council, the record of the public hearing was closed and the Council proceeded into their executive session. City Administrator Gilsdorf stated that most if not all of the residents in the affected area were notified about the proposed ordinance. Councilman Nishimoto made a motion that the Council enact the proposed parking permit ordinance, this was duly seconded by Councilwoman Medina, after which the Council discussed the following points: parking problems pertaining to the Presbyterian Church and the Post Office; the possibility of two hour parking in some areas, with the City Administrator pointing out the difficulties of enforcement and problems with tying up police manpower; and discussion of the parking permit fee. Councilman Forshee made a motion to have two hour parking in the area instead of permit parking as a means of solving the parking problem while permitting some parking. This motion failed for lack of a second.

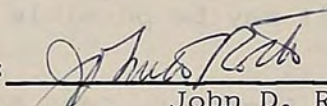
Mayor Roth moved that the \$5 permit parking fee be reduced to \$1 for citizens that are eligible for the Circuit Breaker Tax. This was duly seconded by Councilman Faulkner. When put to a vote, the motion failed with Councilman Nishimoto abstaining.

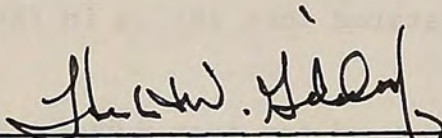
Following this discussion, the Council adopted Ordinance #2458 (attached) by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb. NAY: None. EXCUSED: None.

Upon motion by Councilman Webb, duly seconded by Councilman Garcia, the Parking Permit Area #2 Guidelines (attached) were unanimously approved by the Council.

In response to citizens requests earlier in the meeting, Councilwoman Medina asked that an evaluation be conducted to ascertain whether permit parking is effective enough to control parking in the Metro area; to decide if stronger measures are needed, e. g., totally blocking off some streets, "do not enter" signs (one way) against the traffic flow, etc. Councilwoman Medina suggested that a review be started approximately April 3; this would give the permit parking area a 2-months test. Mayor Roth agreed to this request.

There being no further business to discuss, the meeting adjourned at 9:50 PM.

APPROVED: 
John D. Roth
Mayor

ATTEST: 
Herbert W. Gilsdorf
City Administrator

1-30-78

ORDINANCE NO. 2458

WHEREAS, the Mayor and Council have found that the health, safety and welfare of certain groups of residents of the City of Takoma Park are adversely affected by conditions created by the existence of public facilities and, in recognition of this, amended the City Code to permit the establishment of Parking Permit Areas in residential sections of the City where such conditions are extant; AND

WHEREAS, pursuant to the provisions set forth in Sec. 13-63.1 of the Code of Takoma Park, Md., 1972, as amended, citizens in the Old Takoma section of the City have petitioned the Mayor and Council to establish a Parking Permit Area in the general vicinity of the Takoma Metro Station, citing the anticipated use of accessible parking space by non-resident commuters, coupled with intolerable levels of pollution and noise created by said non-resident commuters; AND

WHEREAS, the City Administrator, following a survey of the subject area, has determined that all criteria set forth in Sec. 13-63.1 of the City Code have been met and has recommended to the Mayor and Council that Parking Permit Area #2 be established.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
TAKOMA PARK, MD.

SECTION 1. THAT Parking Permit Area #2 be hereby established, said area to include streets lying within the following geographic boundaries: 7300 block of Piney Branch Road to Philadelphia Ave., Philadelphia Avenue to Carroll, Carroll Avenue to Eastern Avenue City boundary, Eastern Avenue to Piney Branch Road.

SECTION 2. THEREFORE, except where otherwise designated, parking on the following streets shall be restricted to vehicles displaying a proper parking permit between the hours of 8:00 AM to 5:00 PM, Monday through Friday: Tulip, Willow, Spruce, Park, Valley View, Birch, Barclay and Dogwood Avenues; Holt Place and Crescent Place; and the 7100-7400 blocks of Holly, Cedar and Maple Avenues; AND

SECTION 3. THAT the Police and Public Works Departments are hereby directed to work with the City Administrator to fully implement the directives of this ordinance at the earliest possible date; AND

SECTION 4. THAT permits will be sold annually at a cost of \$5.00 per year each by the Police Department. Such funds collected by the Police Department shall be deposited with the City Treasurer daily, along with a listing of the corresponding serial numbers of permits sold; AND

SECTION 5. THAT this ordinance shall become effective on February 6, 1978;
AND

SECTION 6. THAT all ordinances which conflict with the provisions of this ordinance are herewith repealed; AND

SECTION 7. FURTHER THAT the penalty for violation of the directives of Section 2 of this ordinance shall be as stated in Sec. 13-63.1 (i) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED BY THE MAYOR AND CITY COUNCIL JANUARY 30, 1978.

GUIDELINES

Parking Permit Area #2

It has been determined that the use of streets within residential areas for the parking of vehicles by persons using adjacent commercial, industrial, educational, and transit areas and other areas, facilities and programs emanating from planning, zoning and other decisions by government results in hazardous traffic conditions, the overburdening or potential overburdening of existing streets, roads and other facilities, air and noise pollution, and the inability of residents of certain areas to obtain adequate parking adjacent to or close by their places of residence and to secure ease of access to their places of residence. In order to reduce to the extent possible the aforementioned conditions, to foster the use of mass transit facilities and to promote the safety, peace, good order, comfort, convenience, health and welfare of the residents of the City, the Mayor and Council deemed it essential that parking permit authorization be provided, and amended the City Code by enactment of a new section 13-63.1, entitled "Parking Permit Areas."

Pursuant to Sec. 13-63.1 of the Code of Takoma Park, Md., 1972, as amended, the following guidelines for application of the Parking Permit Area #2 are hereby adopted:

I. Area

- A. The area to be considered for permit parking must be clearly defined as an area with specific boundaries, or an area defined by limits such as street names, streams, park land, railroad right-of-way, etc.
- B. Provision for residential parking permits will be considered only on an area basis and not for single block requests.

II. Request

The City Administrator shall receive a petition indicating that a majority of the residents (one signature per dwelling unit) desire their specific area to be established or removed as a Parking Permit Area.

Regulations to be as follows (illustrative purposes only):

PARKING BY PERMIT ONLY
8 AM to 5 PM
Monday - Friday

III. Justification

A. Off-Street Parking Deficiency

At least 25% of the dwelling units in the area requesting implementation of Permit Parking must have less than two off-street parking spaces.

B. On-Street Parking

Anticipated average curb space occupancy in the area requesting implementation of Permit Parking during the period cited must exceed 50%.

Potential non-residential parkers must make up at least 50% of the existing on-street parking population during the affected time in the area requesting implementation of Permit. This will be determined by on-site observation of arrivals:

IV. Hearing Procedures

A. This section will be administered by the Mayor and Council with assistance from the City Administrator.

B. Upon determination that an area applying for a parking permit restriction satisfies the criteria indicated in Section III, the following procedure shall be followed:

1. Notify applicant, residents in area, and the civic/citizens' association wherein the streets designated for parking are located of the City Administrator's findings.
2. Schedule the required public hearing
3. Prepare for the public hearing
4. Advertise the public hearing in a general circulation newspaper.
5. The Mayor and Council shall hold the public hearing.
6. Hold the hearing record open at the discretion of the Mayor and Council.
7. Mayor and Council shall issue statement of decision within 15 days of the close of the hearing record (30 days grace period is acceptable "for good cause shown").
8. Notify applicant, residents in area and civic/citizens' association(s) wherein the streets to be designated for Permit Parking Area, and publish information of the decision in a newspaper of general circulation.

V. ImplementationA. Signing

This section will be administered by the City Administrator with the assistance of the Police Department. The parking restriction signs shall read (for illustrative purposes only):

PARKING BY PERMIT ONLY

8 AM to 5 PM

Monday - Friday

B. Permit Fee and Distribution

1. Permits will be sold annually at a cost of \$5.00 per year each by the Police Department.
2. The permit shall be color coded to identify area. A serial number will be provided for identification and filing purposes.
3. The permit shall be affixed to the inside lower left hand corner of the rear window. For vehicles with no rear window, the permit shall be affixed so as to be seen clearly from the rear.
4. Permit application will require proof of residency within the designate area and proof of vehicle ownership (e.g., vehicle registration card).
5. One permit may be issued for each registered motor vehicle within the designated area. The vehicle registration number (license tag number) will be printed on the permit.
6. Permits for employees of residents working at a residence within the designated area may be obtained by the resident.

C. Visitor Permit

1. Two transferable visitor permits shall be issued per dwelling unit with initial sales for that unit or upon request. This permit shall be placed in visiting vehicles in a manner that is visible through the rear window.
2. Temporary visitor permits will be available in person or by telephone upon indication of residents' name, address and permit number. The duration of visitor permits (excluding transferable issued per C-1 above) will be seven days from date of issue and shall not be renewable.

- D. Non-resident emergency, commercial and/or service vehicles will be exempt from permit restrictions when conducting necessary activity within the area.
- E. Public utility and all governmental vehicles shall be exempt from permit restrictions when performing necessary work within the area.
- F. Non-motorized vehicles (e.g., trailer, boats, etc.) will not require nor be issued permits.

APPROVED BY THE MAYOR AND CITY COUNCIL JANUARY 30, 1978.