PURPOSE/SCOPE:

To provide written rules and procedures for the Residential Permit Parking Area petition process as provided for in Chapter 13, Vehicles and Traffic; Article 7, Stopping and Parking; Section 13-63.1, Parking permit areas, of the Takoma Park Code.

PROCEDURES:

I. Request for Designation of a Residential Permit Parking Area.

A request for institution of a parking permit system can be made by petition of the residents of a given area.

A. Petition Process.

1. Residents of an area (more than one block of a street or several adjacent streets) can submit a petition to the City Administrator (or his/her designee) indicating that the residents of 66% of the households in the area wish to establish a parking permit area. Only one signature per household will be accepted.

2. Single block requests shall only be considered if the block is adjacent to and adversely impacted by an existing permit parking area, and in such case, shall be considered as an extension of the existing area.

3. The petition shall include a description of the area for which the permit parking (defined by specific boundaries, e.g., a subdivision, or other area defined by limits such as street names, intersections, streams, parkland, railroad, etc.) is being requested and the preferred hours, from among those periods specified in Administrative Regulations, during which the area shall be regulated by permit parking (see Sec. I-C-1). The institution of a new permit parking area will only be considered on an area basis, not in the form of single block requests.

4. The petitioner(s) are required to provide evidence to substantiate at least one factor being used in the evaluation of the request (see II.B.1.) other than solely an indication of the desire of residents in the area (demonstrated by signatures on the petition) and which relates to the adequacy of available on-street parking and/or

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safety concerns. The following are provided as examples of things that might need to be taken into consideration: availability of off-street parking spaces; spill-over parking from adjacent commercial areas; and number of non-resident versus resident vehicles parked in the area during the proposed restricted hours.

5. Within 15 days after receipt of a petition, the City Clerk will certify the petition by determining the total number of eligible households in the area, verifying the signatures on the petition, and computing the percentage of households signing the petition. If that percentage is 66% (signatures from 2/3 of the eligible households) or greater, the City Clerk will inform the Mayor, who shall schedule a discussion of the request.

6. Prior to the petition being certified, a person may request in writing that his/her name be removed from the petition. However, once a petition is certified, a person may not remove his/her name from the petition, since it is the certification of the petition that initiates the process of consideration.

B. Citizens' Association Meeting / Information Sheet.

1. When a permit parking area request is made by petition, and after the petition is certified by the City Clerk, the City Clerk shall notify the citizens' association or associations in whose area the request is located, and shall instruct the petitioners to contact the citizens' associations most affected by the proposed permit parking area to request that the association place a discussion of the request on the association's next meeting agenda. If more than one citizens' association is affected, a joint meeting is encouraged.

2. If the citizens' association most affected by the proposed permit parking area meets within 60 days of the date the association is notified, the petitioners shall ask the citizens' association to discuss the proposed permit parking area at that meeting. The citizens' association may submit a letter to the City Clerk within the 60 days supporting, opposing or taking no position on the proposal. If the citizens' association does not submit a letter, no assumption shall be made about the position of the citizens' association on the proposal.

3. If the affected citizens' association does not meet within 60 days of the date the association is notified, or if there is no citizens' association covering the area where the proposed permit parking area would be located, the petitioners shall call a meeting to discuss the proposal. The president of the affected citizens' association, if one exists, shall be consulted about the time and place of the

meeting, but petitioners shall be responsible for notifying residents of the affected "traffic impact area" as defined by the Traffic Impact Areas map that is adopted as part of this regulation. The traffic impact area includes the residential arterial roads within and immediately surrounding the area. If there is no citizens' association in the area of the proposed permit parking area, the petitioners shall advise the City Clerk about the time and place of the meeting. Following the meeting, the petitioners shall provide a letter to the City Clerk indicating the number of people attending the meeting and the sentiment of the attendees toward the proposal.

4. In order to advertise the meeting, petitioners are encouraged to prepare a one-page information flyer concerning the request. This flyer should include a sketch and description of the area being proposed for a permit parking area and the hours during which the area would be regulated by permit parking, as indicated on the petition. A phone number of one of the petitioners to call for more information must also be provided. Petitioners are encouraged to distribute this flyer to residents of the affected "traffic impact area" as defined in Section I.B.3.

C. City Clerk Authorized to Develop Standard Form.

1. The City Clerk is authorized to develop and distribute a standard "Request for Residential Permit Parking Area" petition form. Residents petitioning for residential permit parking areas must use this form.

II. Procedure for Public Notice of Request and Scheduling of Public Hearing.

A. Conduct of Public Hearing.

1. After having been notified by the City Clerk that a certified petition requesting a residential permit parking area has been received, and after the requirements of Section I.B. have been complied with, the Council will schedule a public hearing to solicit the opinions of the entire neighborhood and the City at large.

2. The City Clerk shall send notice of the public hearing to all residents of the street(s) within the area which is proposed for permit parking, to the local neighborhood citizens' association, and to the adjoining neighborhood citizens' associations. The public hearing shall also be advertised in accordance with the provisions of Section 13-63.1(d).

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3. After conducting the public hearing and declaring the hearing record closed, the Council shall announce its decision within thirty (30) days of the close of the hearing record. The Council's decision shall be publicly announced in the same manner as the announcement of the public hearing (See II.A.2.).

B. Evaluation of the Public Hearing.

1. The following factors are intended to guide the Council in determining whether a request for a residential permit parking area is reasonable and justified; however, these should not be considered exclusive criteria. Pursuant to Section 13-63.1(c) the designation of a parking permit area shall take into account, among other things, the following:

(a) The effect on the safety of residents of the area under consideration from intensive use by nonresidents for parking of vehicles.

(b) The need of the residents of the area to obtain adequate on-street parking adjacent to or close by their places of residence.

(c) The difficulty or inability of residents of the area to secure adequate on-street parking adjacent to or close by their places of residence because of widespread use of available parking spaces in that area by nonresident transient motorists.

(d) The impact of major public facilities and programs on the health, safety and welfare of the residents of the area and any unreasonable burdens placed on those residents in securing adequate on-street parking and gaining access to their places of residence by virtue of such facilities and programs.

(e) The likelihood of alleviating, by use of a parking permit system, any problem of non-availability of residential parking spaces.

(f) The desire of the residents in the area for the institution of a parking permit system and the willingness of those residents to bear the administrative costs incidental to the issuance of permits authorized by Section 63.1 of the City Code.

(g) The fact that the residents of a contemplated parking permit area have contributed to the cost of construction and/or improvement of streets and

roads in such area either by the direct assessment of costs or indirectly to the extent such costs are reflected in purchase or rental prices paid by those residents.

(h) The need for some parking spaces to be available in the area under consideration for use by visitors and the general public.

(i) Such other factors as shall be deemed relevant.

III. Withdrawal of a Permit Parking Area.

Upon request of a majority of the households of an area within or the area as a whole which has been designated a permit parking area, and after six months have elapsed from the initial designation of the permit parking area, the Council may consider removing the permit parking restrictions. The request for withdrawal must be made by petition, subject to the procedures specified in Sections I.A. and I.B. above.

IV. Miscellaneous.

The parking restriction signs, permits (fees and distribution), and enforcement of residential permit parking areas shall be in accordance with Section 13-63.1 and any written regulations promulgated in accordance with this Section.

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PETITION TO THE TAKOMA PARK CITY ADMINISTRATOR FOR DESIGNATION OF A RESIDENTIAL PERMIT PARKING AREA

WE, The undersigned residents of the_____Blocks of_____,request the institution of a permit parking area for the residential area as described and illustrated on the attachment (please provide a written description and map of area for which the permit parking is being requested) for the following, preferred hours:

(Check one)

_____ 8 AM to 7 PM (Mon. - Fri.), _____ 7 PM to 8 AM (Mon. - Fri.), _____ 24 Hours (Mon. - Fri)

SIGNATURE	PRINT NAME	PRINT ADDRESS	PHONE #

NOTE: Attach evidence to substantiate at least one factor being used in the evaluation of the request and which relates to the adequacy of available on-street parking and/or safety concerns (See Admin. Reg. No. 99-1).

#1 Contact Person:_____Phone: (W) ( )_____/(H) ( )_____

#2 Contact Person:_____Phone: (W) ( )_____/(H) ( )_____

-OFFICE USE ONLY-

Received :_____ % Households:_____ Certified by:_____ Date:_____

Additional Information Attached:_____