

TOWN OF CHEVY CHASE
COUNCIL MEETING
TOWN HALL
February 19, 2020

COUNCIL WORK SESSION (6:00-7:00 p.m.)

The Town Council will hold a work session to discuss the regulation of accessory dwelling units in Town.

- I. GENERAL BUSINESS (7:00-7:15 p.m.)
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Approval of Minutes of January 8, 2020 Council Meeting and January 28, 2020 Council Work Session
 - D. Acceptance of January 2020 Financial Report
 - E. [Town Manager's Report](#)
 - F. Public Comments

- II. VARIANCE HEARINGS (7:15-7:45 p.m.)
 - A. [Avery/Byers, 6912 Woodside Place, Front Yard Fence](#)

- III. PUBLIC HEARINGS (7:45-8:30 p.m.)
 - A. [Public Hearing on a Resolution to Implement a New Traffic and Parking Management Plan for West Avenue](#)

- IV. COUNCIL DISCUSSIONS (8:30-9:45 p.m.)
 - A. Discussion and Possible Introduction of an Ordinance to Establish a Special School Zone Speed Limit on West Avenue
 - B. Discussion and Possible Introduction of an Ordinance to Amend Chapter 26 (Telecommunications) of the Town Code
 - C. Climate and Environment Committee Activities
 - D. Parking Enforcement

- V. ADJOURNMENT (9:45 p.m.)

MEMORANDUM

I-E

TO: Town Council
FR: Todd Hoffman, Town Manager
RE: Town Manager's Report
DATE: February 19, 2020

This report highlights some of the initiatives undertaken by Town staff over the past month. In the interest of brevity, I have not included ongoing staff functions. Please let me know if you have any questions or need additional information.

- Assisted with obtaining information, and responding to resident complaints and inquiries, related to the Purple Line project.
- Assisted the Long-Range Planning Committee with tracking Bethesda redevelopment projects.
- Met with members of the Land Use Committee to discuss Town building regulations related to setbacks.
- Assisted the Public Services Committee with responding to resident requests and inquiries regarding public safety, traffic and street lighting.
- Oversaw maintenance and repairs to the sustainable garden in Zimmerman Park, and assisted the Sustainable Garden team with planning additional improvements.
- Met with County Transportation officials to review and discuss plans for the Capital Crescent Surface Trail and Capital Crescent Trail Tunnel.
- Communicated with the State Highway Administration about traffic and pedestrian safety improvements on East West Highway and Bradley Lane.
- Met with officials from St. John's Church and Oneness-Family School to review and discuss proposed traffic and parking management plan for West Avenue.
- Met with Town's recycling collection contractor to discuss proposed changes to service levels and costs.
- Met with the Town's organic waste collection contractor to discuss service improvements.
- Toured the Montgomery County recycling facility with other municipal managers.
- Continued oversight of Town-wide traffic study.
- Continued oversight of Zimmerman Park redevelopment project.
- Continued oversight of Washington Gas main replacement work.
- Worked with Community Relations Committee on special events.

STAFF REPORT

II-A

TO: Town Council
FR: Todd Hoffman, Town Manager
RE: Avery/Byers, 6912 Woodside Place, Front Yard Fence
DATE: February 19, 2020

Variance Requested:

Kevin Avery and Bryonie Byers, 6912 Woodside Place, have applied for a variance from Town building regulations to construct a front yard fence as shown on the attached site plan. The fence is proposed to have a maximum height of 5 feet. Town building regulations prohibit the installation of fences in front yards; therefore, a variance is required.

Background:

The property is located at the intersection of Meadow Lane and Woodside Place and is a corner lot with two front yards. The proposed fence will replace a fence in the same location. The proposed fence has less fenestration than the existing fence. As of February 14, the Town has not received any correspondence related to the variance request.

Hardships Claimed by the Applicants:

1. The lot is unusually shaped and has other extraordinary conditions. There is no functional rear yard.
2. The variance is requested because conforming to the Town building ordinance would be impractical. The applicants need a secure fenced yard for the safety of their son and dog. The fence will also provide necessary privacy.
3. The fence is a replacement fence and will not be detrimental to the use and enjoyment of neighboring properties.
4. The request is the minimum necessary to meet the applicants' needs. The fence will replace an older fence which is in poor condition with a new fence.
5. The request will not cause substantial impairment to the intent, purpose and integrity of the general plan of the Town.

**Town of Chevy Chase
Parking Regulation and Order
(Portions of West Avenue)**

Resolution No.:
Introduced:
Adopted:
Effective Date:

SUBJECT: A RESOLUTION TO ADOPT REGULATIONS PROHIBITING PARKING ON CERTAIN SECTIONS OF WEST AVENUE, EXPANDING AN EXISTING PERMIT PARKING AREA ON THE BLOCK OF WEST AVENUE BETWEEN THE INTERSECTIONS OF BRADLEY LANE AND RIDGE STREET, AND CREATING A NEW PERMIT PARKING AREA ON THE 6800 BLOCK OF WEST AVENUE, AND TO AUTHORIZE THE TOWN MANAGER TO INSTALL AND MAINTAIN SIGNS IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AT APPROPRIATE LOCATIONS

WHEREAS, Section 26-301 of the Transportation Article of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Town of Chevy Chase, general power to adopt regulations concerning the parking of vehicles; the impounding of vehicles parked in violation of regulations; and the issuance of a citation for a violation of a regulation adopted under said authority; and

WHEREAS, Section 25-106 of the Transportation Article of the Maryland Code authorizes the placement and maintenance of those traffic control devices that a local authority considers necessary to carry out the provisions of the Maryland Vehicle Law or to regulate, warn, or guide traffic; and

WHEREAS, Section 15-19 of the Town of Code authorizes the Town Council, by resolution, to regulate vehicular parking on public streets or other areas in the Town; and

WHEREAS, Section 15-31(a) of the Town of Code authorizes the Town Council, by written order or regulation, to designate roads, streets and other areas within the Town in which the parking of vehicles may be restricted, in whole or in part, during certain specified times, to vehicles displaying valid parking permits or guest cards; and

WHEREAS, Section 15-32 of the Town of Code authorizes the Town Manager, following the designation of a parking permit area, to issue appropriate parking permits and cause parking signs to be posted; and

WHEREAS, concerns have been expressed to the Town about traffic safety on West Avenue, traffic congestion, parking difficulties, and the risks posed to students of the Oneness-Family School, at St. John's Episcopal Church; and

WHEREAS, in response to said concerns, the Town's traffic consultant, Joseph Cutro, P.E., in collaboration with the Town Public Services Committee, and in consultation with affected residents and school and church officials, has conducted an investigation of the traffic concerns and has recommended that the Town Council adopt the regulations set forth in this Resolution to improve traffic flow, control, pedestrian and motorist safety, and alleviate parking concerns; and

WHEREAS, as depicted on the attached plan, Mr. Cutro, and the Public Services Committee, recommend the following: (1) designation of a no parking area on a portion of the west side of West Avenue between the intersections of Bradley Lane and Ridge Street to prohibit the parking of vehicles on Monday through Friday, from 7:30 am to 5:00 pm, and expanding the existing permit parking area on said portion of the street to prohibit the parking of vehicles without parking permits or guest cards at any other time, except on Sundays; (2) re-designating the existing permit parking area on the east side of West Avenue between the intersections of Bradley Lane and Ridge Street to prohibit the parking of vehicles without parking permits or guest cards at any time, except on Sundays; (3) re-designating no parking areas on both sides of the West Avenue between the intersections of Bradley Lane and Ridge Street to prohibit parking at any time; and (4) establishing a new permit parking area on the west side of a portion of the 6800 block of West Avenue, and an area comprising one parking space located near the intersection of Bradley Lane and West Avenue, to prohibit the parking of vehicles without parking permits or guest cards, except on Sundays; and

WHEREAS, the Town Council introduced the following resolution in public session assembled on the ___ day of _____, 2020; and

WHEREAS, the Town Council held a public hearing on the following resolution in public session assembled on the ___ day of _____, 2020; and

WHEREAS, proper notice of the aforesaid public hearing was posted at the Town of Chevy Chase Town Hall on _____ 2020, more than 10 days prior to the hearing, setting forth the purpose of the hearing, the exact location and boundaries of the proposed permit parking areas under consideration and the reasons why the restrictions on parking are proposed, and such notice was also delivered to each resident within the confines of the proposed permit parking areas; and

WHEREAS, upon consideration of the recommendation of Mr. Cutro and the Public Services Committee, and the testimony and evidence presented at the public hearing, and considering the criteria set forth in Section 15-31(b) of the Town Code, the Town Council finds that:

1. The block of West Avenue between the intersections of Bradley Lane and Ridge Street is the Town street nearest the pedestrian entrance to Oneness-Family School at St. John's

Episcopal Church. Permit parking areas currently exist on the block of West Avenue between the intersections of Bradley Lane and Ridge Street, to address the intensive use of said block and the 6800 block of West Avenue for parking by non-residents employed at the church and school and for the stopping or standing of vehicles by non-residents dropping off or picking up students. Such use has created concerns relating to the safety of residents and children in the area, traffic congestion, as well as difficulty for residents to obtain adequate on-street parking adjacent to or close by their places of residence;

2. The institution of additional permit parking areas, including on the 6800 block of West Avenue, as proposed, is likely to alleviate current and anticipated problems of non-availability of residential parking spaces and safety and traffic control concerns;

3. An appropriate number of parking permits, as determined by the Town Manager, should be issued to the church and school;

4. The residents of the subject blocks of West Avenue have contributed to the cost of maintaining the subject street areas through the payment of property and income taxes; and

WHEREAS, based upon the foregoing findings, the Town Council concludes that implementing the recommendations detailed above will promote the public safety, peace, good order, comfort, convenience, health and welfare.

NOW, THEREFORE, the Town Council of the Town of Chevy Chase does hereby adopt the following regulations:

BE IT RESOLVED AND ORDERED, this __ day of _____, 2020, by the Town Council of the Town of Chevy Chase, Maryland, acting under and by virtue of the authority given it by the Maryland Code and Section 15-31 of the Town Code, that, as depicted on the attached plan:

1. With respect to the west side of West Avenue, from the intersection of West Avenue and Stanford Street to a point 135 feet south of such intersection, the parking of vehicles in the aforesaid area shall be restricted to vehicles displaying valid parking stickers or guest cards issued pursuant to Chapter 15 of the Chevy Chase Town Code, at any time, except on Sundays; and

2. With respect to the east side of West Avenue from a point 39 feet south of the intersection of West Avenue and Ridge Street to a point 87 feet south of such intersection, the parking of vehicles in the aforesaid area shall be restricted to vehicles displaying valid parking stickers or guest cards issued pursuant to Chapter 15 of the Chevy Chase Town Code, except on Sundays; and

3. With respect to the west side of West Avenue from a point 71 feet south of the intersection of West Avenue and Ridge Street to a point 35 feet north of the intersection of West Avenue and Bradley Lane, the parking of vehicles in the aforesaid area shall be prohibited Monday through Friday, from 7:30 am to 5:00 pm, and restricted to vehicles displaying valid

parking stickers or guest cards issued pursuant to Chapter 15 of the Chevy Chase Town Code, at all other times, except on Sundays; and

4. With respect to the west side of West Avenue from the intersection of West Avenue and Bradley Lane to a point 35 feet north of such intersection, the parking of vehicles in the aforesaid area shall be restricted to vehicles displaying valid parking stickers or guest cards issued pursuant to Chapter 15 of the Chevy Chase Town Code, at any time, except on Sundays; and

5. An appropriate number of parking permits, as determined by the Town Manager, may be issued to the church and school. One space shall be reserved for use by the church on the west side of West Avenue, immediately south of the intersection of West Avenue and Ridge Street; and

6. The Town Manager is hereby authorized and directed to implement and administer this regulation and order.

BE IT FURTHER RESOLVED, this ___ day of _____, 2020, by the Town Council of the Town of Chevy Chase, Maryland, acting under and by virtue of the authority given it by the Maryland Code and Section 15-19 of the Town Code, that:

1. The parking of vehicles on the west side of West Avenue from a point 44 feet south of the intersection of West Avenue and Ridge Street to a point 71 feet south of said intersection, is prohibited;

2. The parking of vehicles on the west side of West Avenue from a point 71 feet south of the intersection of West Avenue and Ridge Street to a point 35 feet north of the intersection of West Avenue and Bradley Lane, is prohibited Monday through Friday, from 7:30 am to 5:00 pm;

3. The parking of vehicles on the east side of West Avenue from the intersection of West Avenue and Ridge Street to a point 39 feet south of said intersection, is prohibited; and

4. The parking of vehicles on the east side of West Avenue from a point 87 feet south of the intersection of West Avenue and Ridge Street to the intersection of West Avenue and Bradley Lane, is prohibited.

BE IT FURTHER RESOLVED that the foregoing resolution shall take effect upon its adoption, or as soon thereafter as signs are posted in accordance with this resolution.

I, Wicca Davidson, Secretary of the Town Council of the Town of Chevy Chase, hereby certify that the foregoing Resolution was adopted by the Town Council at its meeting on the ___ day of _____, 2020.

Wicca Davidson, Secretary

Existing Conditions

Current Parking Restrictions

1. Permit parking except Sunday (purple)
2. No Parking anytime (red)
3. No Parking 8-4, M-F (magenta)
- Space reserved for the church (blue)
4. Permit parking only 9-5, M-F (green)
5. Handicapped space (light pink)
6. Authorized Parking 8-4 (yellow)



West Avenue Proposed Traffic Plan

Traffic Calming Measure:
Create a 15 m.p.h. school zone in the 4400 block of West Avenue

Parking Legend

1. Permit parking except Sunday (purple)
2. No Parking anytime (red)
3. Space reserved for the church (blue)
4. Handicapped space (pink)
5. No parking M-F 7:30 a.m. to 5:00 p.m. Permit parking all other times except Sunday. (yellow)

Miscellaneous:

1. Install pavement marking denoting the handicapped space
2. Install hatched pavement markings in front of the curb entrance to the church

School pick-up and drop-off:

Cars will be queued on the west side of West Avenue in the areas shown in yellow and black

Permits:

The church is currently given 11 parking permits
The school may be issued a limited number of permits (TBD)

