



June 9, 2009

## MCCF Testimony to County Council on ZTA 09-03, Home Occupation - Residential Parking

I am Jim Humphrey, testifying on behalf of the Montgomery County Civic Federation as Chair of the Planning and Land Use Committee. We are generally supportive of the purposes of ZTA 09-03 to strengthen the sections of the County Code relating to home occupations and residential parking. We ask that Council members consider the Federation's concerns regarding the following three issues.

- In the case of a renter-occupant operating a registered home-based business, we suggest that written agreement of the property owner be a requirement of the application.
- As to the percentage of paving to be allowed in front yards in certain residential zones, we are concerned that the 50% limit placed on properties with primary access from a state road, primary residential street or minor arterial road is too high, particularly for certain R-90 zoned lots with small front yards or on undersized R-60 zoned lots in older, established down county neighborhoods.
- We recommend amendments to Footnote 12 (line 582 of the bill) be changed to require parking on a surfaced area anywhere on a lot in the affected zones, not just in the front yard. Also, while language in Footnote 12 allows temporary parking on any area for visitors, loading, unloading, or cleaning vehicles or trailers, there is no definition of "temporary parking" in the definitions section of Chapter 59. We therefore suggest that the following definition be added to Sec.59-A-2.1 of the County Code, the definitions section of the zoning ordinance: "*Temporary parking*. Parking that is irregular and infrequent, or cyclical parking occurring over no more than a single period, which is no longer than 60 days in length, in any calendar year."

As always, the Federation stands ready to assist Council members in your consideration of this legislation. Thank you.