

MEMORANDUM

TO: Mayor and Town Council

FROM: Roger L. Stancil, Town Manager

SUBJECT: Land Use Management Ordinance Text Amendment – Recreation Requirements and Payments in Lieu

DATE: May 18, 2009

PURPOSE

Tonight, the Council continues the April 20, 2009 public hearing [<http://townhall.townofchapelhill.org/agendas/2009/04/20/2/>] for a proposed Land Use Management Ordinance text amendment regarding text amendment changes to various sections of Article 5.5 (Recreation) of the Land Use Management Ordinance and related definitions.

The public hearing has been continued to receive public comment about the proposed text amendment. The purpose of this cover memorandum is to forward my recommendation to the Council.

MANAGER'S RECOMMENDATION

I have reviewed and discussed the key issues with Town staff. Based on the information in the record to date, I believe that the proposed Land Use Management Ordinance text amendment changes would provide a number of benefits to the community including:

- Give the Council flexibility to either require Recreation Area dedications or payments in lieu of such dedications if the amount of land in question is 4 acres or less. Currently, the Council can only require payments in lieu if the area is 2 acres or less.
- Give the Council, for the first time, the flexibility to either require recreation space dedications or payments in lieu of such dedications. Currently the Council cannot require payments in lieu of Recreation Space.
- Increase clarity throughout section 5.5 of the Land Use Management Ordinance.
- Provide a definition for Recreation Area. Such a definition does not currently exist.
- Revise the definition of Recreation Space to provide greater clarity and give examples of what constitutes acceptable Recreation Space improvements.

I recommend that the Council enact the attached ordinance that would modify various sections of Article 5.5 (Recreation) of the Land Use Management Ordinance and related definitions.