



CONSIDER AN AMENDMENT TO LAND USE MANAGEMENT ORDINANCE: SECTION 5.8.1 REGARDING PAYMENTS-IN-LIEU OF BICYCLE AND PEDESTRIAN INFRASTRUCTURE

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
 Colleen Willger, Director
 Bergen Watterson, Transportation Planning Manager
 Josh Mayo, Transportation Planner I

| | |
|--|---|
| <p>AMENDMENT REQUEST</p> <p>Amend Article 5, Section 5.8.1 of the Land Use Management Ordinance to provide guidance on when and how to accept payments-in-lieu from developments for bicycle and pedestrian infrastructure.</p> | <p>DATE</p> <p>April 6, 2022</p> |
| <p>STAFF RECOMMENDATION</p> <p>That Council open the legislative hearing on the Land Use Management Ordinance (LUMO) text amendment, receive public comment, and continue the hearing to May 4th.</p> | |
| <p>PROCESS</p> <p>The item before the Council is for approval of a Land Use Management Ordinance Text Amendment. The Council must consider whether one or more of the three findings for enactment of the Land Use Management Ordinance Text Amendment applies:</p> <ol style="list-style-type: none"> 1. To correct a manifest error in the chapter; or 2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or 3. To achieve the purposes of the Comprehensive Plan. <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> <ol style="list-style-type: none"> 1 2 3 4 5 </div> <div> <ul style="list-style-type: none"> • Response to Planning Commission Petition • Call the Legislative Hearing • Planning Commission Review • Legislative Hearing • Consider Action on Text Amendment </div> </div> | |
| <p>DECISION POINTS</p> <p>Tonight’s proposal is to amend the Access and Circulation section (Section 5.8.1) of the Land Use Management Ordinance to include the following changes:</p> <p>5.8.1 (f) – Revise the ordinance to have section (f) to address payments-in-lieu when extending bicycle and pedestrian facilities are not practicable.</p> | |



TECHNICAL REPORT: TEXT AMENDMENT FOR PAYMENTS-IN-LIEU OF BICYCLE AND PEDESTRIAN INFRASTRUCTURE

The following is a summary of the proposed text amendments that would amend the Land Use Management Ordinance to address payments-in-lieu for bicycle and pedestrian infrastructure:

1. Amend Section 5.8.1 (e) to establish a procedure for applicants to make payments-in-lieu of constructing bicycle and pedestrian infrastructure

This amendment would establish that payments are acceptable for sidewalks and bicycle improvements when constructing those improvements is not practicable.

This amendment establishes that payments-in-lieu of bicycle and pedestrian infrastructure should be equivalent to the average cost to construct a sidewalk/bike lane for the length of the property's frontage (eg: a property with 200 feet of frontage that is pursuing a payment-in-lieu of constructing a sidewalk should provide a payment equivalent to the average cost to construct 200 feet of sidewalk in similar conditions)

BACKGROUND AND NEXT STEPS

| | |
|-------------------|--|
| February 22, 2022 | Transportation and Connectivity Advisory Board review and recommendation of payment-in-lieu text amendment |
| March 9, 2022 | Council calls a legislative hearing to consider the payment-in-lieu text amendment |
| March 15, 2022 | Planning Commission review and recommendation of payment-in-lieu text amendment |
| April 6, 2022 | Council legislative hearing to consider payment-in-lieu amendment |
| May 4, 2022 | Council to consider adopting payment-in-lieu amendment |