

Petition to Chapel Hill Town Council regarding payments in lieu for pedestrian/biking improvements

In the past year, the Planning Commission has received requests from different applicants to not be required to install sidewalks or bikes lanes or to make a payment in lieu for these improvements. Reasons given by applicants when requesting the waivers have included:

- Improvements at a project site are unnecessary because there are no sidewalks/bike lanes nearby to connect to and the town has no imminent plans to install infrastructure nearby that would enable connectivity;
- Improvements would be too costly, especially for small-scale, affordable housing projects;
- Site terrain or characteristics of the public right-of-way would make installation of improvements difficult or impossible;
- Neighbors do not want or would not use the improvements;
- Adding improvements to a project located in a neighborhood without the improvements elsewhere would result in a project out of character with the neighborhood.

While noting that applicants often have valid reasons for requesting a waiver, several Commission members have expressed concerns about:

- Inconsistently requiring improvements or a payment in lieu to be made by applicants;
- Approving projects that may not support Council's connectivity goals;
- Lacking sufficient information about how payments in lieu have been used in the past or could be used in the future to promote connectivity.

To help the Planning Commission more consistently determine if and when an applicant's request to be waived from requirements related to sidewalk or bike lane improvements, **we request that Council make town staff available to collect and share information regarding the payment in lieu process and how payments received by the Town have been used (or not).** More specifically, we request that town staff research:

1. How payments in lieu in the recent past (10 years) have been used or not used, including:
 - a. Number, location, and date of approval of projects that made payments in lieu;
 - b. Value of payments in lieu made by project;
 - c. Value of payments in lieu applied to other improvements by project;
 - d. Value of payments returned to applicant by project, and why the funds were returned;
 - e. Location of improvements made with payment in lieu funds in relation to (distance from) the project that generated the payment in lieu.
2. Statutory limitations on how payments in lieu can be used, such as use within a set amount of time or within a certain proximity of a project supplying a payment.

3. The possibility of having a regularly-updated GIS tool or database of potential sidewalk or bike lane projects to which payment in lieu funds might be applied.

We appreciate your consideration of this request and look forward to working with Council and town staff to better understand how to consistently and effectively support connectivity in Chapel Hill.

The Town of Chapel Hill Planning Commission