Item Title: Modification to the Former Recreation Land Area Contributions Ordinance

Specific Action Requested:

That the Board of Commissioners eliminates the 3-mile restriction requirement in the former Recreation Land Area Contributions Ordinance, thus allowing the funds to be spent County-wide.

Item Summary:

Purpose: The Board of Commissioners are responsible for financial policy and adopting ordinances.

Background: Wake County established the Recreation Land Area Contributions Ordinance in 2002 to provide a tool to meet the demand for recreational space generated by residential development. The ordinance required that new residential subdivisions contribute an area equivalent to 1/35 acre per platted lot or pay a fee in lieu of equal value.

The ordinance, which was ended in 2011, led to the collection of $1,767,779 through the payment option. However, of the total collected, only about $400,000 was spent by the County to acquire land. This leaves a current balance of $1,360,820. This lack of spending is due to the restriction in which expenditure of the money must be spent only on land acquisition generally within a three-mile radius from where the money was collected.

At this time, staff recommends eliminating the 3-mile restriction thus allowing the funds to be used County-wide to acquire park and open space land acquisition. Staff will apply the balance of fees to acquire recreation and open space land as intended.

Board Goal: This action supports routine County operations.

Fiscal Impact: This action would loosen the geographic restriction on existing funds in the County CIP. No new funds would be generated and the existing would still be used to acquire recreation and open space land as intended.

Additional Information:

Wake County established the Recreation Land Area Contributions ordinance in 2002 to provide a tool to meet demand for recreation space and facilities generated by residential

development. The ordinance required new residential subdivisions contribute an area equivalent to 1/35 acre per platted lot or pay a fee in lieu equal to the land value. Staff were authorized to specify on a case by case basis which method of contribution was acceptable, land dedication or payment of fee. Since the inception of the ordinance in 2002, 154 acres has been dedicated and $1,767,779 has been collected through the payment option.

The County eliminated the Recreation Land Area Contributions Ordinance in 2011, citing the following reasons:

- The ordinance is not serving its original intent of acquiring park land and open space.
- The Open Space program, in comparison to the Recreation Land Area Contributions ordinance, is a much more effective approach for protecting open space.
- The County has been committed to funding park land acquisition and facility upgrades through general fund appropriations.
- The County has been committed to partnering with municipalities through the Community Use of Schools Program.
- Elimination of the ordinance will provide immediate financial relief to the residential development community. The ordinance was eliminated as the 2008/2009 economic downturn continued.
- Elimination of the ordinance does not compromise the County's policies, goals, or objectives.

With the ordinance elimination, no new funds were generated, and staff were directed to utilize the existing funds as the ordinance directed – to acquire recreation and open space land within 3-miles of where the funds were collected.

However, of the $1,767,779 in total fees collected, only slightly more than $400,000 have been spent by the County to acquire land (current fund balance of $1,360,819.99). This lack of spending is due most notably to the restriction in which expenditure of the money must be spent within a three-mile radius from where the money was collected.

At this time, staff recommends eliminating the 3-mile restriction thus allowing the funds to be used County-wide to acquire park and open space land thus continuing our goal of providing large natural resource based park facilities and recreation opportunities, preserving open space, generating an interconnected system of green spaces, supporting a clean water supply, and promoting biologically diverse landscapes.

Attachments:
None.