OV710-01 Amendment to Section 26.5 Provision of Recreational Area
9/10/10 DRAFT

NOTE: Language to be added is ALL CAPS. Language to be deleted is ~~struck~~

A. ~~Requirement~~ APPLICABILITY

1. The provision of recreational facilities shall be required of all residential subdivisions.

2. SECTION 26.5.B.2 SHALL APPLY TO ALL NEW DEVELOPMENT THAT REQUIRES A GENERAL PLAN AMENDMENT , REZONING, NEW PLANNED AREA DEVELOPMENT OR PLANNED AREA DEVELOPMENT AMENDMENT.

3. THE RECREATIONAL AREA PLAN SHALL BE SUBMITTED AT THE TIME OF PRELIMINARY PLAT SUBMITTAL AND SHALL BE REVIEWED BY TOWN COUNCIL CONCURRENT WITH THE PRELIMINARY PLAT.

B. Minimum Recreation Area Standards

1. TIER I: FOR PROPERTIES WITH EXISTING ZONING ENTITLEMENTS, an area shall be devoted to and designated as “recreational area” on the final subdivision plat which equals a ratio of one acre to EVERY 85 dwelling units.

2. TIER II: FOR PROPERTIES THAT REQUIRE GENERAL PLAN AMENDMENT, REZONING, NEW PLANNED AREA DEVELOPMENT OR PLANNED AREA DEVELOPMENT AMENDMENT, AN AREA SHALL BE DEVOTED TO AND DESIGNATED AS “RECREATIONAL AREA” ON THE FINAL SUBDIVISION PLAT WHICH EQUALS A RATIO OF ONE ACRE TO 45 DWELLING UNITS.

3. The recreational area shall be usable and accessible by all subdivision residents~~. Consideration shall be given to providing~~ AND SHALL PROVIDE amenities that best serve the needs of a broad user base OF VARIOUS DEMOGRAPHIC AND ACTIVITY LEVELS.

4. Credit FOR THE RECREATIONAL AREA may be obtained only when the following criteria ~~is~~ ARE met:

   a. The area is abutting a usable public park ~~site~~ FACILITY.

   b. The area shall be determined ~~a~~ TO CONTAIN SIGNIFICANT, unique and desirable ENVIRONMENTAL OR CULTURAL featureS for the Town and the public good.

   c. The area shall be delineated as Common Area, designated with a Conservation Easement, with ownership to be held in common by the Homeowners Association or the Town.

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C. Recreational Area Plan Submittal and Approval

1. The ~~developer~~ SUBDIVIDER shall submit a Recreational Area Plan as part of the preliminary plat. This recreational plan shall include minimum improvements for recreational purposes as required by ~~this~~ subsection D.

D. RECREATIONAL AREA PLAN STANDARDS

1. SITE LOCATION

A. RECREATIONAL AREAS SHALL BE A FOCAL POINT FOR PASSIVE AND ACTIVE RECREATIONAL ACTIVITIES, AS WELL AS PROVIDING A MEANINGFUL PLACE FOR NEIGHBORHOOD GATHERINGS AND ACTIVITIES. RECREATION AREAS SHALL BE PLACED IN A HIGHLY VISIBLE, CENTRALLY LOCATED AREA OF THE SUBDIVISION THAT IS EASILY ACCESSIBLE VIA SIDEWALK, WALKING PATH, TRAIL, AND/OR BICYCLE OR SHARED USE PATH BY ALL HOMES WITHIN THE SUBDIVISION.

B. CONSIDERATION SHALL BE GIVEN TO PRESERVING AND ENHANCING DISTINCTIVE VIEWS FOR HOMEOWNERS AND RECREATION AREA USERS. PASSIVE RECREATION AREAS SHOULD BE LOCATED IN PROXIMITY TO NATURAL OPEN SPACE AREAS AND UNDISTURBED ENVIRONMENTALLY SENSITIVE LANDS.

~~A.~~ C. Recreational areas shall not include land~~,~~ such as peaks, ridges, land fragments, land restricted by town policy, condition or ordinance, and land determined unusable for recreational purposes by the ~~Mayor and Town Council~~ TOWN ENGINEERIN, PLANNING DIVISION MANAGER (PDM), PARKS, RECREATION, LIBRARY, AND CULTURAL RESOURCES DEPARTMENT (PRLCR) DIRECTOR. Shallow retention basins (flood prone areas) may be accepted for use as recreational areas subject to ~~recommendations~~ DETERMINATION by the AFOREMENTIONED DEPARTMENTS and acceptance by the Town Council.

~~B~~. D. Upon review and recommendation~~s~~ from the ~~Parks and Recreation Advisory Board~~ PLANNING DIVISION MANAGER, TOWN ENGINEER, AND DEVELOPMENT REVIEW BOARD, the Town Council may allow environmentally sensitive areas, such as peaks, RIDGES, steep slopes (GREATER THAN 15%) or flood prone areas, to be protected and dedicated to the Homeowners Association or the Town per the CURRENTLY adopted Parks, Open Space and Trails Master Plan. ~~The applicant may receive a credit for this property at a 3:1 ratio for a maximum of fifty percent (50%) of the required recreational area~~.

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~~E. If the recreational area is to be held in private ownership, The plan shall show all recreational improvements, including structures and facilities. Recreational improvements shall provide amenities appropriate to the neighborhood character including but not limited to the following: Projected AND Demographic profile of the projected homeowners, accepted by the Planning and Zoning Administrator presented to the Development Review Board for approval.~~

2. RECREATIONAL FACILITIES IMPROVEMENT STANDARDS

A. Provision of one area for passive recreation for each half acre (i.e., turf area, benches, picnic tables, shade structures, barbecue grills, pathways, etc.), a maximum requirement of five amenities per single park area. TURF AREA SHALL BE LIMITED TO NO MORE THAN 25% OF THE TOTAL IMPROVED RECREATIONAL AREA.

B. Provision of one active and one passive area for the first half-acre or portion thereof. For every additional half-acre (not fractions), an additional passive and active use shall be provided up to the maximum ~~provided~~ REQUIRED by the following Sections.

~~i~~. C. Provision of one area for active sports for each half-acre, (i.e., basketball court, volleyball court, bocce court, horseshoe pit, softball field, swimming pool, par course, etc.). ~~, a maximum requirement of three areas per single park area.~~

D. FOR SUBDIVISIONS WITH AN ANTICIPATED DEMOGRAPHIC PROFILE OF FAMILIES WITH YOUNG CHILDREN, TOT LOT AMENITIES ARE REQUIRED, INCLUDING AT A MINIMUM:

I. A COVERED PLAY EQUIPMENT AREA
II. DRINKING FOUNTAIN
III. SEATING AREAS (MAY INCLUDE BENCHES OR SEAT WALLS) ORIENTED TOWARDS THE PLAY EQUIPMENT
IV. TRASH RECEPTICLE(S)
V. BICYCLE PARKING WITH A 4-BICYCLE MINIMUM CAPACITY
VI. PICNIC TABLES WITH A SHADE STRUCTURE OR RAMADA.
VII. LIMITED TURF AREA (<25% OF TOTAL RECREATIONAL AREA) MAY BE PROVIDED, BUT IS NOT REQUIRED

E. LINEAR PARKS MAY BE UTILIZED TO SATISFY THE RECREATIONAL REQUIREMENTS OF THIS SECTION. REQUIRED AMENITIES INCLUDING AT A MINIMUM:

I. A SHARED USE PATH FOR PEDESTRIANS AND BICYCLISTS
II. SEATING AREAS
III. LANDSCAPING
IV. DRINKING FOUNTAINS, IF LOCATED IN CLOSE PROXIMITY TO A CULINARY WATER LINE

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V. TRASH RECEPTACLE(S)
VI. PET WASTE REMOVAL STATION(S).
VII. EXERCISE STATIONS MAY BE LOCATED WITHIN LINEAR PARKS.

THE LOCATION OF THE AMENITIES ALONG A LINEAR PARK IS SUBJECT TO THE APPROVAL OF THE PLANNING DIVISION MANAGER AND PRLCR DIRECTOR.

3. PLAY EQUIPMENT STANDARDS

A. APPLICANT SHALL SUBMIT EVIDENCE THAT ALL PLAY EQUIPMENT COMPLIES WITH THE CURRENT INTERNATIONAL PLAY EQUIPMENT MANUFACTURERS ASSOCATION (IPEMA) STANDARDS AND THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) PUBLICATION F1487 — *STANDARD* CONSUMER SAFETY PERFORMANCE SPECIFICATION FOR PLAYGROUND EQUIPMENT FOR PUBLIC USE.

B. PLAYGROUND SURFACE MATERIALS SHALL COMPLY WITH IPEMA STANDARDS AND SHOULD BE EITHER CERTIFIED WOOD FIBER, SHREDDED RUBBER OR POURED-IN-PLACE SURFACING. LOOSE MATERIAL SUCH AS WOOD FIBER OR SHREDDED RUBBER MUST BE TWELVE INCHES MINIMUM DEPTH UNDER THE EQUIPMENT.

C. NO PLAY SPACE SHALL BE LOCATED WITHIN 30 FEET OF ANY ROAD RIGHT-OF-WAY, DRIVEWAY OR ALLEYWAY, PARKING AREA, OR SINGLE-FAMILY RESIDENTIAL LOT OR SINGLE-FAMILY RESIDENTIAL ZONE.

D. ALL PLAY EQUIPMENT MUST BE COVERED WITH A UV-RESISTANT SUN SHADE OR METAL SHADE STRUCTURE AS APPROVED BY THE PLANNING DIVISION MANAGER AND DIS PERMITTING DIVISION.

E. TO MAXIMIZE THE SAFETY OF CHILDREN, PLAY SPACES SHALL BE LOCATED AS TO PROVIDE MAXIMUM VISIBILITY FROM SURROUNDING HOMES AND BE CONNECTED BY LIGHTED PEDESTRIAN WALKWAYS.. ALL LIGHTING SHALL COMPLY WITH ORO VALLEY LIGHTING CODE STANDARDS.

F. PLAY EQUIPMENT SHALL NOT BE LOCATED ON A SLOPE GREATER THAN FOUR PERCENT.

~~2~~. 4. One paved on-site parking space SHALL BE REQUIRED ADJACENT TO THE RECREATION AREA ~~shall be installed by the developer~~ for every twenty (20) dwelling units or portion thereof. MOBILITY-IMPAIRED ACCESSIBLE SPACES SHALL BE PROVIDED AS REQUIRED IN SECTION 27.7.E OF THIS CODE.

~~c. Provision of adequate off-street parking per the provisions of this Code.~~

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~~d.~~ A. ~~Address site lighting, security, restrooms, and drinking fountains, if provided.~~ Detailed schematics AND ENGINEERED CONSTRUCTION DRAWINGS shall be provided for each ~~of these~~ amenity provided.

5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) DESIGN ELEMENTS

   A. RECREATIONAL AREA DESIGN SHALL CONSIDER THE FOLLOWING CEPTED ELEMENTS:
      I. NATUAL SURVEILLANCE: EMPHASIS ON VISIBILITY OF THE RECREATIONAL FACILITIES , ALSO KNOWN AS “EYES ON THE STREET”, TO DETER UNAUTHORIZED USERS AND ACTIVITIES.

      II. ACCESS CONTROL: USE OF ELEMENTS SUCH AS SHRUBS, FENCES, AND GATES TO DENY ENTRANCE TO RECREATIONAL FACILITIES TO OFFENDERS. FOR EXAMPLE, A FENCE AROUND THE RECREATIONAL AREA IS AN ACCESS CONTROL MEASURE THAT PREVENTS CHILDREN FROM WANDERING OFF AND ALSO DISCOURAGES ENTRY OF OFFENDERS AND UNDESIRABLE PATRONS.

   B. ALL RECREATIONAL AREA PLANS SHALL BE REVIEWED BY THE ORO VALLEY POLICE DEPARTMENT (OVPD) FOR CONFORMANCE TO CEPTED STANDARDS.

6. ALL RECREATIONAL AREAS SHALL POST AT LEAST ONE SIGN AT THE PRIMARY ENTRANCE(S) STATING:

   A. HOURS OF OPERATION
   B. PARK/RECREATIONAL AREA RULES.
   C. TRESPASSING NOTICE FOR UNAUTHORIZED USERS, INCLUDING CITATION OF APPLICABLE ORDINANCES/STATUTES.
   D. NOTICE THAT ALL DOGS MUST BE KEPT ON A LEASH (UNLESS AN APPROVED OFF-LEASH AREA HAS BEEN DESIGNATED).
   E. EMERGENCY (911) CONTACT INFORMATION TO REPORT SUSPICIOUS OR CRIMINAL ACTIVITY.
   F. IF RECREATIONAL AREA IS PRIVATELY OPERATED, HOMEOWNERS ASSOCIATION CONTACT INFORMATION TO REPORT MAINTENANCE OR SAFETY ISSUES.

7. IF A NEIGHBORHOOD WATCH EXISTS, A SIGN SHALL BE POSTED AT THE PRIMARY ENTRANCE(S) TO THE RECREATIONAL AREA.

8. IF THE RECREATIONAL AREA ABUTS AN ENVIRONMENTALLY SENSITIVE LANDS (ESL) AREA, A SIGN SHALL BE POSTED EVERY 100 FEET AT THE BORDER OF THE ESL AREA. THE SIGN SHALL CONFORM TO THE ESL SIGN REQUIREMENTS PER SECTION 27.10 OF THIS CODE.

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9. RESTROOM FACILITIES SHALL BE LOCATED IN A HIGHLY VISIBLE AREA AND SHALL BE FREE OF TREES OR SHRUBS THAT REACH A MATURE HEIGHT GREATER THAN THREE (3) FEET.

108. THE HOMEOWNERS ASSOCIATION (HOA) COVENANTS SHALL CONTAIN A PROVISION ALLOWING THE TOWN TO ENFORCE LANDSCAPE AND FACILITY MAINTENANCE AND REPAIR IN THE EVENT THAT THE HOA FAILS TO DO SO.

11. ALL ACTIVE RECREATION AREAS SHALL PROVIDE ADEQUATE LIGHTING CONSISTENT WITH THE STANDARDS OF SECTION 27.5 OF THE ZONING CODE. ALL LIGHTS MUST BE TURNED OFF BY 10PM.

12. IF NO LIGHTING IS PROVIDED, RECREATION AREA HOURS SHALL BE LIMITED TO DAYLIGHT HOURS ONLY AND SHALL BE POSTED ON THE INFORMATIONAL SIGN(S) AT THE PARK ENTRANCE(S).

13. ~~e~~. IMPROVEMENTS SHALL BE PLACED SO AS TO MINIMIZE THE DISTURBANCE OF NATURAL VEGETATION.

14. ~~f~~. Equipment installed within the recreational areas shall comply with the provisions of the American with Disabilities Act (ADA).

15 ~~g~~. In cases where a subdivision lies adjacent to a trail identified within the Eastern Pima County Trails System Master Plan AND/OR THE ORO VALLEY TRAILS TASK FORCE REPORT AND THEIR SUBSEQUENT UPDATES, a connection shall be provided between the recreational area and said trail.

16. ~~3~~. Approval of the plan by the Mayor and Town Council, after review and recommendations by the Parks and Recreation Advisory Board (for public recreational areas) and the Development Review Board (for private recreational areas), shall be a prerequisite to approval of the final plat.

~~D~~. E. Facilities Installation, Ownership and Maintenance

1. Private Recreational Facilities

   a. In cases where the recreational facility is to be privately owned, recreational facilities and parking improvements shall be completed and in place by the time thirty-five (35) percent of the building permits are issued. Prior to release of the required bond or assurance, the developer shall provide written documentation to the T~~t~~own that all mechanisms are in place to protect the rights of the homeowners (i.e., liability insurance).

   b. Private recreational areas and improvements shall be owned and maintained by a mandatory membership H~~h~~omeowner's A~~a~~ssociation (HOA) created by covenants. If the HOA ~~association~~ fails to adequately maintain the required recreational facilities, the Town may cause the property to be maintained and may cause a lien to be placed on the property, subject to and inferior to the lien for general taxes and to all prior recorded mortgages and encumbrances of record.

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2. Public Park Facilities

a. In cases where the required recreational area is at least three (3) acres in size and is located adjacent to a public thoroughfare, dedication to the Town may be accepted. In this case, the park land shall be owned and maintained by the Town. The subdivider shall, without credit:
   1. Provide full street improvements and utility connections including, but not limited to, curbs, gutters, street paving, traffic control devices, LIGHTING, street trees, and sidewalks to land which is dedicated pursuant to this Section
   2. Provide solid masonry fencing along the property line of that portion of the subdivided lots contiguous to the dedicated land
   3. Provide improved drainage through the site; and
   4. Provide other improvements AND AMENITIES THAT ~~which~~ the Town Council determines to be essential to the acceptance of the land for recreational purposes. Subsequent improvements, if any, shall be developed and maintained by the Town.

b. When park land is dedicated to~~,~~ and accepted by~~,~~ the Town, the provisions of subsection B.2. and subsection D.1.b shall not apply.

~~E~~. F. Optional COMPLIANCE Method (IN-LIEU FEE OPTION)

1. In lieu of the required private recreational area or public park land dedication AND REQUIRED RECREATIONAL FACILITIES, the Town Council may approve an alternative proposal FOR AN IN-LIEU FEE that aids in the development OR IMPROVEMENT of Town parks or recreational facilities IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

   A. THE RECREATIONAL AREA REQUIREMENT IS LESS THAN ONE (1) ACRE BASED ON THE STANDARD CONTAINED IN SECTION 1.B.
   B. The subdivision ~~is adjacent to~~ HAS LEGAL AND PHYSICALLY-CONSTRUCTED PEDESTRIAN AND BICYCLE ACCESS TO an existing Oro Valley public park OR PARK LOCATION IDENTIFIED IN THE TOWN PARKS, OPEN SPACE AND TRAILS MASTER PLAN THAT:
      I. IS LOCATED WITHIN ONE (1) MILE OF THE SUBDIVISION AND,
      II. HAS SUFFICIENT CAPACITY TO MEET THE RECREATIONAL NEEDS OF THE SUBDIVISION, AS DETERMINED BY THE PLANNING DIVISION MANAGER (PDM) AND PARKS, RECREATION, LIBRARY, AND CULTURAL RESOURCES DEPARTMENT (PRLCR) DIRECTOR.
   C. THE TOTAL AMOUNT OF THE IN-LIEU FEE DETERMINED BY THE FAIR MARKET VALUE DEFINITION IS, IN THE OPINION OF THE PDM AND PRLCR DIRECTOR:
      I. SUFFICIENT TO FUND A SPECIFIC PARK DEVELOPMENT OR IMPROVEMENT PROJECT FOR A TOWN PARK OR RECREATIONAL FACILITY, AND

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II. PROVIDES EQUAL OR BETTER RECREATIONAL SPACE AND AMENITIES THAN WOULD BE PROVIDED WITHIN THE SUBDIVISION.

2. The proposal shall be prepared by the applicant and submitted to the Planning ~~and Zoning Administrator~~ DIVISION MANAGER (PDM) AND PARKS, RECREATION, LIBRARY, AND CULTURAL RESOURCES DEPARTMENT (PRLCR) DIRECTOR who shall forward ~~his~~ THEIR recommendations to the Town Council for its action after an advertised public hearing.

3. The terms of the agreement shall be made a matter of public record and a condition of approval of any final plat or issuance of any permits for the subdivision.

4. In evaluating a proposal under this Section, the Town Council shall consider the impact on the property resulting from a change in the standard requirements for recreational space, the advantages and disadvantages of the proposed alternatives, the benefits afforded to the ~~housing project~~ SUBIDIVISION from the alternative proposal and the relative values to the community afforded by the alternative proposal~~,~~ as compared with the standard requirements.

5. The agreement shall provide for the equivalent of park land and/or recreational facilities to the Town as would have been provided by the provision of a recreational area in the subdivision.

~~6. The in-lieu fee option shall only be available if there is no park or recreation facility designated in the Town, Parks, Open Space, and Trails Master Plan, to be located in whole or part within the proposed subdivision. Tto serve the immediate and future needs of the residents of the subdivision, the subdivider may, in lieu of dedicating land, pay a fee equal to the Fair Market Value definition. The fees shall be used for a local park that bears a relationship to serve the present and future residents of the area being subdivided.~~

~~7. If the proposed subdivision contains twenty (20) parcels or less the subdivider should pay a fee equal to the land value, as determined by the Fair Market Value.~~

~~8.~~ 6. If the subdivider objects to the determined fair market value, he/she may appeal to the Town Council ~~who shall hear the appeal~~, with the burden of proof lying with the subdivider.

~~9.~~ 7. For required recreation areas less than one (1) acre in size, the Town Council may waive ~~the~~ requirements for an appraisal when the subdivider provides acceptable alternative information to the Planning ~~& Planning and Zoning Administrator~~ DIVISION MANAGER (PDM), PRLCR DIRECTOR, and the Finance Director~~,~~ as a means of determining the improved value ~~and~~ THAT is presented and accepted at a Town Council public hearing.

~~10. If the proposed subdivision contains 85 or more lots, the subdivider shall provide the required recreational facility.~~

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8. AT THE TIME OF DONATION THE IN-LIEU FEE FUNDS SHALL BE DESIGNATED FOR A SPECIFIC PARK DEVELOPMENT OR IMPROVEMENT PROJECT FOR A TOWN PARK OR RECREATIONAL FACILITY LOCATED NO MORE THAN ONE (1) MILE FROM THE PROPOSED SUBDIVISION.

CHAPTER 31 DEFINITIONS

TOT LOT: A SMALL (TYPICALLY <1/2 ACRE) RECREATIONAL AREA PRIMARILY INTENDED FOR YOUNG CHILDREN (AGES 8 AND UNDER), WITH A PRIMARY EMPHASIS ON PLAYGROUND EQUIPMENT AND SUPPORTIVE AMENITIES AND INFRASTRUCTURE.

LINEAR PARK: A LINEAR PARK IS A PARK THAT HAS A MUCH GREATER LENGTH THAN WIDTH. A LINEAR PARK INCLUDES A SHARED USE PATH FOR PEDESTRIANS AND BICYCLES, AS WELL AS SEATING AREAS AND OTHER APPROPRIATE SUPPORTING AMENITIES TO PROVIDE ACTIVE AND PASSIVE RECREATIONAL OPPORTUNITIES.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CEPTED): A MULTI-DISCIPLINARY APPROACH TO DETERRING CRIMINAL BEHAVIOR THROUGH ENVIRONMENTAL DESIGN. THE ENVIRONMENTAL DESIGN SHOULD ENCOURAGE DESIRABLE BEHAVIOR AND FUNCTIONALITY. CEPTED EMPHASIZES SURVEILLANCE, ACCESS CONTROL, AND DEFINITION OF OWNERSHIP.

126. Fair Market Value

The fair market value shall be determined by the Town, with a written appraisal report prepared by an appraiser acceptable to the Town. For the purposes of the Chapter, the determination of the fair market value, shall consider, but not necessarily be limited to, the following:

a. Approval of and conditions of the preliminary plat
b. The general plan
c. Conditional zoning
d. Property location
e. Off-site improvements facilitating use of the property
f. Site characteristics of the property
g. The fair market value shall be based on the improved value of the land, without structures, but having the applicable infrastructure (roadways, drainage, water, electric, telephone and sewer) installed to the property.

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TOWN OF ORO VALLEY

PARKS & RECREATION ADVISORY BOARD **MEETING DATE: September 21, 2010**

TO: **PARKS & RECREATION ADVISORY BOARD**

FROM: **Matt Michels, Senior Planner**

SUBJECT: Draft amendment to Section 26.5 of the Oro Valley Zoning Code Revised (OVZCR) relating to provision of recreation area in residential subdivisions, **OV7-10-01**.

SUMMARY:

Attached for your review and comment is a draft update to the recreation area code. This draft was created based on the approved scope of work summarized below and with the input of PRAB and other stakeholders, including Town Parks, Recreation, Library, and Cultural Resources, the Oro Valley Police Department, and Planning Division. This draft has been also been distributed to the Southern Arizona Homebuilders Association (SAHBA) and several homeowner's association board members.

Integration of Approved Scope of Work Elements into Draft Code Update:

While this code update is comprehensive in scope, emphasis has been given to the following scope of work items. Following is a list of scope items followed by an explanation of the approach taken to address them and code reference(s):

1. **Definition of how in-lieu fees are calculated and utilized**. A more specific set of criteria to qualify for the in-lieu fee option and the addition of specific requirements for how the funds are to be utilized have been added to the draft (proposed Section 26.5.E, Pages 8-10).
2. **Location parameters of recreational areas**. The current code does not contain locational requirements for recreational areas. The proposed update includes requirements that the recreational area be located in a "highly visible, centrally located area of the subdivision that is easily accessible via sidewalk, walking path, trail, and/or bicycle or shared use path by all homes within the subdivision" (proposed Section 26.5.D.1, page 2).
3. **Definition of specific active and passive recreational amenities**. Proposed Section 2, *Recreational Facilities Improvement Standards*, provides additional guidance on the type of amenities expected, including requirements for "tot lots" for subdivisions with an anticipated demographic profile of families with young children (note: a definition of the term "tot lot" has been added to Chapter 31 of the code (page 11 of the draft), and "young children" is defined as age 8 and younger). In addition, specific criteria for linear parks have been added to proposed Section 26.5.D.2.E on page 4.
4. **More specific requirements for recreational amenities (locations, type, specifications, etc.)**. Proposed Section 3, *Play Equipment Standards*, adds several specific playground equipment specification requirements including International Play Equipment Manufacturers Association (IPEMA) standards for playground surface materials and American Society for Testing and Materials (ASTM) standards for playground equipment. Additional criteria, such as locational requirements and requirements for lighting of play areas and provision of shade structures over play equipment, have been added to enhance safety and comfort for users (proposed Section 26.5.D.3, pages 4-5)
5. **Crime Prevention Through Environmental Design (CPTED) design elements**. The CEPTED section is based on internationally-accepted standards and has been recommended for approval by the Oro Valley Police Department (OVPD). The requirements include surveillance and access control standards as well as signage requirements stating the rules and regulations. These measures will allow the OVPD to more effectively monitor and respond to incidents in private recreational areas. All recreation area plans will be reviewed by the OVPD.

6. **Changes to amount of land required for recreation areas may be limited due to Prop. 207 regulatory takings constraints.** This has been addressed by using a "tiered" system based on whether the property owner is seeking a change in development rights (i.e. rezoning or other actions that give additional development entitlements; proposed Section 26.5.B.1 & 2, Page 1). The "tiered" approach is also proposed in the Environmentally Sensitive Lands Ordinance, which allows properties with existing development rights to maintain the same standards for recreation area, but which requires subdividers asking for additional entitlements (including rezonings, plan amendments, etc.) to provide additional property. The rationale for this approach is based on the problem statement in the General Plan Parks and Recreation *Key Policy Issues: Small, Dispersed System of Recreation Areas/Parks and Open Space Funding* sections.

   The small, fragmented, and disperse nature of recreation areas within private subdivisions is problematic in fulfilling the Town's goals of pro. While this code update is limited in its ability to fully address these problems, a more robust requirement for recreation area of one (1) acre per 45 units for properties requiring an increase in entitlements (proposed Section 26.5.B.2 on page 1) allows for more extensive and meaningful passive and recreational facilities to serve the residents of the subdivision. This is important given the Town's current lack of a dedicated funding mechanism for the purchase of land for park development.

General Plan Conformance:

While most of the goals and policies related to parks and recreation specifically address Town parks, this code update has been drafted with consideration to the applicable goals and policies contained in the General Plan, including the policy issues discussed under Scope of Work Item #6, above.

Project Completion Timeline:

- September 21, 2010 PRAB meeting to provide feedback on first draft
- September 24, 2010 Distribute second draft to PRAB and P&Z Commission for review
- October 5, 2010 P&Z Commission Hearing
- November 17, 2010 Town Council Hearing

Attachment: Draft Section 26.5 Revision