

# Chapter 12

## OPEN SPACE

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### **Section 12.1 Purpose**

The purpose of these regulations is to ensure that development include provisions for open space in ways that protect natural areas, and provide land for the use and enjoyment of the development's residents, employees, or users. Standards are intended to:

- A. Mitigate adverse impacts from development such as noise, glare, and heat;
- B. Preserve and protect natural areas and features;
- C. Improve stormwater infiltration and reduce flooding;
- D. Protect water quality;
- E. Provide opportunities for passive and active recreation; and,
- F. Improve aesthetic quality.

### **Section 12.2 Applicability**

These requirements shall apply in the following types of development approved after September 30, 2019:

- A. All single family residential developments, including zero-lot line developments, of six or more lots with an average buildable lot size less than 20,000 square feet;
- B. All two-family developments proposing six or more lots;
- C. All townhouse developments proposing six or more lots;
- D. All manufactured home parks;
- E. All multi-family residential developments proposing more than 25 dwelling units; and,
- F. All mixed use developments providing residential development consistent with any of the standards listed above, with the open space based only on the area of the residential portion of the development.

### **Section 12.3 Required Open Space**

#### **Section 12.3.1 Generally**

The following areas shall not be considered as open space:

- A. Any area with a horizontal dimension less than ten feet;

- B. Public street rights-of-way or private street servitudes;
- C. Parking areas, including all landscape islands;
- D. Yards of private residences; and,
- E. Land occupied by buildings, unless designated for or considered accessory to active recreational uses such as playing fields, tennis courts, basketball courts, golf clubs, swimming pools, or equipped play areas.

**Section 12.3.2 Area Required**

- A. Open space shall be provided as a percentage of the gross area of the proposed development in accordance with the provisions of Table 12.A, Open Space Requirements.

**Table 12.A  
Open Space Requirements**

Character Area	% of Area Required for Open Space	
	Manufactured Home Parks	Other Residential Development
Rural	N/A	None
Suburban	10%	15% (Developments greater than 10 ac)
		7 % (Developments from 3-10 ac)
		5% (Developments less than 3 ac)
Urban/Walkable	10%	5%
Downtown	N/A	5%

- B. Exception  
The amount of open space required may be reduced in any development that provides additional stormwater controls providing more detention than that generally required by the provisions of Chapter 15, Floodways, Floodplains, Drainage, and Water Quality. The amount of the reduction shall be determined by the extent to which detention is increased, with the amount of open space reduced by one percent for every five percent decrease in the rate of run-off from the site.

**Section 12.4 Uses**

Required open space may be comprised of the uses described in Table 12.B, Uses of Open Space. The percentages in the table reflect the percentage of required open space that may be composed of the use listed. Uses are listed in the table in the order of priority.

**Section 12.5 Ownership and Management**

Within subdivisions, land designated as open space shall be held in ownership by an owners' association.

**Table 12.B  
Uses of Open Space**

<b>Open Space Use</b>	<b>Suburban</b>	<b>Urban/ Walkable</b>	<b>Downtown</b>	<b>Comments</b>
Undisturbed natural features, such as wetlands, streams, riparian buffers, and flood high hazard areas	100%	100%	100%	
Stormwater management facilities	25%	50%	50%	May be increased to 100% in all Character Areas, if designed to support passive recreation by providing access with pedestrian or bicycle paths and benches.
Preserved tree canopy	100%	100%	100%	At least 75% of the root protection zone of all trees must be protected from development or compaction
Plazas and courtyards	N/A	50%	100%	At least 200 sf in area with seating provided
Landscape buffers	100%	100%	100%	
Areas designated for active recreation (playing fields, tennis or basketball courts, golf clubs, swimming clubs, equipped play areas)	50%	50%	50%	Areas shall have at least one direct common access to a street, bikeway, or walkway
Utility servitudes that are available for passive recreational activities such as walking, running, and biking	50%	50%	50%	