

#### 8109-1.2.4 - Open space requirements.

Open space shall be provided for the benefit and recreational use of the residents of each development as follows:

- a. In single-family projects where each dwelling has its own lot, at least 20 percent of the net area of the site shall be private or common open space, or a combination thereof. All open yard areas around dwellings, except for side yards, shall be counted toward the 20 percent requirement.
- b. In all other residential projects, at least 20 percent of the net area shall be preserved as common open space.
- c. Common open space shall be suitably improved for its intended purpose and generally accessible to all the residential areas of the development.
- d. Among the land uses considered as common open space for the purposes of this section are parks, recreational facilities, greenbelts at least ten feet wide, bikeways and pedestrian paths.
- e. At least 50 percent of the area designated as common open space shall be comprised of land with slopes of ten percent or less.
- f. Seventy-five percent of the area of golf courses, lakes and reservoirs may be used in computing common open space.
- g. The following areas may not be used to fulfill the open space requirement:
  - (1) Streets and street rights-of-way;
  - (2) Paved parking areas and driveways;
  - (3) Improved drainage facilities with restricted recreational use.
- h. Appropriate arrangements shall be made, such as the establishment of an association or nonprofit corporation of all property owners within the project area, to insure maintenance of all common open space.
- i. The minimum open space standards above may be modified by the decision-making authority if alternative amenities of comparable value are provided.