

8.8. OPEN SPACE STANDARDS

8.8.1. PURPOSE AND INTENT

- A. **Purpose and Intent.** The purpose of this Section is to require open space that encourages preservation of natural features and provides for recreational opportunities for the residents of the City of Monroe. Open space adds to the visual character of a development and provides active and passive recreational opportunities for residents, visitors, and users alike. Open space is an asset to the community and it is the intent of this Section to:
1. Define standards in which residential zoning districts, mixed-use zoning districts, commercial zoning districts, and planned districts shall dedicate a portion of area as open space;
 2. Designate open space sizes, open space types, open space percentage requirements, and open space design standards; and
 3. Define the minimum maintenance and ownership requirements for open spaces.

8.8.2. APPLICABILITY

- A. **Applicability.** Unless explicitly exempted, the standards in this Section shall apply to all new development and redevelopment in the City of Monroe. Individual single family dwellings not part of a new subdivision as defined in Section 8.1: Subdivision Regulations, are exempted from providing open space.

8.8.3. OPEN SPACE STANDARDS

- A. **Generally.** Open space shall be provided in compliance with this Section. Open space shall be categorized by *Open Space Sizes* (Section 8.8.3.B) and by *Open Space Types* (Section 8.8.3.C) and is subject to *Open Space Percentage Requirements* (Section 8.8.3.D) and *Open Space Design Standards* (Section 8.8.3.E).
- B. **Open Space Sizes.** Open space may consist of a variety of different sizes. For the purpose of this Section, open space sizes shall be defined as small, medium, and large. The acreage of open space sizes for each open space size is defined in Table 8.8.1.

Table 8.8.1. Open Space Sizes

Open Space Size	Acreage (Range)
Small	500 SF – 1.0 Acres
Medium	1.0 – 2.5 Acres
Large	2.5 Acres Or More

C. **Open Space Types.** In addition to different sizes, open space may take different forms, dependent upon both the nature of the development and the land in which it is established. Because of their nature, open space types may be considered more than a single open space size (i.e., an open space type may be considered both a small and medium open space size). Open space includes the following open space types, as defined below:

1. **Small Open Space.**

- a. **Pocket Park.** Pocket parks are defined as a small open space. Pocket parks are primarily intended to provide small active or passive recreation opportunities and act as a gathering space for residents or customers. Features may include small shade structures, gazebos, seating areas, multi-purpose lawn space, playgrounds, community gardens, dog parks, trails, or natural elements such as a stream or pond.



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2. Medium Open Space.

- a. **Amenity Center.** Amenity centers are defined as small or medium open spaces and include a combination of enclosed and open areas. Amenity centers provide recreational opportunities and are typically included in residential



developments. Amenity centers may include features such as pools, splash pads, clubhouse, small scale recreational facilities such as pickleball, soccer, or shuffleboard, lawn games, and pavilions. Pavilions associated with an amenity center are open air structures that typically allow for shade, outdoor concerts, exhibits, and other activities commonly associated with neighborhood events. Designs of amenity centers and pavilions should be similar in architecture and material as the residential development.

- b. **Green.** Greens are defined as small or medium open spaces. Greens

provides more informal, natural spaces supporting active or passive recreation opportunities. Greens are typically bounded by rights-of-ways and the fronts of buildings. Greens may provide features such as multi-purpose lawn



space, lawn games, playgrounds or play spaces, and limited small scale recreational facilities such as pickleball or soccer.

- c. **Plaza.** Plazas are defined as small or medium open spaces. Plazas

serves as a gathering place for civic, social, and commercial purposes. A plaza may contain a greater amount of impervious coverage than any other open space type. Plazas are typically located in the front



or sides of a building or group of buildings and may not be located in the rear of the building or property. Pedestrian features such as shade structures, benches, tables, fountains, and public art are required.

- d. **Square.** Squares are defined as small or medium open spaces.

Squares serve as a more formal open space type for gathering for civic, social, and commercial purposes. Squares are typically rectilinear in shape and are bordered on all sides by a vehicular right-of-way (public and private), which,



together with building frontages, creates a definition and boundary. Features may include seating areas, pedestrian facilities, play areas, shade structures, gazebos, seating areas, playgrounds, public art, statues, and monuments.

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3. Large Open Space.

- a. **Linear Park.** Linear parks are defined as medium or large open spaces.

Linear parks may be formalized based on function (i.e., provide multimodal or connectivity opportunities). Linear parks typically take advantage of scenic environmental attributes



and follow a natural feature including but not limited to a stream, wetland system, or man-made feature natural feature. Features may include natural environmental features such as streams, benches, picnic tables, lawn games, and shade structures.

- b. **Neighborhood Park.** Neighborhood parks are defined as medium or large open spaces.

Neighborhood parks are intended to be a substantial component of a development and provide formal or informal active and passive recreational activities



opportunities. Neighborhood parks typically serve as a medium or large open space area for residential subdivisions, planned developments, and mixed-use centers.

- D. **Open Space Percentage Requirements.** The minimum amount of open space required in a development shall be in accordance with this Section. Nothing in this Section shall restrict the development from providing more than the minimum required open space than what is required in this Section. The gross square footage of open space area shall be used in the calculation of open space percentage requirements. Vehicle use areas, streets, driveways, and sidewalks required per this UDO may not be used toward open space calculations unless explicitly stated in this Section. The amount of open space

required shall be the greater of the following: 0.5 acres or the percentage identified in subsection (1), (2), (3) and (4) below.

1. **Residential Zoning Districts.** All new development subject to this Section within the traditional residential zoning districts as defined in Section 4.2: Residential Zoning Districts, shall require a minimum ten percent (10%) open space of the total development size. The required ten percent (10%) open space shall also comply with the following additional standards:
 - a. **Less Than 50 Acres.** For residential developments less than fifty (50) acres in size, required open space shall include at least one (1) small open space type and one medium open space type, as defined in Section 8.3.3.C: Open Space Types. If the residential development is less than ten (10) acres, the development shall not require one (1) medium open space type, but shall still comply with the minimum ten percent (10%) open space requirement. A design alternative may be permitted by the Planning Director for one (1) large open space type.
 - b. **Greater Than 50 Acres.** For residential developments greater than fifty (50) acres in size, required open space shall include at least one (1) small or medium open space type and one (1) large open space type, or shall include one (1) small open space type and two (2) medium open space types, as defined Section 8.8.3.C: Open Space Types.
 - i. For residential developments greater than fifty (50) acres in size, in addition to the required open space types, at least fifty (50) percent of homes must be within one-half (1/2) mile of a medium or large open space type.
2. **Mixed-Use Zoning Districts.** All new development subject to this Section within mixed-use districts as defined in Section 5: Mixed-Use Zoning Districts, shall require a minimum of fifteen percent (15%) open space of the total development size. The required fifteen percent (15%) open space shall also comply with the following additional standards:
 - a. **Less Than 25 Acres.** For mixed-use developments less than twenty-five (25) acres, required open space shall include at least two (2) small open space types, as defined in Section 8.8.3.C above.

- b. **25-50 Acres.** For mixed-use developments greater than twenty-five (25) acres, but less than fifty (50) acres in size, required open space shall include at least two (2) small open space types and one (1) medium open space type, as defined in Section 8.8.3.C above.
 - c. **Greater Than 50 Acres.** For mixed-use developments greater than fifty (50) acres in size, required open space shall include at least three (3) small open space types and two (2) medium open space types, as defined in Section 8.8.3.C above. Alternatively, three (3) small open space types may be substituted for one (1) medium open space type, however all percentage requirements shall be met.
3. **Commercial Zoning Districts.** All new development subject to this Section within non-residential districts as defined in Section 4.3: Commercial Zoning Districts, shall require a minimum of five percent (5%) open space of the total development size. The required five percent (5%) open space shall also comply with the following additional standards:
 - a. **Less Than 25 Acres.** For commercial developments less than twenty-five (25) acres, required open space shall include at least one (1) small open space type, as defined in Section 8.8.3.C above.
 - b. **25-50 Acres.** For commercial developments greater than twenty-five (25) acres, but less than fifty (50) acres in size, required open space shall include at least one (1) small open space type and one (1) medium open space type, as defined in Section 8.8.3.C above.
 - c. **Greater Than 50 Acres.** For commercial developments greater than fifty (50) acres in size, required open space shall include at least two (2) small open space types and one (1) medium open space type, as defined in Section 8.8.3.C above.
4. **Planned Developments.** Planned developments shall comply with this Section and Section 4.5: Planned Districts.
 - a. **Planned Commerce Development (PCD).** PCD'S shall require a minimum twenty-five percent (25%) open space. PCD's shall incorporate at least two (2) small open space types and one (1) medium open space type, as defined in Section 8.8.3.3.C above.

- b. **Planned Unit Development (PUD).** PUD'S shall require a minimum thirty-five percent (35%) open space. PUD'S shall comply with the following additional standards:
- i. **10-25 Acres.** For PUD'S greater than ten (10) acres, but less than twenty-five (25) acres in size, required open space shall include at least two (2) small open space types and one (1) medium open space types, as defined in Section 8.3.3.C above.
 - ii. **25-50 Acres.** For PUD'S greater than twenty-five (25) acres in size, but less than fifty (50) acres in size, required open space shall include at least two (2) small open space types, two (2) medium open space types, and one (1) large open space type, as defined Section 8.3.3.C above.
 - iii. **Greater Than 50 Acres.** For PUD'S greater than fifty (50) acres in size, required open space shall include at least four (4) small open space types, three (3) medium open space types, and one (1) large open space type, as defined in Section 8.3.3.C above. At least fifty percent (50%) of homes must be within one-half (1/2) mile of a medium or large park.
- E. **Open Space Design Standards.** The design and incorporation of open space in a development shall comply with the following standards:
1. **Distribution.** Open space shall be, to the maximum amount practicable with respect to environmental considerations and subdivision design, evenly distributed throughout the development.
 2. **Distance.** No two open space types shall be adjacent or within 1/4 mile radius of another open space.
 3. **Frontage.** All open space shall have at least fifty (50) feet of frontage on at least one (1) public street within the development in which the open space resides.
 4. **Consolidation.** Required open space requirements shall not be consolidated to meet the standards of this Section. It is the intent of this Section to require multiple open space types of varying sizes in each development per Section 8.8.3.D: Open Space Percentage Requirements.
 5. **Active and Passive Features.** A minimum of twenty-five percent (25%) of all required open space shall be dedicated and designed to allow for active

recreation features. Active recreation and passive features are identified in Table 8.8.2 below. Table 8.8.2 includes, but is not be limited to, those features identified. The Planning Director may administratively approve similar features which keep with the intent of the listed active or passive recreation features.

- a. Active recreation is defined as recreational features, often requiring equipment and taking place at prescribed places, sites or fields, which allow for the active recreational needs of residents or users of the development which they serve.
- b. Passive recreation is defined as recreational features that do not require prepared facilities like sports fields or pavilions and require minimal disruption to a site. These include such activities as walking paths and other features defined in Table 8.8.2.

Table 8.8.2 Active and Passive Features

Active Features	Passive Features
Lawn Games and Concrete Gaming Tables	Walking Trails
Hard Courts (Pickleball, Tennis, Etc.)	Boardwalks
Playgrounds	Gardens
Swimming Pools and Splash Pads	Greens
Athletic Fields (Soccer, Baseball, Etc.)	Picnic Areas
Clubhouse, Pavilions, Amenity Centers	Lakes and Ponds
Exercise Facilities	Benches and Seating Areas
Plazas	Lawns and Natural Areas
	Greenways

- 6. **Topography.** The average slope of land for active recreation shall not exceed seven-and-one-half percent (7.5%), while the average slope for passive recreation shall not exceed fifteen percent (15%).

7. **Accessibility.** Open space shall be located and designed to be easily accessible for residents and users of the development. Open spaces shall make accommodations to provide universal designs that may be enjoyed by different target users and provide for ADA accessibility.
8. **Public Seating.** Public seating shall be required. Public seating shall be adequate for the anticipated demand of the intended use of the open space and reflective of the number of dwelling units within a development.
9. **Receptacles.** Refuse receptacles are required at each entrance and gathering space.
10. **Stormwater.** A maximum twenty-five percent (25%) of total required open space may be stormwater facilities. Only wet stormwater facilities may be counted toward this requirement. Dry pond facilities shall not be counted toward this requirement. Any stormwater facility used toward such requirement shall be publicly accessible and must be a public edge, through improved or primitive trails. For the purposes of this Section, improved and primitive trails are defined below:
 - a. **Improved Trail.** An improved trail shall be defined as a clearly marked, paved, impervious trail.
 - b. **Primitive Trail.** A primitive trail shall be defined as an unpaved, pervious trail that consists of mulch, crushed stone or similar material.
11. **Environmentally Sensitive Lands and Floodplains.** A maximum twenty percent (20%) of total required open space may be environmentally sensitive lands such as wetlands, protected stream buffers, and floodplains.
12. **Ponds and Lakes.** A maximum of five percent (5%) of total required open space may be ponds and lakes not associated with stormwater retention if at least twenty-five percent (25%) of the shoreline is a public edge. Public access shall be provided that is equivalent to the access provided to private landowners around the lake.
13. **Parking.** A limited amount of parking spaces may count toward open space requirements.
 - a. **Small.** Small open spaces shall not count any parking as part of its open space calculation.

- b. **Medium.** Medium open spaces may count up to five (5) parking spaces as part of its open space calculation.
 - c. **Large.** Large open spaces may count up to ten (10) parking spaces as part of its open space calculation.
- 14. **Multi-Phased Developments.** In multi-phased developments, open space shall be provided for each phase in an amount sufficient to satisfy the open space requirements for the subject phase of development and all preceding phases of development.
- 15. **Landscape Section.** Any landscaping of open spaces shall be in accordance with Section 8.3: Landscaping, Buffering, Fences and Walls.
- F. **Greenways.** Greenways preserve and create open space, encourage physical fitness, provide alternative means of transportation, create opportunities for outdoor recreation, and provide connectivity between open spaces, schools, cultural sites, neighborhoods, and other commuter destinations. Where land is designated as part of The City's adopted greenway/bikeway system, development shall comply with the City's adopted *Greenway/Bikeway Master Plan*. Optionally, new development may also provide additional greenways and connections to greenways in accordance with the standards of this Section.
 - 1. **Greenway Design.** All greenways shall be a minimum of ten (10) feet wide within a dedicated right-of-way or public easement of at least twenty (20) feet. Greenway connectors shall be a minimum of six (6) feet wide.
 - 2. **Topography.** Greenways and connectors should be designed to fit the contours of the land and should minimize removal of significant trees.
 - 3. **Accessibility.** All greenways shall be designed to accommodate a variety of users including walkers, joggers, cyclists, and similar modes of pedestrian movement.
 - 4. **Paving.** Greenways shall be improved trails of impervious materials. The Planning Director may approve a design alternative for portions of a greenway to be primitive trails, provided a written narrative and illustration of the proposed design alternative is submitted for review.
 - 5. **Public Access.** All greenways and greenway connectors shall be maintained for public access, whether by easement or by public dedication.
 - 6. **Amenities.** For land designated as part of the City's adopted greenway/bikeway system, greenways shall provide basic amenities for targeted users. Such

greenways shall provide at least three (3) of the following: drinking fountains, restrooms, trash receptacles, benches, bicycle racks, and shade structures. Way station facilities may also be considered for greenways. These facilities may also include small buildings/kiosks containing exhibits and minor food provisions. Land not designated as part of the City's adopted greenway/bikeway system is not required to meet this requirement.

7. **Open Space Considerations.** Land area dedicated as a greenway shall be credited towards applicable open space percentage requirements in this Section. Greenways are considered to be a passive feature.
- G. **Ownership of Open Space.** Open space is intended to remain under private ownership (i.e. not under City ownership) while still being available for public use by residents and users of a development. Ownership of open space shall remain with the owner of the land unless one of the following circumstances exist:
 1. **Homeowners Association (HOA)/Property Owners Association (POA).** Open spaces may be owned in common by the owners of a development through a recognized owners association (or similar ownership association).
 2. **Nonprofit.** Open spaces may be conveyed to a nonprofit organization (i.e., a conservation group, land trust, etc.) for management. The nonprofit shall be required to manage and maintain the open space.
- H. **Maintenance of Open Space.** The owner of open space shall be required to maintain the open space. This shall include regular maintenance of vegetation as well as infrastructure components (stormwater facilities, paths, impervious surfaces, amenities, etc.). Failure to maintain the open space in a good and safe condition (i.e. meeting the standards for maintenance of landscaping in Section 8.3: Landscaping, Buffering, Fences and Walls), shall result in potential penalty by the City, pursuant to Section 1.1.10 of this UDO.
- I. **Conservation Subdivisions.** For developments that exceed the minimum requirements of this Section, this UDO allows for the design and implementation of conservation subdivisions, as defined in Section 8.1: Subdivision Regulations. Conservation subdivisions are configured to protect and preserve floodways, wetlands, woodlands, and existing open space. Because of their unique nature, conservation subdivisions may allow for development flexibility to build on smaller lots when open space is provided that exceeds the minimum standards of this Section. Conservation subdivisions may

only be permitted in compliance with the standards of Section 8.1.2.D: Conservation Subdivision.

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