

10-4-4: OPEN SPACE:

A. Required Open Space:

1. There shall be no open space requirement for those developments that comply with merely the "base zoned densities" identified in the development potential matrix.
2. For any type of residential development, including all single-family, two-family and multi-family dwellings, a minimum of sixty percent (60%) of a parcel, inclusive of developable and nondevelopable lands, must be reserved for open space. The majority of the required open space must be functional and in a location identified by the county that meets the objectives of the general plan. A primary objective of the open space shall be to preserve identified viewshed areas and other significant open spaces.
3. For commercial and industrial development, developers are encouraged to utilize the provisions of the SPA plan to establish open space requirements, in which superior landscape in exchange for lower open space requirements may be permitted. If a developer chooses not to pursue this option, then a minimum of twenty five percent (25%) of the total parcel must be reserved for open space. The majority of this open space must be functional and in a location identified by the county that meets the objectives of the general plan. A primary objective of the open space shall be to preserve identified viewshed areas and other significant open space.
4. Open space within a designated town, resort and village center shall be determined in an approved SPA plan.

B. Inclusions And Exclusions In Open Space Calculation: Open space may include setback areas, easements within which no aboveground structures are located, open space conservation easements, and other such areas. Open space shall not include any portion of a parcel on which any structure, parking lot or other such feature is located on or above the surface of the ground. Parking lot landscaping shall not be included in the required open space calculation.

C. Method Of Owning/Maintaining Open Space:

1. Within all developments that comply with the base zone densities, open space is a function of the large lot zoning and setback requirements. In these instances, ownership and maintenance responsibilities shall remain with the applicant.
2. The landowner/developer for all other development shall determine how the open space will be held for ownership purposes. Open space can be held passively, owned by the landowner, or it can be held as active open space, open for public use, and owned by the landowner, the county, or third party, or preserved through a conservation easement. In certain instances, the county may chose not to accept ownership of open space that is not compatible with the county and Snyderville Basin special recreation district objectives.

D. Cash In Lieu Of Open Space: The county may, at its sole discretion, accept cash in lieu of open space where such funds can be more appropriately used to purchase development rights or open space at a more appropriate or significant location. At any rate,

cash in lieu will not be accepted until a satisfactory appraisal is obtained by the applicant to identify the value of the land based on the use that will be permitted if the open space requirement is removed, and for which cash in lieu shall be offered. (Ord. 323, 3-9-1998)