

**Sec. 6.6.6. - Open space.**

A. The provision of Natural Open Space shall comply with the following design standards:

- (1) The preservation of environmentally sensitive lands and locally significant resources shall be given priority when determining the location of natural open space.
- (2) Natural open space shall be arranged in a contiguous manner which supports the preservation and connectivity of the space, with particular attention to providing connectivity to wildlife corridors, agricultural, and/or passive recreational uses, as appropriate for the characteristics of the space.
- (3) Natural open space shall be arranged in a manner which supports compatibility with surrounding areas which are not part of the proposed development.
- (4) The buildable area resulting from the identification of natural open space shall be compact and contiguous with the natural open space providing a buffering and potential connectivity effect to surrounding areas.
- (5) Natural open space shall be designated accordingly on a plan and conveyed for ownership and maintenance and/or management which will include identifying one or more entities responsible for ownership and maintenance of the open space, and conveyed accordingly.
- (6) The Board may also require that a Developer's Agreement and/or a Conservation Easement conveyed to Marion County be established for the natural open space as part of the plan review process.
- (7) The natural open space shall be maintained and/or managed in a healthy state consistent with the habitat and use of the space and current applicable best management practices acceptable to Marion County, if any, consistent with characteristics of the space.
- (8) Constructed stormwater facilities of any kind are prohibited within areas designated as natural open space.
- (9) Structures are prohibited within natural open space; however limited minimal structural improvements may be provided for passive access and agricultural or environmental control such as boardwalks, trails, and fencing. Agricultural structures which are for bona fide agricultural purposes and not for human occupancy for residential or non-residential purposes (e.g., residence, apartment, office) may be placed within natural open space in compliance with the following design requirements:
  - (a) The area where the agricultural structures may be located, either on individual lots and/or on common property, as appropriate, shall be clearly designated as a separate agricultural structure buildable area on the development project's primary development plan and presented for approval by the Board.

(b) The cumulative acreage of the agricultural structure buildable areas shall not exceed 10 percent of the natural open space.

(c) The stormwater design for the development project shall provide for and reflect projected impervious surface coverage calculations for the identified agricultural structure buildable areas.

(d) For hamlet subdivisions platted and recorded on or before October 12, 2012, agricultural structures may be located within the natural open space but items (a) through (c) above will not apply; however, if all or part of the recorded hamlet subdivision is re-platted, the re-plat must comply with items (a) through (c) above.

(10) The location, scope, and intent of any proposed limited structural improvements to be placed within the natural open space shall be clearly indicated by the corresponding project application and its accompanying plan.

(11) Natural open space is not eligible to be awarded TDCs as provided in Division 3.4 Transfer of Rights Programs.

B. The provision of Improved Open Space shall comply with the following design standards:

(1) All residential projects shall provide IOS at a minimum ratio of 350 square feet per dwelling unit, consistent with the Comprehensive Plan.

**Table 6.6.6.1 - Required Improved Open Space (IOS)**

# Residential Dwelling Units	Required IOS (Acres) **
50	0.40
100	0.80
200	1.61
500	4.02
1,000	8.03

\*\* Calculate required IOS for developments based on 350 sf/dwelling unit

(2) IOS shall consist of active or passive recreational spaces in single or linked multiple tracts within the residential development, and such spaces shall be accessible to all residents within the development.

(3) IOS must be located in common tracts or properties and may not be located within any residential lots or tracts.

(4) Roads and streets, shall not qualify as IOS.

- (5) Parking lots and access driveways within improved open space of five(5) acres or more, that serve the IOS, may qualify for up to 10 percent of the total IOS area.
- (6) The following features qualify as IOS, provided they are accessible to all residents of the associated community, and are designed for active or passive recreational use:
- a. Neighborhood parks designed for passive or active recreation.
    1. Neighborhood Parks must include at least three of the following elements:
      - Age-appropriate play systems with shade structures. Total shaded area shall be equal to or greater than 50% of the equipment’s footprint area.Sports/game areas (e.g., soccer field, basketball court, racquet sports such as tennis, pickleball , padel, etc., cornhole, horseshoes, etc.)
      - Open turf areas suitable for informal play or gathering
      - Multi-purpose fields
      - Outdoor fitness stations
      - Picnic area with tables and grills
      - Gazebos, pergolas or pavilions for group activities and events
    2. Neighborhood Parks shall include a minimum of two of the following elements: benches, picnic tables, or other seating areas.
    3. Neighborhood Parks shall include a minimum of one Shade Tree per 3,000 square feet of park area shall be provided within the park boundary. Existing Shade Trees may be counted towards this requirement.
    4. Neighborhood Parks must include a sign or monument marker that establishes it as a common open space.
  - b. Golf Courses may satisfy up to 50% of the total IOS requirement.
  - c. Nature preserves, with public access that include an improved recreation trail around the perimeter of the preserve and other elements such as information stations, seating areas or other publicly accessible improvements.
  - d. Improved multi-use recreation trails a minimum of eight (8) feet in width, excluding on street sidewalks. A multi-use recreation trail is a designated path or route designed to accommodate a variety of non-motorized recreational activities, such as walking, running, cycling, inline skating, etc. These trails must be accessible and open to people of all ages and abilities and are intended to promote safe, shared use by different types of users. Recreation trails must be constructed of asphalt, concrete, or other hard, permanent surfaces. For area

calculations, the IOS contribution includes the width of the recreation trail plus five (5) feet, or the width of the trail plus adjacent landscaped or preserved natural area within the dedicated IOS tract, whichever is greater

- e. Common squares, plazas and gathering spaces improved with seating, paving, landscaping, or other features that encourage active or passive recreation and social interaction.
- f. Recreation courts and active sports areas including facilities such as tennis, basketball, pickleball, or other similar features intended for organized or informal sport activity.
- g. Dog Parks or pet-friendly play areas fenced with pet amenities, at least 0.25 acres in size and shall be subdivided for large and small dog breeds.
- h. Central recreation and amenity areas that include multi-use recreational buildings, neighborhood pools, neighborhood centers, passive recreational areas, or other indoor/outdoor amenities.
- i. Where a development provides a central recreation amenity area with the following minimum components, at the discretion of the Growth Services Director, the area of the amenity facility and improvements shall count at a 2:1 ratio for the required IOS acreage. For example, a 1.5 acre amenity area satisfying this section shall satisfy 3.0 acres of required IOS. The minimum components must include:
  - 1. A 2,500 square foot minimum structured, air-conditioned amenity center building with meeting and recreation space and indoor restroom facilities.
  - 2. An improved outdoor area including a neighborhood swimming pool. The swimming pool at the water surface shall be a minimum of 1,500 square feet.
  - 3. A minimum of two improved sport courts such as tennis, pickleball, basketball, racquetball, or similar sport court subject to the approval of the Growth Services Director.
  - 4. An open play field, playground, or similar.
- j. Other similar uses that provide recreational opportunities for residents within the development, subject to the approval of the Growth Services Director.

(7) The following uses are not considered to satisfy IOS requirements:

- a. Drainage retention areas.

- b. Roads and/or streets.
- c. Parking lots and access driveways within IOS less than five (5) acres.
- d. Recreation activity areas within drainage retention areas, as approved by DRC (i.e. a play field at the bottom of a drainage retention area or similar).
- e. Landscape buffers, unless such buffers include an integrated and paved multi-use recreational trail at least eight feet in width.