

APPENDIX E
**OPEN SPACE DEVELOPMENT/
PLANNED UNIT DEVELOPMENT**

OPEN SPACE DEVELOPMENT

In a typical residential development, all of the land on a development site is divided into houselots and streets, with the only open space typically being individual yards or undevelopable land such as wetlands, steep slopes, floodplains and stormwater management areas.

Open space development (OSD), otherwise called “cluster development” or “conservation design”, is a method of development that permits a reduction in lot area and bulk requirements while retaining contiguous areas of open space. By departing from the strict application of required setbacks, yard areas, lot sizes, minimum house sizes, minimum requirements, and other performance standards associated with traditional zoning, OSD can maximize the development potential of land while remaining sensitive to its unique and valuable natural characteristics. The project density is clustered, basing density on number of units per acre instead of specific lot dimensions.

Figure 1 below shows a piece of land developed under conventional zoning, while Figure 2 shows the same site developed under the OSD concept. There are 32 lots in each subdivision design. In the OSD example, however, the dwellings are clustered on smaller lots and the remainder of the site is preserved as open space. Usually, this open space is owned by a homeowner’s association or conservation organization. The open space can either be preserved in perpetuity, or preserved for future development as discussed below.

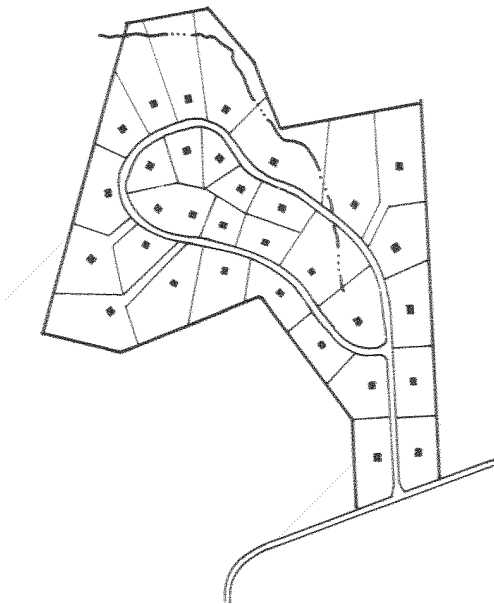


Figure 1 – Conventional Zoning

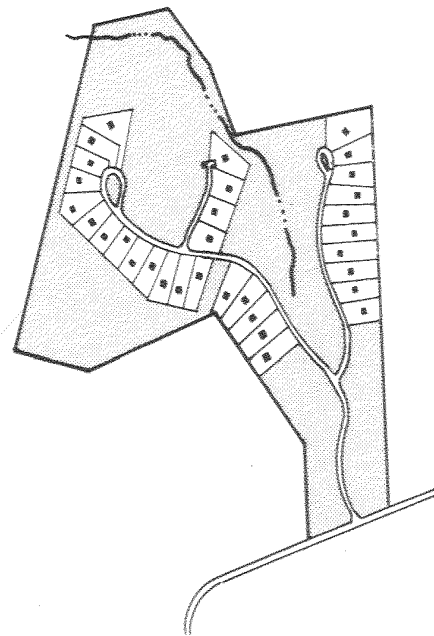


Figure 1 – Open Space Development

In addition to preserving open space and environmental features, OSD has several other advantages. One common advantage is that the area devoted to streets and other infrastructure is often reduced because the streets serve a smaller area, and therefore, OSD design is often more efficient and infrastructure construction and maintenance costs are reduced.

Clustering is particularly advantageous to conventional development in rural areas that are urbanizing or are likely to urbanize in the relatively short-term future. Smaller lots are generally easier and more cost effective to provide with sewer and water when the area urbanizes, and the land dedicated to open space can be further subdivided into urban lots in the future (if the land has been established for that purpose).

PLANNED UNIT DEVELOPMENTS (PUD'S)

The most common tool used to achieve open space subdivision design is through a “planned unit development” (PUD) process. PUD is the zoning mechanism that allows communities to vary from conventional zoning standards. PUD's can be simply a method of development allowed/required under certain circumstances, usually through the issuance of a conditional use permit, or they can be zoning districts onto themselves. In the later method, the PUD zoning classification is a “floating” zoning district.

A “floating zone” is an unmapped district where all the zone requirements are contained in the ordinance and the zone is fixed on the zoning map only when an application for development, meeting the zone requirements, is approved. This method of zoning is most often used in rural areas where large tracts of land may be converted from a rural designation to a higher use development in accordance with planned development regulations (such as in a PUD).

In addition to allowing deviations from traditional lot size and bulk regulations to accommodate clustering and preservation of open space, PUD's offer other advantages. Unlike conventional zoning districts, PUD's can allow a mixture of uses, if appropriate. For example, in an urban area, a PUD could allow neighborhood or convenience commercial uses (such as a daycare center or convenience store) within the same development as residential uses. It could also allow a mixture of residential uses within the same development, such as townhomes and single-family homes. Also, through a PUD landowners are afforded more flexibility in developing their land, while local units of government can achieve a higher standard of development and design.