

Chapter 19.19. Open Space.

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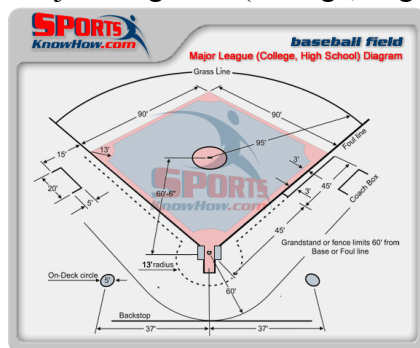
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19.19.01. Purpose and Applicability.

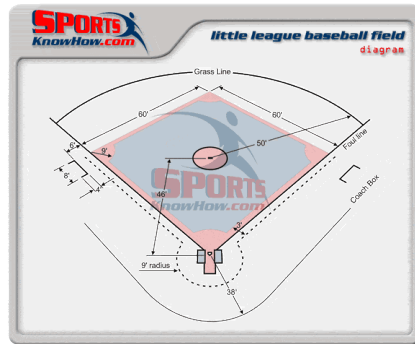
1. **Purpose.** This Chapter establishes minimum open space requirements for all new residential development to ensure that parks and open space meeting the recreational and scenic needs of new residents are met.
2. **Applicability.** This Chapter applies to all new development in the City and expansions to previously approved developments in the City, excepting development in the A, RA-5, RR, and R1-40 zones.

19.19.02. Definitions.

1. "Amenities" means an improvement for use by park patrons or residents, such as playground equipment, play fields, trails, benches, and restrooms.
2. "Amphitheater" means a curved open-air venue for entertainment, with tiered seating or upward-sloped turfed area suitable for seating surrounding a central level area for performances. Seating capacity is calculated on nine square feet per person on the tiered or turf seating area.
3. "ASTM" means the American Society of Testing Materials.
4. "Baseball Diamond" means a play field improved with turf except for the skinned infield, and striped to support the play of baseball or softball, with each diamond supporting one game at a time. Minimum dimensions by type are shown in the following graphics:
 - a. "Major League©" (College, High School) diagram:



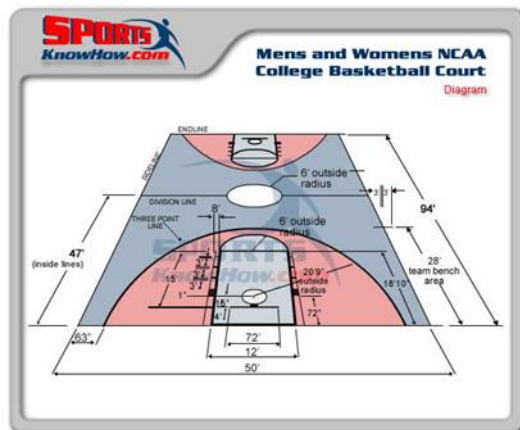
b. “Little League©” diagram:



5. “Basketball Court” means a hard-surfaced area with amenities to support the playing of basketball.

a. “Half court” means a court a minimum of 47 feet by 50 feet in area and containing one standard (pole and net).

b. “Full court” means a court a minimum of 50 feet by 94 feet in area and containing a minimum of two standards, with the option of four standards creating two smaller full courts within the main court and perpendicular to the main court.



6. “BBQ Grill” means an outdoor appliance for grilling and cooking, constructed of industrial cast iron or similar durable material, and permanently mounted on concrete.

7. “Bike Rack, 4-bike capacity” means a ridged one-piece structure to which bicycles can be locked, permanently mounted on concrete. May be substituted by multiple single-bike racks or poles with capacity for four bikes.

8. “Detention basin – limited access” means a detention basin that is improved to provide access for recreational use when not storing water.

9. “Drinking Fountain” means an industrial or commercial grade outdoor drinking facility, with proper drainage.

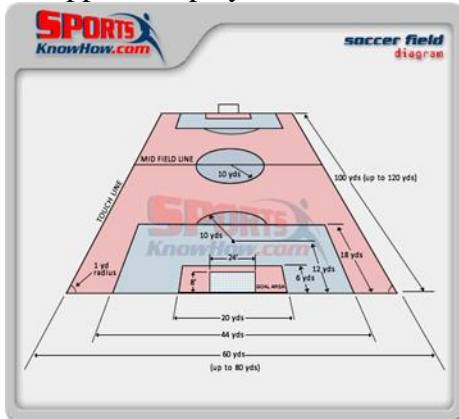
10. “Equivalent Acres” means the number of acres of different types of land it takes to equal one acre of fully improved park space.

11. “Fully Improved” means open space completely improved with turf or other live vegetation, and containing amenities equaling at least 75 points per acre.

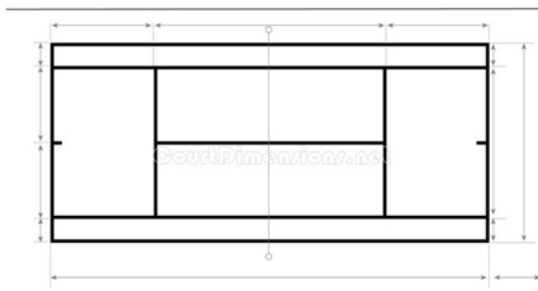
12. “Fully Improved with limited access” means fully improved open space with limitations to access, such as a pay-for-use golf course, limited hours for a cemetery, or similar limitation.
13. “Fully Improved with full access” means fully improved open space with no limitations on user access.
14. “Horseshoes, tetherball, similar” means an outdoor recreation area designed for the playing of horseshoes, or tetherball, or other permanently installed outdoor game.
15. “Ice Rink, Indoor Facility” means a minimum 200x85 foot artificially refrigerated ice-skating surface fully contained within a temperature controlled structure or building.
16. “Ice Rink, Outdoor Facility” means an outdoor ice-skating facility that may or may not be artificially refrigerated.
17. “Improvements” means any addition or enhancement to open space, such as landscaping, recreational amenities, trails, and grading. See also “Partially Improved”, “Fully Improved”, and “Unimproved”.
18. “Native” means the installation of natural landscaping commonly found in unimproved, un-manicured landscapes. This commonly refers to native species of grasses, forbs, and shrubs commonly found in undisturbed landscapes. Native landscape could include the restoration of disturbed areas by replacement of topsoil, native seeding by drilling method, and covering with a hydraulically applied wood fiber mulch.
19. “Open space with no access” means open space with no user access or recreational benefit provided.
20. “Park Bench” means an industrial or commercial grade outdoor seat, permanently mounted on concrete.
21. “Partially Improved” means open space left in a native state, such as existing or new native grasses instead of turf, and with recreational amenities consisting of less than 75 points per acre.
22. “Pavilion” means a free-standing structure with an open frame and covered by a roof to provide shade for a table or sitting area or other similar use.
 - a. “Small” means a pavilion of up to 400 square feet covering at least one table and related seating, one BBQ grill, or similar facilities.
 - b. “Medium” means a pavilion of up to 750 square feet covering at least two tables and related seating, several BBQ grills, or similar facilities.
 - c. “Large” means a pavilion of up to 1000 square feet covering at least four tables and related seating, or two tables and several BBQ grills, or similar facilities.
 - d. “Extra-large” means a pavilion of over 1000 square feet covering eight to ten tables and related seating, or a combination of tables and BBQ grills of similar amount.
23. “Play Field” means a level grass field that is useable for the play of various sports such as football, lacrosse, soccer, or other field. May or may not be striped for a specific sport.
24. “Play structures” means a structure containing any of the following: swings, post and platform, slides, climbers, rockers, rotational, and interactive features. A single-platform refers to one elevated platform containing multiple features. All playground structures must have a certificate of compliance with current CPSC and ATSM standards.
25. “Restroom” means a room containing a wash basin, toilet, and other facilities for use. Where a restroom is provided, at least one cleaning/maintenance closet shall be included. May consist of a unisex lockable-from-inside restroom, or separate men and women’s

restrooms. May include a single or multiple stalls. Restrooms shall comply with ADA requirements, including percentage of stalls that are accessible in design.

26. "Sensitive Lands, limited access" means open space consisting of wetlands, steep slopes, or other sensitive lands with some user access provided such as trails, boardwalks, or pavilions.
27. "Soccer Field" means a play field a minimum of 180 feet by 300 feet in area, and striped to support the play of soccer as shown in the graphic below:

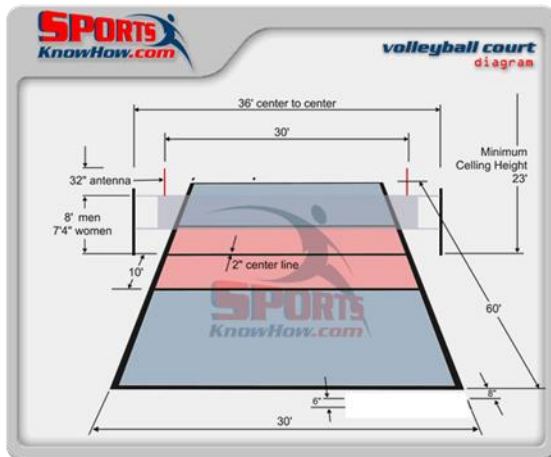


28. "Splash Pad" means a recreation area for water play with little to no standing water. May include fixed or movable spray or drip features and nozzles.
29. "Swimming Pool" means a man-made structure or tank constructed to hold water deep enough to permit swimming and other water based recreation. Minimum depth of six feet where diving is permitted; does not include wading pools. Minimum dimensions of 80 feet by 16 feet for a two-lane lap pool, or 50 feet by 25 feet for a non-lap pool.
30. "Tennis Court" means a level rectangular area for the playing of tennis. Minimum dimensions of 27 feet by 78 feet for a singles court; minimum dimension of 38 feet by 78 feet for a doubles court, striped in the following manner:



31. "Trash Can" means a waste receptacle for either trash or recyclables, minimum capacity of 32 gallons.
32. "Unimproved" means open space left or planted in a native state, without the addition of amenities.
33. "User" means a person accessing open space for recreation, relaxation, or other purpose. Refers to residents of a development for privately maintained open space, or to the public for publicly maintained open space.
34. "Volleyball Court or Pit" means a level rectangular area with a net structure for the playing of volleyball. Minimum area of 1800 square feet. May be a lowered or level sand

surface, or a hard level surface. Minimum dimensions as shown in the graphic below:



- 35. “Wading Pool” means a man-made structure or tank constructed to hold a small amount of water for water play that is not deep enough to permit swimming.
- 36. “Workout Station” means an industrial or commercial grade fitness components or devices designed to offer exercise opportunities to users, permanently mounted and meeting ASTM standards.

19.19.03. Equivalent Acres.

- 1. **Equivalent Acres.** As used in this Chapter, open space requirements shall be calculated based on Equivalent Acres, where different types of open space qualify as more or fewer acres. For each acre of required open space, the requirement may be met through a variety of open space types, according to the table below and as defined in this Section:
 - a. **Method:** Multiply each acre or portion thereof, for each category provided, by the multiplier to determine the Equivalent Acres:

| EQUIVALENT ACRE FORMULA | |
|---|---------------|
| Category of Open Space Provided: | Multiplier: |
| Unimproved, not Sensitive Lands | 0.15 |
| Open Space with no access | 0.15 |
| Sensitive Lands - limited access | 0.33 |
| Improvement of existing City owned open space | 0.67 |
| Detention basin - limited access | 0.67 |
| Detention basin - no access | 0 - no credit |
| Partially Improved | 0.75 |
| Fully improved with limited access | 0.75 |
| Fully Improved with full access | 1 |

- b. **Example:** A project providing 10 acres of open space that consists of 2.5 acres of hillside with trails (Sensitive Lands with Limited Access), 1 acre of detention basin with limited access, ½ acre of detention basin with no access, 2 acres of sensitive lands with no access, 3 acres of native park space, and 1 acre of fully improved park space with full access would be calculated as follows, resulting in credit of 5.05 Equivalent Acres:

| EQUIVALENT ACRE FORMULA | | | | |
|---|---------------|-----------------------|--------------------------|----------------------------|
| Category: | Multiplier: | Actual Acres provided | Equivalent Acre Formula: | Equivalent Acres Provided: |
| Unimproved, not Sensitive Lands | 0.15 | | | |
| Open Space with no access | 0.15 | 2.00 | 2 acres x .15 | 0.30 |
| Sensitive Lands - limited access | 0.33 | 2.50 | 2.5 acres x .33 | 0.83 |
| Improvement of existing City owned open space | 0.67 | | | n/a |
| Detention basin - limited access | 0.67 | 1.00 | 1 acre x .67 | 0.67 |
| Detention basin - no access | 0 - no credit | 0.50 | .5 x 0 | 0.00 |
| Partially Improved | 0.75 | 3.00 | 3 x .75 | 2.25 |
| Fully improved with limited access | 0.75 | | | |
| Fully Improved with full access | 1 | 1.00 | 1 x 1 | 1.00 |
| TOTALS | | 10.00 | | 5.05 |

19.19.04. Minimum Required Open Space.

1. **Open Space Required.** A minimum of one Equivalent Acre of park space is required for every 40 residential units in a development, or fraction thereof.
 - a. Example: a development with 150 units must provide 3.75 Equivalent Acres: $150 \div 40 = 3.75$.
 - b. Exception: any development where a minimum of 75% of the lots are one acre in size or larger shall not be required to provide Equivalent Acres.
2. **Minimum percentage by development.** In addition to the minimum Equivalent Acres, to ensure a livable community, in no case shall the percentage of total open space acreage provided in the following types of development be less than the listed percentage:
 - a. Single family developments: 10% of overall development acreage
 - b. Multi-family developments: 15% of overall development acreage
 - c. Mixed Use and Mixed Waterfront developments: 25% of overall development acreage
 - d. Developments with both single family and multi-family: combination of the requirement based on the acreage for each type of housing.
3. **Other Limitations.**

- a. In no case may the cumulative total of the following categories qualify for more than 50% of a development's Equivalent Acre requirement.
 - i. Unimproved, not Sensitive Lands
 - ii. Open space with no access

19.19.05. Minimum Required Amenities.

- 1. **Methodology.** In order to meet the needs of new residents in each development, each development is required to provide amenities equaling a minimum number of points per required Equivalent Acre of open space.
- 2. **Minimum Points.** A minimum number of points is required per required Equivalent Acre, based on the total number of required Equivalent Acres provided in an individual park. The amenities may be distributed across all provided acres, but the points requirement is based only on the required Equivalent Acres.
 - a. Required points: minimum required points are based on the number of required Equivalent Acres provided in a contiguous park and are outlined in the table below:

| Park Size | Minimum Points Per Required Equivalent Acre: |
|-----------------------------|--|
| 0 - 2.49 Equivalent Acres | 100 |
| 2.5 - 4.99 Equivalent Acres | 80 |
| 5 - 9.99 Equivalent Acres | 60 |
| 10+ Equivalent Acres | 40 |

- b. Example of application: a development with 150 units is required to provide 3.75 Equivalent Acres ($150 \div 40 = 3.75$), and must provide amenities averaging 80 points per Equivalent Acre, for a total of 300 points ($3.75 \times 80 = 300$). If the development provides 6 Equivalent Acres instead of the minimum 3.75, the total point requirement is still 300 and does not increase based on additional acreage.
- 3. **Points per Amenity.** Each recreational amenity is worth a number of points. For appropriate spacing of amenities, each item also has a minimum square footage requirement.
- 4. **Mixture of Amenities and Required Amenities.**
 - a. All parks are required to provide a mixture of amenities, including at least one separate item each from Categories C, D, and E.
 - b. No more than 25% of the points may be met by one specific item type in any one category.
 - c. All parks over 5 Equivalent Acres are also required to provide at least one item from Category A or B, and three items from category P, and a minimum 1-toilet restroom per each 5 acres or fraction thereof.

- d. Items in Categories A and B may qualify for impact fee credits, if identified in the Parks and Trails Master Plan.

| Item | Min sq. ft. per item | Category | Points per Item |
|---|----------------------|----------|-----------------|
| Ice rink - indoor facility | n/a | A | 1750.0 |
| Marina - public access (ramp to accommodate 4 boats min.) | n/a | A | 500.0 |
| Amphitheater (structure) | 2500 | A | 375.0 |
| Ice rink - outdoor facility | 10000 | A | 250.0 |
| Baseball Diamond - Little League© size | 56000 | A | 216.0 |
| Skate Park - one pit | 10000 | A | 200.0 |
| Swimming Pool, 2 lane equivalent | 3000 | A | 150.0 |
| Amphitheater (100 person seating area) | 1000 | A | 125.0 |
| Splash Pad (25 people) | 2250 | B | 90.0 |
| Restroom 3+ Toilets | 400 | B | 82.0 |
| Play Field - full size (soccer, football, etc.) | 56000 | B | 56.0 |
| Tennis Court (post tension concrete with fencing) | 7200 | B | 50.4 |
| Trail, hard surface, per 1000 linear feet | 10000 | B | 41.3 |
| Restroom 1-2 Toilets | 200 | B | 41.0 |
| Additional Equivalent Acre Above Requirement | See Tables | B | 40.0 |
| Pavilion - extra-large (30'x40') | 1200 | C | 39.0 |
| Pavilion - large (30'x32') | 960 | C | 31.2 |
| Play field - half size | 28000 | C | 28.0 |
| Play or skate feature - e.g. rock wall or kicker, large | 200 | C | 25.0 |
| Playground Structure (1-platform) | 250 | C | 25.0 |
| Pavilion - (medium, 30'x24') | 720 | C | 23.4 |
| Pickleball Court | 3000 | D | 22.5 |
| Zipline - per 75' linear rideable line | n/a | D | 17.5 |
| Basketball 1/2 court | 2350 | D | 16.5 |
| Pavilion (small, 30'x16') | 400 | D | 15.6 |
| Personal Watercraft Dock | 2000 | D | 12.5 |
| Swingset | 100 | D | 12.5 |
| Trail, soft surface, per 1000 linear feet | 5000 | D | 8.3 |
| Drinking fountain (freeze resistant w/pet bowl & bottle filler) | 9 | D | 6.0 |
| Horseshoes or similar | 250 | E | 3.0 |
| Bleachers - per section | 450 | E | 2.8 |
| Volleyball pit | 1800 | E | 1.3 |
| Art - 1 statue, sculpture, or other single piece | 50 | E | 1.0 |

| | | | |
|---|-----|---|-----|
| Table (6' aluminum) | 75 | E | 0.8 |
| Tetherball or similar | 250 | E | 0.6 |
| Trash Receptacle (32 gal) | 25 | E | 0.6 |
| Workout station | 100 | E | 0.5 |
| Bench | 50 | E | 0.4 |
| BBQ Grill | 25 | E | 0.3 |
| Bike Rack, 4-bike capacity | 30 | E | 0.3 |
| Parking - 1 space (hard surface with drive aisle) | 320 | P | 0.4 |
| Parking - 1 space (soft surface with drive aisle) | 320 | P | 0.1 |
| Additional options for stacked residential and residential above commercial: | | | |
| Fitness room / gym | 400 | B | 41 |
| Rooftop Garden | 150 | C | 25 |

** When an amenity is proposed that is not listed, Planning Director shall compare the cost and capacity of the amenity with amenities in this table to determine a comparable points value and category.*

*** A minimum of one trash can is required with every pavilion and one for every park without pavilions.*

19.19.06. Payment in Lieu of Open Space Program.

1. **Applicability:** the City’s Payment in Lieu of Open Space Program may be utilized for all or a portion of the requirement for developments that meet one or more of the following criteria:

- a. any single-family development where a minimum of 75 percent of the lots are 10,000 square feet or larger, or
- b. any single-family development with a park requirement of less than one acre, or
- c. any development in the MW zone where such fee will aid in the creation of large clustered open spaces near the waterfront, or
- d. that portion of a development that is located within ¼ mile of an existing improved regional public park.

2. Arrangements and Handling of Payment.

- a. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the land value in subsection 2.b below, plus the cost of open space improvements identified in subsection 2.c below.
- b. The City shall maintain an annually updated list of land values for the cost of a non-sensitive developable acre, and apply the land value to the required Equivalent Acres for which the applicant desires to pay a fee in lieu.

- c. The City shall calculate the minimum required points per this chapter, and multiply the points by \$2,000 to determine the cost of the minimum required open space improvements, including landscaping, parks, trails, and other amenities.
- d. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading or repairing existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading or repairing existing parks facilities.
- e. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

3. Voluntary Participation.

- a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
- b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by virtue of this Chapter and all proposals to participate in this program are subject to the total and complete review and discretion of the City Council.

19.19.07. Phasing.

- 1. If the construction of various portions of the project is proposed to occur in stages, then the following standards shall be met.
 - a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Planning Director.
 - b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage developed with any given phase. The Developer may install open space in excess of the proportionate amount for each phase and bank open space credits towards later phases; however the open space installed must be a part of the open space shown in the Phasing Plan.
 - c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify as determined by the City Attorney.

19.19.08. Maintenance and City Acceptance.

1. **General Maintenance.** All open space shall be maintained regularly, by the property owner or HOA as appropriate, to maintain a clean, weed-free, and healthy appearance.
2. **Turf and Plantings.**
 - a. Turf shall be maintained at a maximum height of 3-4 inches.
 - b. Turf and plantings shall be fully established and kept free of broadleaf weeds and other invasive species.
 - c. Fertilizer shall be applied as necessary.
3. **Irrigation.**
 - a. Irrigation shall comply with all City watering restrictions and guidelines, and shall begin no earlier than April 15th and shall end no later than October 15th of every year.
 - b. Irrigation systems shall be maintained to operate efficiently, with leaks and malfunctions repaired promptly.
 - c. Components and nozzles shall be utilized to keep a uniform distribution of spray per irrigation zone.
 - d. Water shall be limited to irrigable areas and shall not cross onto hardscape such as sidewalks and streets.
 - e. Water-saving devices, including smart timers and rain sensors, shall be utilized to ensure efficient use of water, and to prevent watering during precipitation.
4. **Amenities.**
 - a. Amenities shall be maintained in clean, safe, working order. Rust shall be removed annually.
 - b. Broken or malfunctioning amenities shall be repaired or replaced promptly.
 - c. Proper maintenance schedules as recommended by the manufacturer or industry for each amenity shall be followed.
5. **City Acceptance:** the City shall be responsible for the maintenance of all open space dedicated to and accepted by the City for public ownership and use, or where a permanent public use and City maintenance agreement has been recorded. The City Council shall consider, but not be bound by, the following criteria when deciding whether to accept dedication or easements for open space:
 - a. the trail is a regional trail corridor identified on the City Trails Master Plan and built to City standards, as well as crucial connections between such corridors.
 - i. Trail corridors dedicated to the City shall have a minimum width of fifteen feet.
 - ii. Public access trail easements through privately owned open space shall include only the area from exterior edge of trail surface to exterior edge of trail surface with adjacent landscaping maintained by the owner of the adjacent property, or
 - b. the open space is a public park over 5 Equivalent Acres with a minimum average of 80 points of amenities per Equivalent Acre, or.
 - c. the open space is a public park of less than 5 Equivalent Acres only when offering a major public benefit such as trailhead parking or other need identified in the

City Parks and Trails Master Plan, and containing a minimum average of 100 points of amenities per Equivalent Acre.