

LOC 50.06.005.3 a. Amount of Open Space Required

ISSUES:

1. % of Open Space for Small (<75,000 sq. ft.) Subdivisions and Major Partitions
2. Priority of Lands for non-small subdivisions and partitions, and commercial, institutional, industrial.

CODE

- "All developments, *except as otherwise provided by this section*, shall provide open space ... equal to at least 20%." §3.a.i -
- Commercial, institutional, industrial: 15% open space; no priority of lands is stated. §3.a.ii
- Subdivision and major partitions:
 - > 75,000 sq. ft.: 20% open space; no priority. §3.a.iii
 - ≤ 75,000 sq. ft.: % open space not stated; no priority stated. §3.a.iv

INTERPRETATIONS:

1. Small (≤75,000 sq. ft.) subdivisions and major partitions
 - a. Percentage? Default 20% open space per §3.a.i. applies.
 - b. Priorities? Apply §3.a.iv(1-4). If the 20% of open space is not met after applying the priorities, then the remaining balance for "open space" applies on non-priority basis: "parks or natural areas", per "Open Space" definition LOC 50.10.003.2. See definitions of "parks" and "natural areas".
2. Non-small subdivisions and major partitions
 - a. Percentage - 20%, per §3.a.iii.
 - b. Priorities: Use same priorities as small subdivisions and partitions because these must be protected areas, so same answer as 1.b above.
3. Commercial, Institutional, industrial:
 - a. Percentage: 15%, per §3.a.ii.
 - b. Priorities: Use same priorities as small subdivisions and partitions because these must be protected areas, so same answer as 1.b above.