

Chapter 18.174
RP-OE PLANNED OPEN SPACE ESTATE RESIDENTIAL DISTRICT

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18.174.010 Statement of intent

The zoning of property as RP-OE, Planned Open Space Estate Residential District, is intended to provide for the development of very low-density residential development in newly developing areas, where adequate public facilities and infrastructure are available or will be available in the near future, and where greater flexibility is needed to allow for the preservation of natural features, such as riparian areas, flood plain, wetlands, and areas with steep slopes. Flexibility from the traditional residential estate large-lot standards (RE, Residential Estate District) is offered to allow for creative subdivision design, while maintaining a very low-density character and an opportunity to preserve open space. Property zoned RP-OE shall be provided with public sanitary sewers prior to, or concurrent with, development.

(History: Ord. ZRR-2345 §5, 2002)

18.174.020 Permitted uses

No building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except for one or more of the uses permitted in District R-1, subject to the development and performance standards set forth in Chapter 18.180.

(History: Ord. ZRR-2345 §5, 2002)

18.174.030 Height and area regulations

The maximum height of buildings, the minimum dimension of lots and yards, and the minimum lot area per dwelling permitted on a lot shall be as follows, except as provided in Chapter 18.420.

- A. Maximum height:
 - 1. Residences limited to two and one-half stories, not exceeding 35 feet.
 - 2. Accessory structures and uses, other than nonresidential structures, one-story, not exceeding 20 feet and not exceed the height of the main structure.
- B. Minimum front yard -- 15 feet.

- C. Minimum side yard.
 - 1. The total of both side yards shall be not less than 20% of the width of the lot, except that no side yard other than a street-side yard on a corner lot need be more than 15 feet.
 - 2. No side yard shall be less than six feet.
 - 3. On corner lots, the side yard on the street side shall not be less than 15 feet.
- D. Minimum rear yard – 10 feet when adjacent to designated open space lands, otherwise 25 feet.
- E. Minimum lot width – 50 foot.
- F. Average lot depth – 85 feet when lot is adjacent to designated open space lands, otherwise 115-feet.
- G. Maximum density – 1 unit per gross acre.
(History: Ord. ZRR-2449 §1, 2003; ZRR-2345 §5, 2002)

18.174.040 Parking regulations

Two off-street parking spaces shall be provided for each single-family dwelling, at least one of which shall be in a garage or carport. See Chapter 18.430 for additional parking requirements.
(History: Ord. ZRR-2345 §5, 2002)

18.174.050 Development and Performance Standards

- A. District Size – All parcels hereafter zoned RP-OE, Planned Open Space Estate Residential District shall contain a minimum of 15 acres of land, provided that the Planning Commission and Governing Body may waive this requirement if the proposed tract of land abuts an existing development zoned RP-OE; Planned Open Space Estate Residential District, and the proposed tract will enable a compatible extension of the existing development.
- B. Open Space Lands Requirement - The subdivision must include at least 40 percent of the total gross land acreage as open space lands.
 - 1. Not less than 10 percent of this open space lands shall be in a form usable to and accessible by the residents.
 - 2. In addition, no more than 50 percent of the open space lands shall comprise of active recreational uses.
- C. Uses Permitted on Open Space Lands
The following uses are permitted in open space land areas:

1. Low-impact passive uses include conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow), agricultural uses as defined by Section 18.110.040, village/central greens, neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, cemeteries, and similar low-impact passive recreational uses specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the Planning Commission and Governing Body.
2. Active recreation uses (no more than 50 percent of the required open space lands) include recreational playing fields, golf courses, playgrounds, tennis courts, neighborhood pools, clubhouse structures, equestrian facilities, and parking lots provided such areas do not consume more than half of the minimum required open space land. Recreational playing fields, playgrounds, and tennis courts shall not be located within 100 feet of abutting properties. Parking facilities shall generally be unlighted, and provide no more than ten (10) parking spaces.

D. See Section 18.180.070, which is incorporated herein by reference.
(History: Ord. ZRR-2480 §1, 2004, ZRR-2345 §5, 2002)

18.174.060 Submittal and Review Requirements

A. Architectural Review

All single-family homes and single-family accessory structures are exempt from the architectural review identified in Sections 18.140.190.A4 and 18.140.210.A3 for Preliminary and Final Development Plans, respectively.

B. Maintenance of Open Space

The applicant shall, at the time of preliminary plan submission, provide a plan acceptable to the City that demonstrates that all common open space and natural conservation areas will be managed by a responsible party able to maintain those areas in a natural and open space state, and in a neat and attractive condition in compliance with any applicable laws, ordinances, rules or regulations, in perpetuity. The plan may include, without being limited to, mechanisms such as deed restrictions, covenants or conditions which include the authority to lien the developed property for the costs of maintenance; conservation easements to private or public entities; dedication to a governmental entity; non-development agreements; homeowner, condominium or town home or community associations maintenance agreements; use of national, state or local land trusts, or other legal means that ensure the permanent protection and perpetual maintenance of such areas in an undeveloped and properly maintained condition. Such legal means shall be legally enforceable by the City or private parties, or both, and must provide that upon failure of a responsible party to properly manage and maintain such areas, the City may assume those responsibilities and charge the owners of the developed property (lot owners within that subdivision responsible for the maintenance of the open space lands) a fee which covers maintenance and administrative costs and collect such costs through a lien on the property if necessary. Where appropriate, and when approved by the City,

some or all of such areas can be maintained in a variety of ways, including, without being limited to, being kept for agricultural or passive recreational use or left in the natural state. The form of any instrument used to ensure open space and natural areas preservation shall be approved by the City Attorney as to form and the Director of Planning and Development Services as to content before being submitted as part of any requested land use approval and recorded with the Register of Deeds.

(History: Ord. ZRR-2345 §5, 2002)

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