

**1103 OPEN SPACE REVIEW**

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1103.01 APPLICABILITY

Section 1103 applies to development that affects an open space resource described in Section 1011, and shown generally on Comprehensive Plan Map IV-6, *North Urban Area Land Use Plan Map*, as Resource Protection, Major Hazards, or Public and Community Use Open Space.

1103.02 PROCEDURE

Open space review shall require a Type II application pursuant to Section 1307 and shall be subject to the following:

- A. The required site analysis and development plans shall be reviewed to ensure that all Comprehensive Plan policies, Ordinance, and development standards relevant to the open space resource designation are being satisfied.
- B. The probable impact of the proposed development on relevant natural systems or features, in particular on resources of area-wide significance, shall be evaluated.
- C. The potential for conservation easements, public acquisition, dedication, or any other available means of securing parts of the site as a park, trail, or other open space resource shall be evaluated.
- D. Alternative development proposals that better protect the open space resources through the appropriate use of such techniques as density transfers, commonwall structures, multistory buildings, parking structures, under-structure parking, and reduced parking requirements near transit lines, shall be identified. The intent of this is to assist the applicant in using the various provisions of the Comprehensive Plan, Ordinance, and development standards to achieve the best possible balance of development and open space protection.

1103.03 APPROVAL PERIOD AND TIME EXTENSION

- A. Open space review approval is valid for four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.

1. “Implemented” means all major development permits shall be obtained and maintained for the approved development, or if no major development permits are required to complete the development contemplated by the open space review approval, “implemented” means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained. A “major development permit” is:
  - a. A building or manufactured dwelling placement permit for a new primary structure that was part of the open space review approval; or
  - b. A permit issued by the County Engineering Division for parking lot or road improvements required by the open space review approval.
- B. If the open space review approval is not implemented within the initial approval period established by Subsection 1103.03(A), a two-year time extension may be approved pursuant to Section 1310.

#### 1103.04 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsection 1307.07(C), an application for open space review shall include:

- A. Building or manufactured dwelling placement permit submittal requirements for single-family dwellings on lots of record created prior to January 31, 1980, shall include any materials reasonably necessary for adequate review of the project's impact on the open space resource. Examples are:
  1. A site plan showing existing natural features of the subject property and existing development, as well as proposed development, tree cutting activity, or other modification of open space resources; and
  2. Cross-section of any area within the open space resource where terrain modifications will occur.
- B. Submittal requirements for subdivisions and partitions shall be those identified in Section 1105, *Subdivisions, Partitions, Replats, Condominium Plats, and Vacations of Recorded Plats*.
- C. Submittal requirements for commercial, industrial, and multifamily developments shall be those identified in Section 1102, *Design Review*.

[Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-248, 10/13/14; Amended by Ord. ZDO-253, 6/1/15]