

16.08.042 (&17.62.058) - Additional Public Park and Open Space Requirements in Beaver Creek Road Concept Plan area for non-residential development.

1. New non-residential development creating new commercial or industrial space will contribute to the creation of the parks and open space within the Beaver Creek Road Concept Plan area during a development application. Each non-residential development creating new commercial or industrial space will provide a fee in lieu to the city to proportionally support the acquisition and interim use of needed park and open space land within the Concept Plan boundary.

a. The fee in lieu will be set by the City Commission and adopted yearly in the city's fee schedule. The fee shall only be used by the city for park, trail and open space acquisition and interim site development. **proposed fee \$1,000 per 5,000 square feet of new commercial space**

b. The fee-in-lieu or other monetary contribution must be paid prior to approval of the Certificate of Occupancy.

16.08.043 (&17.62.059 Additional Public Park and Open Space Requirements in Beaver Creek Road Concept Plan area for Residential development.

1. Each development within the Beaver Creek Road Concept Plan area that includes residential development must provide for land for neighborhood parks and open space during a development application which meets the requirements of this section.

Ba. The minimum amount of land in acres dedicated for South-Central Open Space-Neighborhood Park shall be calculated according to the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (8-4 acres) / (1,000 persons).

C.b The minimum amount of land in acres dedicated for the East Ridge- Thimble Creek Conservation Area shall be 7.5 acres.

Dc. The entire acreage must be dedicated prior to approval or as part of the final plat or site plan development approval for the first phase of development.

Ed If a larger area for a neighborhood park or open space is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).

Fe The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available within the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.

1i. The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.

ii.2. The fee-in-lieu or other monetary contribution must be paid prior to approval of the final plat or development approval for each phase of development.

- Gf. Neighborhood park and open space sites proposed for dedication must be located within the South Central Open Space Network as shown in Figure 16.08.042- or the East Ridge- Thimble Creek Conservation Area 16.08.042-2. and meet the following standards:

Figure 16.08.042-1 & 2 (To be provided, will show the South Central Open Space Network & East Ridge- Thimble Creek Conservation Area as mapped on the Development Constraints Map.)

- a. South Central Open Space-Neighborhood Park
  - i. 30 foot ped/bikeway string along the east side of Holly Lane extension to be located in the right of way and will not be considered part of a pearl.
  - ii. 3-4 pearls of various sizes spread along the open space network
  - iii. Min and maximum sizes pearls: 2 acres minimum and 5 acres maximum
  - iv. Min combined size of all pearls: 10 acres
  - v. Min average width: 200 feet
  - vi. Min average depth: 200 feet
  - vii. At least 5 acres to be developed with active recreation components
- b. East Ridge- Thimble Creek Conservation Area
  - i. ½ of area between the Thimble Creek stream buffer and the 490-foot elevation ridgeline to be open space
  - ii. Two public viewpoints separated by at least 400 feet with a minimum size of .35 acre at -less than 10% slope for each viewpoint.
  - iii. 700-foot non-interrupted view corridor along open space from east edge of Ridge Parkway
  - iv. Provide a pedestrian oriented forest trail from one view-point to another along the Ridge Parkway