Open Space Text Amendment

City Council Meeting
July 26, 2022

Vaidila Satvika, AICP, Urban Planner III

Proposed Open Space Regulations

Key Takeaways:

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What Is Open Space?

Definition**: Open space** means an area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space **may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses.** Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Open Space Regulations Process

Creation of Task Force: February to October 2021 (15 meetings)

Boards/Commissions Represented:

- Asheville Area Riverfront Redevelopment Commission (AARRC)
- Affordable Housing Advisory Committee (AHAC)
- Development Customers Advisory Group (DCAG)
- Downtown Commission (DTC)
- Neighborhood Advisory Committee (NAC)
- Planning & Zoning Commission (PZ)
- Sustainability Advisory Committee on Energy and the Environment (SACEE)
- Urban Forestry Commission (UFC)

Proposed Open Space Regulations

Primary Goals:

- Implement Living Asheville Comprehensive Plan strategies related to the need for **more housing**
- Improve the **quality and accessibility** of open space
- **Simplify and clarify** disjointed regulations
- Incentivize better **stormwater management**
- Strengthen **open space protections** in the River Arts District





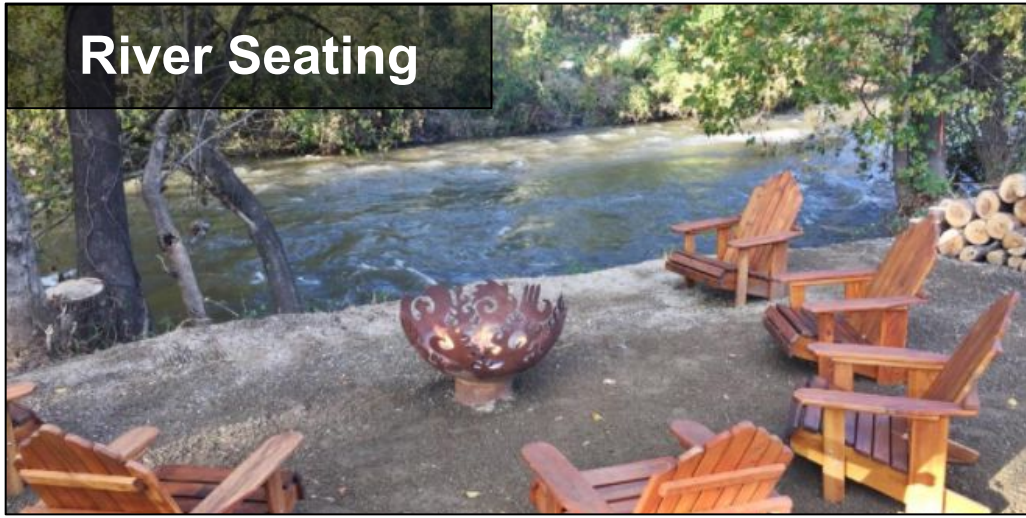
City Parks ≠ Open Space Zoning

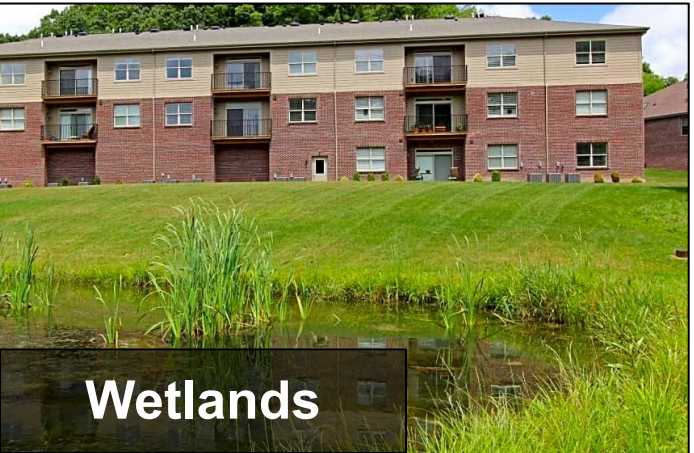




Open Space Examples within Private Development





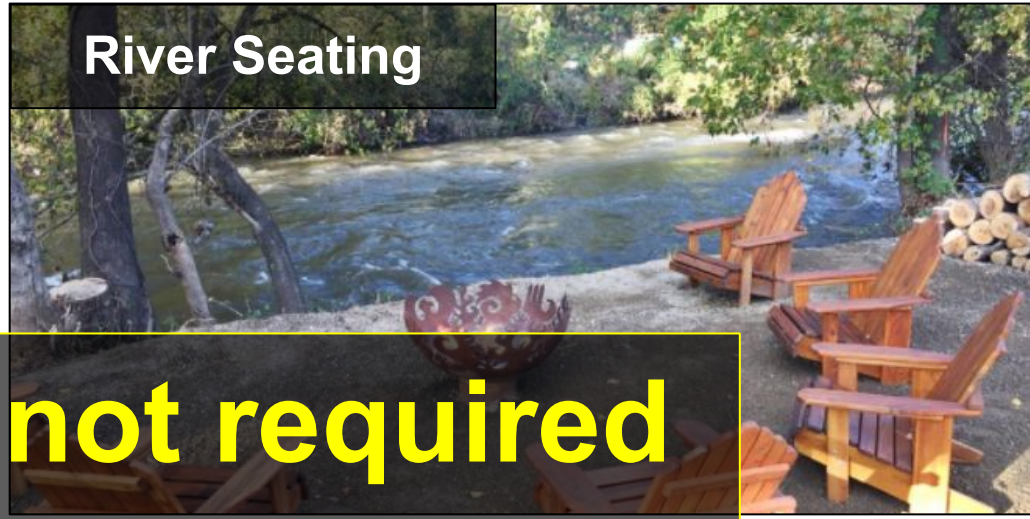






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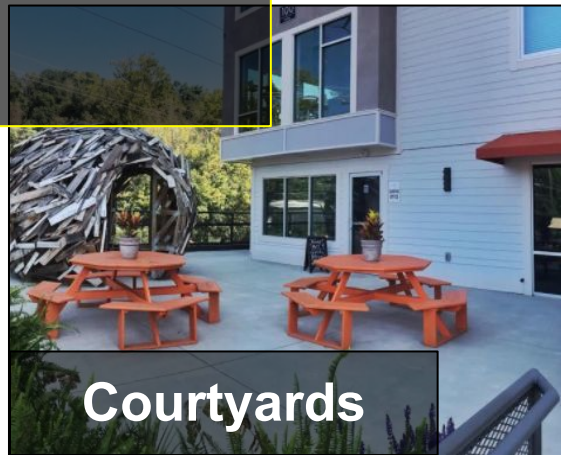




Trees are not required in open space







How are trees protected & encouraged in the City?



Tree Canopy Preservation Ordinance established in September 2020.

- Preservation or planting of trees is now required for 5-30% of applicable development parcels.

Landscaping Standards require applicable development parcels to provide trees and landscaping.

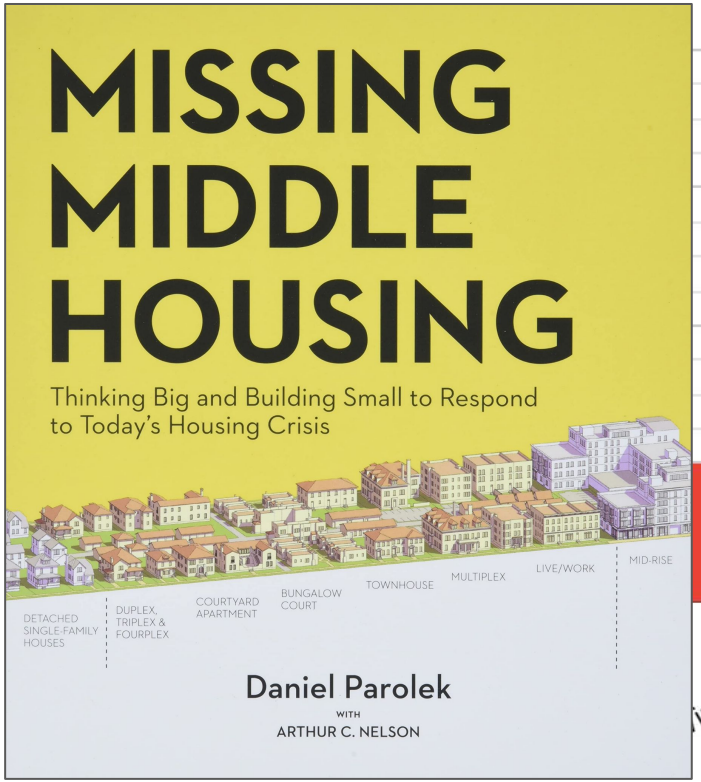
Which properties are required to provide open space?

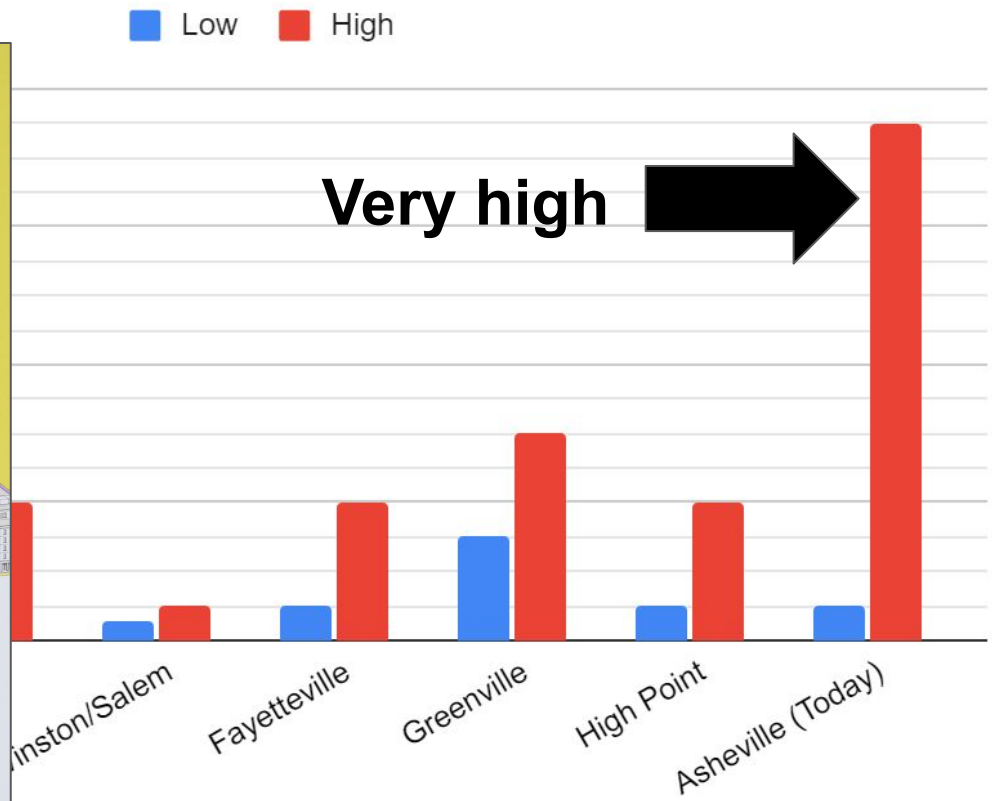
8+ Residential homes or apartments	All Commercial projects in most zoning districts
	

Open Space Text Amendment Summary

Topic	CURRENT	PROPOSED
Residential (Apartments)	500 SF/unit or 15% of parcel, whichever is greater	8-19 units: 5-10%; 20-49 units: 10-15%; 50+ units: 15-20%
Subdivisions (Lots)	20% open space required	10-15% open space required
Commercial	5-15% open space required	5-10% open space required
Stormwater	Stormwater management is not required for infill projects	Large sites (1 acre+) incentivized to provide stormwater management
Affordable Housing	No incentive	Large sites (1 acre+) with affordable housing are exempt from more restrictive open space standards
Fee in lieu	Available for <5,000 SF open space	Available for <5,000 SF open space
RAD-OSP Building Coverage (Max)	80%	7%
RAD-OSP Impervious Surfaces (Max)	0%	12% (Not including impervious paths or trails

Open Space Requirements for Residential





Example #1: Apartments



20 units
5,200 SF footprint



Example #1: Apartments

CURRENT REQUIREMENT

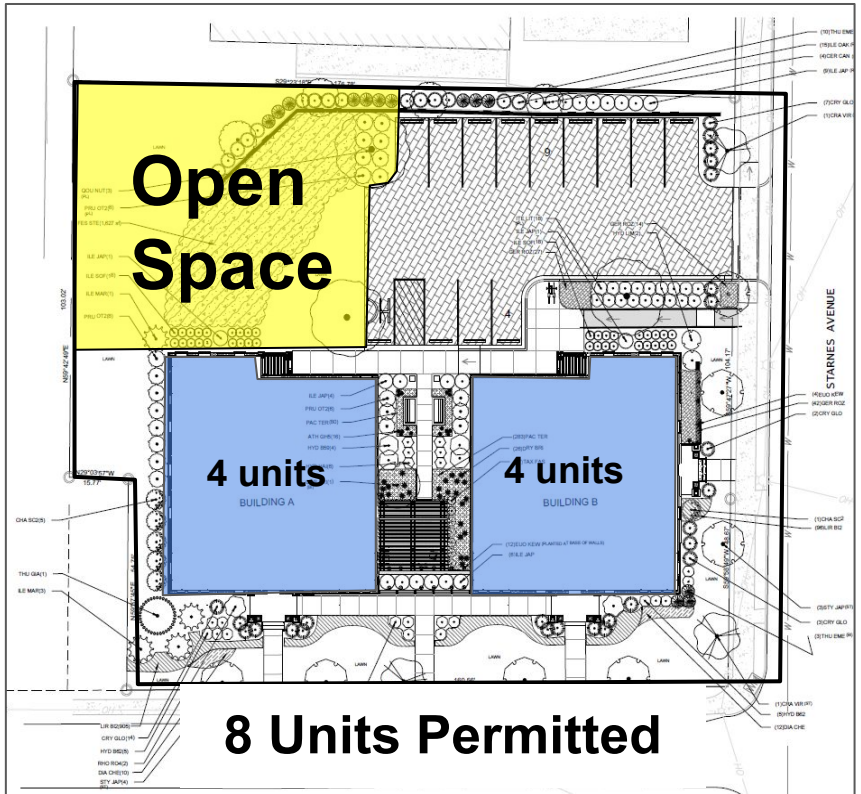


PROPOSED REQUIREMENT



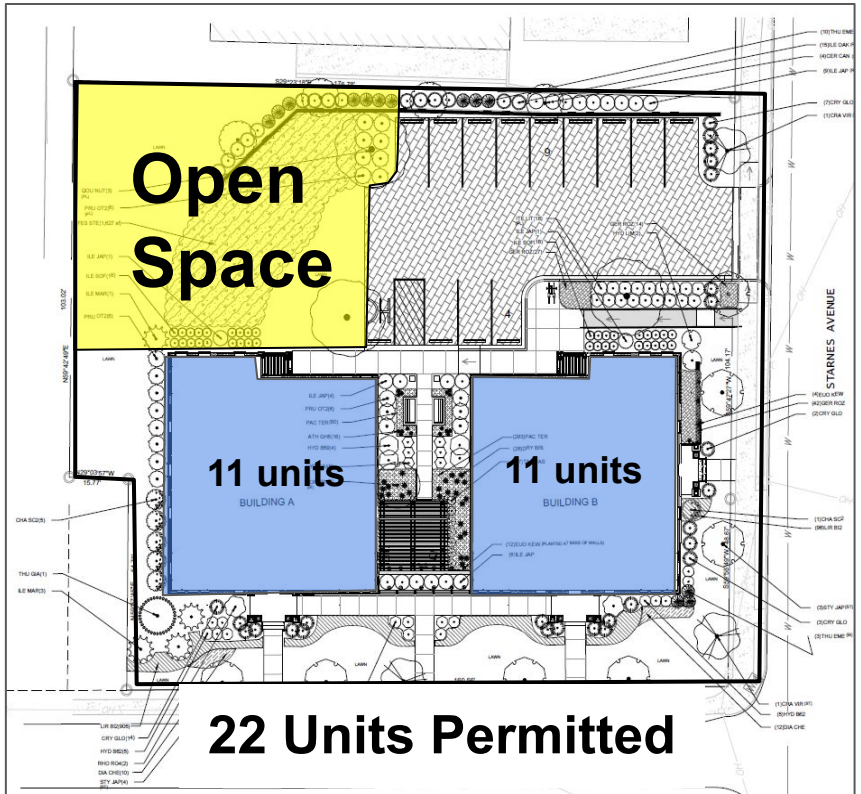
Example: Apartments #2

CURRENT REQUIREMENT



8 Units Permitted

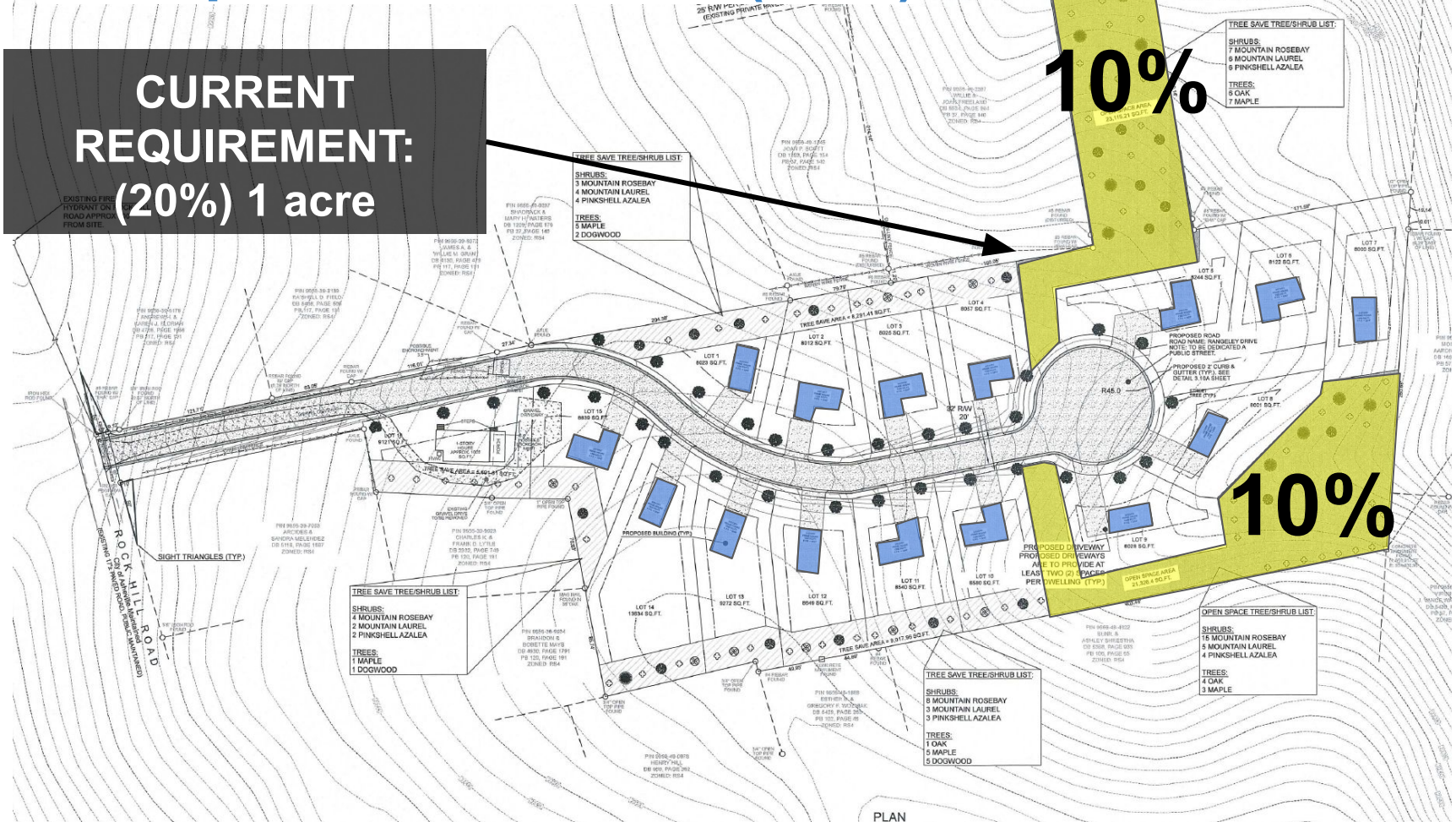
PROPOSED REQUIREMENT



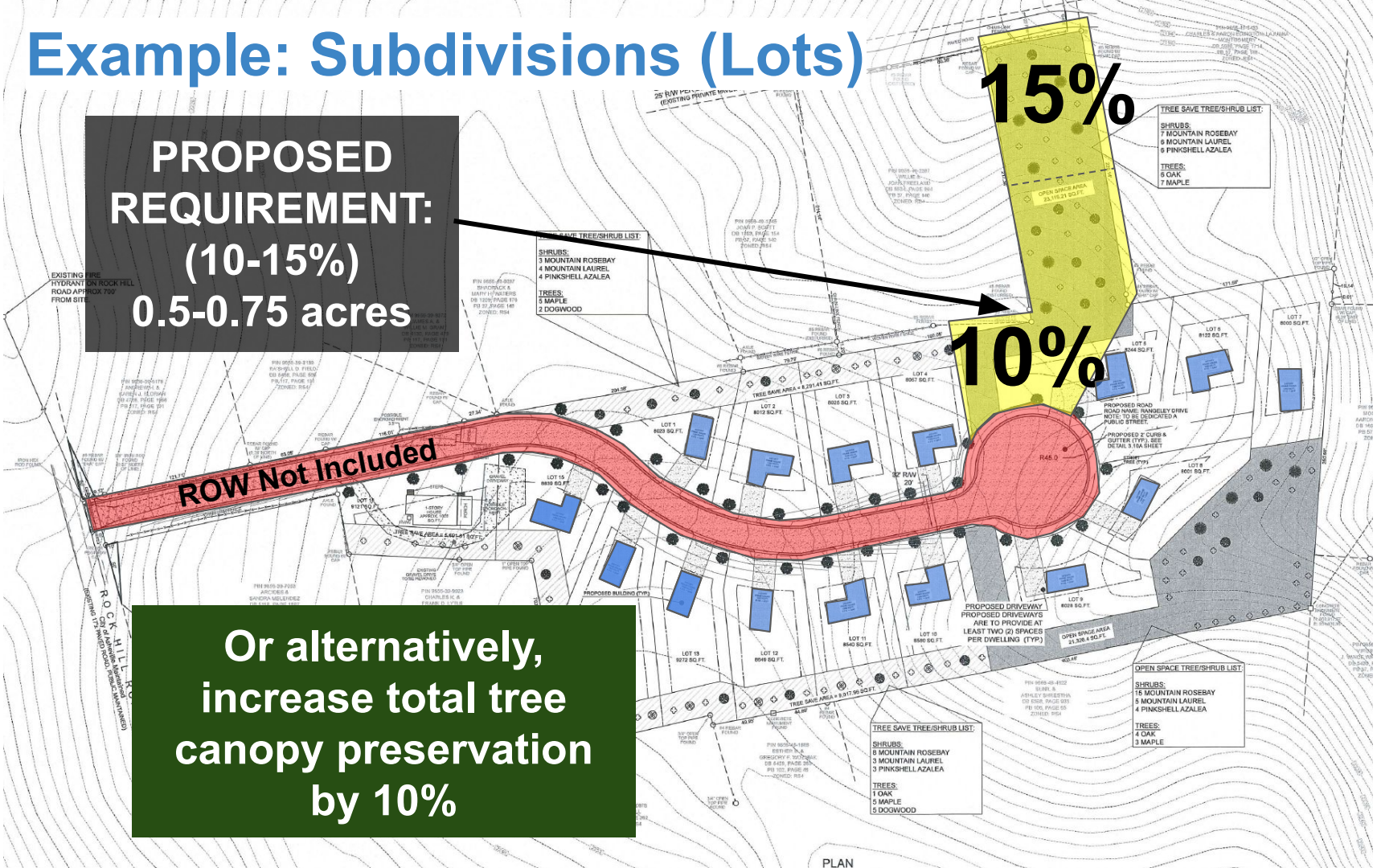
22 Units Permitted

Example: Subdivisions (Lots)

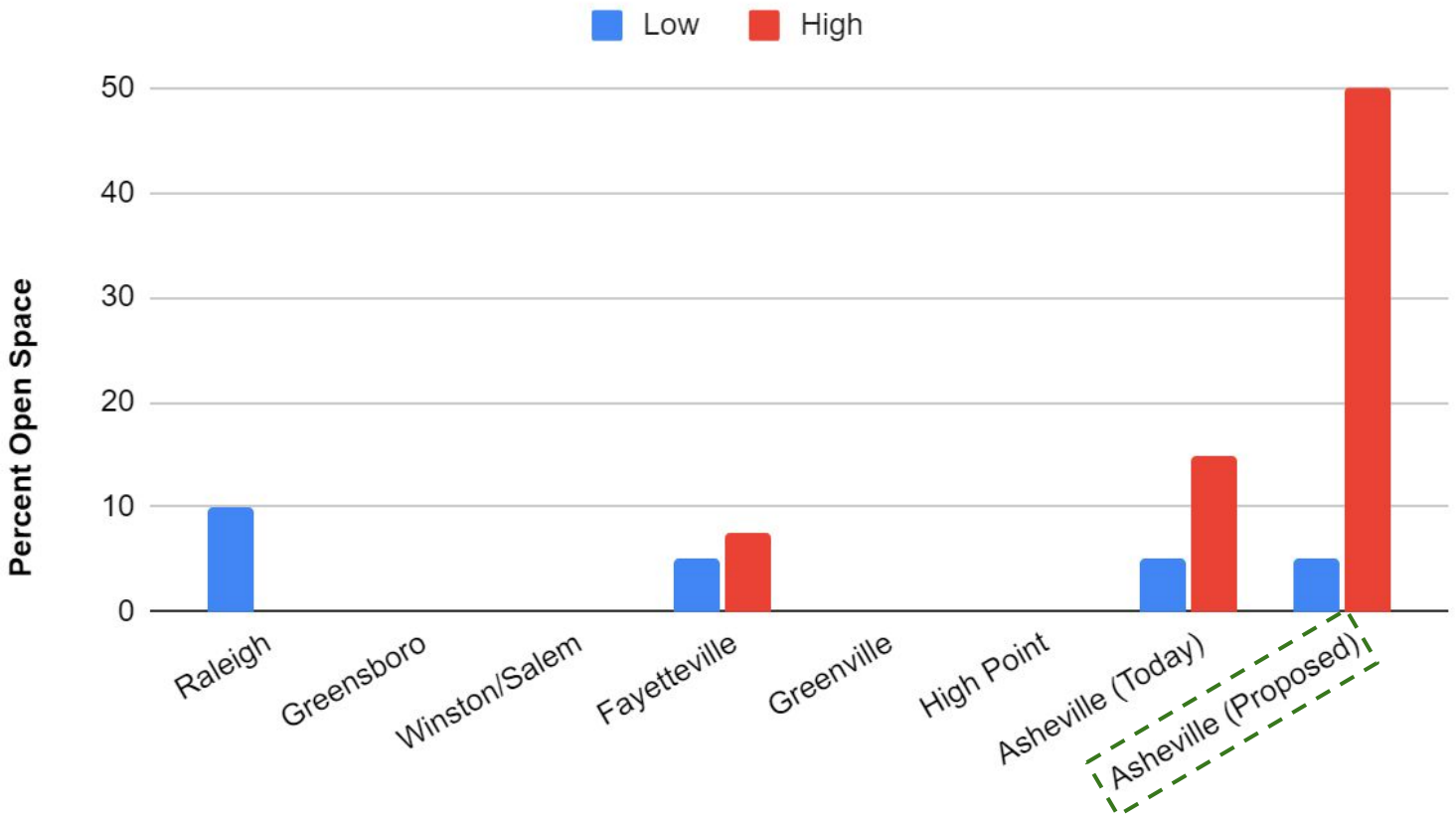
CURRENT REQUIREMENT: (20%) 1 acre



Example: Subdivisions (Lots)



Open Space Requirements for Commercial

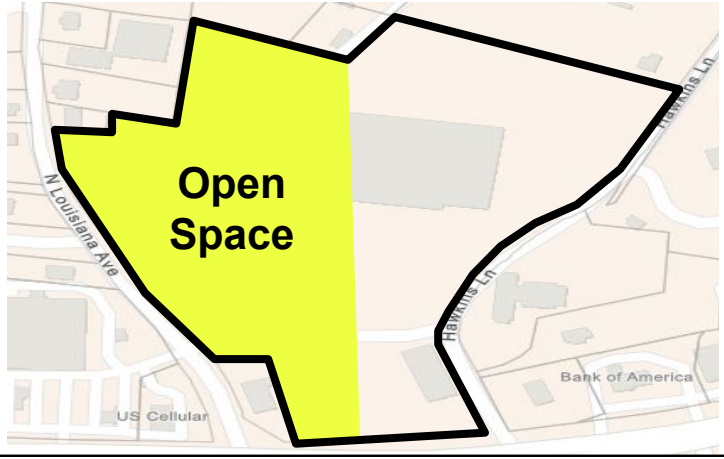


Stormwater Clause

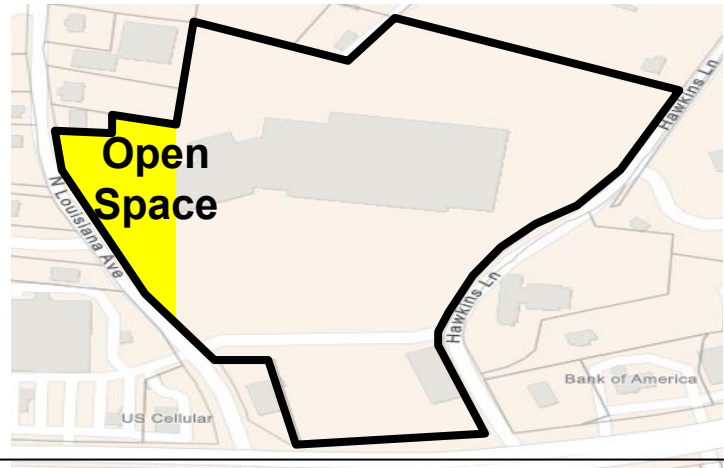
Large Parcels (over 1 acre) must provide 50% open space unless they choose to comply with the city's stormwater mitigation program.

If project complies with stormwater mitigation, the open space requirement is reduced.

Project w/o stormwater mitigation



Project with stormwater mitigation



Incentive For Good Design











Versus This

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Requested Action and Staff Recommendation

★ **Approve a text amendment** to Chapter 7 of the code of ordinances.

Staff recommends approval of the proposed text amendment because it is reasonable, in the public interest, and consistent with the City's comprehensive plan in that the changes: 1) improve open space regulations by creating more usable open spaces; 2) remove conflicts that inhibit a greater production of infill housing; 3) incentivize better stormwater management for larger parcels; and, 4) support walkable, transit-supported neighborhoods by encouraging more efficient land use without increasing the cost of development.