Open Space Text Amendment

City Council Work Session
March 8, 2022

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Draft Open Space Regulations

Key Takeaways:

- Proposed zoning text amendment to (mostly) **private open space** regulations and related zoning map amendments
- Draft regulations intentionally balance city goals related to **housing and the environment**
- Living Asheville Comprehensive Plan strategy to **reduce barriers to infill housing**
- **Collaboration** with eight boards/commissions helped to improve the draft regulations

Why Update Open Space Regulations?

- Housing Needs Assessment (a.k.a. Bowen Report) recommends continued re-evaluation of zoning barriers related to housing and identifies limited availability and affordability of housing
- A recent White House report on housing indicates:
  - Severe **housing supply shortages** and **increased prices**
  - Housing production has not kept up with **increasing population growth**
  - Alleviating supply constraints would have a significant impact on the **racial wealth gap**
- Living Asheville recommends removing barriers to infill housing while also improving environmental regulations
  - The city adopted a new tree canopy preservation ordinance in 2021
- Strategic alignment with City Council goals

Draft 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





Asheville City Parks ≠ Open Space Zoning



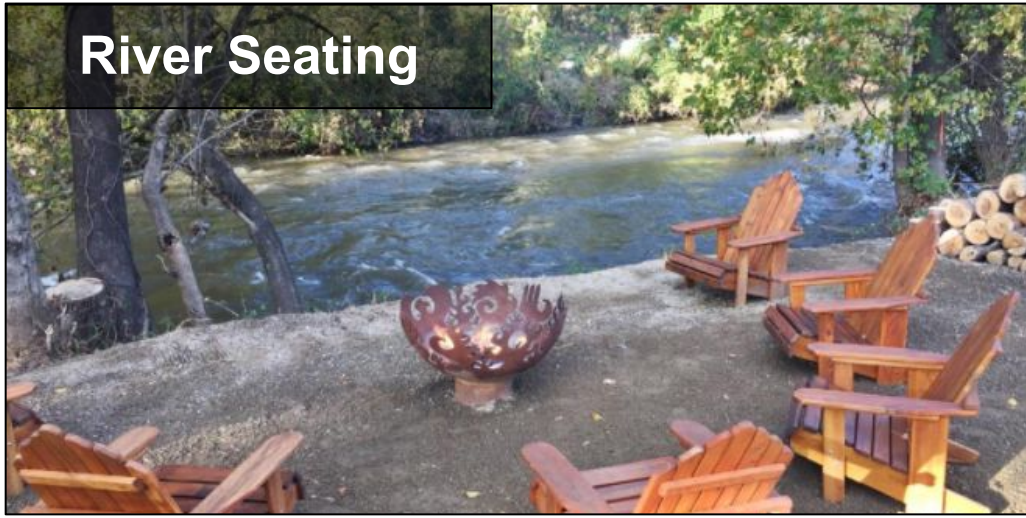


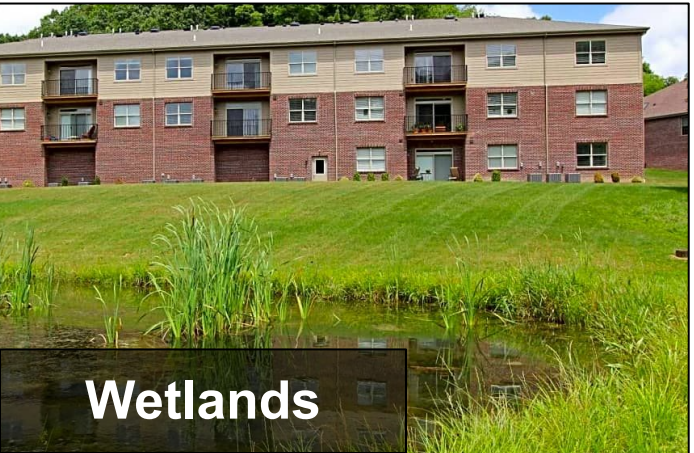
Open Space Purposes

- Within private developments open spaces can create comfortable, welcoming spaces that provide refuge, recreation and contemplation outdoors that make a city livable by providing places and tree cover for shade, and for social opportunities and their associated mental health benefits
- Support stormwater mitigation, heat island mitigation, and air quality
- Provide a diversity of wildlife habitat and promote an environmental ethic

Open Space Examples











Questions?

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)

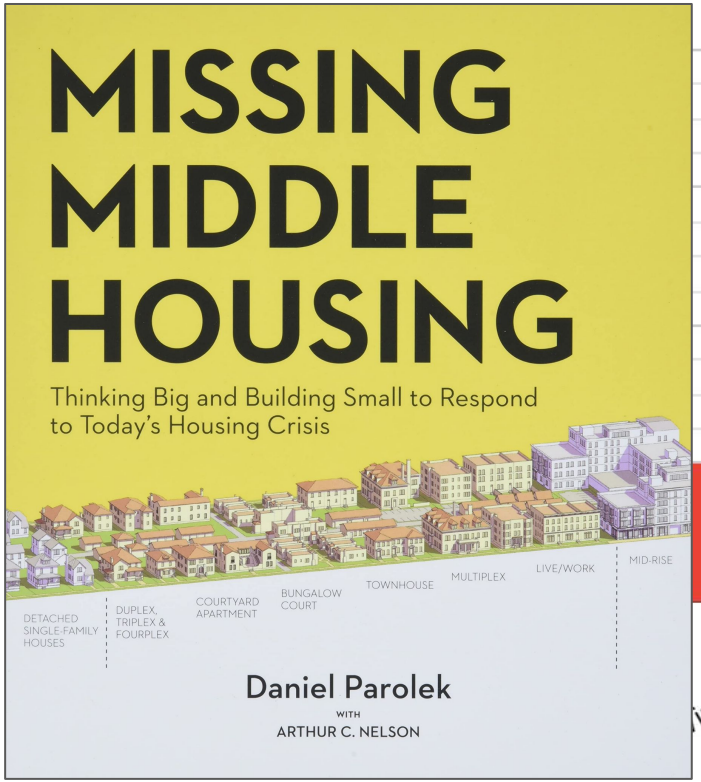
Which properties are required to provide open space?

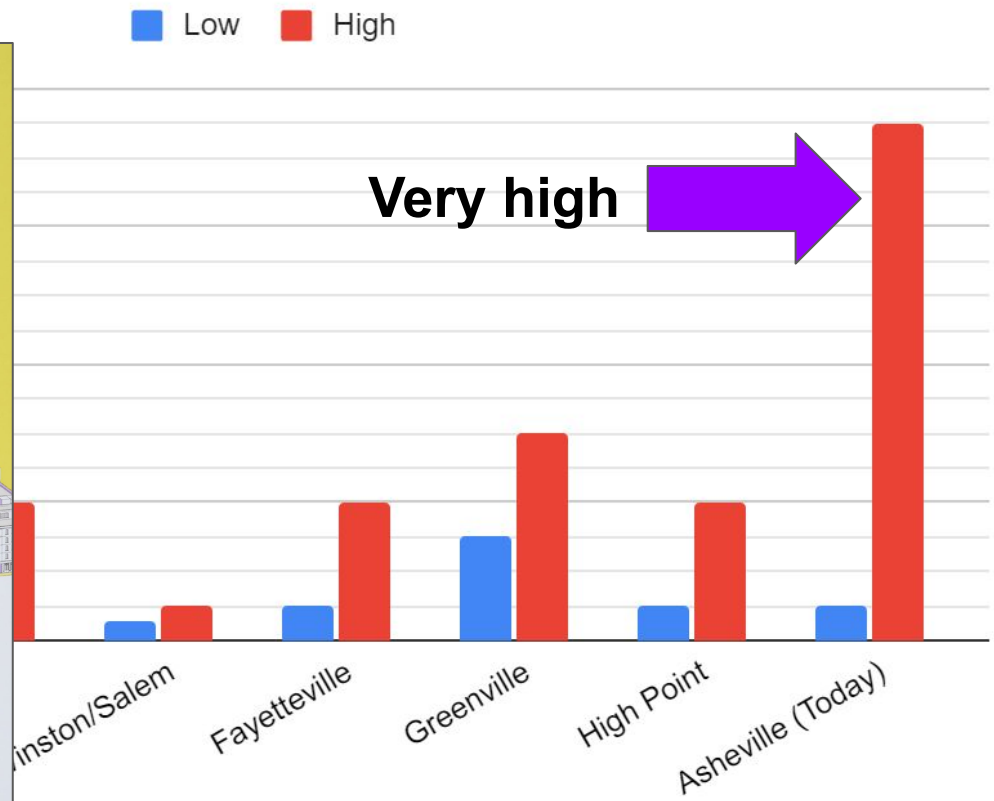
8+ Residential homes or apartments	All Commercial projects in most zoning districts
	

Open Space Text Amendment Summary

Topic	CURRENT	PROPOSED
Residential	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	20% open space required	10-15% open space required
Commercial	5-15% open space required	5-10% open space required
Stormwater	No requirement	Large sites (1 acre+) incentivized to provide stormwater management
Affordable Housing	No incentive	Large sites (1 acre+) that provide affordable housing are exempt from higher stormwater standards
Fee in lieu	Available for <5,000 SF open space	Available for <5,000 SF open space

Benchmark Cities - Residential





Example Project

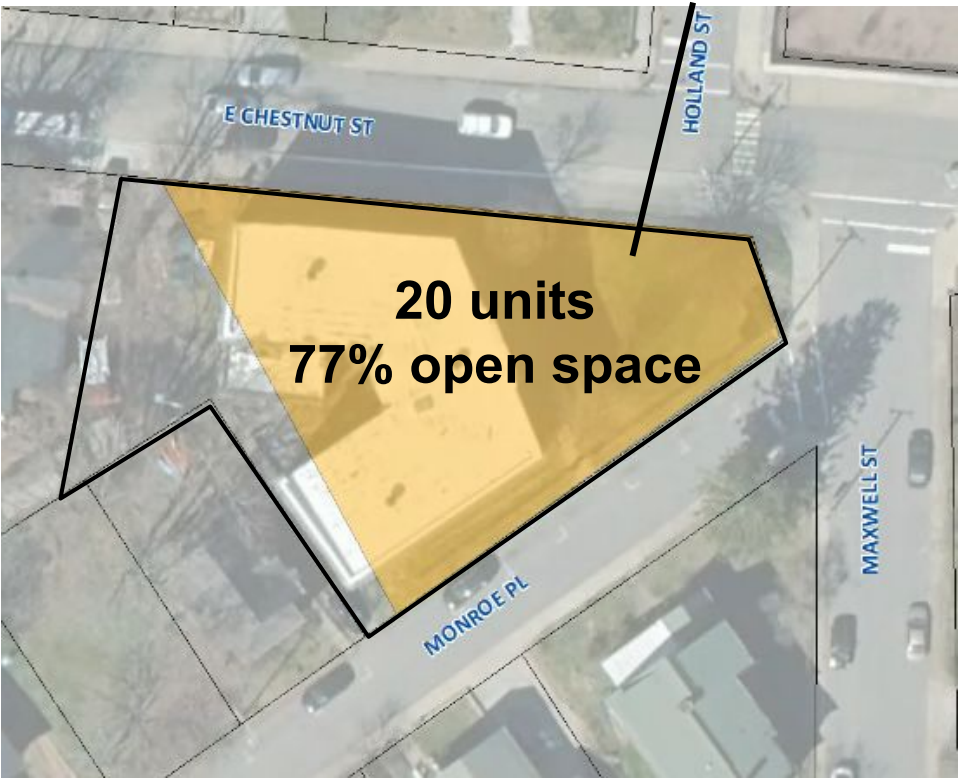


20 units
5,200 SF footprint

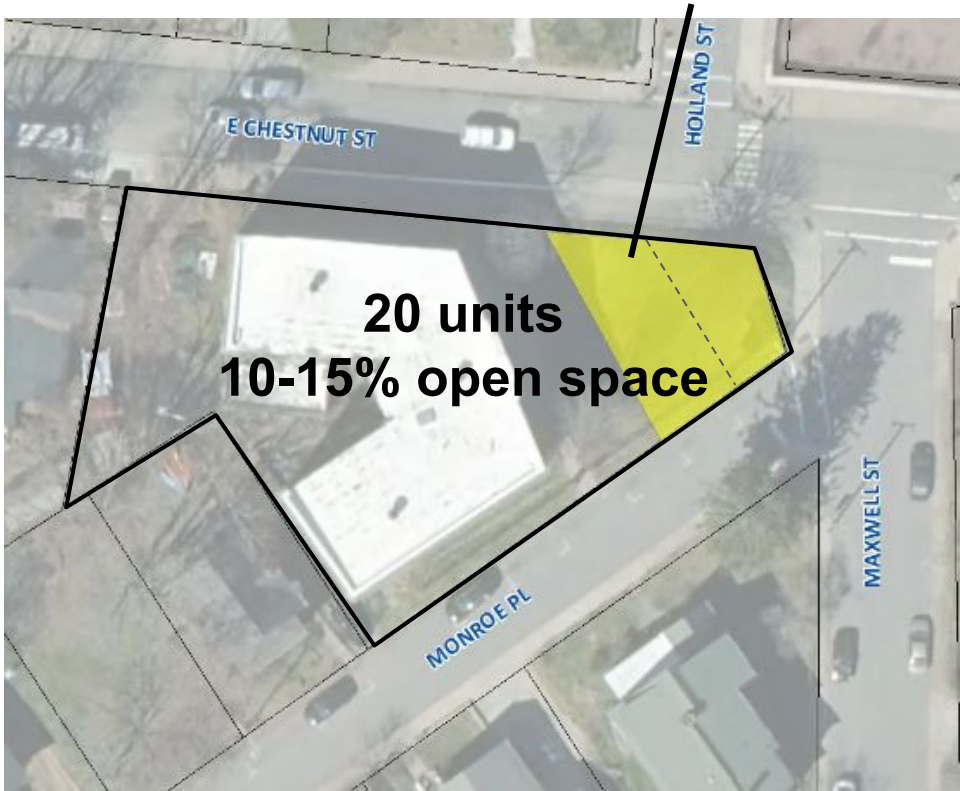


Current standards are obstacles for infill housing

CURRENT OPEN SPACE REQUIRED

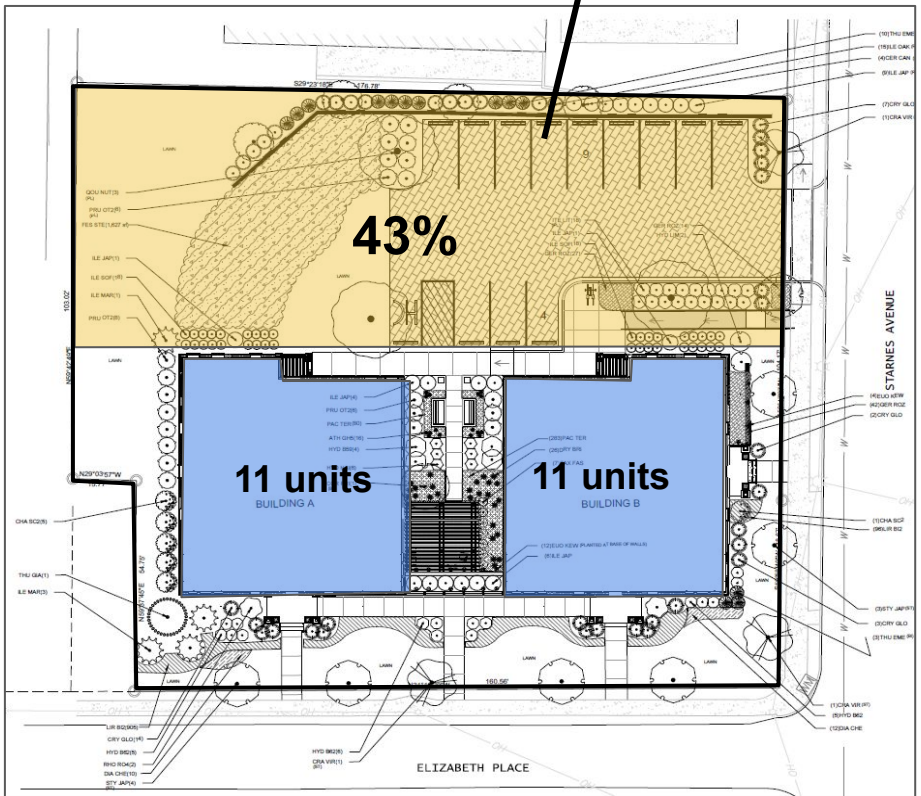


PROPOSED OPEN SPACE REQUIRED

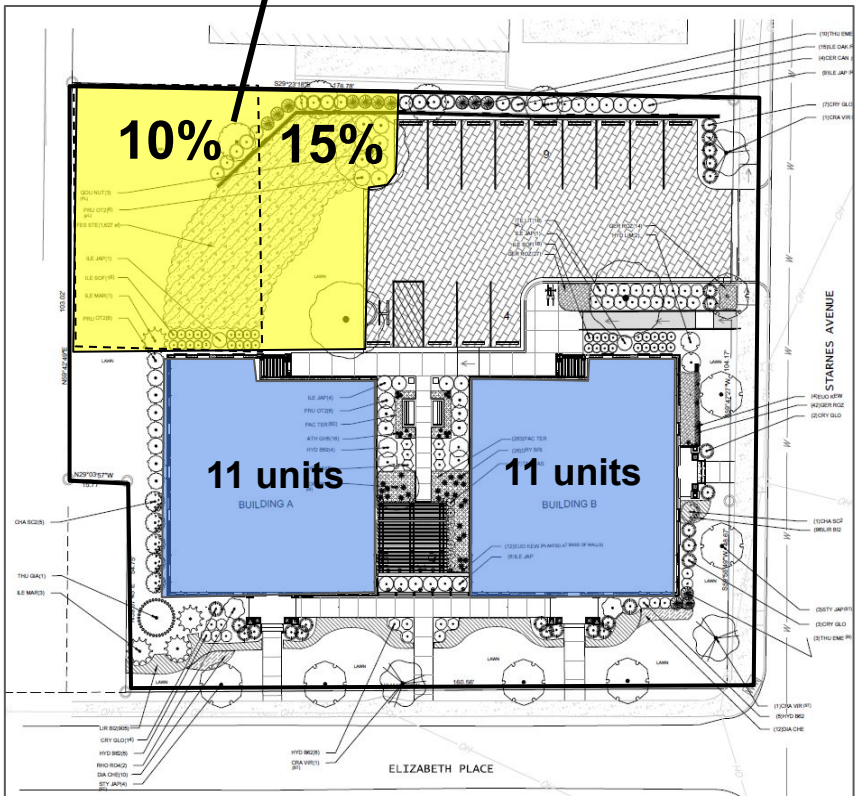


Recently proposed project (0.58 acre site)

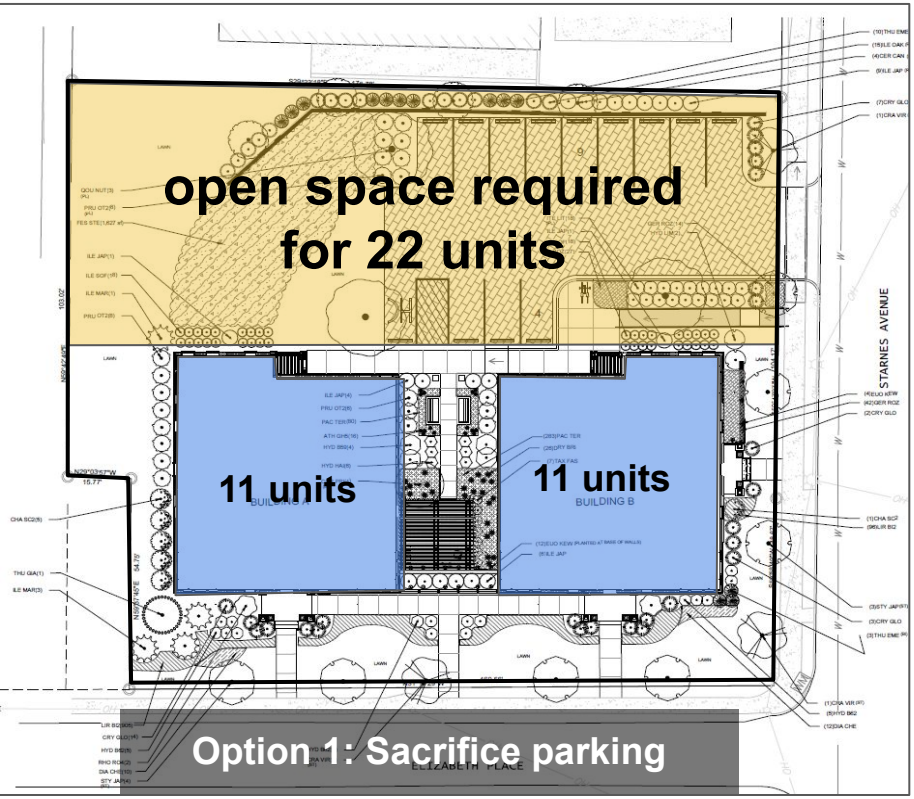
CURRENT OPEN SPACE REQUIRED



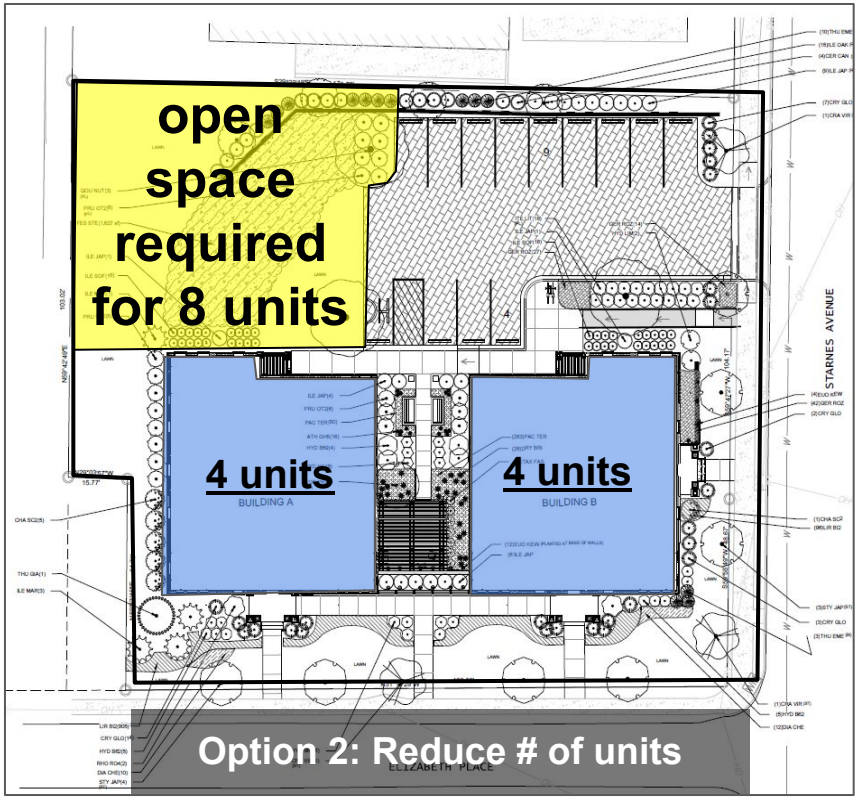
PROPOSED OPEN SPACE REQUIRED



CURRENT OPEN SPACE REQUIRED



Option 1: Sacrifice parking

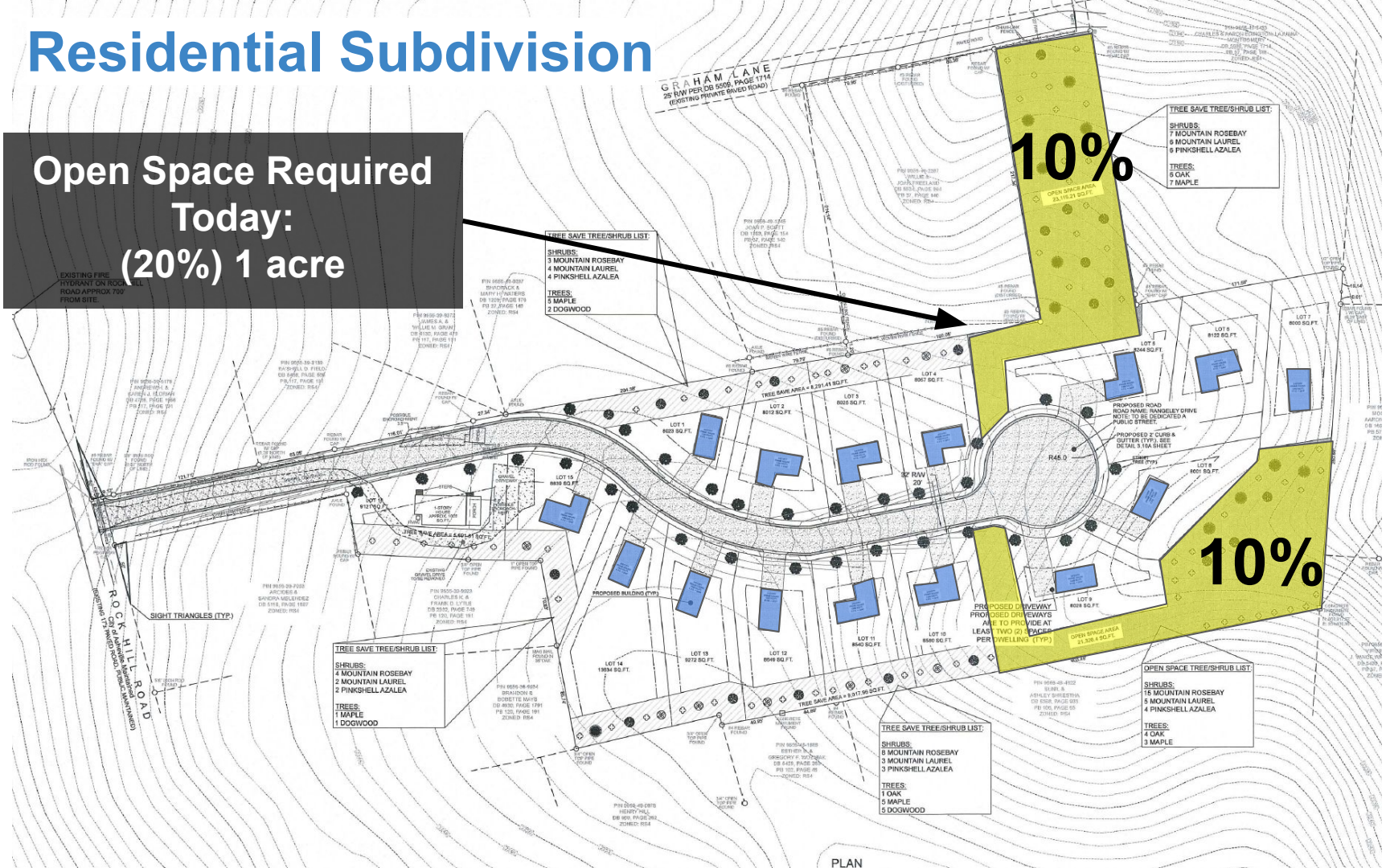


Option 2: Reduce # of units

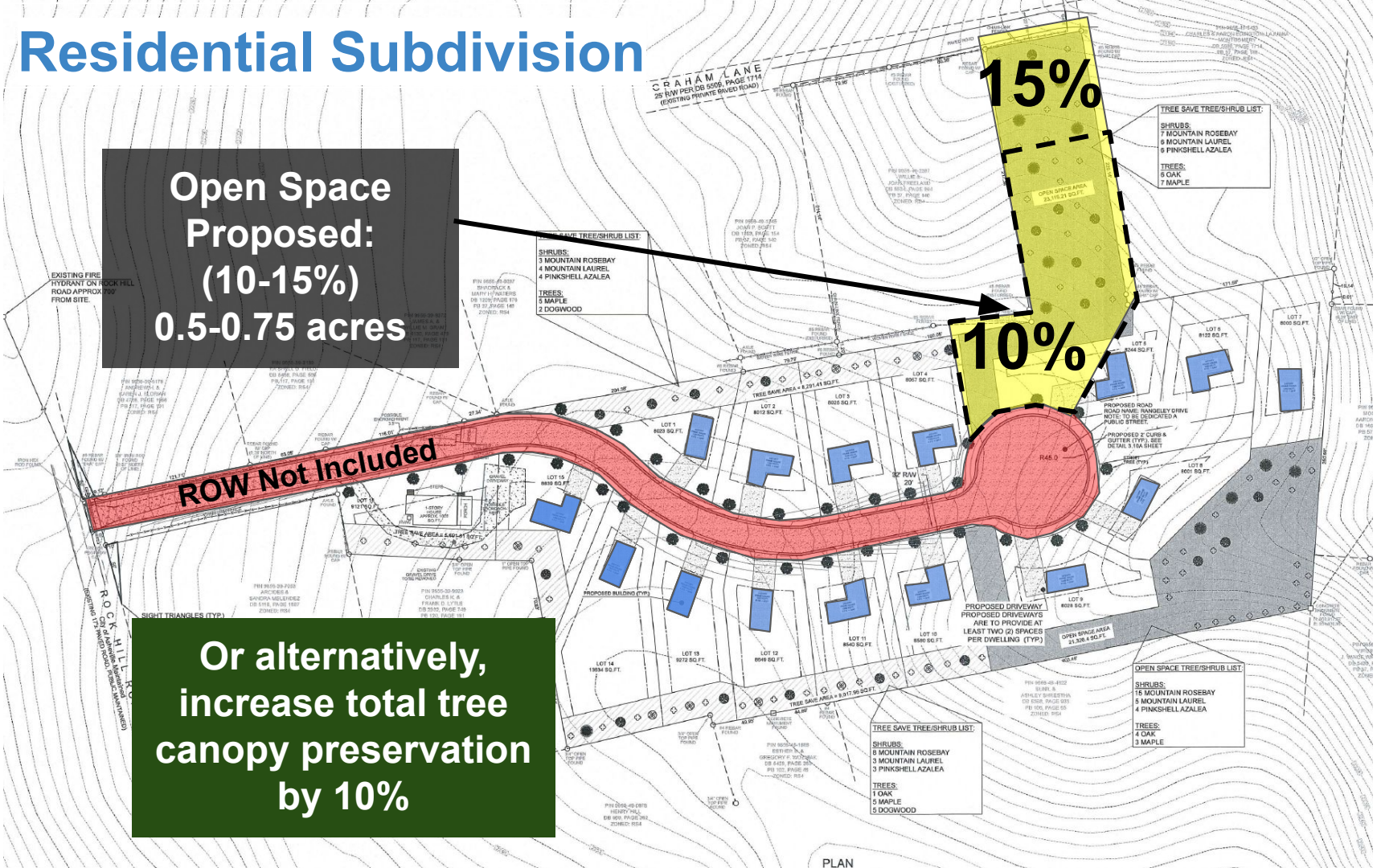
Current regulations do not necessarily create more open space & incentivize fewer, more expensive units

Residential Subdivision

Open Space Required Today: (20%) 1 acre

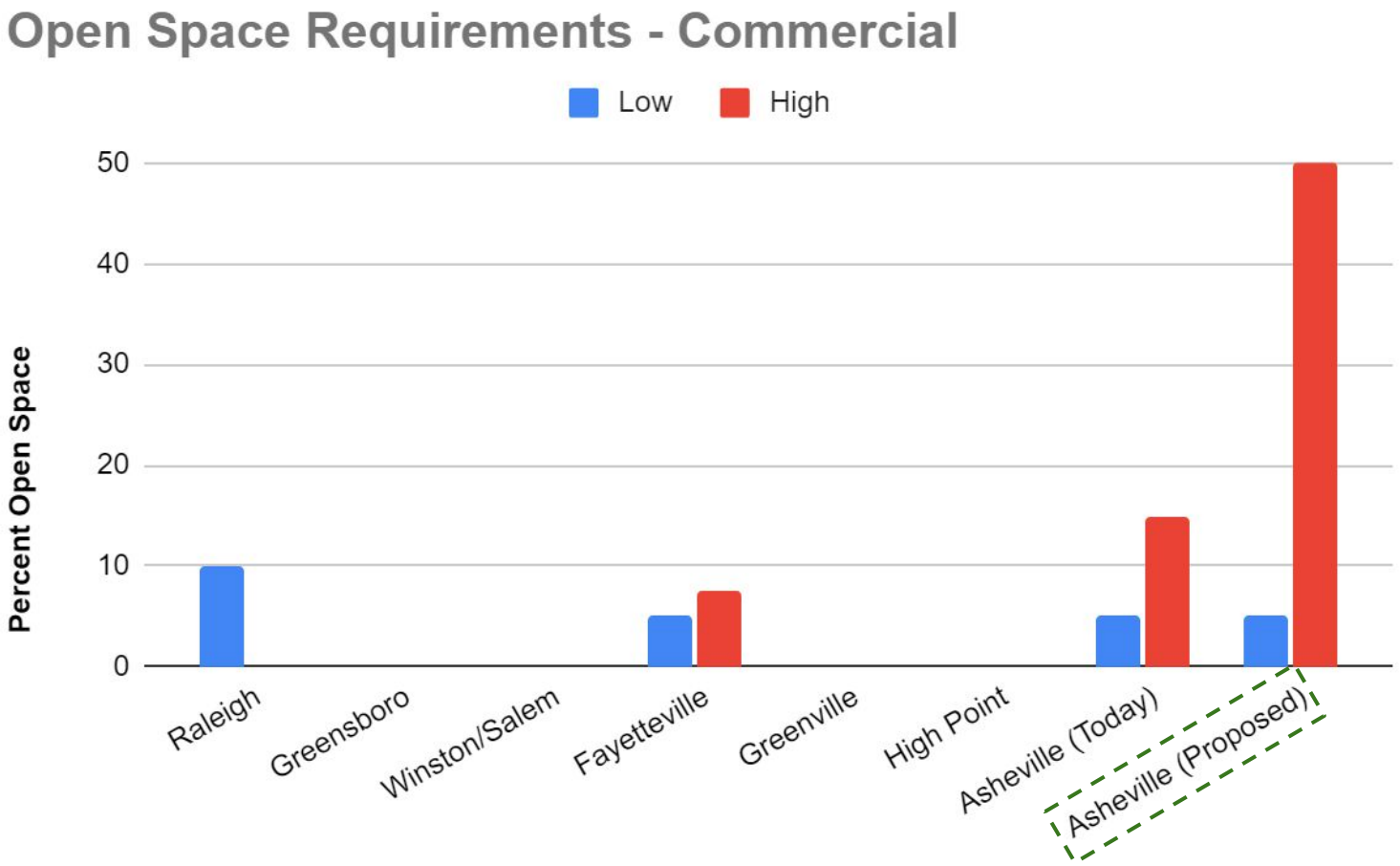


Residential Subdivision



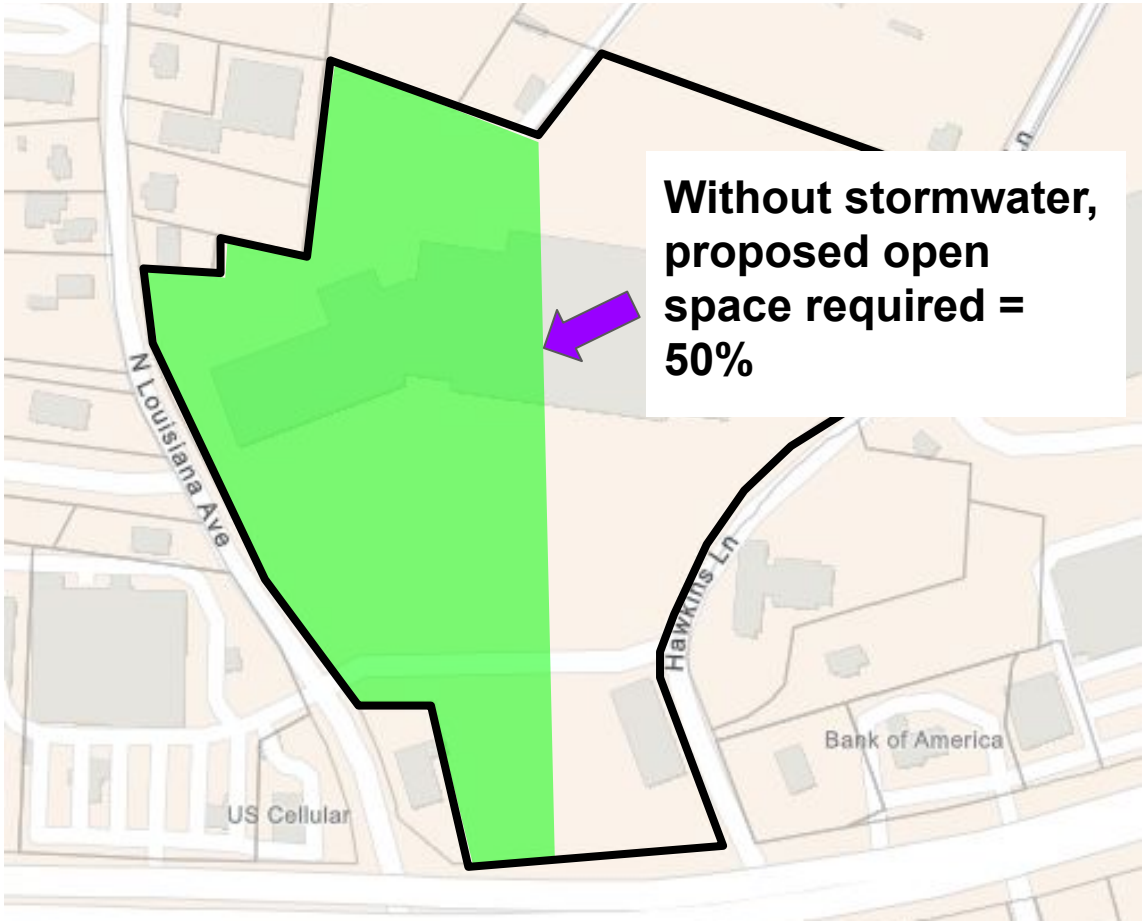
Questions?

Benchmark Cities - Commercial



STORMWATER CLAUSE

EXAMPLE
Lot size:
17 acres

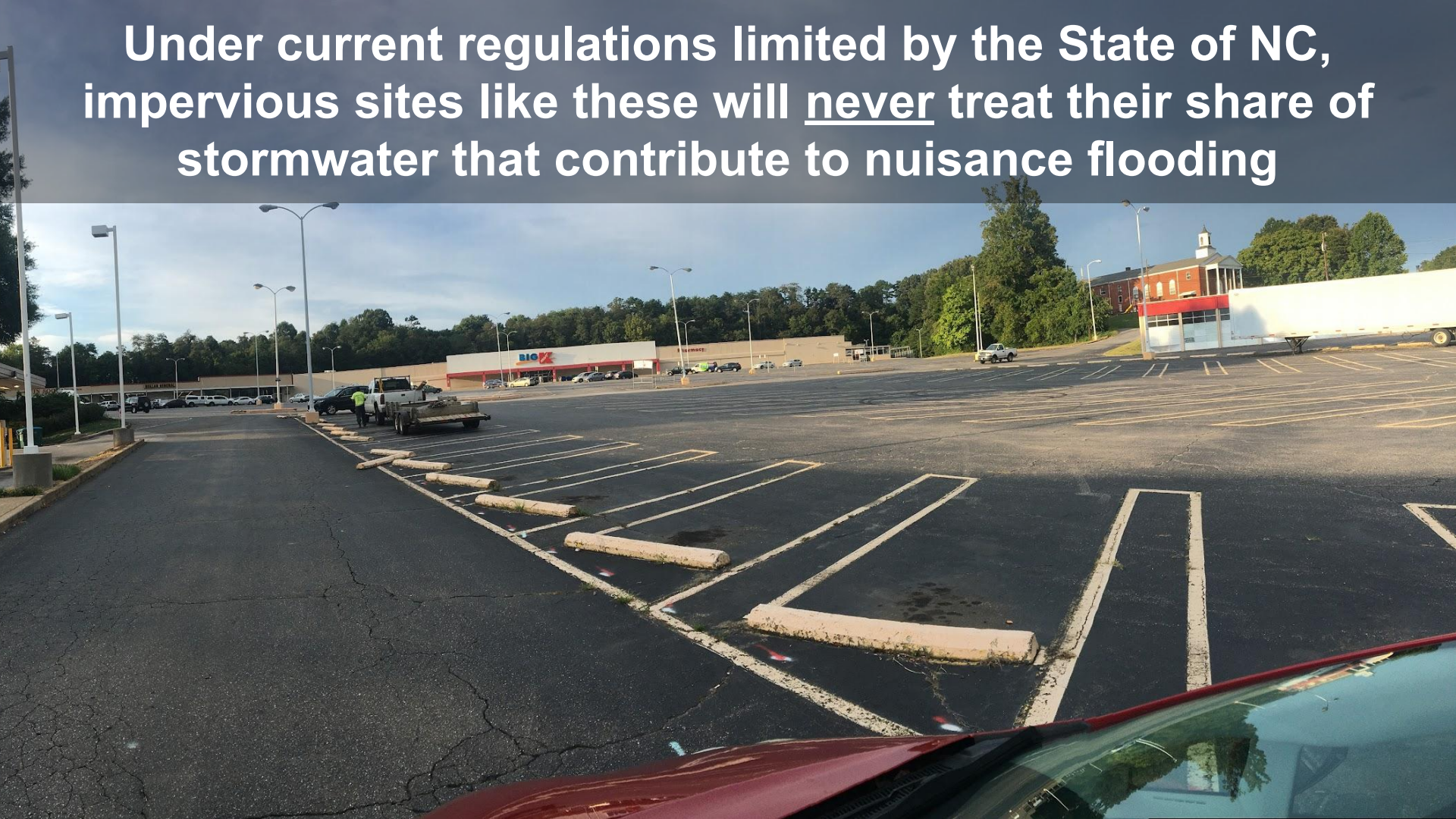


Proposed Open Space Text Amendment

DEVELOPMENT TYPE	PERCENT OPEN SPACE	
	Less than one acre	**One acre or more**
Subdivisions	15%	
Multifamily Residential	8-19 units: 5-10% 20-49 units: 10-15% 50 units or more: 15-20%	50%*
Non-Residential	5-10%	50%*
Mixed-use	5-10%	50%*

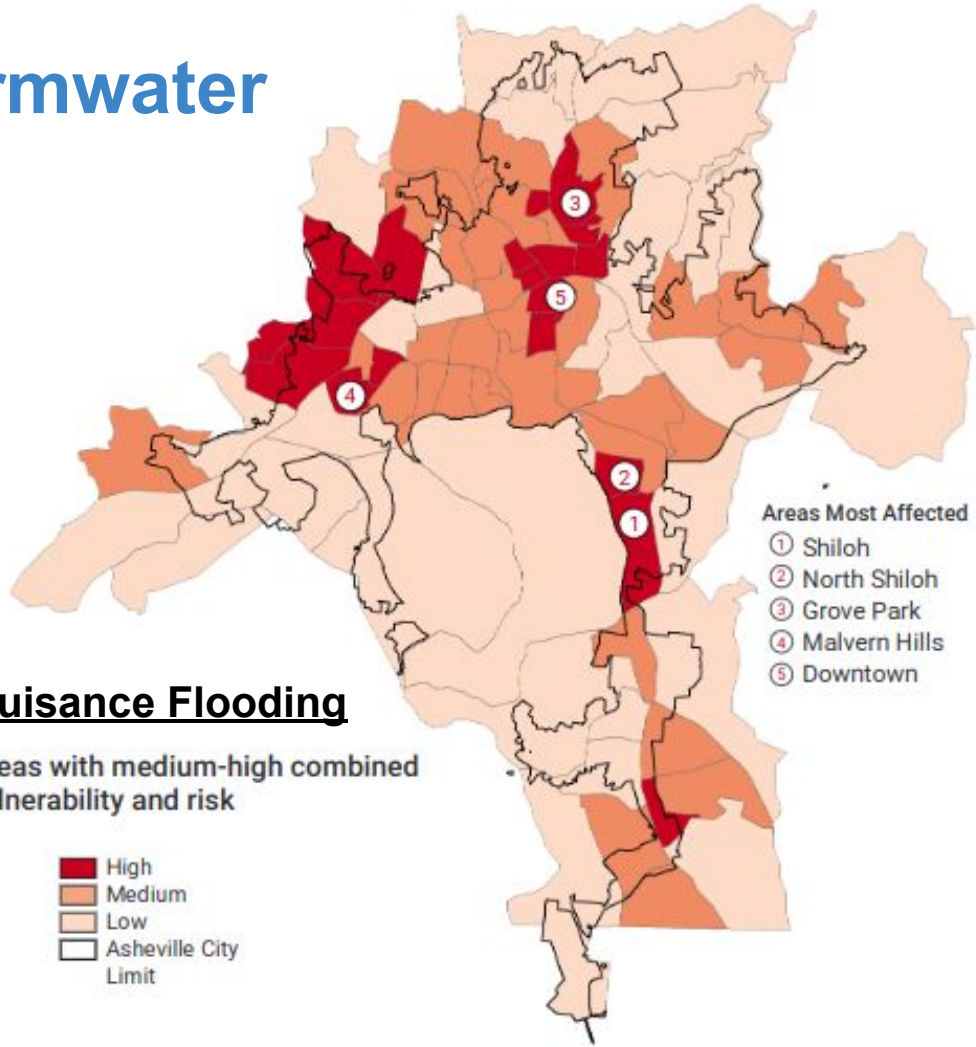
* Open Space may be reduced from 50% of lot area (to 5-20%) when the project meets stormwater management standards

Under current regulations limited by the State of NC, impervious sites like these will never treat their share of stormwater that contribute to nuisance flooding



Climate Resiliency: Stormwater

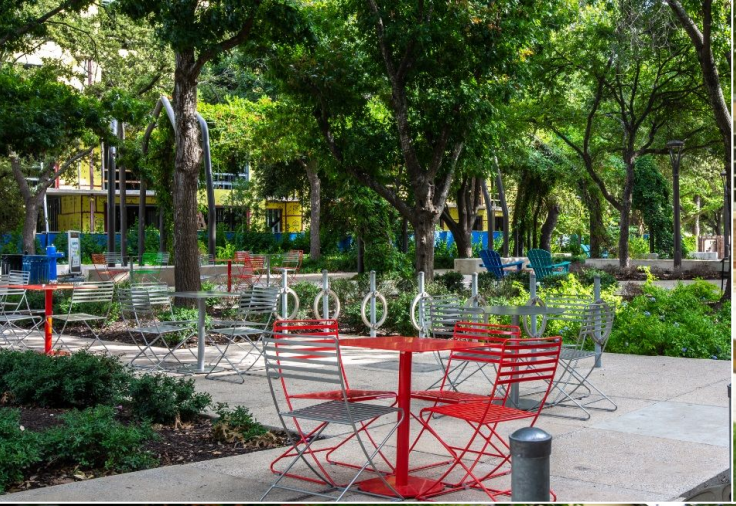




Incentive For Good Design

Open Space may be **reduced by 5%** if all the following conditions are met:

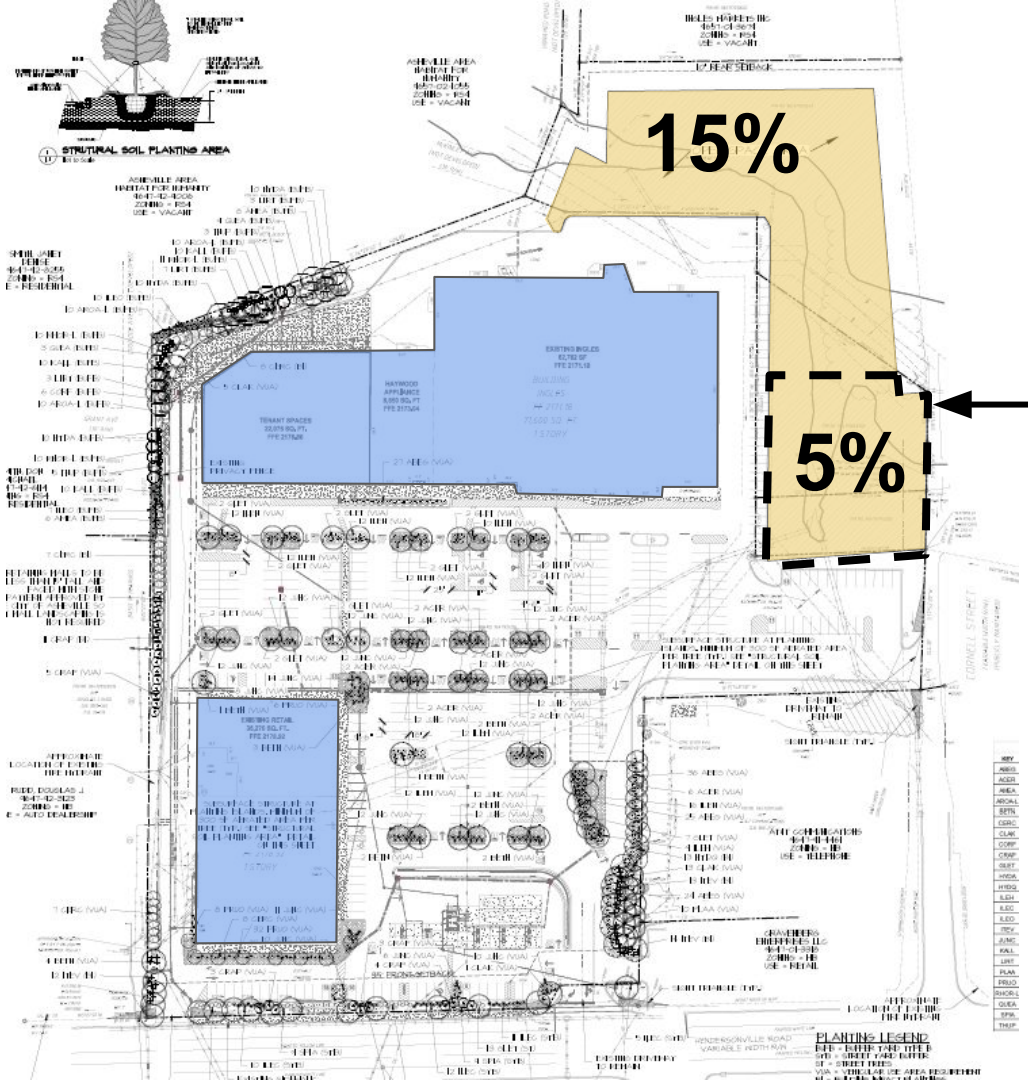
- 70% of open space is contiguous
- Generally rectangular in shape
- 75% of open space is 5% slope or less
- Seating (1 linear ft/ 250 SF of open space)





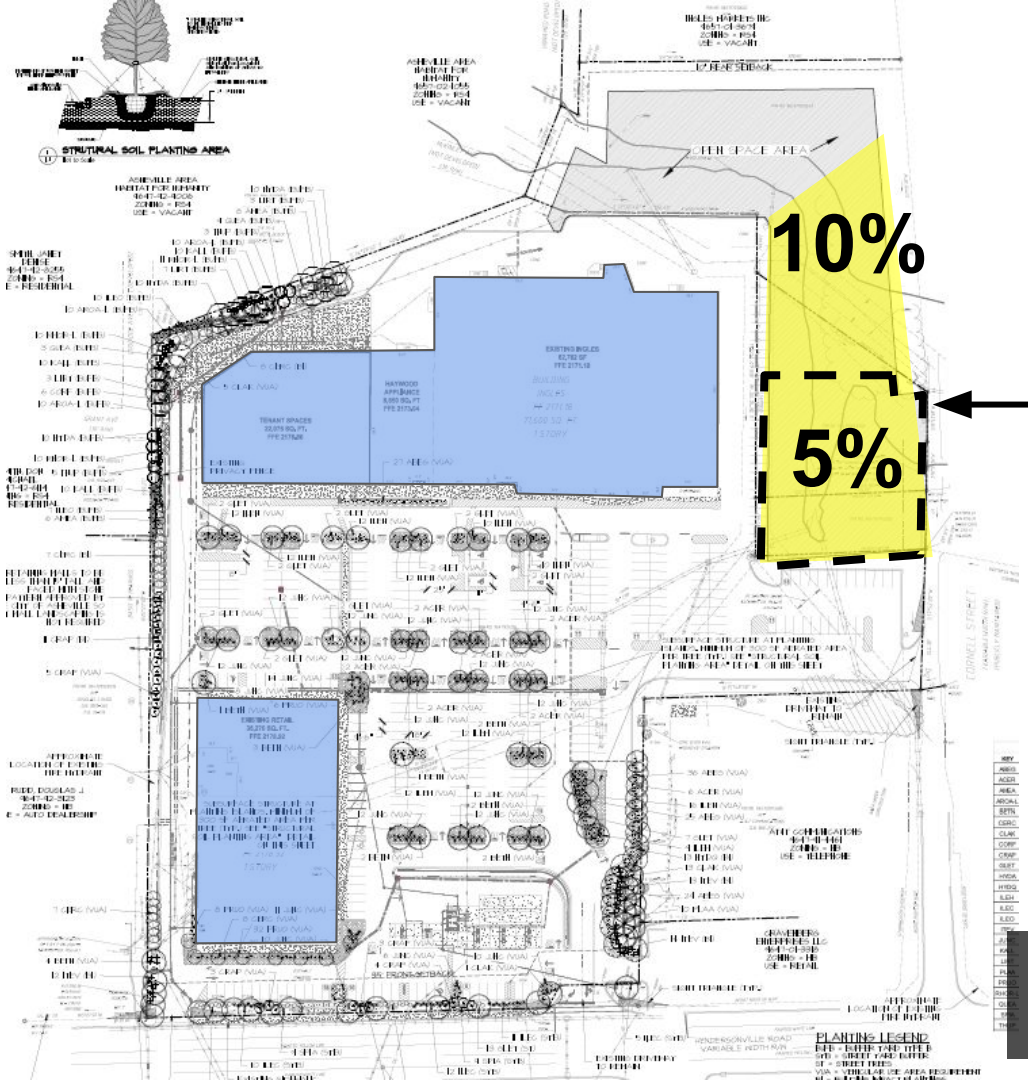


Commercial Property



Open space required today: (5-15%) 2 acres

Commercial Property



Open space proposed: (5-10%)* 0.7-1.3 acres

* Assuming voluntary compliance with stormwater control measures

Questions?

Key Open Space Task Force-led Outcomes

- Open space now required for Industrial zoning districts
- Property line buffer open spaces now require pedestrian enhancements
- Additional standards created for natural areas designated as open spaces
- RAD-OSP standards strengthened to preserve open space and pervious areas
    - Building coverage reduced
    - Impervious surface standard established
    - Two City properties rezoned to RM8
- Sub-committee created to improve tree planting standards and processes

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Next Steps

- **May/June:** Planning & Economic Development discussion
- **July:** Planning & Zoning review and public hearing
- **August:** City Council review and public hearing

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