

17.65.040 Standards and requirements.

B. Open Space Required. All master planned developments shall be required to convey common open space as outlined in the provisions and matrix below. In cases where acreage of floodways or slopes in excess of forty-five percent is greater than required minimum open space acreage, all floodways and slopes in excess of forty-five percent shall be protected from development and shall increase the required open space.

1. SAR Zones. Not less than seventy percent of the site area within a SAR zone shall be conveyed as open space in the manner provided for in subsection C of this section.

2. Residential Zones. Not less than fifty percent of the site area within R-3 and R-4 residential zones, or sixty percent in R-1 and R-2 residential zones, shall be conveyed as open space in the manner provided for in subsection C of this section.

3. Commercial Zones. Not less than fifteen percent of the site area within C-3 and C-4 commercial zones, or twenty percent in C-1, C-2, and C-5 commercial zones, shall be conveyed as publicly accessible common space in the manner provided for in subsection C of this section.

**Minimum Percentage of Open Space
Required (Gross Acreage)**

Zone	Residential MPD	Mixed-Used MPD
SAR	70%	70%
RA-1	60%	*
R-1	60%	*
R-2	60%	*
R-3	50%	*
R-4	50%	*
C-1	*	20%
C-2	*	20%
C-3	*	15%
C-4	*	15%
C-5	*	20%

C. Types of Open Space. In order to allow maximum design flexibility while providing the required open space dedications, all preliminary or final MPDs shall designate types of open space within the approved plan. Open space designations are not required to be separate parcels, but shall act as a general guide in balancing the need for both natural open areas and recreational or public amenities. These provisions intend to allow a certain percentage of the required open space dedication to be developed with recreational or public amenities and infrastructure, as outlined in the matrix below. The following open space classifications shall be allowed as per the maximum allowable type of open space list below:

1. Natural or Naturalized Open Space. Natural or naturalized means open space left in its current natural state or returned to a traditionally native natural state by means of landscape restoration.

a. Whenever practical, natural open space should be conveyed in areas adjacent to the master planned

development site boundaries and specifically adjacent to other off-site natural open space, thus creating larger contiguous areas of natural open space across parcel boundaries.

b. Vegetation should reflect and compliment the natural characteristics of the surrounding landscape within the master planned development and adjacent properties.

2. **Passive Recreation.** Passive recreation areas mean open space that has minimal introduced infrastructure. Passive recreation areas may contain trail-based hiking, biking, horseback riding, wildlife viewing, picnicking, landscaped parks and similar minimally invasive activities and related infrastructure.

a. Any introduced infrastructure for passive recreation shall be visually unified with the sounding natural landscape or overall architectural design motif in terms of color, materials and scale.

3. **Active Recreation.** Active recreation areas mean open space that may contain introduced infrastructure related to sports fields and other facilities. Active recreation areas may contain equestrian facilities, courts and fields, outdoor entertainment areas, plazas and other gathering spaces.

a. Infrastructure for active recreation shall be developed in a visually unified design scheme directly related to other development infrastructure such as dwellings or commercial uses in terms of color, materials, and scale.

4. **Public Pedestrian Amenities.** Public pedestrian amenities mean open space that contains introduced infrastructure related to the public streetscape and has a pedestrian priority, including public plazas, outdoor gathering areas, pedestrian malls, outdoor entertainment areas, sidewalk cafes, pocket parks, fountains and other public gathering spaces.

**Maximum Allowable Type of Open Space
(maximum percent of required open space acreage)**

Zone	Open Space Type	Residential MPD	Mixed-Used MPD
SAR			
	Natural or Naturalized	Max. 100%	Max. 100%
	Passive Recreation (minimal infrastructure)	Max. 30%	Max. 30%
	Active Recreation (infrastructure)	Max. 15%	Max. 15%
RA-1, R-1			
	Natural or Naturalized	Max. 100%	*
	Passive Recreation (minimal infrastructure)	Max. 40%	*
	Active Recreational (infrastructure)	Max. 20%	*
R-2, R-3, R-4			
	Natural or Naturalized	Max. 100%	*
	Passive Recreation (minimal infrastructure)	Max. 70%	*
	Active Recreational (infrastructure)	Max. 20%	*

C-1, C-2, C-5			
	Natural or Naturalized	*	Max. 100%
	Passive Recreation (minimal infrastructure)	*	Max. 80%
	Public Pedestrian Amenities	*	Max. 60%
C-3, C-4			
	Natural or Naturalized	*	Max. 50%
	Passive Recreation (minimal infrastructure)	*	Max. 60%
	Public Pedestrian Amenities	*	Max. 100%

D. Conveyance of Open Space. Common open space tracts provided by a master planned development shall be conveyed as follows:

1. To a nonprofit corporation, homeowners association, or trust owned or to be owned by the owners of lots or dwelling units within the master planned development, or via an undivided conveyance to the owners of units within a cooperative or condominium development. If such a corporation or trust is used, ownership shall pass with the conveyances of the lots of dwelling units; or
2. To the city of Moab and accepted by it for a park, open space, agricultural, or other specified use or uses;
3. In all cases, the conveyance shall be approved by the city's land use authority and shall be in a form approved by the Moab City attorney; and
4. In all cases, where common open space in a master planned development is conveyed pursuant to the requirements above, a deed restriction enforceable by the city of Moab shall be recorded in conjunction with the final MPD plan that provides that the common open space shall be used and maintained solely for purposes consistent with the MPD approval, and that it shall not be subject to further development. (Ord. 06-17 (part), 2006)