
22B-7. Open Space Preservation.

1. Open Space shall be maintained in accordance with an open space preservation, maintenance and improvements plan submitted by the developer and approved by the Planning Commission and County Commission. The plan shall detail the intended use of the open space and any proposed improvements to be placed in the open space.
2. To ensure that open space parcels are permanently reserved and maintained, the developers/property owners shall prior to recording of the final plat of the proposed cluster subdivision :
 - a. Grant and convey to Weber County an easement for open space over the required open space parcels , and,
 - b. Grant and convey to the lot owners association of the proposed cluster subdivision an easement for open space over the required open space parcels, and,
3. If a bonus density is granted for the preservation of critical or valuable wildlife habitat, a wildlife habitat easement shall be offered to Utah State Division of Wildlife Resources. Bonus densities for critical or valuable wildlife habitat shall be based on a review of the subdivision by the Utah State Division of Wildlife Resources and there finding that the subdivision preserves critical or valuable wildlife habitat.
4. If a Bonus Density is granted for affordable housing, then the affordable housing lots shall be identified on the subdivision plat. A Deed Restriction shall also be recorded on these lots limiting the sale, or rental of the homes to a household with incomes at or below eighty (80) percent of the County median income.
5. If an agricultural preservation easement is proposed, the agricultural parcel shall be a contiguous parcel containing at minimum ten (10) acres and a copy of an approved agricultural preservation agreement shall be submitted and recorded with the final plat.
6. The required open space may be owned by up to two (2) lot owners in the subdivision, in parcels of not less than ten (10) acres each and provided that no structures or accessory structures be built in the open space with the exception of agricultural buildings approved as part of the agricultural preservation plan.
7. Guarantee of Common Open Space Improvements. As assurance of completion of common open space improvements, the subdivider shall be required to file with the County Commissioners an approved financial guarantee, guaranteeing completion in a manner satisfactory to the County Commissioners, within two (2) years of such filing.
8. The Planning Commission may place additional conditions or restrictions it deems necessary to ensure development and maintenance of the desired character, including plans for deposition or re-use of property if the open space use is not maintained in the manner agreed upon or is abandoned by the owners.