

230.322 OPEN SPACE PRESERVATION

A. Open Space Preservation Development: Within the AG district and those portions of the LD, CR and NRD districts that are not served with public sewer service, the owner of property may elect to develop an Open Space Preservation Development in accord with the terms of this subparagraph. A maximum of fifty (50%) percent of the parcel's buildable area may be divided into new parcels averaging not less than one acre in area within the AG district, and not less than the minimum area allowed under the provisions of the underlying LD, CR and NRD districts. The remaining fifty (50%) percent of the parcel shall be kept as useable open space in perpetuity by conservation easement, plat dedication, restrictive covenant, or other legal means acceptable to the Planning Commission.

1. Minimum Open Space Requirement: The development density which would normally be realized on the entire parcel shall be transferred to the area of the parcel which is not the fifty (50%) percent area of the parcel which shall be kept as usable open space in perpetuity by conservation easement, plat dedication, restrictive covenant, or other legal means.

2. Determining Maximum Allowable Parcel Divisions: The maximum number of new parcels which may be created within the parcel shall be the same number that would be permitted on the site under the provisions of the AG-underlying district. To determine this density, the applicant shall either:

a. Submit a conceptual plan of division of the parcel. This conceptual plan shall contain proposed parcels/lots, roads, rights-of-way, areas which are not in the buildable area, and other pertinent features, in compliance with Township ordinances and stipulations. This plan must be drawn to scale; or

b. Multiply the buildable area of the lot as defined herein, by 85% to account for rights-of-way and divide the result by the minimum parcel area permitted under the provisions of the underlying district in the AG district.

3. Siting Criteria for New Lots: Creativity and originality in parcel layout shall be encouraged to achieve the best possible relationship between buildable land and open space.

a. The lots shall within the AG district shall be one acre in gross area, all other districts shall have an overall area not less than that which is permitted under the provisions of the underlying district, unless the Planning Commission determines this to create a significant hardship upon the applicant due to natural features or easements.

b. All lots shall be accessed from a public or private road. Minimum frontage in AG district shall be one hundred feet. In LD, CR & NRD districts, the minimum frontage shall be what is required in the corresponding district.

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c.If more than one lot is divided, the lots shall be contiguous unless the Planning Commission finds that the physical characteristics of the property, including the environmental conditions, property configuration, or other circumstances beyond the control of the applicant make this impractical.

d.Where residential lots exist on adjacent properties of an area less than ten (10) acres, the lots to be split in an underlying AG district shall be adjacent to such existing residential lots, unless topography or lot conditions deem it unreasonable.

e.The lots shall meet County Health Department requirements for well and /or sanitary septic systems.