



UNIONCOUNTY
north carolina

A dark, high-angle aerial photograph of a town. In the center, a large, light-colored building with a prominent, dark, domed steeple rises above the rooftops. The town is built on a hillside, with streets and smaller houses visible in the foreground and background. The overall image has a blue-tinted, slightly grainy quality.

Open Space - TXT-2024-002

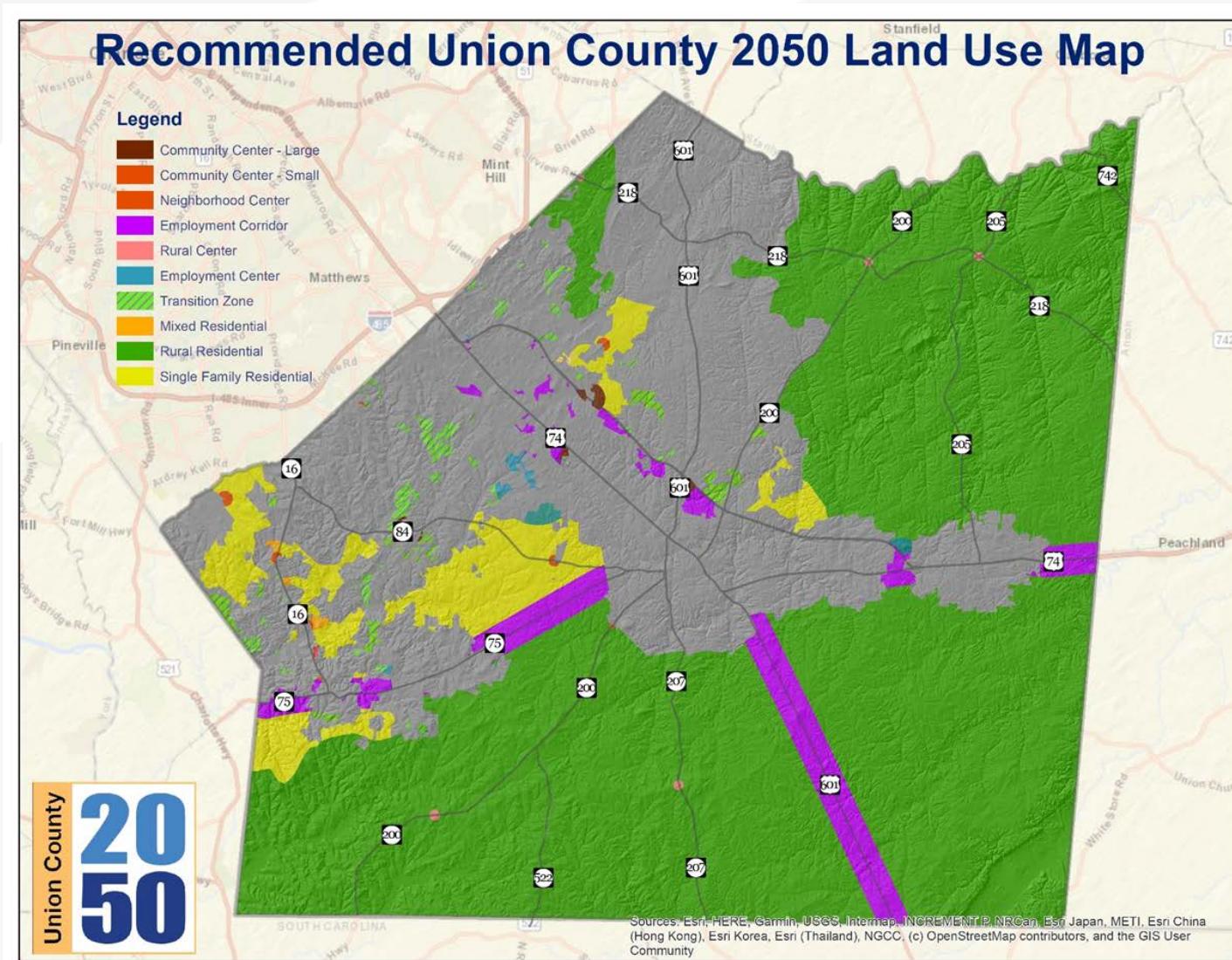
Board of County Commissioners

Public Hearing

December 2, 2024



UC 2050 Land Use Map



UC 2050 Implementation Recommendations

↳ OPEN SPACE IN RURAL AREAS – FEBRUARY 5

| 2050 Comprehensive Plan Linkage | Recommendations | Implementation | Voting | | |
|--|--|----------------|-----------|----------------|----------------------|
| | | | Committee | Planning Board | County Commissioners |
|  | Apply these standards only to developments of 10 lots or more | Text Amendment | 100% | 100% | |
|  | Require 30% minimum open space in all developments | Text Amendment | 100% | 100% | |
|  | Require sketch plan design by developers | Text Amendment | 100% | 100% | |
| | Prioritize forests, then stream buffers, then wetlands in open space | Text Amendment | 100% | 100% | |
| | Add sensitive area data from 2014 UC plan into current Land Use Map | Plan Amendment | 100% | 100% | |
| | Develop a rural land use plan | Develop Plan | 100% | 100% | |
| | Develop design guide in UDO for conservation developments | Text Amendment | 100% | 100% | |
| | Create a minimum lot size standard | Text Amendment | 0% | N/A | |
| | Determine the minimum lot size on clustered lots | Text Amendment | 0% | N/A | |
| | Apply density bonus to incentivize open space developments | Text Amendment | 0% | N/A | |
| | Adding subdivisions to UDO allowed use table | Text Amendment | 0% | N/A | |
| | Prohibit grading of land before permitting | Text Amendment | 0% | N/A | |
| | Require a maintenance agreement for shared septic systems | Text Amendment | 0% | N/A | |
| | Increase stream buffer requirements | Text Amendment | 0% | N/A | |

UC 2050 Open Space recommendation

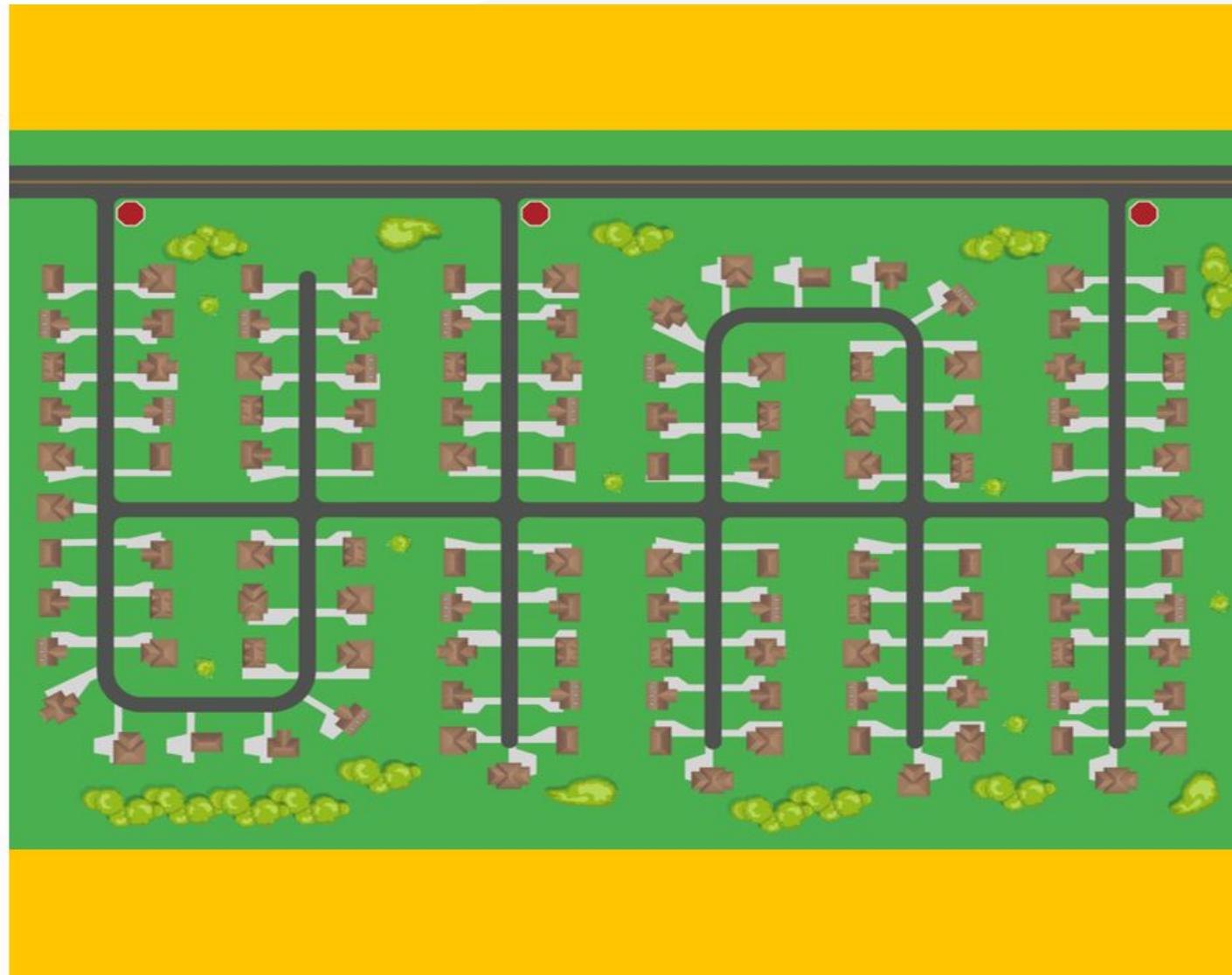
- 1) Would apply to all new major subdivisions
- 2) 30% of the site would be set aside as open space
- 3) Would effectively reduce the development potential by 30%
- 4) Would not apply to minor subdivisions

Traditional development – no open space

100 Acres

100 Homes

No
Open Space
Requirement

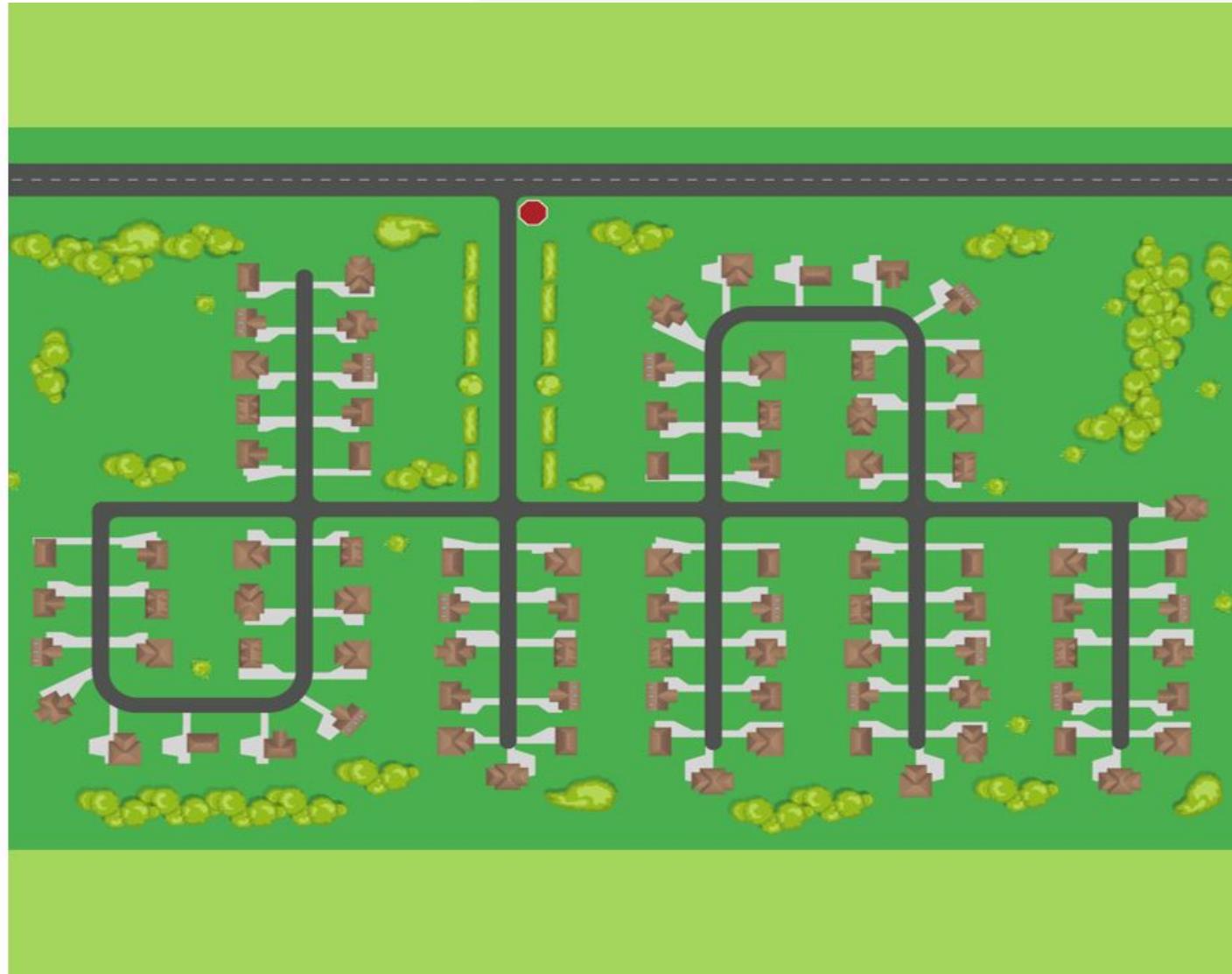


Development with 30% open space

100 Acres

70 Homes

30%
Open Space
Requirement



Section 5.030-C Cluster Development

Section 5.030 Lot and Building Regulations

5.030-C Cluster Development

4. Open Space

- a. Each cluster development must include permanently protected common open space equal to at least ~~10~~30 % of the gross area of the subdivision or the difference between the cumulative total lot area that would have been required under the conventional development minimum lot area requirements of §[5.030-B](#) and the actual cumulative total area provided within the cluster development, whichever results in a greater amount of open space.

Section 60.040 Major Subdivision Open Space

Section 60.040 Major Subdivision Open Space ~~Reserved (Amended 7-1-2021)~~

60.040-A Basic Open Space Requirements

For new major Subdivisions in areas identified as “Rural Residential” on the future land use map in the current comprehensive plan, there shall be set aside 30% of the acreage of the development site as common open space. The required common open space shall not be used to calculate maximum site density and shall be subtracted after items in 5.030-B (3) (1) (a)-(b) for Conventional Developments, and 5.030-C (3) (a)-(c) for Cluster Developments, have been excluded from maximum site density.

60.040-B Additional Open Space Requirements for Cluster Development

Common open space as required by 60.040-A for Cluster Developments shall follow and meet the requirements for Open Space set forth in 5.030-C(4)(a)-(g).

Section 60.040 Major Subdivision Open Space

- a. A permanent conservation easement in favor of either:
 1. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions;
 2. A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);
- b. An open space tract protected by a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
- c. An equivalent legal tool that provides permanent protection, as approved by the county attorney.

4. The applicant must identify the owner of the open space. The designated owner and the owner's successors are responsible for maintaining the open space and any associated facilities. If a property owners association is the owner, membership in the association is mandatory and automatic for all property owners within the development and their successors.
5. The applicant must submit a management plan for the open space and all common areas. The management plan must::
 - a. Allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;
 - b. Estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided; and
 - c. Describe the means of enforcing the management plan.

A nighttime aerial photograph of a small town. In the center, a church with a prominent, illuminated steeple stands out against the dark sky. The town is built on a hillside, with numerous houses and buildings visible. The foreground shows a street with a few parked cars. The overall atmosphere is quiet and peaceful.

Questions



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