



**UNIONCOUNTY**

north carolina

# Open Space - TXT-2024-002

Board of County Commissioners

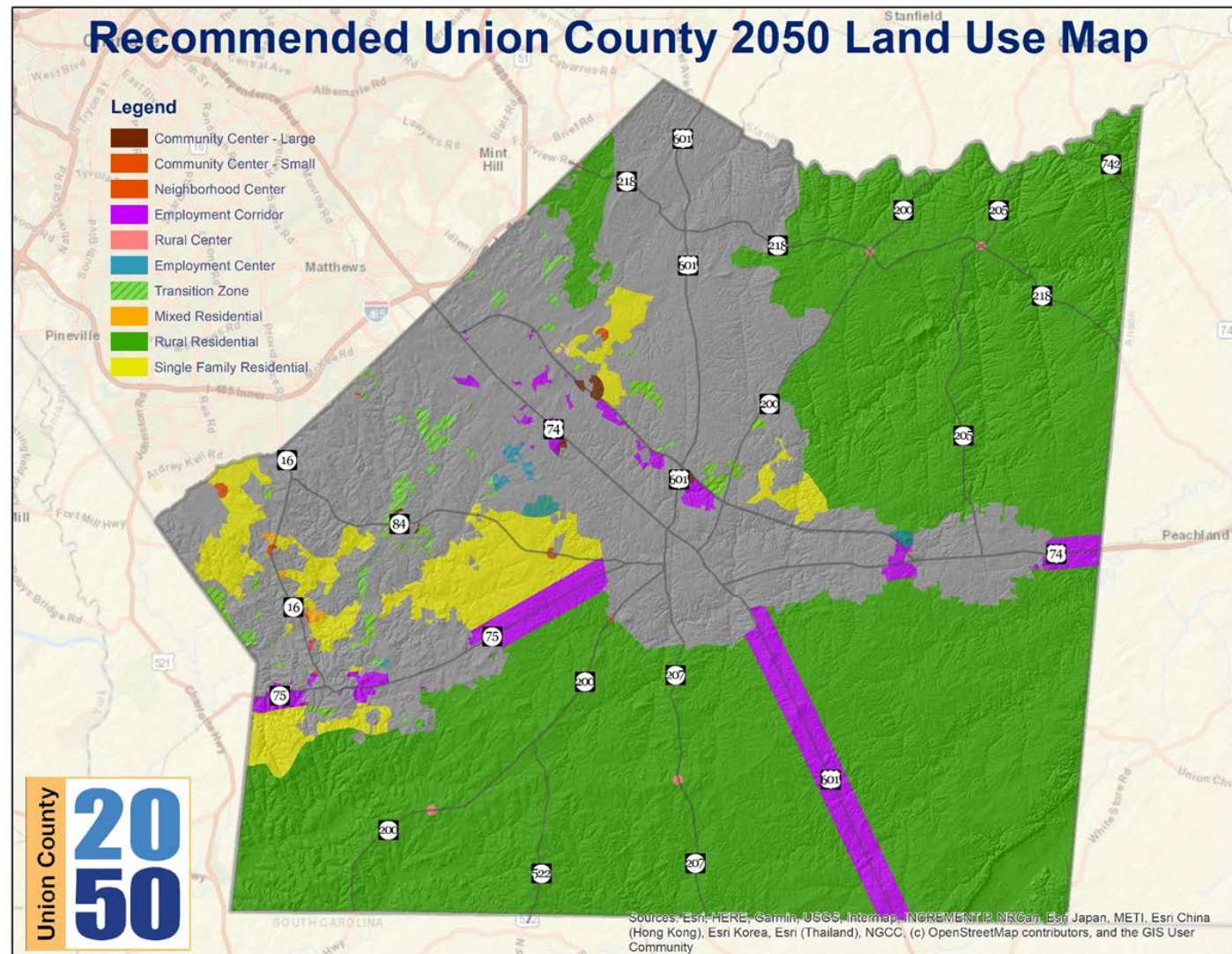
Public Hearing

December 2, 2024



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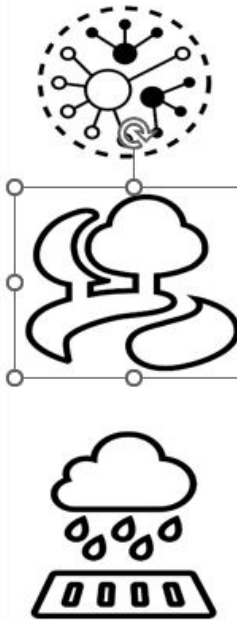
# UC 2050 Land Use Map





# UC 2050 Implementation Recommendations

## OPEN SPACE IN RURAL AREAS – FEBRUARY 5

Open Space in Rural Areas					
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

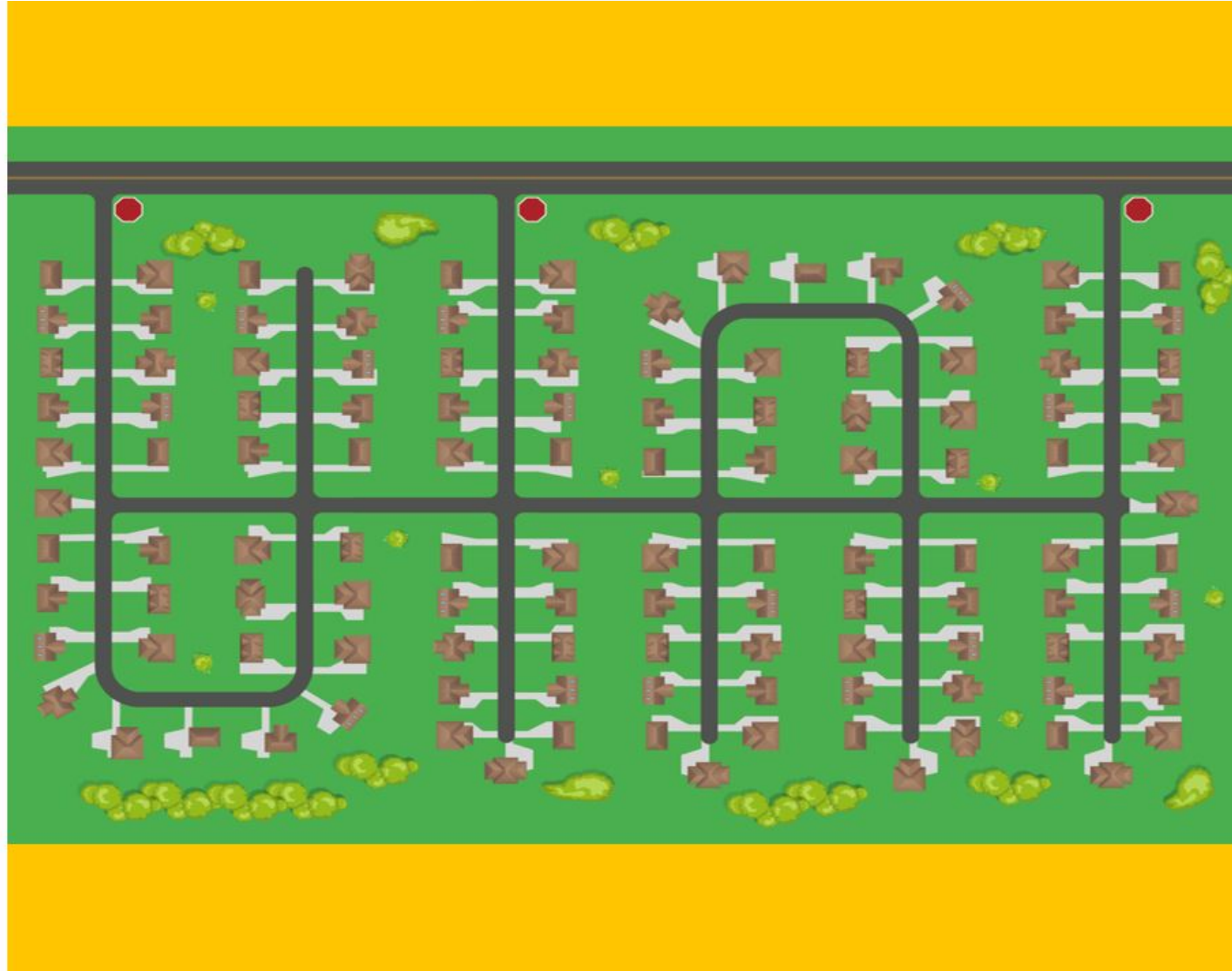
- 1) Would apply to all new major subdivisions
- 2) 30% of the site would be set aside as open space
- 3) Would effectively reduce the development potential by 30%
- 4) Would not apply to minor subdivisions

# Traditional development – no open space

100 Acres

100 Homes

No  
Open Space  
Requirement

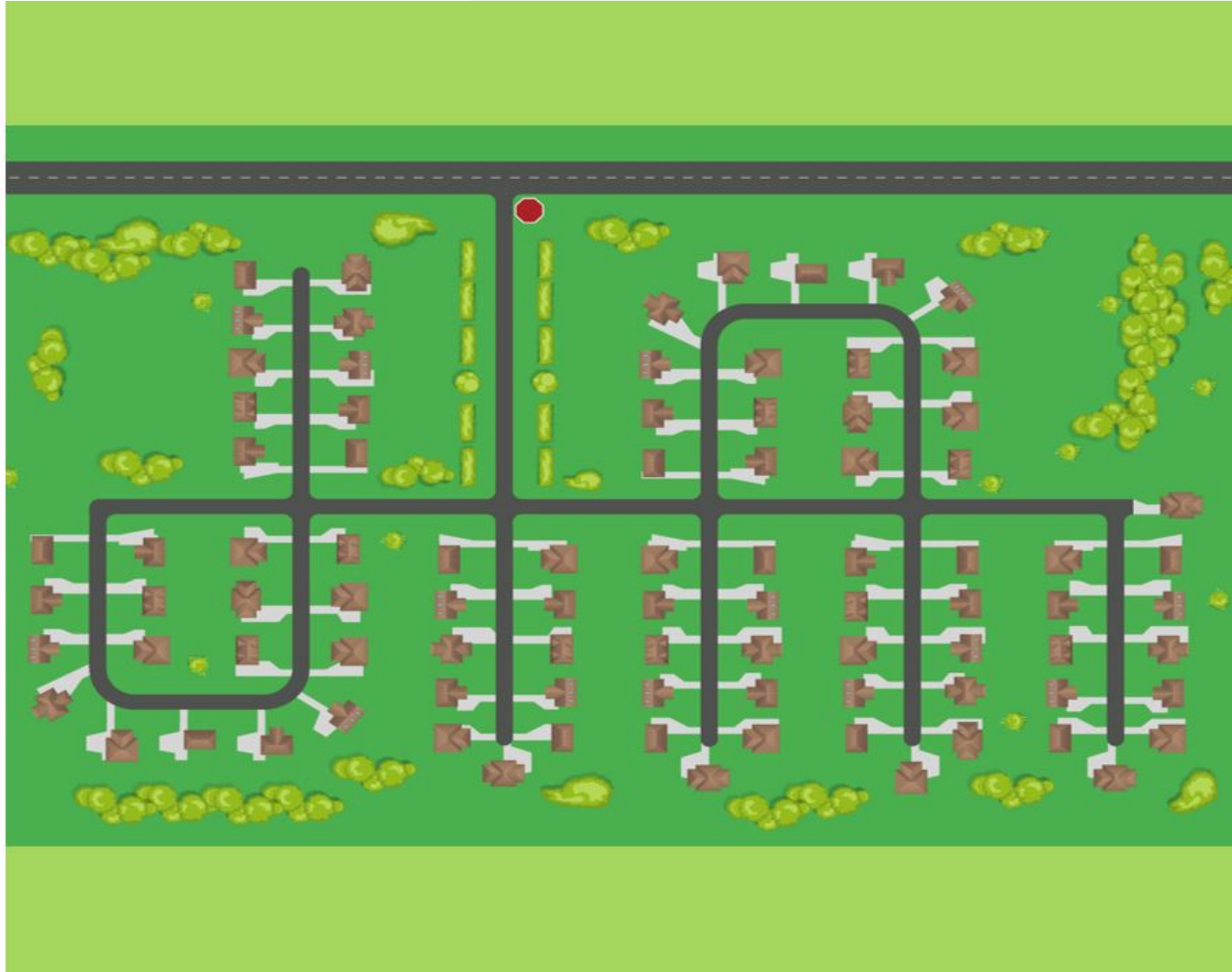


# Development with 30% open space

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.



# Questions



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