



Article 408 Amendments

June 2, 2026

Article 408 amendments





Article 408 – Common Open space Development

- In April of 2025, a series of 5 findings were added to this article.
- To approve any new Common Open space Development subdivisions, all 5 findings are required to be met.
- This proposal would amend the code to require 3 of the 5 listed findings always be met, and the remaining 2 to be met when the site conditions referenced in the finding exist.



Common Open Space

- **Section 110.408.00 Purpose.** The purpose of this article, Article 408, Common Open Space Development, is to set forth regulations to permit variation of lot size, including density transfer subdivisions, in order to preserve or provide open space, protect natural and scenic resources, achieve a more efficient use of land, minimize road building, and encourage a sense of community.



Common Open Space Standards

- Common Open Space Restrictions. Designated common open space shall not include areas devoted to public or private vehicular streets, detention and retention ponds/basins, drainage facilities, or any land which has been, or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools or other public facilities. This is an alternate content slide



1. Preserve or Provide Open Space. The development preserves existing steep slope areas, developmentally constrained areas, and heavily treed areas from development and provides future residents an option for open space above and beyond any applicable minimum requirements of Article 432.
2. Protect Natural and Scenic Resources. The development identifies and protects natural and scenic resources, including but not limited to ridgelines, waterways, large diameter trees, and habitat for special status species.



3. Achieve a More Efficient Use of Land. The development utilizes density clustering to further protect and preserve open spaces.
4. Minimize Road Building. The development is designed in a manner that reduces the overall linear distance of roadways (e.g. cul-de-sacs).
5. Encourage a Sense of Community. The development provides community amenities such as trail connectivity, bike trails/walking trails, dog parks, playgrounds, pocket parks, etc.



Section 110.408.28 Findings Required for Common Open Space Developments. Prior to approving an application for a common open space development, the Planning Commission or Parcel Map Review Committee, as applicable, **shall find a-c below have been satisfied, and that findings d and e have been satisfied when they can reasonably be applied to the parcels in question.** This is to ensure that the benefits provided by the proposed common open space development are commensurate with the flexibility afforded by common open space development.

Thank you

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