

3.47 Residential Subdivision Open Space and Green Space Article.

To establish regulations for open space and green space in residential subdivisions within Effingham County to promote public health, safety, and welfare through the conservation of natural resources, the provision of recreational opportunities, and the preservation of community character.

The intent of this ordinance is to:

- A. Ensure that all new residential developments preserve land for recreational, ecological, and aesthetic purposes;
- B. Promote environmentally responsible development;
- C. Provide residents with accessible and well-maintained green and open spaces;
- D. Encourage active and passive recreation opportunities within neighborhoods.

3.47.1 Applicability.

This ordinance shall apply to:

All new major residential subdivisions containing 10 or more dwelling units

3.47.2 Definitions.

- A. Open Space: Land within a subdivision set aside for recreation, resource protection, visual enjoyment, or other compatible uses.
- B. Green Space: Vegetated open areas including lawns, tree buffers, landscaping, and natural preserves.
- C. Usable Open Space: Open space areas accessible to residents, not encumbered by wetlands, or steep slopes.
- D. Passive Recreation: Low-impact uses such as walking, birdwatching, or community gardening.
- E. Active Recreation: Facilities including playgrounds, courts, fields, or fitness areas.
- F. Conservation Area: Protected land with limited or no development allowed, used to preserve natural habitats or environmentally sensitive areas.
- G. HOA (Homeowners' Association): A legal entity responsible for the maintenance of common areas and enforcement of neighborhood standards.

3.47.3 Open Space and Green Space Requirements.

(Total Acreage- Jurisdictional Wetlands or Inaccessible uplands- Required Buffers
=Net Total Acreage)

1. At least 10% of the net site area must be designated as permanent open space in the R-1, R-2, R-3, and R-4 zoning districts.
2. At least 25% of the net site area must be designated as permanent open space in the R-5 zoning district.
3. At least 10% of the net site area must consist of vegetated green space (may overlap with open space if appropriate).

3.47.4 Usability.

A minimum of 90% of open space must be usable, contiguous, and accessible to residents.

No single open space parcel shall be less than a minimum of 2500 sqft. in size or 30 feet in width, unless part of a designated trail or greenway.

3.47.5 Types of Open Space Allowed.

The following types of open space and amenities may be included to meet the requirement:

A. Active Recreation Areas

- Community playgrounds
- Multi-use fields (soccer, baseball)
- Basketball or tennis courts
- Pickleball courts
- Outdoor fitness stations
- Dog parks

B. Passive Recreation Areas

- Nature trails or greenways
- Picnic areas with tables/shelters
- Community gardens
- Scenic overlooks or quiet areas

- Fishing ponds or small non-motorized water bodies

C. Conservation and Natural Areas

- Undisturbed wetlands or floodplains
- Native forest preservation zones
- Stream buffers and riparian corridors
- Wildlife habitat conservation easements

D. Community Features and Enhancements

- Gazebos, pavilions, or shaded seating structures
- Decorative landscaping islands or common greens
- Stormwater features integrated as amenities (e.g., wet ponds with boardwalks)

3.47.6 Design and Access Standards.

A. Recreational Facility Requirements

In major subdivisions, a minimum of one athletic field—either a U8 or U10 field—is required for every 200 residential lots. These fields must meet applicable size and design standards to ensure usability and safety.

B. Enhanced Amenity Credits

Subdivision developments that include upgraded recreational amenities may receive increased credit toward open space requirements. Specifically:

- Swimming pools and similar facilities may receive 1.5 times the area credit.
- Clubhouses and comparable structures may receive 2 times the area credit.

All upgraded amenities must be constructed to a high standard and be accessible to residents in order to qualify for enhanced credit.

All open spaces must be accessible via pedestrian connections (sidewalks or trails).

No more than 25% of required open space may consist of stormwater detention unless designed for dual recreational use.

3.47.7 Ownership, Dedication & Maintenance.

Open space shall be owned and maintained by:

1. A legally established Homeowners' Association (HOA), or
2. Dedication to Effingham County (at County's discretion), or

3. An accredited nonprofit land trust for conservation purposes.

3.47.8 Density Bonus.

Projects providing 30% or more open space and integrating community-wide amenities may qualify for a residential density bonus of up to 10%, a 10% maximum lot depth reduction upon Board of Commissioners approval of the preliminary plat. The minimum lot width will not be reduced.

3.47.9 Trail Standards for Open Space Credit.

1. Trails may count toward required usable open space if they are part of a continuous system and provide recreational or transportation function within the subdivision.
2. Trails must be accessible to all residents and clearly shown on the open space or amenities plan.

3.47.10 Minimum Width Requirements.

To qualify for open space credit, trails shall meet the following minimum improved width standards:

Trail Type	Minimum Width (Improved Surface)	Notes
Multi-use paved trail	8 feet	Suitable for bikes, pedestrians, strollers
Pedestrian-only trail	5 feet	May be asphalt, gravel, or boardwalk
Nature trail (low-impact)	4 feet (cleared) / 3 feet (surface)	Natural surface acceptable if properly marked

- Additional 2-foot shoulders on each side are encouraged for multi-use trails.

3.47.11 Trail Length and Credit.

- For every 100 linear feet of compliant trail, a credit of 2x the width of the trail may be awarded as open space credit, provided the trail:
 - Is connected to a broader open space system,
 - Is constructed of durable material appropriate to the location (e.g., crushed stone, asphalt, boardwalk in wetlands).

3.47.12 Trail Connectivity.

Trails must connect to:

- A. Other open space areas within the subdivision,
- B. Streets with sidewalks or pathways,
- C. Adjacent parks or neighborhoods (when feasible).

3.47.13 Maintenance

Trails must be maintained in a safe and usable condition by the HOA or responsible entity named in the open space maintenance plan.

3.47.14 Ponds and Water Features as Open Space.

Ponds may qualify for open space credit under the following conditions:

Types of Pond

Stormwater detention ponds

Decorative ponds/fountains

Constructed wetlands or other low-impact stormwater best management practices

3.47.15 Conditions for Credit.

To receive credit toward open space requirements, ponds must meet the following:

Accessibility: Must be visible and/or accessible for residents or shared private open space (e.g., walking trail, overlook, boardwalk, or seating area).

Credit will be given based on the percentage of continuous shoreline accessible to residents, with a minimum of 30%.

3.47.16 Exclusions

1. Ponds entirely fenced off and inaccessible to residents do not qualify for open space credit.
2. Underground detention systems or dry detention basins do not qualify unless converted into multi-use amenities (e.g., dual-use fields).

3.47.17 Maximum Allowable Credit.

- A. No more than 25% of the total required open space may be satisfied using ponds or water features unless:

- B. The pond serves both a stormwater and public recreational or aesthetic purpose,

Illustrative Examples

Pond Type	Area	Meets Criteria?	Credit Allowed
Pond with nature trail	1.0 acre	Yes	1.0 acre
Dry detention basin with grass	1.5 acres	No	0.0 acres
Stormwater pond with boardwalk	1.2 acres	Yes (amenitized)	0.3 acres (25%)
Decorative fountain with seating	0.5 acre	Yes (resident space)	0.25 acre (50%)

3.47.18 Open Space Compliance Example.

Site Overview

- Total Site Area: 200 acres
- Environmental Constraints:
 - Wetlands: 40 acres
 - Required Buffers: 25 acres
 - Inaccessible Upland (isolated by wetlands): 4 acres

Net Developable Acreage:

- 200 acres – 40 acres (wetlands) – 25 acres (buffers) – 4 acres (inaccessible upland) = 131 acres

Required Open Space (25% of Net Acreage):

- $25\% \times 131 \text{ acres} = 32.8 \text{ acres}$