

Amendment #4 Amend Section 4-2-120 B.2 and 3- Delete paragraph 2 due to conflict with **county** guidelines for buffers which are 75' as a minimum, and in areas that are in a watershed protection area the buffers are increased to 150'. In paragraph 3 the word "transitional" is being removed due to conflict with the definition of transitional buffer which is to separate dissimilar uses such as commercial and residential. *Also buffers provided in the required setback would be a part of the lot and not open space.*

The main purpose of this amendment is to ensure that citizens realize exactly what the buffer around the perimeter is and what can be done in the buffer area. Septic systems and drain lines are currently allowed in these buffers and a property owner should have some discretion in maintaining their yard. When residents beside a proposed subdivision hear the word buffer, they automatically think nothing can be touched within this area. They are allowed to keep their property cleaned out and manicured to the property line, but they feel these new lots should not be able to touch that 50'. The revision states that in the buffer area the natural topography should be preserved, and existing growth can't be disturbed except where necessary to remove dead or diseased trees and undergrowth which is hand clearing with no equipment. We have made provisions in the code as well so that if grading needs to be done within the buffer that a plan must be submitted and reviewed which shows what areas will be disturbed and the means to re-establishment of the buffer which will be approved by the department.

There was some discussion about requiring a certain amount of open space around the entire perimeter of a development. There was also discussion about requiring amenities such as pools, club houses, pickle ball courts or walking trails on developments of a certain size.

The Planning Commission recommended approval of the amendment with the addition that amenities be required in all OSC subdivisions with 100 lots or more.

10-14-24 Word Session comments: Add- "developers are encouraged to provide an open space strip of at least 20' along the perimeter of the development." AND Add- "Developments of 75 lots or more will be required to provide amenities such as a club house, pickle ball courts, walking trails, etc."

Section 4-2-120 Open Space Conservation Development Overlay District (OSC)

B. General Design Standards

2. ~~The development shall maintain or create a buffer of natural vegetation of at least fifty (50) feet in width adjacent to perennial streams, surface waters and wetlands.~~
3. ~~A 100-foot non-buildable buffer is required along the road frontage of existing streets to screen homes from the existing public road. A 50-foot transitional buffer is required around the perimeter except where property abuts a residential subdivision. *If the buffer is provided within the required setback it shall not be included in the required open space.*~~
2. A 100-foot non-buildable buffer is required along the road frontage of existing streets to screen homes from the existing public road. A 50-foot buffer is required around the perimeter except where property abuts a residential subdivision in the A1, A2 and R1 zoning districts. Within these buffers, the natural topography of the land shall be preserved, and existing growth shall not be disturbed except where necessary to remove dead or diseased trees and undergrowth; to enhance the buffer with additional landscaping; to prevent or control erosion; or for septic repair and/or drain lines **or utility encroachments**. If grading is required in the buffer area, a site plan providing details of disturbance and re-establishment of the buffer shall be provided and approved by the department.

Developers are encouraged to provide an open space strip of at least 20' along the entire perimeter of the development.
3. **Developments of 75 lots or more will be required to provide amenities such as a club house, pickle balls courts, walking trails etc.**