

Parks & Open Space Subdivision Requirements

§14.xx.XXX – Parks and Open Space in New Residential Subdivisions

A. Purpose

To ensure that new residential development contributes fairly to the provision of parkland and meaningful open space, scaled appropriately by size and zoning density, and to support long-term recreation needs and community quality of life in Parowan City.

B. Definitions

Active Recreation Area - means a space designed and improved for recreational activities requiring developed facilities, including but not limited to playgrounds, sports courts, ball fields, and picnic shelters.

Common Open Space - means land within a development that is not individually owned or dedicated to the public, but is designed and intended for the shared use or enjoyment of residents or members of the development. Common open space may include natural areas, trails, landscaped buffers, or recreation areas, and is maintained by a homeowners' association or similar entity.

Fee in Lieu - means a monetary payment made by a developer to the City in place of dedicating land for parks or open space, to be used for acquisition, development, or improvement of public parks, trails, or recreational facilities.

Improved Open Space - means land that is graded, landscaped, or otherwise enhanced with amenities such as trails, benches, lighting, or recreational features to support active or passive use.

Natural Open Space - means land preserved in its natural state for conservation, drainage, visual buffering, or passive recreation. It may include wetlands, stream corridors, hillsides, or other undeveloped features with limited disturbance.

Neighborhood Park - means a City-owned and maintained park, generally serving the recreation needs of nearby residents, with typical features such as playgrounds, open play fields, picnic areas, and walking paths.

Open Space - means land within or adjacent to a development that is preserved or improved for public or common use and is not occupied by streets, structures, parking areas, or private yards. Open space includes natural areas, parks, trails, landscaped buffers, or recreation amenities, as further defined herein.

Park Land Dedication - means the conveyance of land to the City by a developer for the purpose of establishing or expanding a public park, trail, or recreational facility.

Passive Recreation - means leisure activities that do not require highly developed facilities, such as walking, birdwatching, or picnicking in a natural or landscaped setting.

Private Open Space - means land within a development that is intended for open space or recreational use by a specific lot or resident, and not shared among the broader community or public. Examples include private yards, patios, or restricted-access gardens.

Public Open Space - means land that is dedicated to and maintained by the City for use by the general public for recreation, conservation, or aesthetic purposes.

Trail Corridor - means a designated linear open space that provides public or shared pedestrian, bicycle, or multi-use connectivity through or between developments, often linking neighborhoods to parks, schools, or other community features.

C. Applicability

This section applies to all residential subdivisions of three or more lots.

D. Public Parkland Dedication

1. For subdivisions ten (10) acres or greater in gross area, the subdivider shall dedicate land for public parks of the gross area of the subdivision.

2. Applicability by Zone **Modify whole paragraph to show a flat rate??**

- RE – Rural Estates Zone: No open space dedication or fee-in-lieu is required, due to the large lot sizes and low density of development.
- R-1, R-1A, & A-1 – Low Density Residential Zone: Subdivisions shall provide open space exactions equal to **34-5%** of the gross area of the subdivision
- R-2 – Medium Density Residential Zone: Subdivisions shall provide open space exactions equal to 3% of the gross area of the subdivision.

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- R-3 – High Density Residential Zone, PUDs, and MPDs: Subdivisions shall provide open space exactions equal to 34-5% of the gross area of the subdivision.

3. Dedicated land must:

- a. Be reasonably shaped, accessible by public road or trail, and suitable for active or passive recreation;
- b. Not be encumbered by steep slopes, drainage facilities, or utility easements unless accepted by the City for park purposes;

E. Fee in Lieu of Dedication

1. For subdivisions under ten (10) acres in gross area, or where land dedication is determined by the City to be impractical or inconsistent with park planning, a fee in lieu shall be paid. If a subdivision is a part of a phased larger subdivision, the ten (10) acre rule cannot be used to avoid the requirement of this section.

2. The fee shall be based on the per-acre value of land in the area and the amount of land that would otherwise be required to be dedicated.

3. The City may allow a fee in lieu in subdivisions 10 acres or greater upon finding that:

a. There is sufficient parkland already available within a half mile of the site; or

b. The dedication would result in unusable or fragmented open space.

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4. Fee Calculation. The amount of the fee in lieu shall be calculated as follows:

- a. The fee shall equal the fair market value of the amount of land that would otherwise have been dedicated, as determined by:
 - i. A standard per-acre land value table established and periodically updated by resolution of the City Council; or
 - ii. A recent appraisal submitted by the developer and accepted by the City.
- b. The required land area shall be based on the percentage established in this section, applied to the gross area of the proposed subdivision.

c. If a developer disputes the land value set by the City, the developer may submit an independent appraisal for review and final determination by the City Council.

F. Additional Open Space in High-Density or Clustered Development

1. In Planned Unit Developments (PUD's) or Master Planned Developments, the developer shall provide additional usable open space for the benefit of residents, beyond the land dedicated to the City.
2. Required additional private or common open space shall be:
 - a. At least 5% of the gross site area;
 - b. Centrally located or otherwise accessible to the majority of lots;
 - c. Maintained by an HOA, owner's association, or similar mechanism;
 - d. Improved with amenities appropriate to the scale of development (e.g., play areas, trails, gardens, seating areas, or landscaped greenspace).

F. Credits and Adjustments

Where trails, natural buffers, or floodways are preserved as part of a larger City-identified open space network, the City may credit these areas toward the required open space if:

1. They serve a recreational or connectivity function; and
2. They are improved or accessible to the public.

G. Administration

1. Land dedication proposals and fee calculations shall be reviewed by City staff and approved through the subdivision review process.
2. Fee in lieu payments shall be placed in a dedicated Parks Reserve Fund and used only for acquisition or improvement of public parkland and/or open space.

Parowan City Fee in Lieu Calculator Table

Zone	Percentage Requirement	Assumed Land Value (per acre)	Required Park Acreage	Fee in Lieu per Acre of Subdivision	
A-1	1.53%	\$20,000	0.0153 acres	\$3600	Formatted: Highlight
R-1 / R-1A	1.53%	\$35,000	0.0153 acres	\$5251,050	Formatted: Highlight
R-2	3%	\$40,000	0.03 acres	\$1,200	Formatted: Highlight
R-3	4.53%	\$45,000	0.0453 acres	\$2,0251,350	Formatted: Highlight

Fee in lieu Example Calculation:

- R-2 Subdivision size = 8 acres (below dedication threshold)
- Land value per acre = \$40,000 (as established by City)
- Required park acreage = 3% of 8 acres = 0.24 acres

Fee in lieu = \$40,000 × 0.24 = \$9,600