

Chapter 19.19. Open Space.

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19.19.01. Purpose and Applicability.

1. **Purpose.** This Chapter establishes minimum open space requirements for all new residential development to ensure that parks and open space meeting the recreational and scenic needs of new residents are met.
2. **Applicability.** This Chapter applies to all new development in the City and expansions to previously approved developments in the City, excepting development in the A, RA-5, RR, and R1-40 zones.

(Ord. 17-08)

19.19.02. Definitions.

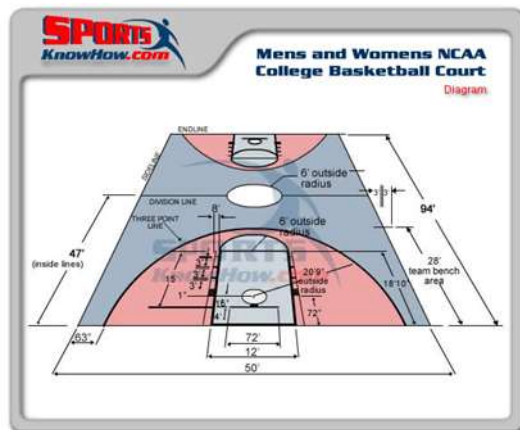
1. “Amenities” means an improvement for use by park patrons or residents, such as playground equipment, play fields, trails, benches, and restrooms.
2. “Amphitheater” means a curved open-air venue for entertainment, with tiered seating or upward-sloped turfed area suitable for seating surrounding a central level area for performances. Seating capacity is calculated on nine square feet per person on the tiered or turf seating area.
3. “ASTM” means the American Society of Testing Materials.
4. “Baseball Diamond” means a play field improved with turf except for the skinned infield, and striped to support the play of baseball or softball, with each diamond supporting one game at a time. Minimum dimensions by type are shown in the following graphics:
 - a. “Major League©” (College, High School) diagram:



- b. “Little League©” diagram:



5. “Basketball Court” means a hard-surfaced area with amenities to support the playing of basketball.
- “Half court” means a court a minimum of 47 feet by 50 feet in area and containing one standard (pole and net).
 - “Full court” means a court a minimum of 50 feet by 94 feet in area and containing a minimum of two standards, with the option of four standards creating two smaller full courts within the main court and perpendicular to the main court.



- “BBQ Grill” means an outdoor appliance for grilling and cooking, constructed of industrial cast iron or similar durable material, and permanently mounted on concrete.
- “Bike Rack, 4-bike capacity” means a ridged one-piece structure to which bicycles can be locked, permanently mounted on concrete. May be substituted by multiple single-bike racks or poles with capacity for four bikes.
- “Detention basin – limited access” means a detention basin that is improved to provide access for recreational use when not storing water.
- “Drinking Fountain” means an industrial or commercial grade outdoor drinking facility, with proper drainage.
- “Equivalent Acres” means the number of acres of different types of land it takes to equal one acre of fully improved park space.
- “Fully Improved” means open space completely improved with turf or other live vegetation, and containing amenities equaling at least 75 points per acre.

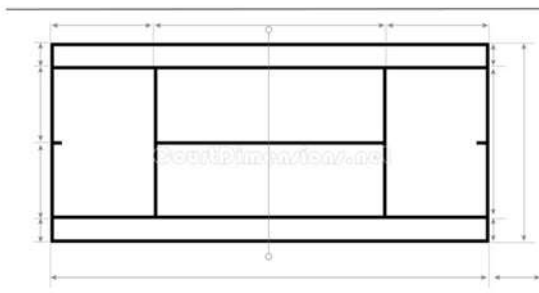
12. “Fully Improved with limited access” means fully improved open space with limitations to access, such as a pay-for-use golf course, limited hours for a cemetery, or similar limitation.
13. “Fully Improved with full access” means fully improved open space with no limitations on user access.
14. “Horseshoes, tetherball, similar” means an outdoor recreation area designed for the playing of horseshoes, or tetherball, or other permanently installed outdoor game.
15. “Ice Rink, Indoor Facility” means a minimum 200x85 foot artificially refrigerated ice-skating surface fully contained within a temperature controlled structure or building.
16. “Ice Rink, Outdoor Facility” means an outdoor ice-skating facility that may or may not be artificially refrigerated.
17. “Improvements” means any addition or enhancement to open space, such as landscaping, recreational amenities, trails, and grading. See also “Partially Improved”, “Fully Improved”, and “Unimproved”.
18. “Native” means the installation of natural landscaping commonly found in unimproved, un-manicured landscapes. This commonly refers to native species of grasses, forbs, and shrubs commonly found in undisturbed landscapes. Native landscape could include the restoration of disturbed areas by replacement of topsoil, native seeding by drilling method, and covering with a hydraulically applied wood fiber mulch.
19. “Open space with no access” means open space with no user access or recreational benefit provided.
20. “Park Bench” means an industrial or commercial grade outdoor seat, permanently mounted on concrete.
21. “Partially Improved” means open space left in a native state, such as existing or new native grasses instead of turf, and with recreational amenities consisting of less than 75 points per acre.
22. “Pavilion” means a free-standing structure with an open frame and covered by a roof to provide shade for a table or sitting area or other similar use.
 - a. “Small” means a pavilion of up to 400 square feet covering at least one table and related seating, one BBQ grill, or similar facilities.
 - b. “Medium” means a pavilion of up to 750 square feet covering at least two tables and related seating, several BBQ grills, or similar facilities.
 - c. “Large” means a pavilion of up to 1000 square feet covering at least four tables and related seating, or two tables and several BBQ grills, or similar facilities.
 - d. “Extra-large” means a pavilion of over 1000 square feet covering eight to ten tables and related seating, or a combination of tables and BBQ grills of similar amount.
23. “Play Field” means a level grass field that is useable for the play of various sports such as football, lacrosse, soccer, or other field. May or may not be striped for a specific sport.
24. “Play structures” means a structure containing any of the following: swings, post and platform, slides, climbers, rockers, rotational, and interactive features. A single-platform refers to one elevated platform containing multiple features. All playground structures must have a certificate of compliance with current CPSC and ATSM standards.
25. “Restroom” means a room containing a wash basin, toilet, and other facilities for use. Where a restroom is provided, at least one cleaning/maintenance closet shall be included. May consist of a unisex lockable-from-inside restroom, or separate men and women’s

restrooms. May include a single or multiple stalls. Restrooms shall comply with ADA requirements, including percentage of stalls that are accessible in design.

26. "Sensitive Lands, limited access" means open space consisting of wetlands, steep slopes, or other sensitive lands with some user access provided such as trails, boardwalks, or pavilions.
27. "Soccer Field" means a play field a minimum of 180 feet by 300 feet in area, and striped to support the play of soccer as shown in the graphic below:

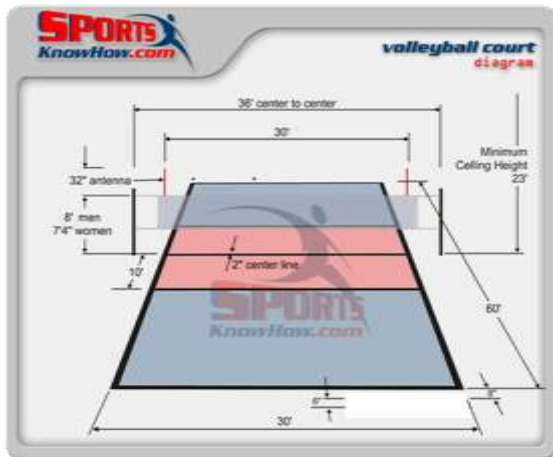


28. "Splash Pad" means a recreation area for water play with little to no standing water. May include fixed or movable spray or drip features and nozzles.
29. "Swimming Pool" means a man-made structure or tank constructed to hold water deep enough to permit swimming and other water based recreation. Minimum depth of six feet where diving is permitted; does not include wading pools. Minimum dimensions of 80 feet by 16 feet for a two-lane lap pool, or 50 feet by 25 feet for a non-lap pool.
30. "Tennis Court" means a level rectangular area for the playing of tennis. Minimum dimensions of 27 feet by 78 feet for a singles court; minimum dimension of 38 feet by 78 feet for a doubles court, striped in the following manner:



31. "Trash Can" means a waste receptacle for either trash or recyclables, minimum capacity of 32 gallons.
32. "Unimproved" means open space left or planted in a native state, without the addition of amenities.
33. "User" means a person accessing open space for recreation, relaxation, or other purpose. Refers to residents of a development for privately maintained open space, or to the public for publicly maintained open space.
34. "Volleyball Court or Pit" means a level rectangular area with a net structure for the playing of volleyball. Minimum area of 1800 square feet. May be a lowered or level sand

surface, or a hard level surface. Minimum dimensions as shown in the graphic below:



- 35. “Wading Pool” means a man-made structure or tank constructed to hold a small amount of water for water play that is not deep enough to permit swimming.
- 36. “Workout Station” means an industrial or commercial grade fitness components or devices designed to offer exercise opportunities to users, permanently mounted and meeting ASTM standards.

(Ord. 17-08)

19.19.03. Equivalent Acres.

- 1. **Equivalent Acres.** As used in this Chapter, open space requirements shall be calculated based on Equivalent Acres, where different types of open space qualify as more or fewer acres. For each acre of required open space, the requirement may be met through a variety of open space types, according to the table below and as defined in this Section:
 - a. **Method:** Multiply each acre or portion thereof, for each category provided, by the multiplier to determine the Equivalent Acres:

EQUIVALENT ACRE FORMULA	
Category of Open Space Provided:	Multiplier:
Unimproved, not Sensitive Lands	0.15
Open Space with no access	0.15
Sensitive Lands - limited access	0.33
Improvement of existing City owned open space	0.67
Detention basin - limited access	0.67
Detention basin - no access	0 - no credit
Partially Improved	0.75
Fully improved with limited access	0.75
Fully Improved with full access	1

- b. **Example:** A project providing 10 acres of open space that consists of 2.5 acres of hillside with trails (Sensitive Lands with Limited Access), 1 acre of detention basin with limited access, ½ acre of detention basin with no access, 2 acres of sensitive lands with no access, 3 acres of native park space, and 1 acre of fully improved park space with full access would be calculated as follows, resulting in credit of 5.05 Equivalent Acres:

EQUIVALENT ACRE FORMULA				
Category:	Multiplier:	Actual Acres provided	Equivalent Acre Formula:	Equivalent Acres Provided:
Unimproved, not Sensitive Lands	0.15			
Open Space with no access	0.15	2.00	2 acres x .15	0.30
Sensitive Lands - limited access	0.33	2.50	2.5 acres x .33	0.83
Improvement of existing City owned open space	0.67			n/a
Detention basin - limited access	0.67	1.00	1 acre x .67	0.67
Detention basin - no access	0 - no credit	0.50	.5 x 0	0.00
Partially Improved	0.75	3.00	3 x .75	2.25
Fully improved with limited access	0.75			
Fully Improved with full access	1	1.00	1 x 1	1.00
TOTALS		10.00		5.05

(Ord. 17-08)

19.19.04. Minimum Required Open Space.

1. **Open Space Required.** A minimum of one Equivalent Acre of park space is required for every 40 residential units in a development, or fraction thereof.
 - a. Example: a development with 150 units must provide 3.75 Equivalent Acres: $150 \div 40 = 3.75$.
 - b. Exception: any development where a minimum of 75 percent of the lots are one acre in size or larger shall not be required to provide Equivalent Acres.
2. **Minimum percentage by development.** In addition to the minimum Equivalent Acres, to ensure a livable community, in no case shall the percentage of total open space acreage provided in the following types of development be less than the listed percentage:
 - a. Single family developments: 10 percent of overall development acreage
 - b. Multi-family developments: 15 percent of overall development acreage
 - c. Mixed Use and Mixed Waterfront developments: 25 percent of overall development acreage
 - d. Developments with both single family and multi-family: combination of the requirement based on the acreage for each type of housing.
3. **Other Limitations.**
 - a. In no case may the cumulative total of the following categories qualify for more than 50 percent of a development’s Equivalent Acre requirement.
 - i. Unimproved, not Sensitive Lands

- ii. Open space with no access

(Ord. 17-08)

19.19.05. Minimum Required Amenities.

1. **Methodology.** In order to meet the needs of new residents in each development, each development is required to provide amenities equaling a minimum number of points per required Equivalent Acre of open space.
2. **Minimum Points.** A minimum number of points is required per required Equivalent Acre, based on the total number of required Equivalent Acres provided in an individual park. The amenities may be distributed across all provided acres, but the points requirement is based only on the required Equivalent Acres.
 - a. Required points: minimum required points are based on the number of required Equivalent Acres provided in a contiguous park and are outlined in the table below:

Park Size	Minimum Points Per Required Equivalent Acre:
0 - 2.49 Equivalent Acres	100
2.5 - 4.99 Equivalent Acres	80
5 - 9.99 Equivalent Acres	60
10+ Equivalent Acres	40

- b. Example of application: a development with 150 units is required to provide 3.75 Equivalent Acres ($150 \div 40 = 3.75$), and must provide amenities averaging 80 points per Equivalent Acre, for a total of 300 points ($3.75 \times 80 = 300$). If the development provides 6 Equivalent Acres instead of the minimum 3.75, the total point requirement is still 300 and does not increase based on additional acreage.
3. **Points per Amenity.** Each recreational amenity is worth a number of points. For appropriate spacing of amenities, each item also has a minimum square footage requirement.
4. **Mixture of Amenities and Required Amenities.**
 - a. All parks are required to provide a mixture of amenities, including at least one separate item each from Categories C, D, and E.
 - b. No more than 25 percent of the points may be met by one specific item type in any one category.
 - c. All parks over 5 Equivalent Acres are also required to provide at least one item from Category A or B, and three items from category P, and a minimum 1-toilet restroom per each 5 acres or fraction thereof.

- d. Items in Categories A and B may qualify for impact fee credits, if identified in the Parks and Trails Master Plan.

Item	Min sq. ft. per item	Category	Points per Item
Ice rink - indoor facility	n/a	A	1750.0
Marina - public access (ramp to accommodate 4 boats min.)	n/a	A	500.0
Amphitheater (structure)	2500	A	375.0
Ice rink - outdoor facility	10000	A	250.0
Baseball Diamond - Little League© size	56000	A	216.0
Skate Park - one pit	10000	A	200.0
Swimming Pool, 2 lane equivalent	3000	A	150.0
Amphitheater (100 person seating area)	1000	A	125.0
Splash Pad (25 people)	2250	B	90.0
Restroom 3+ Toilets	400	B	82.0
Play Field - full size (soccer, football, etc.)	56000	B	56.0
Tennis Court (post tension concrete with fencing)	7200	B	50.4
Trail, hard surface, per 1000 linear feet	10000	B	41.3
Restroom 1-2 Toilets	200	B	41.0
Additional Equivalent Acre Above Requirement	See Tables	B	40.0
Pavilion - extra-large (30'x40')	1200	C	39.0
Pavilion - large (30'x32')	960	C	31.2
Play field - half size	28000	C	28.0
Play or skate feature - e.g. rock wall or kicker, large	200	C	25.0
Playground Structure (1-platform)	250	C	25.0
Pavilion - (medium, 30'x24')	720	C	23.4
Pickleball Court	3000	D	22.5
Zipline - per 75' linear rideable line	n/a	D	17.5
Basketball 1/2 court	2350	D	16.5
Pavilion (small, 30'x16')	400	D	15.6
Personal Watercraft Dock	2000	D	12.5
Swingset	100	D	12.5
Trail, soft surface, per 1000 linear feet	5000	D	8.3
Drinking fountain (freeze resistant w/pet bowl & bottle filler)	9	D	6.0
Horseshoes or similar	250	E	3.0
Bleachers - per section	450	E	2.8
Volleyball pit	1800	E	1.3
Art - 1 statue, sculpture, or other single piece	50	E	1.0
Table (6' aluminum)	75	E	0.8

Item	Min sq. ft. per item	Category	Points per Item
Tetherball or similar	250	E	0.6
Trash Receptacle (32 gal)	25	E	0.6
Workout station	100	E	0.5
Bench	50	E	0.4
BBQ Grill	25	E	0.3
Bike Rack, 4-bike capacity	30	E	0.3
Parking - 1 space (hard surface with drive aisle)	320	P	0.4
Parking - 1 space (soft surface with drive aisle)	320	P	0.1
Additional options for stacked residential and residential above commercial:			
Fitness room / gym	400	B	41
Rooftop Garden	150	C	25

** When an amenity is proposed that is not listed, Planning Director shall compare the cost and capacity of the amenity with amenities in this table to determine a comparable points value and category.*

*** A minimum of one trash can is required with every pavilion and one for every park without pavilions.*

(Ord. 17-08)

19.19.06. Payment in Lieu of Open Space Program.

1. **Applicability:** the City’s Payment in Lieu of Open Space Program may be utilized for all or a portion of the requirement for developments that meet one or more of the following criteria:

- a. any single-family development where a minimum of 75 percent of the lots are 10,000 square feet or larger, or
- b. any single-family development with a park requirement of less than one acre, or
- c. any development in the MW zone where such fee will aid in the creation of large clustered open spaces near the waterfront, or
- d. that portion of a development that is located within ¼ mile of an existing improved regional public park.

2. **Arrangements and Handling of Payment.**

- a. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the land value in subsection 2.b below, plus the cost of open space improvements identified in subsection 2.c below.
- b. The City shall maintain an annually updated list of land values for the cost of a non-sensitive developable acre, and apply the land value to the required Equivalent Acres for which the applicant desires to pay a fee in lieu.
- c. The City shall calculate the minimum required points per this chapter, and multiply the points by \$2,000 to determine the cost of the minimum required open space improvements, including landscaping, parks, trails, and other amenities.

- d. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading or repairing existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading or repairing existing parks facilities.
- e. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

3. Voluntary Participation.

- a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
- b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by virtue of this Chapter and all proposals to participate in this program are subject to the total and complete review and discretion of the City Council.

(Ord. 17-08)

19.19.07. Phasing.

- 1. If the construction of various portions of the project is proposed to occur in stages, then the following standards shall be met.
 - a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Land Use Authority.
 - b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage developed with any given phase. The Developer may install open space in excess of the proportionate amount for each phase and bank open space credits towards later phases; however the open space installed must be a part of the open space shown in the Phasing Plan.
 - c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify as determined by the City Attorney.

(Ord. 17-08)

19.19.08. Maintenance of Privately Owned Open Space.

This section shall apply to all privately owned open space, including open space owned by property owners, homeowners, businesses, homeowners association, owners associations, community associations, and business associations.

1. **General Maintenance.** All privately-owned open space shall be maintained regularly, by the property owner or owners association as appropriate, to maintain a clean, weed-free, and healthy appearance. “Maintain” or “maintained” shall have the same definition as that in Section 19.19.09, as amended.
2. **Turf and Plantings.**
 - a. Turf shall be maintained at a maximum height of 3-4 inches.
 - b. Turf and plantings shall be fully established and kept free of broadleaf weeds and other invasive species.
3. **Irrigation.**
 - a. Irrigation shall comply with all City watering restrictions and guidelines, and shall begin no earlier than April 15th and shall end no later than October 15th of every year.
 - b. Irrigation systems shall be maintained to operate efficiently, with leaks and malfunctions repaired promptly.
 - c. Components and nozzles shall be utilized to keep a uniform distribution of spray per irrigation zone.
 - d. Water shall be limited to irrigable areas and shall not cross onto hardscape such as sidewalks and streets.
 - e. Water-saving devices, including smart timers and rain sensors, shall be utilized to ensure efficient use of water, and to prevent watering during precipitation.
4. **Amenities.**
 - a. Amenities shall be maintained in clean, safe, working order. Rust shall be removed annually.
 - b. Broken or malfunctioning amenities shall be repaired or replaced promptly.
 - c. Proper maintenance schedules as recommended by the manufacturer or industry for each amenity shall be followed.

(Ord. 22-5, Ord. 17-8)

19.19.09 Dedication and Maintenance of Public Parks, Trails, Open Space, and Landscaping.

1. **Definitions.** As used in this policy, the following terms and definitions shall apply:
 - a. “City standards” mean, as applicable, the Standard Technical Specifications and Drawings Manual, the Parks, Trails, Recreation, and Open Space Master Plan, or other City ordinance or regulation as applicable.

- b. “Consideration” means: impact fee credits; permitted exceptions in Title 19 such as reduced setbacks, lot sizes, and percentage of open space; increased density; rezoning; and/or any other development benefit lawfully conferred on a developer.
- c. “Development approval” means a favorable decision on any application relating to the use of property—including amendments—such as the following: preliminary plat; final plat; site plan; district area plan; community plan; development agreement; village plan; rezoning/zoning; code amendment; general plan amendment; building permit; or occupancy permit.
- d. “Maintenance,” “maintain,” or “maintained” means all necessary, reasonable, and appropriate maintenance required in the City Code including cutting the grass, removing growth from sidewalks, trimming trees and shrubbery, weeding, watering the vegetation, planting new vegetation, replacing dead or dying vegetation, replacing weed fabric, replacing rock or bark mulch, and removing debris and trash.
- e. “Regional trails” means those regional trails identified in the City’s current Parks, Trails, Recreation, and Open Space Master Plan.

2. Purposes.

- a. In general. This Section provides a systematic and uniform method for requiring property owners engaging in development activity to dedicate, improve, and maintain parks, trails, open space, and landscaping in exchange for development approval.
- b. Applicability. The intent of the City Council is to apply this policy for future development in the City as of December 1, 2015. It is not the intent to apply this policy retroactively except as specifically intended by the City Council and as consistent with applicable law.
- c. Purposes. The specific purposes of this policy are to:
 - i. ensure that required parks, trails, open space, and landscaping are lawful exactions that comply with Utah statutory and common law;
 - ii. help the City provide and maintain recreational infrastructure for the enjoyment of City residents in a cost-effective, fair, safe, and efficient manner; and
 - iii. increase and preserve the beauty and environmental quality of the Saratoga Springs community by providing well-maintained parks, trails, open space, and landscaping for the enjoyment of City residents on a City-wide or neighborhood basis.

3. Balancing Under the Rough Proportionality Test.

- a. Exactions for parks, trails, open space, and landscaping will be determined by the City after careful consideration of the rough proportionality test as required by Utah Code § 10-9a-508. The rough proportionality test will be used to determine the fairness and extent of each exaction. The rough proportionality test requires that each exaction:
 - i. has an essential link between the exaction and a legitimate governmental purpose; and
 - ii. is roughly proportionate in both:

1. nature, and
 2. extent.
- b. To have an essential link between the exaction and a legitimate governmental purpose, the exaction must be related to the governmental purpose used to justify the exaction.
 - i. Examples of legitimate governmental purposes include without limitation public health and safety, City infrastructure, and City aesthetics.
 - c. To be roughly proportionate in nature, the exaction must be seen as a solution to a problem caused by the new development.
 - i. For example, if the development will cause increased pedestrian traffic, an exaction of land for a trail or sidewalk may be proportionate in nature because it solves the problem of increased pedestrian traffic by providing a place for pedestrians to travel.
 - d. To be roughly proportionate in extent, the cost of the exaction (including the cost of the dedicated land, any improvements to the land, and maintenance) must be roughly proportionate to the development's impact. Under this requirement, a development only pays its fair share of a public improvement based on the impact of the development. Costs in excess of this impact are borne by the City.
 - i. For example, the cost to the developer should not be significantly higher than the cost the City would spend to ease the burden of the development's impact.

4. General Policies.

- a. The City may require developers to dedicate, improve, and maintain in perpetuity land for parks, trails, open space, and landscaping in exchange for development approval. Any such dedication shall comply with the rough proportionality test in Utah Code § 10-9a-508, Title 19 of the City Code, and this policy.

5. Trails.

- a. In General.
 - i. The landscaping and land area of required trails shall count towards the developer's open space requirement in Title 19 of the City Code. If the City requires open space and trails in excess of the requirements in Title 19 of the City Code, the City shall provide additional consideration to the developer.
 - ii. A Developer may not receive open space credit and impact fee credits for the same trails installed. A Developer may choose which to receive, but may not receive both types of credits.
- b. Regional Trails.
 - i. Land for regional trails will be dedicated to the City by the developer through easement or fee simple dedication at the discretion of the City. Regional trails are established by City Standards.
 - ii. Regional trails will be improved and installed by the developer.
 - iii. All regional trails will be owned and maintained by the City. The ownership and maintenance will be of the trail surface only and will not extend to landscaping along the trails.
 1. **Exception:** The developer, owners association, and/or property owner may be required to maintain the trail if the City, through an arm's

length negotiation with the Developer, provides additional consideration to the developer that is memorialized through a recordable instrument such as a development agreement, reimbursement agreement, and/or plat note.

- iv. Although the land to be dedicated to the City is usually for the trail surface only and not the landscaping along the trail, maintenance easements may be imposed by the City alongside and adjacent to the trail to facilitate access for maintenance of the trail surface and reasonable public access.
- c. Other Trails.
 - i. All other trails will typically be owned, installed, and maintained by the developer or owner's association. The maintenance shall include both maintenance of the trail surface and the surrounding landscaping. The City and Developer may mutually agree that the City will own and maintain the trail if there is a public purpose in doing so.
- d. Materials of Trails.
 - i. Unless otherwise provided herein, all trails shall be constructed of those materials as required in City Standards.
 - ii. Regional Trails.
 - 1. All Lakeshore Trails shall meet the concrete standard in City Standards unless the trail is located in Utah State lands and concrete is prohibited by the State of Utah.
 - 2. All trails along Redwood Road shall be constructed either of asphalt or concrete in accordance with the following standards:
 - a. Trails on the west side of Redwood Road shall be constructed of concrete and meet the width requirement of City Standards.
 - b. Trails on the east side of Redwood Road shall be constructed of asphalt and meet the width requirements of City Standards. These trails shall be maintained by an owners association with a public access easement dedicated to the City. Additional consideration may be granted by the City for the Developer's ongoing maintenance obligations. If the current typical costs of asphalt are less than the current typical costs of concrete, the additional consideration may be in the form of requiring only asphalt on the east side of Redwood Road.

6. Landscaping and Open Space Amenities.

- a. All landscaping and open space amenities around trails (whether regional or other) will be installed by the developer.
- b. All landscaping and open space amenities around trails (whether regional or other) will be maintained by the developer or an owners association unless such area has been dedicated to the City. If the City has granted additional consideration, the City and Developer may mutually agree to have the Developer or owners association maintain areas dedicated to the City.

7. Parks and Open Space.

- a. All parks shall be dedicated, installed, and maintained in accordance with development approvals, development agreements, and the City Code. All general policies herein shall apply.
- b. The City shall generally not accept maintenance for parks and open space unless:
 - i. The open space or park is public and over 5 Equivalent Acres with a minimum average of 80 points of amenities per Equivalent Acre; or
 - ii. If the public open space or park is less than 5 Equivalent Acres, the open space or park offers a major public benefit such as trailhead parking or other need identified in City Standards, and containing a minimum average of 100 points of amenities per Equivalent Acre.

8. Park Strips.

- a. All park strips—meeting the definition of park strip in Section 19.02.02 of the City Code—within a development shall be installed by the developer or lot owner. This includes all pavement and landscaping.
- b. Park strips shall not be counted towards open space requirements in Title 19 unless more than the minimum park strip width is being installed and all open space standards in Title 19 are met. In all cases of park strips counting towards open space requirements, the minimum required width of a local road park strip shall be deducted from the total area of the oversized park strip being installed.
- c. All park strips along all roads shall be maintained by the individual property owner, tenant, entity, or person in possession of the property whose property abuts the park strip in accordance with Title 19 of the City Code.

(Ord. 22-5)