

PART III
MODEL RESIDENTIAL CONSERVATION DEVELOPMENT
SUBDIVISION REGULATIONS FOR COUNTIES
Draft First Revision, April 8, 2003

COMMENTARY: These model regulations have been written to accommodate conservation development within the elements of the County Subdivision Regulations. In order to achieve the goals of conservation development, it is anticipated that subdivision standards related to lots and private streets need to be modified. Therefore, these regulations have been written as an independent chapter that can be incorporated into a county's existing subdivision regulations.

Section 200 PURPOSE

Townships within the jurisdiction of these subdivision regulations have established (or may establish) conservation development standards and procedures within township zoning resolutions. Therefore, it is the intent of this Chapter to ensure that subdivision regulations are sufficiently flexible to carry out the conservation development objectives while ensuring that such development is consistent with the underlying purposes of these subdivision regulations.

Conservation development is intended to encourage more efficient use of land and public services through unified development that is principally intended to conserve community resources, preserve open space, and protect the health and safety of the community. These objectives are accomplished through land development techniques set forth in Township Zoning Resolutions that permit flexibility in the arrangement and construction of dwelling units and roads. Therefore, this Chapter establishes reasonable standards and criteria to likewise permit sufficient flexibility in the development of subdivisions to be consistent with township conservation development regulations, to maximize the achievement of the conservation development objectives and to promote the following corollary purposes:

- A. Minimize development on and destruction of sensitive natural resource areas;
- B. Reduce the quantity and improve the quality of storm water runoff from expected development;
- C. Maintain natural characteristics (such as woods, hedgerows, natural vegetation, meadows, slopes and streams);
- D. Reduce the amount of disturbed land, the conversion of natural areas to landscaped areas for lawns and ~~intrusive vegetation~~ discourage the use of plants that are non-native, invasive species; and

- E. Maintain a traditional rural settlement pattern characterized by compact groupings of development in otherwise wide-open spaces.

Section 210 APPLICATION

All subdivision standards and procedures in these subdivision regulations are applicable to conservation developments unless specifically waived or modified by this Section and approved by the County Planning Commission.

Section 220 DEFINITIONS

COMMENTARY: Since these regulations are intended to be incorporated in the existing County Subdivision Regulations, ~~it may be preferable to locate these definitions~~ it is recommended that these definitions be located within the Regulation's overall Definitions section. Many of these terms may already be defined in the Subdivision Regulations, in which case care must be taken to ensure that conflicting definitions are eliminated and terms are used consistently throughout the Regulations.

These are the same definitions proposed for the model conservation development zoning regulations. They are repeated here for consistency.

- A. **ACTIVE RECREATION:** Leisure time activities characterized by repeated and concentrated use of land, often requiring equipment and taking place at prescribed places, sites or fields. Examples of active recreation facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. For the purpose of these regulations, active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas.
- B. **ASSOCIATION:** A legal entity operating under recorded land agreements or contracts through which each unit owner in a conservation development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining common open space and other common areas and providing services needed for the development. An association can take the form of homeowners' association, community association, condominium association, or other similar entity.
- C. **BUILDING ENVELOPE:** An area within a conservation development that is designated as a location within which a dwelling unit is to be placed in compliance with the building setback and spacing requirements established by the township

zoning regulations. A building envelope may or may not be located within a subplot and may or may not have frontage on a public street.

D. BUFFER: A designated area between uses or adjacent to the perimeter of natural features designed and intended to provide protection and which shall be permanently maintained.

1. LAND USE BUFFER: Land area used to separate or visibly shield and/or screen one use from another.

E. COMMON AREA: Any land area, and associated facilities, within a conservation development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common.

F. COMMON DRIVE: A private way that provides vehicular access to at least two but not more than _____ dwelling units.

COMMENTARY: Common drives need to be defined by the maximum number of units so as to be excluded from the definition of private street. Therefore, a private street is a private way serving more units than permitted to be served by a common drive.

G. CONSERVATION DEVELOPMENT: A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setbacks, than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources.

H. CONSERVATION EASEMENT: A legal interest in land which restricts development and other uses of the property in perpetuity for the public purpose of preserving the rural, open, natural or agricultural qualities of the property as authorized by ORC§ 5301.67 through 5301.70.

I. DEVELOPMENT PLAN: A proposal including drawing(s) and map(s) for a conservation development, prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements set forth in Section 180.

J. DWELLING, DETACHED SINGLE-FAMILY: A building designed for, or used exclusively for, residence purposes by one family situated on a parcel having a front, side, and rear yard.

- K. DWELLING, SINGLE-FAMILY ATTACHED: Dwelling units that are structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services, and attached garages.

COMMENTARY: This definition requires attached garages; a requirement that may not be desired by every community.

- L. DWELLING, SINGLE-FAMILY, CLUSTER: A building that is designed and used exclusively by one family and separated from all other dwelling units by air space from ground to sky, which is grouped with other dwellings on a site and which may be located on its own subdivided lot without a front, side and/or rear yard in compliance with the standard zoning district regulations.
- M. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The agency with the overall responsibility for administering the National Flood Insurance Program.
- N. FLOODPLAIN: Any land susceptible to being inundated by water from any source. The base flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year.
- O. FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- P. INVASIVE SPECIES. Organisms that harm, or have the potential to harm, the environment, economy, or human health; species so listed shall be as defined by the Ohio Department of Natural Resources.
- Q. ISOLATED LAND. Any portion of the subdivision parcel that is separated from the remainder of the parcel by an excessively steep slope, water body, or other feature that would not support a road under normal building standards, rendering the portion unbuildable.
- R. LAND TRUST: A non-profit, tax-exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or agricultural land, and which is permitted to hold conservation easements under ORC§ 5301.68.
- S. LOT or SUBLOT: For the purposes of the conservation development regulations, a lot or subplot shall be a parcel of land owned fee simple and intended for a single

dwelling unit whether or not such lot or subplot is located with frontage on a dedicated street.

- T. NATURAL FEATURE: An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress, and energy costs.
- U. OPEN SPACE: An area that is intended to provide light and air. Open space may include, but is not limited to meadows, wooded areas, and waterbodies. See also Restricted Open Space.
- V. ORC §: Ohio Revised Code section number.
- W. PERENNIAL STREAM: A natural waterway that contains water throughout the year except in severe drought.

Source: U.S. Geologic Survey.

- X. PRIVATE STREET: A local private way which provides vehicular access to _____ or more residential structures that is not and will not be dedicated to public use, but which is owned and maintained by the Association.
- Y. PROJECT BOUNDARY: The boundary defining the tract(s) of land that is included in a development project to meet the minimum required project area for a conservation development. The term “project boundary” shall also mean “development boundary”.
- Z. PUBLIC IMPROVEMENT: Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which responsibility by the local government is established.
- AA. RESTRICTED OPEN SPACE: Open space within a conservation development that is of sufficient size and shape to meet the minimum zoning requirements that is restricted from further development according to the provisions of this chapter.
- BB. SETBACK: The required distance between a building and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

CC. SETBACK: The required distance between a structure and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

1. RIPARIAN SETBACK: A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion.
2. WETLANDS SETBACK: An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands.

DD. STANDARD SUBDIVISION: A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by the Zoning Resolution and with each lot having the requisite frontage on a dedicated public street.

EE. STREAM BANK OR RIVER BANK: The ordinary high water mark of the stream or river, otherwise known as the bankfull stage of the stream or river channel. Indicators used in determining the bankfull stage may include changes in vegetation, slope or bank materials, evidence of scouring, and stain lines.

FF. WALKWAY: A public way, four or more feet in width, for pedestrian use only, which may or may not be located within the street right-of-way.

COMMENTARY: This is in contrast to sidewalks, which are typically defined as being located in the public right-of-way.

GG. WETLAND: An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are hydric soils, hydrophytic vegetation, and wetland hydrology.

COMMENTARY: Source: Army Corps of Engineers.

Section 230 GENERAL DESIGN PRINCIPLES

- A. General Layout. The design of a conservation development, including the arrangement of streets, lots, building envelopes, utility easements, common areas and common open space, shall be in accordance with the objectives, purposes and principles of conservation development and shall further:
1. Comply with the development standards, criteria and environmental priorities set forth in the township conservation development regulations;
 2. Preserve to the maximum extent practicable, the natural features of the site;
 3. Avoid areas of environmental sensitivity; and
 4. Minimize impacts and alterations to natural features.
- B. Blocks: The block requirements of Section _____ may be waived in order to conserve natural features and to otherwise satisfy the criteria and objectives of these regulations and the principles of conservation development.

COMMENTARY: The blank should reference the section of Subdivision Regulations that establishes the minimum length of blocks.

- C. Project on a Dedicated Street. A conservation development shall have a minimum of 60 feet of frontage on a public street.

COMMENTARY: This requirement ensures that a proposed development that is located behind frontage lots has, at a minimum, frontage that permits adequate area for the construction of a street.

- D. Access to Lots and Building Envelopes: Each lot and building envelope within the conservation development shall have sufficient access to ensure safe and efficient traffic flow and reasonable ingress and egress for emergency vehicles. To this end:
1. Private streets and common drives in compliance with these regulations are encouraged.
 2. A subplot or building envelope is not required to have frontage on a dedicated street when an adequate private street or common drive and

easements for utilities are provided between a public street and the proposed subplot or building envelope.

3. A subplot, with or without frontage on a public street, is not required to have a minimum lot frontage unless a required minimum lot frontage is set forth in the Township conservation development regulations.

COMMENTARY: A key to successful conservation development is flexibility in the arrangement of buildings. The use of private streets and common drives increases the flexibility in the arrangement of buildings.

Section 240 STREET PRINCIPLES AND STANDARDS

A. Design Principles.

1. General Layout.

- a) Street alignments should follow natural contours and be designed to conserve natural features.
- b) Locations of streets should be planned to avoid excessive stormwater runoff and the need for storm sewers.
- c) The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.

2. Public Streets. Publicly dedicated streets shall be required for the following:

- a) For access to all sublots within the conservation development which are designed as a part of a standard detached single-family subdivision.
- b) For major through streets in any conservation development which connect two existing public streets, or which are intended to provide a future continuing street system beyond the project boundaries, and which are expected to accommodate pass-through traffic going to and from adjacent areas.

3. Private Streets. Streets that are not otherwise required to be public streets pursuant to subsection A.2. shall be permitted to be private streets in compliance with the following regulations:

COMMENTARY: This provision allows, as an option, some of the streets in a conservation development to be private streets. Private streets allow greater flexibility in the design and arrangement of units, which results in the potential for more open space and a greater ability to protect natural features. However, it is recognized that not all communities permit or want to permit private streets, in which case, this section should be deleted.

- a) A private street shall provide access to not more than ____ units.

COMMENTARY: When more units than the maximum permitted by this section are located on a street, then the street must be a public street with a dedicated right-of-way. Nevertheless, if there are two ways of access to a cluster of units (i.e. a loop street) then it is reasonable to conclude that each access point is serving only one-half the units.

- b) A private street shall not be planned or expected to be extended to serve property outside the conservation development.
- c) The subdivider shall demonstrate to the reasonable satisfaction of the County Planning Commission that the private roads will be properly controlled and maintained in perpetuity by an Association or other management means acceptable to the County Planning Commission. Such association document shall be approved by the County Prosecutor and shall be recorded with the subdivision plat. Deed restrictions shall be required and shall specifically include the following language:

“The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated private street. And further, the grantee(s) understand that no government body is responsible for care and maintenance of said private street.”

- d) Right-of-ways shall not be required for private streets; however, utility easement(s) may be required along the length of the private street.

- e) When a single access private street exceeds 800 feet in length, a pavement turnaround with a radius equal to that required for public streets shall be provided. When the length of the private street is 800 feet or less, a “Y” or “T” turnaround may be permitted.
- f) The design and construction specifications for private streets shall be completed and certified by a professional engineer certified in the State of Ohio prior to the approval of a final plat by the County Planning Commission. A maintenance bond shall be provided for a ____ year period commencing from the date of certification of the street. Such maintenance bond shall be transferred to the Association and shall be approved by the County Prosecutor.

4. Common Drives: Common drives shall be permitted in compliance with the following requirements:

COMMENTARY: Common drives are a type of private street. The distinction is that common drives must comply with the standards for residential driveway, see item e) below, which is a lesser standard than that required for private streets regulated in subsection 3, above.

- a) A common drive shall serve no more than __ units.
- b) A common drive shall extend from a public or private street and shall not connect to any other existing or planned public or private street.
- c) The subdivider shall demonstrate to the reasonable satisfaction of the County Planning Commission that the common drive(s) will be properly controlled and maintained in perpetuity by an Association or other management means acceptable to the County Planning Commission. Such association document shall be approved by the County Prosecutor and shall be recorded with the subdivision plat. Deed restrictions shall be required and shall specifically include the following language:

“The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated private street. And further, the grantee(s) understand that no government body is responsible for care and maintenance of said private street.”

- d) Right-of-ways are not required for common drives; however, utility easement(s) may be required along the length of the common drive.
 - e) The construction of common drives shall comply with applicable building code requirements.
 - f) Address signs shall be provided in accordance with the township requirements and shall be coordinated with emergency officials and the County _____ office.
5. Walkways. Walkways shall be provided to connect residential areas to common open space areas and to provide convenient pedestrian access throughout the conservation development and from the conservation development to other areas of the community. When it is determined by the County Planning Commission that the proposed walkway system provides pedestrian access equal to or better than the provision of sidewalks along street rights-of-way, the County Planning Commission may determine that sidewalks along public or private streets are not required. Walkways, or a portion of the walkways, may be permitted to be constructed of pervious materials such as gravel, wood chips or other similar material.

B. Modified Construction Standards for Private Streets.

- 1. Public Street Requirements Waived. When the County Planning Commission determines that certain elements of a public street do not or should not specifically apply to a private street due to the circumstances of a particular project or portion of a project, the Commission may waive, or permit a modification to the installation of any such element(s) to an extent deemed just and proper provided such relief may be granted without detriment to the public good. The requirement for curbs and storm sewers may be waived when the applicant demonstrates to the satisfaction of the County Planning Commission that, based on the topography of the site, open space, density and other environmental considerations, the proposed open natural drainage system will equally satisfy the County's drainage requirements.

COMMENTARY: Not all counties require sidewalks, curbs, and storm sewers; this waiver is only needed in those regulations that do. It may be more appropriate at the general development stage (i.e. during the township's review) to determine when such standards should be waived.

2. Private Streets with a Design Speed less than 25 MPH. Private streets may be constructed to a design speed less than 25 mph when needed and appropriate to achieve the objectives of Conservation Development. A private street may be constructed in compliance with the following:
 - a) The minimum pavement width shall be __ feet for a two-way street and __ feet for a one-way street.
 - b) The minimum horizontal alignment shall be ____ foot radius.
 - c) The vertical alignment shall meet ____ MPH design speed.

COMMENTARY: A table of private street standards for consideration is included in Appendix F. Additional evaluation needs to be conducted before specific standards are included in the model.

3. Private Street Construction. All elements of a private street that are to be provided in a conservation development shall be constructed in accordance with the construction standards set forth for streets in _____, except as noted in subsections B.1 and B.2, above.

COMMENTARY: This blank should reference the county's construction requirements for thickness of pavement, etc. to ensure that when private streets are constructed they are built to the same material specifications as public streets.

Section 250 RESOURCE PROTECTION REGULATIONS.

A conservation development shall comply with the following resource protection regulations. In the event there is a conflict between these regulations and resource protection regulations for conservation developments set forth in the township's zoning resolution, the township's regulations shall govern.

COMMENTARY: These Model regulations advocate highest priority consideration to the conservation of floodways, wetlands, and riparian zones. Many communities already have regulations governing floodplains, and other agencies regulate wetlands and possibly other resources. To the extent that regulations for any of the following natural resources already exist, duplication in this document is not necessary or desired in order to avoid potential conflicts. Regulations related to conserving these resources are included in this Section for the purpose of protecting the health and safety of the community and are the same as the regulations in Section 160 of the Model Regulations for Residential Conservation Development; Zoning Regulations for Townships.

It is expected that each township will formulate its own set of resource protection regulations. However, to the extent that one or more townships do not, the regulations in the Model Conservation Development Zoning Regulations for Townships are repeated here. These would then be used by the County Planning Commission only in the absence of such regulations established at the local level. Once a township incorporates resource protection regulations in a conservation development zoning district, the County must defer to the township's priorities.

A. Floodway Protection. ~~All buildings, structures, or land within a floodway shall be used, and buildings or structures hereafter shall be erected, altered, enlarged, repaired or rebuilt, moved or designed to be used, in whole or in part only for a use listed below.~~ Within a floodway, all buildings, structures or land shall be permitted to be used only for uses listed below. These restrictions also apply to subsequent erection, alteration, enlargement, repair, moving, or design of structures within the floodway.

1. Agriculture;
2. Public or private parks and outdoor recreational facilities including swimming pools, riding academies, playfields, ball fields, courts, trails, etc.;
3. Fencing that allows the passage of water.
4. Off-street parking areas accessory to the above uses provided that such areas are improved with pervious pavement materials, such as pervious asphalt or pervious concrete or combinations of geotextiles with sand, gravel and sod.

COMMENTARY: Many communities already have floodplain regulations. Some regulations allow buildings to be constructed within the floodplain provided the first floor of the building is above the flood elevation. However, it is strongly recommended that no construction (except as specified above) be permitted in the floodway portion of the floodplain in conservation developments.

B. Wetlands Protection. Wetlands that are required by the Army Corp of Engineers to be retained shall be protected by the following:

1. A setback area having a width not less than 20 feet measured from the edge of the designated wetland. The area within this setback shall not be disturbed and shall be retained in its natural state.
2. A minimum ~~building and pavement~~ construction setback of 35 feet, measured from the edge of the designated wetland.

COMMENTARY: The purpose of the setback requirement is to avoid any disturbance to or contamination of the wetlands. The larger building and pavement setback requirement allows room for the surrounding land area to be disturbed by construction vehicles, material storage, etc. during construction of buildings, parking areas and streets.

The appropriate width of the setback could vary based on the size, type, and quality of the wetland. Research is underway by others to substantiate the appropriate setback area needed to ensure protection of a wetland area. (See also next commentary.)

C. Conservation of Riparian Zones:

1. A riparian setback shall be provided along the entire length and on both sides of a river or perennial stream channel. The setback area shall have a width not less than _____ feet, measured from the river or stream bank.

COMMENTARY: Based on research, the minimum recommended width is 50 feet. However, some communities have adopted setback requirements ranging up to 300 feet. Each community needs to determine the appropriate/adequate setback area for rivers and perennial streams based on an actual inventory and logical analysis of the existing resources. The purpose of the setback is to preserve stream ecology and prevent flood damage and bank erosion. A community may want to include a sliding scale for the setback width depending on the type of stream, slope of the stream banks, surrounding soils, vegetation and land uses, and the function of the stream(s).

The following are good resources:

*Chagrin River Watershed Partners.
Ohio Department of Natural Resources
Ohio Environmental Protection Agency*

It is possible that setback requirements are already in place in a county stormwater management regulation or separate riparian setback regulations. In these cases, setback requirements would not be repeated here.

Intermittent streams may also be a critical factor regarding the overall water quality of a community. Research is underway to substantiate the appropriate setback area needed for these types of streams. Each community needs to decide if protection of these streams is a priority. Many current setback regulations include both intermittent and perennial streams.

2. Walkways may be permitted to be located within riparian setbacks when the Zoning Commission determines that such will create minimal change to the riparian setback.

COMMENTARY: A township may want to allow other uses that create only temporary or minimal changes to riparian setbacks. Some communities chose to only permit pervious surfaces (such as wood chips, gravel, pervious asphalt) within the setback.

Section 260 SUPPLEMENTAL REVIEW CRITERIA

All elements of a conservation development shall be reviewed to determine compliance with the following criteria in order to ensure that the project is appropriate for the site's natural, historic and cultural features and meets the objectives of conservation development.

- A. The County Planning Commission shall utilize the development design criteria set forth in the township's zoning resolution in its review of a conservation development.

COMMENTARY: It is expected that each township will formulate its own set of design criteria. However, to the extent that one or more townships do not, the criteria in the Model Conservation Development Zoning Regulations for Townships is repeated here. These would then be used by the County Planning Commission only in the absence of criteria established at the local level. Once a township incorporates design criteria in a conservation development zoning district, the County must defer to the township's priorities.

In communities with diverse landscapes, priorities may differ for different areas. In this case, the development of a resource analysis and map identifying priority conservation areas, or outlining desirable areas for designation as open space within development projects, is useful. Ideally this would be done as part of a comprehensive plan process.

- B. In the event a township has not adopted development design criteria within its zoning resolution, the County Planning Commission shall review a proposed conservation development for compliance with the following:
 1. Conservation of Sloping Land. The road system and buildings shall be located so as to minimize changes to the topography and the need for cutting and filling.

2. Conservation of Woodlands, Vegetation and Other Natural Areas. The design and layout of the development should conserve, maintain, and incorporate existing wooded areas, meadows, and hedgerows and treelines between fields or meadows, especially those containing significant wildlife habitats.
3. Conservation of Wildlife Habitat Areas. Wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Ohio Department of Natural Resources should be protected.
4. Conservation of Prime Farmland. Farmland that satisfies the USDA definition of “prime” or “locally unique” farmland should be conserved.
5. aConservation of Existing Scenic Vistas and Visual Quality of the Environment. ~~Buildings should be located to ensure that scenic views and vistas are unblocked or uninterrupted.~~ Scenic views and vistas shall be unblocked and uninterrupted to the extent possible, particularly as seen from existing and proposed public thoroughfares. New construction shall be hidden from view to the extent possible through the use of vegetative and landform buffers. Building setbacks along the project boundary shall be sufficient to provide visual protection for existing residences. Buildings shall not be located on prominent hilltops and ridges.
6. Conservation of Cultural Resources. Sites of historic, archaeological, or cultural value and their environs should be protected insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, underground fruit cellars, earth mounds and burial grounds.

COMMENTARY: Communities should determine which sites within the community have value. Sites do not necessarily need to be officially designated as “historical” or “archeological” to have community value. See the Handbook for a detailed discussion on the importance of cultural resources.

7. Pedestrian Circulation Systems.
 - a) A pedestrian circulation system shall be included in the conservation development and shall be designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connections between properties and activities or special features within the

common open space system and need not always be located along streets.

- b) Trails for which public right of passage has been established should be incorporated in the pedestrian circulation system.

COMMENTARY: Careful and detailed site analysis is critical in view of both the flexibility of development design available under these provisions and the resource protection objectives which might be achieved. Thorough site analysis provides the necessary base of information for the planning and design process, allows for meaningful plan review and can preclude unnecessary engineering expense on behalf of the applicant.

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See specifically: "Model Residential Conservation Development," Draft First Revision April 2003, Part III of *The Countryside Program: Conservation Development Resource Manual*, pp. 33-63.