

Exhibit A

8-207.5 *Open space requirements.*

1. *General[ly]*. Within any residential planned unit development open space shall be provided which is adequate to:
 - a. Buffer both internal and external activities from objectionable or conflicting characteristics associated with such uses;
 - b. Ensure adequate space, light and air along with visual and acoustical privacy;
 - c. Ensure protection of cultural and environmentally sensitive areas;
 - d. Provide space for recreation and enjoyment of the residents.
2. *Use of common open space*. All open space shown on a development plan of any residential planned unit development shall be indicated as to its intended use. In this regard, common open space may consist of the following:
 - a. Cultural and environmental open space.
 - b. Improved recreational open space.
3. *Cultural and environmental open space*. Except for those portions of a residential planned unit development required for the installation of streets and utilities, the following areas shall be designated as environmental open space and no development shall take place thereon:
 - a. Natural slopes of 18 percent or greater;
 - b. Areas classified as floodplain districts in [section 8-301](#) of this ordinance and located as determined from field run surveys;
 - c. Streams, creeks and major drainageways (specifically including all "blue line" streams);
 - d. Areas classified as wetlands;
 - e. Sites of paleontological, prehistoric, historic and/or archeological significance, specifically including all sites of historic or prehistoric human activity such as, but not restricted to, buildings, stone walls, mounds, forts, earthworks, burial grounds, structures, villages, mines, caves and all locations which are or may be sources of paleontological remains;
 - f. All areas which present geological hazards specifically including those within unstable geological and karst formations (including sinkholes); and
 - g. Areas presenting environmentally or ecologically unique resources, including the habitat of any and all threatened or endangered species of plants or animals.
4. *Improved recreational open space*. In addition to the environmental open space required by subpart 3 (above) open space designed to meet the active and passive recreational needs of the resident population of any residential planned unit development shall be provided. These areas shall meet the requirements set forth herein:
 - a. *Plan to reflect anticipated needs of resident population*. A recreation plan shall be developed and presented with the master development plan for the proposed residential planned unit development. This plan shall indicate general demographic characteristics of the anticipated market

being targeted by the proposed development. The plan shall indicate the recreation facilities proposed and the age groups these facilities are designed to serve. A minimum of twenty percent of the gross area of every RM-8 and RM-16 PUD and a minimum of seven percent of the gross of all other residential PUD's shall be devoted to improved recreational open space. A minimum of 30.5% of the gross area of mixed-use CTC PUDs and a minimum of 37.5% of the gross area of mixed-use CMU PUDs shall be devoted to improved recreational open space. These facilities may be devoted to either:

- (1) Shared limited use facilities designed so as to ensure privacy and control of access by and for the exclusive use of the intended resident clientele; or
- (2) Shared general use recreation facilities which are available to all residents of the proposed development.

b. *Recreational equipment.* All recreational equipment provided within any shared general use recreation space shall be durable commercial grade equipment manufactured by Gametime, Inc., Iron Mountain Forge or equivalent manufacturer. All equipment shall meet all Consumer Product Safety Commission Safety Guidelines as well as the ASTM F1487-93, Public Use Playground Standard.

c. *Recreation facilities.* The following land areas and facilities shall, subject to compliance with the stipulated conditions, qualify as shared general use recreation space. Construction details of all improvements shall be shown on all final development plans and will be bonded prior to filing of final subdivision plats.

i. *Mini-parks and tot lots.* Mini-parks and tot lots are specialized facilities that serve a concentrated or limited population or specific age group such as very young children or senior citizens within areas that are in immediate walking distance (i.e., one-quarter mile) of their residences. The minimum total area of a mini-park or tot lot is one-half acre with a minimum dimension of 100 feet. The individual pieces of playground equipment shall be specified on the site plan. All recreational equipment provided shall meet or exceed the requirements of subpart b, Recreational equipment, above.

ii. *Neighborhood parks.* Neighborhood parks are intended as areas of intense active recreational activities for school age and older children and adults. The minimum area included within a neighborhood park shall be five acres. Such space shall be linked to all dwelling units within the planned unit development by a continuous pedestrian circulation system of sidewalks or trails. The park shall serve the population within a one-half mile radius. The recreation facilities will include areas for field games, crafts and playground apparatus along with areas for skating, picnicking and similar activities.

iii. *Recreational buildings.* Recreational open space may be comprised of the area occupied by a multiple-use recreation building and its attendant outdoor recreation facilities, excluding a golf course.

iv. *Pedestrian open space system.* The total area contained in a continuous open space pedestrian system, consisting of permanently maintained walks and trails leading to a natural amenity, recreation facility or commercial use may be included as recreational open space. This system is intended to provide intradevelopment linkage of all elements of the improved recreational open space through a network that is divorced from roads and streets. The minimum width of all portions of this system is 25 feet with a paved surface of five feet.

Development of all residential sites in the City of Mt. Juliet and within the jurisdiction of the Regional Planning Commission shall include construction of all greenway sections that are included in the current and in any future greenway plans for the city. In any development, all parcels of land which touch or lie within the proposed route of a new greenway shall be constructed by the developer. Construction and related expenses for design, acquisition of right-of-way and construction of the greenways will be the responsibility of the developer. All greenway sections will be constructed per current City of Mt. Juliet, TDOT and FHWA standards and specifications, whichever is greater. Examples of said specifications include, but are not limited to, design, materials, thickness and width of greenway, as well as required signage, meeting ADA requirements, etc.

Construction of said greenway sections will be completed by ten percent of development build out and all greenway sections will be dedicated to the City of Mt. Juliet. The developer, property owner or their designated agent may request a waiver or variance from this ten percent requirement should the strict application of the provisions of this ordinance result in practical difficulties or unnecessary hardship. Said waiver, variance or adjustment will not adversely affect the community objectives of the comprehensive plan. All greenways designated by current and any future greenway plans will be dedicated to the City of Mt. Juliet and shall not count toward required open space and amenities.

v. *Specialized facilities.* A golf course may be used to satisfy a maximum of 50 percent of the shared general use recreation space requirement, provided that the access meets the standards for shared general use recreational space. Swimming pools, tennis courts and similar facilities principally intended to serve an adult population may be substituted for other recreational facilities within developments marketed to a totally adult population.