

# How is gathering space different from open space?

The current code requires 15% open space set aside. The proposed code amendment proposes a different standard of 10% gathering space.

In the current code, plaza areas that are internal to the development and used only by the tenants and visitors to the development are included in the 15%. In the proposed code amendments the development can have areas like that but it will not be counted as the required gathering space. A gathering space is meant to be a community amenity that serves a variety of users. The space must be accessible to the public and located on the ground level.

## Current MAC Code

Sec. 18-95.13. - Open space set-asides

Development shall set aside a minimum of fifteen percent of the total development area as an open space set-aside in accordance with the following standards:

A. The following site features shall be credited towards the open space set-aside:

1. Wetlands and water features;
2. Areas occupied by required landscaping;
3. Parks, greenways, and natural areas intended for passive recreation;
4. Land occupied by active recreational uses such as pools, playgrounds, tennis courts, jogging trails, and clubhouses;
5. Publicly-accessible plazas, public gathering spaces, fountains, roof gardens, green roofs, atriums, and pedestrian seating/ activity; and
6. Land area occupied by stormwater management devices, including retention ponds, fully vegetated detention basins, and other bio-retention devices treated as a site amenity that includes access, gentle slopes of three-to-one (3:1) or less, significant plantings, and pedestrian elements such as paths, benches, and similar aspects.

B. The following areas shall not be counted as open space set-asides:

1. Private yards not subject to an open space or conservation easement;
2. Public street rights-of-way or private street easements;
3. Open parking areas and driveways;
4. Land covered by structures not designated for active recreational uses; and
5. Designated outdoor storage areas.

## Proposed Amendments

Sec. 18-95.13. - Gathering spaces.

(See Design Guidelines Sec. 2.2, 2.3 and 2.5)

Development shall provide a minimum of ten percent of the total development area as gathering spaces in accordance with the following standards:

- A. Gathering spaces, such as outdoor seating areas, sidewalk cafés, landscaped areas with pedestrian access, plazas, forecourts and covered atriums, shall be located on the ground-level and be accessible from a public right-of-way. Gathering spaces may include partially and fully covered spaces that are open on at least one side.
- B. Where the development site is adjacent to existing or planned trails, parks, or other public open areas, the gathering space shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the trail, park, or other open area.
- C. The following areas shall not be counted as gathering spaces:
  1. Private yards not subject to an open space or conservation easement;
  2. Public street rights-of-way or private street/pedestrian easements;
  3. Parking lot landscaping;
  4. Open parking areas and driveways; and
  5. Designated outdoor storage areas.