

9.0 PARKS, OPEN SPACE AND TRAIL STANDARDS

9.1 OVERALL OPEN SPACE REQUIREMENT

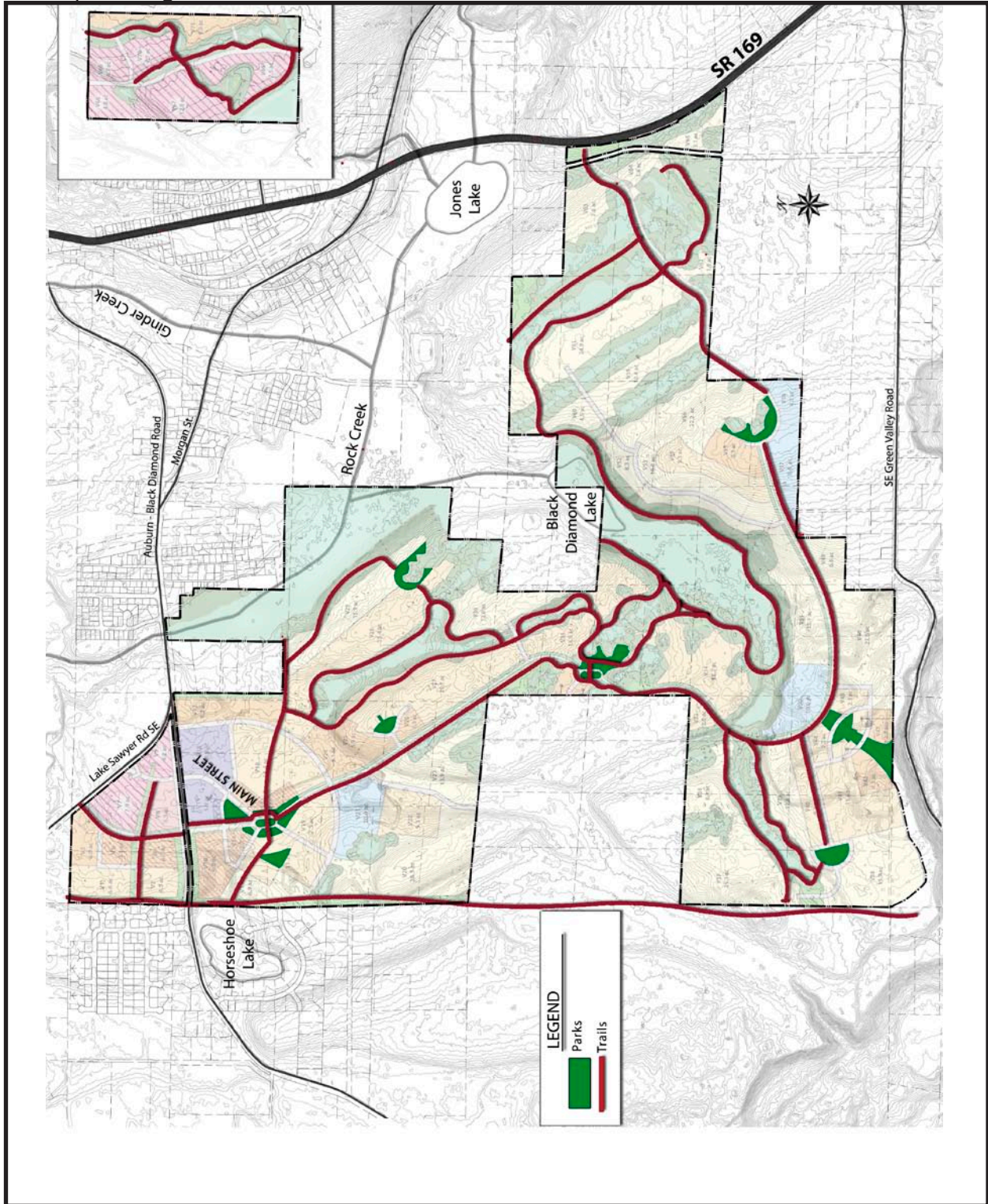
The Villages MPD is required to provide at least 481.4 acres of Open Space. The Black Diamond Urban Growth Area Agreement between King County, the City, Palmer Coking Coal Company, and Plum Creek Timber Company dated December 31, 1996 (“BDUGAA”) requires 145 acres of Open Space on those Development Parcels subject to the BDUGAA. To satisfy the MPD Ordinance, approximately 336.4 acres on those properties not subject to the BDUGAA is required. Open Space meeting these requirements is shown on the MPD Land Use Map (Exhibit “A”) and in the following table.

Table 9-1 Open Space Calculations

	Gross Acres	BDUGAA/ Open Space requirement	MPD requirement (if applicable)	Required Open Space*
Parcel B	81.53	0	40.77	40.77
West Annexation Area		63.30	0	63.30
Parcel C	54.62			
Parcel D	225.99			
Parcel G	8.06			
Guidetti	20.38	0	10.19	10.19
Parcel E	151.15	0	75.58	75.58
Parcel F	258.90	81.70	**12.00	93.7
BDA	395.74	0	197.87	197.87
Total In City/UGA MPD Open Space	1196.40	145	336.4	481.4

*Required Open Space to be met within the Project Site

**Reflects 24 acres of property within City boundaries prior to BDUGAA



9.2 PARK AND OPEN SPACE PLAN

The approximate location and type of Parks are shown on the Park and ~~Open Space Trail~~ Plan (Figure 9.2). The Master Developer is responsible for the design and construction of the Parks shown on the Parks and Open Space Plan. The actual location and boundaries of Parks may vary provided that the minimum Open Space requirement is met and will be defined through Implementing Projects (for example, adjacent subdivision or site plan). ~~Parks within Phases 1A, 1B and 2 will be built by Phase, with the commencement of Park construction triggered no later than when Certificates of Occupancy or final inspection have been issued for 60% of the Phase within which the Park(s) is located (see Phase boundaries shown on Figure 11.1). Parks within each Phase of Development shall be constructed or bonded prior to occupancy, final site plan or final plat approval of any portion of the Phase, whichever occurs first, to the extent necessary to meet park level of service standards for the Implementing Project. In the event a bond is in place, Construction of all Parks within Phase-3 will be triggered when Certificates of Occupancy or final inspection have been issued for 40% of the dwellings on lots located within ¼ mile of a given Park. Parks must be completed when Certificates of Occupancy or final inspection has been issued for 60% of the Dwellings Units located within ¼ mile of a given park.~~ Recreation facilities will be constructed as per Table ~~9.5.6~~9.5.5. The Master Developer may elect to build Parks in advance.

9.3 SENSITIVE AREAS AND BUFFERS

~~Sensitive areas and buffers are the steep slopes, erosive soils, coal mine hazards, wetlands, lakes, streams, coal mine hazards and bog regulated by the City's Sensitive Areas Ordinance, together with their required buffers.~~ All sensitive areas and buffers will be protected consistent with the Sensitive Areas Ordinance or as otherwise described in this Agreement. Trails, crossings and encroachments may be allowed within sensitive areas consistent with the Sensitive Areas Ordinance and appropriate mitigation identified therein.

9.4 NON-SENSITIVE OPEN SPACE

Open Space outside of sensitive areas and buffers includes, but is not limited to, the plaza, Community Parks, trails, Neighborhood and Pocket Parks, natural areas and stormwater ponds and infiltration facilities. Additional Parks may be provided as individual Implementing Projects are developed.

Stormwater ponds and facilities shall be designed as either passive or active Open Space when practical. Passive Open Space facilities consisting of stormwater ponds shall be designed to appear as a natural wetland or pond and shall provide at least one location for public viewing. Vegetation shall consist of no less than 70% native plant material typically found in and around South King County. Any fencing required by BDMC regulations shall be designed and located such that it does not detract from the natural character of the facility. If natural landscaping is intended to provide a long-term barrier to human intrusion, temporary fencing may be permitted until such time as the landscaping has matured to the point of providing the barrier. Stormwater facilities designed as active Parks shall accommodate at least one active use. This may include a trail extending no less than 75% of the perimeter of the pond; play fields; play structures; basketball and other sport courts' and/or picnic facilities within an infiltration gallery or maximum water elevation designed to accommodate occasional high water level events. To be considered as Open Space, active play areas shall be free of inundation for a minimum of three (3) months out of the year, preferably longer. The Designated Official shall determine whether the stormwater pond or facility proposed may qualify as active or passive recreation (and thus counting towards the project open space requirement), or a portion of active recreation, based on submitted plans associated with an Implementing Project.

9.5 RECREATION AND USEABLE OPEN SPACE STANDARDS

9.5.1 All Dwelling Units shall have access to and be located within ¼ mile of a Park. If an existing or planned Park is not accessible and is not located within ¼ mile of a proposed Dwelling Unit, then the applicant for the given Dwelling Unit shall provide a new Park at a rate of 100 square feet per Dwelling Unit to be served by the Park.

~~**9.5.2** Parks shall be designed to serve the unique characteristics of the neighborhood that they serve.~~

~~**9.5.3**~~—Unless otherwise noted on Table 9-5, Recreational Facilities constructed by the Master Developer, may be located: (1) within The Villages MPD in Community Parks, community center or Neighborhood Parks; (2) on joint use school sites (subject to City and School District agreement); (3) within off-site Regional Parks (subject to City agreement); or (4) on a mutually acceptable off-site location. The Recreational Facilities may be provided in combination with one another and other informal space or each facility may be provided as a standalone amenity. If a joint use facility is proposed on a school site, the Master Developer shall provide

for one or more youth/adult softball fields, soccer fields, tennis courts or basketball courts in conjunction with the school site or at an alternative location.

9.5.43 The Master Developer shall have the option to request that the Designated Official accept a lump sum payment in lieu of constructing any of the individual Recreational Facilities in Table 9-5. The request shall be made prior to triggering the need for the next Recreation Facility. The Designated Official retains discretion concerning when and if a lump sum payment will be accepted in lieu of constructing a Recreational Facility. The amount of the payment that may be provided in lieu of construction shall be set through the following process: is set forth in Table 9-5.

- A. Commencing upon the Designated Official's agreement to accept a lump sum amount for a specific Recreational Facility, the City shall publish a bid request for design and construction of the Recreational Facility. The bid request shall be based on reasonable standards agreed to by the Master Developer and City. The City reserves the right to include additional elements in the bid beyond what the Master Developer is necessary-required to construct for the facility. ASuch additional elements shall not be the responsibility for the Master Developer to fund. For instance, additional elements may include lighting, concession areas, or other elements as determined by the CityDesignated Official.
- B. Upon acceptance of a bid, the CityDesignated Official and Master Developer shall agree to set the lump sum amount in accordance with the accepted bid. Upon execution of a contract accepting the bid for design and construction, the Master Developer shall deposit with the City the agreed to lump sum amount.

In the event the Master Developer makes a lump sum payment, the City shall strive to use the funds for the sole purpose of constructing the Recreational Facility ~~and such construction shall be completed within five (5) years.~~ If the Master Developer provides off-site Recreational Facilities and/or Parks, it shall receive credit equivalent to the credit it would have received if that Recreational Facility and/or Park had been provided on the MPD Site.~~The Master Developer shall receive credit equivalent to the amounts in Table 9_5.6 for providing off site Recreational Facilities and Parks. The amounts provided in the tables below shall be adjusted based on the most recently published consumer price index for all items for the Seattle-Tacoma-Bremerton area, as published by the United States Department of Labor, Bureau of~~

~~Labor Statistics. The adjusted amount shall be established by taking the current index and dividing it by the baseline index of 226.118 (as of June 2010).~~

9.5.54 The Master Developer's obligation to provide Recreational Facilities as set forth in Table 9-5 is based on the Level of Service standards set forth in the City's Park and Open Space Plan dated December 18, 2008. To determine the number of Recreational Facilities required, the number of housing units was multiplied by the following population generation rates: 2.7 persons per household for single-family housing units and 1.85 persons per household for Multi-family housing units. ~~In the event the total number of housing units constructed in The Villages MPD is less than the 3600 single family units and 1200 multi-family units, the Master Developer's Recreational Facilities requirements shall be adjusted downward accordingly.~~

9.5.65 Recreation Facilities

TABLE 9-5

Facility Type	Level of Service	Required Facilities	Timing of Facilities	Optional off-site construction or Fee-in-Lieu
Basketball Court	1:2000	6	Must provide a minimum of one (1) half-court basketball facility prior to each 800th Dwelling Unit receiving Certificate of Occupancy	The Master Developer may elect to pay a fee-in lieu of constructing the required Basketball Courts. The fee shall be \$35,000 set per <u>Section 9.5.3 Basketball Court and shall be paid prior to each 800th Dwelling Unit receiving a Certificate of Occupancy.</u>
Soccer Field	1:2000	6	Must provide a minimum of one (1) soccer field prior to each 800th Dwelling Unit receiving a Certificate of Occupancy. Up to three (3) of the required soccer fields shall be designed as Micro Soccer Fields.	The Master Developer may elect to pay a fee-in lieu of constructing the required soccer fields. The fee shall be \$100,000 per soccer field and shall be paid prior to each 800th Dwelling Unit receiving a Certificate of Occupancy set per <u>Section 9.5.3.</u>
Tennis Court	1:2000	6	Must provide a minimum of one (1) tennis-court prior to each 800th Dwelling Unit receiving Certificate of Occupancy.	The Master Developer may elect to pay a fee-in lieu of construction for up to 3 of the tennis courts. The fee shall be set per Section 9.5.3 \$35,000 per tennis court and shall be paid prior to each 800th Dwelling Unit receiving a Certificate of Occupancy.

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Facility Type	Level of Service	Required Facilities	Timing of Facilities	Optional off-site construction or Fee-in-Lieu
Play Area	1:2000	6	Must provide a minimum of one (1) Play Area prior to each 800th Dwelling Unit receiving Certificate of Occupancy. Play Areas will primarily be located in Community Parks, community centers, or Neighborhood Parks, but may also be located on school sites.	The Master Developer may elect to construct or pay a fee in lieu for at least one of the Play Areas off-site within the Lake Sawyer regional park or other such land of a value up to \$100,000.
Youth Baseball/Adult Softball field	1:2000	6	Must provide a minimum of 1 Youth Baseball / Adult Softball field prior to each 800th Dwelling Unit receiving Certificate of Occupancy.	The Master Developer may elect to construct or pay a fee of \$100,000 per Youth Baseball/Adult Softball field not otherwise provided in lieu of constructing the necessary facility. <u>Construction or fee payance</u> The fee shall be set per Section 9.5.3 occur prior to each 800th Dwelling Unit occupancy.
Adult Baseball Diamond	1:5000	2	Must provide a minimum of 1 Adult Baseball Diamond prior to each 2,400th Dwelling Unit receiving Certificate of Occupancy.	The Master Developer may elect to pay a fee of \$125,000 per Adult Baseball Diamond not otherwise provided in lieu of constructing the necessary facility. The fee shall be paid prior to each 2,400th Dwelling Unit occupancy <u>set per Section 9.5.3.</u>

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Facility Type	Level of Service	Required Facilities	Timing of Facilities	Optional off-site construction or Fee-in-Lieu
Community Center	1:10,000	1	A community center must be provided prior to the 3,000th Dwelling Unit receiving a Certificate of Occupancy. The community center may be co-located with a swimming pool, skate park, tennis and basketball courts, Play Area, required fields and/or other recreational amenities. The community center shall primarily benefit the residents of the MPD, but the Master Developer may elect to make it available on a fee basis to the entire City community.	<u>In the event the Master Developer requests to pay a fee in lieu of constructing a Community Center and the City accepts the request, the process set forth in Section 9.5.3 shall be followed to determine the fee. A Community Center may be a YMCA, Boys and Girls Club, or other similar facility as determined by the City.</u>
Skate Park	1:10,000	1	A skate park must be provided prior to the 3,000th Dwelling Unit receiving a Certificate of Occupancy. The skate park may be co-located with other Recreational Facilities or located off-site.	The Master Developer may elect to pay a fee in lieu for the required skate park to be constructed by the City. The fee shall cover the actual cost of construction up to a maximum value of \$80,000. The fee shall be paid prior to the 3,000th Dwelling Unit receiving a Certificate of Occupancy.

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Facility Type	Level of Service	Required Facilities	Timing of Facilities	Optional off-site construction or Fee-in-Lieu
Youth Football Field	1:10,000	1	Must provide a minimum of one (1) youth football field prior to the 3,000th Dwelling Unit receiving a Certificate of Occupancy.	The Master Developer may elect to pay a fee in lieu of construction of the youth football field that is not otherwise provided . The fee shall be \$100,000 and shall be paid prior to the 3,000th Dwelling Unit receiving a Certificate of Occupancy <u>set per Section 9.5.3.</u>
BMX Track	1:20,000	0		
Community Swimming Pool	1:20,000	0	Any swimming pool provided shall be combined with a community center or other similar facility to provide restrooms and changing facilities. The facility shall primarily benefit the residents of the MPD. The Master Developer shall determine the hours of operation and may elect to charge reasonable use and maintenance fees. At the Master Developer's election, the pool may also be made available on a fee basis to residents of the City.	Each community swimming pool provided shall receive a 1:1 credit towards either an adult baseball diamond or soccer field, the choice to be made at the discretion of the Master Developer.

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Facility Type	Level of Service	Required Facilities	Timing of Facilities	Optional off-site construction or Fee-in-Lieu
Trails	N/A	N/A	The MPD contemplates several miles of differing trail types. The Master Developer shall receive credit towards any of the required Recreational Facilities at a rate of \$25,000 per each mile or fraction of trail constructed and open to the public up to a maximum credit of \$300,000.	
Other Recreational Facilities	N/A	N/A	The Master Developer shall retain the right to request recreational credit for other types of recreation provided against the required facilities (such as a designated mountain biking area).	

9.6 TRAIL PLAN

The approximate location and type of trails are shown on the Park and Trail Plan (Figure 9.26). The Master Developer is responsible for the design and construction of the trails shown on the Park and Trail Plan. The actual location of trails may vary and will be defined through Implementing Projects (for example, adjacent subdivision or site plan). Necessary trail construction will be completed within the boundaries of each Implementing Project. Where feasible, trail construction should avoid dead ends and incomplete segments. The Master Developer may elect to build trails in advance. On site trails shall be constructed or bonded prior to occupancy, final site plan or final plat approval, whichever occurs first for the Implementing Project within which the trail is to be built. Off-site trail connections construction necessary to achieve connectivity will be required prior to occupancy and final plat and site plan approval shall meet the same standard to the extent authorized by law.

9.7 TRAIL STANDARDS

9.7.1 Trails will be built to the standards found below in Table 9-7 and the trail sections found in Figures 9.7.1.A through 9.7.1.C.

A. Hiking Trail standards

- i. Clearing height – 8 feet
- ii. Clearing width – 4-6 feet (light use); 8-12 feet (heavy, two-way use)
- iii. Surface – 2-3' wide natural surface with gravel or wood chips in wet areas (light use); 4-8' wide natural surface if possible, otherwise woodchips, gravel, or other suitable material (heavy use)

B. Bicycle trail standards

- i. Clearing height – 10 feet maximum
- ii. Clearing width – 6-8 feet (mountain bike); 8 feet (one way touring bicycle), 12 feet (two-way touring bicycle traffic)
- iii. Surface – 2-3' wide natural surface (mountain bike); 2" asphalt surface with 3" compacted gravel base (touring bicycle) 4-6' wide (one way traffic) OR 8' wide (two way traffic)

C. Multi-use trail standards

- i. Clearing height – 8 feet for bicycle and pedestrian, 14 feet maximum for equestrian
- ii. Clearing width - 14-26 feet, depending on use

iii. Surface – Paved or natural, similar to standards in A and B above, depending on uses intended. Equestrian uses, where proposed, shall be provided a natural surface separate from a paved surface by at least 3’.

9.7.2 Trails ~~should~~shall be located to minimize construction impacts to wetlands and streams.

9.7.3 The following amenities may be included within trail corridors subject to mutual agreement between the Master Developer and the Designated Official: rest stops, sculpture and other art, pedestrian lighting, exercise stations, picnic tables, barbeque grills, interpretive areas, Pocket Parks/tot lots, drinking fountains, restrooms, and covered sheds, and other similar amenities.

9.8 PARK, OPEN SPACE AND TRAIL DEVIATIONS

All Park, Recreation Facility, Open Space and trail standards, cross sections and locations are recommended and may be modified through the Deviation process and criteria in Section 12 of this Agreement.

9.9 OWNERSHIP AND MAINTENANCE

9.9.1 Environmentally Sensitive Areas and Buffers

Ownership and maintenance of sensitive areas and buffers shall be consistent with the requirements of the Sensitive Area Ordinance, which allows sensitive area tracts to be held in undivided ownership by all lots within The Villages MPD, dedicated to the City or other governmental entity, protected with conservation easements or conveyed to a non-profit land trust. If the Master Developer elects not to dedicate an Open Space to the City, a permanent public access easement or other means of access shall be provided to the Open Space as part of the Implementing Project.

9.9.2 Non-Sensitive Area Open Space

All Neighborhood Parks, trails and Community Parks will be owned and maintained by the home owner’s association (HOA) or Master Developer pursuant to the provisions of Subsection 5.4.7 of this Agreement, except for any owned by the school district. Regional Parks may be dedicated to the City at the time of an Implementing Project.

9.9.3 Public access is authorized to all ~~p~~Parks and trails ~~provided by the Master Developer~~ unless otherwise provided by the Designated Official.

9.10 PARK CHARACTERISTICS

The characteristics and uses of passive Open Space and active Open Space will be different throughout the various Implementing Projects.

A. Active Open Space includes:

- areas that provide for organized sporting and recreational functions such as sports fields; ~~or;~~
- tot lots; ~~or;~~
- net-games and tennis courts; ~~or;~~
- gathering areas; ~~or-and~~
- other similar outdoor sports facilities as allowed by the Designated Official.

B. Passive Open Space provides for all other recreational needs, including:

- scenic purposes; ~~or;~~
- landscape amenities ~~iesy and~~ where users can relax and enjoy the space without a specifically organized sporting activity. ~~Passive Open Space may comprise; or~~
- trails; ~~or;~~
- picnic areas; ~~or;~~
- open fields, wildlife viewing areas ~~and-or~~ other informal Open Spaces.

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TABLE 9-7 Trail Standards

Use	Layout	Length	Clearing Width	Clearing Height	Tread Width	Trail Surface
ADA	Loop trails with cutoffs make trails feasible for a variety of different abilities.		Refer to the Americans with Disabilities Act for specific details.			
Hiking	Loop system works well to provide variation in distances for day users. Vary landscape type and user experience.	<ul style="list-style-type: none"> Day use: 1/4-5 miles (1/2 day) 5-15 miles (full day) Backpacking: 25 or more miles 	<ul style="list-style-type: none"> Light use: 4-6 feet (one-way traffic) Heavy use: 8-12 feet (two-way traffic) 	8 feet	<ul style="list-style-type: none"> Light use: 2-3 feet (one-way traffic) Heavy use: 4-8 feet (two-way traffic) 	<ul style="list-style-type: none"> Light use: Natural surface with gravel in wet areas Heavy use: Natural if possible, woodchips or gravel
Bicycling	Single direction trails favored. Loop or linear destination trail.	<ul style="list-style-type: none"> Avg speed: 8-20 mph. Min length is 1 mile, most bicyclists cover 10-20 in a single day, experienced riders up to 50 miles. Day use: 5-10 miles (1/2 day), 10-20 miles (full day) 	<ul style="list-style-type: none"> Mountain bicycle: 6-8 feet Touring bicycle: 8 feet (one way traffic), 10-14 feet (two-way traffic) 	8-10 feet	<ul style="list-style-type: none"> Mountain bicycle: 2-3 feet Touring bicycle: 4-6 feet (one way traffic), 8 feet (two-way traffic) 	<ul style="list-style-type: none"> Mountain bicycle: Natural surface. Touring bicycle: 2" asphalt surface with a 3-4" base of compacted gravel.
Multi-Use	Design varies depending on context: greenway or river trail, paved urban trail, rail-to-trail, or roadside separated pathway.	Varies	14-26 feet	<ul style="list-style-type: none"> Pedestrian/Bicycle: 8 feet Equestrian: add 4-6 feet 	<ul style="list-style-type: none"> Pedestrian/Bicycle: 6-12 feet If narrower nature pathway, provide passing areas. Equestrian: 4-10 feet 	Can be combination of paved and natural surface depending on bike/jogging use. Soft surface optimal for equestrian, hiking and mountain bicycle.

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Table 9-7 (Continued)

Turning Radius	% Grade	Sight Distance	Compatible Uses	Incompatible Uses	Facilities
Not critical, avoid sharp-angled turns if possible to prevent shortcut trails from occurring.	Desired: 0–5% Max: 15% sustained, 40% shorter than 50 yards Outslope: 4% max	Not critical except with multi-use or intersections.	Equestrian (low use), accessibility trails.		Parking area, picnic area, resting areas, overlooks, water, info board, signs.
Wide, gentle curves are ideal, tight turns require run-outs and warning signs. ▲ Mountain bicycle: 4 feet (min)	Switchbacks with barriers and run outs can be utilized on steep slopes. Intersections with motorized roadways should be located on level grades. ▲ Desired: 0-3% Max: 5-10% (sustained), 15%	100 feet or more critical at motorized road crossings and two-way trails. ▲ Desired: 100 feet ▲ Min: 50 feet	Summer: Hiking and accessibility trails.	Equestrian	Parking area, bicycle racks, information board, signs.
Varies	▲ Desired: 1-10% ▲ Max: 10% (sustained), 20% (<50 yards)	50-100 feet	▲ Summer: Hiking, equestrian and accessibility trails. Biking may be incorporated if there is sufficient trail width.	Summer: ATV, Equestrian	Parking area with space for trailers, picnic area, water, bicycle racks, shelters or rest stops, rest rooms, info board, signs.