

## CHAPTER 4 – OPEN SPACE ZONES

### SECTION 4.0 PURPOSE AND SCOPE

- A. Purpose: The purpose of the Open Space Zones is to conserve and protect public open space, (including undeveloped natural lands, hillside lands, washes and wildlife habitat) and to provide recreational areas as further set forth in this Ordinance. The Open Space zones are further delineated in the following categories:
1. Open Space Conservation Zone (OSC):  
  
The purpose of this zone is to conserve significant natural features in open spaces, such as major peaks and ridges, mountains, major rock outcrops, view corridors, major washes, significant stands of native vegetation and provide for uses/facilities compatible with those outlined in this chapter.
  2. Open Space Recreational Zone (OSR):  
  
The purpose of this zone is to provide for land uses in areas generally subject to periodic inundation and to provide for land uses in areas that have been set aside to serve recreational functions or to provide open space areas.
  3. Parks and Recreation Zone (PR)  
  
The purpose of this zone is to provide zoning for areas that may be currently identified and used as parks, for example the Cave Creek Regional Park, or Gateway Park, or future parks that may be part of a proposed subdivision or an area in the Town's jurisdiction that is more suitable for a park.
- B. Scope: The scope of these regulations is not intended to negatively impact the ongoing management actions performed by any Federal, State or County agency in their administration of public lands.

## SECTION 4.1 GENERAL REGULATIONS:

### A. Bulk Regulations:

ZONE	MAXIMUM BUILDING HEIGHT		MIN. YARD SETBACKS (FEET)		
	STORIES	FEET	FRONT YARD (feet)	REAR YARD (feet)	SIDE YARD (feet)
OSC	2	25 <sup>(1)</sup>	60	60	60
OSR	2	25 <sup>(1)</sup>	60	60	60
PR	2	25 <sup>(1)</sup>	60	60	60

TABLE 4.1

Notes: 1. The maximum building height is the calculated distance from original natural grade to the highest point on the roof.

### B. Lot Coverage and Land Disturbance Regulations:

ZONE	MAX. LOT COVERAGE	MAX. TOTAL LOT DISTURBANCE as a % of the GROSS LOT AREA (Coverage + Disturbance)
OSC	1%	2%
OSR	2%	4%
PR	4%	6%

TABLE 4.2

Notes: 1. Total land disturbance is inclusive of lot coverage as well as disturbance areas for accessory uses, driveways and septic systems.  
2. Lot coverage and lot disturbance limits are not interchangeable or transferable and each category must stand on its own.

### C. Development Standards:

1. In order to fulfill the purposes of the Open Space Zones, all of the land that is not used for the permitted or special use in accordance with this Ordinance shall be maintained as natural area open space. Natural area open space may include undisturbed areas or disturbed areas that have been revegetated to a natural state as approved by the Town.

2. Whenever a portion of the property is disturbed by the construction of a permitted use, the disturbed area shall be revegetated around the improvements to restore the natural desert character.

The location of areas to be restored to a natural appearance and the revegetation techniques used must be approved prior to the issuance of a Building Permit by the Town and is subject to the regulations as contained within Town of Cave Creek Technical Design Guideline Number 4 - Landscaping.

3. If a portion of the land proposed for OSC has been cleared of vegetation, the disturbed area shall be restored to a natural appearance through revegetation and restoration to natural contours and is subject to the regulations as contained within Town of Cave Creek Technical Design Guideline Number 4 - Landscaping. The Town must approve the location of areas to be restored and the revegetation techniques to be used in advance.
4. Reflective building materials are prohibited. Mirrored surfaces or any treatments that change ordinary glass into a mirrored surface are prohibited. Metallic surfaces, including roof materials, shall be chemically treated to be non-reflective.

D. Compliance with other regulations:

1. Development within the Open Space zones shall comply with all other applicable regulations as set forth within this Ordinance.
2. All OSC, OSR & PR zoned properties, regardless of size, require approval of a Site Plan by the Town Council, upon recommendation by the Planning Commission, prior to the construction of any structure, unless otherwise specified in this Ordinance.

## SECTION 4.2 PROHIBITED USES IN OPEN SPACE ZONES

- A. Golf courses and other similar water intensive uses.

## SECTION 4.3 PERMITTED USES IN OPEN SPACE ZONES

The uses listed in the following tables are permitted in the Open Space zones. Permitted uses are subject to all other applicable standards of this Ordinance. No Zoning Clearance or Building Permit shall be issued for a use not specifically listed in this Chapter of the Zoning Ordinance. The abbreviations used in the tables have the following meanings:

- S = Uses permitted that require at a minimum a Site Plan approval prior to the development or occupancy of the site or building.
- SU = Uses permitted only through Special Use approval.
- AU = Allowed Use – Administrative Site Plan Approval required.
- = Uses not permitted in the zone indicated.

USE DESCRIPTIONS	ZONES		
	OSC	OSR	PR
Access driveways and parking areas for permitted uses in the zone	AU	AU	AU
Archaeological and historical Interpretive centers - Nature Centers	SU	S	S
Equestrian centers, rodeo grounds and arenas	----	----	S
Libraries, museums, arboretums, and cultural arts centers	----	----	SU
Concessionaire facilities	----	SU	S
Water Sources	----	AU	AU
Motorized Uses	----	---	SU
Natural wildlife reserves or sanctuaries	AU	AU	S
On-site living quarters for camp hosts	---	----	S
Pathway systems for use by equestrians, hikers, and bicyclists	AU	AU	AU
Picnic grounds and playgrounds	---	SU	S
Ramadas and campgrounds	---	S	S
Support buildings and facilities including Alternative Energy Systems solely to support permitted uses in the zone.	SU	SU	SU
Town utility service facilities.	----	AU	AU
Trailheads and wild life viewing areas	AU	AU	AU

TABLE 4.3