

Coastal SC CRS Users Group Activity 420 - Open Space Preservation



May 18, 2017

Objectives:

- (1) Prevent flood damage by keeping floodprone lands free of development, and
- (2) Protect and enhance the natural functions of floodplains.





422.a Open space preservation (OSP)

Credit criteria

- (1) Parcel must be in the regulatory floodplain
SFHA + areas regulated in the X Zone



(2) Parcel must be “open space”

“Open space” = no buildings, storage, or filling





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“Open space” does not include

- (a) Parcels not counted in the impact adjustment map (open bodies of water, federal land, etc..)



“Open space” does not include
(b) Areas with impervious surfaces



“Open space” does not include
(c) Areas with buildings on them



“Open space” does not include

(d) Where fill, storage, or other encroachments are allowed



“Open space” does not include

(e) Streets, railroad, levee, linear rights of way, etc..



“Open space” does not include

(e) Streets, railroad, levee, linear rights of way, etc..

Including ditch or channel rights of way





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“Open space” does not include

(e) Streets, railroad, levee, linear rights of way, etc..

Exception: waterside greenways





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“Open space” does not include

(f) Land not intended to be preserved as open space



(3) Parcel must be preserved as “open space”

(a) Publicly owned land, city park, beach, school field, etc.





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(3) Parcel must be preserved as “open space”

(b) Private wildlife or nature preserve, church camp, scout camp, hunting club, non-profit golf course





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(3) Parcel must be preserved as “open space”

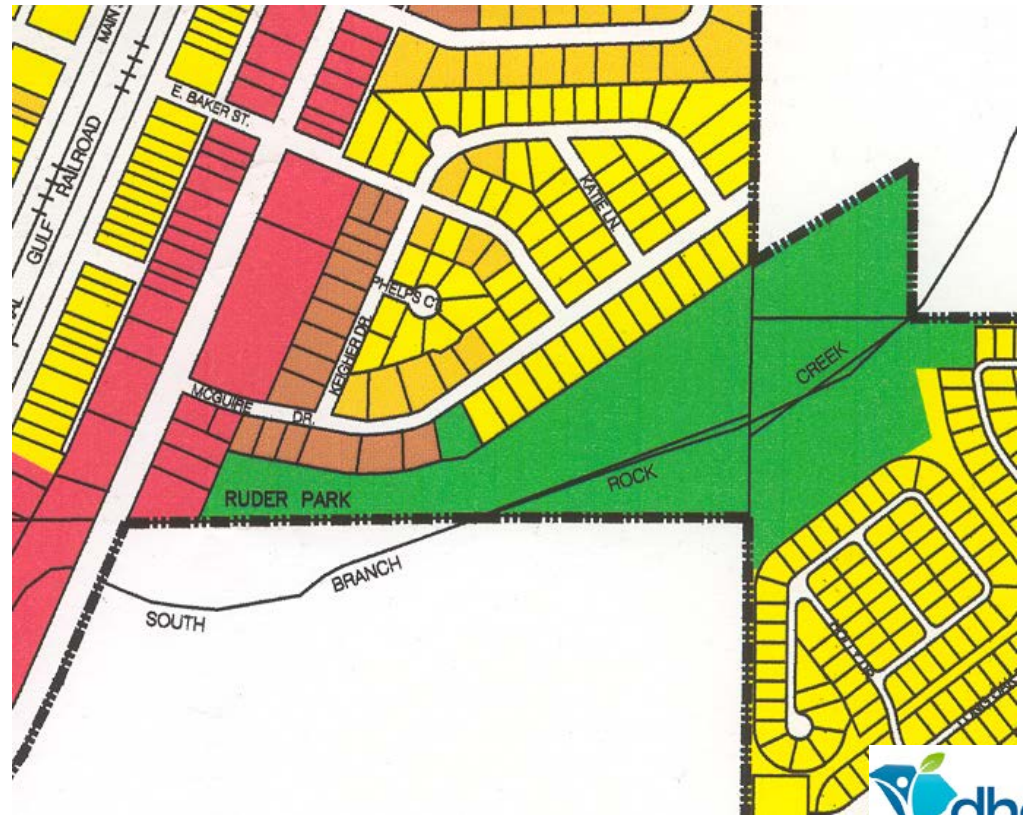
(c) Prohibitory development regulations (no buildings, filling or storage)

Zoning Districts

Commercial

Single Family Res.

Conservation





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Credit Points

OSP = 1,450 points, based on the amount of the SFHA that is preserved as open space

Impact Adjustment

OSP credit is adjusted based on the ratio of preserved open space areas in the regulatory floodplain to the area of the SFHA. Section 403 has additional information on impact adjustments for areas. The areas qualifying for OSP need to be marked on an impact adjustment map.

$$rOSP = \frac{aOSP}{aSFHA}, \text{ where}$$

aOSP = the size of the area(s) preserved as open space (OSP) in the regulatory floodplain, and

aSFHA = the size of the community's SFHA shown on its FIRM



402 – Impact Adjustment for Areas *Manual Page 400-4*

Impact adjustment: how much of the flood problem is covered by the activity?

- ✓ 400 Series: How much of the SFHA is affected?
- ✓ Need an impact adjustment ratio: percentage of the SFHA affected by the activity
- ✓ Example for open space:

$$rOSP = \frac{aOSP}{aSFHA}$$

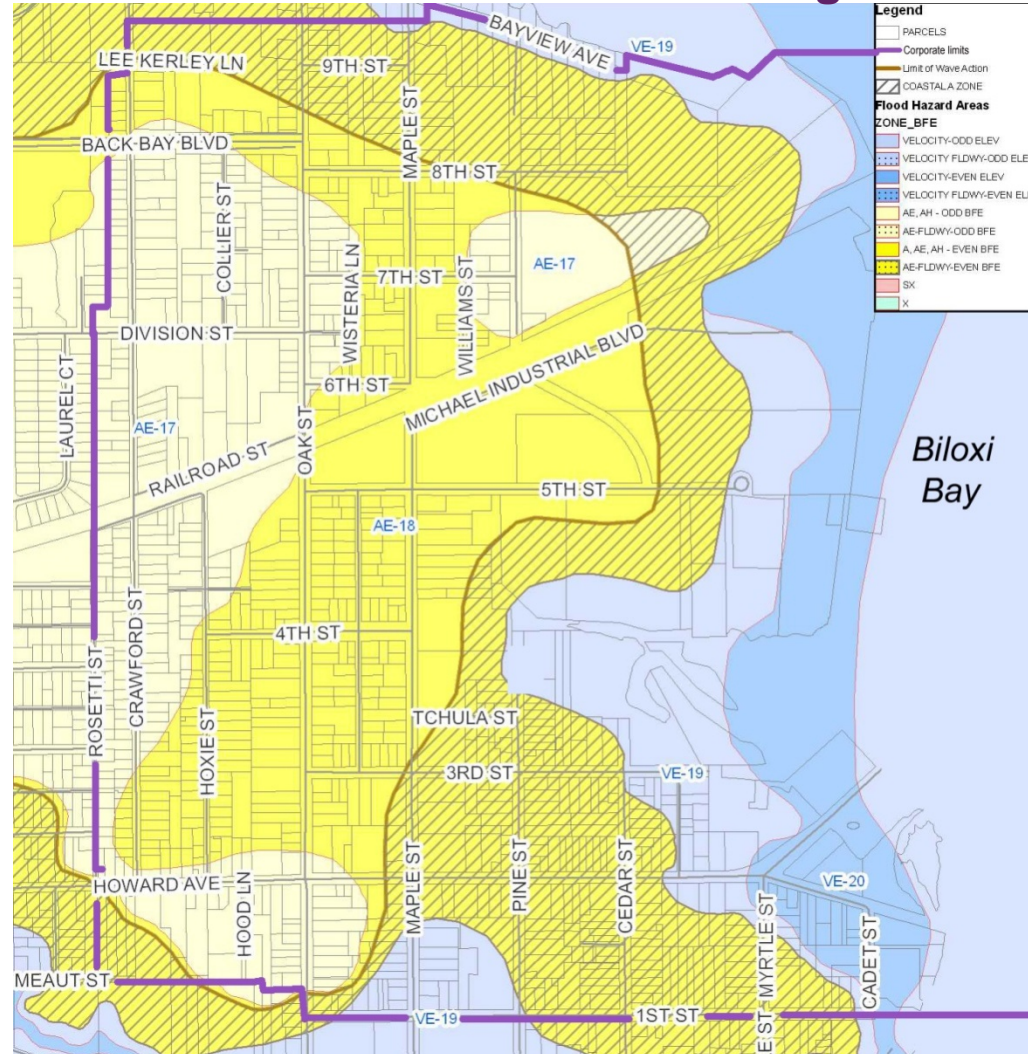
- ✓ Need an Impact Adjustment Map



402 – Impact Adjustment for Areas

Manual Pages 400-8 – 9

Step 1.
Start with a
base map
that shows
the SFHA



Biloxi Bay



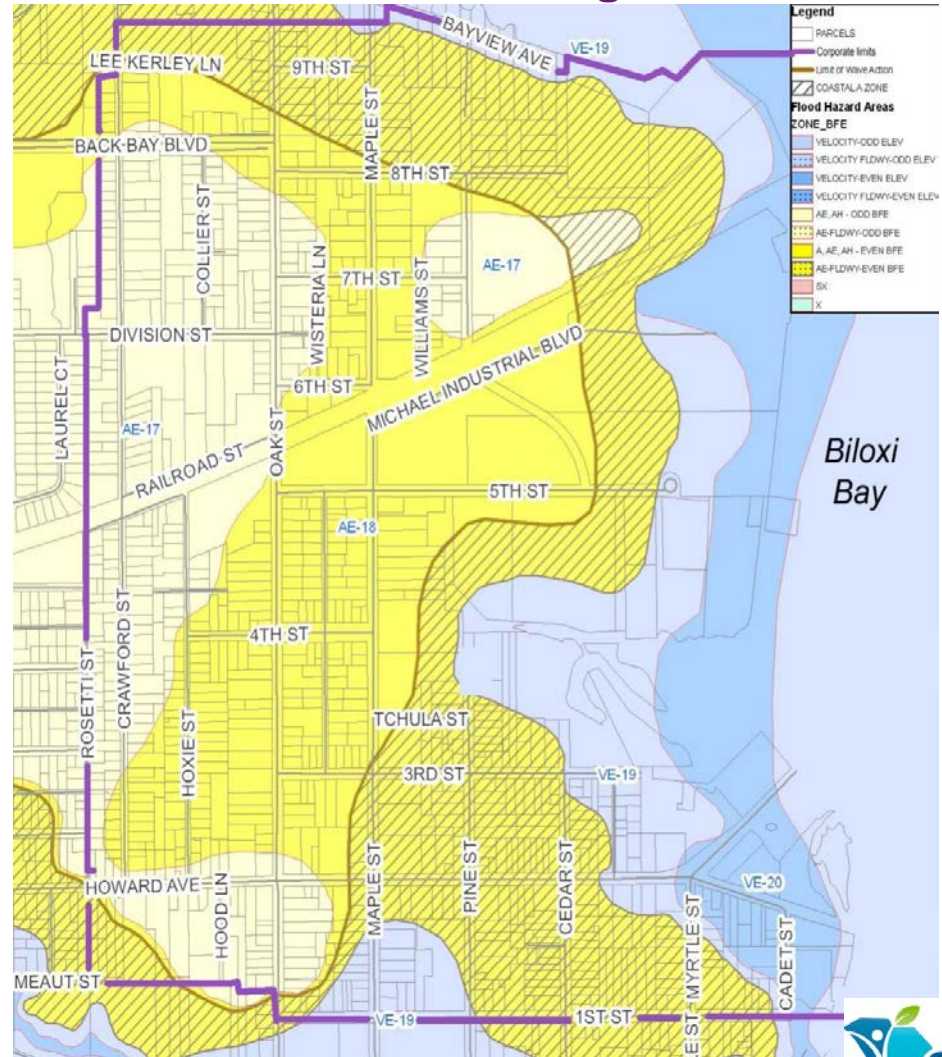


402 – Impact Adjustment for Areas

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Step 2. Can exclude areas not part of impact adjustment

1. Open water > 10 acres





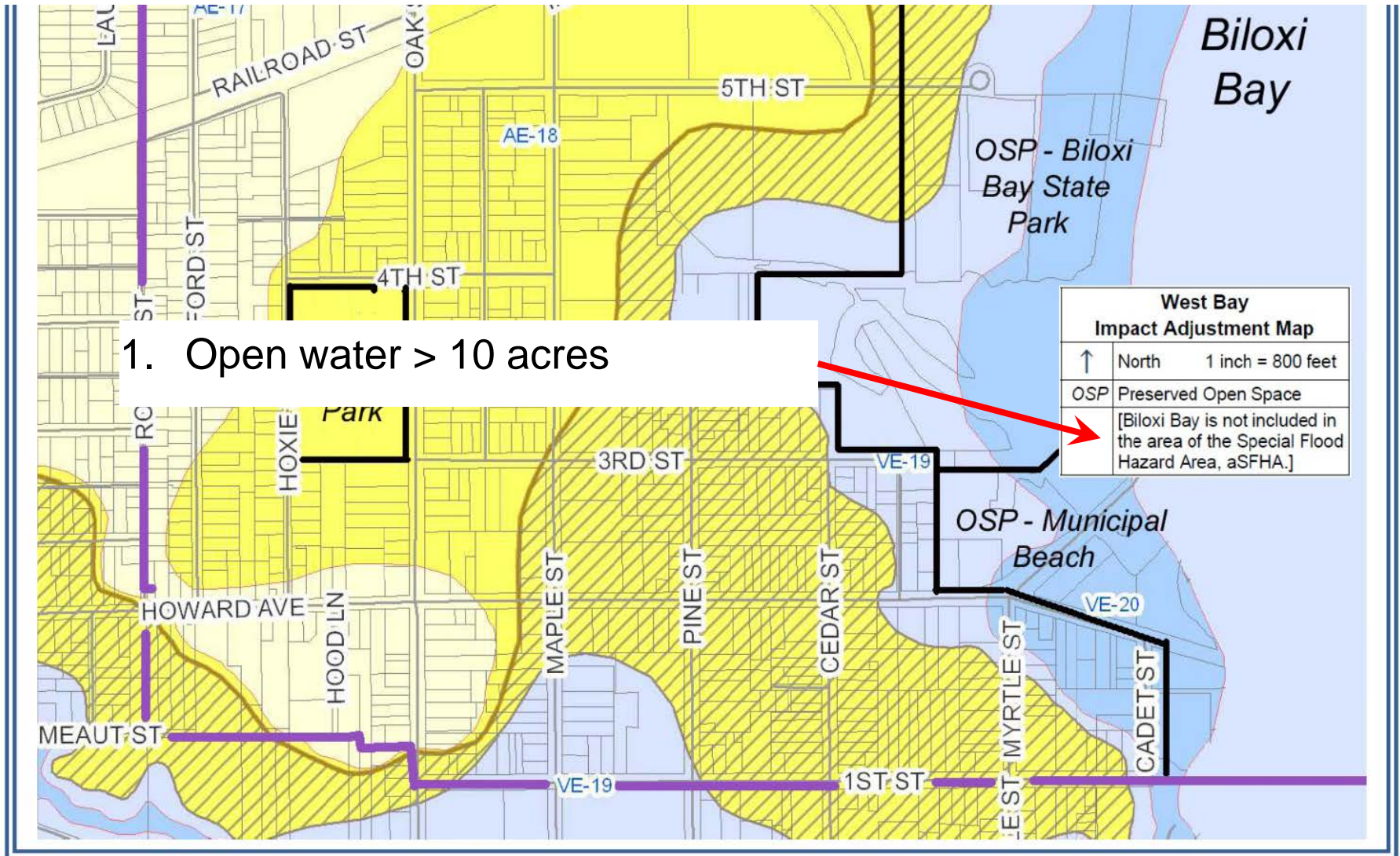
402 – Impact Adjustment for Areas

1. Open water > 10 acres



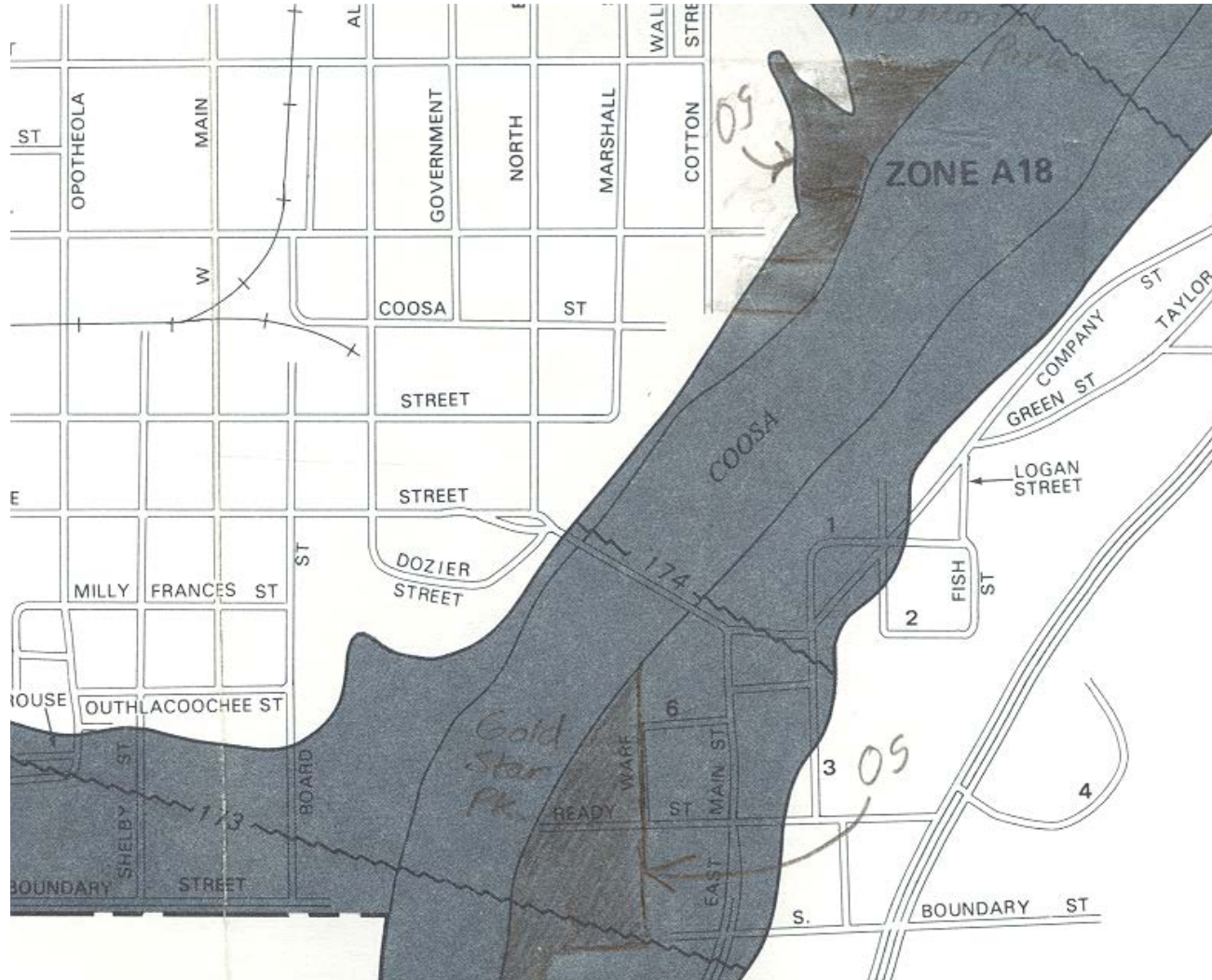


402 – Impact Adjustment for Areas



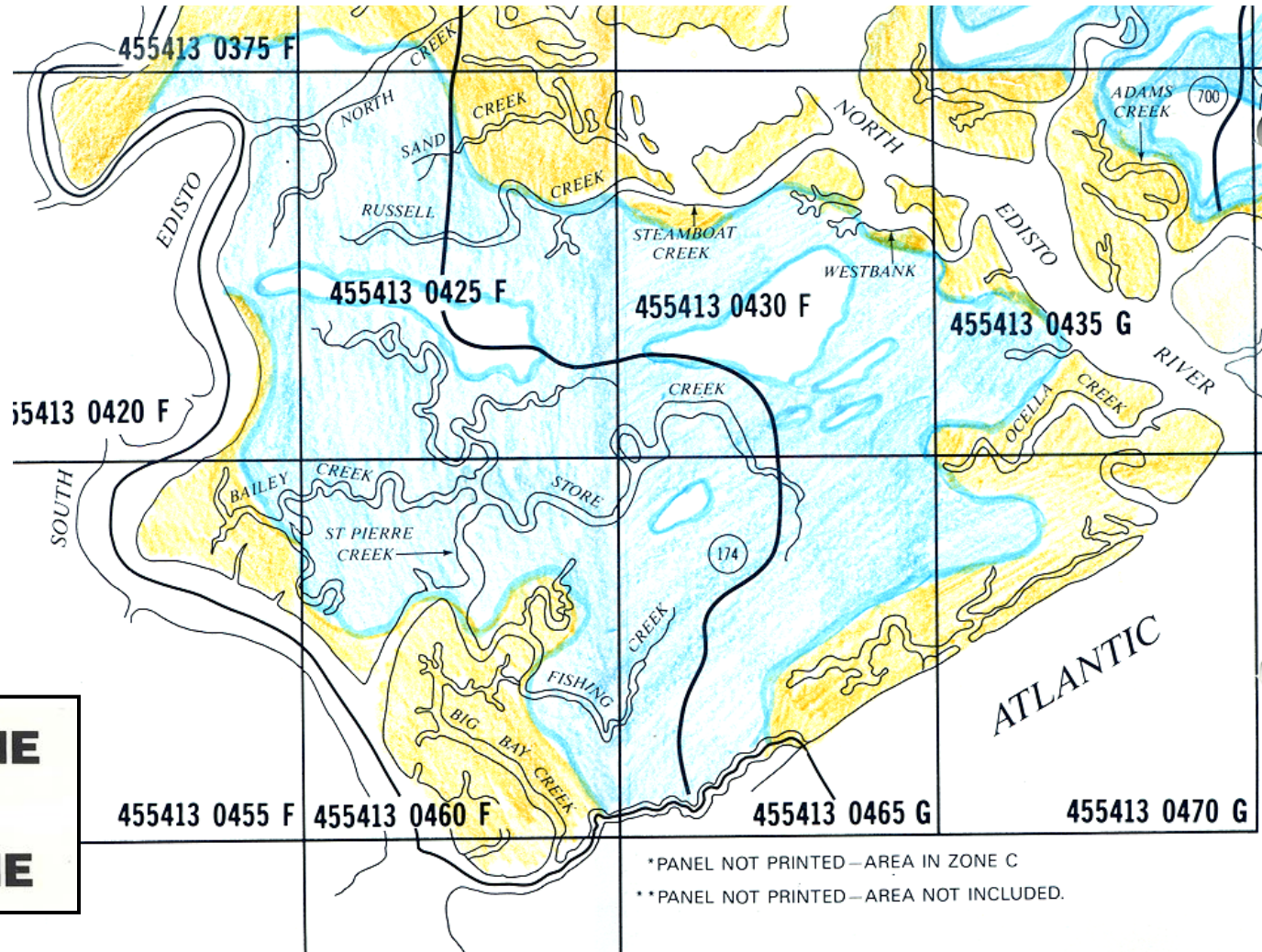


402 – Impact Adjustment for Areas *Manual Page 400-8*



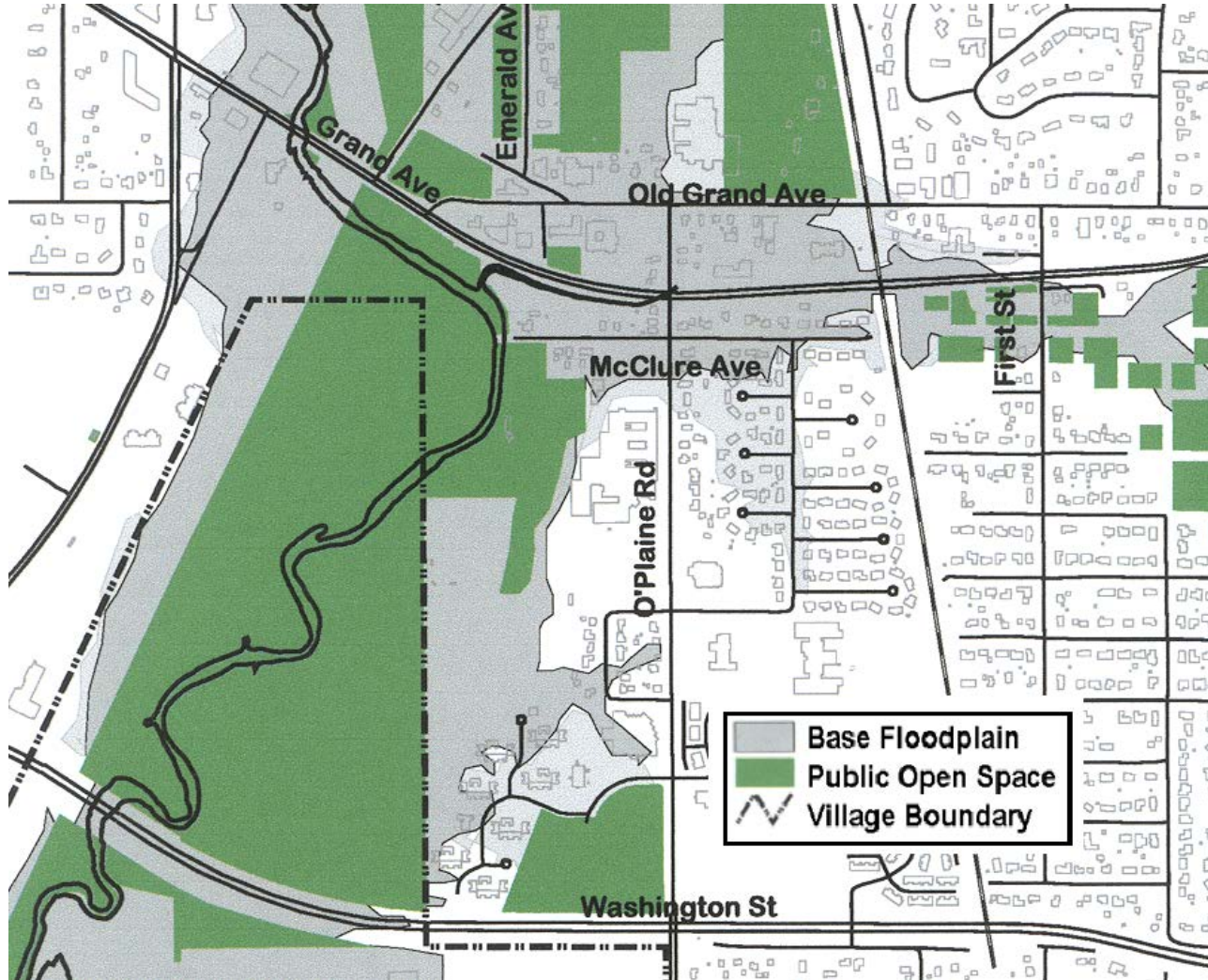


402 – Impact Adjustment for Areas





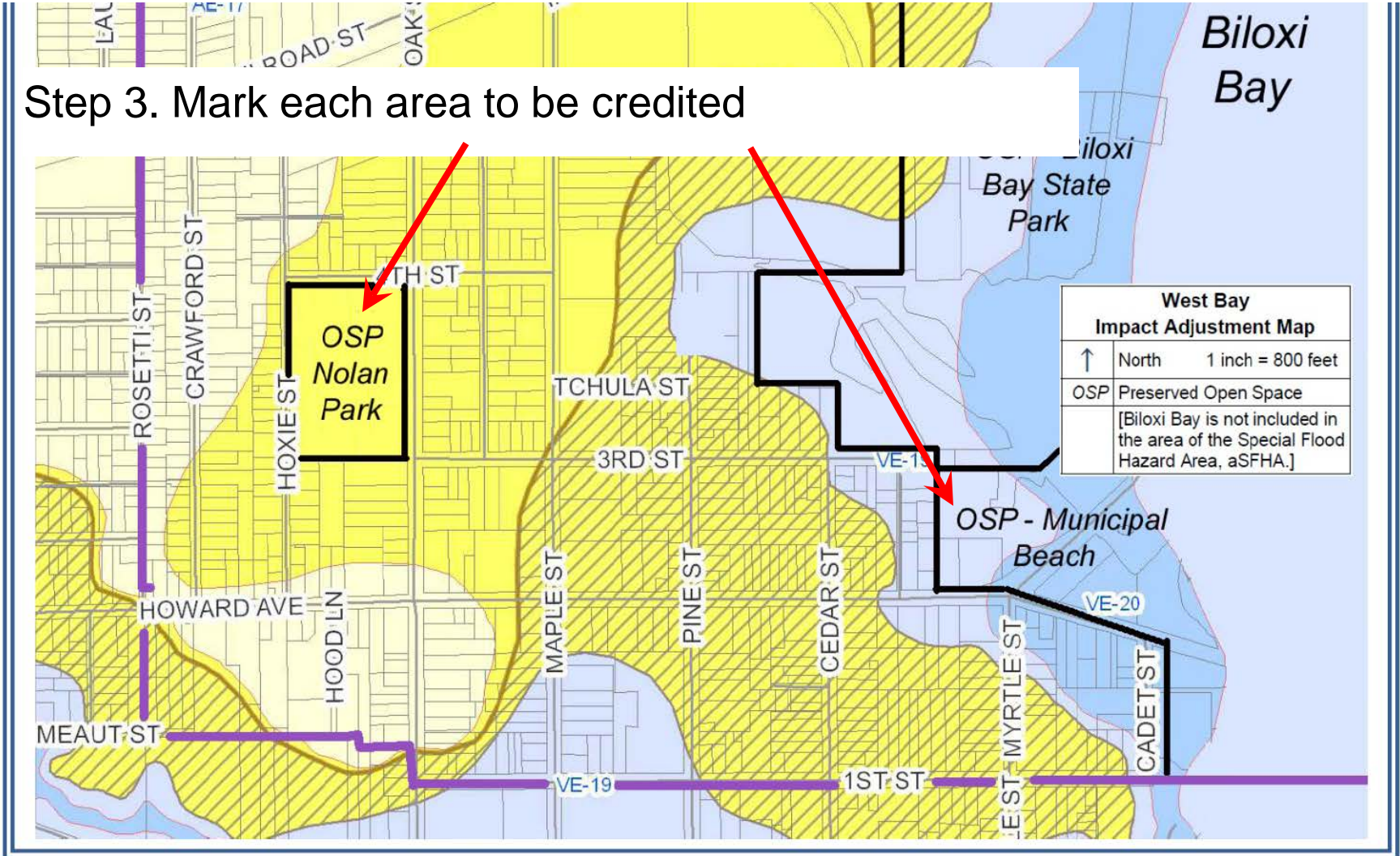
402 – Impact Adjustment for Areas





402 – Impact Adjustment for Areas

Step 3. Mark each area to be credited



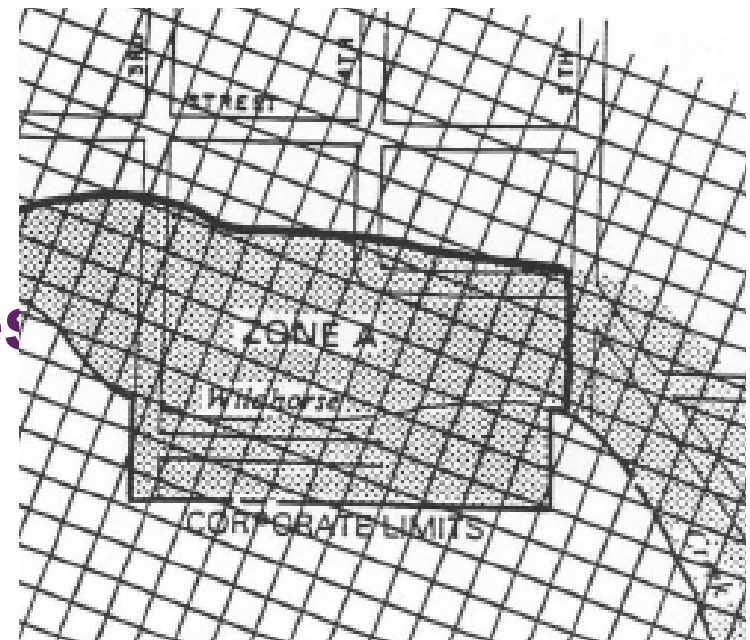


403.e. Calculating areas

✓ Calculations do not have to be super accurate

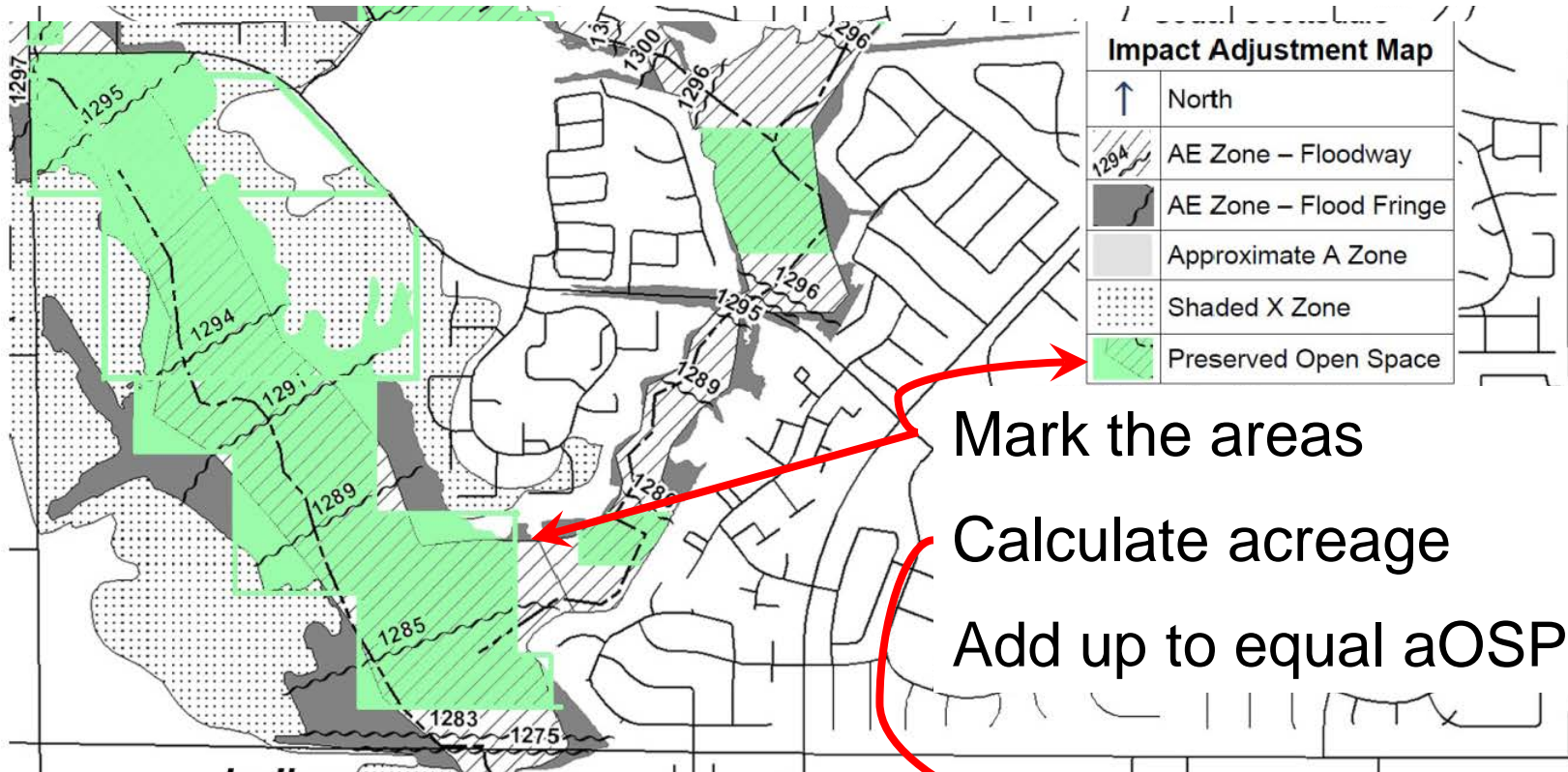
- ▶ GIS is easiest, if you have it
- ▶ Known property dimensions
- ▶ Grid square technique

✓ All measurements in acres



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Mark the areas
Calculate acreage
Add up to equal aOSP

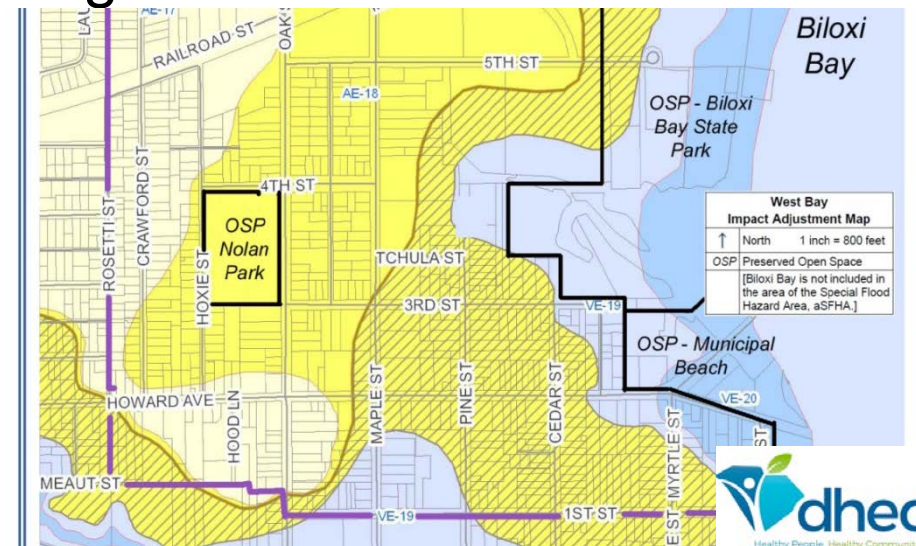
Preserved Open Spaces	Credit	Size (acres)
Indian Bend Wash Parks	OSP	143.2
South Scottsdale Country Club	OSP, DR	55.3
Undeveloped floodway parcels	OSP	44.4
Total areas preserved as open space	aOSP	242.9
Vacant areas subject to incentives	OSI4, OSI5	88.7

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Documentation

- (a) Map or list of all parcels to be credited
- (b) Documentation that each parcel will be preserved
- (c) If credit for prohibitory regulations – the regulations
- (d) If outside the SFHA – the regulations for the area
- (e) Impact adjustment map



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422.b Deed restrictions (DR)

Extra credit to guarantee parcel stays open

DEED

This Deed is made on *June 22, 1953*, *G21464* *give back to*

BETWEEN TOWNSHIP OF WAYNE IN THE COUNTY OF PASSAIC, a municipal corporation of the State of New Jersey,

whose post office address is 475 Valley Road, Wayne, New Jersey, referred to as the Grantor.

AND ALGIRDAS BREIMER and IRMGARD BREIMER, his wife,

whose address is 78 Hobson Avenue, Wayne, New Jersey, referred to as the Grantee,

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of TWO THOUSAND ONE HUNDRED DOLLARS (\$2,100.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Wayne
Block No. 19 Lot No. 34 Account No.

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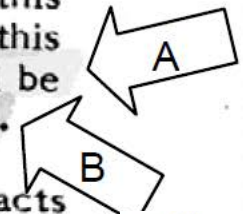
422.b Deed restrictions (DR)

- (1) Parcel must qualify for OSP
- (2) Deed restriction must cover:
 - A. No new buildings may be allowed on the property,
 - B. The restriction runs with the land, and
 - C. The restriction cannot be changed by a future owner

This conveyance is conditioned upon the acquisition by an adjoining property owner so as to preclude the creation of a non-conforming lot, and this parcel shall become part and parcel of said adjoining lot. The acquisition of this lot is not to be utilized in conjunction with a subdivision, and no building will be constructed on said lot. Said restrictions shall be deemed to run with the land.

This conveyance is subject to all restrictions, terms, conditions and facts as of record.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor...



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All FEMA grants require a deed restriction

Many park and conservation grants require one



422.c Natural functions open space (NFOS)

Open space in its natural state provides more benefits:

- Flood storage
- Reduced sedimentation
- Water quality
- Aquifer recharge
- Richer soils
- Biodiversity
- Habitat



422.c Natural functions open space (NFOS)

Credit criteria:

1. All NFOS(1 – 4)
 - (a) OSP credit
 - (b) NFOS1 is a prerequisite for the others
 - (c) Is managed to stay in its natural state
 - (d) Plot on impact adjustment map



NFOS1 Parcel in its natural state

Examples:

- Areas not built on
- Restored to natural state
- Designated by recognized program

Not credited:

- Scenic designation
- Recreational areas
- Clear cutting allowed
- Dune/beach nourishment



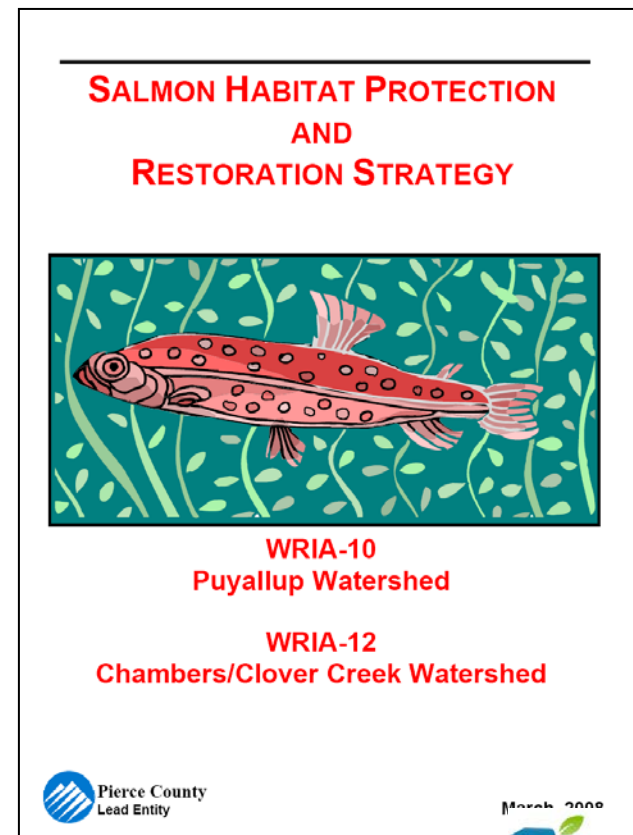
NFOS2 Parcel in its natural state

Designated in Plan:

- Areas not built on
- Restored to natural state
- Designated by recognized program
- Parcels credited in NFOS1

Types of Plans

- Habitat Protections
- Habitat Conservation
- Habitat Restoration
- Fish & Wildlife or State Approved



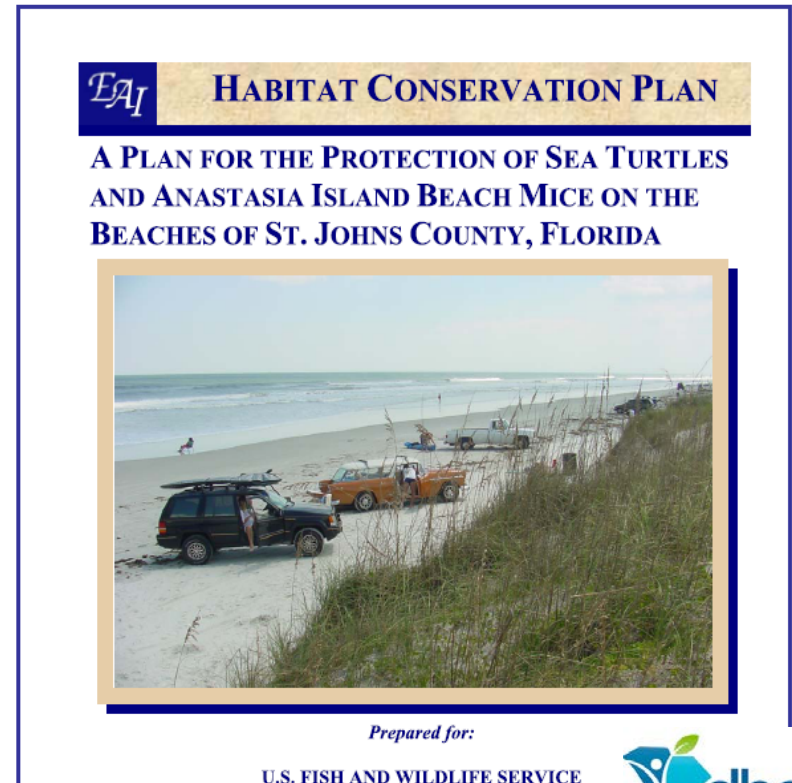
NFOS3 Parcel in its natural state

Designated as Critical Habitat:

- Areas not built on
- Restored to natural state
- Designated by recognized program
- Parcels credited in NFOS1
- Threatened or endangered species

Types of Plans

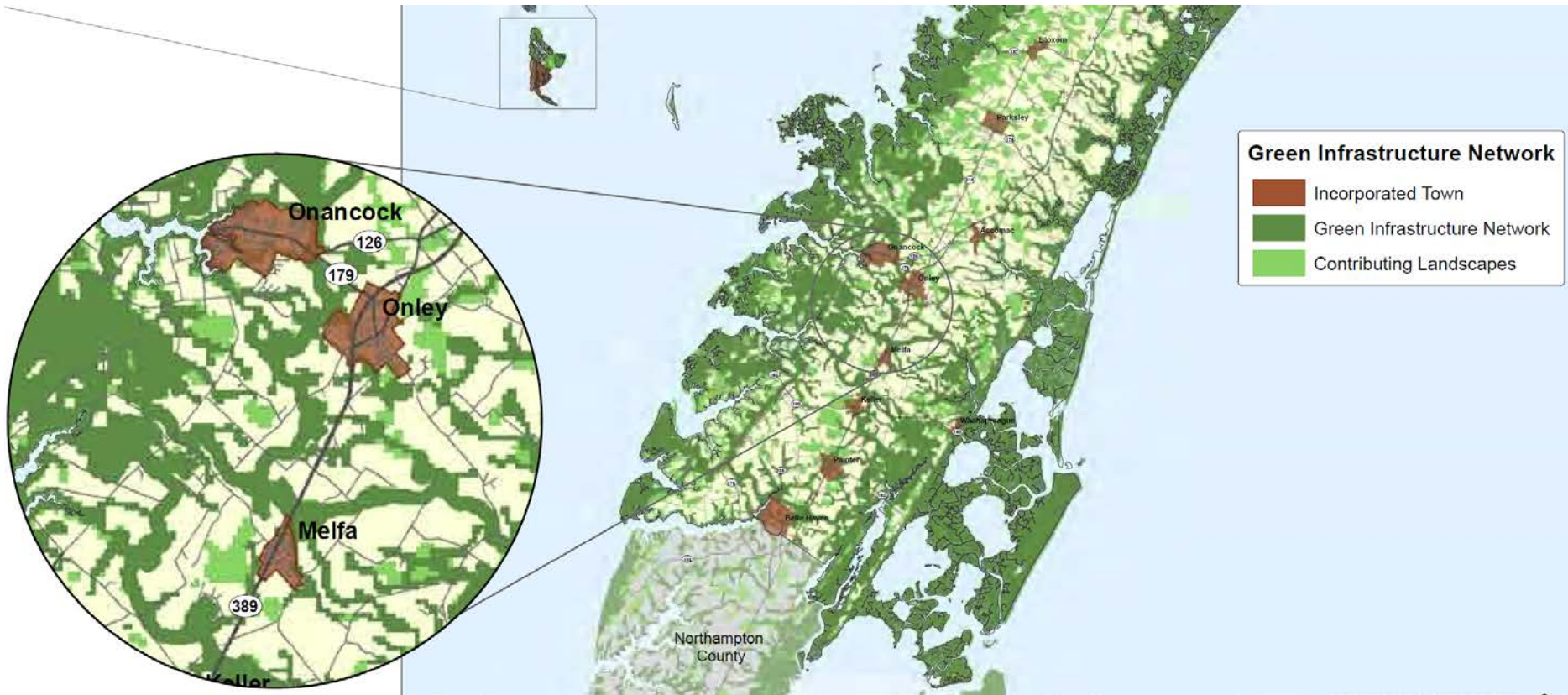
- Habitat Protections
- Habitat Conservation
- Habitat Restoration
- Fish & Wildlife or State Approved



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NFOS4 – Parcel in a designated open space corridor



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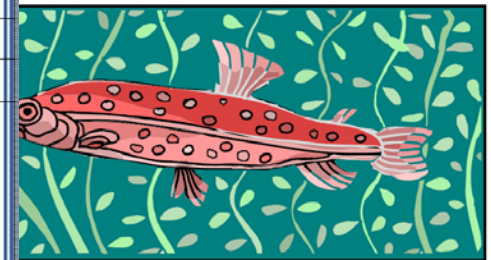
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NFOS Documentation

- (1) Report or
- (2) Letter or form signed by a professional

SALMON HABITAT PROTECTION AND RESTORATION STRATEGY



**WRIA-10
Puyallup Watershed**

**WRIA-12
Chambers/Clover Creek Watershed**

Pierce County
Lead Entity

March, 2008



- RESCUE
- REPAIR
- RECUPERATION
- RELEASE

August 7, 2002

Insurance Services Office, Inc.
2201 North Gordon Street
Plant City, Florida 33563

Attention: Mr. David Klick, CFM

Re: Open Space Preservation

Dear Mr. Klick:

As the founder and director of the Suncoast Seabird Sanctuary bird hospital in the United States, I fully support Indian Sho Recreation Area. This nature refuge provides a valuable ha

This nature park and its surrounding area is a natural, pristin

Natural Floodplain Functions Form	
Property name	Pettaway County Park
Property location	1 mile northeast of Frenchford, on the Pettaway River
Summary of the habitat or natural benefits provided at this property	<p>Pettaway Park was created in 1954 in order to protect the area from the booming logging industry. The area has never been developed or farmed.</p> <p>It lies at the headwaters of the Pettaway River and consists of bottomlands, ravines, white-oak forest interspersed with marsh and meadows. It is a stop on the Mississippi Flyway for migrating birds, including sandhill cranes. In 2002, a white winged wood duck (<i>Cairina scutulata</i>), an endangered species, was spotted in the park.</p> <p>The park's Nature Center houses a variety of exhibits, nature displays, maps, photographic studies, and a research library. The Nature Center also offers a variety of nature-oriented programs for families and adults such as owl prowls and astronomy programs.</p>
Name of person completing this form	Jonathon Richards, ASLA
Signature	<i>Jonathon Richards</i>
Degree or other qualifications	<p>Bachelor's of arts from Wall State University in landscape architecture, 1990.</p> <p>Registered landscape architect.</p> <p>Planner and then Director of natural area programs for Delaware County since 1994.</p>

Questions

