

## **CHAPTER NINETEEN**

### **CONSERVATION SUBDIVISIONS**

#### **ARTICLE I, PURPOSE AND INTENT:**

This chapter is intended to provide for residential subdivisions that are designed based first and foremost on the provision and preservation of open space, but that accommodate the entire amount of development that would otherwise be legally possible under conventional subdivision designs, and that:

- (A) Minimize the environmental and visual impacts of new development on critical resources and historically and culturally significant sites and structures.
- (B) Contribute to an interconnected network of permanent open space in the County.
- (C) Provide for undivided open spaces within new developments.
- (D) Create more attractive and pleasing living environments.
- (E) Reduce the demand on public expenditures for open space, parkland, play fields, and other areas for active and passive recreation.
- (F) Meet design requirements and guidelines established in this chapter for the protection of conservation areas.

#### **ARTICLE II, APPLICABILITY OF CHAPTER 18 AND CHAPTER 11 TO CONSERVATION SUBDIVISIONS:**

It is the intent of this chapter to create and preserve open space and to provide alternative standards for the development of land to those specified in Chapter 18, Subdivisions and Land Development and those specified in Chapter 11, Residential Districts. Provisions of Chapter 18 and Chapter 11 that are specifically addressed in this chapter shall not apply. However, in cases where the provisions for conservation subdivisions do not address a particular question or issue, the provisions of Chapter 18 and Chapter 11 shall apply.

#### **ARTICLE III, CONSERVATION AREAS AND OPEN SPACES:**

19-3.1 **Primary Conservation Areas.** A conservation subdivision incorporates, and shall include, all primary conservation areas into undivided, permanent, open spaces. Primary conservation areas, as defined by this Code, include the following: habitats for endangered or threatened species, wetlands, flood plains, State Waters, shorelines, and associated buffers, historic, cultural, and archaeological sites, and steep mountain slopes.

19-3.2 **Secondary Conservation Areas.** A conservation subdivision shall identify secondary conservation areas and shall integrate all or a portion of them into undivided, permanent, open spaces. "Undivided" refers to contiguous, usable open spaces; small strips of land remaining randomly among parcels or isolated "alley" strips do not qualify as meeting the required conservation areas standards. Secondary conservation areas, as defined by this Code, include the following: prime farmlands or open meadows; tree coverage areas and mature woodlands; aquifer recharge areas; steep slopes, and scenic views and sites. While secondary conservation areas also include designed and newly created open spaces such as neighborhood commons and village greens, these areas must be large enough spaces to constitute a design amenity for community members, not individual yards. The amount of acreage dedicated to Secondary Conservation Areas must equal at least 15% of the total Primary Conservation Areas.

19-3.3 **Guidelines for Secondary Conservation Areas.** The following section provides standards and guidelines for establishing and protecting secondary conservation areas. Because each site is unique, not all of the following apply; however applicant shall identify features that apply to the subject site – including identifying scenic views, slopes steeper than 35%, among others – and shall identify which of the following will be incorporated into the development in order to meet the design intent of this district.

- (A) **Site Values.** Priorities for conserving or developing secondary conservation areas should be based on an understanding of what on the given property is more special, unique, irreplaceable, environmentally valuable, historic, scenic, etc., compared with other similar features and in relationship to neighboring parcels.
- (B) **Site Homes at Edges of Fields.** Conservation subdivisions should minimize the number of homes sited in open fields, if farmland protection, meadow preservation are principal objectives. Residences

- should be located adjacent to tree lines and wooded field edges. Maintain irregular field edges when they occur.
- (C) **Preserve Agricultural Structures.** Existing agricultural structures such as barns should be preserved where possible.
  - (D) **Aquifer Recharge Areas.** Conservation subdivisions may be restricted within significant groundwater recharge areas due to an inability to comply with rules for environmental planning criteria as adopted by the Georgia Department of Natural Resources, Environmental Protection Division, as may be adopted and implemented by Forsyth County.
  - (E) **Soils.** Development of soils with high erosion susceptibility is discouraged. Hydric soils should be identified and should not be developed unless it can be shown they are not wetlands. House lots should be located on the deepest, driest, or best-drained soils available on the parcel.
  - (F) **Steep Slopes.** Where possible, structures should not be placed at the top of ridge lines, and building envelopes should not include ridge lines, in order to preserve the natural view of ridges. Structures required to be sited in steeply sloping areas should have their heights lower than the ridge line. Unless extremely constrained by topography, and where better design layouts are not possible, building envelopes shall not include areas with slopes of 35 percent or more. Lots with slopes of twenty five (25) percent or more are discouraged because they: 1) may not ensure the provision of yards suitable for lawns and play areas; 2) pose challenges with respect to septic tank drain fields; and 3) pose erosion control concerns.
  - (G) **Buffers and Screening.**
    - (1) Conservation subdivisions shall provide a 25 foot exterior buffer
    - (2) Stream buffers shall not be incorporated within individual residential lots.
  - (H) **Scenic Views, Sites, and Vistas.** Scenic views, sites, and vistas should be unblocked and uninterrupted. Views can be created or opened up further by pruning limbs and selectively removing trees, as opposed to clear-cutting.
  - (I) **Active Recreational Facilities.** Active recreational facilities, if provided, shall not be located in the primary or secondary conservation areas; pervious surface pedestrian pathways may be allowed. Active recreational facilities shall not count toward required open space.
  - (J) **Golf Courses prohibited.** Golf courses do not comply with the conservation intent of this chapter and thus are not permitted uses.

19-3.4 **Required Open Space Specifications.**

- (A) **Percent of Site Area.** Each conservation subdivision shall provide a minimum of forty percent (40%) of its total land area as open space, as defined by this Code.
- (B) **Minimum Size.** The minimum size of a conservation subdivision shall be twenty-five (25) acres and shall include no less than five (5) acres of contiguous open space; the purpose of this minimum open space acreage is to avoid prospects where minor subdivisions are proposed simply to reduce lot sizes and development costs or that provide only small, scattered open spaces that would not functionally contribute to the overall open space network of the County.
- (C) **Permitted Uses.** See definitions of primary conservation area, secondary conservation area, active recreational facility, and open space. The County may permit part of the open space within a conservation subdivision to be retained in the hands of the original farmer or leased to a farmer for agricultural uses. Uses not expressly authorized via the rezoning and/or sketch plat process are prohibited.
- (D) **Limits of Disturbance.** No mass clearing or mass grading shall be permitted in the primary or secondary space; encroachments for infrastructure and stormwater shall be granted only for perpendicular buffer crossings that have been reviewed and approved per Chapter 18, Article XI.

19-3.5 **Standards for Designing Open Space Networks.** This section provides standards and guidelines for establishing open space networks.

- (A) **Minimum Width.** The width of any open space tract shall be at least twenty-five (25) feet.
- (B) **Location.** When a conservation subdivision site abuts an existing conservation area, park, nature preserve, or public undeveloped land, such as the 1085 line of the U.S. Army Corps of Engineers around Lake Lanier, conservation areas shall be designed so that they are located along the common boundary line.
- (C) **Pedestrian and Multi-purpose Paths.** Open spaces shall provide for pedestrian and/or multi-use paths, between five (5) and eight (8) feet wide, and shall be designed to connect with sidewalk network and/or as functional pathways to common area and/or amenity destinations. Motorized vehicles shall

not be permitted on trail systems except for maintenance, construction, or public safety purposes. This prohibition shall be included within the required covenants. Where appropriate and convenient, such pedestrian and multi-purpose paths should be made handicapped accessible.

- (D) **Path/Street Crossings.** Where path systems cross an internal subdivision street, the access points should be directly across from each other, clearly identified both to the motorist and pedestrian, and located with appropriate sight distance as determined by the Director of Engineering, subject to the approval of the Engineering Department. Where a path crosses any County road, the path should be grade separated (i.e., by a tunnel or bridge), or located at a traffic control device approved by the Director of Engineering and Planning Director.
- (E) **Prohibited from Lots.** Paths are not intended to be accessed via easements through individual residential lots. Paths are required to be located external to individual residential lots.

19-3.6 **Conservation Easement Required.** All primary conservation areas, and all secondary conservation areas shown on the rezoning application site plan and/or sketch plat and required to be retained as open space, shall be permanently protected from further subdivision, development, and unauthorized use, by a conservation easement. A conservation easement, as defined by this Code, shall be approved by Forsyth County and 1) co-signed by Forsyth County and donated to a conservation organization or land trust; or 2) co-signed by Forsyth County and donated to a homeowners association; or 3) donated to Forsyth County if accepted by the County. Copies of the draft easements and delineation of primary and secondary conservation areas shall be submitted for review concurrent with the submittal of a land disturbance permit application.

19-3.7 **Guidelines for Drafting Conservation Easements.** The following guidelines are offered for drafting conservation easements and may be required:

- (A) The easement recognizes and describes in a statement of purpose the special qualities of the property subject to the easement. Preferably, conditions within the tract subject to the conservation easement are shown by map and/or photograph.
- (B) The easement clearly identifies the owner of the property subject to the easement, the holder of the easement, and co-signer, and the responsibilities of the property owner, easement holder, and co-signer.
- (C) The easement specifically and clearly identifies the boundaries of the property subject to the easement, preferably by metes and bounds legal description and survey plat.
- (D) The easement contains restrictions as to what the owner may do with the property and specifically delineate what may not be done with the property. Limitations may include but may not be confined to prohibitions against subdivision, earthmoving, dumping, signs, utility lines, construction, changes to existing structures, and uses made of the property.
- (E) The easement provides for the right of the easement holder and co-signer to inspect the property to assure observance of restrictions. It also provides for enforcement procedures.
- (F) The easement provides for the maintenance of property.
- (G) The easement contains provisions governing its amendment, including provisions that the easement shall not be altered except with the express written permission of the easement holder, property owner, and any co-signers.

19-3.8 **Required Ownership of Open Spaces.** In addition to a conservation easement, the open space shall be permanently protected through ownership either by a homeowners association or by Forsyth County, if accepted by the County, in accordance with this article.

19-3.9 **Homeowners Association.** Open spaces may be owned and managed in common by a homeowners association, subject to the following requirements:

- (A) The developer of the conservation subdivision shall provide to the Director for approval, prior to the approval of a final plat, a description of the homeowners association, including bylaws and methods for maintaining open space.
- (B) The homeowners association shall be established by the conservation subdivision developer and endowed with a financial subsidy from the developer prior to the approval of a final plat on the property involving a conservation subdivision.
- (C) Membership of each non-open space lot owner in the conservation subdivision shall be mandatory (required) and automatic.
- (D) The homeowners association shall be responsible for maintenance, insurance, and taxes on the open space within the conservation subdivision. The association shall be required to assess dues for the maintenance of open space, purchase of insurance, and payment of taxes, unless another income source is proven to be available. Members of the association shall share equitably the costs of open space

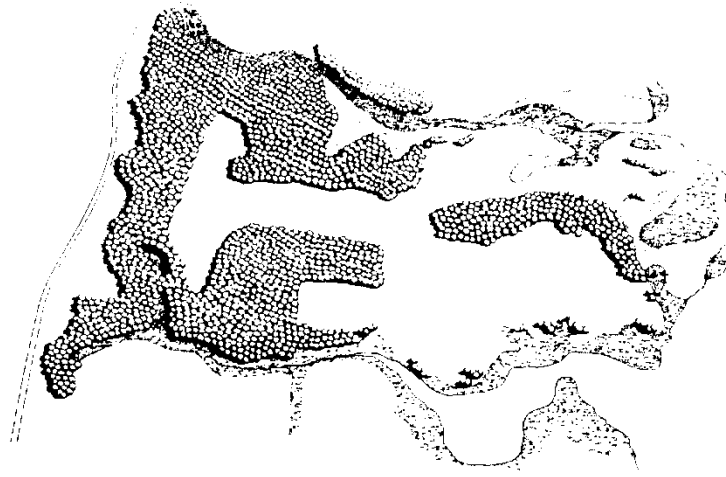
development and maintenance as indicated in bylaws. The association shall be empowered with the legal ability to place liens on non-open space lot owners for failure to pay association dues.

- (E) Said homeowners association shall not be dissolved without the consent of the Board of Commissioners. If common ownership of open spaces by a homeowners association is proposed and approved, then open spaces shall be subject to permanent deed and final plat restrictions or covenants on the future use, development, and subdivision of open spaces, in addition to the requirement of a conservation easement.
- (F) The Board of Commissioners may require that the homeowners association establish a minimum amount of funds to be initially deposited and maintained in a maintenance account.

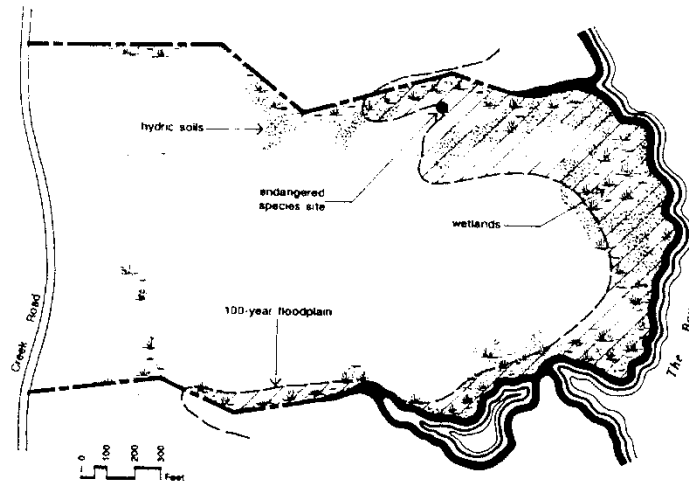
19-3.10 **Fee Simple Dedication to Forsyth County.** Dedication in fee-simple ownership to the public for recreational and/or open space use, is a possible mechanism for the permanent retention and maintenance of open spaces within the conservation subdivision, at the sole discretion of the Board of Commissioners, and subject to the following:

- (A) Dedication to the County shall only be approved if the Board of Commissioners finds that the size, shape, location, type of open space, or cost of development or maintenance of such open space or the availability of open space would make public ownership desirable or necessary.
- (B) The decision to accept open spaces for fee simple public ownership shall be at the sole discretion of the Board of Commissioners but guided by recommendations of the Planning Director, Planning Commission, the Comprehensive Plan as it pertains to open space acquisition, and the County Parks and Recreation Director.
- (C) The Board of Commissioners generally will require dedication of all open space or park and recreation areas indicated for acquisition in the County's Comprehensive Plan or capital improvement program.
- (D) The Board of Commissioners may require a maintenance bond or other financial security with a duration of twelve (12) months following public acceptance in an amount sufficient to ensure that such lands do not cause unwarranted public expenditures because of faulty conditions or construction. The Board shall have authority to cash said bond in the event substandard conditions or construction are evident. Otherwise, following the one year period following public dedication, with satisfactory performance, the Board shall return the performance bond to the subdivider.
- (E) In addition to the required conservation easement, a deed for open space lands in a form acceptable to the County Attorney in favor of Forsyth County shall be signed and recorded prior to the approval of any final plat pertaining to land within the conservation subdivision.

**FIGURE 19.1**



**Before Development**

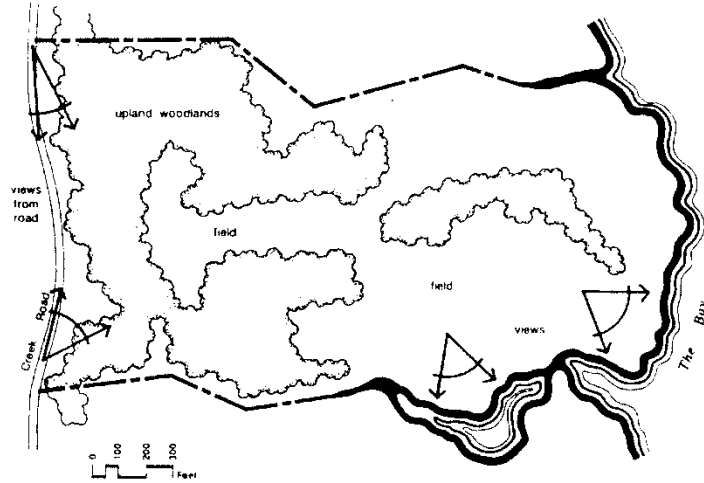


**Identify Primary Conservation Areas**

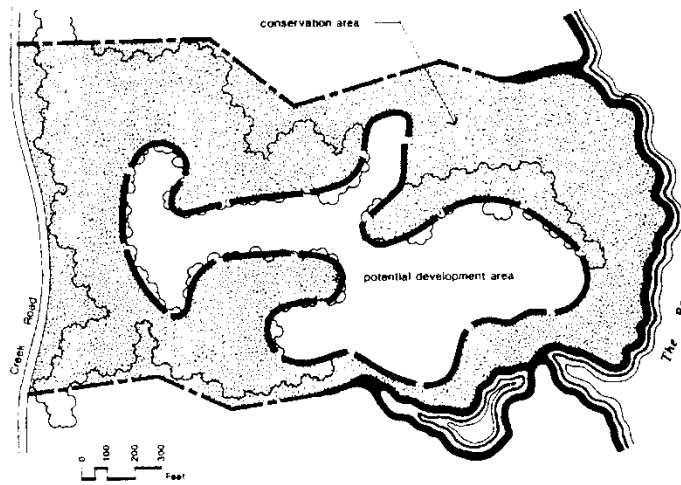
**Conservation  
Subdivision  
Design Process  
(1 of 3)**

Source: Randall G. Arendt. 1996. *Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks*. Washington, DC: Island Press.

**FIGURE 19.2**



**Identify Secondary Conservation Areas**

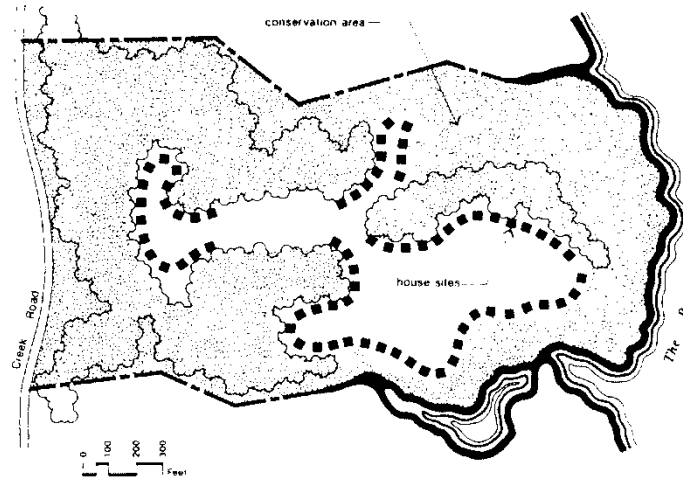


**Identify Potential Development Areas**

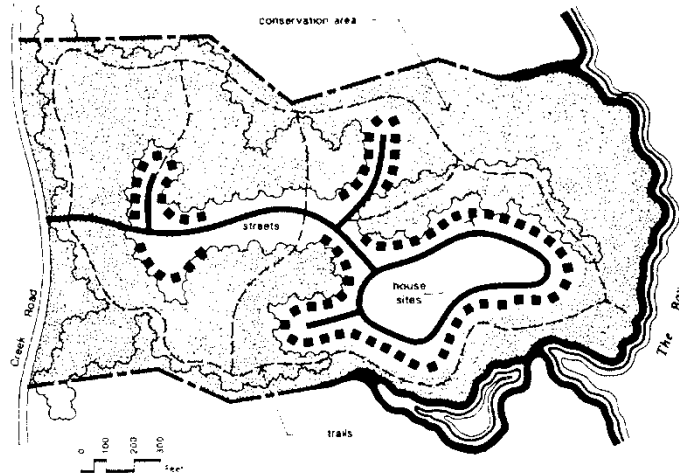
Source: Randall G. Arendt. 1996. Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks. Washington, DC: Island Press.

**Conservation  
Subdivision  
Design Process  
(2 of 3)**

**FIGURE 19.3**



**Locate Potential House Sites**



**Design Road Alignments and Trails**

Source: Randall G. Arendt. 1996. *Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks*. Washington, DC: Island Press.

**Conservation  
Subdivision  
Design Process  
(3 of 3)**

**ARTICLE IV, DESIGN STANDARDS AND GUIDELINES FOR LOT CONFIGURATIONS AND BUILDING ORIENTATIONS:**

In a conventional subdivision, drawing lot lines to meet zoning requirements are one of the first steps in the design process. Identifying house locations should be the third step in the conservation subdivision design process, after determining primary and secondary conservation areas. The following article provides standards and guidelines for conservation subdivisions.

- (A) Homes shall not front directly on off-site streets.
- (B) Each lot shall be abutted on at least one side by open space, unless a design constriction justifies a lot to not meet this criterion (maximizing number of lots does not constitute an acceptable justification). A written notation shall be included to explicitly explain the design constraint for the particular lot.
- (C) Lot widths shall not be less than sixty (60) feet.
- (D) Lots that back up onto permanent open space can be shallower in depth because the existence of open space extends the perceived depths of such lots.
- (E) The minimum building setback for buildings and structures on lots abutting primary conservation areas to the rear or side yard shall be seventy-five (75) feet.
- (F) Fencing should not be provided in between lots and shall not be permitted on the perimeter of conservation subdivisions or abutting conservation areas.
- (G) Setbacks for front, side and rear yards shall be a minimum of fifteen (15) feet front yard (measured from the edge of the dedicated right of way or from access alley easement), five (5) feet side yard, with a minimum of twenty (20) feet between structures, twenty (20) feet rear yard and fifty (50) feet exterior.
- (H) This chapter does not establish maximum lot sizes and maximum lot widths. However, conservation subdivision designers should strongly consider limiting the size and widths of lots to avoid the look of conventional subdivisions. In most instances, lots in conservation subdivisions should not exceed the minimum lot sizes and lot frontages specified for the zoning district in which it is located.

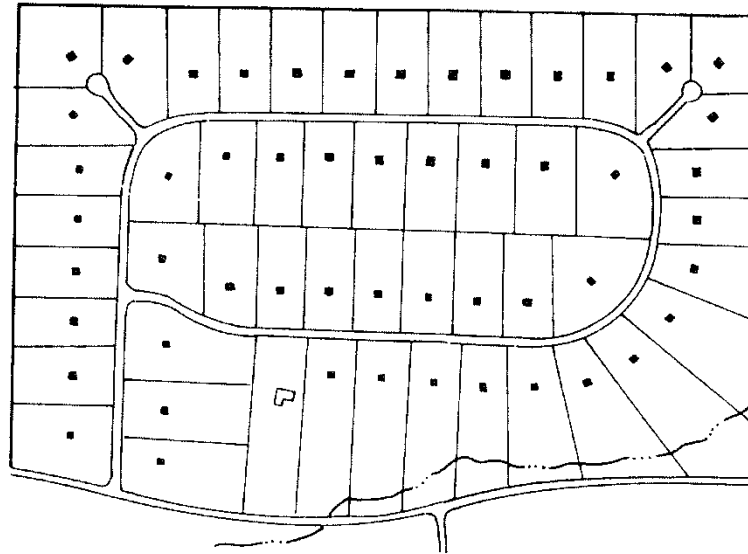
**ARTICLE V, REQUIREMENTS:**

19-5.1 **Density, Lot Size and Yield Plan.** In conservation subdivisions, lot sizes are allowed to be smaller than typically found in conventional subdivisions. The minimum lot size shall be as provided in Table 19.1, so as to ensure that lots created will not be substantially out of character with lot sizes in conventional subdivisions within the same zoning district. The development should, however, be density neutral i.e., the overall number of dwellings allowed should be no more than the total number of dwellings a conventional subdivision layout would yield. For this reason, the applicant shall develop a yield plan which shows the site developed as a conventional subdivision and the maximum number of lots the site would theoretically yield. The design of the yield plan must be realistic and account for areas that cannot be developed such as floodplain, stream buffers and wetlands.

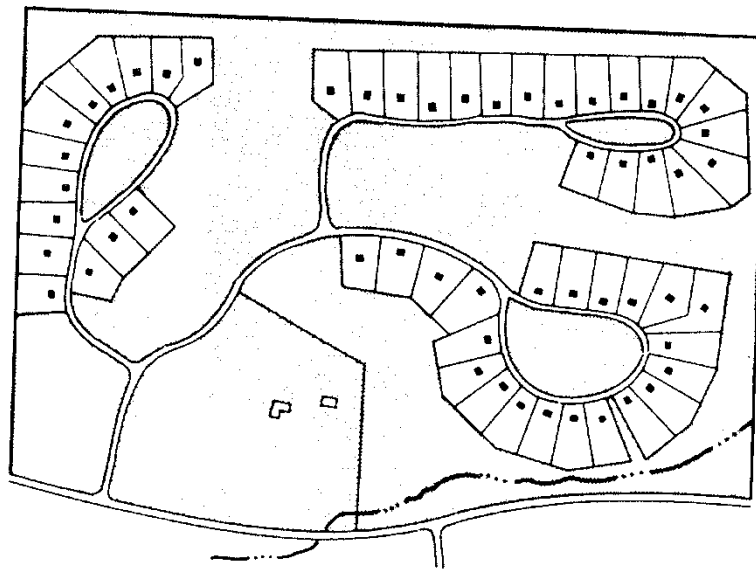
<b>Zoning District</b>	<b>Minimum Lot Size</b>
Res1	12,000
Res2	12,000
Res3	9,000
R1R	12,000
CR1	9,000
R1	16,000
R2R	9,000
R2	12,000
LR	9,000

19-5.2 **Sewage Treatment and Disposal Systems.** A conservation subdivision must be served by Public Sewer or Existing Private Sewage Treatment Plant with sufficient capacity.

**FIGURE 19.5**



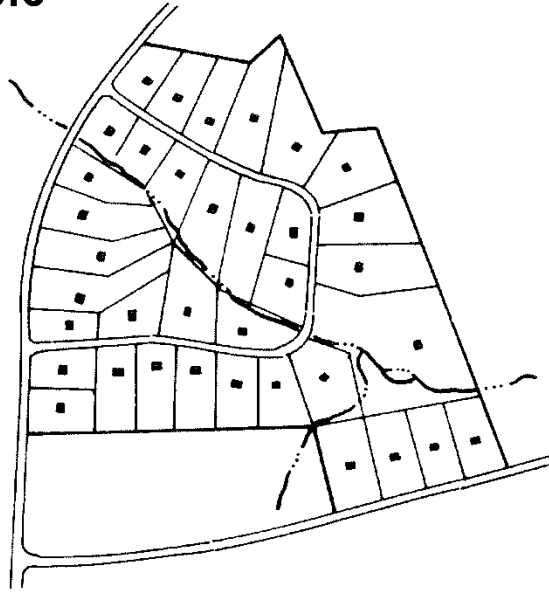
**Conventional Subdivision**



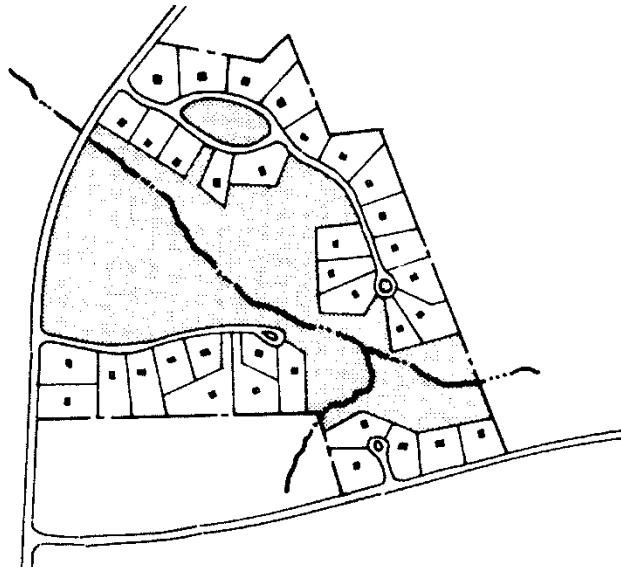
**Conservation Subdivision**

Source: Randall G. Arendt. 1996. Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks. Washington, DC: Island Press.

**FIGURE 19.6**



**Conventional Subdivision**



**Conservation Subdivision**

Source: Randall G. Arendt. 1996. Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks. Washington, DC: Island Press.

**ARTICLE VI. DESIGN STANDARDS AND GUIDELINES FOR STREETS:**

19-6.1 **Introduction.** After identifying all primary conservation areas, secondary conservation areas, potential development areas, and house sites, the fifth step in the conservation subdivision design process is to design the street alignments. Lot lines are drawn as a fourth step, after the open spaces, house sites, and road network have been determined. This article provides standards and guidelines for designing streets serving conservation subdivisions. While the entire set of items below are not requirements, site plans shall demonstrate substantial compliance with the following standard practices of developing true conservation subdivision design.

19-6.2 **Location and Alignment.** Designers should avoid crossing wetlands with streets where possible. Existing farm roads should be incorporated into conservation subdivision designs. Roads should follow existing contours with a minimum of cut and fills and disturbance for construction. In cases where agricultural protection or meadow preservation is a primary objective, new roads should be placed along the edge of a field, rather than through the middle, so as to be less intrusive on the open space character of the tract.

19-6.3 **Lengths and Curves.** The length of roads should be minimized to reduce costs and aesthetic impacts. Long, straight road segments should be avoided. Curvilinear designs are preferred for rural conservation subdivisions. Streets should be curved and aligned to produce vistas of open space elements, where possible. Short, straight, interconnected streets (i.e., grid patterns) are appropriate for village areas when included in conservation subdivisions.

19-6.4 **Separate Travel Lanes.** Where necessary, the directional travel lanes should split or curve apart to protect natural features. In cases where travel lanes are split or curve apart, the minimum width of each travel lane should be ten (10) feet in paved width.

19-6.5 **Right-of-Way and Clearance.** Rights-of-ways should be only wide enough to accommodate the required street width improvement, adequate shoulder bases for utilities, bikeways and/or walkways, and open storm drainage ditches at appropriate bank slope. Drainage easements may be provided in lieu of expanding the right-of-way for drainage ditches if approved by the Director of Engineering. The entire right-of-way may not necessarily have to be cleared if it can be shown to the satisfaction of the Director of Engineering that remaining trees or other features do not pose a traffic safety hazard.

19-6.6 **Connections.** Streets shall be connected with one another unless doing so involves traversing designated Conservation Areas; preferably streets connect in three-way intersections, so that the number of dead ends are minimized. An exception will be allowed when a street connection would cross conservation areas and break up open space amenities, in which case 19-6.7 provisions shall govern. Whenever possible, streets should be designed to connect with adjoining properties.

19-6.7 **Cul-de-Sacs.** Traditional cul-de-sacs are discouraged. Cul-de-sacs create large expanse of impervious cover and increase the amount of stormwater runoff. As such, street loops, “hammerhead” and/or cul-de-sac with planted centers meet the intent and purpose of Conservation Subdivision districts and shall be the preferred design option for non-connecting street ends. See also Figures 19.4 and 19.5 of Conservation Subdivisions that feature design solutions to the traditional cul-de-sac.

19-6.8 **Reverse Curves.** For roads serving less than 2,000 average daily traffic and where speed limits are controlled to prevent high-speed traffic, reverse curves (consecutive left and right curves without a straight segment separating them) are considered appropriate and may be encouraged, subject to the approval of the Director of Engineering.

19-6.9 **Single-Loading Streets.** “Single-loading streets” (i.e., having houses only on one side) are considered appropriate and encouraged, particularly around village greens or neighborhood commons.

19-6.10 **Curbs and Drainage.** Because curbs detract from rural character of conservation subdivisions, natural drainage systems are encouraged in lieu of curbs in conservation subdivisions located in rural areas. Existing natural drainage ways should be retained where possible. The Director of Engineering may require curbs when in his/her opinion curbs are considered essential to adequately handle storm drainage and allow for the placement of underground utilities.

19-6.11 **Street Trees.** Street tree plantings are encouraged, provided that they are located so as not to present a traffic safety hazard, as determined by the Director of Engineering.

19-6.12 **Sidewalks.** Concrete or asphalt sidewalks may detract from the character of rural conservation subdivisions. Safe access for pedestrians and bicyclists should be provided via a trail system in the open spaces and where needed along the improved or semi-improved shoulders of roads.

19-6.13 **Signage.** In cases where it is determined that signs identifying street entrances to conservation subdivisions are appropriate, the signage should be limited to one monument sign per entrance to the off-site road

with an area not to exceed eight (8) square feet, constructed of natural materials (i.e., wood or stone) with landscaping at the base of the monument. This provision is not intended to apply to traffic safety signs within public rights-of-ways; provided, however, that traffic safety signs should be constructed of materials compatible with the conservation subdivision as opposed to following standard County specifications, subject to approval of the Director of Engineering.

#### **ARTICLE VII, PROCEDURES:**

In addition to the application procedures for zoning approval, sketch plat approval, preliminary and final plat approval, as specified in Chapter 18 of this Code, conservation subdivisions shall comply with the following procedures.

19-7.1 **Pre-application Conference.** A pre-application conference with the department is required prior to the submission of a rezoning or sketch plat application, including those submitted as conceptual plans as part of a rezoning application. At the time of a pre-application conference, the department shall make available all relevant information about primary and secondary conservation areas, including soil survey, natural resource maps, and geographic information. The department may charge reasonable reproduction costs for this information. Ideally, the pre-application conference will be preceded by the submittal of a boundary survey of the property to be subdivided with sufficient time for the Department to collect applicable information.

19-7.2 **Existing Features and Site Analysis.** The applicant shall submit an analysis of existing features on the site, to at minimum include the following:

- (A) Significant wildlife habitats, if any. If information on habitats is not available, the wildlife potential of various soil types on the site shall be identified and examined.
- (B) Soils, including analysis of suitability for septic tanks, erosion potential, prime farmland, and identification of hydric soils.
- (C) Wetlands.
- (D) Floodplains. Areas of 100 year flood plain as identified on flood hazard boundary maps or flood insurance rate maps developed by the Federal Emergency Management Agency.
- (E) Steep mountain slopes and steep slopes, as defined by this Code.
- (F) Historic, archaeological, and cultural features. Applicant shall refer to the Forsyth County Historic Resources Survey and data from the State Archeologist (Historic Preservation Division of the Department of Natural Resources) when developing in areas of suspected cultural and/or historical resources.
- (G) Tree cover/woodlands.
- (H) Views into and out from the site, and any scenic qualities.
- (I) Aquifer recharge areas.

19-7.3 **Yield Plan.** Along with all other required documents and site plan submittals for rezoning and/or sketch plat applications, applicants shall submit a yield plan that demonstrates the number of lots that would be generated if the site were developed as a conventional subdivision.

#### **ARTICLE VIII, CRITERIA FOR APPROVAL:**

19-8.1 **Evaluation Criteria For Approval.** In addition to the criteria listed in Article V of Chapter 8, evaluation criteria for a rezoning approval or sketch plat for a conservation subdivision shall be based on the extent to which the plan meets the following criteria:

- (A) All primary conservation areas are protected as permanent open space.
- (B) A sufficient amount of secondary conservation areas are protected as permanent open space, as opposed to being devoted to lots and other uses including but not limited to sewage treatment facilities, and storm water management. "Sufficient" means that secondary areas meet requirements established within 19-3.2, but also meet the over-all intent of conservation design.
- (C) The configuration of the open space tract is contiguous and undivided.
- (D) The conservation subdivision meets the regulations specified in this Chapter.
- (E) The conservation subdivision meets applicable provisions of Chapter 18, subdivisions of this Code, to the extent they are interpreted by the Director to be applicable to a conservation subdivision.

19-8.2 **Grounds for Denial.** In addition to the criteria listed in Section 18-6.2 and Article V of Chapter 8 of this Code, approval or denial of a rezoning and/or sketch plat application for a conservation subdivision shall include but are not limited to the following:

- (A) The application fails to fully identify primary and secondary conservation areas, or the amount of the secondary conservation areas are determined to be insufficient.
- (B) The proposed method of sewage treatment is inappropriate for the site or found to be potentially dangerous to public health.
- (C) One or more of the lots within the conservation subdivision are too small to meet the minimum lot size established by this Chapter.
- (D) The street configuration does not provide for connectivity, or preserve natural features, or it is found to be inconsistent with the open space character of the subject property and its surroundings.
- (E) The proposed open space network is divided, not functional, inconsistent with open space plans of the County, or does not provide for the protection of the most valuable secondary conservation areas on the site given the natural and scenic properties inherent on the site, as substantiated by photographs or other documentation.
- (F) The proposed open space network fails to maximize the length of the common boundary between conservation areas on site and conservation areas or parkland abutting the conservation subdivision site.
- (G) The rezoning application and/or sketch plat appears to be submitted for the major purpose of circumventing improvement requirements that would otherwise be required for conventional subdivisions pursuant to Chapter 18 of this Code
- (H) The design fails to incorporate standards and guidelines established herein, thus failing to comply with the intention of Conservation Subdivisions, and/or the yield plan indicates that the application was submitted for the major purpose of increasing lot yield only.