

IX. CLUSTER DEVELOPMENT

A developer may carry out single family residential development within a parcel proposed for development by any design, configuration or location of dwelling units the developer may desire, provided that:

1. The development complies with all requirements of this Ordinance except as expressly modified under this section;
2. The total number of dwelling units developed within the parcel proposed for development does not exceed the total number of units allocated to such parcel under the relevant residential district regulations;
3. Each single family detached dwelling unit shall be located on and have allocated to it a lot with the minimum area of 3,000 square feet;
4. All land within the parcel proposed for development not allocated as a lot, or used for roads, access ways, bodies of water common recreation facilities, or service facilities shall be designated by the developer as "common open space: and
5. All common open space shall be either:
 - a. conveyed to a public body, if said body agrees to maintain the common open space;
 - b. Conveyed to a homeowners' association, subject to covenants and agreements providing for the perpetual maintenance of the common open space; or
 - c. Subject to covenants or agreements between the developer and purchasers or users of the residential dwelling units which provide for the perpetual maintenance of the common open space. Such covenants or agreements may provide for maintenance of the common open space for future development in the event of a future allocation of density for a sector of the City by a general amendment to this Ordinance; such covenants or agreements shall provide at a minimum that in the event of a future allocation of additional density under this section, the rights of purchasers or users of the initial residential dwelling units to use any remaining common space shall not be less than the rights of the purchasers or users of future dwelling units;
 - d. Any covenants and agreements required under this section shall be recorded in the public records of Franklin County, Florida.