



SECTION V: LAND USE PLANNING AND ACQUISITION

A. Philosophy and Guiding Principles

The city's park system has evolved over more than a century, with acquisition of park parcels gradually building a system known for its diversity, preservation of green space and recreation opportunities. This chapter outlines the philosophy and guiding principles as well as the methods used to acquire land.

Acquisition is a term that describes the various methods of bringing parcels of land under public control, including outright purchase, lease, easement, swap, or other methods. Many factors are considered when evaluating potential acquisitions, such as economic and health benefits provided by green space, consideration of when the city has enough parkland, what types of land would complement existing parks, when the loss of tax base might outweigh the benefits, and how much funding should be allocated as part of the city budget.

National standards exist, although there are wide variations in their application, for the ideal amount of park acreage per resident. The National Park and Recreation Association standard for park acreage is approximately 10 acres per 1,000 people. Ann Arbor's park system ratio is much higher, at over 18 acres per 1,000 people, but this is based on Ann Arbor residents placing parks as an important value for the community. Having a neighborhood park within one-quarter mile of every resident is a goal that is nearly achieved. This is considered a reasonable distance for pedestrian access, although there are myriad factors that influence that distance, including major streets that need to be crossed, other public open space, such as public schools with play areas, and amount of private green space available to residents.

In order to evaluate and prioritize how parkland is acquired, a series of criteria has been developed. These criteria are revisited according to the public input received during each PROS Plan update to reflect trends, current conditions, and park system needs.

B. History of Parkland Acquisition

Between 1988 and 2016, Ann Arbor parks and recreation acquired just over 389 acres. The land was valued at \$19,770,604, with just over \$15 million coming from acquisition millages. The

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remaining \$4.7 million was generated through grants, donations and other funding sources. The table below summarizes the parcels that were acquired during this period.

Use Group	Total Acres	% of Total Acres	Total Value	% of Total Value
Natural	296.03	75.89	\$16,306,011	82.48
Active	51.37	13.20	\$ 750,978	3.80
Neighborhood	13.08	3.44	\$ 1,329,224	6.72
Museum	0.15	<.01	\$ 75,622	.38
Linkage/Access	28.58	7.43	\$ 1,308,769	6.62
Total	389.21		\$19,770,604	

The chart below is a summary of land acquired since 1988.

Completed Land Acquisition Millage Purchases

Acquired Property	Acres	Total Costs	Planning Area	Use	Amount From Millage	FY
Krause (Dolph Addition)	0.98	\$24,105	West	Access	\$24,105	88-89
Kimberly-Colony (Molin Nature Area)	7.2	\$85,113	South	Natural Area	\$45,000	88-89
Bird Hills Addition	31.25	\$622,000	West	Natural Area	\$622,000	89-90
Redwood Park	0.54	\$32,734	Southeast	Neighborhood	\$32,734	89-90
Bird Hills Addition	4.3	\$86,839	West	Natural Area	\$86,839	89-90
North Main @ Beakes (WCHS)	0.15	\$75,622	Central	Museum	\$0	90-91
Katz (SEA Park)	25.69	\$313,600	Southeast	Active	\$156,800	91-92
Black Pond Woods	26.76	\$1,211,127	Northeast	Natural Area	\$336,127	91-92
Worden (Stone School Park)	5.06	\$148,528	South	Neighborhood	\$148,528	91-92
Westover Lots (Dolph Add.)	0.55	\$32,104	West	Linkage	\$32,104	91-92
Belize Addition	0.37	\$71,000	Central	Neighborhood	\$33,401	91-92
Sias A&B (DhuVarren Woods/Traver Ck)	20.03	\$646,200	Northeast	Natural Area	\$354,514	92-93
Gunn (Huron Parkway Nature Area)	18.68	\$941,000	Northeast	Natural Area	\$464,005	93-94
Hawkins (Bandemer Add.)	8	\$675,000	River	River Access	\$393,725	93-94
Bader	1.7	\$174,570	Northeast	Neighborhood	\$174,570	94-95
WCRC Pit (NE Area Park)	24	\$150,000	Northeast	Active	\$150,000	95-96
Verle (Brown Park)	10	\$216,000	South	Natural/Access	\$216,000	95-96
S. Main (Cranbrook Add.)	1.14	\$20,000	South	Natural/Neighbor.	\$20,000	95-96
Evergreens Lots (10 Lots)	1.65	\$80,254	West	Neighborhood	\$53,540	95-96
Beechwood Lots (Kuebler-Langford)	0.89	\$70,636	West	Linkage	\$36,304	96-97
St Thomas (Bluffs)	20.01	\$1,100,000	West	Natural/Neighbor.	\$363,000	96-97
SEA Park Additions *	1.68	\$287,378	Southeast	Active	\$81,103	98-99
Hearthstone III addition to Ponds Park	0.2	\$124,839	South	Neighborhood	\$124,839	98-99
Audubon Woods (Redbud Nature Area)	4.98	\$346,722	South	Natural	\$346,722	00-01
Scarlett-Mitchell Addition	25.07	\$1,111,253	Southeast	Natural	\$486,253	00-01
Bluffs Park Addition	17.77	\$1,507,037	West	Natural/Linkage	\$1,507,037	00-01
Huron Parkway ROW	13.11	\$26,924	Northeast	Linkage	\$26,924	01-02
Sunset Brooks	7.6	\$410,000	West	Natural/Linkage	\$410,000	03-04
Stapp (Traverwod)	8.1	\$550,000	Northeast	Natural/Linkage	\$550,000	03-04
Dolph Addition	18.2	\$1,274,000	West	Natural/Linkage	\$586,040	04-05
Brookside (4 lots)	0.96	\$151,084	South	Neighborhood	\$151,084	05-06
Evergreens Lot 108	0.2	\$39,300	West	Neighborhood	\$39,300	04-05

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Acquired Property	Acres	Total Costs	Planning Area	Use	Amount From Millage	FY
Evergreen Lot 118	0.2	\$57,247	West	Neighborhood	\$57,247	04-05
Evergreen Lot 120	0.2	\$49,668	West	Neighborhood	\$49,668	04-05
Onder	4.75	\$489,985	Northeast	Linkage	\$489,985	06-07
Andres (Evergreen addition)	0.5	\$158,435	West	Neighborhood	\$158,435	06-07
Girl Scouts (Hilltop Nature Area)	7.75	\$2,239,249	West	Natural Area	\$2,239,249	06-07
Zion Lutheran (Eberwhite Nature Area)	2.25	\$597,664	West	Natural Area	\$597,664	07-08
Narrow Gauge Way (Narrow Gauge Nature Area)	13.5	\$1,844,376	Northeast	Natural Area	\$1,844,376	07-08
Crary (Crary Park)	1.3	\$0	Northeast	Neighborhood	\$0	07-08
Botsford (Conservation Easement)	10	\$158,900	West / Scio	Natural Area	\$158,900	08-09
219 Chapin (West Park Addition)	0.2	\$277,506	West	Neighborhood	\$277,506	09-10
Linkner (Scheffler Park Addition)	0.3	\$0		Natural/Linkage	\$0	09-10
Elks (220 N. Sunset-Bluffs Addition)	0.58	\$376,969	West	Access / Natural	\$376,969	10-11
Wes Vivian (South Pond Addition)	2	\$599,656	Northeast	Access/Nature	\$599,656	10-11
Riverview Nursing (Bluffs Addition)	1.1	\$0	West	Natural Area	\$0	10-11
Bryant Community Center Add'n	0.3	\$76,262	Southeast		\$76,262	11-12
Braun Park	10	\$0	Northeast	Natural Area	\$0	12-13
C. Clare North (Hampstead Lane-Kuebler Addition)	0.91	\$118,944	West	Natural/ Linkage	\$118,944	12-13
1240 Orkney (Bluffs Addition)	0.35	\$120,774	West	Linkage	\$120,774	12-13
Brokaw	24	\$0	West/Twp	Natural	\$0	13-14
Stapp Nature Area (Mart in donation)	2.2	\$0	Northeast	Natural	\$0	13-14
Total	389.21	\$19,770,604			\$15,218,233	

C. Proposing Land for Acquisition

Potential parkland acquisitions are identified in various ways, with a process that has been developed through staff and public input. In each scenario, land owners submit applications, after which a team of staff reviews the merits of the parcel and scores them according to criteria that were developed by staff and PAC members. PAC is then provided the property information and the staff summary review and recommendations. If the land is seen as meeting the criteria developed to evaluate land for public benefit, PAC may recommend the purchase to City Council. Three ways in which land may be brought before PAC include the following:

1. Staff periodically researches land parcels to identify sites that meet particular objectives, such as floristic quality, connectivity, or balancing needs within the system. Staff may contact landowners to provide information to them regarding the city's program if they are interested in selling their land. This is a strictly voluntary process.
2. Property owners may nominate their land to be considered for purchase.
3. Occasionally, through the city development review process, land is identified as potential parkland. Land then may be acquired through developer contribution, purchase, or a combination of several methods.

Land transfers may be at no cost or may be for considerations other than cash. All land acquisitions must have both an independent real estate appraisal report to establish fair market value and an environmental assessment before land can be purchased per City Council resolution. The city often applies for grant funding to offset the purchase price, in which case there are generally additional review requirements. All purchases and acquisition of land rights require both the Land Acquisition Committee and City Council approval.

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D. Acquisition Criteria for Parkland Property within the City Limits

In 2014-2015, staff and PAC members met to develop a scoring system to rate proposed properties. The scoring system aligns closely with the process used to rank capital improvement projects, but the criteria are tailored to property acquisition. Properties score between 0-10, with discreet numbers assigned to each description. The following criteria and scoring are utilized for active park areas:

SCORING ACTIVE PARK AREA		Low ← → High			
1	Connectivity to a natural area, riparian area, park, other land with public access, existing trail system, wetland area, or a tributary of the Huron River ("defined areas")	0 Site does not provide connection to any of the defined areas	5 Site connects to one type of defined area	7 Site connects to 2 or more types of defined areas	10 Connects to one or more type of defined areas AND to the Huron River
2	Access to Subject Parcel	0 Site does not have adequate access	3 Site provides adequate street frontage (min. lot frontage or greater per underlying zoning)	5 Site provides adequate street frontage AND opportunities for barrier free access	7 Site provides adequate street frontage AND opportunities for barrier free access AND multiple points of access
3	Access to an Existing Park	0 Subject parcel DOES NOT increase access to an existing park		10 Subject parcel DOES increase access to an existing park	
4	Method of Acquisition	2 Full fair market value paid for property	5 Partial donation of property value OR cost share opportunity	8 Complete donation of property	10 Complete donation of property AND endowment/contribution by donor to cover post-acquisition costs
5	Capital Improvement Costs	2 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$100,000	4 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$50,000 but less than \$100,000	8 Capital improvement costs needed to provide adequate and safe public use/access will be between \$25,000 and \$50,000	10 Capital improvement costs needed to provide adequate and safe public use/access will be less than \$25,000
6	Operational Costs	0 No opportunity for cost sharing of operational costs or management of the site		1-10 Partnership opportunities for shared operational costs and management of the site with another City department, County, or a private organization Note: Sliding scale based on percent of cost shared where 10% =1; 20% =2, etc.	
7	Sustainability Framework Goals	0 Does not meet any Sustainability Framework goals	4 Meets 1 - 2 Sustainability Framework goals	7 Meets 3 - 4 Sustainability Framework goals	10 Meets more than 4 Sustainability Framework goals

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8	Site Suitability	<p>0</p> <p>Site DOES NOT meet any need identified in the PROS Plan or identified by the community</p>	<p>10</p> <p>Site meets at least 1 need identified in the PROS Plan or identified by the community</p>
9	Underserved Neighborhood	<p>0</p> <p>Site is NOT located in an area that is underserved for the intended use of the park as identified in the PROS plan</p>	<p>5</p> <p>Site is located in an area that is moderately served for the intended use of the park as identified in the PROS plan</p> <p>10</p> <p>Site is located in an area that is underserved for the intended use of the park as identified in the PROS plan</p>

1. Assessing the Quality of Natural Areas:

The City of Ann Arbor makes decisions such as whether to preserve undeveloped or "natural" parkland, and how to manage it, by assessing its environmental integrity and potential to support a well-functioning native ecosystem. The city also evaluates how each natural area compares with others in terms of ecological significance, including such measures as biological diversity, presence of rare or unusual species, presence of invasive exotic species, and other factors. Once a comprehensive natural area inventory has been completed, it becomes much easier to determine how significant any particular natural area is for the City of Ann Arbor, and how to best care for it. The city has developed a natural area assessment process based on a well-established scientific protocol for evaluating plant inventory data, called the Floristic Quality Assessment System, or FQAS, coupled with an evaluation of other natural features such as birds, butterflies, and amphibians, and other scientific information relating to the potential for ecosystem restoration and sustainability.

The plant inventory and assessment system used by the city is based on a system in use in the Chicago region since the late 1970s, which was developed at the Morton Arboretum in Lisle, Illinois, by Dr. Gerould Wilhelm and others. This system uses scientific and ecological principles, and is simple enough to be used by interested citizens yet thorough enough to realistically assess the floristic or botanical significance of an area. Wilhelm's assessment system from the Chicago region has been modified and used in other areas throughout the Midwest, including by the Natural Heritage Program of the Michigan Department of Natural Resources (*Michigan Floristic Quality Assessment*, Herman, et. al., 1996 and 2001). The city uses the Michigan FQAS for assessing the ecological quality of plant communities in the parks.

The FQAS is based on the principle that many plant species have evolved over time to be specifically adapted for the natural ecological conditions present in Michigan (including soil conditions, temperature, moisture, humidity, presence of fire, and faunal interactions, etc.). These species are considered to be native to Michigan, as confirmed by botanical records prior to extensive European settlement. Different plant species display varying degrees of fidelity to specific habitats and varying degrees of tolerance to disturbance. The FQAS assigns a "coefficient of conservatism" ("C") from 0-10 to each species in accordance with that species' tendency to be found in the types of natural communities that existed pre-European settlement. For example, white lady's-slipper orchid, which is a threatened species in Michigan and requires a very specific set of habitat conditions, has a C value = 10. But the more "weedy," yet still-native box elder

tree, which is extremely common and grows in a wide range of habitat conditions, has a C value = 0.

Natural areas with more plant species of higher C values tend to be far less disturbed by human activities than a site dominated by plant species with lower C values. These C values are part of the calculations used in the FQAS. To use the FQAS, we simply conduct an inventory of all plant species present in a natural area, and feed that information into a formula that takes into consideration the number of native plant species and their various C values. This generates a “Floristic Quality Index” (or FQI) which is a measure (or at least an estimate) of the ecological integrity of that site – how closely it approximates pre-European settlement conditions. The comparison of scores from a range of natural areas provides a tool for distinguishing between areas that have the right conditions to allow native species to flourish, and those areas that appear green, but have been highly disturbed and may never support a well-functioning “natural” ecosystem.

Many of the undeveloped areas within Ann Arbor have been assessed using the FQAS to identify which are of greater floristic significance than others and, thus, have a higher priority for protection or restoration. This information is valuable when considering future acquisitions of land for the park system. It is also useful for establishing various categories of natural areas, each with a different set of management practices. Natural Area Preservation (NAP) began compiling plant inventories of the park natural areas in 1994, for incorporation into city park natural area management plans. To date, they have catalogued over 1,100 species of plants in 125 city parks and other natural areas. FQI scores for natural areas in the city reveal both natural areas that are highly disturbed and those that closely resemble high quality pre-European settlement plant communities.

In addition to assessing vegetation, NAP has conducted wildlife surveys in many parks. Since 1995, data on the butterflies, breeding birds, reptiles, and amphibians that inhabit our natural areas have been compiled. Although there is no counterpart to the Floristic Quality Assessment for interpreting wildlife data, the information is useful in evaluating the wildlife value of each site, and in helping to establish a baseline of existing wildlife use in the parks. These inventories will continue into the future to help monitor the changes that occur in our natural areas.

For parkland acquisition, one goal for this inventory effort is to be able to rank and compare various natural areas based on their floristic quality, but also their value to wildlife and potential for restoration. The inventory data, including the FQI and the presence of rare species, are primarily used to evaluate the ecological quality of a site. Other important criteria that affect the ecological or recreational value of an area may include: whether the site has a wetland, serves as a wildlife corridor, provides a buffer around existing natural areas, acts as a preserve for landmark trees, or simply provides green space in an urban neighborhood. Factors that may negatively affect the value of an area may be its position relative to other highly disturbed or developed areas, such that it is landlocked or fragmented in a way that interferes with ecological function, or its past disturbance history.

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Consequently, when evaluating natural areas for acquisition, the “Underserved Neighborhood” criterion is eliminated, and the following three criteria are added:

1. Existing Plant Communities

If the Floristic Quality Index is less than 20, it receives a 2, if between 20 and 40, a 5, if between 40 and 60 an 8, and if greater than 60, a 10.

2. Coverage of Invasive Plants

If coverage of invasive plants is extensive (>75 percent), a score of 0 is assigned, if moderate (between 50-75 percent) a 5, between 25-50 percent, an 8, and less than 25 percent, a 10.

3. Rare Flora and Fauna

If the site contains no rare flora and fauna, a score of 0 is assigned, if the site contains flora and fauna classified as rare locally, a 7, and if classified by the state or federal government as an endangered or threatened species or as a species of special concern, a 10.

E. Property Acquisition Options for Parkland and Greenbelt Properties

There are many tools available to secure land for public park and open space use. The following are the most common. Any single acquisition may involve more than one of these methods.

1. **Outright Acquisition of Parcels**

In many cases, the city may opt to purchase property outright and maintain full ownership and rights of a piece of land. Bluffs Park is an example of an outright acquisition. (This criterion is for parkland acquired in the city only.)

2. **Bargain or Charitable Sale (Less Than Fair Market Sale)**

A landowner may choose to sell to the city at a price less than the full market value. Marshall Park is an example of land that was sold to the city for park use at less than market value.

3. **Outright Donation (Fee Simple Transfer)**

Outright donation involves the provision of public land at no cost to the city. The donor may receive tax benefits in the form of federal income tax deductions, potential estate tax benefits, and relief from property taxes. Many neighborhood parks in Ann Arbor were donated as a part of the development review and approval process. Crary Park and parts of Scheffler Park are examples of park donations by individuals.

4. **Donation by Will (Bequest)**

A gift of land made through a will entitles the donor to retain full use of the land during his or her lifetime. The donor is responsible for real estate and income taxes for the property during his or her lifetime. The Leslie Science Center site was bequeathed to the city in Leslie’s will.

5. **Installment Sale**

An installment sale allows an agency or organization to purchase property over a period

of years. The use of the land and the responsibility for payment of property taxes until the sale is complete are negotiable terms of the agreement. The seller benefits financially by spreading the income and the taxable gains over several years.

6. Purchase of Development Rights/Conservation Easement

Purchase of Development Rights (PDR) is primarily used to protect farmland and allows owners of farmland or open space to retain their land for agricultural or open space purposes while receiving payment equal to the difference between that land's value if sold for development and if sold for agriculture. This technique has frequently been used in Michigan and is a major tool in the preservation of agricultural land and open space around Ann Arbor.

Protecting land through easements or deed restrictions may not necessarily include public access or other public uses. The landowner retains title to the property, but retains certain development rights in the property. Easements typically restrict dumping, mining, paving, and development of residential houses, while allowing traditional agriculture or open space uses of the property. The restricted land can be sold, gifted, or bequeathed to the next generation of landowners, but the restriction remains with the land to the new owner. An example of this type of conservation easement is the Botsford Property, located just outside the city limits, and was acquired in partnership with Scio Township.

7. Life Estate

A life estate is where a property is purchased, but the seller retains the right to occupy the property (usually a residence) as long as he or she is living and able to occupy the property. The drawbacks include the limited use of the property and the unknown duration of the life estate. Responsibility for maintenance, insurance, taxes, and utilities are negotiated as a part of the agreement. A life estate agreement was a part of the purchase of the Leslie Science Center site, portions of the Ann Arbor Farmers Market site and South Pond Park.

8. Scenic Easement

A scenic easement is the acquisition by purchase, dedication, or other means of the right to an unhindered view at a particular location or over a certain area of land. This may include purchasing development rights restricting advertising signs or other obstacles at strategic locations to protect views. Scenic easements can be considered for floodplains along major rivers where the combination with flood protection reinforces their benefit to the public. Scenic easements may also be used to preserve aesthetic values of wetlands, promote recreation, preserve natural areas, and protect water quality. The Michigan Natural Rivers and Scenic Roads designations are examples where views are protected in a form of scenic easement.

F. Alternative Methods of Acquiring Property

1. Transfers of Property from Other Public Agencies

On occasion, public agencies will declare land they control to be excess and can offer it to

another agency at a bargain price if it remains in public use. In other cases, the agency may decide to sell their property on the open market.

2. Exchanges of Property with Other Agencies or Individuals

The city has use agreements with other agencies to utilize under used or excess land. Examples include Mary Beth Doyle and Olson parks, leased from the Water Resources Commission, and Forest Park, leased by the city to the Washtenaw County Park and Recreation Commission.

3. Multiple, Alternating, or Sequential Uses of City and/or Other Public Properties

Examples are playgrounds on subsurface water storage sites or on County Drain Commission lands, game courts on school parking lots, street closings and relocations (as in Wheeler Park and in Sugarbush Park at Lexington), and un-built street rights-of-way (as in Placid Way Park or Tuebingen Park).

4. Tax Foreclosures

Property where the owner has defaulted on taxes may become available; however, in the Ann Arbor market, tax sale parcels that would make desirable parks are rare.

G. Parcels Donated through Dedication for Parkland within the City

The City of Ann Arbor provides park and recreation resources to enhance the quality of life and its environment for its residents. In order to achieve this mission, numerous financial and administrative "tools" are employed. One of these tools is the identification of guidelines for parkland dedication designed to help provide new neighborhoods with sufficient recreation space close to home. Dedication does not necessarily meet all neighborhood parkland needs, however, the parkland guidelines aid in providing park spaces in an equitable manner by all developers of residential property.

During the city's review of residential development plans such as a final plat of a subdivision, a planned unit development, or a site condominium, each developer is asked to dedicate land for parks and recreation purposes to serve the immediate and future needs of the residents of the development in question. These donations are not mandatory in the absence of state-enabling legislation, but rather are a discretionary contribution by the petitioners.

The 1981 PROS Plan established a rationale for dedication of land in new residential developments based on the ratio of households in the city to acres of neighborhood-scale parkland. The ratio then was 4.9 acres of neighborhood parkland for every 408 households or 1,000 new residents or .012 acres of neighborhood park per household. This amount of new parkland was felt to be the minimum amount to maintain the existing level of service for neighborhood parks. With subsequent updates of the PROS Plan, the formula for neighborhood parkland was adjusted to reflect changes in demographic and land acquisition patterns. The current formula was updated based on 2010 Census data and an average of current land values.

In December 1985, City Council adopted an amendment to the Zoning Ordinance that allowed developers to donate land for parks and still receive the dwelling unit density that would be

allowed before the dedication in terms of gross lot area. This amendment effectively reduced the cost of parkland dedication to developers. Large-acreage developments could accommodate an on-site park and still achieve a density of dwelling units as though the park did not exist. The parkland is counted as part of the open space required by the Zoning Ordinance. The amendment has made negotiating for parkland much easier as a part of larger developments. Smaller developments of under 15 acres have less flexibility in site layout and often have difficulty providing an adequate park site while still building the maximum permitted number of dwelling units. There have been some instances where the dedication of land or cash in lieu of land has been inadequate, but generally the new developments are provided parkland through this process.

1. **Formula for Land Dedication through Development**

The process used to devise the goal for neighborhood park acreage was to inventory the neighborhood parkland that exists in Ann Arbor and project that ratio forward to new development. The rationale is that future residents should be as well served in their neighborhoods as current residents, and current residents should not bear the full cost of providing neighborhood parks for future residents.

The current formula is composed of the following variables:

- 18.47 acres of parkland exist per 1,000 residents (based upon 2,109.77 total park acres divided by a population of 113,934 from the 2010 US Census).
- 639 acres is considered neighborhood parkland.
- Divide 639 acres by 113,934 residents to equal 5.61 acres per 1000 residents.
- Based on a household size of 2.2 people per dwelling unit, 450 households generate 1,000 residents.
- Total neighborhood park acreage per 1,000 population, or 450 households, is 5.61.
- The current total acreage of neighborhood parkland per dwelling unit is .0125 (5.61 acres divided by 450 dwelling units).

Therefore, to maintain the existing amount of neighborhood parkland, .0125 acres of neighborhood park/dwelling unit is needed to keep pace with the existing amount of land available.

An example of how this calculation is applied based on a hypothetical development of 120 new dwelling units would look like this:

$$\mathbf{120\ dwelling\ units\ x\ .0125\ acres\ =\ 1.5\ acres}$$

of neighborhood parkland needed to maintain ratio

The parkland calculation for group quarters such as fraternities, sororities, cooperatives, and senior citizen housing may be calculated similarly: The total number of new beds will be divided by the 2.2 persons per household to figure an equivalent number of dwelling units. Day care centers and private schools may be asked to contribute cash in lieu of land if onsite facilities and open space are not sufficient for the recreational needs of the students. For affordable housing projects, the city would waive the request for a cash or land contribution. However, staff has requested that, for these projects, developers include recreational amenities as part of the site plan, such as a playground, picnic tables, and benches for resident use, but that they also be open to the public. Because each of these proposals is unique, they need to be evaluated case by case with

onsite facilities and special needs of the residents considered.

Proposed park dedication sites are conveyed to the city either by warranty or trustee's deed. The subdivider or developer is responsible for conveying good merchantable title to such sites, along with a complete legal description for the recording of said deed with the Washtenaw County Register of Deeds. The subdivider or developer is responsible for payment of all real estate taxes to the date of conveyance including any agricultural roll back taxes that might be extended or levied against such sites for any tax years or periods prior to the time of conveyance. The developer is also responsible for furnishing title insurance.

Contributions of land have included portions of Cranbrook Park, Foxfire North Park, Ponds Park and Newport Creek Nature Area.

2. Contributions in Lieu of Land - Justification for Land Cost

Land costs vary considerably. Whether they are located in the central business district or outlying neighborhoods, the suitability of the land for development, the proximity to utilities, and the quality of natural features play a role in the cost of land. In order to derive a fair land value for the purposes of cash contributions, the land costs from appraisals performed on land both in and outside of the city were averaged so that center city land cost would not unfairly raise the cost for all developers. The average over the past five years has been approximately \$12,000 per acre for greenbelt purchases, and for in-city parkland has been \$200,000 per acre. If combined, the average cost for parkland purchase is \$50,000. This number is used to calculate contributions in lieu of land. The formula then would be as follows using the example above:

$$\begin{aligned} &120 \text{ dwelling units} \times .0125 \text{ acres} = 1.5 \text{ acres} \\ &\text{of neighborhood park land needed to maintain ratio} \\ &1.5 \text{ acres} \times \$50,000/\text{acre} = \$75,000 \end{aligned}$$

Developer contributions have helped achieve some recent projects that would not have otherwise been possible, including recent improvements to the tennis court at Woodbury Park, and playground equipment at North Main Park.

3. Criteria for Requesting Dedication and a Cash Contribution

There will be situations in site plan subdivisions or planned unit developments (PUDs) when a combination of land dedication and a cash contribution in lieu of land are both desirable. These occasions will arise when:

- a. Only a portion of the land desired as parkland is proposed by the developer for a park. The balance can be made up through a cash contribution equal to the value of the additional amount of land that would have otherwise been dedicated.
- b. A major part of the local park or recreation site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions should be requested by dedication, and a cash contribution in lieu of the developer's remaining contribution should be requested.

The amount of land and cash contribution would be derived by applying the formula above to the land that is available for donation, with the balance being paid through a cash contribution.

4. Open Space, Parks and Development Contributions within the Urban Core

Parks and open spaces in downtown Ann Arbor are difficult to acquire because of high land cost and fewer available open spaces. Additionally, providing large open space areas in the downtown is not necessarily appropriate given that density is a goal of downtown planning efforts, as outlined in the City of Ann Arbor 2009 Downtown Plan. Traditionally, downtown parks have taken the shape of smaller plazas that serve employees and visitors and provide outdoor eating and resting spots. Streetscapes also serve as downtown passive recreational spaces, where both private and public entities provide sitting areas in the form of street furniture, planters, and café tables. For these reasons, the central area park acreage is lower than the rest of the planning areas of the city, and the formula for population/park acre should be adjusted to reflect differences in planning goals.

Several larger parks are located in or within walking distance to the downtown core, including Wheeler and West parks, which provides a neighborhood park within a one-quarter mile radius; one of the goals of the park planning for the city. The University of Michigan Diag is approximately 9 acres and is open to the public. This space is also located in the downtown core, and provides opportunities for unstructured games and passive recreation.

Development contributions have traditionally funded improvements to downtown parks such as Liberty Plaza and Sculpture Plaza. However, there are few existing parks to which contributions may be directed. Consequently, streetscape and plaza projects that will benefit both new and existing residents are being considered as an alternative way to provide passive recreational amenities for downtown residents and visitors.

The Downtown Development Authority has opted to participate in the development and execution of several park projects, including renovations to Liberty and Sculpture plazas and the Ann Arbor Farmers Market. They also participate in non-parkland developments, such as the Forest Street Plaza in the South University area, which would provide open space amenities for residents in the immediate vicinity. With more residential projects coming on line in the downtown, the ability to negotiate with developers for both park and non-park amenities will aid in determining what improvements would provide the greatest benefit to residents.

5. Credit for Private Open Space and Recreation Areas

When subdivisions or developers provide their own open space for recreation areas and facilities, it has the effect of reducing the demand for local public recreational services. Depending on the size of the development, a portion of the park and recreation area in subdivisions or planned unit developments may, at the option of the City Council, be provided in the form of "private" open space in lieu of dedicated "public" open space. The extent of the private recreation space to be credited should be based upon the needs of the projected residents and in conformance to the total park and recreation land for all citizens in the general area. Open space which may be required due to zoning setback and building separation regulations may not be "counted" as fulfilling parkland needs, but parkland dedicated to the city may be included in the required open space for a development.

In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and the installation of recreational facilities, including equipment, by the developer as part of the contribution. Detailed plans of such areas, including specifications of facilities to be installed, must be approved by the city; and before credit is given for private recreation areas, the subdivider or developer must guarantee that these private recreation areas will be permanently maintained for such use by the execution of the appropriate legal documents. An example of this type of agreement is a playground proposed for a subdivision on Pontiac Trail, in which a playground and landscaped open space is being constructed by the developer, but will be open to the public.

6. Dedicated Park Site Preparation

The city may ask that the parkland site be rough graded per plans prepared by parks and recreation. The city reserves the right to deny parkland gifts which are not satisfactory for development of active recreational facilities, based upon needs or facility deficiencies identified in the PROS Plan.

Where appropriate, sites are requested to be dedicated in a condition ready for full service of electrical, water, sewer, and streets (including enclosed drainage and curb and gutter) as applicable to the location of the site and its proposed use.

Design considerations for dedicated neighborhood parkland shall follow the criteria developed to assess any acquisition. Generally, the idea behind requesting the dedication of land is to provide neighborhood park opportunities for residents of the new development so that they are served to a comparable level as existing neighborhoods.

In 2014, staff developed a document summarizing the park contribution request for developers to access prior to site plan submittal. The document outlines the information in this chapter of the PROS Plan and provides examples (see chart below) of amenities that may be donated in lieu of a cash contribution.

Additional pedestrian walkways that would enhance the streetscape and make additional connections or fill in sidewalk gaps in the neighborhood of the development.
Additional trees and landscaping on public property, such as a park or plaza, or as part of a streetscape.
Streetscape improvements, such as benches, picnic tables, planters, waste receptacles, decorative pavers and pavement.
Public art, such as sculptures, murals, or other permanent art installations.
Enhancements to existing parks, such as playgrounds, game courts, pathways, landscaping, park furniture.
Creation of new downtown public parks and or open spaces, such as plazas, parklets and mews.
Contribution to a fund for park maintenance activities in the downtown, such as flower plantings, landscape maintenance, and irrigation systems.

SECTION V: Land Use Planning and Acquisition

Proposed amenities must be located within one-quarter mile of the development, or be located in a community-wide park in the region of the development. Examples could include parks such as Fuller Park, Buhr Park, Gallup Park or Veterans Memorial Park.

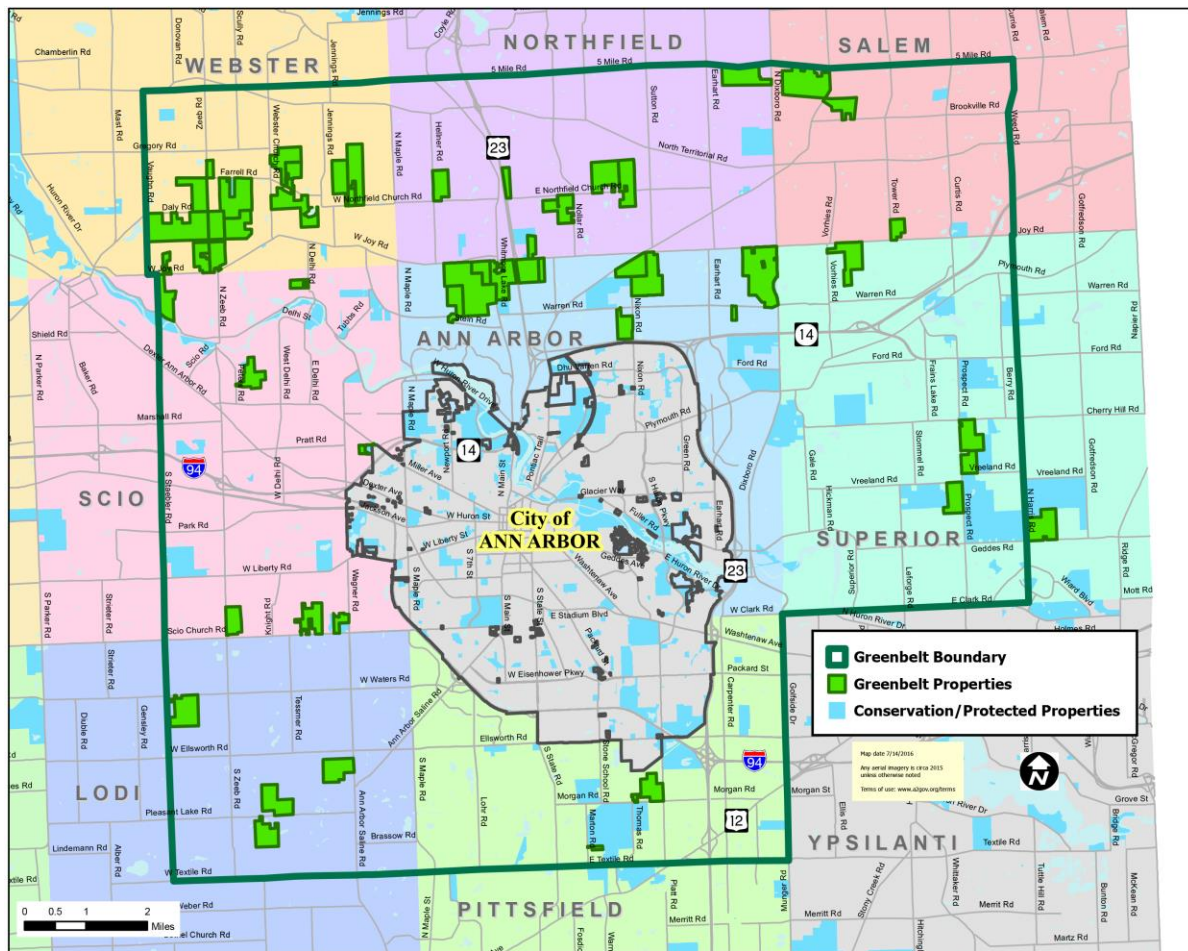
The developer is responsible to show how the proposed amenity is commensurate with the contribution requested, and must be over and above what is required by code. The parks and recreation services manager will make the final determination as to the donation equivalence.



H. Land Acquisition Outside of Ann Arbor City Limits: The Ann Arbor Greenbelt

In November 2003, residents of Ann Arbor approved a ballot proposal commonly known as the Parks and Greenbelt Millage. The purpose of this millage is to provide funds to preserve and protect open space, farmland, natural habitats, and the city's water sources inside and outside the city limits. In May 2004, the Ann Arbor City Council adopted Chapter 42, "Open Space and Parkland Preservation," of the Ann Arbor City Code, providing a framework for the purchase of conservation easements and fee simple properties within the Greenbelt District (see map below).

SECTION V: Land Use Planning and Acquisition



1. Acquisition Criteria for Greenbelt Properties

The Greenbelt Advisory Commission developed scoring criteria to rank the applications received. The scoring criterion focuses the selection of applications based on the following parameters:

- CHARACTERISTICS OF THE LAND: type of agricultural land or mature forests, parcel size, road frontage, wetlands and/or floodplain, groundwater recharge and natural features.
- CONTEXT: proximity to city limits and other protected land, adjacent zoning and land use, scenic and/or historical value, proximity to Huron River or tributary.
- ACQUISITION CONSIDERATIONS: matching funds, landowner contribution, recreation potential.

The Greenbelt’s priorities for land preservation are broken down into three major priority areas which are discussed in more detail below: 1) creating large blocks (1,000 acres or greater) of protected farmland; 2) protection of Huron River Watershed; and 3) leveraging city dollars through grants and partnerships.

SECTION V: Land Use Planning and Acquisition

FARMLAND PRESERVATION: Agricultural land traditionally has been the most threatened land by development within the Greenbelt District. This has been due not only to the sale of individual parcels for development, but also by a need for large blocks of land to sustain agricultural production. In addition, recognizing that the Greenbelt's mission and direction is solely the protection of land, the Greenbelt has identified the protection of farms that are producing foods for local markets as a priority.

HURON RIVER WATERSHED: The protection of the Huron River is another top priority for the Greenbelt Program. The Huron River is an important recreational and natural resource in the Ann Arbor area. Over the last decade, the city has focused on protection of the land along the Huron River within the city limits. The Huron River is also part of a larger effort with Washtenaw County Parks and Recreation to establish a Border-to-Border trail through the county.

PARTNERSHIPS: The Greenbelt Advisory Commission acknowledges that Washtenaw County programs and some townships within the Greenbelt that have passed millages or dedicated funds to land preservation will play a critical role in maximizing the Greenbelt impact on the land preservation. The Greenbelt Advisory Commission recognizes that these partnerships are also key to providing management for lands outside the city limits and to continuing the goal of developing a regional park, open space, and farmland system throughout Washtenaw County.

The City of Ann Arbor's Greenbelt program is a charter member of "Preserve Washtenaw," a consortium of Washtenaw County's programs focused on land preservation. Preserve Washtenaw includes all private (land conservancies) and public agencies actively protecting land in the county, through purchase (or donation) of conservation easements, or through the outright purchase of land. Active participation in Preserve Washtenaw meetings will be a key vehicle for identification of partnership opportunities to implement the objectives of the Greenbelt.

I. Charter Amendment Concerning Sale of City Parkland

The sale of parkland continues to be an important topic for the community. In August of 2008, City Council passed a resolution placing an amendment of the City Charter on the November election ballot. The ballot language asked "shall section 14.3(b) of the Ann Arbor City Charter be amended to require voter approval for the sale of any land within the city purchased, acquired or used for park land, while retaining the Section's current requirement for voter approval of the sale of any park land in the City of Ann Arbor Master Plan at the time of the proposed sale?" The City Charter amendment passed in November 2008, and section 14.3(b) now reads, "The city shall not sell without the approval, by a majority vote of the electors of the city voting on the question at a regular or special election, any city park, or land in the city acquired for park, cemetery, or any part thereof."

This charter amendment provides significant protection for parkland. Not only would parkland require a majority vote in order to be sold, but a public process would need to take place prior to any parkland being placed on an election ballot, including a Park Advisory public hearing and recommendation, a Planning Commission public hearing and action, and a City Council public hearing and majority vote.

SECTION V: Land Use Planning and Acquisition

The community has also had conversations regarding the zoning of park land and has questioned if parks should have a unique zoning designation. The current zoning of “PL” (public land) allows for multiple public uses not necessarily associated with parks, such as transportation and airports. The question of zoning is primarily in response to community concerns over the appropriate use of park land.