

# POLICY ON DISPOSITION OF URBAN PARKLAND AND OPEN SPACE

It is the policy of City Parks Alliance that every effort should be made to protect, preserve, and enhance urban parks, recreation areas, and open space in every community and to ensure no net loss of such resources.

City parks and open space play a vital role in the social, economic, and environmental well-being of America's cities and the health of their residents. They provide access to recreational opportunities, increase property values, spur local economy, combat crime, and provide protection from environmental impacts, which is even more critical given the increasing impact of climate change.

As urban density increases, there is more and more pressure on cities to utilize parkland and open space for other purposes. Some of the pressure comes from private developers, but much of it arises from the need for communities to address legitimate social issues and provide adequate public facilities for affordable housing, public schools, and other worthwhile public purposes. It is exactly at times like these that public parks and open space must be held sacrosanct, for once any part of a public park, recreational area or open space is converted to another use, citizens are permanently deprived of the benefits previously afforded by the lost resource.

To that end, City Parks Alliance believes that there should be no disposition of any such resource or interest therein for any reason except in extraordinary circumstances, in which all of the following conditions are met:

- 1. All Options Explored:** All other options to disposition have been explored, and no feasible and substantially equivalent alternatives exist within the municipality (monetary considerations notwithstanding).
- 2. Unique and or Significant Resources Preserved:** The disposition of the subject parcel and its proposed use do not destroy or threaten a unique or significant resource, (e.g., significant habitat, rare or unusual terrain, or an area of significant public recreation or cultural heritage).
- 3. Substitute Property of Equal or Greater Market Value:** As part of the disposition, real estate of equal or greater fair market value or value in terms of the proposed use and accessibility, whichever is greater, and significantly greater resource value is conveyed to the municipality for park purposes so that the rights of the public to continued enjoyment of such resources are protected and enhanced.
- 4. Only the Minimum Area Necessary:** Only the minimum acreage necessary for the proposed use is approved for disposition and, to the maximum extent possible, the unique or significant features of the parcel proposed for disposition continue to be protected. To that end, the proposed use and design of any structures and alteration of land features that will form a part of the proposed use should be the subject of substantial public review to ensure that the key features of the remaining parkland are protected and the impact of new structures and use on that parkland, including access and egress, circulation, shadows, view sheds, maintenance, etc., are fully understood and any negative impacts, avoided or minimized.
- 5. Serves Public Purpose:** The disposition serves another public purpose.
- 6. Broad Demonstrated Support:** The disposition has received the following approvals and authorizations: (a) unanimous vote of the local conservation commission or other environmental agency that the land is surplus to the community's current and future conservation and open space needs, (b) unanimous approval of the local park commission, (c) super majority approval of both the local town meeting, city council, or other legislative body, and (d) super majority approval of the state legislature.
- 7. Faithful to Initial Intent:** The disposition is not contrary to the express wishes of any person(s) who donated or sold the parcel or interests therein to the municipality.