

**RESOLUTION OF THE TOWN COUNCIL TO ADOPT
OPEN SPACE ACQUISITION GOALS, CRITERIA AND PROCEDURES**

WHEREAS, the Town of Chevy Chase values its parks and green spaces; and

WHEREAS, our parks and green spaces offer a buffer from nearby urban development and promote an overall healthier, more balanced environment for our Town and the community at large; and

WHEREAS, many Town residents have expressed support for expanding public parks and open space within the Town borders,

WHEREAS, in order to provide the Council with a more systematic decision-making process for considering land acquisition, the Town Council created the Parks and Playgrounds Commission Special Committee in September 2012. This special committee was charged with identifying characteristics for varying types of parks and green spaces and recommending criteria for evaluating potential parcels in the future.

WHEREAS, in February 2013, the Committee completed its study, which concludes that acquisition of land for additional parks and green spaces, while a challenge, is important to the future health and well being of the Town and its residents; and

WHEREAS, the Committee report is intended to help the Town Council in its planning, deliberations and decision-making regarding land acquisition opportunities; and

WHEREAS, the Committee recommends Council-adopted goals, criteria and procedures for open space acquisition;

NOW, THEREFORE, BE IT RESOLVED by the Town Council, this 9th day of October, 2013, that Town adopt the following open space acquisition goals, criteria and procedures.

Open Space Acquisition Goals

- To provide opportunity for new park or other green space activity for Town residents
- To protect, preserve or restore wetland, wildlife or plant/tree habitats
- To provide a green buffer area from nearby development
- To protect areas potentially threatened or compromised by development pressures
- To expand an existing open space, park or greenway for Town residents

Open Space Acquisition Criteria

- Accessibility of the site: The land, once developed into a park, is accessible to or otherwise visible by Town residents.

- Availability of the site: The owner is interested in selling the property to the Town or otherwise willing to encumber the property for future Town acquisition.
- Compatibility of the site: The site is suitable for the intended development and/or long-term recreational park use of the land.
- Compatibility with other Town goals: The planned use of the site enhances and/or complements other Town goals.
- Cost of the site: The estimated costs to acquire and develop the land, including site preparation, demolition, improvements and on-going maintenance, do not place an undue burden on the Town's financial or staff resources.
- Environmental importance of the site: The site contains natural resources important to the Town's character.
- Multi-Uses: The site can successfully accommodate more than one passive or active recreational use or support multiple Town goals.
- Vulnerability of the site: The site is threatened or potentially threatened with adverse development that would result in the loss of important natural resources and opportunities for additional parkland.

Open Space Acquisition Procedures

The Town of Chevy Chase will seek to acquire open space according to the following procedures.

A. Identification of Property and Determination of Eligibility

- Land for potential acquisition may be identified either by the Town approaching a landowner to purchase or request donation of a parcel of land, or by a landowner approaching the Town to sell or donate a parcel of land.
- Town determines whether acquiring the parcel of land would meet the Town's green space and park acquisition goals and criteria, as articulated in the associated resolution and in the final report of the Parks and Playgrounds Commission Special Committee on Future Green Spaces and Parks.

B. Consideration of Acquisition by the Town Council

- Town staff prepares a report to the Town Council that includes:
 - general information on the property (location, ownership, sales price (if applicable), etc.)
 - features of the property
 - how the property meets the Town's green space and park acquisition goals and criteria.

- Council determines whether to proceed with acquiring the property.

C. Contingent Contract Execution

- If a parcel of land is to be purchased by the Town, the Town Council will determine an initial offer price and the Town will attempt to execute a contingent contract with the property owner. The contract will be contingent on an appraisal and a Council vote to approve the acquisition following a public hearing.
- If a parcel of land is to be donated to the Town, the Town will attempt to execute a contingent contract with the property owner. The contract will be contingent on a Council vote to approve the acquisition following a public hearing.

D. Appraisal & Negotiation

The following procedures will apply only if a parcel of land is to be purchased by the Town:

- If a contract is executed, the Town will acquire two (2) appraisals and inform the Council of the results.
- Based on the appraisal results, the Council will decide whether to negotiate a new price.
- Negotiations will continue until a mutually agreeable sales price is reached or until discontinued by either party.

E. Public Hearing and Council Decision

- Upon execution of the contract, the Town Council will schedule a public hearing to allow residents to comment upon the proposed acquisition.
- If the Town Council finds that the acquisition is in the public interest, the contingency will be deemed satisfied, and settlement will be scheduled.
- In the event, following the public hearing, the Town Council finds that the acquisition is not in the public interest, it will notify the seller and the contract will be deemed "null and void."

F. Settlement

- Unless otherwise specified in the contract, settlement will take place no later than sixty (60) days from the Council's decision to acquire the property.

G. Funding the Acquisition

- If a parcel of land is to be purchased by the Town, funds would come from the Town's general fund, and/or other available public funding sources, and would be approved by the Town Council by means of a supplemental appropriation.

I hereby certify that this is a true and correct copy of a Resolution passed by the Town Council at its meeting on October 9, 2013 and that it is effective as of the date of its adoption.

TOWN OF CHEVY CHASE

By Albert Lang
Albert Lang, Secretary