

City of Milton Conservation Plan

September 22, 2014

Prof. Tom Daniels



Conservation Green Print Project

- ▶ 1. Identify the open space, parks, trails, floodplains, and farmlands that exist.
- ▶ 2. Connectivity of green space is important to recreation, wildlife, water quality.
- ▶ 3. Identify progress to achieve land protection goals and objectives in city plans.
- ▶ 4. Suggest other land preservation tools.

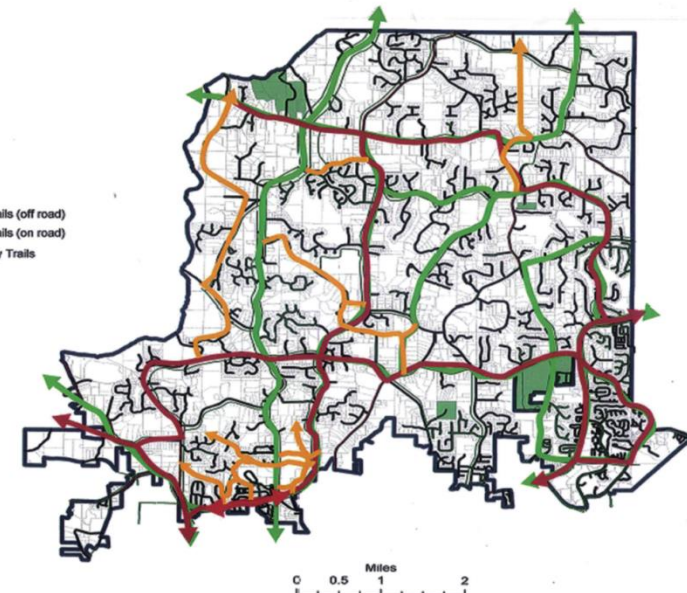
Legend

- Type 1 - Urban Trails
- Type 2 - Paved Multi-Use Trails (off road)
- Type 3 - Share the Road Trails (on road)
- Type 4 - Unpaved Greenway Trails



MA

Moreland/Hobbell/Associates, Inc.



Milton Snapshot

- ▶ 1. Population 35,000
- ▶ 2. Size 38 square miles (25,000 acres)
- ▶ 3. Median household income: \$116,890
- ▶ 4. Named Highest Quality of Life in Georgia, 2011
- ▶ 5. Rural character
- ▶ 6. Parks and trails
- ▶ 7. Projected population 51,900 in 2030
- ▶ 8. How to accommodate growth while maintaining open space, environmental quality, outdoor recreation, and high quality of life

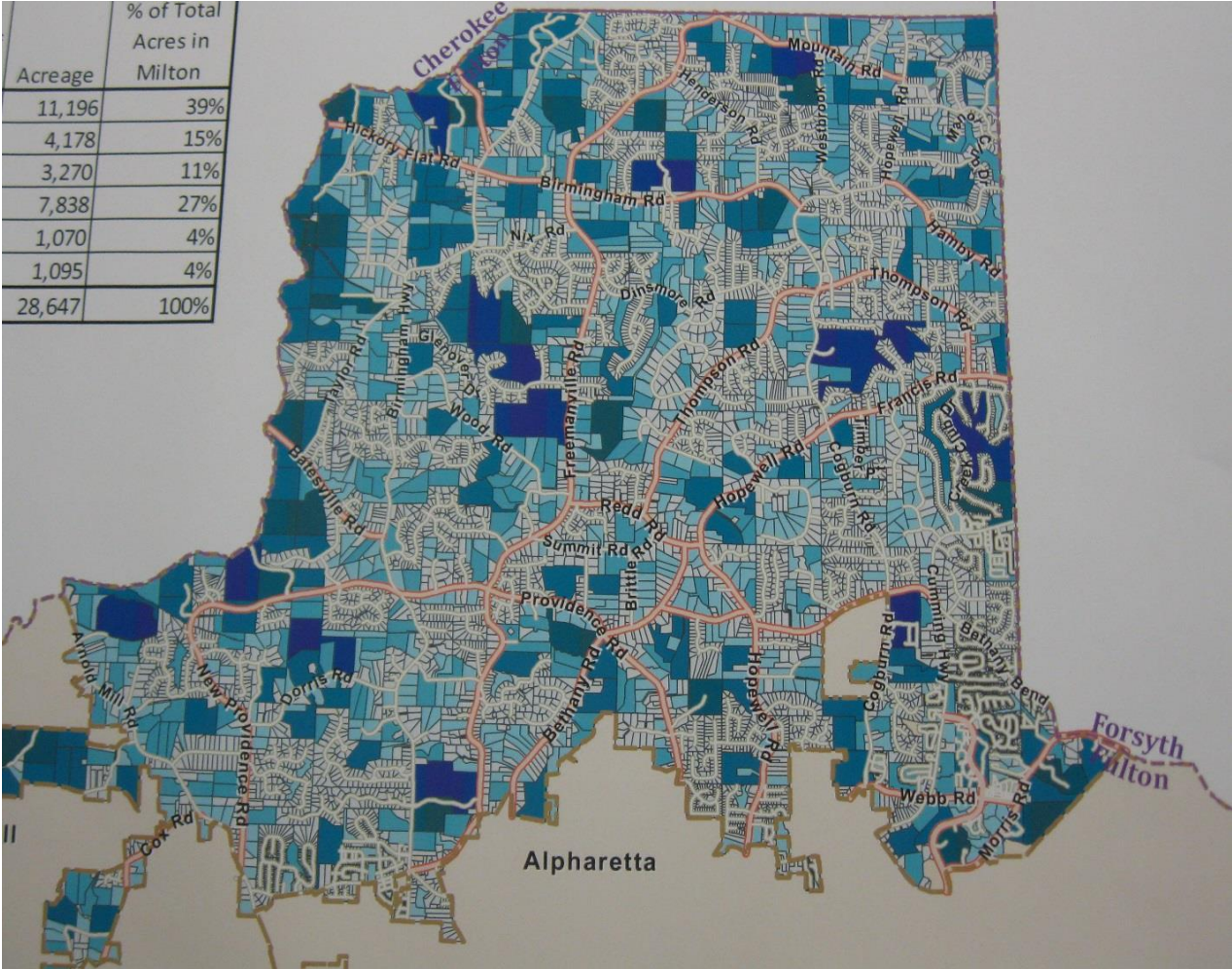
Table 1. Single Family Residential Building Permits, City of Milton, 2007-2014. Source: U.S. Census Bureau.

Year	Number of Permits
2014 (Through July)	220
2013	309
2012	328
2011	105
2010	68
2009	43
2008	175
2007	87

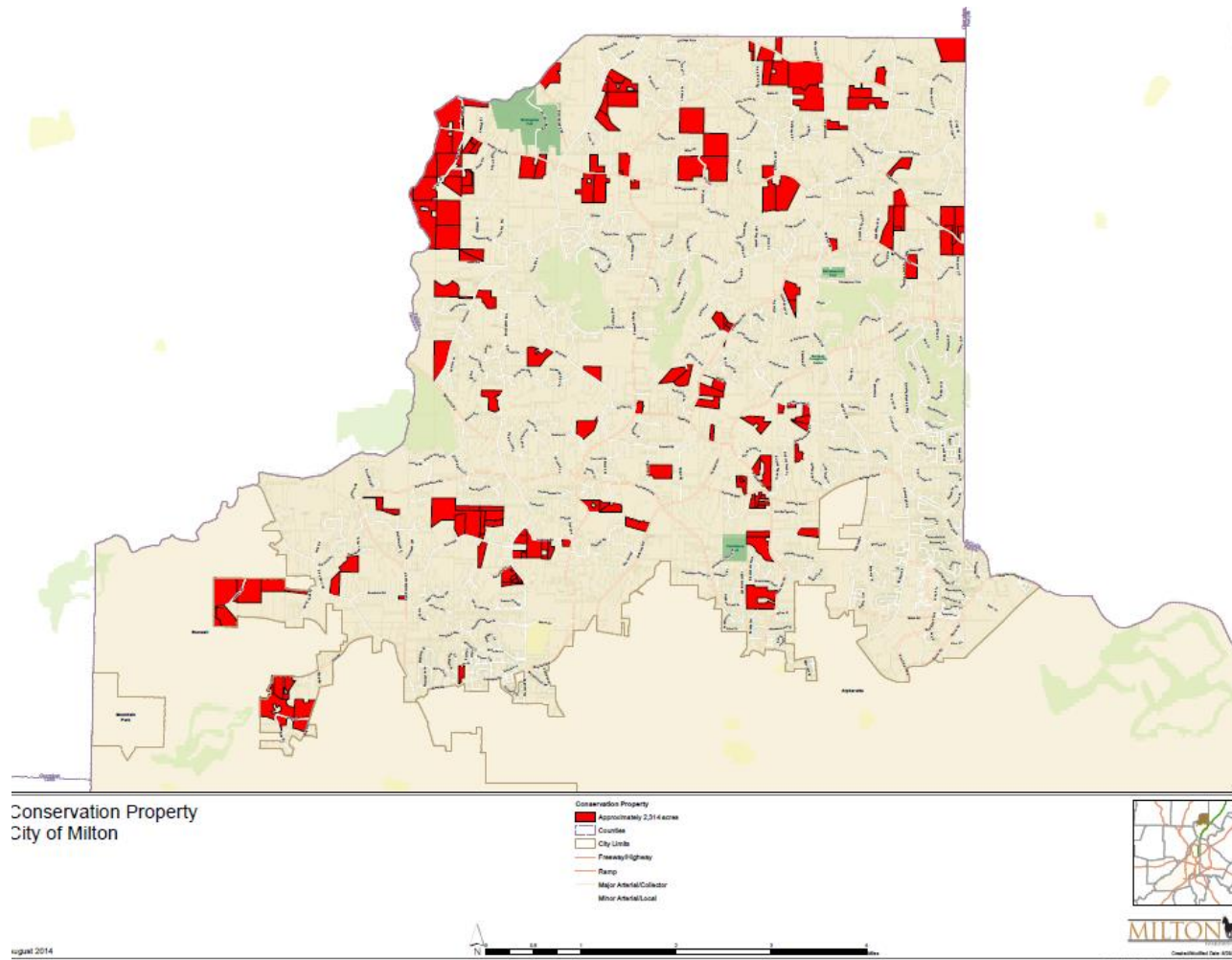
**Landownership by Parcel Size, City of Milton,
2014. Source: City of Milton, IT Department,
2014.**

Acreage Range	Number of Parcels	Acreage	% of Total Acres in Milton
0-5	11,223	11,196	39%
5-10	610	4,178	15%
10-20	237	3,270	11%
20-40	347	7,838	27%
40-60	24	1,070	4%
60+	13	1,095	4%
TOTAL	12,454	28,647	100%

Map of Landownership by Parcel Size, City of Milton, 2014. Source: City of Milton IT Department, 2014



Properties (in red) enrolled in the Current Use Valuation program in the City of Milton, 2014. Total: 2,314 acres.



Land Preservation Options

- ▶ Conservation Easements
- ▶ Transfer of Development Rights
- ▶ Limited Development
- ▶ Conservation Subdivision
- ▶ Fee simple acquisition
- ▶ Bonds, general fund, grants, partnerships, impact fee

Private land preservation		
Technique	Estimated Preserved Acres Over 16 Years	Land Cost to City and/or Land Trust
Transfer of Development Rights	500	\$0
Conservation Subdivisions	1,000	\$0
Purchase of Conservation Easements	2,500	Up to \$25 million
TOTAL	4,000	Up to \$25 million

Light Lavender = AG 1

Yellow = Low Density Residential

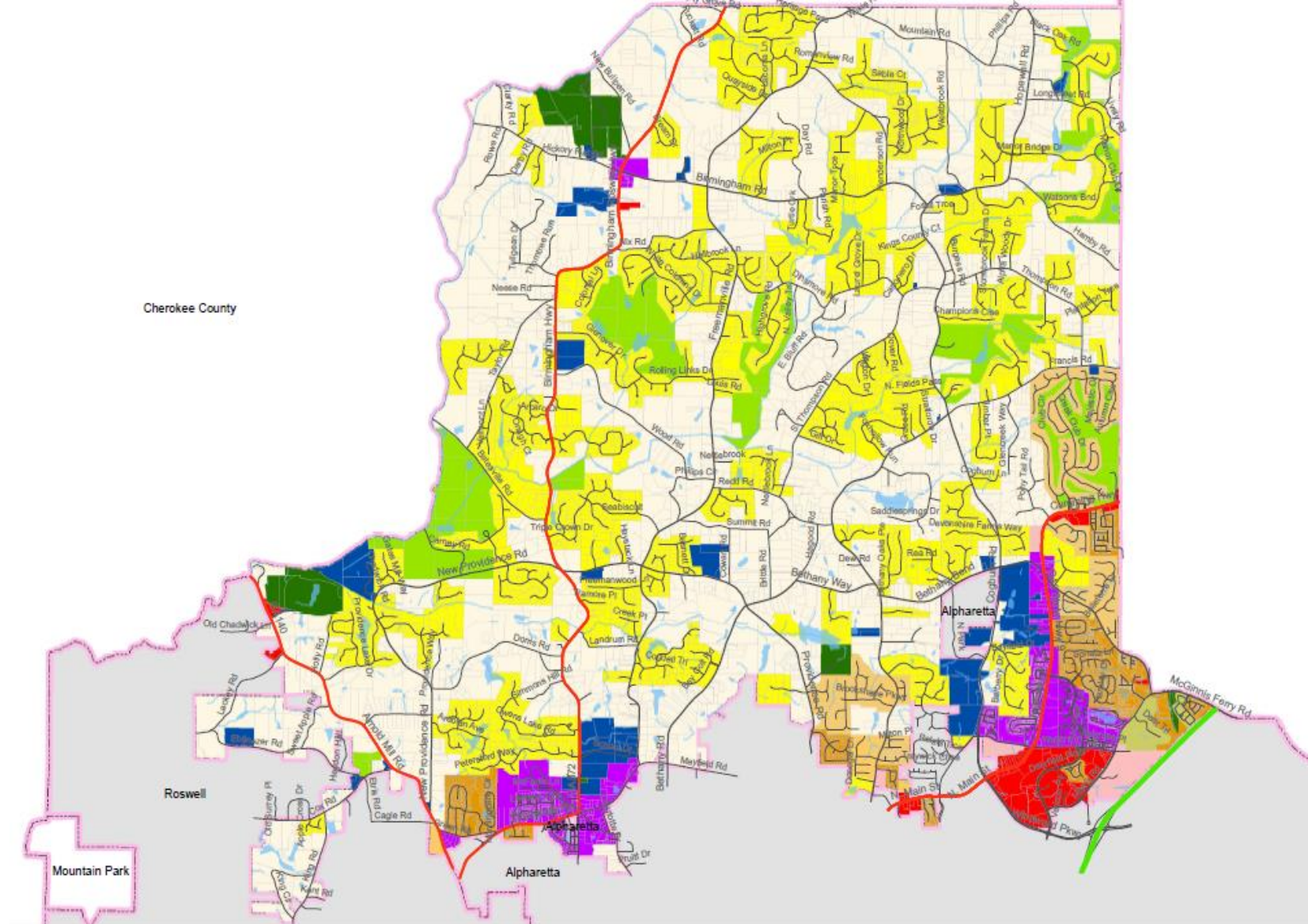
Light Green = Private Recreation

Dark Green = Parks, Recreation, and Conservation (public land) Purple = Mixed Use/Living Working

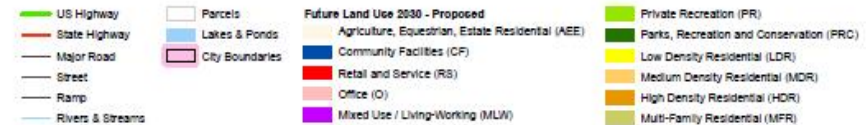
Dark Blue = Community Facilities
Red = Retail and Service

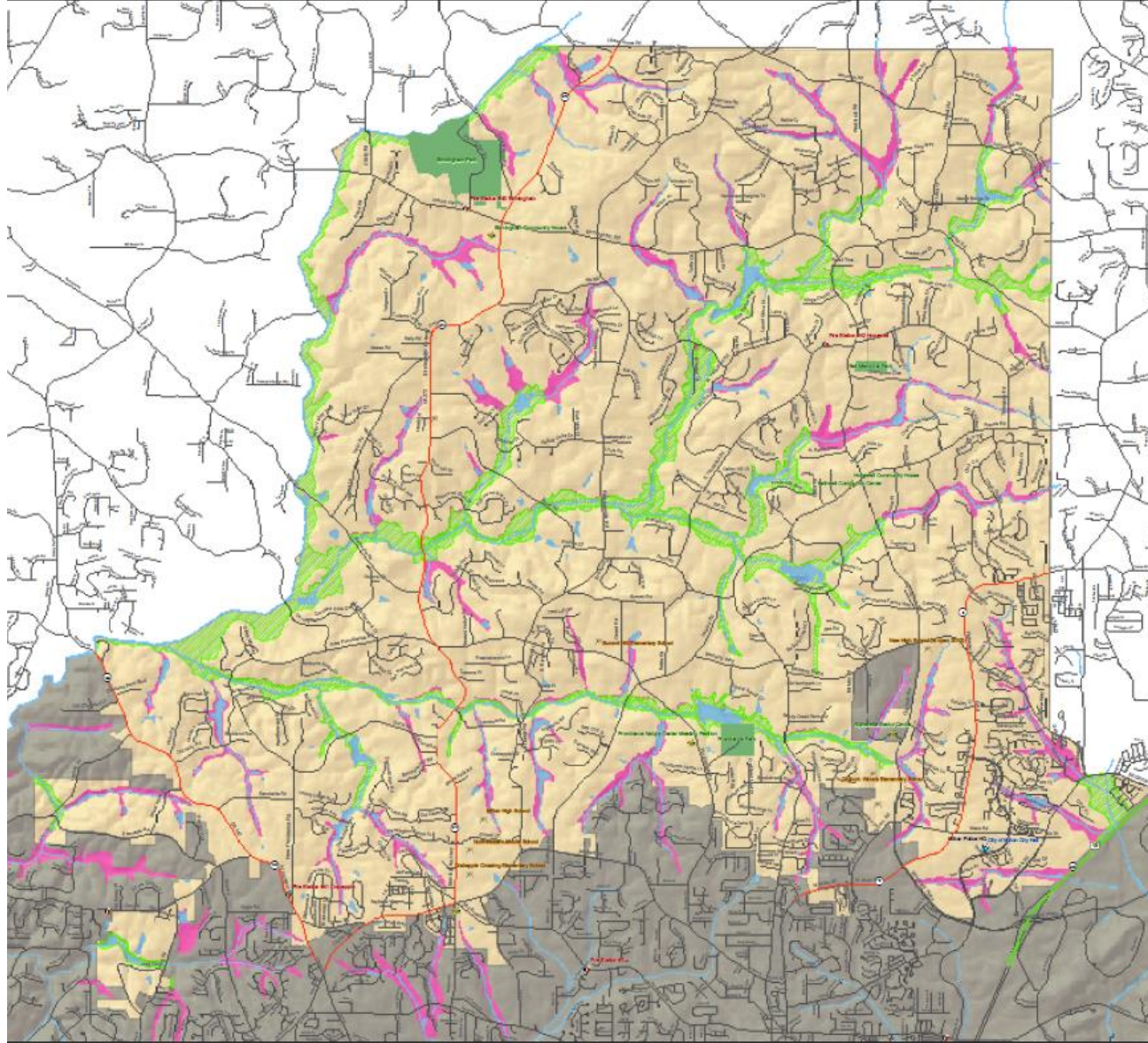
Light Tan = Medium Density Residential

Dark Tan = High Density Residential



Future Land Use Map of Milton





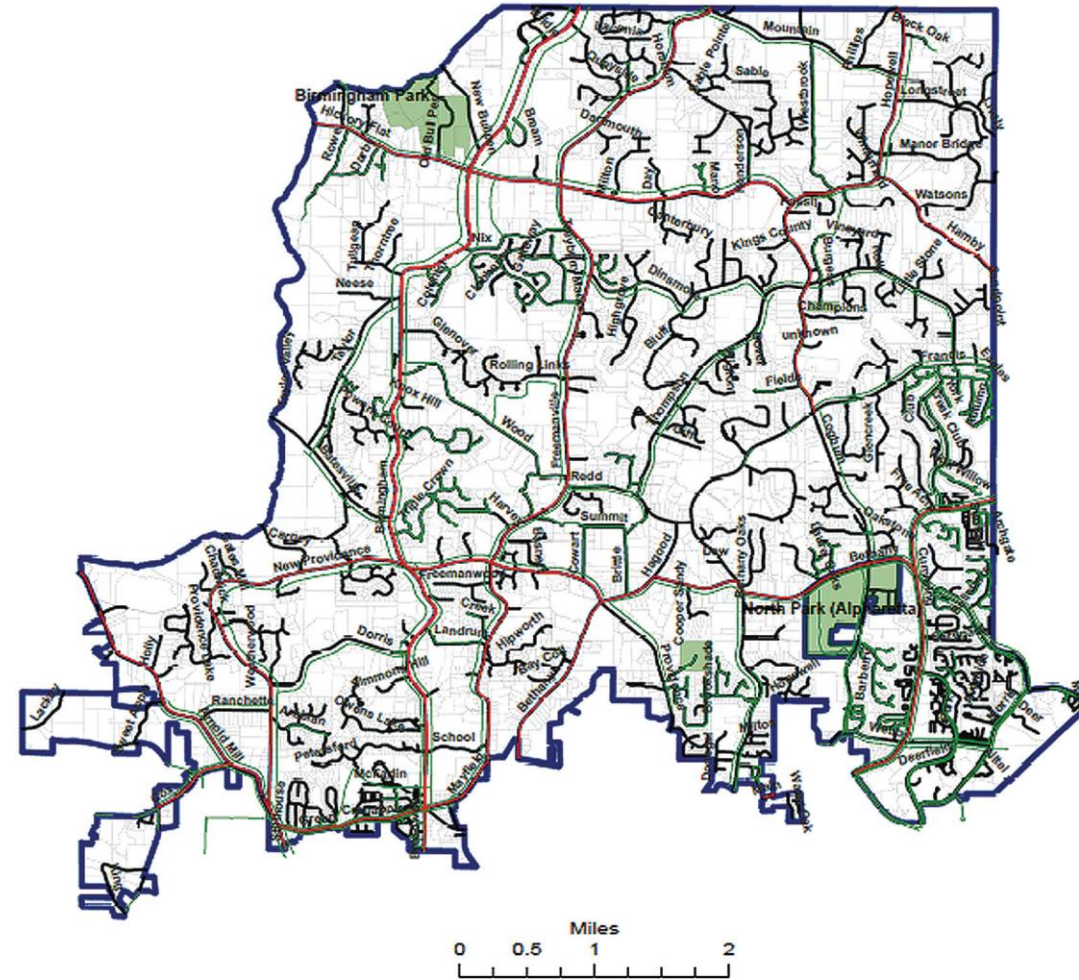
Floodplain Areas

- | | | |
|----------------|------------------|------------------------|
| City Hall | US Highway | Paris |
| Fire Station | State Highway | Lakes & Ponds |
| Parks and Rec | Major Road | 100yr Floodplain |
| Police Station | Street | 500yr Floodplain |
| Public School | Ramp | Milton City Limits |
| | Rivers & Streams | Fulton County Boundary |



Current Trail Network

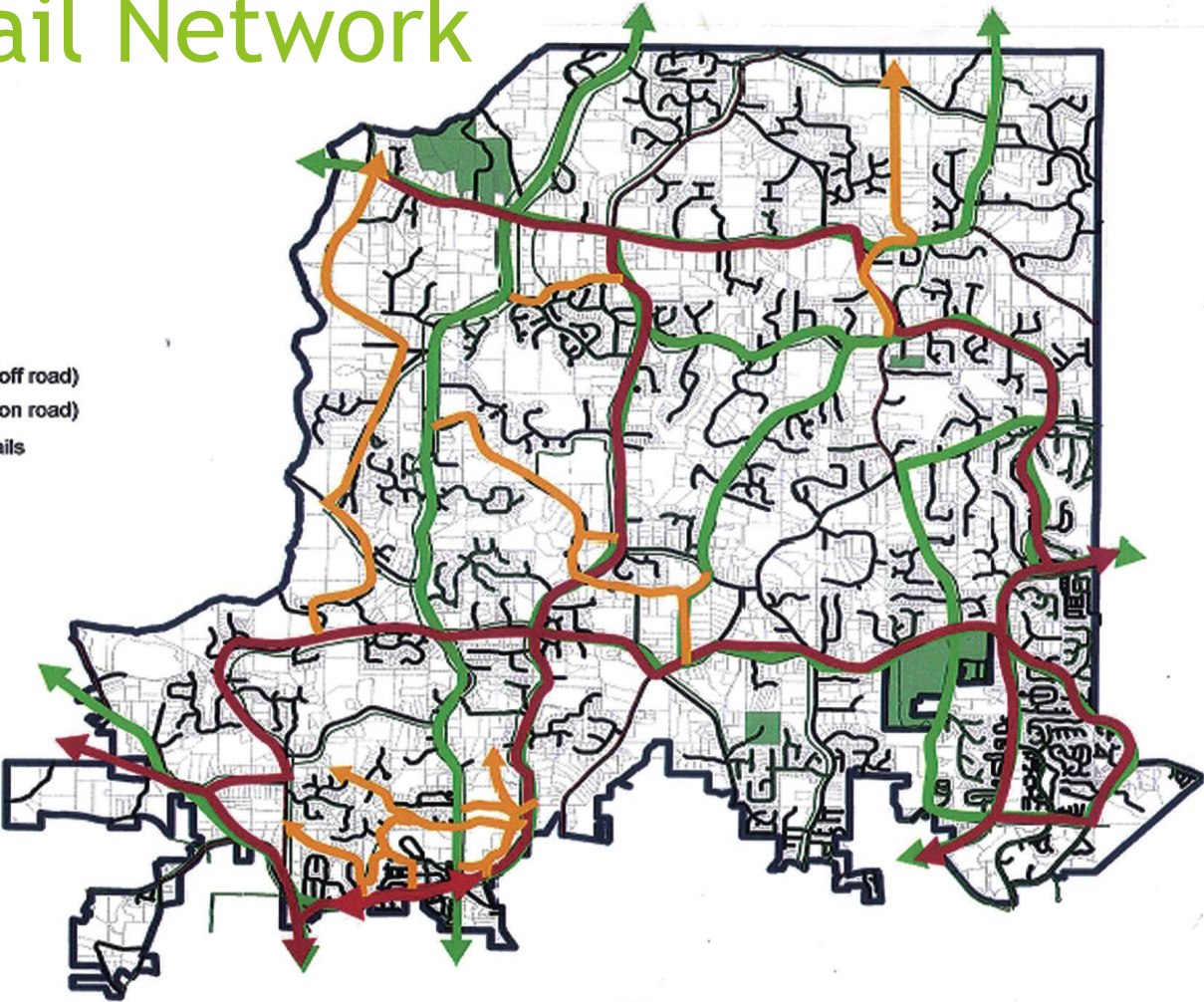
- Legend**
- Bicycle Trails
 - Multi-Use Trails
 - Road Networks
 - Study Area Boundary



Proposed Trail Network

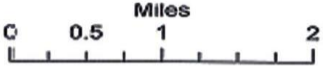
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- Type 4 - Unpaved Greenway Trails



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Public Land Preservation		
Technique	Estimated Preserved Acres Over 16 Years	Land Cost to City and/or Land Trust
Donated Land and Conservation Easements for Trails	150	\$0
Land Purchases for Trails and Parks	100	Up to \$15 million
TOTAL	250	Up to \$15 million

Recommendations

- ▶ 1. The City Council should appoint a Land Preservation Advisory Committee to assist in educating landowners and the public about land preservation options. The Advisory Committee could also help to identify land to preserve and assist the City in exploring financing options.
- ▶ 2. The City, with input from the Advisory Committee and the general public, should determine a goal of how many acres of privately-held land and public land to preserve over the next 16 years. The City should identify priority lands for preservation along with funding options.
- ▶ 3. With more than 4,000 acres potentially to be developed in Milton over the next 16 years, the City should try to match this by preserving roughly an equal number of acres of public and private land: 4,000 acres of private land and 250 acres of public land.

Recommendations

- ▶ 4. The City should work with a qualified land trust to preserve privately-owned lands through the purchase and donation of conservation easements.
- ▶ 5. The City should continue to implement the TDR program.
- ▶ 6. The City should continue to study the use of conservation subdivisions as an option for landowners and developers.

Recommendations

- ▶ **7. The City should explore long-term financing options for land preservation, such as local option sales tax revenues and the sale of bonds. In addition, the City should explore outside funding sources such as state and federal programs and national conservation organizations.**
- ▶ **8. The City staff should evaluate the use of floodplains for additions to the City trail system to help connect preserved lands, including parks and public schools.**
- ▶ **9. The City's trail system needs to be better marketed to residents.**
- ▶ **10. The City will need to expand its parkland over the next 16 years to keep pace with the expected population growth. This includes both active and passive recreation areas.**
- ▶ **11. The City should adopt a Park and Recreation impact fee to help pay for future park and trail acquisitions.**

City of Milton Conservation Plan



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Acknowledgments

I would like to thank the following people and organizations for meeting with me and sharing their thoughts and ideas about the City of Milton.

Mayor Joe Lockwood

Councilman Bert Hewitt

Councilman Matt Kuntz

Councilman Bill Lusk

Councilman Joe Longoria

Councilman Rick Mohrig

Councilwoman Karen Thurman

Milton City Manager Chris Lagerbloom

Director of Community Development Kathleen Field

Senior Planner Robyn Macdonald

City Arborist Mark Law

Director of Parks/Recreation Jim Cregge

Transportation Director Carter Lucas

Conservation Consultant/Attorney Laurel Florio

Preserve Rural Milton

Milton Grows Green

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Executive Summary

The City of Milton is unique in its balance of developing urban areas, rural residential development, and open countryside. The City boasts 44 equestrian facilities (equestrian estates and horse farms) and a galloping horse appears prominently on the City's logo.

About 86 percent of Milton is zoned for residential uses, mostly at one house per acre, and the remaining 14 percent is zoned for a variety of commercial uses. Although much of Milton has a rural feel, only four percent of Milton's land area (about 1,000 acres) is preserved (City of Milton, 2014). Maintaining the balance of growth and open space is the primary land use challenge that Milton faces.

In 2012, the City of Milton had a population of slightly more than 35,000 residents. The city's population is projected to increase to 51,900 in 2030. In 2012 and 2013, the City approved more than 300 building permits for single-family homes. This level of residential development is continuing in 2014 and is expected to continue into the foreseeable future. The development of 300 single family homes a year typically involves about 300 acres, according to the City's Department of Community Development. If this rate continues over the next 16 years, Milton would experience the development of about 5,000 acres. Several residents expressed concern on the public handout/survey about the pace of development in Milton.

The City of Milton has created a number of carefully crafted plans to guide future growth and ordinances to protect rural viewsheds and riparian areas. The City's 2011-2015 Short-Term Work Program from the 2011 Comprehensive Plan states an objective to: "identify key elements of Milton's green infrastructure and identify mechanisms and recommendations for its acquisition, preservation and community use."

The purpose of this Conservation Green Print Plan is two-fold. First, this plan presents a review of the City's existing plans and ordinances that relate to the green infrastructure of public and private open space and trails, and reviews the progress in implementing those plans. And second, the report suggests additional conservation planning and financial efforts the City could take to connect its trail system with parks, schools, and private lands and to preserve privately-owned land.

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It was clear from discussions with city council members and the responses on the handout/survey that there is a strong desire to present private landowners with incentives and options to preserve their land. Land preservation includes several *voluntary* options: 1) fee simple sale to a government or private, non-profit land trust at full appraised value or less than appraised value (bargain sale); 2) the sale or donation or bargain sale of a conservation easement to a government or private, non-profit land trust; 3) the transfer of development rights, in which the local government creates a market in transferable development credits.

Landowners in a designated sending area receive development credits from the local government and developers who wish to build at a higher than normal density in designated receiving areas must purchase transferable development credits from landowners in the sending area. When a landowner sells transferable development credits, a conservation easement is placed on the property; 4) limited development in which a landowner voluntarily develops less than the zoning allows and preserves the remainder of the land, usually through the sale or donation of a conservation easement; and 5) conservation subdivision in which the landowner is allowed to develop some of the land while preserving a certain percentage of the land through a donated conservation easement. The resulting lots are often smaller than normally required by zoning, and are served by central sewer and water or a community on-lot system and central water.

All of five of these land preservation techniques can be used at the same time. The choice of which to use then is up to the landowners to decide.

There are two key features of successful land preservation programs:

- 1) the connectivity of preserved lands; and
- 2) the preservation of land contiguous blocks of land.

The City of Milton has a number of programs in place that can increase the connectivity of preserved lands, especially in the form of trails. These programs include:

- a) Developer exactions in which a developer gives land to the City for a trail;
- b) A stormwater conservation easement given by the developer to the City, which can include the right of public access for a trail;
- c) The transfer of development rights program that the City created in 2013.

The City is currently studying the use of a park and recreation impact fee. The fee would be imposed on each new residential lot developed in the City. The revenue from the impact fee would be placed in a separate account for the purchase of land for parks and land and conservation easements for trails.

The City has begun studying the creation of a conservation subdivision ordinance.

The City has contracted with a consultant to facilitate public and private land conservation transactions.

Recommendations

1. The City Council should appoint a Land Preservation Advisory Committee to work with consultants and City staff on educating landowners and the public about land preservation options. The Advisory Committee could also help to identify land to preserve and assist the City in exploring financing options and in facilitating public and private land preservation projects.

The Advisory Committee could include: landowners, a City Council member, a City Community Development staff person, a Parks and Recreation Department staff member, a member of the building community, a member from Milton Grows Green, a member of Preserve Rural Milton, among others.

2. The City, with input from the Advisory Committee and the general public, should determine a goal of how many acres of privately-held land and public land to preserve over the next 16 years. The City should identify priority lands for preservation along with funding options.

3. As a starting point, I suggest that the City try to maintain a balance of preserved land and developed land. With as many as 5,000 acres potentially to be developed in Milton over the next 16 years, the City should try to preserve roughly an equal number of acres of public and private land as follows:

Private land preservation		
Technique	Estimated Preserved Acres Over 16 Years	Land Cost to City and/or Land Trust
Transfer of Development Rights	500	\$0
Conservation Subdivisions	1,000	\$0
Purchase of Conservation Easements	2,500	Up to \$25 million
TOTAL	4,000	Up to \$25 million

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TOTAL	250	Up to \$15 million

It is important to note that different land preservation techniques are better suited to preserving different types of land. For example, conservation subdivisions are good for preserving natural areas with little development capability. Purchase of conservation easements and transfer of development rights are good for preserving working landscapes, such as horse farms.

4. The City should work with a qualified land trust to preserve privately-owned lands.
5. The City should seek to implement the TDR program, especially through the purchase of TDRs by developers from private landowners in the AG-1 zoning district.
6. The City should continue to study the use of conservation subdivisions as an option for landowners and developers.
7. The City should explore long-term financing options for land preservation, such as local option sales tax revenues and the sale of bonds. In addition, the City should explore outside funding sources such as state and federal programs and national conservation organizations.
8. The City staff should evaluate the use of floodplains for additions to the City trail system to help connect preserved lands, including parks and public schools.
9. The City's trail system needs to be better marketed to residents.
10. The City will need to expand its parkland over the next 16 years to keep pace with the expected population growth. This includes both active and passive recreation areas.
11. The City should adopt a Park and Recreation impact fee to help pay for future park and trail acquisition.

Introduction

The City of Milton, Georgia was incorporated in 2006 and covers 38 square miles or about 25,000 acres. Milton is located at the northern end of Fulton County and borders Cherokee County to the north and west, Forsyth County to the east, Fulton County to the south, and the cities of Alpharetta to the southeast and Roswell to the southwest. The City of Milton is well-situated within the greater Atlanta metropolitan region, with good highway connections to the City of Atlanta and the northern suburbs.

In 2012, the City of Milton had a population of slightly more than 35,000 residents. The population density is low for a city at 921 people per square mile. The city's population is projected to increase to 51,900 in 2030 (City of Milton, 2009). Median household income is \$116,890 and the median owner-occupied home value is \$462,700, indicating a prosperous community (US Census Bureau, 2014).

The mission statement of the City of Milton declares: *The City of Milton is committed to maintaining the unique quality of life for our constituents while efficiently delivering essential services to residents and businesses in a community interactive environment.*

The City's Vision Statement from its Comprehensive Plan 2030 reads: *Milton is a distinctive community embracing small-town life and heritage while preserving and enhancing our rural character* (City of Milton, 2011, p. 2). The City boasts 44 equestrian facilities (equestrian estates and horse farms) and a galloping horse appears prominently on the City's logo.

Growth and open space are not evenly distributed in the City. The southern part of Milton has more intense development than the northern part, and the eastern edge of the City is more developed than the western area. This reality is shown in the existing land use map (see Figure 1).

In keeping with Georgia's land use planning law, the City has identified 8 character areas (see Figure 2). The Deerfield Area in the southeastern corner and the Crabapple Area on the south central edge feature considerable commercial development and medium density residential development.

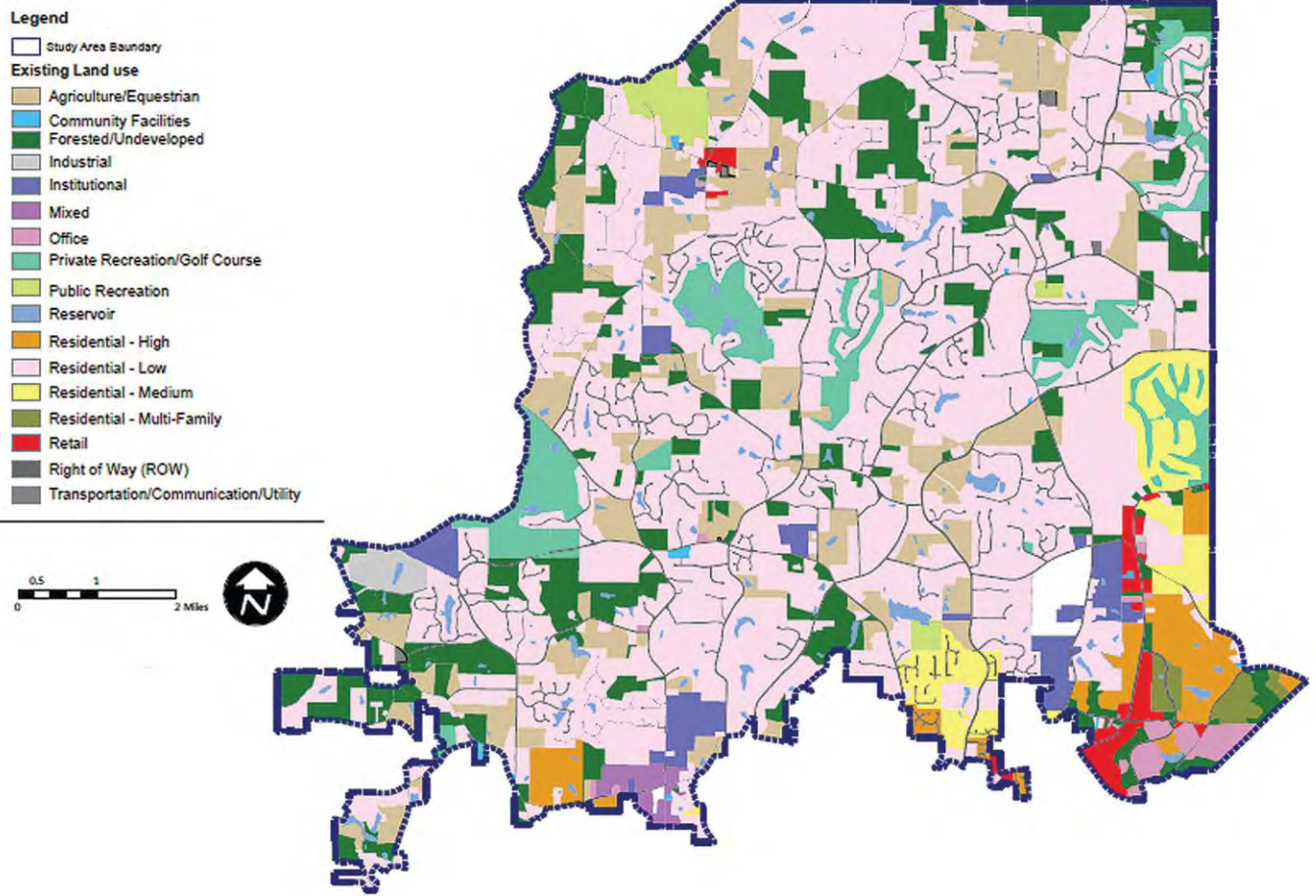
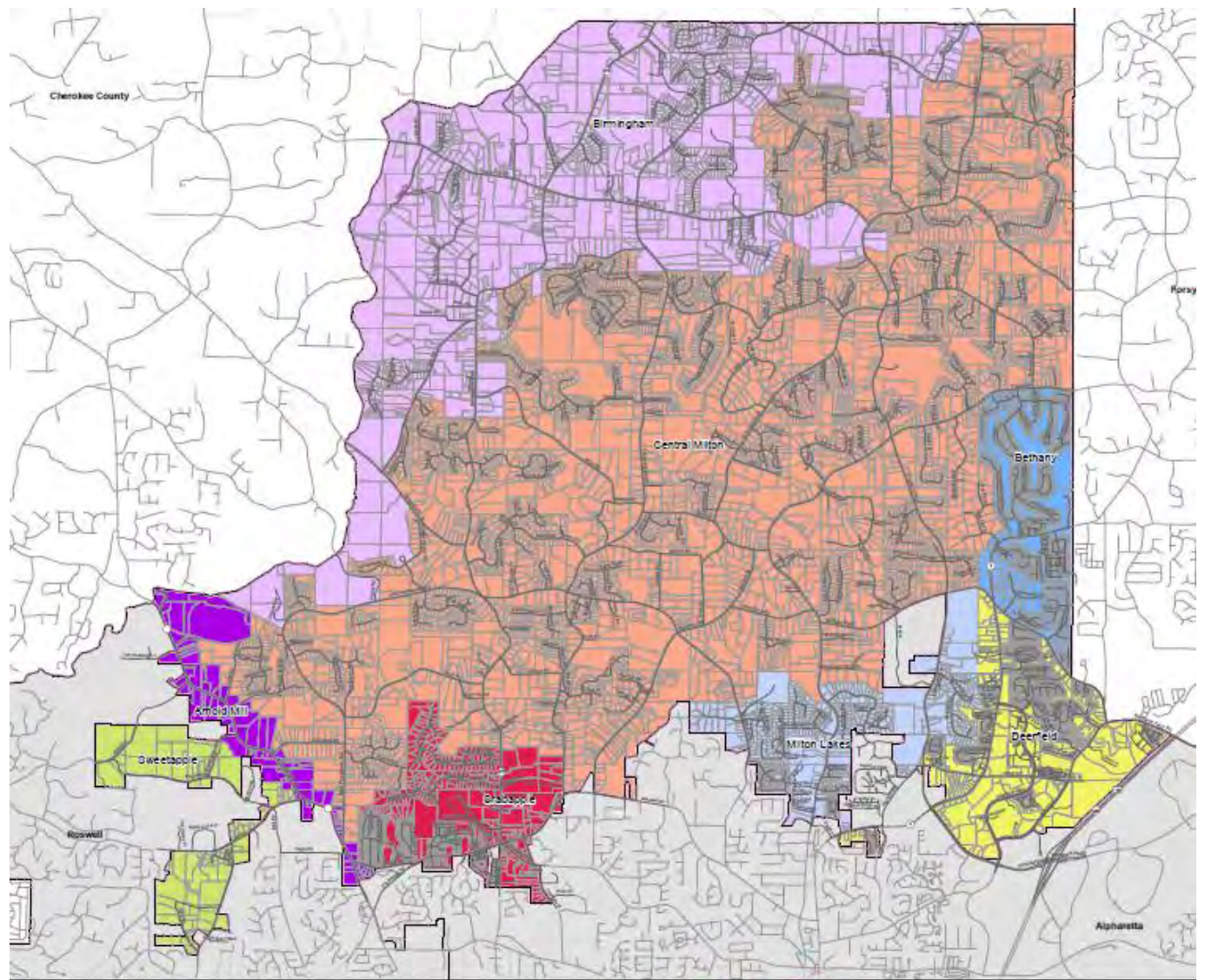
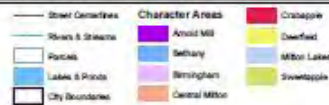


Figure 1. Existing Land Use Map, City of Milton, 2012.



er Areas Map 2030
ilton

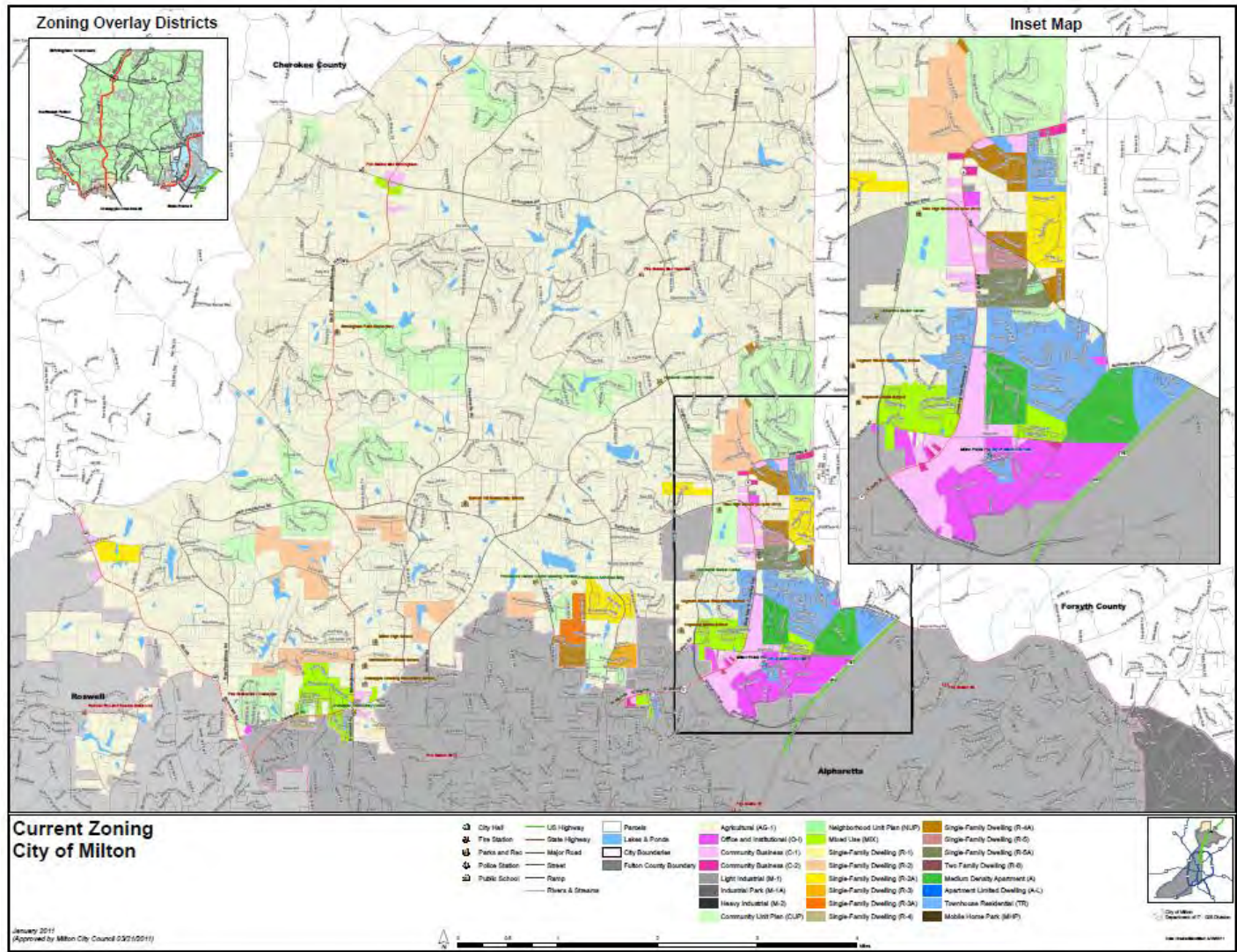


- | | |
|---------------------------|---------------------------|
| Arnold Mill – Dark Purple | Crabapple - Red |
| Bethany – Darker Blue | Deerfield - Yellow |
| Birmingham – Light Purple | Milton Lakes – Light Blue |
| Central Milton – Orange | Sweet Apple – Light Green |

Figure 2. The Eight Character Areas in the City of Milton

About 86 percent of the City of Milton is zoned residential, mainly at one house per acre, while the remaining 14 percent is zoned for commercial uses (City of Milton, 2009, p. 14, see Figure 3). Agricultural areas along gravel roads are zoned for three acre minimum lot size. The AG-1 agricultural zoning district is the largest zoning district, shown in light gray in Figure 3.

The large area of AG-1 zoning reflects the central role that rural character and rural lifestyles play in Milton’s community identity. The AG-1 zoning has resulted in a fairly low density of development with high value properties (City of Milton, 2011, p. 14, 16).



Light Gray = AG 1 Light Tan = R1 Low Density Single Family
 Salmon = R2 Medium Density Single Family Yellow = R2A Medium Density Single Family
 Blue = Apartment Light Green = Neighborhood Unit Plan Dark Purple = Community Business

Figure 3. Zoning districts, City of Milton, 2011.

The volume of single family residential building permits has varied over time (see Table 1). The data on residential building permits point to a strong pace of residential development in Milton in 2012-2014, consistent with the recovery of the housing sector from the Great Recession of 2007-2009. *The recent level of building permits suggests that population growth in Milton may exceed previous estimates if current residential development trends continue.*

The development of 300 single family homes in a year means that about 300 acres are being developed each year, according to the estimates from the Department of Community Development. In recent years, residential development has been split fairly evenly between town homes and homes on less than one acre lots on the one hand and residential development in areas zoned for a 1-acre minimum lot size on the other. Of 909 residential building permits issued in recent years, 460 involved town homes and homes on less than one acre and 449 permits were for single family homes on one or more acres. But the development of a one-acre lot requires the development of streets and set aside lands for buffers and rights-of-way that take about another half-acre of land. So, the development of a 1-acre lot in reality means that 1.5 acres are developed. *If the recent level of residential development in Milton continues over the next 16 years, new residential development would use about 5,000 acres.*

Table 1. Single Family Residential Building Permits, City of Milton, 2007-2014. Source: U.S. Census Bureau. <http://censtats.census.gov/cgi-bin/bldgprmt/bldgdisp.pl>.

Year	Number of Permits
2014 (Through July)	220
2013	309
2012	328
2011	105
2010	68
2009	43
2008	175
2007	87

The Green Print Concept

The traditional green print or green infrastructure process begins with a large area of open land. A community or developer decides which lands are not suited to development and sets those aside as natural areas, such as wetlands, floodplains, rock outcrops, and steep slopes. These natural areas can provide a variety of ecosystem services, including water filtration, stormwater management and flood control, wildlife habitat, and outdoor recreation opportunities (hiking, jogging, bicycling, and horseback riding). In addition, the natural areas offer an attractive setting for the built environment of homes, stores, offices, and institutional buildings.

The GreenPrint™ concept was first created by the Trust for Public Land, a non-profit land preservation organization based in San Francisco. Using computer models and GIS maps, the green print is based on the priorities of residents as to what lands to preserve and on available funding sources (Trust for Public Land, 2014a). Created in 1972, the Trust for Public Land has protected more than 3 million acres and completed more than 5,200 park and land conservation projects.

Green infrastructure plans usually have one of two scales: the regional scale or the site-specific scale. This report focuses on the city-wide or regional scale while recognizing the importance of how individual properties can be developed or preserved to contribute to a city-wide system of open spaces.

A key idea behind green infrastructure planning is the connectivity of green spaces to maximize environmental services (see Figure 4). Parks, schools, and private open space serve as green infrastructure hubs connected by trails.

This conservation plan differs from the traditional GreenPrint™ in two important ways. First, the City of Milton has already experienced a considerable amount of development and second, the City has also completed a number of plans and studies relating to the future growth of the City and open space. In particular, the City has identified eight distinct character areas, each with its own mix of development and open space.

This report reviews Milton's open space plans and land preservation efforts and identifies additional opportunities to maintain the balance of open space and development in Milton.

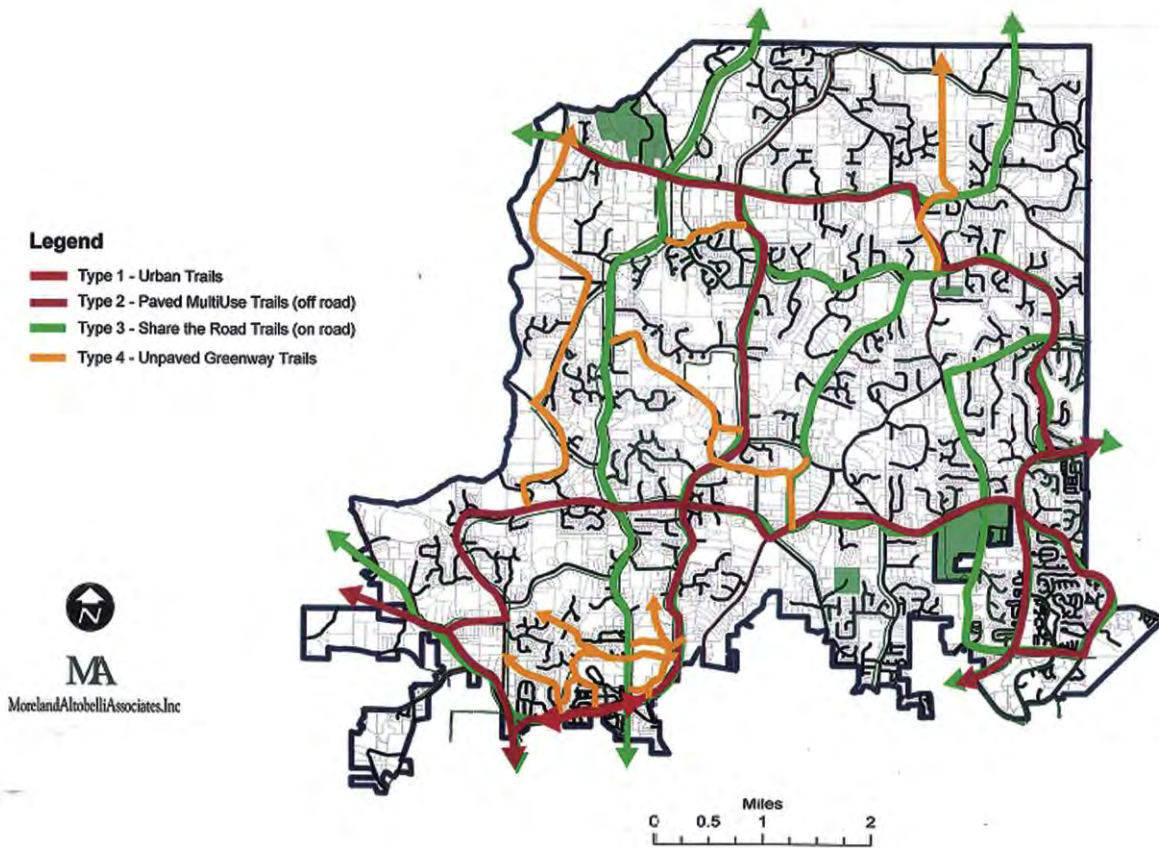


Figure 4. Hub and Corridor Pattern of Green Infrastructure. Source: City of Milton, 2012, p. 55.

The Conservation Green Print Plan

This conservation green print plan consists of the following elements:

1. An inventory and analysis of open space in the City of Milton.
2. A review of the City’s plans and reports on open space.
3. The results of a survey from a public meeting, held on July 30, 2014, and on-line survey results from August 1-August 15.
4. Observations from an on-the-ground visit to Milton on July 28-31, 2014.
5. Conclusions and recommendations

Inventory and Analysis of Open Space in the City of Milton

Parks

The National Recreation and Park Association suggests that a park system should have at least 6.25 to 10.5 acres of developed open space per 1,000 residents (National Recreation and Park Association, 2014). For Milton today, this would mean between 219 acres and 368 acres of active park space. Milton currently has 264 acres of parks in three city parks: Birmingham Park (205 acres), Providence Park (45 acres), and Bell Memorial Park (14 acres) (City of Milton, 2012, p. 6). Bell Memorial Park is currently undergoing a major redevelopment and an expansion to 32 acres, which will be completed by 2018, and Providence Park will officially become part of the Milton park system in 2016. There are also a few smaller parks. Milton’s population is expected to grow from 35,000 today to 51,900 in 2030. By 2030, Milton would need 325 to 546 acres of active park space, or another 61 to 282 acres in order to meet the NRPA guidelines.

Milton’s 2012 Comprehensive Parks and Recreation Master Plan recommends an additional 471 acres of parkland by 2030 (see Table 2).

Park Type	Level of Service	Additional Acres Needed in 2030
Regional Park	5 acres per 1,000 residents	215
Urban Park	1 acre per 1,000 residents	51
Community Park	5 acres per 1,000 residents	154
Neighborhood Park	1 acre per 1,000 residents	51
TOTAL		471

Table 2. Future Park Needs, City of Milton 2030. Source: City of Milton, 2012, p. 7.

Large-scale master planned communities and low density large acreage single family residential

properties add to the problem of connectivity of the parks system (p. 264), and underscore the importance of trails to connect parks as well as private properties.

The City of Milton recently worked out an arrangement with the neighboring City of Alpharetta for Milton residents to use Alpharetta's acres of parks at no charge. This includes North Point Park, which is owned by Alpharetta but is located within the City of Milton. The arrangement with Alpharetta is important because Milton currently has only 21 acres of developed or active recreation parkland.

Also, one possible addition to the Milton park system would be the Chadwick Landfill, which may become available around 2020.

Trails

Trails are best thought of as linear parks. One of the measures of a desirable community is the miles of public trails. Trails can provide a variety of recreational activities (hiking, bicycling, horseback riding), transportation corridors, wildlife corridors, and waterway protection. The City of Milton has an extensive trail network (see Figure 5). The Milton trails mainly parallel roads (green trails in Figure 5) or, in the case of bike trails, share the road (red trails in Figure 5).

At the public meeting on July 30th, several members of the audience were unaware of the city trail system. This is surprising seeing as the trails include 70 miles of sidewalks (see Figure 6) and about 7 miles of gravel roads.

The City of Milton is currently working to connect its trails to the Big Creek Greenway which runs through Alpharetta and Fulton County. City staff are also considering the potential for trails along power line right-of-way easements.

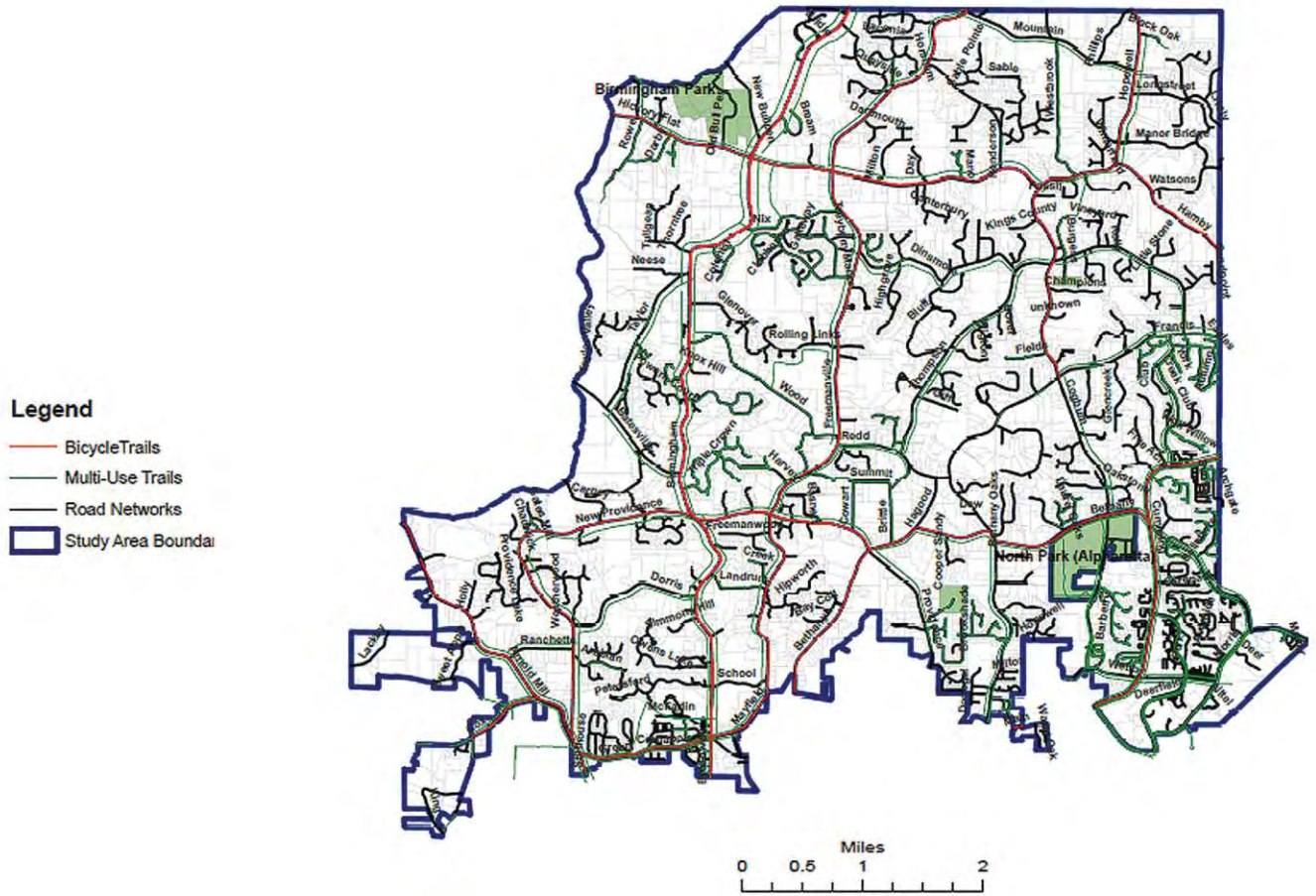


Figure 5. Trails Map. City of Milton, 2012, p. 15.

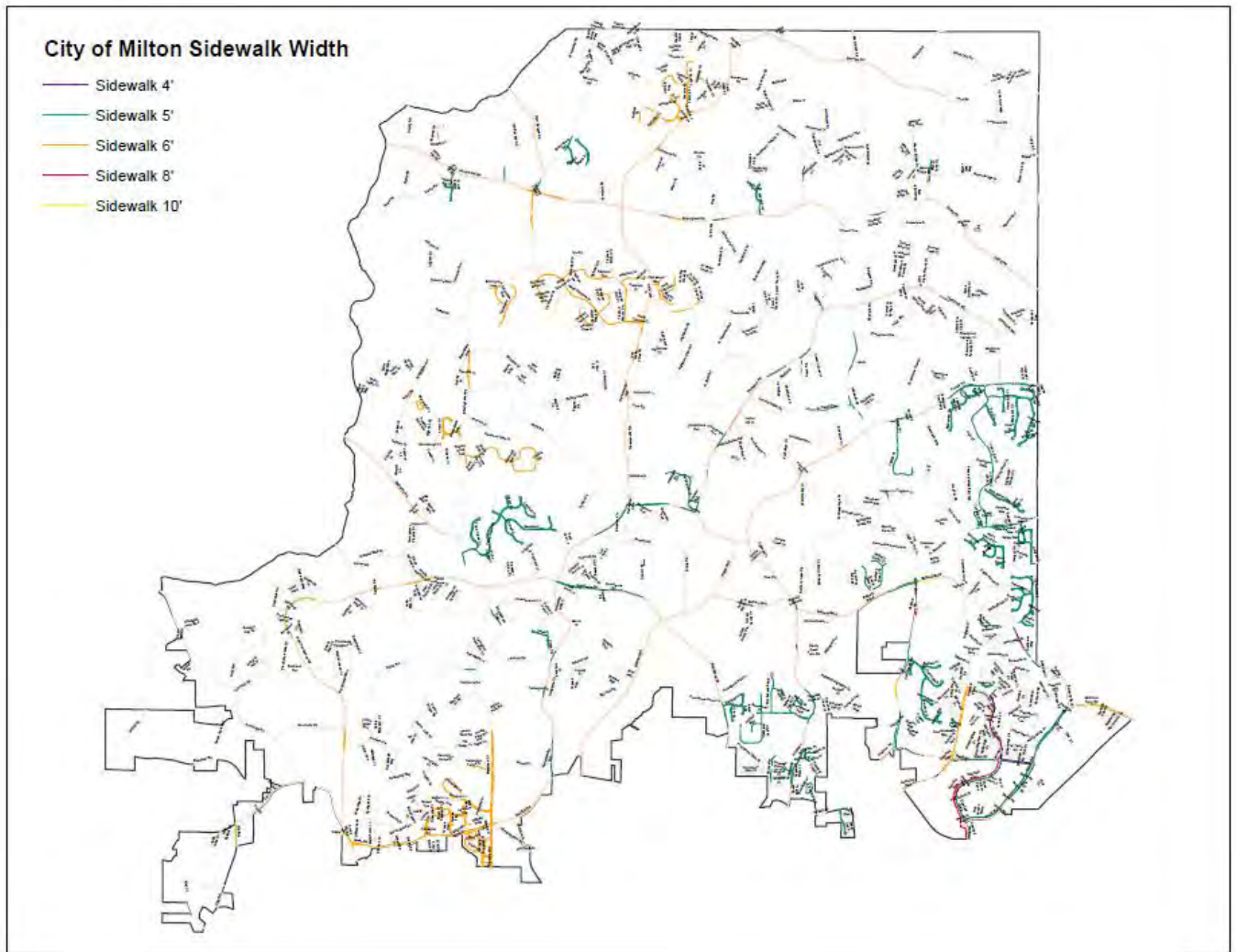


Figure 6. Sidewalks by width in Milton. Source: Milton Department of Public Works, 2014.

Floodplains

The City of Milton has considerable areas of 100-year and 500-year floodplains (see Figure 7). These floodplains suggest areas for the city and private landowners to preserve, in part because they are difficult to develop and also because they connect several areas of the City. Floodplains can serve as buffers to developed areas as flood protection, filter stormwater runoff and can be used for wildlife corridors and recreational trails. ***Floodplains could be integrated into the City's trail network.*** The City already has a process in which developers can donate conservation easements on riparian areas as a way to meet stormwater management requirements. These donated easements could be a low cost way to increase the trail network.

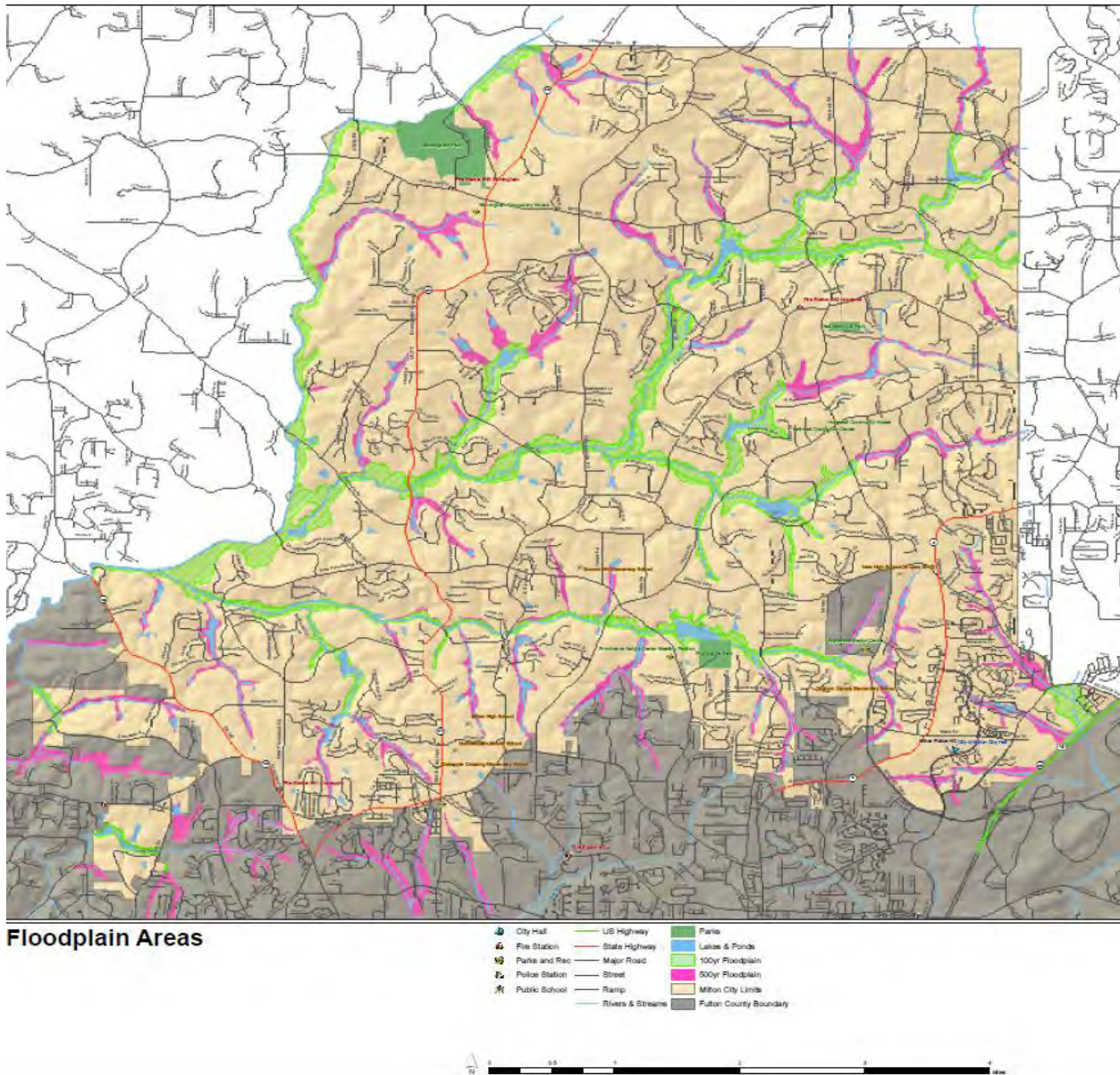


Figure 7. 100 Year (Green) and 500 Year (Purple) Floodplains City of Milton, 2011.

Large Parcels

In 2012, Milton had 580 parcels of greater than 10 acres in size, which made up 45% of the City (City of Milton, 2012, p. 10). Table 3 shows the distribution of landownership by parcel size and Figure 8 shows the map of landownership by parcel size. Parcels over 20 acres represent the best opportunities for land preservation. But land preservation depends on a willing buyer/willing seller arrangement or willing donations of land or conservation easements. The use of eminent domain by the city to acquire parkland and trails is not common practice, nor is it recommended.

Acreage Range	Number of Parcels	Acreage	% of Total Acres in Milton
0-5	11,223	11,196	39%
5-10	610	4,178	15%
10-20	237	3,270	11%
20-40	347	7,838	27%
40-60	24	1,070	4%
60+	13	1,095	4%
TOTAL	12,454	28,647	100%

Table 3. Landownership by Parcel Size, City of Milton, 2014. Source: City of Milton, IT Department, 2014.

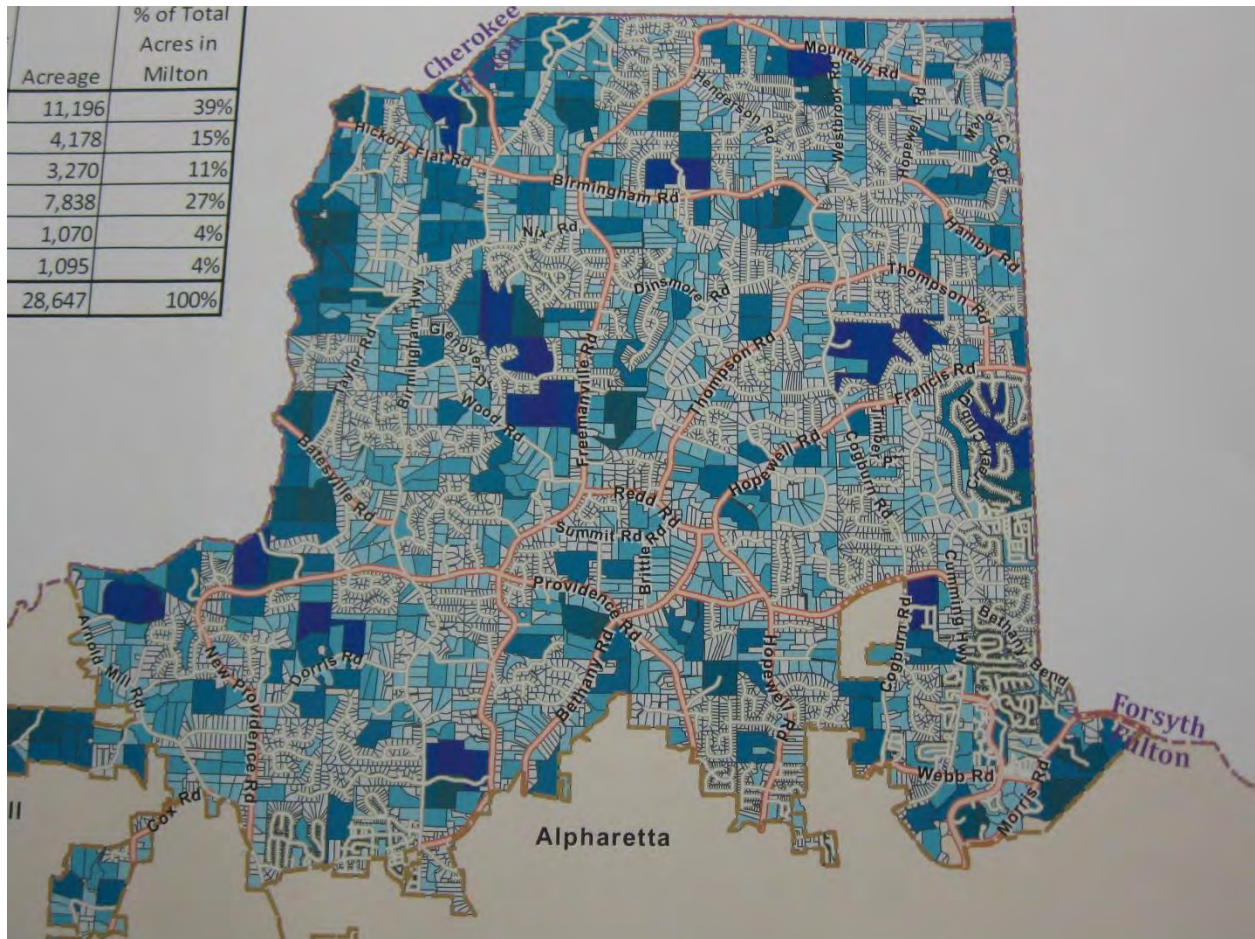


Figure 8. Map of Landownership by Parcel Size, City of Milton, 2014. Source: City of Milton IT Department, 2014.

Figure 8 shows the rural areas of Milton. Table 4 summarizes the general land use in Milton. The Agriculture, Equestrian and Estate category has 11,934 acres. There is no central sewer service in this area, but there is central water service. The Agriculture, Equestrian and Estate category includes the leading potential areas for preservation, which are listed below.



Figure 9. Map of Rural Areas, City of Milton, 2014. The dark green areas are public parks, the light green are private recreation areas, mainly golf courses, and the medium green areas are privately held lands. Source: City of Milton, IT Department, 2014.

Land Use	Acreage
Agriculture, Equestrian, Estate	11,934
Private Recreation	1,275
Parks, Recreation & Conservation	401
All Other	11,431
TOTAL	

Table 4. Land Use by Acreage, City of Milton, 2014. Source: City of Milton, IT Department, 2014.

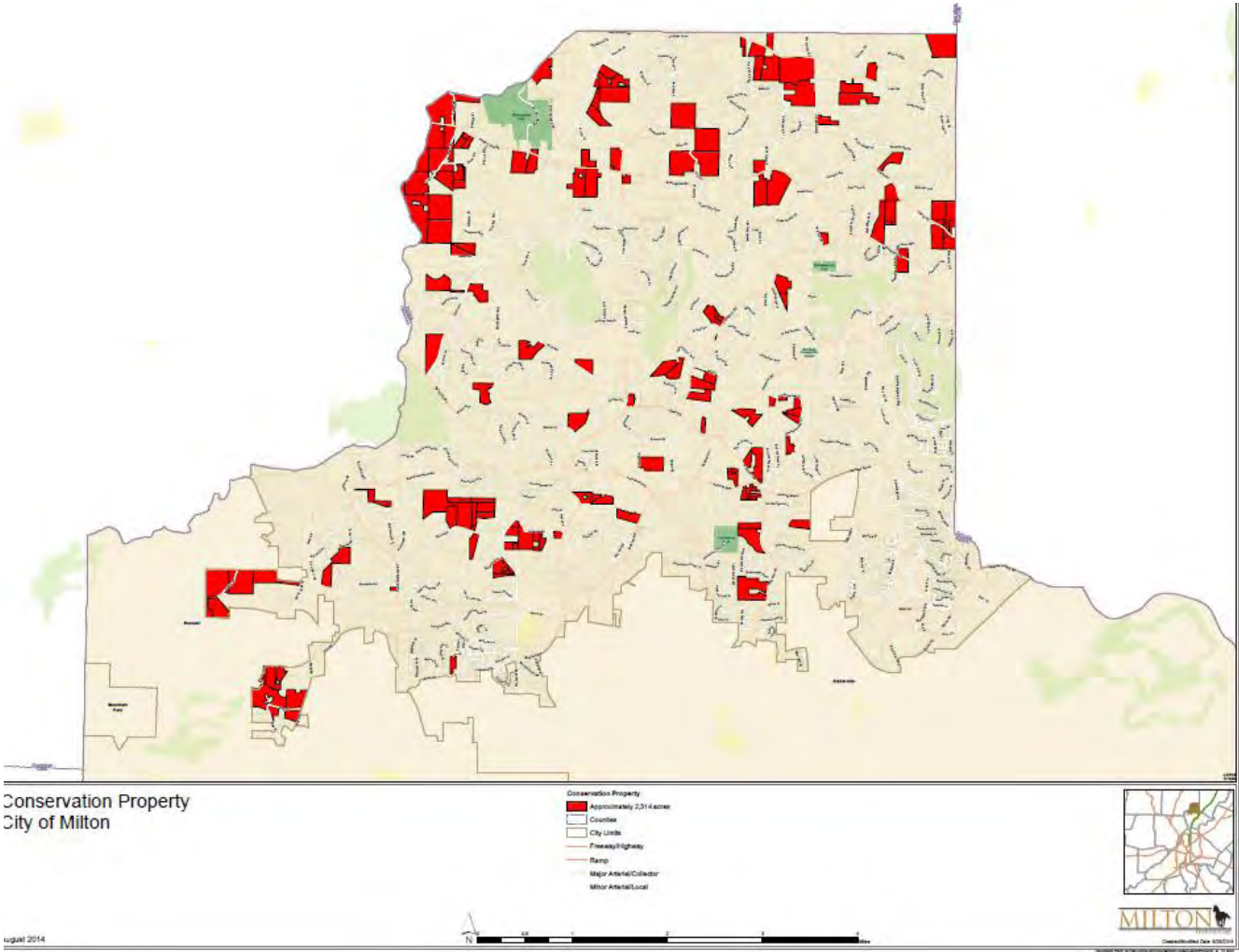


Figure 10. Properties (in red) enrolled in the Current Use Valuation program in the City of Milton, 2014.

The Current Use Valuation (CUVA) program is a voluntary program that offers landowners who enroll their land a reduction in the assessed value of their land, (that is, lower than the fair market value), for property tax purposes (Warnell, no date). In return, the landowner signs a covenant to continue to keep the land in agricultural or forestry production or to protect the environmentally-sensitive land for 10 years. A landowner generally must own at least 10 acres to enroll in the CUVA program. In the City of Milton, there were 2,314 acres enrolled in the CUVA program (see Figure 10). Most of the CUVA properties are located in the northern half of the city in the Birmingham and Central Milton character areas.

Based on the ownership map in Figure 8, the map of rural areas in Figure 9, and the CUVA map in Figure 10, as well as on the ground visits, the following areas appear to be valid candidates for land preservation:

- Bethany Road
- Birmingham Highway
- Birmingham Road
- Brittle Road
- Dorris Road
- Freemanville Road (central)
- Mountain Road
- Northwestern edge of Milton, bordering Cherokee County
- Providence Road (west)
- Redd Road
- Thompson Road (northwest side)

The City will need to perform a more in-depth analysis of these areas to identify specific parcels in setting priority lands for preservation. The Land Preservation Advisory Committee, general public, and even a land trust could provide valuable insight. But generally, parcels of 20 or more acres have the highest priority in putting together large contiguous blocks of preserved land.

Viewsheds

The preservation of viewsheds is an important issue for maintaining the City's rural character. In addition to the impressive views of horse farms and woods, a notable feature in the rural areas of Milton is how well the residential subdivisions are tucked away from the main roads. In June of 2014, the City of Milton approved a Rural Viewshed Overlay for new development in the AG-1 zoning district. The first 40 feet from an exterior street must be undisturbed, the next 20 feet may not have any structures, but may be used for septic systems, lot coverage is limited

to 20 percent, and there is a height limit of average grade to roof eave of 28 feet. There is also a four board fence requirement (see Photo 1).



Photo 1. Four board fence along an exterior street.

The City is working on a clear cutting ordinance, based on a 50 foot buffer around a property, to limit the area of a parcel that can be clear cut and thus protect the viewshed. The City has a tree recompense fund for replacing, purchasing, planting, and maintaining trees. The City charges property owners who do not replace trees a fee of \$250 for each tree of two inch caliper size and \$500 for each tree of four inch and above caliper size. The City does allow property owners to provide off-site mitigation by planting trees on another property.

The viewshed and clearcutting ordinances can complement land preservation actions in maintaining the rural character of Milton.

Resources of Regional Importance

The Atlanta Regional Commission produced a map of regionally important natural resources in 2001 (see Figure 11). The map shows the Birmingham area of north and northwest Milton as a regionally important natural resource. Consideration should be given to its protection.

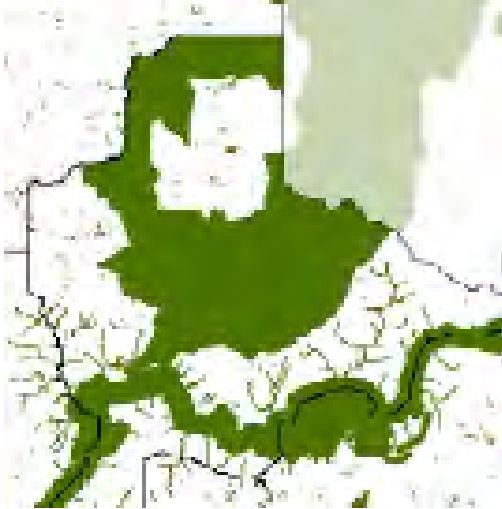


Figure 11. Regionally Important Resources. Source: Atlanta Regional Commission, 2011.

Review of the City of Milton’s Plans and Reports on Open Space

This conservation plan includes a review of several planning reports created by or for the City of Milton. The documents include: The City of Milton 2030 Comprehensive Plan, 2011, Character Area Plans, the City of Milton Comprehensive Parks and Recreation Master Plan, 2012, and the ICMA Report: Preserving Milton’s Character and Quality of Life, 2014.

Milton 2030 Comprehensive Plan

As part of the Comprehensive Plan 2030, the City conducted a community-wide survey of residents. Residents responded that they “generally did not favor tax increases, but identified that any additional tax revenue should be spent on improvements for transportation, parks and recreation, and greenways and trail systems.” (City of Milton, 2011, p. 2). In sum, “the community recognizes that growth pressures are inevitable, but growth should be weighed in balance of preserving those elements of the community that have attracted its existing residents and businesses” (City of Milton, 2011, p. 3). *The pace of development is currently far outstripping the pace of land preservation in Milton.*

The State of Georgia has adopted a number of quality community objectives that local governments are supposed to incorporate into their comprehensive plans. The state’s open space preservation objective seeks to minimize the amount of land consumed by development. The objective calls for open space to be set aside from development for public parks or greenbelts and wildlife corridors ((City of Milton, 2011, p. 5). The state’s environmental protection objective advocates protecting vegetation, drainage areas, and natural terrain to maintain the traditional character and quality of life of the community. *Milton has regulations in place to protect vegetation and natural terrain through the Rural Viewshed Overlay and*

developer exactions and a stormwater conservation easement given by the developer to the City. But more land preservation options, such as the purchase or donation of conservation easements on private land and conservation subdivisions, has to be done to accomplish this stated goal.

Milton's 2011 Comprehensive Plan noted that "Community residents have articulated a desire for more public greenspace and/or active/passive park land" (City of Milton, 2011, p. 7.). The City responded that the city has "acquired land that can be developed into public greenspace and active and passive parkland, and there are additional opportunities for the further acquisition of land for similar purposes" (ibid.). *The City is developing Bell Memorial Park for active recreation. The City has also worked out an arrangement with the City of Alpharetta for residents of Milton to use the Alpharetta parks at no cost. Birmingham Park offers passive recreation. Additional small parks distributed around the City appears to be a good strategy. One possible addition to the Milton park system would be the Chadwick Landfill, which may become available around 2020.*

The comprehensive plan recognizes the public's desire to "protect open space, woodlands, specimen trees, stream buffers, steep slopes, the night sky, agricultural land and other environmentally sensitive areas" (City of Milton, 2011, p. 9). The plan further states, "Milton has a unique pattern of equestrian-oriented development as well as open/green space and woodlands that should be enhanced and promoted. Plentiful scenic areas, pastoral areas and woodlands are the hallmark of community character and should be preserved as an asset for current and future generations" (ibid.). *The City's transfer of development rights program is in place as an incentive for private land preservation, but no transactions have occurred yet. The Rural Viewshed Overlay does create a buffer area along major roadways.*

The plan then identified two opportunities: "Preserve the gravel roads in Milton – along with the larger lots (minimum 3 acres) required on gravel roads – as a part of the special character of Milton as well as including this asset as a part of the transportation and recreation plans for the City." And "[e]xplore the appropriate use of Transfer of Development Rights as a tool to encourage redevelopment and infill development within targeted areas while effectively limiting sprawl and protecting the rural areas" (City of Milton, 2011, p. 10). *The transfer of development rights program will be a contributing technique for private land preservation. I estimate that the TDR program will result in the preservation of about 1,000 acres over the next 16 years. The TDR program depends on the demand from developers to build at higher than normal residential densities in the Crabapple and Deerfield character areas. But so far, there continues to be a strong demand is for single family residences in areas zoned for 1-acre minimum lot size. Much of these areas are also TDR sending areas, which the TDR program is meant to preserve.*

The Milton comprehensive plan recognizes the use of the trails as part of the City's transportation system and recommends funding and implementation of the 2006 Milton Trails Plan (and subsequent revised trail plans) to enhance alternatives for walking and cycling (City of

Milton, 2011, p. 15). *The City should continue to explore creating of trails along utility easements, and should explore creating trails along 100-year and 500-year floodplains. The City may be able to create trails through the developer exactions process and through the donation of conservation easements from developers to meet stormwater management requirements. The kind of trails also needs further attention. For instance, multi-use trails adjacent to roads do not work well for horseback riding. In the public forum surveys, several respondents noted that they did not know where the trails were. Several respondents noted a need for bike paths. The City is working to connect its trail network to the Big Creek Greenway which runs from Alpharetta to Forsyth County.*

The City of Milton comprehensive plan includes eleven future land use designations shown on the Future Land Use Map (see Figure 12): 1) Agriculture, Equestrian, Estate Residential (AEE); 2) Low Density Residential (LDR); 3) Medium Density Residential (MDR); 4) High Density Residential (HDR); 5) Multi-Family Residential (MFR); 6) Retail and Services (RS); 7) Office (O); 8) Community Facilities (CF); 9) Private Recreation (PR); 10) Parks, Recreation and Conservation (PRC); and 11) Mixed Use/Living-Working (MLW).

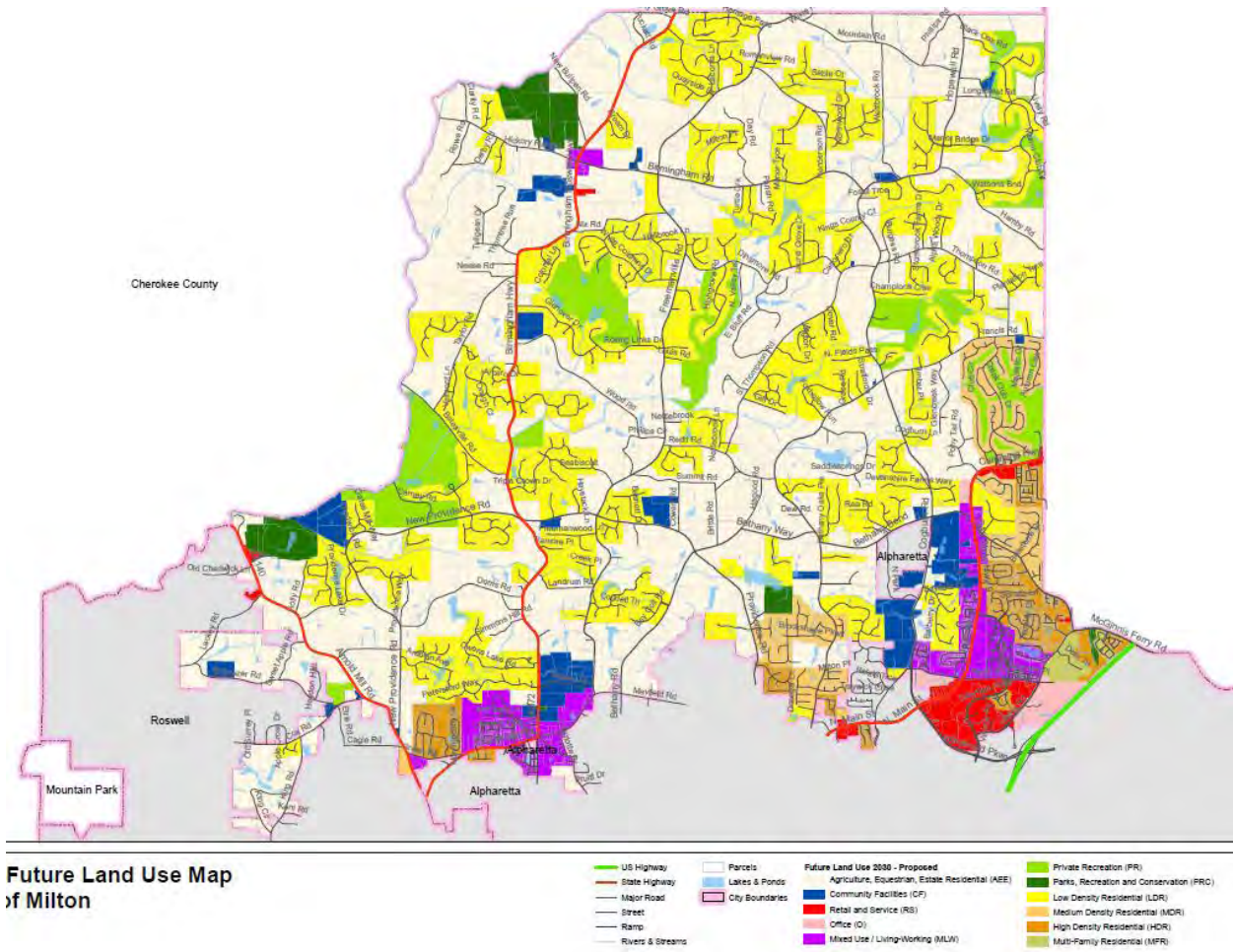
The Agriculture, Equestrian, Estate Residential, Low Density Residential, Private Recreation, Parks, Recreation and Conservation are the key open space land uses in Figure 11. Private Recreation refers to golf courses and common open spaces in residential developments. Parks, Recreation, and Conservation refers to publicly-owned land.

These future land use designations provide the legal foundation for the city's zoning ordinance.

In the city zoning ordinance (see Figure 3), the AG 1 district allows a 1-acre minimum lot size per house, but requires a 3-acre minimum lot size if the property is on a gravel road. The R-1 low density residential zoning district requires a 1-acre minimum lot size for a house. Privately owned recreational facilities are allowed in a wide range of zoning districts, as are publicly-owned parks, open space, and recreational facilities.

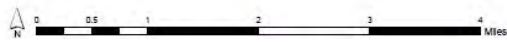
Character Area Plans

The City's eight character areas are shown on Figure 2. The Arnold Mill Road (SR 140) corridor has been designated as a rural viewshed and is an area of limited development with mostly rural residential and agricultural uses (City of Milton, 2011, p. 21). The comprehensive plan points out that "preservation of rural, open spaces between small areas of non-residential development has been identified as a priority for the transitional development of the Arnold Mill Character Area" (ibid., p. 31). Some AG 1 and single family residential zoning exists along Arnold Mill Road. *No preservation is yet in evidence.*



Future Land Use Map of Milton

ber 2010



Light Lavender = AG 1 Yellow = Low Density Residential Light Green = Private Recreation
 Dark Green = Parks, Recreation, and Conservation (public land) Purple = Mixed Use/Living Working
 Dark Blue = Community Facilities Red = Retail and Service
 Light Tan = Medium Density Residential Dark Tan = High Density Residential

Figure 12. City of Milton Future Land Use Map, 2030. Source: City of Milton Comprehensive Plan, 2011, Between pp. 54-55.

The Birmingham character area in the northwest and northern part of the City features horse farms, pastures, and woodlands along with some residential subdivisions. The 200-acre Birmingham Park for passive recreation is located in this character area and the roads provide green viewshed corridors. The land is primarily zoned AG 1. Most of Birmingham has been designated as a sending area for transfer of development rights.

The Crabapple Crossroads character area has been designated a growth area. The City has adopted a form-based code for new development in the area to promote walking, a mix of land uses, and attractive architectural design. The City plans to build the new city hall in Crabapple. Crabapple has been designated a transfer of development rights receiving area to encourage growth in Crabapple. The 2007 Milton Trails Plan identifies the expansion of the trail network into the Crabapple area (City of Milton 2012, p. 43).

Central Milton is the largest character area in Milton and has a mix of residential subdivisions with large lots of greater than one acre along with equestrian estates. The zoning ranges from AG 1 to single family residential (R2 and R2A), as well as planned unit development (PUD). Much of Central Milton has been designated a transfer of development rights sending area.

The Deerfield character area is a second designated growth area. This character area features a mix of commercial and higher density residential development. Deerfield has been designated a transfer of development rights receiving area to encourage growth in Deerfield.

The Bethany character area has residential subdivisions close to Deerfield. The comprehensive plan notes for Bethany that “connectivity to the proposed Milton trail network should be encouraged” (City of Milton, 2011, p. 39).

Milton Lakes is a mainly residential area in the southern part of the City. Milton Lakes has lakes, floodplains, and waterways. The comprehensive plan calls for connectivity to the proposed Milton trail network and the creation of pocket parks (City of Milton, 2011, p. 44-45).

The Sweet Apple character area in the southwestern part of the City has two equestrian areas and large lot residential development.

In sum, the Birmingham and Central Milton character areas hold the most promise for the preservation of private land. But the preservation of land for parks and trails is appropriate in all 8 character areas.

Goals and Objectives in the Comprehensive Plan

The Milton comprehensive plan is clear in its support of land preservation efforts. For Natural and Cultural Resources, the comprehensive plan states:

2.1. We will encourage the preservation of natural resources areas and preserve contiguous green open spaces in appropriate designated areas as development occurs. *The land preservation has not yet occurred.*

Strategy: Maintain density neutral development practices through innovative land development techniques, such as conservation subdivisions and Transfer of Development Rights. *The TDR program is in place and conservation subdivisions are under study.*

Strategy: Acquire conservation easements for the protection of environmental sensitive land. *This strategy exists in practice for the donation of conservation easements by developers to meet their stormwater management requirements. The City of Milton and land trusts should purchase conservation easements or accept donations of conservation easements on other types of sensitive land, such as steep slopes. Acquiring such conservation easements could be done as part of a conservation subdivision.*

Strategy: Promote low impact site development that encourages maintaining the natural topography and existing vegetation on a site when feasible, and in some cases when required. *Uncertain. Conservation subdivisions are not yet allowed.*

Strategy: Encourage projects that protect and/or integrate the preservation of natural areas, stream corridors, and green space as amenities and required development (City of Milton, 2012, p. 57). *The City has adopted the Rural Viewshed Overlay to protect natural areas and green space. Developers can donate conservation easements on sensitive lands to meet their stormwater management requirements. To supplement these regulatory approaches, the City of Milton and land trusts would need to purchase conservation easements or accept donations of conservation easements on other types of sensitive land, such as steep slopes. Acquiring such conservation easements could be done as part of a conservation subdivision.*

2.5. We will promote the protection and maintenance of trees and contiguous green open space in new development (ibid., p. 58). *The City has a tree replacement fee and is working on a clear cutting ordinance.*

3.3. We will invest in parks and open space to enhance the quality of life for our citizens. *The City is developing Bell Memorial Park. The City is connecting the trail system to the Big Creek Greenway.*

Strategy: Ensure parks and parkland are developed with the city's mission and vision statements in mind including the protection of the rural characteristics of Milton as well as "green" practices and development standards (ibid., p. 59). *Bell Memorial Park is being developed for active recreation.*

Strategy: Identify and protect other areas that serve as parks or parklands to the City's residents, such as pocket parks, equestrian areas, greenways, and other recreational lands (ibid., p. 60). *The City is considering the use of utility easement rights-of-way for trails. The City should also consider the use of 100-year and 500-year floodplains for trails. Trails have the potential to connect the City together.*

Land Use Patterns 5.1. We will encourage development that is sensitive to the overall setting of the community and will contribute to our community's character and sense of place. *The City has adopted the Rural Viewshed Overlay to protect natural areas and green space. Developers can donate conservation easements on sensitive lands to meet their stormwater management requirements. To supplement these regulatory approaches, the City of Milton and land trusts*

should purchase conservation easements or accept donations of conservation easements on other types of sensitive land, such as steep slopes. Acquiring such conservation easements could be done as part of a conservation subdivision.

Strategy: Encourage the maintenance of equestrian and agricultural areas with large tracts of land in order to maintain this important aspect of the community. *This has not yet happened. The City of Milton and land trusts should purchase conservation easements or accept donations of conservation easements to create large contiguous blocks of equestrian and agricultural areas.*

Strategy: Protect natural areas, viewsheds, floodplains, wetlands, tree canopy, heritage, and specimen trees through strict adherence to codes during site preparation and construction, and avoidance of clear-cutting. *The City has adopted the Rural Viewshed Overlay to protect natural areas and green space. Developers can donate conservation easements on sensitive lands to meet their stormwater management requirements. To supplement these regulatory approaches, the City of Milton and land trusts should purchase conservation easements or accept donations of conservation easements on environmentally sensitive lands. Acquiring such conservation easements could be done as part of a conservation subdivision.*

Strategy: Encourage land uses which integrate the rivers and streams and environmental aesthetics into their planning and design (ibid., p. 63). *The City has adopted the Rural Viewshed Overlay to protect natural areas and green space. Developers can donate conservation easements on sensitive lands to meet their stormwater management requirements. The City should adopt a conservation subdivision ordinance to implement this strategy.*

Strategy: Consider using Transfer of Development Rights as a method to protect the low-density, rural and agricultural areas of the city as well as encourage redevelopment and infill development within the targeted development areas of the City (ibid., p.64). *The City of Milton adopted a TDR program in 2013, with the AG-1 zone as the sending area and Crabapple and Deerfield as the receiving areas.*

In the Transportation Section, the comprehensive plan sets forth the following policies for trails:

6.1. We will encourage walking, biking, car-pooling, and other alternative transportation choices in making development decisions.

Strategy: Encourage new development projects adjacent to the proposed Milton Trail Network (ibid., p. 65). *Uncertain.*

6.4. We support the creation of a community-wide barrier free pedestrian/bike path network. Strategy: Implement the recommendations of the 2006 Milton Trails Plan. *The City has 70 miles of sidewalks. But at the public forum, several respondents listed the need for bike paths.*

The Implementation/Action Plan Section of the comprehensive plan lists several actions for the City to take to implement the comprehensive plan through land preservation.

Recommendations for open space, parks, and trails include:

-Continue to work with organizations such as, but not limited to, PEDS to coordinate safe routes to school programs and PATH for bike and pedestrian connections (p. 15). *Uncertain*

-Floodplain and River Protection: Study potential greenway and greenspace protection through land trusts, preservation via easements, etc. (p. 70). *Developers can donate conservation easements on sensitive lands to meet their stormwater management requirements. The City should consider the use of 100-year and 500-year floodplains for trails. Trails have the potential to connect the City together.*

-Conservation Design: Include conservation design techniques in new development, study the use of conservation subdivision regulations and transfer of development rights and prepare ordinances as needed to implement them (page 71). *The City is studying the use of conservation subdivisions. If the City adopted a voluntary conservation subdivision ordinance, I estimate that 1,000 acres of natural lands could be preserved over the next 16 years. Not all new residential development would be in the form of a conservation subdivision. The main barrier appears to be that there is no central sewer in the rural areas and developers would need to use a community on-lot system to service residential lots of less than one acre. The City of Milton adopted a TDR program in 2013, with the AG-1 zone as the sending area and Crabapple and Deerfield as the receiving areas. But no private sector TDR transactions have occurred yet.*

-Conservation Easements: Develop a mechanism for the protection of natural resources or open space that involves donation of private property development rights in exchange for income tax, property tax or estate tax benefits (p. 71). *The City should work with a private land trust to facilitate the donation of conservation easements.*

-Preserve Land: Identify land that can be permanently protected natural resources, open space or farmland (p. 71). *The City has not done this yet. The City Council should appoint a Land Preservation Advisory Committee to identify land to preserve.*

-Utilize a Land Trust: Non-profit land trusts, working with communities, to save valued areas (generally environmental resources) through voluntary land conservation; typically a private, non-profit entity that may serve multiple functions include holding and monitoring easements, education and advocacy (p. 71). *The City is in conversation with the Georgia Land Trust.*

-Update the Milton Trails Plan to be consistent with the Milton Parks Master Plan (p. 72). *Uncertain.*

-Develop and implement a comprehensive parks plan (including programming) that considers the entirety of parklands and/or programs available; work with surrounding communities to realize any economies of scale that are feasible. Ensure park plans and development include

adherence with the Milton vision and mission including the preservation of the unique rural and equestrian character of the city (p. 72). *Milton has worked out an arrangement with the City of Alpharetta for Milton residents to use Alpharetta's parks at no charge. Milton is developing Bell Memorial Park. Birmingham Park provides passive recreation.*

-Develop incentives to encourage preservation of agricultural and equestrian operations (p. 72). *The transfer of development rights program is one incentive already in place. But as yet no private transactions have occurred. The City should study creating a purchase of development rights program.*

-Require connections in and between new residential developments; encourage interconnectivity between developments to provide residents and employees with additional travel options and reduce traffic volume. *Uncertain. Trail development is the way to achieve this interconnectivity. This can happen through developer exactions for trails as well as conservation easement donations from developers to meet their stormwater management requirements. Public acquisition of land for trails is another strategy that should be explored, especially along utility easements (rights-of-way) and the 100-year and 500-year floodplains.*

Transfer of Development Rights (TDR) Program

The City of Milton created a transfer of development rights program in 2013. The purpose of the program is to offer landowners with open land the opportunity to sell development credits to buyers who would then be allowed to build at a higher than normal density in designated growth areas. The City is currently in the process of selling TDRs from the Bell Memorial Park to a developer. The City has designated parcels of five or more acres in the AG-1 zoning area as TDR sending areas. A qualifying landowner receives four TDRs for each 5 acres owned. A developer who purchases a TDR may build two additional residential units in the Crabapple character area or four additional units in the Deerfield character area. As yet, no sale of TDRs by private landowners has occurred. Once value is determined for transactions of private, developable land, the number of TDR sales solely used for the advancement of preservation of open land, will be important for landowners in the sending area to have an idea of what their TDRs are worth.

The TDR program is likely to preserve about 500 acres over the next 16 years. This would involve the sale of 400 TDRs and the construction of up to 800 residential units in the Crabapple character area or up to 1600 residential units in the Deerfield character area. It is reasonable to assume that 400 dwelling units in Crabapple and 800 units in Deerfield would be built through the use of TDRs. This would mean that 1,200 units out of an estimated 5,000 units over the next 16 years would involve TDRs. An obvious question is whether the receiving areas in Crabapple and Deerfield can accommodate 1,200 new residences from TDRs plus at least 1,200 new residential units that would be built under the existing underlying zoning. In total at least half of

the new residential units over the next 16 years would have to be built in Crabapple and Deerfield for the TDR program to preserve 500 acres.

Milton Comprehensive Parks and Recreation Master Plan

The first park and recreation plan for Milton was drafted by students from Georgia Tech in 2007. This plan was a bicycle and pedestrian plan which emphasized paved trails, most of which would run parallel to existing streets and highways.

The City of Milton completed a Comprehensive Parks and Recreation Master Plan in 2012 to provide a city-wide plan, to create a plan for the city's largest park, Birmingham Park, and to update the 2007 Milton Trail Plan (City of Milton, 2012, p. 5). The City's parks and open space systems provide a variety of benefits that contribute to the high quality of life in Milton. The 2012 plan listed the benefits as:

- Accommodate recreational activities;
- Attract recreation enthusiasts;
- Increase property values;
- Provide public access to natural recreation areas and significant sites;
- Provide and enhance animal and plant habitats;
- Conserve, preserve, and protect historic character;
- Contribute to the city's identity and marketability;
- Enhance aesthetic quality; and
- Contribute to clean air and water (City of Milton, 2012, p. 5)

The 2012 Comprehensive Parks and Recreation Master Plan took a broader view than the 2007 plan and identified four types of trails:

1. Urban Trails: Urban trails are located within urban centers and along urban roadway corridors (City of Milton, 2012, p. 33).
2. Paved Multi-Use Trails (off-road)
3. Share the Road Trails (on-road)
4. Unpaved Greenway Trails: Greenway trails can be found within existing roadway rights of way, conservation areas, and within large parks.

The 2012 Master Plan noted population growth brings new demands for the expansion and protection of park lands and open spaces. In addition, the Master Plan pointed out that "large-scale master planned communities and low density large acreage single family residential properties further add to the problem of connectivity of the parks system" (p. 5). The Master Plan called for the City to increase connectivity through dedicated pedestrian, equestrian and bicycle trails (City of Milton 2012, p. 3). Also, the City should link park and recreation planning with development planning. The plan recommended that the "The City should review all development proposals in the context of the Milton trails plan" (City of Milton, 2012, p. 23).

This conservation green print plan recommends that the City planning staff ask the questions in

Table 5 as part of the development review process to promote open space and recreation opportunities.

Table 5. Questions to ask in the development review process.

1. How close is the proposed development to any important natural and cultural sites and environmental features?
2. Is the proposed development within a scenic viewshed?
3. Will trail linkages and greenways be provided consistent with the City’s parks and recreation plan?
4. Are conservation easements being donated to a government agency or a private nonprofit organization to protect open space as part of the development project?

The Master Plan set out three goals: 1) use gravel roads for connections east and west; 2) connect schools to trails; and 3) connect parks to trails (City of Milton, 2012, p. 22).

The Master Plan recommended:

- a. Contacting large public and private landowners to determine their level of interest and commitment in participating proposed trail and open space preservation projects (ibid., p. 62);
- b. Developing a grant stacking strategy to obtain financial assistance for implementing the projects identified in the master plan. For example, other cities in Georgia have used funds from the Community Development Block Grant (CDBG) program, Georgia Trails and Greenways Recreational Trails Program, and the federal Land and Water Conservation Fund (ibid., p. 63).

Overall, the Master Plan recommended the City spend \$4.346 million to expand core trails and \$27.6 million for the acquisition of 251 acres of parkland. The total estimated cost for park and trail acquisition and for park development was put at \$50.5 million (City of Milton 2012, p. 57).

Some of the need for parks has decreased because the City of Milton has worked out an arrangement with the City of Alpharetta for Milton residents to use Alpharetta’s parks free of charge. The focus on trails is appropriate for linking Milton by green space. This conservation green print plan recommends the preservation of an additional 250 acres of trails and parks at an estimated cost of up to \$15 million.

ICMA Report

A report by the International City/County Management Association (ICMA) for the City of Milton was completed in 2014. The purpose of the report was to list the open space preservation options available to Milton. In the report, Preserving Milton’s Character and Quality of Life, the authors present a useful discussion of several land use regulations, land

preservation techniques, and open space preservation funding programs. Rather than recommend a specific open space preservation technique or funding program, the report spells out the pros and cons of each.

Land preservation enhances development. It is not a choice between preservation *or* development. The City of Milton should seek to achieve a balance of development and preserved land. There are two general types of land preservation: public and private.

Public land preservation is often geared to the acquisition of parks, trails, and greenways for recreation. A rule of thumb is that if the City wants to manage a property, the City is better off buying it. However, this conservation plan does not recommend the use of the government power of eminent domain to acquire private land.

Public efforts to preserve land can also involve the purchase of conservation easements from private landowners. A conservation easement is a legal document that restricts the use of land to agriculture, forestry, or open space uses, depending on the specific terms of the conservation easement. The land trust or government agency that holds the conservation easement will negotiate the terms of the conservation easement with the landowner. In selling a conservation easement, a landowner is willingly giving up the right to develop the property for commercial and residential uses. The buyer (easement holder) is taking on the obligation to monitor the property and enforce the terms of the conservation easement. More than 30,000 conservation easements exist throughout the United States. The 2014 ICMA report noted that “more than 1,000 properties and 300,000 acres of land are under conservation easements in Georgia” (ICMA, 2014, p. 7).

The ICMA report discussed the creation of a Transfer of Development Rights program in which the local government ascribes development credits to landowners in a designated sending area who then can sell them to landowners in designated receiving areas who then gain the right to develop their property at a higher density than the zoning ordinance normally allows. The City of Milton adopted a TDR program in 2013. The advantage of a TDR program is the cost of land preservation to the public is low.

Private land preservation can involve the purchase of land or conservation easements or even receiving a donation of a conservation easement from a willing landowner. But private land under a conservation easement does not necessarily include the right of public access.

Landowners who donate land or a permanent conservation easement to a qualified private non-profit organization, such as a land trust, or a government agency can receive an income tax deduction against their federal taxable income and they may apply for a credit against their Georgia state income taxes (Georgia Department of Natural Resources, 2014).

The authors of the ICMA report note: “Given that open space supports property values and provides for recreational opportunities, one could argue that its useful life is continual and into perpetuity. As a result, borrowing funds and paying down debt over time is an appropriate

funding mechanism for land preservation” (City of Milton, 2014, p. 5). The further advantage of bonding for land acquisition is that it provides a large amount of money today to purchase a significant amount of park lands and trails or conservation easements to private lands before the cost of land becomes prohibitive. Today’s low interest rate environment is very favorable to municipal borrowers.

Each city has a bonding limit. The City of Milton would have to determine the costs of land acquisition and how much money it would be willing to borrow through the sale of general obligation bonds. This decision may require a voter referendum.

Another financing technique is impact fees. An impact fee is a one-time fee levied on a per lot basis as residential property is developed. An impact fee can be dedicated to a specific area, such as a parks and recreation impact fee. The revenues from the impact fee are collected by the city and placed in a parks and recreation fund, separate from the City’s general fund. Monies from the parks and recreation fund can only be spent on the acquisition of land for parks and recreation. According to GA state law,[O.C.G.A. § 36-71-1 (2009)], § 36-71-2(E) "Parks, open space, and recreation areas and related facilities" *may* be uses to which such dollars can be applied.

A parks and recreation impact fee is justified because current residents subsidize newcomers. That is, the current residents have paid for the existing parks and recreation system that newcomers can also enjoy. A parks and recreation impact fee in effect asks newcomers to pay for additional parks and recreation areas that the City will provide in the future. The challenge to the City is to determine the level of the impact fee and how much land the City could acquire through the parks and recreation fund.

Public Meeting

A public meeting about the conservation green print was held on July 30, 2014. About 50 people attended. After a brief presentation on land preservation options, a handout was distributed to the audience asking them their opinions about land preservation efforts in Milton (see Figure 13). This handout/survey was then made available on-line through the city’s website. Forty-three responses were returned at the public meeting and another 39 responses were made on-line. Respondents did not necessarily all of the questions in the survey.

Figure 13. Public Meeting Handout, Milton City Hall, July 30, 2014.

City of Milton Green Print Project Public Forum July 30, 2014

Which Area of the City Do You Live in? (Please check one)

Arnold Mill	_____	Crabapple	_____
Bethany	_____	Deerfield	_____
Birmingham	_____	Milton Lakes	_____
Central Milton	_____	Sweet Apple	_____

How do you rate the:

	Excellent	Good	Fair	Poor
Milton Trail System				
Quality of the Natural Environment in Milton				
Efforts to preserve natural areas in Milton, such as open space and farmlands				

Would you like to see the Milton Trail System improved? If, yes, how?

Should Milton preserve open space, farmland, trails, and natural areas? If so, where?

How well is Milton doing to protect the open space, rural/forested views, and farmlands within the city limits?

What role do you see the City of Milton playing in the conservation of the open space, rural/forested views, and farmlands?

Are you willing to financially support land conservation through bond initiatives or other tax-related means?

If you are a landowner in the City of Milton, how many acres do you own?

Would you be interested in private land conservation options?

Final Comments:

* * * *

Forty-three handouts were returned at the public meeting. Of the 43 respondents, 17 lived in Central Milton, 12 in Birmingham, 7 in Crabapple, 4 in Bethany, and 2 in Milton Lakes. The Milton Trail System was rated good by 4 respondents, fair by 19 respondents, and poor by 7 respondents. Several respondents stated that they did not know where the Milton Trail System is located. This result may suggest a need for better marketing and signage by the City.

The quality of the natural environment in Milton was rated excellent by 18 respondents and good by 18 respondents. Only 3 respondents considered the quality of the environment as fair.

Current efforts to preserve natural areas, including open space and farmland were rated excellent by 3 respondents, good by 8 respondents, fair by 22 respondents and poor by 5 respondents.

Twenty-nine respondents said they would like to see the Milton Trail System improved. Three respondents said no, and the others felt they needed more information to give a response. Walking and biking paths was the most common suggestion for improvement. Others mentioned multi-use trails.

Thirty respondents said that Milton should preserve open space, farmland, trails, and natural areas. Only one response said no. Other respondents were uncertain and needed more information. Where to preserve land brought out a variety of answers: trails along floodplains, central and northern parts of Milton, farm and equestrian areas, and throughout the City.

When asked how well Milton is doing to protect open space, 7 respondents said the City is doing a good job, 16 said a fair job, and 10 said a poor job. A few respondents were unsure.

When asked what role the City should play in land conservation, 17 respondents said a leadership role. Four respondents mentioned conservation subdivisions and incentives for different development. Other suggestions included an educating landowners about preservation options, impact fees, and expanding parkland.

Thirty-one respondents said they would be willing to support land conservation through a bond issue or other tax-related means. It is important to note that the handout did not ask for a level of financial support. Thus, while all respondents might be willing to pay \$10 more a year in taxes, if the level was \$100 or more a year in taxes, the response may have been different. Six respondents said no, and 4 respondents said maybe.

The handout was made available on the City of Milton's website. Between August 1 and August 15, an additional 39 responses were received. Of the 39 respondents, 10 lived in Central Milton, 12 in Birmingham, 4 in Crabapple, 6 in Bethany, 3 in Deerfield, 2 in Milton Lakes, and 2 in Arnold Mill. The Milton Trail System was rated good by 9 respondents, fair by 27 respondents, and excellent by 3 respondents.

The quality of the natural environment in Milton was rated excellent by 16 respondents and good by 11 respondents. Twelve respondents considered the quality of the environment as fair.

Current efforts to preserve natural areas, including open space and farmland were rated excellent by 4 respondents, good by 13 respondents, fair by 22 respondents.

Twenty-one respondents said they would like to see the Milton Trail System improved. One respondent said no, and six others felt they needed more information to give a response. Walking and biking paths was the most common suggestion for improvement. Others mentioned multi-use trails.

Twenty-five respondents said that Milton should preserve open space, farmland, trails, and natural areas. Only one response said no. Where to preserve land brought out a variety of answers: trails along floodplains, central and northern parts of Milton, farm and equestrian areas, and throughout the City.

When asked how well Milton is doing to protect open space, 4 respondents said the City is doing a good job, 16 said a fair job, and 4 said a poor job. A few respondents were unsure.

When asked what role the City should play in land conservation, respondents said educating landowners about preservation options, impact fees, helping horse farms, and expanding parkland.

Twenty-four respondents said they would be willing to support land conservation through a bond issue or other tax-related means. It is important to note that the handout did not ask for a level of financial support. Thus, while all respondents might be willing to pay \$10 more a year in taxes, if the level was \$100 or more a year in taxes, the response may have been different. Six respondents said no.

The number of people who filled out the handout/survey may not be representative of the City residents as a whole. Those who attended the public meeting or filled out the handout/survey on-line may be people who care more about land preservation than the typical resident of Milton. Nonetheless, the results from the handout and survey were fairly clear.

The distribution of land owned by the respondents varied considerably. Only three respondents owned 20 or more acres. Only 2 owned 10 to 20 acres. Three respondents owned 5 to 10 acres. And 31 respondents owned less than 5 acres.

A total of 8 respondents said they would be interested in working with a private organization on land conservation. Five said no, and 4 said maybe. A few respondents recognized that they owned properties that would be too small for private land conservation.

On-the-Ground Observations

Studying Milton through plans and maps is only part of understanding the character of the city. An on the ground visit, better known as “ground-truthing,” is essential for seeing the pattern of open spaces and development and identifying open space preservation assets and opportunities. I visited Milton from Monday, July 28 to Thursday, July 31, 2014. During my visit, I drove throughout Milton, especially in the Arnold Mill Road character area, Birmingham, Crabapple, Deerfield, and Central Milton. I also took several photographs.

The on-the-ground visit helped me to understand the patterns of development and open space in the City, and to identify in general terms those areas with potential to create large contiguous blocks of preserved land.

Conclusions and Recommendations

Overall

The City of Milton is projected to experience substantial population growth over the next 16 years, from about 35,000 residents today to 51,900 in 2030. The challenge will be how to accommodate this growth while minimizing the impact on environmental quality, outdoor recreation, and the city’s highly-regarded quality of life. Population growth typically brings new demands for the expansion of park lands and the protection of open spaces.

Milton has adopted a sound comprehensive plan to guide growth and preservation, and a master plan for parks and trails. The City has also enacted ordinances aimed at protecting rural viewsheds, requiring trails in new developments, and protecting riparian areas for stormwater management in new developments. The City has created a transfer of development rights program. The City is also studying or developing a number of projects that can enhance the open space in Milton. For example, the City is: a) working to connect to the Big Creek Greenway in Alpharetta and Fulton County; b) studying the use of impact fees for park and trail acquisition; c) working on a clear-cutting ordinance; d) studying the use of conservation subdivisions; and e) contracting with a conservation consultant and the Georgia Land Trust to facilitate private land conservation and implement various tools for the protection of Milton’s rural landscape.

The City of Milton has recently been issuing more than 300 building permits each year for new single family homes. This is resulting in the development of about 300 acres a year for single family houses. If this rate of development continues over the next 16 years, an additional 5,000 acres of Milton could be developed.

Private Land Preservation

Milton’s comprehensive plan expresses a desire for a balance between growth and land preservation. Land preservation enhances development. It is not a choice between preservation *or* development. If Milton is serious about implementing its comprehensive plan, the City will need to place more emphasis on the preservation of private land. This can be achieved through offering landowners an array of *voluntary* incentives to preserve their land. These incentives include: 1) purchase and donation of conservation easements (development rights); 2) the transfer of development rights; 3) conservation subdivisions; and 4) the outright sale or bargain sale of land in fee simple to the City or a land trust.

The City should determine a goal of private and public land to preserve over the next 16 years and identify priority lands to preserve. In 2012, Milton had 580 parcels of greater than 10 acres in size, which made up 45% of the City (City of Milton, 2012, p. 10, see also Table 3 and Figure 8). These parcels represent the best opportunities for land preservation.

As a way to start the discussion of how and where to preserve private land, I am suggesting a target of 4,000 acres of private land over the next 16 years as follows:

Transfer of Development Rights	=	500 acres
Conservation Subdivisions	=	1,000 acres
Purchase and donation of Conservation Easements	=	2,500 acres
TOTAL	=	4,000 acres

It is important to note that different land preservation techniques are better suited to preserving different types of land. For example, conservation subdivisions are good for preserving natural areas with little development capability. Purchase of conservation easements and transfer of development rights are good for preserving working landscapes, such as horse farms.

The cost to preserve land through the transfer of development rights and conservation subdivisions is low to the City, and involves title searches, closing costs, and monitoring easements. The cost of acquiring conservation easements could be as high as \$25 million, depending on appraisals. The City and any private land trust partners should place a cap on the purchase of conservation easements of \$10,000 per acre. Appraisal amounts above \$10,000 an acre may be used as a federal income tax deduction and a Georgia income tax credit by the landowner.

The City should explore funding opportunities from state, federal, and private sources.

Parks and Trails

The City has capable personnel in place to carry out an expansion of the City's parks and trails. This expansion has been recommended in previous studies and is a key finding of this conservation plan. The City needs to keep track of progress in parks and trails expansion in an annual report. The City must still decide on the mix of park land acquisition and trail expansion and types of uses, such as passive or active recreation areas and multi-use trails or bicycle and pedestrian paths. But these investments will serve the people of Milton for decades to come.

I am suggesting that the City look to expand its parks and trails by 250 acres over the next 16 years. The cost is estimated at up to \$15 million. This number of acres will both expand the trail system and help the City maintain park acreage standards identified in the Park Master Plan.

The City already has a few low cost techniques that could aid in expanding the trail network: a) requiring the provision of trails in new developments; b) requiring the donation of a conservation easement on riparian lands in new developments. The City should continue to consider locating trails along utility easements (rights-of-way) and should explore the acquisition of trails along 100-year and 500-year floodplains. The City will need some additional park space, but mainly in the form of smaller neighborhood parks distributed throughout the City.

The City should adopt a Park and Recreation impact fee to help pay for future park and trail acquisition. The City should also explore state, federal, and private funding sources, such as the federal Land and Water Conservation Fund which provides matching funds for the acquisition of public lands dedicated to recreation.

Specific Recommendations

The specific open space preservation recommendations for Milton are summarized as follows:

1. The City Council should appoint a Land Preservation Advisory Committee to assist in educating landowners and the public about land preservation options. The Advisory Committee could also help to identify land to preserve and assist the City in exploring financing options. The Advisory Committee could include: landowners, a City Council member, a Community Development Department staff person, a member of the Parks and Recreation Department staff person, a member of the building community, a member from Milton Grows Green, a member of Preserve Rural Milton, among others.
2. The City, with input from the Advisory Committee and the general public, should determine a goal of how many acres of privately-held land and public land to preserve over the next 16 years. The City should identify priority lands for preservation along with funding options.

3. As a starting point, I suggest that the City try to maintain a balance of preserved land and developed land. With as many as 5,000 acres potentially to be developed in Milton over the next 16 years, the City should try to match this by preserving roughly an equal number of acres of public and private land: 4,000 acres of private land and 250 acres of public land.
4. The City should work with a qualified land trust to preserve privately-owned lands.
5. The City should seek to implement the TDR program.
6. The City should continue to study the use of conservation subdivisions as an option for landowners and developers.
7. The City should explore long-term financing options for land preservation, such as local option sales tax revenues and the sale of bonds. In addition, the City should explore outside funding sources such as state and federal programs and national conservation organizations.
8. The City staff should evaluate the use of floodplains for additions to the City trail system to help connect preserved lands, including parks and public schools.
9. The City's trail system needs to be better marketed to residents.
10. The City will need to expand its parkland over the next 16 years to keep pace with the expected population growth. This includes both active and passive recreation areas.
11. The City should adopt a Park and Recreation impact fee to help pay for future park and trail acquisition.

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