

PROTECTING WHAT'S LEFT: WHY ANN ARBOR STILL NEEDS A NATURAL FEATURES ORDINANCE

by Michael Garfield

Ten years ago, the Ann Arbor City Council directed city staff and a citizens' committee to identify and preserve the City's remaining natural features. Recent events indicate that this mission is important now more than ever.

Even though the large majority of privately and publicly owned natural areas in the City have already been developed, the few remaining wetlands, watercourses, woodlands, and landmark trees contribute greatly to Ann Arbor's character and quality of life. In addition, they serve vital natural functions. They provide, among other things, wildlife habitats, pollutant filtration, and erosion control.

A 1987 inventory by the City Planning Department found 31 sites in Ann Arbor with "valuable" features; such as impressive topography, ravines, wetlands, marsh ponds, woodlots, and habitats for endangered species. Included on those sites are 57 valuable wetlands and 28 valuable woodlots. In an effort to preserve those remaining sites, City Council engaged in heated debate during 1988 and 1989 over a proposed natural features ordinance. Eventually, strong opposition from local developers persuaded Council to downgrade the ordinance to voluntary guidelines.

Two years later, it is clear that the guidelines have failed to protect the City. Two recent developments illustrate the point well.

In the course of beginning construction on a residential development near DhuVarren Road this May, the Guenther Building Company clear-cut and logged two separate areas of approximately 25 acres total



Unpermitted logging on the Foxfire Development in north-east Ann Arbor, May 9, 1991.

Photo courtesy City of Ann Arbor.

size. City inspectors found that over 100 large trees had been cut and sold to a logging operation. A stream running alongside the south border of the logged area was exposed by the cutting, and is now subject to erosion. Eventually, the developer was ticketed and fined the maximum allowable penalty of \$500 for clearing and grubbing without a grade permit — perhaps less than the price for just one of the cut logs.

Even more recently, the Newport Woods subdivision development threatened the continued existence of a 150-year-old landmark white oak by constructing a road within three feet of its very base. The activity clearly violates the natural features guidelines, but the City was unable to persuade the developer to move the road away from the tree. Ironically, the road is planned to be named "White Oak Lane."

In response, this July City Council appointed a committee of environmentalists, neighborhood activists, planners, and developers to

re-draft the natural features ordinance. The Ecology Center and the Huron Valley Group of the Sierra Club represent environmental groups on the committee. As currently conceived, the ordinance would:

- restrict activity in and near wetlands, watercourses, and woodlands on the basis of the quality of those natural features;
- protect landmark trees of a minimum size; and,
- require that protection measures are in place before site plans are approved.

The Natural Features Ordinance Committee is expected to present a re-drafted ordinance to City Council in November. Please contact the Ecology Center if you would be interested in supporting this effort, receiving a copy of the draft ordinance, or if you would like more information about the natural features protection process.