



# Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503  
303-678-6200 • POSinfo@bouldercounty.org  
www.BoulderCountyOpenSpace.org

## BOCC PUBLIC HEARING

**TO:** Board of County Commissioners  
**FROM:** Janis Whisman, Real Estate Division Manager  
**FOR:** BOCC Public Hearing, 9:00 a.m., Thursday, August 17, 2023  
**RE:** 2023 Open Space Sales Tax Ballot Initiative  
**MEMO DATE:** August 9, 2023

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*For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.*

### Summary

On December 31, 2023, 0.05% of the total 0.475% of a cent of sales and use taxes that the county is currently collecting for open space will expire. Parks & Open Space proposes extending the 0.05% for another fifteen years due to the need for continued acquisition and enhanced maintenance of open space.

### Background Information

Boulder County's robust open space program enjoys solid community support through public opinion and the prior passing of several open space sales and use taxes. The community first passed an open space tax in 1993. Other subsequent taxes passed and expired at various times to result in the current total collection of 0.475% of a cent. Only 0.05% of that continues in perpetuity.

Since 1994 when the first open space sales and use tax began being collected, the county has added 92,681 acres to Boulder County's open space program. Currently, Parks & Open Space is managing nearly 116,000 acres of open space. Of that, nearly 40,000 acres represent private property conservation easements and restrictions, and nearly 76,000 acres are county-owned or leased. (Please see the attached maps for illustration.)

Sales tax funds for open space have been instrumental in helping the county meet its comprehensive plan goals. The Boulder County Comprehensive Plan includes elements about Agricultural, Cultural, Environmental Resources, Open Space, and Sustainability—which together speak to preserving these important resources for open space:

1. Agricultural land and water
2. Community buffers (urban shaping)
3. Cultural resources (historical structures and areas, archaeologically sensitive areas, and archaeologically sensitive travel areas, etc.)
4. Natural resources (environmental conservation areas, high biodiversity areas, natural landmarks, significant plant communities, riparian areas, wetlands, wildlife habitat and migration corridors—including for Preble's meadow jumping mouse, etc.)
5. Recreational opportunities (including trails and passive recreation)

### **Need for Extension**

Boulder County needs this tax extension to continue acquiring land that meets the goals listed above, to enhance the county's maintenance of acquired lands, and to assist the department's goals for being culturally responsive and inclusive.

### *Continued Acquisition Needs*

Parks & Open Space estimates it would cost approximately \$200 million in today's dollars to acquire all remaining desired open space (land, water, and trail connections combined).

Boulder County partners with cities and towns to protect land outside of their planning areas, in the county's jurisdiction, where land can serve an open space purpose. Parks & Open Space solicits their input annually on what land, water, and trail connections should be acquired. While collective efforts to protect open space in Boulder County have been very successful, cities and towns continue to ask the county to help acquire 'rural preservation' land that acts as buffers between them. In their annual requests, cities and towns continue to express interest in preserving more for open space.

### *Enhanced Maintenance Needs*

As Parks & Open Space stewards nearly 116,000 acres of county-owned open space, the department is tasked with a myriad of stewardship responsibilities, including, but not limited to:

- Providing more than 120 miles of trails at more than 20 open space properties.
- Offering environmental educational opportunities for the public to learn about open space.
- Protecting significant cultural resources.
- Protecting important habitat, including riparian areas, wetlands, natural landmarks, etc.
- Managing more than 26,000 acres of county-owned agricultural land.
- Using water resources for irrigating county agricultural land and for other open space purposes.
- Working with private landowners to ensure conservation easements and other property restrictions are enforced and effectively result in protecting open space in the county.
- Protecting the county's real estate interests from non-open space uses, such as oil and gas development that was not yet authorized when the county acquired the subject properties.

### **Cultural Responsiveness and Inclusion**

As the department looks to the future, we are aiming to be more inclusive of people from all cultures in all that we do. Although the department has been working for several years on these goals, in one sense, it has just embarked on this goal that will take years to fully implement. Continued funding is needed to support the department's ambitious goals to serve the entire Boulder County community.

### **Staff Recommendation**

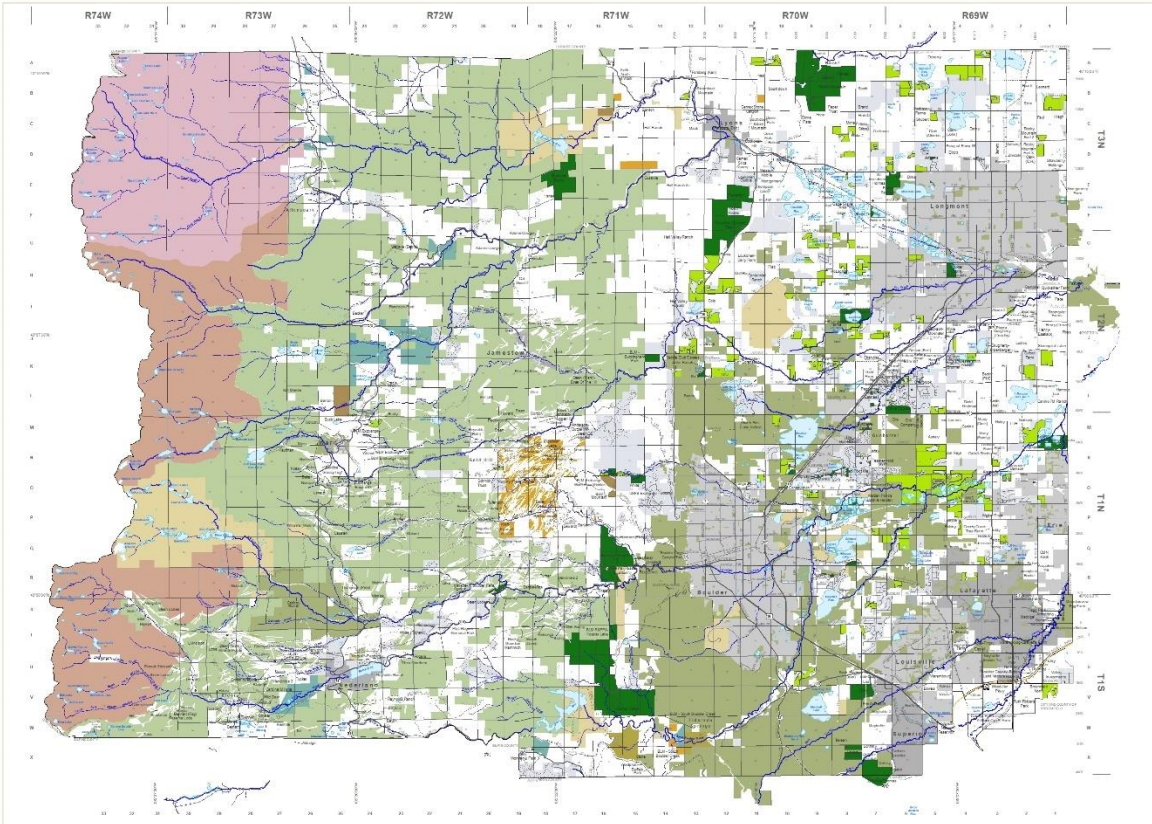
Staff recommends approval. The county currently collects approximately \$30 million/year in open space sales and use taxes. These funds are crucial for supporting the needs described above and the county's overall open space program. Loss of even a small 0.05% of a cent of these funds would have serious and lasting negative impacts on the county's ability to provide open space for the community.

### **BOCC Action Requested**

Approve the request as described above and as presented by staff.

# 1993 Open Space Map:

## Open Space in Boulder County



**December 1993**

**Legend**

- County Open Space
- County Conservation Easement
- Joint County/City Open Space
- County Option Parcels
- County Closed Areas
- County Seasonal Closure Areas \*
- Municipal Parks and Open Space
- State Land Board
- State Parks
- Indian Peaks Wilderness
- USFS Land
- BLM Land
- Rocky Mountain National Park
- Other Public Lands
- Non-County Conservation Easements
- Subdivisions or Platted Area
- Incorporated Area

U.S. / State Highway  
 Northwest Parkway

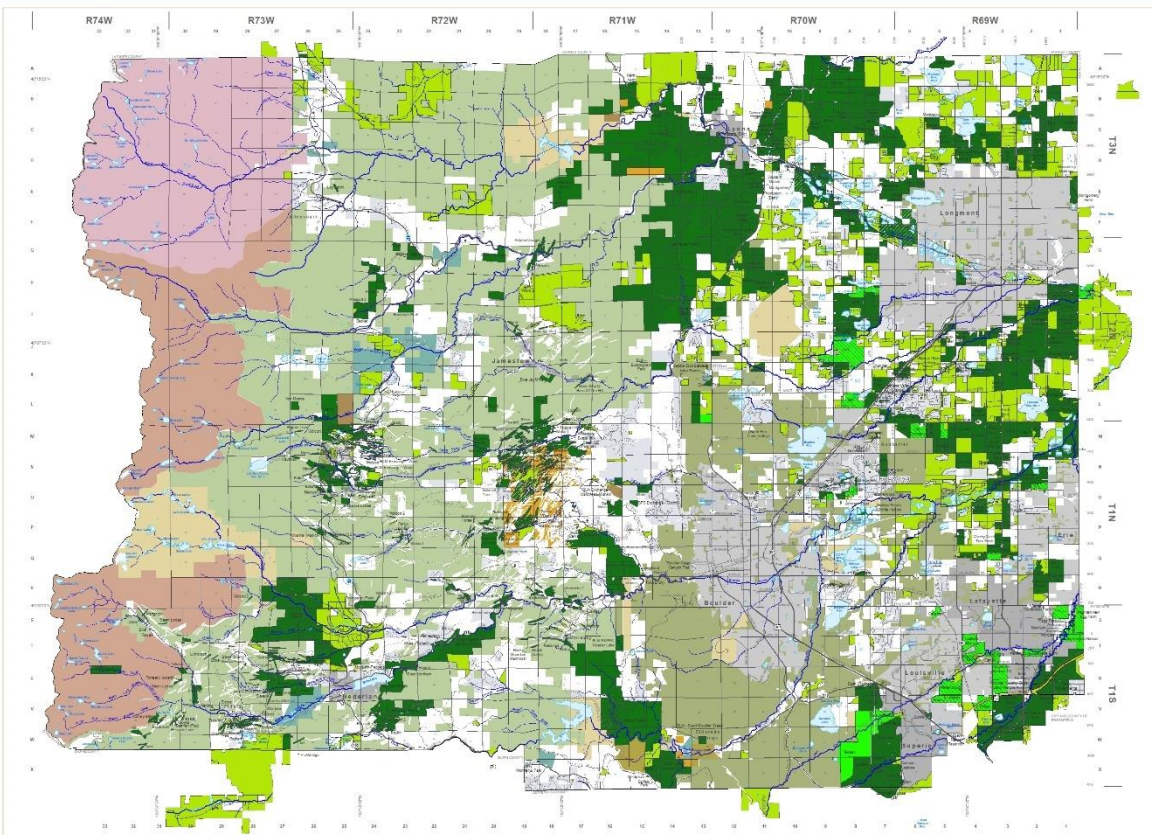
Collector  
 Local Access  
 Jeep Trail

Scenic Byways

\* For all-road property access and use please contact Boulder County Parks and Open Space at (303) 440-2000 or go to [www.bouldercounty.gov/open-space](http://www.bouldercounty.gov/open-space).

# 2023 Open Space Map:

## Open Space in Boulder County



**August 2023**

**Legend**

- County Open Space
- County Conservation Easement
- Joint County/City Open Space
- County Option Parcels
- County Closed Areas
- County Seasonal Closure Areas \*
- Municipal Parks and Open Space
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