



# Parks & Open Space

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## PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, January 25, 2024

**TO:** Parks & Open Space Advisory Committee  
**FROM:** Aaron Clark, Land Officer  
**AGENDA ITEM:** Cottonwood Property Acquisition  
**ACTION REQUESTED:** Recommendation to the BOCC

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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**

Boulder County proposes to acquire fee title to 101 acres owned by Everett T. Randleman, with associated water rights, for \$2,975,000. The property has an address of 6969 Ute Road and is located about ½ mile west of the intersection of 75<sup>th</sup> Avenue & Highway 66 on the north side of the highway. Staff supports this acquisition.

### **Background Information**

The Cottonwood property is primarily in irrigated agriculture and has substantial water rights, including shares in the Highland, Palmerton, and Rough & Ready ditches. The Palmerton and Rough & Ready ditches cross the central portion of the property. Two properties covered by county-held conservation easements (Lamy & Champion Farm) are adjacent on the north and west sides of the Cottonwood property.

Boulder County acquired a conservation easement on the property in 1996, together with a right of first refusal, should the owner decide to sell at some point in the future. That time has come; the owner would like to sell, and the County has decided to exercise its rights.

### **Deal Terms**

Parks & Open Space proposes that Boulder County acquire 101 acres of agricultural lands together with the house and outbuildings that currently stand on the property. Since the property is already subject to a county-held conservation easement, the purchase price reflects a price that is reduced from what fair market value would be if the property were not subject to conservation easement. Boulder County also owns a 60% interest in the property's significant water rights (listed below) and will acquire the remaining 40% as part of this transaction. This transaction will be paid for with open space sales and use taxes, which Boulder County can only use for open space purposes.

*Acquisition Summary*

Acres	Water Rights	# Building Rights County Will Acquire	Price per Acre	Water Right Value	Total Purchase Price
101	40% interest in: <ul style="list-style-type: none"><li>• 3.475 Shares in Palmerton Ditch</li><li>• 1 Share in Highland Ditch</li><li>• 0.1 Share in Rough &amp; Ready Ditch</li></ul>	1	\$23,932	\$557,867	\$2,975,000

*Mineral Rights*

Boulder County will acquire the mineral rights with this property.

*Oil & Gas Leases*

The property is not subject to an oil and gas lease.

**Boulder County Comprehensive Plan Designations**

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area’s agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate the following designations of these resources on or near the property: Agricultural Lands of Statewide Importance, Preble’s meadow jumping mouse (PMJM) Suitable Contiguous Habitat (Zone 3), View Protection Corridor (Highway 66), Rabbit Mountain ECA, Rabbit Mountain Natural Landmark, Rabbit Mountain High Biodiversity Area.

**Potential Uses**

Like all properties acquired for open space, the property will be managed for an open space use. At this time, the property is used for irrigated agriculture. The property will be closed to public use for an agricultural lease unless Parks & Open Space later determines other closures or other open space uses are appropriate. The process to determine specific future open space uses (including public access via trails or other passive recreation versus closures that protect a property’s open space resources) is an involved planning process that can only be done after acquisition. Parks & Open Space staff need ample time after acquisition to evaluate the property. While no specific evaluations about other potential future uses have been made at this time, Parks & Open Space anticipates that with its size, facilities, water rights, and proximity to Longmont and Lyons, the property may be an excellent location for small-scale, diverse agricultural producers.

**Staff Recommendation**

Staff recommends approval. The acquisition is important considering POS’s plans for agricultural lands in the future, including small-scale, diverse farming. The property’s water rights are of the highest priority for additional acquisition to serve open space uses. Cottonwood’s scenic values, Preble’s meadow jumping mouse (PMJM) habitat, and proximity to Rabbit Mountain also contribute to the high-priority nature of this acquisition.

**POSAC Action Requested**

Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

(see next pages for maps)





# Cottonwood - Focus Map

