

## Jefferson County Open Space Was Not Created by Accident

*John Litz, Jefferson County Open Space*

Every good story starts with, “in the beginning,” and the Jefferson County Open Space (JCOS) program is no exception. In the beginning, following the incorporation of the cities of Lakewood and Wheat Ridge (1969), residents of Jefferson County began to recognize that large tracts of open land were being consumed by the unmanaged sprawl of housing and commercial development.

In 1971, the Jeffco League of Women Voters initiated a study of this situation. The study determined that Jefferson County, one of the fastest growing counties in the state, was losing empty spaces at an alarming rate. In addition, there were only 3.05 acres of parkland per 1000 residents in the urban areas, versus the National Recreation and Park Association standard of 10.5 acres.

From these roots, in December 1971, PLAN Jeffco was born, with a bold approach to preserving the natural lands of Jefferson County. PLAN Jeffco was incorporated as a non-profit organization and later achieved “charitable” status with the IRS.



Original Open Space members in early 1970s posing in cemetery during “Dark Days...”. John Litz is pictured behind the tombstone.

*Jeffco Open Space*

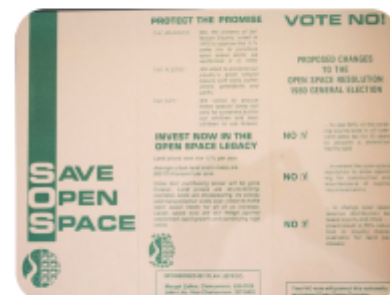
### PLAN Jeffco 1970s

PLAN Jeffco worked with the Board of County Commissioners and the County Attorney to prepare a ballot proposal. Members met with city councils and received no support. We also met with municipal staff members and received input, much of which was included in the initiative placed before the voters of Jefferson County in the 1972 election. The ballot proposal’s focus was funding for the acquisition of “lands of scenic, natural and historic value” and “trails thereon,” by one-half

percent sales tax. This tax generated a few hundred thousand dollars in the first year (1973) and now generates \$40 million a year.

Few entities had the foresight fifty years ago to establish what turned out to be a generous funding source that keeps up with population growth.

Jefferson County had much suitable land for Open Space. PLAN Jeffco created a preliminary map for the election campaign to show areas with desirable open space, the major creek drainages, and the proximity to the various Jeffco communities. Prior to the 1972 election, the State of Colorado and the City of Denver



Plan Jeffco brochure, 1970s.

*Jeffco Open Space*

managed the large non-urban parks in Jeffco, and cities and districts managed the smaller local parks.

The initiative passed, with fifty-four percent of the vote. The greatest support came from the more newly-developed areas, where people could look out their kitchen windows and see the open spaces disappear.

Open Space got its start in 1973 as a permanent department of Jefferson County government. Two PLAN Jeffco members were appointed to the first Open Space Advisory Committee. Other PLAN Jeffco members, who were USGS employees, prepared maps of the county showing geographic detail to assist in evaluating properties. The new program got to work right away as numerous landowners approached JCOS.

The Mount Falcon property became available in 1973. Open Space did not have the funds to purchase the 1,490 acres, so PLAN Jeffco set up a Land Trust (Colorado Open Lands Foundation, now dissolved) to borrow the funds from a bank and allow JCOS to acquire the property over time. This property is now Mount Falcon Open Space Park.

During the eight years after the election, most elected municipal officials felt that Open Space was using funds they should receive. Even though about one-third of the funds went directly to the cities, these

funds were limited to local park use. Three issues were placed on the 1978 ballot: more funds to the cities, ability to acquire "developed" property, and capital improvements. PLAN Jeffco quickly came out of hibernation and organized a campaign that defeated all three.

The 1978 ballot defeat and subsequent Court ruling seemed to energize the cities' attempts to redirect tax revenues meant for Open Space. In 1980, the cities were joined in their efforts by Jefferson County, because the inmates in the County Jail sued for "inhumane treatment." The Courts ordered the county to build a new jail, because the old one was inadequate. The county joined the cities in wanting to divert the Open Space funds—it needed money to build this new jail. Again, PLAN Jeffco organized a campaign to preserve the funding.

The county contracted for advertising that only supported their side of the issue arguments. PLAN Jeffco objected, claiming that county funds for advertising must include both sides of the issue. The county brought charges against PLAN Jeffco leaders for obstructing the election process. The court agreed with PLAN Jeffco and ordered the county to advise the citizenry of the entire story. This unexpected publicity from the Denver daily newspapers

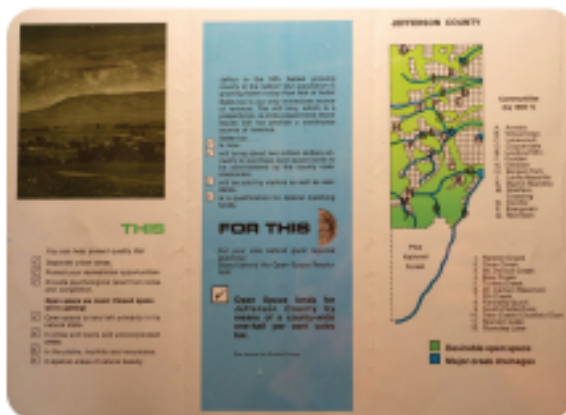
and TV stations helped spread the word and was leveraged to assist the opposition campaign. Using Open Space funds for a new jail and diverting more funds to the cities were defeated. The ability to use the funds on capital improvements passed.

### Plan Jeffco 1980s-90s

In 1988, PLAN Jeffco challenged the commissioners on the use of \$413,000 in Open Space funds to improve West Bowles Ave. near Clement Park. The resolution states that Open Space revenues can be used for access, but this interpretation was well beyond the intent of the resolution. PLAN Jeffco developed a policy paper to determine the limits on use of Open Space funds for roads. The commissioners agreed to limit the Open Space share to what was required for access—the right-most lane and deceleration lanes, and \$90,000 was returned to Open Space.

If PLAN Jeffco had not forced the idea that Open Space monies only be used for necessary access to properties, various interpretations of the resolution could have spread as far as funding a parkway, because the parkway median "...is a park in the middle."

By 1988, it became apparent that an updated Master Plan for using Open Space funds was needed. Open Space contracted for development of a master plan. Initially, it





had good input from cities and park & recreation districts but little input from the unincorporated areas of the county. The draft plan suggested the types of land that would be appropriate for Open Space acquisition.

The final plan recommendations focused on acquiring lands in the plains, not the more mountainous, unincorporated areas that PLAN Jeffco and other citizens had requested. The model in this plan proposed limited acquisition in the mountains and assumed high land prices. PLAN Jeffco developed a ten-year acquisition model using recent land prices that showed how Open Space could acquire contiguous lands that would serve as greenbelts, buffer zones, wildlife habitats, and natural land areas. A PLAN Jeffco Annual Meeting included a workshop using the model. The Open Space Advisory Committee held a similar workshop and Open Space began an active acquisition policy.

In 1992, PLAN Jeffco, working with the Clear Creek Land Conservancy and a host of other organizations, presented a formal proposal to preserve the entire Clear Creek corridor. PLAN Jeffco used (for the first time) the Open Space nomination process to submit a multi-property acquisition model (about fourteen properties). That same year, JCOS began acquiring lands in the Clear Creek and Bear Creek corridors and across the mountain backdrop.

During the mid-80s, there had been a moratorium on land acquisition.



Clear Creek Peak to Plains Trail, 2022.

Dick Scudder

This resulted in a build-up of Open Space funds over time, which allowed for significant acquisitions in the 90s. But, by the end of the 1990s, the surplus funds had been exhausted. Acquisitions were now over 20,000 acres, but the population of the Denver Metro area was still growing (as was the population of Jefferson County), and the demand for additional Open Space Parks was increasing.

In 1997, land prices were increasing faster than the interest rates. So, John Litz (an original member of PLAN Jeffco) generated a set of acquisition and financial models to evaluate the potential for bonding. PLAN Jeffco presented the plans to the Open Space Advisory Committee and to the Board of County Commissioners, highlighting the potential for an enhanced acquisition program. The Board of County Commissioners agreed, with some reluctance, to put the bond proposal on the 1998 ballot.

PLAN Jeffco organized the campaign and got amazing community support. The bonding proposal (for \$160 million) passed with overwhelming voter support—seventy-four percent.

The bond money has helped JCOS increase total park lands, from 20,000 acres to over 56,000 acres. The debt from the first of the bonds was retired in November 2019 and

the final bonds will be retired in 2024.

### The Next 40 Years...

Now that Open Space is mature, in the twenty years since the bonds passed, PLAN Jeffco's efforts have been to advocate for additional open space acquisitions and visitor stewardship. Work-



Meyer Ranch Open Space, Conifer, Colorado, 2022.

Dick Scudder

shops and conferences have included: Park Management Planning, Economic Impacts of Preserving Open Space, The Next Forty Years of Jeffco Open Space Conservation, Conservation Café, and Celebrating Visionary Women. PLAN Jeffco also has sponsored two Plein Aire Painting weeks in the parks with as many as twenty-five artists participating. Last year, PLAN Jeffco piloted a virtual seminar on stewardship of natural lands.

PLAN Jeffco will continue to:

- Push for more land acquisition and more Open Space Parks to keep up with population growth,
- Research ideas so that Open Space acquisitions can be adequately funded,
- Ensure that Open Space land use remains balanced—between developed recreation and natural areas (areas with trails and wildlife habitat),
- Identify desirable parcels for acquisition so that they do not slip away without at least trying to bring them into the Open Space program, and
- Monitor Open Space expenditures so that funds are used as intended.

PLAN Jeffco publishes a newsletter relating to Open Space with articles on the parks, summaries of OSAC meetings, plus topical articles. They also maintain a web site, [planjeffco.org](http://planjeffco.org), that has details on the parks, newsletter copies, and other information relating to natural lands. Please check the website for more information.