

**RESOLUTION IN SUPPORT OF INITIATED ORDINANCE “YES FOR PARKS AND OPEN SPACE”
AND IN OPPOSITION TO INITIATED ORDINANCE “CITY PARK LAND AND CITY PARK PROPERTY
PROTECTED BY A CONSERVATION EASEMENT”**

WHEREAS, with Denver’s significantly increased density and population and the adverse impacts of climate change, Denver has a critical need to protect and enhance its parks and open space for the health and well-being of its residents;

WHEREAS, Denver’s parks and open space have failed to keep up with its increased density and population;

WHEREAS, it is essential that Denver must protect and enhance its parks and open space;

WHEREAS, Colorado conservation easements are created for the purpose, among other things, of maintaining land predominately in a natural, scenic, or open condition or for wildlife habitat or for recreational or other use consistent with the protection of open land, environmental quality or life-sustaining ecological diversity;

WHEREAS, without approval of Denver voters, commercial and residential construction on designated parks, land protected by city-owned conservation easements and cancellation of city-owned conservation easements should be prohibited;

WHEREAS, the city owns at least one conservation easement which is the perpetual open space conservation easement that it purchased in 1997 for \$2 million and that protects the 155-acre Park Hill Golf Course land from development;

WHEREAS, the city may acquire additional conservation easements in the future;

WHEREAS, a new version of the conservation easement protecting the Park Hill Golf Course land from development was signed on July 11, 2019 and recorded on July 12, 2019;

WHEREAS, the current owner of the Park Hill Golf Course land purchased the land subject to the current conservation easement and has declared its desire to cancel the conservation easement and develop the Park Hill Golf Course land;

WHEREAS, a parks and open space advocacy group known as “Yes for Parks and Open Space” has proposed an initiated ordinance entitled “Parks and Open Space Preservation” which would protect designated City parks, the conservation easement on the Park Hill Golf Course land and any current or hereafter acquired conservation easement owned by the City and County of Denver by requiring a vote of the people of Denver before such park and open space lands could be developed, or a City-owned conservation easement could be cancelled, unless for the purpose of creating a new park;

WHEREAS, the current owner of the Park Hill Golf Course land and its supporters have proposed an initiated ordinance entitled “City Park Land and City Park Property Protected by a Conservation Easement” which would amend the definition of conservation easement to apply only to conservation easements which have been reviewed and approved by the Division of Conservation and for which an income tax credit certificate has been issued by the Division of Conservation pursuant to C.R.S. §§12-15-105 and 106;

WHEREAS, the “City Park Land and City Park Property Protected by a Conservation Easement” initiated ordinance would redefine “conservation easement” to effectively remove the conservation easement protecting the Park Hill Golf Course land, and any other conservation easement currently owned or hereafter acquired by the City and

County of Denver, since the City and County of Denver does not play income tax and is not and will not be in the future in a position to seek an income tax credit from the Division of Conservation;

NOW THEREFORE, Greater Park Hill Community, Inc. respectfully urges the citizens of the City and County of Denver to vote as follows in the November 2, 2021 municipal election:

IN FAVOR OF: The initiated ordinance entitled “Park and Open Space Preservation” which states:

Shall the voters of the City and County of Denver adopt a measure prohibiting the following without the approval of voters in a regularly scheduled municipal or special election:

- Any commercial or residential development on land designated as a city park and land protected by a City-owned conservation easement except where consistent with park purposes, conservation easement purposes, or for cultural facilities, and
- Any partial or complete cancellation of a City-owned conservation easement unless for the purpose of creating a new park?

AGAINST: The initiated ordinance entitled “City Park Land and City Park Property Protected by a Conservation Easement” short title “Conservation Easement Initiated Ordinance” which states:

Shall the Voters of the City and County of Denver adopt a measure to do the following: 1) amend the definition of conservation easement to apply only to conservation easements which have been reviewed and approved by the Division of Conservation and for which an income tax credit certificate has been issued by the Division of Conservation pursuant to C.R.S. §§12-15-105 and 106; 2) require voter approval before the City allows residential or commercial construction on City park land or City property protected by a conservation easement with exceptions for limited construction related to recreational use, cultural facilities, or construction consistent with the terms of a conservation easement; and 3) require voter approval to extinguish a City-owned conservation easement?

Approved _____, 2021