



# **WASATCH OPEN LANDS BOARD**

*Finding Solutions to Preserve Open Space*

**Presentation to the Wasatch County Council**

***March 28, 2018***

# Public Interest in Open Space

- **Heber City recently conducted a Jan. 2018 survey where 1700 people responded that ‘open space preservation’ is the highest priority for the City receiving one more vote than the ‘Main Street Traffic.’**
- **Midway City has a citizen group that is actively advocating for open space preservation.**
- **In 2016, Wasatch County voters overwhelmingly (74%) supported the A-20 zoning in the North Fields area.**
- **A citizen-led group is currently petitioning for another referendum to preserve the A-20 zone of the central zone of North Fields.**
- **In 2010, Heber Valley Tourism commissioned a study in which the majority of visitors stated that open space played a large factor into their decision to visit the Heber Valley.**



# Benefits of Open Space

- **All WOLB Proposals are based on the Private Property Owner's Free Choice.**

- **No landowner is forced to use the land tools WOLB will provide.**
- **Conservation easements protect the current use of the land with private property ownership and maintenance.**
- **Other land preservation tools are flexible for proper owner's needs & choices.**
- **Provides tax benefits to landowners for conservation easements.**
- **WOLB will develop bylaws, land criteria and processes, build relationships with prospective land owners & seek matching federal, state, and private grants.**

- **PRESERVE THE HERITAGE OF OUR VALLEY:**

- **We live in this Valley because we want to be close to the land. We draw strength, inspiration, happiness, and peace from the open lands in this Valley.**
- **Agricultural Lands**
- **Grazing & Ranching Lands**
- **Lands with Watersheds or Wildlife protection**
- **Public Access Corridors, Viewsheds, Wetlands**

# More Benefits of Open Space

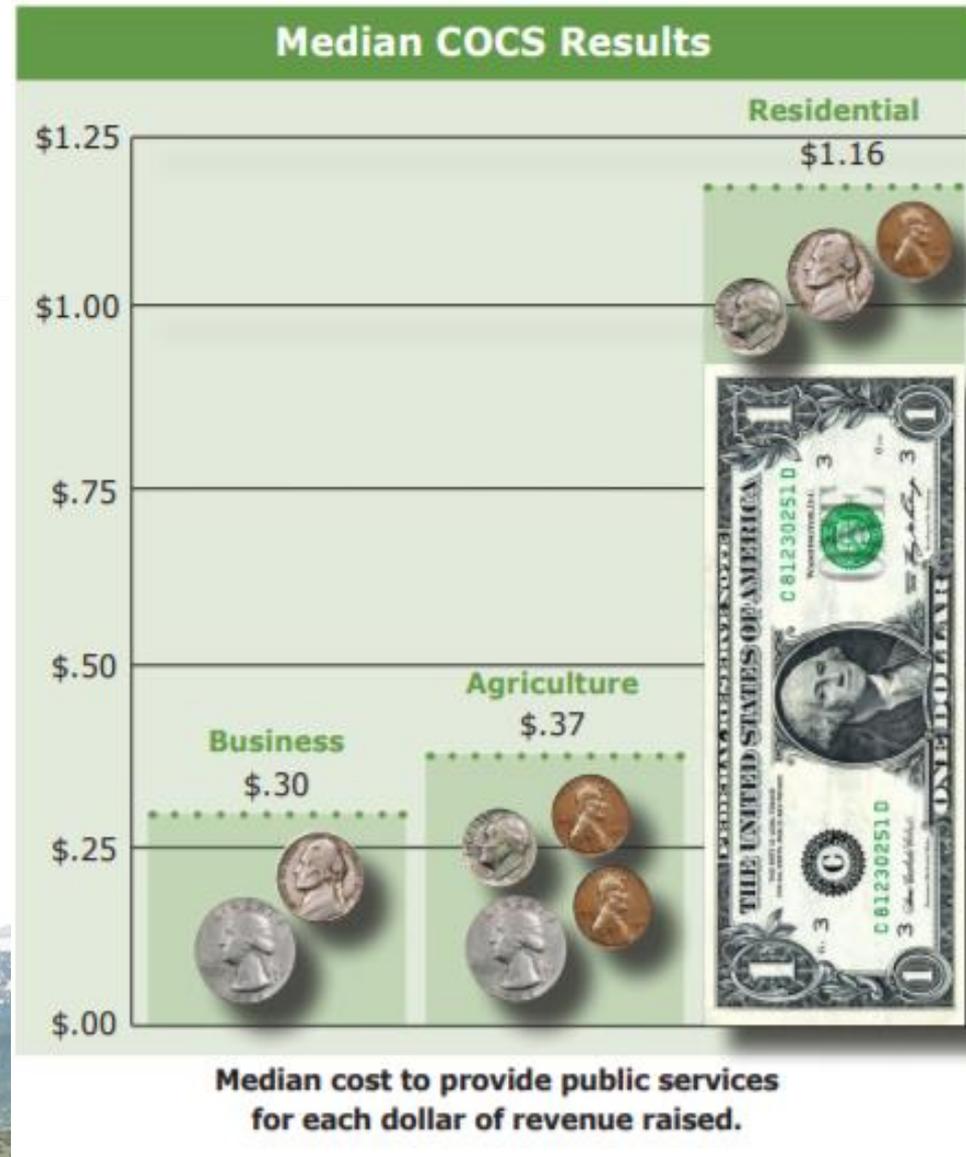
## 2016 National Study on Cost of Community Services:

[http://www.farmlandinfo.org/sites/default/files/Cost\\_of\\_Community\\_Services\\_Studies\\_AFT\\_FIC\\_201609.pdf](http://www.farmlandinfo.org/sites/default/files/Cost_of_Community_Services_Studies_AFT_FIC_201609.pdf)

**This chart “helps local leaders discard the notion that natural resources must be converted to other uses to ensure fiscal stability.”**

**Also “dispels the myths that residential development leads to lower taxes [&]...that farmland is an interim land use just waiting around for development.”**

[http://conservationtools.org/library\\_items/352](http://conservationtools.org/library_items/352)



# More Benefits

## **ENVIRONMENTAL QUALITY:**

**Protect air quality, tourism appeal, & world class vistas.**

**Provide stormwater management *without* infrastructure costs.**

## **OPEN SPACE PRESERVATION**

**Maintains the rural character of our Valley.**

**Attracts economic development that is also committed to our high quality of life.**

## **PLANNING FOR FUTURE GROWTH:**

**Provides another incentive for growth to happen in cities.**

**\*PRESERVE OUR QUALITY OF LIFE FOR FUTURE GENERATIONS**

# What Lands Will WOLB Focus On?

## Focus on Different Types of Lands:

- **Agricultural Lands**
- **Grazing & Ranching Lands**
- **Lands with Watersheds, Viewsheds, Wildlife protection**
- **Public Access Corridors**
- **Motivated Landowners that align with strategic areas**
- **Recreation and Wildlife Migration Corridors**
- **Common lands of interest with Developers and Municipalities**
- **Additionally, each city can develop their own Open Lands Board and prepare their own criteria and projects.**



# WOLB – Organization & Priorities

- **The Wasatch Open Lands Board is comprised of talented people: a real estate attorney, real estate broker, county tourism director, a public lands director, plus elected officials with agricultural background & a commitment to open space. All have expertise and strong county & regional background.**
- **The Board has direct experience to provide a ‘**ONE STOP SHOP**’ for different land preservation projects. All preservation projects will be based on **property owner’s free choice**.**
- **WOLB has connections to donors and the business community.**
- **The Board will facilitate grants -- a key component in leveraging initial seed money.**
- **WOLB will collaborate with cities & provide regular communication and information sharing.**
- **WOLB will provide strong Community outreach: Schedule town hall meetings this summer to inform the public. Provide a public survey. Educate taxpayers to THIS PLAN.**
- **WOLB will navigate legal requirements using Attorney board member.**



# Snake Creek Canyon

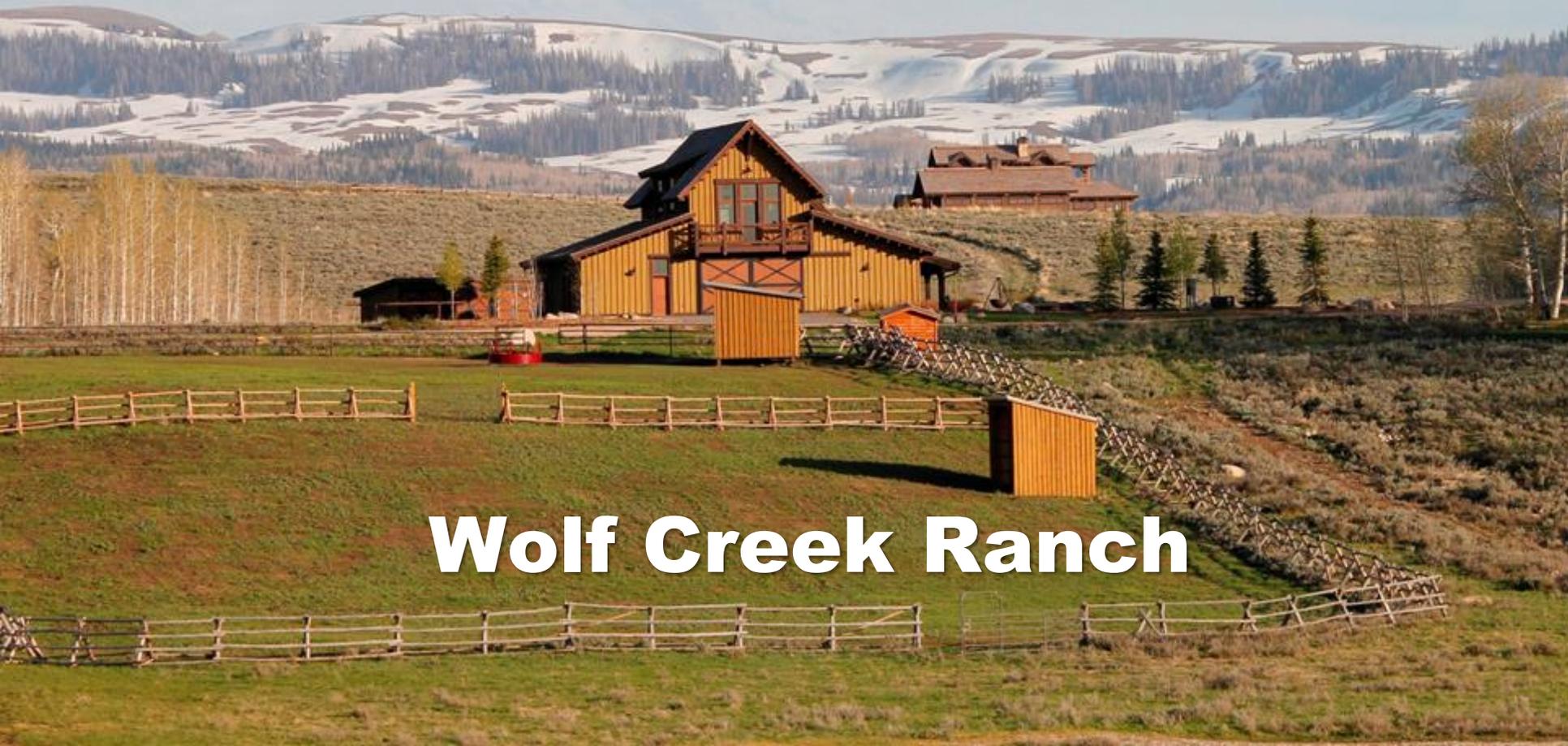
**Utah Open Lands, the Snake Creek Preservation Society, the Nature Conservancy and others raised money to preserve Snake Creek Canyon.**

**-The first 700 acres were placed under a conservation easement with Utah Open Lands and donated to Wasatch Mountain State Park and the Forest Service.**

**-Another 122 acres were subsequently purchased by Utah Open Lands. And the effort inspired a landowner living out of state to donate another 100+ acres of land to Utah Open Lands.**

**-This partnership for Snake Creek Canyon saved 1000 acres of ground that is protected under a conservation easement held by Utah Open Lands and is accessible to the public as part of Wasatch Mountain State Parks.**

- 160 acre lots with additional common area land protected.
- A total of 13,000 acres is protected as part of Wolf Creek Ranch.
- The Ranch is a favorite part of the Tour of Utah and the wildlife habitat protected on this private property ensures the protection of calving and fawning grounds as well as watershed and sensitive species habitat that serves as additional protection of open space adjacent to public land.



# Wolf Creek Ranch

## **ERMA S AND CHARLES JEWELL RICHINS RANCH HERITAGE PRESERVE:**

Working with Utah Open Lands these ranchers were able to protect almost 3000 acres of land that provides habitat for the greater sage grouse. The landowners continue to graze sheep and own the land and funding sources included funds from state and federal programs which leveraged funding from the Eastside Agricultural Preservation Fund in Summit County. The landowner also made a partial contribution of the conservation easement value.

### **Cost & Benefits**

**-Studies have demonstrated that surrounding land and market values increase when open space is protected.**

**- Example: The developer of Willow Ranch in Park City worked with Utah Open Lands to set aside developable land as open space within his development. He found that the lots adjacent to the open space sold for \$50,000 more per lot than the other lots in the subdivision.**



**The Last Dollar Ranch,  
Colorado**

# Bonanza Flats



# Possible Areas of Interest



- **North Fields**
- **HVSSD Sewer Farm**
- **Center Creek to Forest Service property**
- **Upper Lake Creek near FS property**
- **Midway Properties and adjacent lands**
- **Charleston along #113 and #189**
- **Wallsburg Meadows & Benches**
- **Jordanelle Developments and Benches**

# Property Owner Benefits

## PRINCIPLES:

- Conservation Easements protect the private property right to preserve current land uses.
- It is a voluntary willing seller/donor/ willing buyer/grantee situation.
- Working with entities like Utah Open Lands, proposed bond funds could be leveraged.
- Just looking at Bonanza Flat the fundraising effort spearheaded by Utah Open Lands raised 34% of the purchase price.
- WOLB will create criteria that will ensure a process for preserving critical open lands.

## INCOME & ESTATE TAX DEDUCTIONS

**-A LANDOWNER WHO DONATES ALL OR A PORTION OF THE VALUE OF A CONSERVATION EASEMENT CAN TAKE 50% OF ADJUSTED GROSS INCOME AGAINST THE VALUE OF THE GIFT FOR UP TO 15 YEARS.**

**-A QUALIFYING FARMER OR RANCHER CAN TAKE 100% OF AGI AGAINST THE VALUE OF THE GIFT FOR UP TO 15 YEARS. This leverages bargain sales of conservation easements.**

**-Estate taxes are lowered and in addition under the 1997 Taxpayer Relief Act QUALIFYING LANDOWNERS CAN TAKE AN ADDITIONAL 40% OF THE RAW LAND VALUE OFF OF ESTATE TAX consequences ALLOWING LANDOWNERS TO PASS THEIR LAND ON TO THE NEXT GENERATION, THUS KEEPING THE AGRICULTURAL HERITAGE OF THE VALLEY FEASIBLE.**

**-Also depends on income level of property owner, the type of property, IRS Guidelines, etc.**

<https://www.congress.gov/bill/105th-congress/house-bill/2014>

# Consider This:

- With continuing growth in this Valley the bond cost per valuation will ***decrease***.
- WOLB is ready to apply for & receive matching grants ***this year*** once the Bond seed money is approved by voters.
- WOLB members have identified ***willing property owners*** who want conservation easements.
- Private Donors ***are ready*** to contribute if bond is passed.
- **LET THE VOTERS DECIDE.**

# Draft Bond Text

• Shall Wasatch County, Utah (the “County”), be authorized **over the next twenty years** to issue **up to three \$5 million general-obligation bonds** for a total bond amount **not to exceed \$15 million** (the “Bonds”) for the purpose of ensuring the **permanent protection of open space within the County** using land preservation tools and financing or paying the related costs of the same; shall the County be authorized to pay from the Bond amounts all expenses reasonably incurred in connection with the authorization and issuance of said Bonds, with the Bonds being due and payable and not to exceed **twenty-one (21) years from the date of the Bonds**; and to retire the Bonds, shall the County be authorized to levy a tax on all taxable property within the County.

***\*CONSIDER THE DRAFT RESOLUTION ON THE OPEN SPACE BOND.***

# Open Space Proposal

- **BOND PROPOSAL FOR OPEN SPACE PRESERVATION:**
  - **Put on November 2018 General Election Ballot.**
- **AMOUNT OF BOND:**
  - **Propose total of \$15 million over the next 20 years.**
  - **Yet take out bond in \$5 million increments.**
  - **WOLB will develop thresholds & benchmarks with Council approval before requesting the next \$5 million increment from County Council.**
- **COST OF BOND to Taxpayers:**
  - **The cost to property owners will be approximately \$9 a year per \$100,000 assessed valuation for \$1 million of Bond.**
  - **Primary residences will be assessed 55% of total valuation.**
  - **Secondary homes & Commercial properties will be assessed at 100% of value.**
- **The Board will develop bylaws, land criteria, materials, etc., for educating property owners to various land preservation options, & helping owners through the conservation easement process for tax benefits, etc.**

## **CONCLUSION:**

**WOLB requests that the County Council vote to pass the Draft Resolution on the Open Space Bond today to put this Bond proposal on the November 2018 ballot for a total of \$15 million in \$5 million increments over the next 20 years.**





**QUESTIONS?**