

# CU Boulder South: Myths & Misinformation

**Claim 1:** CU Boulder will sell the land right after annexation to a private developer that will be able to build whatever it wants at the site.

**Truth:** This is based on speculation and is categorically untrue. CU Boulder has owned this site since 1996, and has intentionally held it for the future needs of the university community. More specifically, the binding terms contained within the annexation agreement govern any potential future sale of the property. This includes a first right of offer and right of second refusal for the City of Boulder to purchase the property, as well as limits and requirements for potential purchasers of the site.

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**Claim 2:** The university could simply grant an easement to the city so that flood protection can begin now, with annexation finalized at a later date.

**Truth:** Backtracking now to grant an easement would add years of further delays to long-overdue flood protections in South Boulder. While it might sound on its face like an easement would be a simple and quick proposition, granting an easement would not take into account the crucial elements like transfer of over half of the land and all of the university's water rights ownership at the site, both of which are key factors in the city's ability to obtain federal and state permitting for flood protection and wetlands preservation. Any attempt to enact flood mitigation without these key elements would significantly complicate the approvals for the city's plans. It's a risk our community shouldn't have to take.

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**Claim 3:** CU Boulder will build whatever it wants regardless of what's in the annexation agreement.

**Truth:** The annexation agreement is contractual and legislative in nature. This means that the university and the city are both bound by it once signed, and that there is a process for enforcing it. The annexation agreement also clearly states that the development of the land will be limited to 129 acres of the total site, and stipulates what sorts of residential, non-residential and recreational development will take place. Development of the site is not expected to take place until at least 2027.

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**Claim 4:** CU Boulder will build in the floodplain and make Boulder's flooding situation worse.

**Truth:** There is simply no basis in fact for this. The area of the site slated for development is not a part of the 100-year floodplain or the 500-year floodplain, and no building will take place until after flood protections are built. In fact, the annexation agreement explicitly prohibits development in the floodplain.

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**Claim 5:** The Annexation Agreement has been rushed.

**Truth:** This is the most comprehensive, detailed and transparent agreement in the 145-year shared history between CU Boulder and the city, and has involved hundreds of individuals and thousands of hours in moving toward this outcome. This parcel of land was first identified nearly two decades ago as ideal for flood protection, leading the city to invite the university to bring this property into the 2015 Boulder Valley Comprehensive Plan (BVCP) update process to facilitate annexation. In 2017, Boulder's City Council and Planning Board, Boulder County Commissioners and the Boulder County Planning Commission approved the 2015 BVCP update.