

NCA Analysis on the Current Niwot Incorporation Proposal

Introduction and Timeline

A group of local citizens has formed a committee with the purpose of advancing a plan for the incorporation of Niwot - making Niwot a city. The committee is named "The Niwot Incorporation Committee". You can view complete details of their proposition at www.niwot.town.

As part of our commitment to inform our members and the community on issues that could impact them, the Niwot Community Association (NCA) has formed a committee to meet with stakeholders, research legal policies, and analyze each of the components of the proposal. Over the coming months we will publish results of ongoing research to help the citizens of the greater Niwot community be well informed.

The NCA did not initiate the current incorporation effort and neither endorses nor opposes it.

The NCA board does not advocate or endorse any specific issue or candidate. Information is being provided to fulfill our charter as a conduit of information so that the public can be well informed. When appropriate, the NCA will conduct community surveys to gauge sentiment, gather feedback, and collect questions for issues that need additional clarification.

When you need to get involved

You can get involved at any time by attending various meetings, forums, and workshops, but the **November 2026 election** will be your main opportunity to help decide the future of Niwot. Complete details on the timeline of events is below.

Note: If incorporation does not gain support by this summer, organizers of the Niwot Public Improvement District for Niwot road reconstruction and maintenance will likely resume their plan to get that initiative on the November 2026 ballot.

What is being proposed?

Within the Colorado State Statute for incorporation of a city, the Incorporation Committee is currently working on a petition that will define a set of ballot measures for the November 2026 election. These ballot measures will ask voters to approve matters such as*:

- Boundaries for the city of Niwot.
- Immediate and conditional property tax changes for residences and businesses within the boundaries.
- Sales tax, use tax, and recreational marijuana tax changes.
- Formation of a Home Rule Charter Commission.
- Authorization to issue bonds to fund road projects.

* Until the petition is finalized and submitted, the exact ballot measures for the fall election are not known. As the measures are formulated, we will relay additional information.

Important details on the petition:

- The Incorporation Committee plans to submit the petition by the end of March 2026.
- The collection of signatures from residents within the proposed boundaries is required for the ballot measures to move forward.
- The submission of the petition DOES NOT MEAN that Niwot is incorporated. It only lists the elements that will be on the ballot in November.
- The petition WILL NOT include the complete details of what an incorporated Niwot would look like. All those details will be formulated by the Home Rule Charter Commission after the November election, if it gets approved by the voters.

Future articles by the NCA will dive deeper into aspects of the petition and resulting ballot measures once it has been finalized and submitted.

Incorporation of Niwot has been considered before

The idea of incorporating Niwot is not new. Many times in the last 50 years specific issues impacting Niwot have driven the conversation towards self-governance.

In 2011 the NCA investigated the idea of incorporation to find a solution to the subdivision road paving challenges. At that time, it was concluded that incorporation was not a viable solution to resolve the subdivision road issue due to the scope of city services that would need to be provided and the subsequent tax burden it would place upon the residents and businesses.

Following the building moratorium imposed by Boulder County in 2018 that impacted the Niwot Rural Community District, a group of Niwot citizens and business owners initiated a new effort to incorporate Niwot. Targeting a 2020 ballot measure, this effort stalled with the COVID-19 outbreak.

Why incorporate now?

This current effort to incorporate is born out of many different factors according to the Niwot Incorporation Committee. They cite these four core issues as their main motivation:

Subdivision Roads: The road maintenance issue is over 30 years old and there is no expectation that Boulder County will ever come up with a satisfactory solution. Last year a movement to create a Niwot Public Improvement District was initiated to address Niwot's roads. This effort was vacated in September 2025 due to information and timing issues.

The Niwot Incorporation Committee's plans for the City of Niwot include road reconstruction/maintenance, funding, and planning.

Land Use & Zoning: Two recent events demonstrate that Boulder County is not making decisions with Niwot's best interests in mind. The 2018 building moratorium and subsequent changes to the building code are cited by the Niwot Incorporation Committee along with the more recent Land Use Code changes that reduce home size limits from 125% to 100% of the neighborhood median. In this latter case, the Boulder County Commissioners enacted the new restrictions despite the Planning Commission unanimously voting to NOT enact the code changes (Docket DC-2025-04-0003).

Local Business Vitality: The Niwot Incorporation Committee points to the Boulder County Wage Ordinance enacted in 2023 that created a schedule for unincorporated Boulder only to increase the minimum wage in the years 2025 through 2030 as additional evidence of the county's indifference to Niwot. As a result of a years-long effort by many different Niwot organizations, the County Commissioners were convinced to reduce the size of the minimum wage increase.

Stewardship of Tax Dollars: Niwot residents and voters have no influence over the Boulder County Commissioners decisions as to how collected taxes are spent and how departmental policies are set. The Niwot Incorporation Committee wants Niwot to become a city so that local control over spending and policies are made to benefit the community and businesses of Niwot.

Opposition to Niwot incorporation

To date, no organized group opposed to Niwot incorporating into a city has been identified. The NCA has heard from many individuals who are opposed and will be collecting information from them.

Concerns over incorporation include:

- Potential increased taxes (property, sales, and use)
- Probable additional level of government and bureaucracy
- Potential fire and police service level changes
- Potential impact on home insurance rates and other “pass through” costs from use taxes
- Accuracy of the cost estimation to provide all city services
- The question of whether the city will have the ability to reconstruct and maintain Niwot roads in a timely and fair manner
- Long term budget implications, particularly in a ‘down market’ or another financial impacting event
- The ability to maintain a mostly volunteer government into the future
- Potential changes to the land use code that allows too much re-development
- Potential changes to the character of Niwot

Timeline

Here are the important events that you need to be aware of:

March 2026: The petition language will be finalized in early March followed by the signature collection process. All signers of the petition must live within the boundaries defined in the petition. If this is successfully completed it starts the process of getting ballot measures onto the November 2026 ballot.

Niwot IS NOT incorporated at this point.

July 2026: Individuals wishing to get their name on the fall ballot as a candidate to serve on the Niwot Home Rule Charter Commission must file an application. All candidates must reside within the proposed boundaries in the petition.

Niwot IS NOT incorporated at this point.

November 2026: The fall ballot will include several measures all related to Niwot incorporation as defined by the petition filed in March. In addition, candidates for the Niwot Home Rule Charter Commission will be voted upon. Only residents within the proposed boundaries would be able to vote on these measures and candidates.

Without knowing what the ballot measures are, it is impossible to know at this time which or how many of the ballot measures need to pass for Niwot incorporation to be viable. Further, the election of Home Rule Charter Commission members would be moot if Niwot incorporation is not viable.

Niwot IS NOT incorporated at this point.

Post-election 2026: Assuming enough of the ballot measures are approved by voters, the people elected to the Niwot Home Rule Charter Commission will begin meeting to write the city charter under the guidelines of Colorado State Statute. This charter will define all aspects of an incorporated city of Niwot; everything from government organization (mayor, council, planning, elections, ...), to contracted services, land use code, sales and use tax changes, audits, insurance, compliance, fire and law enforcement requirements, ... and so much more. This will be a difficult and iterative process that would include public meetings for business and community input.

Niwot IS NOT incorporated at this point.

May 2027: A special election to vote on the city charter created by the Niwot Home Rule Charter Commission. Only residents within the approved boundaries would be able to vote.

If the charter is approved, **Niwot would be incorporated.**

If the charter is not approved, **Niwot would NOT be incorporated.** The chartering commission would decide if the charter should be updated and re-submitted for a second special election.

June 2027: Assuming that the City of Niwot charter is approved, individuals seeking to be on the August 2027 ballot for Niwot government positions must file an application.

August 2027: A special election will be held to vote on candidates for government positions for the City of Niwot.

Post-election: The city begins operations with elected government officials implementing all the details of the city charter.

Note: The first years of an official City of Niwot will be discussed in detail in a subsequent article.

Upcoming articles from the NCA

As you can see from this first introductory article there is a lot of information to cover. The NCA will publish new articles on specific topics in the coming months. Topics include:

- Property tax, sales tax, and use tax changes and implications
- Plans for contracted sheriff, fire, and EMT services
- City of Niwot government structure
- Budget analysis
- ... and more

Plenty of time

It is important to note that there is plenty of time. Collecting petition signatures will take place in March and will simply allow the initiative to be voted on in the November mid-terms elections. The first major step in the process to incorporate Niwot into a city is the November 2026 election. By that time we will have enough published information to help Niwotians make informed decisions on the ballot initiatives.

Sources and Links

- ❖ Niwot Community Association (NCA):
<https://www.niwot.org>
- ❖ Niwot Business Association (NBA):
<https://niwot.com>
- ❖ Niwot Incorporation Committee:
<http://www.niwot.town>
- ❖ Niwot Local Improvement District (LID)
<https://bouldercounty.gov/government/boards-and-commissions/niwot-local-improvement-district/>
- ❖ Boulder County Wage Ordinance:
<https://bouldercounty.gov/departments/commissioners/local-minimum-wage/>
 - NCA education and survey
<https://niwot.org/survey-results-boulder-county-wage-ordinance/>
 - NBA minimum wage information
<https://niwot.com/minimum-wage/>
 - News coverage
 - Left Hand Valley Courier:
<https://www.lhvc.com/>
 - Other:
<https://boulderreportinglab.org/2025/11/20/boulder-county-walks-back-minimum-wage-increases-will-soon-be-outpaced-by-city-of-boulder/>

<https://coloradosun.com/2023/11/04/boulder-county-new-minimum-wage-2024/>

❖ Boulder County Land Use Code (DC-24-0003):

<https://bouldercounty.gov/property-and-land/land-use/planning/land-use-code-update/dc-24-0003/>

- Boulder County Planning commission recommendation not to adopt
<https://pub-bouldercounty.escribemeetings.com/Meeting.aspx?Id=9f3af015-31e3-48af-8211-7c1b5ded7810&Agenda=PostMinutes&lang=English>
- News coverage:
 - <https://boulderweekly.com/news/boulder-county-caps-home-size/>

❖ Unincorporated Boulder County Subdivision Road Paving:

- NCA
 - <https://niwot.org/roads/>
 - <https://niwot.org/boulder-county-subdivision-road-paving/>
- Niwot Public Improvement District:
<https://niwotpid.org>