

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: Workshop
Meeting Date: February 5, 2018**

TO: Mayor Sullivan and Members of the Board of Trustees
FROM: Paul Glasgow
DATE: February 2, 2018
ITEM: Information

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Direction for evaluating Boulder County's recently acquired buy-out properties for acquisition for the Town.

- II. **RECOMMENDED ACTION / NEXT STEPS:** Further research to identify liabilities, access and benefit.

- III. **FISCAL IMPACTS:** Unknown, maintenance costs could be substantial.

- IV. **BACKGROUND INFORMATION:**

The Town of Lyons recently completed its buy-out program for parcels within its boundaries and adopted a Land Use and Management Plan for parcels it acquired after the 2013 flood. Funding from the Hazard Mitigation Grant Program (HMGP) of the Federal Emergency Management Administration (FEMA) and the Community Development Block Grant for Disaster Recovery (CDBG-DR) program of Housing and Urban Development was used to acquire these properties. A primary goal of these federal programs is the removal of flood damaged structures and the prevention of rebuilding to mitigate the vulnerability and impact of future floods. These properties carry restrictions as perpetual open space. Each of these parcels is referred to as Deed-Restricted Buy-Out Properties.

Outside of the Town many other properties were also affected by the 2013 flood. Boulder County acquired several properties adjacent to or near Lyons. Since 2013 the County has substantially completed clean up, remediation, mitigation, or restoration of properties it acquired. On January 18th Boulder County asked the Town to evaluate those "buy-outs" to see if those properties would be of interest to the Town of Lyons, specifically if the Town would like own

those buy-out properties. It provided an online map identifying the acquired parcels and a list of basic parcel attributes.

The parcels Boulder County would like the Town to consider are located near the Town. One the Martin Parcel is contiguous with the Town's municipal boundary and adjacent to Bohn Park. The Town when adopting the recent Deed Restricted Buy-out Property Land Use and Management Plan indicated it would acquire the Martin Parcel. Other properties are located in the Town's Apple Valley Subarea along Highway 36 with the most distant parcels for consideration being accessed from the Longmont Dam Road.

After receiving the County request to consider parcels, the Planning and Community Development Commission (PCDC) created a working group to identify criteria for evaluating parcels for Town acquisition. It reviewed readily available information (a map indicating the parcel location and the database with basic information provided to the Town).

The PCDC recommends that the Town consider the following "cons" associated with acquiring these parcels including but not limited to:

- How safe they would be for future town uses
- If the properties have been sufficiently remediated, there are no outstanding environment issues such as leaking cars.
- Current and future maintenance costs
- Impact on neighbors

It recommends the following qualitative "pro" criteria as criteria for supporting acquisition:

- Quality and length of river access / frontage
- Quality of fishing
- Ease of vehicle access and parking
- Potential for neighbor maintenance / lease
- Little impact on adjacent properties
- Proximity to Lyons (i.e. potential for being part of Lyons)
- Within Lyons Primary Planning Area
- Below the Blue Line
- Recreational amenities (community gardens, tubing ability, picnicking, camping, etc.)
- Potential for expense offset with revenue generation
- Impact of not owning on future annexation (will the Parcels if not acquired present an issue with future annexations)

The PCDC also has several questions which may take additional study or conversations with the County:

- What warranty, disclosure statements would be included with each property?
- What deed restrictions are associated with each property?
- How accessible are the parcels, can we get RVs, cars, etc. into the site?

- What information is available to help the Town evaluate its options, do the sites have topo surveys?
- Some of the properties are still being remediated, what is the end state of that remediation.
- Can the buy-out be sold to private owners w/ deed restrictions; or must they be owned publically (I assume they must be owned by public agencies)
- Are there options for joint use/maintenance/cost sharing with County?
- Which parcels and what desired level of uses are desired by the County's transportation department?
- What happens when neither the Town nor the County Transportation Department is interested in maintaining these parcels (how are they maintained, who owns them)?

Initial PCDC recommendations will be presented at the workshop.

Maps:

Boulder County property maps: <http://maps.boco.solutions/propertysearch/>

Boulder County acquired property map:

<http://www.arcgis.com/home/webmap/viewer.html?webmap=3944fcbcd1014c1eae96a67eec6df5b3>

Lyons Primary Planning Area:

<http://www.townoflyons.com/441/Lyons-Primary-Planning-Area-Master-Plan>

V. LEGAL ISSUES: Deed restrictions and other liabilities.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: Neighbor conflicts, potential habitat and ecosystem impacts.

Attachments:

1. Acquired property database.