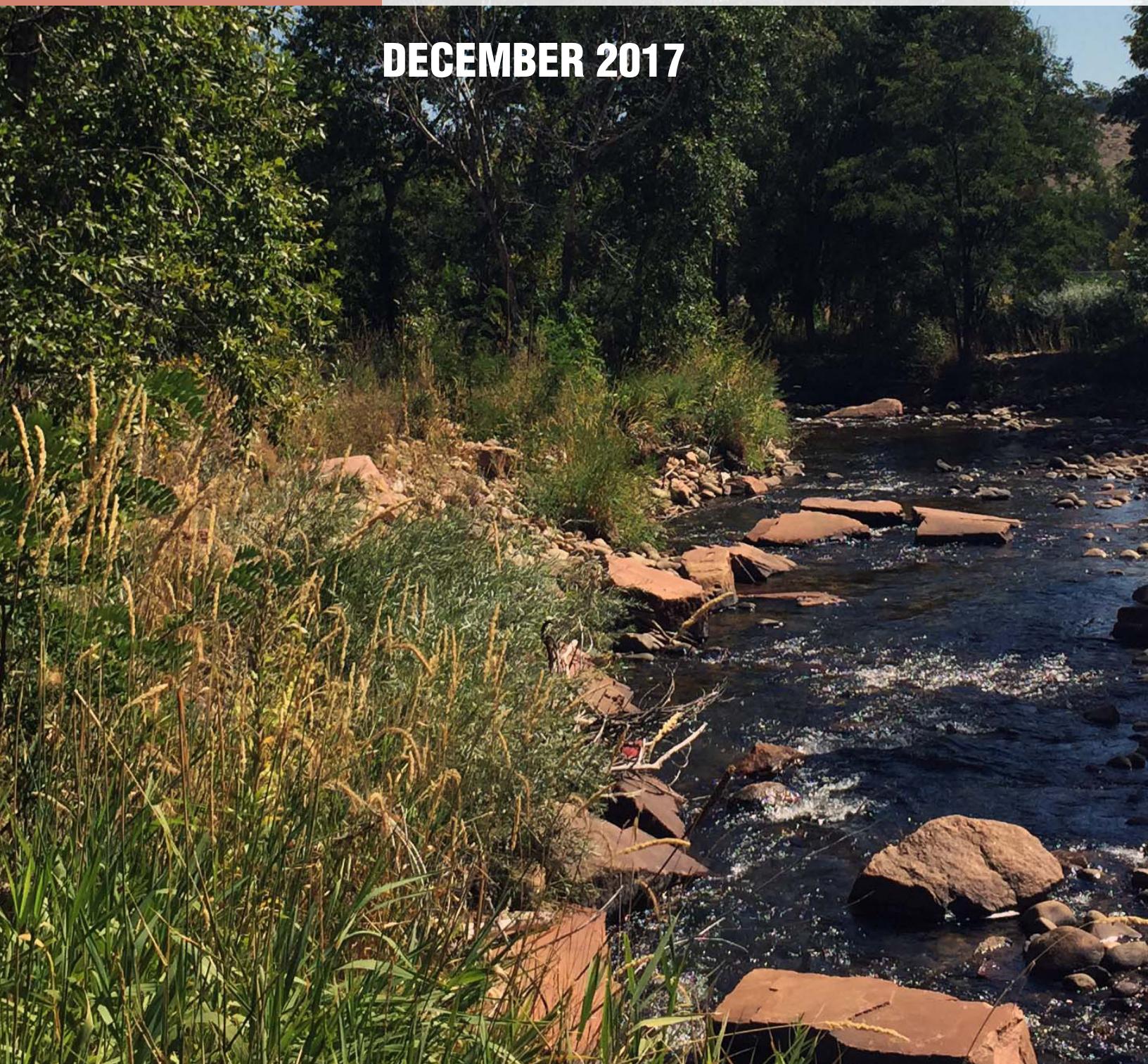




LAND USE AND MANAGEMENT PLAN FOR DEED RESTRICTED BUY-OUT PROPERTIES (DRBOP)

DECEMBER 2017



TOWN OF LYONS, COLORADO
RESOLUTION 2017-155

**A RESOLUTION ADOPTING A LAND USE AND MANAGEMENT PLAN FOR DEED
RESTRICTED BUY-OUT PROPERTIES**

WHEREAS, as a result of the historic flood of September 2013, the Town of Lyons (the "Town") suffered significant damage, including the destruction of more than 200 homes; and

WHEREAS, the Town received 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 (HUD) to acquire 27 residential properties impacted by the flood, which are upon acquisition subject to deed restrictions and covenants that require the properties to be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices ("Deed-Restricted Buy-Out Properties" or "DRBOP"); and

WHEREAS, the DRBOP comprise approximately 20 acres of undeveloped public land located in the St. Vrain River confluence, which is an area of both ecological and recreational value; and

WHEREAS, the Town engaged Bishop and Layton Design, Inc., to engage the Lyons community to plan for use of the DRBOP and to develop the Deed-Restricted Buy-Out Properties Land Use and Management Plan ("Plan") to serve as a blueprint for the future use of the DRBOP, a copy of which is attached hereto as **Attachment 1**; and

WHEREAS, the Plan envisions the DRBOP as open space within a restored riparian habitat that provides opportunities for passive and active outdoor enjoyment and social interaction, including trails for walking and biking, seating for individuals or small groups, public gardens, public art, and river access in an environment that serves as wildlife habitat and is designed to mitigate future flood hazards; and

WHEREAS, the Plan is intended to be a living document to be used as a guide and reference, and should be updated to reflect emerging concepts and ideas consistent with the spirit of the Town; and

WHEREAS, the Town of Lyons Board of Trustees desires to adopt the Deed-Restricted Buy-Out Properties Land Use and Management Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The Board of Trustees hereby adopts the Deed-Restricted Buy-Out Properties Land Use and Management Plan.

Section 2. This resolution shall be effective upon its adoption.

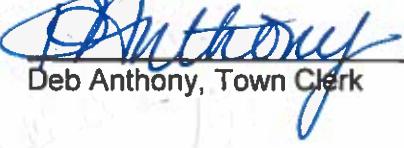
ADOPTED THIS 18TH DAY OF DECEMBER 2017.

TOWN OF LYONS, COLORADO



Connie Sullivan, Mayor

ATTEST:



Deb Anthony, Town Clerk



ACKNOWLEDGMENTS

Many thanks to those whose input and effort made this plan possible:

Residents of the St. Vrain River Confluence Neighborhood

Residents of the greater Lyons community

Lyons Boards and Commissions:

Town Board of Trustees

Parks, Recreation, and Culture Commission

Planning and Community Development Commission

Ecology Board

Watershed Board

Lyons Arts and Humanities Commission

Economic Development Commission

Human Services and Aging Commission

Sustainable Futures Commission

Lyons Town Staff:

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Also, a very special thanks to the DRBOP Steering Committee:

Rick DiSalvo

Greg Lowell

Pam Barnes

Toby Russell

Ian Brighton

Plan prepared by Design Concepts with GreenPlay LLC and Amec, Foster, Wheeler



EXECUTIVE SUMMARY

The historic flood of September 2013 devastated the Lyons community. More than 200 homes were damaged or destroyed in Lyons, many never to be rebuilt. As a result, the Town of Lyons acquired 27 former residential properties with federal funding. Funds were also used to remove flood damaged structures and mitigate the impact of future floods. These 'buy-out' properties are earmarked as open space or recreational lands in perpetuity.

This plan outlines site concepts and a strategic approach to the future of buy-out properties. It is a shared vision, a way forward that may foster a sense of closure for the community in the wake of disaster. The DRBOP plan is intended to serve as a reference for residents and decision makers for years to come.

The **Deed-Restricted Buy-Out Property (DRBOP) Land Use & Management Plan** is a blueprint for the future of the buy-out sites, nearly 20 acres of undeveloped public land located in the St. Vrain River confluence, the heart of Lyons. This plan conceptualizes these lands as natural open space areas and wildlife habitat with opportunities for outdoor enjoyment and social interaction.

The **DRBOP Plan** has three sections:

1. A **Concept Plan** with rendered graphics and imagery to illustrate the community vision with a narrative of site elements and projected capital costs
2. A **Management Plan** that outlines fiscal-impacts and includes operations and maintenance and potential funding opportunities
3. A **Neighborhood Licensure Program** for local residents interested in a partnership to use buy-out lands near their homes

It should be noted that recommendations and concepts included in this plan have yet to be realized. It is likely that some elements will never be implemented. Funding limitations, ever changing community needs and interests, evolving infrastructure, and other obstacles will inevitably impact any decisions about the DRBOP concepts. To the extent possible, the plan discusses such factors to anticipate these changing dynamics.

The planning process engaged the Lyons community to plan for use of these properties. Extensive public outreach involved more than 30 meetings and included discussions with highly impacted neighbors, the greater community, Town advisory boards and commissions, and other stakeholders.

The **Concept Plan** was developed with a variety of factors in mind. The interests of the adjacent neighbors were a priority along with other public input. A focus on resiliency, sustainability, and protection of natural resources was emphasized. Deed restrictions and funding realities were also considered. These various factors were integral to the process. Conceptual uses that emerged were explored and, if suitable, were integrated into the site plan for the buy-outs.

Two focus areas were planned: Confluence Properties, and the Martin Property. 'Confluence Properties' are the many buy-outs located between the north and south rivers. These account for approximately 10 acres and include a large swath of land where the rivers merge. The Martin Property is a single, 8-acre buy-out located between Bohn Park and the South St. Vrain River.

Four concept plan illustrations serve to identify strategic uses and specific site elements:

Confluence Properties: Access & Naturalization

Confluence Properties: Preferred Site Options

Martin Property

Confluence Properties: Site Alternatives

These sites have been conceptually designed for low-intensity use with prioritization of trail access and naturalization of the area. The buy-out lands are intended as pass thru spaces with waysides for rest or contemplation and for small, informal gatherings. The concepts envisioned are mostly consistent with the types of uses found in open space lands in Colorado and include:

Naturalization
Public River Access
Primary Trail
Secondary Trail
Stepping Stones
Wildlife Area

Public Art
History / Memorials
Botanic Garden
Walking Arboretum
Community Garden
Orchard

Town Gateway
Site Gateway
Nature Play
Song Circle
Learning Circle
ADA Boardwalk

Lookout
Special Permit Camping
Fishing
Restroom
Restricted Parking
Water Quality



Estimated capital costs of these elements is included. However, any improvements will have fiscal impacts beyond the costs of implementation. This plan addresses operations and maintenance, critical to ensure capital funds are well spent and improvements remain financially sustainable. Budget implications for 'no development' and 'full build out' are outlined as well as 'a-la-carte' standards for specific site improvements. Additional fiscal impacts are examined including current revenues, potential revenues, and community resources.

To mitigate the costs and hours needed to maintain these newly acquired lands, a Neighborhood Licensure Program was also developed to encourage community investment and care for the neighborhood lots by nearby residents.

Several town wide issues emerged in the planning process that have yet to be resolved. These include the need for a town-wide parking strategy, potential footbridge locations, water rights, and future oversite by state and federal agencies.

The **DRBOP Plan** is intended to be a living document. It outlines a vision for the future of the St. Vrain River confluence rooted in public input, community guidance, and professional expertise. Nonetheless it represents a snapshot in time and should be used as a reference, a resource to build upon. It has been developed to anticipate future needs and account for a shifting landscape, as often as possible. While the intent may be valid in years to come, specifics may be modified and informed by new town dynamics.

Despite these unknowns this plan is an opportunity for the Town of Lyons to create a wholly unique space, one that may begin to mend the fabric of a community still reeling from the flood. It is an opportunity to remember the past, look toward the future, and establish continuity between both.



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INTRODUCTION

The historic flood of September 2013 impacted nearly every aspect of the Lyons, Colorado community. Roads, bridges, infrastructure, and utilities suffered significant damage. Businesses were hard hit. Cultural centers were affected. Park lands were devastated. In the tragedy, more than 200 homes were damaged or destroyed, many never to be rebuilt. River bottoms were scoured and environmental assets such as trees and wildlife habitat were destroyed.

As a result, the Town of Lyons acquired or will acquire 27 former residential properties with flood recovery funding. These properties incurred substantial flood damage or complete destruction. 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 (HUD) was used to acquire the properties. A primary goal of these programs is the removal of flood damaged structures and prevention of rebuilding to mitigate the impact of future floods. Upon acquisition, these properties carry use restrictions as perpetual open space. Each of these parcels is referred to as a Deed-Restricted Buy-Out Property ('DRBOP') or a 'buy-out'.

The Town of Lyons, in conjunction with the consultant team of Design Concepts, GreenPlay, and Amec Foster Wheeler developed the **DRBOP Land Use & Management Plan** for the buy-out sites as a blueprint for the future. The project engaged the Lyons community to plan for use of these properties.

The buy-out properties comprise approximately 20 acres of undeveloped public land located in the St. Vrain River confluence, an area with both ecological and recreational value. This plan envisions these lands as open space within a restored riparian habitat intertwined with opportunities for passive and active outdoor enjoyment and social interaction. This may include trails for walking and biking, seating for individuals or small groups, public gardens, public art, and river access in an environment that serves as wildlife habitat and designed to mitigate future flood hazards.

The **DRBOP Land Use and Management Plan** has three sections:

1. A **Concept Plan** with rendered graphics and imagery to illustrate the community vision with narrative of site elements and projected costs
2. A **Management Plan** that outlines fiscal-impacts on operations and maintenance, and describes potential funding opportunities
3. A **Neighborhood Licensure Program** for residents including site specifications, design elements, licensing, and user information

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PROJECT OVERVIEW

This plan is intended to inform the community and serve Town of Lyons decision makers as a resource, a tool for use in planning future site improvements on the buy-out properties. It reflects the desires of the residents, balances staff needs and Town operational constraints, and abides by deed restrictions imposed on these sites. **The goal is to weave these lands into the existing system of parks, trails, and open space in Lyons in a way that fits the character of the local neighborhood and aligns with the needs of the greater community.**



Buy-out lands are deed restricted, limited to uses that such as outdoor recreational activities, wetlands management, nature reserves, and crop cultivation. **Any future use of buy-out properties must limit development and allow only for such activities that are compatible with open space lands and serve as a living floodplain. Structures are generally prohibited except for shade shelters and restrooms.** It is critical to the success of the plan that it meet these limitations.

DRBOP guiding principles were identified at the outset of the planning process as critical project success factors, they should be used when evaluating improvements or updating the plan.

1. An appropriate mix of **passive and active recreational use** on the buy-out properties
2. Expansion and **connectivity** of properties to parks, schools, downtown, public facilities, neighborhoods, and existing and proposed trail systems
3. Safe **access to the St. Vrain** River corridor, the centerpiece of the Town's park recreation and trail system
4. **Resiliency** to future flood events
5. **Increased universal access** to both passive and active recreational opportunities for Town residents and visitors
6. Ecologically **sustainable**, low-impact planning solutions
7. Restoration and preservation of **riparian habitat**
8. Sustainable **municipal revenue** streams to subsidize operations and maintenance costs and other Town services through increased visitation, if possible

Planning Context

This plan is one in a series of existing studies, reports, and plans developed with public participation and input to provide to the extent possible an integrated land use planning scheme for Lyons. Development of this plan included consideration of relevant information in the following documents, among others:

APA Community Planning Assistance Team "Living with the St. Vrain"
CDBG-DR Deed Restrictions
Environmental Sustainability Plan
FEMA Hazard Mitigation Assistance Guidance
FEMA Model Deed Restrictions
Lyons Recovery Action Plan
Municipal Code of the Town of Lyons
Parks Flood Recovery Planning Process: Final Planning Report
St. Vrain Creek Watershed Master Plan
Sustainable River Corridor Action Plan
Town of Lyons Comprehensive Plan (2010)

These resources cover a variety of topics and inform the DRBOP Plan as they relate to Town wide goals and objectives, flood recovery strategies, local ordinance and regulatory requirements, sustainability, infrastructure, ecology, and adjacent land uses. The intent was to produce a final plan that fits with established policies and practices, and incorporates these many factors.

How To Use This Plan

The DRBOP Plan is a community resource. It is intended to help citizens understand the vision and scope for the future of the buy-out properties, and the priorities involved in shaping those concepts.

Town of Lyons decision makers, including the Town Trustees, Planning Commissioners, and Town staff, should use the plan as a blueprint in future planning efforts, grant acquisitions, zoning and land use decisions, and to inform and prioritize short-term and long-term capital expenditures. The Plan should also inform future land use and park planning, the development and designation of zoning districts, and any updates to the plans listed in the context section of this plan. The plan will also inform residents and businesses when determining appropriate uses, buildings, and structures in and adjacent to the confluence area.





It should be noted that recommendations and concepts included in this plan have yet to be realized. It is likely that some elements will never be implemented. Funding limitations, ever changing community needs and interests, evolving infrastructure, and other opportunities and obstacles will inevitably impact any decisions about the DRBOP concepts. To the extent possible, the narrative discusses such factors to anticipate these changing dynamics.

The plan tells a story. It evokes the spirit of the people of Lyons, represents those here now and those that have gone to carry forward a vision to those yet to come. It has been developed to anticipate future needs and account for a shifting landscape, as often as possible. While the intent may be valid in years to come, specifics may be modified and informed by new town dynamics.

It is likely that some elements will never be implemented. Funding limitations, ever changing community needs and interests, evolving infrastructure, and other opportunities and obstacles will inevitably impact any decisions about the DRBOP concepts. To the extent possible, the narrative discusses such factors to anticipate these changing dynamics. **The Parks and Recreation Commission should review the DRBOP plan annually and prioritize implementation steps for the following year.**

The Plan was based on existing conditions and was developed to fit existing and future Town needs. As new conditions and ideas emerge, it is important that the plan remain flexible. To remain an effective guiding document the Plan must be updated to reflect the evolving vision for the buyout properties. The Plan must become a living document that is updated from time to time. Minor updates such as those that clarify intent or fix grammar can be undertaken by staff as needed. Major updates should include an extensive public process to elicit community guidance similar to the process for the DRBOP Plan. Only a living document can continue to reflect the spirit of the Town. **To ensure the plan reflects the Town's vision the Town should evaluate the plan at least once every ten years and if necessary update the plan to reflect emerging concepts and ideas.**

Challenges will exist. Capital funding sources, ongoing operations and maintenance, evolving public sentiment, and other emerging issues may all play a role. Despite these unknowns, **this plan is an opportunity for the Town of Lyons to create a wholly unique space, one that may begin to mend the fabric of a community still reeling from disaster.** It is an opportunity to remember the past, look toward the future, and establish continuity between both.

Project Approach

The planning of acquired parcels is essential. Their use and development can help address community want and need. The buy-out properties considered as part of this plan include sensitive areas of an existing flood zone where neighbors are still working to recover from the devastation of the 2013 flood. The Plan focuses primarily on the Confluence Neighborhood located in between the St. Vrain Rivers. Many neighborhood residents lost their homes in the flood, or chose not to rebuild and had to relocate. Those remaining had to repair or replace their homes and have had major change imposed upon their neighborhood. Understanding the desires and concerns of these most affected neighbors was identified as a fundamental component of this project.

The acquired parcels are centrally located, adjacent to the historic downtown, and can provide multi-modal connectivity, river access, and wildlife habitat. They can also create opportunities to link parks, schools, neighborhoods, and downtown. Several of the buy-outs are checker-board lots among and adjacent to private residences. If left unplanned these properties could pose a threat to the health, safety, and welfare of the community. With restoration of the Town's other flood-affected lands well underway, including three Town park sites, this plan is urgently needed to complete the vision for the future of Lyons.



The project approach involved extensive community engagement with residents of the most impacted neighborhoods, the greater Lyons community, and Town advisory boards and commissions to help define community want and need. Conceptual uses that emerged from the public engagement process were explored, prioritized and, if suitable, were integrated into a conceptual plan for the buy-outs, the **DRBOP Concept Plan**. Site elements are planned to integrate with each other and with town destinations. Each site element is assigned an estimated capital cost for construction, to enable Town leadership and staff to make informed decisions as funding becomes available.

Discretionary funds are lacking within the Town budget. **To fully implement the DRBOP Concept Plan, Town staff should target available funding sources to realize planned improvements.** Toward that end, potential funding opportunities have been identified. Ongoing maintenance and operational expenses have also been considered. Concepts were evaluated for fiscal impact and budgetary implications have been outlined. In time, if funding allows, the buy-out lands will be an integral part of the Town of Lyons public lands system.

Emerging Issues

As the DRBOP project progressed several town wide issues emerged that have yet to be resolved. These factors will impact the future of the buy-out properties or are existing local concerns that may be heightened by the any improvements on the buy-out sites.

Parking

A town-wide parking strategy emerged in the public input process as an essential new. Neighbors were resistant to additional parking on the buy-outs. Only very limited, restricted parking was included in the concept plan. Visitor parking is encouraged at Bohn Park, LaVern Johnson Park, Sandstone Park and in downtown Lyons. However, it is likely that some visitors will park on local streets as a convenient, free parking option. Residents expressed concern about the impacts this may have on quality of life. To resolve this issue, **the Town should conduct a parking study and develop a town-wide parking plan prior to implementation of the DRBOP Concept Plan.**



Footbridges

The flood destroyed two footbridges that had for years served to connect the community. Both bridges aligned with 4th Ave. One bridge spanned the north river at Evans St. The other crossed the south river to Bohn Park near Prospect St. In the public planning process, townsfolk pointed out the significance of these critical infrastructural elements not simply as an inconvenience, but as a gap in the fabric of their community. By reestablishing connectivity and resuming the normal patterns of movement residents used to enjoy these elements will add greatly to the local quality of life and bolster the healing process.

As part of the Bohn Park restoration project, the south footbridge has been replaced and will much improve town connectivity. Alternative locations including buy-out properties are being explored for the north footbridge due to insurance reimbursement limits and the high costs estimated to replace it at the original site. If built on buy-out properties, however bridge abutments may conflict with the buy-out deed restrictions and would require approval by the appropriate state and federal agencies.

The original site at 4th Ave. and Evans St. is recommended, if feasible, as a preferable option. This location is optimal to resume Town circulation and provide a link between the buy-out properties with downtown Lyons. The replacement of the north footbridge will greatly benefit the community. It will connect the Lyons community to Bohn Park, Johnson Park, the public library, post office, schools, and local businesses. Town is currently applying for a Safe Routes 2 School grant to replace the bridge at this 4th and Evans. **The Town should continue to seek funding to increase connectivity replace the original pedestrian bridge at 4th and Evens and create safe routes to school.**



Water Rights

In Colorado, water rights are a valuable and expensive commodity. Although natural vegetation will not require regular watering, gardens, trees, and landscape plantings will. During extended drought periods temporary watering may also be required.

The Town of Lyons has historically owned water rights for local irrigation ditches, rights that may still be valid. It may also be possible to lease Town-owned water rights to other public or private parties as a revenue source in perpetuity. Sufficient water rights could potentially allow for both opportunities.

Town should evaluate water rights and explore the possibility of using river water for irrigation purposes. There are no public regulations that may impede this use. Otherwise, the primary consideration is water quality. Use of river water for landscape irrigation is acceptable. According to regional water quality experts, the North and South St. Vrain Rivers may have water quality unsuitable for agricultural uses, such as a community garden. Potable water is preferable for this purpose. If river water is used for gardening, drip irrigation is recommended to prevent contamination of produce with water borne pathogens.



As part of flood recovery efforts municipal water taps have been removed from some buy-out sites limiting the availability of potable water in some locations. As a result, water sources will need to be evaluated on a use by use basis. If possible, it is recommended the Town use non-potable water sources first and supplement those sources with potable sources, if necessary.

Agency Approvals

This project is governed by the requirements of Section 404 of the Robert T. Stafford Disaster Relief Emergency Assistance Act. This federal law empowers the buy-out programs (HMAG and CDBG-DR) through which these lands were acquired and transferred to the Town of Lyons. Federal deed restrictions are tied to the titles of all buy-out properties. These restrictions prohibit any site uses that may create hazards in future flood events.

Site concepts were developed for the Lyons properties to comply with these deed restrictions. However, compliance with the deed restrictions is not always easy to determine. Site elements included in the **DRBOP Concept Plan** were envisioned to align with the language and intent of the Stafford 404 buy-out program. Nonetheless, to ensure that future site improvements are in accord with these federal guidelines, it is recommended that the appropriate state or federal agencies be consulted for approval before construction. **Any improvements initiated by the Town of Lyons on the buy-out sites will require HMAG or CDBG-DR approval.**

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CONCEPT PLAN

The **DRBOP Concept Plan** was developed in several steps. Input and feedback from the public engagement process was first used to build a site program, a list of recreational uses and site elements that appear to have general stakeholder support. These program features were considered as they relate to one another, to other destinations in town, and to determine possible impacts on nearby residents. Once relevant site factors had been assessed program elements deemed viable were then located on a site plan of the buy-out properties.

Two focus areas were planned: the Confluence Properties and the Martin Property. The 'Confluence Properties' are the many buy-outs located between the north and south rivers. These account for approximately 10 acres and include the land where the rivers merge. The Martin Property is a single, 8-acre buy-out located between Bohn Park and the South St. Vrain River.

The **DRBOP Concept Plan** excludes any buffer areas or buy-out parcels identified for private use via the Neighborhood Licensure program. These are discussed in Chapter 4.

Four concept plan illustrations serve to identify specific site elements and use areas:

1. Confluence Properties: Access & Naturalization
2. Confluence Properties: Preferred Site Options
3. Martin Property
4. Confluence Properties: Site Alternatives

These sites have been conceptually designed for low-intensity uses, often referred to as 'passive recreation'. The buy-out lands are intended as pass through spaces with waysides for rest or contemplation and for small, informal gatherings. The concepts envisioned are mostly consistent with the types of uses found in open space lands in Colorado. Opportunities for play and fitness do exist; however, these 'active recreation' elements are far more limited than in a traditional park.

The **DRBOP Concept Plan** was developed with a variety of factors in mind. The interests of the adjacent neighbors were a priority. The needs of the greater community were also determined. A focus on resiliency, sustainability, and protection of natural resources was emphasized. Funding realities prompted a deliberate strategy to provide trail access and naturalize the area before any further development. These many considerations were integral to the design process and helped drive the placement of site elements.

A detailed description of all site plans and site elements is provided in the narratives that follow.

Confluence Properties: Access & Naturalization

A basic, low-impact initial strategy is recommended until Town secures funding future improvements and plans for future maintenance. This 'baseline' site treatment establishes a regime for maintenance and discourages unapproved uses and degradation of natural resources. It allows for use and enjoyment of the buy-out properties in a manner that can be managed and controlled. This first step is consistent with more ambitious long-term site improvements envisioned.

The 'Access and Naturalization' Concept Plan represents this initial approach. Improvements include basic site grading, naturalization with native grass and wildflowers, trails and walking paths, public river access, a water quality feature, and new tree plantings.



Confluence Properties: Access and Naturalization

Confluence Properties: Preferred Site Options

As capital improvement funding is secured, and Town staff is prepared to take on new maintenance obligations, the addition of site elements to the buy-out properties will be more viable. A 'Preferred Site Options' Concept Plan identifies suitable and well-considered locations for each site element proposed. This plan displays the final long-term vision for the confluence area.



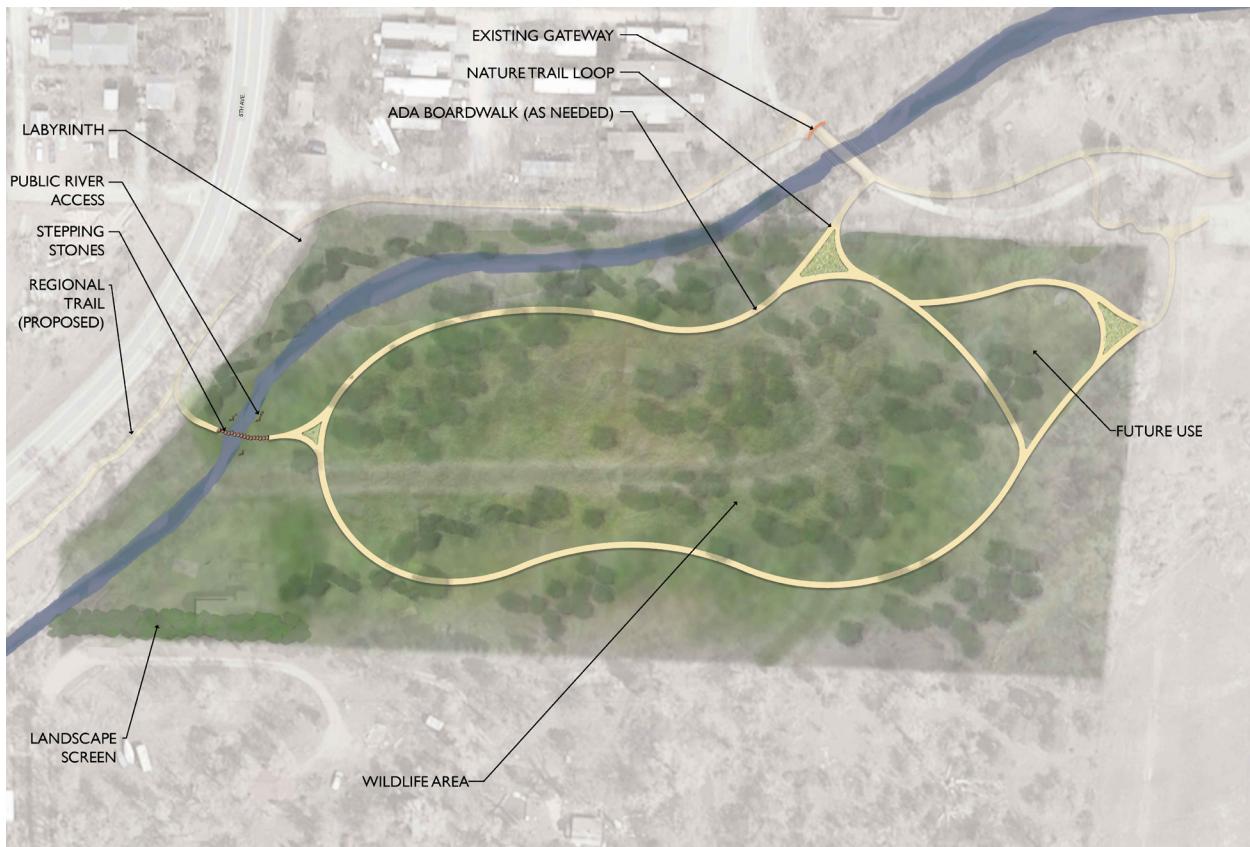
Confluence Properties: Preferred Site Options

Martin Property

The natural resource value of the Martin Property is significant. Mature tree cover, well established vegetation, and riparian habitat are well preserved on the site relative to other buy-out lands. This property is envisioned as a wildlife area with only limited development in order to protect and preserve these resources. Trail access and a single river access point will be provided to define these uses and deter undesirable behaviors.

Improvements include basic site grading, naturalization with native grass and wildflowers, a primary trail loop, natural public river access, and a stepping stone river crossing to the Labyrinth.

Access to the Martin Property will require special consideration. Primary access will be provided from Bohn Park, which has parking and restrooms for visitor use. A loop trail is envisioned to return users back to this same point of origin. Additional access from the Labyrinth via the stepping stone river crossing is expected to be limited. However, it is anticipated that some visitors will enter and exit the site from Boulder County Road 69, next to the river to the southwest. Efforts to help mitigate this are recommended.



Martin Property

Town staff should work with Boulder County and adjacent property owners to allow maintenance and emergency access but prohibit vehicle parking on CR-69. No-parking signs should be installed as well as signage directing visitors to access to the Martin Parcel from Bohn Park. Boulders may be added along the roadside to deter parking.

A landscape screen or barrier should be erected to indicate that vehicular access, which in the past extended into the Martin parcel, now ends at the property boundary. **The Town should pursue development of a multimodal trail along highway 7 to replace the trail destroyed during the flood and discourage use of the Martin Parcel and CR-69 to access nearby regional trails.**

It is also likely that users will attempt walk to and from nearby destinations, such as Hall Ranch and Picture Rock Trailhead, along CR-69. County landowners and residents south of the Martin parcel expressed explicit concerns about quality of life impacts due to such thru traffic. This dynamic will be difficult to prevent and will result in unplanned social paths and degradation of natural resources on the Martin Property.

The Town should plan and build a small trail to connect the primary trail loop on the site to the terminus of CR-69 and deter unplanned social trails. A small sign should be erected to read "Local Use Only: Please respect the privacy of our neighbors." The intent of this single-track access trail is to define this inevitable use and protect the site from unnecessary habitat damage.

Confluence Properties: Site Alternatives

The siting of the botanic garden and community garden and restrooms may require further consideration. The 'Site Alternatives' Concept Plan illustrates alternatives to the preferred site options for these elements. Several factors will ultimately inform the placement of these features.

Community gardens need a critical mass of local involvement for long-term success. Alternative siting responds to viability of garden plots as a community resource and the potential need for two sites rather than one. This option may allow for an additional nature play area at 3rd Ave. and Park St. Neighborhood impact is a consideration specific to the botanic garden. Depending on the space needed and the public visitation expected, the preferred botanic garden site may not be ideal. Both these elements will be impacted by the selection of one or more footbridge locations to span the North St. Vrain River. These dynamics may become clearer as local energy is mobilized to plan and implement these elements. **Town should consider spatial requirements and public visitation projections with management entities for the botanic and the community gardens before choosing among the site alternatives.**



Confluence Properties: Site Alternatives

Site Elements

Each site element included in the DRBOP Concept Plan has been identified through the public participation process as a community priority. Each has been determined to be suitable based on-site factors, legal restrictions, and balance with other recreation opportunities in Lyons. This section describes site elements included in the concept plan and discusses potential impacts.

Naturalization

The flood scoured much of the existing vegetation from the buy-out properties and left sediment and cobble debris in its wake. As part of flood recovery efforts hazard trees and other dangers were removed to preserve public safety, and riparian shrubs and dryland grasses were planted to stabilize soils and return the area to a natural state. This effort helped prevent invasive species from overtaking the buy-out lands. However, non-native and invasive plants have nonetheless established themselves in many areas.

Naturalization is an important initial step to prepare these sites for uses as wildlife habitat for public recreation. This process includes clearing and grubbing, rough site grading, soil amendment, and seeding of native grasses and wildflowers. Trees and shrubs suitable to the Front Range region should be retained, if possible. Once established, this matrix of plants will require no water and minimal, if any maintenance. **Mowing of naturalized areas is discouraged unless by Town staff, and then only if deemed necessary. All buy-out properties will be 'naturalized' in this manner to establish habitat and minimize future maintenance needs.**



Naturalization

Public River Access

In the past, much of the St. Vrain River frontage in Lyons was privately owned. This included most of the land at the river confluence. River access at Bohn Park, LaVern Johnson Park (formerly Meadow Park), and Black Bear Hole have traditionally been very heavily used during the summer months for this reason. The rivers have always been a big attraction.

Additional public river access was perhaps the most common request from locals in the public process. Buy-out land includes nearly a mile of riverfront, an opportunity to provide new, additional river access than existed before the floods.

Areas intended for public river access will be minimally developed. Improvements will be limited to steps and trail access, seat boulders, and small pool areas for safe enjoyment by users. If additional riverbank flood mitigation is required in the future, engineered features should be designed to serve these visitor use purposes as well.

The north river access will also serve as tubing access. Floating the river in inner tubes is a favorite past time in the Town of Lyons. This access points will be designed to accommodate this need as well, for use as a put-in or take-out point.

Other river frontage on the buy-out properties will be retained in a natural state. The riverine environment serves as critical habitat for birds, insects, and other wildlife. Additionally, the fragile state of riverbank stabilization and re-establishment of riparian vegetation is an ongoing, long-term process.



Public River Access

Primary Trail

Access to the buy-out properties is a priority. **Primary trails should be developed initially, in advance of any other site improvements, to define how users access the sites.** This effort will also allow naturalized areas to re-establish and prevent destruction of new plantings. **Primary trails will provide walking and biking routes within the DRBOP open spaces and serve as links to and from other town destinations.** They should typically be soft surface, crusher fines paths as hardscape walkways are prohibited by the deed restrictions. **Primary trails will be 5 feet wide and ADA accessible, unless maintenance requires a wider path in which case 6 feet is recommended.**

Trails have been designed to create direct connections between destinations. **However, we expect off trail usage will occur. To deter users from going off-trail, establishing social trails, and damaging natural areas the Town should use minimally intrusive signs. Signs should highlight highlight the importance of staying on established paths to prevent habitat degradation and help ensure user safety.**

In addition to site trails, an important on-street link will be made between the entry to the buy-outs at 4th Ave. and Prospect St. and the intersection of 5th Ave. and Evans St. These streets lack sidewalks but present an opportunity exists for on-street walking paths. Wide, newly paved streets provide an opportunity for on-street walking paths, similar to on-street bicycle lanes. These on-street 'trails' will be painted or imprinted pathways intended for pedestrian use along one side of the paved street. This may be accomplished as a volunteer arts project, or approached using more traditional implementation methods such as street striping. **In this way 4th Avenue and Evans Street within the confluence should become multiuse corridors that elevate pedestrian priority by narrowing vehicular drive lanes and providing clear paths for wayfinding.**



Primary Trail

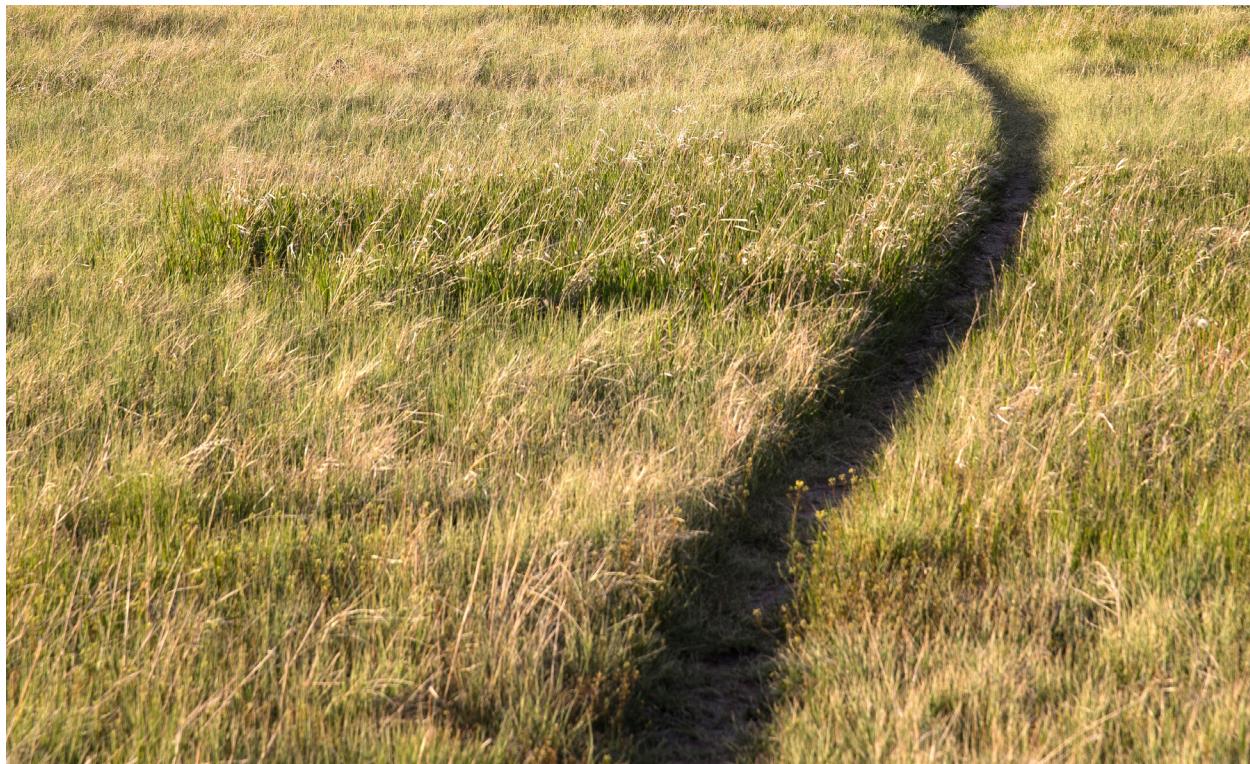
Secondary Trail

Secondary trails are narrower pathways intended for walking at a leisurely pace.

These paths should be ADA accessible, if possible. Steeper slopes, rougher terrain, and maintenance factors may be prohibitive. Deed restrictions may limit infrastructural features, such as boardwalks, that would allow for more universal access. Trails are typically 3 feet wide with a crusher fines surface. If ADA access is not possible, a narrower or even single-track type trail may be acceptable. A native soil surface may also be a suitable alternative in this instance. Width and surfacing should be determined based on the viability of ADA access.

Secondary trails typically provide access to waysides or areas of the buy-out lands

intended for less intensive use. These include overlooks, undeveloped river access, garden paths, and wooded areas. Though technically suitable for biking, this use is discouraged as the secondary trails tend to serve areas with more fragile natural resources and those intended for more contemplative uses.



Secondary Trail

Stepping Stones

River crossings are critical to successful pedestrian and bicycle circulation in Lyons. Footbridges are not always a viable possibility. The addition of stepping stones to establish a formal, seasonal crossing point can increase connectivity. Peak river flows last for about four months in the late spring and early summer. This is the time of year for inner tubing, floating the river downstream while the high water lasts. In the early spring, late summer, fall, and winter the rivers are far shallower. A low water stepping stone crossing could be added at one or more strategic locations for use in these months, much of the year. Stepping stones could be designed to submerge as snowpack melts to accommodate tubers in prime season, then emerge for use as a river crossing the remainder of the year. **If a footbridge is not added at 3rd Ave and Park St the Town should consider stepping stones at this location to create an important low-water option for those able to navigate this type of 'adventure' crossing.** Another step stone crossing will connect the Labyrinth to the Martin Property. These spots will also serve as an inner tube take-out and put-in during the high season. The thrill of hopping stones, along with the added convenience, will make this a well-used and well appreciated site element.

An additional stepping stone path should cross the dry overflow channel directly across the river from Bohn Park. This will provide access to the promontory called 'The Island'.



Stepping Stones

Wildlife Area

As the convergence of two important river corridors, the St. Vrain confluence is a critical and delicate habitat area. Much of the vegetation was lost in the flood and recovery work. River beds changed course. Flora has had to re-establish and fauna had to adapt to the altered environment.

The natural resource value of the buy-out properties is significant. **It is important that any improvements or interventions on the land be low impact.** This approach aligns with the limitations of the deed restrictions, and allows for a concept plan that enables user access and enjoyment while treading lightly.

Some areas of the buy-out properties are recognized in the concept plan as wildlife areas to highlight their importance as habitat. This is not intended to exclude future use. However, the ecological value of these areas is recognized as it may serve wildlife and provide a natural backdrop for public use.



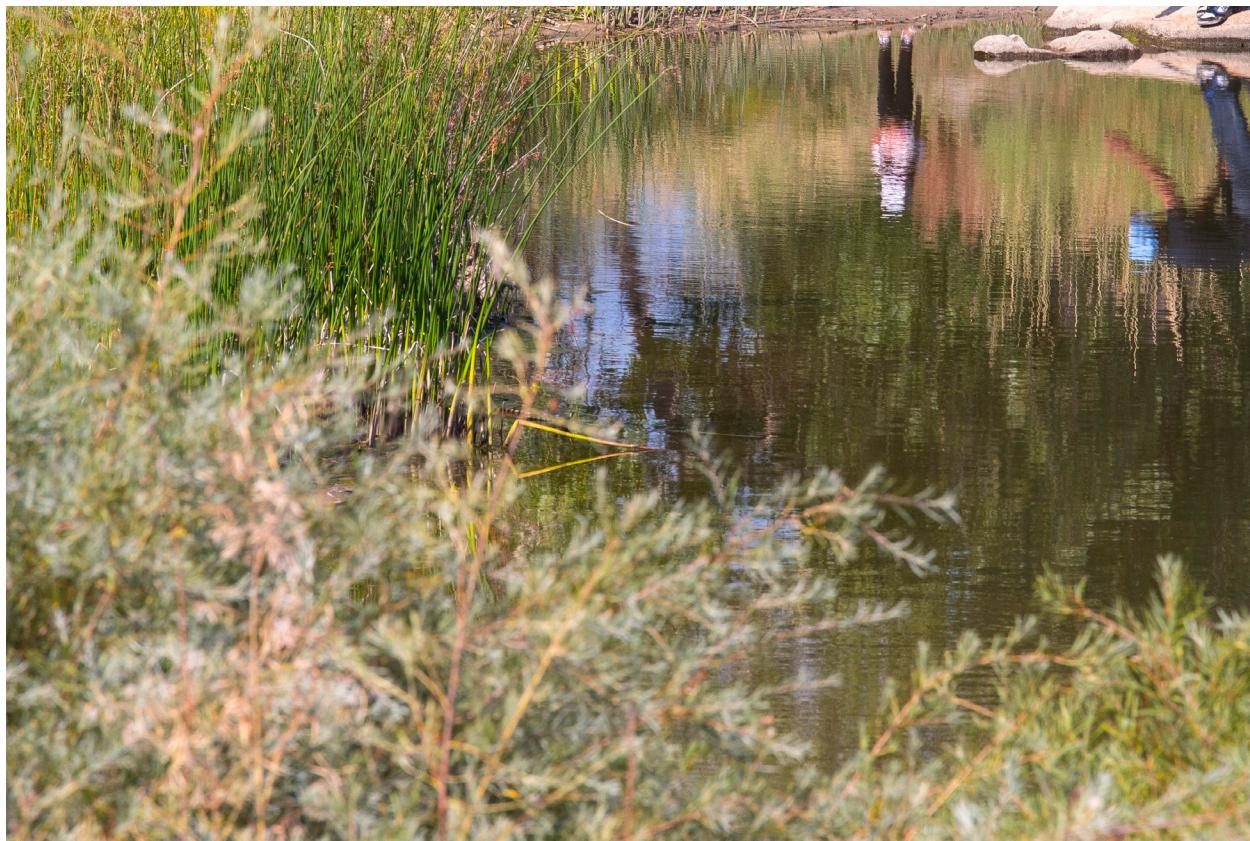
Wildlife Area

Water Quality

A water quality basin is an area intended to capture and purify run-off of a storm event. Various approaches are used for water quality engineering, best management practices that include biofiltration. A biofiltration basin is a shallow depression that uses plants to remove pollutants from stormwater. Other strategies may also be employed, such as infiltration. An infiltration basin is lined on the bottom with a porous material, such as gravel, and includes an underdrain to convey water as it filters down. These filtration strategies are intended to clean water as it drains from local roads into to the river. In Lyons, all stormwater drains to the St. Vrain River.

A preferred location for water quality treatment is at the east end of Park St., on the south bank of the river. At present, high volume storm outlets drain rainwater from upslope neighborhoods down the bank into the South St. Vrain. This water picks up motor oil, gasoline, and other such pollutants from roadways and carries these directly into the river. **A water quality basin will serve to purify the water, remove these types of contaminants, and send clean water downstream.**

Water quality management practices must be engineered to the specific run-off requirements and design intent of a site. The inclusion of water quality treatment on site also allows for opportunities to educate recreational users or school groups about this important site function.



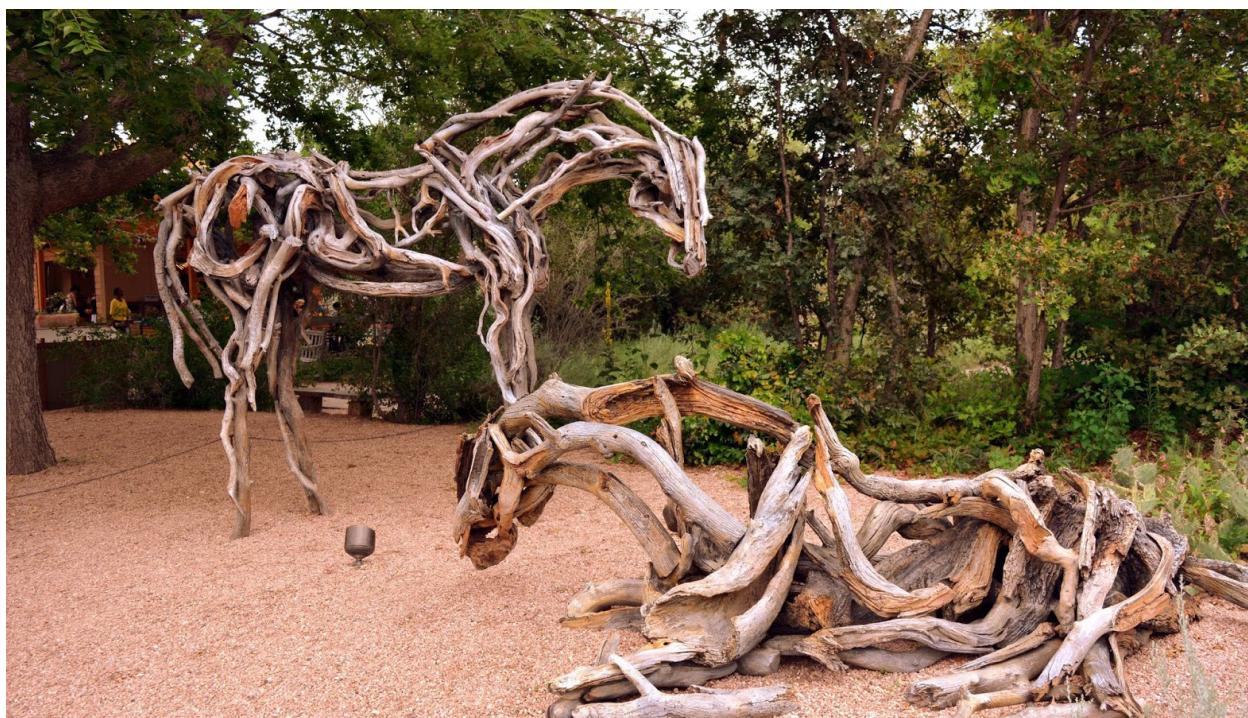
Water Quality

Public Art

Lyons has a vibrant, dynamic art scene of musicians, painters, and sculptors. Further, the local arts community is well represented in Town government by an organized and forward thinking advisory commission. The potential is great for artistic expression to be integrated with other user experiences on the buy-out properties. Both permanent and temporary installations are encouraged, utilizing local talent or artists more widely renowned. The site also lends itself to ephemeral art, particularly exploration of the nature world using natural materials as the medium. Additionally, the acoustic music scene in Lyons is well established, due in part to the presence of Planet Bluegrass. Although a formal venue in the confluence was not desired by the community, there may potential for small scale, acoustic music performances on site.

Several nodes have been identified for the addition of public art in the concept plan. These are typically at trail intersections, or inclusion in waysides or gathering areas. The deed restrictions of the buy-out properties may prompt a need for art that is suspended from above, pedestaled, or created to allow for flood waters to flow through and beneath. This is an opportunity for unique artistic expression based on these criteria. **A selection process for art pieces should be driven by the Lyons Arts and Humanities Commission and should be open to public discussion.**

One remarkable undertaking that has emerged since the flood is an impromptu artistic expression node, called 'The Labyrinth'. This organic, local effort showcases found items that have been reimagined and displayed in a winding network of small pathways. The Labyrinth has become a minor attraction, with visitors from around the state and elsewhere. **Future land use and development concepts should build on the Labyrinth's existing use. Town should seek to preserve the grassroots artistic expression on site and evolve this aesthetic in the future.**



History / Memorials

The Town of Lyons was altered by the flood and the recovery efforts that followed. Lives were lost. Historic features were razed. And many residents were never able to call Lyons home again. As a forward-looking community, these events do not define the people of Lyons. There is, however, a strong urgency to recognize the past, as evidenced in the public outreach process.

Several sites have been identified as significant for memorialization. First priority is the former site of the Lyons family home at 509 Evans Street. This historic home of the Town founder, Edward S. Lyon, was demolished after the flood as part of the buy-out process. The house itself, formerly next to the North St. Vrain, was relocated from upstream at some point in the past. However, the long-standing history within its walls, and the symbolic value of the home is significant.

In a gesture to the rows of orchards historically ubiquitous in town, a memorial to the old Lyons home site will be established. Neat, tidy rows of apple trees will be planted on the entire site in a rhythmic sequence that passersby along Highway 7 will recognize as they enter and exit downtown. In the middle of the orchard, on the site of the old Lyons home, a rectangular grove of distinct fruit trees will define where the foundation used to be. At the site of the hearth a stone monument will mark the significance of the Lyons family and the home they lived in.

At 405 Evans, just down the street, was the home of the first Rocky Mountain National Park ranger, Mr. Jack Mumma. The property is now a buy-out across from the site of the former downtown pedestrian bridge. A portion of the site is intended as a privacy buffer to the adjacent homeowners, while the rest of the parcel will be a simple wayside. This might include a seat boulder and shade tree, along with a small memorial feature to highlight the role Lyons played in one of the country's most valued park treasures.



In more recent history, an entire block of mobile homes was destroyed in the flood. **Foothills Mobile Home Park, between Prospect St. and Highway 7, was wiped out entirely.** These homes comprised a substantial number of the very limited affordable housing units in Lyons, and the loss of these residents is still a stark reminder of the long-term impact of the disaster. In the high-end Boulder County housing market, this signals a shift in demographics for Lyons. Many longtime residents have mixed feelings about this change.

A garden will take its place, a place for the community to grow. **Community garden plots should be oriented and aligned to the footprints of the former mobile homes on site.** This gesture will be accompanied by an artistic marker to acknowledge the past and look toward to the future.

The [Lyons Flood Memorial](#) (LMF), a local 501(c)(3) non-profit organization, is developing memorial spaces in the years since the flood. These sites utilize salvaged materials, with an emphasis on the local Lyons Red Sandstone, and incorporate garden plantings and river access. None of the LFM spaces are currently open to the public. However, there may be a value in this type of grassroots approach as an aspect of a flood memorial space. **Staff should explore partnership opportunities to help promote the development and operation of memorials.**

Botanic Garden

A botanic garden is envisioned as a significant new resource in Lyons. An educational garden for all ages and abilities, it should include different planting beds that represent different botanic Rocky Mountain life zones: grassland, foothills, montane, and riparian.

The unique experience of each zone will be created using an appropriate plant palette. Small signs will be used to label plants and provide botanic information.

Garden beds will be accompanied by boulders and earthen berms. Trees, shrubs, and perennial plants will be on display. A primary soft surface ADA accessible loop walk will allow for easy access, designed to allow for discovery and a feeling of intimacy. Secondary pathways will veer from the main loop, with the ability to allow visitors to roam among the various gardens.

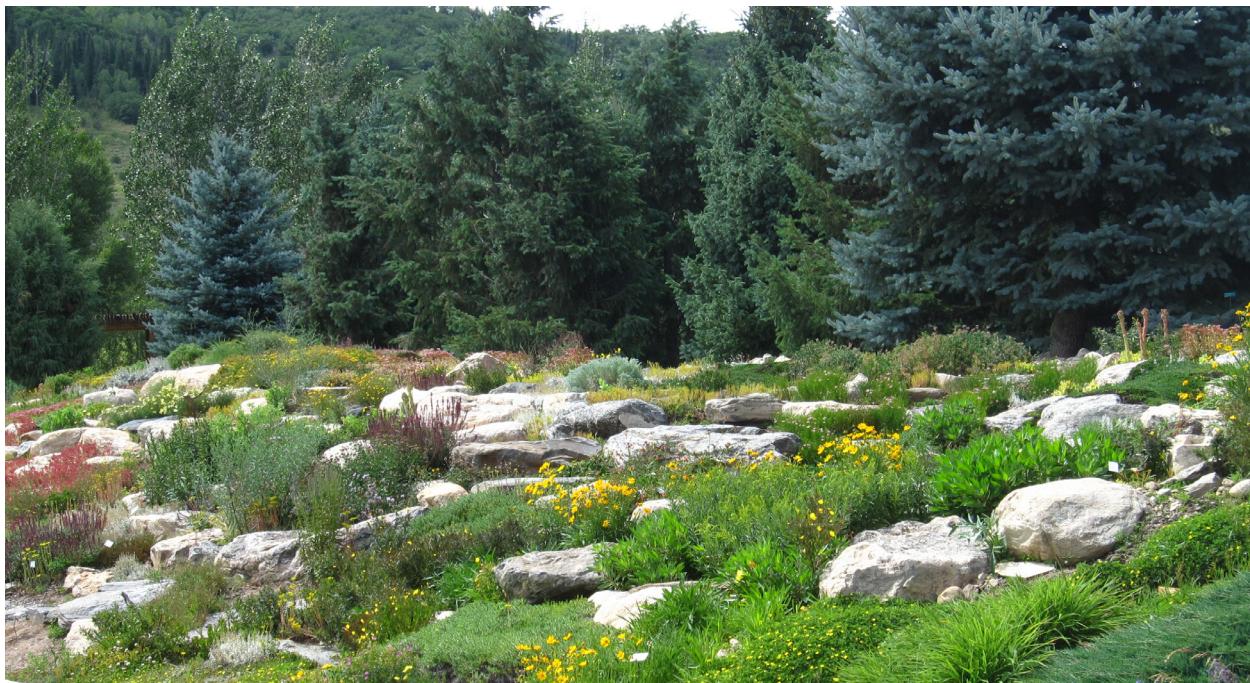
Larger signs will show images and more extensive descriptions of each zone to include regional maps and information about typical wildlife common to each zone. Additional concepts, such as pollination or climate factors, will be described in other interpretive signage.

Intended as a destination garden, visitors will learn about native plants and Rocky Mountain ecology. Beyond that, it will be a place to paint, relax, watch the change of season, or simply to wander. Benches and picnic tables will be available for users to enjoy the site and scenery. Bicycles and dogs will not be permitted except on thru trails to and from other destinations.

The preferred site is located at the intersection of 3rd Ave. and Park St, the former site of a home affectionately called the 'Christmas House' by locals. Destroyed by the flood, the house was renowned for its exceptionally festive décor in the winter holiday season. The botanic garden on this site will allow for holiday lights and events similar to 'Zoo Lights' at Denver Zoo and common at other outdoor visitor destinations. Importantly, this will also allow for a suitable and enduring use to memorialize Lyons past and the history of the site. As a destination, a botanic garden on this preferred site will serve as a minor economic driver with proximity to downtown and East Main St. It has river views and vistas, with potential for local special events year-round, and would allow for winter use, and could be aligned with programming at Sandstone Park two blocks up the street.

An alternative site has also been selected. This location at the end of 4th Ave. near the Bohn Park footbridge and has the advantage of good proximity to the park and is also adjacent to the river. River views are limited due to a levee, and the tree canopy was greatly impacted in the flood making this a sunnier site. A tool shed will be provided on the chosen site for use in maintenance and upkeep.

[Rocky Mountain Botanic Gardens](#), a local 501(c)(3) non-profit organization, has taken initial steps toward funding and development of a botanic garden in town. This group has a clear vision, mobilized volunteers, and local support to move forward. **Staff should explore partnership opportunities to evaluate site alternatives that best promote viable development, maintenance, and operation of the botanic gardens.**



Botanic Garden

Walking Arboretum

An arboretum is a display garden specifically for trees. A local non-profit organization, Rocky Mountain Botanic Gardens, has established a walking tour of existing trees in the Town of Lyons. A map and guide has been created that locates each tree, provides common name and species along with a description and illustration for identification. **The existing ‘walking arboretum’ tours users through downtown Lyons. This will be expanded with the planting of additional trees on the buy-out properties, a route that extends into the confluence neighborhood to a loop walk that allows access to newly added trees on the buy-out parcels.** Tree species not yet existing in town will be featured. These may include:

White Fir - *Abies concolor*
Limber Pine - *Pinus flexilis*
Pinyon Pine - *Pinus edulis*
Serviceberry - *Amelanchier* spp.
Redbud - *Cercis canadensis*
Ohio Buckeye - *Aesculus glabra*
Thinleaf Alder - *Alnus tenuifolia*
Canyon Maple - *Acer gradiantatum*

Golden Raintree - *Koelreuteria paniculata*
Ginkgo - *Ginkgo biloba*
Black Walnut - *Juglans nigra*
Horsechestnut - *Aesculus hippocastanum*
Swamp White Oak - *Quercus bicolor*
American Elm - *Umus americana*
Texas Buckeye - *Aesculus argula*
Rocky Mountain Birch - *Betula occidentalis*
White Mulberry - *Morus alba*

Approximately 20 tree labels will be added annually, or as needed to keep up with newly planted tree specimens. Trees with disease incidence, pest issues, or those considered invasive are to be avoided. Many such varieties are listed as “nondesirable” in the [Lyons Municipal Code, Chapter 7, Article 4](#). Ash tree varieties, though not explicitly prohibited, should not be planted due to their susceptibility to the Emerald Ash Borer beetle. Colorado State University publishes a helpful [tree guide](#) that may be informative for volunteers or Town staff in further expanding the walking arboretum.

Staff should explore partnership opportunities that promote the further development of the walking arboretum.



Community Garden

With a central location in Town and proximity to recreation nearby, the buy-out properties provide an opportunity for community garden plots, a need expressed by the community. **The preferred site, along the South St. Vrain River at the end of Prospect St., is well suited to this use.**

It has an abundance of sun, vehicular access, space for dedicated parking, potential to draw on river water rights for irrigation, and direct access to trails. This location is also nearby neighbors with limited yard space, including those in the heavily sloped Ewald Ave. area and the Rivercliff Cottages.

An alternative site, at 3rd Ave. and Park St., may be a viable option for an additional community garden if a second location is desired or needed.

A critical mass of local users is essential to a successful community garden. The public outreach process demonstrated interest from residents. Further engagement will be needed to anticipate community involvement and assess the ultimate viability of this resource. **Staff should explore partnership opportunities and evaluate site alternatives that best promote viable development, operation, and maintenance of community gardens.**



Community Garden

Orchard

Historically, the St. Vrain River confluence and other areas of Lyons were home to fruit tree orchards. Residents engaged were hopeful that such 'edible forests' be included on site. Orchard groves should be considered at two locations. **As envisioned straight rows of apple trees, a backdrop to a town gateway on the corner of the highway, will give way to a wilder array of fruit tree varieties at 5th Ave. and Evans St. The rhythmic sequence of rows, part of the Lyons historic home memorial, will transition southward onto the buy-outs at 319 and 315 5th Ave.** This double lot site would have plantings of fruit trees sufficiently dense to deter any typical recreational use, as the site faces three existing homes. However, picking and gathering of fruit would be encouraged for these neighbors and community residents.

Similarly, the primary entrance to the buy-out property east of 4th Ave and the east end of Prospect St. will be flanked by a small apple orchard. This would establish a continuity with the edible forest on Highway 7, and create a sense of passage for users traveling to and from downtown, or passing through from Bohn Park. This design feature would be supported by a site gateway that invites users and further drives this experience of movement into to a wholly new and different space.



Orchard

Town Gateway

A town gateway along Highway 7 on the southwest corner of 5th Avenue and Evans Street, should convey to drivers entering from the south that they have arrived in Lyons. A red sandstone monument should serve to welcome visitors and urge them to return, similar to the stone tablet along Highway 36. Other features on site include an orchard, and a memorial to the home of the Lyons family whom found the town.



Town Gateway

Site Gateway

Site gateways are thresholds that signal a passage into a new experience. They invite users into a site and create that same sense of passage upon departure. **Three site gateways are envisioned on the buy-out properties. As envisioned they would be located at the primary site entrance on 4th Ave. and Prospect St., on the north side of the Bohn Park bridge, and at the entrance to the botanic garden at 3rd Ave and Park St.** Each gateway should be designed to be distinct and artistic, but with a consistency that symbolizes the invitation to an integrated site.

An original gateway still stands at the north side of the 4th Ave. Bohn Park footbridge.

This structure will be preserved and refurbished to serve a new generation of Lyons outdoor enthusiasts.



Site Gateway

Nature Play

The natural world can, and should, be playful for all ages. This is especially true for children and young people. Kids thrill at the experience of exploration and discovery, climbing and jumping, and learning. **Beyond the experience of moving through the naturalized site, a dedicated nature play area should be added near the confluence, next to the 'song circle' gathering area.** As envisioned it would consist of stones, logs, and stumps to play on, kid-size trails to wander, and a dry creek bed that fills in the high-water season.



Nature Play

Song Circle

A song is a story. The story of Lyons is the story of its people, each an individual expression. **The song circle is envisioned as an informal gathering space for a group of 10-12 people.** As envisioned it would include a circular shelter, seat boulders, and more formal seating options such as benches. The lack of more traditional elements such as picnic tables and electrical power distinguish the song circle from a typical park shade shelter. It is intended as a wayside to visit with neighbors along the trail, to rest while the kids play, or to share a song. **An iconic public art piece would be located nearby, to serve as a landmark and help define the space.**



Song Circle

Learning Circle

The entire confluence 'open space' will be an outdoor learning area. Saint Vrain Valley School District strongly encourages outdoor programming, and both Lyons Elementary and Middle Schools offer robust, ongoing nature education study and activities. **The learning circle is simply a place to gather, a ring of stones or log stumps for a quick lesson, a place to study or record data, or a spot to relax and take a break.**



Learning Circle

ADA Boardwalk

Boardwalks should be added span channels or ditches on the buy-out properties to allow for ADA user access. A larger boardwalk crossing will span the overflow channel from the primary gathering area on the buy-outs to the promontory at the tip of confluence. This 'island' should have nature trails that are ADA accessible, to allow all users an additional opportunity to experience the riverine woods and overlook the water. Several smaller boardwalks on the Martin Property would allow for a complete nature path loop through the wooded area next to the river.



ADA Boardwalk

Lookout

Along the north bank of the South St. Vrain River, a series of small lookouts is envisioned.

These will be waysides along a primary trail with seat boulders and no additional development. As sensitive and critical habitat, that stretch of the river will need to be protected from overuse and detrimental impacts of visitation. It is anticipated that this minimal approach will mitigate such concerns. **However, ecological impacts should be monitored regularly by Town staff to avoid long-term damage or undesirable long-term implications such as streambank erosion and other resource degradation.**



Lookout

Fishing

The South St. Vrain River was engineered and rebuilt after the flood. As part of the flood recovery effort, fish habitat was included in the redevelopment. **As a viable and desired fishing spot, anglers should be allowed to access the river on the west and north sides of the Martin parcel, as individuals or small guided groups. Access should be clearly defined to prevent erosion and degradation of riparian habitat.**

Tubing should only be allowed in town on the north river so conflicts with anglers should not be an issue. Any tubing on the south river will be prohibited upstream from the Bohn Park bridge. This will mitigate streambank erosion and allow for fishing access to be a primary use at the Martin site.

Fishing has the added benefit of revenue generating potential for the Town. Permits may be issued to individuals or guided fishing groups for a fee. This is recommended to prevent overfishing. There may also be opportunity to partner with local fishing outfits to program introductory classes for residents.



Fishing

Restroom

A simple individual or dual vault restroom is envisioned to serve users of the buy-out properties. This will be an important amenity, as the distance to the nearest public facility at Bohn Park is significant. **The restroom should be sited in a location screened by and existing grove of trees, and central to primary use areas.**

A second restroom is recommended at the botanic garden. This will make the space more viable for special events.

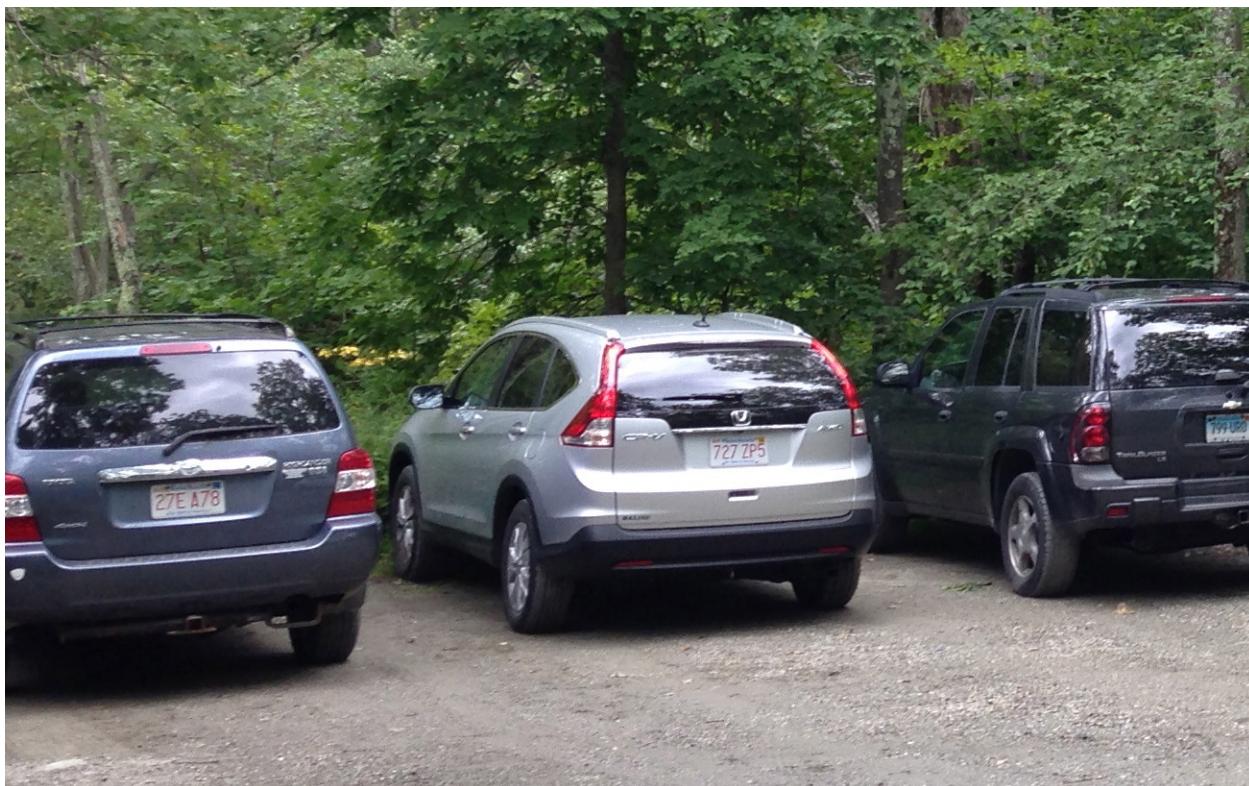


Restroom

Restricted Parking

Restricted parking areas are included in the DRBOP concept plan. These parking areas would require proper approvals and displayed verification in a vehicle. Each would provide 7-10 parking stalls for use by visitors with limited mobility and to serve users and volunteers of the community garden and botanic garden.

As a town wide issue, Parking in town has emerged as an ongoing concern of community residents. **An in-depth study of parking options is recommended. Metered parking may be desirable in the future, with zones defined at different fee levels.** This could serve to encourage visitors to park in downtown and commercial centers as an economic driver, and discourage parking in residential neighborhoods (see Emerging Issues section of this plan for more information).



Restricted Parking

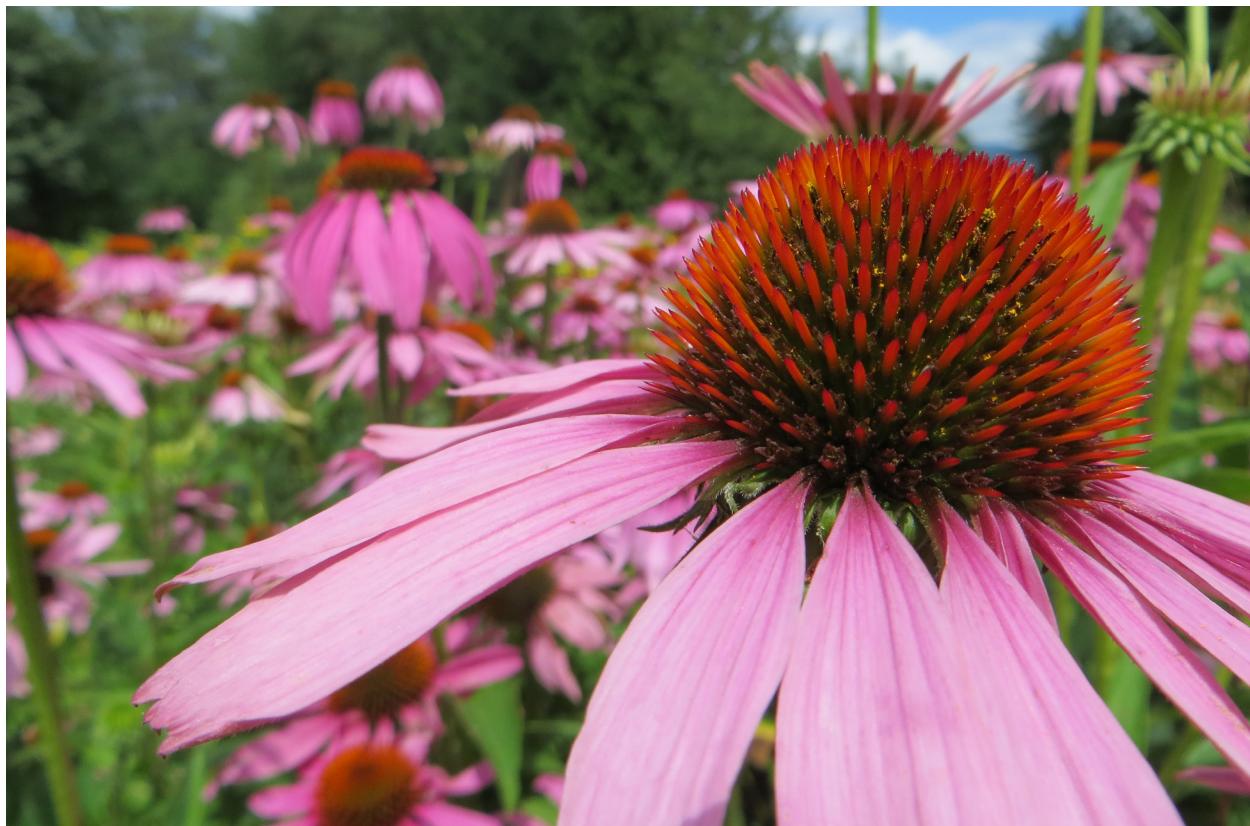
Future Use

Areas of the buy-out sites have been preserved for future use. These areas have potential for a variety of low impact uses. These may include, added tree plantings, garden areas, public art display, or nature play among other uses.

Two future use areas are adjacent to confluence neighbors, away from primary circulation routes. Impacts on nearby residents, longevity of existing trees, viability of the community garden, and success of orchards and the arboretum should all inform future use of these areas. It is likely that one of these options will emerge as a preferred use.

A third future use area at the edge of Bohn Park may lend itself to a transitional use between the park play area and the natural area envisioned for the Martin site. Nature play may be a suitable option. This could include a natural materials area for constructive play, an outdoor art space, or kids 'tree house' platform. Other options may include a hammock hang out, a public art display, or a learning circle.

Other desired uses for Town land may emerge from community organizations, local businesses, or residents. Future use areas may prove suitable for these types of opportunities. Additionally, funding and maintenance issues will also need to inform the evolution of future use areas.



Future Use

Capital Cost Summary

Estimated probably costs for constructions of the **DRBOP Concept Plan** have been split out based on specific phases and site use areas. These are summarized below.

Complete cost estimates, with all line items included, may be found in the Appendix.

Confluence Properties: Access & Naturalization

		ESTIMATED COST
#1 General Sitework		\$951,032.00
#2 Connectivity		\$64,286.00
#3 Landscape		\$22,450.00
CONSTRUCTION SUBTOTAL		\$1,037,768.00
Construction Contingency	15.0%	\$155,665.20
Landscape Architect Design Fees	10.0%	\$103,776.80
CONSTRUCTION TOTAL		\$1,297,210.00



Access and Naturalization

Confluence Properties: Preferred Site Options

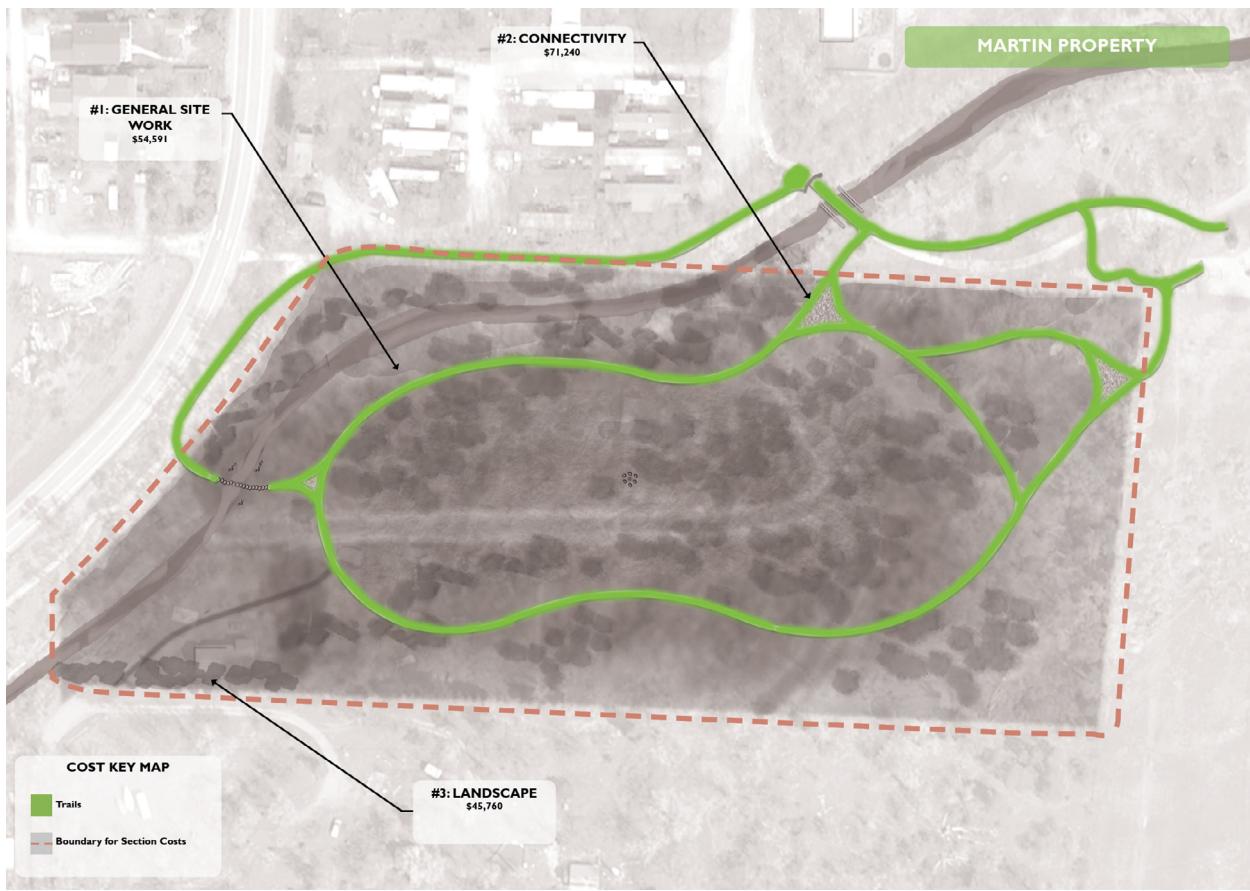
				ESTIMATED COST
#1 Memorial Orchard				\$23,830.00
#2 North River Buy Outs				\$10,475.00
#3 Confluence Gateway				\$14,270.00
#4 Community Garden				\$87,105.00
#5 Lookouts				\$3,450.00
#6 Arboretum				\$67,560.00
#7 The Island				\$27,700.00
#8 Confluence				\$53,860.00
#9 River Crossin				\$2,450.00
#10 Botanic Garden				\$172,275.00
CONSTRUCTION SUBTOTAL				\$462,975.00
Construction Contingency	15.0%			\$69,446.25
Landscape Architect Design Fees	10.0%			\$46,297.50
CONSTRUCTION TOTAL				\$578,718.75



Preferred Site Options

Martin Property

			ESTIMATED COST
#1 General Sitework			\$54,591.25
#2 Connectivity			\$71,240.00
#3 Landscape			\$45,760.00
CONSTRUCTION SUBTOTAL			\$171,591.25
Construction Contingency	15.0%		\$25,738.69
Landscape Architect Design Fees	10.0%		\$17,159.13
CONSTRUCTION TOTAL			\$214,489.06



Martin Property

Total DRBOP Concept Plan *

ESTIMATED CONSTRUCTION TOTAL **\$2,090,417.81**

*Based on preferred site options. Site alternatives are not included. Those costs may be found in the Appendix.

* Based on preferred site options. Site alternatives are not included. Those alternative costs may be found in the Appendix.

3

MANAGEMENT PLAN

Any improvements on the Deed Restricted Buy-Out Properties (DRBOP) will have fiscal impacts beyond the costs of actual implementation. This plan has been developed to address ongoing operations and maintenance, as these will be critical to ensure capital improvement funds are well spent, and remain sustainable.

As the properties are improved, the Town should proactively re-evaluate its current policies and modify as needed. Policy areas that may be impacted include:

Camping	Delineation
Transient populations	Enforcement
Lighting	Partnerships
Noise	Sponsorships
Creep	Licensure Programs
Blight	

Operations and Maintenance

Ongoing maintenance by Town will be necessary, even if no development occurs or if the only improvements made are toward providing public access and naturalization. Implementation of the Preferred Site Options will require the Town of Lyons budget resources for more regular upkeep of the buy-out properties. As the **DRBOP Concept Plan** is implemented the Town staff will determine appropriate level of service to for these new lands.

O&M Overview

Open space systems with higher levels of service are more expensive to maintain and operate. The properties will require a balance of general, ongoing (weekly/bi-weekly) maintenance, and capital repair. Elements of the concept plan that will require the bulk of ongoing operations and maintenance hours include:

Restrooms	Community Gardens
Public River Access areas	Walking Arboretum
Trails	Gateways
Botanic Gardens	Restricted Parking areas

It is critical to plan and budget for capital repair up front to ensure that emergency issues may be addressed as they arise, particularly those issues that present public safety hazards. Elements that will require less on-going maintenance, but will require capital repair and upkeep include:

Boardwalk Crossings	Memorials
Stepping Stones	Public Art
Song Circles	Shelters
Learning Circles	Nature Play areas
Historical Monuments	

0&M Standards

Operations and maintenance standards should be defined by the Town — town should target an approach that will ensure consistent, high quality user experience. Developing a consistent set of standards also allows the Town decision makers to budget resources more appropriately and accurately over time. Standards must account for a variety of considerations:

Evaluation of staffing – Assessing the need for current/future staff or contracted services

Development of a tracking system – Keeping a detailed record of ongoing maintenance and costs provides accurate data to plan and budget resources appropriately.

Definition of asset areas – Different use areas may require different standards

Development of formal maintenance standards – These standards should define the routine/ scheduled (daily, weekly, monthly, seasonally) maintenance necessary at each asset area.

Determination of new equipment needed – Multiple options for equipment exist, including owning, leasing, or renting. Contracting maintenance services mitigates the need to own equipment.

Development of a life cycle/capital repair plan – Though the concept plan for the system is designed to highlight naturalized areas that mitigate maintenance costs, there are assets that will require capital repair over time. Planning early for these costs will allow the Town to stay ahead of potential issues that may arise.

Many unique features are included in the concept plan. The Town's operations and maintenance plan and maintenance standards should focus in the following areas:

- Storm water impacts
- General water quality
- Preservation of wildlife habitat
- Preservation of grass and tree resources
- Control of noxious weeds
- User interface and interpretive opportunities
- Mowing practices
- Encroachments

All maintenance and operations standards should be revisited periodically, and revised as appropriate, to ensure that they continue to achieve the appropriate level of service and evolve with the community.

Annual Budget Projections

A budget for annual operations and maintenance developed in this conceptual stage serves several purposes:

Assists in helping to establish goals and expectations with operations to match the desire to obtain a realistic cost recovery if marketed heavily.

Provides a foundation for understanding what will be necessary to meet budget expectations and guides how marketing plans and strategies are developed and implemented.

Offers a guide for future project decisions by providing a framework for understanding the impact of decisions about fees, operation systems, staffing levels, etc.

Demonstrates potential overall impacts to the Town of Lyons budget.

Enforcement

Enforcement at on DRBOP properties is essential, and could have a large impact on the overall budget. Expected costs of enforcement are the total cost of man hours. With No Development it is estimated that one .25 full time equivalent (FTE) at \$16/hour is allocated for an community service enforcement officer, it would cost the Town an additional \$8,320 (10 hours/week X 52 X 16). At the Access and Naturalization phase is assumed one .5 FTE is allocated at \$16/hour to cost the Town an \$16,640 (20 hours/week X 52 X 16) to maintain the property . At Full Build out, it is likely that 1.0 FTE will be needed to manage enforcement at the property. This cost would add \$33,280 (not including benefits) to the overall budget.

This could be offset by the revenue generated by enforcement fines for violations, such as parking

in restricted areas. To accurately project this revenue, additional information will need to be determined, primarily fine amounts associated with ticketed violations within the Town (parking, camping, fishing, etc.), as well the frequency of enforcement efforts. It is also important to consider that enforcement may generate revenue in the short-term, but successful enforcement would also limit the recurrence of unwanted activity in the long-term thus reducing potential revenues.

Lastly, since an enforcement program would affect the entire park system, the **Town should conduct a town-wide enforcement study to project the potential revenue generated by a larger enforcement program.** Understanding this number, would allow staff to proportionally allocate funds generated to specific tasks/sites within the system; whether it be at the buy-out property or elsewhere.

Contributions

“Contributions” should be considered a target number for the Town each year. Opportunities for revenue are identified in the following sections. The budget does not account for the cost to administer marketing or fundraising activities, but they will be considered as a part of future revenue generation. The creation of a “Friends of...” group to handle these activities could be a successful way for the Town offset the operations and maintenance costs identified in the budget. Other potential revenue sources to consider include contributions made to the community garden program or the botanic gardens. These programs are yet to be defined.

Additional Budget Assumptions

Annual O&M Budget is calculated in 2017 figures and does not include any capital expenditures such as cost of construction, first year costs to establish planting, furniture/fixtures/equipment (FFE), or debt service. The operational budget will grow and change annually based on property usage.

Marketing dollars are not included, but the Town should consider the need for additional support services when the site opens. This includes staff support, postage, website maintenance, and external printing for maps, brochures, event posters, billboards, and other marketing collateral.

Special events were not included in the O&M Budget, but should be considered as a marketing or revenue generating opportunity.

Paid staff will be operating and maintaining the property. Volunteers or “licensee” manpower is included in the budget in a limited capacity, and should be further considered as the site develops. Community and botanic gardens and orchards are all “tasks” that are key opportunities for community groups and volunteers to operate and maintain under Town requirements and guidelines.

Some costs already exist in the Town budget. For example, the time consideration for full-time staff is funding that is already accounted for in the position's salary. It is also accounted for in this budget because it is important to consider the impact of additional parcels on the workload of existing staff.

All remaining line items are new costs to the Town's overall budget.

No Development Scenario

It is important for the Town to consider the impact and projected costs of owning the buy-out properties 'as is', with no development. While they would not be active properties in the Lyons system, the Town will still be responsible for small tasks related to the upkeep of these sites.

Below is a simple budget which identifies the current estimated time investment by staff members associated with maintenance responsibilities of the buy-out properties. These hours are currently paid for by the existing revenues, and accounted for within the current budget.

Annual DRBOP Operations & Maintenance Budget: No Development

Staffing Projections				\$24,180
Full Time Staff (allocation of time)		<u>Hours</u>	<u>Hourly Rate</u>	
Parks and Public Works Director		130	\$35.00	\$4,550
Parks Lead		130	\$22.00	\$2,860
Parks Maintenance 1		260	\$17.50	\$4,550
Part Time/ Seasonal Staff		<u>Hours</u>	<u>Hourly Rate</u>	
Seasonal Maintenance Workers		260	\$15.00	\$3,900
Community Service Officer (Enforcement)		520	\$16.00	\$8,320
TOTAL EXPENSES				\$24,180

Full Site Build Out

The operational budget proposed for the DRBOP sites uses estimated expenses to better understand the actual needs within the Town budget. Costs are conservatively estimated. **Town should use the operational budget estimates as a working tool for planning and decision-making.** While certain assumptions, detailed in following sections, are made, the Town should consistently re-evaluate the operational and maintenance standards for the buy-out properties.

Annual DRBOP Operations & Maintenance Budget: Full Site Build Out

EXPENSES

			Cost	Budget %
Staffing Projections			\$82,077	73.93%
Full Time Staff (allocation of time)	<u>Hours</u>	<u>Hourly Rate</u>		
Parks and Public Works Director	260	\$35.00	\$9,100	
Parks Lead	260	\$22.00	\$5,720	
Parks Maintenance 1	260	\$17.50	\$4,550	
Community Service Officer (Enforcement)	2080	\$16.00	\$33,280	
Part Time/ Seasonal Staff	<u>Hours</u>	<u>Hourly Rate</u>		
Seasonal Maintenance Workers	1914	\$15.00	\$28,706	
Contractual Services			\$8,800	7.93%
Utilities (Water)			\$2,800	
Equipment Maintenance			\$1,000	
Other Contractual Services			\$5,000	
Commodities			\$20,150	18.15%
Operating Equipment/ Supplies			\$12,500	
Gasoline			\$3,500	
Staff Uniforms			\$650	
Equipment Replacement Fund			\$1,000	
Capital Replacement Fund			\$2,500	
TOTAL EXPENSES			\$111,027	

REVENUE

Contributions (Annual target)	\$1,000
In-kind	
Donations	
TOTAL REVENUE	\$1,000

The Cost Standards table below was used to determine costs for part time/seasonal staff. It contains maintenance and repair tasks, and assumptions based on the number of man hours required to complete each task and the frequency of the task. Town staff will need to further evaluate these assumptions to assure accuracy in the future. The table identifies 7 key items that need to be evaluated by staff:

Annual DRBOP Cost Standards: Full Site Build Out						
MAINTENANCE & REPAIR TASK	UNIT	MULTIPLIER	MAN HOURS	HOURLY RATE	FREQUENCY	MANPOWER
Mowing	1 Acre	1	2	\$15.00	12	\$360
Boardwalk	100 LF	1	1	\$15.00	52	\$780
Botanic Garden	Each	1	0.1	\$15.00	52	\$78
Community Garden	Each	2	0.1	\$15.00	52	\$156
Garden Shed	Each	2	1	\$15.00	52	\$1,560
Site/Town Gateway	Each	4	0.75	\$15.00	52	\$2,340
Historical Marker/Public Art	Each	8	1	\$15.00	12	\$1,440
Irrigation	1 Acre	0.2	0.25	\$15.00	36	\$27
Learning/Song Circle	Each	4	0.1	\$15.00	36	\$216
Nature Play Areas	Each	2	0.5	\$15.00	24	\$360
Orchard	Each	1	0.1	\$15.00	52	\$78
Park and Interpretive Signage	Each	50	1	\$15.00	12	\$9,000
Seating	Each	9	0.1	\$15.00	52	\$702
Tables	Each	0	0.1	\$15.00	52	\$0
Parking Lots	1000 Sq Ft	1.94	0.25	\$15.00	52	\$378
Rest Rooms	Each	2	0.75	\$15.00	100	\$2,250
Shelters	Each	3	0.75	\$15.00	52	\$1,755
Soft Surface Trail	1 Mile	1.5	4	\$15.00	12	\$1,080
Trash/Recycling Removal	Each	4	0.25	\$15.00	100	\$1,500
Tree Trimming	Each	20	2	\$15.00	2	\$1,200
Trimming	1000 Lin Ft	0.2	0.75	\$15.00	52	\$117
Weed Control	1 Acre	15	3	\$15.00	6	\$4,050
TOTAL						\$29,427

Maintenance & Repair Task is the actual task to be completed by staff.

Unit is the individual measurement of the overall portion.

Multiplier is how many units are in the property.

Manhours equals the number of hours to complete each task one time.

Hourly Rate is calculated as an average of \$15/hr for seasonals.

Manpower equals the dollar amount spent for staff and benefits per task for the greenway annually. $MP = (Multiplier \times Man\ Hours \times Hourly\ Rate \times Frequency)$

Frequency is the number of times each task is performed annually.

As a strategy for construction develops, the Town will need to consider the tasks required to operate and maintain the site and the appropriate service level during construction.

Town staff should also consider the appropriate service level for each task area. For example, it may be determined that “trash/recycling removal” only needs to happen once a week, shifting the frequency from 100 to 50. This decreases the total cost of that task and overall impact to the maintenance budget.

The following columns should be evaluated for accuracy during this exercise:

Multiplier

Man Hours

Frequency

Town staff will also need to evaluate needs for each line item as site improvements are built. For example, the Town should determine the impacts additional supplies/equipment needed or the utility cost increases.

'A-La-Carte' Development

Understanding that “No Development” and “Full Site Build Out” are not the only two possible scenarios, the Town may choose to develop the site in phases or in an ‘a-la-carte’ manner as funding allows. This section describes how to customize the task matrix and budget.

'A-La-Carte' Site Elements

In a phased approach, the Town could also consider the cost per site element. Cost based on the proposed amenities can be estimated utilizing the same calculator described previously:

DRBOP 'A-La-Carte' Site Element Cost Comparison

MAINTENANCE & REPAIR ELEMENT	UNIT	ESTIMATED ANNUAL COST PER UNIT	BUDGET IMPACT
Primary/ Secondary Trail	1 Mile	\$1,440	HIGH
Orchard	Each	\$1,080	HIGH
Walking Arboretum	Each	\$900	HIGH
Site/Town Gateway	Each	\$780	MEDIUM
Boardwalk	100 LF	\$780	MEDIUM
Fishing/ River Access	Each	\$780	MEDIUM
Lookout	Each	\$780	MEDIUM
Botanic Garden	Each	\$720	MEDIUM
Community Garden	Each	\$360	MEDIUM
Learning/Song Circle	Each	\$360	MEDIUM
Nature Play Areas	Each	\$360	MEDIUM
Historical Marker/Public Art	Each	\$360	LOW
Stepping Stones	Each	\$360	LOW
Water Quality	Each	\$360	LOW
Wildlife Area	Each	\$360	LOW

'A-La-Carte' Assumptions/Notes

It is not often accurate to categorize costs per amenity to create a new operational budget because shared costs will not be accurately reflected. The amenity costs presented should not be totaled or compared to the overall budget costs. Instead these costs are compared to each other, and ranked from HIGH to LOW. Man Hours for all amenities increase to account for a loss of operational task efficiencies and shared costs associated with completing multiple tasks per trip. Frequency is calculated based on perceived use and need.

Fiscal Impact Analysis

Many variables will affect the fiscal requirements throughout the implementation of this concept plan. The discussion that follows outlines a national context, current revenues, potential funding opportunities, and community resources as they may inform the buy-out properties.

Comparative Data

NRPA Park Metrics, data collected and presented annually by the National Recreation and Park Association, provides a general overview of how parks and recreation agencies operate throughout the country. This data should define the operating standards for the Town of Lyons. However, it can be a useful tool to highlight opportunities and issues within the system.

More information and the detailed report can be found at <http://www.nrpa.org/publications-research/ParkMetrics>.

According to NRPA's Park Metrics, the Town of Lyons would fall into the lower quartile of data collected from agencies due to its relative size. The average agency spends \$2,988/acre annually. Regionally, communities in the southwest spend almost \$3,200/acre. Focusing on smaller agencies, this figure shifts slightly based on factors such as system size, population, budgeting, staffing, and number of park sites:

Less than 250 acres – this cost increases to almost \$4,500/acre.

Less than 20,000 people – this cost increases to almost \$3,500/acre.

Budgets of less than \$500,000 – this cost falls to \$856/acre. (Increasing the budget to between \$500,000 – 1,000,000, the cost falls to approximately \$2,000/acre.)

Less than 10 FTEs – this cost falls to approximately \$1,700/acre.

Less than 10 Parks – this cost remains similar, approximately \$2,800/acre.

Capital budget figures reported in NRPA's Park Metrics show that agencies of similar size to the Town tend to budget between:

50-60% of capital budgets for renovations;

23-35% of capital budgets for new development; and

Other figures in capital planning are for acquisitions or "other" projects.

While these benchmarks are not to be considered a recommendation for how the Town should budget, they do provide a sense of estimates or rough figures to keep in mind during implementation.

Current Revenue Sources

In the current annual budget, the Town accounted for approximately \$620,000 of park related revenue, which includes:

Taxes and fees – such as the **Park Fund** – One percent (1%) of the sales tax (voted in 1989), which equates to approximately \$210,000 and a 1% **Use Tax and Home Additions Fee** equates to approximately \$62,000.

Camping and parking – Approximately \$230,000 for both, but there is concern that the Town does not capture all potential revenue associated with these programs. A re-evaluation of parking/camping policy and enforcement plans is necessary moving forward.

Special events, recreation programming, and dog park fees – The remaining revenues in the budget are associated to programs like permit fees for special events, shelter rentals, dog tags, etc. accounting for approximately \$200,000.

In-kind donations – The Town does receive many in-kind donations, usually in the form of materials for capital and construction projects.

Additional cost savings – The Town realizes additional cost savings through programs like Adopt-a-Park/Trail and tree dedications.

Potential Funding Sources

Understanding that the Town will incur new costs with the development of the buy-out sites, many opportunities are available to the Town of Lyons to subsidize these costs. A variety of funding strategies are utilized by public park and recreation entities to fund one time or on-going maintenance of projects, and create opportunities for sustainable long-term support.

Sales Tax

Town currently charges a sales tax, and could look at an increase or a reallocation of resources to offset the costs associated with the buy-out properties.

Sin/Marijuana Tax

A sin tax could be charged, or rededicated. While sin taxes can be applied to a variety of commodities, it is commonly seen in the form of a marijuana tax in Colorado.

Library Tax Reallocation

Before a special district was created for library services, the Town allocated funding directly to supporting this service. This line item could be reallocated in the Town budget and distributed to the buy-out properties.

Conservation Trust Fund

The Town could create a conservation trust fund that would be dedicated to the buy-out properties. This fund would allow for multiple contribution sources including community donations and allocations from the Town budget.

Parking Programs

Lyons continues to be a popular destination for visitors. The parking infrastructure within Town has created multiple issues (congestion, unmanaged resources, limited enforcement, etc.). There are current policies in place, but the Town is having issues enforcing them. If the Town were to re-evaluate its traffic/parking plan and invest in parking enforcement, they could see a boost in revenue that could be used to offset operations and maintenance costs for the buy-out properties.

Recreational Programming

Similar to the parking issue, the Town could provide additional recreational services, with appropriate enforcement, that could boost revenue for the Town. The Town currently allows for camping and fishing, but is missing potential revenue because out the challenges related to enforcement.

Use Fees

Buy-out properties are designed to support the investment of residents and community partners. These fees would be designed to allow community members to use site assets, like a community garden, while minimizing the impact on the Town's maintenance staff. Fees should not only support the use of specific assets, but should support the system as well. (Note: A full licensure program, and subsequent handbook, should be developed when the master plan for the properties are finalized. This program and handbook will allow for consistent partnership and property management practices, as well as a more accurate understanding of potential revenues.)

Concessions

While there is limited parking in the concept designs for the property, there is opportunity to use them for as sources of revenue outside of parking or licensure programs. The Town could develop a program for food vendors which would allow for parking space rental for temporary concessions. This would be limited to specified days or weeks throughout the year.

Shuttle/Bus

Since there is limited parking at the site and in the Town, a transportation system could be developed to bring people around town and to the buy-out properties. This program would likely be in support of a town-wide parking plan, and not specific to the buy-out sites. A full cost/benefit analysis is needed before developing this program.

Development Impact Fees

Impact fees are one-time charges imposed on development projects at the time of permit issue to recover capital costs for public facilities needed to serve new developments and the additional residents, employees, and visitors they bring to the community. State laws, with a few minor exceptions, prohibit the use of impact fees for ongoing maintenance or operations costs.

Legislatively, impact fees are authorized by C.R.S. 29-20-104.5, allowing municipalities to levy fees on new development relative to the impacts of the development. Impact fees must be (1) legislatively adopted; (2) generally applicable to a broad class of property owners; (3) intended to defray the projected impacts of capital facilities directly related to development.

Local Improvement Districts

Local Improvement Districts (LID) are areas where a specific tax is levied for a defined purpose, such as maintenance or improvements. Taxes are usually through special assessment property tax, and may fluctuate based on need and benefit. Towns and cities where LID's exist can be direct beneficiaries of such funds.

Partnerships

Partnerships are joint development funding sources or operational funding sources between two or more separate agencies, such as two government entities, a non-profit and a government agency, or a private business and a government agency. Two partners jointly develop revenue producing park and recreation facilities and share risk, operational costs, responsibilities, and asset management based on the strengths and weaknesses of each partner.

Additionally, partnerships can involve agreement to allow use of Town land by a partner to develop, operate, and maintain a particular site use, typically one that benefits the local community.

Creating synergy based on special events, expanded program offerings and collaborative efforts can be beneficial to all providers as interest grows and people gravitate to the type of facility and programs that best suit their recreational needs and schedules. Potential strategic alliance partnerships where missions run parallel, and mutually beneficial relationships can be fostered and may include partners such as:

Service and civic organizations	Convention and Visitor's Bureau
Non-profit entities	Homeowner or neighborhood associations
School districts	Neighboring counties/communities
Medical centers or hospitals	Private alternative providers
Chamber of Commerce	Churches

Before entering into additional partnerships, the Town should evaluate and update their current partner obligations and develop a consistent partnership policy.

Community Resources

Advertising Sales

Advertising sales are a limited opportunity for revenue through the sale of local tasteful advertising on items such as program guides, event flyers, signs, and other visible products or services. Current sign codes should be reviewed for conflicts or appropriate revisions.

Sponsorships

An agency can solicit this revenue-funding source itself or work with agencies that pursue and use this type of funding. Sponsorships are often used for programs and events where there are greater opportunities for sponsor recognition (greater value to the sponsor). Opportunities present themselves for sponsoring not only events, but for sponsoring venues such as picnic tables, benches, parks, signs, etc.

Fundraising

Some park and recreation agencies have fundraisers to help cover specific programs and capital projects. This can include selling bricks, benches, pavers, tiles, and commemorative tree plantings, etc. and might be useful for key upgrades in certain park areas, such as a performing arts venue or water features.

Crowdfunding

Crowdfunding is the practice of funding a project or venture by raising many small amounts of money from a large number of people, typically via the Internet. Park and recreation agencies are beginning to incorporate crowdfunding efforts alongside traditional fundraising strategies. NRPA has implemented a Fund Your Park crowdfunding platform. It's free to members, donations are tax deductible and there is support from NRPA staff. Source: Kara Kish, MPA, CPRE, CPSI, article in Parks and Recreation Magazine, December 2015. www.NRPA.org

Grants

Grants often supplement or match funds that have already been received. For example, grants can be used for program purposes, information technology infrastructure, planning, design, seed money, and construction. Due to their infrequent nature, grants are often used to fund a specific venture and should not be viewed as a continuous source of funding. While some types of grants are listed below, “watch lists” also help to keep track of such opportunities and include:

GrantWatch at: www.grantwatch.com

Grant Helpers Watch List at: www.thegranthelpers.com

The Grantsmanship Center (TGCI) on the Internet at: www.tgci.com

Foundation Center's RFP Bulletin Grants Page on Health at: www.foundationcenter.org

Grants locator for local governments at: www.ecivis.com

Types of grants available include:

Facilities and equipment grants

General purpose or operating grants

Management or technical assistance grants

Matching grants

Planning grants

Private grant and philanthropic agencies

Program or support grants

Seed money or start-up grants

4

NEIGHBORHOOD LICENSURE PROGRAM

The Town of Lyons acquired 20 acres of new lands in the buy-out process. While this presents a profound opportunity, but it also creates significant challenges for a small town with real budget limitations. The long-term management of such extensive acreage can be a burden if developed even for limited, open space recreational uses. **To mitigate the costs and hours needed to maintain these lands, the Town created a Neighborhood Licensure Program in which eligible residents may use all or a portion of a buy-out parcel for personal use.**

The Neighborhood Lot Licensure Program is designed to encourage community investment and care for the neighborhood lots so that they may be integrated into the neighborhood in a way that is both aesthetic and useful while reducing the Town's maintenance expenses for those lots. In exchange for the temporary right to use a neighborhood lot or portion thereof, citizens must sign a license agreement with the Town. This binding contract governs the use of a neighborhood lot and establishes the rights and responsibilities of both the Town and the licensee.

The Licensure Program and Revocable License Agreement, the legal contract between a licensee and the Town of Lyons, were approved by the Board of Trustees in May 2017. A user reference, ***The Neighborhood Licensure Handbook*** developed as part of this project, serves as a guidebook to help navigate the licensure process and may be found in the appendix of this plan.

Most of the buy-out acreage was planned as part of the **DRBOP Concept Plan**. However, a few sites were selected as more suitable for licensed, private use. Referred to as "neighborhood lots" or "license lots," these properties are located adjacent to existing residences. The licensure program only impacts those sites identified for inclusion. Owners or occupants of next door residences are eligible for licensure of these sites. Licensed use of these sites is subject to certain limitations, conditions, and restrictions but these provisions do allow for many typical residential uses such as gardens, landscaping, tree plantings, paths, and privacy buffers.

There are two types of licensable properties: 1) Middle lots, and 2) Buffer areas.

Middle Lots are the small parcels located in between existing residential properties with close proximity to more than one nearby home. They are typically dimensioned 50 feet x 140 feet. Most of these lots have been made available for licensure. Space on some sites has been reserved for emergency access or other Town use. Middle lots are also subject to a setback, a restriction imposed on a licensed lot that define areas of the lot a licensee may not use and are required for the comfort and privacy of adjacent residents.

Buffer Areas are spaces next to existing homes on the larger buy-out properties. They have been set aside to separate public and private uses by providing a buffer for residents adjacent to these public lands. These buffers do not have platted property boundaries. It is recommended that buffers extend 25' from a private home into the buy-out, and may include part of the homeowner's property.

The licensure process is the same for both middle lots and buffer areas. If not licensed, these lots will be maintained as natural areas, maintained by the Town of Lyons, with no recreation improvements and no public access permitted. License lots will be naturalized in the same way as the rest of the buy-out properties, with basic grading, soil amendment, and seeding of native grass and wildflowers. Any non-licensed areas of these lots are expected to remain in this naturalized state with no intervention from neighbors. This will help with long-term maintenances and aesthetic of these properties.



Neighborhood License Lot Map

Licensee Rights

As with local parks or the downtown streetscape, the Town will care for and manage any sites or portions of sites that have not been licensed. The properties will be treated with soil enrichment and seeded with native grass species typical of the Front Range foothills. This step is intended to simplify maintenance, beautify the public properties, and enhance the lots within the neighborhood. It is expected that nearby residents will not mow, prune, or encroach on these natural landscapes unless approved under a license agreement with the Town.

A licensee will have exclusive, private use of the licensed area. Licensees will be encouraged to plan for and use these publicly owned spaces in a spirit of mutual benefit to the public by sharing fruit with neighbors from a tree planted on a lot or by creating a wildflower garden neighbors may enjoy. This is not, however, a requirement of licensure.

License agreements are for a one-year term but the Town may revoke an agreement at any time. If a licensee desires to revise or amend the use of the licensed lot as approved by the Town during the one-year term, the licensee must obtain Town approval of the proposed change and sign a written amendment to the license agreement that incorporates approved change. A licensee may terminate the license agreement at any time by providing written notice to the Town Administrator that specifies the date of the agreement's termination. Licensees may re-apply to the Town annually for additional one-year agreements.

Licensee Responsibilities

In exchange for private use of a licensed lot, all licensees assume numerous responsibilities, including but not limited to the following:

Use a licensed lot as specified in the application approved by Town staff, in accordance with the terms of a license agreement signed by the licensee and the Town;

Develop, adopt, and execute a maintenance plan as specified in the application and approved by the Town;

Care for and maintain all trees and plants on site by weeding, pruning, and providing all water necessary to maintaining the licensed lot in a condition acceptable to the Town;

Bear all costs for site uses and maintenance;

Assume all liability and responsibility for any damage, maintenance, or repair of the Licensed Premises;

Procure adequate insurance and indemnify the Town against claims arising out of licensee's use of the licensed lot;

Waive all rights to sue the Town for any reason arising out of licensee's use of the licensed lot;

Comply with Town staff entrance upon and inspection of the licensed lot at any time without notice;

Return the licensed lot to the Town in a condition acceptable to the Town upon termination of the license agreement;

Comply with all federal, state, county, and local regulations and restrictions on the use and maintenance of the licensed lot, including, but not limited to, the Lyons Municipal Code.

License Use Restrictions

Use of licensed lots must comply with deed restrictions to mitigate hazards and preserve public health, safety, and welfare due to the great potential for natural flood events. The Town of Lyons has developed additional use restrictions intended to help maintain the quality of life and local character of the Town for its residents. All site uses must be approved by the Town of Lyons to ensure compliance prior to entering into a license agreement. The license agreement will then incorporate all approved uses in an exhibit to the license agreement.

Note: A 'use' may refer to either an activity or a physical feature.

Permitted Uses of Licensed Lots

A use approved by the Town of Lyons and compliant with deed restrictions
Gardening
Landscaping
Natural area

Prohibited Uses of Licensed Lots include, but are not limited to:

Uses not approved by Town of Lyons
Uses that violate Town of Lyons Municipal Code
Uses that violate Town of Lyons floodplain regulations
Vehicle parking including vehicles, boats, campers/recreational vehicles, tiny homes, or construction equipment
Paved vehicular access
Site re-grading
Walled structures
Fences (unless temporary, minimal, and intended to protect plants from animals, and only with advance approval by the Town)
Overnight camping
Public picnicking
Obstructions that may trap debris in a flood event
Storage of inventory supporting a commercial operation
Storage of construction materials or fill dirt
Landfill or storage of hazardous or toxic materials

IN CLOSING

The **DRBOP Plan** is intended to be a living document. It outlines a vision for the future of the St. Vrain River confluence rooted in extensive public process, community guidance, and professional expertise. It represents a snapshot in time and should be used as a reference, a resource to build upon.

This plan tells a story. It evokes the spirit of the people of Lyons, represents those here now and those that have gone to carry forward a vision to those yet to come. It has been developed to anticipate future needs and account for a shifting landscape, as often as possible. While the intent may be valid in years to come, specifics may be modified and informed by new town dynamics.

Challenges will exist. Capital funding sources, ongoing operations and maintenance, evolving public sentiment, and other emerging issues may all play a role. Despite these unknowns, this plan is an opportunity for the Town of Lyons to create a wholly unique space, one that may begin to mend the fabric of a community still reeling from disaster. It is an opportunity to remember the past, look toward the future, and establish continuity between both.

APPENDIX

Public Engagement

Community outreach was conducted as a multi-pronged effort. Lyons residents and stakeholders were engaged based on their specific interest in the buy-out lands. This involved individual interviews, neighborhood gatherings, town wide workshops, task force discussions, site tours, and Town Board meetings. Public input was gathered from various Lyons community members and entities: Property owners and residents of the Confluence Neighborhood, Residents of the greater Lyons Community, Town of Lyons Boards and Commissions, Additional stakeholders, Town staff

Neighborhood Meetings

Residents of the Confluence Neighborhood were prioritized, with a meeting to kick-off the project with local neighbors invited to attend. This was followed by a series of interviews with many of these same residents living near or next to buy-out properties. These one-on-one discussions allowed for those most impacted by this plan and its implications to voice their concerns and share their desires for the future. Meetings were held at local cafes and gathering places to keep them informal and comfortable.



Community Meetings

The greater Lyons community was invited to participate in three Town wide meetings. A kick-off meeting introduced the project as part of the initial public input gathering. Attendees residing outside of the St. Vrain confluence, in other parts of Lyons or in unincorporated Boulder County, were invited to join neighborhood residents to share their thoughts.

A follow up meeting was held as a workshop, to present those ideas and concepts favored by the community, then allow attendees to plan the buy-out properties themselves. This provided invaluable input on those elements most desired, preferred locations, and desirable site dynamics.

Upon completion of a draft site concept plan, final community meetings were held. Attendees were shown illustrated plans with a proposed site layout and asked to comment. To aid the group discussion, site tours were conducted to describe the function and feeling of the spaces as envisioned and explain how various alternative conceptual uses of buy-out properties might relate to one another.



Board & Commission Discussions

Despite a small population, the residents of Lyons are heavily involved in and impassioned about local issues. Formal input was captured from members of the Board of Trustees and a variety of Lyons advisory boards and commissions. The consulting team attended regularly scheduled meetings and engaged specially assembled task force teams for input. Participating groups include:

Town Board of Trustees	Lyons Arts and Humanities Commission
Parks, Recreation, and Culture Board	Economic Development Commission
Planning and Community Development Commission	Human Services and Aging Commission
Ecology Board	Sustainable Futures Commission
Watershed Board	

Additional Stakeholders

Representatives of local non-profits, schools, and government agencies were consulted as well. The expertise and specific needs of these groups helped inform the project, and served to enhance input gathered in the public process:

Lyons Botanic Garden Group
Lyons Flood Memorial
Saint Vrain Valley School District
State of Colorado Department of Local Affairs (DOLA)
Department of Homeland Security (FEMA)

Dr. BOP

In an effort to better engage the public, weary of the many community meetings in recent years, a character was developed to add levity to the public process. Inspired by the project nickname, Dr. Bop, clad in a white lab coat, was included in all public presentations. The character enlivened meetings, was well received, and became an honorary member of the project team.



ADA Accessibility

The American's with Disabilities Act (ADA) defines requirements for design and construction of public places to allow access for those with disabilities. ADA regulations are complex and encompass a wide range of circumstances. Many address issues common in buildings and urban environments, and do not apply to outdoor spaces such as parks and open space areas.

Those that do impact the DRBOP concepts and site uses apply primarily to trails. These trails are expected to be ADA compliant. The primary requirements are a stable path surface and gradual changes in elevation with a slope of 5% or less are. Paving and handrails are not necessarily required for ADA compliance. A durable 'soft' surface material, such as crusher fines, is allowable and serves ADA users well if properly designed and built.

Trail clear width of at least 36" is also required to allow wheelchair access. Primary DRBOP trails are designed to be 5' wide and comply. Secondary trails, envisioned as narrower 2-3' paths may not all be ADA accessible. These secondary trails typically provide access to locations where a slope steeper than 5% may exist. Due to the buy-out deed restrictions features needed to make a trail ADA compliant, such as boardwalks, may not be allowed.

It is not uncommon to find limitations to ADA access in outdoor spaces. Environmental impacts and extensive costs can drive design decisions despite best intentions. Best practice is to make as much of a public park or developed open space area as possible ADA accessible, with recognition that these types of limitations may exist.

More information about federal requirements for ADA accessibility in outdoor recreation may be found at these weblinks:

[Forest Service Outdoor Recreation Accessibility Guidelines \(FSORAG\)](#)

[Forest Service Trail Accessibility Guidelines \(FSTAG\)](#)

[Forest Service Accessibility Resources](#)

Prioritization Chart

This table summarizes the priority of DRBOP site elements based on public input. It was developed as a working tool by the project team to evaluate community support for proposed improvements. Elements with greater support were attributed greater priority and ranked higher.

Ranked Priority is the final rank based on the **Multiplied Score**

Multiplied Score is the product of **Workshop Score** x **Stakeholder Input Multiplier**

Workshop Score is the total number of times a site element was selected and added to a site plan by community workshop attendees

Stakeholder Input Multiplier is a multiplier (3, 2, or 1) determined by consultant team based on stakeholder interviews and other community outreach. It is intended to weight those elements requested or supported most frequently (3) as compared to those requested occasionally (2) or rarely (1).

*Note: As the project developed some site elements were integrated with others with guidance from this table. For example, the Rain Garden and Butterfly / Bee Habitat elements are envisioned as included in the Botanic Garden. Similarly, the 'Song Circle' indicated as a low priority in this table was integrated with the 'Pavilion / Shelter' element and envisioned as a recreational wayside.

Site Element	Ranked Priority	Multiplied Score	Workshop Score	Stakeholder Input Multiplier
Foot Bridge	1	36	12	3
Arboretum	2	33	11	3
Rain Garden	3	30	10	3
Butterfly / Bee Habitat	4	27	9	3
Public River Access (Natural)	5	27	9	3
Community Garden	6	21	7	3
Botanic Garden	7	21	7	3
Stepping Stone Crossing	8	20	10	2
Orchard	9	14	7	2
Art, Permanent	10	14	7	2
Pavilion / Shelter	11	12	6	2
Parking (Restricted)	12	12	6	2
Nature Play	13	12	6	2
Wildlife Area	14	12	4	3
Town Gateway	15	10	5	2
Picnic Area	16	10	5	2
Buffer Area	17	10	5	2
Trail, Secondary	18	9	3	3
Trail, Primary	19	9	3	3
Outdoor Learning Area	20	8	4	2
Memorial	21	8	4	2
Restroom	22	5	5	1
Public River Access (Developed)	23	5	5	1
Art, Temporary	24	5	5	1
History	25	4	2	2
Song Circle	26	3	3	1
Parking (Free)	27	3	3	1
Group Space, Small (2-5)	28	3	3	1
Golf Cart Access	29	3	3	1
Site Lighting	30	1	1	1
Mini Amphitheatre	31	1	1	1
Group Space, Large (5-12)	32	1	1	1
Group Space, Extra-large (12-20)	33	1	1	1



DRBOP Concept Plan | Lyons, CO

CONFLUENCE PROPERTIES: PREFERRED SITE OPTIONS



TOWN OF LYONS



Fall 2017



DRBOP Concept Plan | Lyons, CO

CONFLUENCE PROPERTIES: ACCESS AND NATURALIZATION

0 20 40 60 120 160 200 Feet
N
TOWN OF LYONS DC

Fall 2017



DRBOP Concept Plan | Lyons, CO

MARTIN PROPERTY



Fall 2017



DRBOP Concept Plan | Lyons, CO

CONFLUENCE PROPERTIES: SITE ALTERNATIVES



Fall 2017



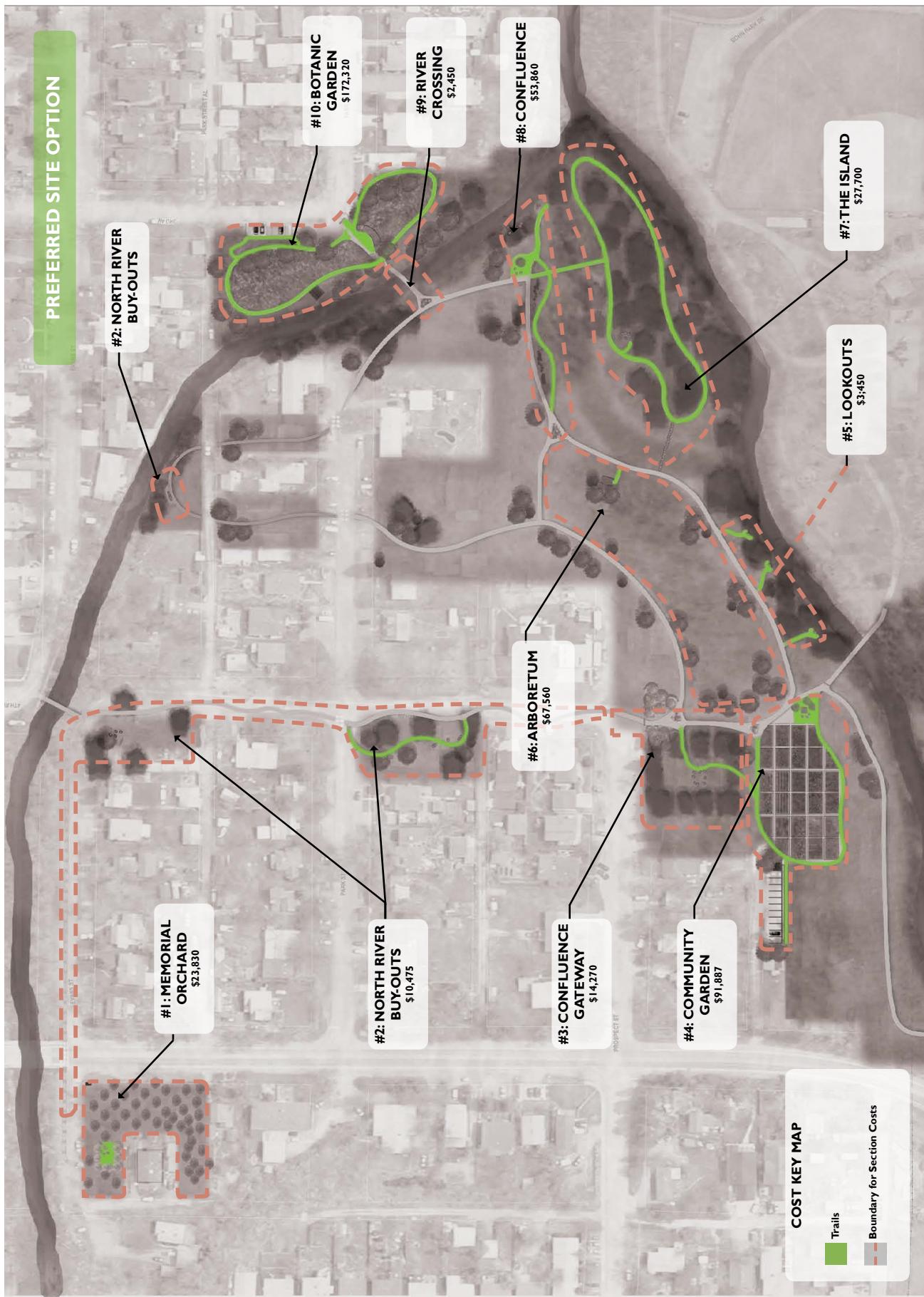


Estimate of Probable Costs

Confluence Properties : Access & Naturalization Concept Plan

Fall 2017

ITEM	QTY	UNIT	UNIT COST	TOTAL COST
#1 General Site work				
Soils Analysis	30	EA	\$100.00	\$3,000.00
Clear & Grub	450,000	SF	\$0.10	\$45,000.00
Grading (Cut, fill, Compact Onsite Material)	16,200	CY	\$3.50	\$56,700.00
Soil Prep and Native Seed	750,000	SF	\$0.25	\$187,500.00
Strip and Stockpile Topsoil	10	AC	\$2,800.00	\$28,000.00
Respread Stockpiled Topsoil	16,666	CY	\$2.00	\$33,332.00
Water Quality Biofiltration Basins	1	EA	\$7,500.00	\$7,500.00
Irrigation	750,000	SF	\$0.75	\$562,500.00
Irrigation Controller	1	LS	\$5,000.00	\$5,000.00
2" Water Tap	1	LS	\$17,500.00	\$17,500.00
Backflow Preventer	1	LS	\$5,000.00	\$5,000.00
			SUBTOTAL	\$951,032.00
#2 Connectivity				
Crusher Fines - 5' Path	15,060	SF	\$3.00	\$45,180.00
Crusher Fines - 3' Path	1,062	SF	\$3.00	\$3,186.00
Pavement Striping	1	LS	\$5,000.00	\$5,000.00
Wayfinding signage	15	EA	\$300.00	\$4,500.00
Perennial Bed #1	125	SF	\$15.00	\$1,875.00
Perennial Bed #2	180	SF	\$15.00	\$2,700.00
Perennial Bed #3	123	SF	\$15.00	\$1,845.00
			SUBTOTAL	\$64,286.00
#3 Landscape				
Trees Deciduous	25	EA	\$450.00	\$11,250.00
Trees Evergreen	12	EA	\$400.00	\$4,800.00
Trees Ornamental	12	EA	\$325.00	\$3,900.00
Landscape Boulders	10	EA	\$250.00	\$2,500.00
			SUBTOTAL	\$22,450.00
CONSTRUCTION SUBTOTAL				
Construction Contingency	15.0%			\$155,665.20
Landscape Architect Design Fees	10.0%			\$103,776.80
CONFLUENCE PROPERTIES: ACCESS & NATURALIZATION TOTAL				\$1,297,210.00



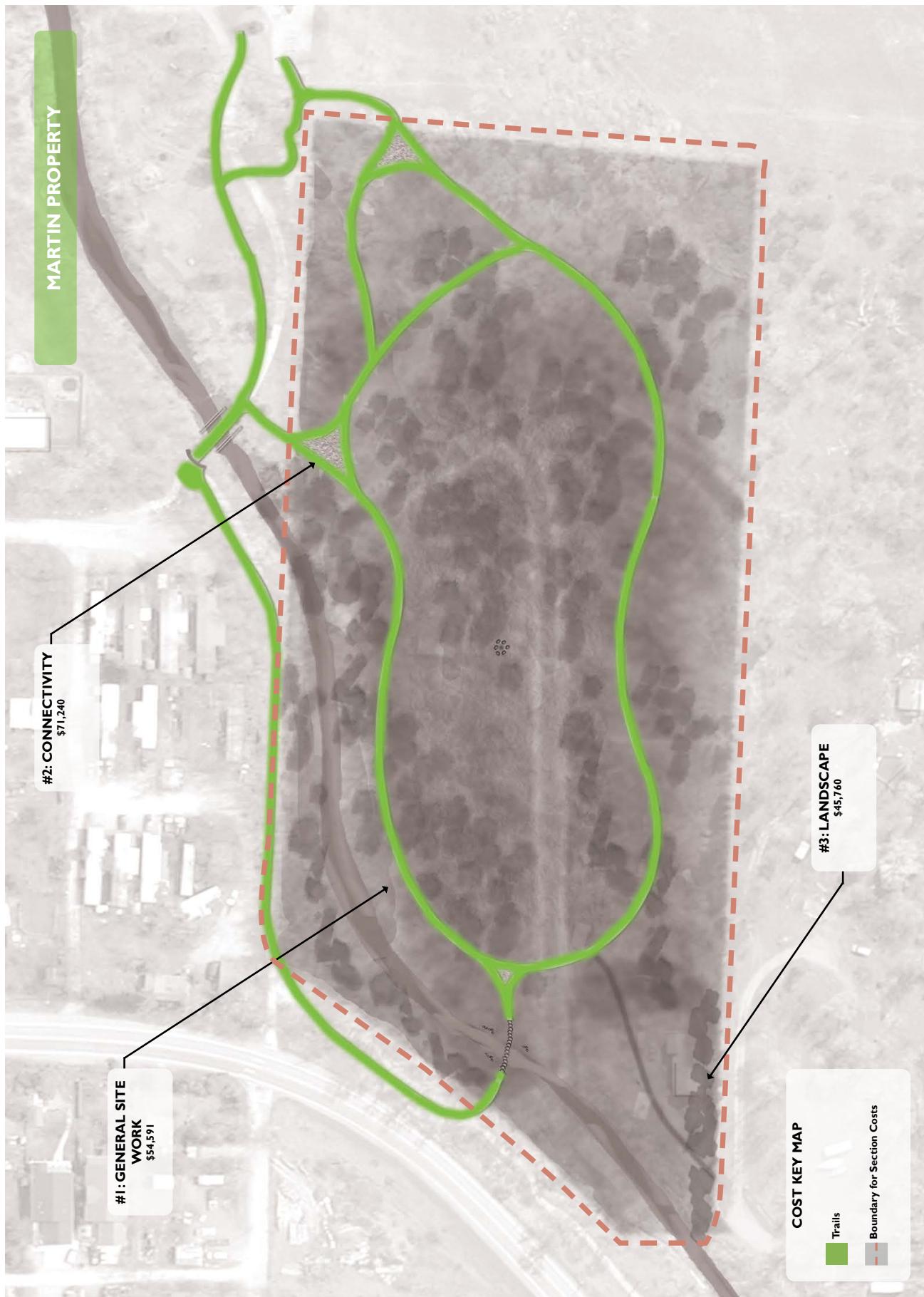


Confluence Properties: Preferred Site Options Concept Plan

Fall 2017

ITEM	QTY	UNIT	UNIT COST	TOTAL COST
#1 Memorial Orchard				
Crusher Fines - 3' Path	1,010	SF	\$3.00	\$3,030.00
Memorial Marker	1	EA	\$500.00	\$500.00
Town Gateway	1	EA	\$5,000.00	\$5,000.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Trees - Orchard	44	EA	\$275.00	\$12,100.00
Trees - Ornamental	6	EA	\$325.00	\$1,950.00
			SUBTOTAL	\$23,830.00
#2 North River Buy Outs				
Crusher Fines - Bench Area	210	SQ	\$3.00	\$630.00
Crusher Fines - 3' Path	365	SQ	\$3.00	\$1,095.00
Memorial Marker	1	EA	\$500.00	\$500.00
Gateway	1	EA	\$1,000.00	\$1,000.00
Public Art	1	EA	\$500.00	\$500.00
Historical Marker	1	EA	\$500.00	\$500.00
Landscape Boulders	8	EA	\$250.00	\$2,000.00
Sandstone Bench	4	EA	\$300.00	\$1,200.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
Trees - Evergreen	2	EA	\$400.00	\$800.00
			SUBTOTAL	\$10,475.00
#3 Confluence Gateway				
Crusher Fines - 3' Path	520	SQ	\$3.00	\$1,560.00
Crusher Fine for Gathering Space	420	EA	\$3.00	\$1,260.00
Gateway	1	EA	\$5,000.00	\$5,000.00
Public Art	1	EA	\$500.00	\$500.00
Sandstone Bench	3	EA	\$300.00	\$900.00
Landscape Boulders	8	EA	\$250.00	\$2,000.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
Trees - Evergreen	2	EA	\$400.00	\$800.00
			SUBTOTAL	\$14,270.00
#4 Community Garden				
Crusher Fines - 3' Path	4,530	SF	\$3.00	\$13,590.00
Crusher Fines - 3' Garden Paths	1,750	SF	\$3.00	\$5,250.00
Crusher Fines - Shade Shelter	1,000	SF	\$3.00	\$3,000.00
Shade Shelter - 10 x 10'	1	EA	\$15,000.00	\$15,000.00
Garden Shed	1	EA	\$2,000.00	\$2,000.00
Parking Lot - Road Base	1,000	SF	\$3.00	\$3,000.00
Parking Stops	10	EA	\$250.00	\$2,500.00
Parking Signage	3	EA	\$300.00	\$900.00
Garden Signage	2	EA	\$300.00	\$600.00
Raised Beds, 10' x 10'	20	EA	\$400.00	\$8,000.00
Topsoil	89	CY	\$27.00	\$2,403.00
Soil Transport	89	CY	\$12.00	\$1,068.00
Planter Mix	37	CY	\$37.00	\$1,369.00
Trash Receptacles	1	EA	\$1,150.00	\$1,150.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Compost Area	1	EA	\$300.00	\$300.00
3/4" Water Tap	1	LS	\$17,500.00	\$17,500.00
Backflow Preventer	1	LS	\$5,000.00	\$5,000.00
Trees - Ornamental	3	EA	\$325.00	\$975.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
			SUBTOTAL	\$87,105.00

#5 Lookouts				
Crusher Fines - Lookout	750	SQ	\$3.00	\$2,250.00
Sandstone Bench	3	EA	\$400.00	\$1,200.00
			SUBTOTAL	\$3,450.00
#6 Arboretum				
Crusher Fines - 3'	70	SQ	\$3.00	\$210.00
Restroom	1	EA	\$50,000.00	\$50,000.00
Tree Labels	30	EA	\$300.00	\$9,000.00
Trees- Deciduous	13	EA	\$450.00	\$5,850.00
Trees - Evergreen	3	EA	\$400.00	\$1,200.00
Trees - Ornamental	4	EA	\$325.00	\$1,300.00
			SUBTOTAL	\$67,560.00
#7 The Island				
Crusher Fines - 3'	3,550	SF	\$3.00	\$10,650.00
Learning Circle	1	EA	\$5,000.00	\$5,000.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Stepping Stone	10	EA	\$300.00	\$3,000.00
Boardwalk	520	SF	\$15.00	\$7,800.00
			SUBTOTAL	\$27,700.00
#8 Confluence				
Crusher Fines - 3' Path	570	SF	\$3.00	\$1,710.00
Crusher Fines - Shade Shelter	750	SF	\$3.00	\$2,250.00
Shade Shelter	1	EA	\$20,000.00	\$20,000.00
Seat Boulders	5	EA	\$400.00	\$2,000.00
Public River Access	1	EA	\$15,000.00	\$15,000.00
Public Art	1	EA	\$500.00	\$500.00
Nature Play	1	LS	\$10,000.00	\$10,000.00
Trash receptacles	1	EA	\$1,150.00	\$1,150.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
			SUBTOTAL	\$53,860.00
#9 River Crossing				
Trees - Deciduous	4	EA	\$450.00	\$1,800.00
Trees - Ornamental	2	EA	\$325.00	\$650.00
			SUBTOTAL	\$2,450.00
#10 Botanic Garden				
Crusher Fines - 4' Path	3,500	SF	\$3.00	\$10,500.00
Crusher Fines - Plaza	920	SF	\$3.00	\$2,760.00
Water Quality Biofiltration Basins	1	EA	\$7,500.00	\$7,500.00
Garden Shed	1	EA	\$2,000.00	\$2,000.00
Restroom	1	EA	\$50,000.00	\$50,000.00
Gateway	1	EA	\$5,000.00	\$5,000.00
Pergola	1	EA	\$25,000.00	\$25,000.00
Trash Receptacles	2	EA	\$1,150.00	\$2,300.00
Parking Lot - Road Base	1,130	SF	\$3.00	\$3,390.00
Parking Stops	7	EA	\$250.00	\$1,750.00
Landscape Boulders	25	EA	\$250.00	\$6,250.00
Seat Boulders	8	EA	\$400.00	\$3,200.00
Plant Labels	20	EA	\$300.00	\$6,000.00
Freeze Proof Hydrant	1	EA	\$100.00	\$100.00
Garden Plantings	1	LS	\$15,000.00	\$15,000.00
3/4" Water Tap	1	LS	\$17,500.00	\$17,500.00
Backflow Preventer	1	LS	\$5,000.00	\$5,000.00
Trees - Deciduous	12	EA	\$450.00	\$5,400.00
Trees - Evergreen	5	EA	\$400.00	\$2,000.00
Trees - Ornamental	5	EA	\$325.00	\$1,625.00
			SUBTOTAL	\$172,275.00
CONSTRUCTION SUBTOTAL				
				\$462,975.00
Construction Contingency	15.0%			\$69,446.25
Landscape Architect Design Fees	10.0%			\$46,297.50
CONFLUENCE PROPERTIES: PREFERRED SITE PLAN				
OPTIONS TOTAL				
				\$578,718.75





Estimate of Probable Costs

Martin Property Concept Plan

Fall 2017

ITEM	QTY	UNIT	UNIT COST	TOTAL COST
#1 General Site Work				
Clear & Grub	50,000	SF	\$0.10	\$5,000.00
Grading (Cut, fill, compact onsite material)	800	CY	\$3.50	\$2,800.00
Soil Prep and Native Seed	187,165	SF	\$0.25	\$46,791.25
			SUBTOTAL	\$54,591.25
#2 Connectivity				
Crusher Fines - 5' Path	20,500	SF	\$3.00	\$61,500.00
Crusher Fines - 3' Path	580	SF	\$3.00	\$1,740.00
Public River Access	1	LS	\$8,000.00	\$8,000.00
			SUBTOTAL	\$71,240.00
#3 Landscape				
Seat Boulders	5	EA	\$400.00	\$2,000.00
Landscape Boulders	12	EA	\$400.00	\$4,800.00
Fire Ring	1	EA	\$700.00	\$700.00
Trees - Deciduous	10	EA	\$325.00	\$3,250.00
Trees - Evergreen	10	EA	\$450.00	\$4,500.00
Perennial Bed #1	204	SF	\$15.00	\$3,060.00
Perennial Bed #2	900	SF	\$15.00	\$13,500.00
Perennial Bed #3	770	SF	\$15.00	\$11,550.00
Trash Receptacles	1	EA	\$1,150.00	\$1,150.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
			SUBTOTAL	\$45,760.00
CONSTRUCTION SUBTOTAL				
				\$171,591.25
Construction Contingency	15.0%			\$25,738.69
Landscape Architect Design Fees	10.0%			\$17,159.13
CONSTRUCTION TOTAL: MARTIN PLAN PROPERTY TOTAL				
				\$214,489.06

SITE ALTERNATIVES

#10: COMMUNITY GARDEN &
OPEN SPACE
\$70,671

#4: BOTANIC &
COMMUNITY GARDEN
\$107,385

COST KEY MAP

Trails

Boundary for Section Costs



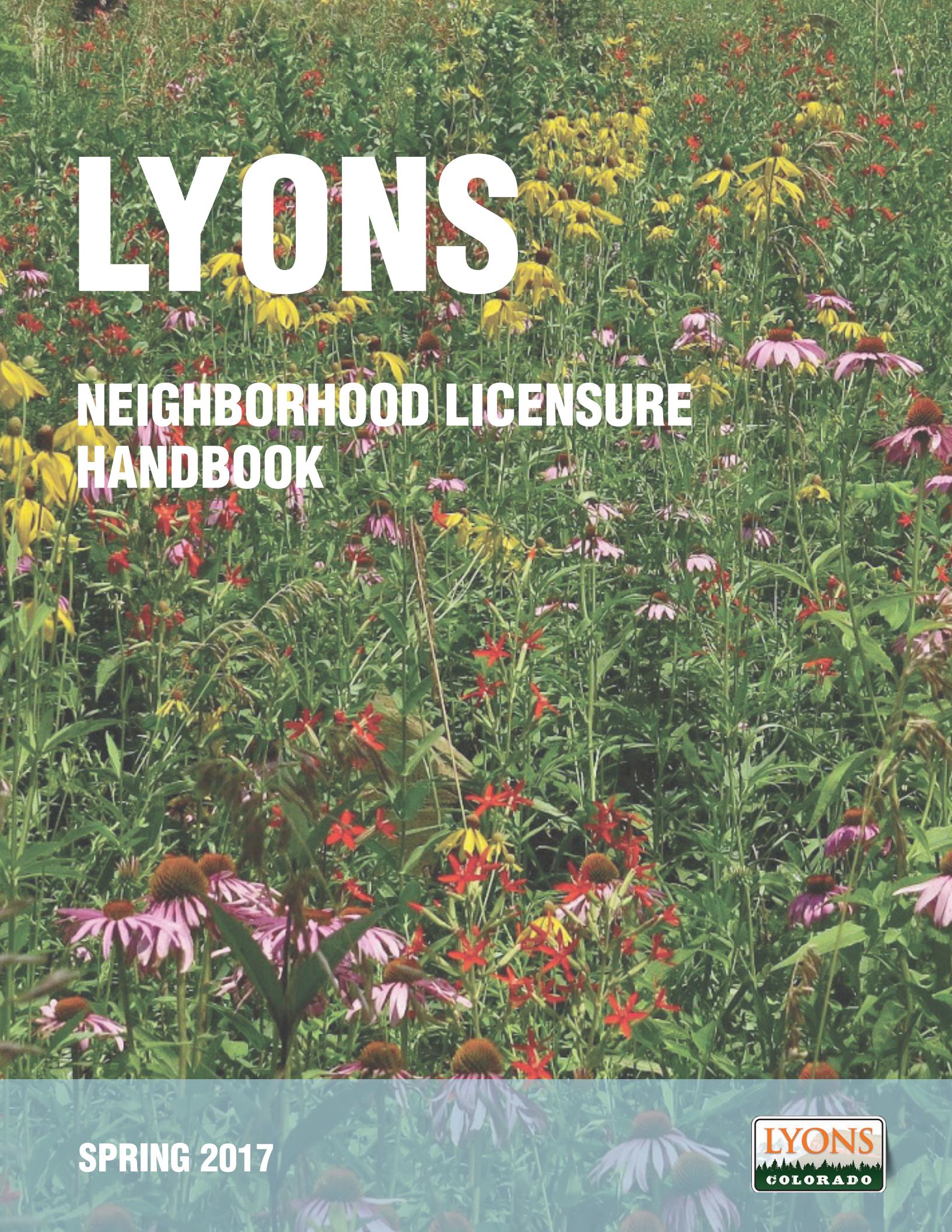


Confluence Properties: Site Alternatives Concept Plan

Fall 2017

ITEM	QTY	UNIT	UNIT COST	TOTAL COST
#1 Memorial Orchard				
Memorial Marker	1	EA	\$500.00	\$500.00
Town Gateway	1	EA	\$5,000.00	\$5,000.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Crusher Fines - 3' Path	1,010	SF	\$3.00	\$3,030.00
Trees - Orchard	44	EA	\$275.00	\$12,100.00
Trees - Ornamental	6	EA	\$325.00	\$1,950.00
			SUBTOTAL	\$23,830.00
#2 North River Buy Outs				
Crusher Fines - For Bench Area	210	SQ	\$3.00	\$630.00
Crusher Fines - 3' Path	365	SQ	\$3.00	\$1,095.00
Memorial Marker	1	EA	\$500.00	\$500.00
Gateway	1	EA	\$1,000.00	\$1,000.00
Public Art	1	EA	\$500.00	\$500.00
Historical Marker	1	EA	\$500.00	\$500.00
Landscape Boulders	8	EA	\$250.00	\$2,000.00
Sandstone Bench	4	EA	\$300.00	\$1,200.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
Trees - Evergreen	2	EA	\$400.00	\$800.00
			SUBTOTAL	\$10,475.00
#3 Confluence Gateway				
Crusher Fines - 3' Path	520	SQ	\$3.00	\$1,560.00
Gateway	1	EA	\$5,000.00	\$5,000.00
Public Art	1	EA	\$500.00	\$500.00
Crusher Fine for Gathering Space	420	EA	\$3.00	\$1,260.00
Landscape Boulders	8	EA	\$250.00	\$2,000.00
Sandstone Bench	3	EA	\$300.00	\$900.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
Trees - Evergreen	2	EA	\$400.00	\$800.00
			SUBTOTAL	\$14,270.00
#4 Botanic and Community Garden				
Crusher Fines - 3' Path - Botanic	3,225	SF	\$3.00	\$9,675.00
Crusher Fines - Plaza	230	SF	\$3.00	\$690.00
Crusher Fines - 3' Path - Community	2,100	SF	\$3.00	\$6,300.00
Garden Shed	1	EA	\$2,000.00	\$2,000.00
Restroom	1	EA	\$50,000.00	\$50,000.00
Plant Labels	20	EA	\$300.00	\$6,000.00
Parking Stops	12	EA	\$250.00	\$3,000.00
Parking Lot - Road Base	1,815	SF	\$3.00	\$5,445.00
Gateway	1	EA	\$5,000.00	\$5,000.00
Pergola	1	EA	\$25,000.00	\$25,000.00
Trash Receptacles	2	EA	\$1,150.00	\$2,300.00
Raised Beds, 10' x 20'	40	EA	\$400.00	\$16,000.00
Landscape Boulders	25	EA	\$250.00	\$6,250.00
Seat Boulders	8	EA	\$400.00	\$3,200.00
Garden Plantings	1	LS	\$15,000.00	\$15,000.00
3/4" Water Tap	1	LS	\$17,500.00	\$17,500.00
Backflow Preventer	1	LS	\$5,000.00	\$5,000.00
Trees - Deciduous	12	EA	\$450.00	\$5,400.00
Trees - Evergreen	5	EA	\$400.00	\$2,000.00
Trees - Ornamental	5	EA	\$325.00	\$1,625.00
			SUBTOTAL	\$187,385.00

#5 Lookouts				
Crusher Fines - Lookout	750	SQ	\$3.00	\$2,250.00
Sandstone Bench	3	EA	\$400.00	\$1,200.00
			SUBTOTAL	\$3,450.00
#6 Arboretum				
Crusher Fines - 3'	70	SQ	\$3.00	\$210.00
Restroom	1	EA	\$50,000.00	\$50,000.00
Tree Labels	30	EA	\$300.00	\$9,000.00
Trees- Deciduous	13	EA	\$450.00	\$5,850.00
Trees - Evergreen	3	EA	\$400.00	\$1,200.00
Trees - Ornamental	4	EA	\$325.00	\$1,300.00
			SUBTOTAL	\$67,560.00
#7 The Island				
Crusher Fines - 3'	3,560	SF	\$3.00	\$10,680.00
Learning Circle	1	EA	\$5,000.00	\$5,000.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Stepping Stone	10	EA	\$300.00	\$3,000.00
Boardwalk	513	SF	\$15.00	\$7,695.00
			SUBTOTAL	\$27,625.00
#8 Confluence				
Crusher Fines - 3' Path	570	SF	\$3.00	\$1,710.00
Shade Shelter	1	EA	\$20,000.00	\$20,000.00
Crusher Fines - Shade Shelter	800	SF	\$3.00	\$2,400.00
Seat Boulders	5	EA	\$400.00	\$2,000.00
Public River Access	1	EA	\$15,000.00	\$15,000.00
Public Art	1	EA	\$500.00	\$500.00
Nature Play	1	LS	\$10,000.00	\$10,000.00
Trash receptacles	1	EA	\$1,150.00	\$1,150.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
			SUBTOTAL	\$54,010.00
#9 River Crossing				
Trees - Deciduous	4	EA	\$450.00	\$1,800.00
Trees - Ornamental	2	EA	\$325.00	\$650.00
			SUBTOTAL	\$2,450.00
#10 Community Garden and Open Space				
Crusher Fines - Garden Paths	1,380	SF	\$3.00	\$4,140.00
Crusher Fines - 3' Path Open Space	2,015	SF	\$3.00	\$6,045.00
Garden Shed	1	EA	\$2,000.00	\$2,000.00
Parking Lot - Road Base	1,330	SF	\$3.00	\$3,990.00
Parking Stops	8	EA	\$250.00	\$2,000.00
Parking Signage	3	EA	\$300.00	\$900.00
Garden Signage	2	EA	\$300.00	\$600.00
Raised Beds, 10' x10'	24	EA	\$400.00	\$9,600.00
Topsoil	89	CY	\$27.00	\$2,403.00
Soil Transport	89	CY	\$12.00	\$1,068.00
Trash Receptacles	1	EA	\$1,150.00	\$1,150.00
Landscape Boulders	5	EA	\$250.00	\$1,250.00
Compost Area	1	EA	\$300.00	\$300.00
3/4" Water Tap	1	LS	\$17,500.00	\$17,500.00
Backflow Preventer	1	LS	\$5,000.00	\$5,000.00
Nature Play Area	1	EA	\$2,000.00	\$2,000.00
Water Quality Biofiltration Basins	1	EA	\$7,500.00	\$7,500.00
Trees - Ornamental	3	EA	\$325.00	\$975.00
Trees - Deciduous	5	EA	\$450.00	\$2,250.00
			SUBTOTAL	\$70,671.00
CONSTRUCTION SUBTOTAL				
				\$461,726.00
Construction Contingency	15.0%			\$69,258.90
Landscape Architect Design Fees	10.0%			\$46,172.60
CONSTRUCTION TOTAL: SITE ALTERNATIVES TOTAL				
				\$577,157.50
				\$258,056.00
Construction Contingency	15.0%			\$38,708.40
Landscape Architect Design Fees	10.0%			\$25,805.60
CONFLUENCE PROPERTIES: SITE ALTERNATIVES TOTAL				
				\$322,570.00



LYONS

NEIGHBORHOOD LICENSURE HANDBOOK

SPRING 2017



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1. INTRODUCTION

The historic flood of September 2013 impacted nearly every aspect of the Lyons, Colorado community. Roads, bridges, infrastructure, and utilities suffered significant damage, businesses were hard hit, music venues and cultural centers were affected, and park lands were devastated. In the tragedy, more than 200 homes were damaged or destroyed, many never to be rebuilt. River bottoms were scoured, along with other environmental assets like trees and riparian habitats.

As a result, the Town of Lyons acquired or will acquire 27 former residential properties with flood recovery funding. These properties incurred substantial flood damage or complete destruction. 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) programs of Housing and Urban Development (HUD) was used to acquire the properties. A primary goal of these programs is the removal of flood damaged structures and prevention of rebuilding in order to mitigate the impact of future floods. Upon acquisition these properties carry perpetual open space use restrictions. Each of these parcels is referred to as a Deed-Restricted Buy-Out Property (DRBOP).

The Town of Lyons, in conjunction with the consultant team of Design Concepts, Amec Foster Wheeler and GreenPlay developed the DRBOP Use & Management Plan for the sites as a blueprint for the future. This planning project engaged the public to plan for use of these properties in the St. Vrain River confluence area, a location with significant ecological and recreational value. In accordance with the DRBOP Use & Management Plan many acres of the newly acquired property will be planned to restore riparian habitat around the St. Vrain River confluence. Opportunities for recreation and social interaction will be intertwined by featuring walking/biking trails, benches, rain gardens, river access within an enhanced native habitat designed to mitigate future flood hazards.

The following guiding principles were identified as critical project success factors:

- Improved connectivity
- Safe access to the St. Vrain River corridor
- Resiliency to future flood events
- Universal access for all abilities
- An appropriate mix of passive and active recreational uses
- Ecologically sustainable, low-impact planning solutions

These properties are envisioned primarily as naturalized community spaces. However, the Town has created a neighborhood licensure program (“Program”) in which eligible residents may use all (3 of 19) or a portion of (16 of 19) of the DRBOP parcels for other types of low impact use. Referred to in this handbook as “neighborhood lots” or “licensed lots,” these small parcels and buffer areas are located adjacent to or in between existing residences. Owners who reside on properties that are adjacent to these 19 properties are eligible for this Program, subject to certain limitations, conditions, and deed restrictions

All buy-out lots are owned by the Town of Lyons and are therefore public spaces, unless they have been licensed. If not licensed for private use by a licensee, buy-out lots are intended to be naturalized open space areas. As with local parks or the downtown streetscape, the Town will care for and manage any sites or portions of sites that have not been licensed. All lots will be treated with soil enrichment and seeded with native grasses that are typical of the Front Range foothills. This step is intended to simplify maintenance and beautify the lot and the neighborhood. It is expected that nearby residents will not mow, prune, or encroach on these natural landscapes unless under a license agreement with the Town.

The Neighborhood Lot Licensure Program has three purposes:

1. To allow licensees to have exclusive use of all or a portion of a lot, as approved by the Town, in exchange for maintaining the licensed portion, thereby shifting maintenance responsibilities and costs from the Town to the licensee;
2. To improve neighborhood livability and strengthen a sense of place and community identity; and
3. To ensure safety of residents, visitors, and the general public in flood-prone neighborhoods.

2. RIGHTS & RESPONSIBILITIES

The Neighborhood Lot Licensure Program is designed to encourage community investment and care for the neighborhood lots so that they may be integrated into the neighborhood in a way that is both aesthetic and useful while reducing the Town's maintenance expenses for those lots. In exchange for the temporary right to use a neighborhood lot or portion thereof, citizens must sign a license agreement with the Town. The license agreement governs the use of the neighborhood lot and establishes the rights and responsibilities of both the Town and the licensee.

For specifics regarding the license agreement, please refer to the form license agreement approved by the Town. For purposes of illustration, some of the rights and responsibilities set forth in that agreement are included here.

LICENSEE RIGHTS

A licensee will have exclusive, private use of the licensed area. Although licensees are encouraged to plan for and use these spaces in a spirit of mutual benefit to the public (for example, by sharing fruit with neighbors from a tree planted on a licensed lot or by planting a wildflower garden that blooms all summer) such community engagement is not a requirement of licensure.

License agreements are for a one-year term, but the Town may revoke the agreement at any time. If a licensee desires to revise or amend the use of the licensed lot as approved by the Town during the one-year term, the licensee must obtain Town approval of the proposed change and sign a written amendment to the license agreement that incorporates approved change. A licensee may terminate the license agreement at any time by providing written notice to the Town Administrator that specifies the date of the agreement's termination. Licensees may re-apply to the Town annually for additional one-year agreements.

LICENSEE RESPONSIBILITIES

In exchange for private use of a licensed lot, all licensees assume numerous responsibilities, including but not limited to the following:

1. Use a licensed lot as specified in the application approved by Town staff, in accordance with the terms of a license agreement signed by the licensee and the Town;
2. Develop, adopt, and execute a maintenance plan as specified in the application and approved by the Town;
3. Care for and maintain all trees and plants on site by weeding, pruning, and providing all water necessary to maintaining the licensed lot in a condition acceptable to the Town;
4. Bear all costs for site uses and maintenance;
5. Assume all liability and responsibility for any damage, maintenance or repair of the Licensed Premises;
6. Procure adequate insurance and indemnify the Town against claims arising out of licensee's use of the licensed lot;
7. Waive all rights to sue the Town for any reason arising out of licensee's use of the licensed lot;
8. Comply with Town staff entrance upon and inspection of the licensed lot at any time without notice;
9. Return the licensed lot to the Town in a condition acceptable to the Town upon termination of the license agreement;
10. Comply with all federal, state, county, and local regulations and restrictions on the use and maintenance of the licensed lot, including, but not limited to, the Lyons Municipal Code.

Failure to meet local ordinance requirements will result in a violation and may result in revocation of the licensure agreement. Applicable sections of the Lyons Municipal Code include, but are not limited to, the following:

Sec. 7-2-100 - Junk nuisances

Sec. 7-2-120 - Diseased, dead or dangerous trees and plants

Sec. 7-2-140 - Property maintenance

Sec. 7-2-150 - Weeds

Sec. 7-3-50 - Compost

Sec. 7-4-70 - Acts harmful to trees

Sec. 7-4-80 - Pruning, corner clearance and utilities

Sec. 7-5-30 - Weed and brush control

Sec. 7-5-40 - Local and state noxious weeds deemed nuisances

Sec. 7-6-80 - Removal of dog excrement

Sec. 7-6-150 - Prohibited keeping of animals

Sec. 7-6-160 - Offensive premises

Sec. 7-6-170 - Fowl and rabbits restrained

Sec. 7-6-180 - Birds

Sec. 7-6-190 - Noise related to animals or fowl

The Lyons Municipal Code may be found online at:

https://www.municode.com/library/co/lyons/codes/municipal_code?nodeId=18210

3. USE RESTRICTIONS

Use of licensed lots must comply with deed restrictions to mitigate hazards and preserve public health, safety, and welfare in light of the great potential for natural flood events.

The Town of Lyons has developed additional use restrictions intended to help maintain the quality of life and local character of the Town for its residents. All site uses must be approved by the Town of Lyons to ensure compliance prior to entering into a license agreement. The license agreement will then incorporate all approved uses in an exhibit to the license agreement. Note: A 'use' may refer to either an activity or a physical feature.

Permitted Uses of Licensed Lots

- A use approved by the Town of Lyons and compliant with deed restrictions
- Gardening
- Landscaping
- Natural area

Prohibited Uses of Licensed Lots include, but are not limited to:

- Uses not approved by Town of Lyons
- Uses that violate Town of Lyons Municipal Code
- Uses that violate Town of Lyons floodplain regulations
- Vehicle parking including vehicles, boats, campers/recreational vehicles, tiny homes, or construction equipment
- Paved vehicular access
- Site re-grading
- Walled structures
- Fences (unless temporary, minimal, and intended to protect plants from animals, and only with advance approval by the Town)
- Overnight camping
- Public picnicking
- Obstructions that may trap debris in a flood event
- Storage of inventory supporting a commercial operation
- Storage of construction materials or fill dirt
- Landfill or storage of hazardous or toxic materials
- Above or below ground storage tanks, including rain barrels
- Hydraulic fracturing or horizontal-directional drilling (HDD)
- Septic tanks

4. FREQUENTLY ASKED QUESTIONS

1. What is a revocable license agreement for neighborhood lots?

A revocable license agreement is a legal agreement between a licensee and the Town of Lyons that permits the licensee exclusive use of a buy-out property for one year in exchange for maintaining the licensed property and compliance with other terms and conditions. The license agreement does not grant or transfer any property rights or interests in the licensed property, and the Town remains the owner of the property at all times. The Town may revoke, or terminate, the license agreement at any time and for any reason.

2. Who is responsible for maintenance on a licensed lot?

The licensee is responsible for maintaining all of lot that they have been licensed to use, including tree care, and is responsible for all associated costs, tools, and tasks necessary to such maintenance.

3. Who is eligible to license a neighborhood lot?

Adjacent property owners may apply for a neighborhood lot license agreement on a first come, first serve basis. For purposes of this Program, “adjacent” means contiguous to or immediately across a right-of-way (such as a street or alley) from a neighborhood lot. Preference will be given to those adjacent property owners who are contiguous to a neighborhood lot. If no contiguous parties are interested in applying for a license agreement then those parties that are immediately across a right-of-way will be given the opportunity to apply for a license. If an adjacent property is a rental and is not owner-occupied, then the owner may enter into a license agreement with the Town but must ensure that the renters comply with the terms of the license agreement. Property owners may rely on renters of a property to manage a licensed lot in accordance with the license agreement, at their own discretion.

4. How much does it cost?

There is no fee to apply for a Neighborhood Lot License. However, a licensee must obtain insurance and bear all costs associated with maintaining the licensed premises.

5. What is the process for entering into a license agreement?

An eligible applicant must complete and submit a Neighborhood Lot Licensure Application to Town for staff review, followed by discussion with the applicant. If approved, the successful applicant will be required to enter into a license agreement in a form acceptable to the Town. Once a license agreement is signed by both parties, the applicant will be deemed a “licensee”. A licensee will be allowed to use a lot or a portion of a lot for specified, approved purposes, provided the licensee complies with the terms of the license agreement and all applicable deed restrictions for the licensed property. Nearby property owners will be notified of pending approval of a use license by a neighbor, as a courtesy, and will be given ten days to respond to Town staff with any concerns. Refer to the Use Restrictions section of this handbook for additional information.

6. How long does a license agreement last?

One year. An annual review of a will be conducted by Town to ensure the licensee adheres to use restrictions and other terms and conditions of licensure. Licensees must reapply annually for subsequent license agreements.

7. Is the license revocable?

Yes. The Town may revoke license agreements at any time. Typically, the Town will notify the licensee of termination thirty (30) days in advance of the effective date of termination. However, under certain circumstances, such as a public safety emergency or a violation of the license agreement, the Town will only provide advance written notice as soon as is practicable.

8. What can I do with a licensed site?

Licensed lots may be planned and improved by an applicant as outlined in this handbook or in any manner formally approved by the Town of Lyons. This handbook includes discussion of rights and responsibilities, use restrictions, setbacks, and garden design basics to provide guidance.

On a case-by-case basis, Town Staff will work with applicants to identify appropriate uses and subsequent maintenance requirements for the lot that is the subject of the application. Specific site circumstances, proposed uses, and required maintenance will be evaluated by staff, documented in a final application, and incorporated into a license agreement. Any use of a licensed lot shall be in accordance with the DRBOP deed restrictions, Lyons Municipal Code, and proper floodplain and floodway management policies and practices.

9. Will the allowed uses be different for Owner-Occupied Licensees as opposed to those for Absentee Landlords?

Staff will take this into consideration as part of the application approval process. Applications from Absentee Landlords which are low maintenance in nature will have a greater chance of approval. Staff will show caution when entering into an agreement with an Absentee Landlord where a use that requires a great deal of maintenance is proposed. Staff will consider whether neglect of proposed uses could result in a nuisance and/or have a negative impact on the neighborhood. Licensee Agreements with Absentee Landlords may need to be monitored more regularly for compliance.

10. Do I need to license an entire lot or may I just use a portion of it?

An applicant may apply to license a portion of a neighborhood lot. Any application that seeks to license less than an entire neighborhood lot must include all appropriate means of access from their own lot in the licensed area to ensure that a licensee can comply with all maintenance obligations. In addition, such applications shall define the licensed portion so as to constitute one contiguous area that does not exclude or isolate certain areas or elements of the property from an otherwise contiguous area. For example, a licensed portion of a neighborhood lot may not exclude a tree in the middle of an otherwise contiguous area. The Program is designed to provide beneficial use of neighborhood lots while reducing and simplifying the Town's maintenance obligations, and Town staff will only approve applications that further this goal.

11. What if I intend to use a licensed lot in a way not discussed in this handbook?

The Town may approve other proposed uses that are found to be consistent with the intent of the use restrictions and municipal code, and that do not impact the floodplain or floodway. Any unapproved use of the lot can result in the revocation of the license agreement.

12. Do I need additional insurance for a lot for which I hold a license?

Proof of licensee's homeowner's liability or other liability insurance coverage that includes the licensed property will be required. It is recommended that licensees obtain property insurance for any personal belongings on a licensed lot. The Town of Lyons already carries flood insurance on the properties, and is otherwise covered for municipally owned property in accordance with Colorado law.

13. Are licensed lots publicly accessible?

Despite that all licensed lots are publicly owned by the Town of Lyons, a licensee has the privilege of private use of a licensed lot for Town approved purposes as outlined in the license agreement.

14. Do local laws and regulations apply to licensed lots?

Yes. The Town of Lyons Municipal Code applies to all licensed lots. As Town-owned properties, licensed lots are subject to any code that regulates public lands in addition to codes that regulate residential land use. Applicable codes are listed in Rights & Responsibilities.

15. Are private gatherings allowed on a licensed lot?

Yes, if the use has been approved by Town staff as part of the application and licensure process.

16. Is alcohol permitted on a licensed lot?

No. Consumption of alcohol on Town property is a violation of the Lyons Municipal Code and is not permitted on licensed lots.

17. Is camping allowed on my licensed lot?

No. Overnight camping is not allowed on the licensed lots.

18. Can I build a shed, garage, or building?

No. These types of structures are not permitted on licensed lots.

19. Can I park a vehicle, boat, or camper, or tiny home on my licensed lot?

No. Residents and licensees may not park vehicles, boats, campers/recreational vehicles, or tiny homes on licensed lots.

20. Can I have a playground on a licensed lot?

All play equipment must be approved by Town staff, in accordance with the need to ensure public safety and other applicable restrictions on the use of the property. Any play equipment placed on a licensed lot without Town approval will constitute a violation of the license agreement.

21. Can I build a fence?

No. Fences are not typically allowed on licensed lots. In certain locations, a temporary, minimal fence that is intended to protect plants from animals may be approved by Town staff.

22. Can I grade the site?

No. Grading is not typically allowed on licensed lots. Approved gardening uses are the one exception. Any changes to the existing grade must be +/- 6 inches and must be approved by the Town in advance.

23. *How will license restrictions be enforced?*

The Town of Lyons will enforce use restrictions and monitor licensed lots to ensure that only approved uses are implemented. Annual inspections of licensed lots by Town staff will be required as a condition of a licensure agreement. As with enforcement of municipal codes, Town staff will work with property owners to come into compliance as an initial step should use restrictions be violated. However, the Town may revoke a license agreement at any time for failure to comply with all applicable terms and conditions.

24. *Will there be regular inspection of a licensed lot?*

Town staff will conduct annual inspections of licensed lots part of the license renewal process. The Town also reserves the right to inspect a licensed lot at any time to ensure compliance with all applicable deed restrictions. Additionally, the Federal Emergency Management Administration and the Colorado Department of Local Affairs also have the right to enter a lot for this purpose.

25. *Who takes care of existing trees?*

The licensee is responsible for maintaining any existing trees on a lot or portion of a lot they have licensed. Any existing trees on part of a lot that has not been licensed will be maintained by the Town of Lyons.

26. *Can I plant new trees on a licensed lot?*

Yes, a licensee may plant trees in accordance with Town of Lyons tree ordinance and subject to the approval of Town staff. Town approval of specific planting locations, tree species, and maintenance responsibilities will be required, and shall be incorporated into the license agreement. The care and maintenance of any trees planted by a licensee are the responsibility of that licensee. A license applicant may propose to plant new plants, including trees, if desired. The license review process will define where trees may be planted and whether Town or the licensee is responsible for tree care and what proper tree care will entail.

Any species listed as “nondesirable” in the Lyons Municipal Code or discouraged in Boulder County, such as Siberian elm and Russian olive, are prohibited. Some species, such as ash varieties, that are not explicitly prohibited may not be recommended due to their susceptibility to infestation or disease. Refer to Additional Resources for further information.

27. Are there restrictions on the types of species I can plant on a licensed lot?

Invasive species and noxious weeds are not permitted. These species disrupt native vegetation and ecosystems. Refer to Lyons Municipal Code, Chapter 7, Article 4 for areas additional restrictions. Also refer to the Boulder County Noxious Weed list when choosing and eradicating species. Weblinks to both resources may be found in Additional Resources.

28. Are soils on licensed lots suitable for growing plants?

Existing soils will be amended by the Town to add nutrients to the soil and to encourage root proliferation. If you intend to plant on a licensed lot before the Town has amended the soil you are encouraged to have the soil tested and to amend the soil as needed.

29. Can a licensed lot include raised garden beds?

Typical raised garden beds are not compliant with the use restrictions. However, other options such as raised row gardens or hügelkultur may be allowed provided the ground level is not raised more than 6 inches.

30. Is water for irrigation provided by the Town of Lyons?

No. Watering of plants and landscaping is the responsibility of the licensee. No operable water sources are available on Neighborhood License Lots at this time. Licensees may use water from an indoor tap or outdoor spigot on the licensee's property for irrigation.

31. Can I collect and irrigate with rainwater?

No. In the State of Colorado, homeowners may collect up to 110 gallons of rainwater, but only from residential rooftops for use on the property on which the rainwater was collected. The collected rainwater may be used to irrigate outdoor lawns, plants or gardens on the same property from which the rainwater was captured. Refer to Additional Resources for further information.

32. *Can I raise chickens on a licensed lot?*

Chickens are only allowed on a licensed lot if permitted by Lyons Municipal Code. A traditional chicken coop, as a walled structure, is not compliant with the use restrictions. However, if chickens are housed on a licensee's own property a mobile chicken tractor could be used on the licensed lot if permitted by Town ordinance. No processing of poultry is allowed on licensed lots, including butchering and cleaning.

33. *Can I keep bees on a licensed lot?*

Bee keeping is only allowed on a licensed lot if permitted by Lyons Municipal Code.

34. *If I have licensed a use on a portion of a neighborhood lot, can I use the rest of the site if it is not under a license agreement?*

No. Licensees may only use the portion of the lot for which they are under a license agreement. Any portion of a neighborhood lot that has not been licensed will be maintained by Town staff as a natural area. If a licensee wishes to use an entire lot or a greater portion of the lot on which they have been licensed, that would require a new license application, Town approval, and a new license agreement.

35. *Can more than one neighbor share a license agreement?*

No. However, more than one license may be issued for different segments of a neighborhood lot. In this situation, each license holder is approved to use a specific portion of the lot. A formal legal agreement will be signed by each licensee that outlines where and how that individual may use the licensed lot. Any informal shared-use arrangements that may occur between neighbors will not change the license agreement, as the ultimate responsibility lies with the licensee.

36. *Can I alter the use plan for my licensed lot?*

Yes, subject to Town approval. Alteration of an approved application and use plan for a licensed lot will require a written amendment to the license agreement. Town staff will evaluate the proposed revision and coordinate with the licensee to revise the use plan for incorporation into the license agreement pursuant to a written amendment.

5. NEIGHBORHOOD LICENSE LOTS

Neighborhood License Lots include two types of sites: 1) Middle lots and 2) Buffer areas.

Middle lots are the smaller parcels located in between existing residential properties with close proximity to multiple nearby homes. Typically dimensioned 50 feet x 140 feet and rectangular in shape, some of these lots are available for licensure. Some portions of these sites have been retained for or emergency access or other Town use.

Buffer areas are spaces next to existing homes on the larger DRBOP properties. These larger DRBOP properties are those that are contiguous to the river and/or existing parks and open space and are intended primarily for public use. Buffer “lots” do not have platted property boundaries; rather, they have been set aside to provide separation for adjacent residents from land dedicated to public use. Buffers have been identified by the Town as important for this purpose and are available for licensure, similar to middle lot sites.



Figure 1: Map of Neighborhood License Lots

Note: Map does not grant or guarantee any benefits or use of town-owned property to neighboring property owners.

The licensure process is the same for both middle lots and buffer areas. However, middle lots are subject to setbacks from neighboring properties while buffer areas are not. A setback is a restriction imposed on an edge of a licensed lot that define areas of the lot a licensee may not use. Setbacks are required for the comfort and privacy of adjacent residents. A setback is the distance between the home or nearest structure of a neighboring property and a use area on a licensed lot. The required setback is 25 feet. This setback runs in a band along that entire edge of the licensed lot. A setback is not required on the side of a licensed lot adjacent to the property of the licensee. Also, no setbacks are required from the front or rear parcel lines of the licensed lot.

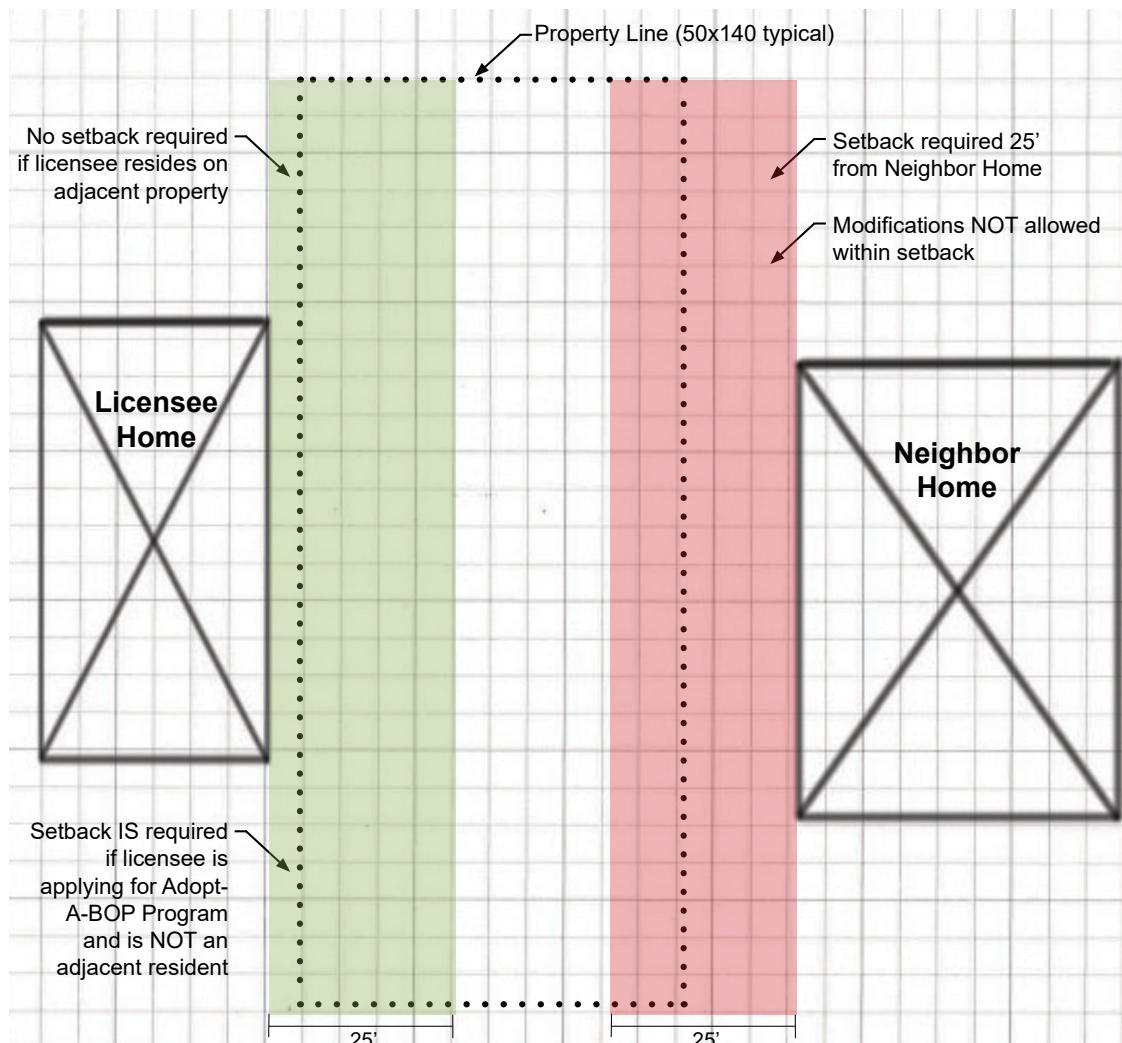


Figure 2: Setback requirements for Neighborhood License Lots

6. LICENSE APPLICATION

An application must be filled out by a party pursuing use of a license lot. Applicants interested in licensing a neighborhood lot must submit to the Town an application that will provide some general information, a description of the proposed use, a simple sketch plan to locate uses on the site, and a proposed maintenance plan. All license applications are evaluated by Town staff on a case-by-case basis.

NEIGHBORHOOD LOT LICENSE APPLICATION FORM

NAME: _____
DATE: _____
HOME ADDRESS: _____
PHONE: _____
EMAIL: _____

LOT LOCATION: Describe the property you wish to license. Refer to the address, street name, nearby residential addresses, and landmarks. Please circle the lot on the map attached.

USE AREA / LICENSE AREA: Do you intend to license and maintain the entire lot or a portion of the lot? If licensing a portion of the lot, what is the total area of the space that you wish to license?

*Staff use only below this line

PARCEL NUMBER: _____
TOTAL ACRES: _____
TOTAL LICENSE/USE AREA: _____

OWNER OCCUPIED LANDLORD OWNER PRE-PROPOSAL MEETING COMPLETE:
 APPLICATION APPROVED APPLICATION DENIED NEIGHBOR 10 DAY NOTIFICATION:
 PROOF OF INSURANCE:

Authorized Town Staff Signature _____ Date _____

LYONS COLORADO

Figure 3: Neighborhood Lot License Application

Staff will schedule a pre-proposal meeting with the applicant to discuss their proposed use of the lot. This meeting will also help to clarify allowable uses, non-compliant uses or other concerns of Town staff. If approved, Town staff will notify applicants and prepare a license agreement for review and signature.

NAME:

PROPOSED USE: What types of uses do you propose for your lot?

PROPOSED IMPROVEMENTS

MAINTENANCE PLAN: Describe how you will maintain your property, including weeding, watering, pruning, etc.

Plan your lot

Use this template to draw a plan of the lot:

- Show the home of your neighbor, if applicable
- Include access to your home within area of use
- Add an arrow to show North
- Note adjacent streets or alleys

This plan must be included with your application to license a neighborhood lot.

20' SCALE: 1" = 20'

Area of Use

Existing Tree

Proposed Tree

Proposed Shrub

Proposed Perennial

Proposed Garden

NEIGHBORHOOD LOT LICENSE APPLICATION FORM

NAME: Jane Smith

DATE: June 1, 2017

HOME ADDRESS: 115 Park Street

PHONE: 303-823-1234

EMAIL: jsmith@email.com

LOT LOCATION: Describe the property you wish to license. Refer to the address, street name, nearby residential addresses, and landmarks. Please circle the lot on the map attached.

I am applying for a 'middle lot' due east of my home, between my home and my neighbor's home at 96 Park St. I think the address is 117 Park St. There is a large apple tree on the lot.

USE AREA / LICENSE AREA: Do you intend to license and maintain the entire lot or a portion of the lot? If licensing a portion of the lot, what is the total area of the space that you wish to license?

I would like to use a portion of the lot, approximately 110 feet by 90 feet due west of my home.

*Staff use only below this line

PARCEL NUMBER:

TOTAL ACRES:

TOTAL LICENSE/USE AREA:

OWNER OCCUPIED
 LANDLORD OWNER

PRE-PROPOSAL MEETING COMPLETE:
 NEIGHBOR 10 DAY NOTIFICATION:
 PROOF OF INSURANCE:

APPLICATION APPROVED
 APPLICATION DENIED

Authorized Town Staff Signature

Date



Figure 4: Sample application completed by applicant

PROPOSED USE: What types of activities will the lot be used for?

A vegetable garden, a tree for shade, and a fruit tree.

PROPOSED IMPROVEMENTS: Do you intend to alter the lot? If so, what changes do you propose?

I would like to dig out a 10' x 10' plot approximately 6" deep, till the soil, and plant vegetables. I may also plant marigolds along the edges to help keep out wildlife. I would like to plant a new apple tree nearby, and a maple tree to shade my home.

MAINTENANCE PLAN: Describe in detail your plan to maintain any proposed site improvements, including weeding, watering, pruning and care for all trees, shrubs, and plants.

I will water the garden and both trees regularly, weed the portion of the lot I am using, and prune the trees as needed. If diseased or dying I will care for or remove the trees. If my dog 'uses' the site I will clean up after her.

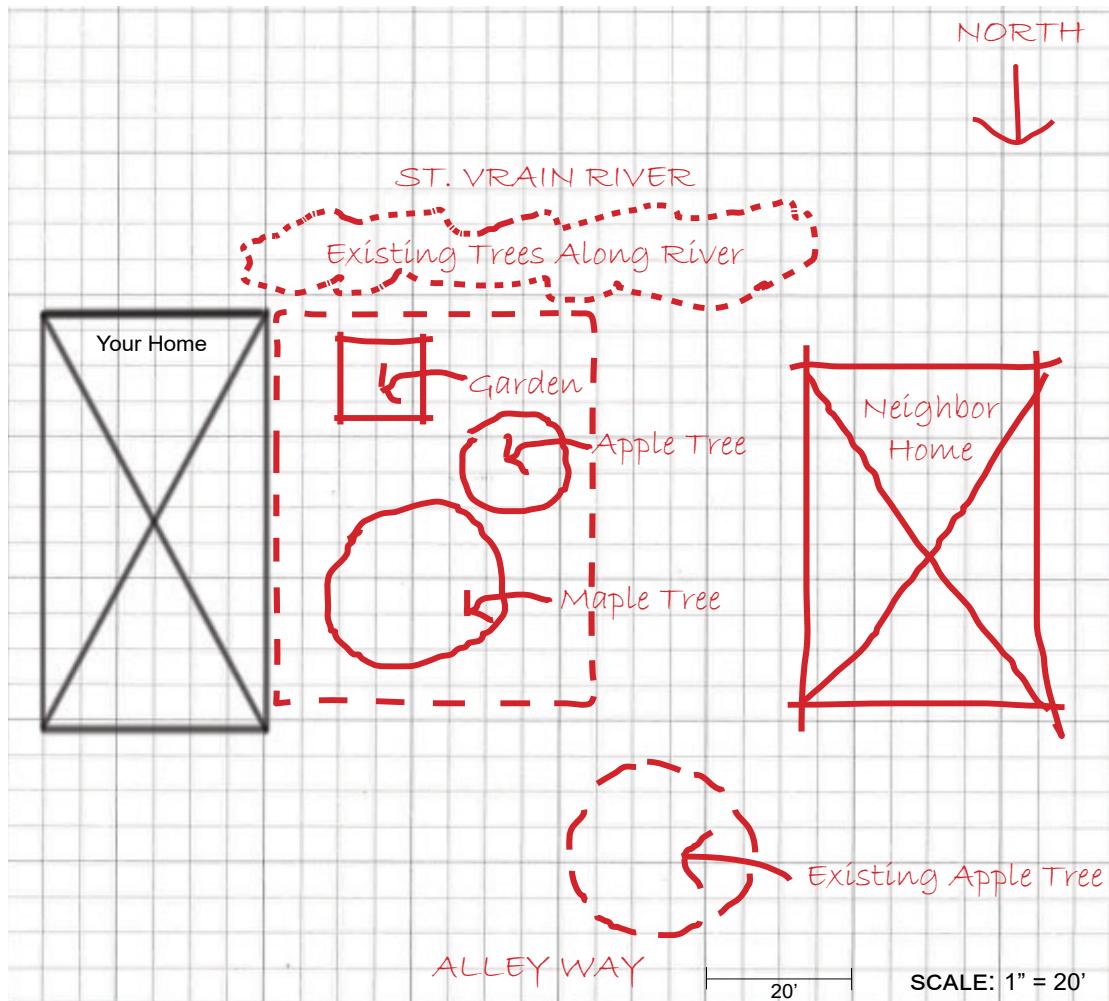
I understand the Town will maintain the rest of the site so I will leave that area alone, including the existing apple tree.

NAME: Jane Smith

Circle the lot you wish to license on the map below. Only License Lots, shown in yellow, are eligible.



NAME: Jane Smith

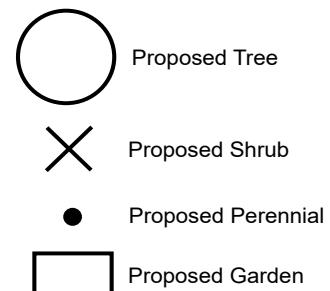
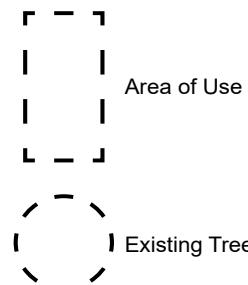


Plan your lot

Use this template to draw a plan of the lot:

- Show the home of your neighbor, if applicable
- Include access to your home within area of use
- Add an arrow to show North
- Note adjacent streets or alleys

This plan must be included with your application to license a neighborhood lot.



NEIGHBORHOOD LOT LICENSE

EXHIBIT A

NAME: Jane Smith

DATE: June 1, 2017

HOME ADDRESS: 115 Park Street

PHONE: 303-823-1234

EMAIL: jsmith@email.com

LOT LOCATION: Describe the property you wish to license. Refer to the address, street name, nearby residential addresses, and landmarks. Please circle the lot on the map attached.

This application is for the use of a portion of the lot due west of the licensee's property at 115 Park St. The address of the DRBOP neighborhood lot is 117 Park St. This parcel is between the licensee's home and the residence at 194 2nd Ave - which is also adjacent to the DRBOP lot. The application only refers to the portion of 117 Park St which is South of the Town of Lyons ROW (2nd Ave Alley) which divides the parcel.

USE AREA / LICENSE AREA: Do you intend to license and maintain the entire lot or a portion of the lot? If licensing a portion of the lot, what is the total area of the space that you wish to license?

The licensee will use a portion of the DRBOP lot (117 Park St). The licensed portion will be approximately 110' x 90' due west of their property line.

*Staff use only below this line

PARCEL NUMBER: 027

TOTAL ACRES: 0.1 AC

TOTAL LICENSE/USE AREA: 9900 sq ft

OWNER OCCUPIED
 LANDLORD OWNER

PRE-PROPOSAL MEETING COMPLETE: 6/5/2017
 NEIGHBOR 10 DAY NOTIFICATION: 6/6/2017
 PROOF OF INSURANCE: 6/10/2017

APPLICATION APPROVED
 APPLICATION DENIED

Matthew Plannerly

Authorized Town Staff Signature

6/11/2017

Date



Figure 5: Sample Exhibit A completed by Town staff for an approved licensure application

PROPOSED USE: What types of activities will the lot be used for?

The use will be limited to the planting and cultivating of vegetables and the planting of a shade tree and a fruit tree (see diagram for location details)

PROPOSED IMPROVEMENTS: Do you intend to alter the lot? If so, what changes do you propose?

Garden: The licensee will dig out a 10' x 10' garden plot, approximately 6" deep. They will till and amend the soil to create no greater than a 6" rise. They will plant, maintain, and harvest vegetables. They may also plant perennial flowers along the edges as companion plantings for the vegetables.

Tree Plantings: The licensee will plant an apple tree and a maple tree as shown in the diagram below.

MAINTENANCE PLAN: Describe in detail your plan to maintain any proposed site improvements, including weeding, watering, pruning and care for all trees, shrubs, and plants.

Watering: The licensee will water the garden and both trees as needed in order to establish and maintain the health of the plantings. This will require watering 3-4 days/week. Tree bags could be used to assist in the watering of the trees.

Weeding: The licensee will remove weeds from the licensed portion of the DRBOP lot.

Tree Maintenance: The licensee will prune the trees on the licensed portion of the DRBOP lot as needed. If the trees become diseased or dying the licensee will care for or remove the trees.

Miscellaneous: If my dog 'uses' the site I will clean up after her.

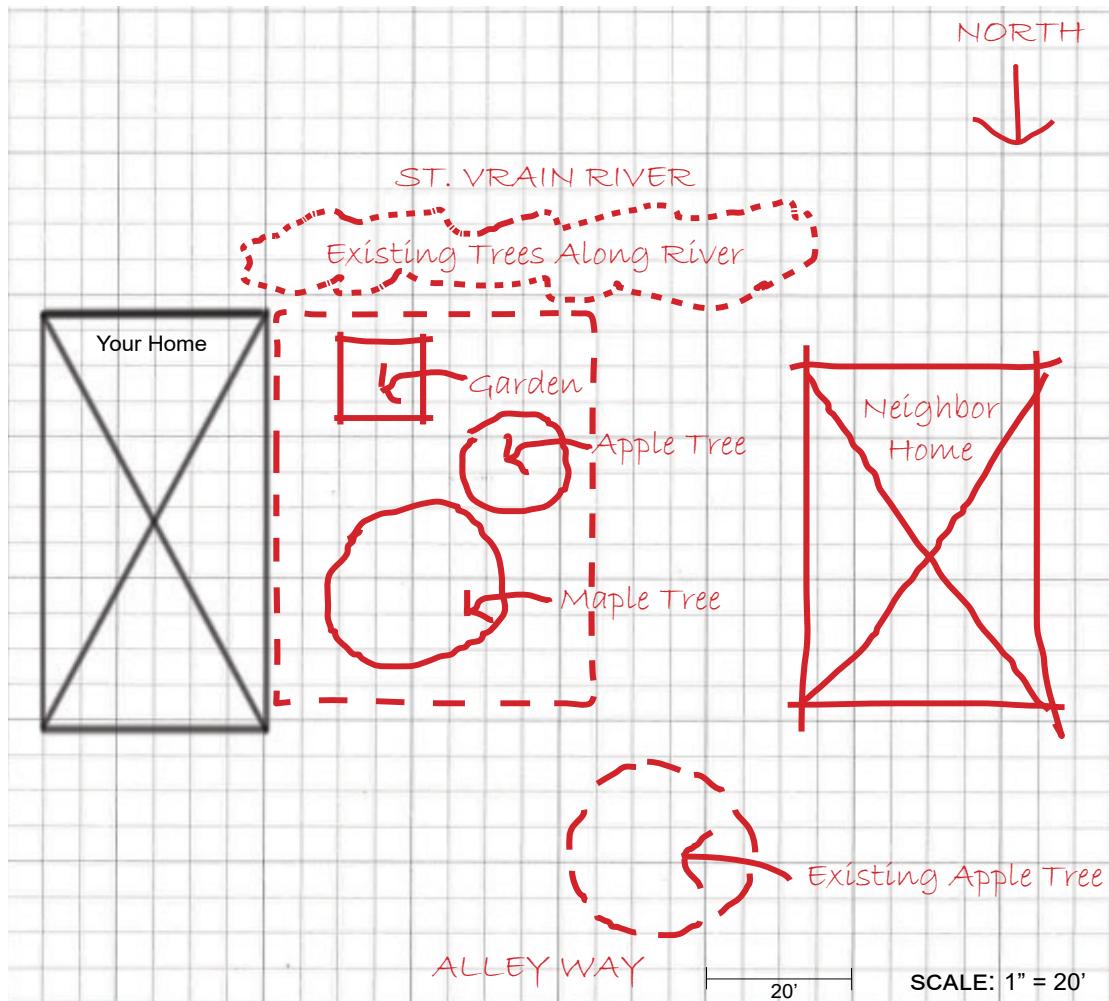
The Town will maintain the unlicensed portions of 117 Park St.

NAME: Jane Smith

Circle the lot you wish to license on the map below. Only License Lots, shown in yellow, are eligible.



NAME: Jane Smith

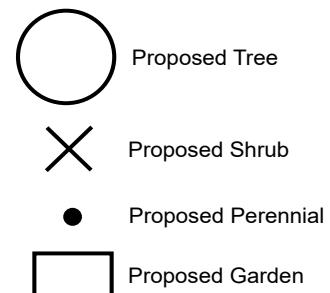
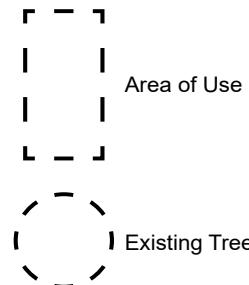


Plan your lot

Use this template to draw a plan of the lot:

- Show the home of your neighbor, if applicable
- Include access to your home within area of use
- Add an arrow to show North
- Note adjacent streets or alleys

This plan must be included with your application to license a neighborhood lot.



7. LICENSE AGREEMENT

Approved applicants must enter into a legal agreement with the Town of Lyons for use of a licensed lot. This is a legal contract that grants the applicant the right to use a neighborhood lot according to specified terms and conditions.

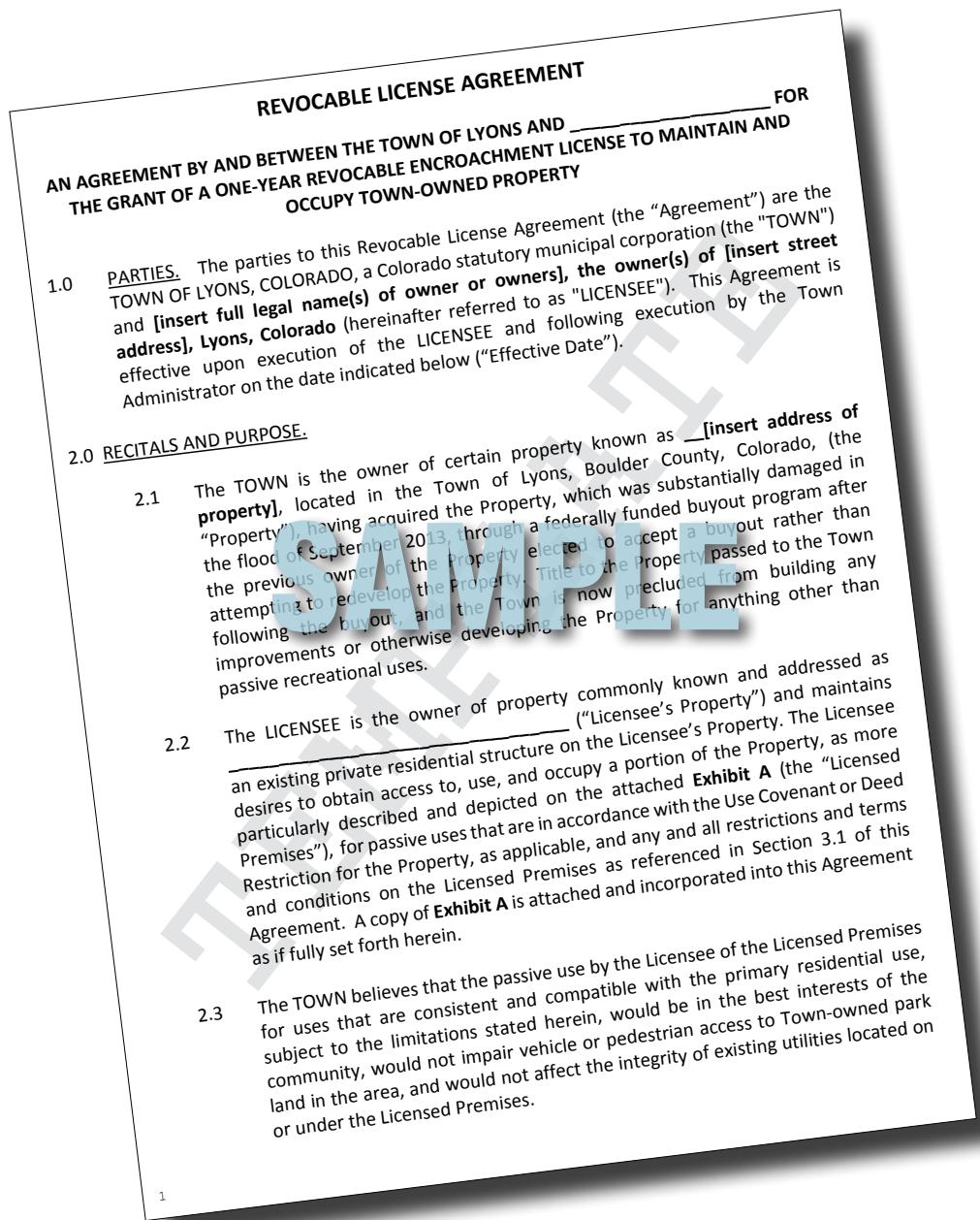


Figure 6: Example of a Revocable License Agreement

8. GARDEN DESIGN

Gardening in Colorado and Lyons can be fun and rewarding, but it can also be a challenge. Low humidity, fluctuating temperatures, drying winds, and intense winter sunlight can make for highs and lows in a Front Range garden. However, there are many benefits: the abundant sunshine helps plant photosynthesize, low humidity minimizes plant disease, and low precipitation makes it possible to control the water plants receive. But planning a new garden can be overwhelming. By choosing the right plants and having some patience flowers, veggies and landscaping can flourish. Here are a few themes and ideas that might be helpful in customizing a garden on a neighborhood licensed lot:

Bee, Butterfly & Bird Habitat

Certain plant species provide food and shelter to encourage bees, butterflies, and birds to visit and linger. Bees and butterflies are pollinators that help flowers bloom and serve the greater ecosystem. Dozens of butterfly and bird species are found along Colorado's Front Range. Habitat gardens can offer a colorful, seasonal attraction, and a dynamic and eco-friendly addition to an outdoor space.

Grassy Meadow

Ornamental grasses are recommended for Colorado gardens due to their adaptability and suitability to our climate and soils. Many grass species are drought friendly, can grow in poor soil, and are relatively easy to sow and maintain. Different types of grasses can give a garden varied color, texture, and year-round seasonal interest.

Living Fence

Living fences can provide several benefits to a neighborhood. They can create privacy and security, can serve as a windbreak, and can last longer than manufactured fences. These rows of plants, shrubs, or trees can also beautify a neighborhood by adding seasonal interest, color and texture.

Nature Education

There are countless educational opportunities for children and adults in the garden. Learning can span ecology, biology, social skills, nutrition, permaculture, mindfulness, and an appreciation for the environment among many others.

Mini-Orchard

Growing a small orchard is possible with the right technique and care. Selected tree species and fruit types must reflect realities of a site, such as the amount of sun and water available. Local nurseries can be helpful in choosing trees best suited to a licensed lot. An orchard can also serve as a landscape screen, help cool the area during the summer months, and provide a healthy and local food source.

Rain Garden

Rain gardens use rainfall to help plants thrive. By capturing storm runoff in a specific area, rain gardens also improve water quality and reduce pollution using natural biofiltration processes. A variety of native and perennial plants, grasses and flowers can be incorporated to add color and vitality to a landscape.

Shady Grove

A shady grove can have many benefits to a neighborhood. Trees will grow faster if species are native or adaptable species that will flourish for many years. Mature trees will grow into a canopy that cools the surroundings and reduces understory maintenance. Shade trees can screen adjacent land uses while creating a new local habitat for plants and wildlife.

Veggie Garden

A vegetable garden can be an extraordinary addition to everyday life. A place for learning and healthy living, locally grown vegetables also enhance the local food system. Growing vegetables can be easy and fun if you follow guidelines specific to gardening in the Front Range.

Refer to the Additional Resources section of this Handbook for further information on gardening in the State of Colorado.

9. GLOSSARY

Absentee Landlord Licensee: Refers to an adjacent property owner who does not reside at the property adjacent to a licensed lot for at least 6 months of the year.

Buffer Area: A space next to an existing home that may be available for licensure on a larger DRBOP properties, one contiguous to the river and/or existing parks and open space and intended primarily for public use.

DRBOP: Deed Restricted Buy-Out Properties. Refers to the sites acquired by Town of Lyons as a result of flood recovery funding, as well as the community process used to plan these sites.

Grading: Raising and or lowering the elevation of land on a site

Hügelkultur: A gardening method that uses beds made up of branches, leaves, grass clippings, and other biomass topped with soil and plantings

License Agreement: A one-year, revocable agreement that provides use of all or a portion of a neighborhood lot to a local resident or other user subject to certain terms and conditions

Licensee: An adjacent property owner or resident that has entered into a license agreement with the Town

License Lot/ Neighborhood Lot: A former residential property acquired through a federal buy-out process that a citizen may use pursuant to a license agreement with the Town

Licensed Lot: A lot licensed to a resident for a Town approved use

Living Fence: A line of grasses, shrubs or perennial plantings that defines and serves to screen or limit access to an area or property

Middle Lot: A small buy-out lot located adjacent to more than one existing residential property with close proximity to multiple nearby homes that may be available for licensure

Owner-Occupied Licensee: Refers to a licensee who resides at the property adjacent to the licensed lot for at least 6 months of the year.

Perennial: A perennial is a plant that lives for longer than two years and which will not require re-seeding every year

Pollinator: An insect or animal that moves pollen from one flower to another to help achieve fertilization. Animals such as birds, bees, butterflies, and moths are considered pollinators.

Rain Garden: An area designed to capture storm runoff and use it to water plantings

Revocable license: A use agreement that may be revoked, or rescinded

Setback: A restriction imposed along the edge of a licensed lot that defines an area a licensee may not use, typically for the comfort and privacy of adjacent residents. For the licensure process, a 25 foot setback from a neighbor's home or nearest structure on a neighboring property is required.

Tiny Home: A small structure built on a trailer intended for use as living quarters

10 . ADDITIONAL RESOURCES

Various expert resources are available from Colorado State University Extension, Boulder County, and Town of Lyons to assist licensees in designing a garden or landscape on a buy-out lot.

Water

Drip irrigation for gardens

<http://extension.colostate.edu/docs/pubs/garden/04702.pdf>

Fall and winter watering

<http://extension.colostate.edu/docs/pubs/garden/07211.pdf>

Watering during a drought

<http://extension.colostate.edu/docs/pubs/garden/07240.pdf>

Rainwater collection in Colorado

<http://extension.colostate.edu/docs/pubs/natres/06707.pdf>

Gardening Basics

Find difference resources and links from soil amendment to mulches

<http://extension.colostate.edu/topic-areas/yard-garden/?target=publications#basics>

<http://planttalk.colostate.edu/>

Plants, Trees, Pruning & Xeriscaping

Recommended trees for the Colorado Front Range:

http://static.colostate.edu/client-files/csfss/pdfs/trees_for_frontrange.pdf

Town of Lyons tree and shrub guidelines:

https://www.municode.com/library/co/lyons/codes/municipal_code?nodeId=CH7HESAAN_ART4TRSH

Pruning mature shade trees

<http://www.cmg.colostate.edu/pubs/Trees.html#Pruning/>

Pruning Shrubs and flowering shrubs

<http://planttalk.colostate.edu/topics/trees-shrubs-vines/1713-pruning-shrubs/>
<http://www.ext.colostate.edu/mg/Gardennotes/616.pdf>

User friendly introduction to the beauty and versatility of ornamental grasses:

<http://extension.colostate.edu/docs/pubs/garden/07232.pdf>

What is xeriscaping and how to incorporate it in the garden

<http://extension.colostate.edu/docs/pubs/garden/07228.pdf>

Vegetable Garden

Outlines what vegetables to grow and preferred growing season

<http://www.ext.colostate.edu/mg/gardennotes/720.pdf>

<http://www.ext.colostate.edu/mg/gardennotes/719.pdf>

<http://extension.colostate.edu/docs/pubs/garden/07609.pdf>

Perennial Gardening

What to consider when you're creating a perennial garden

<http://extension.colostate.edu/docs/pubs/garden/07402.pdf>

Rain Garden

How to build a rain garden

<http://stormwatercenter.colostate.edu/wp-content/uploads/2013/05/Colorado-Rain-Garden-Guide1.pdf>

Butterfly Garden

Resource to help plan a butterfly garden:

<http://extension.colostate.edu/docs/pubs/insect/05504.pdf>

Invasive Plants

Boulder County Parks & Open Space Weed Management - Policies

<https://assets.bouldercounty.org/wp-content/uploads/2017/03/weed-policy.pdf>

Municipal Code Article 4 – Trees and shrubs

https://www.municode.com/library/co/lyons/codes/municipal_code?nodeId=CH7HESAAN_ART4TRSH

Pesticides

Insect control: horticultural oils

<http://extension.colostate.edu/docs/pubs/insect/05569.pdf>

Insect control: soaps and detergents

<http://planttalk.colostate.edu/topics/insects-diseases/1427-pesticides-natural-products/>

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Design Concepts
211 N. Public Rd. Lafayette CO
dcla.net

