



TOWN OF LYONS PLANNING AND COMMUNITY DEVELOPMENT
COMMISSION
AGENDA

Monday, August 8, 2022 – 7:00 PM

Join Zoom Meeting

[https://us02web.zoom.us/j/82080514325?
pwd=RGNMOXUzdGJEMDI0cGdQdERsZGILZz09](https://us02web.zoom.us/j/82080514325?pwd=RGNMOXUzdGJEMDI0cGdQdERsZGILZz09)

Meeting ID: 820 8051 4325

Passcode: 80540

One tap mobile

+16699006833,,82080514325# US (San Jose)

+12532158782,,82080514325# US (Tacoma)

1. Roll Call
2. Audience Business
3. Lyons Thrive! Comp Plan Update

Documents:

[2 COMP PLAN_STAFF REPORT_20220804.PDF](#)

4. General Business

- 4.i. RESOLUTION 2022-06-PCDC - A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE AMENDING SECTION 16-3-210 OF THE LYONS MUNICIPAL CODE TO LIST FIREARMS SALES, FIREARMS MANUFACTURING, AMMUNITION SALES, AND AMMUNITION MANUFACTURING AS A PROHIBITED USES IN THE COMMERCIAL DOWNTON (CD) ZONING DISTRICT

Documents:

[COVER MEMO PCDC RES 2022-06 - PROHIBITING FIREARMS AND AMMUNITION SALES AND MANUFARUING IN THE CD ZONE.PDF](#)
[RESO 2022-06 -PCDC - PROHIBITION ON FIREARMS AND AMMO SALES](#)

AND MANUFACTURING IN CD ZONE.PDF

5. Staff Update

Documents:

1 STAFF UPDATE_20220808.PDF

6. Adjourn



Staff Report

Planning and Community Development Commission

August 8, 2022

ITEM NAME

Lyons Thrive! Comprehensive Plan Update

STAFF

Alexander Painter, Planner II

INFORMATION

Schedule

- *Phase 1: Issues and Opportunities - COMPLETE*
- *Phase 2: Plan & Policy Framework - COMPLETE*
- Current Phase 3: Growth Area Scenarios & Strategies
 - *Growth Area Scenario Workshops -COMPLETE*
 - *Draft Future Land Use Plan - COMPLETE*
 - Preliminary Draft Comprehensive Plan
- Phase 4: Draft Plan & Adoption (November-January 2023)

Current Update

- Lyons Thrive Workshop was held on July 25th, 2022. Changes were made to the Land Use map.
- Public meeting date set for October 10th, 2022 (in person) at the Town of Lyons Library
- Further public outreach and participation will be conducted throughout August and September

Next Steps

- Draft Plan review- Chapter I, August 8th, 2022
- Set up PCDC/Thrive workshop agenda for September/October
- August/September – Preliminary Draft Comp Plan
 - Review meetings with PCDC, Commissions, and Public
- October 10th, 2022, Public Meeting at Town Library
- Mid-November – Final Draft Comp Plan
- January 2023 - Targeted for adoption of Comp Plan Update

COMMISSION ACTION

None.

ATTACHMENTS

None.

Town of Lyons, Colorado
Planning and Community Development
Commission
PCDC Agenda Cover Sheet
Agenda Item No: III.1
Meeting Date: August 8, 2022

TO: Members of the PCDC

FROM: Brandon Dittman, Town Attorney

DATE: August 5, 2022

ITEM: Resolution 2022-06-PCDC - A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE AMENDING SECTION 16-3-210 OF THE LYONS MUNICIPAL CODE TO LIST FIREARMS SALES, FIREARMS MANUFACTURING, AMMUNITION SALES, AND AMMUNITION MANUFACTURING AS A PROHIBITED USES IN THE COMMERCIAL DOWNTON (CD) ZONING DISTRICT

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Planning and Community Development Commission (“PCDC”) recommendation on text amendment to zoning code to prohibit firearms and ammunition sales and manufacturing in the Commercial Downtown (CD) zoning district.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve recommendation of Ordinance to Town of Lyons Board of Trustees (the “Board”).
- III. **FISCAL IMPACTS:** None
- IV. **BACKGROUND INFORMATION:** As of July 28, 2022, there have been 372 mass shooting events in the United States in 2022 alone. Through the enactment of HB21- 1299 the state of Colorado has recognized gun violence as a major public health issue in the State of Colorado. Furthermore, the Colorado General Assembly has enacted SB 21-256, which gives local municipalities explicit authority to regulate firearms and ammunition. On July 18, 2022, the Board held a workshop discussing various strategies for addressing gun violence. One proposal recommended by the Board was to amend the text of the Lyons Zoning Regulations to prohibit firearms and ammunition sales and manufacturing in the Commercial Downtown (CD) zoning district. Such a change would be consistent with the intent of the CD district in prohibiting intensive and controversial uses as well as restricting the availability of firearms in the area of Town where a mass shooting may be most likely to occur. Pursuant to Section 16-15-10 of the LMC, the Town is authorized to initiate text

amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*. The process for text amendments requires the PCDC to recommend such changes to the Board.

- V. **LEGAL ISSUES:** The right to bear arms under the 2nd Amendment is among the most controversial and litigious issues in American society today. Under the current United States Supreme Court the *New York State Rifle & Pistol Association v. Bruen* decision has significantly curtailed the ability of local municipalities to regulate firearms. However, the *Bruen* decision explicitly recognizes that regulations on firearms with a historical tradition of existing in the U.S. are permissible. Planning and zoning of where certain uses may occur has existed as long as municipalities have existed in the United States and comprehensive zoning codes were first adopted in the United States in the early 1900s. Furthermore, the proposed ordinance does not restrict ownership of firearms and ammunition, only where they may be sold and manufactured.

- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None

- VII. **SUMMARY AND ALTERNATIVES:** The PCDC has the following options: 1) approve the resolution recommending the Ordinance; 2) Not recommend the Ordinance; or 3) continue to a date certain.

- VIII. **PROPOSED MOTION:** “I move to approve Resolution 2022-06-PCDC, “ A Resolution of the Planning and Community Development Commission of the Town of Lyons, Colorado recommending that the Town of Lyons Board of Trustees adopt and ordinance amending Section 16-3-210 of the Lyons Municipal Code to list firearms sales, firearms manufacturing, ammunition sales, and ammunition manufacturing as prohibited uses in the Commercial Downtown (CD) zoning district.

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
TOWN OF LYONS, COLORADO
RESOLUTION 2022-06-PCDC**

**A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT
COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT
THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE
AMENDING SECTION 16-3-210 OF THE LYONS MUNICIPAL CODE TO LIST
FIREARMS SALES, FIREARMS MANUFACTURING, AMMUNITION SALES, AND
AMMUNITION MANUFACTURING AS A PROHIBITED USES IN THE COMMERCIAL
DOWNTON (CD) ZONING DISTRICT**

WHEREAS, pursuant to Section 2-8-170 of the Lyons Municipal Code (“LMC”), the Town’s Planning and Community Development Commission (“PCDC”) is charged with advising, recommending, and assisting the Board of Trustees in matters relating to planning the physical growth of the Town of Lyons (“the Town”) in accordance with the powers granted pursuant to Article 23 of Title 31, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, Section 16-15-10 of the LMC authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]” and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, specifically prohibiting particular uses was not contemplated the time of the adoption of the *Lyons Zoning Regulations* and is a relatively recent development within the LMC; and

WHEREAS, prohibiting intensive and controversial uses such as firearms and ammunition sales and manufacturing is consistent with the intent of the Commercial Downtown (CD) zoning district within the Comprehensive Plan; and

WHEREAS, The PCDC has conducted a public hearing to consider evidence and testimony, thus providing adequate opportunity for interested residents, businesses, and visitors to be heard; and

WHEREAS, the PCDC recommends that the Town of Lyons Board of Trustees adopt the Proposed Ordinance in substantially the form attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO:

Section 1. Based on the evidence in the record and testimony provided at the public hearing held before the PCDC, the PCDC finds that that the text of the proposed Ordinance, a copy of which is attached hereto as **Exhibit A** complies with the criteria set forth in LMC Sections 16-15-50 of the LMC and is supported by the Town of Lyons Comprehensive Plan.

Section 2. Based on the findings set forth in Section 1 above, the PCDC recommends that the Town of Lyons Board of Trustees approve and adopt **Exhibit A** in substantially the form attached hereto.

Section 3. The PCDC hereby authorizes Town Staff to finalize the Proposed Ordinance consistent with discussion held at the August 8, 2022 PCDC meeting and to provide the final Proposed Ordinance to the Town Clerk for consideration by the Board of Trustees.

Section 4. This resolution shall become effective immediately upon approval by the Planning and Community Development Commission.

ADOPTED this 8th DAY OF AUGUST 2022.

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

By: _____
David Hamrick, Chair

ATTEST:

Marissa Davis
Deputy Town Clerk

EXHIBIT A

Proposed Ordinance

**TOWN OF LYONS,
COLORADO**

ORDINANCE XXXX

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO, AMENDING SECTION
16-3-210 OF THE LYONS MUNICIPAL CODE TO LIST FIREARMS SALES,
FIREARMS MANUFACTURING, AMMUNITION SALES, AND AMMUNITION
MANUFACTURING AS A PROHIBITED USES IN THE COMMERCIAL DOWNTON
(CD) ZONING DISTRICT**

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Colorado Revised Statutes and the Colorado Constitution, Chapter XX, Section 6 provide broad authority to local governments to plan for and regulate the use of land within their jurisdictions, as authorized in Article 20 of Title 29, *et seq.*, and Article 23 of Title 31, *et seq.*, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, the Town wishes to regulate where firearms and ammunition may be sold and manufactured within the Town; and

WHEREAS, Section 16-15-10 of the Lyons Municipal Code (“LMC”) authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]” and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, specifically prohibiting particular uses was not contemplated the time of the adoption of the *Lyons Zoning Regulations* and is a relatively recent development within the LMC; and

WHEREAS, prohibiting intensive and controversial uses such as firearms and ammunition sales and manufacturing is consistent with the intent of the Commercial Downtown (CD) zoning district within the Comprehensive Plan; and

WHEREAS, the Town desires to enact a text amendment to the Town's zoning code pursuant to LMC Section 16-15-50; and

WHEREAS, the PCDC recommended the proposed ordinance to the Board of Trustees ("the Board") for consideration Pursuant to Resolution 2022-XX-PCDC, attached hereto as **Exhibit A** and incorporated by reference; and

WHEREAS, the Board finds that the proposed amendments to the LMC are in the best interests of the public health, safety, and welfare of the residents of Lyons and further the intent of the Comprehensive Plan; and

WHEREAS, The Board has conducted a public hearing to consider evidence and testimony, thus providing adequate opportunity for interested residents, businesses, and visitors to be heard; and

WHEREAS, the Board desires to enact an ordinance amending Chapter 16 of the LMC to prohibit the uses of "Firearms Sales," "Firearms Manufacturing," and "Ammunition Sales" in the Commercial Downtown (CD) zoning district.

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

Section 1. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Chapter 16, Article 3, Section 210, Subsection (d) is hereby amended as follows (changes italicized and bold):

(d) Prohibited Uses. Prohibited uses in the CD District shall include those uses that cause excessive air, water, pesticide, or solid waste pollution, create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat and glare, ***or is a use that does not otherwise fit the intent and character the CD District***. Prohibited uses shall include, but not be limited to, the following:

- (1) Automobile sales and repair.
- (2) Gasoline station.
- (3) Minor or major automotive repair.
- (4) Mortuary or funeral chapel.

(5) Use with drive-up window.

(6) Firearms sales.

(7) Firearms manufacturing.

(8) Ammunition sales.

(9) Ammunition manufacturing.

Section 3. Chapter 16, Article 5, Section 10 is hereby amended as follows (changes italicized and bold):

....

<i>Permitted Uses</i>	<i>A-1</i>	<i>A-2</i>	<i>E</i>	<i>EC</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-3</i>	<i>B</i>	<i>C</i>	<i>CD</i>	<i>CEC</i>	<i>LI</i>	<i>GI</i>	<i>M</i>	<i>POS</i>
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Business/Commercial/Retail Uses																
Adult-oriented use														C		
Agritourism business and sustainable agricultural use												P				
Ammunition Sales											*					
Artisan studio											P	P				
Artisan manufacturing											P/C					
Automobile, boat and motorcycle												S				

rental and sales																
Automobile sales											*					
Automotive and motorcycle repair (major and minor)												S				
Bed and breakfast	C	C	C	C	C	C	C	C				P				
Boarding or rooming house								C								
Business use									P	P	P			P		
Campground												S				C
Car wash										C				P		
Club or lodge									P	P	P			P		
Day care center	C	C	C	C	C	C	C	C		C	C	P		P		
Department store									*	P	P			P		
Discount store									*	P	P			P		
Dog day care facility												S				

Entertainment facility										P	P			P		
Event center, large												S				
Event center, small												P				
Financial institution										P	P	P		P		
<i>Firearms Sales</i>											*					
Gallery										P	P	P		P		
Gasoline station								*	C	*	S			P		
Greenhouse and plant nursery												P				
Grocery store												P				
Group home for people with disabilities												P				
Hospital												P				
Hotel or motel										P	P			P		

Hotel or motel, large												S				
Hotel or motel, small												P				
Kennel												S				
Long-term care facility												P				
Lumber yard										C				P		
Machine shop														P		
Major automobile repair										C	*			P		
Marijuana center										P		P	C	P		
Marijuana-infused products manufacturer												P	C	P		
Cultivation operation												P				
Medical or dental office or clinic									P	P	C	P		P		
Minor automobile										P	*			P		

repair																
Mixed use building (a building with at least 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a special review use on the ground level)											S					
Mixed use building (a building with less than 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a permitted nonresidential use											P					

on the ground level)																	
Mortuary or funeral chapel									P	*				P			
Neighborhood business								P									
Nursing and assisted living facility												P					
Optional premises cultivation operation												P	C	P			
Parking garage									P					P			
Parking lot									P					P			C
Permitted principal use with drive-up window									C	C				P			
Personal and business service shop												P					
Personal service shop									P	P	P	P		P			

Professional office									P	P	P	P		P		
Restaurant and/or bar without drive-up food or beverage service, small												P				
Restaurant, bar or other eating and/or drinking place									P	P	P			P		
Restaurant and/or with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers in parked motor vehicles, or a restaurant and/or bar with more than 4,000 square feet												S				
Retail establishment, large												S				

Retail establishment (including grocery store), small												P				
Retail store or establishment										P	P	P		P		
Studio										P	P	P		P		
Veterinary hospital and veterinary facility												P				
Wholesale commercial facility										C				P		

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	Industrial Uses															
<i>Ammunition Manufacturing</i>												*				
Extractive or mining industry														C		
<i>Firearms Manufacturing</i>												*				

Impound lot														C		
Junk and salvage yard														C		
Light industrial use									C			C	C	P		
Light industrial use not required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment												P				
Light industrial use required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment												S				
Mini-storage facility												S		C		

Research, experimental or testing laboratory												P					
Small manufacturing facility with fewer than 10 employees										C				P			
Stone cutting and finishing														C			
Stone cutting, finishing and sales establishment												P					
Telecommunications facility	C	C	C	C						C	C		S	C	C	C	C
Workshop and custom small industry													P				

Section 4. Code Revisions. Because this Ordinance revises an entire Section of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 6. Repeal. Any and all ordinances, resolutions, or codes, or parts thereof, which are in conflict or inconsistent with this ordinance are repealed, to the extent of such conflict or inconsistency exists. The repeal of any such ordinance, resolution, or code or part thereof, shall not revive any other section or part of any ordinance, resolution, or code provision This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to this ordinance taking effect.

Section 7. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Lyons Municipal Code.

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

**INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____
202_.**

**INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON
SECOND READING THIS ____ DAY OF _____ 202_.**

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores Vasquez, CMC, Town Clerk



Planning and Community Development Commission

Meeting and Workshop Syllabus

Monday, August 8, 2022

GENERAL BUSINESS:

3. Update on Lyons Thrive! Comprehensive Plan from Planner Painter.

4. Potential for eliminating firearm sales and manufacturing in CD District as use. BoT would like to have a first reading on August 15th and would like the PCDC to provide recommendation. Attorney Dittman has provided documents and direction for PCDC advancement at this session.

5. Staff Update.

6. Workshop.

DEVELOPMENT UPDATES:

Agenda Item: Annexation - 109 County Road 69 (Martin Parcel)

Address: 109 County Road 69

Status/Update:

- Staff is drafting annexation application, including annexation map and survey, and impact analysis to present annexation petition and resolution initiating annexation proceedings to the Board of Trustees.
- *No update.*

Agenda Item: Subdivision & Variance Request – 423 Reese

Address: 423 Reese Street

Status/Update:

- Land use application approved by BOT on 6/20/22 under Resolution 2022-62. Variance Hearing held 5/10/22 and continued to 5/19/22 to address setback variances required.
- Approval has created two parcels: 423 Reese Street and *currently* 423 ½ Reese Street; the latter only has access from an unnamed alley between Reese Street and Seward Street. As such, for emergency service provision and general best practices, the alley should be named, but should not be named either “Reese Alley” nor “Seward Alley” – a unique name should be selected. Staff will provide a list of potential names to PCDC in forthcoming weeks as part of a more comprehensive alley naming process.
- Planner Kimmitt provided a draft on drainage easement language as a provision of the approval of the Subdivision; this easement will grant perpetual access for maintenance to the Town, though the two parcel owners of the Subdivision will be obliged to provide general upkeep for proper water flow and drainage construction stability. Currently being reviewed by applicants’ attorney.

Agenda item: Moss Rock Hotel

Address: 343, 347, 349, & 355 Main Street

Status/Update:

- PCDC approval 1/24/22. BOT approval 2/7/22. Development Plan Agreement approved by BOT 4/4/22.

Development Plan executed.

- LURA held a meeting on July 21st with a presentation by the developer on TIF (Tax Increment Financing).
- *No update.*

Agenda item: Building Permitting - REEB Cycles

Address: 339 Broadway

Status/Update:

- LFPD letter sent 1/6/22 requesting update, progress shown on building improvements and LFPD coordinating inspections.
- *No update.*

Agenda item: Building Permitting - Lyons Valley Park Housing (Summit)

Address: Carter Ct, Lively Ct, Carter Drive

Status/Update:

- Performance Bond provided 1/31/22 and Right-Of-Way Permit issued by Town 2/10/22. Contractor has mobilized and performing pre-blasting surveys. Blasting permit anticipated to be finalized next week and blasting beginning week of 3/21/22. Excavation ongoing. Blasting permit approved 5/6/22.
- Blasting began week of 5/16 and ongoing.
- Water and Sewer Lines 75% complete. Blasting scheduled to be finished end of August. Stormwater infrastructure to begin mid August. Possibly start building foundations early September.
- Official groundbreaking ceremony with Town Staff and Officials, Gov. Polis, and Rep. Neguse occurred on Friday, August 5th. A good time was had by all, and exciting things ahead for Summit!

Agenda item: Building Permitting - A-Lodge Beer Garden Expansion

Address: 328/338 W. Main St.

Status/Update:

- Construction and inspections ongoing for Phase 2 Beer Garden Expansion.
- Complete Business Open

Agenda item: Development Plan Review - Spirit Hound Distillery Improvements

Address: 4196 Ute Hwy.

Status/Update:

- Pre-App Conference held 3/16/21. Awaiting Development Plan application.
- Resolution of water use & water dedication required prior to Development Review Process. Spirit Hound's request on 3/21/22 for the BOT to waive water share dedication was denied. On 4/4/22 the BOT passed resolution requiring Spirit Hound to provide the 1.4 shares of Lake McIntosh water stock to accommodate their increased water usage within 60 days of 3/21/22. Spirit Hound granted 60 day extension by BOT on 5/2/22 to allow time to find water shares.
- Water Dedication issues now resolved.
- *Major Development Process and Asphalt Parking Lot standard changed to Minor Development Review and*

parking lot asphaltting standard has been waived..

- Planner Painter waiting on new site development plan, regarding including sidewalks and electrical layout.

Agenda item: PUD Plan Approval & Rezoning - River Bend

Address: 501 W. Main St.

Status/Update:

- River Bend has hired a civil engineer to confirm the conditions of approval, specifically the Final PUD Plan meets all technical concerns by staff regarding the drainage report. Site Plan completed. Floodplain Development Permit Application submitted and being reviewed by Town. Pre-application meeting held for Rezoning Application (required to amend PUD-C Zoning & Use). Final PUD Plan to be provided to file with County and drainage improvements to be constructed prior to submission of Rezoning Application.
- *No update.*

Agenda item: Building Permitting – Igadl Dispensary

Address: 4170 Ute Hwy.

Status/Update:

- Construction and inspections ongoing.
- *Final details on building and landscaping to begin, almost finished.*

Agenda item: Development Plan Review - Generator Development (Lyons Ute Hwy, LLC)

Address: 4651-52 Ute Hwy

Status/Update:

- 1st Reading of Ordinance to remove PUD Zoning Application deadline requirement from Contract to Buy & Sell Real Estate. 2nd Reading completed 1/18 and Ordinance passed.
- *Tres Birds Architects has contacted Planner Kimmett for a zoning explanation; Kimmett is working on a response.*

Agenda item: Commercial Subdivision/Condominiumization - Lyons Mane, LLC

Address: 402 Main St

Status/Update:

- Pre-app conference for commercial subdivision/condominiumization held 9/9/21. Partial application submitted 2/18/22, awaiting payment & confirmation of final plan.
- *No update.*

Agenda item: Building Permitting – Restaurant

Address: 432 Main St.

Status/Update:

- Gas line repair approved for restaurant, but need additional improvements for BLI. Code analysis of space provided by owner, additional information requested by Town. Permit issued for emergency repair of heater only.
- *No update.*

Agenda item: Conditional Use Review - ADU

Address: 348 Evans St.

Status/Update:

- Pre-app conference held 6/29/21 for conditional use process for detached ADUs 6/29. Awaiting submission.
- *No update.*

Agenda Item: Annexation – Tebo Properties

Address: 4545/4559 Ute Hwy

Status/Update:

- Pre-app for annexation held 7/26/21. Pre-app for annexation held again 3/31/22.
- *No update.*

Agenda Item: Annexation – Rheingold Properties

Address: 4435/4497 Ute Highway & 4617 Highland Dr

Status/Update:

- Pre-app for annexation held 10/5/21. Inquiry email sent on 4/5/22 regarding re-start with annexation.
- *No update.*

Agenda Item: Building Permitting – St. Vrain Market Addition

Address: 455 Main Street

Status/Update:

- Final Administrative approval of Site Plan issued 2/18/22. Building permit application submitted. Due to increased anticipated costs of project, owner re-evaluating project and potential phasing.
- *On Hold due to construction cost increases*

Agenda Item: Building Permitting – Marigold Lyons Restaurant

Address: 405 Main Street

Status/Update:

- Submitting Building Permit Application; No planning processes required. Liquor License approved by Town Liquor Licensing Authority.
- *Complete Business Open*

Agenda item: Mayama Movement Studio

Address: 425 High St

Status/Update:

- On-site Pre-Application Conference, July 22nd
- Review questionnaire submitted, July 25th
- *Planner Kimmitt has determined a Minor Development Review process is appropriate for the proposed facility expansion under Ordinance 1113. Development proposal also affected by Ordinance 1112 design review stipulations. Response returned to Mayama ownership week of August 1st; currently awaiting their formal application.*

Agenda item: Mud Hut

Address: 4033 Ute Highway

Status/Update:

- *Applicant would like to build a small coffee "shed / kiosk" just west of U-Pump It. Planner Kimmitt has spoken with applicant about site challenges. Investigating issues such as sewerage, floodplain, CDOT access, building design. Will also suggest other potential sites.*

Agenda item: New DRBOP lease

Address: 111 Park St, west half

Status/Update:

- Complete application received week of August 1st
- Notification sent to single neighbor of potential lease – has 10 business days to respond with a right of first refusal owing to nature of potential lessee's location across ROW under DRBOP lease standards.
- *Once 10 business days have passed, Planner Kimmitt will provide Administrator Simonsen complete application for signature and year lease shall commence*

Agenda item: Historic ADU(s)

Address: 218 Main St

Status/Update:

- Code Enforcement Officer Bertges has been working with owner, Victor Pecone
- *Application for 218 ½ Main St for an ADU received by Planner Kimmitt August 4th*

Agenda item: STR

Address: 314 Main St

Status/Update:

- Mr. Sepac's building inspection has been approved for his STR
- Last item for 314 Main St. is to create commercial/business space/signage for the front of the property, item should be completed by the end of day on 8/12/2022
- *Once commercial space/signage has been properly placed, Planner Painter will provide Town Administrator Simonsen with the complete application for STR Approval.*

Related Infrastructure Projects:	Details
US36 Multimodal Improvements	TIP grant from DRCOG through CDOT for Broadway improvements and parking spaces from 3 rd to 5 th . Concept Design presented to Public and Board of Trustees. Design work ongoing, anticipated construction bidding Fall 2022.
St. Vrain Corridor Trail	Grant for new trail from McConnell to US 36: Negotiating contract with Designer and Right-of-Way Consultant, concern with Budget shortfall. Working with CDOT on the potential to move forward with only ROW acquisition/agreements and enviro clearance. Contract award approved at 5/2/22 BOT to designer/ROW consultant to begin ROW work and environmental. Design work/ROW work ongoing.
Longmont Pump Station (346 Evans)	City of Longmont to install at their own expense a pump station to transfer water from the South St. Vrain pipeline to the North St. Vrain pipeline to help ensure the resiliency of their raw water supply. Longmont using the parking lot on RR for installation of pump station.
Black Bear Hole Improvements	2 nd Avenue and parking improvements, construction work ongoing. <i>No update.</i>
4 th Ave. Ped Bridge & Safe Routes to School	Safe Routes to Schools 4 th Ave. sidewalk/pedestrian improvements. Construction ongoing. Unanticipated bridge foundation design changes have delayed bridge completion to August 2022.

WORKSHOP TOPICS:

1. Should non-profit / not-for-profit uses be permissible in the Parks & Open Space (POS) and Municipal (M) Zoning Districts?
2. Potential for rezoning certain portions of historic Lyons from R-1 to another zone
3. St. Vrain Corridor Trail - any PCDC thoughts on route alternatives?
4. Northern Water – Estes Park “Growing Water Smart Conference” September 12-14th
https://resilientwest.org/wp-content/uploads/2022/05/CO-GWS-NW-RFP_Fall22_EXT.pdf