

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VIII.3
Meeting Date: 05 JULY 2023**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Planner II Alexander Painter

DATE: July 5, 2023

ITEM: 1st Reading – Ordinance 1150 - An Ordinance of the Town of Lyons, Colorado Zoning Property at 109 Rd 69, Lyons, Colorado

☒ ORDINANCE
☐ MOTION / RESOLUTION
☐ INFORMATION

I. REQUEST OR ISSUE:

The Town of Lyons is requesting to rezone 109 County Rd. 69 from RR – Rural Residential to POS - Parks and Open Space zoning district.

II. RECOMMENDED ACTION / NEXT STEP:

Approve Ordinance No. 1150 to authorize the rezoning of 109 County Rd. 69.

III. FISCAL IMPACTS:

None

IV. BACKGROUND INFORMATION:

The applicant, the Town of Lyons, has recently submitted a Land Use Application for the rezoning of 109 County Rd 69:

- The proposed property is a flood buy-out property from Boulder County,
- Proposed use will be Parks and Open Space,
- There will not be any permanent structures on this property,
- The proposal is in alignment with the 2023 Comprehensive Plan.

The Town of Lyons would like to rezone 109 County Rd. 69 aka the Martin Parcel into the Town of Lyons. The Town of Lyons bought the proposed property from Boulder County in 2016, the property became a DRBOP (Deed Restricted Buyout Property) due to the 2013 Flood.

The proposed zoning will not have any environmental impacts and will be zoned as Parks and Open Space. Town residents and citizens already use the property as a social trail and that will be its intended use.

On June 26th, 2023, at their regularly scheduled meeting, the Planning and Community Development Commission (“PCDC”) recommended approval to the Town Board of Trustees (“Board”) the rezoning of 109 County Road 69

Staff also finds that the rezoning aligns with 2023 Comprehensive Plan aspirations:

- **Pg. 24. Policy PR-1.5: Buy-Out Properties**

-Support ongoing efforts to weave buy-out properties in the Confluence area into the existing parks and open space system or convert them to other uses through the implementation of recommendations contained in DRBOP. Ensure future uses or activities proposed for buy-out properties outside of the Confluence area are compatible with open space lands and the functions of the floodplain.

- **Pg. 67, Future Land Use Plan**

Purpose

The Future Land Use Plan establishes a vision for the types, intensity, and location of future development in and around Lyons. The Future Land Use Plan will be applied through day-to-day decision-making as a means to help implement a shared vision for the physical growth of the Town of Lyons and portions of Boulder County that are located within the Lyons Planning Area. The Future Land Use Plan is intended to be used by Town staff, the PCDC, and the Board of Trustees to:

- Help guide future rezoning and annexation requests;
- Inform future updates to existing zoning districts and development standards;
- Track the Town’s overall capacity for future development;
- Inform infrastructure and facility planning; and
- Ensure future development is supportive of the community’s vision.

The Future Land Use map is also intended as a tool for residents, property owners, and the development community. The Future Land Use Plan is composed of a map and the accompanying land use category descriptions. The Future Land Use map may be amended from time to time. Check the Town’s map portal for the most current version.

How does the Future Land Use Plan relate to Zoning?

The Future Land Use Plan establishes a vision for the overall pattern of land uses in the Lyons Planning Area and provides policy guidance for different areas that will be used to inform future updates to the Town’s Zoning and Subdivision Regulations (Chapters 16 and 17 of the Municipal

V. LEGAL ISSUES:

None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None.

VII. SUMMARY AND ALTERNATIVES:

Planner Painter has reviewed the Land Use Application materials and finds the application deemed complete; as such, the Staff consents to approval as proposed for the rezoning. Staff also finds that the rezoning aligns with the 2023 Comprehensive Plan aspirations.

On June 26th, 2023, at their regularly scheduled meeting, the Planning and Community Development Commission ("PCDC") recommended approval to the Town Board of Trustees ("Board") the rezoning of 109 County Road 69

PROPOSED MOTION:

"I move that the Board recommends approval of the rezoning of 109 County Rd. 69, finding that the application complies with the standards contained in Lyons Municipal Code §16-15-30,16-15-40, regarding the Rezoning for 109 County Rd. 69."

ATTACHMENTS / REFERENCE:

Please find attached:

- Ordinance N0. 1150 – Rezoning of 109 County Rd. 69
- Land Use Application
- Zoning Map/Survey Map
- Boulder County Referral Response