

TOWN OF LYONS, COLORADO

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
RESOLUTION # 2023-05**

**A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION RECOMMENDING AN AMENDMENT TO THE
2017 “LAND USE AND MANAGEMENT PLAN FOR DEED RESTRICTED BUY-
OUT PROPERTIES (DRBOP)” TO ACCOMMODATE AN ORCHARD USE FOR
THE DRBOP PROPERTY AT 124 4TH AVENUE**

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Lyons (the “Town”) possesses the authority to regulate land uses within the Town; and

WHEREAS, The Land Use and Management Plan for Deed Restricted Buy-Out Properties (“DRBOP”) Plan commonly referred to as the “DRBOP Plan” was adopted in December of 2017 and is the living document used for the DRBOP properties; and

WHEREAS the parcel is a Deed Restricted Buy-Out Property (DRBOP) owned by the Town of Lyons; and

WHEREAS, the DRBOP Plan’s initial use for 124 4th Ave is a small apple orchard but the applicant would like to build a large orchard; and

WHEREAS, the proposed property located at 124 4th Avenue (Boulder County Assessor’s Parcel Number 120318455001) has not been used or leased through the DRBOP program and is currently vacant; and

WHEREAS, the proposed amendment to the DRBOP Plan would allow for a large orchard to be grown and maintained, as identified in **Exhibit A**; and

WHEREAS, the DRBOP application for its intended use meets staff approval; and

WHEREAS, 124 4th Ave comports with the 2023 Comprehensive Plan, Policy PR-1.5: Buy-out properties; supports 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 the DRBOP Plan.

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

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The PCDC hereby recommends to the Town of Lyons Board of Trustees that the proposed amendment to the DRBOP application for the

property at 124 4th Ave, be:

- A. Approved.
- B. Is Approved with Conditions as follows:
- C. Is Denied.

Section 3. This Resolution shall be effective immediately upon adoption.

ADOPTED this ____ DAY OF August 2023. 

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

Barney Dreistadt, Chair

ATTEST:

Maria Marquez-Rubio
Deputy Town Clerk