

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: XII.2.
Meeting Date: 02 OCT 2023**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Lead Planner David Kimmett, AICP

DATE: September 28, 2023

ITEM: Extending current 2012 Lyons-Boulder County Land Use IGA

☐ ORDINANCE
☐ MOTION / RESOLUTION
☒ INFORMATION

- I. **REQUEST OR ISSUE:** Consideration of extending the Town of Lyons – Boulder County Comprehensive Land Use IGA of 2012 (“the IGA”)
- II. **RECOMMENDED ACTION / NEXT STEP:** Discuss the timeframe suggested and direct staff on a response to the county.
- III. **FISCAL IMPACTS:** None.
- IV. **BACKGROUND INFORMATION:** Boulder County and the Town of Lyons (along with other jurisdictions with their own respective IGAs with the County) have had a long-standing and unique land use relationship dating back to 1978. This flips the typical land use paradigm of a municipality with full land use – including annexation potential – sovereignty over the land adjacent to and within that municipality's State-directed 3-mile Planning Area. Instead, Lyons has agreed to land-use restrictions that concede typical municipal powers to retain an orderly development regime that corresponds to what is seen as a better land-use practice. One example of the results of this is that Lyons and Longmont have not “grown together” into one larger municipality.

Our 2012 IGA was set to expire in May of 2022; its useful life was extended by the previous Board under Resolution 2022-29 until May 15, 2023. However, Boulder County never countersigned that resolution as a party. In turn, Boulder County created its own extension to the 2012 IGA in December of 2022 under its own Amendment process via the Board of County Commissioners (“BoCC”); the Town never countersigned that amendment as a party.

Both the Town and the County have expressed the desire for a formalized approach to extending the useful life of the still-current 2012 IGA as we update that IGA for the next decade. To do so, the Town and the County need to extend the effective end date for the 2012 IGA one more time.

To that end, the County has drafted another Amendment, attached herein as **XII.2-3_Boulder County Amendment to Extend Lyons IGA Sept 2023** which would extend the agreement until November 15, 2024.

V. **LEGAL ISSUES:** Without a binding IGA, the Town would longer be under the strictures or incur the benefits of the 2012 IGA.

VI. **COMMISSION RECOMMENDATION:** None.

VII. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None.

VIII. **SUMMARY AND ALTERNATIVES:**

Alternative 1: Do not become a signatory to an extension and allow the 2012 IGA to lapse fully. This would release Lyons from the strictures and benefits of that agreement. Nederland is pursuing this path.

Alternative 2: Agree to the extension of the 2012 IGA via resolution in a future meeting to allow for the current 2012 IGA to survive as ranking until a newly revised IGA is negotiated between the Town and the County.

Alternative 3: Recommend a different date to have the IGA negotiated.