

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX.1.
Meeting Date: 06 NOV 2023**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Lead Planner David Kimmett, AICP

DATE: 10-19-2023

ITEM: Boulder County – Town of Lyons Comprehensive Development Plan Intergovernmental Agreement (“IGA”) Amendment to Extend the Validity of the 2012 IGA

 ORDINANCE
X **MOTION / RESOLUTION**
 INFORMATION

- I. **REQUEST OR ISSUE:** Executing an amendment to extend the 2012-edition IGA to November 15, 2024 for purposes of continuing negotiations and adopting a long-term IGA update and adoption. The long-term IGA will likely have a 10-year validity, thus affecting land use for the subsequent decade.
- II. **RECOMMENDED ACTION / NEXT STEP:** Adopt via resolution this short-term extension.
- III. **FISCAL IMPACTS:** None perceived.
- IV. **BACKGROUND INFORMATION:** The Town and the County have met officially twice – once in April and once in June 2023 – with Boulder County staff (e.g. attorneys and planners) and Commissioner Marta Loachamin – to initiate the update and readoption of our decades-long comprehensive land use IGA. First adopted in 1978, this unique model of land use is unparalleled in Colorado and is one of the very few in existence anywhere in America. It commits the two jurisdictions to work together on an orderly urban growth format.

The current 2012 IGA has expired, but both jurisdictions are working to re-adopt the 2012 IGA as the acting model as we negotiate in good faith over the next months a long-term update that reflects the will of both governments.

On October 12th in public hearing, the Boulder County Board of Commissioners approved an amendment adopting an extension of the 2012 IGA; it passed unanimously.

The recommendation would be to adopt likewise via resolution an amendment to the 2012 IGA that incorporates the newly adopted Boulder County amendment at the November 6th Board meeting.

V. LEGAL ISSUES: By passing this Resolution, the existing IGA will be extended through November 15, 2024. The extension is intended to give the parties more time to negotiate a new IGA. The stated goal (but not the obligation) within the extension is that a new IGA will be negotiated by March of 2024.

VI. COMMISSION RECOMMENDATIONS: None formally for the extension of the 2012 IGA. However, the PCDC has had varying levels of support of the 2012 IGA and plans to issue in the coming weeks a letter to assist the Board on how to approach the future long-term update to the IGA.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES: None perceived.

VIII. SUMMARY AND ALTERNATIVES:

- Alternative 1: Do not adopt this temporary extension. If this extension is not adopted, the Town and the County will enter into relations that are typical of other county-municipal governments in Colorado: The Town can plan and potentially annex – under state and local laws – within our 3-Mile Planning Area, irrespective of the wishes of the County. One could argue there are potential benefits to this; however, likewise one could argue there are also potential negative repercussions.
 - Benefit example: Lyons could use land how it sees fit (under our local and Colorado statutory town rights) within our 3-Mile Planning Area
 - Detraction example: Lyons could harm our positive working relationship with Boulder County – and potentially with other jurisdictions within the county.
- Alternative 2: Adopt this temporary extension. If this extension is adopted, the Town and the County can then work in good faith to execute a better vision for both governments and their constituents for the next 10-year iteration of the IGA.

ATTACHMENTS:

- Exhibit A1 - 2012 Lyons Planning Area Comp Development Plan IGA
- Exhibit A2 - 2012 Lyons Planning Area Comp Development Plan IGA – map
- Exhibit B - Boulder County Amendment to Lyons Planning Area Comp Development Plan IGA_20231017
- Resolution 2023-66 – Amendment Extending 2012 BoCo-Lyons IGA