

**TOWN OF LYONS, COLORADO
ORDINANCE 1163**

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO
APPROVING THE OVERLAY ZONING DESIGNATION OF PUD-C
TO 501 WEST MAIN STREET**

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 subject parcel (501 West Main Street) is currently within the PUD-C Zoning District; and

WHEREAS, Chris Legh (“Applicant”) on behalf of Lyons Properties LLC, a Colorado limited liability company (“Owner”) has applied for the rezoning of 501 West Main Street to amend the original PUD agreement (Ord. No. 999) as adopted on January 27, 2017; and

WHEREAS, the Town of Lyons Municipal Code currently has no process to amend a PUD, thus a rezoning pursuant to Lyons Municipal Code (“LMC”) § 16-15-20 - *General rezoning*, shall be required; and

WHEREAS, the owners of 501 West Main Street desire to alter the original PUD-C agreement to allow the following:

- Allow for an extended camping timeframe.
- Allow for the construction of a 6,000 sf venue structure instead of the previously approved 4,000 sf.
- Allow for music to be amplified.
- Allow for the addition of ten (10) additional tiny homes.

; and

WHEREAS, the Owners of 501 West Main Street seek these changes to fully utilize the property to create a year-round event space; and

WHEREAS, on May 30, 2024, the Town of Lyons Planning and Community Development Commission (“PCDC”) recommended approval of the proposed rezoning to the Town of Lyons Board of Trustees (the “Board”) with the following three (3) conditions:

1. A formal evacuation plan shall be submitted, which explicitly describes how all tiny homes will be removed in case of an emergency.
2. Only ten (10) tent camping sites shall be permitted.
3. The Applicant shall be held to and address all referrals from the Lyons Fire Protection District.

; and

WHEREAS, the recommendation of the PCDC, as provided for in PCDC resolution PCDC 2024-03 is attached hereto as **Exhibit A**; and

WHEREAS, the Board finds the application requesting a PUD-C Overlay Zoning designation of 501 West Main Street meets the Review Criteria under LMC § 16-15-40; and

WHEREAS, the Board conducted a public hearing following the provision of lawfully required notice to the public and the Applicant provided sufficient and competent evidence at the hearing as is necessary to recommend the Rezoning of a PUD-C Overlay Zoning designation to 501 West Main Street.

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

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

Section 2. The Board hereby recommends approval of the Rezoning of the Subject Property, as follows:

A PUD-C Overlay Zoning designation.

Section 3. The Board finds that the Applicant established the need for such Rezoning as an appropriate measure, that the Applicant satisfies the spirit of Article 15 of the LMC regarding zoning amendments, and that public safety and welfare are secured, and substantial justice is done by recommending to the Board of Trustees that the PUD-C Overlay Zoning designation be approved.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after publication following the final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____ 2024.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON SECOND READING THIS ____ DAY OF _____ 2024.

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Doloras Vasquez CMC, Town Clerk

Exhibit A

PCDC Resolution PCDC 2024-3