

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VII.2
Meeting Date: June 17, 2024

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Andrew Bowen, Senior Planner

DATE: 06/13/2024

ITEM: Text Amendment (Staff Requested) AMENDING SEC. 16-3-150.(1) OF THE LYONS MUNICIPAL CODE TO ALLOW THE SUBDIVISION OF LOTS RECORDED ON MARCH 20, 1929

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Staff is requesting that the BOT consider a Text Amendment to Sec. 16-3-150.(1) of The Lyons Municipal Code to allow the subdivision of lots recorded on March 20, 1929.
- II. **PROJECT HISTORY:** The subject of allowing the subdivision of said lots (lots recorded on March 20, 1929) has been brought up before. Ordinance 1137 sought to allow this as shown by the following Minute snippets. Unfortunately, the code amendment (below) was not written to address this need.

(1) Minimum lot area: Seven thousand (7,000) square feet.

a. *If a legally described, standard lot of the Town of Lyons platted blocks, as recorded on March 20, 1929, is less than seven thousand (7,000) square feet, such lot shall be considered as sufficient for the minimum lot area development standard.*

5. 1st Reading – Ordinance 1137 – An Ordinance Of The Town Of Lyons, Colorado, Amending Section 16-3-150 Of The Lyons Municipal Code To Allow One Standard Town Of Lyons Lot, As Recorded On The Plat Of March 20, 1929, To Be Considered As Meeting The Minimum Lot Area Development Standards In The Low-Density Residential Zoning District (R-1) – Planner Kimmett presented potential development requested splitting existing old, platted lot into two. Affects zoning code with densification, affordable housing; any lots platted in 1929 in R1 Zone can now subdivide affects maybe 10 parcels. Discussion on variances; minimum lot requirements. **Motion:** move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Williams **Motion passes unanimously with MPT Farrell recusing herself.**

5. Public Hearing – 2nd Reading – Ordinance 1137 – An Ordinance Of The Town Of Lyons, Colorado, Amending Section 16-3-150 Of The Lyons Municipal Code To Allow One Standard Town Of Lyons Lot, As Recorded On The Plat Of March 20, 1929, To Be Considered As Meeting The Minimum Lot Area Development Standards In The Low-Density Residential Zoning District (R-1) – Planner Kimmett presented; deficiencies on lots in the older parts of town in R1 zone. Discussion on splitting lots, water share dedication, mandating which direction lot should be split, variances on setbacks, and rezoning. Criteria for granting setback variances; is a use issue, hardship **Public Hearing opened at 8:20 pm no speakers Public Hearing closed at 8:20 pm Motion:** move to approve **Moved by:** Trustee Oetting **Seconded by:** Trustee Elson Trustee Oetting discussed high costs of water, building. I would appreciate discussing ADU's with these property owners. Can we discuss IGA with Longmont for accepting Lake Mac shares for infill lots? **Motion passes unanimously**

Note: The proposed code language addresses this shortcoming.

- III. RELATIONSHIP WITH OTHER PLANS:** As noted above, this request seeks to amend a section of code that has previously been amended.
- IV. RECOMMENDED ACTION / NEXT STEPS:** Staff recommends that the BOT amend Sec. 16-3-150.(1) of The Lyons Municipal Code to allow the subdivision of lots recorded on March 20, 1929. A public hearing and 2nd reading will be required to move forward
- V. FISCAL IMPACTS:** The subdivision of these lots (not all have sought subdivisions) has the potential to create approximately 10 new lots. While the property owners will be required to pay all appropriate utility fees, there will be a minor additional load on the Town's infrastructure.
- VI. LEGAL ISSUES:** The town attorney has reviewed the amendment.
- VII. CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A
- VIII. SUMMARY AND ALTERNATIVES:** The BOT could decide not to move forward with the requested code amendment.