

Town of Lyons, IGA TASK FORCE - Data Collection

BLUE LINE MUNICIPAL CODE INFO and BLUE LINE MAP:

The blue line is covered in Section 13-1-130 of the Municipal Code. Here's that section in whole:

Sec. 13-1-130. - Blue line variances for water and wastewater services.

(a) Limit of service. No water or wastewater service shall be provided by the Town Utility Departments to any property under the same ownership located wholly or partially above a line defined by the five-thousand-four-hundred-fifty-foot elevation mark, except in accordance with this Section and the granting of a blue line variance. The five-thousand-four-hundred-fifty-foot elevation line shall be known as the blue line.

(b) Application for blue line variance. An owner seeking consideration of a blue line variance shall submit to the Town Clerk an application for a blue line variance. The application shall, at a minimum, identify the nature and extent of any proposed development to be served by water and wastewater services and shall include plans and documentation generally consistent with the documentary requirements associated with the submission and review of sketch plans pursuant to the subdivision regulations of the Town. The Town Administrator may promulgate an application form and procedures necessary to ensure conformance with this Section.

(c) Preliminary review. Following a determination by the Town Administrator that the application is complete, the Town Administrator shall refer the application to the Planning Commission for preliminary review. The preliminary review shall be conducted as an administrative proceeding, and the Planning Commission shall consider whether the proposed service area described in the application conforms to the goals and policies of the Comprehensive Plan, as amended. Subject to ratification of the Board of Trustees, the Planning Commission may reject an application following the preliminary review where the requested service extension would be contrary to the Comprehensive Plan; in such event, the applicant may elect to pursue the Board of Trustees' approval for a waiver of any mandatory connection requirements imposed by this Chapter in order to permit the on-site provision of water and wastewater services.

(d) Feasibility study. Following preliminary review and acceptance of the application by the Board of Trustees, the Board of Trustees may authorize a licensed engineer to determine if existing water and wastewater lines can be extended to provide service to the proposed development. All fees incurred by the Town for the licensed engineer and all other costs and expenses of review shall be paid by the applicant. The Town Administrator may require that a deposit of the estimated costs of review be paid by the owner prior to commencing any review. In lieu of engineering review as provided by this Subsection, an owner may submit completed engineering plans and construction documentation for a water tank and pumping station independent from the existing Town water system to provide water for the

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proposed development and wastewater management plans for an-site treatment of waste and effluent. Such plans shall fully comply with all applicable Town engineering and design specifications, including the provision of sufficient water pressure and volume to provide adequate firefighting capabilities to the property.

(e) Granting of blue line variance. Where the extension and provision of water and wastewater services to the property is found to be feasible, the Board of Trustees may grant a blue line variance and may condition such variance upon conditions necessary to ensure that the service will not detrimentally affect the health, safety or welfare of the residents of the proposed development or consumers of the public water and wastewater systems. A blue line variance shall be a legislative act by the Board of Trustees, shall be subject to public referendum and shall be made by written resolution containing a legal description of the property affected by the variance and all terms and conditions of the variance.

(f) Effect of blue line variance. A blue line variance shall be deemed to approve only the extension above the blue line of the public water and wastewater system to the property described in the application subject to any conditions imposed by the Board of Trustees. A blue line variance shall not be construed to grant any approval of, or consent for, any aspect of the development described in the application. A blue line variance shall not be construed to grant or reserve capacity, pressure or volume associated with any Town Utility System. Nothing in this Section shall be deemed to waive or modify the applicability and requirements of any other provision of this Code.

(g) Variance to run with property. A blue line variance shall be appurtenant to and run with the property described in the variance until expiration of the variance or completion of all improvements necessary to provide services to the property.

(h) Expiration of blue line variance. Any blue line variance shall automatically terminate two (2) years after the date of approval by the Board of Trustees. The Board of Trustees may extend the effective date of a variance by not more than one (1) year from the date of expiration upon a finding that the owner has diligently pursued the extension of services and the development of the property described in the variance.

(Prior code 7-1-12; Ord. 956 § 1, 2014)

(Ord. No. 1123 , § 3, 7-1-2022)

Editor's note— Sec. 3 of Ord. No. 1123 , adopted July 1, 2022, directed for renumbering of §§ 13-1-110—13-1-260 as §§ 13-1-120—13-1-270.

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Map of Lyons with Blue Line Overlay (and Draft IGA Parcel Lines)

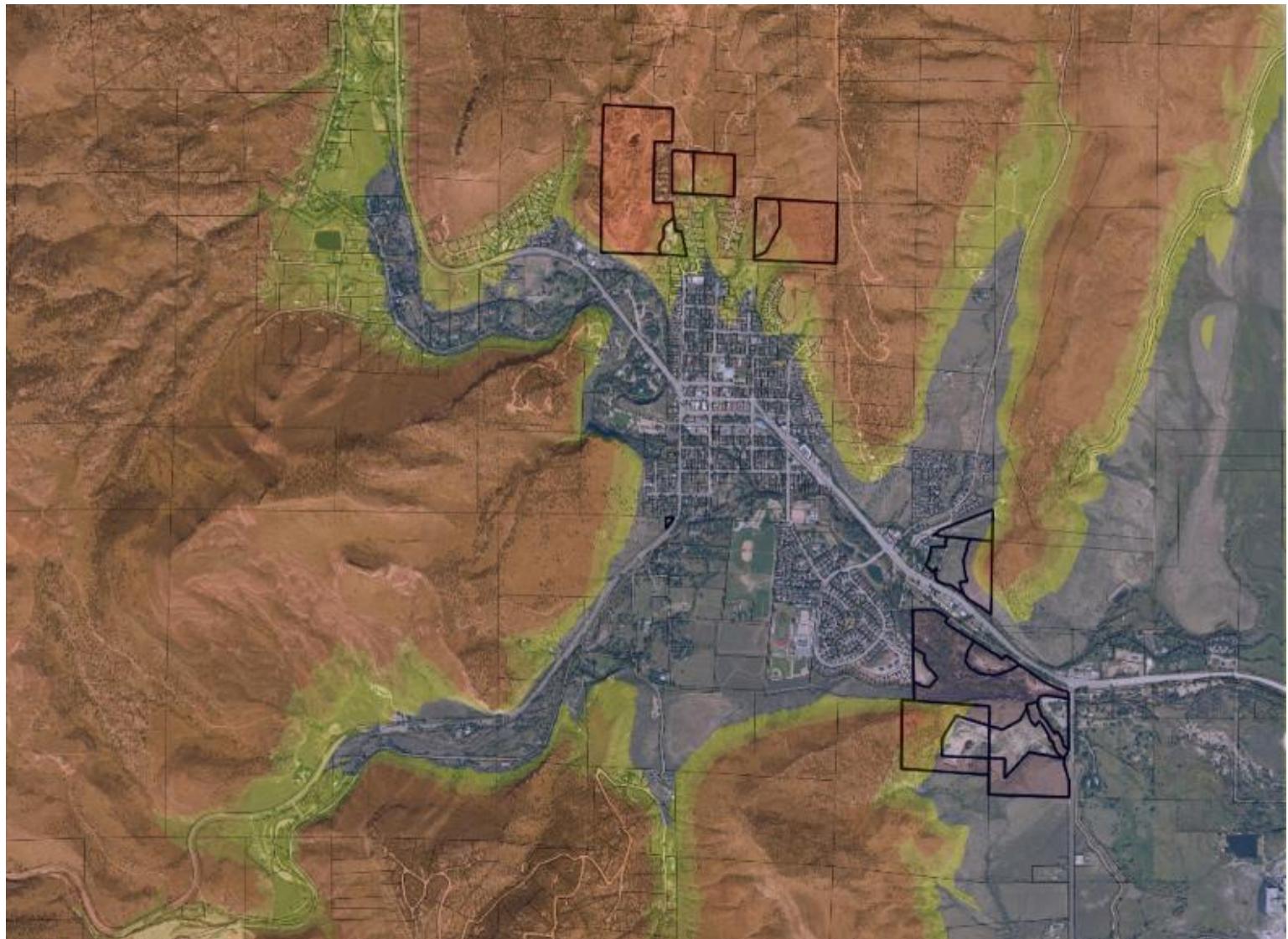
Key:

Blue: Elevation less than or equal to 5450 ft

Yellow (green): Elevation >5450 to 5500 (up to 50 ft above blue line elevation)

Orange: elevation >5500 to 5550 (50 to 100 ft above blue line elevation)

Red: >5550 ft (> 100 ft above blue line elevation)



SOURCE:

- Digitized off maps from Boulder County
- CO Office of Information Technology (via USGS)
- Lidar elevation data - blue line