

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
TOWN OF LYONS, COLORADO
RESOLUTION 2024-XX-PCDC**

**A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT
COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT
THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE
AMENDING SEC. 16-3-150.(1) OF THE LYONS MUNICIPAL CODE TO ALLOW THE
SUBDIVISION OF LOTS RECORDED ON MARCH 20, 1929**

WHEREAS, pursuant to Section 2-8-170 of the Lyons Municipal Code (“LMC”), the Town’s Planning and Community Development Commission (“PCDC”) is charged with advising, recommending, and assisting the Board of Trustees in matters relating to planning the physical growth of the Town of Lyons (“the Town”) in accordance with the powers granted pursuant to Article 23 of Title 31, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, Section 16-15-10 of the LMC authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]” and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, the Town supports the subdivision of larger lots recorded on March 20, 1929, as these lots are generally twice the size of neighboring parcels.

WHEREAS, the Town recognizes that resulting subdivisions will allow for urban infill which will help address housing needs.

WHEREAS, the PCDC recommends that the Town of Lyons Board of Trustees adopt the Proposed Ordinance in substantially the form attached hereto as **Exhibit A**.
NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO:

Section 1. Based on the evidence in the record and testimony provided at the public hearing held before the PCDC, the PCDC finds that that the text of the proposed Ordinance, a copy of which is attached hereto as **Exhibit A** complies with the criteria set forth in LMC Sections 16-15-50 of the LMC and is supported by the Town of Lyons Comprehensive Plan.

Section 2. Based on the findings set forth in Section 1 above, the PCDC recommends that the Town of Lyons Board of Trustees approve and adopt **Exhibit A** in substantially the form attached hereto.

Section 3. This resolution shall become effective immediately upon approval by the Planning and Community Development Commission.

ADOPTED this 10th DAY OF JUNE 2024.

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

By: _____
Neil Evers, Chair

ATTEST:

Maria Marquez-Rubio
Deputy Town Clerk

EXHIBIT A

Proposed Ordinance

TOWN OF LYONS, COLORADO

ORDINANCE XXXX

AN ORDINANCE OF THE TOWN OF LYONS, COLORADO, AMENDING SEC. 16-3-150.(1) OF THE LYONS MUNICIPAL CODE TO ALLOW THE SUBDIVISION OF LOTS RECORDED ON MARCH 20, 1929

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Colorado Revised Statutes and the Colorado Constitution, Chapter XX, Section 6 provide broad authority to local governments to plan for and regulate the use of land within their jurisdictions, as authorized in Article 20 of Title 29, *et seq.*, and Article 23 of Title 31, *et seq.*, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town's boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, the Town supports the subdivision of larger lots recorded on March 20, 1929, as these lots are generally twice the size of neighboring parcels.

WHEREAS, the Town recognizes that resulting subdivisions will allow for urban infill which will help address housing needs.

WHEREAS, Section 16-15-10 of the Lyons Municipal Code ("LMC") authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment "to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]" and "to further the implementation of the goals and objectives of the Comprehensive Plan" among other reasons; and

WHEREAS, the Town desires to enact a text amendment to the Town's zoning code pursuant to LMC Section 16-15-50; and

WHEREAS, the PCDC recommended the proposed ordinance to the Board of Trustees (“the Board”) for consideration Pursuant to Resolution 2022-XX-PCDC, attached hereto as **Exhibit A** and incorporated by reference; and

WHEREAS, the Board finds that the proposed amendments to the LMC are in the best interests of the public health, safety, and welfare of the residents of Lyons and further the intent of the Comprehensive Plan; and

WHEREAS, The Board has conducted a public hearing to consider evidence and testimony, thus providing adequate opportunity for interested residents, businesses, and visitors to be heard; and

WHEREAS, the Board desires to enact an ordinance amending Sec. 16-3-150.(1) of the Lyons Municipal Code to allow the subdivision of lots recorded on March 20, 1929.

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

Section 1. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Sec. 16-3-150.(1) is hereby amended as follows (addition in blue and underlined):

Sec. 16-3-150. - R-1 Low Density Residential District.

(d) Development Standards. Development standards in the R-1 District shall be as follows:

(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.
- b. A legally described, standard lot of the Town of Lyons platted blocks, as recorded on March 20, 1929, may be subdivided into no more than two (2) lots. No resulting lot of a subdivision of a lot recorded on March 20, 1929, shall be less than six thousand (6,000) square feet.

**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:

Dolores Vasquez, CMC, Town Clerk