

A Short History of Lyons' "5-Acre Rule"

By Mark Browning

Mid-1980s – Various proposals floated by developers for >1,800-acre Dowe Flats property east of Lyons, such as 30,000 new residents over 30-year period, 8-10,000 residents in shorter term, 375-acre industrial development, large lake with destination hotel. Very controversial at County and Town levels; Town Board never accepts any proposal.

1994 – Citizen vote to de-annex 40 acres of Stone Canyon. (Stone Canyon annexed in 1974, but not developed until 1990s.)

Mid-1990s - Early 2000s – Lyons' 3 largest subdivisions (Lyons Valley Park, Eagle Canyon, Stone Canyon) developed. No citizen votes required.

September 2000 – Citizens' initiative to adopt 5-acre rule passes 254 - 157 (62%). BOT then implements with ordinance (LMC 15-1-340).

April 2002 – Despite support of Town officials, citizens reject 191-134 (59%) annexation of Stone Canyon Phase II. (Property eventually becomes open space.)

2010 Comp Plan – "Evaluate the feasibility of and public support for changing the requirement that all private annexations that exceed five acres must be approved by a vote." Economic Development Strategy 1.2.5.

2016 Lyons Primary Planning Area Plan – "Evaluate the '5-acre vote' in light of current market conditions and findings from this work associated with the Town's fiscal health and limited inventory of viable development sites." (LPPA reflects development may be feasible in Eastern Corridor, but not Apple Valley or South St. Vrain areas.)

August 2017 – Voters approve annexation of Planet Bluegrass Farm 427 - 309 (58%) – the only approved annexation to date under 5-acre rule (with limited development of "Farm" property).

2017 "10-Acre Rule" for EC – Ordinance 1020 adopted by BOT on 12/4/17 sets minimum 10-acre size in Eastern Corridor to trigger annexation vote.

Jan. 23, 2023 – In context of IGA negotiations with Boulder County, Town Planner emails Town Administrator: "In the meantime before annexation perhaps we could change around the LMC's language on annexation so it doesn't have to go to a vote. Or at least raise the acreage to say 50 acres?" Email produced in response to citizen CORA request

Feb. 12, 2024 – After IGA discussions between Town and BoCo staffs about possible annexation of < 5-acre parcels carved out of larger properties, Town Planner advises PCDC: "We are fine with only carving out a little bit," which "makes it an easier sell."

Feb./March 2024 – Citizens express concerns to BOT and PCDC at well-attended meetings at Lyons Library about IGA draft, including concerns about carve-out "end runs" around 5-acre rule vote requirements.. Lyons Citizens for Responsible Development group formed.