

To IGA Task Force
From Resident, E. Seacats
RE: Forwarded Conversation
Subject: Resident Opposition to Connor Parcel Annexation

From: **Elizabeth Seacat** <elizabethseacat@gmail.com>
Date: Mon, Mar 11, 2024 at 9:09 PM
To: <TOL_BOT@townoflyons.com>

Hello Board of Trustees,

I want to share my opposition to the annexation of the Connor Parcel because I believe that it does not meet the ***Annexation Criteria*** that is documented in the Adopted 2023 Comp Plan on page 120 <https://www.townoflyons.com/DocumentCenter/View/2430/2023-Adopted--Lyons-Thrive-Comprehensive-Plan>.

Criteria 1: Conservation and Hazard Mitigation – “Annexations should maintain a compact footprint, preserve environmentally sensitive lands, wildlife corridors, and riparian areas, and minimize risk from natural hazards.”

1.1 Wildfire Hazard – On pg. 184 of the Comp Plan Hazards Map, there are many areas of red on this map noting severe wildfire risk in our community – and this includes the areas that surround the Connor parcel and the Connor parcel itself. The annexation of the Connor parcel for any kind of development will remove a natural barrier to obstruct the spread of fire to the adjacent Steamboat Valley and Longs Peak Drive neighborhoods. Fire runs uphill and will quickly and violently spread out of control. We all talk about this fire risk in our community – it is of paramount importance and cannot be ignored. To put our neighbors who live in these areas further in harm’s way with this unnecessary development, is wrong and does not meet the *Annexation Criteria*.

1.2. Wildlife Hazard – On pg. 182 of the Comp Plan Critical Wildlife Habitats, shows three Eagle Nests Colorado boundaries – one which covers the top of Longs Peak Drive. In my personal experience living on Longs Peak Drive for 26 years and living directly across from the Connor parcel,

this boundary should also encompass the Connor parcel. Additionally, the number of deer on the Connor parcel (and the Longs Peak Drive parcel) is both astounding and spectacular. It is my experience that the Connor parcel is a wildlife habitat. The deer are so prevalent on the Connor parcel, that over the years - and as recently as 2020, I have witnessed Hunters that would arrive on Connor's property, they would stoop, lay down, and hide on his land to hunt, shoot at, and kill deer. I do realize this is a "right-by-use". However, the point that I want to make clear is that the Connor parcel is abundant with wildlife and needs to be protected from any kind of development. To ignore this sensitive area does not meet the *Annexation Criteria*.

Criteria 2: Maintain Levels of Service – “Allow for the efficient expansion of services and infrastructure, while maintaining the levels of service currently provided to residents and properties within the municipal boundary.”

2.1 - On pg. 118 of the Comp Plan it states that the Three-mile plan must state **HOW** the municipality will provide adequate public facilities, services and utilities to the newly annexed areas **WHILE MAINTAINING** adequate levels of service in the remainder of the jurisdiction. As a resident within this town, I find it hard to understand how and why our town can include the annexation of the Connor parcel into the IGA without performing due diligence to document and explain the financial costs and the service level impacts that will be imposed on our community. As a resident, I want to know ahead of time including the Connor annexation into the IGA, what the impact will be to my property taxes, and what the impact will be on my electric and water bill, and other services. What are the true costs and benefits to our town for this specific annexation **before** we include it in the IGA?

2.2 - On pg 50 of the Comp Plan under the Principal ***Infrastructure and Services***, the **Blue Line** is specifically stated and defined as “The Town Municipal Code sets the maximum elevation that will be served by water or wastewater at 5,450 ft.” As Andrew mentioned during the Feb 12 PCDC meeting, the Connor parcel is above the Blue Line. My interpretation of the Blue Line rule which was introduced in 1959 is twofold:

1-Establishes the maximum elevation level that water/wastewater services will be delivered

--And--

2-To make it more difficult for developers to build in the foothills to protect our beautiful hillside/mountain views

As a resident, I want to know ahead of including the Connor annexation into the IGA, what the impact of these costs will be to us town residents.

Moving Forward - Before Moving Forward with the IGA Annexation Proposal, my request to the Board of Trustees and PCDC is to **SERIOUSLY CONSIDER** the important comments made by Commissioner Hamreck during the February 12 PCDC meeting. This is the meeting whereby Lead Planner Andrew Bowan presented to the PCDC board detailed information about discussions that he and Administrator Simonsen have had with Boulder County Staff pertaining to the **annexation of the Connor/Boone/Carpenter/and other parcels into town**. After Andrew's presentation, the PCDC board was asked if they have any questions:

Commissioner Hamrick responded and I quote:

(1:16 Marker) Comment 1: "Housing Study. Maybe I misunderstood the whole intent of the Housing Study. It almost seems like those numbers are being put up here (referencing Andrew's presentation) as something attainable, which I never felt they were. I felt like it was an exercise to go through in order to meet some, set some goals for prop 123 and all that stuff. Anyway, it seems like this is getting twisted around."

(1:18 Marker) Comment 2: "**Some of these properties up higher in elevation to me, should be completely out of scope. These are people wanting to put their properties in and cash out.** I am going to get in the weeds, but really want to understand what does it cost to develop those properties from the towns perspective? - it just seems like a losing deal from our perspective. Infill, and all that – Loukenon, and others down closer to town, yea, that makes sense."

(1:19 Marker) Comment 3: "If you look at the growth of the town over the last 20 to 30 years, it's nothing. In some areas, it has actually decreased. Those numbers were derived, I believe, from Boulder County which we know has grown - throwing in Longmont and some of these other high growth areas – so, it skews everything in my opinion."

(1:19) Marker Comment 4: "This just seems disingenuous with the County and the Town working together saying "oh, let's get these lots under 5 acres so we don't have to take it to vote." It just seems slimy in my opinion."

Thank you for your consideration.

Elizabeth Seacat

129 Longs Peak Dr

Lyons, CO 80540

1:26 PM Sat Mar 9
lc4rd.org 49%

641 3rd Avenue	Aaron Caplan	Victoria Simonsen	Steve McCloskey (owner)	nothing yet	I reviewed his informal house plan concept and it meets setback and access from 3rd Avenue requirements; possibly additional review following the Building Department review. He needs to install sidewalks!	O:\COMMUNITY DEVELOPMENT\2_Current Development\641 3rd Ave
1022 Horizon Drive	2 Alex Painter	Victoria Simonsen	Lee Dunning (daughter of Jonathan Connor, owner); Danie Lefevre (realtor representative)	they would like to be a BoT agenda item	Danie is the public spokesperson for the Lee Dunning effort to migrate their parcel to being considered Municipal Influence Area (MIA) in the new IGA. They have presented to the PDCC, and spoke briefly during Audience Business a couple of months ago before the BoT. They have an affordable housing concept that, thought the land is challenging, they feel adamant about pursuing.	O:\COMMUNITY DEVELOPMENT\2_Current Development\1022 Horizon Drive
1117 5th Avenue / Boone Parcel	2 Victoria Simonsen	Michael Markel (developer)		unsure	Mr. Markel, and the Boone Family, would like this ~60ac parcel to be reconsidered for the forthcoming IGA as an MIA, rather than Rural Preservation Area, similar to the 1022 Horizon Drive parcel above. This has been subject to a COGA records request and subsequent meeting by and with the neighbors who live on Vasquez Drive and Steamboat Valley Drive	O:\COMMUNITY DEVELOPMENT\2_Current Development\1117 5th Avenue
4033 Ute Hwy (Mud Hut)	2 Alex Painter	Phoenix Sparks (owner of Mud Hut)		Await Phoenix's move	Phoenix wants to build a bigger Mud Hut sign...the current one is small and hard to see, especially with the Everyday Gas sign being so big. She understands that she would need a CDDT permit if she encroaches into the ROW.	O:\COMMUNITY DEVELOPMENT\2_Current Development\4033 Ute Hwy
4559 Ute Highway / 4602 Highland Drive	Victoria Simonsen and Aaron Caplan	Alex Painter	Charles Hester of Tebo Properties; Stephen Tebo (owner)	await Tebo Properties next move	I supplied Mr. Hester with annexation information in September; Mr. Hester was picking up where another Tebo associate left off in February. Tebo had recently acquired the parcel to the north as well (Pheasant Farm), bringing the total acreage to 4.75 at this important intersection	O:\COMMUNITY DEVELOPMENT\3_Current Development\4545-4559 Ute Hwy (Tebo Properties)
4617 Highland Drive	Alex Painter		Geralyn Gibson (Lyons-area resident) had expressed interest in annexability; Patrick Chung (Boulder realtor) had expressed interest in annexability	none		
13051 W. Foothills Hwy	Victoria Simonsen	Mike and Dean Loukemon		none	The Loukemon have expressed interest in annexing and re-developing their land into housing, commercial, and possibly RV site areas. One issue is the current 2012 IGA specifically calls out how the Loukemon land can be used -- we need to make sure that the future long term IGA allows for creative use/zoning should Lyons annex it	O:\COMMUNITY DEVELOPMENT\3_Planning_Regional - State of Federal Planning Local-Region\Boulder\IGA 2012 IGA Review of Lyons Resolutions, specifically the 2012-20A Comprehensive Development Plan IGA - 18 April 2023\0731 has a redline comment on the Loukemon land



ANNEXATION CRITERIA

Lyons will consider future annexations using the following criteria, in addition to the standards listed in Chapter 15 of Lyons Municipal Code:

- **Located within the Planning Area.** All annexations should occur within the Lyons Planning Area as shown on the Future Land Use Map.
- **Conservation and Hazard Mitigation.** Annexations should maintain a compact footprint, preserve environmentally sensitive lands, wildlife corridors, and riparian areas, and minimize risk from natural hazards.
- **Maintain Levels of Service.** Allow for the efficient expansion of services and infrastructure, while maintaining the levels of service currently provided to residents and properties within the municipal boundary.
- **Consistency with Comprehensive Plan.** Annexations should advance the visions, goals, and policies of the Comprehensive Plan, including opportunities to diversify the Town's economy, provide affordable or workforce housing, and support tourism.
- **Municipal Code Requirements.** Annexations must meet the detailed requirements listed in Chapter 15 of the Municipal Code and all other relevant Town policies.
- **Regional Coordination.** Annexations will be evaluated in coordination with Boulder County and follow the policies outlined in all current Intergovernmental Agreements (IGAs).

