

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VII.1.
Meeting Date: January 5, 2026

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Lisa Ritchie, AICP, Planning and Building Director

DATE: December 31, 2025

ITEM: 1st Reading – Ordinance 1203 – An Ordinance of the Town of Lyons, Colorado, approving the rezoning of property located at 4651 and 4652 Ute Highway from Agricultural and Commercial East Corridor to Planned Unit Development

☒ ORDINANCE
☐ MOTION / RESOLUTION
☐ INFORMATION

- I. **REQUEST OR ISSUE:** Staff are requesting consideration of an Ordinance approving the rezoning of property to Planned Unit Development (PUD) for the properties located at 4651 and 4652 Ute Highway. The PUD would serve as the underlying zoning for the properties and would be the basis for future development.

Aerial image of the properties at 4651 and 4652 Ute Highway



II.

III. PROJECT HISTORY: The properties formerly contained structures supporting Longmont's water treatment systems, along with former BNSF property that fronts Ute Highway on the southern portion of the overall site. Following abandonment and decommissioning by BNSF and Longmont, the Town of Lyons acquired the properties. Over the years 2019-2021, the applicant, Lyons Ute Highway, LLC, represented by Paul Tamburello, entered into an agreement and subsequent amendments with the Town to acquire the three properties. The properties have undergone remediation and some degree of restoration, including removal of previous structures on the northern lot, and floodplain restoration on the southern lot.

IV. PLANNED UNIT DEVELOPMENT DESCRIPTION: The applicant, Lyons Ute Highway LLC, represented by Paul Tamburello and Rene Doubleday, requests approval of a Planned Unit Development for the three lots. The PUD would serve as the zoning for the properties and set the uses and development standards for all future development. The following describes the primary components of the PUD:

Proposed Uses:

The application relies on the existing [Commercial East Corridor \(CEC\) zone district](#), with some revisions, to establish permitted uses and uses approved by Special Review. The CEC zone district was established to regulate development along Highway 66 on the eastern side of Lyons. The uses in the zone district were last evaluated comprehensively by the Town in 2013 when the Special Review process and uses were developed.

The PUD proposes the following uses and associated approvals (see attached spreadsheet for complete list):

- Allow by-right all uses that are by-right in the CEC zone district
- Allow the following uses by Special Review in the PUD that also require a Special Review in the CEC zone district
 - o Gasoline Station
 - o Kennel
 - o Telecommunications Facility
 - o Restaurant and/or bar with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers parked in motor vehicles, or a restaurant or bar with more than 4,000 sf
 - o Light Industrial required to hold operating permits for air emissions with CDPHE
 - o Solar Garden
- Allow the following uses as by-right in the PUD where the CEC zone district requires Special Review:
 - o Automobile, boat, and motorcycle rental and sales (outdoor sales area limited to 5,000 sf without Special Review)
 - o Hotel or Motel, large
 - o Campground, south side only
 - o Dog day care facility, north side only
 - o EV Charging Station
 - o Event Center, large
 - o Light industrial use (note that light industrial uses that are not required to hold air emissions permits with CDPHE are allowed by right in CEC)
 - o Mini-storage facility, north side only
 - o Retail establishment, large
 - o Automotive and motorcycle repair (minor only as use-by-right)

- o Mixed-use building (a building with at least 50% of the total gross floor area of the building consisting of residential uses, all of which are located on the upper floors.
- Proposed new by-right uses in the PUD
 - o Arts and cultural facilities and services
 - o Assisted living facility
 - o Business use
 - o Car Wash, north side only
 - o Caretaker residence
 - o Church
 - o Community garden
 - o Health and wellness
 - o Natural medicine
 - o Nonprofit organization facilities and services
 - o RV storage, north side only
 - o Small manufacturing facility with fewer than 10 employees

The applicant requests the removal of the Special Review requirement for the uses listed above, noting that when the CEC zone district was originally established, the Town did not have the criteria for approval of Major Development Plans, nor had the Town's Commercial Design Standards been adopted.

The Special Review process includes the following criteria for approval in Section 16-7-35:

1. *The use shall satisfy all applicable provisions of this Chapter, design standards and subdivision regulations.*
2. *The use shall conform with or further the goals, policies and strategies set forth in the Comprehensive Plan.*
3. *The use shall be compatible with existing surrounding uses and enhance the community's character and conform with the Sustainable Design and Development Principles of the Comprehensive Plan. Compatibility should be evaluated by considering the magnitude, scale and diversity of product types in any given proposal so that no single project or combination of projects detracts from the character of the community.*
4. *The use shall result in efficient on-site and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.*
5. *Potential adverse impacts of the use on the neighborhood and the environment shall be adequately mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods.*
6. *The use avoids placing unreasonable financial burdens on the Town, such as police services and public facilities.*
7. *The proposed development shall conform with all applicable local, state and federal regulations.*
8. *The use shall not create more noise, dust, odors, vibrations, lights, traffic or parking than is customary for the zone district in which the USR is proposed, or such increased impacts can be adequately mitigated.*

The Town's criteria for approval of Development Plans are found in [Section 16-17-30](#) and include provisions for compatibility, adequate provision of services, compliance with the Comprehensive Plan, and many others similar in nature to the Special Review criteria listed

above.

Additionally, the Town's Commercial Design Standards criteria for approval are found in [Chapter 16, Article 6](#), and include provisions for compatibility with the surroundings and mitigation of impacts from the development.

Additional analysis on this portion of the application is provided below.

Design and Development Standards

The PUD requires that all development shall comply with the Commercial Design Guidelines in the Lyons Municipal Code. Additionally, the PUD allows the following amendments to the CEC development standards:

Development Standards	CEC Zone District	PUD application
Setbacks		
Front	25'	0'
Rear	25'	0'
Side, if abutting A, E, R-1, R-2, R-2A, or R-3	3x height of proposed building	0'
Side, all other conditions	5'	0'
Height		
General	40'	40'
Hospitality	40'	54'
Existing Structures	Existing height	47'
Number of Stories		
General	Not included	3
Hospitality and Existing Structures	Not included	4

The PUD proposes the following parking regulations that vary from the Lyons Municipal Code:

Off-Street Parking Ratios:

- Adaptive Reuse of Existing Structures: 0.5 spaces per 1000 sf, maximum of 50
- Camping, Hospitality/Multi-unit housing: 1 space per unit
- Rooftop Decks and Outdoor Gathering Spaces: Exempt from Parking

The PUD includes a note that indicates some uses may require a parking management plan, which will be evaluated at the time of any Major Development Plan.

The remainder of the PUD plan set includes the plan for both the northern and southern properties. At this time, no specific development is proposed, and any future improvements will require Major Development Plans to review architecture, site lighting, landscaping, parking, etc. The PUD allows, but does not require, rehabilitation and use of existing structures on the property.

Access to the site requires compliance with the Highway 66 Access Control Plan, or as otherwise approved by the Town and CDOT. The PUD also notes that access to the Town's Public Works facility directly north of the property shall be maintained, although it may be modified from its current condition with approval by the Town. Finally, the PUD includes a note that indicates future development will not impede access to the planned St Vrain Greenway

Trail.

The southern portion of the site is largely impacted by the regulatory floodplain. The PUD includes the current mapped areas, and any future development will be required to comply with applicable floodplain requirements in effect at the time of development.

It is important to understand that any future development on the properties will require approvals of one or more Major Development Plans through public hearings before PCDC and the Board, which will allow the Town to review architecture, site design, compatibility, landscaping, circulation, lighting, etc.

V. STAFF ANALYSIS: The application is subject to Section 16-4-90. General Review Criteria for Planned Unit Developments. This section includes staff analysis of the applicable standards and guidelines:

1. The PUD Plan is generally consistent with the Lyons Comprehensive Plan. The decision-making body shall weigh competing Comprehensive Plan goals, policies, and strategies and may approve a PUD Plan that provides a public benefit even if it is contrary to some of the goals, policies, or strategies in the Comprehensive Plan.
 - The [Lyons Thrive 2023 Comprehensive Plan](#) includes the following applicable goals:
 - Goal TSM-1:** Build Lyons' reputation as a destination for outdoor recreation, arts and culture, and heritage tourism.
 - Goal NE-1:** Promote the responsible stewardship of natural systems, processes, and resources in Lyons and the surrounding regions.
 - Goal NE-2:** Emphasize the conservation of Lyons' natural resources in public and private investments and decision-making.
 - Goal LU-2:** Provide opportunities for a balanced, and fiscally and environmentally sustainable mix of land uses.
 - Goal LU-3:** Promote a built environment that reinforces Lyons' identity and small-town feel
- Policy LU-3.3:** Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings, including: adaptive reuse of existing buildings, infill of existing surface parking lots, integration of live-work space, and/or public/private partnerships.

Further, the [2016 Lyons Primary Planning Area Master Plan](#) includes the following vision for the area:

The vision for the Eastern Corridor Subarea is . . . a commercial and employment-anchored gateway with uses including retail, restaurant, and lodging operations serving daytime and nighttime populations as well as visitors to, and travelers through, the community. Established residential neighborhoods beyond the US 36 and SH 66 corridor will host a range of housing product types addressing the lifestyle needs of households at different price points. Natural amenities will be enhanced and protected and the quality and character of physical improvements informed by established and amended standards for development.

Generally, the area within this PUD is identified as a Gateway Business District, with the intent for commercial and office uses, lodging and/or an RV resort, small lot residential, and mixed industrial and office, including artisan live-work.

The Eastern Corridor is one of only a few locations in either the Town or the LPPA with the potential to support revenue-generating commercial operations, including retail outlets, restaurants, and lodging facilities. It is recommended that properties with highway frontage or adjacency be retained for these types of uses. Due to the numerous constraints identified in this plan, the Eastern Corridor is also one of the few locations that can accommodate the Town's needs for governmental uses (e.g. public works building) and affordable housing. Wherever possible, these types of uses should either be integrated into a single building with other uses or located outside of prime commercial space/highway frontage. Furthermore, there are opportunities in the Eastern Corridor for light-industrial, service-oriented businesses and other uses that would be better located near the east end of the Highland Drive loop, away from the prime commercial area at the intersection of US 36 and SH 66.

- *The approval of the PUD either supports or does not directly conflict with the Comprehensive Plan. Because the PUD does not propose specific development at this time, much of the impact to the natural environment will be understood at a future date, which requires approval of Development Plans and conformance with the Town's design standards. The PUD accommodates a mix of commercial, recreational, hospitality, and light industrial uses, all of which are referenced in the applicable guiding documents.*
2. The PUD Plan complies with all applicable district-specific standards and PUD development/design standards.
 - *The PUD plan does not propose specific development at this time. The PUD proposes changes to certain development standards; however, compliance with the Commercial Development Design Standards is required. Future development will require approval of a Major Development Plan, which provides the opportunity to evaluate improvements.*
 3. The PUD Plan shall comply with all standards, requirements, and specifications for provision of the following services: water; sewer; electricity; gas; public transit; trash collection and recycling; storm drainage; floodplain; telecommunications; streets/pedestrian system; fire protection; and cable television.
 - *The PUD plan does not propose specific development at this time. The PUD proposes changes to certain development standards; however, compliance with the Commercial Development Design Standards is required. Future development will require approval of a Major Development Plan, which provides the opportunity to evaluate improvements.*
 4. The PUD Plan shall be integrated and connected, whenever possible, with adjacent development through street connections, sidewalks, trails, and similar features.
 - *The PUD plan does not propose specific development at this time. The PUD requires compliance with the approved CDOT Access Plan and will not interfere with the future St Vrain Greenway Trail system. The PUD requires ongoing access to the Town's Public Works site north of their property.*

5. The PUD Plan shall be sensitive to existing adjacent development. It shall not limit the ability to integrate surrounding land into the Town or cause variances or exceptions to be necessary if the adjacent land is annexed or developed.
 - *The PUD will not negatively impact future development. The southern property is the only property currently within Town limits east of US 36 along the eastern corridor. The northern property is adjacent to the recently annexed Tebo property, which is expected to be redeveloped in the coming years. The removal of the requirement for Special Review Uses is acceptable, given that the Town now has multiple regulatory tools in place to ensure impacts on surrounding land uses can be managed*
6. The PUD Plan shall avoid or substantially mitigate impacts from development in known areas of natural or geologic hazard, including unstable slopes, flood, high groundwater, or soil conditions unfavorable to development.
 - *The PUD plan does not propose specific development at this time. As noted above, the southern property is significantly encumbered by the regulatory floodplain, which will limit future development in certain areas. Compliance with all applicable design standards and guidelines is required for all future development, with approval through public hearings.*
7. The PUD Plan minimizes environmental impacts, mitigates impacts to wildlife and wildlife habitat and promotes green building standards.
 - *The PUD plan does not propose specific development at this time. As noted above, the southern property is significantly encumbered by the regulatory floodplain, which will limit future development in certain areas. Compliance with all applicable design standards and guidelines is required for all future development, with approval through public hearings.*
8. The PUD Plan avoids placing unreasonable financial burdens on the Town.
 - *The PUD is not anticipated to place unreasonable burdens on the Town. All improvements, both public and private, will be the developer's responsibility. The applicant has included a narrative of their anticipated fiscal impact, with more information to be provided with each Development Plan.*
9. The PUD Plan shall be consistent with and implement the intent of the specific PUD District.
 - *"The purpose of the PUD-C District is to establish areas for planned commercial centers and grouping of consumer-oriented commercial uses that incorporate high-quality architectural design and to allow development of tracts of land large enough to accommodate well-planned and rational connections between structures, people, and automobiles through the use of planned parking access, pedestrian walkways, courtyards, malls and landscaped open space."*
 - *The PUD establishes basis development standards for future development and requires review and approval of Development Plans for conformance with the Town's design standards and guidelines. The PUD will not conflict with the intent of this district.*
 - *Staff finds additional guidance through the intent of the Eastern Corridor Design Guidelines Overlay, which states:*

- *“The intent of the Eastern Corridor (“EC”) design guidelines overlay is to provide an entrance into the Town that identifies Lyons as an attractive place to live and do business. The EC should convey that business investment is welcome and encouraged. Development that celebrates the natural beauty, outdoor adventure opportunities, and the Lyons music and arts culture is strongly encouraged. The Town welcomes collaboration and innovation from developers to achieve quality design in this gateway area. Developers may apply for a PUD status with flexible land use, parking, setback, and mixed-use standards.”*
10. Any applicable standards, requirements and specifications may be modified if the decision-making body finds that the proposed PUD Plan incorporates creative site design such that it represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards, including but not limited to improvements in open space provision and access; environmental protection; tree and vegetation preservation; efficient provision of streets, roads and other utilities and services; or increased choice of living and housing environments.
- *The PUD proposes modifications that will be reviewed and approved by the Planning and Community Development Commission and the Board of Trustees during public hearings and will evaluate the proposal against all applicable criteria and local policy.*
11. Except where modifications are allowed under Section 16-4-50 above, the PUD Plan complies with all applicable standards stated in this Chapter.
- *The PUD meets the applicable standards in this chapter, with noted modifications on the PUD plan.*
12. The proposed phasing, if any, for development of the PUD Plan is rational in terms of available infrastructure capacity and adequate public facility standards.
- *The PUD may be developed in one or more phases, all of which will require approval of Development Plans.*
13. Height and setback standards shall be established using the following criteria:
- The proposed structure would have minimal effect upon adjacent properties with respect to compatibility of use and design, solar access, visual access and rights of privacy, light, and air;
 - *No specific structures are proposed at this time. The PUD will allow development on the property and will be reviewed as part of future development plans.*
 - The height and/or setback standards would not interfere with delivery of public services to the site at existing levels of service or at adequate levels required by Town policies and regulations;
 - *The code requires all future improvements to be adequately served, and will be reviewed through future development plans.*
 - The project complies with all fire and building code regulations and standards;
 - *All buildings will require review and approval of building permits to verify compliance with building and fire codes*

- The architecture and character of the proposed structure is compatible with existing development on surrounding or adjacent parcels; and
 - *No specific structures are proposed at this time. Future development is required to comply with the Town's development standards and guidelines.*
- In the PUD Overlay District, the development complies with all other applicable zoning and development regulations, including parking, screening, bulk and landscaping.
 - *No specific improvements are proposed at this time. Future development is required to comply with the Town's development standards and guidelines.*

VI. PCDC RECOMMENDATION: The PCDC held a public hearing over two meetings on November 24, 2025 and December 22, 2025 to consider the application. Discussion centered primarily on the changes to the permitted uses in the PUD and the concept of Temporary Uses, which are no longer included in the application. Between the two meetings, the applicant modified the permitted use tables and removed the provisions for Temporary Uses in response to PCDC discussion. PCDC voted unanimously to approve Resolution 21-2025 recommending approval of the PUD with one condition to remove the use listed as “public or private campground for the temporary parking of trailers, campers and similar” from the PUD. The applicant has satisfied this condition on the application before the Board.

VII. STAFF RECOMMENDATION: Staff recommends approval of the PUD and finds it supports the goals of the Comprehensive Plan to foster development and investment in the East Corridor. The modifications requested to the CEC zone district are reasonable and because all future development requires approval of one or more Major Development Plans, the Town has the ability to work with applicants to ensure impacts are mitigated while fostering development.

VIII. RECOMMENDED ACTION / NEXT STEPS: Approve the ordinance on first reading and set the public hearing for January 20, 2026 for full consideration by the Board of Trustees.

IX. FISCAL IMPACTS: Approval of the Planned Unit Development is the first step in the redevelopment of the property, eventually resulting in increased property tax revenues and generating sales tax.

X. LEGAL ISSUES: None identified.

XI. CONFLICTS OR ENVIRONMENTAL ISSUES: None identified.

XII. SUMMARY AND ALTERNATIVES:

1. Approve the Ordinance on 1st reading
2. Deny the Ordinance.
3. Continue to a date certain.

XIII. RECOMMENDED MOTION:

“I move to approve Ordinance 1203 on first reading – An Ordinance of the Town of Lyons approving a Planned Unit Development for 4651 and 4652 Ute Highway.”

XIV. ATTACHMENTS

- Draft Ordinance 1203
- Exhibit reflecting uses proposed in the PUD
- Application Materials
- Draft Planned Unit Development
- Referral Comments
- PCDC Resolution 21-2025