

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: X.2
Meeting Date: May 17, 2021

TO: Mayor Angelo and Members of the Board of Trustees

FROM: Reyana Jones, Historic Preservationist/Planner

DATE: May 17, 2021

ITEM: SECOND READING OF ORDINANCE 1100 - AN ORDINANCE OF THE TOWN OF LYONS, COLORADO REPEALING AND REPLACING SECTION 2-8-140 AND CHAPTER 16, ARTICLE 12 OF THE LYONS MUNICIPAL CODE CONCERNING HISTORIC PRESERVATION

ORDINANCE
 MOTION/RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Adopt Ordinance 1100, which replaces sections of the Municipal Code concerning historic preservation.
- II. **RECOMMENDED ACTION / NEXT STEPS:** Staff recommends the Board of Trustees adopt Ordinance 1100.
- III. **FISCAL IMPACTS:** Increased duties for the Historic Preservation Commission and oversight for local landmarks may increase Staff time dedicated to historic preservation related issues.

IV. **BACKGROUND INFORMATION:**

Becoming a “Certified Local Government,” or “CLG,” with the State of Colorado allows municipalities to maintain their own local registers of designated historic places and opens access to special funding for those designated properties, for preservation planning efforts, and other preservation opportunities. For example, Colorado has the best state income tax credit rate for preservation projects in the country (as high as 35% of qualified costs), and locally designated historic property owners (both commercial and residential) can apply for those funds. Being a CLG also connects you to a state-wide network of preservationists in other CLGs and the experts with History Colorado.

As part of the requirements from the SHPO/History Colorado to become a Certified Local Government, a municipality must have a Historic Preservation Ordinance that meets certain requirements that the current Lyons ordinance does not meet. The HPC revised the “Basic” model ordinance provided by History Colorado; the “Basic” model takes the middle road

between an aggressive preservation direction and a weak one. This proposed ordinance has been workshopped by the HPC, PCDC, and Board of Trustees.

One of the major differences between the existing and proposed ordinances is that the HPC would assume some design review responsibilities to approve exterior alterations to designated Lyons Landmarks against the Secretary of the Interior's Standards for Rehabilitation or the Treatment of Historic Properties and would serve in an advisory capacity for changes to buildings designated on the National Register of Historic Places.

Changes to the historic preservation ordinance would also result in some needed changes to the description of the HPC under Chapter 2 of the municipal code where all of the different boards and commissions are listed, to make sure those sections are in alignment (e.g. the goals/purpose section).

V. LEGAL ISSUES: None.

VI. SUMMARY AND ALTERNATIVES: The Board of Trustees has the following options:

- (1) Adopt Ordinance 1100, with or without amendments;
- (2) Continue Ordinance 1100 to a certain date to request additional information;
or
- (3) Deny Ordinance 1100.

PROPOSED MOTION: "I MOVE TO ADOPT ORDINANCE 1100, AN ORDINANCE OF THE TOWN OF LYONS REPEALING AND REPLACING CERTAIN SECTIONS OF THE LYONS MUNICIPAL CODE CONCERNING HISTORIC PRESERVATION."

Attachments:

1. Ordinance 1100
2. 2-8-140 Redlines
3. 16-12 Redlines