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# DRAFT

## **Letter of Recommendation to the Lyons Board of Trustees PCDC Recommends Allowing Tiny Home ADUs for R-2 and R-2A**

Recognizing the persistent shortage of affordable housing units in Lyons, at its first meeting this year the Board of Trustees passed Ordinance 1047 (the “Ordinance”) to provide for tiny homes on wheels (“tiny homes”) as accessory dwelling units within the Town of Lyons. Despite meaningful interest by prospective residents, no applications have been filed to date, likely due to the lack of suitable locations that meet both the zoning requirements of the ordinance and technical requirements for installation of a tiny home. While the original ordinance provided for tiny home ADUs in R-1 and A zoning districts, suitable locations within these districts are significantly limited by several inter-related factors:

- Unlike conventional construction, tiny homes require relatively level ground
- The Town’s level R-1 lots are concentrated within the floodplain
- Installing a tiny home within the floodplain is infeasible because the Ordinance’s anchoring requirements are incompatible with Town-mandated evacuation plan requirement in case of a flood warning
- The Town’s A-zoned land is all located either on a hillside (ie, not level) or within the floodplain

Because the PCDC believes that these factors will continue to inhibit the effectiveness of the Ordinance in achieving its objective of increased affordable housing units in Lyons for the foreseeable future, the PCDC recommends extending eligibility for tiny home ADUs to R-2 and R-2A zoning districts, for lots that do not already have two dwelling units (limiting any individual lot to a single tiny home ADU). The PCDC believes that modifying Lyons Municipal Code for these zoning districts to allow tiny home ADUs, thereby incorporating the Ordinance’s language by reference, would provide greater flexibility to achieve the objectives of the Ordinance without modifying the original spirit or intentions of the Ordinance, in part by subjecting any tiny home ADU permit application for the aforementioned zoning districts to all the conditions of the Ordinance, including construction and compatibility requirements, occupancy limits and a prohibition on use as a short-term rental, among other requirements.

From a planning perspective, extending eligibility for tiny home ADUs to R-2 and R-2A zoning districts by means of modifying Lyons Municipal Code for those districts increases neither aggregate Town density nor density of individual lots. The Ordinance limits the number of tiny homes within Town limits to a total of ten permits, and any permit application for a tiny home ADU on a lot within the aforementioned zoning districts would be subject to the original limitation, regardless of the zoning district of the applicant. Furthermore, because the R-2 and R-2A districts are zoned for two units and only lots that do not already have two dwelling units would be allowed to have a tiny home ADU, the Town’s existing density limitation for individual lots remains unchanged.

Rather than expand conditional uses for R-2 and R-2A zoning districts to allow all forms of ADUs (including conventional construction), the PCDC specifically recommends that the Board authorize ADUs for the aforementioned zoning districts only in the form of a tiny home ADU. Because a tiny home ADU may be feasibly removed, this limitation maintains flexibility for future construction of a detached second dwelling unit on the same lot, whereas permitting construction of conventional ADUs on these zoning districts would preclude future construction of a detached second dwelling unit.

Per the requirements of the Town's ADU policy (LMC 16-10-70), which applies to both conventional ADUs and tiny home ADUs, tiny home ADUs in R-2 and R-2A zoning districts would be required to be connected to the water, wastewater and electric utilities of the principal dwelling unit. Because a tiny home ADU may be feasibly removed at a future date to allow for construction of a detached second dwelling unit on the same lot, the Town's right to collect utilities connection fees and require purchase of a water share is not precluded by installation of a tiny home ADU on an R-2 or R-2A lot.

The Ordinance currently faces significant hurdles to achieving its objective of increased affordable housing units in Lyons due to the lack of suitable locations under the original zoning requirements of the Ordinance, and the PCDC believes that extending eligibility for tiny home ADUs to R-2 and R-2A zoning districts will aide in the achievement of this objective without changing the original spirit or intentions of the Ordinance.

## **5G and Small Wireless Workshop Description:**

5G and Small Cell Wireless Workshop: The past few years have brought significant changes to the wireless communications industry. Since the introduction of the iPhone in 2013, consumer demand for wireless data has risen exponentially with no sign of slowing. In response, wireless carriers are focusing on increasing wireless network bandwidth as opposed to coverage. To do so technology referred to as small cellular wireless facilities (“small cells”) have been developed. Small Cells are typically smaller in size than traditional wireless facilities, but are named for their smaller coverage area. What small cells lack in coverage area they makeup in speed and bandwidth and are the preferred method of increasing network density in areas with high demand for wireless data. Small cells are also a precursor technology to millimeter wave 5G (“5G”), which promises to bring even more data bandwidth to wireless networks. With the goal of encouraging deployment of small cells and 5G the State of Colorado and the Federal Communications Commission (“FCC”) have developed new rules and regulations which substantially curtail local control of the right of way and wireless facilities generally. This workshop will address recent changes in the rules and regulations for wireless facilities and the remaining permissible areas of local regulation.

There will be a presentation at the workshop.

# TOWN OF LYONS

## ENVIRONMENTAL SUSTAINABILITY ACTION PLAN

### BUILDINGS

#### OBJECTIVES

**Adopt policies, programs, and design guidelines for resilient and efficient buildings and community infrastructure to enhance the quality of life, reduce costs, and complement the natural environment.**

#### TARGETS

**Reduce energy use by 35% through energy efficiency by 2035**

**\*\*IMMEDIATE STRATEGIES\*\***

#### **B-1: INCREASE TOWN OF LYONS BUILDING ENERGY EFFICIENCY**

##### **How**

- Determine building energy baseline and develop target goals for programs
- Aim for all eligible existing Town buildings to be benchmarked using Energy Star performance standards and develop strategies to apply energy efficiency improvements
- Accelerate the adoption of advanced metering infrastructure or smart meters to allow for more responsive demand response strategies and time-of-use billing.
- Ensure codes match the most recent International Energy Conservation Code
- Continue to increase building codes to require net-zero energy consumption for new buildings and to be significantly more stringent for existing buildings, through policy or ordinance
- Revise and update the design standards and construction specifications

##### **Who**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Planning department
  - Planning and community development commission
  - Utilities department
  - Utilities engineering board

## **\*\*NEAR TERM STRATEGIES\*\***

### **B-2: DEVELOP AFFORDABLE HOUSING STRATEGY**

#### **How**

- Support housing policies, such as accessory dwelling units and tiny home ordinances, that create denser and less consuming buildings
- Support the creation of lodging to accommodate visitors that encourage also alternative uses such as an event, education, music, and art space. Ensure that these buildings conform to the equivalent of LEED Silver standard.

#### **Who**

- **Lead:** Sustainability department
- **Support**
  - Sustainable future commission
  - Planning department
  - Planning and community development commission

# ENERGY

## OBJECTIVES

**Achieve energy efficiency and increase resilience on clean renewable energy sources.**

## TARGETS

**Transition to 60% renewable clean electricity by 2035**

### **\*\*IMMEDIATE STRATEGIES\*\***

#### **E-1: ASSESS CARBON EMISSIONS AND MOVE TOWARDS CARBON NEUTRALITY FOR ALL CITY OPERATIONS**

**This strategy focuses on analyzing the internal Town of Lyons operations and determining possible solutions that will increase energy efficiency and save the Town of Lyons money.**

#### **HOW:**

- Complete ASHRAE Level II energy audit of town facilities to determine energy-saving opportunities
- Interview and investigate Town operations to determine energy-saving opportunities
- Update inventory of greenhouse gas (GHG) production and set new goals for GHG reductions
- Complete National Renewable Energy Lab (NREL) photovoltaic watts GPS estimation tool to determine the photovoltaic and thermal potential for Town-owned buildings.
- Analyze the feasibility of replacing natural gas combustion appliances in town-owned buildings with air source space and heating technologies

#### **WHO:**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Utilities department
  - Utilities engineer board

### **\*\*NEAR TERM STRATEGIES\*\***

#### **E-2: BUILD AN ENERGY TRANSITION PLAN THAT PROMOTES THE USE OF RENEWABLE ENERGY**

**This strategy focuses on determining a roadmap that enables Lyons, CO to utilize renewable energy. Currently, Lyons, CO receives most of its energy from a coal plant located in Nebraska. The deliverable of this strategy would be to determine the cost of transitioning to renewable energy.**

## HOW

- Collaborate with other electric wholesalers (MEAN) members to compel MEAN to invest in renewable energy, increase the distribution generation allowance for each community (currently held at 2% of total commercial capacity), and seek to divest in the coal-fired electricity assets
- Investigate ways to exit the contract with the electric wholesaler (MEAN) and pursue any alternative partnerships that may better serve the town's utility and sustainability objectives.
- Seek interest from community developers and approval from MEAN for the development of a community solar garden

## WHO

- **Lead:** Utilities department
- **Support**
  - Utilities engineering board
  - Sustainability coordinator
  - Sustainable future commission

## **\*\*MIDTERM STRATEGIES\*\***

### **E-3: MAXIMIZE ENERGY EFFICIENCY AND RENEWABLE ENERGY OPPORTUNITIES IN THE COMMERCIAL AND RESIDENTIAL SECTORS**

**There are many incentives and opportunities for renewable energy within Boulder County. The purpose of the strategy is to determine the proper mechanisms which inform and enable Lyons residents to participate in these programs.**

## HOW

- Promote the use of Boulder County's Energy Smart services
- Promote the use of Boulder County's Partners for a Clean Environment (PACE)
- Ensure building and energy codes (IIBC and IECC) are no more than two cycles behind the most recent code
- Push towards net-zero energy consumption for new residential buildings
- Refrain from including natural gas infrastructure and instead install high efficiency electric-powered space and water heating appliances and distributed solar energy systems. Water efficiency measures and xeriscaping shall also be valued during the planning process.
- Determine the feasibility of building a co-op for solar energy use

## WHO

- **Lead:** Sustainability department
- **Support**
  - Sustainable futures commission
  - Utilities department
  - Utilities engineering board
  - Planning department
  - Planning and community development commission

# Local Food & Agriculture

## OBJECTIVES

**Promote an affordable, sustainable, local, and healthy food supply that is accessible to all and supported by our community.**

## TARGETS

**Increase the accessibility of local food for all residents including the most vulnerable populations.**

## **\*\*IMMEDIATE STRATEGIES\*\***

### **Ag 1 – CREATE A COMMUNITY GARDEN**

**Following the approval of the deed restriction buy-out property plan, establish a working group of interested residents to create the community gardens on appropriate buy-out properties. This deliverable of this strategy would be a recommendation to the Board of Trustees on where the community garden(s) would be located, how they are to be developed and funded.**

#### **HOW:**

- Explore models that best promote the viable development, operation, and maintenance of these community gardens.
- Use community gardens to deliver educational opportunities that demonstrate sustainable gardening methods and appropriate plant selection.
- Support the donation of locally grown food to the local food bank when feasible.

#### **WHO:**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Ecology board commission
  - Parks and Recreation department
  - Parks commission

## **\*\*NEAR TERM STRATEGIES\*\***

### **Ag 2 – LYONS EMERGENCY AND ASSISTANCE FUND FOOD PANTRY**

**Encourage the collection and distribution of locally grown and organically produced food at the Food Pantry.**

#### **HOW:**

- Develop a campaign to encourage residents to donate a portion of their grown fruits and vegetables to the Food Pantry and other organizations helping to feed those in need. “Plant a Seed for Others” can be the message to gardeners in the spring to plan a vegetable(s) to be harvested later for the food pantry.

**WHO:**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable future commission
  - Ecology Board Commission
  - Parks and public works department
  - Parks commission

# WATER USE & WASTEWATER

As a part of the St. Vrain watershed, the water Lyons receives impacts many communities. Responsible use of water the town has access to and protecting that water from storm-water runoff, non-point source pollution, and human septic waste will allow for communities in the lower part of the watershed to enjoy the same water quality that Lyons does.

## OBJECTIVES

**Preserve the natural environment in our watershed and provide a reliable, high quality, an affordable water supply that protects public health.**

## TARGETS

**Expand water conservation education efforts**

**\*\*IMMEDIATE STRATEGIES\*\***

### **Ww-1: DEVELOP AUDIT PROGRAM TO UNDERSTAND WATER USAGE FOR RESIDENTIAL, COMMERCIAL, AND TOWN OF LYONS BUILDINGS**

#### HOW

- Collect, analyze, and report water usage data for residential, commercial, and Town of Lyons buildings
- Develop baseline and targeted goals for water programs. Targeted goals will be determined by sector (Ex: Residential, Commercial, Town of Lyons buildings, etc.).
- Develop water rate structure to incentivize low water usage
- Determine water efficiency resources and incentives for residents and businesses

#### WHO

- **Lead:** Utilities department
- **Support:**
  - Utilities engineering commission
  - Sustainability department
  - Sustainable futures commission
  - Parks and public works department
  - Parks commission

### **Ww-2: REDUCE WATER USAGE AND IMPROVE EFFICIENCY WITHIN TOWN BUILDINGS AND PARKS**

#### HOW

- Perform water assessments on all town-owned buildings to identify water conservation opportunities.
- Develop strategies to reduce water usage
- Replace or retrofit city building plumbing fixtures to meet or exceed current code requirements
- Encourage quality drought-resistant landscaping through the development review process
- Use non-drinking water systems to meet residential, industrial, and agricultural needs when feasible

## WHO

- **Lead:** Parks and public works department
- **Support:**
  - Parks commission
  - Sustainability department
  - Sustainable futures commission
  - Utilities department
  - Utilities engineering commission

## **\*\*NEAR TERM\*\***

### **Ww-3: ENCOURAGE GREY WATER USAGE AND OTHER WATER CONSERVATION EFFORTS**

## HOW

- Institute city ordinance that supports grey-water usage
- Use non-drinking water systems to meet residential, industrial, and agricultural needs when feasible.
- Promote and support rain barrel water collection by residents
- Promote and continue to use local water quality programs including: Keep it Clean; Boulder Area Sustainability Information Network (BASIN); Partners for a Clean Environment (PACE); Center for ReSource Conservation, Slow the Flow; and Energy Smart

## WHO

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Utilities department
  - Utilities engineering commission

## **\*\*MIDTERM\*\***

### **Ww-4: IMPROVE WATER INFRASTRUCTURE**

## HOW

- Ensure new building prioritizes green infrastructure practices to capture and infiltrate rain. Examples include but are not limited to, practices such as rain gardens, bioretention, vegetated/dry swales, and green roofs.
- Consider permeable and high recycled content pavement for new parking lots, roads and repairs.
- Seek funding to incorporate a natural wastewater treatment component into the new wastewater facility that treats the end-product and turns it into useful byproducts.

## WHO

- **Lead:** Sustainability department
- **Support:**
  - Sustainability futures commission
  - Utilities department
  - Utilities engineering commission
  - Planning department
  - Planning and community development commission

# TRANSPORTATION

Lyons has and always will have a percentage of the population working in the larger hubs of Boulder and Denver. Additionally, there is a high volume of vehicles that drive through Lyons to visit the Rocky Mountain National Park. On a busy summer day in Lyons, the impact of vehicles is notable. This is one of the many reasons looking into alternative transportation solutions is important.

## OBJECTIVES

**Invest in an efficient transportation system that enhances mobility, reduces environmental impacts, and supports a healthier community.**

## TARGETS

**Improve air quality related to transportation systems.**

### **\*\*IMMEDIATE STRATEGIES\*\***

#### **Tr-1: INCREASE ELECTRIC VEHICLES INCENTIVES AND INFRASTRUCTURE**

##### **HOW**

- Determine baseline air quality measures and identify target goals for transportation programs
- Research and implement best practices for promoting electric vehicle adoption
- Residential, multi-family complexes, and commercial buildings to install EV charging stations
- Education communicating EV benefits, tax incentives, and other eco-transportation news

##### **WHO**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Planning department
  - Planning and community development commission

#### **Tr-2: ASSES MOBILITY OPTIONS**

##### **HOW**

- Collaborate with Boulder County and Regional Transportation District (RTD) to analyze transportation data (EV vehicle usage, RTD ridership usage, etc.)
- Review transportation options for local and regional transportation and determine transportation needs, potential solutions, and funding sources

## WHO

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission

## **\*\*NEAR TERM STRATEGIES\*\***

### **Tr-3: DEVELOP CAR/VAN POOLING REGIONAL PARTNERS**

## HOW

- Collaborate with mountain communities in the development of senior mobility options
- Strategize in creating efficient mediums for traveling commuters

## WHO

- **Lead:** Recreation department
- **Support:**
  - Sustainability department
  - Sustainable futures commission

### **Tr-4: REDUCE SINGLE OCCUPANT VEHICLES AND GREENHOUSE GAS EMISSIONS**

## HOW:

- Collaborate with neighboring communities in creating efficient connections for regional transit.
- Develop bike maps and wayfinding signage around Town to encourage and make alternative transportation easier for residents
- Determine feasibility of a program designed to enable Town staff to carpool/bike-to-work day

## WHO:

- **Lead:** Sustainability department
- **Support:**
  - Parks and public works department
  - Parks commission
  - Planning department
  - Planning community

## WASTE

Lyons' intimate relationship with natural beauty is in direct opposition to sending commercial and residential waste to a landfill. Around 2010, the Town of Lyons adopted a Zero Waste Resolution. Zero Waste practices have been adopted by several high-profile community entities include Planet Bluegrass, the Lyons Chamber of Commerce, the Lyons Dairy Bar and the Stone Cup. The Town of Lyons facilitates zero-waste events at the Sandstone Summer Concert, Good Old Days, Lyons Art Festival, and Burning Can music festival.

### OBJECTIVES

**Implement zero waste strategies and manage resources responsibly and effectively.**

### TARGETS

**Divert 50% of Lyons waste stream from landfill by 2035**

#### **\*\*\*IMMEDIATE STRATEGIES\*\***

#### **Wa-1: IMPROVE RESIDENTIAL WASTE DIVERSION BY IMPLEMENTING SINGLE HAULER PAY AS YOU THROW PROGRAM**

**The two biggest drivers for a Pay as You Throw (PAYT) program is to find ways to maximize diversion from landfills while simultaneously trying to reduce the cost to residents through better economies of scale. This program intends to provide a comprehensive waste, recycling, and compost program for all single-family residences.**

#### **HOW**

- Develop marketing and communication plan
- Partner with HOA to ensure participation
- Provide public education meetings and ongoing education plan that supports the program
- Develop residential compost and recycle ordinance

#### **WHO**

- **Lead:** Sustainability department
- **Support:**
  - Sustainable future commission
  - Utilities department
  - Utilities engineer commission
  - Communications department
  - Parks and public works department

#### **Wa-2: IMPROVE WASTE DIVERSION AT TOWN BUILDING AND TOWN SPONSORED EVENTS**

**The Town of Lyons recently purchased a composting bin that is picked up weekly. The purpose of this strategy is to increase waste diversion within town buildings and town-sponsored events. Staff will need to be trained and bins will need to purchase for Town to participate in improved waste diversion.**

## HOW

- Develop a policy to enforce waste diversion at Town of Lyons owned properties
- Install triple-bin (recyclables, compostable, trash) waste collection at Town facilities
- Establish purchasing guidelines that consider the impact of product lifecycles
- Provide appropriate signage at town events

## WHO:

- **Lead:** Sustainability Coordinator
- **Support:**
  - Sustainable futures commission
  - All Town departments

## **\*\*NEAR TERM\*\***

### **Wa-3: IMPROVE COMMERCIAL WASTE DIVERSION**

**The Town of Lyons desires restaurants and other businesses, where applicable, to improve waste diversion. This strategy aims to improve waste diversion by providing business with tools to implement zero waste strategies as well as recognize business making strides on zero waste practices.**

## HOW

- Provide waste audits for businesses by promoting the services of Partners for a Clean Environment (PACE) program
- Support commercial food composting
- Develop “ask first” plastic straw ordinance
- Develop commercial zero waste ordinance which bans or disincentives single-use foodservice and point of sale items, such as plastic straws and bags
- Determine feasibility of commercial recycling incentives (compostable bags, paper straws, dumpster fees)

## WHO

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission

## **\*\*MIDTERM\*\***

### **Wa-4: IMPROVE CONSTRUCTION AND DEMOLITION WASTE DIVERSION**

**Boulder County has recognized the growing need for a construction and demolition waste diversion facility. This strategy is contingent on Boulder County’s acquisition of a construction and demolition facility.**

## HOW

- Modify purchasing and contracting guidelines to include responsibly handled waste diversion
- Require construction and demolition recycling as a compliance condition for building permit

## WHO

- **Lead:** Sustainability department
- **Support:**
  - Sustainable futures commission
  - Planning department
  - Planning and community development commission
  - Parks and public works department
  - Parks commission

## Wa-5: INCREASE HAZARDOUS MATERIALS AWARENESS

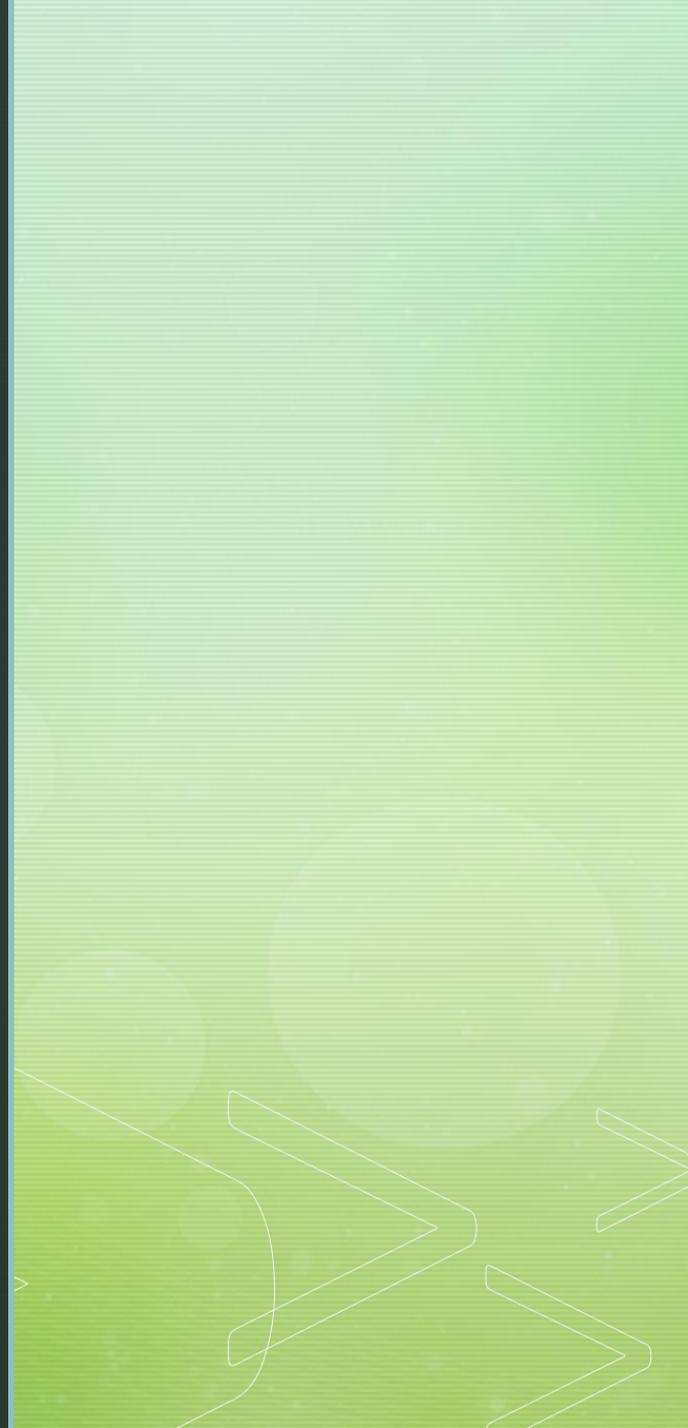
**Household hazardous wastes are often common products used in the home and need to be disposed of safely. Warning words on product containers such as poison, toxic, corrosive, volatile, flammable, inflammable, combustible, explosive, danger, caution, warning, and harmful will alert you to the hazardous nature of the product. This strategy aims to provide the Town of Lyons residents with more opportunities to dispose of hazardous materials.**

## HOW

- Provide hazardous materials disposal information to residents
- Document and analyze waste diversion data

## WHO

- **Lead:** Sustainability Coordinator
- **Support:**
  - Sustainability department
  - Parks and public works department
  - Parks commission



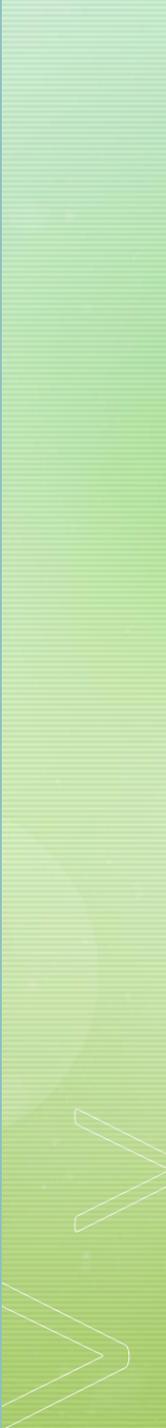
Sustainable Futures Commission



# Lyons Environmental Sustainability Action Plan

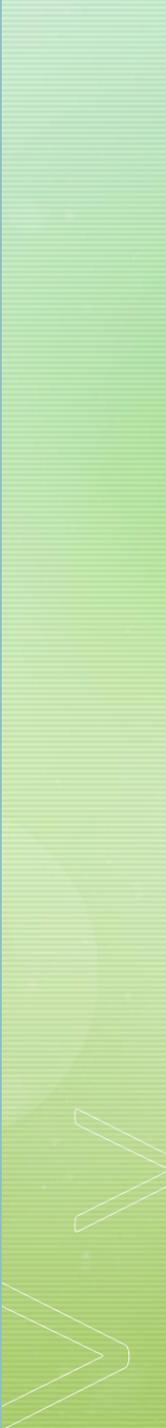


# Buildings

- B-1: Increase Town of Lyons Building Energy Efficiency
  - B-2: Develop Affordable Housing Strategy
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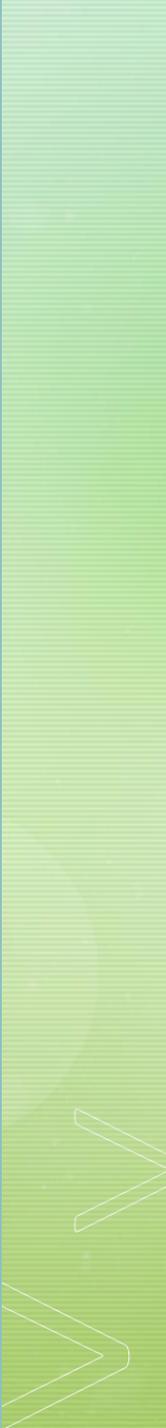


# Energy

- E-1: Assess Carbon Emissions and Move Towards Carbon Neutrality for all City Operations
  - E-2: Build an Energy Transition Plan that Promotes the use of Renewable Energy
  - E-3: Maximize Energy Efficiency and Renewable Energy Opportunities in the Commercial and Residential Sectors
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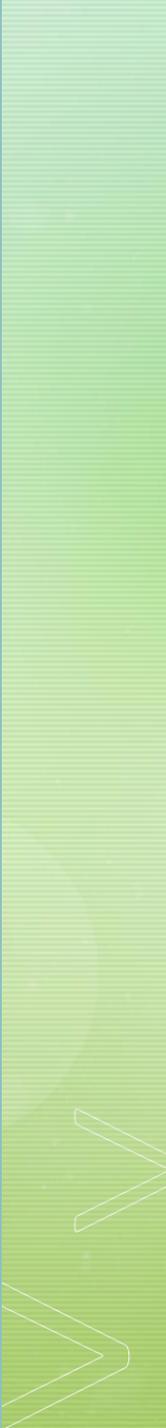


# Local Food & Agriculture

- Ag-1: Create a Community Garden
  - Ag-2: Lyons Emergency and Assistance Fund Food Pantry
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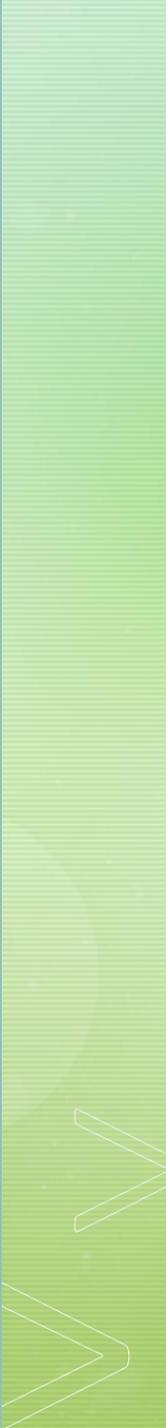


# Water Use & Waste Water

- Ww-1: Develop Audit Program to Understand and Water Usage for Residential, Commercial, and Town of Lyons Buildings
  - Ww-2: Reduce Water Usage and Improve Efficiency within Town Buildings and Parks
  - Ww-3: Encourage Grey Water Usage and Other Water Conservation Efforts
  - Ww-4: Improve Water Infrastructure
- 



# Transportation

- Tr-1: Increase Electric Vehicles Incentives and Infrastructure
  - Tr-2: Assess Mobility Options
  - Tr-3: Develop Car/Van Pooling Regional Partners
  - Tr-4: Reduce Single Occupant Vehicles and Greenhouse Gas Emissions
- 



# Waste

- Wa-1: Improve Residential Waste Diversion by Implementing Single Hauler Pay as you Throw Program
  - Wa-2: Improve Waste Diversion at Town Buildings and Town Sponsored Events
  - Wa-3: Improve Commercial Waste Diversion
  - Wa-4: Improve Construction and Demolition Waste Diversion
  - Wa- 5Increase Hazardous Materials Awareness
- 