

**TOWN OF LYONS, COLORADO**  
**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION**  
**WORKSHOP AGENDA**

**7:00 p.m. Monday, January 9, 2017**

**SHIRLEY F. JOHNSON COUNCIL CHAMBERS**

**LYONS TOWN HALL**

**432 5<sup>TH</sup> AVE, LYONS, CO**

1. LPPA Master Plan - Draft

Documents:

[1 4 17 DRAFT FINAL LPPA MASTER PLAN MATT COMMENTS.PDF](#)

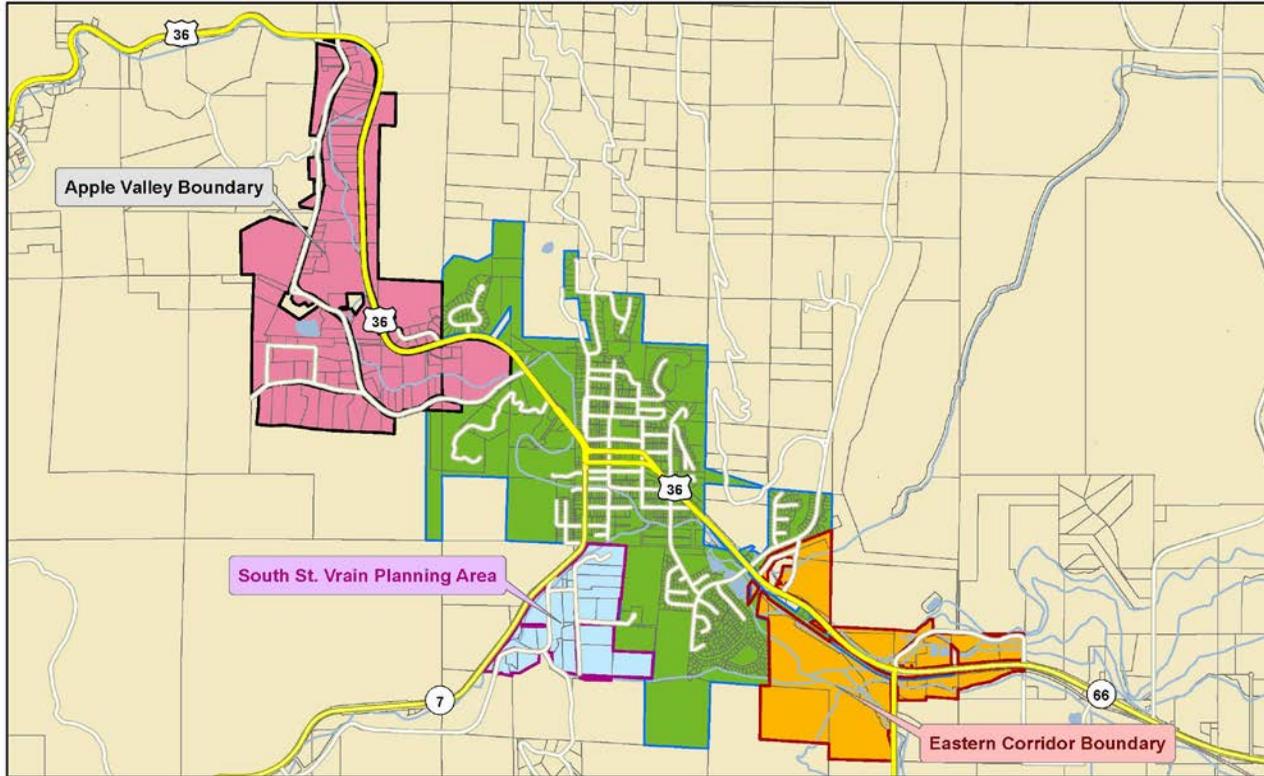
1.1. LPPA Master Plan - Draft Appendix

Documents:

[1.4.17 DRAFT FINAL LPPA MASTER PLAN-APPENDIX FINAL.PDF](#)

# Lyons Primary Planning Area Master Plan

Proposed Amendment to the Lyons Comprehensive Plan



## PRIMARY PLANNING AREA MASTER PLAN

## Acknowledgements

The Town of Lyons would like to thank the residents, property and business owners within the Planning Area and Town of Lyons, along with other interested individuals who participated in the development of this Lyons Primary Planning Area Master Plan!

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Lyons Boards and Commissions

- Board of Trustees

- Housing Recovery Task Force

- Planning and Community Development Commission

- Sustainable Futures Commission

- Economic Development Commission

- Parks, Recreation and Culture Board

- Human Services and Aging Commission

- Others, as needed

Lyons Area Chamber of Commerce

St. Vrain Creek Coalition

Boulder County Land Use Department

City of Longmont Redevelopment & Revitalization Division

State of Colorado Department of Local Affairs

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Section i:

## Glossary of Terms

Within the context of this Lyons Primary Planning Area Master Plan document, there are several terms used to describe key elements or features of the Plan. For the purposes of this planning process, these terms are defined as follows.

**Affordable Housing:** According to the Boulder Housing Partners Boulder Affordable Rental (BAR) Program, affordable housing would serve those households whose income represents 30% to 60% of Boulder's Area Median Income (AMI).

**Attainable Housing:** Attainable housing would serve those households whose income represents 60% to 120% of Boulder's Area Median Income (AMI). This is sometimes referred to as workforce housing.

**Gateway:** Design element that signifies the entryway into a district or planning area. Gateways are used to set a consistent level of design standard that can be implemented throughout the district.

**Property Utilization:** A measure of the economic value and relative “ripeness” for redevelopment of a property. The factor is calculated as the total land value’s share of total value.

**Trade Area:** A Trade Area is intended to represent that area from which uses will capture a share of market demand. Factors that influence the shape of a trade area include: physical and psychological barriers; presence of activity generators; travel patterns and thoroughfares; competition; neighborhood and employment concentrations; and others.

**Urban Renewal:** State-authorized program for municipalities designed to facilitate the removal of blighting conditions and advancement of stated community goals related to development and redevelopment. In December 2015, the Lyons Board of Trustees adopted the Lyons Area Urban Renewal Plan, which established the Lyons Urban Renewal Area. Properties within the LPPA are not currently within the Town boundaries, and as such, are not included in the Urban Renewal Area.

Section ii:

## Significant Findings of the LPPA Planning Process

### Introduction

The Lyons 2010 Comprehensive Plan recognized and affirmed the necessity to grow and diversify the Town’s economy through expansion of its municipal boundaries. The community’s Economic Development Commission has also suggested that expansion will be essential, even though land for development is becoming increasingly scarce and properties previously targeted for future development have either been purchased by Boulder County for open space, or designated as “no development areas”.

While most parcels within the Town are largely developed, the future health of its fiscal balance sheet will be heavily influenced by the type, timing, scale and quality of development that occurs in the Lyons Primary Planning Area (“LPPA”, “Lyons PPA”, and “Study Area”). To this end, it will be imperative that the Town continually monitor impacts associated with growth. In addition, it will be important to maintain high standards for development within a proactive, yet protective, investment climate. Finally, it will be critical for new and established areas of the community to be connected through an improved network of roads with adequate accommodations for pedestrians and bicycles, and a completed regional trail and local loop. Any past perceptions of Lyons as an underserved urban enclave within Boulder County, will need to be dispelled through a multi-faceted overhaul of its infrastructure, image and messaging to interested investors.

The Town understands that advancing these intentions will require not only a unified vision, but supportive leaders, policies, and regulations. It will also require an investment “story” that has been vetted by professionals familiar with local and regional market conditions, and the economic challenges inherent in development in environments with aging and incomplete infrastructure.

What follows are key findings discovered during the planning process that will influence Lyons’ efforts in this regard.

## Key Findings

1. The existing agreement (IGA) with Boulder County limits how much and where development can be accommodated within all three subareas.
2. Physical conditions limiting total developable area include – limited access, lack of water and sewer, presence of irrigation laterals (ditches), floodways and floodplains.
3. Ownership, easements and other regulations limit development within individual properties, primarily defined in adopted Boulder County documents and interagency agreements.
4. The average size of parcels and their configuration limit the net developable area within parcels and the potential for sizable developments, much less a unified development program within the LPPA.
5. Viable parcels for commercial retail development (as determined by their access, visibility, and market depth) are limited to those within the Eastern Corridor.
6. There is ample market support (over the near- and mid-term) for the following land uses: retail space that is destination, entertainment and **visitor oriented**; a range of affordable housing product types, as well as market-rate and estate units; and, employment space requiring warehousing and outdoor storage facilities, which could support art and other entrepreneurial pursuits.
7. The financial feasibility of new development and redevelopment will be affected by the limiting factors discussed herein, as well as by economic conditions which set sale and lease rates (land prices, interest rates, absorption activity).
8. Existing Town policies, practices and agreements limit the number of developable parcels (e.g., South St. Vrain) including requirements associated with annexations and reuse of publicly –acquired properties.
9. Few undeveloped parcels remain within the town boundaries, the majority of which are platted for single family detached market rate units.
10. Build-out of undeveloped parcels within the Town boundaries, as currently zoned, will result in a budgetary deficit. Nonresidential development in the Eastern Corridor could help to offset this deficit.
11. There are limited monetary sources available to the Town for property acquisitions and flood recovery improvements.

Section 1:

## Introduction

During the first quarter of 2016, Ricker | Cunningham (RC), Real Estate Economists and Community Strategists, together with the Land and Transportation Planning Division of Kimley-Horn (collectively the “Consultant Team”), were retained by the Town of Lyons (the “Town”) to assist with preparation of the [2016 Lyons Primary Planning Area Master Plan](#) (the “Plan” and “Master Plan”). The Lyons Primary Planning Area (“LPPA”, “Lyons PPA”, and “Study Area”) is comprised of numerous parcels located adjacent to the town boundaries in Boulder County (the “County”). Originally established through an Intergovernmental Agreement (“IGA” or “Agreement”) between the Town and County in 2002, and subsequently amended in 2012, its current boundary and distinct subareas are reflected in **Figure 1-1**. The IGA serves as a shared agreement between the two jurisdictions (Town and County) about where development is appropriate.

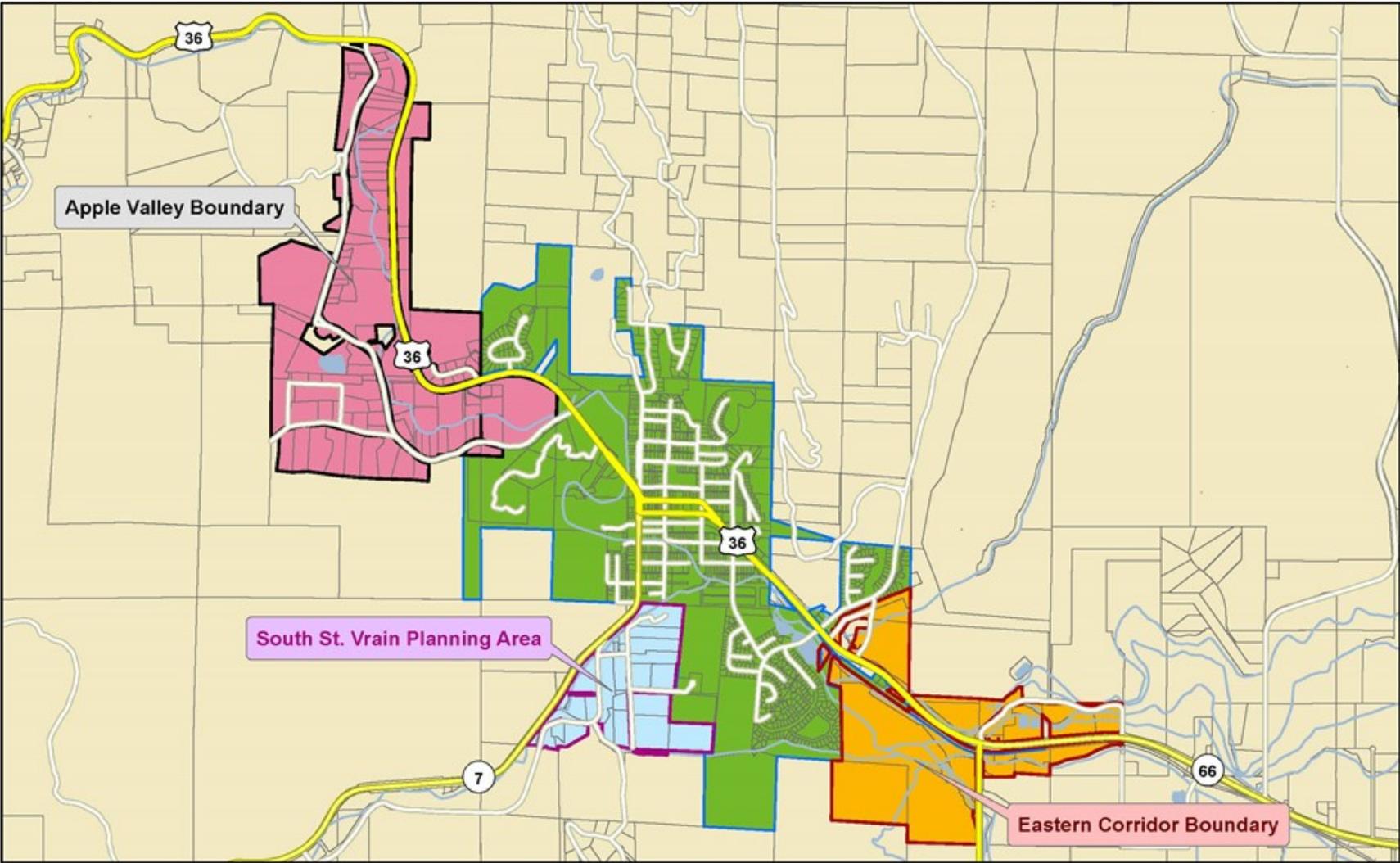
### Intergovernmental Agreements (IGA)

An IGA is any agreement that involves, or is made, between two or more governments in cooperation to solve problems of mutual concern. Intergovernmental agreements can be made between or among a broad range of governmental or quasi-governmental entities, such as two or more counties, two or more municipalities, a municipality and a special Subarea, and so forth. Governments use IGAs for cooperative planning, development review, resource sharing, joint planning commissions, building inspection services, and more.

The principal objective of this effort, preparation of the LPPA Master Plan, is to understand conditions that will influence investment, as well as to identify and illustrate the type and location of desired improvements (public and private), within its boundaries. Establishing a vision for this future growth area was identified as a key initiative in the [Lyons Comprehensive Plan \(the “Comprehensive Plan”\)](#), the community’s plan adopted by the Planning and Community Development Commission (the Commission) on 22 March, 2010, and ratified by the Board of Trustees (the BOT) on 5 April 2010. It was also a directive of the 2012 amendment to the IGA, along with advancing key strategies which promote development of affordable housing. See Appendix for supporting references from both documents.

The Colorado Revised Statute (C.R.S. or the “Law”) authorizes cities and counties to prepare comprehensive master plans to inform long-range land use decisions and achieve expressed goals. In 1987, the state legislature amended portions of the law, specifically limiting municipal annexations in any given year to no more than three miles beyond their current territorial boundary. This revision ultimately led to the requirement that municipalities prepare and adopt a *three-mile plan* prior to any annexation.

Figure 1-1: Lyons Primary Planning Area



The Town of Lyons does not currently have a three-mile plan in place. Rather, they have historically used the IGA with Boulder County as their planning tool for properties within their extraterritorial area. This LPPA Master Plan will serve as the town of Lyon’s Three-Mile Plan and amendment to the 2010 Comprehensive Plan.

### Three-Mile Plan

In 1987, the state legislature made changes to annexation law limiting municipal annexations to no more than three miles beyond the current municipal boundary in any given year. Further, municipalities in Colorado are required to prepare and adopt a three-mile plan prior to annexing property into their territorial boundaries per C.R.S. 31-12-105 et. seq. The three-mile plan is a long-range plan that outlines where municipalities intend to annex property and describes how they will ensure the adequate provision of services within the newly annexed territory and the remainder of the existing municipality.

*Note that this 2016 Lyons Primary Planning Area Master Plan will not replace recommendations presented in the 2010 Comprehensive Plan, but rather advance and supplement them, specifically related to recommendations regarding future investment in the LPPA.*

## Plan Purpose

The purpose of this Lyons Primary Planning Area master planning initiative was to establish a vision for growth and development in the Planning Area that is acceptable to both parties to the IGA and their constituents; and, to articulate that vision and any supporting directive, at a level of detail sufficient to inform future land use and annexation requests and decisions. Its timing was largely based on growing development pressure throughout Boulder County, along with local priorities associated with replacing housing units lost during the flood of 2013.

Whereas few specifics regarding feasible and desired uses within the LPPA are provided for in either the Comprehensive Plan or IGA with Boulder County, members of the Planning and Community Development Commission (“PCDC” and the “Commission”) and Board of Trustees (the “BOT”) recognized the need for a shared understanding of conditions that will influence future investment, and a collective vision regarding the location of desired improvements (public and private) within its boundaries. Whereas the state law requires municipalities to have a plan

which documents the same prior to considering annexation and development requests, preparation of this master plan became a priority. As expressed in the Town’s request for planning services, preparation of this Master Plan will:

- Serve to advance several goals related to land use and growth within the community and its larger planning area, identified in the 2010 Lyons Comprehensive Plan update;
- Provide direction regarding an approach for replacing residential units lost or significantly damaged during the 2013 flood;
- Offer strategies to grow the local economy, a key objective of the 2010 Comprehensive Plan; and
- Inform future amendments to the existing IGA with Boulder County and 2010 Comprehensive Plan.

### History of Agreements with Boulder County

2002	Lyons Planning Area Comprehensive Planning Area Development Plan IGA
2005	Amendment to the Original IGA for the Lyons Planning Area (LPA)
2011	Amendment to the Original IGA for the Lyons Planning Area
2012	Lyons Planning Area Comprehensive Development Plan IGA
2012	Lyons CEMEX Area Comprehensive Development Plan IGA
2012	Town of Lyons Resolution 2012 – 22, Approving the Proposed Acquisition by Boulder County of Certain Property within the Lyons Planning Area for Open Space and / or Conservation Purposes in Accordance with Section 5.1 of the Lyons Planning Area Comprehensive Development Plan IGA

### What is a Master Plan?

A community master plan, sometimes referred to as a land use plan, is a document intended to communicate collective intentions within a defined area regarding land uses, amenities, capital improvements, and services. In the context of this effort, its geographic focus includes those parcels located outside Lyon’s municipal boundaries with potential for future annexation. Audiences for this information include appointed and elected public officials, Town staff, developers, residents, business owners, and others invested in the sound growth of the community.

Since community plans are deemed policy, rather than regulating documents, additional resources are required to protect and advance expressed goals and objectives. These resources generally include multi-jurisdictional agreements such as the current IGA, as well as regulations and standards for development, frequently found in the municipal code.



## Compliance with State and Local Rules



This Lyons Primary Planning Area Master Plan has been prepared in accordance with relevant sections of the Colorado Revised Statute and local directives. See the following reference from the 2010 Comprehensive Plan explaining requirements set out by both sources.

*Page 2*

### Legislative Basis for the Plan

Colorado Revised Statutes state, “it is the duty and responsibility of the planning commission to make and adopt a master plan for the physical development of the municipality, including any areas outside its boundaries (three mile area), subject to the approval of the governmental body having jurisdiction thereof, which in the commission’s judgment bears relation to the planning of such municipality.” (C.R.S. 31-23-206).” The statutes further state, “the plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality and its environs which will, in accordance with present and future needs best promote health, safety, order, convenience, prosperity and general welfare (C.R.S. 31-23-207).” Colorado law establishes that a comprehensive plan is an advisory document to guide zoning and other land use decisions. The plan is implemented through the Town’s adopted land development regulations (CRS 31-23-206). Lyons’ Municipal Code, similar to land use codes throughout the state, requires that development proposals be reviewed in light of the comprehensive plan. A development proposal that is inconsistent with the plan requires a plan amendment before it may be approved.

In addition to the 2010 Lyons Comprehensive Plan, the following reports and analyses, prepared and amended prior to this assignment, served as a foundation for this effort, include those listed below.

- Lyons Recovery Action Plan
- Lyons Municipal Code
- Lyons Environmental Sustainability Action Plan
- Lyons Area Urban Renewal Plan
- Sustainable River Corridor Action Plan

- St. Vrain Creek Watershed Master Plan
- Lyons Drainage Master Plan
- Affordable Housing Guidelines

Active studies and plans include this [Lyons Primary Planning Area Master Plan](#), along with the [Sanitary Sewer System Expansion Feasibility Study](#). The findings from both efforts are informing the other.

## Planning Process

The content of this Lyons Primary Planning Area Master Plan reflects a combination of quantitative discovery and qualitative input. Throughout the planning process, consultants for the Town sought to engage Lyons’s residents, business owners, and others with local knowledge and a special interest in the community’s future. Feedback provided by engaged residents, business owners, community leaders, Town Staff, and other key stakeholders directly shaped the components of this Plan.



In addition to technical analyses, a variety of venues were afforded stakeholders, along with town residents and business interests, to provide input regarding an overall vision for the LPPA at-large, and specific recommendations within the three subareas. These forums included:

- Small group and one-on-one meetings, both in-person and by phone;
- An interactive project page accessible via the Town's web page; and,
- Series of community work sessions where a framework for public improvements and an overview of potential land use concepts were profiled and evaluated.

In an effort to provide stakeholders the opportunity to participate in all, or select work sessions, a master schedule of meetings was established and each subarea investigated separately during the process. Overseeing the entire strategic planning process was an Advisory Committee of representatives from various private, public and institutional entities. With familiarity of the LPPA and community at-large, their input and participation was considered essential for preparation of a plan with potential for successful implementation. In addition to discussions with stakeholders, representatives of the Project Team made presentations to various groups including the PCDC and BOT. Finally, the Town's Project Manager for the planning process served as an ongoing liaison between the Town's administration and staff, elected officials and members of the community.

Section 2:

## Existing Conditions

Planning for the development of communities and markets within them requires an understanding of key conditions, both visible and non-visible, all of which can influence development decisions. The discussion which follows provides an overview of those conditions that individually, and collectively, offer an indication of how "ready" parcels within the LPPA are for new investment and reinvestment. Additional details and maps are provided in the Appendix.

### Planning Area Characteristics

The LPPA consists of 191 parcels, comprising approximately 890 acres. Approximately 85 percent of Area properties are owned by an individual or entity with either a Lyons, Longmont, Boulder, or Denver address; while 10 percent are owned by an interest with an address classified as "Other Colorado Cities"; and, 5 percent by an interest with an "Out-of-State" address. In any planning effort, it is important to understand whether owners are present or "absent," as this can be a measure of commitment, or interest in affecting change.

Property utilization in the Area is comparatively low, meaning that there are a moderate number of parcels that are either vacant, have improved only portions of their property, or have an improvement value disproportionately small compared to the land value. It can also suggest that the reason some parcels are undeveloped, is due to the cost-prohibitive impact of developing sites with limited utility. In this context, utilization is measured by quantifying the ratio between improvement and total value, as this is can be an indication whether land values are supporting appropriate levels of investment, and existing development patterns are relatively efficient. Maps reflecting these ownership and utilization factors within the subareas are provided in the Appendix.

While vacant properties may appear to be obvious investment targets, so too may be parcels with a land value that can support a higher and better use, or in other words, those with a disproportionately high land to improvement value. A critical component of any community planning effort is to understand the entire inventory of sites with investment and reinvestment potential, making this type of analysis essential whereas viable parcels cannot be identified through physical observation alone.

## Physical Conditions

Physical conditions in the Planning Area, both natural and man-made, were also investigated whereas they influence not only the type of land uses that develop within a certain geography, but also their format -- horizontal or vertical, above grade or below. Taken independent of regulations, they can impact the: location and configuration of buildings; capacity of affected parcels to accommodate development and redevelopment; and, land use pattern of an entire geography. Presented below is an overview of these conditions and their potential impact within each of the three subareas. Maps reflecting their location within the subareas are provided in the Appendix.

### Eastern Corridor Subarea

Among the 191 properties and nearly 890 acres that comprise the LPPA, 45 properties totaling 274 acres, are located in the Eastern Corridor Subarea. Similar to significant portions of the larger Study Area, the Subarea maintains a significant number of improved residential properties, most of which are rural in character. Unlike the balance of the Study Area and other Subareas, the Eastern Corridor is also host to a sizable share of the community's non-residential uses, both commercial and industrial. While all three subareas are served by region-serving roadways, conditions that favor commercial development including direct access, visibility, site configuration, and traffic activity, are limited to the Eastern Corridor.

Anchored at its eastern edge by the intersection of US 36 and SH 66, and given its proximity to US 36, the region's northeastern connection to Denver through Boulder, and southwest connection to the mountain community of Estes Park and Rocky Mountain National Park, the Subarea serves as both a town and regional gateway. SH 66, which bisects the Subarea and eventually transitions into East Main Street, offers a rare opportunity for private investment catering to day- and nighttime consumers, both residents and visitors. As the town's primary transportation corridor, it provides potential for employers desiring a strategic location equally distant from the central Front Range communities of Boulder and Longmont. Opportunities to enhance the area's aesthetic appeal are afforded by its proximity to the Saint Vrain Creek which extends west for approximately 1.2 miles to Highland Drive, established tree stands which line the SH 66 corridor, and visible rock formations.

The existing pattern and character of development within the Eastern Corridor is largely comprised of a mix of destination **meeting** and event venues, new and aging stand-alone and strip retail centers, restaurants, and highway-serving operations including a gas station. Other improvements include an abandoned water treatment facility surrounded by low-density single family housing units, a commercial nursery, a mobile home park (which is reportedly the last of its kind in unincorporated Boulder County) and sales facilities associated with **a nearby quarry.**

### Existing Conditions

A variety of conditions exist in the Subarea that individually and collectively impact the type, location, quality and character of development within its boundaries. These conditions or influences generally fall into one or more of the following categories: market, financial, physical, regulatory, and political. Those that present the most costly obstacles to investment are discussed as follows.

Many of the Subarea's natural features, while enhancing the area's aesthetic appeal, also have a limiting impact on development, and in certain instances, pose potential hazards to non-vehicular movement (e.g., steep slopes and natural curves that restrict sight lines, limited area for widening). These features include:

- Saint Vrain Creek and associated floodplain
- wetlands
- wildlife corridors
- geological features

Man-made elements serve as both amenities and obstacles depending on their location, capacity, and condition. These include:

- historic archaeological sites
- public infrastructure and utility facilities
- irrigation laterals/ditches
- roadways

The Eastern Corridor is also located below the Town's wastewater treatment facility, while its easternmost lift station is located nearly a quarter mile east of Stone Canyon Drive near US 36. Additional development in the Subarea will require the extension of sewer lines and a lift station.

Similar to these physical conditions, the characteristics of individual parcels in the Subarea, including their size, configuration and ownership structure, impact the area's ability to support desired land uses and development projects. Nearly 70% of the Subarea's property is owned by local interests, which is a positive indicator for advancing desired character and quality levels.

Regulatory impacts on development throughout the larger LPPA and individual Subareas, are currently prescribed by County codes for all properties located outside of the Lyons municipal boundaries and Town agreements with individual property owners on select properties within the various subareas, many dating back multiple decades. Upon annexation to the town, development will be informed by its municipal code and all adopted design and development guidelines that may be in effect. The IGA between Boulder County and the Town of Lyons describes locations where development may and may not occur, **some of which are impacted by conservation easements that run with certain properties, and others designated as Lyons Interest Area / Rural Preservation Areas (LIA / RPA)**. Within the Eastern Corridor, the IGA designates approximately 65 acres, or 24% of the subarea, as part of a “no-build zone,” and thereby precluding any development within these parcels. While a portion of the “no-build zone” is impacted by steep slopes or its adjacency to archaeologically-significant sites, several acres are located adjacent to the highway corridor, presenting some potential for development of non-residential uses, specifically commercial retail, restaurant, and entertainment (See **Exhibit 2-1**).

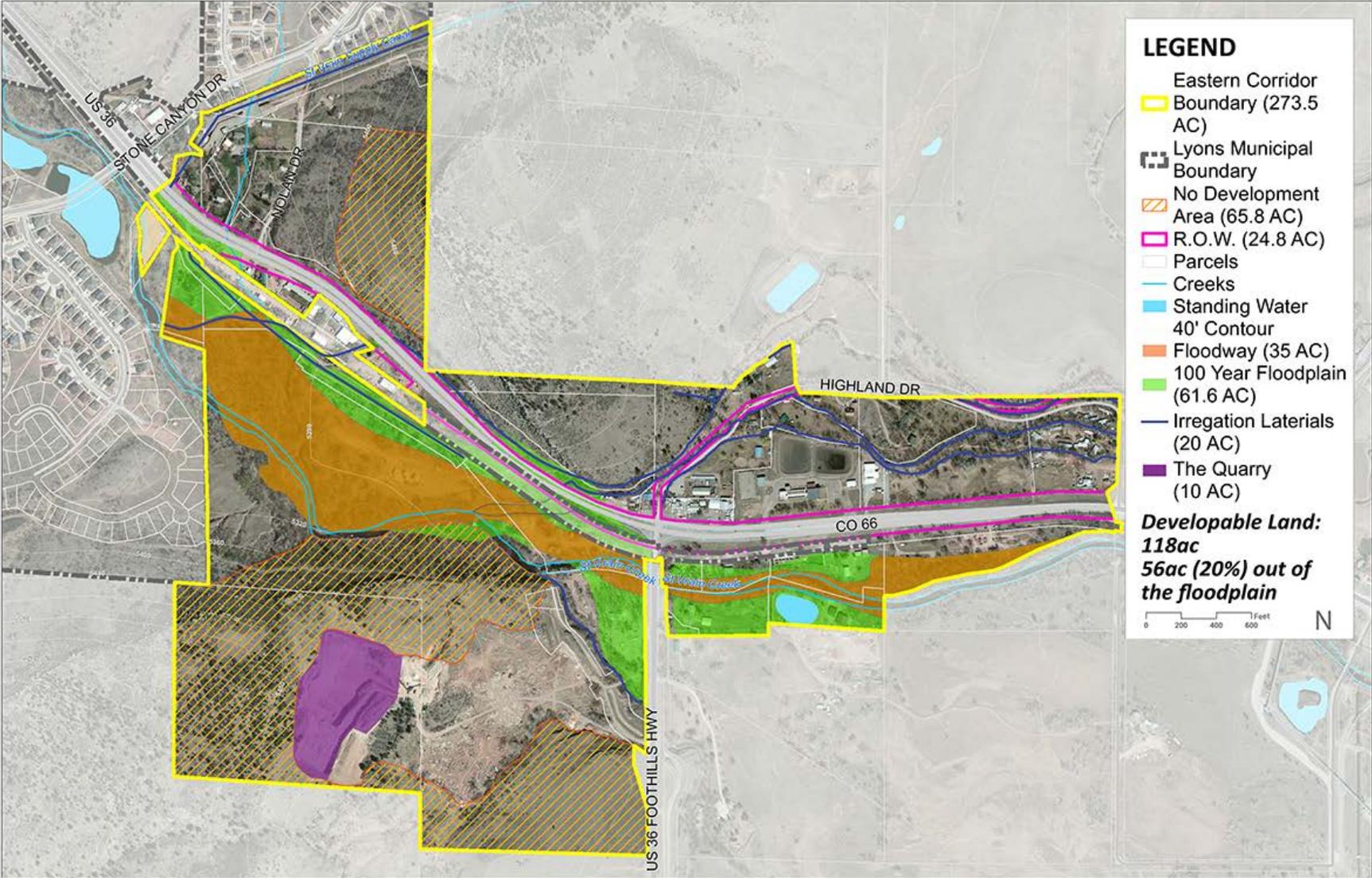
In addition to restricting the location of future development, the IGA also describes land use and density limitations **within select properties or portions of properties**. In addition to the IGA, certain Town policies limit the Study Area’s total developable acreage. **Other practices and rules** induce a level of uncertainty that effectively translates into a heightened level of risk and diminished threshold of feasibility for most annexation efforts. Additional Town-imposed rules restrict the productive reuse of **publicly-acquired properties**.

Among all of the conditions present within the Subarea, the ones with the greatest influence on development are those that effectively limit the area’s developable acres and development sites including:

- the location of physical accommodations for drainage (irrigation laterals);
- absence of adequate water and sewer infrastructure to serve new and more intense uses (although an utilities expansion is funded by an EDA Grant and will be completed by 2018);
- specific terms expressed in the IGA between the Town and County, particularly related to restrictions on **access to and within** certain parcels; and
- Town agreements and rules.

The net effect of these and other factors reduce the Subarea’s approximate 274 gross acres to fewer than 56 developable acres, or approximately 20% of the entire area (See **Exhibit 2-1**).

Exhibit 2-1: Eastern Corridor Subarea Net Developable Area



### South St. Vrain Corridor Subarea

Among the 191 properties and nearly 890 acres that comprise the LPPA, 30 properties totaling approximately 117 acres, are located in the South St. Vrain Corridor Subarea. Similar to significant portions of the larger Study Area, improvements in the Subarea are almost entirely comprised of low-density residential units, most of which could be classified as either rural and / or agricultural in character. Despite the presence of CO 7, a region-serving roadway, opportunities for future non-residential development are expected to be limited for the foreseeable future to temporary structures (e.g., produce stands and farmers' market). Constraints that preclude formal commercial operations include insufficient traffic counts (vehicular and non-vehicular), formal points of access (lack of curbs and gutters or driveways), irregular parcel configurations, and the presence of a floodplain. Perhaps the most significant factor affecting this Subarea's relationship to the existing Lyons community is its lack of connectivity to the Town at large. While the Subarea boundary is adjacent to the Town limits, CO 7 provides the only access, vehicular or otherwise.

As cited above, the existing pattern and character of development in the South St. Vrain Subarea is nearly entirely low-density residential, served by unimproved roadways (suboptimal by municipal standards which require curbs, gutters, sidewalks and adequate lighting). Other improvements are primarily public facilities and accommodations associated with the presence of South St. Vrain Creek.

#### Existing Conditions

A variety of conditions exist in the Subarea that individually and collectively impact the type, location, quality and character of development within its boundaries. These conditions, or influences, generally fall into one or more of the following categories: market, financial, physical, regulatory, and political. Those that present the most-costly obstacles to investment are discussed as follows.

While providing a heightened level of aesthetics, the Subarea's adjacency to the South St. Vrain Creek and Boulder County open space serve as limiting conditions to development. For instance, the presence of a critical wildlife habitat, floodplain and wetlands, collectively reduce the area's development acreage from approximately 117 to 56 acres. Land owners wishing to build in the floodplain would be required to obtain a floodplain development permit. Floodplain regulations would allow development if the landowner can demonstrate the proposed development would be built 2 feet above the 100-flood elevation. **Development within the floodway is prohibited by Town regulations.** Based on this information, best practices would suggest not allowing development within the floodplain in the South St. Vrain Subarea above what is currently allowed in the County rural residential regulations.

Man-made elements which have kept levels of investment modest include irrigation laterals and lack of adequate (municipal-level) water and sewer service. According to the Sanitary Sewer System Expansion Feasibility Study, this service could be extended to the Subarea for an estimated cost of approximately \$1.2 million.

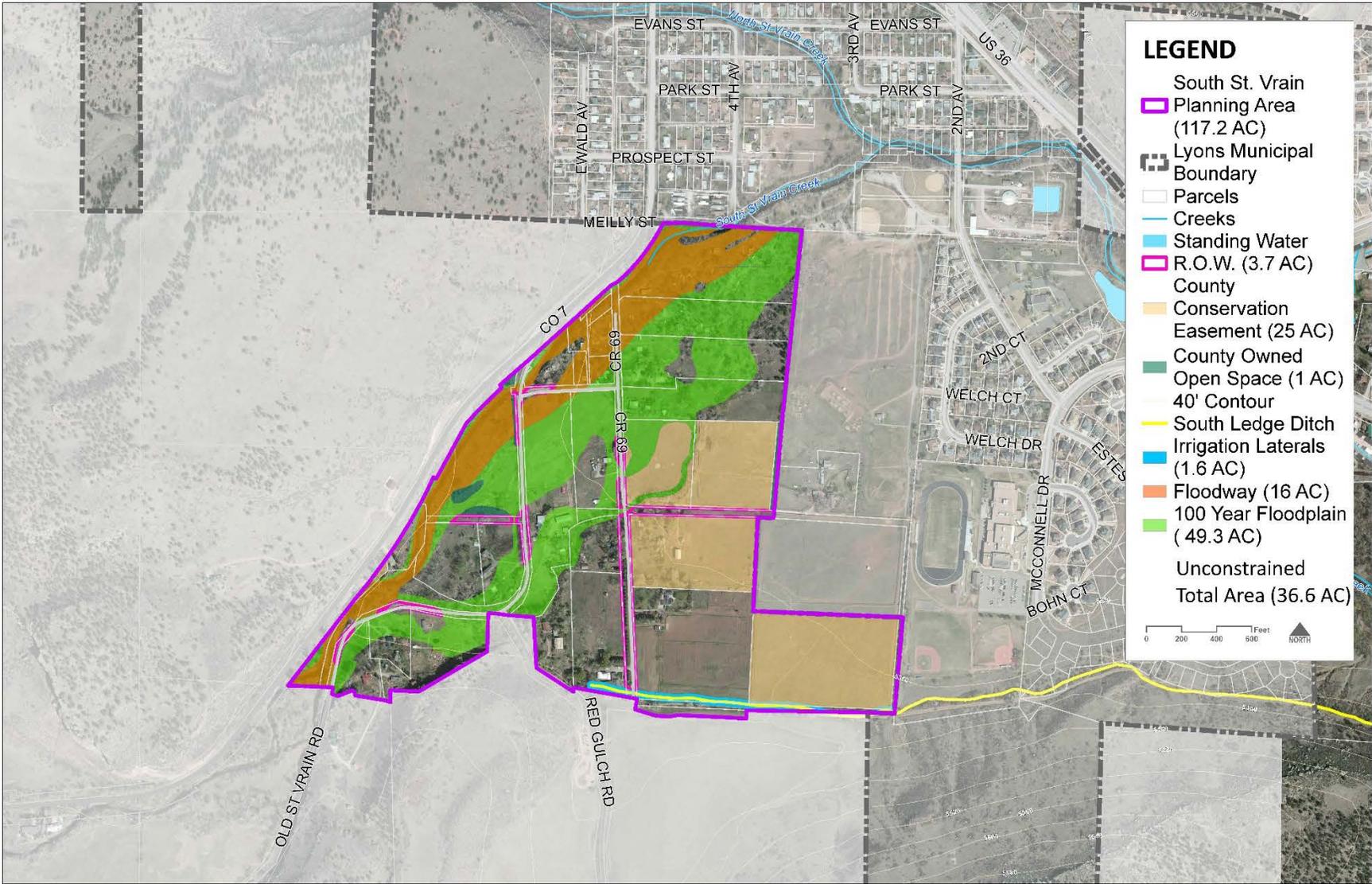
In addition to physical conditions, regulations impact development throughout the larger LPPA and within individual subareas, all of which are prescribed by County codes for properties located outside the Lyons municipal boundaries. The IGA between Boulder County and Town of Lyons, while only an agreement, identifies parcels within which development may and may not occur, some of which are impacted by conservation easements, and others designated as Lyons Interest Area / Rural Preservation Areas (LIA / RPA). Within the South St. Vrain Corridor, approximately 25 acres, or nearly 20% of the Subarea acreage is controlled by a conservation easement, a portion of which is further limited by unilateral agreements between the Town and select property owners, and an additional acre designated Boulder County open space. A Town rule that could effectively limit the long-term potential for development in the Subarea is related to the reuse of publicly-acquired land, specifically park space.

In combination, conditions present within the Subarea which limit developable acreage include:

- floodplains and floodways
- a wildlife migration corridor
- irrigation laterals/ditches
- County-owned open space
- conservation easements
- Town-imposed agreements and rules

The net effect of these and other factors reduce the Subarea's approximate 117 gross acres to 37 developable acres, or approximately 32% of the entire area (See **Exhibit 2-2**).

Exhibit 2-2: South St. Vrain Subarea Net Developable Area



### Apple Valley Subarea

Among the 191 properties and nearly 890 acres that comprise the LPPA, the Apple Valley Subarea includes 127 properties on 498 acres. The Subarea includes a range of parcel sizes, with the largest parcels approximately 30 acres in size and the smallest developed parcel approximately .6 acres in size. The Subarea, located northwest of the Town of Lyons, retains a distinctively rural feel because, like the South St Vrain Study area, the North St. Vrain Creek and Indian Lookout Mountain separate the Apple Valley from US 36 and the Town.

#### Existing Conditions

Environmental constraints of the Valley tend to isolate and separate it from the Town, impacting its development potential. Specifically, the constraints include:

- publicly owned properties
- a wildlife migration corridor
- archaeologically sensitive areas
- topography and steep slopes
- the North St. Vrain floodplain
- wildfire risks

Additionally, the Subarea's limited access, visibility, and connectivity to public infrastructure limit both commercial and residential opportunities. The Subarea is surrounded by public and deed-restricted properties. Internal to the Subarea, Boulder County is acquiring properties impacted by the 2013 flood, limiting their development opportunities. Properties purchased through the County's flood buy-out program will be required to remove built structures and retain public ownership. While the buy-out of these properties has not been finalized, from a planning perspective, they generally follow the 100-year floodplain of the North St. Vrain Creek. This combination of limited access and the 100-year floodplain presents a significant obstacle to commercial and higher-density residential development opportunities in the Subarea. For example, the 100-year floodplain and floodway separate developable land in the Subarea from US 36, constraining nearly 22% of the total land area in the Valley. The identified wetlands and sensitive wildlife habitats share the general shape of the existing 100-year floodplain. Land owners wishing to build in the floodplain would be required to obtain a floodplain development permit. Floodplain regulations would allow development if the landowner can demonstrate the proposed development would be built 2 feet above the 100-foot elevation. Development within the floodway is prohibited by Town regulations. Based on this information, best practices would suggest not allowing development within the floodplain in the Apple Valley Subarea above what is currently allowed in the County rural residential regulations.

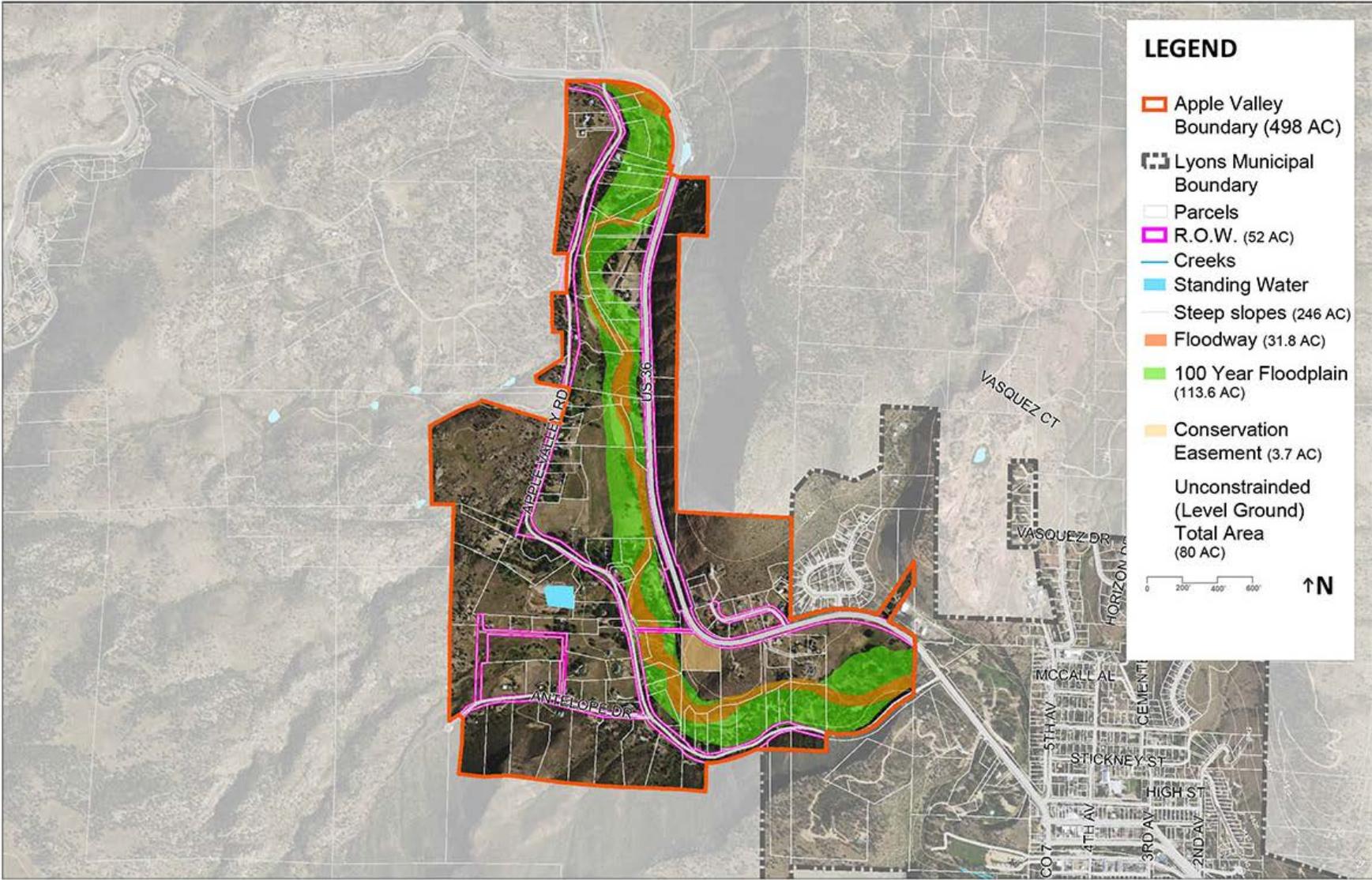
Most of the Subarea is in what is termed a “high risk” wildfire area. Smaller portions of the Subarea having steeper slopes are in the “severe” wildfire risk category. It is important to note the “severe” fire risk areas of the Subarea are generally located in, or near, the North St. Vrain’s 100-year floodplain. Unlike the 100-year floodplain, there are no local, state, or federal constraints associated with wildfire risk. However, as annexation requests from the Apple Valley are processed, best practices suggest no additional densities beyond what is allowed under county regulations be allowed in areas identified as having a “severe” fire risk. Allowed land uses in the Apple Valley should follow fire management best design practices of clustering homes and reducing fuels to minimize risks. Compounding the wildfire risk challenges within the Subarea, Apple Valley is constrained by its topography and surrounding slopes. 246 acres (49%) of the Apple Valley Subarea have slopes exceeding 20%. Wildfire risks and the difficulties of construction on steep slopes limit the development potential of nearly half of Apple Valley. Further, the rural design, the slower speed geometrics, and limited facilities for bicyclists and pedestrians on Apple Valley Road suggest safety improvements are needed to accommodate existing and future traffic anticipated with any additional development in the Valley. Traffic calming measures and a parallel walkway/trail are needed along Apple Valley Road to improve safety for all modes of travel and retain the rural qualities of the Valley. The Apple Valley Subarea has limited access to municipal infrastructure. Apple Valley can be gravity-fed to the Town’s wastewater treatment facility. Municipal infrastructure could follow the North St. Vrain Creek or Apple Valley Road. The costs of these extensions have been estimated at approximately \$1 million (as per the Sanitary Sewer System Expansion Feasibility Study).

In summary, four key issues and opportunities frame the Apple Valley Subarea:

1. The Apple Valley Subarea is physically the most separated within the LPPA.
2. Most parcels within the Apple Valley Subarea are located within either a High or Severe Area of Concern from Wildfires.
3. Floodplain and wetlands separate development opportunities from US 36.
4. Apple Valley Road’s rural street design limits development potential of the Subarea.

The net effect of these and other factors reduce the Subarea’s 498 gross acres to 80 developable acres, or approximately 16% of the entire area (See **Exhibit 2-3**).

Exhibit 2-3: Apple Valley Subarea Net Developable Area



### Limiting Factors within All Three Subareas

As noted, the conditions or influences which affect development and/or redevelopment in a community generally fall into one or more of the following categories: market, financial, physical, regulatory, and political. Across the three subareas within the LPPA, the following conditions represent limiting factors, or “barriers” to investment:

1. Existing IGA/ physical conditions limit how much development can be accommodated and where within all three subareas.
2. Physical conditions limiting total developable area include easements, limited access, lack of water and sewer, irrigation laterals (ditches), floodways and floodplains, parcel sizes and configurations.
3. The average size of parcels and developable area within parcels will limit the potential for unified development programs in the LPPA (assemblages will be essential).
4. Available parcels for commercial retail development are limited to those within the Eastern Corridor.
5. Market support for retail store types is limited over the near- and mid-term and primarily limited to destination and entertainment segments.
6. There are market-supported opportunities for a range of affordable housing products in each of the three subareas, however, these opportunities may require public-private partnerships.

Section 3:

## Framework Plan

The experience of other communities has shown that successful development and redevelopment initiatives effectively leverage existing land uses, public improvements, and community amenities, both existing and planned, in a manner that creates an identifiable "address" or environment for private investment. With this goal in mind, and with input from stakeholders, Town staff and members of the community, the LPPA Master Plan was prepared, addressing desired elements of the three subareas in their developed form. Reflected in the illustrations are transportation improvements supporting both vehicular and non-vehicular mobility, and supporting contiguity between established and new neighborhoods and activity centers. Collectively, the narrative and graphics should be used to inform priority initiatives, capital investments, and incentive decisions.

The discussion below provides highlights from an analysis of existing and anticipated market conditions, demographic and lifestyle characteristics, and prevailing industry trends that informed the identification of place types<sup>1</sup> described and reflected in the potential product concepts for the three subareas. The market discussion is followed by a narrative of the vision for each subarea and illustrations of issues and opportunities that will inform the timing and potential for future development. Lastly, estimates of potential fiscal impacts associated with possible development programs are presented.

Note that participants in the process expressed varying levels of support for development of any kind in the Planning Area and specific subareas. Therefore, recommendations regarding public and private improvements are based on an understanding of current conditions, market forces, and expressed objectives.

### The Market

Long-term community planning requires an understanding of the physical limitations of the area, as well as its market. The market analysis summarized herein focused on identifying opportunities for market-supported land uses within the Town of Lyons (the Town) and, more specifically, within the Lyons PPA. The purpose of the market analysis in the context of a planning effort such as this is fourfold:

- Provide a "reality check" for the conceptual planning effort;

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<sup>1</sup> Place types are land uses and product types that, in combination with supporting uses and enhancements, support an experience.

- Ensure that recommendations are grounded in market and economic reality;
- Set the stage for implementation; and
- Provide an accurate and independent “story” to tell potential development and investor audiences.

The analysis showed that there are market opportunities for the Town to capitalize on and, that with strategic public and private reinvestment and supportive policies, it could be successfully positioned to “capture” select niche and destination land uses.

Lyons is located **within Boulder County region**, an interconnected, regional Trade Area that includes the following communities: Boulder, Longmont, Louisville, Lafayette, Superior, Erie, Nederland, Ward, Jamestown, and Niwot. All of these are rapidly growing communities within the Denver-Boulder metropolitan area. Given Lyons’s location within this Trade Area, and particularly its access to US 36 and SH 66, the Town is poised to attract their fair share of future residential, commercial and employment growth over the next 20 years. Similar to the larger Trade Area, Lyons maintains a solid base of upper-middle to upper class demographics which encompass a broad diversity of psychographic / lifestyle groups. Lyon’s demographics reflect a more affluent (\$74,400 median household income compared to \$67,400 in the Trade Area) and slightly less highly-educated (56% with a college degree in the Town, 58% in the Trade Area) population. Both Town and Trade Area residents prefer to “age in place”, as evidenced by projected growth in the 65+ age group. This results in a relatively stable community environment, with residents preferring to move within the community as lifestyle forces dictate. This stability is further reinforced by a higher share of family-oriented households and higher homeownership figures as compared to the Trade Area, indicating an increased level of “investment” in the community. Lyons is dominated by upper class psychographic segments, indicating high retail spending and preferences for a variety of housing products.

Surrounded by attractive suburban and exurban alternatives, where single family housing dominates development growth, Lyons is poised to compete for residential diversity – providing housing products with high demand that are not being provided in the market (e.g., small lot single family, townhomes, rowhouses, patio homes, etc.). Demand for residential product types will continue to grow significantly over the next twenty years (over 32,200 total units in the Trade Area) with particularly strong growth in ownership price points ranging from \$300,000 to \$500,000 and rental rates ranging from \$800 to \$1,500 per month (in 2016 dollars). Significant demand also exists for affordable housing products – those which address residents making 60% or less of Area Median Income (AMI). These affordable housing products serve to support employers in Town in attracting service workers. There is also ample demand for housing products addressing residents making 80% to 120% of AMI. These products can also be targeted to existing and potential workers in the community. Lyons’ demographics, psychographics and community amenities should enable the Town to compete for a broader range of housing types, from single-family detached to niche products in higher demand.

Although comparatively modest in size and building class today, Lyon’s future as an employment center will likely expand, as its housing inventory expands and diversifies, regional growth in Boulder County continues, and the Town better markets its economic assets and natural amenities. Existing local businesses will have opportunities for expansion and new local-service businesses will find desirable office opportunities in future infill developments, while larger tracts will hold appeal for small business “cluster” development – potentially capturing a share of forecasted Trade Area employment growth (13.9 million square feet over the next 20 years). As the Town increases its prominence in Boulder County, it will be able to better compete for new businesses and begin to balance its future development growth in a more sustainable manner. A more detailed overview of the competitive market area within which Lyons competes for investment is presented in the Appendix.

### Target Markets

Lyons’ target demographics will continue to build on the area’s solid base of upper-middle to upper-class households. Several household types exist in the current trade area, ranging from established professionals who live a sophisticated, exclusive lifestyle, to young and mobile professionals who are more likely to rent than own. For the most part, these are well-educated consumers who are goal-oriented and financially savvy, but who value their free time, desiring a wide range of cultural and recreational amenities. Detailed descriptions of Lyons’ lifestyle segments are provided in the Appendix.

### Industry Trends

The Urban Land Institute (ULI), the lead membership organization representing real estate professionals nationally and internationally, issues an annual report based on input from its member developers, lenders and investors regarding prospects and product changes in the coming year. The following trends will have impacts on new development and redevelopment, not only nationwide, but in and near the Lyons Trade Area specifically.

#### Employment Space

- Investment and development prospects for research and development (R&D) are expected to improve, fueled by growth in the medical and technology industries.
- Telecom and computer innovations have made going to an office superfluous for many workers.

#### Retail

- Retail demand will continue to be driven by the needs and desires of Generation Y (the Millennials) and the Baby Boomers. Retail product types and locations will have to respond to the lifestyle characteristics of these two consumer groups.
- “Main Street” retail will continue to outperform other retail products, as it fits with the migration of population into urban environments.

However, it will be easier in markets with high volumes of traffic, population density, local employment generators, educational campuses, government offices and institutional operators such as hospitals.

- Smaller shopping centers are considered a “good” investment prospect, as long as they appropriately target each neighborhood’s different mix of tenants and formats.
- Smaller shopping centers are benefitting from the push toward “organic food products,” and stores that sell them, which often range in size from 20,000 to 25,000 square feet. Along these same lines, restaurants and food outlets are emerging at an unprecedented pace.
- There is a growing comfort among consumers with the emergence of professional offices in traditional retail centers, hosting massage therapists, dentists, yoga studios, fitness centers, and a range of medical doctors including plastic surgeons. Instead of thinking of these providers as strictly service providers, they are now considered a form of entertainment that reflects lifestyle preferences.

### **Residential**

- Urbanity in the suburbs (not just walkable new urbanist designs, but programming of space to encourage active lifestyles) will continue to be in demand as many consumers continue to be priced out of inner-Town locations.
- Shared amenities including parks, trails and open space will continue to be seen as an increasingly palatable alternative to large yards.
- Smaller household sizes, former homeowners (who lost homes), the high mobility rate among younger generations and an expanding population base will continue to drive demand for market-rate rental housing units, both attached and detached.
- Garden-style apartment development prospects will begin to decline with supply peaking this year and next as units that are incomplete but in the system are delivered to the market.
- The demand for senior housing will see sustained growth as the population ages.

### **Green Development**

- Sustainable building concepts will become standard in next-generation projects and existing buildings will increase efficiencies and retrofit new systems in order to compete.
- “Green” is considered a right of entry into the market since many corporations and governments have established policies and regulations making it mandatory.

### **Market Share**

A number of factors influence a community’s ability to capture investment and reinvestment dollars. These factors can be categorized as top down considerations; bottom up considerations; external considerations; and others. Some of these can be controlled by the Town (or stakeholder entities) and others cannot.

### “Top Down” Considerations

- Demand for certain land uses
- Demographic and psychographic conditions which support certain product types
- Untapped market niches (product voids)
- Competitive projects (proposed, planned and under construction)

### “Bottom Up” Considerations

- Physical capacity of the community or individual parcels to accommodate market-supported product types—in general, fewer physical constraints
- Vision and desire for certain uses and product types
- Size of parcels, parcel ownership (public and private), owner investment objectives
- Zoning and other regulations and the presence of easements

### External Considerations

- Delivery system—the builders/developers in the area and what they are willing and able to offer
- Financing markets—the availability of capital with reasonable funding terms for certain product types
- Market forces beyond those currently operating in the market (e.g., migration to the Denver-Boulder market area over the next 20 years who do not reflect the existing profile of residents and consumers)
- Availability and efficiency of public transit options to connect Lyons to the larger Denver-Boulder metro area

### Other Considerations

- Available resources to position and promote investment in the community
- Public support for a long-term vision

## Lyons PPA Market Capture

Within the Trade Area serving the Lyons community, there is expected to be significant growth over the next 20 years among all of the primary land uses and many of the product types within them. Further, the Town of Lyons is well-positioned to compete for a reasonable share of the market with potential capture rates ranging from 0.8% to 10% depending on the use and product type. Actual levels of development and absorption will

ultimately be dictated by numerous factors, not the least of which include:

- The physical capacity of select locations within the PPA to accommodate development;
- The desires of individual property owners;
- The community’s vision; and
- Available resources (financial, policy and regulatory) and the Town’s ability to position itself for investment.

**Table 3-1** summarizes potential Lyons absorption of land uses over the next 20 years.

**Table 3-1  
Lyons PPA Market Share Summary**

Land Use Type	Trade Area Demand (20-yr)	Lyons PPA											
		Eastern Corridor				South St. Vrain				Apple Valley			
		Market Share		Absorption (Units/Sq Ft)		Market Share		Absorption (Units/Sq Ft)		Market Share		Absorption (Units/Sq Ft)	
		Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
<b>Residential (Units):</b>													
Single Family/Cottage Home	15,300	0.8%	1.2%	122	184	0.2%	0.4%	31	60	0.5%	0.8%	80	120
Townhome	5,100	0.8%	1.2%	41	61	0.8%	1.2%	41	60	0.0%	1.2%	0	80
Apartments	9,300	0.8%	1.2%	74	112	0.0%	0.0%	0	0	0.0%	0.0%	0	0
<b>Residential Total</b>	<b>29,700</b>			<b>238</b>	<b>356</b>			<b>71</b>	<b>120</b>			<b>80</b>	<b>200</b>
<b>Non-Residential (Sq Ft):</b>													
Retail/Service	3,500,000	1.5%	2.0%	52,500	70,000	0.0%	0.0%	0	0	0.0%	0.0%	0	0
Employment (Office/Industrial)	13,900,000	1.0%	1.5%	139,000	208,500	0.0%	0.0%	0	0	0.0%	0.0%	0	0
<b>Non-Residential Total</b>	<b>17,400,000</b>			<b>191,500</b>	<b>278,500</b>			<b>0</b>	<b>0</b>			<b>0</b>	<b>0</b>
<b>Lodging (Rooms):</b>													
Lodging	935	6.0%	10.0%	56	94	0.0%	0.0%	0	0	0.0%	0.0%	0	0

\* Higher market shares for residential include greater affordable housing component.

Source: Ricker | Cunningham.

As shown, the Eastern Corridor Subarea is the only portion of the LPPA with the potential to attract nonresidential development. The St. Vrain and Apple Valley subareas are more suited to residential development, with the potential for affordable housing products. It should be noted that these

demand estimates reflect the LPPA’s potential “fair share” of new development growth. Actual development in these subareas will occur within the context of the strategic components and considerations provided within the entirety of this planning document.

## **Conclusion**

The degree to which the Lyons PPA is able to capture new demand within the Trade Area (and beyond) is a function of the development / redevelopment process itself. Strategic positioning of the LPPA in the future will depend on balanced zoning and land use regulations, as well as the Town’s willingness to make strategic public investments which will “leverage” private investment.

## The Vision

A planning area or community vision describes desired attributes and qualities a specified geography will possess, near- and long-term, as articulated by residents, business owners, community leaders, and others with a stake in its success. The following presents the vision and responsive development opportunities within each of the LPPA subareas.

### Eastern Corridor

The vision for the Eastern Corridor Subarea is . . .

*a commercial and employment-anchored gateway with uses including retail, restaurant and lodging operations serving day- 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 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.*

As discussed previously, the combination of -- physical conditions, parcel characteristics, land use agreements, and market opportunities -- influenced the various components of possible development concepts for the Eastern Corridor Subarea. Key considerations which impacted programming recommendations include those described below.

Highland Drive and SH 66 – The intersection of US 36 and SH 66 and entirety of the SH 66 frontage, represent the most viable opportunity for commercial and employment development in both the LPPA and entire town boundaries. Properties along Highland Drive, while separated from US 66 by several irrigation laterals, may preclude additional “layers” of commercial development, other than those unaffected by limited access and visibility (e.g., destinations). Natural constraints, combined with the distinctively unique rural character of properties located along Highland Drive, and presence of mature cottonwood stands, reinforces the viability of this location for residential development.

Loukonen Property – The Saint Vrain Creek floodplain and a portion of the “no development zone” separate the Loukonen parcel from SH 66, thereby limiting its ability to attract commercial development opportunities. Private property would provide a barrier to access to SH 66. In addition, development of property for right-of-way would trigger its conversion to a conservation easement under the existing IGA with Boulder County. Given the larger sizes of properties in this location, there is potential to attract employment land along with supporting commercial uses and select live-work opportunities, depending on their surrounding context. These opportunities would likely rely on access from US 36.

Stone Canyon /Nolan Drive– This portion of the Eastern Corridor subarea is the most contiguous to the town’s boundaries, and the best positioned to leverage successful commercial operations including the established wedding destination venue. This location is further well-positioned to evolve into a new neighborhood with improvements to US 36 and expansion of the commercial activities adjacent to the highway.

Development opportunities reflected in **Figures 3-1** through **3-6** include:

- A Lyons East Business District with a mix of uses, along with a new neighborhood between Highland Drive and SH 66;
- A Stone Canyon Visitor District and new neighborhood between Nolan Drive and Stone Canyon Drive; and
- An Industrial Live-Work Center and Commercial Recreation Area with uses including, campgrounds, outdoor storage facilities and lower density light employment uses in locations impacted by the creek floodplain.

Properties in the subarea that are located outside of the floodplain, and beyond the highway corridor, are recommended for residential products that diversify the area’s existing building stock, and advance key directives associated with affordable housing goals. Specific uses with near-term potential in the Eastern Corridor include:

- Small lot cottage homes;
- Accessory units;
- Live-Work spaces; and
- Senior housing facilities.

Proposed amenities and enhancements to the public realm include those that will unify uses, connect the subarea to centers of activity within the town boundaries, mitigate adverse physical conditions, and improve the area’s aesthetic appeal and climate for investment. These investments include:

Connectivity

- Upgrades to non-vehicular accommodations that afford safe connections to and between parcels;
- Construction of a recreation trail and greenway treatment adjacent to, or near, the Saint Vrain Creek;
- A sidewalk on the south side of US 36 and CO 66; and
- Enhanced streetscape enhancements and a gateway feature (potentially a roundabout) at the intersection of US 36 and CO 66.

Other

- Complete water and sewer utility lines and supporting infrastructure;
- Public spaces including a community garden; and
- Landscaping that buffers residences from impacts associated with commercial and industrial operations located along the corridor;

*Note: A roundabout (e.g., the intersection of US 36 and SH 66) was considered as a distinct feature to: foster safe travel by multiple traffic modes; reduce vehicular travel speeds; increase capacity; enhance "sense of place"; and reduce maintenance expenses.*

Whereas the Eastern Corridor is one of only a few locations in either the Town or LPPA with potential to support 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, and residential and municipal uses precluded from development. The exception to this would be when residential and municipal uses are physically integrated into a single building with other uses or when located in the northern portion of the Highland Drive area.

**Figure 3-1** summarizes issue and opportunities associated with potential development in the Eastern Corridor. **Figure 3-2** summarizes a potential market-supported development scenario for the Eastern Corridor. **Figure 3-3** provides a visual perspective of the potential development pattern that could emerge in the Eastern Corridor. Lastly, **Figures 3-4** through **3-7** illustrate market-supportive real estate products that could be accommodated in the Corridor. It should be noted that the product renderings illustrated herein take into account the Town's current development standards and codes.

Figure 3-1: Eastern Corridor Issues and Opportunities

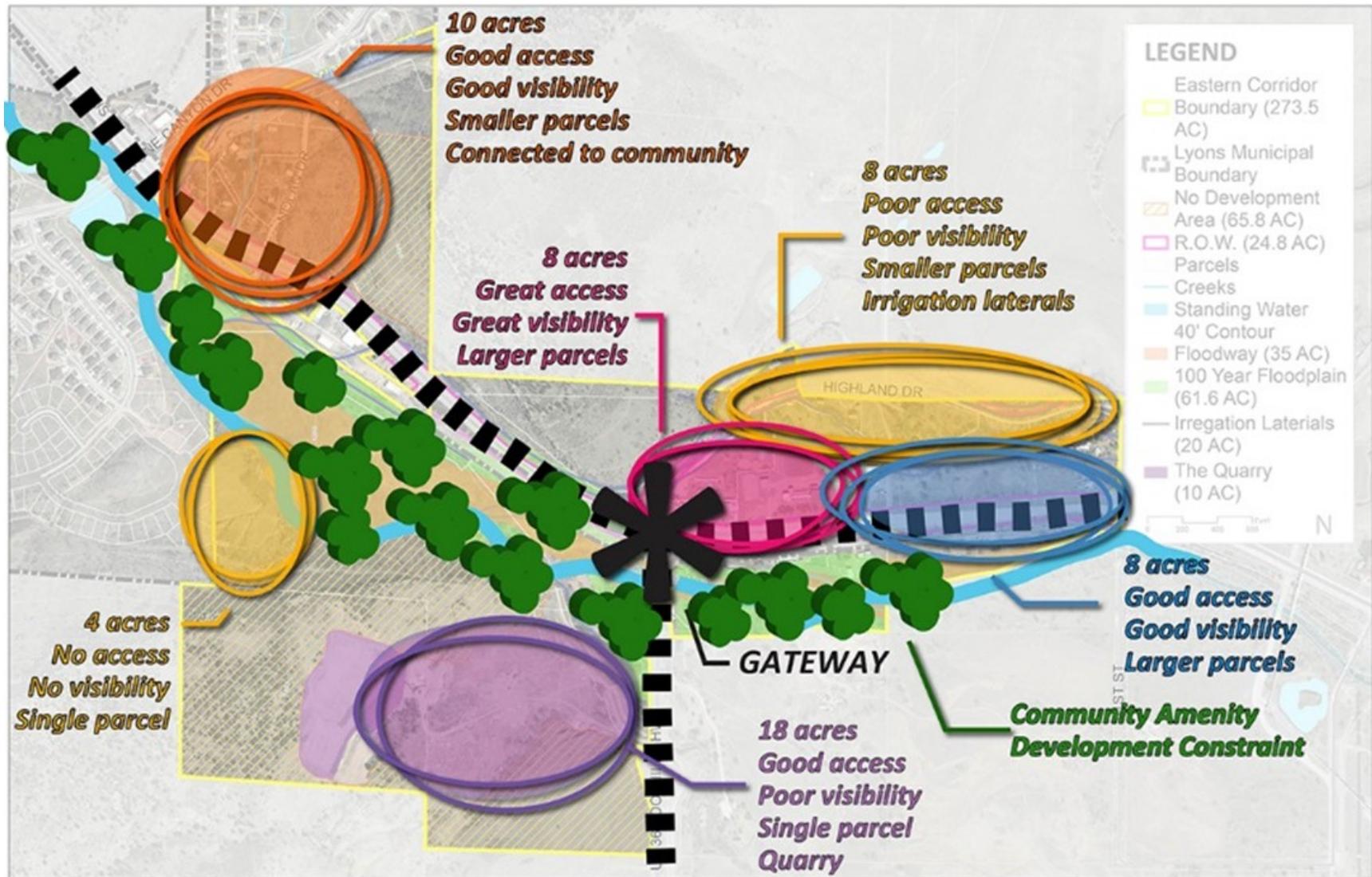


Figure 3-2: Eastern Corridor Potential Development Scenario

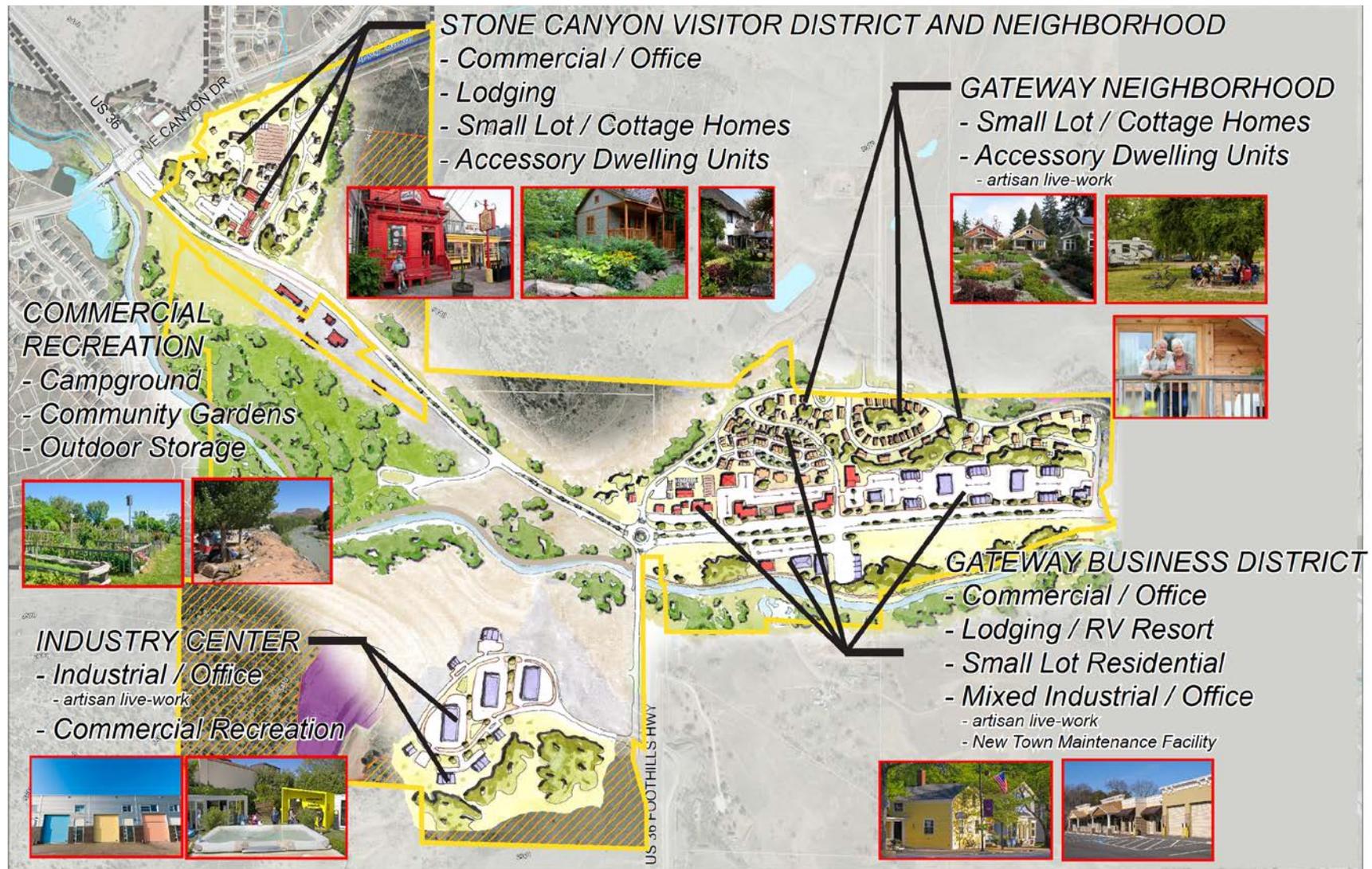


Figure 3-3: Eastern Corridor Perspective



Figure 3-4: Eastern Corridor Mixed-Use



Figure 3-5: Eastern Corridor Boutique Hotel



Figure 3-6: Eastern Corridor Live-Work



Figure 3-7: Eastern Corridor Affordable Housing (Small Cottages)



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## South St. Vrain Corridor

The vision for the South St. Vrain Corridor Subarea is . . .

*an established neighborhood of residences, rural in character and reflecting the community's heritage as a gateway to the Rocky Mountains. With features including steep slopes, Boulder County open space, and the South St. Vrain Creek Watershed surrounding and bisecting the area, any new improvements will be context-sensitive; consistent in character, design and intensity; and, introduced in a manner that preserves and protects the natural environment.*

A combination of physical conditions, parcel characteristics, land use agreements, and market opportunities, informed components of a potential development concept for the Subarea. **Figure 3-8** and the discussion that follows provide an overview of these considerations.

- Floodplain and wetlands that separate development opportunities from CO 7
- Number of parcels lying within a critical wildlife habitat and migration corridor
- Publicly-owned lands and easements that restrict potential development within properties otherwise suitable for residential development
- Proximity to town services, activity centers, and educational facilities
- Condition of CR 69 and its rural design that effectively limits the potential for certain development concepts and land uses
- Size and configuration of area properties that are further hampered by poor access and visibility; and
- Non-municipal levels of service and utilities

The discussion here highlights key components of a possible development concept that might include:

- Clusters of various housing products in locations with the fewest number of impediments (e.g., migration corridors, floodplain and wetlands, conservation easements); and
- Utility infrastructure and associated facilities.

Properties located outside of the floodplain, and beyond the highway corridor, could accommodate development of residential products that will

diversify the existing building stock and advance key directives associated with the Town's affordable housing objectives. Specific products with near-term potential for development in the Subarea include: small lot cottage homes, accessory units, live-work / farm to table operations, and senior housing facilities.

While participants expressed concern regarding any significant capital program of improvements in the area, the Sanitary Sewer System Expansion Feasibility Study, prepared by J-U-B Engineers, completed in September 2016, and commissioned for the purpose of "investigating the feasibility of constructing sewer infrastructure to serve properties in the vicinity of Apple Valley and Old St. Vrain Roads," identified the need for approximately 4,500 linear feet of sewer lines to serve 75 lots (more than double the number that currently exist), the cost of which was estimated to total approximately \$1.2 million dollars.

Acknowledging that it will take many years and multiple actions, by a host of individuals and entities with an interest in the area, to attract future sizeable concentrations of development; the experience of other communities that have successfully advanced similar initiatives has shown that the strategic approach with the highest likelihood of success needs to include area-wide and subarea-specific recommendations. To this end, the final Lyons Primary Planning Area Master Plan will identify the location of priority public improvements within each subarea.

Proposed investments in the South St. Vrain Corridor Subarea are generally related to the area's lack of adequate infrastructure for either existing or future residences. Despite limited support for public improvements that could threaten its current character, any sizable investment in utilities serving the area would warrant corresponding improvements in roadways and other infrastructure that together could leverage the public's commitment to the area, and support new development able to grow the community's municipal resources.

In March 2015, the Town amended an existing agreement with the Carroll family, owners of Lot 2 and the adjacent Lot E in the Bohn Park area. That agreement states that Lot E may only be used as a dog park by the community, the terms of which effectively serve as a conservation easement thereby precluding any other use or formal improvement. In order for a development concept for the parcels affected by the Carroll Agreement to be advanced, the Town would need to renegotiate said agreement." In addition, there is a Boulder County Open Space conservation easement on the property behind the dog park. In light of the recovery efforts associated with the flood of 2013, representatives of Boulder County Open Space indicated that the property could be considered for "replacement housing".

Figure 3-8 summarizes issue and opportunities associated with potential development in the South St. Vrain Corridor. Figures 3-9 and 3-10 illustrate market-supportive real estate products that could be accommodated in the Corridor. It should be noted that the product renderings illustrated herein take into account the Town’s current development standards and codes.

Figure 3-8: South St. Vrain Issues and Opportunities

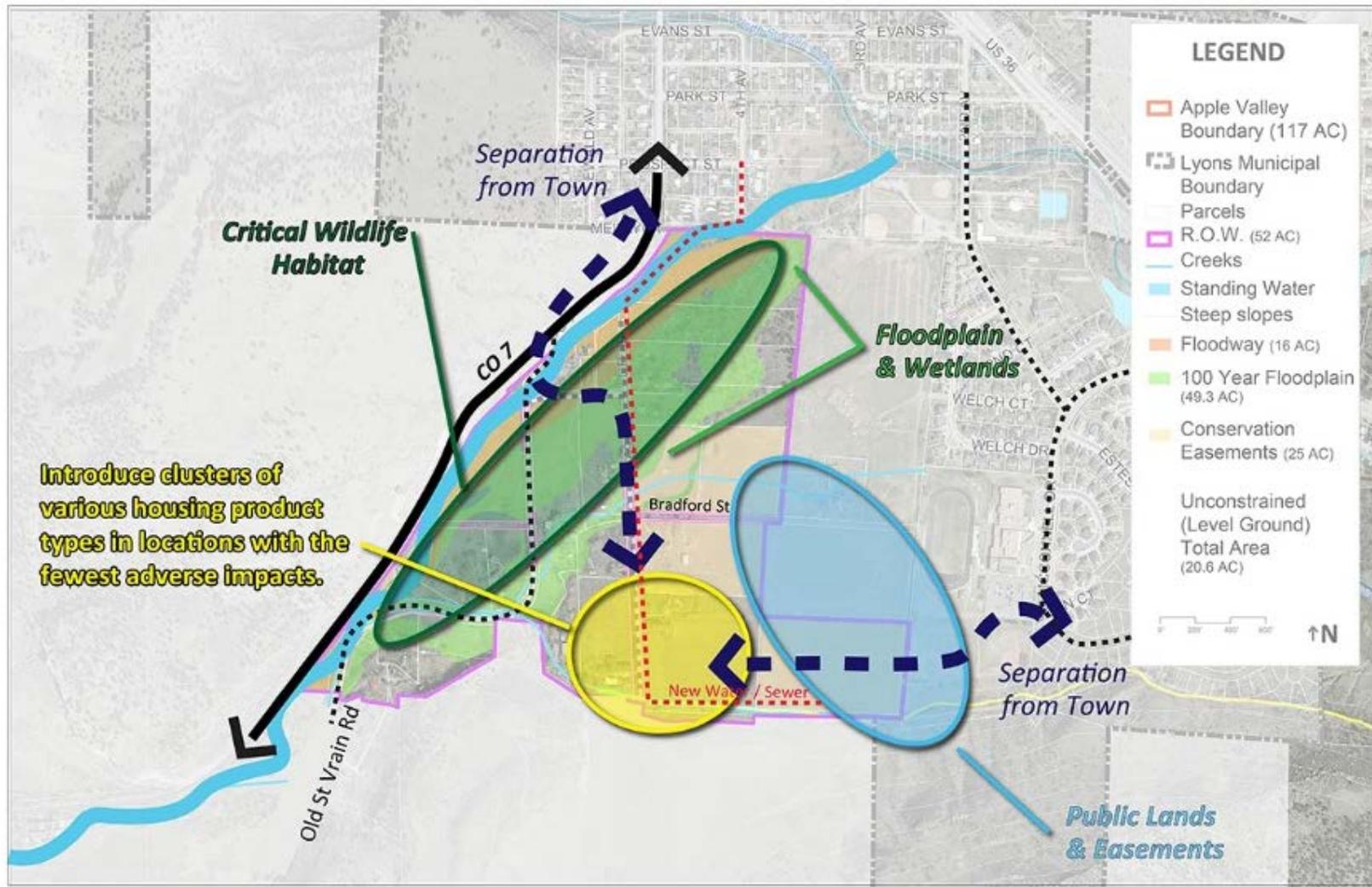


Figure 3-9: South St. Vrain Accessory Dwelling Units



Figure 3-10: South St. Vrain Small House Neighborhood



## Apple Valley

The vision for the Apple Valley Subarea is . . .

*A natural residential setting, rural in character and convenient to Town, yet sufficiently separate to be peaceful. With features including steep slopes, wildlife crossings, Boulder County open space, and the South St. Vrain Creek bisecting the area, any new improvements will be context-sensitive, consistent in character, design and intensity, and, introduced in a manner that preserves and protects the natural environment.*

A combination of physical conditions, parcel characteristics, land use agreements, and market opportunities, informed components of a potential development concept for the Subarea. **Figure 3-11** and the discussion that follows provide an overview of these considerations.

The discussion here highlights key components of a possible development concept that might include:

- Clusters of small lot housing products in locations with the fewest number of impediments (e.g., migration corridors, floodplain and wetlands, wildfire risk, and conservation easements);
- Traffic calming and parallel walkway/trail improvements on Apple Valley Road; and
- Utility infrastructure and associated facilities.

### Apple Valley Public Desires/Concerns

- A St. Vrain Creek that is functionally, visually, and aesthetically a natural “wild” stream
- A restored river that is ecologically healthy and robust riparian and aquatic ecosystem
- No artificial structures that inhibit natural flow
- No improvements that promote recreational usage
- Limit ingress and egress points to sites within the Town boundaries
- Provide signage and promote “put-in” locations and water use safety measures
- Town and County should adopt safe practice rules and protections for natural areas
- No access to river from buyout parcels or other public accommodations
- Private leases and corresponding maintenance of buyout parcels
- Restore areas damaged by flood
- Number of parcels lying within a critical wildlife habitat and migration corridor
- Portion of area subject to steep slopes and wildfire risk
- Archaeologically sensitive areas
- Publicly-owned lands and easements that restrict potential development within properties otherwise suitable for residential
- Distance to Town services, activity centers, and educational facilities
- Capacity of Apple Valley Road to accommodate additional development density
- Non-municipal levels of service and utilities

Properties located outside of the floodplain, and beyond the US 36 highway corridor, could accommodate development of residential products that will diversify the existing building stock and advance key directives associated with the Town’s affordable housing objectives. Specific products with

near-term potential for development in the Apple Valley include small lot cottage homes and accessory units. The unconstrained land available likely limits this type of development to smaller clusters of housing units, separated by open space and natural areas. An additional challenge to providing affordable housing units is the Subarea's distance and relative isolation from Town services and amenities.

As noted in Section 2, the Apple Valley Subarea has limited access to municipal infrastructure. The area could be gravity-fed to the Town's wastewater treatment facility and municipal infrastructure could follow the North St. Vrain Creek or Apple Valley Road. The costs of these extensions are not considered cost-prohibitive. Proposed investments in the Apple Valley Subarea are generally related to the area's lack of adequate infrastructure for future residences. Despite limited support for public improvements that could threaten its current rural character (as is the case of South St. Vrain), any investment in utilities serving the area would warrant corresponding improvements in roadways and other infrastructure that together could leverage the public's commitment to the area, and support new development able to grow the community's municipal resources.

**Figure 3-11** summarizes issue and opportunities associated with potential development in the Apple Valley. **Figures 3-12** and **3-13** illustrate market-supportive real estate products that could be accommodated in the Valley. It should be noted that the product renderings illustrated herein take into account the Town's current development standards and codes.

Figure 3-11: Apple Valley Issues and Opportunities

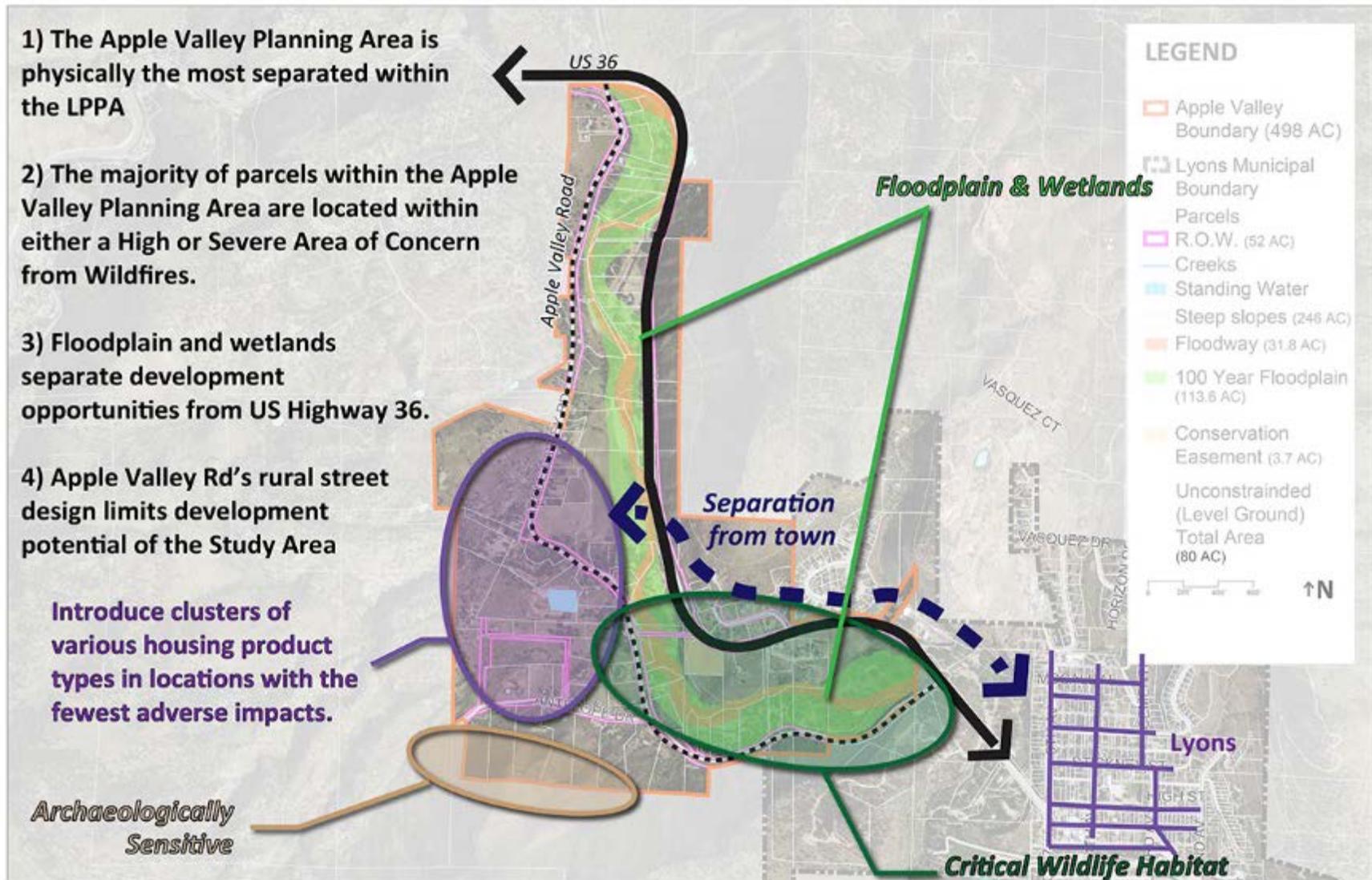


Figure 3-12: Apple Valley Accessory Dwelling Units



Figure 3-13: Apple Valley Small House Neighborhood



## The Challenges

As within any planning area, there are potential challenges or “barriers to investment” that prevent or delay development in physically constrained environments such as the LPPA. These challenges, or “barriers”, can be numerous, and sometimes difficult to identify. Experience has shown that they almost always fall into one of the following six categories: market; physical; financial; regulatory; political; and organizational. The analyses summarized herein indicate that, despite ample market opportunity in each of the three subareas, physical, financial, regulatory and political barriers exist at varying levels to potentially limit new development. These challenges are summarized below by overall LPPA and for each Subarea. Note that several of the challenges are relevant to more than one Subarea.

### Overall LPPA

- Few contiguous acres under single ownership
- Limited locations for viable commercial development
- **Public land** (Town, County, Federal)
- Cost of development given existing conditions
- Impending fiscal imbalance given zoning of remaining acres and parcels within Town
- Affordable housing objectives

### Eastern Corridor

- Town policies and practices
  - five-acre vote on potential annexations
- Elements of multi-jurisdictional agreements (IGA with Boulder County)
  - property access
  - boundaries
  - limits on land uses
- Existing and proposed locations of public facilities
  - public works (new)
- Limited net developable acres (due to)

- floodplains and floodways
- standing water
- irrigation laterals
- conservation easements
- topography
- threats from fire and flooding
- critical wildlife habitat
- natural landmarks
- geological hazards
- Resources available to assist with development financing “gaps”
  - tax increment financing (tif) boundaries

### South St. Vrain

- Town policies and practices
  - five-acre vote on potential annexations
  - agreements with individual property owners
  - reuse of public land
- Elements of multi-jurisdictional agreements (IGA with Boulder County)
  - limits on land uses
- Existing and proposed locations of public facilities
  - school
- Limited net developable acres (due to)
  - floodplains and floodways
  - irrigation laterals
  - conservation easements

- threats from fire and flooding
- critical wildlife habitat
- geological hazards
- Lack of municipal-level utilities/infrastructure

### Apple Valley

- Town policies and practices
  - five-acre vote on potential annexations
  - reuse of public land
- Elements of multi-jurisdictional agreements (IGA with Boulder County)
  - limits on land uses
- Limited net developable acres (due to)
  - floodplains and floodways
  - standing water
  - irrigation laterals
  - conservation easements
  - topography
  - threats from fire and flooding
  - critical wildlife habitat
  - geological hazards
- Lack of municipal-level utilities/infrastructure
- Resources available to assist with development financing “gaps”
  - public sources of money (buyouts -which carry restrictions on ownership and land use)

The development concepts presented earlier can only be accommodated if these barriers are removed, overcome or mitigated in some way to “ready the environment” for additional investment.

## The Impacts

Over the past decade, community planning efforts have increasingly considered the impacts of land use mix on municipal operating revenues and expenditures. Consideration of these “fiscal” implications ensures that the community “vision” is grounded in market and economic reality, and the Town’s future fiscal health or “balance” is maintained. The fiscal analysis is also designed to educate community stakeholders as to the fiscal implications of land use decisions and explain the relationship between revenue generation and service costs.

As part of the Lyons PPA Master Plan (the Plan) process, a fiscal analysis was conducted for the potential buildout of the LPPA’s current undeveloped property. The fiscal impact analysis considered a 20-year market cycle and focused on operating revenues and expenditures to the Town of Lyons and how they would be affected by the market-supported level of development over that period.

## Background

A community’s fiscal environment can be described as a “three-legged” stool, balancing nonresidential development, municipal services and amenities, and residential development. The first “leg” of the stool -- nonresidential development -- provides the majority of revenues (property, sales and use tax) to support municipal services. Municipal services and amenities -- the second “leg” -- attract residents and maintain their quality of life. The third “leg” -- residential development -- generates the spending and employees to support nonresidential businesses. In order for a community to operate in a fiscally sound manner, this balance must continually be maintained, especially through changing economic cycles. A community’s return on investment from development growth is largely determined by this balance.

As Lyons continues to evolve as a community, the Town recognizes the need for additional revenue-generating, nonresidential development to offset the costs of providing a high level of service and amenities to its residents.

## Methodology

An analysis of potential long-term fiscal operating impacts was completed at a macro level to determine the ability to generate a balance between revenues and expenditures. General assumptions used in the fiscal analysis included:

- The Town of Lyons’s current budget (2015) reflects a reasonable balance between revenues and expenditures.

- Future revenues (taxes and fees) are based on current (2016) market values for various development types (housing, retail, office, industrial, other).
- Future expenditures are based on current (2016) service costs per capita, including residents and employees.

The fiscal impact analysis consisted of the following components:

- Development Program resulting from the 20-year growth projections
- Buildout of residential (single family and multifamily) and non-residential (retail, office and industrial) land uses
- Mix of land uses
  - Overall balance between residential and nonresidential development
  - Development timing and absorption of uses (relates to market factors)
  - Location and direction of development
  - Efficiency of infrastructure to support development
  - Value of new development (on a per unit or per square foot basis)
  - Considers fiscal operating revenues/expenses only (general fund)
- Fiscal Revenue Estimates
  - Tax revenues (property, sales, use)
  - Franchise fees
  - Licenses and permits
  - Fees and charges
  - Fines and forfeitures
  - Other revenues
- Service Cost Estimates
  - Calculated on a per capita basis, including both residents and employees
- Net Fiscal Surplus/Deficit

- Difference between anticipated fiscal revenues and service costs

In completing the fiscal analysis, the following information was obtained and analyzed:

- Market, economic and fiscal information from Town staff;
- Secondary research related to the real estate development industry; and
- Data regarding local market conditions from area property managers, brokers, appraisers and other real estate professionals.

The following summarizes the fiscal analyses completed for 4 scenarios:

- Vacant and Zoned **Remaining Land** in Town
- Eastern Corridor buildout
- South St. Vrain buildout
- Apple Valley buildout

**Vacant and Zoned Remaining Land in Town**

In order to evaluate the Town’s short-term fiscal balance, an initial analysis was completed to show the fiscal impact of the Town’s buildout under current zoning. **Table 3-2** summarizes the Town’s remaining vacant land by zoning category and the potential level of development that could occur at buildout. Based on this level of expected development, **Table 3-3** shows the potential revenue that could be generated for the Town.

**Table 3-2  
Potential Development – Town Buildout**

Zoning Category	Potential Development		
	Acres	Units*	Sq Ft*
A-1	44.8	9	0
A-2	5.2	0	0
R-1	20.6	62	0
R-2	0.7	6	0
R-2A	0.1	1	0
B	0.6	0	6,534
CD	0.1	0	1,089
<b>Total</b>	<b>72.1</b>	<b>77</b>	<b>7,623</b>

\*Based on following densities:

A-1	0.2	units/acre
R-1	3	units/acre
R-2	8	units/acre
Commercial	25%	building to land ratio

**Table 3-3  
Town Buildout – Revenue Generation**

Product Type	Town of Lyons	
	Added Taxable Value @ Buildout	Added Property Tax Revenue
<b>Residential:</b>		
Single Family Detached	\$2,816,248	\$44,204
Townhome/Condo	\$140,096	\$2,199
Apartments	\$0	\$0
<b>Non-Residential:</b>		
Retail/Service	\$265,280	\$4,164
Employment (Office/Industrial)	\$132,640	\$2,082
	<b>Property Tax*</b>	<b>\$52,649</b>
	<b>Sales Tax**</b>	<b>\$22,869</b>
	<b>Total Tax Revenues</b>	<b>\$75,518</b>
	<b>Other Revenues ***</b>	<b>\$43,711</b>
	<b>Total Revenues</b>	<b>\$119,228</b>

\* based on City .015696 property tax rate.

\*\* based on estimated retail sales of \$250 per square foot and 2% sales tax rate.

\*\*\*based on 2015 general fund revenues from permits, fees, licenses, fines, etc. -- per capita of \$187.

The level of expected development shown in **Table 3-2** will also generate service costs to the Town. **Table 3-4** shows the relationship between these revenues and expenditures, which results in a net **deficit** for the Town. The anticipated net deficit generated by development of the Town’s remaining vacant land is an indication of how tenuous the Town’s fiscal balance remains. The consideration of the LPPA as a potential expansion of the Town’s boundaries presents opportunities for revenue-generating land uses to address this potential imbalance.

**Table 3-4  
Town Buildout – Net Fiscal Impact**

New Residents/Employees	Town of Lyons
Residents	227
Retail Employees	11
Office/Industrial Employees	10
<b>Total</b>	<b>249</b>

Resident/employee estimates based on:

Single Family Detached	3.0 household size
Townhome/Condo	2.3 household size
Apartments	1.8 household size
Retail	400 Sq Ft per Employee
Office/Industrial	300 Sq Ft per Employee

Net Surplus/Deficit	Town of Lyons	
	Added Residents / Employees	Added Annual Service Costs*
Residents	227	\$166,785
Retail Employees	4	\$2,800
Office/Industrial Employees	3	\$2,489
	<b>Total Service Costs</b>	<b>\$172,075</b>
	<b>Total Revenues</b>	<b>\$119,228</b>
	<b>Total Surplus/Deficit</b>	<b>-\$52,846</b>
	<b>% Surplus/Deficit</b>	<b>-31%</b>

\*based on 2015-2016 general fund expenditures per capita of \$735.

Note: Service cost impacts of employees estimated at 1/3 of residents.

Source: Ricker | Cunningham.

**Eastern Corridor Buildout**

Based on the LPPA market analysis, **Table 3-5** summarizes the potential buildout of the Eastern Corridor subarea.

**Table 3-5  
Potential Eastern Corridor Buildout**

Land Use Type	Trade Area Demand (20-yr)	Eastern Corridor Planning Area Market Share	Estimated Absorption
<b>Residential (Units):</b>			
Single Family Detached	15,300	1.0%	153
Townhome	5,100	1.0%	51
Apartments	9,300	1.0%	93
<b>Residential Total</b>	<b>29,700</b>	<b>1.0%</b>	<b>297</b>
<b>Non-Residential (Sq Ft):</b>			
Retail/Service	3,500,000	2.0%	70,000
Employment (Office/Industrial)	13,900,000	1.5%	208,500
<b>Non-Residential Total</b>	<b>17,400,000</b>	<b>1.6%</b>	<b>278,500</b>

Based on this level of expected development, **Table 3-6** shows the potential revenue that could be generated for the Town.

**Table 3-6  
Eastern Corridor Buildout – Revenue Generation**

Product Type	Eastern Corridor Planning Area	
	Added Taxable Value @ Buildout	Added Property Tax Revenue
<b>Residential:</b>		
Single Family Detached	\$6,089,400	\$95,579
Townhome	\$1,116,390	\$17,523
Apartments	\$1,480,560	\$23,239
<b>Non-Residential:</b>		
Retail/Service	\$4,060,000	\$63,726
Employment (Office/Industrial)	\$9,069,750	\$142,359
	<b>Property Tax*</b>	<b>\$342,426</b>
	<b>Sales Tax**</b>	<b>\$350,000</b>
	<b>Total Tax Revenues</b>	<b>\$692,426</b>
	<b>Other Revenues ***</b>	<b>\$192,930</b>
	<b>Total Revenues</b>	<b>\$885,355</b>

\* based on City .015696 property tax rate.

\*\* based on estimated retail sales of \$250 per square foot and 2% sales tax rate.

\*\*\*based on 2015 general fund revenues from permits, fees, licenses, fines, etc. -- per capita of \$187.

The level of expected development shown in **Table 3-5** will also generate service costs to the Town. **Table 3-7** shows the relationship between these revenues and expenditures, which results in a net **surplus** for the Town.

**Table 3-7**  
**Eastern Corridor Buildout – Net Fiscal Impact**

New Residents/Employees	Eastern Corridor Planning Area
Residents	744
Retail Employees	175
Office/Industrial Employees	695
<b>Total</b>	<b>1,614</b>

Resident/employee estimates based on:

Single Family Detached	3.0 household size
Townhome	2.3 household size
Apartments	1.8 household size
Retail	400 Sq Ft per Employee
Office/Industrial	300 Sq Ft per Employee

Net Surplus/Deficit	Eastern Corridor Planning Area	
	Added Residents / Employees	Added Annual Service Costs*
Residents	744	\$546,423
Retail Employees	58	\$42,860
Office/Industrial Employees	232	\$170,214
	<b>Total Service Costs</b>	<b>\$759,496</b>
	<b>Total Revenues</b>	<b>\$885,355</b>
	<b>Total Surplus/Deficit</b>	<b>\$125,859</b>
	<b>% Surplus/Deficit</b>	<b>17%</b>

\*based on 2015-2016 general fund expenditures per capita of \$735.

Note: Service cost impacts of employees estimated at 1/3 of residents.

Source: Ricker | Cunningham.

The anticipated net surplus generated by development of the Eastern Corridor has the potential to assist in “correcting” the Town’s current imbalance between residential and nonresidential development.

**South St. Vrain Buildout**

Based on the LPPA market analysis, **Table 3-8** summarizes the potential buildout of the South St. Vrain subarea.

**Table 3-8  
Potential South St. Vrain Buildout**

Land Use Type	Trade Area Demand (20-yr)	South St. Vrain Planning Area Market Share	Estimated Absorption
<b>Residential (Units):</b>			
Cottage Home	15,300	0.4%	60
Townhome/Rowhome	5,100	1.2%	60
Apartments	9,300	0.0%	0
<b>Residential Total</b>	<b>29,700</b>	<b>0.4%</b>	<b>120</b>
<b>Non-Residential (Sq Ft):</b>			
Retail/Service	3,500,000	0.0%	0
Employment (Office/Industrial)	13,900,000	0.0%	0
<b>Non-Residential Total</b>	<b>17,400,000</b>	<b>0.0%</b>	<b>0</b>

Based on this level of expected development, **Table 3-9** shows the potential revenue that could be generated for the Town.

**Table 3-9  
South St. Vrain Buildout – Revenue Generation**

Product Type	South St. Vrain Planning Area	
	Added Taxable Value @ Buildout	Added Property Tax Revenue
<b>Residential:</b>		
Cottage Home	\$1,432,800	\$22,489
Townhome/Rowhome	\$1,194,000	\$18,741
Apartments	\$0	\$0
<b>Non-Residential:</b>		
Retail/Service	\$0	\$0
Employment (Office/Industrial)	\$0	\$0
	<b>Property Tax*</b>	<b>\$41,230</b>
	<b>Sales Tax**</b>	<b>\$0</b>
	<b>Total Tax Revenues</b>	<b>\$41,230</b>
	<b>Other Revenues ***</b>	<b>\$59,351</b>
	<b>Total Revenues</b>	<b>\$100,582</b>

\* based on City .015696 property tax rate.

\*\* based on estimated retail sales of \$250 per square foot and 2% sales tax rate.

\*\*\*based on 2015 general fund revenues from permits, fees, licenses, fines, etc. -- per capita of \$187.

The level of expected development shown in **Table 3-8** will also generate service costs to the Town. **Table 3-10** shows the relationship between these revenues and expenditures, which results in a net **deficit** for the Town.

**Table 3-10**  
**South St. Vrain Buildout – Net Fiscal Impact**

New Residents/Employees	South St. Vrain Planning Area
Residents	318
Retail Employees	0
Office/Industrial Employees	0
<b>Total</b>	<b>318</b>

Resident/employee estimates based on:

Cottage Home	3.0 household size
Townhome	2.3 household size
Apartments	1.8 household size
Retail	400 Sq Ft per Employee
Office/Industrial	300 Sq Ft per Employee

Net Surplus/Deficit	South St. Vrain Planning Area	
	Added Residents / Employees	Added Annual Service Costs*
Residents	318	\$233,646
Retail Employees	0	\$0
Office/Industrial Employees	0	\$0
	<b>Total Service Costs</b>	<b>\$233,646</b>
	<b>Total Revenues</b>	<b>\$100,582</b>
	<b>Total Surplus/Deficit</b>	<b>-\$133,064</b>
	<b>% Surplus/Deficit</b>	<b>-57%</b>

\*based on 2015-2016 general fund expenditures per capita of \$735.

Note: Service cost impacts of employees estimated at 1/3 of residents.

Source: Ricker | Cunningham.

The anticipated net **deficit** generated by development of the South St. Vrain area would potentially add to the Town’s fiscal imbalance, primarily due to the lack of market-supportable nonresidential development.

**Apple Valley Buildout**

Based on the LPPA market analysis, **Table 3-11** summarizes the potential buildout of the Apple Valley subarea.

**Table 3-11  
Potential Apple Valley Buildout**

Land Use Type	Trade Area Demand (20-yr)	Apple Valley Planning Area Market Share	Estimated Absorption
<b>Residential (Units):</b>			
Small Lot Single Family	15,300	0.3%	41
Townhome/Rowhome	5,100	0.2%	9
Apartments	9,300	0.0%	0
<b>Residential Total</b>	<b>29,700</b>	<b>0.2%</b>	<b>50</b>
<b>Non-Residential (Sq Ft):</b>			
Retail/Service	3,500,000	0.0%	0
Employment (Office/Industrial)	13,900,000	0.0%	0
<b>Non-Residential Total</b>	<b>17,400,000</b>	<b>0.0%</b>	<b>0</b>

Based on this level of expected development, **Table 3-12** shows the potential revenue that could be generated for the Town.

**Table 3-12  
Apple Valley Buildout – Revenue Generation**

Product Type	Apple Valley Planning Area	
	Added Taxable Value @ Buildout	Added Property Tax Revenue
<b>Residential:</b>		
Small Lot Single Family	\$979,080	\$15,368
Townhome/Rowhome	\$179,100	\$2,811
Apartments	\$0	\$0
<b>Non-Residential:</b>		
Retail/Service	\$0	\$0
Employment (Office/Industrial)	\$0	\$0
	<b>Property Tax*</b>	<b>\$18,179</b>
	<b>Sales Tax**</b>	<b>\$0</b>
	<b>Total Tax Revenues</b>	<b>\$18,179</b>
	<b>Other Revenues ***</b>	<b>\$26,820</b>
	<b>Total Revenues</b>	<b>\$44,999</b>

\* based on City .015696 property tax rate.

\*\* based on estimated retail sales of \$250 per square foot and 2% sales tax rate.

\*\*\*based on 2015 general fund revenues from permits, fees, licenses, fines, etc. -- per capita of \$187.

The level of expected development shown in **Table 3-11** will also generate service costs to the Town. **Table 3-13** shows the relationship between these revenues and expenditures, which results in a net **deficit** for the Town.

**Table 3-13**  
**Apple Valley Buildout – Net Fiscal Impact**

New Residents/Employees	Apple Valley Planning Area
Residents	144
Retail Employees	0
Office/Industrial Employees	0
<b>Total</b>	<b>144</b>

Resident/employee estimates based on:

Single Family Detached	3.0 household size
Townhome	2.3 household size
Apartments	1.8 household size
Retail	400 Sq Ft per Employee
Office/Industrial	300 Sq Ft per Employee

Net Surplus/Deficit	Apple Valley Planning Area	
	Added Residents / Employees	Added Annual Service Costs*
Residents	144	\$105,581
Retail Employees	0	\$0
Office/Industrial Employees	0	\$0
	<b>Total Service Costs</b>	<b>\$105,581</b>
	<b>Total Revenues</b>	<b>\$44,999</b>
	<b>Total Surplus/Deficit</b>	<b>-\$60,583</b>
	<b>% Surplus/Deficit</b>	<b>-57%</b>

\*based on 2015-2016 general fund expenditures per capita of \$735.

Note: Service cost impacts of employees estimated at 1/3 of residents.

Source: Ricker | Cunningham.

The anticipated net **deficit** generated by development of the Apple Valley area would potentially add to the Town’s fiscal imbalance, primarily due to the lack of market-supportable nonresidential development.

## Summary

The fiscal analysis highlights how critical land use decisions are to a community's financial well-being. The ability to effectively balance revenues and expenditures will ensure that residents will continue to enjoy quality municipal services and community amenities. This analysis has shown that the Town's future short-term land use mix will likely result in a net deficit for the Town, in terms of operating revenues and expenditures. Of the three subareas that comprise the LPPA, only the Eastern Corridor provides an opportunity to accommodate revenue-generating land uses designed to maintain the Town's long-term fiscal health. Lastly, the analysis can be utilized as a tool to measure impacts from development/redevelopment projects as they come forward. In this way, the Town will be able to "benchmark" revenue and expenditure impacts on a periodic basis.

Section 4:

## Implementation

The approach to position the LPPA for desired investment, and for the Town to receive annexation and development requests, is based on an awareness of existing conditions and understanding of desired outcomes, collectively tempered with market realities. Major components of the approach include:

- **Vision** for each Subarea (presented in Section 3)
- Potential **Challenges**, or “**Barriers to Investment**” that might limit development opportunities in the LPPA
- Parameters for land use decisions throughout the LPPA, referred to herein as **Guiding Principles**
- Identification of **Strategic Public Initiatives** necessary to catalyze private development and leverage public improvements

Development in the Planning Area is anticipated to occur at modest levels over multiple decades based on numerous findings identified during the planning process and presented in previous sections of this Master Plan. Issues that will delay and temper annexation and development requests can generally be organized under the following topics – market, physical, financial, regulatory, and political. While many of the issues, or conditions, within these categories could serve to catalyze investment, others will pose barriers. Based on input received during the planning process, property and business owners within and outside the Town boundaries have opinions on both sides of the growth debate. Pros and cons of annexation identified during the planning process include:

### Pros

- Access to municipal-level services and amenities
- Greater access to elected representatives
- Increase in non-residential development to enhance Town’s fiscal “balance”
- Address deficit in affordable and attainable housing

### Cons

- **Preservation of rural** density and lifestyle

- Increased service costs associated with new residential development
- Higher property taxes for Town residents

The information that follows includes: a summary of challenges, or barriers to investment; a list of guiding principles for use by appointed and elected officials; key findings that informed the planning concepts and required actions; and, a focused discussion about those initiatives the Town should take in order to “ready the environment” for the type, character, quality and intensity of development that most closely aligns with the stated vision and objectives for each of the subareas and the LPPA as a whole. This said, Lyons’ leadership recognizes that, even with these efforts, the decision to apply for annexation is a discretionary one left to individual property owners. Of course, the Town has full discretion on whether or not an annexation petition is approved. Actions by the Town to improve investment conditions will not necessarily, or retroactively, result in an increase in the number of these requests.

### **Challenges or “Barriers to Investment”**

As detailed in Section 3, there are potential challenges, or “barriers to investment”, that prevent or delay development in physically constrained environments such as the LPPA. These challenges, or “barriers” can be numerous, and sometimes difficult to identify. Experience has shown that they almost always fall into one of the following six categories: market; physical; financial; regulatory; political; and organizational. The analyses summarized herein indicate that, despite ample market opportunity in each of the three subareas, physical, financial, regulatory and political barriers exist at varying levels to potentially limit new development.

### **Guiding Principles**

*Guiding Principles are defined as . . .*

*“representing a broad philosophy that guides an organization or entity throughout its life in all circumstances, irrespective of changes in its goals, strategies, or leadership at any level. In this application, they should be considered in instances where there is ambiguity between a specific land use or zoning request and the stated intent of a subarea development concept; as well as when considering an appropriate role for the Town when partnering to advance priority projects.”*

While the purpose of this Master Plan is to inform land use decisions in the LPPA, it is a policy, rather than a regulating document. As such, additional resources are needed to protect the vision and ensure alignment among the Town’s regulating documents, particularly those that will inform development within its boundaries. Before any inconsistencies or gaps in the code can be addressed, appointed and elected officials should rely on the intentions expressed herein, along with the parameters, or guiding principles, that are intended to serve as a reference for sound decision-making. Regarding amendments to existing regulations and development standards, while general recommendations are provided here, this Master Plan recommends that a more thorough review be conducted in order to ensure that requirements are appropriate for prevailing and anticipated market conditions, and that they will yield desired results.

1. Planning and development will consider the value and significance of existing improvements and homes.
2. Land uses and product types will advance the Town’s goal for a more diverse economy (as expressed in the 2010 Comprehensive Plan).
3. Homes in the Area will address the needs of residents at different life stages and income levels.
4. Investment will be high quality, distinctive, context-sensitive and consistent with the Area’s existing character.
5. Mobility improvements in the Area will be both vehicular and non-vehicular, and will connect to activity centers within the town.
6. Development will balance growth through efficient development partners.
7. The scale of development will balance economic feasibility with environmental sensitivity and its physical context.
8. Natural and open spaces will be integrated into new developments, yet protected from potential adverse impacts.
9. The Town will partner with private owners and other property interests in delivering desired capital and infrastructure improvements to the Area.
10. Commercial and primary employment uses will be pursued in the near-term and encouraged to locate within the US 36 / CO 66 corridor.

## **Strategic Public Initiatives**

*Strategic Public Initiatives are intended to . . .*

*reinforce their respective goal and identify essential elements of the community “infrastructure” necessary for effective decision-making related to land use, capital investments and available resources.*

The Framework Plan described in Section 3 illustrates a potential desired outcome for the LPPA and the three Subareas. Inherent in the Plan for land uses, products and improvements is the assumption that certain strategic initiatives will be advanced that effectively foster a favorable environment for development. These initiatives, or actions, are both LPPA-wide and subarea-specific and are intended to address all categories of conditions that pose either barriers to, or opportunities for, investment.

1. Evaluate the “five-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.
2. Explore amending specific elements of the existing IGA between Boulder County and the Town of Lyons, particularly the boundaries of the Planning Area and the conversion of property used for access to a conservation easement.
3. Consider a requirement to retroactively include annexed areas in the recently completed Lyons Urban Renewal Plan Area. This financing mechanism could be used to assist in future public improvements.
4. Establish a policy that requires that affordable housing units and projects be dispersed throughout the Planning Area and located in appropriate locations depending on their targeted market.
5. Review existing zoning designations (Eastern Corridor and PUD-MU) in light of desired development in the Planning Area, and if necessary, establish a new designation which reflects market realities and more effectively supports expressed intentions.
6. Review existing design and development guidelines in light of desired development in the Planning Area, and if necessary, amend them to reflect market realities and protect the expressed vision.
7. Consider using the Urban Renewal Authority as a vehicle to acquire and position properties for development by private entities, as well as finance capital improvements.
8. Consider limiting development of residential units within properties located adjacent to the SH 66 corridor, except those physically integrated into a shared structure with other non-residential uses.
9. Reconsider the current proposed location for the new public works facility in favor of one with limited potential for private development, particularly commercial, yet compliant with the requirements of the funding source.

### Urban Renewal

Urban renewal allows the Town, through its urban renewal authority, to provide a financing mechanism (tax increment financing, or TIF) to fund improvements for the public benefit in areas where blighting conditions exist. In December 2015, the Lyons Board of Trustees adopted the Lyons Area Urban Renewal Plan, which established the Lyons Urban Renewal Area. Properties within the LPPA are not currently within the Town boundaries, and as such, are not included in the Urban Renewal Area. However, annexed properties could be added to the existing Urban Renewal Area through an amendment to the Urban Renewal Plan.

10. Work with County representatives to resolve conflicting information regarding the status of CR 69 as either a private access or public roadway.
11. Initiate discussions with the St. Vrain School District regarding the potential land swap of existing ballfields to a location within Bohn Park, with the intent to transfer ownership of the ballfields to the Town for development of affordable housing units.
12. Maintain information regarding annexation processes and legal requirements (restrictions on flagpole annexations, five-acre rule, others), prepared in the context of this planning initiative, on the Town's website in an effort to continue educating the community and other stakeholders.

## Conclusion

While this Master Plan is the “roadmap” for advancing the vision for the LPPA, ensuring that development and redevelopment are accomplished in a way that balances private investment objectives with social and environmental sustainability will require alignment with all Town regulations, resources, and incentives.

The concepts and strategies presented herein are intended to inform private and public decisions regarding the future use of properties in the LPPA. Each one is based on a realistic understanding of conditions, and intended to be responsive to the needs and desires of resident, business and property interests. The Subareas, along with the natural and manmade amenities and resources within them, represent the community's “portfolio of assets,” which collectively should be protected and leveraged when promoting the community and pursuing desired development.

As explained earlier, the Plan's purpose is to serve as the guidepost for strategic initiatives that will likely take several years, and even decades to implement. This said, and given the cyclical nature of markets, it should be revisited on a regular basis, and amended, if and when deemed necessary. Its perceived, and real success, will depend on committed on-going leadership, collaboration between the Town and its advocacy partners, and continued communication with the community at-large.

## Appendices

**Appendix A: Town of Lyons/Boulder County IGA**



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOARD OF COUNTY COMMISSIONERS

May 15, 2012 -- 2:30 p.m.

Hearing Room, Third Floor, Boulder County Courthouse

### PUBLIC HEARING

**STAFF PLANNER:** Dale Case, AICP

### STAFF RECOMMENDATION RE:

- **IGA-12-0001 LYONS PLANNING AREA COMPREHENSIVE DEVELOPMENT PLAN INTERGOVERNMENTAL AGREEMENT and**
- **IGA-12-0002 LYONS CEMEX AREA COMPREHENSIVE DEVELOPMENT PLAN INTERGOVERNMENTAL AGREEMENT**

### PURPOSE AND BACKGROUND

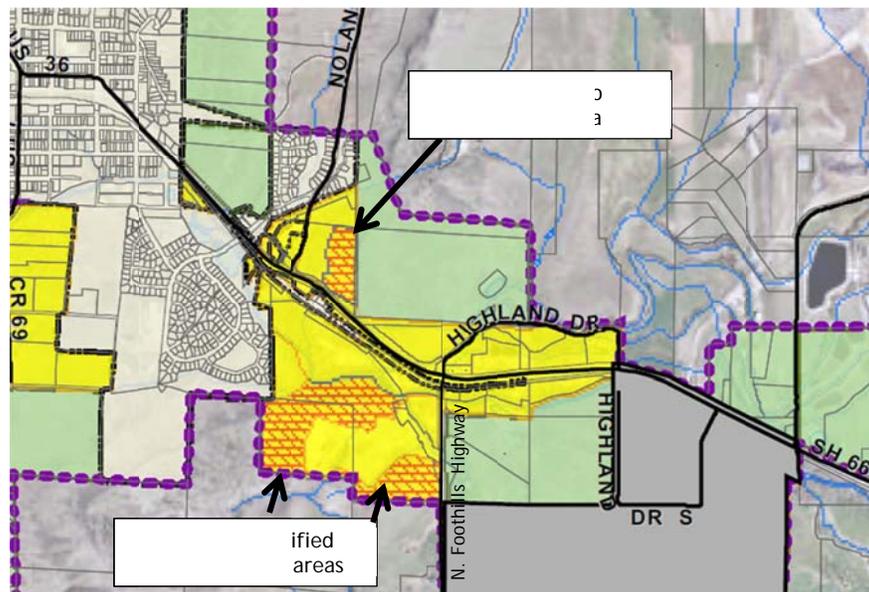
In 2002 the County and the Town of Lyons entered into an Intergovernmental Agreement (“IGA”) pursuant to C.R.S. 29-20-101 et seq. This IGA provides the Town and County tools to control land uses, helps minimize negative impacts of development, protects the environment, and identifies areas of mutual cooperation and concern. The IGA was signed on December 30, 2002 and had a term of 10 years, which is set to expire at the end of this year. The original IGA was amended twice since its adoption, the most recent amendment occurring last year.

The revised and extended IGAs being considered here are to serve a number of additional purposes.

1. To extend the term of this cooperative agreement. The general IGA extends land use provisions in the majority of the Lyons Planning Area for another 10 years. The secondary and related IGA covering the “CEMEX parcels” extends land use provisions until December 31, of 2034.
2. To recognize Lyons’ most recent Comprehensive Plan adopted in 2010.
3. Reinstates Lyons and the County’s commitment to the Super IGA and with the Town agreeing that it has waived its right to opt out of the SuperIGA.

This item contains two separate but related IGAs. The first is the Lyons Planning Area Comprehensive Development Plan and the second is the Lyons *Cemex* Area Comprehensive Development Plan. Docket **IGA-12-0001 is the general land use agreement covering the town of Lyons and the majority of its perimeter area.** It defines areas within Lyons Planning Area including:

- Land within the Town boundaries,
- Lands designated as Lyons Primary Planning Area (“PPA”) [Section 2.2.1 of the IGA] – The PPA is the land that is planned for the next phase of expansion of the Town limits and which the Parties recognize is appropriate and intended for urban development
  - Within the PPA there are four portions of that area which contain “no Development Areas.” Two of these areas are part of the existing IGA.
    - Stone Mountain Lodge parcel: upon annexation there will be a requirement that area above 5,600 foot elevation line only be developed for passive recreation type uses.
    - Hawkins Parcel: which has a similar no development requirement as shown on Attachment A to the Lyons Planning Area Comprehensive Development Plan.
  - The two newly proposed no development areas are located to the southwest of the intersection of the St.Vrain River and Foothills Highway and shown with red hatch below.



- In all of these cases the no development areas are mutually agreed upon areas where, if annexed, the Town would not allow development. In the case of the Stone Mountain Lodge parcel the area is contiguous to the Steamboat Mountain Natural Landmark Area as mapped in the Boulder County Comprehensive Plan. The other areas are similarly on steep slopes, visible locations, adjacent to open space, and would cause environmental concerns if developed.
- All lands within the Primary Planning Area may be annexed in the next 10 years, in accordance with the terms of this agreement and applicable state law on annexation.
- Lyons Interest Area/Rural Preservation Area (“LIA/RPA”)
  - The LIA/RPA represents areas that are expected to remain rural for the duration of this IGA, unless otherwise agreed to by the Parties [2.2.3 IGA]
- Land outside the Lyons Planning Area (excepting that area covered by the CEMEX Area IGA)

will remain under County jurisdiction for the term of this agreement.

The second IGA (IGA-12-0002) to be adopted contemporaneously with the above IGA covers an area of land east of N. Foothills Highway and South of Highway 66. The land is currently in a mixture of uses. Much of it has been mined and reclaimed in the past or is still being used for mining purposes. The IGA area contains the CEMEX cement plant.

Specifics from the CEMEX Area IGA:

- CEMEX PPA [Section 1.2.1 IGA]. This is the land that is planned for the next phase of expansion of the Town limits and which the Parties recognize is appropriate and intended for urban development. This area is predominantly the area around the existing developed areas of the Lyons Cement Plant, the access roads and the Highway 66 ROW along the frontage of that area [shaded as yellow in map below and on Exhibit A to that agreement]. This area may be annexed by Lyons in its sole discretion during the term of the CEMEX Area IGA.
- CEMEX MUNICIPAL FACILITIES AREA. Lyons may annex these areas in its sole discretion during the term of the CEMEX Area IGA, but may only allow development of municipal services facilities such as water and sewer plants and solar/electric facilities. This area is shown with the diagonal hatch marks on the map below and in Exhibit A to this agreement.
- CEMEX LIA/RPA GI Property. This is the portion of the Lyons Interest Area/Rural Preservation Area that (a) currently has a County General Industrial zoning designation; and (b) is the subject of negotiations toward a future land use plan. The agreement calls for the Town and County to within 10 years pursue good faith negotiations to develop an appropriate land use plan for this area. This area is shown in lavender in the map below and Exhibit A to this agreement.
- The CEMEX LIA/RPA represents areas that are expected to remain rural for the duration of this IGA. This area is shown shaded in green in the illustration below and in Exhibit A to this agreement. The area is proposed to remain under county jurisdiction and zoning for the duration of the agreement, unless otherwise agreed to by both parties.

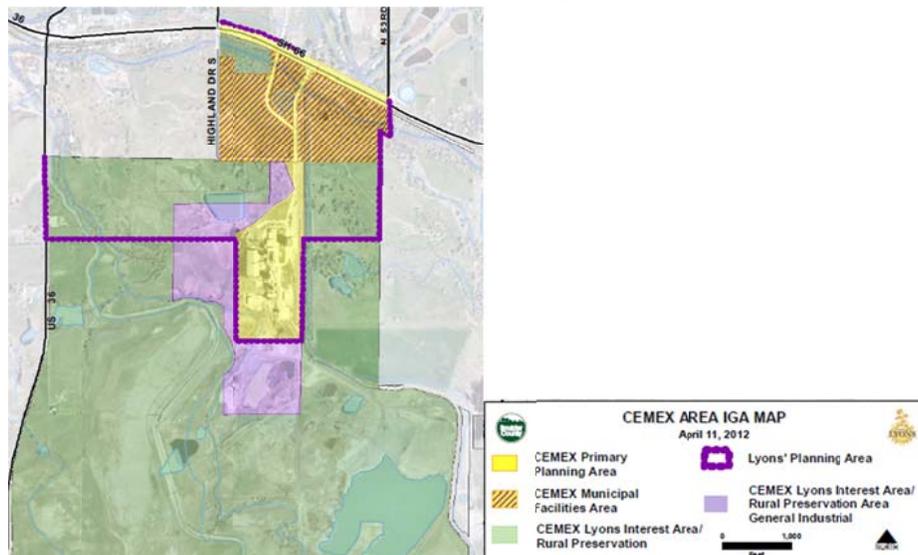


Diagram not to scale

## **PARNTERSHIP SECTION**

The Lyons Planning Area Comprehensive Plan Intergovernmental Agreement also recognizes areas where the Town and County will cooperate on issues pursuing common goals around land use, transportation other issues as listed below.

- Forming the St. Vrain River Task Force.
- Collaborating on trail design, funding and construction .
- Working with Colorado Department of Transportation, the Regional Transportation District and the Denver Regional Council of Governments to improve Lyons' multimodal transportation system.
- Continue collaboration in sharing geographic information system data, maps and expertise
- Identifying and implementing programs to enhance opportunities for senior housing and affordable housing.
- Cooperating in the identification of sites to provide more efficient governmental services, including but not limited to a recycle and composting facility, and solar or other forms renewable energy generation facilities.
- Cooperating in determining efficient, effective and equitable options for providing library services to citizens.
- Enforcing nuisance ordinances.
- Implementing the Boulder County Sustainable Energy Plan.
- Cooperating on joint ventures to finance and provide for cultural and recreational opportunities.
- Collaborating to construct a cost effective, highly diverse, and resilient wastewater treatment system.
- Facilitating the transfer of ownership of the 10-acre Olson property to the Town of Lyons to expand the recreational opportunities offered in the LPA.
- Cooperating on the provision of water and sewer services to properties in the LIA/RPA by the Town

## **TOWN OF LYONS ACTION**

The Town Board of Lyons held multiple study sessions and adoption proceedings leading up to their formal adoption of these Intergovernmental Agreements on April 16, 2012.

## **RECOMMENDATION:**

Therefore, the Land Use staff recommends the Board of County Commissioners approve IGA-12-0001 and IGA-12-0002.

## ***Attachments:***

Text IGA-12-0001, 12-0002

Maps

Public comments

**TOWN OF LYONS, COLORADO  
RESOLUTION 2012-20**

**A RESOLUTION APPROVING THE "LYONS PLANNING AREA COMPREHENSIVE DEVELOPMENT PLAN  
INTERGOVERNMENTAL AGREEMENT" BY AND BETWEEN BOULDER COUNTY, COLORADO,  
AND THE TOWN OF LYONS**

**WHEREAS**, the Town of Lyons possesses the authority to contract for lawful purposes and, pursuant to state law and Lyons Town Code § 1-6-7 to enter into intergovernmental agreements by resolution or ordinance; and

**WHEREAS**, the Parties are authorized by § 29-20-101 et seq., C.R.S. as amended, to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and to protect the environment, and specifically to cooperate and contract with each other for the purposes of planning and regulating the development of land by means of a "comprehensive development plan;" and

**WHEREAS**, § 29-1-201, et seq., C.R.S., as amended, authorizes the Parties to cooperate and contract with one another with respect to functions lawfully authorized to each of the Parties and the people of the State of Colorado have encouraged such cooperation and contracting through the adoption of Colorado Constitution, Article XIV, § 18(2); and

**WHEREAS**, the functions described in this IGA are lawfully authorized to each of the Parties which perform such functions hereunder, as provided in Article 20 of Title 29; Part 1 of Article 28 of Title 30; Part 1 of Article 12 of Title 31; and Parts 2 and 3 of Article 23 of Title 31, C.R.S., as amended; and

**WHEREAS**, in December 2002, the Parties entered into a Comprehensive Development Plan Intergovernmental Agreement (the "Original IGA") for a period of ten years which, among other things, defined the Lyons Planning Area as the area the Town may annex and develop. The Original IGA was amended to add certain additional properties to the LPA in 2005 and again in 2011; and

**WHEREAS**, the term of the Original IGA as amended ends in December 2012, and the Parties believe it is in the best interests of the citizens of the Town and the County to enter into a new Intergovernmental Agreement with the goal of continuing the spirit of collaboration that was established by the Original IGA and demonstrated through the Parties' course of dealing throughout the term of the Original IGA; and

**WHEREAS**, in October 2003, the Parties entered into the Boulder County Countywide Coordinated Comprehensive Development Plan Intergovernmental Agreement (the "Super IGA") which is designed to coordinate all of Boulder County's comprehensive development plan IGAs, to recognize and protect each municipality's planning area, and to preserve the rural character of the land outside of each community's respective planning areas; and

**WHEREAS**, the Parties believe that it is in the best interest of the residents of both communities to enter into a new IGA in order to preserve Lyons' unique and individual character through the orderly development within a newly defined Lyons Planning Area (the "LPA"). The LPA contains a Primary Planning Area ("PPA") where annexation and development may occur in accordance with the provisions of this IGA. It also includes areas designated as Lyons Interest Area/Rural Preservation Area (LIA/RPA) where the Parties' intent is to preserve the rural quality of the land; and

**WHEREAS**, C.R.S. §§ 29-20-101 *et seq.* authorizes the Town of Lyons and Boulder County to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and protect the environment; and

**WHEREAS**, the Town of Lyons completed a comprehensive master plan that projects the potential for and desirability of future growth into currently unincorporated areas surrounding the Town of Lyons; and

**WHEREAS**, the Town and the County reached an agreement on the creation and management of an area to be known as the Lyons Planning Area which area is projected as the future growth and interest area of the Town of Lyons.

**WHEREAS**, this IGA shall be construed so as to implement the guiding principles, goals, objectives and Land Use Map of the Lyons Comprehensive Plan, adopted in April 2010 and the amendments thereto;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:**

The attached "Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement" by and between Boulder County, Colorado and the Town of Lyons, Colorado, is hereby approved by the Board of Trustees.

**ADOPTED THIS 16<sup>th</sup> DAY OF APRIL, 2012.**

**TOWN OF LYONS, COLORADO**

By: 

Julie Van Domelen, Mayor

ATTEST:

  
Deb Anthony, Town Clerk

**LYONS PLANNING AREA  
COMPREHENSIVE DEVELOPMENT PLAN  
INTERGOVERNMENTAL AGREEMENT**

This Intergovernmental Agreement ("IGA") by and between the Town of Lyons, a Colorado statutory municipal corporation ("Lyons" or the "Town"), and the County of Boulder, a body politic and corporate of the State of Colorado ("Boulder County" or the "County") (collectively, the "Parties") is made to be effective on the Effective Date as defined on the signature page of this IGA.

**RECITALS**

**WHEREAS**, the Parties are authorized by § 29-20-101 et seq., C.R.S. as amended, to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and to protect the environment, and specifically to cooperate and contract with each other for the purposes of planning and regulating the development of land by means of a "comprehensive development plan;" and

**WHEREAS**, § 29-1-201, et seq., C.R.S., as amended, authorizes the Parties to cooperate and contract with one another with respect to functions lawfully authorized to each of the Parties and the people of the State of Colorado have encouraged such cooperation and contracting through the adoption of Colorado Constitution, Article XIV, § 18(2); and

**WHEREAS**, the functions described in this IGA are lawfully authorized to each of the Parties which perform such functions hereunder, as provided in Article 20 of Title 29; Part 1 of Article 28 of Title 30; Part 1 of Article 12 of Title 31; and Parts 2 and 3 of Article 23 of Title 31, C.R.S., as amended; and

**WHEREAS**, in December 2002, the Parties entered into a Comprehensive Development Plan Intergovernmental Agreement (the "Original IGA") for a period of ten years which, among other things, defined the Lyons Planning Area as the area the Town may annex and develop. The Original IGA was amended to add certain additional properties to the LPA in 2005 and again in 2011; and

**WHEREAS**, the term of the Original IGA as amended ends in December 2012, and the Parties believe it is in the best interests of the citizens of the Town and the County to enter into a new Intergovernmental Agreement with the goal of continuing the spirit of collaboration that was established by the Original IGA and demonstrated through the Parties' course of dealing throughout the term of the Original IGA; and

**WHEREAS**, in October 2003, the Parties entered into the Boulder County Countywide Coordinated Comprehensive Development Plan Intergovernmental Agreement (the "Super IGA") which is designed to coordinate all of Boulder County's comprehensive development plan IGAs, to recognize and protect each municipality's planning area, and to preserve the rural character of the land outside of each community's respective planning areas; and

**WHEREAS**, the Parties believe that it is in the best interest of the residents of both communities to enter into a new IGA in order to preserve Lyons' unique and individual character through the orderly development within a newly defined Lyons Planning Area (the "LPA"). The LPA contains a Primary Planning Area ("PPA") where annexation and development may occur in accordance with the provisions of this IGA. It also includes areas designated as Lyons Interest Area/Rural

Preservation Area (LIA/RPA”) where the Parties’ intent is to preserve the rural quality of the land; and

**WHEREAS**, the Parties have contemporaneously with this agreement entered into the CEMEX Area Comprehensive Development Plan Intergovernmental Agreement (“CEMEX Area IGA”), a complementary IGA that addresses development and preservation issues for the portions of the Lyons Comprehensive Plan as adopted in 2010 (“LCP”) area not contained within this IGA. For the purposes of this IGA, LPA refers to all portions of the overall Lyons Planning Area that are not separately addressed in the CEMEX Area IGA. This IGA and the CEMEX Area IGA together represent a shared vision of appropriate development for the areas covered by the IGAs for their respective durations; and

**WHEREAS**, the Parties have each held hearings after proper public notice for the consideration of entering into this IGA and the adoption of a comprehensive development plan for the subject lands; and

**NOW THEREFORE**, in consideration of the above and the mutual covenants and commitments made herein, the Parties agree as follows:

## **1.0 PURPOSE AND INTENT**

This IGA is intended to protect and enhance the Town's ability to coordinate its future growth into the PPA, and specifically for the following purposes:

### **1.1 Implementing Comprehensive Plans.** This IGA is designed to implement the goals and policies set forth in the Parties’ respective comprehensive plans.

1.1.1. The LCP emphasizes that in order for Lyons to become economically sustainable, it must transition from a residential development-based economy to a commercial-based, localized economy. To this end, Lyons will strive to preserve and expand employment opportunities, reduce retail leakage, attract visitors and encourage new commercial, light-industrial and mixed-use development in the PPA while concentrating any significant additional housing within its current Town limits or within mixed-use areas with commercial being the predominant land use in these areas.

1.1.2. The LCP adopts as one of its guiding principles articulating the Town’s interests in expanding the development potential in the area by proactively engaging with private and government stakeholders to make collaborative land use decisions.

1.1.3. The LCP emphasizes proactively planning for the future and balancing the demands of environmental and economic sustainability with community character, historical preservation and property owners’ rights.

1.1.4. The Boulder County Comprehensive Plan, as amended from time to time, (the “BCCP”) seeks to protect agricultural lands, channel growth to municipal planning areas and consider environmental and natural resources in land use decisions.

### **1.2 Recognizing Future Urban Development is Appropriate in the LPA.** This IGA intends to direct future urban development within the PPA to: avoid sprawl, ensure the provision of adequate urban services, maximize the utility of funds invested in public facilities and services, distribute fairly and equitably the costs of government services among those persons who benefit therefrom, extend government services and facilities in an efficient, logical fashion, simplify the governmental structure of the affected areas, and reduce and avoid, where possible, conflict between the Parties.

- 1.3 Maintaining Community Buffer. This IGA is intended to keep the LIA/RPA and the land outside the LPA rural in character to preserve a community buffer.
- 1.4 Protecting View Corridors and Allowing Only Compatible Development in the LPA. This IGA acknowledges the importance to both Parties of protecting sensitive natural areas, maintaining view corridors, enforcing nuisance ordinances and ensuring that new development is compatible with the character of both Lyons and adjoining County properties.
- 1.5 Fostering Intergovernmental Cooperation. This IGA encourages the Parties to collaborate to achieve common goals, including becoming more socially, economically and environmentally sustainable and supporting the public and private provision of cultural, educational, social and healthcare services in the LPA.
- 1.6 Encouraging Transparent and Timely Decisions. This IGA is intended to encourage transparent, open communication between the Parties and to ensure that decisions pertaining to this IGA are made in a timely and efficient manner.

## **2.0 LYONS COMPREHENSIVE DEVELOPMENT PLAN (IGA Plan).**

- 2.1 IGA Plan Defined. This IGA, including the Map attached hereto as Exhibit A, is hereby adopted by the Parties as the Lyons Comprehensive Development Plan, and shall be known herein as the IGA Plan (as distinguished from the Lyons Comprehensive Plan, referred to herein as the LCP). The IGA Plan shall govern and control the LPA, which is defined as the unincorporated area of Boulder County as shown on Exhibit A, or as subsequently amended in accordance with this IGA. With the exception of the Super IGA and the CEMEX Area IGA, this IGA Plan replaces and supersedes any and all previous agreements between the Parties concerning the LPA.
- 2.2 Lyons Planning Area Designations. The Map identifies, designates and defines the land to be known as the LPA, which consists of the Primary Planning Area (the "PPA") and the Lyons Interest Area/Rural Preservation Area (the LIA/RPA). The Map indicates four portions of the PPA that are designated as "No Development Areas."
  - 2.2.1 The PPA is the land that is planned for the next phase of expansion of the Town limits and which the Parties recognize is appropriate and intended for urban development.
  - 2.2.2 The No Development Areas are a subset of the PPA, but are too steep or otherwise inappropriate for development.
  - 2.2.3 The LIA/RPA represents areas that are expected to remain rural for the duration of this IGA, unless otherwise agreed to by the Parties.

## **3.0 ANNEXATION AND DEVELOPMENT OF PROPERTY.**

- 3.1 Land Within the Primary Planning Area.
  - 3.1.1 The Town may annex into its corporate boundaries any and all property located within the PPA, including the No Development Areas, in accordance with state and local laws governing annexation. The Town agrees that it will only annex parcels in their entirety, not portions of a parcel, into the Town, unless mutually agreed to by the Parties. By executing this IGA, the County finds and declares that a community of interest exists between the Town and all property located

within the PPA. The County will cooperate with Town efforts to annex land in the PPA.

- 3.1.2 When parcels are annexed which contain No Development Areas, the Town, prior to final plat recordation or other final approval for any development on those parcels, will ensure that the owner of the properties grant to the County and to the Town of Lyons a Conservation Easement pursuant to Article 30.5 of Title 38 of the Colorado Revised Statutes, in a form acceptable to both the County and the Town, which prohibits structures or development in the preserved area of the properties.
- 3.1.3 Any property that is disconnected from the Town after the Effective Date of this IGA (whether currently located within the municipal limits of the Town or later annexed into the Town after the Effective Date of this IGA) shall continue to be within the PPA for purposes of this IGA unless it is specifically excluded by a duly executed amendment to this IGA.
- 3.1.4 The Parties agree that two parcels in the PPA (County Assessor Parcel Number 120320000007, currently owned by the Loukonen family and County Assessor Parcel Number 120320000006, currently owned by CEMEX) may not be zoned (currently zones E-1, EC, R-1, R-2, R2A and R-3) or developed by the Town for residential uses.
- 3.1.5 The Town and the County acknowledge and agree that the property within the LIA/RPA is intended to remain in the County's regulatory jurisdiction and shall not be annexed or developed by the Town during the duration of this IGA, unless mutually agreed to by the Parties.
- 3.1.6 The Town agrees that if it annexes any part of a County road it will annex the entirety of that road.

### 3.3 Land Outside of the LPA.

- 3.3.1 Excepting the area covered by the CEMEX Area IGA, which is addressed in a separate IGA, the area outside the LPA is intended to remain in the County's regulatory jurisdiction for the term of this IGA, unless otherwise provided herein or by a duly executed amendment to this IGA.
- 3.3.2 The Town may annex lands outside of the PPA and expand the LPA only in accordance with Section 4 of this IGA.

3.4 Developing Areas with Constraints. When evaluating development applications within their respective areas of responsibility, both Parties will consider the impact of proposed development on the floodway, natural areas, wildlife habitat, steep slopes, and historically- and archaeologically-significant areas, and will require impacts to be reasonably mitigated.

3.5 Promote Quality Design and Development. The Town is pursuing adoption of design standards to promote quality architecture and landscaping that is done in an environmentally sensitive manner within 12 months of the Effective Date of this IGA.

## 4.0 EXPANSION OF THE LPA

4.1 Mutual Agreement. During the term of this IGA, the Town may expand the LPA within Boulder County only with the mutual agreement of the Parties and the corresponding amendment of Exhibit A in accordance with this IGA.

4.2 Lyons Comprehensive Plan Amendment. Any request for expansion of the LPA must be a reflection of community consensus, as documented in a duly-adopted amendment to the LCP and its Land Use Map.

## 5.0 OPEN SPACE.

5.1 Acquisitions within the LPA. The County agrees that for the term of this IGA it will not purchase or otherwise acquire any land within the LPA for open space purposes, including conservation easements and transfer of density right sending sites without the approval of the Town, excepting only an L-shaped parcel of land currently owned by CEMEX (County Assessor Parcel Number 120317000046) located between the Loukonen-Hill Open Space Property and the Southdown Indian Mountain Open Space Property.

## 6.0 COMMUNITY BUFFER.

The County agrees not to allow more intensive zoning classifications for lands remaining in the County's regulatory jurisdiction within the PPA and LIA/RPA, unless mutually agreed to by the Parties.

## 7.0 TOWN OF LYONS UTILITIES.

7.1 Lyons Service Area. It may be necessary for the Town to seek additional water supplies, water storage, and water and wastewater treatment and delivery facilities, both within and outside the LPA. The areas designated in the Map portion of Exhibit A as the LPA shall constitute the Town's "Service Area" for all purposes, including but not limited to the County's Regulations of Areas and Activities of State Interest in Article 8 of the Boulder County Land Use Code.

7.2 1041 Permits. To the extent such supplies and facilities are necessary to serve development within the LPA that is consistent with the provisions of this IGA, the County agrees to use its best efforts and to act in good faith on Town permit applications and imposing permitting requirements without undue delay, recognizing applications for such permits as being in conformance with this IGA. Specifically, the County agrees that the Town, in applying for such permits under the provisions of the Regulation of Areas and Activities of State Interest in Article 8 of the Boulder County Land Use Code, shall not be required to demonstrate compliance with the following provisions of said Regulation, where the proposed utility development will serve only lands within the LPA:

- Section 8-511B.3, 10, 11, 12, 13 and 14, C.1 and C.2.a, D and E.
- Sections 8-511 B.5 c and d shall only be applicable to sanitary sewage facilities.
- Sections 8-511 B.5.b, e, f and g, B.6, 7 and 8 shall apply to site location, construction and operations of facilities within areas designated on Maps 2, 3 and 4 of the Boulder County Comprehensive Plan, and with respect to other areas shall be limited in its application to construction and operation of such facilities.
- The application of Section 8-511 B.7 concerning archaeological resources shall be limited to a determination whether archaeologically significant resources will be

negatively impacted by the proposed project, and if so, provide for mitigation of those impacts.

- The application of Section 8-511 B.5.h concerning geologic hazards shall be limited to resolution of floodplain issues.
- The remaining portions of Section 8-511 shall only be applicable to the direct, site-specific impacts of the proposal.
- Section 8-407 shall exempt all upgrades to existing facilities that are required maintenance or otherwise required by federal, state or County regulations, including repairing and/or replacing old or outdated equipment, or installing new equipment, provided the improvements do not expand levels of service beyond the design capacity, and provided further that the upgrade does not alter the location of the existing facility.

## **8.0 IMPLEMENTATION PROCEDURES.**

- 8.1 Plan Amendment Required. A Plan amendment, agreed to by both the Town and the County, must occur in order to annex, allow any use or development, or acquire for open space any parcel within the LPA where such annexation, use or development, or acquisition does not comply with the IGA Plan. The provisions of Section 11.0 of this IGA shall apply to any such Plan amendment.
- 8.2 Notice Required. The Parties each agree to undertake all steps necessary to adopt procedures, plans, policies, and ordinances or other regulations as may be necessary to implement and enforce the provisions of this Plan. The Parties agree that in adopting such procedures, plans, policies, ordinances or regulations, each will give the other Party sufficient notice of such action as will enable such Party, if it so desires, to comment upon the planned actions of that Party. Sufficient notice shall generally mean notice delivered to the other Party at least fifteen (15) days before the date of any public hearing or, where no public hearing will be conducted, before any deadline for the submission of public comment.
- 8.3 County Zoning Changes within the LPA. Where the County seeks to approve zoning changes within the LPA after referral as provided herein, the Board of Trustees shall respond by resolution, approving or disapproving such change or suggesting conditions of approval.

## **9.0 REFERRALS**

- 9.1 Lyons Referrals to Boulder County. The Town shall refer in writing to the County:
- 9.1.1 Any application for annexation;
  - 9.1.2 Any proposed amendment to the LCP affecting any lot, tract, or parcel within the LPA; and
- 9.2 Boulder County Referrals to Lyons. The County shall treat the Town as a formal referral agency and shall refer in writing to the Town:
- 9.2.1 Any application for zoning, rezoning, subdivision, PUD, replat, special use, limited impact special use, vacation, transfer of development rights, conservation easement or development (including site plan reviews) for any lot, tract, easement, rights-of-way or parcel within the LPA;
  - 9.2.2 Any proposed map amendment to the BCCP affecting any lot, tract, or parcel within the LPA; and

- 9.2.3 In addition to referring the foregoing applications and proposals to the Town, the County agrees to advise any applicant owning land in the PPA during the pre-application process (i.e., prior to formal application submittal) for any of the categories of development listed in Section 9.2.1 of the possibility of annexation into the Town, to encourage any such applicant to contact the Town concerning possible annexation, and to provide such applicants with the Town's appropriate contact information.
- 9.3 Waiver of period for response to referrals. Either Party may, for any given referral, elect to waive or reduce the period of time it requires to submit a response, and such election shall be made by written letter or electronic mail.
- 9.4 Failure to respond to referrals. Failure by either Party to respond to a referral shall entitle the referring Party to assume that the receiving Party has no comment concerning the application or proposal.
- 9.5 Communication with referral party. For any application or proposal required to be referred by Section 9.1 or 9.2, the referring Party shall use its best efforts to keep the other Party apprised of the status of each application or proposal, including but not limited to, mailing to the other Party notices of public hearings and meetings, staff reports, non-confidential memoranda concerning the status of the application or proposal, and notification of other activities and events associated with the processing of the application or proposal. Upon any final decision concerning the application or proposal, the referring Party shall notify the other Party in writing of the final decision including a general summary of any terms, conditions, or other details of the decision.

## 10.0 PARTNERSHIPS

- 10.1 Intergovernmental Cooperation. The Parties recognize and acknowledge the need for intergovernmental cooperation on important local and regional land use matters and to achieve common goals. In accordance with the LCP, the Town and the County agree to cooperate in good faith in:
- 10.1.1 Forming a St. Vrain River Task Force to improve the health of the riparian corridor, achieve sustainability goals, improve recreational opportunities, enhance fish and wildlife habitat, create economic benefits and construct the St Vrain Greenway trail system;
- 10.1.2 Collaborating to design, fund and construct regional trails that connect Lyons to Boulder County open space and other municipalities including the Boulder County River Corridor Legacy Project;
- 10.1.3 Working with the Colorado Department of Transportation, the Regional Transportation District and the Denver Regional Council of Governments to improve Lyons' multimodal transportation system, including continuing to explore ways to improve bus service between the Town, its neighboring communities, and Boulder County destinations and to reduce emissions;
- 10.1.4 Continuing to freely share geographic information system data, maps and expertise;
- 10.1.5 Identifying and implementing programs to enhance opportunities for senior housing and affordable housing within the Town and the LPA; and

- 10.1.6 Cooperating in the identification of sites to provide more efficient governmental services, including but not limited to a recycle and composting facility, and solar or other forms renewable energy generation facilities.
- 10.1.7 Cooperating in determining efficient, effective and equitable options for providing library services to citizens in both incorporated and unincorporated areas of Boulder County, including residents of Lyons and surrounding areas.
- 10.1.8 Enforcing nuisance ordinances to improve the appearance of properties in the LPA.
- 10.1.9 Implementing the Boulder County Sustainable Energy Plan, which Lyons has formally adopted.
- 10.1.10 Cooperating on joint ventures to finance and provide for cultural and recreational opportunities for Town residents and people living in the LPA and surrounding neighborhoods.
- 10.1.11 Collaborating to construct a cost effective, highly diverse, and resilient wastewater treatment system to serve that LPA that is both environmentally beneficial and aesthetically pleasing and that protects the St. Vrain watershed.
- 10.1.12 Facilitating the transfer of ownership of the 10-acre Olson property to the Town of Lyons to expand the recreational opportunities offered in the LPA.
- 10.1.13 Cooperating on the provision of water and sewer services to properties in the LIA/RPA by the Town.

**11.0 AMENDMENTS.**

- 11.1 Entire Agreement. This IGA contains the entire agreement between the Parties and, with the exception of the Super IGA and the CEMEX Area IGA, supersedes and replaces any other or prior agreements concerning the same subject matter.
- 11.2 Changes to IGA. Any proposed amendment to the IGA affecting the jurisdiction over lands or the development regulation of lands must be referred to the other Party by the Regulatory Party. The "Regulatory Party" shall mean the Party having final land use or annexation approval jurisdiction, as the context requires. Amendment of the IGA shall take place only upon approval by resolution or ordinance adopted by the governing body of both of the Parties, after notice and hearing as may be required by law. The Regulatory Party shall not approve nor permit any development or change of use of any parcel within the LPA by any means in a manner inconsistent with this IGA until and unless the IGA has been amended so that the proposed development or use of such parcel is consistent with the IGA.
- 11.3 Timely Decisions on Amendments to IGA. The Parties agree and acknowledge that time is of the essence when either Party seeks an amendment to this IGA. The Parties further agree and acknowledge that the length of time necessary to process and act upon any proposed amendment may vary depending on the complexity of the particular request and on other factors and other responsibilities facing the Parties at any given time. Nevertheless, the Parties each agree to give high priority to any proposal by the other Party to amend this IGA and to act on any such proposal without due delay. In addition, the Parties agree that within thirty (30) days after receipt by one Party of an amendment proposed by the other Party, the Parties will agree on and establish a firm schedule for processing and taking final action upon the amendment proposal.

**12.0 NON-SEVERABILITY.**

If any portion of this IGA is held by a court of competent jurisdiction in a final, non-appealable decision to be *per se* invalid or unenforceable as to any Party, the entire IGA shall be terminated, it being the understanding and intent of the Parties that every portion of the IGA is essential to and not severable from the remainder.

**13.0 BENEFICIARIES.**

The Parties, in their corporate and representative governmental capacities, are the only entities intended to be the beneficiaries of the IGA, and no other person or entity is so intended.

**14.0 ENFORCEMENT.**

Either or both of the Parties may enforce this IGA by any legal or equitable means including specific performance, declaratory relief, and injunctive relief. No other person or entity shall have any right to enforce the provisions of this IGA. The Parties agree to discuss and attempt to resolve any dispute in the interpretation or application of this IGA, including but not limited to any dispute regarding a request to terminate this IGA, but if they are unable to do so, either Party may request that the matter be presented to a mediator selected and paid for jointly by the Parties.

**15.0 DEFENSE OF CLAIMS/INDEMNIFICATION**

If any person allegedly aggrieved by a provision of this IGA who is not a party to the IGA asserts or attempts to assert any claim against any Party concerning such IGA provision, the County shall, and the Town may, defend such claim upon receiving timely and appropriate notice of the pendency of such claim. Defense costs shall be paid by the Party providing such defense. In the event that any person not a party to the IGA should obtain a final money judgment against the Town for the diminution in value of any regulated parcel resulting from regulations in the IGA or regulations adopted by the Town implementing the IGA, the County shall, to the extent permitted by law, indemnify the Town for the amount of said judgment.

**16.0 GOVERNING LAW AND VENUE**

This IGA shall be governed by the laws of the State of Colorado and venue shall lie in the appropriate court(s) for Boulder County, Colorado.

**17.0 TERM AND TERMINATION**

17.1 This IGA shall remain in effect for a period of ten (10) years from the effective date, unless otherwise terminated earlier by mutual agreement of the Parties. With the execution of this IGA, the Town agrees that it has waived its right to opt out of the SuperIGA, as that right is set forth in the SuperIGA.

**18.0 PARTY REPRESENTATIVES**

Referrals made under the terms of this IGA shall be sent to the Parties' representatives as follows:

County of Boulder  
Director, Land Use Department  
P.O. Box 471  
Boulder, Colorado 80306

Town of Lyons  
Town Administrator  
P.O. Box 49  
432 Fifth Avenue  
Lyons, Colorado 80540

Name and address changes for representatives shall be made in writing and mailed to the other representatives at the then current address.

**19.0 COUNTERPART.**

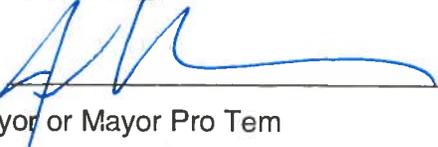
This IGA may be executed in any number of counterparts which together shall constitute the agreement of the Parties.

**20.0 EFFECTIVE DATE.**

The effective date of this IGA shall be the date on which both Parties have approved and executed the IGA by signing where indicated below.

**TOWN OF LYONS:**

Board of Trustees

By:   
Mayor or Mayor Pro Tem

Date: April 16, \_\_\_\_\_, 2012

ATTEST:   
Town Clerk

APPROVED AS TO FORM: please see attached  
Town Attorney

**COUNTY OF BOULDER:**

BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chair

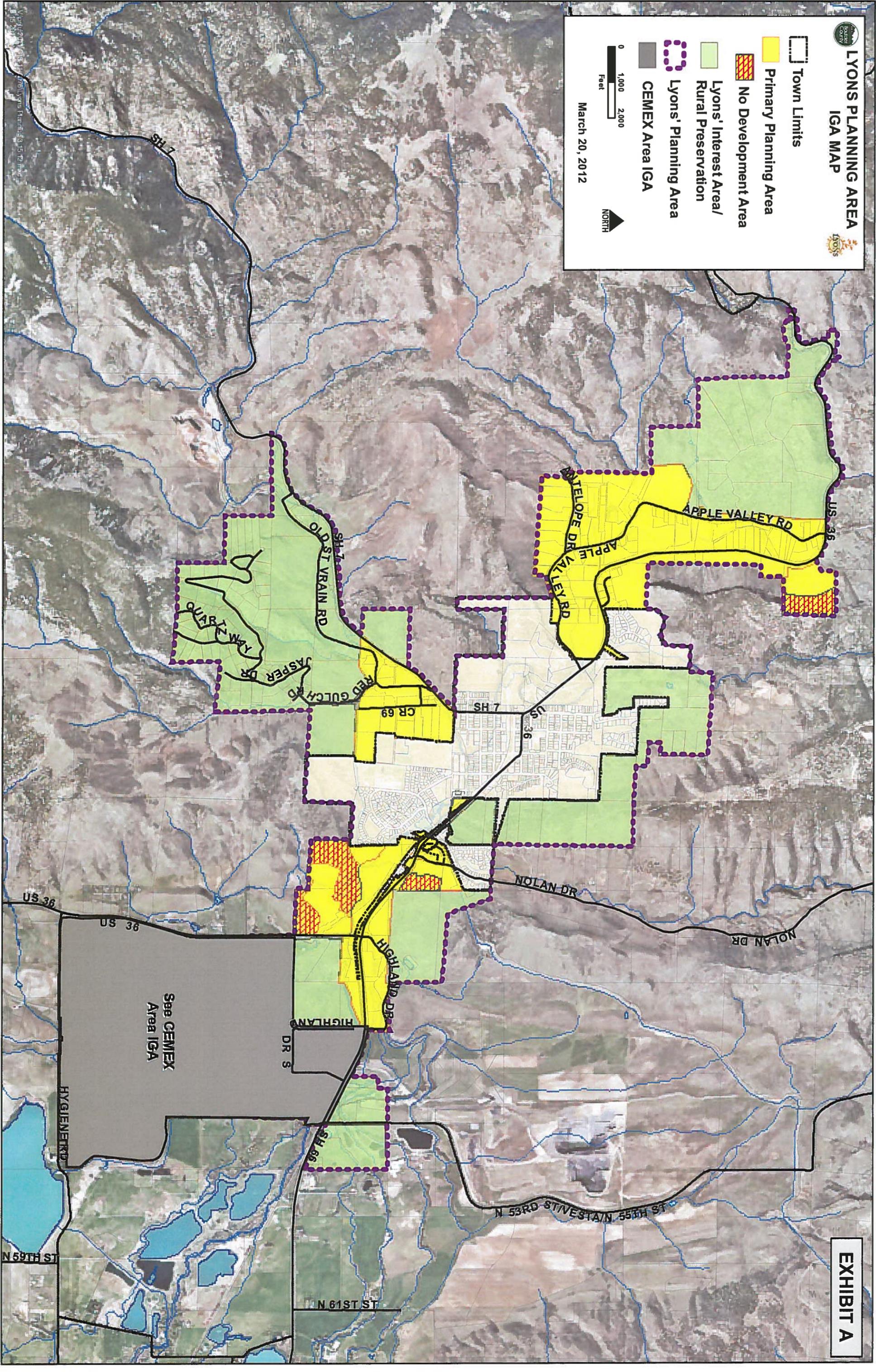
Date: \_\_\_\_\_, 2012

ATTEST: \_\_\_\_\_

APPROVED AS TO FORM: \_\_\_\_\_

 Town Limits  
 Primary Planning Area  
 No Development Area  
 Lyons' Interest Area/  
Rural Preservation  
 Lyons' Planning Area  
 CEMEX Area IGA

 0 1,000 2,000 Feet  
 NORTH  
 March 20, 2012



**TOWN OF LYONS, COLORADO  
RESOLUTION 2012-21**

**A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT ("IGA") BY AND BETWEEN THE TOWN OF LYONS, A COLORADO STATUTORY MUNICIPAL CORPORATION ("LYONS" OR THE "TOWN"), AND THE COUNTY OF BOULDER, A BODY POLITIC AND CORPORATE OF THE STATE OF COLORADO ("BOULDER COUNTY" OR THE "COUNTY") (COLLECTIVELY, THE "PARTIES") RECITALS**

**WHEREAS**, the Parties are authorized by § 29-20-101 et seq., C.R.S. as amended, to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and to protect the environment, and specifically to cooperate and contract with each other for the purposes of planning and regulating the development of land by means of a "comprehensive development plan;" and

**WHEREAS**, § 29-1-201, et seq., C.R.S., as amended, authorizes the Parties to cooperate and contract with one another with respect to functions lawfully authorized to each of the Parties and the people of the State of Colorado have encouraged such cooperation and contracting through the adoption of Colorado Constitution, Article XIV, § 18(2); and

**WHEREAS**, the functions described in this IGA are lawfully authorized to each of the Parties which perform such functions hereunder, as provided in Article 20 of Title 29; Part 1 of Article 28 of Title 30; Part 1 of Article 12 of Title 31; and Parts 2 and 3 of Article 23 of Title 31, C.R.S., as amended; and

**WHEREAS**, in December 2002, the Parties entered into a Comprehensive Development Plan Intergovernmental Agreement (the "Original IGA") for a period of ten years, which was amended to add certain additional properties to the LPA in 2005 and again in 2011; and

**WHEREAS**, the term of the Original IGA as amended ends in December 2012, and the Parties believe it is in the best interests of the citizens of the Town and the County to enter into new Intergovernmental Agreements with the goal of continuing the spirit of collaboration that was established by the Original IGA and demonstrated through the Parties' course of dealing throughout the term of the Original IGA; and

**WHEREAS**, the Parties have contemporaneously with this IGA entered into the Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement ("Lyons Planning Area IGA"), a complementary IGA that addresses development and preservation issues for all areas surrounding the Town not addressed by this IGA. This IGA and the Lyons Planning Area IGA together represent a shared vision of appropriate development for the areas covered by the IGAs for their respective durations; and.

**WHEREAS**, the Parties believe that, in order to preserve Lyons' unique and individual character through the orderly development of land and to preserve the rural quality of other lands in the area, it is in the best interest of the residents of both communities to enter into an IGA that delineates the areas of the CEMEX Property that are appropriate for certain kinds of development and the areas of the CEMEX property that the Parties desire to preserve in a rural state; and

**WHEREAS**, the disturbed area of the CEMEX property where the current cement plan is located is important to the Town both as a current employment center and in the future as a redevelopment area focusing on such as green technology uses and low impact development; and

**WHEREAS**, the Parties have each held hearings after proper public notice for the consideration of entering into this IGA and the adoption of a comprehensive development plan for the subject lands as shown on the map attached as Exhibit A; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:**

The attached "Lyons Cemex Area Comprehensive Development Plan Intergovernmental Agreement" by and between Boulder County, Colorado and the Town of Lyons, Colorado, is hereby approved by the Board of Trustees.

**ADOPTED THIS 16<sup>th</sup> DAY OF APRIL, 2012.**

**TOWN OF LYONS, COLORADO**

By: \_\_\_\_\_

Julie Van Domelen, Mayor

ATTEST:

Deb Anthony, Town Clerk

**LYONS CEMEX AREA  
COMPREHENSIVE DEVELOPMENT PLAN  
INTERGOVERNMENTAL AGREEMENT**

This Intergovernmental Agreement ("IGA") by and between the Town of Lyons, a Colorado statutory municipal corporation ("Lyons" or the "Town"), and the County of Boulder, a body politic and corporate of the State of Colorado ("Boulder County" or the "County") (collectively, the "Parties") is made to be effective on the Effective Date as defined on the signature page of this IGA.

**RECITALS**

**WHEREAS**, the Parties are authorized by § 29-20-101 et seq., C.R.S. as amended, to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and to protect the environment, and specifically to cooperate and contract with each other for the purposes of planning and regulating the development of land by means of a "comprehensive development plan;" and

**WHEREAS**, § 29-1-201, et seq., C.R.S., as amended, authorizes the Parties to cooperate and contract with one another with respect to functions lawfully authorized to each of the Parties and the people of the State of Colorado have encouraged such cooperation and contracting through the adoption of Colorado Constitution, Article XIV, § 18(2); and

**WHEREAS**, the functions described in this IGA are lawfully authorized to each of the Parties which perform such functions hereunder, as provided in Article 20 of Title 29; Part 1 of Article 28 of Title 30; Part 1 of Article 12 of Title 31; and Parts 2 and 3 of Article 23 of Title 31, C.R.S., as amended; and

**WHEREAS**, in December 2002, the Parties entered into a Comprehensive Development Plan Intergovernmental Agreement (the "Original IGA") for a period of ten years, which was amended to add certain additional properties to the LPA in 2005 and again in 2011; and

**WHEREAS**, the term of the Original IGA as amended ends in December 2012, and the Parties believe it is in the best interests of the citizens of the Town and the County to enter into new Intergovernmental Agreements with the goal of continuing the spirit of collaboration that was established by the Original IGA and demonstrated through the Parties' course of dealing throughout the term of the Original IGA; and

**WHEREAS**, the Parties have contemporaneously with this IGA entered into the Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement ("Lyons Planning Area IGA"), a complementary IGA that addresses development and preservation issues for all areas surrounding the Town not addressed by this IGA. This IGA and the Lyons Planning Area IGA together represent a shared vision of appropriate development for the areas covered by the IGAs for their respective durations; and

**WHEREAS**, the Parties believe that, in order to preserve Lyons' unique and individual character through the orderly development of land and to preserve the rural quality of other lands in the area, it is in the best interest of the residents of both communities to enter into an IGA that delineates the areas of the CEMEX Property that are appropriate for certain kinds of development and the areas of the CEMEX property that the Parties desire to preserve in a rural state; and

**WHEREAS**, the disturbed area of the CEMEX property where the current cement plan is located is important to the Town both as a current employment center and in the future as a redevelopment area focusing on such as green technology uses and low impact development; and

**WHEREAS**, the Parties have each held hearings after proper public notice for the consideration of entering into this IGA and the adoption of a comprehensive development plan for the subject lands as shown on the map attached as Exhibit A; and

**NOW THEREFORE**, in consideration of the above and the mutual covenants and commitments made herein, the Parties agree as follows:

**1.0 LYONS CEMEX AREA COMPREHENSIVE DEVELOPMENT PLAN (CEMEX AREA IGA PLAN).**

1.1 CEMEX Area IGA Plan Defined. This IGA, including the Map attached hereto as Exhibit A, is hereby adopted by the Parties as the Lyons CEMEX Area Comprehensive Development Plan, and shall be known herein as the CEMEX Area IGA Plan. The CEMEX Area IGA Plan shall govern and control the CEMEX Area. This IGA complements the Lyons Planning Area Comprehensive Development Plan IGA, but is independent from and not a part of it or any other Comprehensive Development Area IGAs between the Parties, except the Boulder County Countywide Coordinated Comprehensive Development Plan Intergovernmental Agreement (“Super IGA”).

1.2 CEMEX Area IGA Map. The Map identifies, designates and defines the land to be known as the “CEMEX Area,” which consists of the CEMEX Primary Planning Area (the “CEMEX PPA”), the CEMEX Municipal Facility Area (the “CEMEX Municipal Facility Area”), the CEMEX Lyons Interest Area/Rural Preservation Area (the “CEMEX LIA/RPA”), and the CEMEX LIA/RPA GI Property.

1.2.1 The CEMEX PPA is the land that is planned for the next phase of expansion of the Town limits and which the Parties recognize is appropriate and intended for urban development.

1.2.2 The CEMEX Municipal Facility Area represents areas which Lyons may annex in order to develop municipal services facilities such as water and sewer plants and solar/electric facilities.

1.2.3 The CEMEX LIA/RPA represents areas that are expected to remain rural for the duration of this IGA.

1.2.4 The CEMEX LIA/RPA GI Property is the portion of the Lyons Interest Area/Rural Preservation Area that (a) currently has a County general industrial zoning designation; and (b) is the subject of negotiations toward a future land use plan, as addressed in Section 2.4 of this IGA.

**2.0 ANNEXATION AND DEVELOPMENT OF PROPERTY.**

2.1. CEMEX PPA. The Town may annex into its corporate boundaries any and all property located within the CEMEX PPA in accordance with state and local laws governing annexation. By executing this IGA, the County finds and declares that a community of interest exists between the Town and all property located within the CEMEX PPA. The County will cooperate with Town efforts to annex land in the CEMEX PPA. The County

will also cooperate and consult with Town and lend its expertise, if requested, on potential development proposals for the CEMEX PPA. The Town and the County recognize the importance of remediation of the CEMEX PPA property and will work together to encourage CEMEX and state regulators to ensure remediation efforts are complete.

2.2 CEMEX Municipal Facilities Area. The Town may annex into its corporate boundaries any and all property located within the CEMEX Municipal Facility Area in accordance with state and local laws governing annexation for the sole purpose of allowing the Town to develop municipal services of the following specific kinds: water or wastewater facility; renewable energy or electric distribution facility; emergency alert system; recycling collection facility; municipal service facility, if developed in conjunction with a water or wastewater facility; and such other municipal facilities as may be mutually agreed upon by the Parties. If the Town opts to develop water treatment or sewer facilities in the CEMEX Municipal Facility Area while the property is still in unincorporated Boulder County, the County agrees that this IGA shall serve in lieu of review, as to any wastewater treatment infrastructure projects, of any permit applications that would otherwise be required under Section 8 of the Boulder County Land Use Code concerning Areas and Activities of State Interest ("1041 Regulations").

2.3 CEMEX LIA/RPA. The Town and the County acknowledge and agree that the property within the CEMEX LIA/RPA is intended to remain in the County's regulatory jurisdiction and shall not be annexed or developed by the Town during the duration of this IGA unless mutually agreed upon by both parties.

2.4 CEMEX LIA/RPA GI. The Parties further agree that within ten (10) years after execution of this IGA they will engage in good faith negotiations toward the adoption of a land use plan for the CEMEX LIA/RPA GI Property, taking into consideration input from the property owner (currently CEMEX), and to make such amendments to this IGA as are necessary to implement the land use plan if adopted..

2.5 Annexation of County ROW.

The Town agrees that if it annexes any part of a County road it will annex the entirety of that road.

### **3.0 OPEN SPACE AND RURAL PRESERVATION**

3.1 Open space acquisitions within the CEMEX Area. The County agrees that for the term of this IGA it will not purchase or otherwise acquire any land within the CEMEX PPA or the CEMEX Municipal Facilities Area for open space purposes, including conservation easements. The Town agrees that land within the CEMEX Rural Preservation Area may be acquired by the County for open space purposes, including conservation easements.

3.2 Zoning and subdivision of land in the CEMEX LIA/RPA. The zoning classification of land within CEMEX LIA/RPA should remain agricultural and subdivision should be restricted to that which exists under the County's Land Use Code, including the creation of lots of a minimum of thirty-five (35) acres, a Non-Urban Planned Unit Development which may contain up to two units per 35 acres if approved and clustered so that at least 75% of the land is protected by a conservation easement, or other cluster development permissible under the County's Land Use Code where gross density would not exceed one unit per 35 acres.

**4.0 REFERRALS**

- 4.1 Lyons Referrals to Boulder County. The Town shall promptly refer in writing to the County any application for annexation in the CEMEX Area.
- 4.2 Boulder County Referrals to Lyons. The County agrees that the Town shall be a formal referral agency for any application to the County for zoning, rezoning, subdivision, PUD, replat, special use, limited impact special use, vacation, transfer of development rights, conservation easement or development (including site plan reviews) for any lot, tract, easement, right-of-way or parcel within the CEMEX Area as well as any proposed map amendment to the Boulder County Comprehensive Plan affecting any lot, tract, or parcel within the CEMEX Area.

**5.0 AMENDMENTS**

- 5.1 Entire Agreement. With the exception of the Super IGA, this IGA contains the entire agreement between the Parties as to the CEMEX Area, and supersedes and replaces any other or prior IGAs as to the same geographic area.
- 5.2 Changes to IGA. Amendment of this IGA shall take place only upon approval by resolution or ordinance adopted by the governing body of both of the Parties, after notice and hearing as may be required by law.
- 5.3 Timely Decisions on Amendments to IGA. The Parties agree and acknowledge that time is of the essence when either Party seeks an amendment to this IGA. The Parties further agree and acknowledge that the length of time necessary to process and act upon any proposed amendment may vary depending on the complexity of the particular request and on other factors and other responsibilities facing the Parties at any given time. Nevertheless, the Parties each agree to give high priority to any proposal by the other Party to amend this IGA and to act on any such proposal without delay. In addition, the Parties agree that within thirty (30) days after receipt by one Party of an amendment proposed by the other Party, the Parties will agree on and establish a firm schedule for processing and taking final action upon the amendment proposal.

**6.0 NON-SEVERABILITY.**

If any portion of this IGA is held by a court of competent jurisdiction in a final, non-appealable decision to be *per se* invalid or unenforceable as to any Party, the entire IGA shall be terminated, it being the understanding and intent of the Parties that every portion of the IGA is essential to and not severable from the remainder.

**7.0 BENEFICIARIES.**

The Parties, in their corporate and representative governmental capacities, are the only entities intended to be the beneficiaries of the IGA, and no other person or entity is so intended.

**8.0 ENFORCEMENT.**

Either or both of the Parties may enforce this IGA by any legal or equitable means including specific performance, declaratory relief, and injunctive relief. No other person or entity shall have any right to enforce the provisions of this IGA. The Parties agree to

discuss and attempt to resolve any dispute in the interpretation or application of this IGA, but if they are unable to do so, either Party may request that the matter be presented to a mediator selected and paid for jointly by the Parties.

**9.0 DEFENSE OF CLAIMS/INDEMNIFICATION**

If, notwithstanding the provisions of Sections 7.0 and 8.0 of this IGA, any person allegedly aggrieved by a provision of this IGA who is not a party to the IGA asserts or attempts to assert any claim against any Party concerning such IGA provision, the County shall, and the Town may, defend such claim upon receiving timely and appropriate notice of the pendency of such claim. Defense costs shall be paid by the Party providing such defense. In the event that any person not a party to the IGA should obtain a final money judgment against the Town for the diminution in value of any regulated parcel resulting from regulations in the IGA or regulations adopted by the Town implementing the IGA, the County shall, to the extent permitted by law, indemnify the Town for the amount of said judgment.

**10.0 GOVERNING LAW AND VENUE**

This IGA shall be governed by the laws of the State of Colorado and venue shall lie in the appropriate court(s) for Boulder County, Colorado.

**11.0 TERM AND TERMINATION**

This IGA shall remain in effect through December 31, 2034, unless otherwise terminated earlier by mutual agreement of the Parties.

**12.0 PARTY REPRESENTATIVES**

Referrals made under the terms of this IGA shall be sent to the Parties' representatives as follows:

County of Boulder  
Director, Land Use Department  
P.O. Box 471  
Boulder, Colorado 80306

Town of Lyons  
Town Administrator  
P.O. Box 49  
432 Fifth Avenue  
Lyons, Colorado 80540

Name and address changes for representatives shall be made in writing and mailed to the other representatives at the then current address.

**13.0 COUNTERPART.**

This IGA may be executed in any number of counterparts which together shall constitute the agreement of the Parties.

**14.0 EFFECTIVE DATE.**

The effective date of this IGA shall be the date on which both Parties have approved and executed the IGA by signing where indicated below.

**TOWN OF LYONS:**

Board of Trustees

By:   
\_\_\_\_\_  
Mayor or Mayor Pro Tem

Date: April 16, 2012

ATTEST:

  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

please see attached  
\_\_\_\_\_  
Town Attorney

**COUNTY OF BOULDER:**

BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chair

Date: \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Clerk to Board

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

**14.0 EFFECTIVE DATE.**

The effective date of this IGA shall be the date on which both Parties have approved and executed the IGA by signing where indicated below.

**TOWN OF LYONS:**

Board of Trustees

By: [Signature]

Mayor or Mayor Pro Tem

Date: April 16, 2012

ATTEST:

[Signature]  
Town Clerk

APPROVED AS TO FORM:

[Signature]  
Town Attorney

**COUNTY OF BOULDER:**

BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_

Chair

Date: \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Clerk to Board

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney



# CEMEX AREA IGA MAP

April 11, 2012



## EXHIBIT A

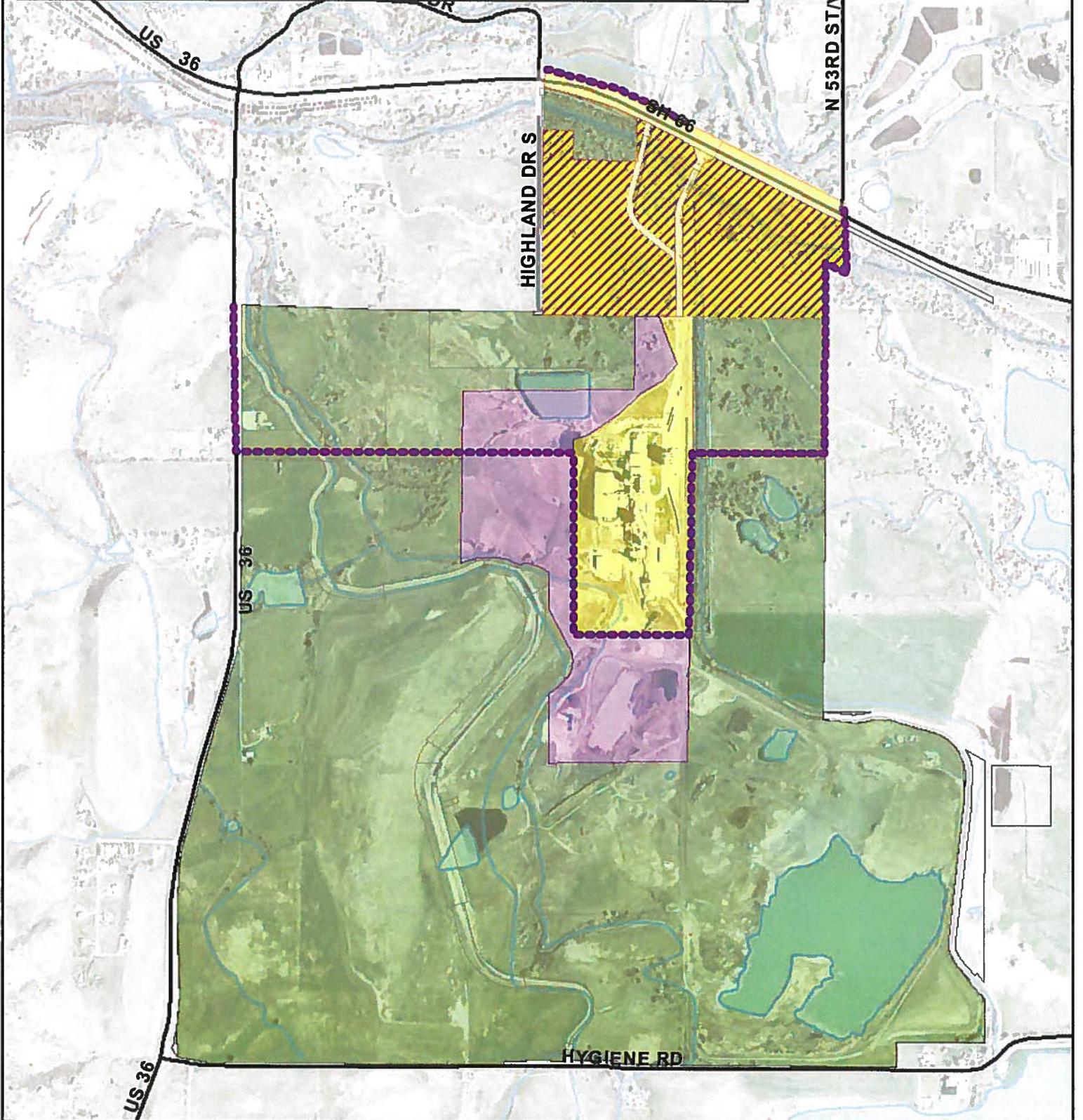
 CEMEX Primary Planning Area

 CEMEX Municipal Facilities Area

 CEMEX Lyons Interest Area/  
Rural Preservation

 Lyons' Planning Area

 CEMEX Lyons Interest Area/  
Rural Preservation Area  
General Industrial



**TOWN OF LYONS, COLORADO  
RESOLUTION 2012-22**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LYONS  
APPROVING THE PROPOSED ACQUISITION BY BOULDER COUNTY OF CERTAIN PROPERTY  
WITHIN THE LYONS PLANNING AREA FOR OPEN SPACE AND/OR CONSERVATION PURPOSES  
IN ACCORDANCE WITH SECTION 5.1 OF THE LYONS PLANNING AREA COMPREHENSIVE  
DEVELOPMENT PLAN INTERGOVERNMENTAL AGREEMENT**

**WHEREAS**, C.R.S. §29-20-101, et seq. authorizes the Town of Lyons to enter into intergovernmental agreements to plan for and regulate land uses and to cooperate with other governmental entities for the purposes of planning and regulating the development of land; and

**WHEREAS**, By Resolution 2012-20, the Town's Board of Trustees approved the Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement with Boulder County (the IGA); and

**WHEREAS**, pursuant to Section 5.1 of the IGA, Boulder County agreed that during the term of the IGA the County would not purchase or otherwise acquire any land within the Lyons Planning Area for open space purposes, including conservation easements and transfers of density rights, without the approval of the Town of Lyons; and

**WHEREAS**, the owners of the property known as 5169 Ute Highway, Longmont, Colorado 80503, John Martin and Kayann Short, have expressed a desire to sell the property and/or impose conservation easements or other development restrictions on the property, and have requested the Town's approval for the proposed sale; and

**WHEREAS**, the Town's Board of Trustees has reviewed the request and considered all relevant facts and circumstances, including the preliminary nature of the request for approval, and has determined that the property is appropriate for restrictions on future development, up to and including dedication as open space.

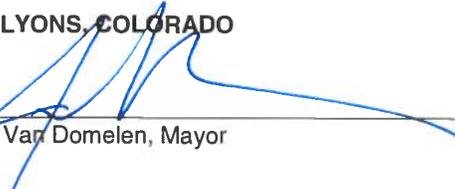
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:**

**Section 1.** In accordance with Section 5.1 of the Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement, the Board of Trustees hereby gives its approval to the acquisition by Boulder County for open space purposes, including but not limited to the imposition of one or more conservation easements, of the property known as Stonebridge Farm, 5169 Ute Highway, Longmont, Colorado 80503, and more particularly known as Parcel #120321000011.

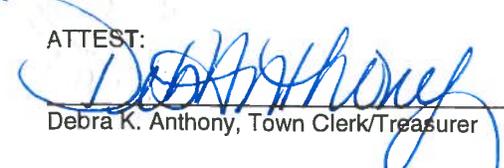
**Section 2.** The approval granted by this Resolution shall be effective for the term of the Lyons Planning Area Comprehensive Development Plan Intergovernmental Agreement and shall terminate by operation of law upon the expiration of said IGA, unless terminated earlier by the Board of Trustees. Any earlier termination by the Board of Trustees shall be by resolution and may be made only upon a finding, made in the sole and exclusive discretion of the Board, that a material change in circumstances has occurred that renders the property unsuitable for conservation and/or open space restrictions.

**ADOPTED this 16<sup>th</sup> day of April 2012.**

**TOWN OF LYONS, COLORADO**

By:   
Julie Van Domelen, Mayor

ATTEST:

  
Debra K. Anthony, Town Clerk/Treasurer

Referrals made under the terms of this IGA shall be sent to the Parties' representatives as follows:

County of Boulder  
Director, Land Use Department  
P.O. Box 471  
Boulder, Colorado 80306

Town of Lyons  
Town Administrator  
P.O. Box 49  
432 Fifth Avenue  
Lyons, Colorado 80540

Name and address changes for representatives shall be made in writing and mailed to the other representatives at the then current address.

**19.0 COUNTERPART.**

This IGA may be executed in any number of counterparts which together shall constitute the agreement of the Parties.

**20.0 EFFECTIVE DATE.**

The effective date of this IGA shall be the date on which both Parties have approved and executed the IGA by signing where indicated below.

**TOWN OF LYONS:**

Board of Trustees

By: [Signature]  
Mayor or Mayor Pro Tem

Date: April 16, 2012

ATTEST: [Signature]  
Town Clerk

APPROVED AS TO FORM: [Signature]  
Town Attorney

**COUNTY OF BOULDER:**

BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chair

Date: \_\_\_\_\_, 2012

ATTEST: \_\_\_\_\_

APPROVED AS TO FORM: \_\_\_\_\_

Clerk to Board

County Attorney

BOCC Hearing  
IGA-12-0001 & IGA-12-0002

**Attachment - Public Comment**

To: Dale Case and The Boulder County Commissioners  
Re: IGA and Lyons land use plan

From: Lois Hickman  
5125 Ute Highway  
Longmont Colorado 80603

[loisehickman@gmail.com](mailto:loisehickman@gmail.com)

March 11, 2012

I am writing regarding Lyons' plan to extend its borders to include properties along the "eastern corridor", which extends down Ute Highway (highway 66) and beyond my property.

I am adding my voice to that of John Martin and Kayann Short of Stonebridge Farm which borders my property on the east. We and several others combined our resources several years ago to save Stonebridge Farm as well as my little farm (JenLo Farm) from being destroyed by the encroaching cement industry. We have worked hard to maintain the organic, earth-connected and community based character of both our properties.

I feel strongly that this adjoining acre of land should be maintained as agricultural. It is important that it be preserved for many reasons. It has been an organic farm for many years, is an example of the value of permaculture, and is also an example of the importance of community. I am not willing to sacrifice it to Lyons' growth plans. I want to ensure that its rural, environmentally conscious status is preserved for many generations to come.

Kayann and John have shared the letter they have received from Dale Case, and am encouraged by his comments.

In your deliberations with the town of Lyons, exclude 5125 Ute Highway from the eastern corridor plan.

Respectfully,  
Lois Hickman

Phone: 303-823-6353  
Cell: 720-278-4763

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----- Forwarded Message

**From:** Kayann Short <[kshort@greenspeedisp.net](mailto:kshort@greenspeedisp.net)>

**Date:** Thu, 19 Jan 2012 14:50:42 -0700

**To:** <[dcase@bouldercounty.org](mailto:dcase@bouldercounty.org)>, john Martin <[jmartin@greenspeedisp.net](mailto:jmartin@greenspeedisp.net)>

**Conversation:** Lyons Planning Area

**Subject:** Lyons Planning Area

Dear Dale Case,

As owners of Stonebridge Farm, a small farm and oldest CSA in Boulder County, we would like to share

BOCC Hearing  
IGA-12-0001 & IGA-12-0002

with you a letter we recently sent to the Lyons Town Board regarding proposed regulation of the Lyons Planning Area as part of the Intergovernmental Agreement between Lyons and Boulder County.

It is our understanding that the boundaries of this area are not yet determined but that our property is being considered for inclusion in the Secondary Planning Area and that regulations concerning agricultural land in the Lyons Planning Area are currently being created through the IGA. Our main concern is to keep our farmland in agricultural zoning in perpetuity through options such as creating a conservancy or selling to county open space for organic agricultural production.

Although we plan to farm this land for many years to come and we don't yet know what action we might take to conserve our land, we are concerned that regulations created today will narrow the options we have in the future. We are sharing our letter with you so that the Boulder County Land Use Department knows our intention to preserve this land's agricultural mission and helps us take steps toward that end. We would be happy to discuss this issue with you at any time.

Thank you,  
Kayann Short and John Martin  
5169 Ute Hwy  
Longmont, CO 80503  
303-823-0975

Dear Lyons Town Board and Mayor Van Domelen,

Stonebridge Farm is a 100-year-old organic farm located at 5169 Ute Hwy, a mile east of Lyons, CO. This year we celebrated our 20<sup>th</sup> season as a community-supported agricultural farm. The majority of our members live in Lyons and support the farm in many ways. Stonebridge's mission is three-fold: growing fresh, organic vegetables; sustaining a cooperative, farm-centered community; and preserving local agriculture.

Stonebridge is a unique ten-acre property at the confluence of three irrigation ditches. Our riparian and agricultural ecosystems are a valuable asset to the community. We are committed to maintaining Stonebridge as agricultural land and will take steps in the coming years to guarantee that it will be preserved as farmland. We do not intend to seek annexation into Lyons.

Stonebridge is in the secondary planning area of the Lyons planning area. According to the proposed intergovernmental agreement with Boulder County, any Open Space purchase or conservation easement must be approved by the Lyons Town Board. We would like to ask that Stonebridge be exempt from that regulation so that we will be free to take whatever steps are necessary to preserve Stonebridge's agricultural heritage. We are concerned that future Town Boards may view Stonebridge as prime real estate for light industrial or commercial development and may prevent our ability to maintain Stonebridge's agricultural character.

We would also ask that the Town Board keep the beauty and utility of Stonebridge in mind in future decisions and help preserve its agricultural mission. If the Town Board can create or facilitate policies that help us secure Stonebridge Farm's agricultural future, please communicate these ideas with us. We hope to work together with the town of Lyons to continue our three-fold mission in this wonderful community.

Sincerely,  
Kayann Short and John Martin

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Begin forwarded message:

**From:** "Haverfield, Carrie" <[chaverfield@bouldercounty.org](mailto:chaverfield@bouldercounty.org)>  
**Date:** May 2, 2012 11:05:59 AM MDT  
**To:** "Krezek, Michelle" <[mkrezek@bouldercounty.org](mailto:mkrezek@bouldercounty.org)>, "Gardner, Deb" <[dgardner@bouldercounty.org](mailto:dgardner@bouldercounty.org)>, "Domenico, Cindy" <[cdomenico@bouldercounty.org](mailto:cdomenico@bouldercounty.org)>, "Toor, Will" <[wtoor@bouldercounty.org](mailto:wtoor@bouldercounty.org)>  
**Subject:** FW: Lyons east end

**From:** Robert Jones [<mailto:lyonstv@gmail.com>]  
**Sent:** Wednesday, May 02, 2012 11:00 AM  
**To:** [juliev@townoflyons.com](mailto:juliev@townoflyons.com); [kudovich@townoflyons.com](mailto:kudovich@townoflyons.com); [sbanta@townoflyons.com](mailto:sbanta@townoflyons.com); [ljohnson@townoflyons.com](mailto:ljohnson@townoflyons.com); [kjacobson@townoflyons.com](mailto:kjacobson@townoflyons.com)  
**Cc:** [wmap@igc.org](mailto:wmap@igc.org); Boulder County Board of Commissioners  
**Subject:** Lyons east end

Dear BOT,

As a resident and business owner in Lyons I would like to inform the BOT that Roger Flynn has my support regarding development of the east end. I believe his knowledge and proposals are excellent. Retail in that area should represent Lyons (a small western town) as opposed to Anywhere, USA. Dressing up McDonalds does not do that. Plus there is the major litter problem and impersonal service with chain stores. (see Grand Lake over Estes Park).

Along with retail I would like to see good paying opportunities for local residents. Grace Brothers is a good and positive example. These light industries and high tech provide jobs and also employees that will spend money in Lyons.

I'm still having trouble understanding how electric, water, sewage, maintenance, town staff and police protection will be provided to this area without costing residents a large tax increase.

Without Roger's concepts I would rather see Boulder County continue to manage this area.

Best regards,

Rob Jones--  
Lyons Communications, LLC  
PO Box 1403  
Lyons, CO 80540  
720-210-3210

Please forward this to new Trustees that are not listed on Town website.

**Appendix B: 2010 Lyons Comprehensive Plan References**

## **Appendix B: 2010 Lyons Comprehensive Plan References**

### **Lyons Comprehensive Plan Adopted March/April 2010**

**(Excerpts Taken Verbatim – Elements described below will be advanced by the LPPA Master Plan)**

#### **Guiding Principles**

##### **Chart Our Future**

- Balance the demands of trying to achieve environmental and economic sustainability with community character and historical preservation and the rights of property owners.
- Clearly articulate the Town’s interests in expanding the Lyons’ Planning Area (LPA) by proactively engaging with private and government stakeholders to make collaborative land use decisions.
- Improve and maintain our relationships with neighboring municipal and county governments.

##### **Economic Sustainability**

- Provide enough revenue for the Town to provide the quality of services desired by residents and businesses.
- Promote a business-friendly environment that encourages commercial and job growth.
- Transition from a residential development-based economy to a commercial-based, localized economy.
- Reduce retail leakage and attract Front Range day-trip tourists to support the local economy.
- Provide cost-efficient management of tax dollars and Town-owned assets.

##### **Quality of Life, Social Well-Being, Sustainability**

- Support the public and private provision of cultural, educational, social and healthcare services.
- Provide for transparency and clarity in Town decision-making and management of Town assets.
- Sustain Lyons’ key characteristics, as defined by residents’ vision and desires.

##### **Environmental Sustainability**

- Consider the net environmental costs and benefits of Lyons’ government activities and decisions.
- Facilitate residents’ and businesses’ efforts to provide a net environmental benefit from their activities and operations through incentivization, recognition and education.
- Follow the general principles in the Boulder County Sustainable Communities Initiative and the Boulder County Sustainable Energy Plan.

## Our Goals

**Land Use and Growth:** Ensure that the built environment contributes to Lyons’ identity and is consistent with the proposed 2010 Lyons Planning Area Map and the Sustainable Design and Development Principles.

**Economic Development:** Create an environment in which local business can prosper. Leverage the Town’s history, natural setting, unique retailers and relationship with the music and arts community to attract tourists.

**Town Services:** Provide adequate, safe and efficient public utilities and services in a manner that supports the community’s goals.

**Culture, History and Education:** Support the advancement of education and culture in the community.

**Environment:** Protect and promote Lyons’ unique natural environment and resources and lead the community towards environmental sustainability.

**Housing:** Recognize and accommodate the housing needs of a diverse population.

**Parks, Open Space, Trails and Recreation:** Balance the quality of life benefits that parks, trails and open lands contribute to the community with fiscal responsibility.

**Transportation:** Develop an integrated mobility system that is safe and easily accessible to all travelers.

## Land Use and Growth

**Objective 1.3:** Use land use planning tools (e.g., comprehensive plan, land use regulations) to help achieve a sustainable economy primarily through business and job growth.

Land Use and Growth Strategy 1.3.1: Define the means and the extent to which developers could create jobs and/or businesses along with residential development.

Land Use and Growth Strategy 1.3.2: Review and update annexation, zoning and subdivision regulations and fees to streamline the process and facilitate high quality residential and business development and support infill and redevelopment strategies that are consistent with the goals of this plan.

Land Use and Growth Strategy 1.3.3: Create a fact sheet that outlines the land use application process and includes review criteria to clarify the development process.

## Economic Development

**Economic Development Objective 1.1:** Create space for local businesses.

Economic Development Strategy 1.1.2: Inventory and analyze Town-owned real estate and real property to ensure the highest and best use.

Economic Development Strategy 1.1.3: Analyze the current and future downtown area parking requirements and develop options to meet

downtown businesses' future parking needs.

Economic Development Strategy 1.1.4: Work with stakeholders to promote appropriate zoning of properties consistent with the 2010 Lyons Planning Area Map.

**Economic Development Objective 1.2:** Improve Lyons' fiscal, regulatory and physical environment.

Economic Development Strategy 1.2.1: Evaluate the potential to use taxing districts and other tools to finance public improvements to benefit tourism and/or business development.

Economic Development Strategy 1.2.2: Explore the feasibility of using a Transferable Development Rights (TDR) program to ensure that there is a good balance among residential development, commercial uses and the development of jobs.

Economic Development Strategy 1.2.3: Maintain infrastructure to support existing businesses and develop infrastructure plans for new business growth.

**Economic Development Objective 1.3:** Promote business retention and the creation of new businesses in Lyons.

Economic Development Strategy 1.3.1: Support efforts to encourage entrepreneurship and to nurture businesses throughout the Lyons Planning Area.

Economic Development Strategy 1.3.2: Identify key businesses and employers in collaboration with the Lyons Area Chamber of Commerce that would fit well in Lyons, and create a recruiting plan to market the community to them.

Economic Development Strategy 1.3.3: Work with local business groups and schools to encourage entrepreneurship.

Economic Development Strategy 1.3.4: Update the Land Use Code to ensure that: the Eastern Highway 36 Corridor is geared toward encouraging uses that will reduce retail sales leakage from Lyons; the permitting process is predictable and transparent; and that new development will be well-designed and have appropriate landscaping and buffering from nearby land uses that are less intense.

Economic Development Strategy 1.3.5: Complete a business inventory and sales tax leakage study to identify opportunities for improving the business mix.

Economic Development Strategy 1.3.6: Continue to implement the recommendations set forth in the Community Revitalization Partnership's (a.k.a. Downtown Colorado) July 28-29th, 2008 Report.

Economic Development Strategy 1.3.7: Work with local business groups and the Lyons Area Chamber of Commerce to understand the root causes of business failures.

**Economic Development Objective 1.4:** Enhance the community's appearance.

Economic Development Strategy 1.4.1: Enhance Lyons' curb appeal by encouraging new buildings downtown to incorporate native Lyons building materials and architectural elements that fit with historic buildings downtown.

Economic Development Strategy 1.4.2: Clean up and enforce nuisance and beautification codes on Town controlled and commercial properties.

**Economic Development Objective 2.1:** Increase Lyons' brand awareness and recognition.

Economic Development Strategy 2.1.2: Create a wayfinding, roadway and parking system that can capitalize and leverage destinations such as the North and South St. Vrain Rivers which are not readily apparent from downtown.

Economic Development Strategy 2.1.3: Work with the Lyons Historical Society to develop and promote cultural heritage tourism related to Lyons' historic buildings and sites.

**Economic Development Objective 2.2:** Make Lyons a retail and recreational destination for residents and visitors.

Economic Development Strategy 2.2.1: Focus on encouraging the development of lodging facilities.

Economic Development Strategy 2.2.2: Conduct a study to determine the best method(s) to prevent leakage in the local economy.

Economic Development Strategy 2.2.4: Form a St. Vrain River Task Force to devise a master plan for the river corridor. The plan should balance how to:

- Make the river more visible and connected to key local and regional destinations and leverage development opportunities along the river;
- Improve recreational opportunities;
- Maintain the health of the riparian corridor and enhance wildlife habitat; and
- Achieve sustainability goals.

Economic Development Strategy 2.2.5: Evaluate the benefits of and options for privatizing the planning, integration and execution of events in the Town and surrounding area to reduce the workload on Town staff.

## **Town Services**

**Town Services Objective 1.1:** Ensure that the Town has a long-term plan for providing water, wastewater and electrical services to residents and businesses in Lyons' planning area.

Town Services Strategy 1.1.2: Develop capital improvement plans for all Town utilities. The plans should:

- 1) Define acceptable levels of service including baseline and regionally comparative rate analyses,
- 2) Describe capital improvement requirements,
- 3) Describe operations and maintenance requirements and
- 4) Address emergency planning needs.

Utilize these plans as the basis for annual budgeting, for risk and investment analysis and to seek funding from outside sources (e.g. grants).

Town Services Strategy 1.1.5: Explore alternate uses and the possible sale of the abandoned water treatment plant on Apple Valley Road.

**Town Services Objective 1.2:** Keep Lyons safe and secure.

Town Services Strategy 1.2.3: Identify key areas of safety concern including crosswalk (or lack thereof) concerns, cycling routes on roads, school routes, sidewalk maintenance, etc.

### **Culture, History and Education**

**Culture, History and Education Objective 1.3:** Support efforts to preserve and enhance historic buildings and to educate people about Lyons' history and culture through programming, events and artistic expression.

Culture, History and Education Strategy 1.3.2: Partner with the Historic Designation Commission and Lyons Historical Society to pursue funding opportunities from the National Trust for Historic Preservation and the Colorado State Office of Archaeology and Historic Preservation to enhance Lyons' historic structures.

### **Environment**

**Environment Objective 1.1:** Lead local environmental efforts by developing a balanced, cost-effective sustainability plan.

Environmental Strategy 1.1.1: Develop annually, in collaboration with the Sustainable Futures Commission, a strategic plan and list of priorities to address Town of Lyons and Lyons Planning Area sustainability issues in, as a minimum, the following areas:

- Energy and Climate Change (with specific focus on Boulder County Sustainable Energy Plan elements)
- Transportation
- Green Building Concepts (appropriate to Town of Lyons)
- Waste Minimization and Composting
- Air, Water, Light and Noise Pollution Prevention
- Sustainability and Permaculture Education
- Economic Localization
- Local Food Production and Distribution
- Invasive Species Control and Habitat Protection
- Water Conservation, Water Quality and Watershed Management
- An analysis of the options and costs of recommendations to achieve environmental sustainability (consider the *Guiding Principles* in this Comprehensive Plan )

- Redevelopment of underutilized commercial and industrial sites

### **Housing**

**Housing Objective 1.1:** Promote safe, stable, diverse neighborhoods throughout Lyons that provide a range of housing options and link residents to destinations to learn, work, shop and recreate.

Housing Strategy 1.1.2: Encourage denser housing (more homes per acre) near the center of Town to promote walking, help strengthen downtown and provide more housing options.

**Housing Objective 1.2:** Increase opportunities for affordable housing.

**Housing Objective 1.3:** Support the improvement of existing neighborhoods.

### **Transportation**

**Transportation Objective 1.1:** Continue to update and maintain Lyons' street and sidewalk system.

Transportation Strategy 1.1.2: Analyze traffic flow, traffic patterns and parking to provide recommendations to support economic development throughout the Town and the planning area

### **Sustainable Design & Development Principles**

The Town strongly encourages all new development or redevelopment to follow these principles to the extent practicable.

#### **Build for Everyone**

- Create a flexible design that allows for updates and changes over time to ensure long-term viability and to promote individuality.
- Every neighborhood should have a variety of housing types and a mix of land uses. The goal is to design a strong neighborhood structure that can accommodate a range of uses and be flexible enough to adapt to change over time. For example, the size, type of unit and cost of residences should be diverse enough to allow residents to live in the area as their needs change.

#### **Fit within and Enhance the Environment**

- Minimize the development's footprint. Preserve existing drainage patterns, minimize grading and impervious areas (building envelope, size of parking lots, roads, etc.).

**Create Inviting Public Space**

- Design projects to connect people to nature. Integrate natural features and amenities into the development and ensure that users have access to these amenities.
- Establish welcoming public spaces and destinations that encourage social interaction, appeal to people of all ages, interests and backgrounds and promote environmental sustainability.
- Public spaces such as parks, civic buildings and gateway landscapes should be highly visible from the public realm.

**Smart Street Design**

- Every new street should be designed considering: the experience of the people who will use the streets, landscape features, vegetation, topography and adjacent land uses.

**Encourage Walking and Biking**

- Provide a safe, convenient, well-defined bicycle network for both experienced and novice cyclists.

**Build to Create Enduring Value and Beauty**

- Foster distinctive architecture and a strong sense of place.
- Preserve and restore significant historic structures and features when feasible.

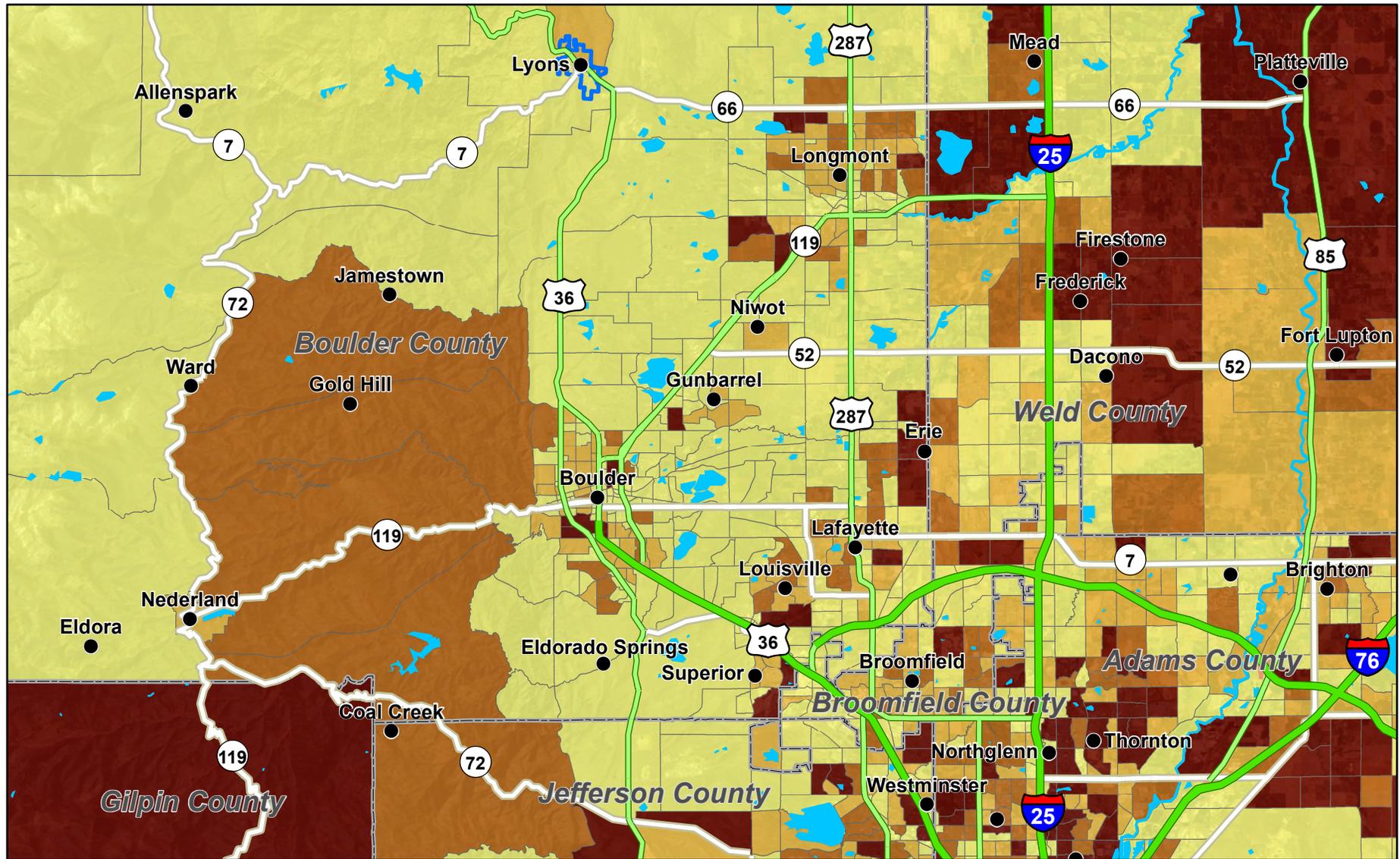
**Conserve Natural Resources**

- Encourage the reuse of existing buildings, mechanic systems, plumbing fixtures, etc. to extend the lifecycle of the building, showcase Lyons' historic character and to reduce energy use in the transport and construction of a new structure.

**Appendix C: Existing Conditions Maps**

**Appendix C: Lyons Trade Area Demographic Maps**

# LYONS, COLORADO 2025 Total Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

**2025 Total Population by TAZ District**

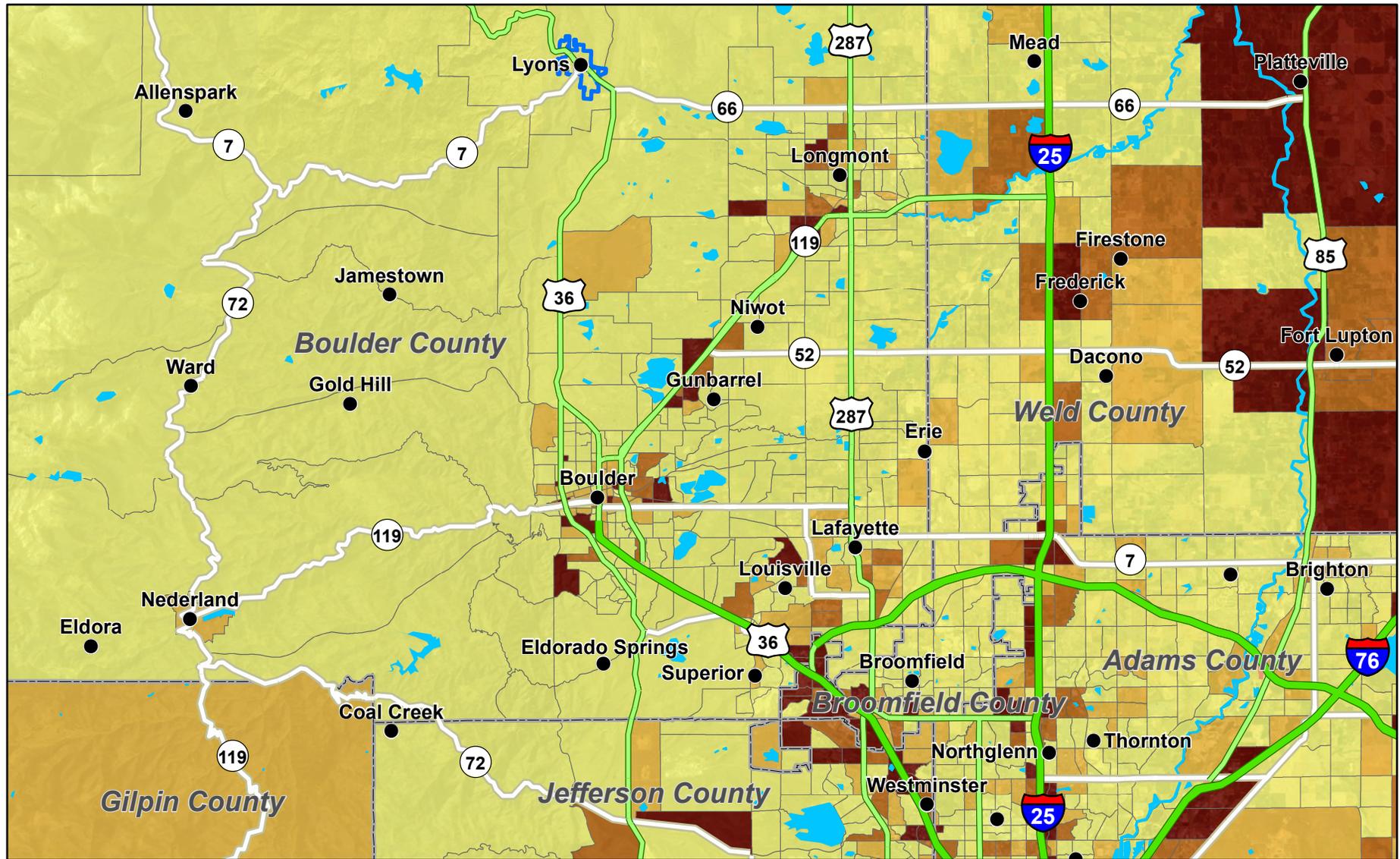
SOURCE: DRCOG

-  1,000 and Less
-  2,001 - 3,000
-  1,001 - 2,000
-  3,001 and Greater

Date: Wednesday, March 16, 2016



# LYONS, COLORADO 2025 Total Employment



0 1.25 2.5 5 Miles

Lyons Municipal Boundary

**2025 Total Employment by TAZ District**

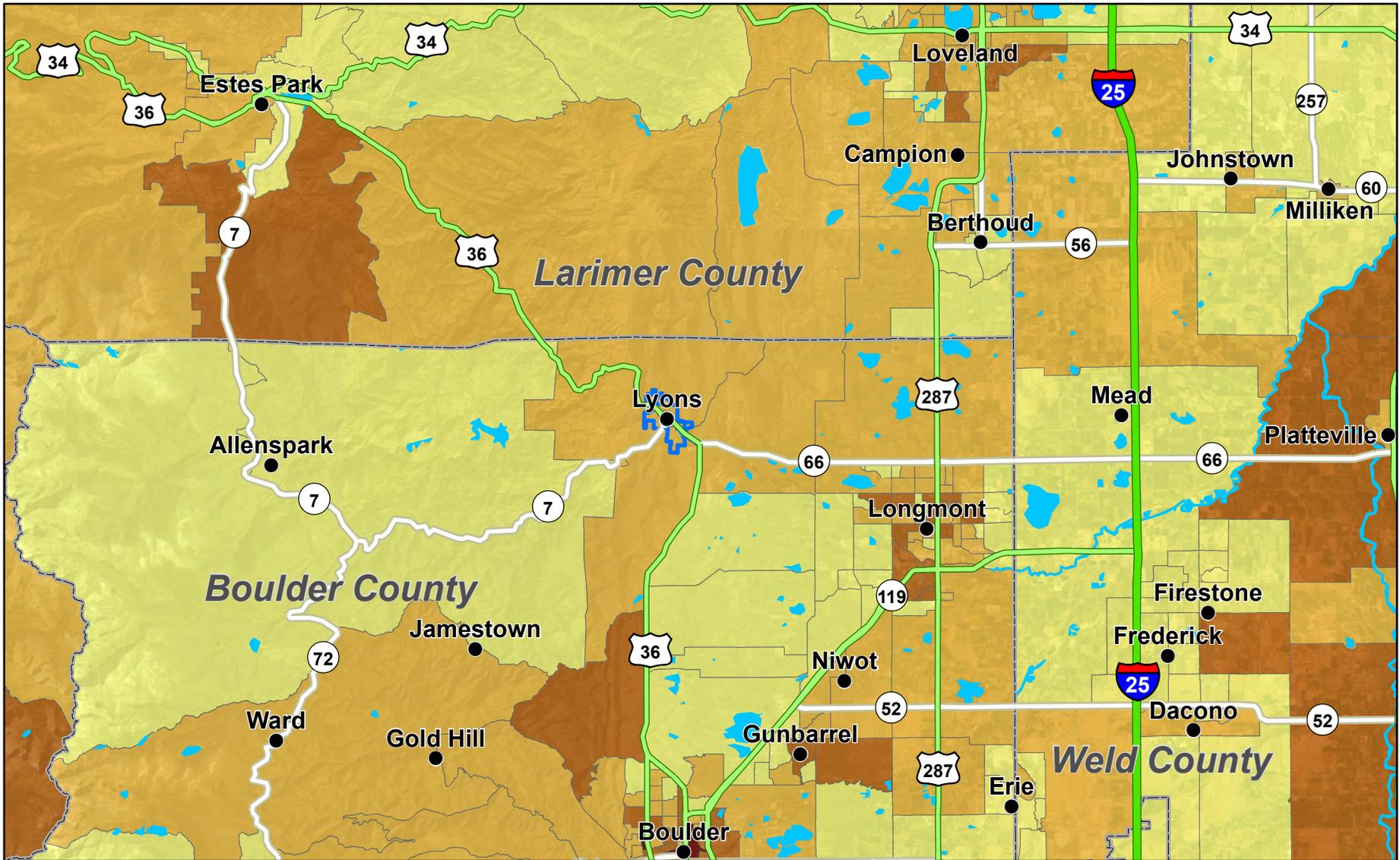
SOURCE: DRCOG

- 500 and Less
- 501 - 1,000
- 1,001 - 1,500
- 1,501 and Greater

Date: Wednesday, March 16, 2016



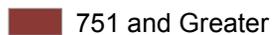
# LYONS, COLORADO 1980 Baby Boomer Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

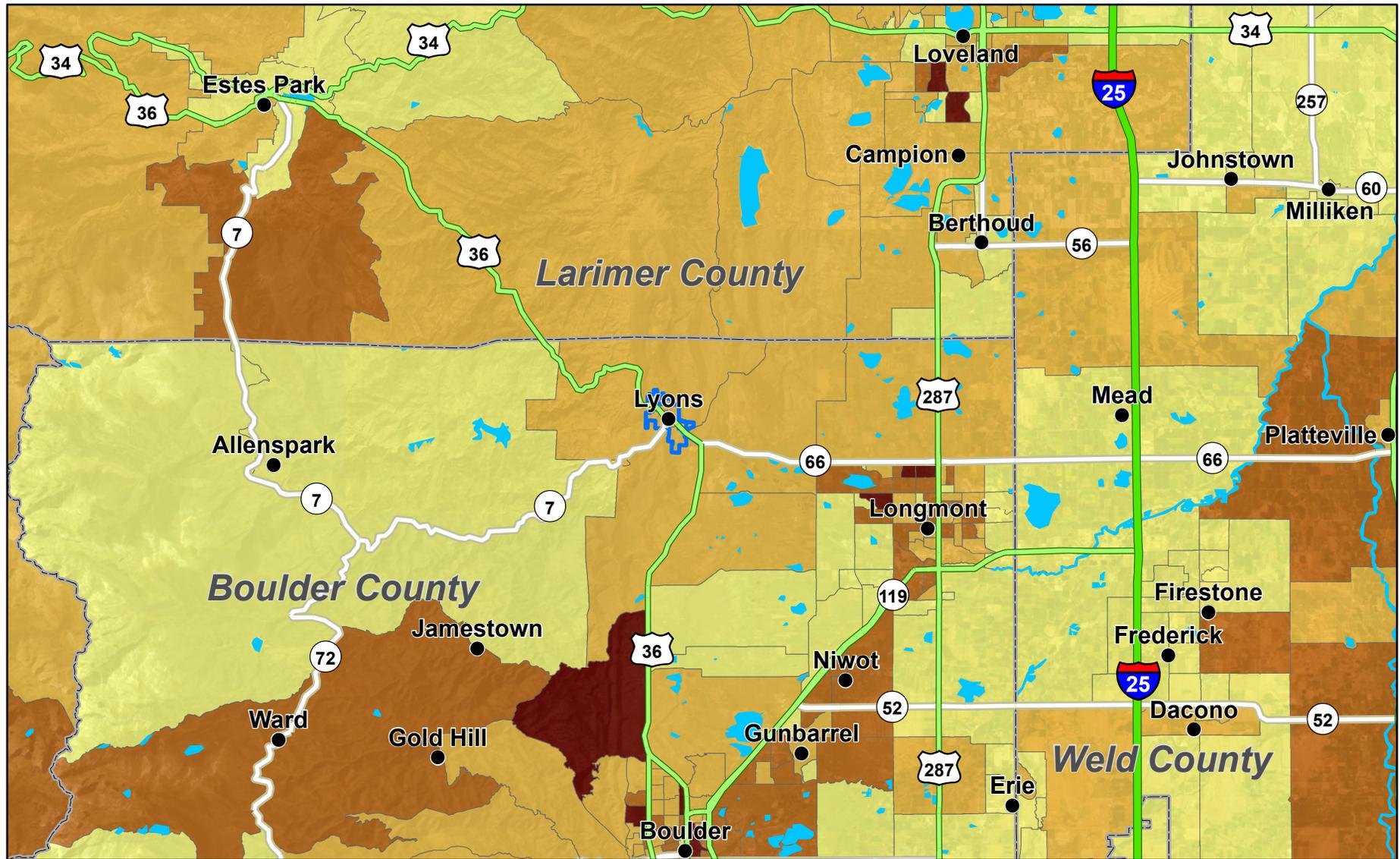
**1980 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 250 and Less	 501 - 750
 251 - 500	 751 and Greater

 Date: Wednesday, March 16, 2016



# LYONS, COLORADO 1990 Baby Boomer Population



0 1.25 2.5 5 Miles

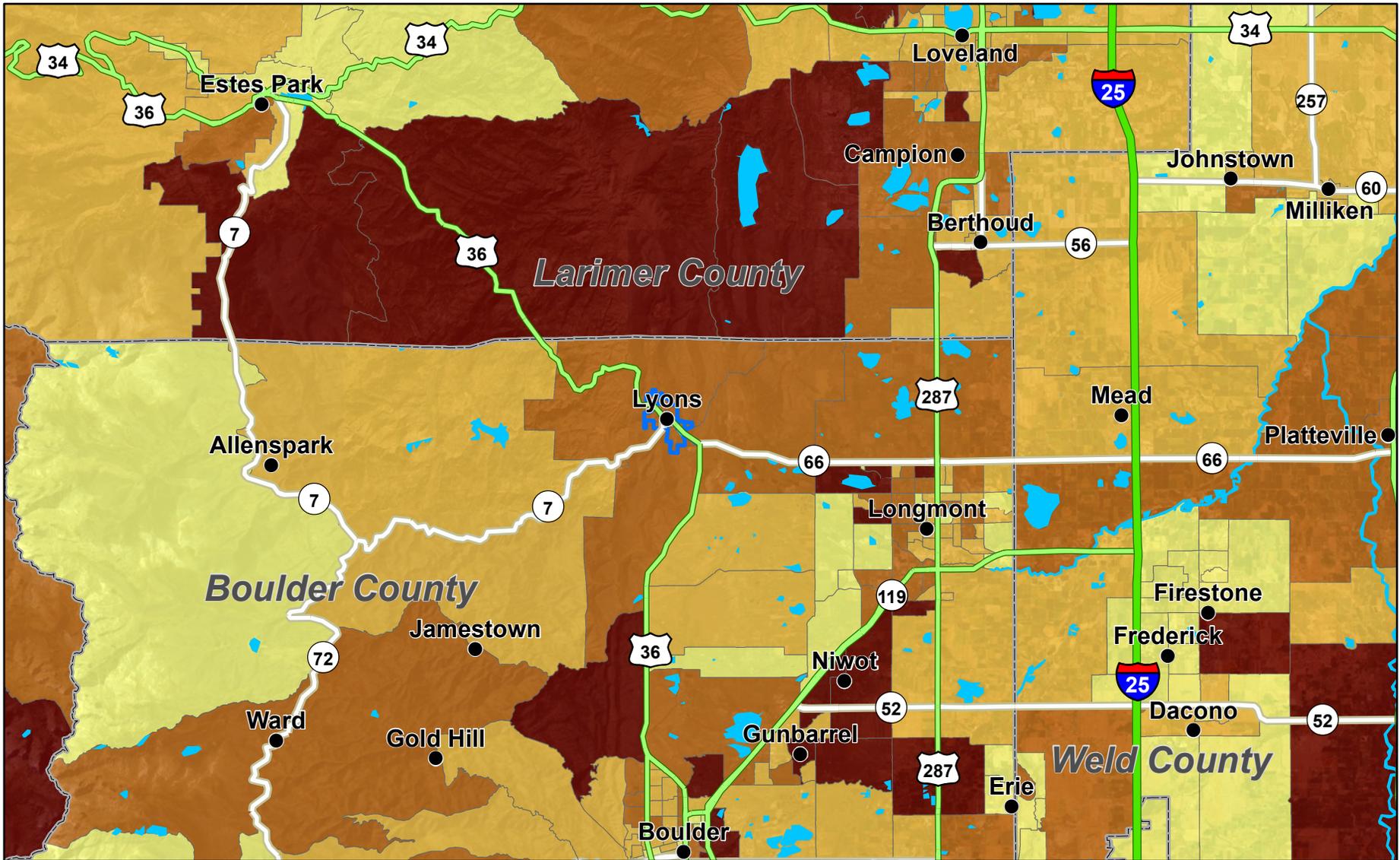
 Lyons Municipal Boundary

### 1990 Population by Census Block Group

SOURCE: U.S. Census, Geolytics, Ricker | Cunningham



# LYONS, COLORADO 2000 Baby Boomer Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

**2000 Population by Census Block Group**

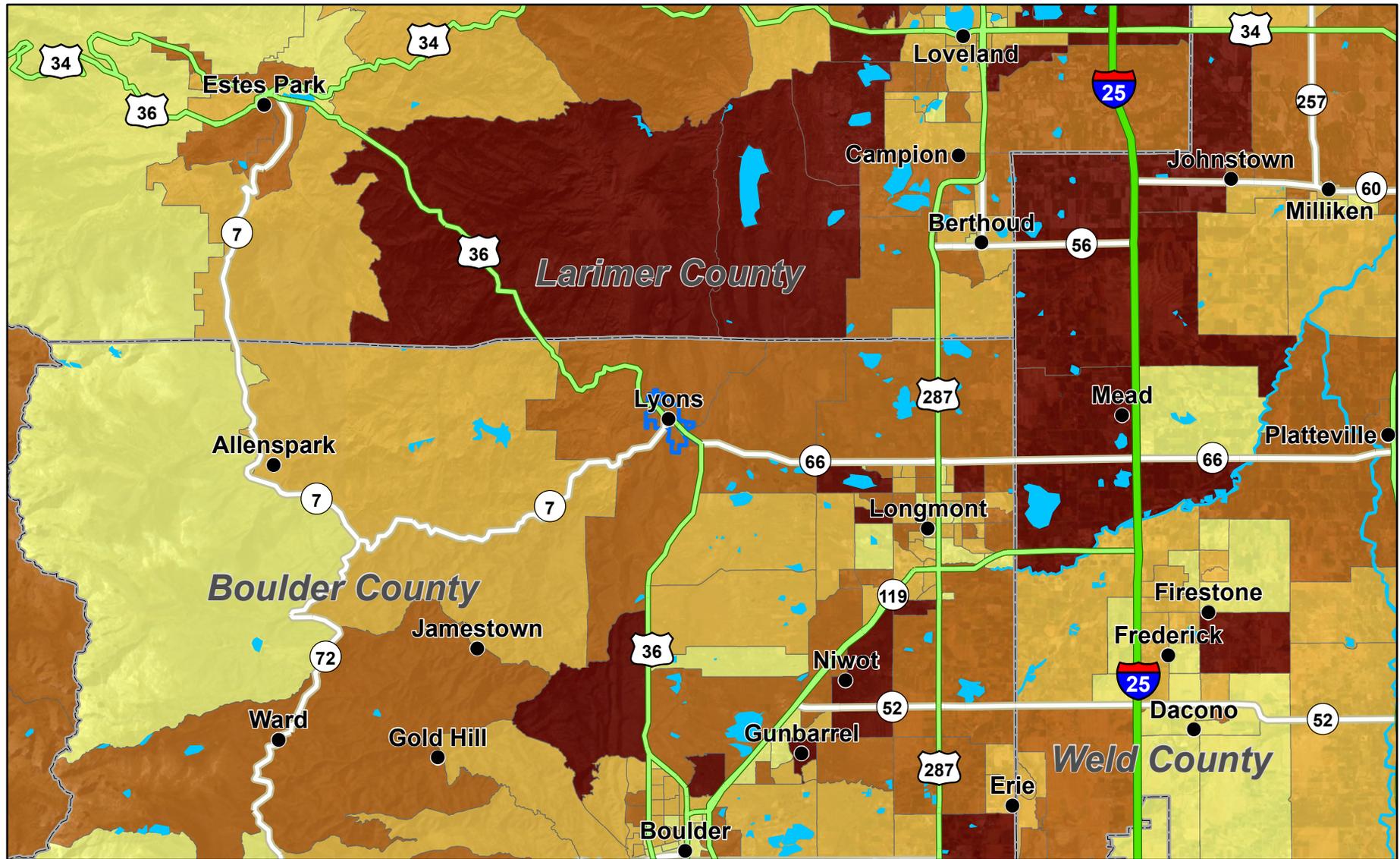
SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 250 and Less	 501 - 750
 251 - 500	 751 and Greater

Date: Wednesday, March 16, 2016



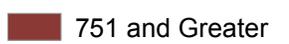
# LYONS, COLORADO 2010 Baby Boomer Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

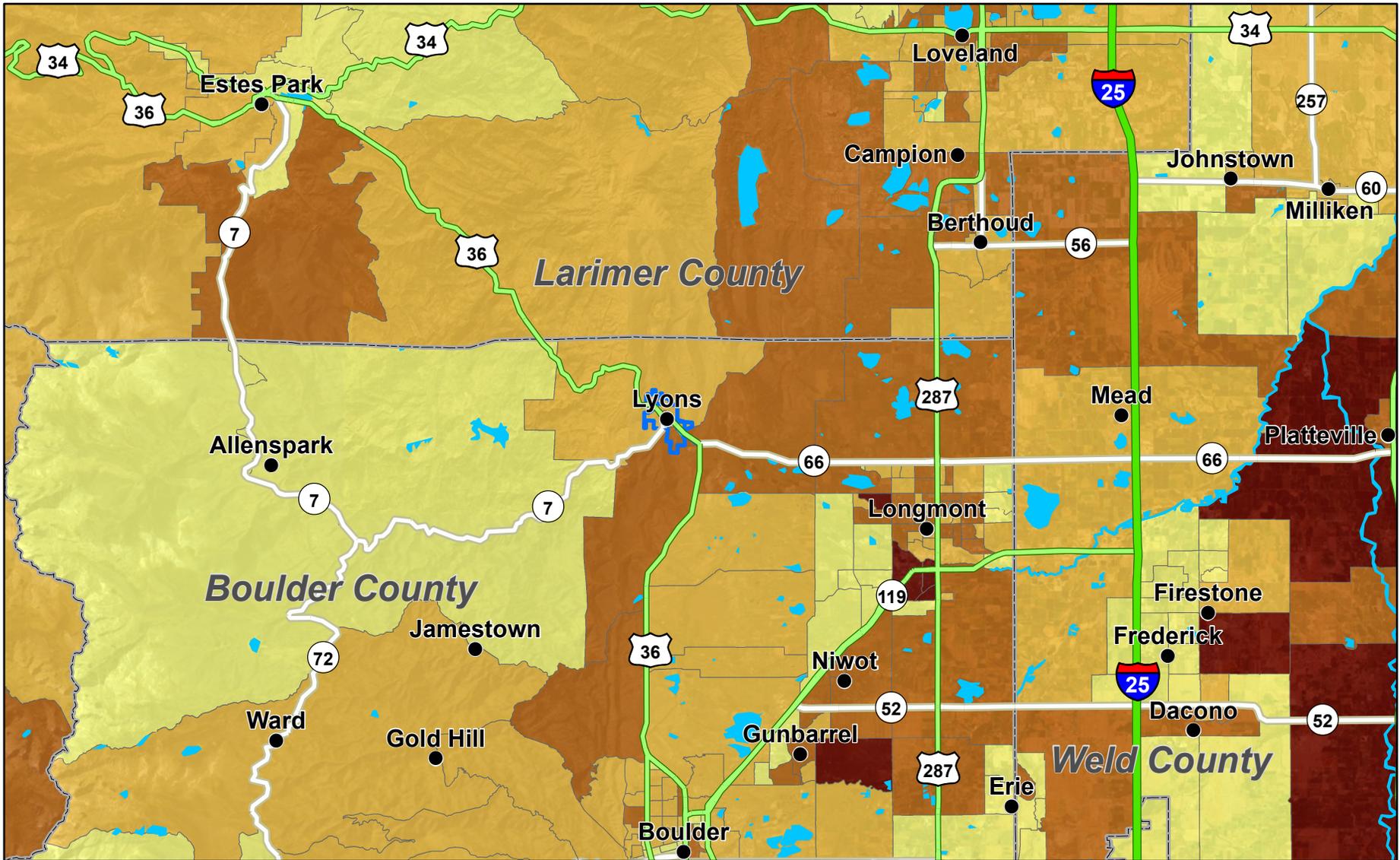
**2010 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 250 and Less	 501 - 750
 251 - 500	 751 and Greater

Date: Wednesday, March 16, 2016



# LYONS, COLORADO 1980 Generation X Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

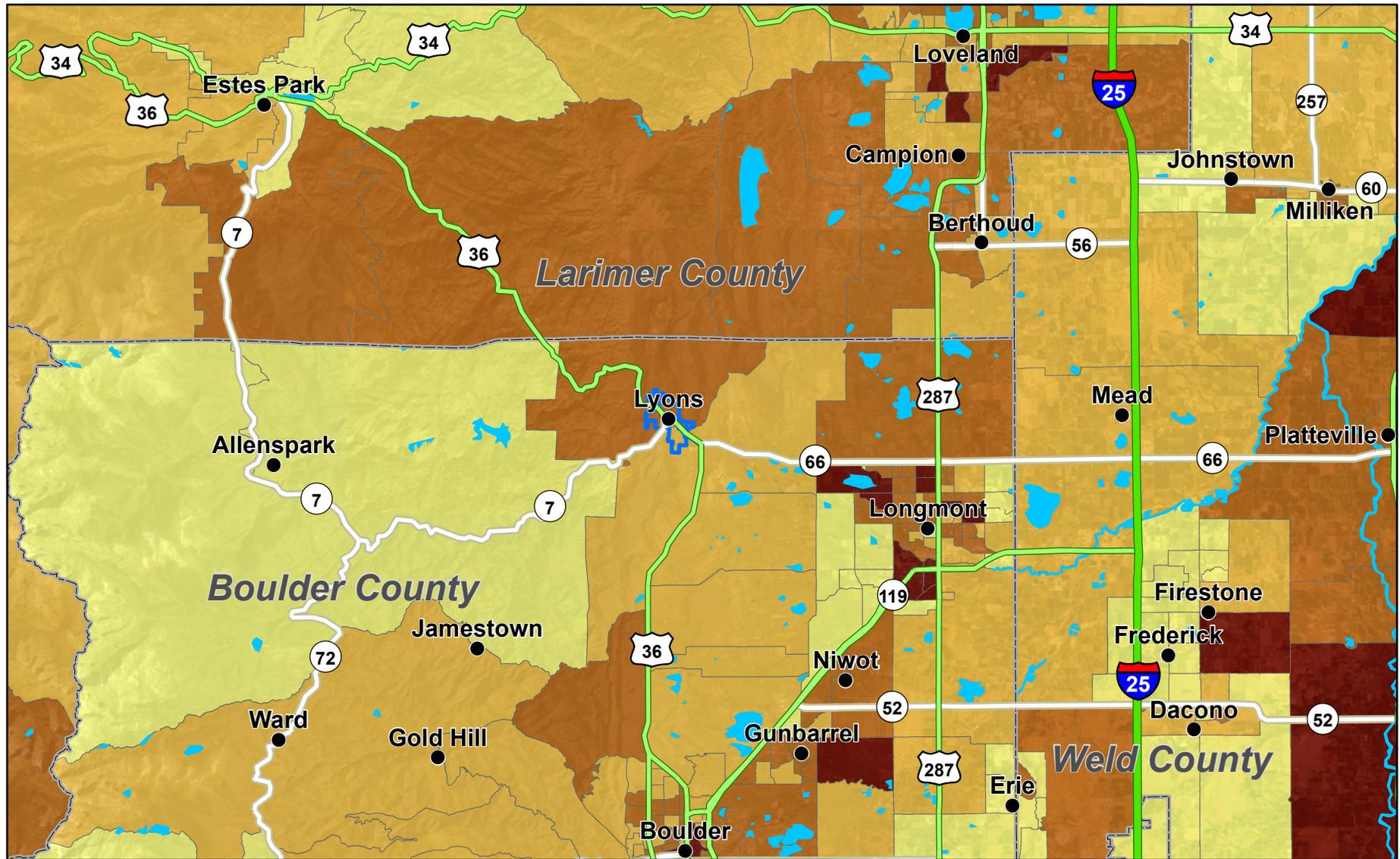
**1980 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 100 and Less	 251 - 500
 101 - 250	 501 and Greater

Date: Wednesday, March 16, 2016



# LYONS, COLORADO 1990 Generation X Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

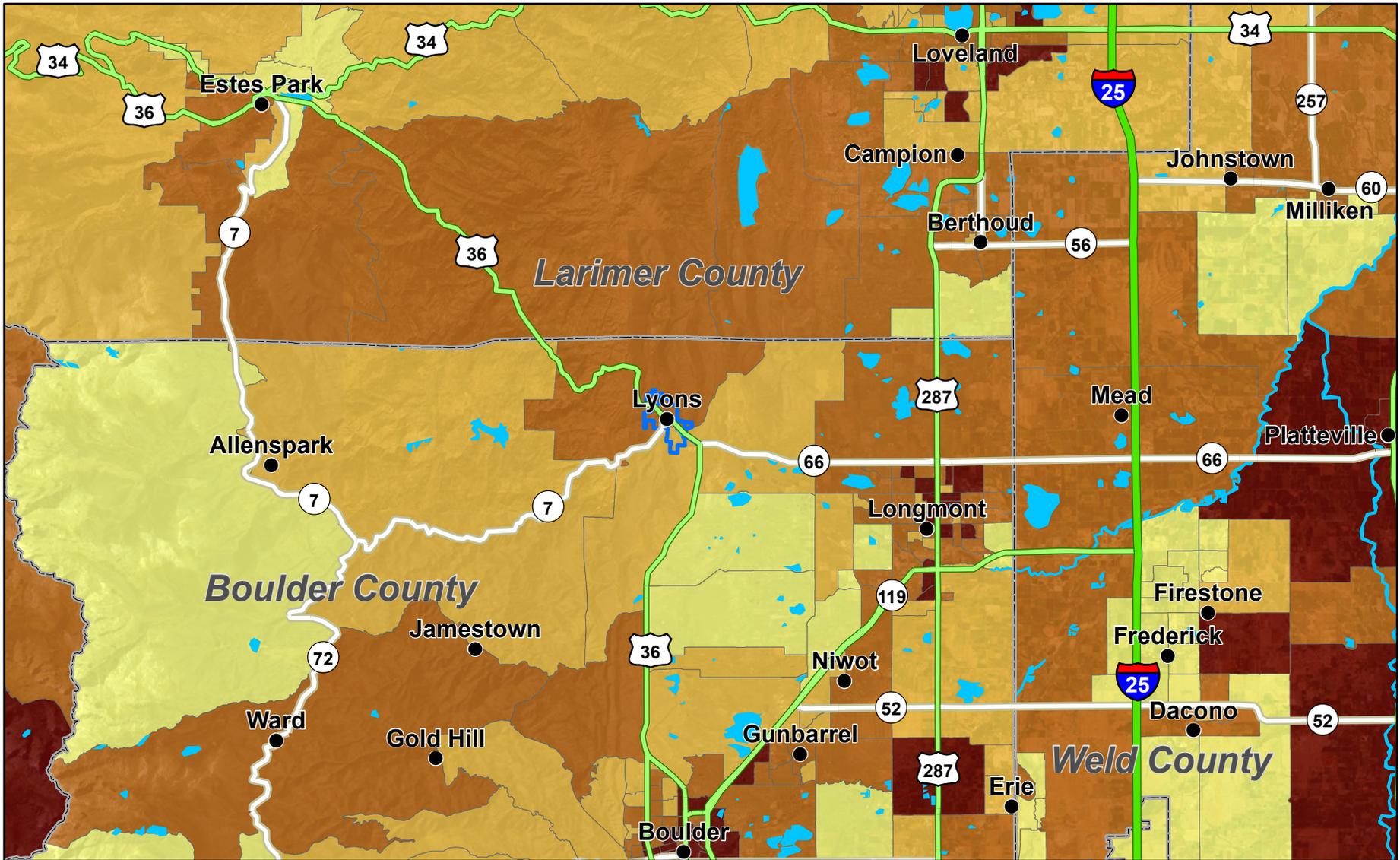
**1990 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

- |  |   |
|--|---|
|  100 and Less |  251 - 500       |
|  101 - 250    |  501 and Greater |

N  
 Date: Wednesday, March 16, 2016



# LYONS, COLORADO 2000 Generation X Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

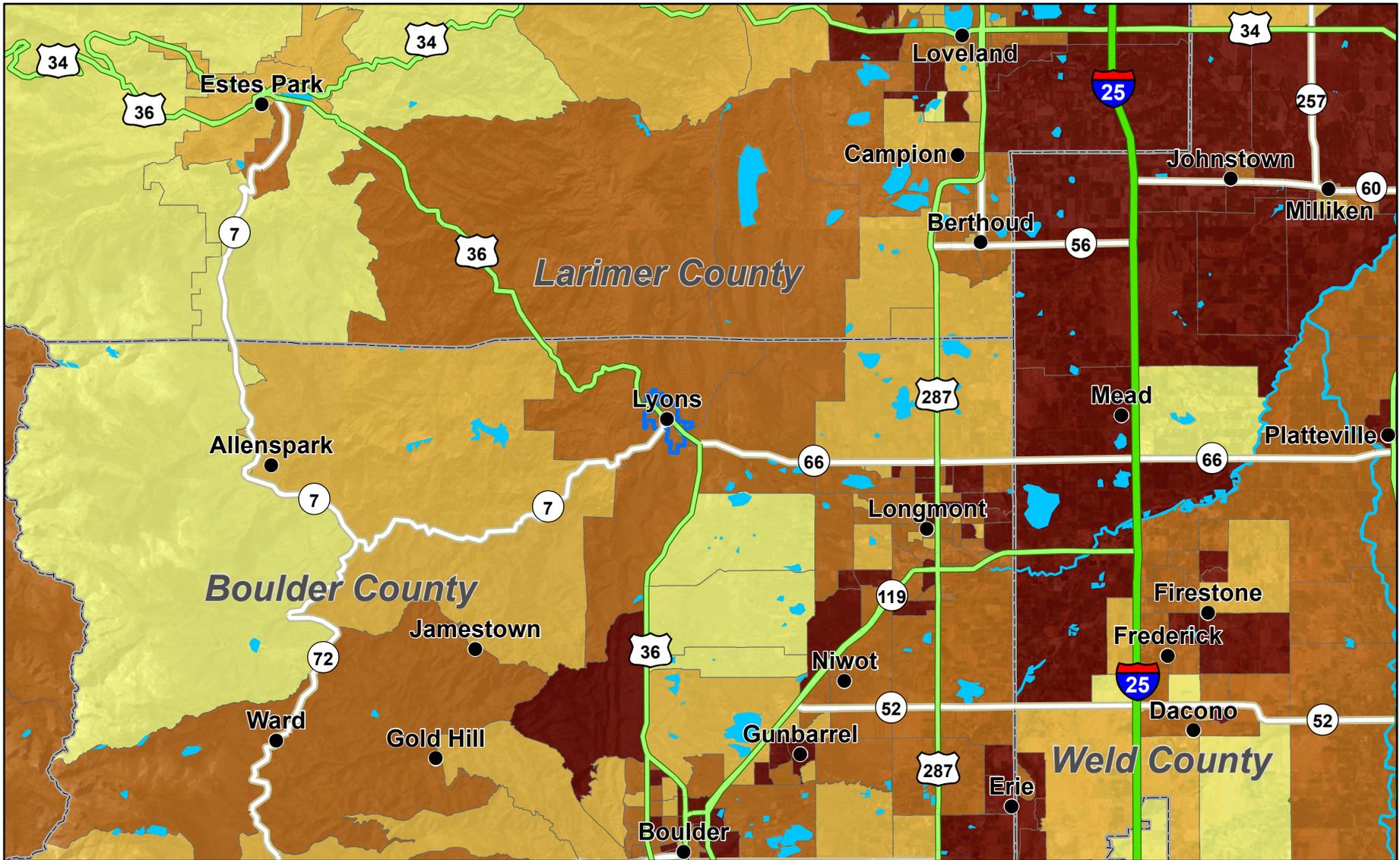
**2000 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 100 and Less	 251 - 500
 101 - 250	 501 and Greater

 Date: Wednesday, March 16, 2016



# LYONS, COLORADO 2010 Generation X Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

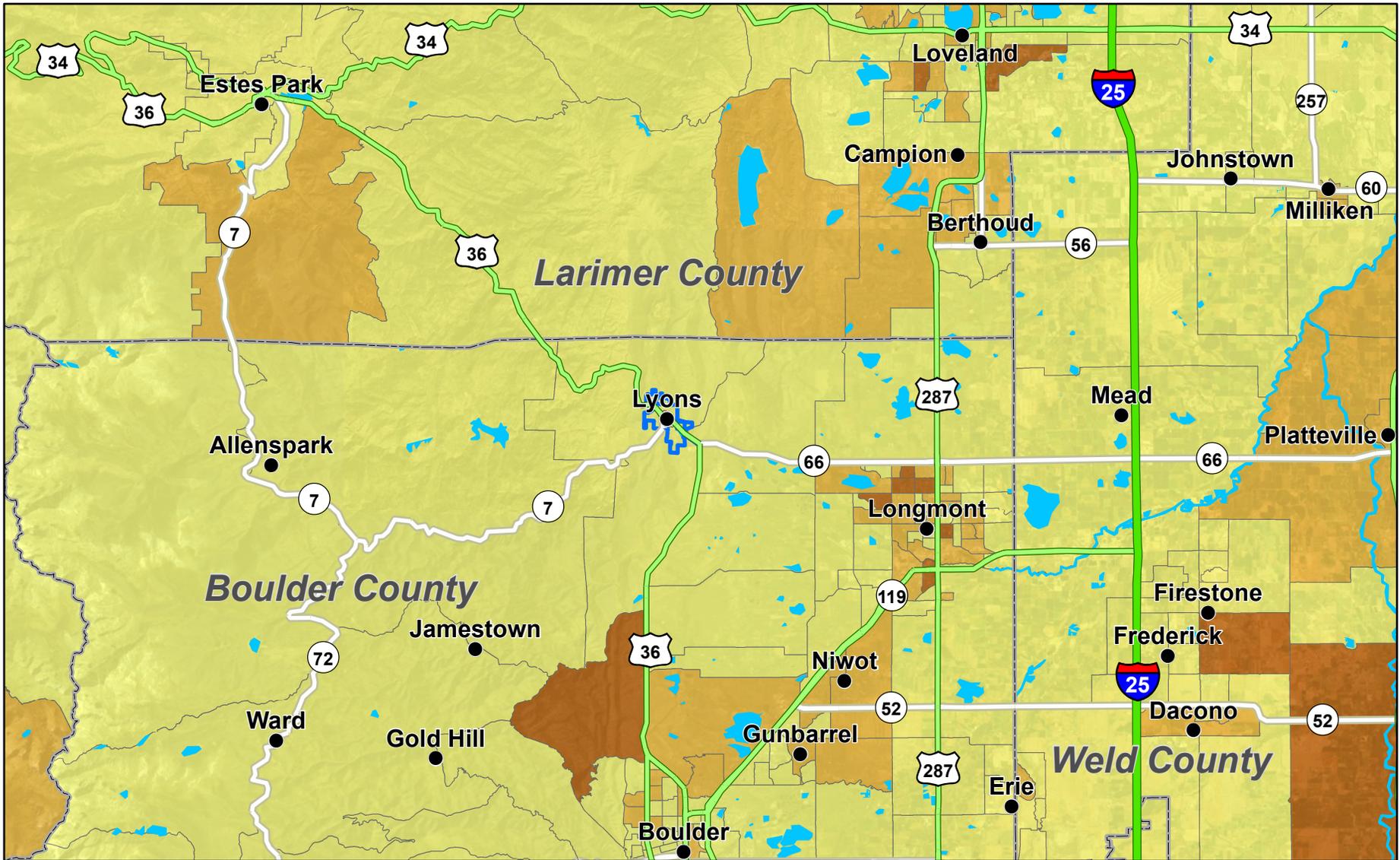
**2010 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 100 and Less	 251 - 500
 101 - 250	 501 and Greater

Date: Wednesday, March 16, 2016  
 N



# LYONS, COLORADO 1990 Generation Y Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

**1990 Population by Census Block Group**

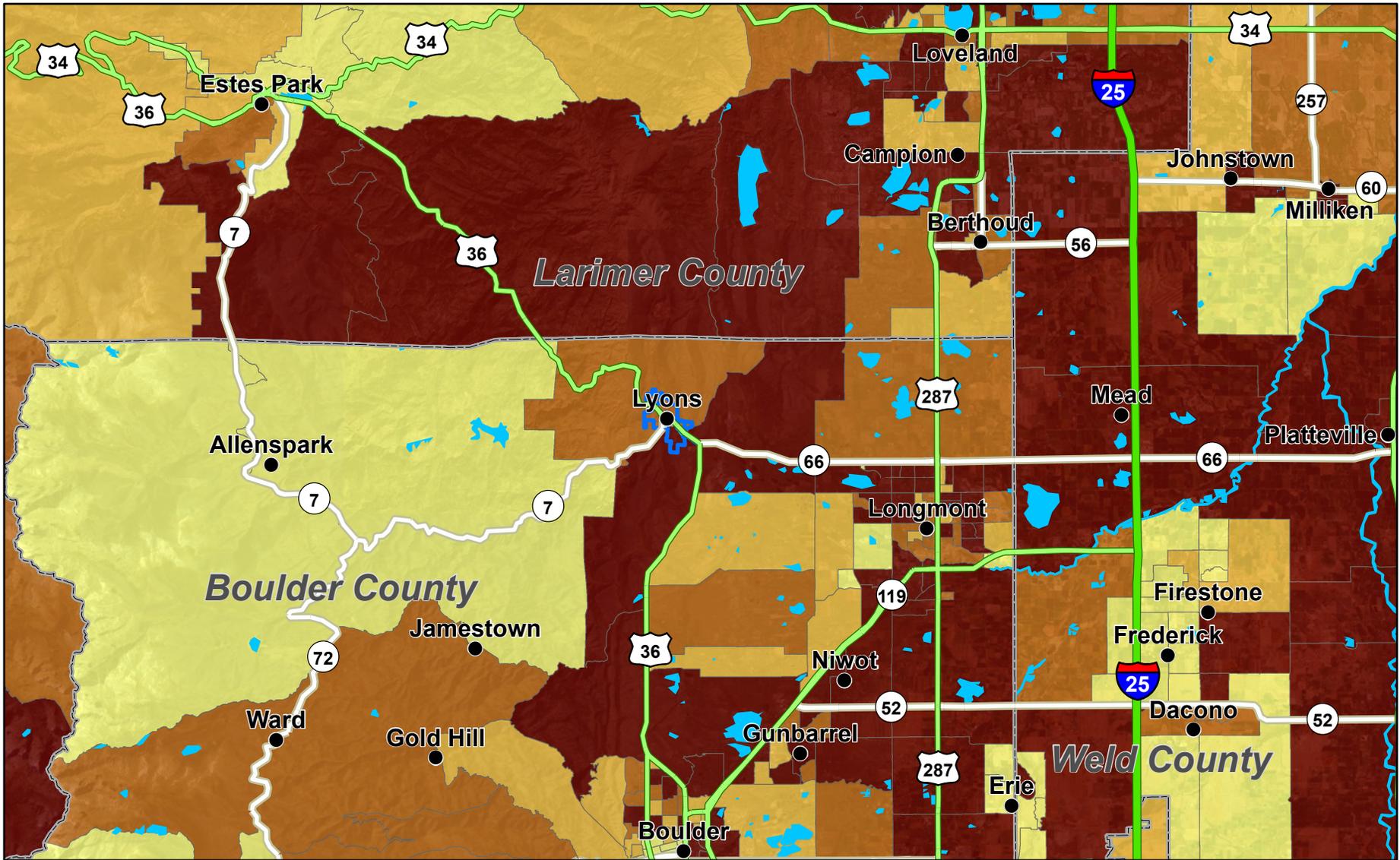
SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

- |  |   |
|--|---|
|  100 and Less |  201 - 300       |
|  101 - 200    |  301 and Greater |

Date: Wednesday, March 16, 2016



# LYONS, COLORADO 2000 Generation Y Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

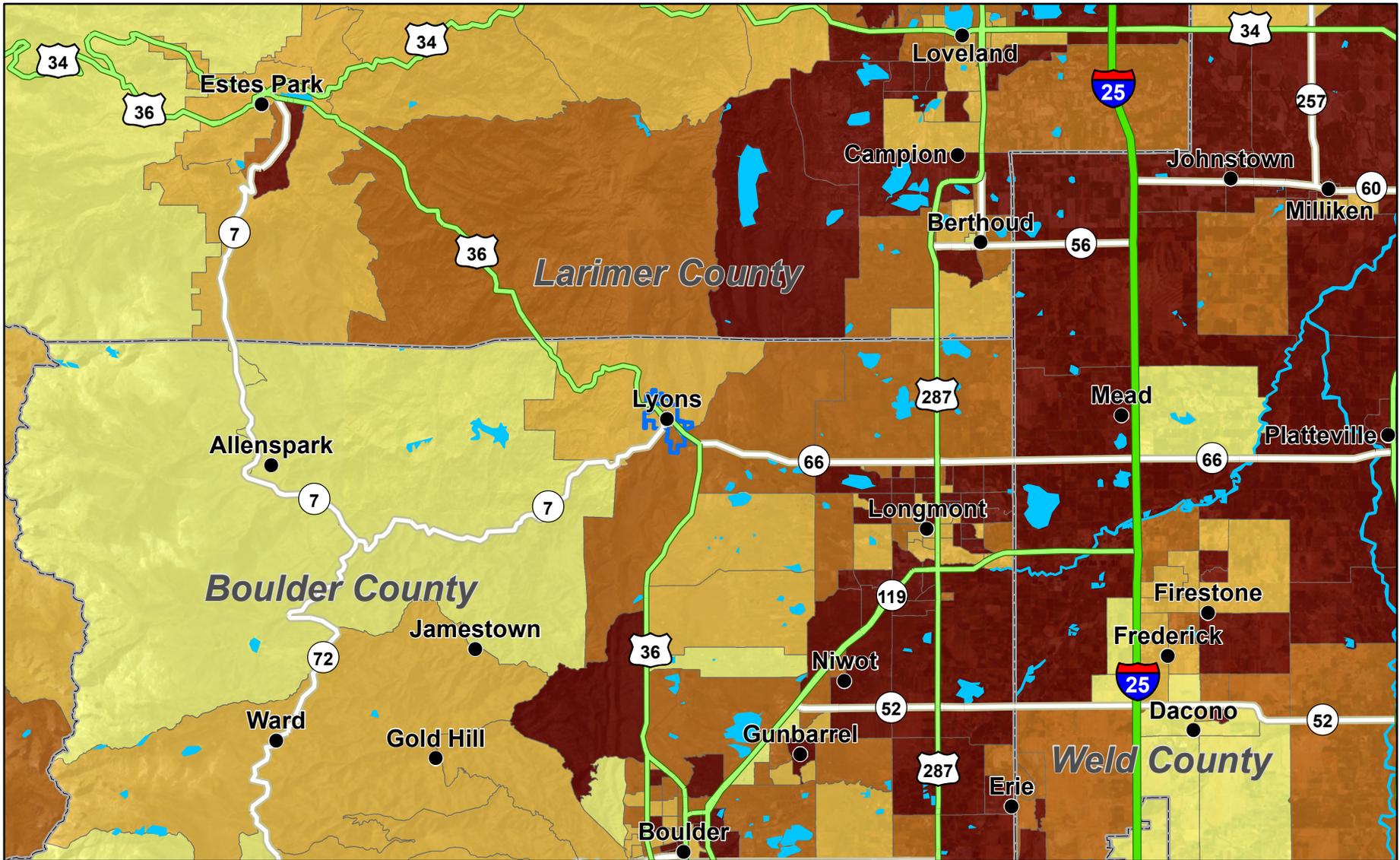
**2000 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 100 and Less	 201 - 300
 101 - 200	 301 and Greater

 Date: Wednesday, March 16, 2016



# LYONS, COLORADO 2010 Generation Y Population



0 1.25 2.5 5 Miles

 Lyons Municipal Boundary

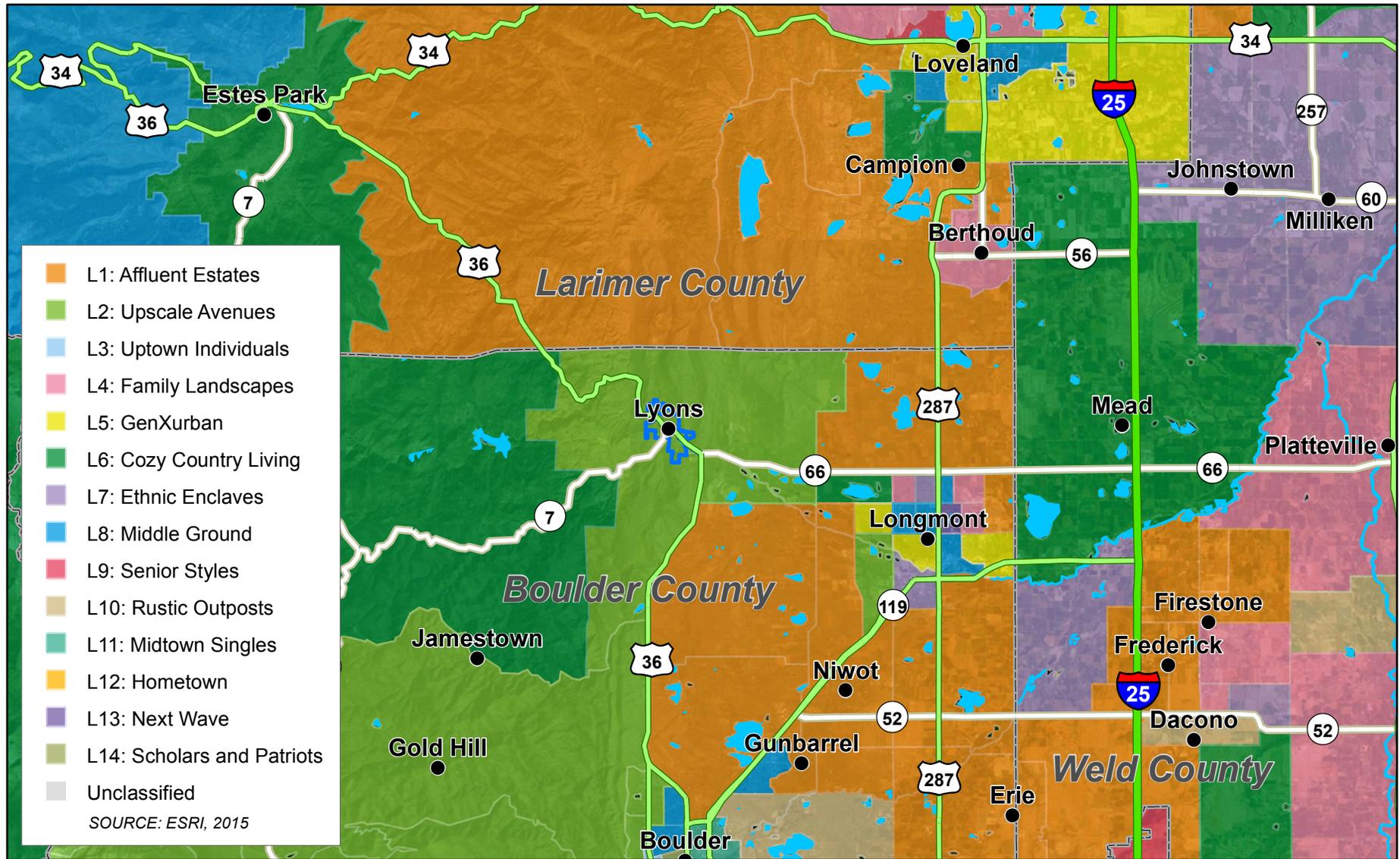
**2010 Population by Census Block Group**  
 SOURCE: U.S. Census, Geolytics, Ricker | Cunningham

 100 and Less	 201 - 300
 101 - 200	 301 and Greater

N  
 Date: Wednesday, March 16, 2016

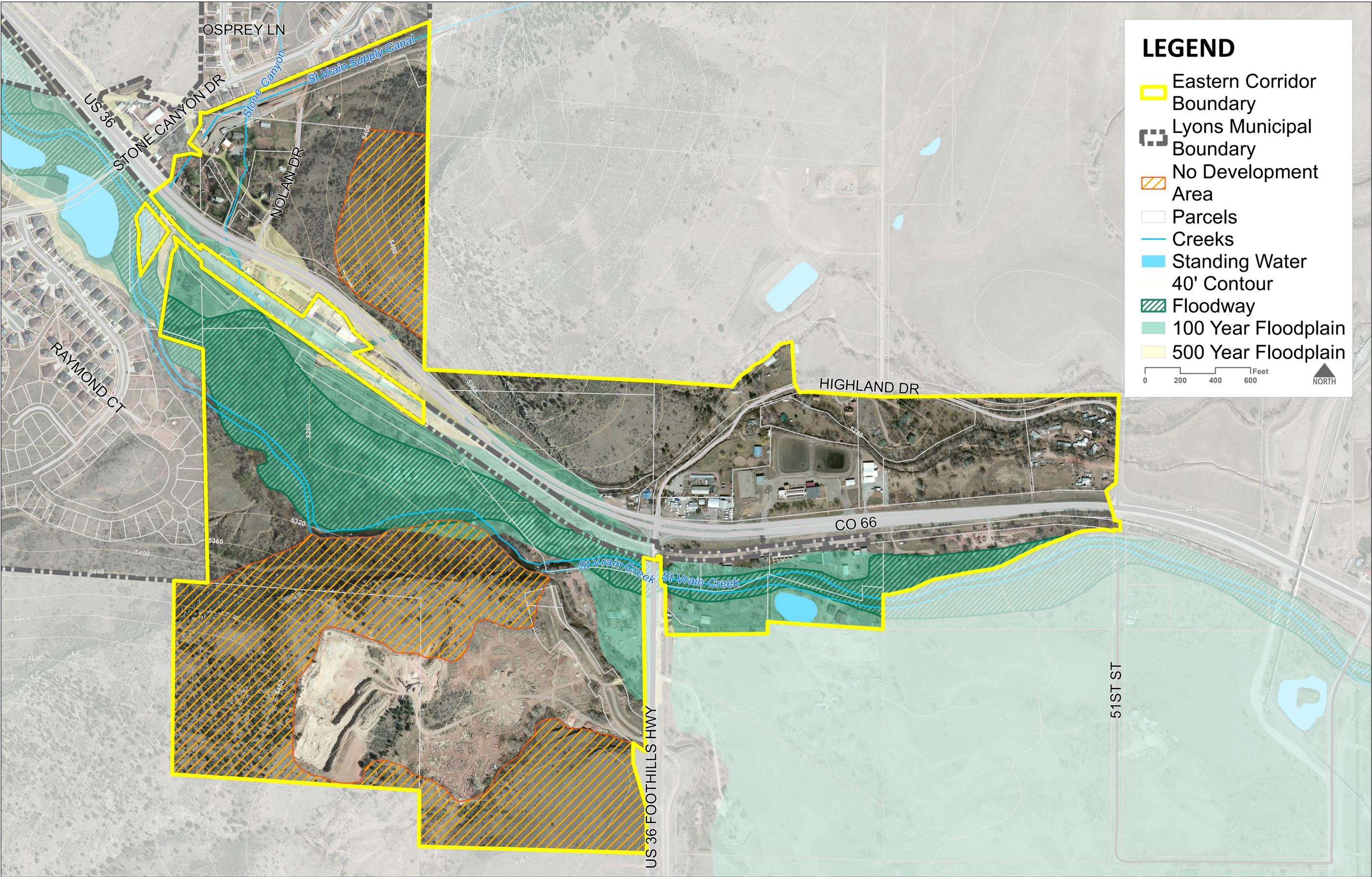


# LYONS, COLORADO 2015 Dominant Tapestry Groups



**Appendix C: Eastern Corridor Existing Conditions Maps**

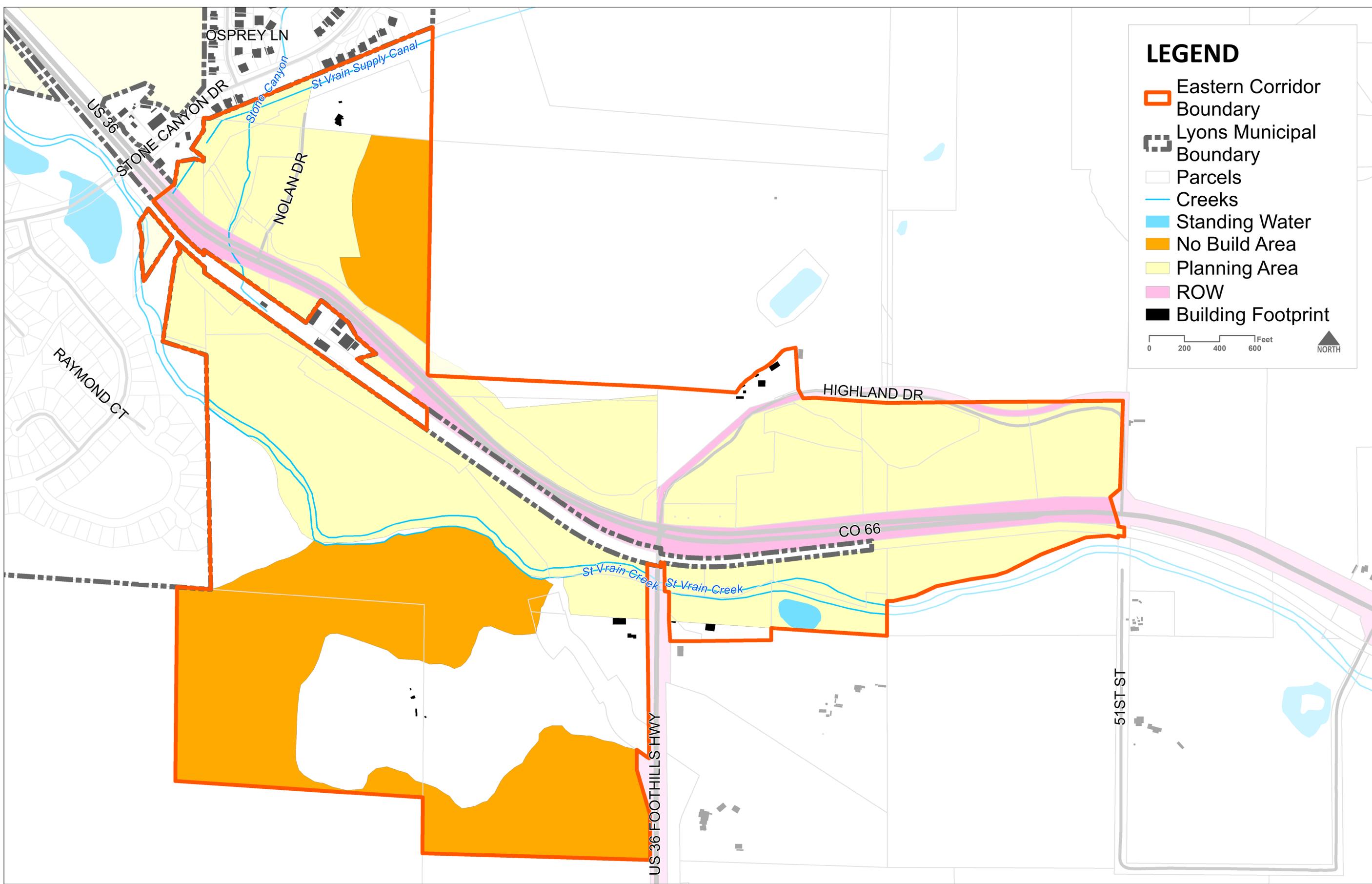
# EXISTING AERIAL



## PRIMARY PLANNING AREA MASTER PLAN



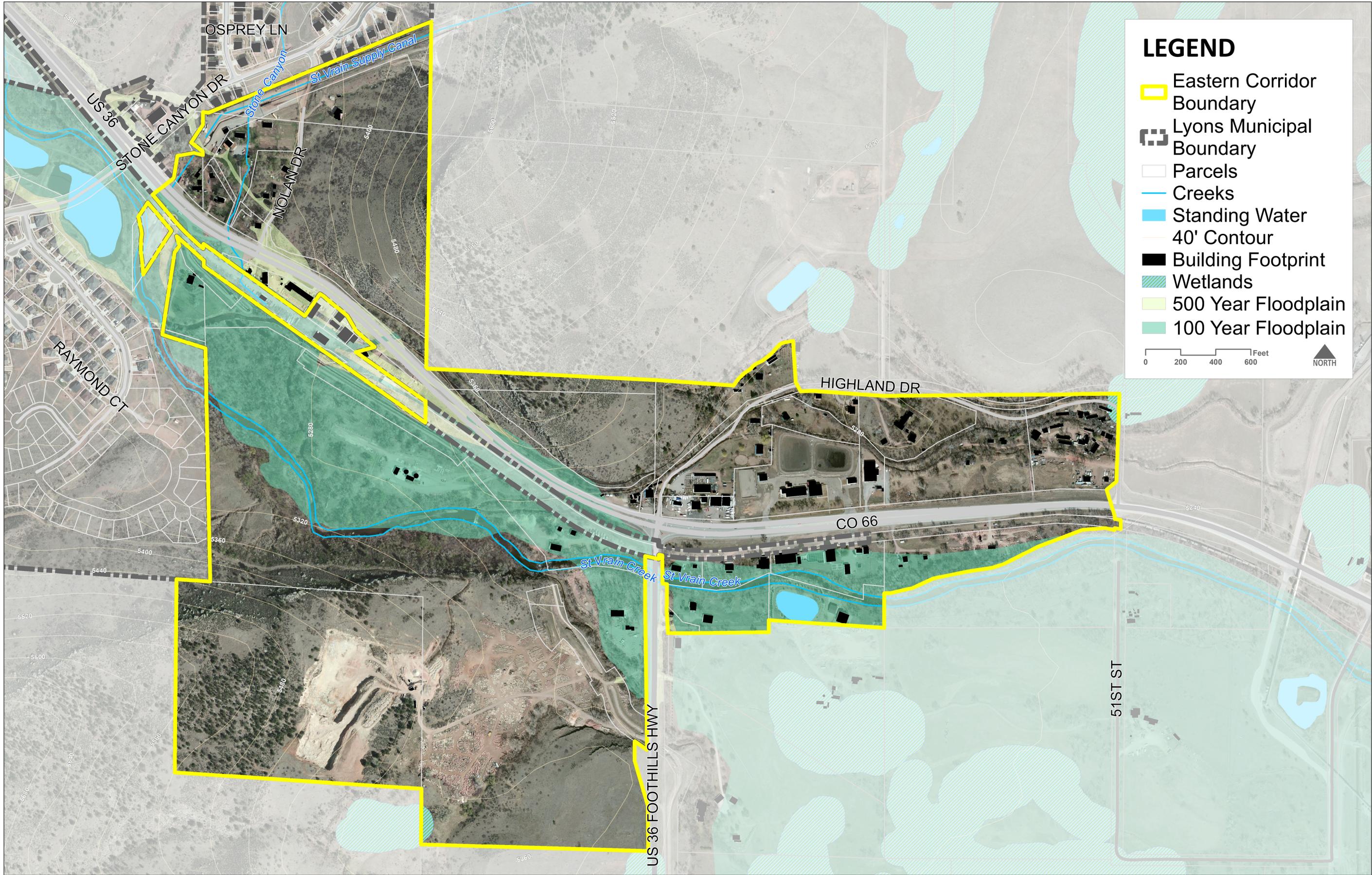
# EXISTING LAND USE



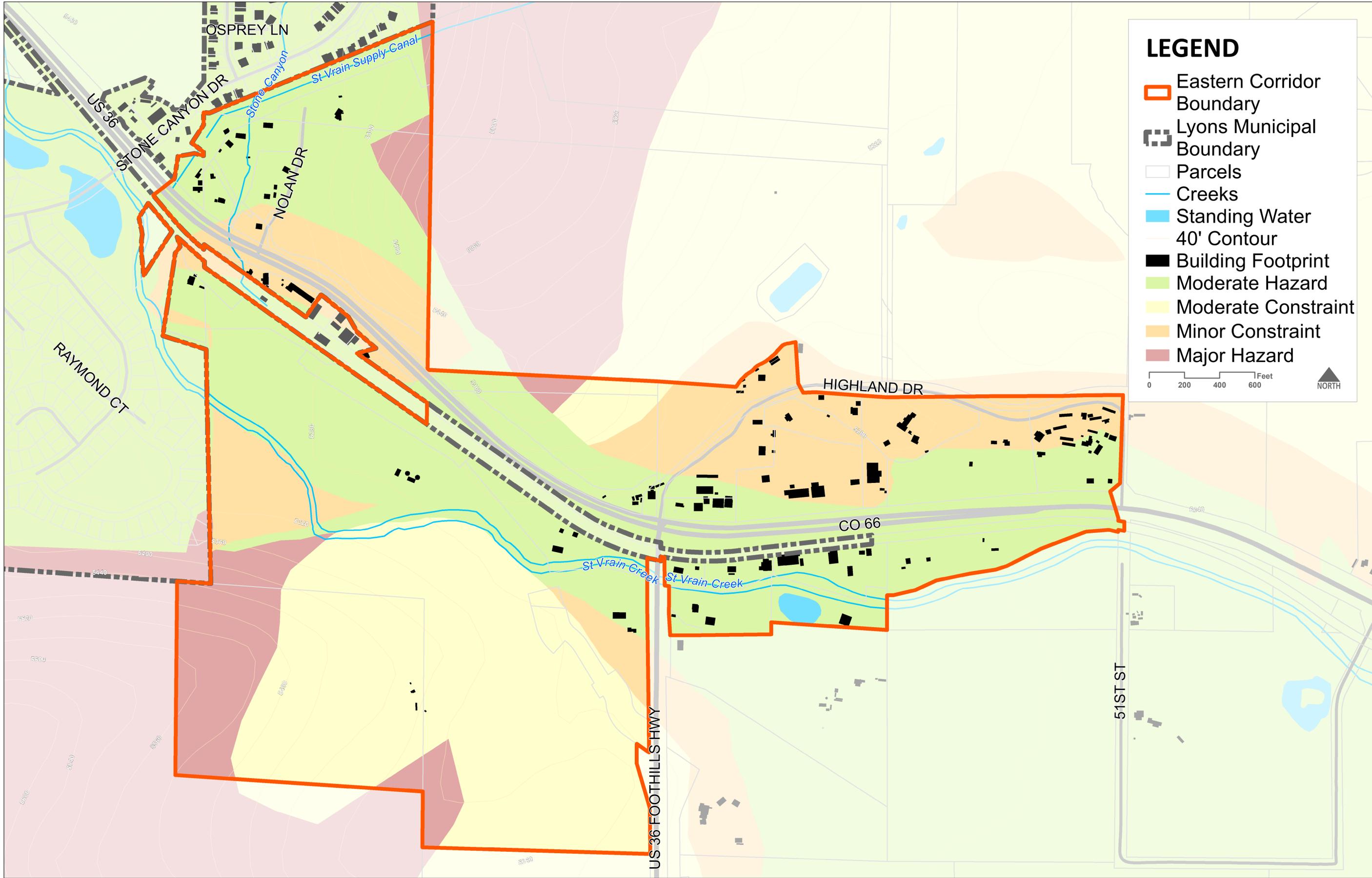
## PRIMARY PLANNING AREA MASTER PLAN



# WETLANDS



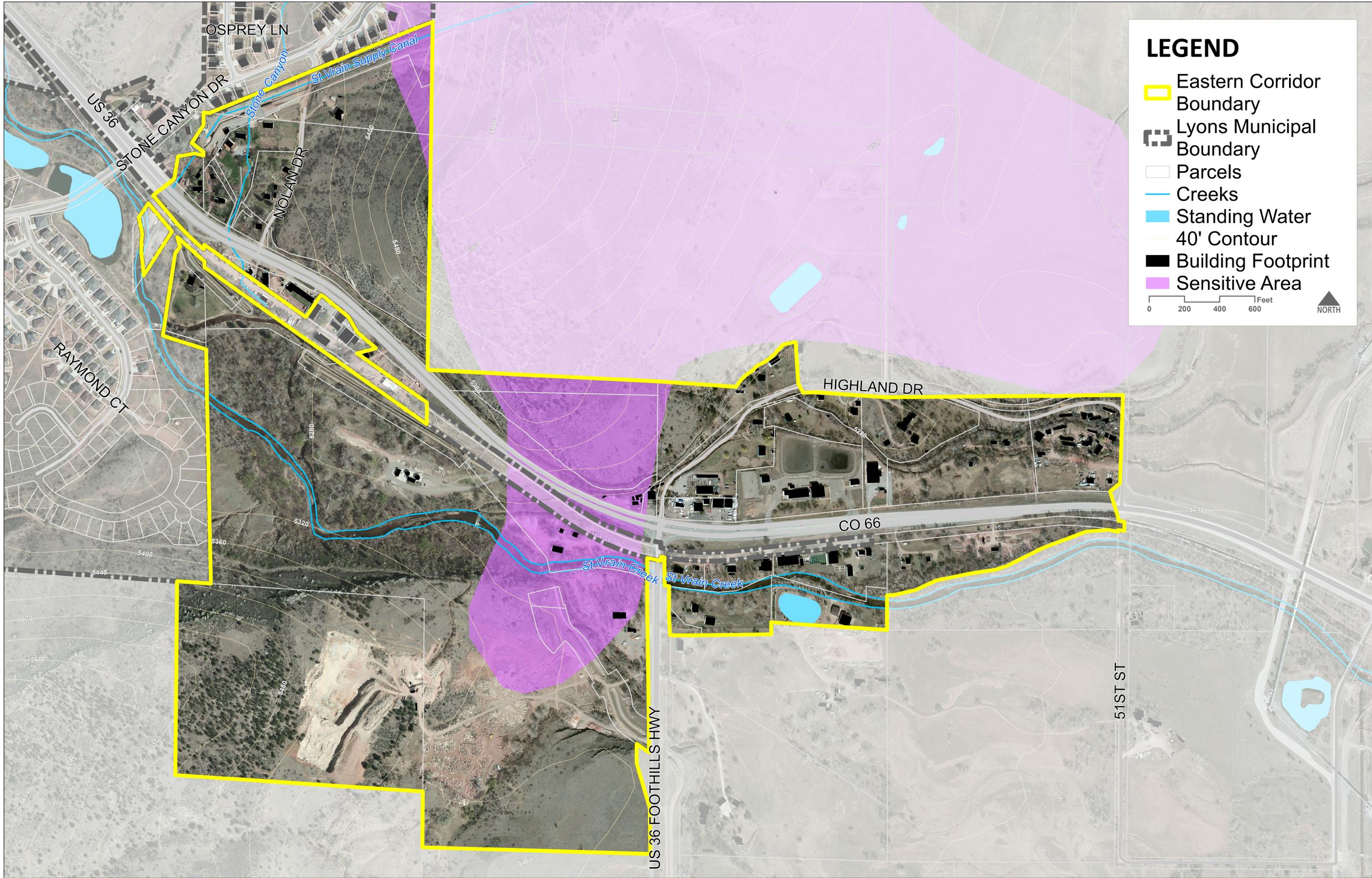
# GEOLOGICAL HAZARD AREAS



## PRIMARY PLANNING AREA MASTER PLAN



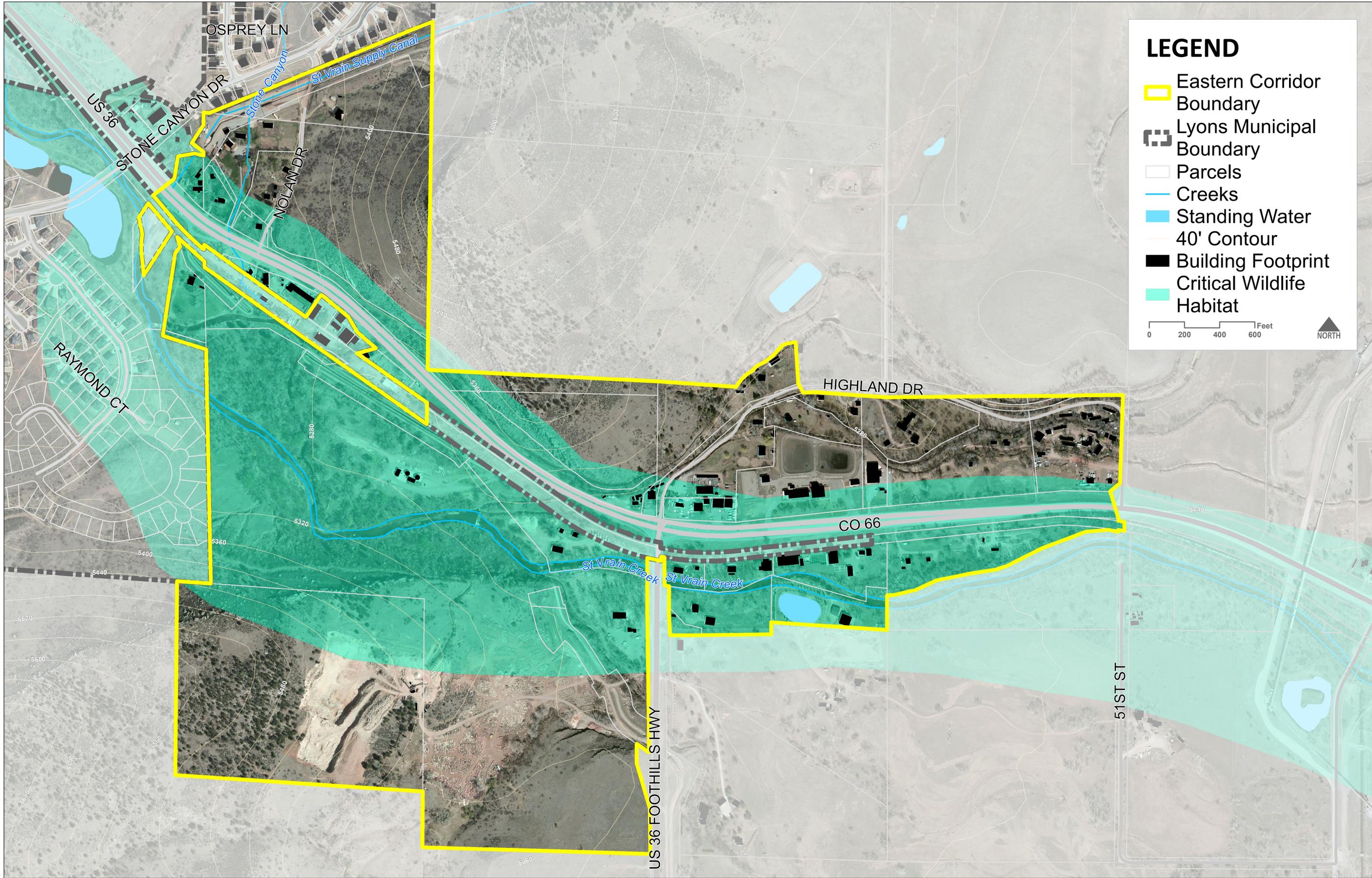
# ARCHAEOLOGICALLY SENSITIVE AREAS



## PRIMARY PLANNING AREA MASTER PLAN



# CRITICAL WILDLIFE HABITAT



**LEGEND**

- Eastern Corridor Boundary
- Lyons Municipal Boundary
- Parcels
- Creeks
- Standing Water
- 40' Contour
- Building Footprint
- Critical Wildlife Habitat

0 200 400 600 Feet

NORTH

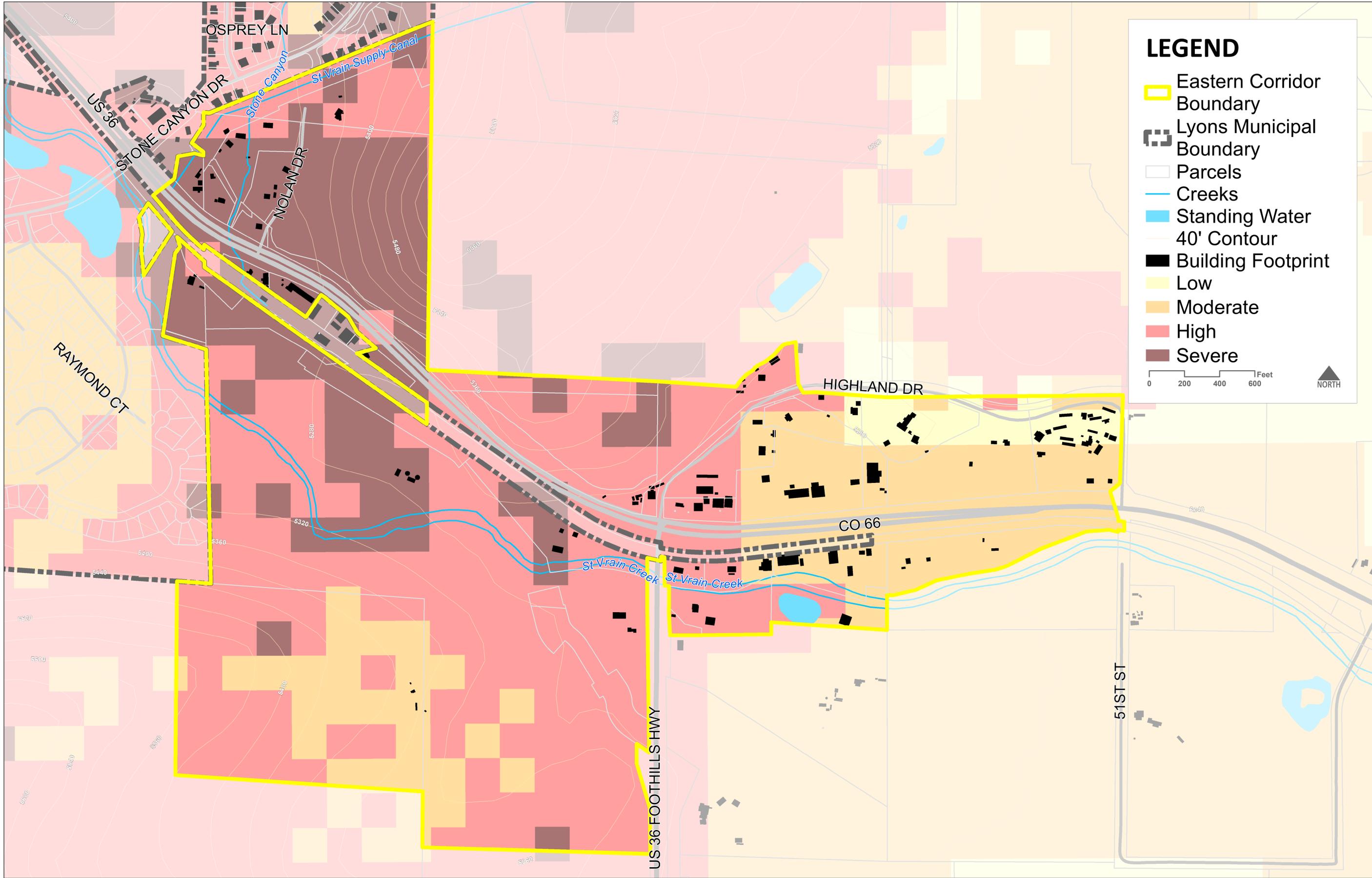


## PRIMARY PLANNING AREA MASTER PLAN



LYONS, COLORADO

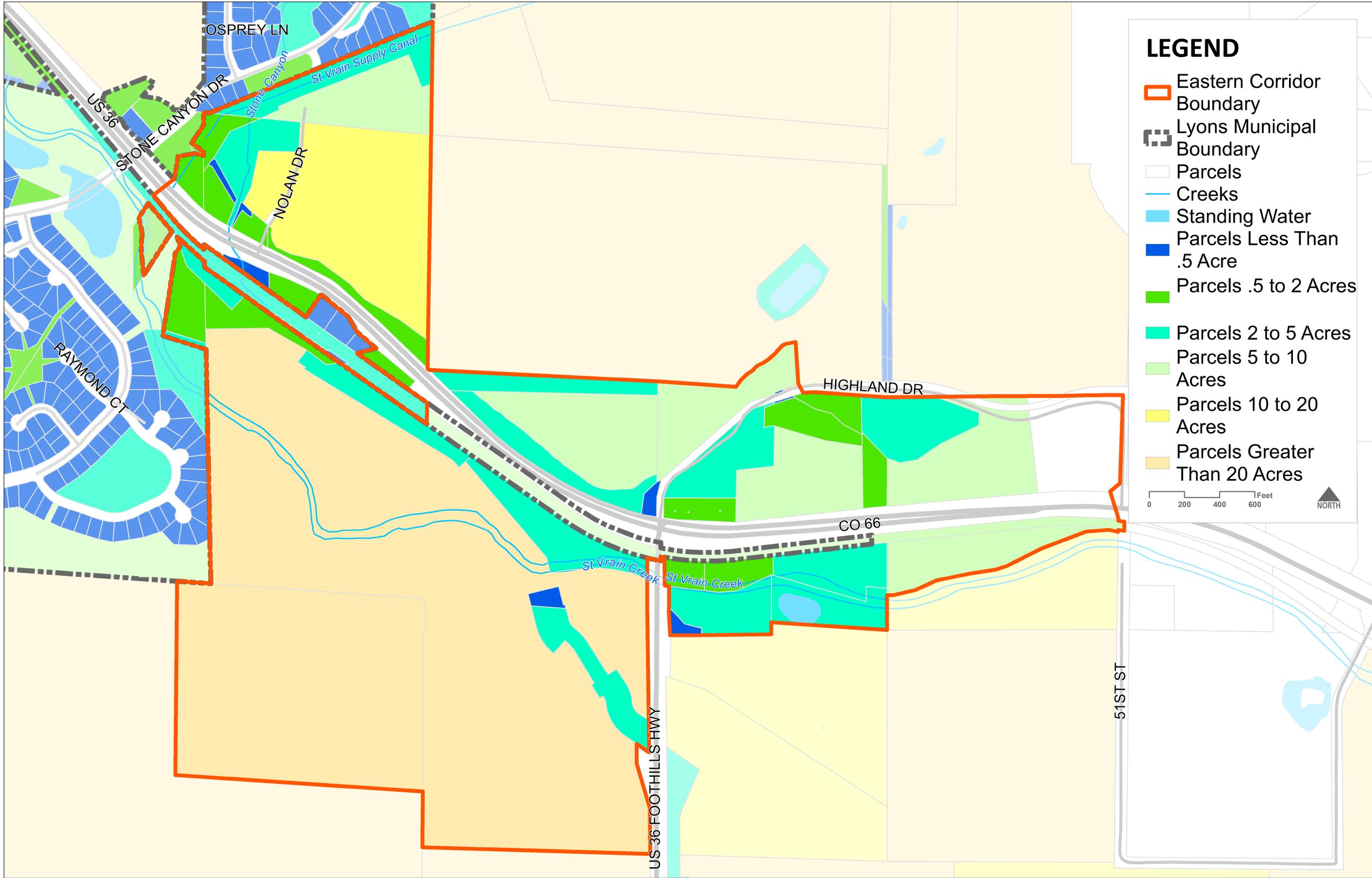
# WILDFIRE AREAS OF CONCERN



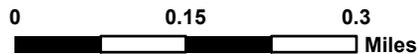
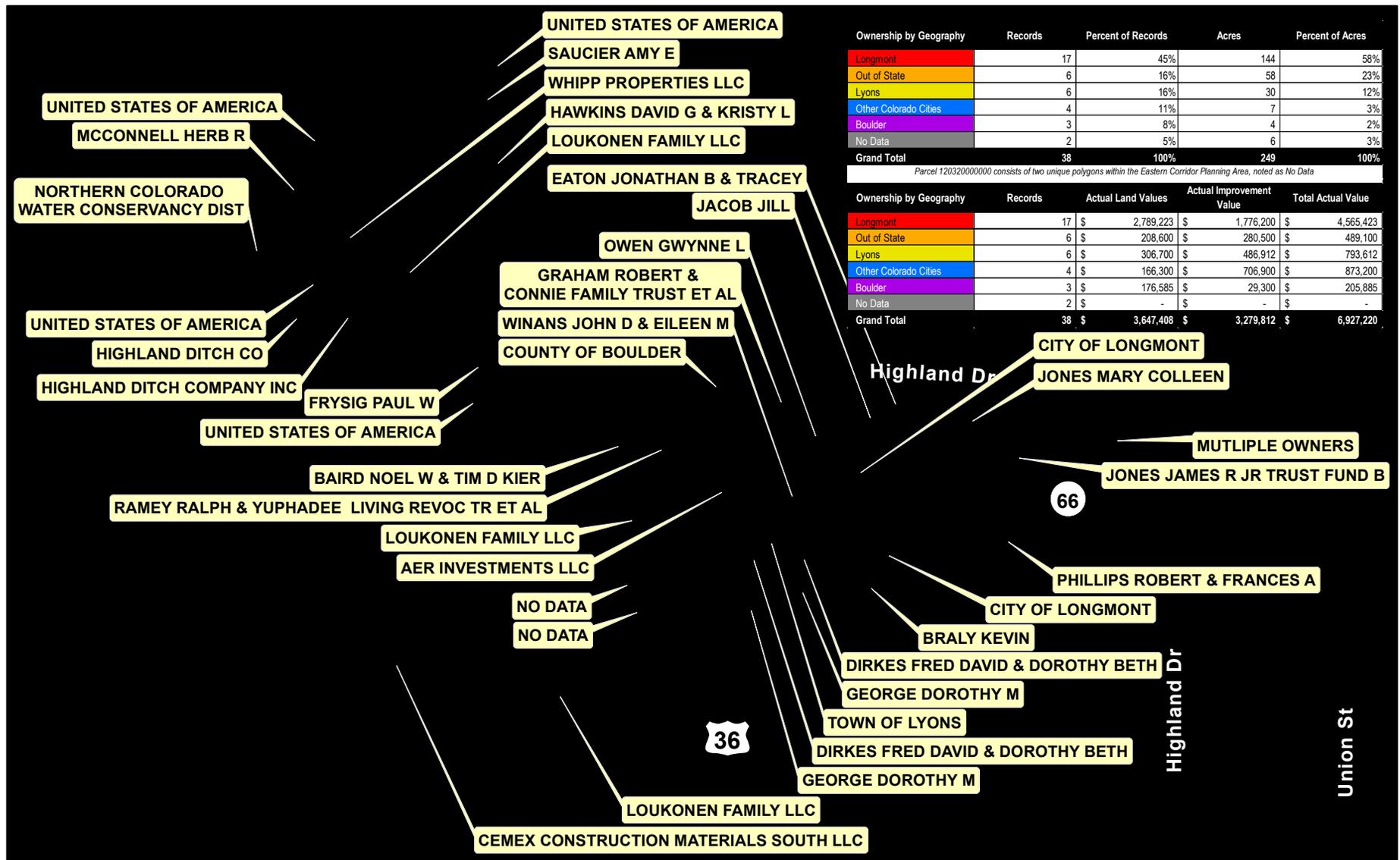
## PRIMARY PLANNING AREA MASTER PLAN



# PARCEL SIZE



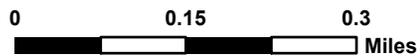
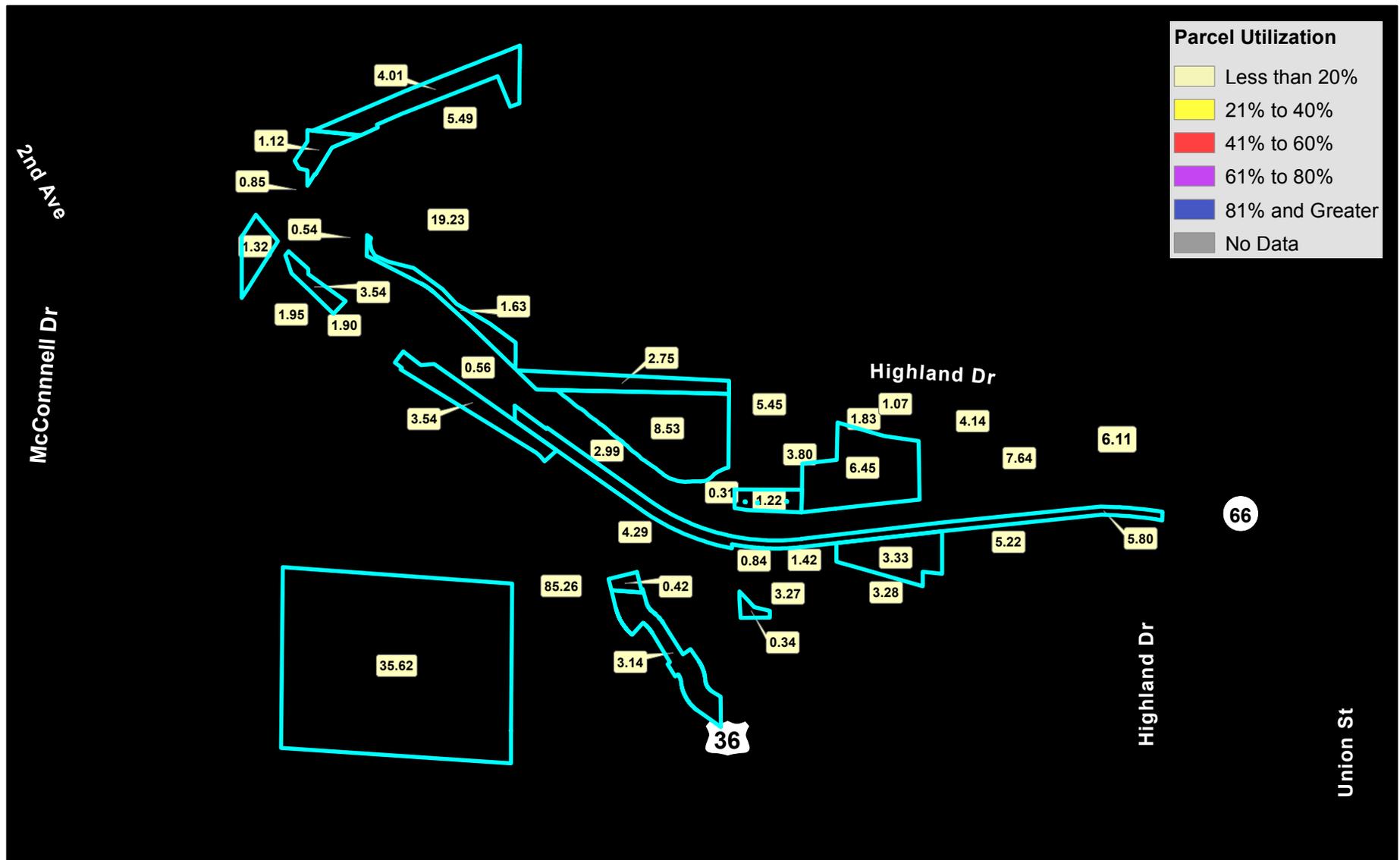
# LYONS, COLORADO Eastern Corridor Planning Area - Parcel Ownership by Geography



Lyons Municipal Boundary
  Eastern Corridor Boundary
  Boulder Parcels



# LYONS, COLORADO Eastern Corridor Planning Area - Parcel Utilization

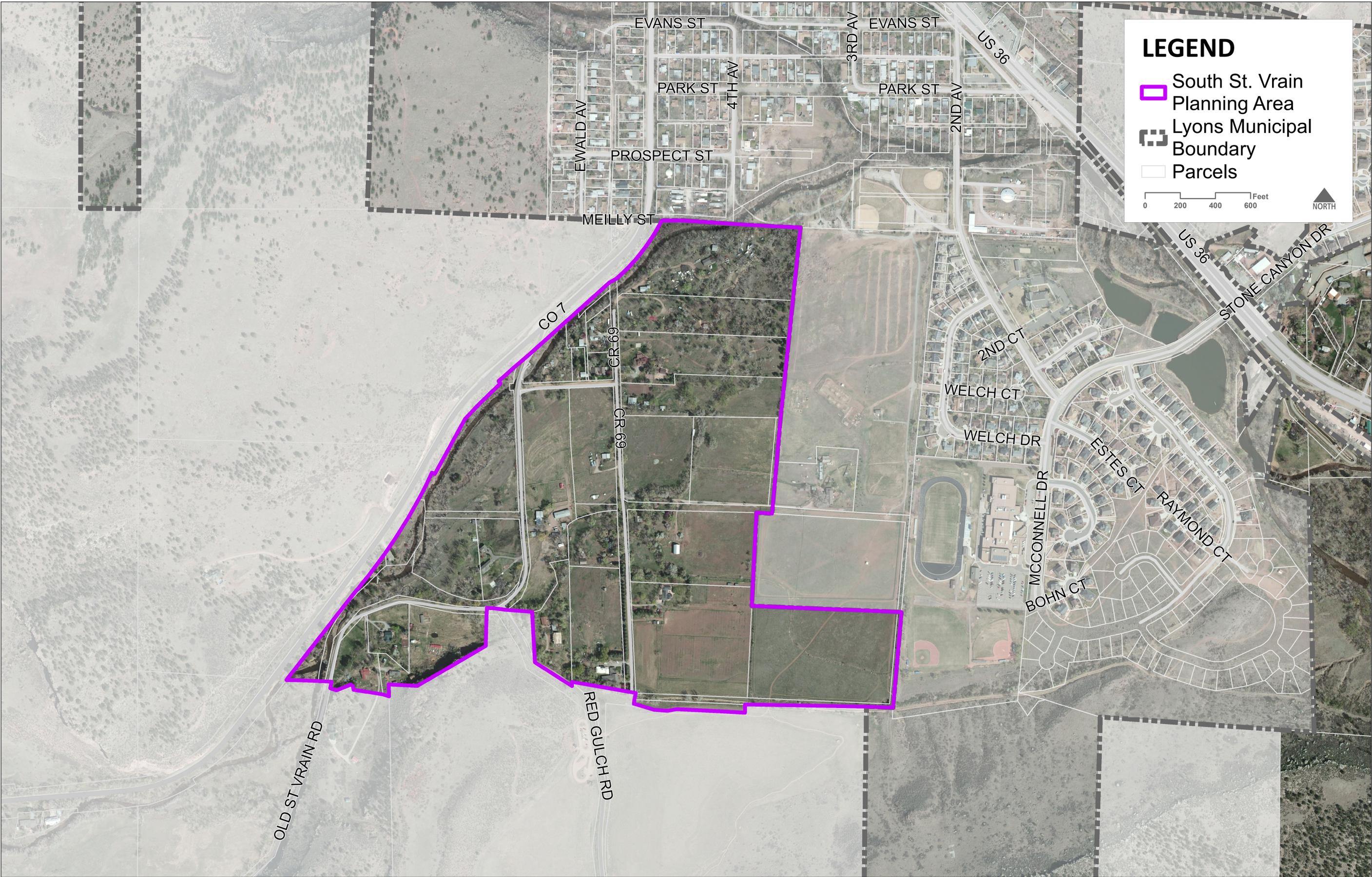


- Lyons Municipal Boundary
- Eastern Corridor Boundary
- Vacant (No Building Improvement Value)
- Open Space
- Boulder Parcels

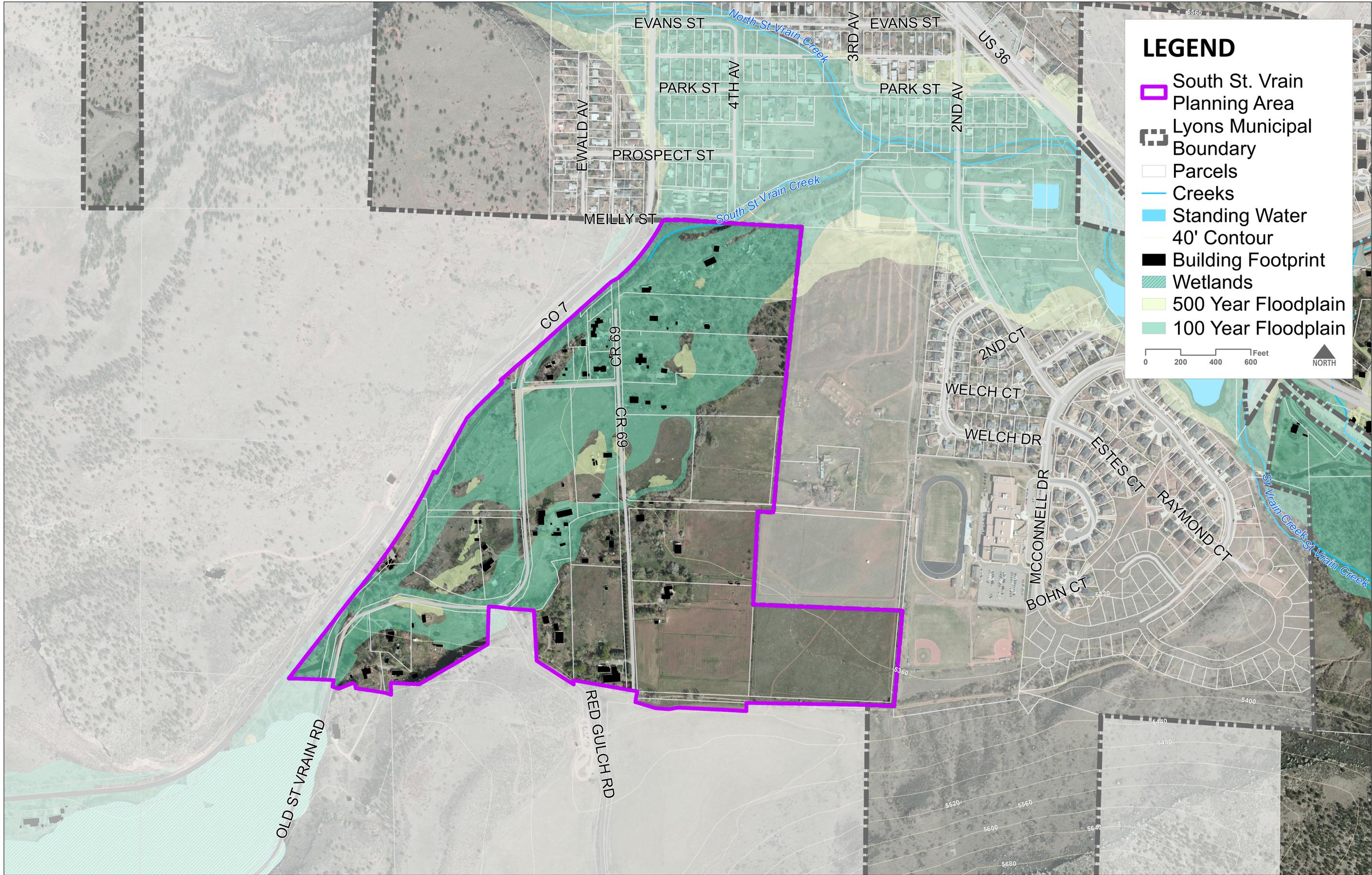


**Appendix C: South St. Vrain Existing Conditions Maps**

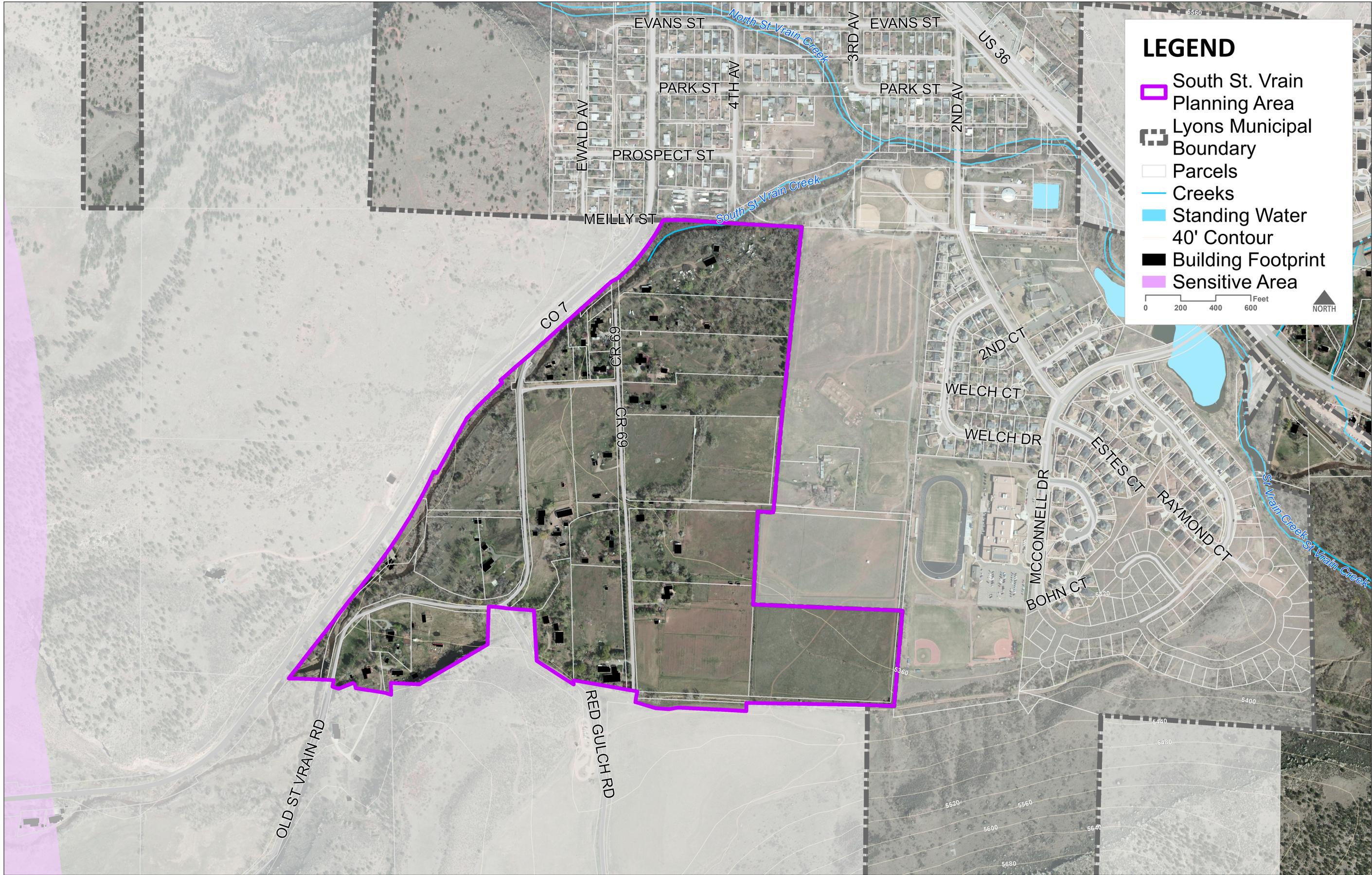
# EXISTING AERIAL



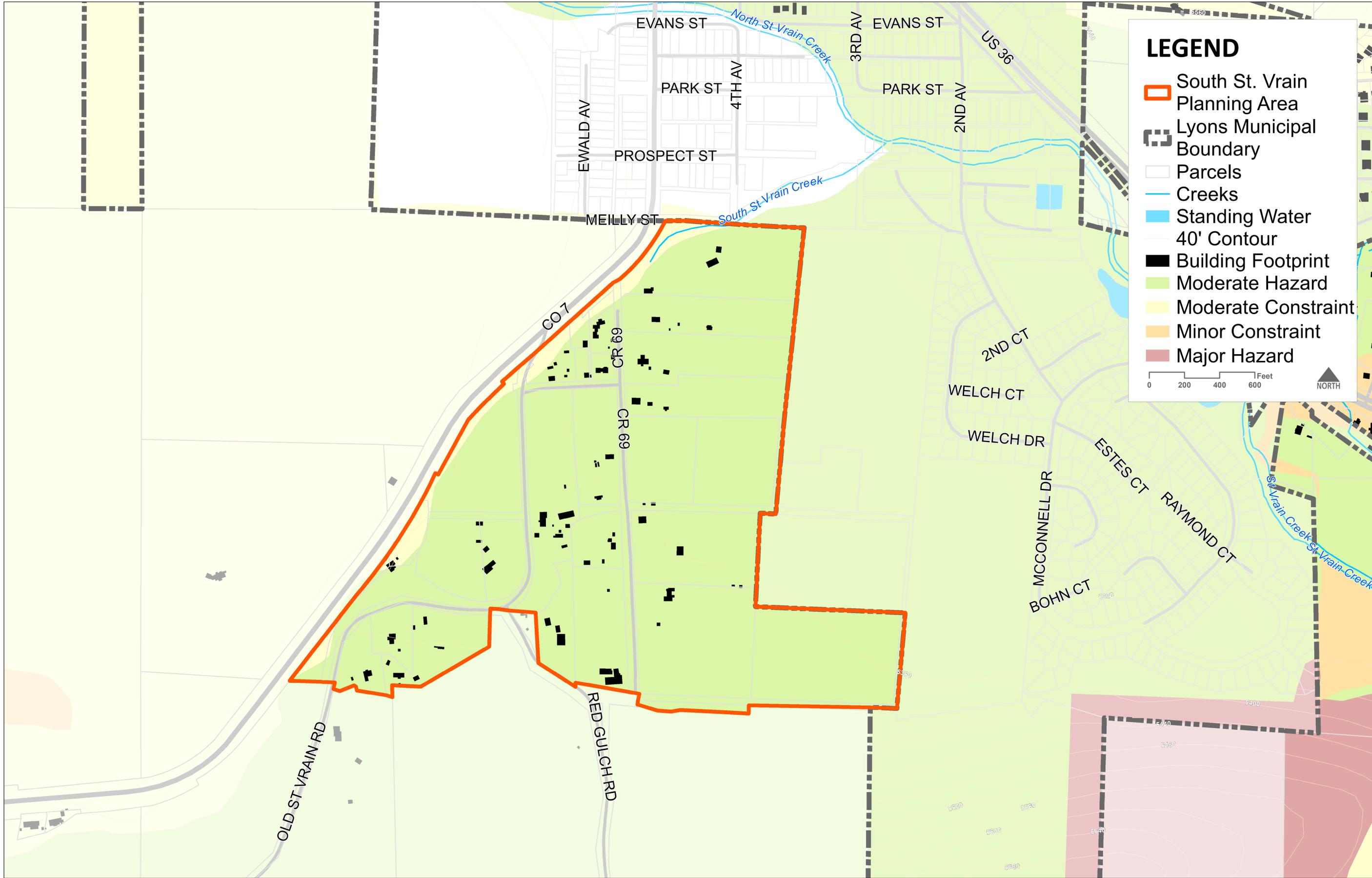
# WETLANDS



# ARCHAEOLOGICALLY SENSITIVE



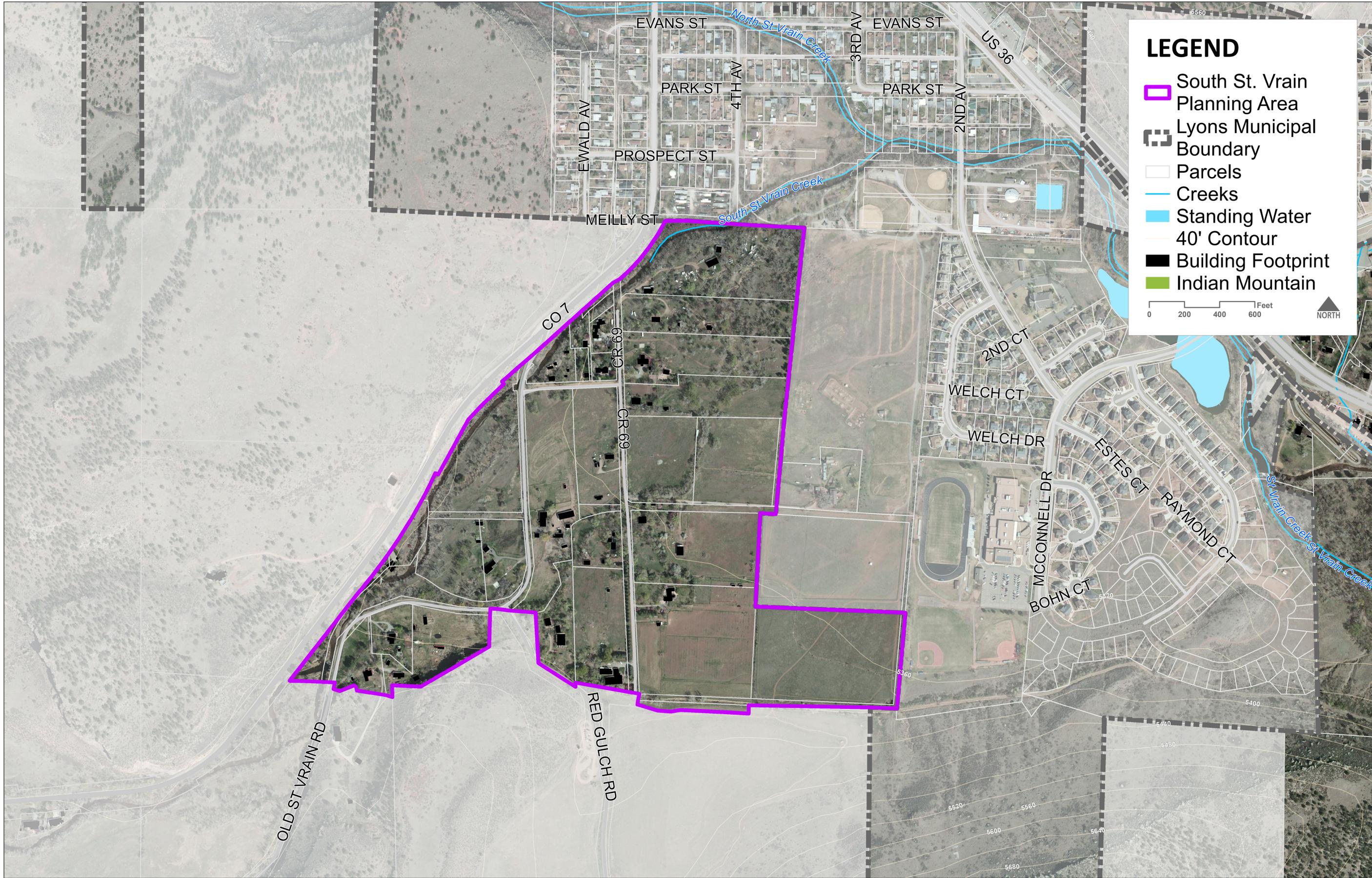
# GEOLOGICAL HAZARD AREAS



## PRIMARY PLANNING AREA MASTER PLAN



# NATURAL LANDMARKS



**LEGEND**

- South St. Vrain Planning Area
- Lyons Municipal Boundary
- Parcels
- Creeks
- Standing Water
- 40' Contour
- Building Footprint
- Indian Mountain

0 200 400 600 Feet

NORTH

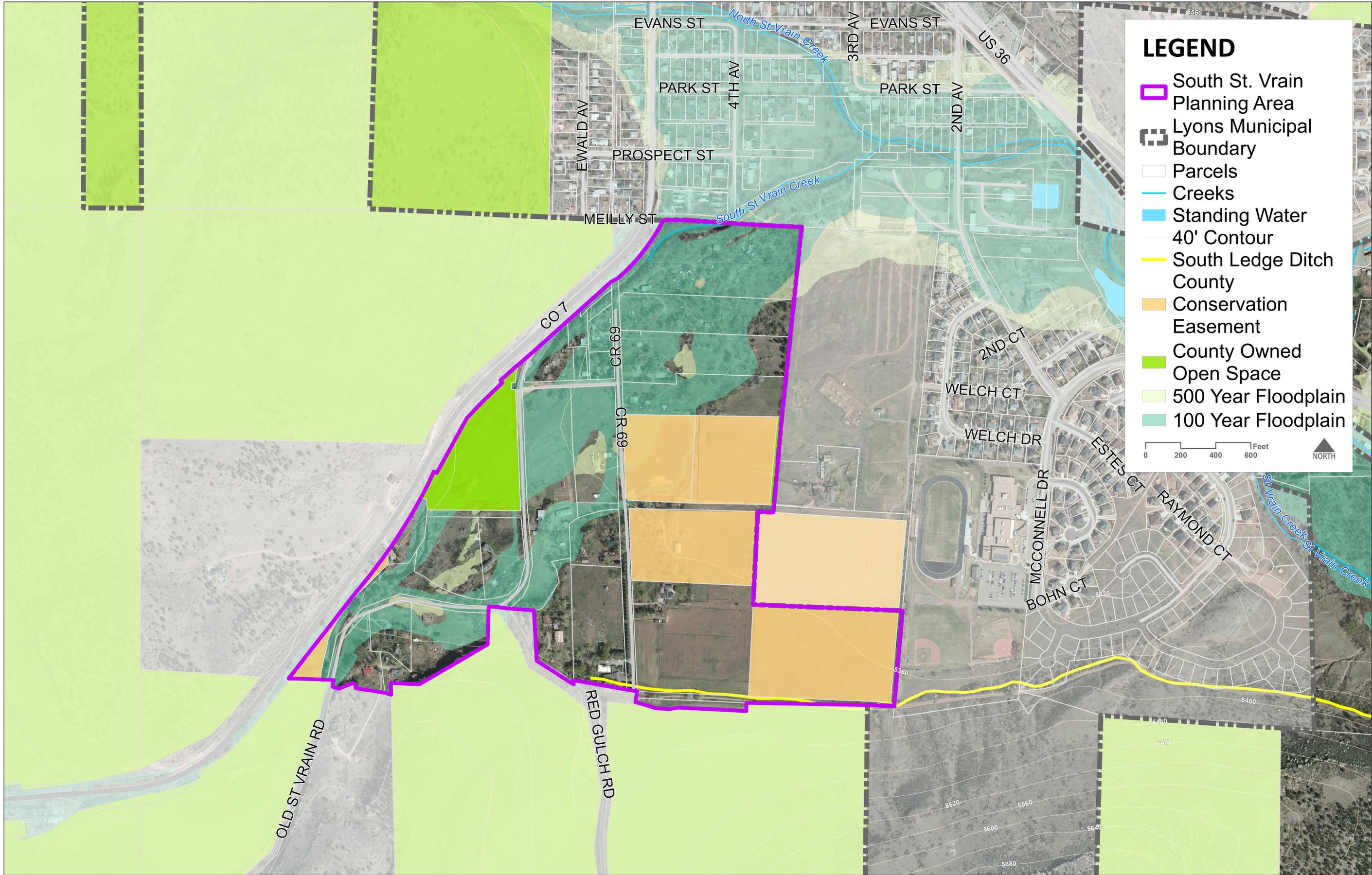


## PRIMARY PLANNING AREA MASTER PLAN

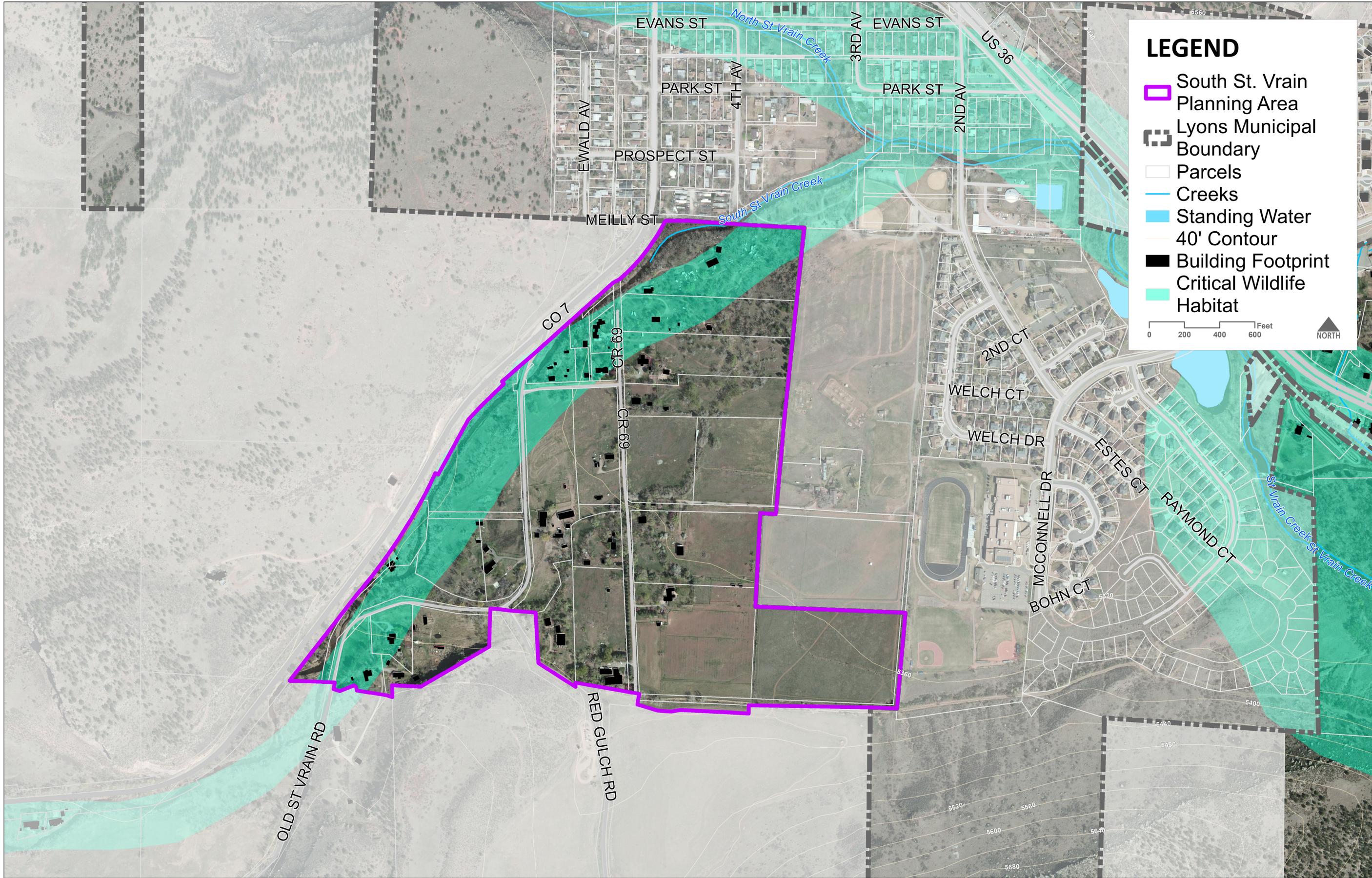


LYONS, COLORADO

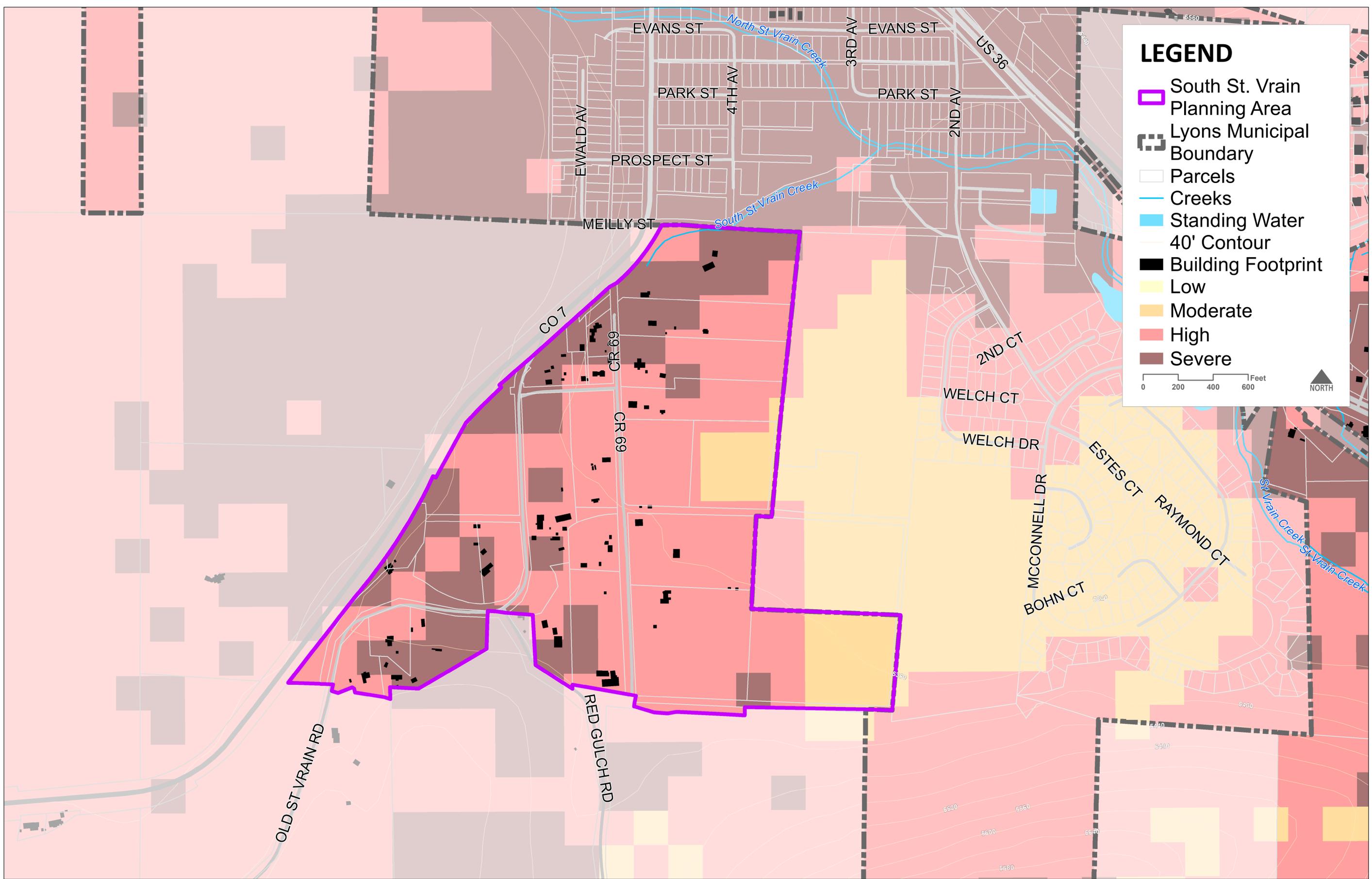
# OPEN SPACE



# CRITICAL WILDLIFE HABITAT



# WILDFIRE CONCERN AREAS



**LEGEND**

- South St. Vrain Planning Area
- Lyons Municipal Boundary
- Parcels
- Creeks
- Standing Water
- 40' Contour
- Building Footprint
- Low
- Moderate
- High
- Severe

0 200 400 600 Feet

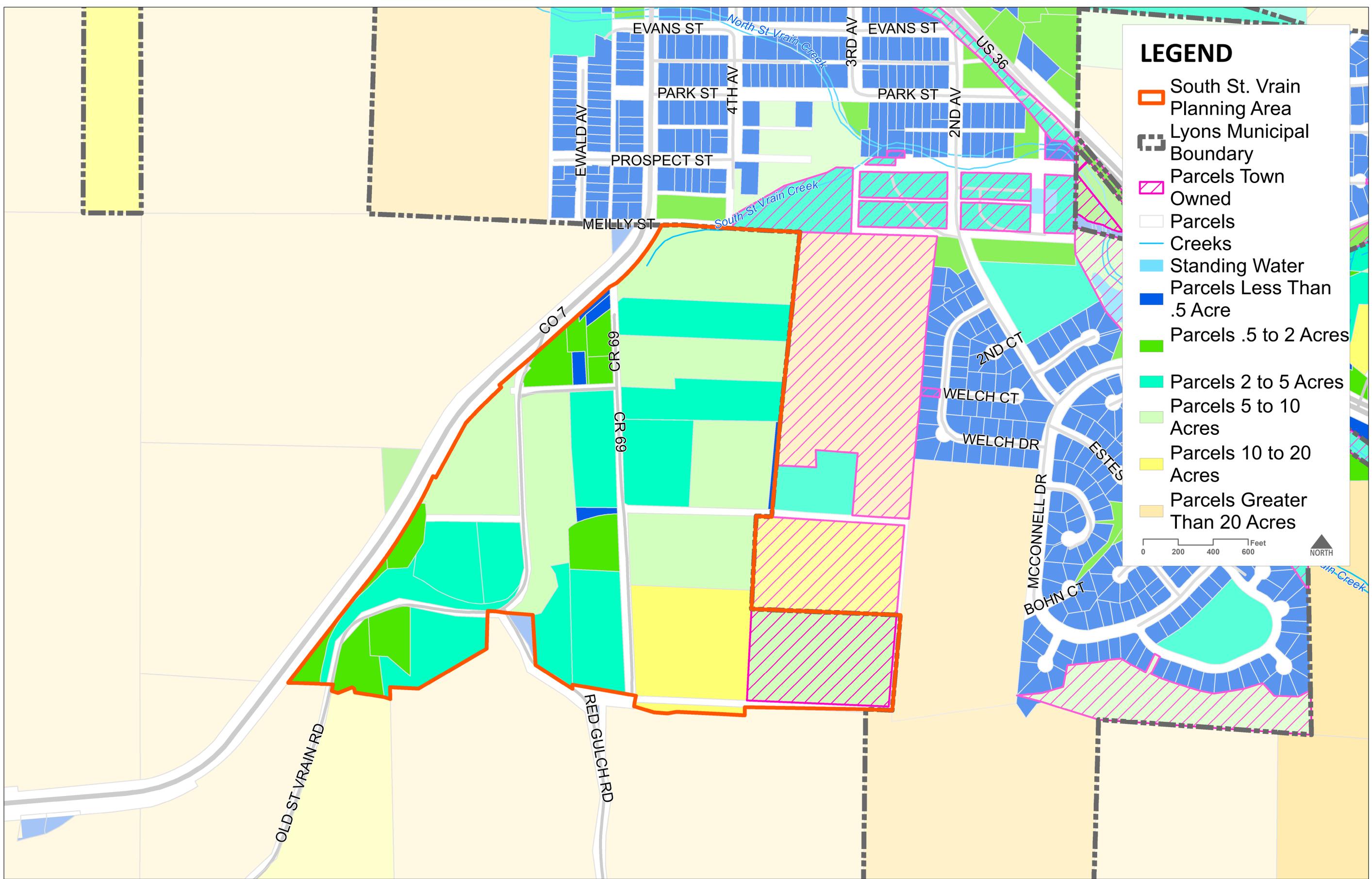
NORTH



## PRIMARY PLANNING AREA MASTER PLAN



# PARCEL SIZE (By Range)



## PRIMARY PLANNING AREA MASTER PLAN



# PARCEL OWNERSHIP

Ownership by Geography	Records	Percent of Records	Acres	Percent of Acres
Lyons	23	74%	76	70%
Other Colorado Cities	5	16%	26	24%
Longmont	2	6%	6	6%
No Data	1	3%	0	0%
<b>Grand Total</b>	<b>31</b>	<b>100%</b>	<b>109</b>	<b>100%</b>

Ownership by Geography	Records	Actual Land Values	Actual Improvement Value	Total Actual Value
Lyons	23	\$ 1,952,600	\$ 4,678,700	\$ 6,631,300
Other Colorado Cities	5	\$ 95,935	\$ 63,400	\$ 159,335
Longmont	2	\$ 6,657	\$ -	\$ 6,657
No Data	1	\$ 93,800	\$ -	\$ 93,800
<b>Grand Total</b>	<b>31</b>	<b>\$ 2,148,992</b>	<b>\$ 4,742,100</b>	<b>\$ 6,891,092</b>

MAPID	OWNER NAME	MAPID	OWNER NAME
0	TRUITT SALLY	16	GOUELOCK JAMES M JR
1	HOYT MICHAEL KELLY & JODI SCOTT	17	QUINN LAWRENCE
2	COUNTY OF BOULDER	18	CRAY CARL P & RITA M
3	CITY OF LONGMONT	19	QUINN LAWRENCE
4	LEVY DAVID	20	TUMBLESON JOHN W
5	CITY OF LONGMONT	21	GRIEST MARY O ET AL
6	GOSNELL RONALD A & JOALEEN D	22	CRAY RITA M
7	WEBB MARILOU & RICHARD G	23	GORMAN GARY & KAREN LIVING TRUST
8	OLSON GAIL Y & DAVID L	24	QUINN LAWRENCE
9	MARTIN JAMES ALLEN	25	BACKUP LINDA
10	DARCEY ALICE L	26	JOHNSON ASHLEY
11	WAYCOTT TROY D & CHRISTINE M	27	ANDERSON T WAYNE
12	ZOUNEK VINCENT F & SUSAN P PEIL	28	TALMAGE TAYLOR & ASHLEY IMBODEN
13	SUTAK DAVID & KAREN	29	HILL KENNETH
14	GOSNELL RONALD A & JOALEEN D	30	TOWN OF LYONS
15	INGOLD E JOHN & TRACY TU-INGOLD		

CO 7

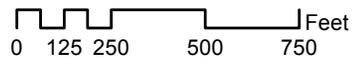
OLD SAINT VRAIN RD

CO 69

BRAFORD ST

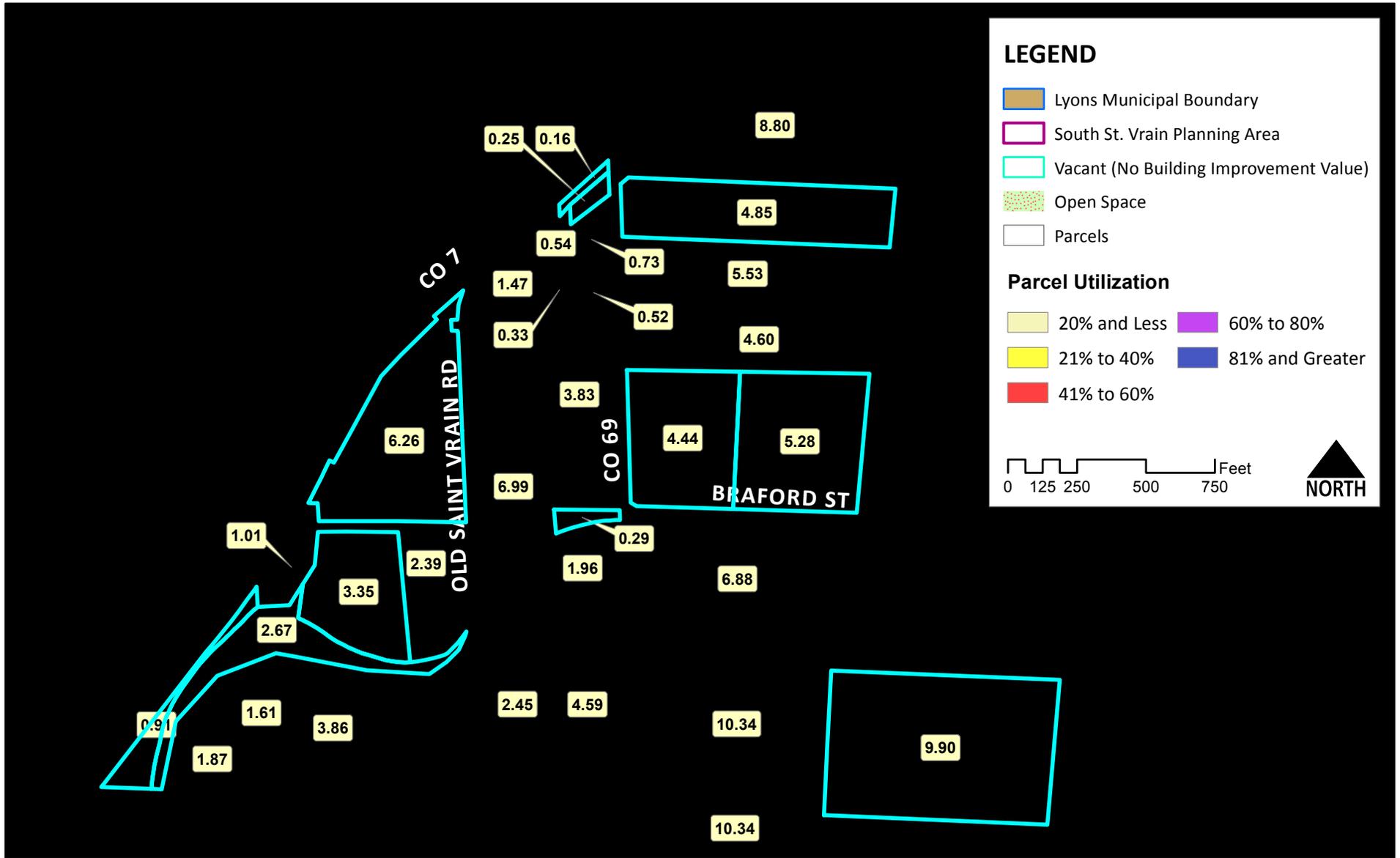
## LEGEND

-  Lyons Municipal Boundary
-  South St. Vrain Planning Area
-  Parcels



# PRIMARY PLANNING AREA MASTER PLAN

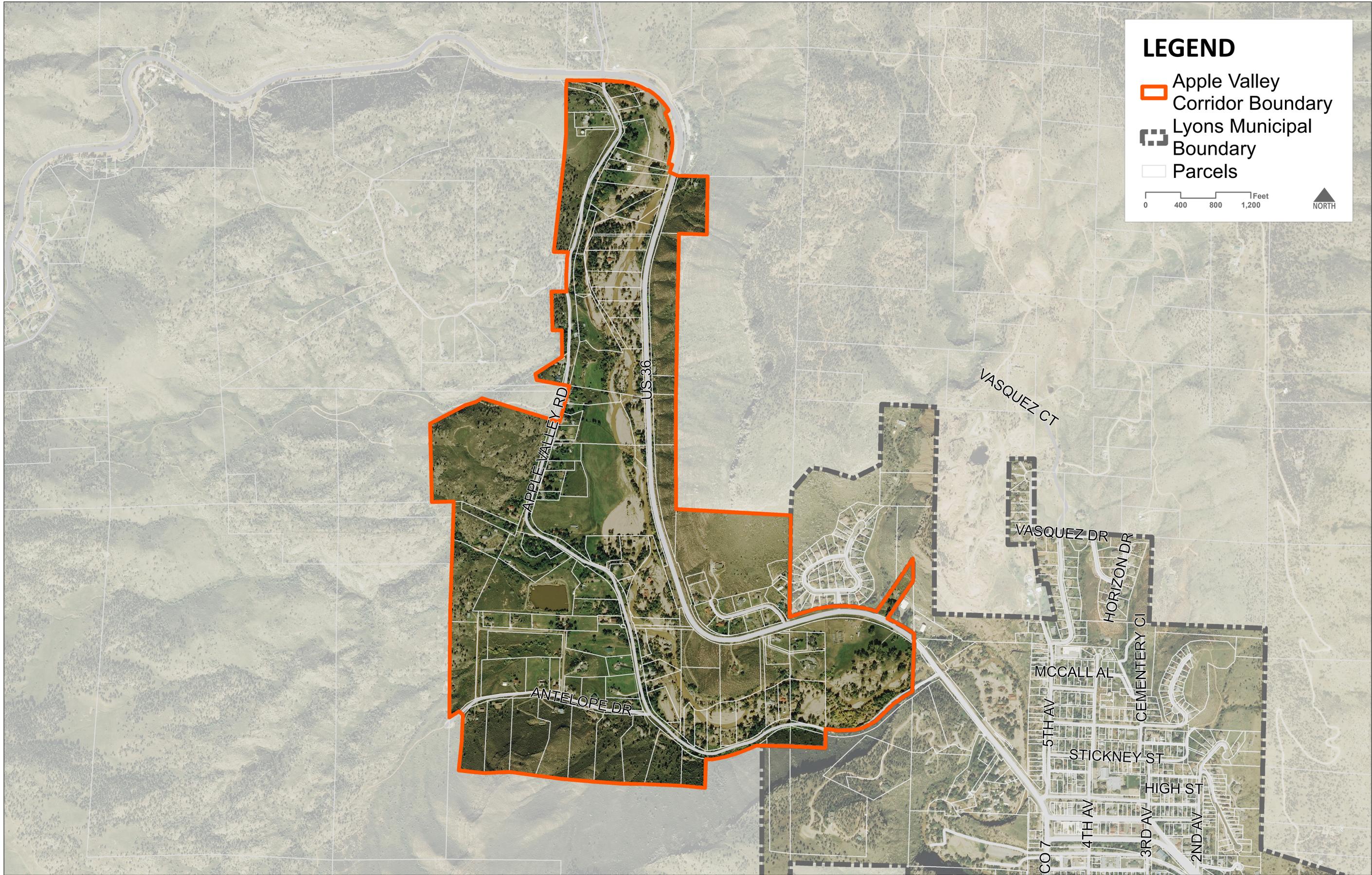
# PROPERTY UTILIZATION



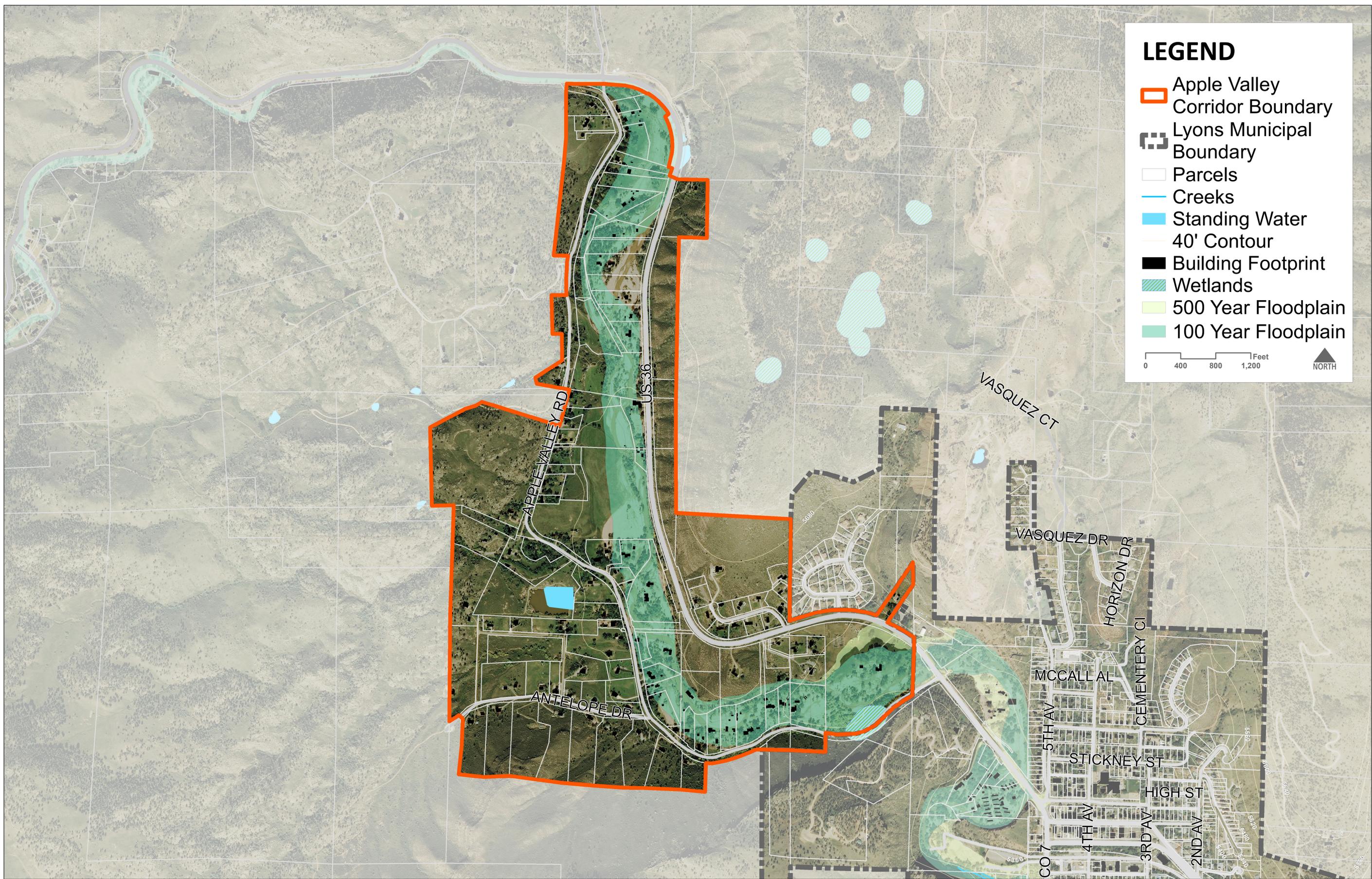
## PRIMARY PLANNING AREA MASTER PLAN

**Appendix C: Apple Valley Existing Conditions Maps**

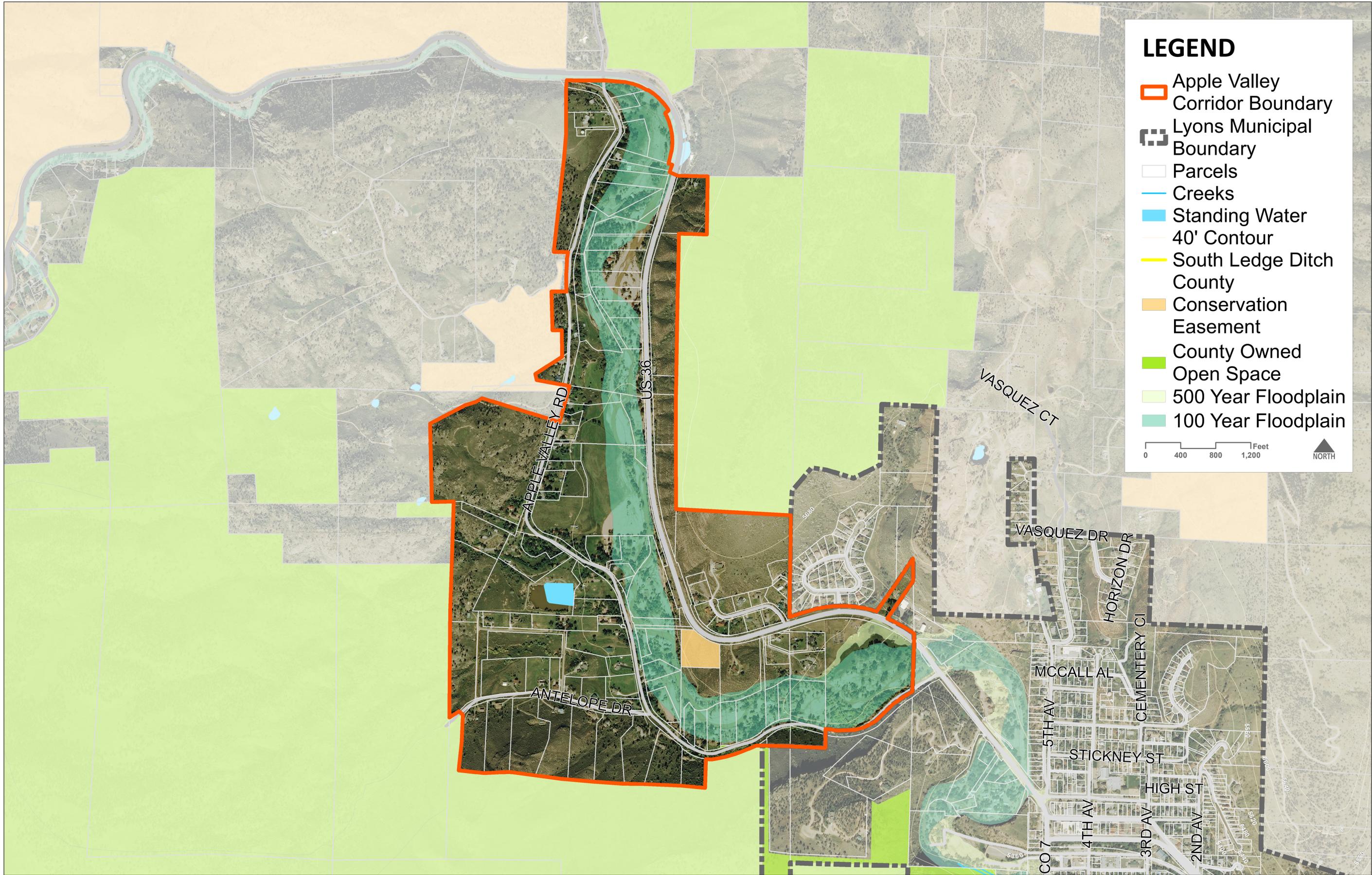
# EXISTING AERIAL



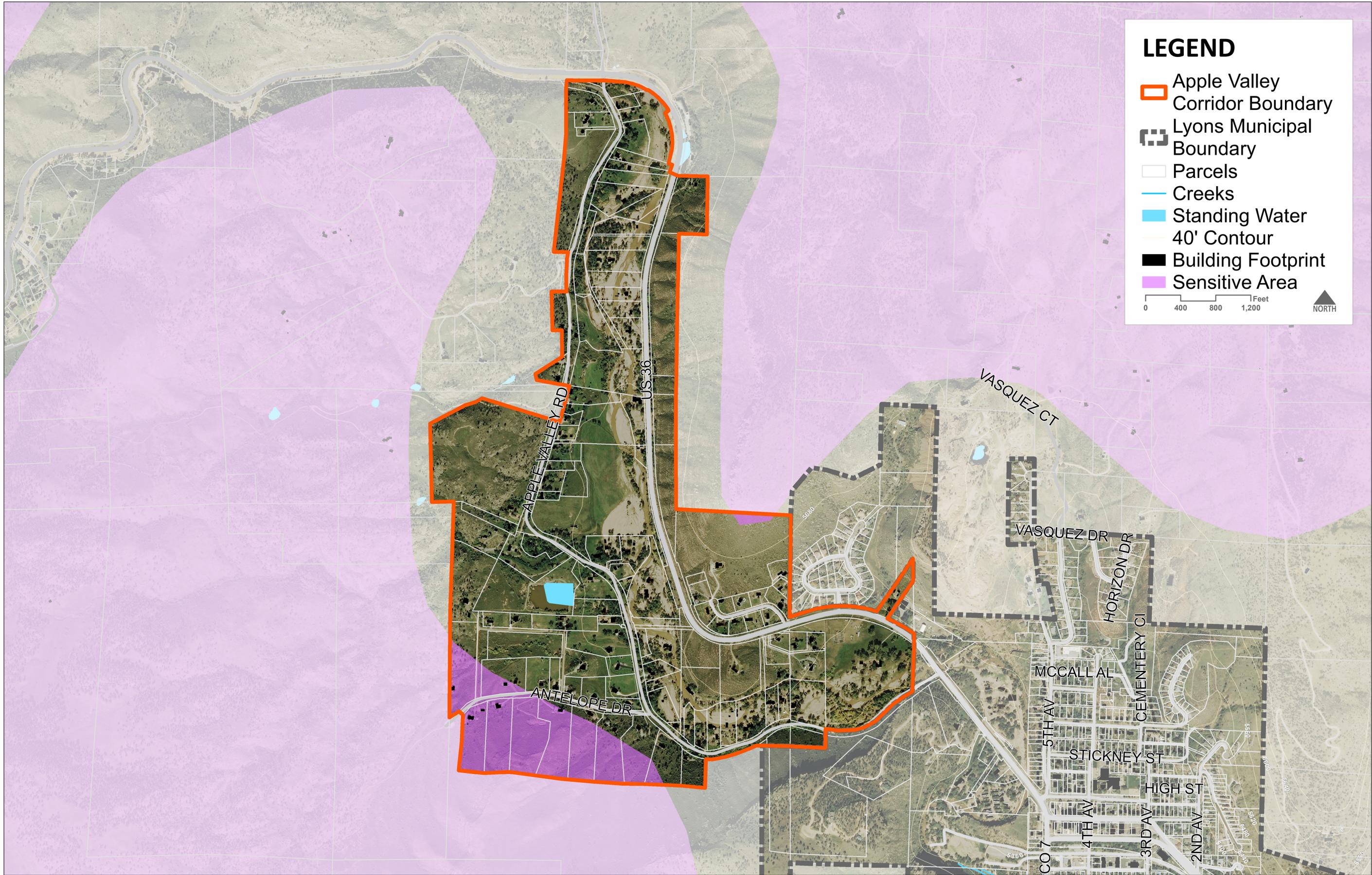
# WETLANDS



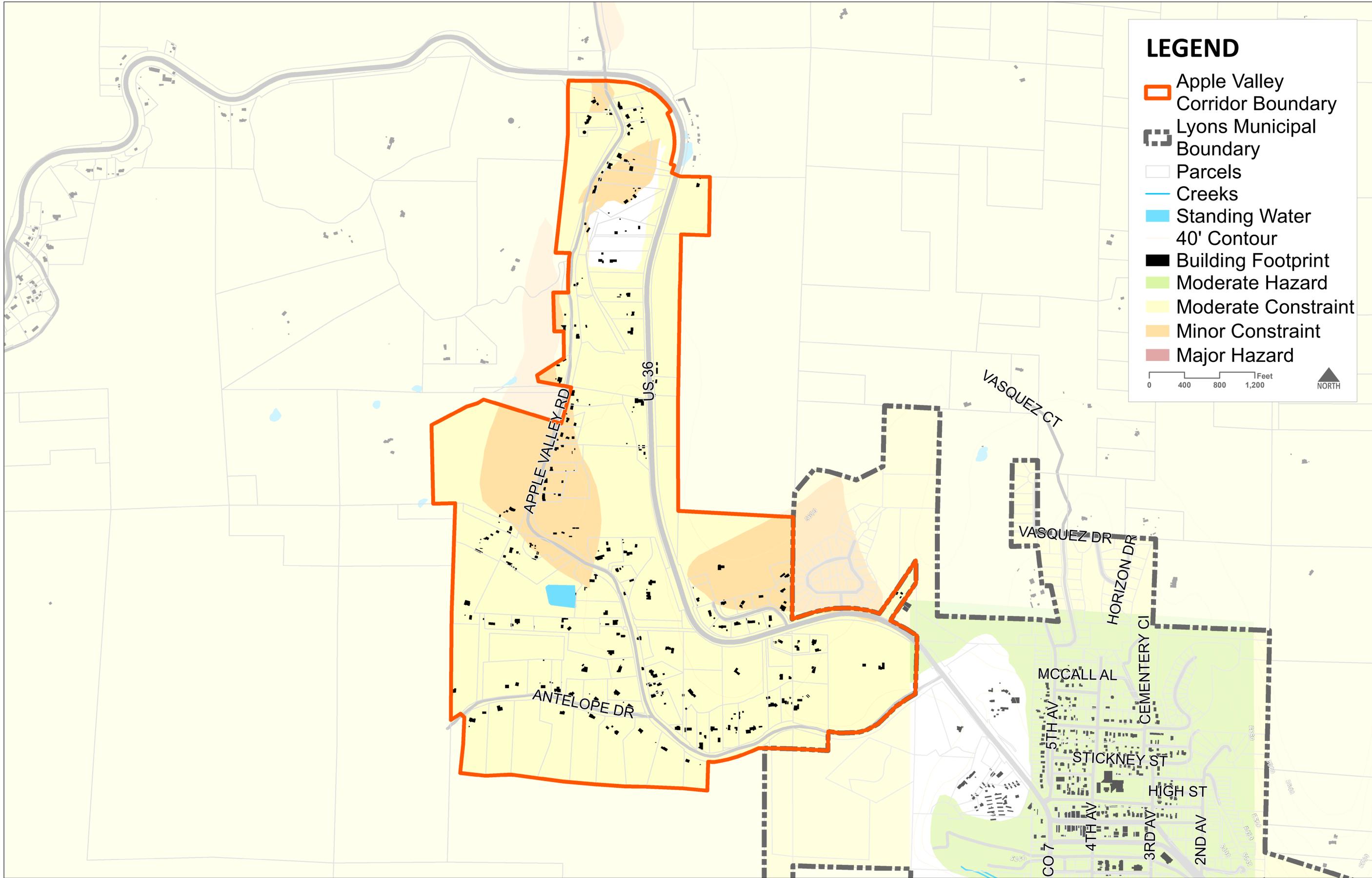
# OPEN SPACE



# ARCHAEOLOGICALLY SENSITIVE



# GEOLOGICAL HAZARD AREAS



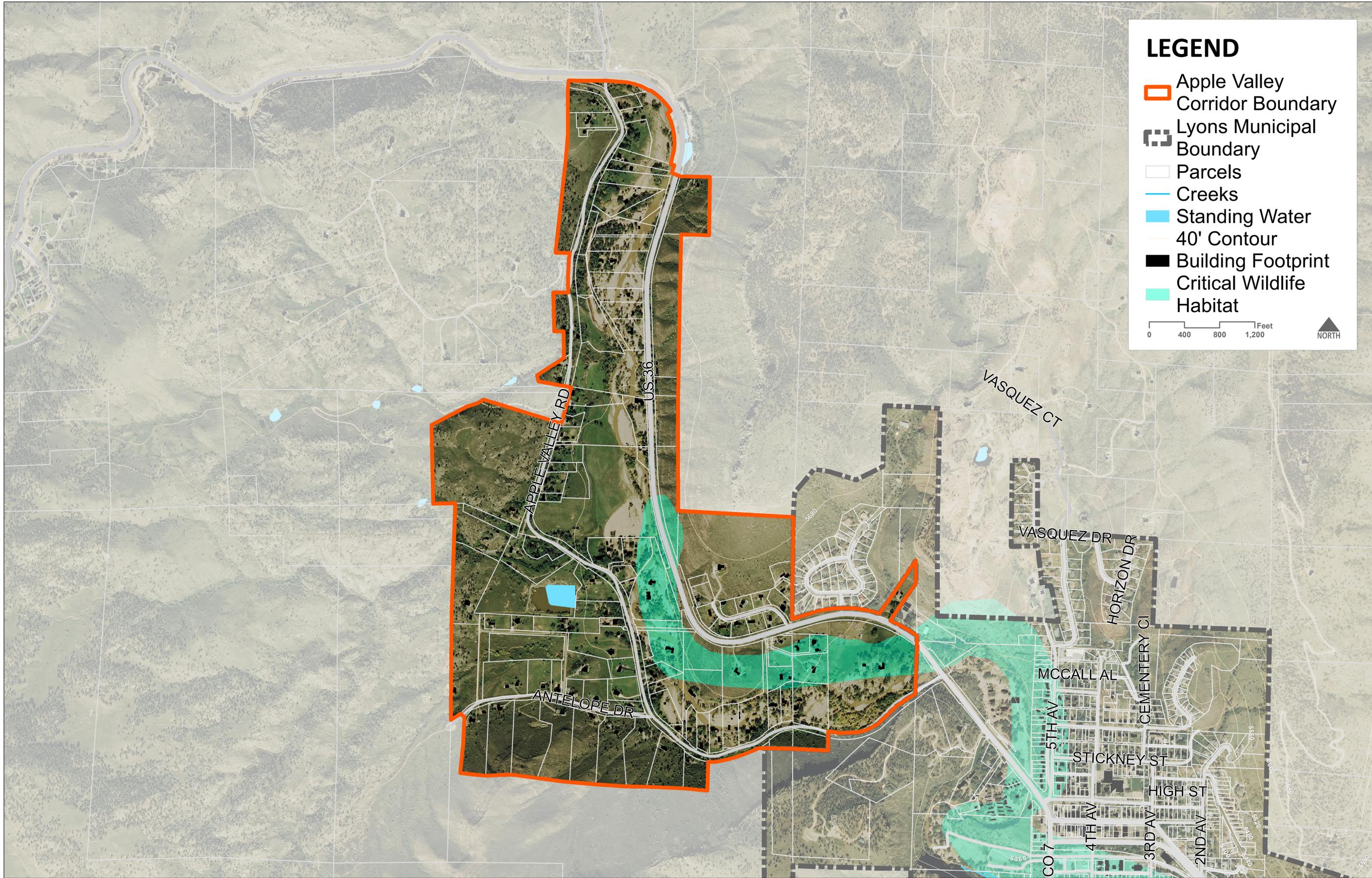
# NATURAL LANDMARKS



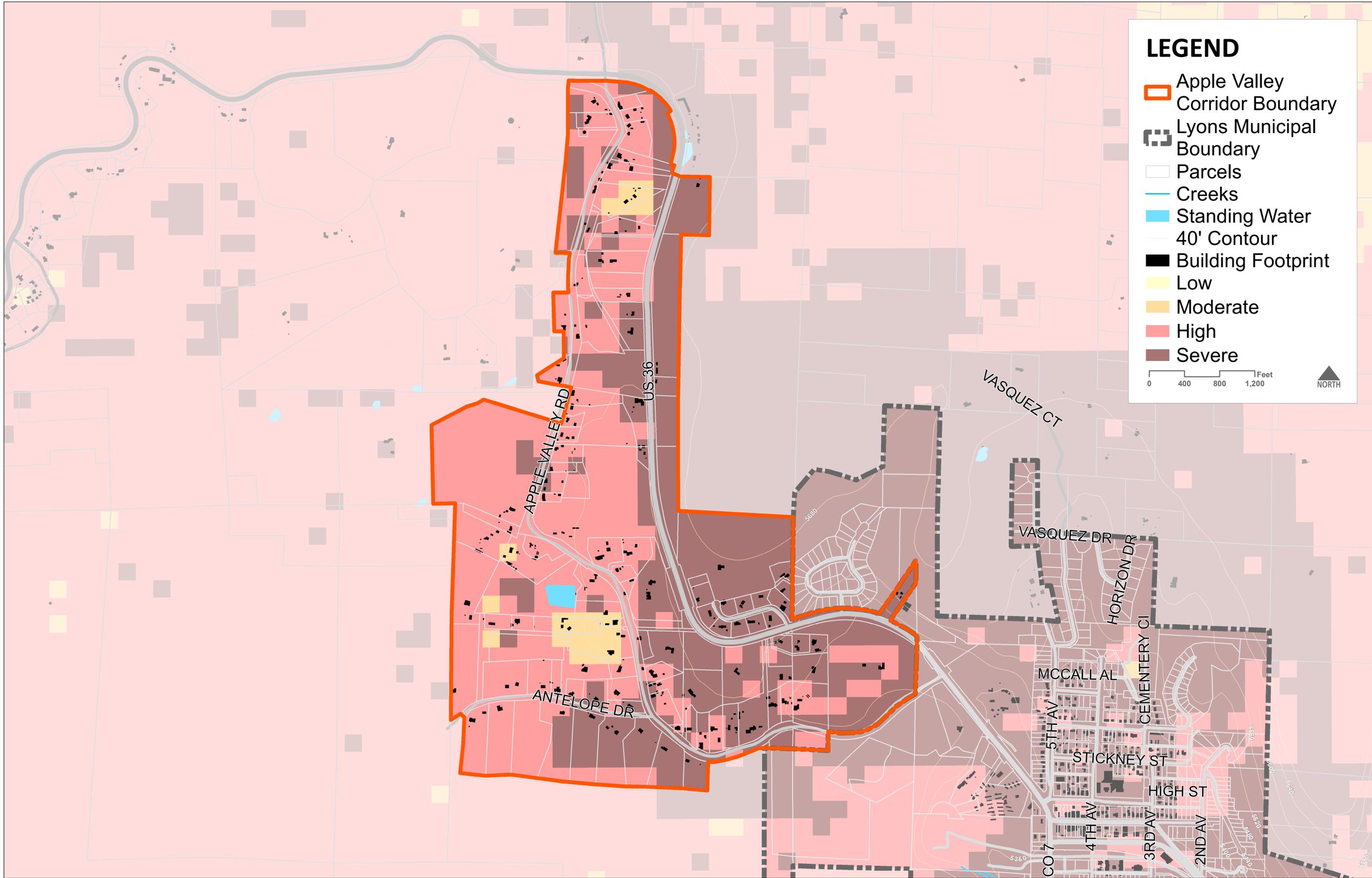
# FLOODPLAIN AND FLOODWAY



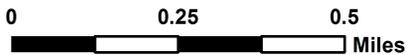
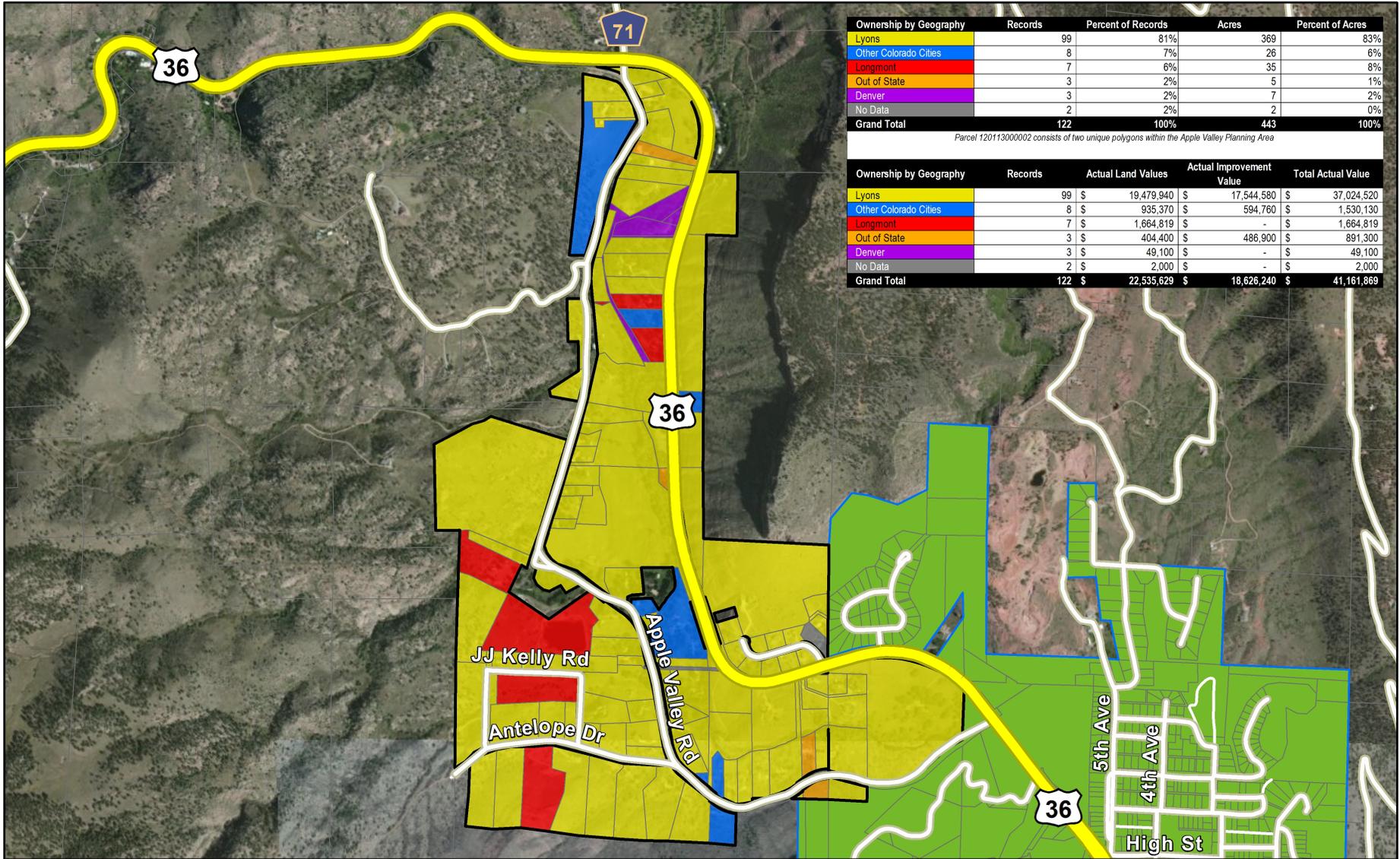
# CRITICAL WILDLIFE HABITAT



# WILDFIRE CONCERN AREAS



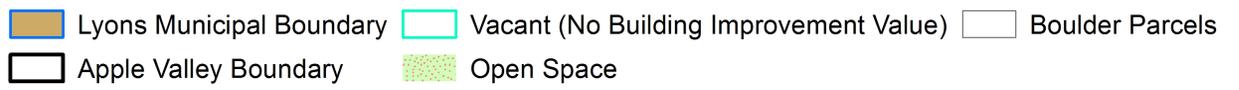
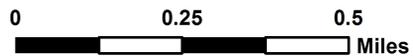
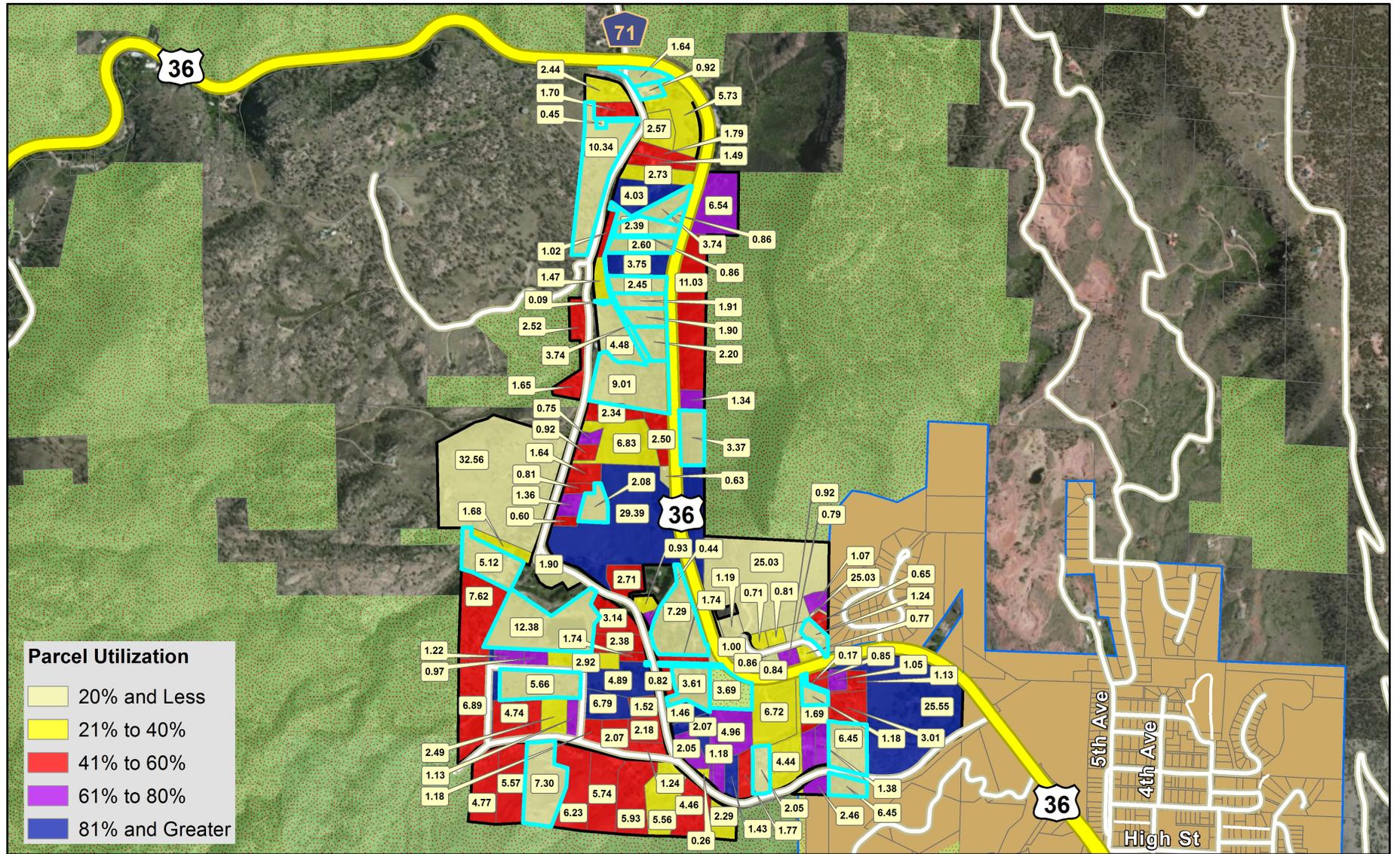
# LYONS, COLORADO Apple Valley Planning Area - Parcel Ownership by Geography



Lyons Municipal Boundary
  Apple Valley Boundary
  Boulder Parcels



# LYONS, COLORADO Apple Valley Planning Area - Parcel Utilization



Date: Thursday, March 31, 2016



**Appendix D: Community Input**

**Appendix D: Community Input**

The vision developed for the LPPA Master Plan (the Plan) relied on four key components: physical issues; market potential; community aspirations; and fiscal realities. It is the interrelationship between these components that comprises the community vision. This section summarizes the public input effort used to gauge community aspirations.



## Methodology

In addition to site and area reconnaissance, technical analyses of the real estate and investment markets, and review of regulating and policy documents, a key component of this planning effort were a series of discussions in a variety of venues designed to solicit insight and ideas from local and regional stakeholders regarding growth in the LPPA and the three subareas. Outlets for input included:

- Small group and one-on-one meetings (in-person and by phone);
- An interactive project page accessible via the Town's web page; and,
- A series of workshops wherein various public and private improvement concepts were presented and discussed.

While all property owners of record were invited to attend any or all of the meetings in the respective subareas, many chose to limit their participation to their specific geographic area of interest. Workshops which addressed conditions and investment opportunities were held on the following dates in the locations identified here.

### **Eastern Corridor Meetings**

Location: Rogers Hall

Thursday, March 17

Thursday, April 14

Thursday, April 28

### **South St. Vrain Corridor Meetings**

Location: Lyons Fire Protection District

Tuesday, May 17

Tuesday, June 14

Tuesday, June 28

### **Apple Valley Meetings**

Location: River Church

Tuesday, July 19

Tuesday, August 16

Thursday, September 8

**“10th Meeting”**

Location: Rogers Hall

Thursday, October 20

Following is a summary of public input received from each of the three subareas.

**Eastern Corridor**

More than 50 individuals participated in one or more of these meetings with participants including:

- home and business owners
- renters
- property owner representatives
- developers
- residents of the Town and Boulder County

Land uses and product types considered to be valuable contributions to the area included:

- lodging facilities
- more, and a greater diversity of, commercial operations, with an emphasis on those that will not compete with existing operators on Main Street
- low-impact (non-emitting) businesses and industrial operations;
- shared facilities supporting entrepreneurial endeavors, both stand-alone and in combination with affordable housing products; and

- higher density housing products such as attached rental units, senior housing facilities, Accessory Dwelling Units (ADUs), and “small houses”

Among all of the comments received, they tended to fall within the broad categories of:

- Economic development as reflected in the area’s business climate
- Physical conditions that present obstacles for development; and established policies and regulations that, when taken with other limiting conditions, overly restrict the potential for investment in the Subarea.

There was an overall desire for improvements that allow for seamless transitions between the subareas and balance of the community; and, enhancements to shared amenities such as bike and hike trails, community gardens, the river corridor and accommodations for pedestrians. Unlike input received in the other subareas, stakeholders with an interest in the Eastern Corridor considered the creek corridor to be an amenity that could be leveraged for economic development purposes. Preferences for revenue-generating uses within the area were those that maintained the community’s small town character, benefited residents, and home-grown as opposed to national and regional chains. Frustration was widely expressed regarding the lack of housing at attainable prices for employees of area businesses, as was a desire to repopulate the area’s inventory of residential product types (following the flood) attainable by residents at different income levels. Concern was expressed if the current imbalance between market rate and estate housing and affordable housing units continued.

Regarding desired outcomes resulting from this planning initiative, the most frequently cited results included:

- ongoing platform for community and property owner input
- enhanced inventory of affordable housing units
- new neighborhoods that enhance the community’s current character
- definitions that Town leaders can use in the context of annexation and zoning requests
- improvements that allow for safe transport for pedestrians and bicyclists

## South St. Vrain Area

Approximately 30 individuals participated in one or more of these meetings with participants including:

- home and business owners
- renters
- property owner representatives
- developers
- residents of the Town and Boulder County

Market supported land uses and product types considered to have the potential to be valuable contributors to the area included:

- moderate density affordable housing products including Accessory Dwelling Units (ADUs) and “small houses”; as well as
- those that meet the needs of senior in the region

Among all of the comments received, they tended to fall within the broad categories of:

- retaining the area’s status quo in terms of the density of development and condition of public improvements including suboptimal system of roads; and
- educating community leaders and their constituents about conditions in this Subarea that are unique relative to the others, despite their shared location within the Town’s larger planning area understanding, and that do not necessarily support a higher intensity of development

Among those individuals that were the most vocal during the three work sessions, they appeared fairly united in their concern about potential adverse impacts from development (or “urban sprawl”) on their existing quality of life. Despite the condition of roads serving properties, and limited access that was further compromised following the flood, as well as limits on available utilities (water and sewer); there was little desire for a significant capital campaign to complete infrastructure in the area. Among the few improvements for which there was a modest level of support, at least among the process participants, was connections to regional trail and road systems, and enhanced accommodations for

bicycles. In addition, there was fairly widespread understanding that the need for affordable and attainable housing units was reaching critical levels, and that the loss of several units during the flood compounded the problem, further threatening an already fragile mix of units heavily weighted toward market rate and estate product types.

Unlike stakeholders in the Apple Valley Subarea, residents in the South St. Vrain Subarea considered the creek an asset that could be leveraged for economic development purposes, as long as potential improvements are balanced with areas along its bank where preservation and restoration activities will preclude future development.

Regarding desired outcomes resulting from this planning initiative, the most frequently cited results included:

- long-range plans for roads, utilities, and drainage
- awareness that the preservation of rural areas can benefit the community at-large
- recognition that some portion of the planning area should be retained as open space in an effort to connect regional trails and natural amenities; and
- shared vision for recreational uses (fishing, kayaking, other), rather than housing, along the creek

### **Apple Valley Area**

Approximately 30 individuals participated in one or more of these meetings with participants including:

- home owners
- property owner representatives
- developers
- residents of the Town and Boulder County

Market supported land uses and product types considered to have the potential to be valuable contributors to the area included:

- single family detached housing at rural densities

- moderate density affordable housing products

Among all of the comments received, they tended to fall within the broad categories of:

- retaining the area's status quo in terms of the density of development and condition of public improvements including suboptimal system of roads; and
- educating community leaders and their constituents about conditions in this subarea that are unique relative to the others, despite their shared location within the Town's larger planning area understanding, and that do not necessarily support a higher intensity of development

Among those individuals that were the most vocal during the three work sessions, they appeared fairly united in their concern about potential adverse impacts from higher-density development on their existing quality of life (e.g., traffic, rural feel, scenery, quiet, wildlife, etc.). Among the few improvements for which there was a level of support, at least among the process participants, was a bike/walk trail or path along US 36 between the two Apple Valley turnoffs (to allow for increased safety of walking/biking into Town). There was also support for enhancements to Apple Valley Road to better accommodate bikers/walkers/runners. In addition, there was fairly widespread understanding that the need for affordable and attainable housing units was reaching critical levels, and that the loss of several units during the flood compounded the problem, further threatening an already fragile mix of units heavily weighted toward market rate and estate product types. Unlike stakeholders in the South St. Vrain Subarea, residents in the Apple Valley Subarea did not consider the creek to be an asset that could be leveraged for economic development purposes, primarily due to trespassing and unauthorized parking/access to the creek. Adding a public access to the subarea for water use was a suggestion that seemed to have support among existing residents.

Regarding desired outcomes resulting from this planning initiative, the most frequently cited results included:

- long-range plans for roads, utilities, and drainage
- awareness that the preservation of rural areas can benefit the community at-large
- recognition that some portion of the planning area should be retained as open space in an effort to connect regional trails and natural amenities

**Considerations for Planning Effort**

As stated earlier, an understanding of challenges or barriers, and the issues which perpetuate them, is critical to effectively frame research and analyses necessary to arrive at recommendations designed to “ready an area” or community for investment. This is equally true whether the challenges are being perpetuated by perception or reality. All of the comments presented here were the opinions of those individuals who agreed to participate. Regardless of whether the comments made were based in fact, processes like these inevitably highlight the need for greater communication between the public and private sectors and more education of the community.

**Appendix E: Market Demand Analysis**

## Appendix E: Market Demand Analysis

### Lyons Trade Area

A Trade Area is intended to represent that area from which uses will capture a share of market demand. Factors that influence the shape of a trade area include: physical and psychological barriers; presence of activity generators; travel patterns and thoroughfares; competition; neighborhood and employment concentrations; and others. Based on these factors, the trade area was determined to be all of Boulder County.

### Economic and Demographic Characteristics

Economic and demographic characteristics in the market are indicators of overall trends and economic health which may affect private and public sector development. The following summarizes economic and demographic trends which will affect development demand in Lyons over the near- and long-term. Since Lyons will compete with a larger geographic area, demographics are also shown for Boulder County (see **Table 3-1**).

- The Town of Lyons compares favorably to Boulder County in population and household growth.
- The Town has a lower share of non-family and renter-occupied households and a slightly older population.
- The Town compares favorably to the County in terms of income and education level, but shows less ethnicity.

**Table 3-1  
Lyons Trade Area Demographic Summary**

<b>2015 Indicator (unless otherwise noted)</b>	<b>Town of Lyons</b>	<b>Boulder County</b>
2010 Population	2,033	294,567
2015 Population	2,168	309,226
2015 Households	925	125,583
Annual Household Growth Rate (Projected through 2025)	1.8%	2.0%
Average Household Size	2.4	2.39
Percent Non-Family Households	35%	42%
Percent One- and Two-Person Households	63%	62%
Percent Renters	28%	37%
Percent Age 65+	8%	10%
Percent Age 0-17	24%	22%
Median Age	40.4	35.8
Percent With Bachelors Degree	56%	58%
Median Household Income	\$74,375	\$67,403
Percent With Income Below \$25,000	14%	9%
Percent With Income Over \$100,000	39%	46%
Percent Hispanic	6%	12%
Percent Black/African-American	1%	1%
Percent Asian American	1%	4%

Source: U.S. Census; DRCOG; ESRI, Inc.; and Ricker|Cunningham.

### **Lifestyle Segments**

Psychographics is a term used to describe the characteristics of people and neighborhoods which, instead of being purely demographic, speak more to attitudes, interests, opinions and lifestyles. Tapestry (ESRI, Inc.) is a leading system for characterizing neighborhoods into one of 67

distinct market segments. Commercial retail developers are interested in understanding a community’s psychographic profile, as this is an indication of its resident’s propensity to spend across select retail categories. Residential developers are also interested in understanding this profile as it tends to suggest preferences for certain housing product types. Boulder County, and the Town of Lyons in particular, are dominated by upper class psychographic segments, indicating high incomes and high disposable retail spending (see **Table 3-2**).

**Table 3-2**  
**Lyons Trade Area Psychographic Summary**

<b>Tapestry Segment</b>	<b>2015 Households</b>	<b>% of Total Households</b>	<b>U.S. Index=100*</b>
<b>Urban Chic</b>	<b>22,671</b>	<b>18.1%</b>	<b>1,369</b>
Emerald City	9,120	7.3%	515
Dorms to Diplomas	8,583	6.8%	1,342
Professional Pride	7,738	6.2%	386
Enterprising Professionals	6,415	5.1%	369
Metro Renters	6,063	4.8%	324
In Style	5,984	4.8%	212
Boomburbs	5,936	4.7%	313
Savvy Suburbanites	4,815	3.8%	129
Old and Newcomers	4,673	3.7%	160
<b>Total Above Segments</b>	<b>81,998</b>	<b>65.3%</b>	<b>--</b>
<b>Total Trade Area</b>	<b>125,583</b>	<b>100.0%</b>	<b>--</b>

\* Indicates concentration of this segment relative to U.S. average. A segment index of 200 would mean that this group contains 2 times the concentration of households compared to the average U.S. neighborhood.

Source: ESRI and Ricker | Cunningham.

As shown, those groups with the most significant concentrations in and around Lyons include: Urban Chic; Emerald City; Dorms to Diplomas; Professional Pride; and Enterprising Professionals. These lifestyle segments comprise over 43% of the population in the Trade Area. Brief descriptions of these lifestyle segments follows.

**Urban Chic** residents are professionals who live a sophisticated, exclusive lifestyle. More than half of these households are married-couple families, similar to the US proportion. Fewer than half of them have children. Unlike the United States, there is a smaller proportion of single parents and a higher proportion of singles and shared households. The median age of 42.7 years is older than the US median of 37 years, while the diversity index of 51 is lower than the US figure of 61.

**Emerald City's** denizens live in lower-density neighborhoods of urban areas throughout the country. Young and mobile, they are more likely to rent. Well educated and well employed, half have a college degree and a professional occupation. Incomes close to the US median come primarily from wages and self-employment. This group is highly connected, using the Internet for entertainment and making environmentally friendly purchases. Long hours on the Internet are balanced with time at the gym. Many embrace the "foodie" culture and enjoy cooking adventurous meals using local and organic foods. Music and art are major sources of enjoyment. They travel frequently, both personally and for business.

With a median age of 21.7 years, **Dorms to Diplomas** residents are college students who are the youngest of the Tapestry segments. Seventy-nine percent of the residents are enrolled in a college or university. Forty-two percent share housing with one or more roommates; 38 percent live in single-person dwellings. Ethnic diversity is slightly lower in this segment than in the United States. Seventy-one percent of the residents are white; 10 percent are black. Although there is a higher percentage of Asians, Hispanics have a lower percentage compared to the United States.

**Professional Pride** consumers are well-educated career professionals that have prospered through the Great Recession. To maintain their upscale suburban lifestyles, these goal oriented couples work, often commuting far and working long hours. However, their schedules are fine-tuned to meet the needs of their school age children. They are financially savvy; they invest wisely and benefit from interest and dividend income. So far, these established families have accumulated an average of 1.5 million dollars in net worth, and their annual household income runs at more than twice the US level. They take pride in their newer homes and spend valuable time and energy upgrading. Their homes are furnished with the latest in home trends, including finished basements equipped with home gyms and in-home theaters.

Young, educated, single, married, working professionals, residents of **Enterprising Professionals** neighborhoods have a median age of 32.4 years. Forty-three percent of the households are singles who live alone or share housing with roommates, and 43 percent are married

couple families. With an annual household growth of 1.95 percent per year since 2000, the households in this segment comprise approximately 2 percent of total US households. The diversity of the population is similar to that of the United States. Most of the residents are white; however, 12.4 percent are Asian.

Tapestry data can be organized into Urbanization Groups. Urbanization Groups indicate the type of living environment that different people are drawn to, based on geographic and physical features such as population density, size of city, location in or outside a metropolitan area, and whether it is part of the economic and social center of a metropolitan area.

As shown, over 52% of Boulder County households fall into the Suburban Periphery Urbanization Group. Still, approximately 13% of total households prefer more urban living environments (see **Table 3-3**).

**Table 3-3**  
**Lyons Trade Area Psychographic Summary – Urbanization Groups**

Urbanization Group	2015 Households	% of Total Households	U.S. Index=100*
Suburban Periphery	65,822	52.4%	168
Metro Cities	39,392	31.4%	181
Principal Urban Center	8,286	6.6%	83
Urban Periphery	7,561	6.0%	36
Semirural	2,772	2.2%	29
<b>Total Above Groups</b>	<b>123,833</b>	<b>98.6%</b>	<b>--</b>
<b>Total Trade Area</b>	<b>125,583</b>	<b>100.0%</b>	<b>--</b>

\* Indicates concentration of this segment relative to U.S. average. A segment index of 200 would mean that this group contains 2 times the concentration of households compared to the average U.S. neighborhood.

Source: ESRI and Ricker | Cunningham.

## Market Demand

In order to identify potential market opportunities given Lyons’s competitive position and prevailing market conditions, market demand estimates were prepared for residential, retail, and employment (office/industrial) land uses over the next 20 years. While the overall buildout of the Lyons community will likely occur over a longer term period, these demand estimates present potential opportunities in the next real estate cycle or two.

## Residential Demand

Demand for Lyons Trade Area residential units is a function of newly formed households, whether they arise through natural increase or net immigration. As shown, the Trade Area is expected to experience demand for approximately 32,200 new housing units by 2036. Based on an expected rental housing share of approximately 36%, this would translate into demand for 11,700 new rental units and 20,500 new ownership units (see **Table 3-4**).

**Table 3-4**  
**Trade Area Residential Demand: Total**

Household Income Range (2016 dollars)		Approximate Rent Range	Supportable Home Price Range	Current Households in Income Bracket	New Households by Income Bracket	Total Units	Estimated % Rental	Total Rental Units	Total Ownership Units
up to \$15K	up to \$375	up to \$75K	10%	8%	2,579	95%	2,450	129	
\$15-25K	\$375 - \$625	\$75 to \$100K	8%	6%	1,934	95%	1,838	97	
\$25-35K	\$625 - \$875	\$100 to \$150K	8%	6%	1,934	85%	1,644	290	
\$35-50K	\$875 - \$1,000	\$150 to \$200K	11%	9%	2,901	75%	2,176	725	
\$50-75K	\$1,000+	\$200 to \$250K	15%	13%	4,191	45%	1,886	2,305	
\$75-100K	\$1,000+	\$250 to \$350K	12%	15%	4,836	15%	725	4,110	
\$100-150K	\$1,000+	\$350 to \$500K	18%	21%	6,770	10%	677	6,093	
\$150K and up	\$1,000+	\$500K and up	18%	22%	7,092	5%	355	6,738	
<b>Totals</b>					<b>32,237</b>	<b>36%</b>	<b>11,750</b>	<b>20,487</b>	

Source: DRCOG; U.S. Census; ESRI, Inc.; and Ricker|Cunningham.

**Ownership Demand**

Of the 20,400 total units of for-sale housing demand by households earning over \$15,000 over the next 20 years, approximately 75% or 15,300 units, could be detached units and the other 25%, or 5,100 units, could be attached products (e.g., condominium, townhome, rowhouse, loft, etc.). **Tables 3-5 and 3-6** summarize these demand figures.

**Table 3-5  
Trade Area Residential Demand: Single Family Detached**

Annual Household Income Range	Approximate Home Price Range	Trade Area For-Sale Demand (Incomes \$15K+)	Estimated % Single Family Detached	Single Family Detached Demand
\$15-25K	\$75 to \$100K	97	75%	73
\$25-35K	\$100 to \$150K	290	75%	218
\$35-50K	\$150 to \$200K	725	75%	544
\$50-75K	\$200 to \$250K	2,305	75%	1,729
\$75-100K	\$250 to \$350K	4,110	75%	3,083
\$100-150K	\$350 to \$500K	6,093	75%	4,570
\$150K and up	\$500K and up	6,738	75%	5,053
<b>Totals</b>		<b>20,358</b>	<b>75%</b>	<b>15,268</b>

**Table 3-6  
Trade Area Residential Demand: Single Family Attached**

Annual Household Income Range	Approximate Home Price Range	Trade Area For-Sale Demand (Incomes \$15K+)	Estimated % Single Family Attached	Single Family Attached Demand
\$15-25K	\$75 to \$100K	97	25%	24
\$25-35K	\$100 to \$150K	290	25%	73
\$35-50K	\$150 to \$200K	725	25%	181
\$50-75K	\$200 to \$250K	2,305	25%	576
\$75-100K	\$250 to \$350K	4,110	25%	1,028
\$100-150K	\$350 to \$500K	6,093	25%	1,523
\$150K and up	\$500K and up	6,738	25%	1,684
<b>Totals</b>		<b>20,358</b>	<b>25%</b>	<b>5,089</b>

Note: Assumes Townhome/Condo development stabilizes at 25% of all ownership demand  
Source: DRCOG; U.S. Census; Claritas, Inc.; and Ricker|Cunningham.

**Rental Demand**

Lyons Trade Area household growth is expected to support nearly 9,300 total units of rental housing demand by households earning over \$15,000 over the next 20 years (see **Table 3-7**).

**Table 3-7**  
**Trade Area Residential Demand: Rental Apartments**

Annual Household Income Range	Approximate Rent Range	Trade Area Rental Demand (Incomes \$15K+)
\$15-25K	\$375 - \$625	1,838
\$25-35K	\$625 - \$875	1,644
\$35-50K	\$875 - \$1,000	2,176
\$50-75K	\$1,000+	1,886
\$75-100K	\$1,000+	725
\$100-150K	\$1,000+	677
\$150K and up	\$1,000+	355
<b>Totals</b>		<b>9,300</b>

Source: DRCOG; U.S. Census; Claritas, Inc.; and Ricker|Cunningham.

**Retail Demand**

Demand for new retail space is determined by future retail spending potential of projected new households, as well as by some recapturing of retail spending that is currently lost to nearby communities or areas, referred to as “leakage” or “retail void”. The combination of this future household growth and recapture of retail “leakage” in the Lyons Trade Area is expected to support an additional 3.5 million square feet of new retail space over the next 20 years (see **Table 3-8**).

**Table 3-8  
Trade Area Retail Demand**

Retail Category	Estimated 2016 Household Retail Demand	Estimated 2016 Retail Sales (Supply)	Estimated 2016 Retail Void (Leakage)	Estimated Retail Sales/s.f.	New Retail Space Needed to Recapture Void/Leakage	Annual Household Growth Rate (2016-2036)	Net New Household Retail Demand	New Retail Space Needed for Household Growth	Total 20-Year New Trade Area Retail Demand (s.f.)
Furniture & Home Furnishings	\$81,604,234	\$70,069,560	\$11,534,674	\$200	57,673	1.1%	\$19,958,832	99,794	157,468
Electronics & Appliance	\$90,779,641	\$123,138,769	\$0	\$250	0	1.1%	\$22,202,961	88,812	88,812
Bldg Materials, Garden Equipment	\$485,179,538	\$371,813,136	\$113,366,402	\$300	377,888	1.1%	\$118,665,620	395,552	773,440
Food & Beverage (Grocery, Beer, Wine)	\$721,143,203	\$673,016,965	\$48,126,238	\$400	120,316	1.1%	\$176,377,812	440,945	561,260
Health & Personal Care	\$183,813,865	\$237,178,436	\$0	\$350	0	1.1%	\$44,957,350	128,450	128,450
Clothing and Accessories	\$303,614,428	\$150,138,609	\$153,475,819	\$225	682,115	1.1%	\$74,258,273	330,037	1,012,152
Sporting Goods,Hobby, Book, Music	\$73,948,956	\$143,440,547	\$0	\$225	0	1.1%	\$18,086,498	80,384	80,384
General Merchandise	\$364,955,434	\$613,514,977	\$0	\$400	0	1.1%	\$89,261,108	223,153	223,153
Miscellaneous Stores	\$103,147,689	\$149,437,824	\$0	\$250	0	1.1%	\$25,227,949	100,912	100,912
Foodservice & Drinking Places	\$553,695,278	\$664,666,867	\$0	\$400	0	1.1%	\$135,423,258	338,558	338,558
<b>Total</b>	<b>\$2,961,882,266</b>	<b>\$3,196,415,690</b>	<b>\$326,503,133</b>		<b>1,237,992</b>		<b>\$724,419,661</b>	<b>2,226,596</b>	<b>3,464,588</b>

Source: U.S. Census; ESRI, Inc.; Urban Land Institute; and Ricker|Cunningham.

**Employment (Office and Industrial) Demand**

Demand for new employment space is derived from two primary sources: expansion of existing industry; and the relocation of new companies into the market. Employment projections by industry classification for the Lyons Trade Area were used to estimate demand over the next 20 years. Assuming an overall 2.4% sustained annual employment growth rate, the Trade Area should add approximately 106,700 new jobs over the next 20 years. Assuming differing levels of space needed across various industry categories, the analysis revealed demand for nearly 13.9 million square feet of new employment space over this period (see **Table 3-9**).

**Table 3-9  
Trade Area Employment Demand**

Industry Category	Estimated 2016 Employees	Estimated Growth Rate 2016-2036	Estimated 2036 Employees	Estimated New Employees	Estimated % in Employment Space	Estimated Net New Employees	Sq Ft per Employee	Estimated 20-yr Employment Demand
Natural Resources, Mining and Construction	5,000	0.5%	5,524	524	60%	315	300	94,406
Manufacturing	17,600	1.0%	21,475	3,875	85%	3,294	300	988,213
Trade, Transportation and Utilities	23,800	0.5%	26,297	2,497	100%	2,497	300	748,954
Information	8,100	0.6%	9,129	1,029	100%	1,029	300	308,835
Financial and Real Estate Activities	13,200	2.5%	21,630	8,430	95%	8,008	300	2,402,475
Professional and Business Services	26,200	1.5%	35,288	9,088	90%	8,179	300	2,453,652
Educational and Health Services	23,400	6.0%	75,047	51,647	30%	15,494	300	4,648,227
Leisure and Hospitality	19,800	3.6%	40,166	20,366	15%	3,055	300	916,477
Other Services	5,900	1.0%	7,199	1,299	40%	520	300	155,895
Government	35,900	1.0%	43,805	7,905	50%	3,952	300	1,185,723
<b>Totals</b>	<b>178,900</b>	<b>2.4%</b>	<b>285,560</b>	<b>106,660</b>	<b>43%</b>	<b>46,343</b>	<b>300</b>	<b>13,902,858</b>

Source: Colorado Department of Labor and Employment; Colorado Department of Local Affairs; and Ricker|Cunningham.

**Lodging Demand**

Demand for lodging space in the Trade Area is derived from two sources: residual or excess demand in the current market; and new demand from corporate, tourist/leisure, and group users. Based on estimated current occupancy rates (75%), the Trade Area is operating at slightly above market equilibrium (generally estimated at 65% to 70%). Because of this imbalance in market equilibrium, there is excess or residual demand in the current market, estimated here at 28,835 room nights, which could support 113 rooms. In addition, there will be demand from future growth in the traditional lodging segments – corporate, tourist and group. Assuming that lodging demand segments (corporate, tourist, group) grow at an annual rate of 2 percent, the Trade Area lodging market could support an additional 823 new hotel rooms over the next 20 years. Therefore, total lodging demand in the Trade Area could support 935 new hotel rooms.

**Table 3-9  
Trade Area Lodging Demand**

<b>Residual Demand in Current Market:</b>	
Total Lodging Rooms in Market:	1,580
Annual Potential Room Nights of Demand (RND):	576,700
RND @ Current Occupancy (75%):	432,525
RND @ Market Equilibrium (70% Occupancy):	403,690
Net RND (Surplus/ <b>Deficit</b> ):	28,835
<b>Supportable New Hotel Rooms @ 70% Occupancy:</b>	<b>113</b>
<b>Future Growth in Lodging Demand (10-Yr):</b>	
Room Nights of Demand (2016):	
Corporate (60%):	259,515
Tourist (30%):	129,758
Group (10%):	43,253
Room Nights of Demand (2036):	
Corporate (2% Annual Growth):	385,626
Tourist (2% Annual Growth):	192,813
Group (2% Annual Growth):	64,271
New Room Nights of Demand (2016 to 2036):	210,184
<b>Supportable Hotel Rooms @ 70% Occupancy</b>	<b>823</b>
<b>Total Supportable Hotel Rooms (2016 to 2036)</b>	<b>935</b>

Source: Smith Travel Research and Ricker | Cunningham.

**Appendix F: Definitions of Lifestyle Modes (Psychographics)**



LifeMode Group: Upscale Avenues  
**Urban Chic**

2A

**Households:** 1,574,000

**Average Household Size:** 2.37

**Median Age:** 42.6

**Median Household Income:** \$98,000

## WHO ARE WE?

*Urban Chic* residents are professionals that live a sophisticated, exclusive lifestyle. Half of all households are occupied by married-couple families and about 30% are singles. These are busy, well-connected, and well-educated consumers—avid readers and moviegoers, environmentally active, and financially stable. This market is a bit older, with a median age of almost 43 years, and growing slowly, but steadily.

## OUR NEIGHBORHOOD

- More than half of *Urban Chic* households include married couples; 30% are singles.
- Average household size is slightly lower at 2.37.
- Homes range from prewar to recent construction, high-rise to single family. Over 60% of householders live in single-family homes; more than one in four live in multiunit structures.
- Two-thirds of homes are owner occupied.
- Major concentrations of these neighborhoods are found in the suburban periphery of large metropolitan areas on the California coast and along the East Coast.
- Most households have two vehicles available. Commuting time is slightly longer, but commuting by bicycle is common (Index 236).

## SOCIOECONOMIC TRAITS

- Well educated, more than 60% of residents hold a bachelor's degree or higher (Index 223).
- Unemployment rate is well below average at 5% (Index 62); labor force participation is higher at 69%.
- Residents are employed in white collar occupations—in managerial, technical, and legal positions.
- Over 40% of households receive income from investments.
- Environmentally aware, residents actively recycle and maintain a "green" lifestyle.
- These busy, tech-savvy residents use PCs extensively for an array of activities such as shopping, banking, and staying current—a top market for Apple computers.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Middle Ground  
**Emerald City**

8B

**Households:** 1,677,000

**Average Household Size:** 2.05

**Median Age:** 36.6

**Median Household Income:** \$52,000

## WHO ARE WE?

*Emerald City's* denizens live in lower-density neighborhoods of urban areas throughout the country. Young and mobile, they are more likely to rent. Well educated and well employed, half have a college degree and a professional occupation. Incomes close to the US median come primarily from wages and self-employment. This group is highly connected, using the Internet for entertainment and making environmentally friendly purchases. Long hours on the Internet are balanced with time at the gym. Many embrace the "foodie" culture and enjoy cooking adventurous meals using local and organic foods. Music and art are major sources of enjoyment. They travel frequently, both personally and for business.

## OUR NEIGHBORHOOD

- There are mostly older, established neighborhoods with homes built before 1960; around 30% built before 1940.
- Just over half of all homes are renter occupied.
- Single-person and nonfamily types make up over half of all households.
- Median home value and average rent are slightly above the US levels; around half of owned homes are worth \$150,000–\$300,000.

## SOCIOECONOMIC TRAITS

- Well educated, these consumers research products carefully before making purchases.
- They buy natural, green, and environmentally friendly products.
- Very conscious of nutrition, they regularly buy and eat organic foods.
- Cell phones and text messaging are a huge part of everyday life.
- They place importance on learning new things to keep life fresh and variable.
- They are interested in the fine arts and especially enjoy listening to music.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Scholars and Patriots  
**Dorms to Diplomas**

**Households:** 589,000

**Average Household Size:** 2.20

**Median Age:** 21.5

**Median Household Income:** \$17,000

### WHO ARE WE?

On their own for the first time, *Dorms to Diplomas* residents are just learning about finance and cooking. Frozen dinners and fast food are common options. Shopping trips are sporadic, and preferences for products are still being established. Many carry a balance on their credit card so they can buy what they want now. Although school and part-time work take up many hours of the day, the remainder is usually filled with socializing and having fun with friends. They are looking to learn life lessons inside and outside of the classroom. This is the first online generation, having had lifelong use of computers, the Internet, cell phones, and MP3 players.

### OUR NEIGHBORHOOD

- Mix of dorms, on-campus and off-campus housing cater to young renters.
- Off-campus householders are commonly students living alone or with roommates; average household size is 2.2.
- 80% of the housing are apartments; many older homes in town have been converted into multifamily living units.
- With limited parking on campus, many walk, bike, or car pool to class.
- Only one in ten homes are owner occupied.

### SOCIOECONOMIC TRAITS

- They're the youngest market with half of the population aged 20–24.
- They're impulse buyers who experiment with different brands.
- They buy trendy clothes on a budget.
- Vehicles are just a means of transportation—economy and environmental impact are factors in purchases; used, imported subcompact cars are a popular choice.
- They value socializing, having fun, and learning new things.
- They're always connected; their cell phone is never out of reach.



LifeMode Group: Affluent Estates

# Professional Pride

1B

**Households:** 1,878,000

**Average Household Size:** 3.11

**Median Age:** 40.5

**Median Household Income:** \$127,000

## WHO ARE WE?

*Professional Pride* consumers are well-educated career professionals that have prospered through the Great Recession. To maintain their upscale suburban lifestyles, these goal oriented couples work, often commuting far and working long hours. However, their schedules are fine-tuned to meet the needs of their school age children. They are financially savvy; they invest wisely and benefit from interest and dividend income. So far, these established families have accumulated an average of 1.5 million dollars in net worth, and their annual household income runs at more than twice the US level. They take pride in their newer homes and spend valuable time and energy upgrading. Their homes are furnished with the latest in home trends, including finished basements equipped with home gyms and in-home theaters.

## OUR NEIGHBORHOOD

- Typically owner occupied (Index 173), single-family homes are in newer neighborhoods: 59% of units were built in the last 20 years.
- Neighborhoods are primarily located in the suburban periphery of large metropolitan areas.
- Most households own two or three vehicles; long commutes are the norm.
- Homes are valued at more than twice the US median home value, although three out of four homeowners have mortgages to pay off.
- Families are mostly married couples (almost 80% of households), and more than half of these families have kids. Their average household size, 3.11, reflects the presence of children.

## SOCIOECONOMIC TRAITS

- *Professional Pride* consumers are highly qualified in the science, technology, law, or finance fields; they've worked hard to build their professional reputation or their start-up businesses.
- These consumers are willing to risk their accumulated wealth in the stock market.
- They have a preferred financial institution, regularly read financial news, and use the Internet for banking transactions.
- These residents are goal oriented and strive for lifelong earning and learning.
- Life here is well organized; routine is a key ingredient to daily life.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Upscale Avenues

# Enterprising Professionals



**Households:** 1,627,000

**Average Household Size:** 2.46

**Median Age:** 34.8

**Median Household Income:** \$77,000

## WHO ARE WE?

*Enterprising Professionals* residents are well educated and climbing the ladder in STEM (science, technology, engineering, and mathematics) occupations. They change jobs often and therefore choose to live in condos, town homes, or apartments; many still rent their homes. The market is fast-growing, located in lower density neighborhoods of large metro areas. *Enterprising Professionals* residents are diverse, with Asians making up over one-fifth of the population. This young market makes over one and a half times more income than the US median, supplementing their income with high-risk investments. At home, they enjoy the Internet and TV on high-speed connections with premier channels and services.

## OUR NEIGHBORHOOD

- Almost half of households are married couples, and 30% are single person households.
- Housing is a mixture of suburban single-family homes, row homes, and larger multiunit structures.
- Close to three quarters of the homes were built after 1980; 22% are newer, built after 2000.
- Renters make up nearly half of all households.

## SOCIOECONOMIC TRAITS

- Median household income one and a half times that of the US.
- Over half hold a bachelor's degree or higher.
- Early adopters of new technology in hopes of impressing peers with new gadgets.
- Enjoy talking about and giving advice on technology.
- Half have smartphones and use them for news, accessing search engines, and maps.
- Work long hours in front of a computer.
- Strive to stay youthful and healthy, eat organic and natural foods, run and do yoga.
- Buy name brands and trendy clothes online.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



## LifeMode Group: Uptown Individuals

# Metro Renters

**Households:** 1,734,000

**Average Household Size:** 1.66

**Median Age:** 31.8

**Median Household Income:** \$52,000

### WHO ARE WE?

Residents in this highly mobile and educated market live alone or with a roommate in older apartment buildings and condos located in the urban core of the city. This is one of the fastest growing segments; the popularity of urban life continues to increase for consumers in their late twenties and thirties. *Metro Renters* residents income is close to the US average, but they spend a large portion of their wages on rent, clothes, and the latest technology. Computers and cell phones are an integral part of everyday life and are used interchangeably for news, entertainment, shopping, and social media. *Metro Renters* residents live close to their jobs and usually walk or take a taxi to get around the city.

### OUR NEIGHBORHOOD

- Over half of all households are occupied by singles, resulting in the smallest average household size among the markets, 1.66.
- Neighborhoods feature 20+ unit apartment buildings, typically surrounded by offices and businesses.
- Renters occupy close to 80% of all households.
- Public transportation, taxis, walking, and biking are popular ways to navigate the city.

### SOCIOECONOMIC TRAITS

- Well-educated consumers, many currently enrolled in college.
- Very interested in the fine arts and strive to be sophisticated; value education and creativity.
- Willing to take risks and work long hours to get to the top of their profession.
- Become well informed before purchasing the newest technology.
- Prefer environmentally safe products.
- Socializing and social status very important.



LifeMode Group: GenXurban  
**In Style**

5B

**Households:** 2,675,000

**Average Household Size:** 2.33

**Median Age:** 41.1

**Median Household Income:** \$66,000

## WHO ARE WE?

*In Style* denizens embrace an urbane lifestyle that includes support of the arts, travel, and extensive reading. They are connected and make full use of the advantages of mobile devices. Professional couples or single households without children, they have the time to focus on their homes and their interests. The population is slightly older and already planning for their retirement.

## OUR NEIGHBORHOOD

- City dwellers of large metropolitan areas.
- Married couples, primarily with no children (Index 112) or single households (Index 109); average household size at 2.33.
- Home ownership average at 69% (Index 108); more than half, 51%, mortgaged (Index 112).
- Primarily single-family homes, in older neighborhoods (built before 1980), with a mix of town homes (Index 133) and smaller (5–19 units) apartment buildings (Index 110).
- Median home value at \$213,500.
- Vacant housing units at 8.8%.

## SOCIOECONOMIC TRAITS

- College educated: 46% are graduates (Index 162); 75% with some college education.
- Low unemployment is at 5.6% (Index 65); higher labor force participation rate is at 68% (Index 108) with proportionately more 2-worker households (Index 112).
- Median household income of \$65,600 reveals an affluent market with income supplemented by investments (Index 143) and a substantial net worth (Index 179).
- Connected and knowledgeable, they carry smartphones and use many of the features.
- Attentive to price, they use coupons, especially mobile coupons.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Affluent Estates

# Boomburbs

1C

**Households:** 1,695,000

**Average Household Size:** 3.22

**Median Age:** 33.6

**Median Household Income:** \$105,000

## WHO ARE WE?

This is the new growth market, with a profile similar to the original: young professionals with families that have opted to trade up to the newest housing in the suburbs. The original *Boomburbs* neighborhoods began growing in the 1990s and continued through the peak of the housing boom. Most of those neighborhoods are fully developed now. This is an affluent market but with a higher proportion of mortgages. Rapid growth still distinguishes the *Boomburbs* neighborhoods, although the boom is more subdued now than it was 10 years ago. So is the housing market. Residents are well-educated professionals with a running start on prosperity.

## OUR NEIGHBORHOOD

- Growth markets are in the suburban periphery of large metropolitan areas.
- Young families are married with children (Index 221); average household size is 3.22.
- Home ownership is 84% (Index 133), with the highest rate of mortgages, 78% (Index 173).
- Primarily single-family homes, in new neighborhoods, 72% built since 2000 (Index 521).
- Median home value is \$293,000 (Index 165).
- Lower housing vacancy rate at 5.3%.
- The cost of affordable new housing comes at the expense of one of the longest commutes to work, over 30 minutes average, including a disproportionate number (34.5%) commuting across county lines (Index 146).

## SOCIOECONOMIC TRAITS

- Well educated young professionals, 52% are college graduates (Index 185).
- Unemployment is low at 5.2% (Index 60); high labor force participation at 72% (Index 115); most households have more than two workers (Index 123).
- Longer commute times from the suburban growth corridors (Index 121) have created more home workers (Index 154).
- They are well connected: own the latest devices and understand how to use them efficiently; biggest complaints—too many devices and too many intrusions on personal time.
- Financial planning is well under way for these professionals.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Affluent Estates

# Savvy Suburbanites



**Households:** 3,543,000

**Average Household Size:** 2.83

**Median Age:** 44.1

**Median Household Income:** \$104,000

## WHO ARE WE?

Savvy Suburbanites residents are well educated, well read, and well capitalized. Families include empty nesters and empty nester wannabes, who still have adult children at home. Located in older neighborhoods outside the urban core, their suburban lifestyle includes home remodeling and gardening plus the active pursuit of sports and exercise. They enjoy good food and wine, plus the amenities of the city's cultural events.

## OUR NEIGHBORHOOD

- Established neighborhoods (most built between 1970 and 1990) found in the suburban periphery of large metropolitan markets.
- Married couples with no children or older children; average household size is 2.83.
- 91% owner occupied; 71% mortgaged (Index 156).
- Primarily single-family homes, with a median value of \$311,000 (Index 175).
- Low vacancy rate at 4.5%.

## SOCIOECONOMIC TRAITS

- Education: 48.1% college graduates; 76.1% with some college education.
- Low unemployment at 5.8% (Index 67); higher labor force participation rate at 68.5% (Index 109) with proportionately more 2-worker households at 65.4%, (Index 122).
- Well-connected consumers that appreciate technology and make liberal use of it for everything from shopping and banking to staying current and communicating.
- Informed shoppers that do their research prior to purchasing and focus on quality.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



LifeMode Group: Middle Ground

# Old and Newcomers

8F

**Households:** 2,774,000

**Average Household Size:** 2.11

**Median Age:** 38.5

**Median Household Income:** \$39,000

## WHO ARE WE?

This market features singles' lifestyles, on a budget. The focus is more on convenience than consumerism, economy over acquisition. *Old and Newcomers* is composed of neighborhoods in transition, populated by renters who are just beginning their careers or retiring. Some are still in college; some are taking adult education classes. They support environmental causes and Starbucks. Age is not always obvious from their choices.

## OUR NEIGHBORHOOD

- Metropolitan city dwellers.
- Predominantly single households (Index 148), with a mix of married couples (no children); average household size lower at 2.11.
- 54% renter occupied; average rent, \$800 (Index 88).
- 45% of housing units are single-family dwellings; 44% are multiunit buildings in older neighborhoods, built before 1980.
- Average vacancy rate at 11%.

## SOCIOECONOMIC TRAITS

- Unemployment is lower at 7.8% (Index 91), with an average labor force participation rate of 62.6%, despite the increasing number of retired workers.
- 30% of households are currently receiving Social Security.
- 28% have a college degree (Index 99), 33% have some college education, 10% are still enrolled in college (Index 126).
- Consumers are price aware and coupon clippers, but open to impulse buys.
- They are attentive to environmental concerns.
- They are more comfortable with the latest technology than buying a car.



Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.