



**TOWN OF LYONS
PLANNING AND COMMUNITY DEVELOPMENT COMMISSION (PCDC)
MEETING
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO**

WATCH AT: WWW.TOWNOFLYONS.COM/LIVESTREAM

Monday, January 26, 2026

**6:00 PM PCDC MEETING
DRAFT AGENDA**

1. Roll Call
2. Approval Of The Agenda
3. Swear In Molly Schmidt
4. Consent Agenda
 - 4.I. November 24, 2025, PCDC Minutes

Documents:

[NOV 24, 25 PCDC MINUTES.PDF](#)

- 4.II. December 22, 2025, PCDC Minutes

Documents:

[PCDC MINUTES 2025 1222.PDF](#)

5. Audience Business
6. Public Hearings
 - 6.I. Resolution 2026-01 Recommending That The Town Of Lyons Board Of Trustees Adopt An Ordinance Creating Regulations For Natural Medicine

Documents:

[COVER MEMO - PCDC NATURAL MEDICINE.PDF](#)
[RESO 2026-01-PCDC NATURAL MEDICINE.PDF](#)

7. General Business

7.I. Nomination And Election Of Officers

- i. Chair
- ii. Vice Chair

8. Staff Report

9. Adjourn

10. Public Workshop

10.I. Historic Preservation Demolitions

Documents:

[DEMOLITION DISCUSSION 1.26.26.PDF](#)

TOWN OF LYONS
PLANNING AND COMMUNITY DEVELOPMENT COMMISSION (PCDC) MEETING
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

WATCH AT: WWW.TOWNOFLYONS.COM/LIVESTREAM

Monday, November 24, 2025

**6:00 PM PCDC MEETING
DRAFT AGENDA**

- I. Roll Call – **Present:** Chair Schwartz, Comm Scott, Comm Wingard, Comm Dreistadt, Comm Evers, Comm Jacobs
- II. Approval of the Agenda – **Motion:** move to approve **Moved by:** Comm Dreistadt **Seconded by:** Comm Jacobs **Motion passes unanimously**
- III. Audience Business – no speakers
- IV. Ordinances and Public Hearings

1. Resolution 2025-21 - A Resolution of the Town of Lyons Planning and Community Development Commission Recommending the Rezoning of 4651 & 4652 Ute Hwy from Commercial Eastern Corridor (CEC) to PUD – Planner Ritchie presented facts on parcels, north and south side of Hwy 36 current zoning is CEC and AG; former Longmont Water Treatment Plant; surrounded by recently annexed TEBO properties. Tonight is to consider rezoning to PUD and establish allowed uses. Reviewed uses by right / special use review. Applicant requesting to change these special review uses to use by right. Special review adds an additional layer of review for a parcel. Setbacks, heights and parking discussed. Asking for additional height for a hospitality structure. Small portion of site abuts R3. Temporary Uses (new regulatory framework for Lyons) up to 180 days with one 180 day extension. Parking, not intended to require paving, could be crusher fines; ingress / egress need to be paved. Discussed criteria for PUD approval; consistency with Comp Plan, does allow for some variation. 2016 LPPA also considered. Staff not taking a strong position at this point; seeking a recommendation from you to present to the BOT. Paul Tamburello, applicant, gave company background. Has to make financial sense, but want to balance with community. Adaptive reuse and infill projects that prioritize the character / culture of the community. Longmont water treatment plant was on both side of the road; objectives are to address blight and organic growth. This zoning will create as much agility as possible for the project. Purchased in 2020, north side building demo 'ed and did asbestos remediation. Only 4-4.5 acres of usable space. Considerable portion in floodplain and waste ejection pit. Happy to give a tour of the remediation of the river, completed 8 months ago. Vision is to create a memorable gateway to Lyons via Hwy 66. Want to celebrate and reuse a piece of history, 2nd oldest water treatment plant in the state. South side could be something spectacular. North side buts up against the town's public works buildings. is currently zoned AG, no water / sewer infrastructure in place. OK development buildings referenced; big dreams for the south side. High end glamping / van life space; large water tanks can be transformed into something great. Music, conferences, weddings, can seat about 400 people. Other tank high end spa; community impact includes increase jobs,

property taxes, lodging tax. If we can get this project moving would be catalytic for the corridor, the corridor needs something to get it moving. Special review process would only be eliminated for certain uses; we totally understand the town's need to control growth and review these plans. Temporary uses are brand new for us; Portal (spa co out of Boulder) there now; set up for photos then hosted an event and they just have so much interest, hosted more events, with some discomfort. Open to what ever processes we need to do. Comm Evers, process question; never seen a PUD that doesn't propose a particular development, is it normal that doesn't propose anything specific. Planner Ritchie, yes, can be used in vastly different ways. Create custom zoned districts that could create it's own design guidelines. We do have a major development process for extra layer of review. Well within range of how PUD's can be used in CO. Comm Evers, PUD usually one owner developer? Staff: you can do it both ways, need all property owner's consent. Comm Evers, why do a PUD for one property as opposed to all eastern corridor? Should this be an overlay district? Staff: this is why staff wants to dialogue with PCDC; a lot of precedent for thought of how town wants to develop. This would expand uses for this site. They don't own the other properties. Discussion on town's position, lack of historical knowledge around creation of this zone district, didn't see anything that conflicts with what they would like to do. Other tools we can lean on now. Applicant has talked to CDOT to reevaluate speed factor. Comm Dreistadt, here when town purchased pre-flood; CEC zone was developed with thinking heavily in direction of hotels, makers space, mixed use residential / commercial properties that were well received. Fairly significant changes of properties and economic landscape is different. Makes sense to change how we look at it; what's the desired timetable? Setting it up for progress to continue slowly or move it ahead quickly? Paul T., we have done traffic studies, worked with CDOT to slow pattern down; shown property to many people, hoteliers, affordable housing developers, all concerned there is nothing there, don't want to be the first. CDOT - we took new design back to them and are very excited, feel like if more development happens it is heading in the right direction. Timeline, in a perfect world, we would be under construction. Would like to move it along as quickly as we can but cannot give you a timeline. Big setback when 402 Main burnt down. Big red flag trying to get sewer line under the highway, still looking at other solutions. Rene - will be organic development, what can be there for a three-year period would be different than a ten-year period. The ask is to let's get cool stuff there now and it may not be there that long. Paul: discussed an overlay, staff encouraged us to do it as a PUD. Chair Schwartz, is there an alternative to a PUD? Staff: rezone to CEC and use development plan / special review processes in place today. Comm Dreistadt, timeline perspective, is this an example of what could be; make property useful soon, one reason for temporary use; initiate attention to property. A lot to absorb all at once; if chunked would give us more time to absorb and have a mechanism to use the property soon. Planner Ritchie - a little opportunistic, no temp uses in code. Chair Schwartz, at first blush special uses are incongruent with potential project. Paul T., if anything that happens there must go through a major development review, we are just trying to eliminate redundant regulatory processes. Comm Evers, why a 4,000-sq-foot restaurant by special review. Staff: a drive through is the trigger. Comm Evers, if you sell the property and the PUD exists, worried about doing right by the town if you decide to sell. Perhaps a PUD amendment to include renderings. I like your vision just wonder if more information needed to future proof the site. Staff: we can't do reverter clauses in zoning. Set up a series of principal uses w/secondary uses. Comm Wingard see giant RV storage and car wash and that's not Lyons. Staff: this is where the criteria comes in for review by BOT. You could steer the impacts of the use but not deny. Comm Dreistadt, even if a very nice RV campground / car wash would not be

worse than what is there now. The notion of no setbacks and very tall buildings needs pause. Need to be more deliberate but timing comes into play. Comm Evers, zero lot or only north lot. Comm Dreistadt not opposed to adjusting setbacks; perhaps more specific as setback if building on adjacent lot. Planner Ritchie, if PCDC isn't comfortable with application as written but comfortable giving direction to amend that is good direction. Paul T., concern is 25 feet from pavement, then 25 feet from there now your 50 feet back. Great to do zero setback on highway side to bring activation to that area. Comm Dreistadt design guidelines developed before comp plan. Don't seem to be a barrier. Have seemingly adhered to them in a positive way. Comm Evers, I thought they were a little looser in the eastern corridor. Comm Dreistadt, concept in eastern corridor was a more spread out campus. Temporary uses seems easiest; will be administrative review by town administrator (TA). Comm Evers, parking, any issue from staff, with existing / new structures? Staff: consider that it is a self-contained site, no opportunity for overflow parking. Allowing market to dictate plan. Staff's not concerned; language in PUD at time of major development plan will discuss large event parking plan. Comm Dreistadt, parking perspective; specific types of development major thing is town needs? Don't want to dictate surfaces and not preclude hard / nonporous surfaces. Entry needs to be welcoming and consistent with character of town. Design guidelines not rigid. Staff: design guidelines would not apply to temporary use. Intended to be flexible. Comm Wingard, temporary uses only need to be signed off by TA? No public notice? Staff: drafted now with no public review; we could deny due to concerns though. Comm Dreistadt, appeal process if TA denies, is there one if she approves? Staff: no, not built in. Comm Dreistadt do not want a situation where there are many angry neighbors. Should be some way to enable temporary uses to be nice and beneficial to the town. Some way for the town to say they are working diligently to keep it attractive, and beneficial to the town. Staff: can look at that for the entire town; but this would be embedded in the PUD. Paul T., my concern is there are too many hurdles; only Circle K, Starbucks, Papa Johns can afford to do any projects. Trying to strike a balance and get flexibility. We can't hold these properties forever while the market comes to Lyons, we have to create the market. Comm Dreistadt would like to see process improvements to help expedite projects. Also can't have a free for all. **PH opened at 7:23 pm no speakers**
PH closed at 7:23 pm. Motion: move to direct staff to work with applicant and move to a date certain of December 22nd **Moved by:** Chair Schwartz **Seconded by:** Comm Evers Comm Dreistadt would like a workshop. Staff stated an active application is unable to workshop. Comm Evers happy with some specific temporary uses. Not like to see site as only automobile / boat storage, campground or carwash. can you have a hotel and carwash as accessory use? Staff: ok to allow secondary uses if primary use is there but don't have to be connected. Comm Evers, is there a way to safeguard that this won't be one big campground? Comm Jacobs but RV storage is better than what is there now. Will it always be blighted. Discussion on special use review as guardrails; time constraints. Comm Evers would like something less vague. Chair Schwartz very talented applicant here, everybody in this town wants activity in the eastern corridor. Not a ton of concern on design guidelines, more uses. Uses concerning are RV storage; but special review can address. In town's best interest for things to get done. Temp use provisions enable that and allow us to continue to work on. Is there a opportunity for a very simplified special review? Staff: you can put that in the PUD. Major development plans and special use reviews are typically paired, and a process is in place. Comm Evers separate temp uses and use by right. Discussion on natural medicine uses. Comm Wingard permitting issues with water? Rene D., light industrial piece came up as there is nothing like that in town; we can build it, but we don't run those businesses. Using LI in creative ways. Paul T., maybe we withdraw our

application. We are zoned AG and taxed commercial and can't do AG. Will have to be interim uses on site; boutique hotel owner loves the site it's just not there yet; if we could get it there we would, you might not love interim uses. We could be months / years into these special reviews. Comm Dreistadt, that is in no way my intent, just some small step to protect the town. Staff: maybe lengthen time for temp uses and narrow uses? Comm Scott property next door has RV's on it; maybe allow for 4-5 years? Paul T., that would alleviate concern for use in perpetuity. Grassroots effort on design guidelines and seem agreeable. Development standards – setbacks and height, to give TA ability is allowable but not what we want. Staff: would assume no new buildings would be constructed during temporary use. More of a pop up. Paul T., parking, thinking was for RV area, shower that would take xx sq feet. **Motion passes unanimously**

2. Resolutions 2025-22 - A Resolutions of the Planning and Community Development Commission of the Town of Lyons, Colorado Recommending that the Town of Lyons Board of Trustees Adopt an Ordinance Amending Chapter 16, Article 11 of the Lyons Municipal Code Concerning Wireless Communications Facilities – Planner Ritchie provided background; intended to comply with HB25-1056; complies with state and federal laws. Is more prohibitive. Board discussion on compliance and safety. Enables town and fire to look at safety. The Town already requires building permits for these. **PH opened at 7:56 no speakers. PH closed at 7:56 pm Motion:** move to approve **Moved by:** Comm Dreistadt **Seconded by:** Comm Jacobs **Motion passes unanimously**

V. Consent Agenda

1. November 27, 2025, PCDC Minutes **Motion:** move to approve **Moved by:** Chair Schwartz **Seconded by:** Comm Jacobs **Motion passes unanimously with Comm Dreistadt abstaining.**

VI. General Business

- VII. Staff Report – Staff stated Mr. Tamburello submitted building permit for 402 Main: CDOT still working in town. Natural Medicine law / ordinance coming; will discuss where allowed etc, can be a workshop. Can do December 8th or the 22nd? Board consensus is 12/8. Noise ordinance, update from consultant last meeting; brief ordinance before board 12/1. Also reviewing construction hours, keeping 7-7 on weekdays, 9-5 weekends/holidays. Comm Evers, can PUD's address noise? Planner Ritchie stated state law prohibits us to regulate.
- VIII. Adjournment – **Motion:** move to adjourn **Moved by:** Chair Schwartz **Seconded by:** Comm Jacobs meeting adjourned at 8:18pm.

Respectfully submitted by:

Dolores M. Vasquez, CMC – Town Clerk

Chair Amy Schwartz

TOWN OF LYONS
PLANNING AND COMMUNITY DEVELOPMENT COMMISSION (PCDC) MEETING
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

WATCH AT: WWW.TOWNOFLYONS.COM/LIVESTREAM

Monday, December 22, 2025

6:00 PM PCDC MEETING DRAFT MINUTES

- I. Roll Call – **Present:** Chair Schwartz, Commissioner Evers, Commissioner Jacobs, Commissioner Dreistadt, **Absent:** Commissioner Wingard, Commissioner Scott.
- II. Approval of the Agenda: **Motion:** Swear In Molly Schmidt, **Moved by:** Commissioner Evers, **Seconded by:** Commissioner Jacobs. **Motion passes unanimously.**
- III. Swear in Molly Schmidt – Did not join the meeting
- IV. Audience Business - None
- V. Ordinances and Public Hearings
- 1. Resolution 2025-21 - A Resolution of the Town of Lyons Planning and Community Development Commission Recommending the Rezoning of 4651 & 4652 Ute Hwy from Commercial Eastern Corridor (CEC) to PUD – Continued from 11/24/25 – Planner Ritchie stated that the PUD would establish zoning for the two subject properties and that future development would require Major Development Plan approval. She noted there were no changes to development standards since the prior meeting. She reported that the applicant requested removal of temporary uses from the PUD, and that existing Commercial Eastern Corridor permitted and special review uses would remain unchanged. Planner Ritchie goes over the PUD Use table. Discussion regarding whether the proposed uses distinguish between primary and accessory uses. It was noted that the application does not provide this clarification and that this could be addressed through further discussion or through recommended conditions if desired by the Commission. The applicants Paul and Rene Doubleday stated the revisions are intended to clarify allowable uses, reduce barriers, and ensure the zoning clearly reflects permitted activities for long-term development of the site. Commissioner Evers and Planner Ritchie agreed the PUD is largely unchanged from the prior version, mainly clarifying and slightly narrowing allowed uses, but still allowing a very broad range. Ritchie added that staff views the proposal more like a modest modification of the existing CEC zone district—reflecting market-driven adjustments—rather than a PUD that guarantees the specific development vision presented. Rene and Paul explained the PUD changes were made intentionally to allow vision-related uses on the south side that are not permitted by right. They added that the broader list reflects real market interest and was meant to clarify appropriate uses for the north and south areas. **Public hearing**

opens and closes at 6:28 pm with no speakers. Planner Ritchie goes over the criteria requiring consistency with Comp Plan. She also explains the vision is creative and could benefit Lyons, but staff questions whether all requested uses are necessary. While there were concerns about removing special review, newer design and development standards provide safeguards, leaving the final judgment on appropriate uses to PCDC. Commissioner Evers and Planner Ritchie expressed concern about broad uses, especially for the north site. The applicant said the PUD aims to simplify, clarify, and move development forward, relying on town safeguards. Commissioner Evers suggested a compromise of making major agreed-upon uses primary and others accessory to balance developer flexibility and town control. Planner Ritchie clarified that primary uses can stand alone, while accessory uses must support a primary use, and noted that special review uses provide extra safeguards. Commissioner Dreistadt noted the original CEC zoning focused on attracting desirable uses rather than limiting them. He said adding uses isn't inconsistent with that approach, especially given new oversight tools, and emphasized balancing support for the applicant's investment with fairness to surrounding properties. Discussion regarding whether special review criteria are still necessary given current regulations. Planner Ritchie explained that existing major development plan criteria and design standards now address compatibility, traffic, infrastructure, environmental impacts, lighting, screening, building placement, landscaping, and operational impacts. She stated that staff believes the code now provides sufficient tools to review, condition, and require changes to projects, making special review requirements for certain uses less critical than when the CEC district was originally adopted. The applicant, Rene Doubleday, stated that a PUD was not the original concept, but it was later suggested to them, and they are now proceeding with that approach. Discussion regarding questions about the campground. It was explained that, following the river restoration, a large portion of the property lies within the floodway where camping is allowed. The discussion focused on camping uses and whether to remove the public or private campground designation. **Motion:** To Approve, **Moved by:** Commissioner Jacobs, **Seconded by:** Chair Schwartz. **Motion passed unanimously.**

VI. General Business - None

VII. Staff Report – Planner Ritchie provided an update that the Town is transitioning building permit services to SAFEbuilt, which also provides their “Community Core” software as part of budget reduction efforts. Staff is currently reviewing the building permit for 402 Main Street.

VIII. Adjournment - **Motion:** To Adjourn, **Moved by:** Chair Schwartz, **Seconded by:** Commissioner Jacobs. **Motion passed unanimously and meeting adjourned at 7:12 pm.**

Respectfully Submitted By:

Maria Marquez Rubio, Deputy Town Clerk

Amy Schwartz, PCDC Chair

**Town of Lyons, Colorado
PCDC Agenda Cover Sheet
Meeting Date: January 26, 2026**

TO: Members of the Planning and Community Development Commission

FROM: Brandon Dittman, Town Attorney
Lisa Ritchie, AICP, Planning and Building Director

DATE: 01/23/2026

ITEM: Resolution 1-2026, a Resolution of the Town of Lyons Planning and Community Development Commission recommending approval of an Ordinance establishing Natural Medicine regulations

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Attached is Resolution 1-2026 for the PCDC consideration of natural medicine regulations. The draft ordinance was developed following a workshop discussion with PCDC on December 8, 2025 ([link to packet](#)).
- II. **BACKGROUND:** In November 2022, Colorado voters approved Proposition 122, followed by the adoption of [SB 23-290](#), which together established the state framework for Natural Medicine Businesses. These laws provide that local governments may regulate the time, place, and manner of operation of such businesses, including reasonable distance requirements from sensitive uses such as schools and child care facilities. Local governments are not permitted to restrict the use entirely.

Natural Medicine currently applies to the hallucinogenic compounds of psilocybin and psilocin found in psychedelic mushrooms. The Colorado Department of Regulatory Agencies' (DORA) is responsible for licensure and training requirements for natural medicine facilitators.

- III. **DISCUSSION:**
The draft ordinance under consideration reflects the discussion during the Workshop on December 8, 2025.
- IV. **FISCAL IMPACTS:** Unknown at this time
- V. **LEGAL ISSUES:** None
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** Unknown at this time

ATTACHMENTS:

1. Resolution 1-2026

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
TOWN OF LYONS, COLORADO
RESOLUTION 2026-01-PCDC**

**A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT
COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT
THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE
CREATING REGULATIONS FOR NATURAL MEDICINE**

WHEREAS, pursuant to Section 2-8-170 of the Lyons Municipal Code (“LMC”), the Town’s Planning and Community Development Commission (“PCDC”) is charged with advising, recommending, and assisting the Board of Trustees in matters relating to planning the physical growth of the Town of Lyons (“the Town”) in accordance with the powers granted pursuant to Article 23 of Title 31, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, Section 16-15-10 of the LMC authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*] and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, Colorado voters adopted citizen-initiated Proposition 122 which amended Title 12 of the Colorado Revised Statutes to include Article 170, which is titled the “Natural Medicine Health Act of 2022” (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (“Natural Medicine Regulatory Act”), codified in C.R.S. §§ 44-50-101 through 904 authorizes the Town to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the Town shall not adopt, enact, or enforce any ordinance, rule, regulation, or resolution that is otherwise in conflict with the provisions of the NMHA or the Natural Medicine Regulatory Act.; and

WHEREAS, the Natural Medicine Regulatory Act authorizes the Town to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product as defined by the Natural Medicine Regulatory Act may be permitted in the Town; and

WHEREAS, the Town's Municipal Code (Code) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the Town; and

WHEREAS, under the Town's current land use and development standards, the operation of natural medicine healing centers and natural medicine businesses are not permitted land uses and the Town has not approved any such land use; and

WHEREAS, the Town does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, the PCDC believes it to be in the best interest of the Town to adopt such regulations; and

WHEREAS, the PCDC recommends that the Town of Lyons Board of Trustees adopt the Proposed Ordinance in substantially the form attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are incorporated by reference.

Section 2. Based on the evidence in the record and testimony provided at the public hearing held before the PCDC, the PCDC finds that the text of the proposed Ordinance, a copy of which is attached hereto as **Exhibit A** complies with the criteria set forth in LMC Sections 16-15-50 of the LMC and is supported by the Town of Lyons Comprehensive Plan.

Section 3. Based on the findings set forth in Section 2 above, the PCDC recommends that the Town of Lyons Board of Trustees approve and adopt **Exhibit A** in substantially the form attached hereto.

Section 4. This resolution shall become effective immediately upon approval by the Planning and Community Development Commission.

ADOPTED this 26th DAY OF January 2025.

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

By: _____
Chair

ATTEST:

Maria Marquez-Rubio
Deputy Town Clerk

Proposed Ordinance

**TOWN OF LYONS,
COLORADO**

ORDINANCE XXXX

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO, AMENDING CHAPTER
16, ARTICLE 10 ET SEQ. OF THE LYONS MUNICIPAL CODE CONCERNING
NATURAL MEDICINE**

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Colorado Revised Statutes and the Colorado Constitution, Chapter XX, Section 6 provide broad authority to local governments to plan for and regulate the use of land within their jurisdictions, as authorized in Article 20 of Title 29, *et seq.*, and Article 23 of Title 31, *et seq.*, C.R.S.; and

WHEREAS, Section 16-15-10 of the Lyons Municipal Code (“LMC”) authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]” and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, Colorado voters adopted citizen-initiated Proposition 122 which amended Title 12 of the Colorado Revised Statutes to include Article 170, which is titled the “Natural Medicine Health Act of 2022” (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (“Natural Medicine Regulatory Act”), codified in C.R.S. §§ 44-50-101 through 904 authorizes the Town to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the Town shall not adopt, enact, or enforce any ordinance, rule, regulation, or resolution that is otherwise in conflict with the provisions of the NMHA or the Natural Medicine Regulatory Act.; and

WHEREAS, C.R.S. §§ 12-170-104(8) and 44-50-103(6) define “healing center” as a facility licensed by the state licensing authority that permits a facilitator to provide and supervise natural medicine services for a participant; and

WHEREAS, C.R.S. § 44-50-103(14) defines “natural medicine business” as “a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, a natural medicine testing facility, or another licensed entity created by the state licensing authority;” and

WHEREAS, the Natural Medicine Regulatory Act authorizes the Town to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product as defined by the Natural Medicine Regulatory Act may be permitted in the Town; and

WHEREAS, the Natural Medicine Regulatory Act authorizes Council to enact ordinances to establish the distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center, preschool, elementary school, middle school, junior high school, or high school, and a residential child care facility; and

WHEREAS, the Lyons Municipal Code (LMC) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the Town; and

WHEREAS, under the Town’s current land use and development standards, the operation of natural medicine healing centers and natural medicine businesses are not permitted land uses and the Town has not approved any such land use; and

WHEREAS, the Town does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, Title 18 of the City’s Municipal Code addresses zoning regulations and Council finds it is appropriate to implement amendments to Title 18 through the addition of Chapter 18.80, which shall be titled Local Regulation of Natural Medicine; and

WHEREAS, the Town of Lyons Board of Trustees finds that it is in the best interest of the health, safety, and welfare of the Town and its residents, businesses, and visitors to adopt regulations concerning natural medicine in the LMC.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Section 16-10-70 of the LMC is hereby amended in accordance with the revisions of the LMC attached hereto as **Exhibit A** and incorporated by

reference.

Section 3. Code Revisions. Because this Ordinance revises an entire Chapter of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances, resolutions, or codes, or parts thereof, which are in conflict or inconsistent with this ordinance are repealed, to the extent of such conflict or inconsistency exists. The repeal of any such ordinance, resolution, or code or part thereof, shall not revive any other section or part of any ordinance, resolution, or code provision. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to this ordinance taking effect.

Section 6. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Lyons Municipal Code.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

**INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____
2026.**

**INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON
SECOND READING THIS ____ DAY OF _____ 2026.**

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores Vasquez, CMC, Town Clerk

EXHIBIT A

Chapter 16 Zoning

ARTICLE 1 – General Provisions

...

Sec. 16-1-160. – Definitions

...

“Natural medicine” means psilocybin or psilocyn and other substances described in the Natural Medicine Regulatory Act as “natural medicine.”

“Natural medicine business” means any of the following entities licensed under the Natural Medicine Regulatory Act including a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, and a natural medicine testing facility or another licensed entity created by the state licensing authority.

“Natural medicine healing center” means a facility where an entity is licensed by the state licensing authority that permits a facilitator as defined by the Natural Medicine Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the Natural Medicine Regulatory Act, which includes a participant consuming and experiencing the effects of regulated natural medicine or regulated natural medicine product under the supervision of a facilitator.

“Natural medicine product” means a product infused with natural medicine that is intended for consumption, as provided by the Natural Medicine Regulatory Act.

“Natural Medicine Regulatory Act” means the Colorado Natural Medicine Code codified in Colorado Revised Statutes.

“Natural medicine services” means a preparation session, administrative session, and integration session, as provided by the Natural Medicine Regulatory Act.

...

“Participant” means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the Natural Medicine Regulatory Act.

...

“Regulated natural medicine” means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

“Regulated natural medicine product” means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

...

“State licensing authority” means the authority created under the Natural Medicine Regulatory Act for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of regulated natural medicine and regulated natural medicine product, as provided by the Natural Medicine Regulatory Act.

...

ARTICLE 1 - Zoning Districts and Boundaries

Division 1 - General Provisions

Sec. 16-3-190. - B Business District.

(a) Intent. The B District is intended to provide business uses that primarily serve the daily needs of the immediate neighborhood, as opposed to community-wide needs.

(b) Principal Uses. Permitted principal uses in the B District shall be as follows:

- (1) Accessory building or use.
- (2) Club or lodge.
- (3) Dwelling unit when it provides a place of residence in conjunction with a place of employment, provided that there are six thousand (6,000) square feet of lot area per each dwelling unit.
- (4) Medical or dental office or clinic.
- (5) **Natural medicine healing center**
- (6) Neighborhood business use, such as grocery store, drug store, gift shop, hardware store, florist shop and bank.
- (7) Professional office.
- (8) Personal service shop, such as barber shop, beauty parlor, shoe repair shop, dry-cleaning retail outlet and self-service laundry.
- (9) Restaurant, bar or other eating and drinking place.
- (10) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the B District shall be as follows:

- (1) Use with a drive-up window.
- (2) Telecommunications facility.
- (3) Electric vehicle (EV) charge station (see Section 16-10-100).

(4) **Natural medicine business other than a natural medicine healing center**

(d) Prohibited Uses. Prohibited uses in the B District shall include those that are intended to serve community-wide needs as opposed to the needs of the immediate neighborhood in which it is located. Prohibited uses shall include, but not be limited to, the following:

- (1) Department store.
- (2) Discount store.
- (3) Gasoline station.

...

Sec. 16-3-200. - C Commercial District.

(a) Intent. The C District is intended to provide commercial uses to meet community-wide needs.

(b) Principal Uses. Permitted principal uses in the C District shall be as follows:

- (1) Accessory building or use.
- (2) Business use, including but not limited to the following:
 - a. Club or lodge.
 - b. Entertainment facility.
 - c. Financial institution.
 - d. Gallery.
 - e. Hotel or motel.
 - f. Medical or dental office or clinic.
 - g. Marijuana center.
 - h. Minor automobile repair.
 - i. Mortuary or funeral chapel.
 - j. Museum.
 - k. Professional office.
 - l. Parking garage or lot.
 - m. Personal service shop, such as barber shop, beauty parlor, computer repair shop, dry-cleaning retail outlet, self-service laundry, shoe repair shop or television or small appliance repair shop.
 - n. Recreational facility.
 - o. Restaurant, bar or other eating and drinking place.
 - p. Retail business, such as bakery, department store, discount store, drug store, florist shop, furniture store, gift shop, grocery store, hardware store or pet store.
 - q. Studio.
 - r. Farmer's market (see Section 16-10-90).
 - s. **Natural medicine healing center**
- (3) Residential use as follows:
 - a. Associated residential unit, or
 - b. Dwelling unit when it provides a place of residence in conjunction with a place of employment, provided that there are one thousand six hundred

(1,600) square feet of lot area per each dwelling unit.(4) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the C District shall be as follows:

- (1) Car wash facility.
- (2) Place of worship.
- (3) Day care center.
- (4) Gasoline station.
- (5) Major automobile repair.
- (6) Lumber yard.
- (7) Small manufacturing facility with fewer than ten (10) employees.
- (8) Telecommunications facility.
- (9) Use with drive-up window.
- (10) Wholesale commercial facility.
- (11) Farmer's market (see Section 16-10-90).
- (12) Electric vehicle (EV) charge station (see Section 16-10-100).
- (13) **Natural medicine business other than a natural medicine healing center**

...

Sec. 16-3-210. - CD Commercial Downtown District.

(a) Intent. The CD District is intended to reflect the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community with zero-lot-line development. The desired character for the Commercial Downtown District includes retail uses and restaurants on the first floor of buildings, with offices and residential uses on the upper floors.

(b) Principal Uses. Permitted principal uses in the CD District shall be as follows:

- (1) Accessory building or use.
- (2) Business use, including, but not limited to, the following:
 - a. Club or lodge.
 - b. Entertainment facility.
 - c. Financial institution.
 - d. Gallery.
 - e. Hotel or motel.
 - f. Museum.
 - g. Professional office.
 - h. Personal service shop, such as barber shop, beauty parlor, computer repair shop, dry-cleaning outlet, self-service laundry, shoe repair shop or television or small appliance repair shop.
 - i. Recreational facility.
 - j. Restaurant, bar or other eating and drinking place.
 - k. Retail store, such as bakery, department store, discount store, drug store, furniture store, gift shop, grocery store or pet store.

- l. Studio.
- m. Artisan manufacturing that does not alter the footprint of the existing building
- n. Artisan studio and gallery
- o. Farmer's market (see Section 16-10-90).
- (3) Residential use, but only if a business use occupies the portion of the building immediately adjacent to the street frontage.
- (4) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the CD District shall be as follows:

- (1) Place of worship.
- (2) Day care center.
- (3) Medical or dental office or clinic.
- (4) Municipal administrative office.
- (5) Use with drive-up window.
- (6) Artisan manufacturing that does alter the footprint of the existing building.
- (7) Farmer's market (see Section 16-10-90).
- (8) Electric vehicle (EV) charge station (see Section 16-10-100).
- (9) **Natural medicine healing center**

(d) Prohibited Uses. Prohibited uses in the CD District shall include those uses that cause excessive air, water, pesticide, or solid waste pollution, create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat, and glare, or is a use that does not otherwise fit the intent and character [of] the CD District. Prohibited uses shall include, but not be limited to, the following:

- (1) Automobile sales and repair.
- (2) Gasoline station.
- (3) Minor or major automotive repair.
- (4) Mortuary or funeral chapel.
- (5) Use with drive-up window.
- (6) Firearms sales.
- (7) Firearms manufacturing.
- (8) Ammunition sales.
- (9) Ammunition manufacturing.

...

Sec. 16-3-230. - CEC Commercial East Corridor District.

(a) Intent.

- (1) The Commercial East Corridor District (CEC) is intended to help localize Lyons' economy, provide employment opportunities in Town and encourage the Town's economic sustainability. It is intended to serve as an employment area within the Town and to provide locations for a variety of workplaces, including but not limited

to office and business parks, tourism-related uses, light industrial uses, research and development offices and educational facilities. Further, the CEC District is intended to complement the downtown area, be compatible with Lyons' small-town character and quality of life, and protect the St. Vrain River and its associated riparian areas and floodplain.

(2) Because the CEC District is intended to be along Lyons' eastern gateway and the St. Vrain River, it shall promote excellence in environmentally sensitive design and construction of buildings, outdoor spaces and streetscapes. The corridor's commercial viability relies on careful planning for automobiles, but it should be designed and improved to accommodate pedestrians, bicycles and transit as well. Because of the highway traffic, special design features may be necessary for the buildings to be accessible and visible to passing motorists, while also accommodating practical multi-modal transit.

(b) Permitted Uses. Permitted principal uses in the CEC District shall be as follows:

- (1) Accessory building or use.
- (2) Accessory dwelling.
- (3) Agri-tourism business and sustainable agricultural use.
- (4) Artisan studio and/or gallery.
- (5) Bed and breakfast.
- (6) Day care center (all ages).
- (7) Event center, small.
- (8) Farmer's market.
- (9) Financial institution.
- (10) Greenhouse and plant nursery.
- (11) Group home for people with disabilities.
- (12) Hospital.
- (13) Hotel or motel, small.
- (14) Light industrial uses not required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment.
- (15) Long-term care facility.
- (16) Medical and dental office and clinic.
- (17) Marijuana center.
- (18) Marijuana-infused product manufacturer.
- (19) Marijuana optional premises cultivation operation.
- (20) Mixed-use building (a building with less than fifty percent (50%) of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a permitted nonresidential use on the ground level).
- (21) Museum.
- (22) Personal and business service shop.
- (23) Professional office.
- (24) Public and private school, including college, vocational training and technical training.
- (25) Public facilities, including municipal offices, parks and trails.
- (26) Recreational facility, limited indoor and limited outdoor.

- (27) Research, experimental or testing laboratory.
- (28) Restaurant and/or bar without drive-up food or beverage service, small (four thousand [4,000] square feet or less).
- (29) Retail establishment (including grocery store), small.
- (30) Solar garden, as an accessory use.
- (31) Stone cutting, finishing and sales establishment.
- (32) Veterinary hospital and veterinary facility.
- (33) Workshop and custom small industry.
- (34) Electric vehicle (EV) charge station (see Section 16-10-100).
- (35) **Natural medicine healing center**
- (36) **Natural medicine business other than a natural medicine healing center**

(c) Uses by Special Review. Uses allowed only upon approval by special review in the CEC District shall be as follows:

- (1) Automobile, boat and motorcycle rental and sales.
- (2) Automotive and motorcycle repair (major and minor).
- (3) Campground.
- (4) Dog day care facility.
- (5) Event center, large.
- (6) Gasoline station.
- (7) Hotel/motel, large.
- (8) Kennel.
- (9) Mini storage facility.
- (10) Mixed-use building (a building with at least fifty percent (50%) of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a special review use on the ground level).
- (11) Light industrial uses required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment.
- (12) Restaurant and/or bar with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers in parked motor vehicles, or a restaurant and/or bar with more than four thousand (4,000) square feet.
- (13) Retail establishment, large.
- (14) Solar garden, as a principal use.
- (15) Telecommunication facility.
- (16) Electric vehicle (EV) charge station (see Section 16-10-100).

...

Sec. 16-3-240. - LI Light Industrial District.

(a) Intent. The LI District is intended to provide locations for a variety of workplaces, including light industrial uses, research and development offices and institutions.

(b) Permitted Uses. Permitted principal uses in the LI District shall be as follows:

- (1) Marijuana center.

- (2) Marijuana-infused products manufacturer.
- (3) Cultivation operation.
- (4) **Natural medicine healing center**
- (5) **Natural medicine business other than a natural medicine healing center**

(c) Conditional Uses. Permitted conditional uses in the LI District shall be as follows:

- (1) Special nonpolluting developments, such as research facilities, testing laboratories and facilities for the manufacturing, fabrication, processing or assembly of products, provided that such facilities are completely enclosed and located in planned industrial parks.
- (2) Telecommunications facility.
- (3) Electric vehicle (EV) charge station (see Section 16-10-100).

This District may only be used in conjunction with the PUD Overlay District.

...

Sec. 16-3-250. - GI General Industrial District.

(a) Intent. The GI District is intended to provide a location for a variety of employment opportunities, such as manufacturing, warehousing and distributing, indoor and outdoor storage and a wide range of commercial and industrial operations.

(b) Principal Uses. Permitted principal uses in the GI District shall be as follows:

- (1) Any use permitted in the C and CEC Districts.
- (2) Any manufacturing operation or industrial use (including outdoor storage) which does not create any danger to safety in surrounding areas, does not cause water pollution and does not create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat and glare.
- (3) Marijuana center.
- (4) Marijuana-infused products manufacturer.
- (5) Cultivation operation.
- (6) **Natural medicine healing center**
- (7) **Natural medicine business other than a natural medicine healing center**

(c) Conditional Uses. Permitted conditional uses in the GI District shall be as follows:

- (1) Adult-oriented use.
- (2) Extractive or mining industry.
- (3) Impound lot.
- (4) Junk and salvage yard.
- (5) Mini-storage facility.
- (6) Stone cutting and finishing.
- (7) Telecommunications facility.

(8) Electric vehicle (EV) charge station (see Section 16-10-100).

...

ARTICLE 5 - District Uses and Standards

Sec. 16-5-10. Permitted and conditional uses and uses by special review by zoning district.

Please note that, in case of conflict between the matrix and written regulations, the written regulations govern.

Matrix of Permitted and Conditional Uses and Uses by Special Review by Zoning District

Permitted Uses	A-1	A-2	E	EC	R-1	R-2	R-2A	R-3	B	C	CD	CEC	LI	GI	M	POS
Business/Commercial/Retail Uses																
Adult-oriented use															C	
Agritourism business and sustainable agricultural use												P				
Ammunition sales											*					
Artisan studio											P	P				
Artisan manufacturing											P/C					
Automobile, boat and motorcycle rental and sales												S				
Automobile sales											*					
Automotive and motorcycle repair (major and minor)												S				
Bed and breakfast	C	C	C	C	C	C	C	C				P				
Boarding or rooming house									C							
Business use										P	P	P		P		
Campground												S			C	
Car wash										C				P		
Club or lodge										P	P	P		P		
Day care center	C	C	C	C	C	C	C	C		C	C	P		P		
Department store									*	P	P			P		
Discount store									*	P	P			P		
Dog day care facility												S				
Entertainment facility										P	P			P		
Event center, large												S				
Event center, small												P				
Financial institution										P	P	P		P		
Firearms sales											*					
Gallery										P	P	P		P		
Gasoline station									*	C	*	S		P		

Greenhouse and plant nursery									P				
Grocery store									P				
Group home for people with disabilities									P				
Hospital									P				
Hotel or motel							P	P		P			
Hotel or motel, large									S				
Hotel or motel, small									P				
Kennel									S				
Long-term care facility									P				
Lumber yard							C			P			
Machine shop										P			
Major automobile repair							C	*		P			
Marijuana center							P		P	C	P		
Marijuana-infused products manufacturer									P	C	P		
Cultivation operation									P				
Medical or dental office or clinic						P	P	C	P		P		
Minor automobile repair							P	*			P		
Mixed use building (a building with at least 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a special review use on the ground level)									S				
Mixed use building (a building with less than 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a									P				

permitted nonresidential use on the ground level)														
Mortuary or funeral chapel								P	*			P		
Natural medicine healing center							P	P	C	P	P	P		
Natural medicine business other than a natural medicine healing center							C	C		P	P	P		
Neighborhood business						P								
Nursing and assisted living facility										P				
Optional premises cultivation operation										P	C	P		
Parking garage						P					P			
Parking lot						P					P		C	
Permitted principal use with drive-up window					C	C	C				P			
Personal and business service shop										P				
Personal service shop					P	P	P	P	P		P			
Professional office					P	P	P	P	P		P		P	
Restaurant and/or bar without drive-up food or beverage service, small										P				
Restaurant, bar or other eating and/or drinking place					P	P	P				P			
Restaurant and/or with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers in parked motor vehicles, or a restaurant and/or bar with more than 4,000 square feet										S				
Retail establishment, large									S					

Retail establishment (including grocery store), small										P				
Retail store or establishment								P	P	P		P		
Studio							P	P	P		P			
Veterinary hospital and veterinary facility										P				
Wholesale commercial facility							C				P			

:hg;P = Permitted Principal Use

C = Permitted Conditional Use

S = Use by Special Review

* = Use Prohibited

ARTICLE 10 - Supplementary Regulations

Sec. 16-10-110 – Natural Medicine

(a) *Districts permitted.* It shall be unlawful to operate or to cause the operation of a natural medicine business except in the following zone districts:

1. *B.* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
2. *C* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
3. *CD* Natural medicine healing center requires a conditional use permit.
4. *CEC* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
5. *LI* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
6. *GI* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.

(b) Distance from other uses

Natural medicine businesses. Must be at least 1,000 feet from a licensed childcare center, preschool, elementary, middle, junior, or high school, or a licensed child day care center (collectively “School”). The distances referred to in this Section shall be computed by direct measurement from the nearest property line of the parcel used for a School to the nearest portion of the building in which the natural medicine healing center or natural medicine business is located and includes right-of-way widths.

(c) Storage of natural medicine businesses.

All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle.

(c) Odor from natural medicine businesses.

Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that the odors from natural medicine and natural medicine products are confined to the premises and are not detectable beyond the property boundaries on which the facility is located.

(d) Natural medicine businesses secure disposal.

Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container.

(e) Processing of natural medicine.

1. The processing of natural medicine that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
2. Nonhazardous materials used to process natural medicine shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property boundaries on which the processing facility is located or the exterior walls of the processing facility associated with the processing of natural medicine.
3. The processing of natural medicine shall meet the requirements of all adopted Town building and life/safety codes.
4. The processing of natural medicine shall meet all of the requirements of all adopted water and sewer regulations promulgated by the Town.

Town of Lyons, Colorado
PCDC Agenda Cover Sheet
Meeting Date: January 26, 2026

TO: **Members of the Planning and Community Development Commission**

FROM: **Lisa Ritchie, Planning and Building Director**

DATE: **January 22, 2026**

ITEM: **Historic Preservation and Demolition Moratorium Discussion**

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

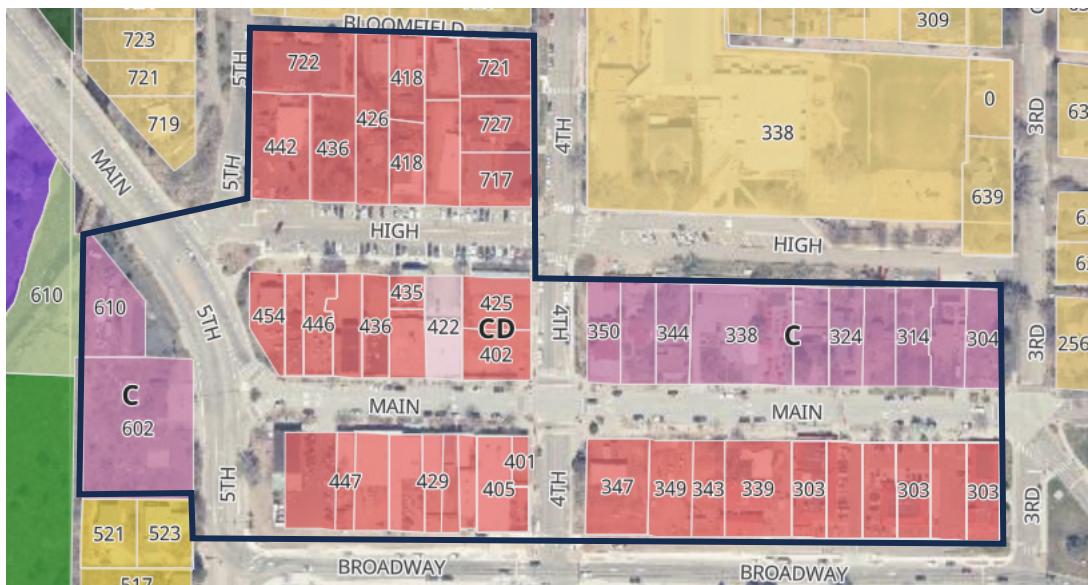
I. REQUEST OR ISSUE:

On August 4, the Board of Trustees adopted Resolution 2025-47, enacting an 8-month moratorium on the issuance of demolition permits in the historic downtown Lyons area. The moratorium was intended to provide time for citizens, commissions, and the Board of Trustees to consider designating certain properties as a historic district or other means of preserving existing structures, as outlined in Chapter 16, Article 12 of the Lyons Municipal Code. This memo will provide an update to PCDC on the latest Board direction and requests feedback on next steps for consideration.

II. PROJECT HISTORY:

Over the past few years, the Town has approved demolition permits for properties downtown due to dangerous conditions and in anticipation of redevelopment. In 2021, the Town adopted Ordinance 1100, which established [Chapter 16, Article 12](#) of the Lyons Municipal Code regarding Historic Preservation. Among other things, this code allows the Town the right to designate certain properties as historic landmarks and designate areas of the town as historic districts. To date, the Town has designated one property, the Depot located at 430 5th Avenue, as a local landmark. The Town has numerous other properties that are designated on the State and/or National Registers. Local designations provide the greatest legal authority for the Town to regulate the demolition or alteration of existing historic structures.

The map below identifies the properties subject to the moratorium



Over the past few months, staff and the Chairs of the Historic Preservation Commission (HPC), the Economic Vitality Commission (EVC), and the Planning and Community Development Commission (PCDC) met to discuss options to address the concern. Staff and the HPC Chair also met with a representative of History Colorado to discuss various approaches. The options below were presented to the Board for discussion and direction during their [January 5, 2026 \(link to video\)](#) meeting:

- **Option 1:** Require approval of a development plan prior to issuance of a demolition permit or building permit that authorizes changes to the exterior of a structure. This would limit a property owner's ability to demolish a property without demonstrating what any changes to an existing building or new building would look like. This allows the Town to review the changes for consistency with Town codes, historic preservation design principles, local design standards, and other applicable policies and regulations.

This approach is typical for properties that are locally designated or within a designated historic district. Town staff was not able to identify any communities within the State that regulate non-designated properties in this manner.

- **Option 2:** Consider placing a stay of demolition on a historic property, typically between 90 to 180 days, for properties that are deemed likely eligible for local landmarking. This allows staff and/or the HPC to work with the property owner to discuss landmarking, salvage of certain materials, relocation of structures, or preservation of key elements while the stay is in effect. The placement of a stay is typically triggered by an application for demolition or modifications to the exterior of a structure and may be placed by the Town following a public hearing before the HPC or the Board of Trustees.

The rationale for a stay is that the property meets the eligibility criteria for landmarking already within our code, such as 1) distinctive characteristics of a type, period, method of construction or artisan, 2) connection with persons or groups significant in history, or 3) geographic importance. Once a stay expires, the property owner may move forward with demolition and is subject to the remainder of Town regulations for development.

[County](#) have similar regulations that allow a stay of demolition for properties likely eligible for local landmarking.

- **Option 3:** Develop an incentive-based program to increase protection of historic structures. Incentives could include:
 - No/reduced off-street parking requirements
 - Permit Fee Waiver
 - Use Tax Waiver
 - Promote the use of the revolving loan fund for restoration work
 - Promote availability of tax credits and other benefits of historic preservation
 - More flexibility with desired land uses, i.e., reduce limits on residential uses or short-term rentals
 - Density bonus, i.e., in exchange for the preservation of the front portion of a structure, allows more height/bulk in the rear of the property.

In addition to the three options above, additional policy questions were raised below:

- **Applicable geography:** Staff and the Chairs recommend that the initial scope focus on the historic downtown. This aligns with the Town's most concentrated historic and economic resources. This could be expanded over time to any historic commercial property, or to the entire Town.
- **Definition of demolition:** The Town would need to determine what constitutes a demolition; whether it's the complete removal of a structure, or the alteration of certain exterior components. It is common for communities to regulate alterations to historic structures under these codes, not just the full removal of buildings.
- **Age of applicability:** Historic preservation regulations typically apply to properties 50 years of age or older. Over time, this approach increases the number of properties subject to the code. Alternatively, some communities cap the age to a set year, also called the period of significance, to establish which properties are subject to the code. Staff does not have a recommendation for a period of significance; additional research would be required to determine the appropriate "cut-off".
- **Staff and Commission capacity:** Communities that regulate Option 1 and 2 models typically have staff dedicated to historic preservation who work with property owners. Additionally, there should be a body of readily available research to lean upon to establish the likelihood and basis for local landmarking. While the Town has a part-time staff member (up to 10 hours per week) dedicated to historic preservation, these discussions are typically urgent and require consistent access to resources to be equitable and predictable for property owners. To address concerns related to delays for future development, staff should guarantee meeting times and dates to have the process be as predictable and responsive as possible. This may present challenges for our small staff to implement successfully.
- **Additional research:** HPC plans to apply for a grant to conduct research into historic properties in 2026. This may provide an increased basis of knowledge to rely upon for demolition/landmarking decisions.

III. DISCUSSION:

On January 5, the Board provided direction for staff and the chairs to develop a model that combined elements of Options 2 and 3. This would include a stay of demolition placed for a short period of time, i.e. 30-60 days, to provide the opportunity to discuss historic

preservation, as well as solidify options for incentives for those that elect to pursue preservation as part of their development/redevelopment projects.

Following the January 5 meeting, staff and the chairs of the PCDC, HPC and EVC met to refine a path for consideration. The following draft model is under discussion with all three commissions over the coming weeks for further refinement prior to returning this topic back to the Board later in February or early March.

- Upon application for a demolition permit for a property in the historic downtown area (shown on the map above), an automatic stay is placed on issuance of the permit. The final recommended timeframe will depend on all the actions that would take place during this time, but this discussion assumes a 30 to 60 day stay. The demolition scope which triggers a stay is any work that would affect the exterior of any street facing façade, which may or may not result in the loss of the entire building.
- During the stay, Town staff and a subcommittee of HPC members (no more than two) would meet with the developer to discuss landmarking and the landmarking process, the specific history of the building, salvage of materials or preservation of certain elements, relocation of the building, etc.
- Additionally, staff would provide a list of Board supported incentives that the Town may offer (parking waivers, density, financial, etc) in exchange for preservation. Some incentives may only be available through landmarking while others may be available through other demonstrated commitments, such as a preservation easement or approval of a Development Plan that reflects preserved elements of a structure.
- HPC will offer an optional advisory meeting on the future plans in advance of an application to provide feedback on the proposed design and compatibility and compliance with the Town's design standards and historic preservation best practices.
- The stay will automatically expire at the end of the time period and the developer may move forward at will, in compliance with Town processes and codes in effect.

The HPC and EVC are exploring financial incentives that may be available. Staff requests PCDC discuss possible incentives related to zoning and development that may be appropriate for the downtown area. Typically, these incentives are provided as a measure to reduce development cost and/or add development value in recognition of the value of historic preservation efforts. These could include the following:

Reductions or Elimination of Parking Requirements.

- One possible strategy that the Town could offer is reduction or elimination of off-street parking. The Town code currently requires off-street parking in an amount necessary to serve the proposed use, as established in [Chapter 16, Article 8 of the Lyons Municipal Code](#). Further, the Commercial Design Standards language for parking in the historic downtown includes the following statement:

Parking and Circulation. Parking in the HDT area is limited. Developments in the HDT area should not cause a reduction in the number of available parking spaces and, where practical, should add more parking spaces. Refer to LMC [Section 16-8-90](#) to determine if your development is exempt from off-street parking requirements.

However, the Town code also includes the following exemption language for the area under discussion, but in many instances would still require off-street parking:

The off-street parking standards of this Article shall not apply to a change in use or the creation of a new use for any commercial property fronting upon Main Street between Third Avenue and Fifth Avenue provided that such change in use or new use is a commercial retail use. For purposes of this section, "commercial retail use" shall mean and include any use whose primary or principal activity is the sale of goods, merchandise, or services to the public which sales are subject to state and/or local sales tax. All other uses shall conform to the minimum parking standards of this Article upon change to or creation of to a new use.

Generally, the requirement to build new or maintain existing off-street parking spaces limits the development potential on a lot. Lots in downtown are typically smaller and more urban in scale than the other commercial corridors in town. Lyons is relatively unique in that the typical lots in downtown are “double frontage lots” extending from Main Street to Broadway or Main Street to High Street, rather than having lots that front both streets that are separated by an alley. Most existing off-street parking in the downtown area fronts High Street and Broadway, with primary building frontages oriented towards Main Street.

Over time, with the elimination or reduction of the requirement for off-street parking, the Town may need to prioritize additional measures to manage parking downtown, or build and maintain more parking areas. Town staff has not conducted a parking study following the improvements on Broadway, but it appears that there is an excess of public parking spaces that are able to serve current downtown needs. While this may continue to require that visitors and employees must walk a block or two to their destinations, this is generally an accepted practice in urban areas. Additionally, the Town may want to consider placement of dedicated ADA spaces in targeted locations, work with businesses on communication strategies related to parking, and work with businesses on how to manage parking for special events.

Increasing Development Capacity on a Lot

- Another strategy that may be considered is an allowance for increased height or a reduction in required setbacks in exchange for preservation efforts on existing structures. Currently, the code includes the following for the downtown zone districts (shown in the map above):

Standard	Commercial Downtown (CD)	Commercial (C)
Maximum height	40'	40'
Minimum setbacks		
Front	0'	25'
Side	0'	0'
Side abutting residential	0'	3x height of proposed structure
Rear	0'	25'
Rear abutting residential	25'	3x height of proposed structure

The Design Standards include the following language related to building height:

The design model for the HDT area is buildings with one- to two-story height, with the first floor designed for pedestrian-oriented retail and activity generating uses and upper stories available for residential, office, or commercial use. Where practical, upper floors will generally be differentiated from first floor designs. Designs for three-story structures will be considered based on acceptance by the Lyons Regional Fire District of its fire safety and emergency services assessment.

Staff acknowledges that additional building height may be contradictory with adopted design standards and desired character for downtown. However, allowing more flexibility for portions of a structure to have additional height in certain instances may be acceptable. For example, additional height may be appropriate for structures that have frontage along Broadway. Because the topography drops between Main and Broadway, this would allow building heights to maintain a two-story presence along Main, with additional capacity at the rear.

Setback reductions may be appropriate for historic preservation incentives, particularly the front setback for the commercial zoned properties, and the rear and side setback if the building is one or two-stories in height.

Additional Flexibility on Permitted Uses.

The Town may wish to consider additional flexibility on permitted uses in exchange for historic preservation efforts. For example, the Commercial Downtown district allows residential development, but only if a business fronts the street. Further, the Commercial district only allows residential uses if it is associated with a permitted commercial use.

Another use that is more restricted in the downtown area are short-term rentals, which are only permitted when a business is also operational on the property.

Finally, staff seeks input from the PCDC on additional areas of zoning flexibility that could be used to incentivize historic preservation efforts that may be effective in Lyons.

IV. RECOMMENDED ACTION / NEXT STEPS:

Staff requests the PCDC provide input on the draft proposal for a stay of demolition, and the associated zoning incentives that may be appropriate for Lyons.

V. FISCAL IMPACTS:

Unknown

VI. LEGAL ISSUES:

The Town has the legal authority to enact additional historic preservation regulations.

ATTACHMENTS:

- Resolution 2025-47