

# Licensing Resiliency in Lyons, Colorado

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The historic flood of September 2013 impacted nearly every aspect of the Lyons, Colorado community. Roads, bridges, infrastructure, and utilities suffered significant damage, businesses were hard hit, music venues and cultural centers were affected, and park lands were devastated. In the tragedy, nearly 200 homes were damaged or destroyed, many never to be rebuilt. River bottoms were scoured, along with other environmental assets like trees and riparian habitats.



As a result of the historic 2013 flooding the Town of Lyons acquired 27 former residential properties with flood recovery funds to purchase properties which had incurred substantial flood damage or complete destruction. The Town of Lyons used funding from the Hazard Mitigation Grant Program (HMGP) of the Federal Emergency Management Administration (FEMA) and the Community Development Block Grant for Disaster Recovery (CDBG-DR) programs of Housing and Urban Development (HUD) to acquire the properties. A primary goal of these programs is for the removal of flood damaged structures and prevention of rebuilding the same area in order to mitigate possible repeated impact from future floods. Upon acquisition these properties carry perpetual open space use restrictions. Each of these parcels is referred to as a Deed-Restricted Buy-Out Property (DRBOP).

The Town of Lyons, in conjunction with the consultant team of Design Concepts, Amec Foster Wheeler and GreenPlay, developed the DRBOP Use & Management Plan, a blueprint for preserving significant ecological and recreational value. The properties are envisioned primarily as naturalized community spaces.



While planning for recreation and open space uses, Town Staff and Design Concepts recognized the maintenance burden these properties would add and together conceptualized and created a neighborhood licensure program in which eligible residents could use all or a portion of an acquired parcel for other types of low impact use. Referred to as “neighborhood lots” or “licensed lots,” these small parcels and buffer areas are typically of low recreational value and are located adjacent to or in between existing residences. Owners who reside on properties that are adjacent to these properties are eligible for the program, subject to certain limitations, conditions, and deed restrictions.



The Neighborhood Lot Licensure Program is designed to encourage community investment and care for the neighborhood lots so that they may be integrated into the neighborhood in a way that is both aesthetic and useful while reducing the Town's maintenance expenses for those lots. In exchange for the temporary right to use a neighborhood lot or portion thereof, citizens must sign a license agreement with the Town. The license agreement governs the use of the neighborhood lot and establishes the rights and responsibilities of both the Town and the licensee.

Today the licensure program has been approved by HUD and is in the final stages of review by FEMA. FEMA has shared the program as a template for licensing in other states.

**NEIGHBORHOOD LOT LICENSE APPLICATION FORM**

**NAME:** John Smith  
**DATE:** 1/15/2020  
**HOME ADDRESS:** 111 Park Street  
**PHONE:** 555-555-5555  
**EMAIL:** john@smith.com

**LOT LOCATION:** Describe the property you wish to license. Refer to the address, street name, nearby residential addresses, and landmarks. Please circle the lot on the map attached.

**USE AREA / LICENSE AREA:** Do you intend to license and maintain the entire lot or a portion of the lot? If licensing a portion of the lot, what is the total area of the space that you wish to license?  
 I would like to use a portion of the lot, approximately 110 feet by 30 feet, the east side of my home.

**That was my best effort:**  
 I have enclosed my personal weather computer.  
 I have enclosed my personal license agreement.  
 I have enclosed my proof of insurance.  
 I have enclosed my application fee.  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**LYONS**  
 COLORADO

**NAME:** John Smith

**Plan your lot**  
 Use the symbols to show a plan of the lot:  
 - Circle for trees of your property. Applicable to lot area only.  
 - Dashed line for your fence or other area of use.  
 - X for other structures or objects.  
 - Arrow for your driveway or other access.  
 This plan must be included with your application to receive a neighborhood license.

**Legend:**  
 ○ Truncated Tree  
 --- Area of Use  
 X Truncated Structure  
 → Driveway  
 ○ Existing Tree  
 □ Truncated Garden

Figure 4. Sample application completed by applicant