

CITY COUNCIL COMMUNICATION



MEETING DATE: January 14, 2025

ITEM NUMBER: 9.C

SECOND READING: January 28, 2025

{{customfields.ResoOrdNumber}}

TYPE OF ITEM: Consent

PRESENTED BY:

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SUBJECT/AGENDA TITLE:

A Bill For An Ordinance Conditionally Approving The Vacation Of An Access Easement
Generally Located Within Hall Ranch Open Space Along Antelope Road

EXECUTIVE SUMMARY:

The City of Longmont and Boulder County are formalizing access to Button Rock Dam by vacating a historic easement across the Hall Ranch open space that was established in the 1960s. The original access route through Hall Ranch via Antelope Road has been replaced by a new road constructed from Highway 7. Under a new agreement, the city and county agreed to consolidate access and vacate the obsolete easement. This action will have no impact on the property's Agricultural zoning or surrounding areas and the new access will meet the needs of the City of Longmont.

COUNCIL OPTIONS:

1. Approve the ordinance, finding the vacation in compliance with the Longmont Municipal Code.
2. Approve the ordinance with conditions that would make the vacation in compliance with the Longmont Municipal Code.
3. Deny the ordinance, finding the vacation not in compliance with the Longmont Municipal Code criteria.

RECOMMENDED OPTIONS:

The Development Review Committee recommends that City Council approve the ordinance, finding the easement vacation in compliance with the Longmont Municipal Code.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:

N/A

BACKGROUND AND ISSUE ANALYSIS:

The city owns and operates the Ralph Price Reservoir on the Button Rock preserve west of Lyons near Highway 36 and County Road 80 in Boulder County. When Button Rock Dam was constructed in the late 1960's, the city obtained the property through a court order which included access across the adjacent property (Hall Ranch). Boulder County purchased the Hall Ranch property in the 1980's and created the Hall Ranch Open Space. The Antelope Road access through Hall Ranch was utilized by the City as a secondary access to Button Rock Dam and the property surrounding the reservoir. Over time, the County constructed the main access through Hall Ranch from Highway 7 and did not maintain the historic access from Apple Valley by means of Antelope Road.

The city and the county have worked together to consolidate access and honor the 1960 court order by entering a new easement agreement. In the terms of the new agreement, the City has agreed to vacate the portion of the previous access road that has been abandoned. Because the original court order did not have a legal description or other portrayal of the intended access, the proposed vacation of easement is general in form and depicted upon the enclosed exhibits graphically.

Staff has reviewed the request to vacate the easement and made the following evaluation based on the review criteria:

Section 15.02.55

1. The application is consistent with the comprehensive plan and the purpose of the code and zoning district; conforms to any previously approved concept plan, preliminary plat, or PUD overall development plan; and complies with all applicable statutes, codes, ordinances and regulations.

The proposed vacation of access easement is not located within the city and is not within the boundary of the comprehensive plan. The zoning of the property is Boulder County Agricultural and will not change and the vacation of easement as proposed complies with all known statutes, codes, ordinances, and regulations.

2. The application complies with applicable city standards, including for street and utility design and layout, and adequate utilities are available or will be provided for appropriate urban-level services.

While the project location is outside of the city limits, the vacation of easement complies with all city standards. The property is Boulder County Open Space therefore urban level services are not contemplated.

3. The application proposes development compatible with surrounding properties in terms of land use, site and building layout and design, and access.

The vacation of the easement will not require any further development and the relocation of the access to Highway 7 is compatible with all surrounding properties.

4. The application will not adversely affect surrounding properties, the natural environment, existing or planned city transportation, or utility services or facilities, or the adverse impacts of the use will be mitigated to the maximum extent feasible.

The vacation of the easement relocates vehicular access from Antelope Trail to the designated vehicular access across Open Space property. This will protect the natural environment to the extent feasible. There are no riparian areas on this property.

5. The application, where required, complies with the sustainability evaluation system requirements to mitigate impacts of development within the city's riparian areas, and as applicable to other projects as determined by separate agreement.

Evaluation of the request through the sustainability evaluation system is not applicable, but meets the intent of protecting open space and wildlife corridors by limiting vehicular access to a common roadway.

6. The application includes an appropriate transportation plan, including multi-modal transportation access, and is integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails and similar features.

The proposed vacation of easement is tied to the agreement with Boulder County Open Space to meet the access (transportation) needs for the property.

Section 15.02.060.H.2

- A. The easement will not be used in the short- or long-term, or the city receives conveyance or dedication of substitute easements or rights-of-way appropriate to satisfy the continuing municipal need.

The proposed relocated access from Highway 7 satisfies the continued municipal need for access through Hall Ranch. There are no short or long term uses required in the vacated portion of the access from Antelope Road.

- B. The vacation does not create an irregular easement configuration which could create difficulty in the provision of services or installation of public improvements.

The proposed vacation will not create an irregular right-of-way configuration but rather formalize the improved access road and eliminates the need to improve another road alignment through Boulder County Open Space.

- C. The public benefits and utility of the vacation request outweigh any adverse impacts of the vacation.

The public benefits include limiting vehicular access through Boulder County Open Space to protect the environment and limit possible interaction between pedestrians and vehicles utilizing the area.

- D. The applicant will relocate, if necessary, the public facilities located within the easement.

No public facilities exist in the area of the proposed vacation.

ATTACHMENTS:

1. Ordinance
2. Vicinity Map