



BLUE RIVER BOARD OF TRUSTEES MEETING FEBRUARY

TUESDAY, FEBRUARY 18, 2025

5:00 PM

0110 Whispering Pines Circle, Blue River, CO

AGENDA

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Public comment is only taken in person and during designated public comment periods.

CALL TO ORDER, ROLL CALL

WORK SESSION

This Work Session is to discuss

APPROVAL OF CONSENT AGENDA

- I. Minutes of the Previous Board Meeting
- II. Approval of Bills

COMMUNICATIONS TO TRUSTEES

Citizens are welcome to provide in person comments on non-agenda items. Comments are limited to 5-minutes per speaker. Written communications for any non-agenda items have been distributed separately to the Board of Trustees.

APPEAL HEARING

- III. Appeal of short-term rental license denial for 375 Wilderness

NEW BUSINESS

- IV. Presentation by Red, White & Blue Fire District
- V. Spruce Creek Road Capital Project-Muller Engineering
- VI. Appointment of Planning & Zoning Vacancy

ORDINANCE CONSIDERATION FOR APPROVAL

The public is invited to provide comments on Ordinances introduced to the Board of Trustees. Public comments may be provided in person or may be submitted in writing by the second Tuesday of the month by 5:00 p.m. Speakers are limited to no more than 5 minutes per speaker and only during the public hearing portion of the discussion.

VII. Ordinance 2025-02 Measurement of Setback Road From Town Road Easement

VIII. Ordinance 2025-03 Revision Shed Allowances

RESOLUTIONS

IX. Resolution 2025-04 Adoption of Bob's Rules

X. Resolution 2025-05 Adoption of the Board Code of Conduct

CONTINUING BUSINESS

REPORTS

XI. Mayor & Trustee Reports

XII. Attorney Report

XIII. Staff Reports

OTHER BUSINESS

EXECUTIVE SESSION

ADJOURN



Town of Blue River Memorandum

TO: Mayor Decicco & Members of the Board of Trustees

FROM: Town Manager Michelle Eddy

CC: Code Ambassador Ryan Cyphert

DATE: February 13, 2025

SUBJECT: **Code Enforcement**

Mayor & Board of Trustees

At the January 2025 Board of Trustees meeting information was provided on the various code violations throughout Town. It was requested to review the violations in upcoming work sessions.

Item: No Street Number

Code: 11-1-40

Violations Observed: over 90 or 33.33%

Sec. 11-1-40. Address numbers required.

- (a) All lot owners of improved property are required to post the address of the lot so that the address is clearly visible from the street from which the lot takes access. The numbers used shall be reflective and in a form prescribed by the Town or the Red, White and Blue Fire Protection District and may be attached to the residential structure or placed on a post, tree or other device near the street. Each address shall consist of at least four (4) digits even if the number begins with one (1) or more zeros.
- (b) If any lot owner fails to post the address, the Town may post said address and charge the costs thereof to the lot owner.
- (c) All lot owners shall remove any posted lot numbers contemporaneously with the posting of address numbers required by Subsection (a) above. Failure to comply with this Section shall be a violation of this Code and punishable by a fine not to exceed three hundred dollars (\$300.00) per offense.

(Prior code 4-1-3)

Land Use Code: Sec. 16B-8-40. Permanent Signs.

- (a) Permanent Signs. All forms of permanent signs are prohibited *except*
 - Address Sign
 - Subdivision Entry Sign
 - Yard Statue
 - Exempt Sign (see Section 16B-8-60)

(1) *Address Sign.*

It is declared by the Town of Blue River that a compelling governmental interest exists to authorize each *lot* within the Town upon which a *principal permitted use* is located to erect and maintain up to two (2) *address signs* on the *lot*. More specifically, the efficient and timely delivery of law enforcement, emergency medical, and fire protection services is contingent upon ready property address identification and, therefore, the regulation of the content of address signs serve a compelling governmental interest. An address sign *conforming to the requirements of this section* shall not require a permit or approval of the Town.

An *address sign* is defined by Section 16-3-20 to mean a permanent placard made of wood, metal, or plastic (or combination of such materials) that is limited to announcing only the street address of a *lot* by number and/or words and which is located on the *lot* identified by the address.

An address sign shall be limited to the following standards:

- (i) A one-sided sign face if attached to a building or structure on the *lot*;
- (ii) A one-sided or two-sided sign face if established as a stand-alone sign not affixed or attached to a building;
- (iii) A sign face shall not be larger than six (6) square feet in size.
- (iv) A sign face shall only include numbers or letters that identify the street address with or without street name of the *lot* on which the sign is located. No other words, numbers, or information is permitted including but not limited to a name of a business, name of short-term rental property, owner name, or property name. Images which are clearly secondary and subordinate to the display of property address such as images of wildlife, trees, or mountains are permitted although not desired or recommended.
- (v) An address sign may be located outside of the *buildable area of the lot* but not closer than five (5) feet from the edge of any street, road, or platted right of way.
- (vi) An address sign may not be located on any part of portion of a berm contracted without a permit or at any point higher than three (3) feet from the berm base for berms constructed with a permit. (See Section 16B-7-20)

An address sign meeting the address sign requirements of the Red, White, and Blue Fire Protection District (“District”) and receiving approval of the District shall be exempt from the size, content, and location standards of this subsection provided that no more than two (2) such permanent address signs are affixed to the *lot*.

Item: Construction Vehicle in drive without permit; Commercial Vehicles; Enclosed trailer/bus RV Storage

Code: 8-2-20 (a) (1-5)

Violations Observed: 100+ 73%

Sec. 8-2-20. Restrictions; permit.

- (a) Except as hereinafter provided, the parking or storage of the following personal property anywhere within the Town is prohibited:
 - (1) Construction vehicles, trailers, materials or equipment, except for sites which have an active building permit.
 - (2) Commercial trucks and trailers and other vehicles used in connection with any home occupation except insofar as the same are used solely for personal purposes.
 - (3) Semi-tractor trailers, gooseneck-type trailers and semi-tractor trucks.

- (4) Travel trailers, enclosed trailers, mobile homes, vans or campers used for storage, permanent occupancy or temporary permanent occupancy.
- (5) Snowcats.
- (b) Travel trailers, mobile homes, vans, campers and recreational equipment trailers are permitted in a designated parking space, provided they are operational, and legally registered.
- (c) The parking of the motor vehicles or trailers listed in Subsection (a) above is permitted in a completely enclosed building/garage, or in a designated parking space, so as to not be visible from the street or other public or private property.
- (d) The Chief of Police is authorized to permit the parking of the motor vehicles or trailers listed in Subsection (a) above upon a determination by him or her that there will be no significant impact on adjoining properties, including but not limited to a negative impact on property values or diminution in the appearance or enjoyment of the adjoining property. Any permission hereunder shall be in writing and shall be for a period of time stated in the writing. Any determination hereunder may be reviewed by the Board of Trustees on the request of the Board or any affected person.
- (e) The provisions of Subsection (a) above shall not apply to sites on which are kept vehicles used for road maintenance or snow removal pursuant to a contract with the Town.

(Prior code 4-1-5C, D; Ord. 08-07 §§2, 3, 2008; Ord. 09-03 §1, 2009; Ord. 09-04 §1, 2009; Ord. No. 17-03, § 2, 4-11-2017; Ord. No. 17-04, § 2, 6-20-2017; Ord. No. 19-01, §§ 2, 5, 6-18-2019)

Sec. 8-2-30. Inoperable vehicles.

Any inoperable vehicle parked on any lot or piece of ground in the Town that is not removed within thirty (30) days after the expiration of its registration, as determined by examining the license plate on the exterior of the vehicle, is a nuisance. A vehicle displaying no state license plate is also a nuisance.

Sec. 8-2-40. Penalties.

It is unlawful for any person to violate any provision of this Section, and any such violation shall be punishable as set forth in Section 1-4-20 of this Code.

Item: Non Bear Proof Trash

Code: 7-6-120 & 130

Violations Observed: 7 (however it is know there are more)

Programs:

The Town does offer a \$150 grant reimbursement for the purchase of any bear resistant trash can. Less than 12 have been issued since 2019.

Sec. 7-6-120. Maintenance and operation of wildlife-resistant refuse containers.

- (a) Wildlife-resistant refuse containers must be kept closed and secure when refuse is not being deposited.
- (b) If a container is damaged, allowing access by bears or other wildlife, repairs must be made within twenty-four (24) hours after written notification by the Chief of Police.

(Prior code 3-8-3; Ord. No. 19-01, §§ 2, 5, 6-18-2019)

Sec. 7-6-130. Residential refuse disposal.

- (a) Residents unable to keep their refuse container inside the home, garage, building or shed shall store their refuse in a wildlife-resistant refuse container or a refuse container enclosure approved by the Chief of Police. All containers that receive refuse edible by wildlife must be secured inside the

home, garage, building or shed. Finally, any refuse container enclosure shall be attached to an existing structure, which structure must first be reviewed and approved by the Board of Trustees.

- (b) Residents, tenants, renters, lessors or occupiers of property within the Town with curbside pickup shall place their refuse containers at the curb only on the day of pickup. After pickup, the containers must be resecured inside the home, garage, building or shed by 6:00 p.m.

(Prior code 3-8-4; Ord. No. 19-01, §§ 2, 5, 6-18-2019)

Sec. 7-6-190. Penalty assessment.

The following penalty assessments are declared to be mandatory and minimum:

- (1) Maintenance of wildlife-resistant refuse containers (Section 7-6-120 of this Chapter):

First offense within one year \$ 50.00

Second offense within one year 250.00

Third offense within one year Summons

- (2) Residential refuse disposal (Section 7-6-130 of this Chapter):

First offense within one year \$ 50.00

Second offense within one year 250.00

Third offense within one year Summons

- (3) Construction site refuse disposal (Section 7-6-140 of this Chapter):

First offense within one year \$ 250.00

Second offense within one year 500.00

Third offense within one year Summons

- (4) Feeding of wildlife (Section 7-6-150 of this Chapter):

First offense within one year \$ 250.00

Second offense within one year 500.00



BLUE RIVER BOARD OF TRUSTEES REGULAR MEETING JANUARY 2025

**January 21, 2025 at 5:00 PM
0110 Whispering Pines Circle, Blue River, CO**

MINUTES

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Please note that seating at Town Hall is limited.

I. CALL TO ORDER, ROLL CALL

The regular meeting was called to order by Mayor Pro-Tem Jodie Willey at 5:00 p.m.

PRESENT

Trustee Jonathon Heckman

Trustee Noah Hopkins

Trustee Ted Slaughter

Trustee Barrie Stimson

Trustee Ben Stuckey

Trustee Jodie Willey

Excused: Mayor Nick Decicco

Also present: Town Manager Michelle Eddy; Town Attorney Bob Widner via Zoom; Chief of Police David Close; Deputy Clerk John DeBee; Code Ambassador Ryan Cyphert; Building Official Kyle Parag.

WORK SESSION

Swearing of Newly Elected Board of Trustee Ben Stuckey

Town Clerk Michelle Eddy swore in newly elected Trustee Ben Stuckey.

Board of Trustees Training

Town Attorney Widner provided the Board of Trustees some overview training of responsibilities as Board members

II. APPROVAL OF CONSENT AGENDA

Hopkins moved and Slaughter seconded to approve the consent agenda. Motion passed unanimously.

A. Minutes for November 19, 2024

B. Approval of Bills November 29, 2024-January 16, 2025 \$434,694.52

III. COMMUNICATIONS TO TRUSTEES

Citizen Comments (Non-Agenda Items Only- 3-minute limit please). Any written communications have been shared with the Board of Trustees.

Paul Semmer-Blue Grouse Trail commented on his submitted public comments submitted in the packet as well as the setback ordinance.

Barrie Stimpson-Spruce Creek Road commented on the current moratorium on lots over one acre and a property he is currently under contract for. He asked for the Trustees to consider revisiting the language in the moratorium to allow for exceptions.

Dan Cleary-Rustic Terrace commented the proposed discussion on accessory dwelling units. He discussed the lifting of the moratorium on subdivision of lots and the proposed setback ordinance.

Lea Vlacos-Silverheels Road commented on the moratorium in place until April applied to properties over one acre.

C. Semmer-Blue Grouse Trail

IV. ORDINANCE CONSIDERATION FOR APPROVAL

D. Ordinance 2025-01 Repealing Moratorium Subdivision

Attorney Widner reviewed the enclosed memo stating the need to repeal the moratorium for the subdivision of lots.

Mayor Pro-Tem Willey opened the public hearing at 6:14 p.m.

Dan Cleary-Rustic Terrace reviewed the reasoning for the moratorium when it was originally passed and provided his thoughts for consideration.

Doug O'brien-Crown Drive provided comments against allowing subdivision of lots zoned R-1.

Mayor Pro-Tem Willey closed the public hearing at 6:18 p.m.

Trustee Hopkins noted there are currently regulations limiting subdivision.

Manager Eddy noted there are currently eight lots that would qualify for subdivision.

Trustee Heckman stated there should be more discussion before repealing the ordinance.

Clarification on variances and the two different moratoriums that were in place. Discussion on how it would apply and who would qualify.

Attorney Widner noted there can be a change in the minimum lot size from 80,000 square footage but it is necessary to lift the moratorium. He noted something can be put in place to address concerns.

Discussion to continue discussion for the next meeting to determine a new zone and minimum lot requirement for subdivision at the same time as lifting the moratorium.

E. Ordinance 2024-05 Measurement of Setback from Town Road Easement

Attorney Widner summarized the ordinance that was discussed in November.

Mayor Pro-Tem Willey opened the public hearing at 6:45 p.m.

Paul Semmer-Blue Grouse noted concern of language in ordinance apply 10' of the road easement maintenance.

Dan Cleary-Rustic Terrace remarked on issues with the prescriptive rights noted in the ordinance.

Bobby Craig-developer representing client on Golden Crown remarked in favor of the proposed ordinance.

Doug O'brien-Crown Drive remarked it is a case-by-case basis for approvals.

Mayor Pro-Tem Willey closed the public hearing at 6:53 p.m.

Trustee Stimpson remarked on the reasoning was to review and evaluate setbacks from the existing road.

Building Official Kyle Parag remarked on how the current review process.

Attorney Widner clarified the purpose of the ordinance and the prescriptive rights. Discussion to remove reference to river easements.

Discussion to continue this discussion and revise the ordinance for the February meeting.

V. RESOLUTIONS

F. Resolution 2025-01 Notice of Meetings

Motion made by Trustee Hopkins, Seconded by Trustee Heckman to approve Resolution 2025-01 Notice of Meetings. Voting Yea: Trustee Heckman, Trustee Hopkins, Trustee Slaughter, Trustee Stimson, Trustee Stuckey, Trustee Willey. Motion passed unanimously.

G. Ratification of contract with NEO for broadband development

Town Manager Eddy noted this contract was signed by the Town Manager in December as the deadline to secure the funding was December 31st.

Motion made by Trustee Hopkins, Seconded by Trustee Willey to approve Resolution 2025-02 Approving NEO Contract. Voting Yea: Trustee Hopkins, Trustee Slaughter, Trustee Stimson, Trustee Stuckey, Trustee Willey. Trustee Heckman opposed. Motion passed.

H. Resolution 2025-03 Interim Meeting Policy 2025

Town Attorney Widner provided information and reasoning for adding the interim policy. He noted a full policy will be brought to the Trustees in February.

Discussion of the time being allowed to speak at the meeting. Discussion of process.

Motion made by Trustee Willey, Seconded by Trustee Stimson to approve Resolution 2025-03 Interim Meeting Policy 2025 with the amendment of allowing five minutes for public comments. Voting Yea: Trustee Heckman, Trustee Hopkins, Trustee Slaughter, Trustee Stimson, Trustee Stuckey, Trustee Willey. Motion passed unanimously.

VI. NEW BUSINESS

I. Traffic Discussion

Chief Close provided information in the packet noting since the implementation of reduce speed limit, the number of incidents has decreased significantly.

Trustee Stimpson noted his research and contacted a company about speed radar. He noted there will be a seminar January 29th with the company about what they offer. He noted he will be attending.

Chief Close reviewed his research on speed cameras.

J. Set Notice of Planning & Zoning Commission Vacancy

Mayor Pro-Tem Willey and Town Manager Eddy noted there is now a vacancy on the Planning & Zoning Commission. She asked to advertise the position for appointment in February.

K. Finance Committee

Planning & Zoning Commission

Wildfire Council

Postponed until February when Mayor Decicco is able to attend.

L. 2024 Building Code Changes Discussion

Building Official Kyle Parag reviewed the changes mandated by the State and what is needed for adoption of the newest Building Code. He noted requirements and why it is being brought forward and key changes.

Discussion of options and timeline of the code adoption. Discussion of areas to focus on and potential amendments to the building code option. Building Official Parag recommended the 2024 energy code as it fixed many of the issues in the 2021 code. He recommended amendments to the snow load requirements.

Discussion to leave snow loads at 100 lb. per square foot.

The Building Official will make the necessary adjustments and bring a draft forward to a future meeting.

M. Code Enforcement Report

Town Manager Eddy noted the new Code Ambassador Ryan Cyphert has been spending time becoming familiar with the Town Code as well as conducting reviews of properties throughout town. The enclosed report are the violations that have been found based on Town Code. It is possible there are more but not seen at this time due to snow coverage. She noted a need for direction from the Trustees for how they would like violations handled.

Decision to bring a code item each month for review and potential amendments.

Recommended to add a work session to each month for discussion.

VII. CONTINUING BUSINESS

N. Draft Sheds Ordinance for Discussion

Continued to February.

O. Accessory Dwelling Unit Discussion

Continued to February.

VIII. REPORTS

P. Mayor & Trustee Reports

No Reports.

Q. Attorney Report

No report.

R. Staff Reports

Town Manager Eddy noted policy around snow removal and steps being addressed. She also noted threatening and harassing calls received. She noted the case is being turned over the District Attorney's Office for threatening a public official.

IX. OTHER BUSINESS

X. EXECUTIVE SESSION

XI. ADJOURN

Mayor Pro-Tem Willey and Trustee Hopkins seconded to adjourn the meeting at 8:44 p.m. Motion passed unanimously.

NEXT MEETING -

Work Session February 11, 2025, 5:00 p.m.

Regular February 18, 2025, 5:00 p.m.

Respectfully Submitted:

Michelle Eddy, MMC

Town Clerk

Reports from the Town Manager, Mayor and Trustees; Scheduled Meetings and other matters are topics listed on the Regular Trustees Agenda. If time permits at the work session, the Mayor and Trustees may discuss these items. The Board of Trustees may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

Town of Blue River

A/P Aging Summary

As of January 31, 2025

	CURRENT	1 - 30	31 - 60	61 - 90	91 AND OVER	TOTAL
1st Response Auto & Truck Repair DBA JH Mountain Auto	563.33					\$563.33
CIRSA	7,148.00					\$7,148.00
Common Spirit	155.80					\$155.80
Michelle Eddy*	38.00					\$38.00
Widner Juran LLP	112.50					\$112.50
TOTAL	\$8,017.63	\$0.00	\$0.00	\$0.00	\$0.00	\$8,017.63

Town of Blue River

A/P Aging Summary

As of February 11, 2025

	CURRENT	1 - 30	31 - 60	61 - 90	91 AND OVER	TOTAL
Highland Galloway Investments		56,465.67				\$56,465.67
Summit County Office of Emergency Management-MAC	500.00					\$500.00
Widner Juran LLP	8,640.00					\$8,640.00
TOTAL	\$9,140.00	\$56,465.67	\$0.00	\$0.00	\$0.00	\$65,605.67

February 7, 2025

Sarah Jeffords
Owner
375 Wilderness Drive
Blue River

Mailing address:
3228 Tennyson St
Denver, CO 80212
Phone: 303-829-9057

RE: Appeal of Short-Term Rental License Revocation for 2025

Dear Members of the Board of Trustees,

I am writing to formally appeal the revocation of my short-term rental license for 2025 for my property at 375 Wilderness Dr., Blue River. I deeply value being part of the Blue River community and take great pride in responsibly managing my property and maintaining compliance with town regulations. I respectfully request reconsideration of my license revocation in light of the explanations in number of violations and the remedial actions implemented, as outlined below.

Response to Cited Violations in 2024

(1) Guest Limit Violation

Corrective Action: Upon receiving email from Town Manager Michelle Eddy on February 2, 2024, I immediately updated VRBO listing to reflect the reference to maximum guest limit of eight (8) referenced in an outdated rental agreement attachment. The owner-created rental agreement has since been removed to prevent any future confusion. Of note, the maximum number of 8 guests is confirmed with each booking before accepting.

Airbnb Compliance: My Airbnb listing has always reflected the correct occupancy limit of eight (8) guests, with explicit rules regarding noise, parking, and trash disposal and is the main rental platform used.

Future Preventative Measures: VRBO is rarely used for any bookings and thus reason an outdated agreement caused confusion. To prevent inconsistencies across platforms, I am considering exclusively listing on Airbnb to avoid discrepancies.

Violation Record Discrepancy: The second violation notice was issued on February 1, 2024; however, I was not aware of the initial violation dated January 19, 2024, as I did not receive email notification. Due to my demanding work and parenting responsibilities, I was unable to check the Citizen Portal regularly. Town Manager, Michelle Eddy, indicated the second violation was recorded because the initial issue was not corrected (within a 13-day period). Given that both violations pertain to the same issue within such a short timeframe, I respectfully request they be consolidated into a single violation.

While I take full responsibility for staying informed, I would like to emphasize the challenges of tracking violation notices when communications are distributed across multiple electronic platforms. The current system, which relies on both email notifications and the Citizen Portal, may hinder awareness of violations. I believe that using mail or certified letters could be a more effective method to ensure property owners are fully aware of any violations.

Compliance Assurance: My short-term rental adheres to the eight-guest limit, as verified through booking confirmations and personalized check-in communications. Additionally, the rental license and town rules are visibly displayed on-site. This ensures that guests are always aware of the rules and regulations before and during their stay by multiple methods of communication.

(2) Violation 1 Nov 2024 - Unreasonable Noise & Trash disposal

Immediate Actions Taken Upon Learning of Guest Misconduct (*Prior to Violation Notice*)

1. Reporting to Airbnb & Housekeeping:

- Upon notification from a neighbor on October 27, 2024 (the morning after the guest's checkout), I promptly reported the guests to Airbnb's Claims Department providing photographic evidence of the damage and need for extra cleaning from Housekeeping.
- I coordinated with housekeeping team, who confirmed that an extra cleaning charge would be necessary due to the condition of the interior of property following the Guest stay. I would like to emphasize that this extra cleaning charge has never incurred previously, either from JCA Plus Services, or any prior Housekeeping companies in the history of my rental.

2. Neighborhood Inspection:

- The neighbor, who initially notified me of the incident, confirmed that no trash remained on the property or street. Notably, this neighbor stated that they had slept through the alleged noise reported from a Complainant on October 26, 2024.

3. Involvement of Law Enforcement:

- I contacted the Blue River Police Department on the morning of October 27, 2024, to report the incident.
- Officer Close confirmed that the guests had already cleaned up all trash before their departure.

4. Violation Timing Concerns:

- The noise complaint reported the morning after the guests checked out, meaning I had no opportunity to address the issue while guest still on-site.
- No police report filed for alleged noise disturbance on evening of October 26, 2024.

- I received a violation warning via email on November 1, 2024, from Officer Jennifer Kruse. I promptly responded to this notice, copying Town Manager Michelle Eddy, outlining the actions previously taken on date of awareness, October 27, 2024. It is important to note that the noise violation was reported the following morning, after the guests had checked out. Had I been informed of the alleged noise issue on the evening it occurred, I would have been able to address it immediately while the guests were still on property. I believe these details are crucial for understanding the context of the violation notice and the immediate steps I took in response to the situation.

5. Additional Context:

- I was on medical disability, having undergone major surgery just two days prior and discharged from hospital. Despite this, I took all necessary steps to resolve the issue promptly.
- This was an isolated incident; I have never incurred an extra cleaning fee or had a similar issue with guests during my entire rental history.

6. Guest Accountability:

- The guest misrepresented their stay and was subsequently banned from Airbnb upon my immediate reporting. I request that the Board consider whether responsibility these violations should rest with the guest rather than solely with me as the property owner, especially considering there have been no repercussions for the dishonest guest.

Request for Consideration:

I respectfully request that the Board take into account the following key factors when reviewing the violations:

- 1. Consolidation of Violations:** Since both guest limit violations stem from the same issue, I request they be consolidated into one.
- 2. Reevaluation of Noise and Trash Violations:**
 - The complaint was reported post-checkout, limiting my ability to intervene.
 - Law enforcement confirmed no trash remained on-site upon guest departure.
 - The accountable guest removed from Airbnb, demonstrating their culpability.
 - The unprecedented nature of this incident, as I have never previously incurred additional cleaning fees or had any similar guest-related issues.
- 3. Proactive Compliance Measures:** I have reinforced property rules and taken additional steps, including:
 - Further enhancing guest screening processes.

- Continuing to clearly display my laminated cards for house rules, trash disposal instructions, displaying laminated cards on-site that outline the Noise Ordinance and Quiet Hours for the Town of Blue River.
- Maintaining direct communication with neighbors and housekeeping to promptly address any concerns.
- Installing additional monitoring to ensure compliance with occupancy and noise regulations.

I am fully committed to upholding Blue River's short-term rental regulations. The actions of one guest should not jeopardize my ability to maintain my home nor to accommodate respectful repeat customers. This property holds deep personal significance for my daughter and me, and short-term rentals allow me to sustain ownership while contributing to the community, with the hope of one day living here full-time.

As one of the first short-term rental owners in the town, I have established a loyal base of repeat customers who treat the property as their "second home" and return year after year. I kindly ask you consider granting allowance for renewal of my short term rental license for 2025.

I appreciate your time and consideration in reviewing my appeal to consolidate the cited violations into two (2), along with the accompanying documentation and clarifications regarding my accountability. I remain fully committed to maintaining compliance with all Blue River ordinances and respectfully request the opportunity to continue contributing positively to the community. Therefore, I kindly ask for the renewal of my short-term rental license for 2025.

Please let me know if I can provide any further information or documentation.

Sincerely,

Sarah Jeffords

Sarah Jeffords

Owner, 375 Wilderness Dr, Blue River, CO 80424

sarahjeffords@hotmail.com

Mailing Address: 3228 Tennyson St, Denver, CO 80212

[Details](#)

Marlen

Oct 26 - 27 • Wilderness Breckenridge

Also note I'm getting a violation from the town for short term rentals which may involve fines as per the police officer I spoke to earlier, same one who informed you to clean up. It potentially affects my license as well including possible fines for more than 8 guests, more than 5 cars in driveways, illegal street parking, plus trash, noise ordinance, as this is regulated by the town. It is clear in my check in instructions, guidebook in listing and on site that you chose to not respect or follow

Marlen 7:03 PM

This message has been hidden because the person no longer has access to Airbnb.



7:10 PM

I'm not speaking about the ticket with you. I was referring to the I'll that I will receive as the short term rental owner. The remaining costs after removing the bar replacement are going straight to housekeeping. I would recommend speaking to Airbnb support with any further questions or ask the guests that stayed for the party you had, well over max of 8 people, to contribute

Notifications guests during booking process, Check In, on site with signage:

- **No Events, Parties, or Large Groups:** I explicitly state that events or parties are not permitted, and large groups are not allowed.
- **Maximum Guests:** The maximum occupancy is set at eight (8) guests, in accordance with my rental license.
- **Parking Restrictions:** I limit parking to a maximum of 4 cars in the driveway and emphasize that street parking is not permitted per the Town of Blue River regulations.
- **Trash Disposal Instructions:** I provide precise instructions for trash disposal, along with reminders about local wildlife to ensure compliance and safety.
- **Noise Ordinance and Town Rules:** The Town of Blue River rules, including the noise ordinance and street parking regulations, are prominently displayed on laminated cards throughout the property.

Example of check in:

Today Calendar Listings Messages Menu ▾

 [REDACTED] and 3 others

Here's your check in instructions for your upcoming stay of you and 5 guests. The address is 375 Wilderness Dr. Breckenridge, 80424. Key pad on front door code, press Yale button, [REDACTED], enter. Check in time is 4pm but you can definitely drop off luggage and check out time is 10am with instructions in the green Guidebook as well as laminated card at property.

Parking: max 4 vehicles in driveway and no parking on Town of Blue River streets.

The wifi password is [REDACTED] and [REDACTED] is the username. There is a guidebook within the listing under Handbook as well as details in a guidebook on the property but if you have any questions, just let me know.

Outdoor fireplace: turn on gas first by going outside to patio on ground near door, under cover. Turn gas switch under cover to be in line with the gas line. This is 'On' and turn 'Off' please when finished each time. The gas line also operates the BBQ. Both BBQ and the fireplace needs to be manually lit when device turned on. For firepit, you must turn the Key on outside of the fireplace to be turn on/off gas.

Hot tub: Fully serviced before your stay and towels inside under bathroom vanities for your use. Please do not leave out trash in backyard as housekeeping will not pick up.

House is on a septic system therefore only toilet paper down the toilets please.

Trash: Please put trash inside the large green trash cans outside in trash shed at departure and lock shed with latches. The shed is located on left hand side of house if facing front of house. Trash company will pick up trash from the trash cans in shed on Fridays. If trash placed anywhere outside of cans, wildlife gets into trash so only inside two cans in shed, as town issues tickets to Owner.

Hope you have a wonderful stay at Wilderness and let me know if I can do



Town of Blue River

Memorandum

TO: Mayor Decicco & Members of the Board of Trustees

FROM: Town Manager Michelle Eddy

DATE: February 11, 2025

SUBJECT: **375 Wilderness**

Mayor & Trustees

On November 19, 2024 Ms. Jeffords was informed the property was ineligible for renewal due to the number of code violations received. As of 11/19/2024 there were four verified and issued code violations. Below is the Town Code pertaining to code violations and renewals as well as a list of the violations issued on the property. The number of code violations is evaluated on a calendar year basis and does not include any prior warnings, violations or tickets.

The short-term rental license for 375 Wilderness was revoked for 2025 pending appeal.

Town Code 6-1-100

Upon receipt of a timely renewal application, the Town Manager will review the application and administratively approve the renewal of the license, provided that for the year immediately preceding the date of renewal the following conditions are found by the Manager to be fully satisfied:

- (1) Threshold determination. For any application for license renewal for calendar year 2024 (i.e., for renewal applications submitted for a license that is set to expire on December 31, 2023) and for renewal applications submitted for all subsequent years, no applicant shall be entitled to a renewal if the licensed premises was not rented for at least ten (10) days during the immediately prior year. A renewal application for a licensed premises that fails to demonstrate the required rental for the minimum number of rental days in the immediately prior year shall be deemed ineligible for renewal and summarily rejected.
- (2) Eligibility determination.
 - a. The applicant for license renewal was the original applicant for the license to be renewed;
 - b. The applicant continues to meet all requirements for issuance of a license provided by Section 6-1-50;
 - c. The applicant or the property is not presently in violation of this Article, other provisions of the Municipal Code, or conditions imposed upon the license;
 - d. The applicant has not been cited for, charged with, or determined to be in violation more than three (3) times during the prior calendar year of a provision of this Article, other provisions of the Municipal Code, or a condition imposed upon the license;
 - e. The previously issued short-term rental license is current and valid and has not been suspended during the prior calendar year; and
 - f. The property has no outstanding local or state tax obligations.

If any one of the conditions of this subsection (2) are not satisfied, the Town Manager shall deny the renewal application.

The Town Manager is authorized to issue a conditional renewal requiring the license holder to promptly remedy or resolve one (1) or more issues that otherwise would necessitate rejection or denial of the application or license renewal. The license holder's failure to timely satisfy a condition of license renewal shall, without any formal action other than notice to the license holder, result in the revocation of the license renewal as if the renewal was rejected upon initial application and never issued.

Violations Issued (attached):

1/19/24-Advertising violation. Advertising for more bedrooms/occupancy than allowed

2/1/24-Second notice sent for Advertising violation.

11/1/24-Parking Violation. Cars parked in the road.

11/1/24-Party noise, trash in road.

License History

- License issued 5/9/2018
- Code Violations on the property since license issuance. Total 10.
 - 2018- Three (3) for trash violations
 - 2021-One (1) for a trash violation
 - 2023-Two (2) for trash violations
 - 2024-Four (4) advertising (2); noise and parking



Town of Blue River
0110 Whispering Pines Circle
Blue River, CO 80424
970-547-0545

January 19, 2024

Sarah Jeffords
3228 Tennyson St
Denver, CO 80212-1720

The Town of Blue River, Colorado, has received a complaint that your property at 375 Wilderness Dr , is in violation of the Blue River Municipal Code pertaining to nuisances and in need of attention. Please see code noted below.

Sec. 6-1-110 - Operating standards and requirements

Full Description: A licensed short-term rental may continue during the duration of the license period only if the rental operation and the license holder conforms to each of the operating standards and requirements set forth in this Section:

(1) Occupancy limitation. During the period of any short-term rental, the dwelling unit may not exceed an occupancy of two (2) persons for each bedroom (as defined by Section 6-1-20) plus a total of two (2) additional persons. For example, a two-bedroom residence shall be limited during the term of any short-term rental to a total occupancy of six (6) persons. The Town shall establish as a condition of the license the total maximum occupancy limitation during the term of any short-term rental.

(2) Parking limitations. The Town may establish a maximum number of vehicles that may be parked off-street at a short-term rental property based on the information provided in the application, any general parking limitations imposed by the Town, and /or a Town-inspection of the property. The Town may establish as a condition of the license the total maximum vehicle parking limitation for the short-term rental.

(3) Advertising requirements. Advertising to the public for a licensed short-term rental by any means or method, including web-based housing platforms, shall include: (1) reference to the Town-issued license number; (2) the maximum occupancy limitation imposed for the short-term rental by the Town pursuant to subsection (a) above; and (3) the maximum off-street parking limitation imposed for the short-term rental by the Town pursuant to subsection (b) above. It shall be deemed a flagrant disregard of the standards of operation to advertise that the short-term rental is available for a greater occupancy or greater parking than that established by the Town for the property.

(4) Conformance with applicable laws. The operation of the short-term rental shall at all times meet the requirements of the state and local laws generally applicable to the public and to the licensed property within the Town of Blue River, such as but not limited to, parking, outdoor lighting, noise, open fire burning, signage, animal and leash laws, trash and refuse management, and snow and ice removal. It shall be the obligation of the license holder to advise guests of all laws affecting the guests' use of the dwelling unit. It is the license holder's responsibility to ensure the operation of the short-term rental property in conformance with all Town requirements and laws and, therefore, offenses committed by guests shall adversely impair the license and the license holder's privilege to operate a short-term rental and such offenses may be cause to revoke, suspend, or penalize a license or license holder in accordance with Section 6-1-130. It shall not be a defense to any revocation, suspension, or penalty assessment that the underlying offenses were committed by the license holder's guests or invitees of the license holder's guests.

(5) Posting required. Both on the interior side of the primary entry door of the dwelling unit and also prominently placed on the counter of the dwelling unit's primary kitchen, the license holder shall post written notices in not less than twelve-point font containing the following:

- a. License holder's telephone number, text and electronic mail addresses (if applicable);
- b. Telephone contact information for a person or management company available to the guest to address issues during the rental stay in the event that the license holder cannot be reached;
- c. Quiet hours are 10:00 p.m. to 7:00 a.m. during which time activities outside and within the premises that can be heard by neighboring properties will be subject to enforcement pursuant to the Town's noise ordinance;

- d. Trash and recycling schedule and instructions on how to properly dispose of trash to prevent wildlife conflicts, if applicable;
- e. Renters are not authorized to use the Goose Pasture Tarn, the lake east of Highway 9 near the north boundary of the Town of Blue River and such use is unlawful;
- f. Parking restrictions and limitations for the property including instruction that the Town of Blue River prohibits parking of vehicles on all Town streets;
- g. Fire restrictions, if applicable;
- h. Evacuation directions in the event of fire or emergency;
- i. Location of the fire extinguisher(s);
- j. Any other information deemed necessary by the Town Manager to ensure the public's health and safety.

The Town may, at its discretion, prepare and distribute to the license holder a notice for posting meeting the information requirements of this subsection (c). In the event that the Town provides to a license holder such notice, the failure of the license holder to post the Town-prepared notice shall constitute a breach of the obligation to post notice. Individual license holders are encouraged to work with the Town in preparing a posting notice tailored to meet the special needs of the short-term rental operation and the Town requirements and the posting of such jointly prepared notice shall be deemed to meet all requirements of this subsection (e).

(6) Safety equipment. The license holder shall equip the licensed premises with the following operational equipment: smoke detector, carbon monoxide detector, fire extinguisher, and other life safety equipment as required by the Town Manager.

(7) Entry of short-term rental premises. The license holder shall allow access to the short-term rental property by Town building, fire, and zoning officials upon a pre-arranged schedule. Notice of inspection shall be mailed to the applicant's mailing address not less than ten (10) days prior to the date of the scheduled inspection. As a courtesy, the notice may also be sent to the electronic mail address (if any). Immediate entry for inspection may also be obtained by issuance of an inspection warrant by the Municipal Court or other court or administrative or regulatory body.

(8) Payment of taxes. The license holder shall pay all sales taxes, accommodation taxes, and fees owed to the Town in a timely manner.

(9) Payment of penalty assessment. The license holder shall pay all penalty assessments imposed pursuant to this Article in a timely manner.

(10) Change of information. The license holder shall notify the Town Manager within ten (10) days after knowledge of a material change to information submitted to the Town to obtain a short-term rental license. A material change includes information required by Section 6-1-70 (a)(1), (2), (4), (5), (6), and (10).

(Ord. No. 2020-15, § 3, 9-15-2020)

Comments: Advertising an occupancy of 12 in a 3 bedroom home. The maximum occupancy allowed is 8 as stated on the issued license. Ad must be corrected immediately or face fines/revocation.

Per the Municipal Code, we ask that this situation be addressed. Please respond to the Town of Blue River, Town Administrator office within 7 days of receiving this letter. Failure to correct the violation may result in the issuance of a Notice of Abatement or, a summons to the Blue River Municipal Court or both.

Thank you for your cooperation.

Sincerely,



Michelle Eddy, MMC/CPM
Town Manager/Clerk

Description:
Added By:
Date Added:

[Home](#) > [Vacation Rentals](#) > [United States of America](#) > [Colorado](#) > [Summit County](#) > [Blue River](#) >

BRECKENRIDGE WILDERNESS, Blue River

[← See all properties](#)

Save

House

BRECKENRIDGE WILDERNESS



[Overview](#) [Amenities](#) [Policies](#) [Location](#) [Host](#)

★ 4.8/5 Exceptional

[See all 32 reviews](#) >

3 bedrooms

1 bathroom

Sleeps 12

2010 sq ft

Popular amenities

Hot Tub

Kitchen

Washer

Dryer

Free WiFi

Gym

[See all](#) >

Explore the area



Breckenridge, CO

[View in a map](#) >

- Main Street 7 min drive
- Snowflake Chair Lift 10 min drive
- Beaver Run SuperChair 10 min drive
- Vail, CO (EGE-Eagle County Regional) 87 min drive

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Town of Blue River
0110 Whispering Pines Circle
Blue River, CO 80424
970-547-0545

February 01, 2024

SECOND NOTICE

Sarah Jeffords
3228 Tennyson St
Denver, CO 80212-1720

The Town of Blue River, Colorado, has received a complaint that your property at 375 Wilderness Dr , is in violation of the Blue River Municipal Code pertaining to nuisances and in need of attention. Please see code noted below.

Sec. 6-1-110 - Operating standards and requirements

Full Description: A licensed short-term rental may continue during the duration of the license period only if the rental operation and the license holder conforms to each of the operating standards and requirements set forth in this Section:

(1) Occupancy limitation. During the period of any short-term rental, the dwelling unit may not exceed an occupancy of two (2) persons for each bedroom (as defined by Section 6-1-20) plus a total of two (2) additional persons. For example, a two-bedroom residence shall be limited during the term of any short-term rental to a total occupancy of six (6) persons. The Town shall establish as a condition of the license the total maximum occupancy limitation during the term of any short-term rental.

(2) Parking limitations. The Town may establish a maximum number of vehicles that may be parked off-street at a short-term rental property based on the information provided in the application, any general parking limitations imposed by the Town, and /or a Town-inspection of the property. The Town may establish as a condition of the license the total maximum vehicle parking limitation for the short-term rental.

(3) Advertising requirements. Advertising to the public for a licensed short-term rental by any means or method, including web-based housing platforms, shall include: (1) reference to the Town-issued license number; (2) the maximum occupancy limitation imposed for the short-term rental by the Town pursuant to subsection (a) above; and (3) the maximum off-street parking limitation imposed for the short-term rental by the Town pursuant to subsection (b) above. It shall be deemed a flagrant disregard of the standards of operation to advertise that the short-term rental is available for a greater occupancy or greater parking than that established by the Town for the property.

(4) Conformance with applicable laws. The operation of the short-term rental shall at all times meet the requirements of the state and local laws generally applicable to the public and to the licensed property within the Town of Blue River, such as but not limited to, parking, outdoor lighting, noise, open fire burning, signage, animal and leash laws, trash and refuse management, and snow and ice removal. It shall be the obligation of the license holder to advise guests of all laws affecting the guests' use of the dwelling unit. It is the license holder's responsibility to ensure the operation of the short-term rental property in conformance with all Town requirements and laws and, therefore, offenses committed by guests shall adversely impair the license and the license holder's privilege to operate a short-term rental and such offenses may be cause to revoke, suspend, or penalize a license or license holder in accordance with Section 6-1-130. It shall not be a defense to any revocation, suspension, or penalty assessment that the underlying offenses were committed by the license holder's guests or invitees of the license holder's guests.

(5) Posting required. Both on the interior side of the primary entry door of the dwelling unit and also prominently placed on the counter of the dwelling unit's primary kitchen, the license holder shall post written notices in not less than twelve-point font containing the following:

- a. License holder's telephone number, text and electronic mail addresses (if applicable);
- b. Telephone contact information for a person or management company available to the guest to address issues during the rental stay in the event that the license holder cannot be reached;

- c. Quiet hours are 10:00 p.m. to 7:00 a.m. during which time activities outside and within the premises that can be heard by neighboring properties will be subject to enforcement pursuant to the Town's noise ordinance;
- d. Trash and recycling schedule and instructions on how to properly dispose of trash to prevent wildlife conflicts, if applicable;
- e. Renters are not authorized to use the Goose Pasture Tarn, the lake east of Highway 9 near the north boundary of the Town of Blue River and such use is unlawful;
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- g. Fire restrictions, if applicable;
- h. Evacuation directions in the event of fire or emergency;
- i. Location of the fire extinguisher(s);
- j. Any other information deemed necessary by the Town Manager to ensure the public's health and safety.

The Town may, at its discretion, prepare and distribute to the license holder a notice for posting meeting the information requirements of this subsection (c). In the event that the Town provides to a license holder such notice, the failure of the license holder to post the Town-prepared notice shall constitute a breach of the obligation to post notice. Individual license holders are encouraged to work with the Town in preparing a posting notice tailored to meet the special needs of the short-term rental operation and the Town requirements and the posting of such jointly prepared notice shall be deemed to meet all requirements of this subsection (e).

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(8) Payment of taxes. The license holder shall pay all sales taxes, accommodation taxes, and fees owed to the Town in a timely manner.

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(10) Change of information. The license holder shall notify the Town Manager within ten (10) days after knowledge of a material change to information submitted to the Town to obtain a short-term rental license. A material change includes information required by Section 6-1-70 (a)(1), (2), (4), (5), (6), and (10).

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(Ord. No. 2020-15, § 3, 9-15-2020)

Comments: Ad has not been changed. Second notice.

Per the Municipal Code, we ask that this situation be addressed. Please respond the the Town of Blue River, Town Administrator office within 15 days of receiving this letter. Failure to correct the violation may result in the issuance of a Notice of Abatement or, a summons to the Blue River Municipal Court or both.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Eddy". The signature is fluid and cursive, with the first name "Michelle" and the last name "Eddy" clearly distinguishable.

Michelle Eddy, MMC/CPM
Town Manager/Clerk

Description:
Added By:
Date Added:

[Home](#) > [Vacation Rentals](#) > [United States of America](#) > [Colorado](#) > [Summit County](#) > [Blue River](#) >

BRECKENRIDGE WILDERNESS , Blue River

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House

BRECKENRIDGE WILDERNESS



[Overview](#) [Amenities](#) [Policies](#) [Location](#) [Host](#)

★ 4.8/5 Exceptional

[See all 32 reviews](#) >

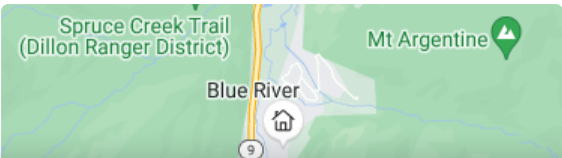
3 bedrooms 1 bathroom Sleeps 8 2010 sq ft

Popular amenities

Hot Tub Kitchen

[See all](#) >

Explore the area



Main Street 7 min drive
 Snowflake Chair Lift 10 min drive

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From: jkruse@townofblueriver.org
Sent: 11/01/2024 - 09:41 AM
To: sarahjeffords@hotmail.com, davidredpath@me.com
CC: michelle@townofblueriver.org,jkruse@townofblueriver.org
Subject: Code - Violation Warning Notice Email



Town of Blue River
0110 Whispering Pines Circle
Blue River, CO 80424
970-547-0545

November 01, 2024

Three violations issued for one case

The Town of Blue River, Colorado, has received a complaint that your property at 375 Wilderness Dr , is in violation of the Blue River Municipal Code pertaining to nuisances and in need of attention. Please see code noted below.

Sec. 8.2.10 - Purpose

Full Description: (a) It is unlawful to park upon any streets or public ways within the Town.

(b) Parking or storage of registered vehicles and/or trailers is limited to designated and maintained off-street parking spaces as defined in Section 16-1-10 of this Code. Parking or storage of vehicles or trailers on landscaped areas or any areas other than designated off-street spaces is prohibited.

(c) There shall be not more than three (3) unenclosed off-street vehicles or trailers regularly parked on the property unless a variance is granted for good cause, depending on the characteristics or the neighborhood, the size of the lot and the associated densities. (Prior code 4-1-5F; Ord. 08-07 1, 2008; Ord. 09-06 1, 2009; Ord. 13-08 1, 2013)

Comments:

Sec. 10.9.10 - Unreasonable Noise

Full Description: No person shall make, continue or cause to be made or continued any unreasonable noise; and no person shall knowingly permit such noise upon any premises owned or possessed by such person or under such person's control. (Ord. 06- 01 1,2006)

Comments:

Sec. 7.6.130 - Residential refuse disposal

Full Description: (a) Residents unable to keep their refuse container inside the home, garage, building or shed shall store their refuse in a wildlife-resistant refuse container or a refuse container enclosure approved by the Town Marshal. All containers that receive refuse edible by wildlife must be secured inside the home, garage, building or shed. Finally, any refuse container enclosure shall be attached to an existing structure, which structure must first be reviewed and approved by the Board of Trustees.

(b) Residents, tenants, renters, lessors or occupiers of property within the Town with curbside pickup shall place their refuse containers at the curb only on the day of pickup. After pickup, the containers must be resecured inside the home, garage, building or shed by 6:00 p.m. (Prior code 3-8-4).

Comments: On 10/27/24 a complaint was recieved of a loud party with loud party noise until 4:00 a.m., cars parked on the roadway, and trash littered in the yard and roadway.

Per the Municipal Code, we ask that this situation be addressed. Please respond the the Town of Blue River, Town Administrator office within 15 days of receiving this letter. Failure to correct the violation may result in the issuance of a Notice of Abatement or, a summons to the Blue River Municipal Court or both.

Thank you for your cooperation.

Sincerely.

Jen Kruse
Police Officer



Description:
Added By: Jen Kruse
Date Added: 11/01/2024



Description:
Added By: Jen Kruse
Date Added: 11/01/2024



Description:
Added By: Jen Kruse
Date Added: 11/01/2024

Project Schedule

Muller #

11008.2

Updated

2/11/2025

Muller

Muller

TOBR

Contractor

[Category 4]

[Category 5]

[Category 6]

[Category 7]

[Category 8]

Schedule start date: 02/05/25

Week Beginning

BLUE RIVER: SPRUCE CREEK RD
PRELIMINARY-LEVEL ENGINEERS OPINION OF PROBABLE CONSTRUCTION COST
 PREPARED BY
 MULLER ENGINEERING COMPANY, INC.
 April 4, 2024

				PROJECT TOTALS		
BID NUMBER	ITEM NUMBER	ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	COST
1	201-00000	CLEARING AND GRUBBING	L S	1	\$8,000.00	\$8,000.00
2	202-00035	REMOVAL OF PIPE	LF	35	\$50.00	\$1,750.00
3	203-00010	UNCLASSIFIED EXCAVATION (COMPLETE IN PLACE)	CY	1,250	\$30.00	\$37,500.00
4	203-01100	PROOF ROLLING	HOURL	17	\$150.00	\$2,550.00
5	203-01597	POTHOLING	HOURL	20	\$225.00	\$4,500.00
6	207-00205	TOPSOIL (REMOVE AND REPLACE)	CY	222	\$60.00	\$13,320.00
7	208-00002	EROSION LOG TYPE 1 (12 INCH)	LF	350	\$7.00	\$2,450.00
8	208-00041	ROCK CHECK DAM	EACH	6	\$2,000.00	\$12,000.00
9	208-00070	VEHICLE TRACKING PAD	EACH	1	\$400.00	\$400.00
10	208-00207	EROSION CONTROL MANAGEMENT	DAY	7	\$350.00	\$2,450.00
11	212-00006	SEEDING (NATIVE)	ACRE	0.28	\$5,000.00	\$1,400.00
12	216-00041	SOIL RETENTION BLANKET (STRAW/COCONUT)	SY	1,333	\$4.00	\$5,332.00
13	304-06000	AGGREGATE BASE COURSE (CLASS 6)	TON	106	\$40.00	\$4,240.00
14	403-34721	HOT MIX ASPHALT (GRADING SX) (75) (PG 58-28)	TON	585	\$200.00	\$117,000.00
15	411-10255	EMULSIFIED ASPHALT (SLOW SETTING)	GAL	106	\$4.00	\$424.00
16	506-00209	RIPRAP (TYPE L) (WITH BEDDING TYPE I)	CY	6	\$200.00	\$1,200.00
17	603-05118	18 INCH EQUIVALENT REINFORCED CONCRETE END SECTION HORIZONTAL ELLIPTICAL	EACH	4	\$400.00	\$1,600.00
18	603-02185	18 INCH EQUIVALENT REINFORCED CONCRETE PIPE HORIZONTAL ELLIPTICAL	LF	88	\$115.00	\$10,120.00
19	620-00020	SANITARY FACILITY	EACH	1	\$1,500.00	\$1,500.00
20	625-00000	CONSTRUCTION SURVEYING	L S	1	\$8,000.00	\$8,000.00
21	626-00000	MOBILIZATION	L S	1	\$25,000.00	\$25,000.00
22	630-00000	FLAGGING	HOURL	200	\$35.00	\$7,000.00
23	630-00007	TRAFFIC CONTROL INSPECTION	DAY	8	\$350.00	\$2,800.00
24	630-00012	TRAFFIC CONTROL MANAGEMENT	DAY	20	\$1,200.00	\$24,000.00
25	630-80336	BARRICADE (TYPE 3 M-B) (TEMPORARY)	EA	3	\$400.00	\$1,200.00
26	630-80341	CONSTRUCTION TRAFFIC SIGN (PANEL SIZE A)	EA	9	\$75.00	\$675.00
27	630-80342	CONSTRUCTION TRAFFIC SIGN (PANEL SIZE B)	EA	4	\$90.00	\$360.00
28	630-80355	PORTABLE MESSAGE SIGN PANEL	EA	2	\$8,500.00	\$17,000.00
29	630-80360	DRUM CHANNELIZING DEVICE	EA	40	\$40.00	\$1,600.00
30	630-80364	DRUM CHANNELIZING DEVICE (WITH LIGHT) (STEADY BURN)	EA	5	\$50.00	\$250.00
31	630-80380	TRAFFIC CONE	EA	50	\$10.00	\$500.00
32	607-11525	FENCE (PLASTIC)	LF	100	\$4.00	\$400.00
SUBTOTAL OF CONSTRUCTION ITEMS						\$316,121
CE/INDIRECT COSTS (20%)						\$63,224
TOTAL CONSTRUCTION COST						\$379,345
TOTAL CONSTRUCTION COST (ROUNDED)						\$380,000

NOTE: AGGREGATE BASE COURSE QUANTITY ASSUMES EXISTING ROADWAY MATERIAL CAN BE REUSED. ASSUME 1" OF MATERIAL REQUIRED.

February 10, 2025

Re: Town of Blue River Planning & Zoning – **Letter of Interest**

Town Manager & Board of Trustees,

I am writing to express my interest to serve on the Town's planning & zoning commission.

I have been a resident of Blue River since 2004, and in Summit County since 1994. I am a licensed electrician and professional engineer.

I have been serving for approximately (4) years on the Summit County upper blue planning and zoning commission and since summer of 2022 on the countywide planning commission.

I have a solid understanding of the Town of Blue River's Land Use Code, and would welcome the opportunity to serve the town on the planning commission.

Best Regards,



Dan L. Cleary

Letter of interest to sit on the Town of Blue River Planning and Zoning Commission Board

Ryan Whiteneck
605 Kings Crown rd. apt #305
Breckenridge, Colorado 80424
2-10-2025

Dear Town of Blue River Planning and Zoning Commission,

I am writing to express my interest in serving on the Town of Blue River Planning and Zoning Commission Board. With a strong commitment to responsible development and community growth, I am eager to contribute my skills and insights to help shape the future of our area.

I have been a resident of Summit County for the past 18 years. My experience includes working for Breckenridge Lands, owning and operating my own property management company as well as being a board member for Kings Ridge Condominium Association HOA board for the past twelve years. I am also an active real estate agent with EXP. I have developed a keen understanding of land use policies, zoning regulations, and community planning principles. My experience being on a HOA board under Beaver Run Resorts, working for Breckenridge Lands and doing property management with multiple projects requiring building permits has given me valuable insight into the challenges and opportunities in urban and regional development.

Beyond my professional background, I am deeply invested in the well-being of our community. I believe that thoughtful planning and zoning decisions are essential to fostering sustainable growth, protecting property values, and enhancing the quality of life for residents. My goal is to contribute to balanced and forward-thinking policies that align with our community's vision and needs.

I would welcome the opportunity to bring my perspective and expertise to the commission and work collaboratively with fellow board members. Thank you for considering my application. I look forward to the possibility of serving our community in this capacity and would be happy to discuss my qualifications further at your convenience.

Sincerely,
Ryan Whiteneck
Ryan.Whiteneck@gmail.com
719-332-3689

Sec. 2-4-160. Appropriations.

The Board of Trustees shall annually appropriate an amount sufficient to pay salaries and expenses incurred in connection with carrying out the provisions of this Chapter.

ARTICLE V Public Records²

Sec. 2-5-10. Policy.

- (a) It is the policy of the Town that public records shall be open for inspection at reasonable times in accordance with the requirements of the Colorado Open Records Act, Part 2, Article 72, Title 24, C.R.S. ("CORA"), and in accordance with a Town CORA Policy to be adopted by the Town's custodian of records.
- (b) The Town Clerk shall adopt, promulgate and publish on the Town's website a Town CORA Policy that addresses at a minimum timeframes, fees and availability of public records for inspection in conformity with the requirements of CORA.

(Ord. No. 2020-13, § 1, 7-21-2020)

Sec. 2-5-20. Custody; inspection.

The Town Clerk is the custodian of all records which are maintained by the Town.

(Ord. No. 2020-13, § 1, 7-21-2020)

ARTICLE VI Planning and Zoning Commission³

Sec. 2-6-10. Establishment and purposes.

- (a) There is hereby established a Planning and Zoning Commission for the Town.
- (b) The purposes of the Planning and Zoning Commission are as follows:
 - (1) To serve as the municipal planning commission in accordance with Article 23, Title 31, C.R.S.
 - (2) To serve as the municipal zoning commission in accordance with Section 31-23-306, C.R.S.
 - (3) To serve as a board of adjustment in accordance with Section 31-23-307, C.R.S.
 - (4) To serve as the board of appeal or board of review as may be contemplated or required by any Town-adopted building or safety code.

(Ord. No. 2020-09, § 1, 8-18-2020)

²Editor's note(s)—Ord. No. 2020-13, § 1, adopted July 21, 2020, repealed former Art. V, §§ 2-5-10—2-5-50, and enacted a new Art. V, §§ 2-5-10 and 2-5-20, as set out herein. The former article pertained to similar subject matter and derived from the prior code, §§ 1-10-1—1-10-4; and Ord. 06-01, § 1, adopted 2006.

³Editor's note(s)—Ord. No. 2020-09, § 1, adopted August 18, 2020, repealed former Art. VI, §§ 2-6-10—2-6-120, and enacted a new Art. VI, §§ 2-6-10—2-6-90, as set out herein. The former article pertained to similar subject matter and derived from Ord. 05-01, §§ 1, 2, adopted 2005; and Ord. 05-05, § 2, adopted 2005.

Sec. 2-6-20. Definitions.

Certain terms as used in this Chapter are defined in this Section.

Commission means the Planning and Zoning Commission of the Town.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-30. Membership and board liaison.

- (a) The Planning and Zoning Commission shall be comprised of seven (7) members. Members shall be selected by the Board of Trustees pursuant to a selection method deemed acceptable by a majority of the Board. In accordance with Section 31-23-203(2), C.R.S., all members of the Planning and Zoning Commission shall be bona fide residents of the Town and, if any member ceases to reside in the Town, his or her membership on the Commission shall automatically terminate and a vacancy shall be declared.
- (b) The Board of Trustees may appoint a trustee to serve as a non-voting liaison to the Planning and Zoning Commission. Although not a member of the Commission, the liaison may participate in the consideration of any and all matters pending before the Commission and shall provide input and direction concerning Town policies and regulations. The term of such liaison appointment and the removal of the liaison shall be subject to the discretion of the Board of Trustees provided that an appointment shall automatically expire upon the expiration of the Board office of the appointed trustee. The Board of Trustees may remove a liaison, appoint a new liaison, or otherwise direct the liaison in the performance of the liaison's duties at the Board's discretion.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-40. Terms.

- (a) Except for the initial resetting of terms to create staggered terms of members as provided in subsection (b) below and except for terms resulting from the filling of a vacancy as provided in Section 2-6-50(d), each member of the Commission shall be appointed to serve a term of four (4) years. Such term shall commence on January 1 of a year and shall terminate on the December 31 immediately preceding the fourth anniversary of the date of the commencement of the appointment.
- (b) On December 31, 2020, the Planning and Zoning Commission shall be reorganized in order that the Board of Trustees may create staggered terms through the reappointment of former members and/or the appointment of new members to the Commission. In November or December of 2020, the Board of Trustees shall select and appoint: (i) three (3) members to each serve a two-year term commencing January 1, 2021, and terminating on December 31, 2022; and (ii) four (4) members to each serve a four-year term commencing January 1, 2021 and terminating on December 31, 2024. Upon the termination of these initial terms, all future appointed members shall serve a four-year term as provided in subsection (a) above.

In order to fill the initial terms of the reorganized Planning and Zoning Commission described in (b) above which terms commence on January 1, 2021:

- (1) The Board shall retain and reappoint the three (3) current members who will not have fully served their currently appointed terms of office as of December 31, 2020. Each of the three (3) current members shall be appointed to new two-year terms commencing January 1, 2021 and terminating on December 31, 2022. In the event that a current member who will not have fully served their currently appointed terms of office as of December 31, 2020 is not interested in reappointment, the Board shall appoint a person to serve the two-year term in the same manner as four-year terms provided in (3) below; and

- (2) The Board shall encourage current members whose terms are scheduled to expire on December 31, 2020, to reapply for the Commission and, in addition, the Board shall cause the openings of positions on the Planning and Zoning Commission to be publicly advertised in order to solicit possible interest in service from the general public; and
- (3) From a pool of applicants that includes interested current members whose terms expire on December 31, 2020, and any other qualified applicants for the Commission, the Board shall appoint four (4) persons to serve four-year terms, such terms commencing on January 1, 2021; and, in addition, the Board shall appoint persons to fill any positions not accepted by an existing member pursuant to (1) above.
- (c) No member may serve more than two (2) consecutive terms. A "term" shall include: (i) a four-year term; (ii) a two-year term as provided in subsection (b) above; (iii) a partial term that created a vacancy as provided in Section 2-6-50(b); (iv) a partial term served through the filling of a vacancy provided by Section 2-6-50(d); and (v) any term or portion of a term served by a member during the period of January 1, 2015 and December 31, 2020. A member having served two (2) consecutive terms shall not be eligible for a new appointment to the Commission for two (2) years following the last date of service on the Commission. Notwithstanding the forgoing, the Board of Trustees may reappoint a member to a third consecutive term where the Board determines that there are no other candidates deemed eligible and qualified by the Board for service on the Commission.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-50. Vacancies and removal.

- (a) Membership on the Commission is deemed at-will and a member of the Commission may be removed by the Board of Trustees for any or no reason.
- (b) A vacancy on the Planning and Zoning Commission shall occur whenever a member of the Commission is removed by the Board of Trustees, dies, resigns, becomes incapacitated or is otherwise unable or unwilling to perform his or her duties for a period of ninety (90) days, or ceases to reside within the Town.
- (c) A member's failure to attend three (3) or more Commission meetings during a twelve-month period shall be reported to the Board of Trustees by the Commission Chairperson.
- (d) In the event a vacancy occurs, the Board of Trustees shall appoint a successor to fill the vacancy and serve the remainder of the term of the former member.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-60. Organization.

The Commission shall select its own Chairperson and a Vice Chairperson from among its members. The Chairperson or, in his or her absence, the Vice Chairperson shall be the presiding officer of all Commission meetings. In the absence of both the Chairperson and the Vice Chairperson from a meeting, the members present shall appoint a member to serve as acting Chairperson at the meeting.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-70. Meeting location.

All meetings of the Planning and Zoning Commission shall be held at the Blue River Town Hall unless otherwise approved by the Town Manager.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-80. Duties of the Commission.

The Planning and Zoning Commission shall have the following functions and duties:

- (1) To make and recommend to the Board of Trustees plans for the physical development of the Town, including any areas outside its boundaries, subject to the approval of the legislative or governing body having jurisdiction thereof, which in the Commission's judgment relate to the planning of the Town.
- (2) To make recommendations to the Board of Trustees or to render final decisions on such matters delegated to the Planning and Zoning Commission by Chapters 16 (Zoning), 17 (Subdivision), and 18 (Building Code) of this Municipal Code.
- (3) To review and recommend to the Board of Trustees desirable or necessary modifications to Chapters 16, 17, and 18 of this Municipal Code.
- (4) To hear and decide appeals from and review any order of any administrative official charged with the enforcement of the Town's zoning or subdivision regulations as such authority may be delegated to the Commission by the Municipal Code and Section 31-23-307, C.R.S.
- (5) To hear and decide appeals from decisions of the Building Official pursuant to Chapter 18 of this Municipal Code.
- (6) To consider any other matters pertaining to the Commission as provided by law, resolution or ordinance, to act in an advisory capacity to the Board of Trustees when so requested, and to perform all other powers and duties authorized and required by ordinance or state law.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-90. Authority to promulgate bylaws and forms.

- (a) The Commission is authorized to promulgate and approve bylaws to govern the Commission's performance of its duties and the conduct of Commission meetings. Bylaws shall not conflict with any provisions of the Municipal Code and shall be subject to review and comment by the Town Manager and Town Attorney prior to promulgation for the purpose of ensuring conformance with applicable laws, policies, and practices of the Town. A copy of any promulgated bylaws and any bylaw amendment shall be promptly provided to the Board of Trustees after Commission approval and the Board may, at its discretion and after consultation with the Commission Chairperson, repeal, modify, or amend the bylaws.
- (b) In consultation with the Town Manager, the Commission may promulgate forms, checklists, and other materials deemed reasonably necessary by the Commission to administer, implement and supplement the purposes, powers, and duties assigned or delegated to the Commission by this Municipal Code. Such forms shall not modify, alter, amend, or repeal any provision of this Municipal Code. A copy of any promulgated form shall be promptly provided to the Board of Trustees after Commission approval and the Board may, at its discretion and after consultation with the Commission Chairperson, repeal, modify, or amend the form.

(Ord. No. 2020-09, § 1, 8-18-2020)

Sec. 2-6-100. Effective date of Planning and Zoning Commission decision.

- (a) Recommendations and advisory decisions. Recommendations or advisory decisions of the Planning and Zoning Commission that are subject to later consideration or review and a final decision by the Board of Trustees in accordance with the Municipal Code shall be effective at the time of the recommendation or decision.

- (b) Final decisions. Decisions of the Planning and Zoning Commission concerning an application for development or improvement of property which decision is final and subject to appeal to the Board of Trustees in accordance with the Municipal Code shall be deemed effective six (6) days following the date of the decision provided that no appeal is submitted pursuant to Section 2-6-110. During such six-day period, no building or other permit or authorization concerning the development or improvements that are the subject of the Commission's decision shall be issued by the Town and, if issued in error, shall not be effective and may be revoked.
- (c) Zoning variances. Decisions of the Planning and Zoning Commission concerning an application for variance as provided by Article 11 of Chapter 16 (zoning variances) shall be effective immediately upon execution of a Commission Resolution granting or denying the variance and shall not be subject to an appeal as provided by Section 2-6-110. Appeals of a zoning variance decision shall be available in accordance with state law.

(Ord. No. 2021-05, § 1, 2-16-2021)

Sec. 2-6-110. Appeal of final Planning and Zoning Commission decision.

- (a) This Section shall apply only to final decisions of the Planning and Zoning Commission as set forth in Section 2-6-100. This Section shall not apply to recommendations, advisory opinions, or to decisions to grant to deny a variance as provided by Article 11 of Chapter 16 (zoning variances).
- (b) An appeal of a final decision issued by the Planning and Zoning Commission may be brought to the Board of Trustees in accordance with this section by any person that sufficiently alleges in accordance with Colorado law: (1) a legally recognized injury-in-fact from the decision to be reviewed; and (2) such alleged injury is to a legally protected interest.
- (c) A complete and timely filing of a notice of appeal and the processing to conclusion of such appeal evidenced by the issuance of a decision by the Board of Trustees pursuant to this Section is a jurisdictional prerequisite to the further right of appeal under Rule 106(a)(4) of the Colorado Rules of Civil Procedure.
- (d) An appeal requires strict conformance with the following process:
 - (1) Within five (5) business days of the date of the Planning and Zoning Commission decision, the party seeking appeal (the "appellant") shall submit to the Town a timely and complete notice of appeal. Submission of the notice of appeal shall be made by physical delivery to the Town Manager or, as an alternative to physical delivery, the notice of appeal may be transmitted by electronic mail if addressed to both the Town Manager and the Mayor at electronic mail addresses available on the Town's official website. To be deemed timely and complete, a notice of appeal shall include:
 - a. The name, telephone number, and electronic mail contact information for the appellant, an explicit demand for appeal, the name or title associated with the application, the date of the Planning and Zoning Commission's decision, and a description of the general errors, grounds, or reasons supporting the appeal;
 - b. A statement setting forth the specific basis for an injury-in-fact and a legally protected interest which basis would confer upon the appellant the standing or legal right of appeal as required by Section 2-6-110(a) and the law of the State of Colorado.; and
 - c. Full payment of any Town-imposed appeal fee established by the Town Manager as reasonably related to the cost of providing notice and conducting a hearing. Such fee is non-refundable.
 - (2) The Town Manager, in consultation with the Town Attorney, shall determine whether a submitted notice of appeal is timely and complete. The appellant shall be promptly notified by the Town Manager of such determination.

- (3) Failure to timely submit a complete notice of appeal shall be deemed a failure to submit an appeal and a failure to meet the jurisdictional prerequisite for further right of appeal under Rule 106(a)(4) of the Colorado Rules of Civil Procedure.
- (4) Upon receipt of a timely and complete notice of appeal:
 - a. No building permits or other Town authorizations or approvals shall be issued for the development or the improvements that are the subject of the appeal of the Planning and Zoning Commission decision until the conclusion of the appeal.
 - b. The Town Manager shall schedule the appeal to be considered by the Board of Trustees at the Board's earliest available opportunity and with sufficient time to meet applicable notice requirements. Such date of appeal shall not to exceed sixty (60) days following the Planning and Zoning Commission final decision.
 - c. The Town Manager shall cause to be prepared and published and/or posted public notice of the appeal and the scheduled appeal hearing. Such notice shall comply with the same notice requirements applicable to the original hearing of the matter before the Planning and Zoning Commission.
 - d. The Town Manager shall cause the record of the Planning and Zoning Commission proceeding to be prepared and distributed to the Board of Trustees together with the notice of appeal and any materials or documents submitted by the applicant, the appellant, or other interested parties.
- (5) At the scheduled date and time of the Board of Trustees' consideration of the appeal:
 - a. The Town Manager and/or the Town Attorney shall present general information concerning the original application, the appeal, and the development or the improvements that comprise the subject of the appeal.
 - b. The Board of Trustees shall conduct a quasi-judicial, *de novo*,⁴ public hearing on the appeal. The applicant, appellant (if not the applicant), and all interested parties shall be provided a reasonable opportunity to address the Board of Trustees in accordance with any adopted rules of procedure or practices of the Town.
 - c. The Board of Trustees shall render a final decision on the application subject to appeal. Such decision may, at the Board's option, be evidenced by a resolution or other form of written decision. The Board of Trustee's decision shall not be subject to further appeal pursuant to this section and further appeal shall be available pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure or other available judicial process or procedure.
- (6) During the pendency of an appeal, the Town shall suspend the effective date of the Planning and Zoning Commission's decision pending the final decision of the Board of Trustees.
- (7) The date of the final decision for purposes of judicial review pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure or other available judicial process or procedure shall be the date of the Board of Trustee's final decision on appeal.
- (8) In the event of a withdrawal of the appeal by the appellant prior to the issuance of a final decision on appeal by the Board of Trustees, the Planning and Zoning Commission's original decision shall be deemed the final decision on the matter effective as of the date of the Planning and Zoning Commission's original decision.

⁴*De novo* means that the proceeding will be treated as a completely new matter as if it had not been previously heard or decided.

TOWN OF BLUE RIVER, COLORADO

RESOLUTION 2021-09

**A RESOLUTION APPROVING THE BYLAWS AND RULES
OF ORDER FOR THE
BLUE RIVER PLANNING & ZONING COMMISSION**

WHEREAS, the Town of Blue River (the "Town") is authorized to create a planning and zoning commission and to provide for the efficient and effective administration of the commission's duties; and

WHEREAS, the Board of Trustees desires to establish rules of procedure for the Blue River Planning and Zoning Commission to enable the Commission to successfully meet the Commission's obligations under Colorado law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER THAT,

Section 1. Approval of Bylaws and Rules of Order. The Board of Trustees of the Town of Blue River hereby approves the attached *Planning & Zoning Commission Bylaws and Rules of Order*.

Section 2. Minor Amendment. The Board of Trustees hereby delegates to the Town Manager the authority to make minor, non-substantive amendments to the *Bylaws and Rules of Order* to correct typographical errors, grammar, and to make other minor editing without later or subsequent need for approval by the Board of Trustees.

Section 3. Other Amendments. Substantive amendments of the *Bylaws and Rules of Order* may be suggested by the Blue River Planning and Zoning Commission to the Board of Trustees for consideration and approval, and the Board of Trustees may make substantive amendments, as provided by law.

Section 4. Effective Date. This Resolution shall be effective immediately upon approval.

ADOPTED at a regular meeting of the Board of Trustees the **21** day of **July**, 2021.

Toby Babich
Toby Babich, Mayor

ATTEST:

Michelle Eddy
Town Clerk



Town of Blue River

Planning & Zoning Commission Bylaws and Rules of Order

These Bylaws and Rules of Order are intended to govern the operations and actions of the Blue River Planning and Zoning Commission ("Planning Commission") in the performance of the Planning Commission's duties and responsibilities.

1.0 Creation of the Planning and Zoning Commission.

The Blue River Planning and Zoning Commission is established by Article VI of the Blue River Municipal Code in accordance with Article 23 of Title 31, C.R.S. The Planning Commission is primarily an advisory commission to the Board of Trustees with limited final decision-making responsibilities for zoning variances and certain major site planning applications. Article VI of the Municipal Code provides for the following regarding the Planning Commission:

- Duties and Responsibilities
- Commission Organization
- Selection of Chairperson
- Membership Requirements
- Appointment for Vacancies
- Removal from Appointment
- Meeting Location

2.0 Attendance, Preparation, and Participation.

- A. Attendance. Planning Commission members are required to attend all regular and special meetings of the Planning Commission unless excused from attendance in accordance with subsection (B) below. It is expected that Planning Commission meetings start on time and that Planning Commission members be punctual in attendance. In accordance with Section 2-6-50 of the Blue River Municipal Code, a member's failure to attend three (3) or more Commission meetings during a twelve-month period shall be reported to the Board of Trustees by the Commission Chairperson. Absences from meeting can constitute grounds for removal of a member.

- B. Excuse from Attendance. A Planning Commission member shall be excused from attendance by the Commission Chairperson where the member has an unforeseeable or unavoidable situation or circumstance that prevents attendance, such as but not limited to, emergency, illness, vacation scheduled well in advance of a meeting, or last-minute familial or employment obligation; and
- (i) The member notifies the Chairperson or Town Manager of the general reason for absence *prior to the start of the meeting*; or
 - (ii) The member notifies the Chairperson or Town Manager promptly following the meeting of the of the general reason for absence and the circumstances that did not permit the member to timely contact the Chairperson or the Manager of the need for an excuse from attendance.
- C. Record of Absences. The Chairperson, in consultation with the Town Manager, shall cause to be recorded all absences of members. Where an absence is excused, the record shall indicate the general reason justifying the excuse. The record of absences shall be provided to the Board of Trustees upon the Board's request.
- D. Preparation. Planning Commission members shall prepare in advance for all meetings and demonstrate familiarity with the agenda and the general matters to be decided. Members are expected to have reviewed the materials assembled by administrative staff for each meeting.
- E. Participation. Planning Commission members are expected to actively participate in discussion.

3.0 Meetings to be Public – Executive Sessions.

All meetings of the Planning Commission shall be conducted in accordance with the Colorado Open Meetings Law and shall be open to the public. Executive sessions may be held in accordance with Colorado Open Meetings Law and the Planning Commission is strongly encouraged to seek the advisement and consent of the Town Attorney prior to every executive session.

4.0 Quorum

A majority of the members of the Planning Commission in office shall constitute a quorum for the transaction of business at all Commission meetings where a quorum is required. In the absence of a quorum, a lesser number may adjourn any meeting to a later date or time. In the absence of all members, the Town Manager or Town Clerk may adjourn the meeting for not longer than five (5) weeks. In the event any meeting is adjourned to a later date, the Town Manager or Town Clerk shall prepare and cause to be delivered to each member of the Planning Commission a notice setting forth the date and hour to which such meeting has been adjourned.

5.0 Notice.

Meetings of the Planning Commission shall be conducted only following issuance of notice as required by applicable law. At a minimum, notice shall be provided as to the meeting date, time, and place (or means of electronic access if attendance is allowed virtually) and an agenda should be provided, if available.

Where required notice is not properly made for the meeting or for any agenda item during a meeting, the meeting or meeting agenda item shall be promptly continued upon announcement of the Chairperson without the taking of any additional evidence or testimony. Such announcement shall include the date, time and place of the continued meeting or meeting agenda item. If a future meeting date is unknown, the announcement shall state that the continued meeting will be re-noticed as to the date, time, and place.

6.0 Recording of Meetings.

All public meetings of the Planning Commission shall be recorded, and such recordings shall be maintained and made available upon request in accordance with the Colorado Open Records Act.

7.0 Parliamentary Rules.

The Planning Commission shall use *Bob's Rules of Order* (attached) as the primary parliamentary rule of order for all meetings of the Commission. The Planning Commission may by majority vote adopt another procedure or rule of order for the conduct of business. A process or procedure followed without objection by a member shall be deemed an implied approval of such process or procedure by the Commission.

8.0 Chairperson.

The Planning Commission shall select its own Chairperson and Vice Chairperson from among its members. The Chairperson or, in his or her absence, the Vice Chairperson shall be the presiding officer of all Commission meetings.

In the absence of both the Chairperson and the Vice Chairperson from a meeting, the members present shall appoint a member to serve as acting chairperson at the meeting. Upon the later attendance of an absent Chairperson or Vice Chairperson at a meeting, the acting chairperson shall relinquish the chair upon the introduction of the next agenda item.

The Planning Commission Chairperson shall be responsible for conducting the meetings of the Planning Commission in an orderly and democratic manner.

The Chairperson shall serve as the parliamentarian for all meetings and shall decide all questions of order subject to appeal by the Planning Commission. The Chairperson may confer with the Town Attorney or the Town Manager for direction and advice as to the proper parliamentary procedure.

9.0 General Meeting Procedure.

Meetings of the Planning Commission generally follow this format unless otherwise approved by the Chairperson with the consent of a majority of the Commission:

1. Chairperson calls the meeting to order.
2. Town Staff completes roll call and determines if a quorum exists. Town Staff may declare that appropriate notice was provided for the Commission meeting.
3. Chairperson explains rules and format that will guide the meeting and any public hearings. The general rules and format are as follows:
 - a. The Chairperson may establish a uniform time limit (typically not less than 3 minutes) for each person who will offer public comment if the Chairperson determines a time limit is necessary to conduct the meeting or hearing in an orderly and timely manner and to give all scheduled applicants and participants a fair and reasonable amount of time to be heard. If time limits on testimony are to be set, the Chairperson will advise the audience of the time limits at the start of the agenda item. Time limits shall not apply to the applicant or applicant representatives although the Chairperson may intercede or set limits if the applicant or applicant representatives are unduly repetitive in the delivery of information.
 - b. Individuals seeking to address the Planning Commission shall state their name and address unless the individual requests to forgo providing an address due to reason of personal privacy. Speakers are encouraged to present new information that has not previously been heard or entered into the record and to refrain from presenting cumulative or repetitive remarks or testimony.
 - c. For each agenda item, the Chairperson or Staff shall read the agenda item into the record and state if it the agenda item requires a public hearing.
 - (1) For agenda items not requiring a public hearing:
 - (i) Staff makes a general presentation for the agenda item.
 - (ii) With permission of the Chairperson, other persons in attendance including citizens or invited guests may provide comments to the Commission.
 - (iii) The Commission members and Chairperson may ask questions of the staff, citizens, or invited guests attending the meeting.
 - (iv) Where a decision is to be rendered by the Commission, the Chairperson shall open discussion and deliberation on the agenda item by the Commission members.
 - (v) The Chairperson shall ensure that any necessary decisions or conclusions are reached by the Commission for the agenda item.

- (2) For agenda items requiring a public hearing:
- (i) Staff makes a general presentation for the agenda item and reviews the staff report which includes a summary of the request, applicable regulations, and an analysis of the how the application meets or does not meet the required criteria. Other Town staff may be recognized and asked or given an opportunity to comment on the application. Staff shall tender any timely submitted written public comments into the record.
 - (ii) Commission members and the Chairperson may then ask staff questions.
 - (iii) The Chairperson then requests that the applicant make a presentation. If the applicant forgoes the opportunity to make a presentation, the Chairperson may ask the applicant if the applicant understands that the applicant bears the burden of proving all the elements necessary for approval of the application.
 - (iv) Commission members and the Chairperson may then ask the applicant questions.
 - (v) Chairperson opens the meeting to the public for questions or comments on the application or issue. The Chairperson must call on or recognize each speaker before speaking. The Chairperson may remind the public of the expected protocol and time limits for speaking, if warranted.
 - (vi) Commission members and the Chairperson may ask any speaker questions at any time during the public hearing. Time devoted to questions and responses shall not be included in any established time limits imposed on an individual speaker.
 - (vii) The Chairperson shall provide the applicant an opportunity to provide a rebuttal to the comments presented by the public. If, in the determination of the Chairperson or a majority of the Commission, the rebuttal offers new factual evidence of a substantive nature impacting the application, the Chairperson may at his/her discretion afford the public an opportunity to present comments limited only to the new factual information.
 - (viii) Chairperson closes the meeting to further public comment. The Chairperson may re-open the meeting at a later time for public comment at his/her discretion.

- (ix) Commission members deliberate. Members or the Chairperson may ask questions of staff, the applicant, or the public.
 - (x) Commission takes action per Section 5 below.
- (3) Adjourn the meeting.

10.0 Support for Planning Commission Decisions.

Every Planning Commission member is expected to abide by and act in accordance with decisions made by the majority of the Planning Commission notwithstanding the member's disagreement with the majority's decision. Members may publicly express that they voted in the minority or disagreed with the majority's decision, provided that the member respects and acknowledges the majority decision as binding on the Planning Commission and the member.

11.0 State Code of Ethics Applicable.

The *Code of Ethics* of the State of Colorado (Part 1, Article 18, of Title 24, C.R.S.) shall apply to Planning Commission members notwithstanding any conflicting or supplementing provisions of these *Bylaws and Rules of Order*.

12.0 Conflicts of Interest.

- A. Conflicts of Interest Prohibited. No Planning Commission member shall participate in, or take any official action regarding, any matter before the Commission in which the member knows or should have known that the member would have a conflict of interest.

A conflict of interest is defined as:

1. The member, or the member's relative by blood, marriage, or adoption, has an economic, financial, or pecuniary interest (monetary) that will be affected directly and substantially by the outcome of the matter pending before the Commission.
2. The member, or the member's relative by blood, marriage, or adoption, holds a private business interest in the matter pending before the Commission. A private business interest includes an employment or contractual relationship with persons or entities holding an interest in the matter pending before the Commission. In addition, a private business interest shall exist where the member is engaged as counsel, consultant, representative, or agent of an individual or business appearing before the Commission on a matter.
3. The member, or the member's relative by blood, marriage, or adoption, holds a personal or private interest in the matter pending before the Commission. A personal interest includes – from the viewpoint of a reasonable person – that the member likely holds a position, preference, or desire for a specific outcome in the matter pending before the Commission in order to serve the member's personal

interest as opposed to the interests of the general public. A personal or private interest shall not present a conflict where participation by the conflicted member is necessary to obtain a quorum and the member has, in consultation with the Town Attorney, successfully submitted a voluntary disclosure to the secretary of state in accordance with C.R.S. § 24-18-110.

4. The member, or the member's relative by blood, marriage, or adoption, owns property or resides at property located within 300 feet of a property that is the specific subject of consideration by the Commission. Distance shall be measured from property line to property line without regard to topography (i.e., on a two-dimensional map).
 5. For a *quasi-judicial* matter, the member publicly expressed a position, preference, or desire for a particular outcome associated with a matter pending before the Commission. Such expression includes soliciting other Commission members or soliciting members of the public to oppose or support a matter, joining in efforts or activities to support or oppose a matter under consideration by the Commission, or the appearance and advocacy on the matter before a board, commission, committee, or other body.
 6. For a *quasi-judicial* matter, the member elected to exercise his or her private First Amendment right as a citizen to advocate for or against a matter pending before the Commission.
 7. For a *quasi-judicial* matter, the member was absent from: (i) any part of the presentation of the evidence and testimony; or (ii) from a significant part of the Commission's discussion or consideration of the matter.
- B. Disclosure and Disqualification Required. A Commission member shall disclose any conflict of interest and disqualify him or herself from participating in the matter. Disqualification shall specially bar or preclude the member from discussing the matter with other Commission members, from sitting as an active or participating member during consideration of the matter, and from voting on the matter.
- C. Involuntary Disqualification by Commission. In the event that a majority of a quorum of the Planning Commission determines that a member holds a conflict of interest, the Commission may disqualify the member from a matter notwithstanding the conflicted member's failure to recognize or agree to the existence of a conflict of interest. In determining the required quorum and the vote for such involuntary disqualification, the member subject to disqualification shall not be included in the Commission's discussion and shall not vote of the question of disqualification.
- D. Disqualification by Town Attorney. The Town Attorney may determine, after consultation with a member, that the member holds a conflict of interest and is disqualified from a matter. The Town Attorney's determination is binding and not appealable by the Commission or by the conflicted member.

13.0 Ex Parte Communications – Quasi-judicial Matters.

- A. Ex parte Rule. No member of the Planning Commission shall voluntarily and knowingly engage in ex parte communications concerning a *quasi-judicial* matter.¹ Breach of this obligation may constitute grounds from removal of the member from the Commission by the Board of Trustees.
- B. Defined. For purposes of these Bylaws, an *ex parte* communication is a communication (oral, written, electronic mail or text messaging) with another Commission member, a Board of Trustee member, or any other person made outside of a properly noticed public hearing regarding a *quasi-judicial* matter which is or will be presented before the Planning Commission for consideration and/or discussion.
- C. Exceptions. An *ex parte* communication does not include a communication regarding procedural aspects of a matter (*i.e.*, an inquiry from, or providing informing to, a citizen concerning the date and time of a hearing and encouraging attendance) or a general non-substantive communication with Town administrative staff that would aid the member in understanding details of an application or matter. Discussions with Town administrative staff concerning the merits of an application such as the justification or reasons for approval or denial are always *ex parte* communications. All communications with the Town Attorney regarding a quasi-judicial matter are not *ex parte* communications.
- D. Disclosure Required. In the event that a member of the Planning Commission engaged in or receives ex parte communications, the member shall bring the communication to the attention of the Town Manager. The Town Manager shall seek to remedy the violation through disclosure of the communication on the public record, when and if possible.

14.0 Email.

- A. Town Issued Email. All Planning Commission members will receive a Town of Blue River assigned email account for the purposes of communications regarding Planning and Zoning Commission business. Email account use is subject to rules and restrictions imposed by the Town and will be discontinued upon expiration or termination of a member's term or at an earlier date as determined by the Town.
- B. Email Use. All members shall use the Town issued email only for public related business associated with the member's role as a Planning Commission member.
- C. Prohibition on Use of Private Email. Planning Commission members shall not use any email or text message system other than the Town issued email for the conduct of business associated with the member's role as a Planning Commission member.
- D. Email Subject to Disclosure. Members must abide by all laws regulating communication

¹ *Quasi-judicial* matters generally involve applications submitted to the Planning Commission seeking approval of a plan or proposal, a notice of public hearing is issued, and a public hearing is held to decide the rights of the applicant for approval. It shall not be a defense or excuse for a member to fail to properly recognize that a matter is quasi-judicial in nature.

by the State of Colorado through the Colorado Open Records Act and Colorado Open Meetings Law. Email messages may, at the Town's option, be disclosed to the public.

15.0 Duty to Maintain the Confidentiality of Privileged Information.

No Planning Commission member shall disclose privileged or confidential information provided to the member by the Town unless the member has received express authorization from the Town Manager or Town Attorney for disclosure. Authorization for disclosure shall not be implied.

16.0 Amendment.

These Bylaws and Rules of Order may be altered, amended or repealed and new bylaws may be adopted by the Board of Trustees.

ADOPTED BY THE BOARD OF TRUSTEES 2021.

TOWN OF BLUE RIVER, COLORADO

STAFF REPORT

TO: Mayor & Members of the Board of Trustees
THROUGH: Michelle Eddy, Town Manager
FROM: Bob Widner, Town Attorney
DATE: February 13, 2025
SUBJECT: Ordinance No. 2025-02 - Measurement of Setbacks from Town Roads

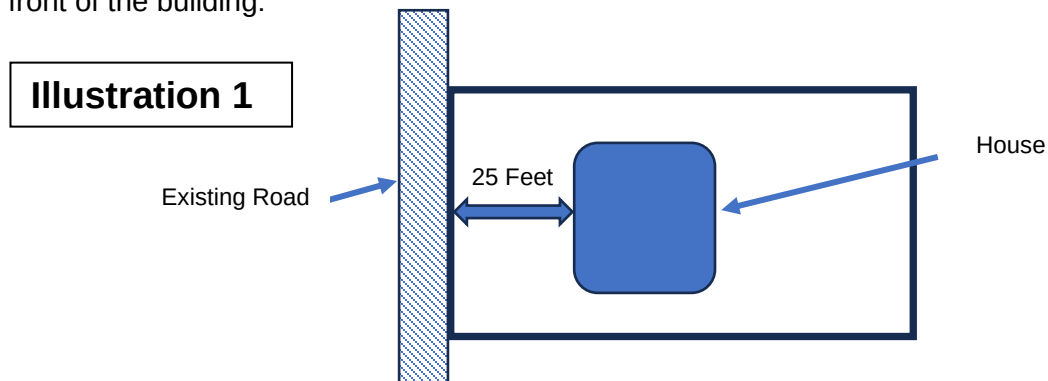
Problem

As the Board recalls, one or more developments in the Town resulted in the construction of buildings in what might be seen as close proximity to an existing road. These developments illustrated the specialized problem within Blue River created by using lot boundaries to measure setbacks where a constructed or existing road is located within the boundary of the lot.

Background

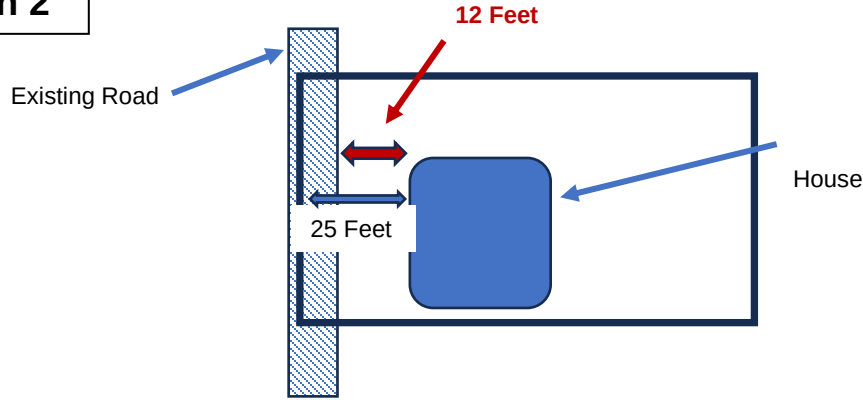
Setbacks are commonly understood and used in land use to require the reservation of space between two points.

For example, a “front yard setback” may be declared by the land use code to be “25 feet.” The declared 25-foot front setback would traditionally be measured from the front lot line to the closest part of a building or structure. Where the lot line of a lot is contemporaneous or matches the edge of a right-of-way, the method of setback works properly and allows enough space between travelling vehicles on the road and the front of the building:



But where a road is located within the boundaries of a lot, the setback measured from the lot line may cause the building to be located too close to the road:

Illustration 2

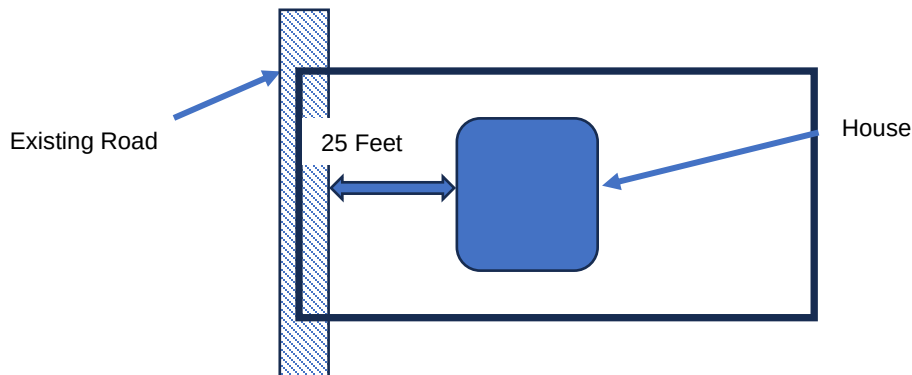


This situation is not typically found in many communities. Blue River, however, was developed through a series of subdivision plats where the platted road easement (the location where a road should be placed) does not always correspond to the location where the road was actually constructed. As a result and when using the traditional method of measuring setbacks, there is potential that a building may be located too close in proximity to the actually constructed road used by the general public.

Solution

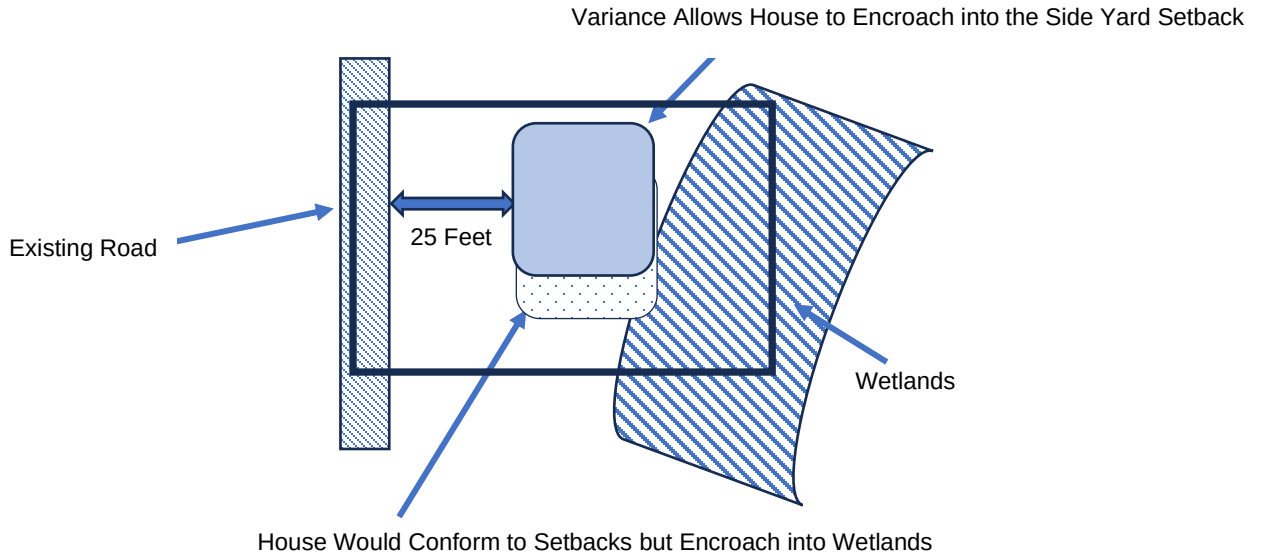
The solution to try and resolve this potential conflict involves requiring the setback for new structures to be measured either:

- (1) from the lot line, when the lot line is closer to the structure than the actual existing road (See **Illustration 1** above); or
- (2) from the actual existing road, when the existing road is located within the lot. (See below)

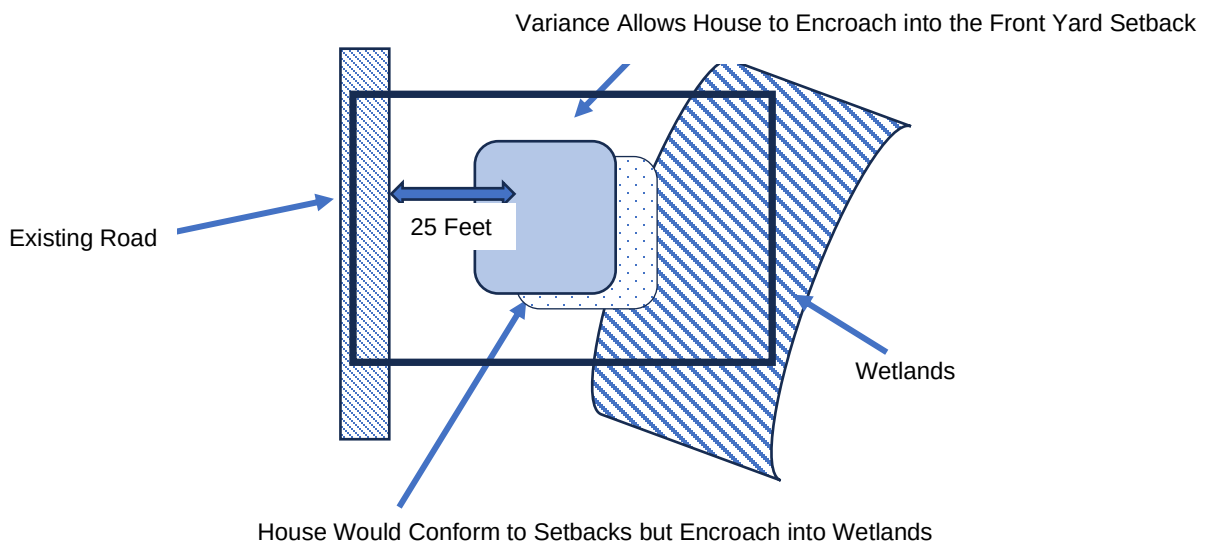


Special Consideration

There may be a few situations where the existing road sits well within the lot, thereby making it more challenging to locate the house within the lot due to some special circumstance such as a wetland or other feature. The remedy to such a situation will be to resort to the granting of a variance to enable the property owner to encroach into other setbacks within the property to make reasonable use of the lot.



That encroachment may also include a variance allowing the house to be located closer to the road than required by the established front setback. See below



TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2025-02

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, AMENDING SECTIONS OF ARTICLE 4 OF CHAPTER 16B AND AMENDING THE DEFINITION OF “SETBACK” IN ARTICLE 3 OF CHAPTER 16, IN THE BLUE RIVER MUNICIPAL CODE (CHAPTERS OF THE BLUE RIVER LAND USE CODE) ALL PERTAINING TO THE MEASUREMENT OF SETBACKS

WHEREAS, the Town of Blue River was incorporated in 1964 as a statutory municipality organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS:

- A. Colorado state law authorizes municipalities to regulate land use and development including but not limited to ensuring adequate setbacks to best protect the health, safety and welfare of the public.
- B. In 2023, the Board of Trustees for the Town of Blue River (“Board”) adopted in 2023 the Blue River Land Use Code (“LUC”) which is a part of the Blue River Municipal Code, to govern and regulate the use of land within the Town; and
- C. The LUC regulates the location of buildings and structures within a lot by the use, in part, of “setbacks” which are commonly understood to be a set distance from a property line or from a point, line, easement, land feature (such as water body, floodplain, or steep slope), or other recognized element found within or adjacent to a lot; and
- D. The Board of Trustees finds that the construction of buildings and structures in close proximity to public roads, and also in areas of floodways and floodplains, presents a potential harm to both the occupants of the building or structure and the public; and
- E. The Board of Trustees finds that it is commonly accepted planning and land development practices to require a setback of buildings and structures from roads to protect the health safety and welfare of the public; and
- F. The determination of the appropriate setbacks and appropriate means of measuring a setback is a legislative determination of a municipality.

BE IT ORDAINED by the Board of Trustees of the Town of Blue River, Colorado, as follows:

Section 1. Amendment of Section 16B-4-30(b)(3). Subsection (b)(3) of Section 16B-4-30 of the Municipal Code of the Town of Blue River titled *Easements* is amended to read as follows:

- (3) Recorded Road Easements and Access Easements (Public or Private).

Easements for roads or access (both public and private) are recorded with the Summit County Clerk and Recorder's Office to reserve property for vehicular traffic and to provide for permanent access to property. Depending on the nature of the road or access easement, development within the easement may be restricted or prohibited.

Section 2. Amendment of Section 16B-4-30(b) by Renumbering Subsections (4), (5), (6), and (7). Subsection (b)(4) through Subsection (7) of Section 16B-4-30(b) of the Municipal Code of the Town of Blue River titled *Easements* is amended by renumbering as follows:

Current Subsection Number	New Subsection Number
(b)(4)	(b)(5)
(b)(5)	(b)(6)
(b)(6)	(b)(7)
(b)(7)	(b)(8)

Section 3. Amendment of Section 16B-4-30(b) by Addition of New Subsections (4). Subsection (b) of Section 16B-4-30 of the Municipal Code of the Town of Blue River titled *Easements* is amended by the addition of new subsection (4) to read as follows:

- (4) Town Road Easement.

The Town established and claims a prescriptive easement (the "Town Road Easement") for all constructed and existing roads that the Town has historically and for more than 20 years, openly, adversely, notoriously, and exclusively managed, maintained, repaired, plowed, and controlled for the purpose of providing a road system accessible to the general public. The Town maintains a publicly available map illustrating the names and general locations of the Town Road Easements. Additionally, these Town Road Easements can be viewed as to their locations at <https://earth.google.com>. The Town will physically mark the boundaries of a prescriptive Town Road Easement at the reasonable request of a property owner for that portion of the easement adjacent to the owner's property. The Town's claimed Road Easement does not include lawfully recognized and recorded private roads that the Town has historically maintained in accordance with a written maintenance or management agreement with a homeowner's association, neighborhood or civic association, or property owner.

Section 4. Amendment of Section 16B-4-30. Section 16B-4-30 of the Municipal Code of the Town of Blue River titled *Setbacks* is amended to read as follows:

Sec. 16B-4-20. Setbacks.

Setbacks (front, rear, and sides) are established by the Zone District that is assigned to a lot. See Chapter 16A - Zoning. Setbacks are a specified distance measured from either: (a) the front, rear, and sides of the property line that defines the boundaries of the lot; or (b) the boundary of a Town Road Easement, or any recorded public or private right-of-way or road easement held or maintained by the Town of Blue River, as required by Section 16B-4-50 (*Buildable Area*). Setbacks effectively define the initial location within the lot in which the principal permitted building or structure may be lawfully constructed, erected, or maintained except as expressly permitted by the Land Use Code. Such initial location is subject to limitations imposed by easements and other encumbrances.

Section 4. Renumbering of Second Section 16B-4-40 AS 16B-4-50. The adopted Land Use Code inadvertently included two sections numbered 16B-4-40. The second of these sections (titled *Buildable Area*) was intended to be numbered as Section 16B-4-50 and is therefore renumbered as Section 16B-4-50.

Section 5. Amendment of Section 16B-4-50(a)(1). Section 16B-4-50(a)(1) of the Municipal Code of the Town of Blue River titled *Buildable Area* is amended to read as follows:

- (a) **Determining Building, Structure, and Accessory Improvement Location.** When seeking Town approval of the location within a lot of any building, structure, accessory improvement, or other improvement regulated by the Land Use Code, the owner or applicant shall demonstrate a consideration of the following when deciding the appropriate location of the building, structure, accessory improvement, or other improvement:

1. The *lot's* setbacks imposed by the applicable zone district. (see Chapter 16A – Zoning).

Although front, side, and rear setbacks established by a zone district are typically measured from the lot lines of the property, when a Town Road Easement encroaches into a lot, the setback shall be measured from the edge of the Town Road Easement.

Section 6. Amendment of Section 16-3-20. Section 16-3-20 of the Municipal Code of the Town of Blue River titled *Definitions* is amended for the definition of “Setback” to read as follows:

Setback means the distance required by the lot's zone district (see Chapter 16A) between the drip edge of a building or proposed building and the *closer* of the lot line or the edge of any Town Road Easement or any recorded public or private right-of-way or road easement held or maintained by the Town of Blue River unless a different distance is established by a Town-approved site plan, subdivision plat, annexation or development agreement, or other document approved by the Town.

Interpretive Note for Setback: The phrase “within a setback,” “within the setback” or “within the setbacks” shall be interpreted to refer to the area defined as a setback and shall not mean within the area enclosed by or that results from the application of two or more setbacks. The area enclosed by or results from the application of setbacks to a lot, which area is outside of the setbacks, is known as the *Buildable Area* (see definition above).

Section 7. Amendment of Section 16-3-20. Section 16-3-20 of the Municipal Code of the Town of Blue River titled *Definitions* is amended for the definition of “*Town Road Easement*” to be located in appropriate alphabetic order and to read as follows:

Town Road Easement means the prescriptive easement established and claimed by the Town of Blue River due to historical use for more than 20 years in an open, adverse, notorious, and exclusive manner though the management, maintenance, repair, plowing, and control for the purpose of providing a road system accessible to the general public and to protect the health and safety of the public.

Section 8. Severability. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 9. Repeal. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 10. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 11. **Effective Date.** The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the ____ day of _____, 2025

Mayor

ATTEST:

Town Clerk

Published in the Summit County Journal _____, 20__.



Town of Blue River

Memorandum

TO: Mayor Decicco & Members of the Board of Trustees

FROM: Town Manager Michelle Eddy

DATE: January 13, 2025

SUBJECT: **Sheds**

Mayor & Trustees

Following up from the discussion on sheds from November 2024, below are the recommendations for process and fees. Attached is an ordinance for consideration and adoption.

Definitions and current Land Use Code

(a) Generally.

(1) A shed is an enclosed or substantially enclosed building or structure limited to non-habitable space designed, suitable, or intended for (i) the storage, whether permanent or temporary, of materials, goods, or equipment of any sort or type; (ii) the storage, whether permanent or temporary, of personal recreational motorized vehicles; and/or (iii) the use by the owner or tenant of the principal permitted structure for any lawful ancillary activity commonly associated with residential use, such as but not limited to hobbies, art studio, or greenhouse.

NOTE: because a shed can be used for a “personal recreational motorized vehicle” motorcycles are allowed in a shed. The definition of “shed” in the LUC expressly permits “*motorcycles, trail bikes, snowmobiles, all-terrain vehicles, low power scooters, golf carts, motorized bicycles, and boats.*”

(2) A shed is an accessory improvement to a lawfully existing dwelling unit. A shed shall not be located on a lot absent an existing lawful dwelling unit. 19 E.g. garage, greenhouse and other structures at <https://www.farmtek.com>; and <https://www.clearspan.com>.

(b) Location Requirement. (1) Sheds shall not be located within a setback. (2) Sheds shall not be located where the shed will conflict with the purpose and intent of a lawful easement or other encumbrance or limitation affecting the lot.

(c) Number of Sheds Allowed. No more than two (2) sheds are permitted on any one lot.

(d) Maximum Shed Size. The maximum total size of the first floor any shed on a lot whether detached from or incorporated into a principal permitted structure shall not exceed a total of 200 square feet. Where more than one shed is present on a lot, the maximum total size of the first floor of all sheds shall not exceed a total of 200 square feet.

(e) Maximum Shed Height. The maximum height of any shed shall be fifteen (15) feet. It is the intent of this subsection that sheds shall be subordinate in size and height to both the principal permitted structure and use of a property.

(f) Design Standards. A shed, whether attached or detached to a building or structure, is encouraged to be consistent with the principal permitted building on the same lot in terms of architectural style, building materials, and color.

(g) Prohibitions.

The following structures or designs are prohibited:

(1) Structures greater than 100 square feet in total surface area without walls on three or more sides (e.g., a pole barn or a lean to).

(2) Mobile, portable, or temporary non-permanent shelters or improvements designed or intended to provide protection from the elements, storage, workspace, or other similar purpose (e.g., tents, fabric or plastic canopies, fabric and hybrid fabric/metal buildings or structures, hoop barns, pony wall buildings, and fabric covered steel tubing structure or frame).²⁰

(3) ClearSpan™ buildings, structures, garages, mini garage, sheds, mini sheds, mini, barns.²¹

Proposed Changes

1. Sheds shall not exceed 399 square feet.
2. Two levels of shed permits will exist
 - a. Small 1-200 square feet
 - b. Large 201-399 square feet
3. Properties may have TWO Small sheds located within the buildable area or ONE Large shed. Owners will not be allowed to have one large and one small.
4. Sheds “shall” be designed to match the building materials and colors of the principal residential building (the home). Sheds do not need to match the roof pitch of the main home.
5. Fees/Process:
 - a. Small sheds: \$25
 - i. Review administratively by Town Hall staff
 - ii. Submittal Requirements
 1. Application
 2. Site plan with setbacks to verify placement within buildable area
 3. Materials list and colors
 - b. Large sheds: \$150
 - i. Review by the Building Official
 - ii. Submittal Requirements
 1. Application
 2. Site plan with setbacks to verify placement within buildable area
 3. Materials list and colors
 4. Structural Plans as deemed necessary by the Building Official
 - c. Inspection required as necessary
6. All other land use regulations will apply.



Town of Blue River Memorandum

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FROM: Town Manager Michelle Eddy

DATE: January 13, 2025

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 1. Application
 2. Site plan with setbacks to verify placement within buildable area
 3. Materials list and colors
 4. Structural Plans as deemed necessary by the Building Official
 - c. Inspection required as necessary
6. All other land use regulations will apply.

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2024-03

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
BLUE RIVER, COLORADO, AMENDING SECTIONS 16B-7-40 AND 16C-
1-40(8) OF THE BLUE RIVER MUNICIPAL CODE (FOUND IN
CHAPTERS 16B AND 16C OF THE LAND USE CODE) PERTAINING TO
SHEDS**

WHEREAS, the Town of Blue River, Colorado (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, the Board of Trustees for the Town of Blue River (“Board”) adopted in 2023 the Blue River Land Use Code (“LUC”) to govern and regulate the use of land within the Town; and

WHEREAS, the LUC authorizes sheds within residential lots subject to limitations on size, height, location, and design; and

WHEREAS, under a common understanding, a shed is not a garage and that, unlike garages, sheds are not intended for use for the parking or storage of motor vehicles; and

WHEREAS, the LUC incorporates the state law definition of “motor vehicle” as:

“any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include low-power scooters, wheelchairs, or vehicles moved solely by human power”

and such definition includes motorcycles (see C.R.S. § 42-1-102(55); and

WHEREAS, the Board desires to recognize that sheds have an accessory purpose in support of the residential use of land, but that sheds should be regulated primarily based on shed size given that size of a shed may have a greater impact on adjacent properties and residential character of the neighborhood as a whole; and

BE IT ORDAINED by the Board of Trustees of the Town of Blue River, Colorado, as follows:

Section 1. Amendment of Section 16B-7-40. Section 16B-7-40 of the Municipal Code of the Town of Blue River titled *Sheds* is amended to read as follows:

Sec. 16B-7-40. Sheds.

(a) Generally.

- (1) A shed is an enclosed or substantially enclosed building or structure limited to non-habitable space designed, suitable, or intended for (i) the storage, whether permanent or temporary, of materials, goods, or equipment of any sort or type; (ii) the storage, whether permanent or temporary, of personal recreational motorized vehicles (as defined by Section 16-3-20 and which includes specifically motorcycles); and/or (iii) the use by the owner or tenant of the principal permitted structure for any lawful ancillary activity commonly associated with residential use, such as but not limited to hobbies, art studio, or greenhouse.

It shall be unlawful and a violation of the Municipal Code for any person to use or authorize the use of a shed for the permanent or temporary parking or storage of a motor vehicle (defined at Section 16-3-20). Each day a violation exists shall be a separate offense.

- (2) A shed is an accessory improvement to a lawfully existing dwelling unit. A shed shall not be located on a *lot* absent an existing lawful dwelling unit.

(b) Location Requirement.

- (1) Sheds shall not be located within a setback.
- (2) Sheds shall not be located where the shed will conflict with the purpose and intent of a lawful easement or other encumbrance or limitation affecting the *lot*.

(c) Types of Sheds. The Town recognizes two types of sheds:

- (1) Small Shed.
- (2) Large Shed.

(d) Maximum Shed Size.

- (1) Small Shed (up to 200 square feet). The maximum total size of the ground floor surface area of a Small Shed whether detached from or incorporated into a principal permitted structure shall not exceed a total of 200 square feet. Where more than Small Shed is present on a *lot*, the maximum total combined size of the ground floor surface area of all Small Sheds shall not exceed a total of 200 square feet.
- (2) Large Shed (201–400 square feet). The size of the ground floor surface area of a Large Shed whether detached from or incorporated into a principal permitted structure shall be greater than 200 square feet and not greater than 400 square feet.

- (3) It shall be unlawful and a violation of the Municipal Code for any person to alter or enlarge or to authorize the alteration or enlargement of a Small Shed or a Large Shed in a manner that would cause the shed to exceed the maximum total authorized size for the shed without the authorization and approval of a permit by the Town.

(e) **Number of Sheds Allowed.**

- (1) Small Shed. No more than two (2) Small Sheds may be located on a *lot*.
- (2) Large Shed. Only one Large Shed may be located on a *lot*.
- (3) No Use of *Lot* for Both a Small Shed and a Large Shed. A Small Shed shall not be located on a *lot* on which a Large Shed is located. A Small Shed shall not be converted to a Large Shed if the *lot* is used for two (2) Small Sheds (i.e., conversion to a Large Shed requires Town approval and the removal of the other Small Shed).

(f) Maximum Shed Height.

The maximum height of any shed shall be fifteen (15) feet. It is the intent of this subsection that sheds shall be subordinate in size and height to both the principal permitted structure and use of a property. It shall be unlawful and a violation of the Municipal Code for any person to alter or enlarge or to authorize the alteration or enlargement of a Small Shed or a Large Shed in a manner that would cause the shed to exceed the maximum total authorized height for the shed.

(g) Design Standards.

A shed, whether attached or detached to a building or structure, is encouraged to be consistent with the principal permitted building on the same *lot* in terms of architectural style, building materials, and color.

(h) Prohibitions. The following structures or designs are prohibited:

- (1) Structures greater than 100 square feet in total surface area without walls on three or more sides (e.g., a pole barn or a lean-to).
- (2) Mobile, portable, or temporary non-permanent shelters or improvements designed or intended to provide protection from the elements, storage, workspace, or other similar purpose (e.g., tents, fabric or plastic canopies, fabric and hybrid fabric/metal buildings or structures, hoop barns, pony wall buildings, and fabric covered steel tubing structure or frame).¹
- (3) ClearSpan™ buildings, structures, garages, mini garage, sheds, mini sheds, mini, barns.²(4) A shed greater than 400 square feet.

(i) Variances. A variance shall not be available or granted which would:

- (1) Authorize the construction of a Large Shed.

- (2) Authorize the conversion of a Small Shed to a Large Shed.
- (3) Authorize a Small Shed or Large Shed to exceed the maximum building height for a shed.
- (4) Authorize a greater number of sheds than permitted by subsection (e) of this section.

¹ See, as an illustrative example only: <https://www.farmtek.com/farm/supplies/home>.

² See, e.g., <https://www.farmtek.com/farm/supplies/home>.

Commented [RW1]: Sheds are never allowed to exceed 15 feet in height even if the owner claims a hardship. Note that an owner can always get a variance to build the house higher than permitted if there is a hardship. Not the same for sheds.

Section 2. Amendment of Subsection (8) of Section 16C-1-40. Section 16C-1-40(8) of the Municipal Code of the Town of Blue River titled *Applicability of Processes to Type of Application* is amended by the as follows:

(8) Shed or greenhouse whether or not on a foundation (a) Small Shed (i) New construction. (ii) Expansion, enlargement, or addition in height, footprint, or square footage of an existing structure. (iii) Replacement or reconstruction of all or any portion of an existing Small Shed. (b) Large Shed (i) New construction. (ii) Expansion, enlargement, or addition in height, footprint, or square footage of an existing structure. (iii) Conversion of a Small Shed to a Large Shed. (iv) Replacement or reconstruction of all or any portion of an existing Large Shed. (c) Greenhouse. (i) New construction. (ii) Expansion, enlargement, or addition in height, footprint, or square footage of an existing structure. (iii) Replacement or reconstruction of all or any portion of an existing structure.	B
	B
	B

Section 3. Severability. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 5. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 6. Effective Date. The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 18th day of February, 2025.

Mayor

ATTEST:

Town Clerk

Published in the Summit County Journal _____, 20__.

TOWN OF BLUE RIVER, COLORADO

RESOLUTION NO. 2025-04

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN
OF BLUE RIVER, COLORADO, APPROVING THE FORM OF THE
MASTER EQUIPMENT LEASE PURCHASE AGREEMENT AND
AUTHORIZING THE EXECUTION AND DELIVERY OF THE
AGREEMENT**

WHEREAS, the Town of Blue River (the "Town") is a duly organized statutory municipality and political subdivision of the State of Colorado; and

WHEREAS, the Town Board of Trustees finds that it is necessary and desirable and in the best interest of the Town to enter into the Master Equipment Lease Purchase Agreement with Republic First National Corporation as lessor the ("Lessor"), for the property ("Equipment") described therein (the "Lease") attached hereto as Exhibit A; and

WHEREAS, the Town intends, in accordance with the requirements of and to the extent authorized by law, to fully budget and appropriate sufficient funds to make the "Rental Payments," as defined in the Lease, including Attachment 2 thereof, scheduled to come due during each fiscal year, and such funds shall not be expended for other purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF BLUE RIVER, THAT,**

Section 1. The meeting at which this Resolution was considered was open to the public, held following posting of legal public notice, duly called and convened and a quorum was present.

Section 2. The Lease, in substantially the same form as attached to this Resolution, and the terms and performance thereof, is hereby approved, and the Mayor Nicholas Decicco is hereby authorized to execute and deliver the Lease, on behalf of the Town, with such changes therein as shall be approved by the Mayor and Town Attorney, with such approval to be conclusively evidenced by the Mayor's execution thereof.

Section 3. The officers, officials, agents and employees of the Town are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Town with respect to the Lease.

Section 4. The Town Board of Trustees is not aware of any event or condition that constitutes, or with the giving of notice or the lapse of time or both would constitute, an Event of Default (as such term is defined in the above-referenced Lease) as of the date hereof.

Section 5. The purchases of the Equipment (as defined in the Lease) under the Lease are being made by a municipality within the State of Colorado for the use of such government and the leasing of the Equipment is exempt from all sales and use taxes and the Equipment will be exempt from all state and local personal property.

Section 6. All insurance required in accordance with the Lease Purchase Agreement is currently maintained by the Lessee or will be maintained prior to the time the Equipment is delivered to the Town:

- a. Risk Physical Damage Insurance on the leased equipment evidenced by a Certificate of Insurance and Long Form Loss Payable Clause naming “Santander Bank, N.A., and/or its assigns” as loss payee with the following coverage required:
Full Replacement Value
- b. Public Liability Insurance evidence by a Certificate of Insurance naming “Santander Bank, N.A., and/or its assigns” as an additional Insured with the following minimum coverage required:
\$1,000,000.00 Combined Single Limit Per Occurrence.

Section 7. The Town has, in accordance with the requirements of law, fully budgeted and appropriated sufficient funds for the current budget year to make the Rental Payments scheduled to come due during the Original Term and to meet its other obligations for the Original Term (as such terms are defined in the Lease) and such funds have not been expended for other purposes.

Section 8. Severability. If any part, section, subsection, sentence, clause, or phrase adopted by this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining parts, sections, subsections, sentences, clauses, or phrases adopted by this Resolution. The Board of Trustees hereby declares that it would have passed the Resolution, including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases could subsequently be declared invalid.

Section 9. Effective Date. This Resolution shall be effective upon adoption.

ADOPTED at a regular meeting of the Board of Trustees on the 18th day of February, 2025.

Nicholas Decicco, Mayor

ATTEST:

By: _____
Michelle Eddy, Town Clerk/Manager

EXHIBIT A
Form of Master Equipment Lease Purchase Agreement

TOWN OF BLUE RIVER, COLORADO

RESOLUTION 2025-05

**A RESOLUTION APPROVING THE BLUE RIVER CODE OF CONDUCT
FOR THE BOARD OF TRUSTEES**

WHEREAS, the Town is authorized by law to create policies and procedures to govern the conduct of public meetings of the Board of Trustees; and

WHEREAS, the Board of Trustees desires that the Board conduct its business and engage the public in a manner that best demonstrates ethical behavior and a commitment to a set of values that will ensure confidence in the Board and the Board members; and

WHEREAS, the Board unanimously approves the attached Code of Conduct and commits to adherence to the Code's provisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, THAT,

1. The Board of Trustees hereby approves the attached Code of Conduct.
2. This Resolution shall be effective immediately upon approval.

ADOPTED at a regular meeting of the Board of Trustees on the 18th day of February, 2025.

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Nick Decicco, Mayor

ATTEST:

Town Clerk or Deputy



Town of Blue River Code of Conduct

The Town of Blue River Code of Conduct represents a reasonable policy for guiding the conduct of the Board of Trustees and defining acceptable conduct when dealing with each other, our staff, and people outside our Town government. Each of the undersigned members of the Board of Trustees agrees with the Code of Conduct and commits to following the Code to ensure that the Board best represents the Town of Blue River and its interests.

In my service as a member of the Board of Trustees for the Town of Blue River:

- I shall recognize that public service is a public trust, requiring me to place loyalty to the constitutions and the laws above my personal or private interests.
- I shall actively participate with my fellow Board members in a shared interest of making our Town a great place to live.
- I shall recognize that I have no power to take action as an individual Board member. I can only exercise power and act when I am deciding matters as a member of the Board of Trustees.
- I shall respect my fellow Board members, our staff members, and the public by treating all with patience, courtesy, and civility at all times.
- I shall acknowledge and constructively respect differences of opinion.
- I shall never engage in abusive conduct, personal charges, or verbal attacks and never use language which could be interpreted as abusive or disrespectful to anyone at anytime.
- I shall prepare in advance for our meetings and be familiar with the issues and prepared to discuss the matters on the agenda.
- I shall honor the role and authority of the mayor or mayor pro tem in maintaining order during our meetings.
- I shall focus on addressing the meeting's agenda items, while recognizing that I can request that the Board decide to place other matters on future agendas.
- I shall respect the legitimacy of final decisions of the Board – regardless of my personal position on the matter.
- I shall hold confidential information confidential and never use confidential information for personal or private gain, the gain of others, or the gain of a business or other entity.
- I shall recognize and disclose my conflicts of interest and seek advice and counsel on how to recognize, avoid, and best manage my conflicts to protect the Town's interests.
- If I have a problem or conflict with someone, I will call the person immediately in an effort to resolve the issue.
- I shall hold other members of the Board of Trustees accountable for compliance with the Code of Conduct and I expect and ask that they will do the same.



Town of Blue River Code of Conduct

Nick Decicco, Mayor

Jodie Willey, Mayor pro tem

Noah Hopkins, Trustee

Jonathon Heckman, Trustee

Ted Slaughter, Trustee

Barrie Stimson, Trustee

Ben Stuckey, Trustee

TOWN OF BLUE RIVER, COLORADO

RESOLUTION 2025-06

**A RESOLUTION ADOPTING
*BOB'S RULES OF ORDER FOR COLORADO LOCAL GOVERNMENTS (2023)***

WHEREAS, the Town of Blue River is authorized by law to hold public meetings for the conduct of public business; and

WHEREAS, rules of order are a necessary part of any meeting to ensure meeting efficiency; and

WHEREAS, *Bob's Rules of Order for Colorado Local Governments* was published in 2023 as a set of uniform rules of order specifically designed for meetings of Colorado local governments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, THAT,

Section 1. *Bob's Rules of Order for Colorado Local Government* authored by Robert C. Widner (2023, Peak Nine Press), is adopted as the formal rules of order for the conduct of public meetings by the Board of Trustees. *Bob's Rules* shall supersede any other rules of order previously adopted by the Board.

1. This Resolution shall be effective immediately upon approval.

ADOPTED at a regular meeting of the Board of Trustees on the 18th day of February, 2025.

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Nick Decicco, Mayor

ATTEST:

Town Clerk or Deputy



Blue River Manager Report

February 2025

Submitted by: Town Manager Michelle Eddy

Broadband

A grant was submitted in November. It is anticipated awards will be announced by March.

Defensible Space & Right-of-Way Grants

- Applications are being accepted for the 2025 Defensible Space Grants. Applications are due by April 18th.
- The right-of-way grant work identified in 2024, will have work completed this summer. Anyone wishing to have trees within the right-of-way for hazard mitigation removed should contact Town Hall for a project review.

Xcel

There is discussion among the towns and county of forming a coalition to address Xcel's gas line request. The Town of Blue River is being asked to participate. The amount of our participation (financially) still needs to be discussed with the other entities as there may be other counties/towns involved. Here is the information from the Town of Breckenridge concerning the issue:

- Eliminate a future where "temporary" LNG stations are needed in our community
- Ensure the approach from Xcel is on the electrification transition and electrification investments in our community and not "reducing gas" through demand side management (DSM) programs. DSM means they get to keep doing the gas thing under the guise of efficiency and not a true transition.
- Thermal Energy Networks (TENs) are not considered nearly enough in the proposal which is a link between gas and electrification that might be underutilized in this filing.

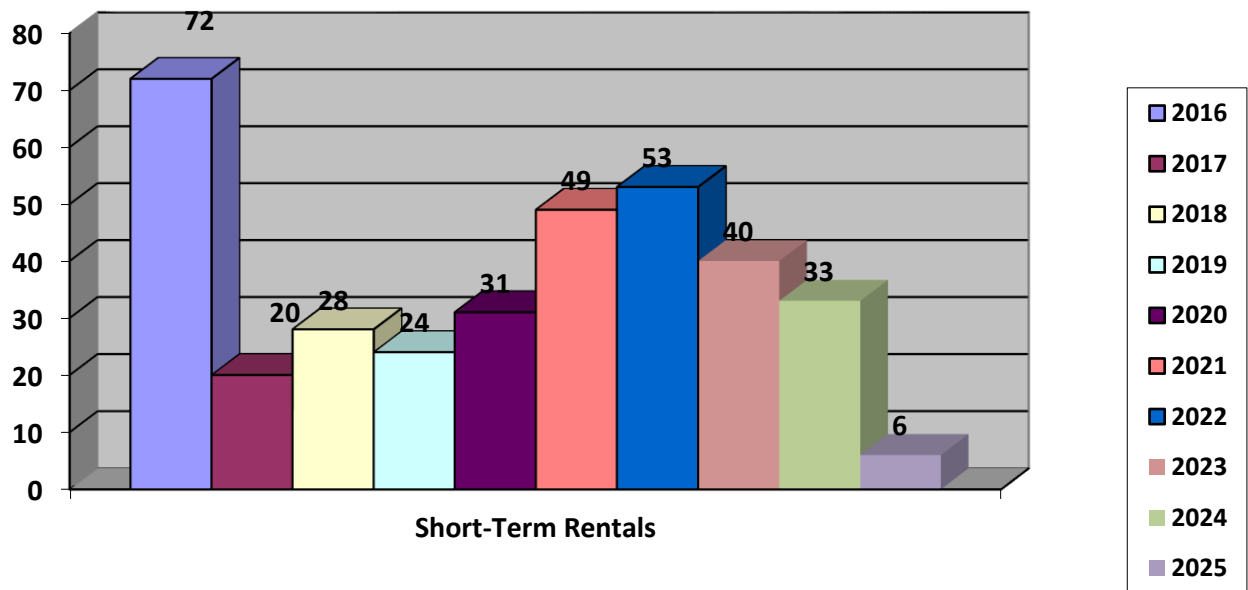
To achieve these goals (and potentially more once we learn more) we will be filing a motion to intervene in Xcel's Mountain Energy Program filing with the PUC. To do this we need legal and expert assistance. We are contracted with Kaplan & Kirsch who provided the following insight:

- Intervention process is most likely way to get any concessions from Xcel. Participating as a part of the public comment process will allow us to have the Commission consider our views, and according to Sarah the current Commission does take public comment very seriously, but we are likely to get more traction for actual changes to Xcel's plan through the intervention method.
- The standard for intervention is relatively low, just have to show tangible or pecuniary interest in the proceeding, which I think we could easily show. She also said the Commission has been very encouraging towards local governments participating in the PUC process and weighing in on PSCO's plans
- If we want the other jurisdictions to join in, or if we think they will join in at some point, we will likely want to file our motion to intervene under some sort of coalition name. Of course it would be best to have at least one other entity partnering with us otherwise it's a little weird but this way we can add more participants to the coalition over time without having to go through a complicated process to add more parties to

the PUC proceeding. Something for you both to consider is which partner entity is most likely to be on board for this initial stage.

- Would be a 6-7 month to year long process
- We would be required to present testimony to support our position. This could come directly from Jessie, or our outside consultants. She did think that the outside consultant is probably a good idea, to help us identify specific ways in which Xcel could change their plan and also to help us put together various statistics that might support our position. Another thing that came up this morning is looking at the ways in which we currently interact with Xcel in our efforts to reduce gas dependency and electricity usage overall and see where they are throwing up barriers/expenses/difficulties.
- Most desirable outcome is settlement, which could get complex depending on how many other parties intervene.
- If settlement doesn't occur, then there is a trial-like proceeding where we would have to provide in person testimony.

Plans are to contract with Synapse, an expert consulting firm that will complete analysis and assist with testimony. The cost is about \$60-120K for the attorney and \$60K for the consultant. All of the jurisdictions in Summit have agreed to participate and we will be reaching out to other impacted areas.



Town Statistics

Facebook Page Likes
 Town-1,300
 Police Department-923
 Instagram-1,259 followers
 Threads-219
 Residents on Email List-1,027
 Blue River News-1,209
 TextMyGov-156
 Business Licenses-248
 Lodging Registrations Issued-219

Building Statistics-January 2025

Permits Issued: 4
 Inspections: 51
 New Construction: 0

Certificates of Occupancy: 1

Financial Summary Report

Prepared by: Michelle Eddy, Town Manager

Month Ending January 31, 2025

Reserve Accounts

Unrestricted

Reserve accounts Alpine Bank:	\$1,484,492.28
Colorado Trust Assigned to Capital:	\$3,186,775.39
Colorado Trust Assigned to Broadband:	\$215,027.50
CSAFE:	\$100.00
Illiquid Trust Funds:	\$1,187.42
Total Unrestricted	\$4,887,582.59

Restricted

American Rescue Plan Funds:	\$186,459.25
Conservation Trust:	\$162,265.09
Total Reserves Restricted	\$348,724.34

Annual Revenue

Year	Sales Tax	Lodging Tax
2016	\$264,757.05	\$123,742.00
2017	\$237,468.92	\$126,585.55
2018	\$286,968.54	\$155,511.07
2019	\$425,616.72	\$166,883.33
2020	\$842,141.13	\$176,339.81
2021	\$844,558.23	\$228,743.34
2022	\$1,002,256.27	\$327,762.62
2023	\$996,818.50	\$303,230.72
2024	\$1,064,654.64	\$383,711.68
2025		\$943.69

Short-term Rental Locations

Subdivision	# STR	%STR **
96 Sub	9	25%
97 Sub	11	26%
Aspen View	7	41%
Blue Rock Springs	13	26%
Bryce Estates	1	25%
Clyde Lode	0	0%
Coronet	10	30%
Crown	24	35%
DOT Condo	5	14%
DOT Placer	0	0%
Golden Crown	3	50%
Lakeshore	11	27%
Leap Year	7	32%
Louise Placer	2	29%
McCullough Gulch	1	33%
Meiser	2	100%
Misc Sec TR7-77 Land	0	0%
Mountain View	14	30%
New Eldorado Sub	4	50%
New Eldorado Townhomes	1	11%
Pennsylvania Canyon	0	0%
Pomeroy	0	0%
Rivershore	0	0%
Royal	14	21%
Sherwood Forest	19	24%
Silverheels	1	25%
Spillway	3	14%
Spruce Valley Ranch	0	0%
Sunnyslope	15	50%
Timber Creek Estates	30	42%
Wilderness	12	22%



Town of Blue River Memorandum

TO: Mayor Decicco & Members of the Board of Trustees

FROM: John DeBee

CC: Town Manager Michelle Eddy

DATE: 01/30/2025

SUBJECT: Summit County Transit Authority

Mayor & Trustees

Staff attended the monthly Summit County Transit Authority meeting on January 29, 2025.

Meeting Summary:

- Planning
 - The Mountain Rail project is anticipated to begin service from Denver to Granby in approx. 2 years.
 - Service between Granby and Steamboat is approx. 10 years out due to needed track renovations.
 - A Kremmling stop could be implemented between 5 and 10 years.
- MicroTransit Program
 - Still in the discussion phase.
 - Initial target areas are Summit Cove, Swan Mountain Village and Dillon Valley.
 - At this time, there is not a contract with any program service provider.



BLUE RIVER POLICE DEPARTMENT

0110 Whispering Pines Circle

Blue River, CO 80424

(P) 970-547-0545 | info@townofblueriver.org



End of Month Report: January 2025

Calls for Service

Total number of a calls: 152

Top 10 calls as follows:

Traffic Stop	32
Motorist Assist	22
Code Enforcement	12
Extra Watch Request	9
Reckless Drivers	8
Suspicious Person/Vehicle	6
Backup another agency	6
Medicals	5
Gas Odor / leak	3
Theft	3

Summary: No motor vehicle crashes on Highway 9, but there were two single vehicle crashes on town roads. These two crashes were not initially report to law enforcement and may have been DUI related. There's been a total of three vehicle crashes on Highway 9 in the last four months which is below average. Code enforcement calls increased primarily due to parking on town roads.

Arrests: 3 = misdemeanor
Motor Vehicle Crash: 2 = on town roads, not Hwy. 9.
DUI: 0
Domestic Violence 1

Citations Issued

Municipal = 9

County = 3

Current Administrative Focus

- Recruitment – The department is currently looking to fill open vacancy with a high caliber individual.
- Patrol Vehicles – One older sedan has been decommissioned and the first new vehicle is being built.

Report prepared by:
Chief, David Close



Town of Blue River

Memorandum

TO: Mayor Decicco & Members of the Board of Trustees

FROM: Town Ambassador Ryan Cyphert

CC: Town Manager Michelle Eddy

DATE: February 6, 2025

SUBJECT: Code Enforcement January EOM

Mayor & Trustees

For the first month of the year ending January 31, 2025, there were a total number of 11 violations that were assessed and recorded.

Breakdown

Street parking	6
Animal control	2
Too many vehicles	2
Operating business w/o license	1

Takeaways

Street parking continues to be the biggest code complaint issue. Many of the vehicles found to be in violation are witnessed by me on my daily rounds or by BRPD, not by community complaint. Not all instances/interactions were issued a violation if able to contact, inform and remedy immediately.

Violations distributed for *too many vehicles* are generally the result of responding to other code issues at the property. Seems to be a leading cause of street parking. There are many other properties violating the vehicle limit code that have not been issued a code violation, pending board's decision regarding direction and enforcement of certain codes.

One of the 2 animal control violations also resulted in a civil ticket and fine by BRPD.

Visible street numbers are the greatest concern from a code standpoint. It is hard for me, during the day, to find a house number on many homes without backing up, craning or using other homes to guesstimate. Imo, it would be near-impossible for emergency personnel to see at night. Upwards of 40%+ of homes in town could use better, more visible addressing.