



**BLUE RIVER BOARD OF TRUSTEES MEETING FEBRUARY**

**Tuesday, March 11, 2025**

**5:00 PM**

**0110 Whispering Pines Circle, Blue River, CO**

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**Agenda**

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The public is welcome to attend the meeting either in person or via Zoom. Public Comments are not taken during work sessions. The Zoom link is available on the Town website: <https://townofblueriver.colorado.gov/board-of-trustees>

**CALL TO ORDER, ROLL CALL**

**WORK SESSION**

This Work Session is to discuss

- A. Review Upcoming Building Code Changes-15 minutes
- B. Review of Roles for Planning & Zoning/Board of Trustees-10 minutes
- C. Discussion of Proposed new Zone District-15 minutes

**OTHER BUSINESS**

- D. Executive Session pursuant to C.R.S Section 24-6-402 (4) (b) for the purpose of receiving legal advice concerning the statutory process for annexation, annexation law and practice, and a inquiry regarding a proposed annexation

# Staff Report

To: Board of Trustees

From: Kyle Parag, Chief Building Official

RE: 2024 Codes adoption

Date: 3/6/2024

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## **BACKGROUND/ANALYSIS:**

The Town adopts Building Codes that provide specific details and requirements related to construction of buildings and structures within the Town to assure a safe built environment. These Building Codes are based on a national council that continuously implements code changes based on industry standards, requirements, events, and material innovations. The Council produces new versions with updates every 3 years and jurisdictions are suggested to adopt the newer versions on a regular basis.

ISO (Insurance Services Office) Ratings are important to the community in both the availability of homeowners insurance and the premiums associated with the insurance.

Updating the adopted building and fire codes will improve the rating. ISO requires the jurisdiction to be on a code series no older than 6 years old for improved ratings.

The State of Colorado has created a Wildland-Urban Interface Code (CWRC), which all jurisdictions will be required to adopt by October 1, 2025. HB22-1362 will in turn require all jurisdictions in Colorado to update to a minimum of the 2021 Energy Code (IECC) this year. (UPDATE). Red, White and Blue Fire District will present in August for this adoption.

## **RECOMMENDATION:**

The Building Official recommends the adoption of the 2024 I-Codes Series with the amendments in the exhibit. This adoption includes the model electrical and solar code at this time. Depending on pending legislation at the State, it may be unnecessary to adopt a new energy code.

## **KEY CHANGES:**

From our current adopted codes, please see the key changes the newer version and the proposed amendments will mean.

- (a) The IBC has increased clarity and more defined requirements for fire safety
- (b) Adoption of new appendix, BE  
BE-Radon Control- The Town has not regulated the installation of the Radon systems before
- (c) Updated hazard loads for commercial buildings
- (d) Imaginary lot lines are available for easier determination of fire separation requirements

- (e) Accessory rooms can now be shared between two-family dwellings
- (f) Improved landing requirements for stairways
- (g) New section (sleeping Loft) is created in the 2024 IRC, reducing safety requirements for these sleeping areas and increasing bedroom counts.
- (h) Snow loads are using ASCE 7-22 mapping for commercial buildings
- (i) Energy conservation code, the 2024 version corrected a big issue in our climate. The 2024 version is considered 10% more restrictive than the 2018 version, with only an increase requirement for exterior walls in our location. (Table R402.1.3). **This will not be included at this time pending legislation at the State that would exempt municipalities less than 2,500.****
- (j) Adoption of the Colorado Model Electric and Solar Codes

#### **ITEMS FOR DISCUSSION:**

1. Snow shed barriers
  - a. Current code: requires a barrier
  - b. Recommend: revise or improve the current code
2. Radon requirements
  - a. Recommend appendix for radon.
3. Sleeping Lofts
  - a. Current Code 6-1-20: *Loft* shall mean an above grade room typically fully or partially partitioned from other rooms within a residence, accessible from the interior of the structure, but which does not qualify as a bedroom.
  - b. Recommendation: Maintain current code.

# 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: March 6, 2025  
SUBJECT: RC Zone District Ordinance

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At the March 11 Special Meeting - Workshop, I will introduce the ordinance previously sent to the Board of Trustees which would, if approved, create a new zone district in the Land Use Code (LUC). The new zone district is proposed to be named Residential Conservation or the "RC Zone District."

Very Importantly, the Board's approval of the RC Zone District ordinance will not actually rezone property in the Town. The approval will merely give the BOT a "*new tool in the toolbox*" for potential use should the BOT decide it has potential application to property in the Town. Any application of the RC Zone District would require a separate process including notice to the owner and to citizens, a public hearing, and approval of a formal ordinance to rezone the specific land at issue.

The proposed RC Zone District has the following standards:

- Uses Allowed =- One Single Family Residence per Lot (and uses required to be allowed on residential land by federal or state law)
- Minimum Lot Size – 10 Acres
- Minimum Street Frontage – 300 feet
- Minimum Front Setback – 30 feet
- Minimum Rear Setback – 50 feet
- Minimum size yard setbacks – 50 feet
- Maximum Building Height – 35 feet

Other attributes for the RC Zone District mimic the standards of the R-1 Zone District (e.g., the same allowances for accessory improvements, and the same prohibited uses).

The Board may rename the district, adjust the standards of the district, or make any changes it desires *including* rejecting the entire idea of a new zone district for larger parcels of land in the Town.

If the BOT directs that the ordinance should be considered for possible approval, the earliest date for that consideration would be **April 15** due to the need to first request a recommendation from the Planning & Zoning Commission.

If you have questions or concerns in advance of the March 11 meeting, please contact either Michelle Eddy or me at any time.

**TOWN OF BLUE RIVER, COLORADO**

**ORDINANCE NO. 2025-05**

**VERY IMPORTANT** – This ordinance, if adopted, creates a new zone district that can be used in the future - if the BOT desires. The Ordinance would not automatically apply to any property in the Town. It would only apply to a property IF the Town were to undertake a rezoning of the property from the property’s current zone district to the new RC District. That rezoning would require notice to the owner and the public and a full public hearing.

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, ADOPTING A NEW ARTICLE 5 OF CHAPTER 16A OF THE BLUE RIVER MUNICIPAL CODE (A CHAPTER OF THE LAND USE CODE) TO CREATE A NEW RESIDENTIAL CONSERVATION (RC) ZONE DISTRICT**

**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 Town is authorized to exercise police powers and to enact laws that promote the health, safety, and welfare of its citizens and to plan and regulate the use of land within its jurisdiction; and

**WHEREAS**, Colorado Revised Statutes § 31–15–103 grants municipalities the power to adopt ordinances “necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience” of the municipality and its inhabitants; and

**WHEREAS**, Article 23 Colorado Revised Statutes §§ 31-15-401 and 31-23–302 grants municipalities police powers, which include the power to regulate the location of uses and the use of land within the community; and

**WHEREAS**, the Town has created districts within its jurisdiction to provide for uses that will best protect the health and safety and to protect the environment and natural character of the Town; and

**WHEREAS**, the Board of Trustees determined that a new zone district is needed to ensure that larger tracts and parcels of land within the Town will develop in a reasonable manner with a lower density and which balances the rights of property owners to develop while protecting the environment and natural character of the Town.

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

**Section 1. Adoption of New Article 5 of Chapter 16A of the Municipal Code (Land Use Code).** A new Article 5 of Chapter 16A (which Article was previously reserved) of the Municipal Code of the Town of Blue River (a part of the Blue River Land Use Code) is adopted to read as follows:

**Article 5 Residential Conservation District (RC)**

**Sec. 16A-5-10. Purpose.**

The purpose of the Residential Conservation District (RC) is to encourage very low residential density in the development of land while conserving and preserving the natural and scenic features of open and wooded areas, and to protect the natural and environmental character and values of the Town. The RC District is most appropriate for areas that include topographical or physiographic limitations affecting development such as wetlands, floodplains, steep slopes, heavily wooded areas, and wildlife habitat. The RC District is intended to offer landowners the reasonable opportunity to establish residential dwelling units on lots that will directly benefit from the preservation of natural and scenic features and the surrounding undeveloped natural environment on the *lot*.

**Sec. 16A-5-20. Principal Permitted Uses.**

The following uses are permitted in the Residential Conservation District:

- One (1) *Single-Family Building* for each legally recognized *lot*; or
- Any use of property expressly required to be recognized by federal or state law as a residential use.

Any use not expressly permitted will require a text amendment of this section. *See* Article 29 of Chapter 16A.

**Sec. 16A-5-30. Accessory Uses.**

The following *accessory uses* are permitted:

- *Home occupation*
- *Family Child Care Home*.

**Sec. 16A-5-40. Prohibited Uses.**

The following uses are prohibited in the Residential Conservation District:

- Any use not otherwise authorized by Section 16A-5-20.
- Any *accessory use* not otherwise authorized by Section 16A-5-30.

**Sec. 16A-5-50. Accessory Improvements.**

(a) Permitted Accessory Improvements. The following *accessory improvements* are lawful and permitted and, where indicated, regulates such *accessory improvements*:

<b>Accessory Improvement</b>	<b>Reference Section</b>
Berm	See Section 16B-7-20
Garage	See Section 16B-7-30
Shed (including greenhouse)	See Section 16B-7-40
Driveway	See Section 16B-7-50
Parking Areas	See Section 16B-7-60
Walkway	See Section 16B-7-70
Deck	See Section 16B-7-100
Gazebo, Pergola, and Similar Structures	See Section 16B-7-110
Hot Tub or Sauna (Exterior)	See Section 16B-7-120
Recreational Improvement: Fire Pit, Outdoor Fireplace, Chimenea, Playground Equipment	See Section 16B-7-130
Fences	See Section 16B-7-140
Walls	See Section 16B-7-150
Flagpoles	See Section 16B-7-160
Signs	See Section 16B-8-10
Lighting	See Section 16B-9-10
Utilities	See Section 16B-3-10
Any building, structure, or improvement not listed in this Section 16A-3-50 and which is administratively determined by the Town Manager as: (a) meeting the definition of Accessory Improvement; and (b) presenting no greater impact upon the neighborhood than other approved Accessory Improvements.	See Section 16-1-100

(b) Prohibited Accessory Improvements. The following Accessory Improvements are prohibited in the Residential Conservation District:

Any accessory improvement not listed in Section 16-5-50(a) and specifically including without limitation:

- Tennis, Pickleball, and other outdoor recreational courts.
- Swimming pools (above ground, in ground, and whether or not enclosed within a building or structure).
- Permanent skate or rollerblade park or rink.
- Shooting or archery range.

**Sec. 16A-5-60. Zone District Standards.**

Minimum Lot Size	Ten (10) acres (435,600 square feet).
Minimum Lot Width	300 feet
Front Yard Setback	Minimum 30 Feet
Rear Yard Setback	Minimum 50 Feet
Side Yard Setback	Minimum 50 Feet
Building Height	Maximum 35 feet.

**Sec. 16A-5-70. Reserved.**

**Sec. 16A-5-80. Zoning Variance.**

An application for a zoning variance is authorized pursuant to Article 7 of Chapter 16.

**Section 2. 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 3. Repeal.** 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 4. 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 5. 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 15th day of April, 2025.

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Mayor

ATTEST:

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Town Clerk

Published in the Summit County Journal \_\_\_\_\_, 2025.