

## BLUE RIVER PLANNING & ZONING COMMISSION OCTOBER 2023

October 03, 2023 at 6:00 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/planning-zoning

Please note that seating at Town Hall is limited.

- I. CALL TO ORDER, ROLL CALL
- II. APPROVAL OF MINUTES
  - A. Minutes from September 5, 2023
- III. PROJECT APPROVAL
  - **B.** New Construction-0066 Conifer
  - C. Other Business
  - **D.** Proposed Ordinance Review
- IV. ADJOURN

**NEXT MEETING -**



## PLANNING & ZONING COMMISSION SEPTEMBER 2023

September 05, 2023 at 6:00 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/planning-zoning

Please note that seating at Town Hall is limited.

## I. CALL TO ORDER, ROLL CALL

**PRESENT** 

Travis Beck

Tim Johnson

Gordon Manin

Ben Stuckey

**Troy Watts** 

Noah Hopkins-Board Liaison

Excused

Bevan Hardy

Doug O'Brien

Also present: Town Manager Michelle Eddy

## II. APPROVAL OF MINUTES

A. Minutes from July 6, 2023

Johns

Motion made by Watts, Seconded by Stuckey to approve the minutes of July 2023. Voting

Yea: Beck, Johnson, Manin, Stuckey, Watts. Motion passed unanimously.

## III. PROJECT APPROVAL

## B. 0294 Davis Ct-Addition

Manager Eddy presented the project at 0294 Davis Court. It was reviewed and recommended for approval by the Building Official.

Discussion on the retaining wall. It was noted that it will be part of the existing retaining wall with natural stone not to exceed 4' in height.

Motion made by Beck, Seconded by Stuckey to approve the addition at 0294 Davis as presented.

Voting Yea: Beck, Johnson, Manin, Stuckey, Watts. Motion passed unanimously.

## IV. ADJOURN

Motion made by Stuckey, Seconded by Beck to adjourn the meeting at 6:11 p.m. Voting Yea: Beck, Johnson, Manin, Stuckey, Watts. Motion passed unanimously.

## **NEXT MEETING -**

October 3, 2023

Respectfully Submitted:

Michelle Eddy, MMC

Town Clerk



New Addition/Res. Sq.Ft.:

Total Square footage:3455 sqft

Garage Sq.Ft.:1116 sqft

## **Building Permit Application**

Email to: <u>info@townofblueriver.org</u> Questions? Call (970) 547-0545 ext. 1

Lot Number: TR7-77	Subdivision: Lea	Subdivision: Leap Year		
Blue River Physical Add	ress: 66 Conifer Drive, Blue River,	CO 80424		
J				
Homeowner Information: Name: _Russ Blancken				
Mailing Address: 610 Live Oak	Ln, Kerrville, TX 78028			
Phone: (512) 656-3839				
Email: <u>russ@bigoftexas.com</u>				
Contractor Information				
Company Name: Owner-Builde	er			
Contact Name: Russ Blancken				
Mailing Address: 610 Live Oak	Ln, Kerrville, TX 78028			
Phone: (512) 656-3839				
Email: russ@bigoftexas.com				
Contractor Registration #: TBE	)			
**Please note a Town of Blue River	Business License is required for all busine	sses to conduct business in the Town of		
Blue River including contractors, sul	p-contractors and architects. **	Ç.		
Description of Project:				
New construction of single fam	ily home			
Distance to Property Line	Type of Heat:Radiant Floor Heat	Construction Type: Modular		
North:28.3'	Roof: Asphalt Shingle	Building Height:23		
South:59.4'	Exterior Walls: 2x6	No. Stories: 1		
East:106.6'	Interior Walls: 2x4	Total # Bedrooms: 3		
West:42.1'	Basement Fin. Sq.Ft.:Crawlspace	Total # Bathrooms: 2.5		

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING, VENTILIATION WORK, & FIREPLACES. THIS PERMIT BECOMES NULL AND VOID IF CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN \_\_\_\_ OR IF CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOR OF \_\_\_ AT ANY TIME AFTER WORK IS COMMENCED.

Septic or Sewer:

Septic

Main Level Sq.Ft.:2339 sqft

2<sup>nd</sup> Level Sq.Ft.:

3<sup>rd</sup> Level Sq.Ft.:

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINDED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL TOWN ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND TO BUILD ACCORDING TO THE APPROVED PLANS. THE GRANT OF A PERMIT DOES NOT PRESUMED TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Signature of Owner or Contractor:	Date:	

## **Submittal Requirements**

\*\*ALL Submittals Must be Electronic\*\*
Emailed to: info@townofblueriver.org

## Planning & Zoning Review Submittal Requirements

\*\*Please indicate via check box item included as well as page number in submitted packet.

Completed $\sqrt{}$	Item	Description	Page #
<b>~</b>	Site Plan	Scale: 1" = 10'; May appear on a single sight plan. IF on a separate page, please indicate the page.	2
<b>/</b>		Property Boundaries	2
		Building Envelope with setbacks	2
<u> </u>		Proposed Buildings	2
<u> </u>		Structures (existing & proposed)	
		Driveway & Grades	2 2
<b>~</b>		A wetlands delineation & Stream crossing structures where applicable.	2
<b>&gt;</b>		Topographic survey, prepared and stamped by a licensed surveyor, indicating site contours at 2' intervals, easements, and significant natural features such as rock outcroppings, drainages and mature tree stands.	3
<b>✓</b>		Transformer & vault location (if installed by owner or existing)	4-5
<b>\</b>		Well location; septic if applicable	2
		Snow storage areas and calculations	2
<u> </u>		Major site improvements	2
<b>~</b>		Existing & proposed grading & drainage	2
<b>\</b>	Landscaping Plan	*May be included in the site plan**	2
<b>~</b>		Landscaping must indicate tree removal for defensible space requirement; any trees 6" or more primarily noting the removal of any ponderosa pines or large trees. Clear cutting of a site is not allowed.	2
<b>~</b>		Indicate the percentage of trees removed and revegetation to be conducted.	2
<b>~</b>		Upon completion of the construction project, all land must be raked and	2

		reseeded with native seed prior to issuance of CO. in cases of completion during snow coverage	2
		and/or winter, CO may be issued with conditions for completions within 60 days of the last snow and a deposit.	
<b>~</b>		Any major structures (retaining walls; fences; landscaping rocks) must be indicated in detail on plans in conformance with the design regulations.	2
<b>~</b>		Indicating building walls, floors and roof relative to the site, including existing and proposed grades, retaining wall and proposed site improvements.	2
<b></b>	Floor Plans	Scale 1/8" = 1'	6
~		Indicate the general layout of all rooms, approximate size, and total square footage of enclosed space for each floor level.	
<b>/</b>	Exterior Elevations	Scale same as floor plans	7-8
<b>~</b>		Detail to indicate the architectural character of the residence, fenestration and existing and proposed grades.  Elevations must include a description of exterior materials and colors.	7-8
<b></b>	Roof Plan	Scale same as floor plans	7-8
<b>~</b>		Indicate the proposed roof pitch, overhang lengths, flue locations, roofing materials and elevations of major ridge lines and all eave lines.	7-8
<b>~</b>	Materials Sheet	Display materials to be used. Color renderings are suggested as well. In cases of additions, if matching the existing structure, photos of current home.	9-14

## After Approval and BEFORE Permit is Issued:

## **ELECTRONIC COPY** Stamped set.

• All of the above mentioned plus items below in one plan set.

Completed √	Item	Page #
	Soils report if applicable	
	Electrical, plumbing and mechanical plans.	
	Construction Management Plan. Please refer to the Town Code and Architectural Guidelines for all requirements.	
	Stamped structural plan	
	Current Summit County Septic System Permit (including system plot plan), or evidence of full payment of tap fees to Upper Blue Sanitary District.	
	Current Colorado Well Permit or evidence of full payment of tap fees to Timber Creek Water District	
	Colorado Department of Transportation Hwy Access Permit	
	Designation of General Contractor, except for bona fide homeowner contractor	
	For Manufactured Homes the following additional information is required	
	State of Colorado Division of Housing Approved Plans	
	State of Colorado Division of Housing Registered Installer Certificate	

## Blue River Plan Submittal Requirements for Residential Plan Review

- ❖ When designing the structure, refer to the Blue River Municipal Town Code, Chapter 16 for zoning information and allowable uses/construction. The Building Code information is available under Chapter 18. <a href="https://townofblueriver.colorado.gov">https://townofblueriver.colorado.gov</a>.
- Building Codes Adopted:
  - o International Residential Code 2018
  - o The Electrical Code is the current code adopted by the State of Colorado: 2020

Note: Applicable codes are required to be notated on plans.

- Snow loads:
  - Roofs shall be designed in accordance with accepted engineering practice based upon a ground snow load of 100 psf.
  - o Balconies/decks-125 psf.
  - o No reductions for duration.
- Frost line depth:
  - o Foundation footing minimum depth below grade-40 inches.
  - O Uncovered deck piers may be set at 24 inches.
- \* Roof underlayment 100% Ice & Water shield.
- \* Roof may be metal; 30-year minimum architectural grade, composition fiberglass (dark brown, dark gray, dark green, weathered wood or black only); or class-A #1 cedar shakes.
- ❖ Wind speed: 90 mph, exposure "B". Seismic design category: "B".
- Propane gas alarm/shutoff system required.
- ❖ Wood burning stoves: Required to meet Colorado Dept. of Health, Regulation No. 4.
- ❖ The building height limit in the Town is 35 feet. Refer to the Architectural Guidelines for additional information.
- ❖ Locally re-settable GFCI breakers are required in bathrooms.
- \* Compliance with the International Energy Conservation Code is required.
- Any application that would create an accessory apartment must meet zoning regulations and will not be processed without prior approval of the Town Board of Trustees.
- Note that Hwy 9 access permits may require 3-4 months and well permits 5-6 weeks.
- ❖ Planning & Zoning Commission approvals become void if the building permit is not issued within eighteen (18) months.
- ❖ Building permits become void if construction is discontinued for more than 180 days.

In order for your permit application to be reviewed and processed properly, the following construction information must be provided. **Note:** "Preliminary" and/or plans shown as "Not for Construction" or similar are unacceptable. *Hardcopy submittals will not be accepted.* 

Note: Items below are not all inclusive of the requirements. Please review the Building Application Packet, design guidelines, building and land use codes for complete information.

## Soils Report

Must be sealed and signed by a licensed Colorado Engineer.

 Provide an engineer's soil investigation report indicating type of soil and recommended foundation design. include any required shoring.

## Improvement Survey Plat

- Provide an Improvement Survey Plat (ISP) following Colorado Revised Statutes for new principal structures, substantial expansions (25% or more) to principal structures and new accessory dwelling units (ADU's).
- Provide a permanent reference to spot elevation (benchmark) that will not be disturbed during construction.
- Provide existing spot elevations at property corners and at midpoints of the side property lines
- Must be stamped and signed by a Professional Land Surveyor (PLS) licensed by the state of Colorado.

#### Site Plan

- Provide site plan that shows dimensions reflecting the distances to property lines
- Indicate all public or private easements
- Show location of all proposed and existing structures with dimensions
- Prove type of construction for all structures on site
- Provide landscaping plan.
- Show permanent reference spot elevation (benchmark), existing spot elevations at property corners and at midpoints of the side property lines.
- Indicate roof drainage on site plan with arrows showing the direction of the gutter downspouts. Roof drainage shall flow towards the road and away from all structures.

#### Structural Plans

Plans must be sealed and signed by a Colorado Structural Engineer or Architect

 Indicate size, location and method of reinforcement for all proposed footings, column pads, piers, caissons, grad beams, foundation walls, decks, guardrails, guardrail posts. Specify location of reinforcing steel and anchor bolts.

- Provide complete and clearly dimensioned floor framing plan for each level and roof framing plan which indicates the materials, types, sizes and location of all structural elements.
- Provide complete structural design criteria including but not limited to required design loads, material specifications and structural construction requirements.
- Provide complete structural calculations for each structure.

#### **Architectural Plans**

- Provide complete and dimensioned floor layout at each level which identifies the use of each room.
- Provide Complete and dimensioned roof plan and indicate all roof slopes.
- Provide complete and dimensioned reflected ceiling plan.
- Provide exterior elevations for each side of the building which contains an overall building
  height and floor-to-floor heights and indicate location, size and types of all doors and glazed
  openings including hazardous glazing and fall protection locations.
- Provide a bulk plane diagram on front and rear exterior elevations relative to the base plane elevation. The base plan for the bulk plane is establishing by taking the average of the existing grades of the midpoints of the two side property lines.
- Provide building and wall sections which clearly identify the required type and location of all materials for construction of beams, columns, floors, walls, ceilings, roofs.
- Provide stair geometry. Include rise and run, handrail and guardrail heights.
- Provide one major section through the exterior wall from footings to the highest part of the roof (min. scale 1/4"=1")
- Provide square foot area breakdown per floor level.

#### **Electrical Plans**

Provide electrical plans showing the location and capacity of the service equipment and electrical panels, the location of all smoke detectors, carbons monoxide detectors, electrical receptacles, switches, and lighting fixtures.

#### **Mechanical Plans**

- Provide mechanical plans and indicate the location of all heating, ventilating and air conditioning equipment. Show the location of the condensing unit. Detail the equipment access and working clearances.
- Show dryer exhaust termination location and clearances, environmental exhaust termination locations and clearances.
- Provide Manual J and Manual D calculations. Must be legible. No exceptions.
- Provide all fireplace specifications, rated separation details, direct vent termination details
  when applicable, hearth extensions when required, chimney clearances, shutoff and control
  access.

## **Plumbing Plans**

- Provide plumbing plans and indicate the location of all plumbing fixtures and appliances (Isometric may be required per the discretion of the plans examiner.)
- Provide the supply line size and main discharge size. Note the water supply inlet location.
- Indicate whether appliances are gas-operated, electric, or otherwise. List types of material to be used for all water supply, drainage and vent piping. Provide fixture max flow rates and insulation values.
- Gas load calculations and piping diagram is required.

## **Energy Conservation Plans**

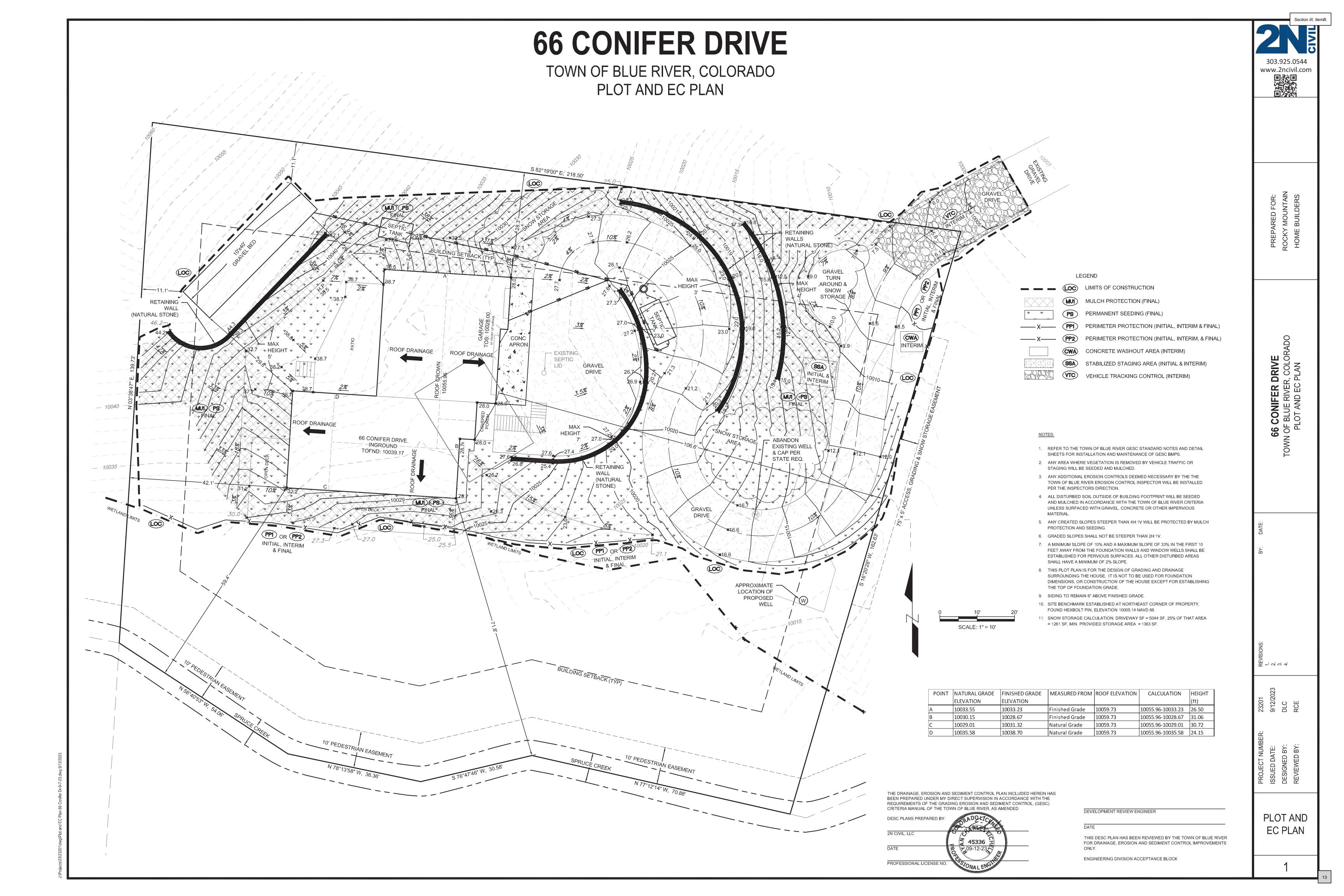
Provide verification that the project meets the requirements of the IECC, or provide a simulated energy performance analysis such as RES-check. Provide all required information per 2012 IECC R103.2.

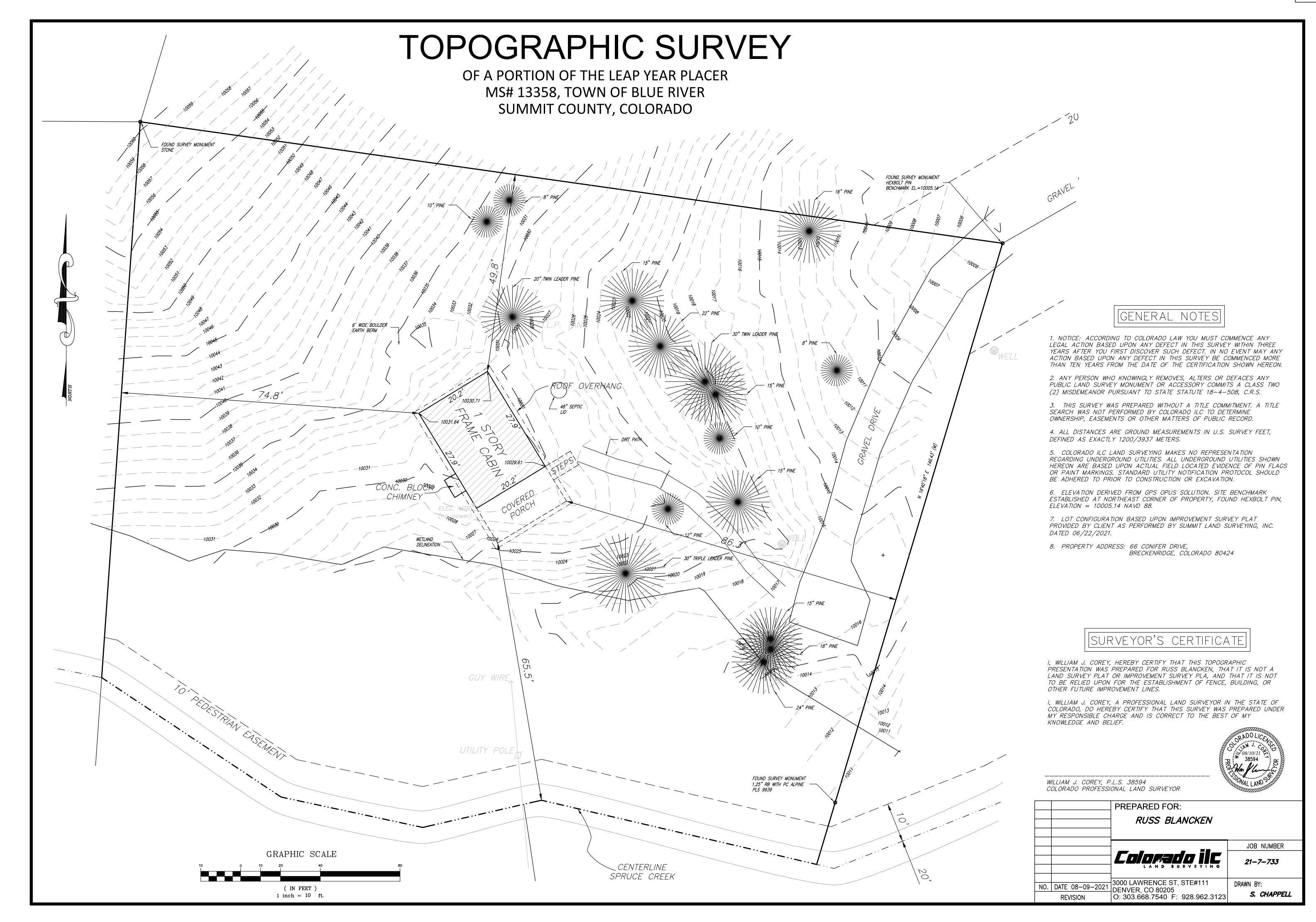
## Resubmittal Requirements

- Provide a written response addressing each correction.
- Provide revision clouds for each correction made.
- Provide updated information in the revision section of the title block.
- Provide complete plan packs per discipline requiring corrections. Example: If you are resubmitting for Civil corrections, provide a complete revised plan pack.

# Blancken Residence Design Review Packet

66 Conifer Dr, Blue River, CO 80424







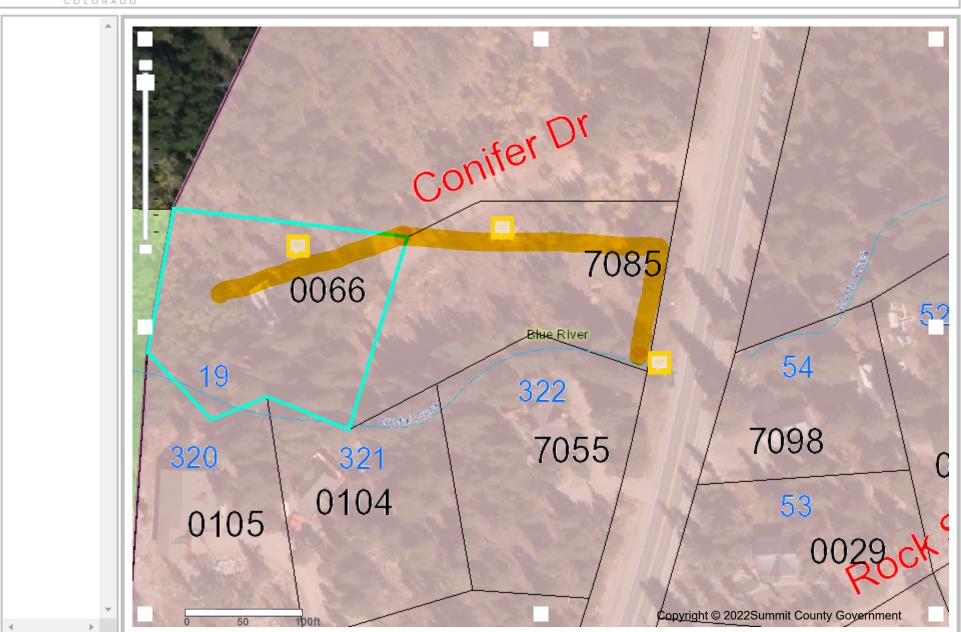
Summit County GIS -SELECT LABEL-

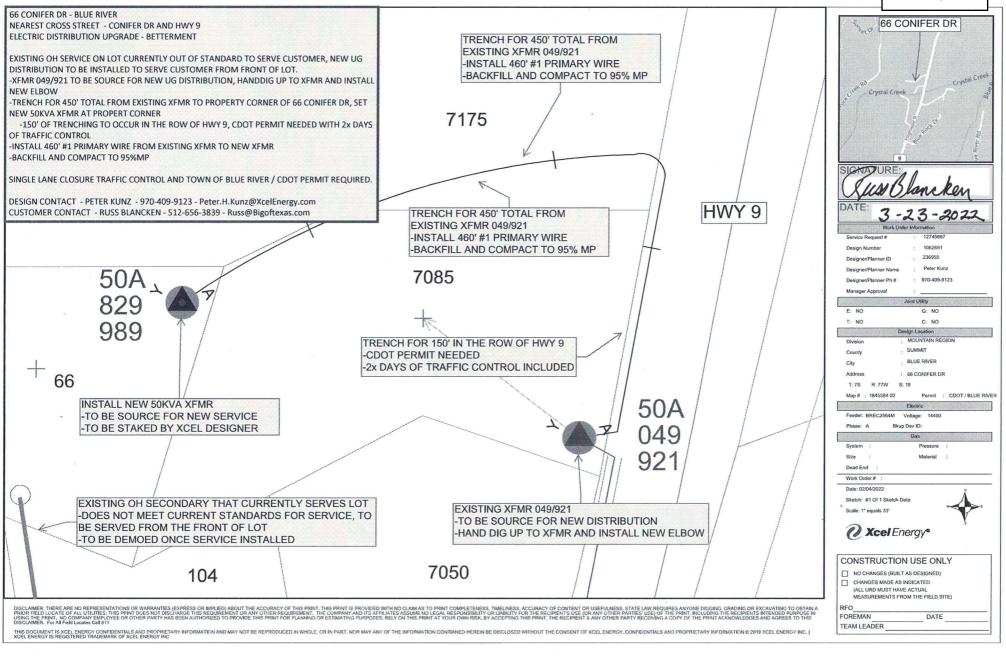
LECT LABEL-

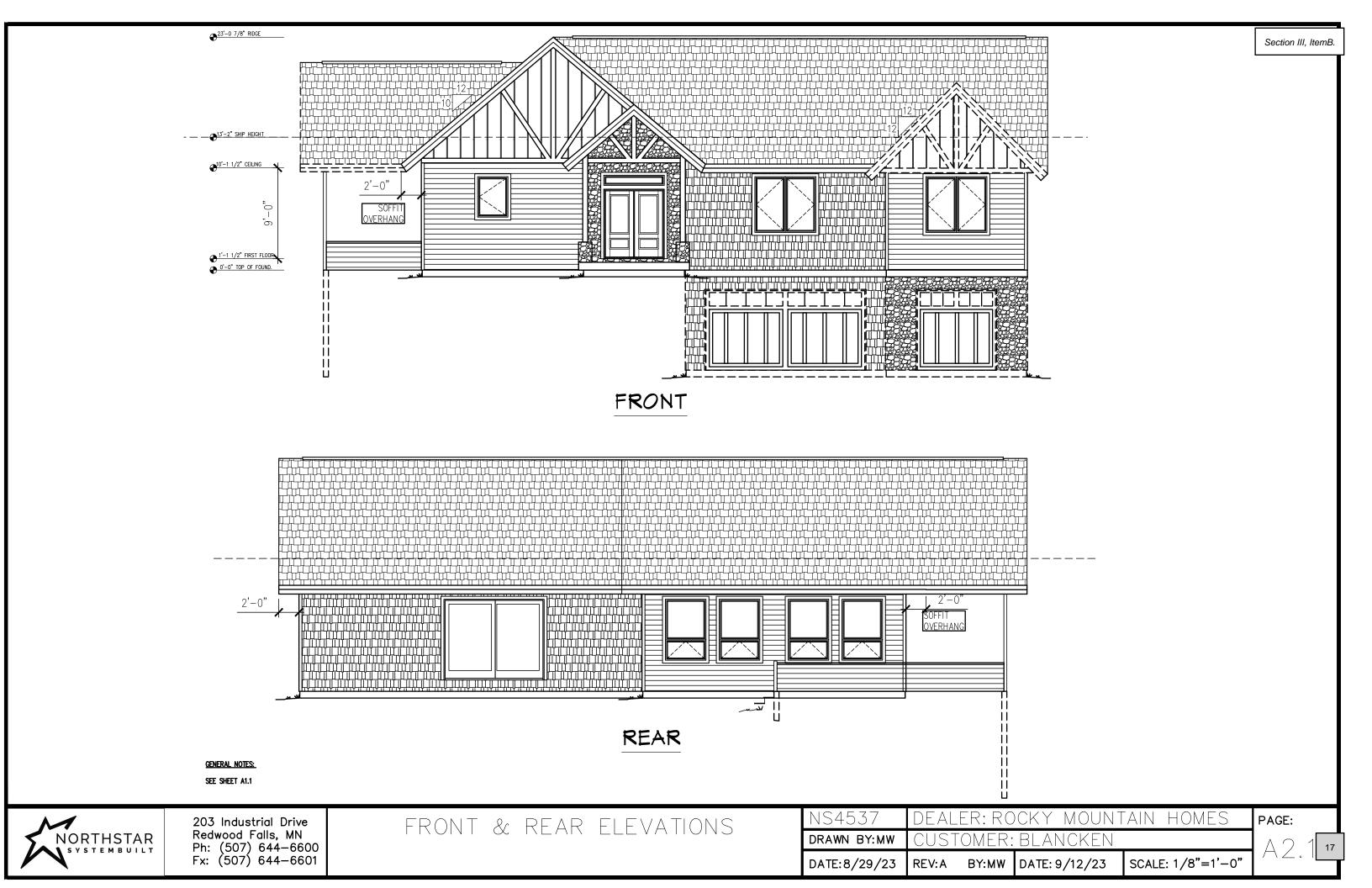


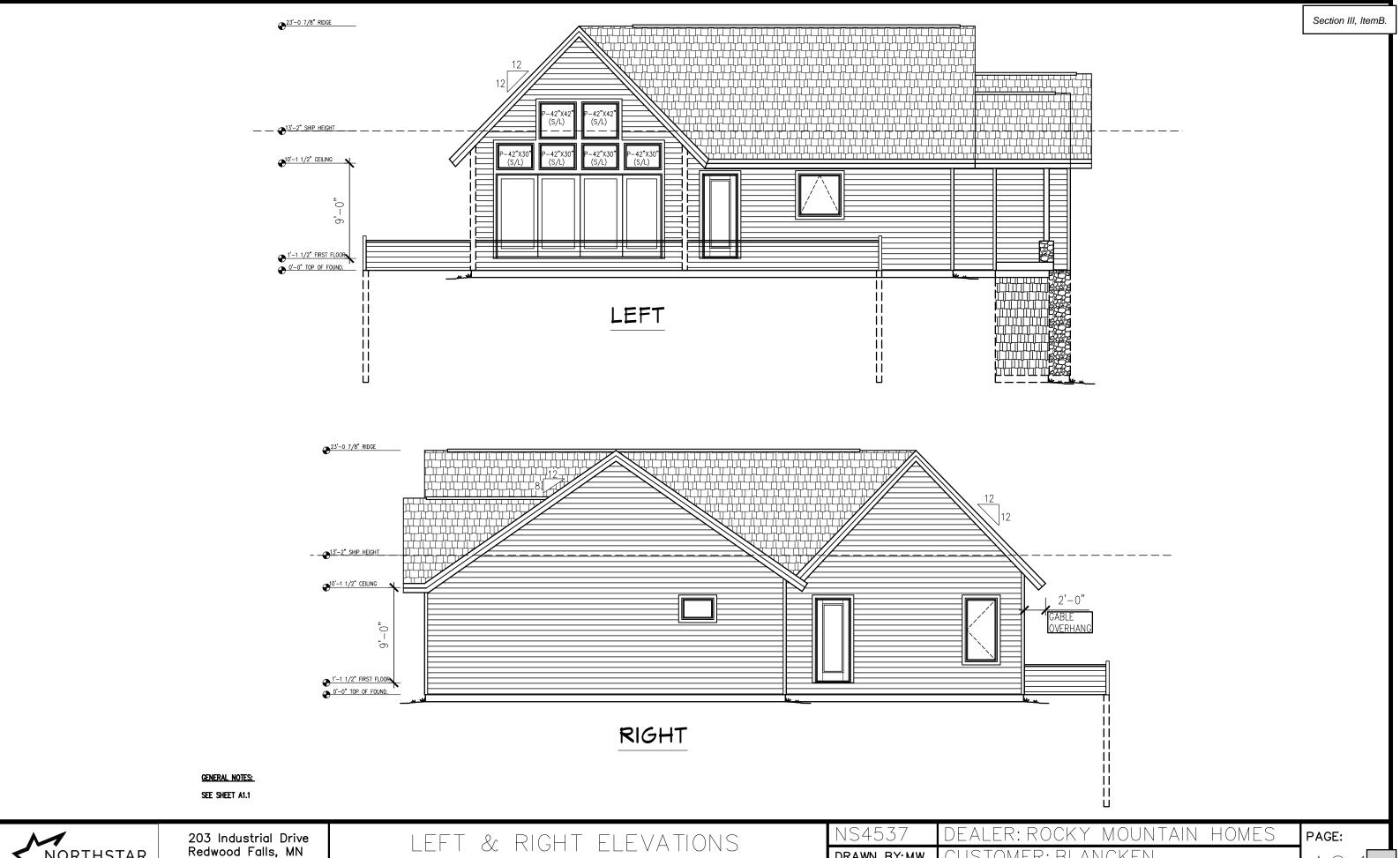
Clear

Print this page





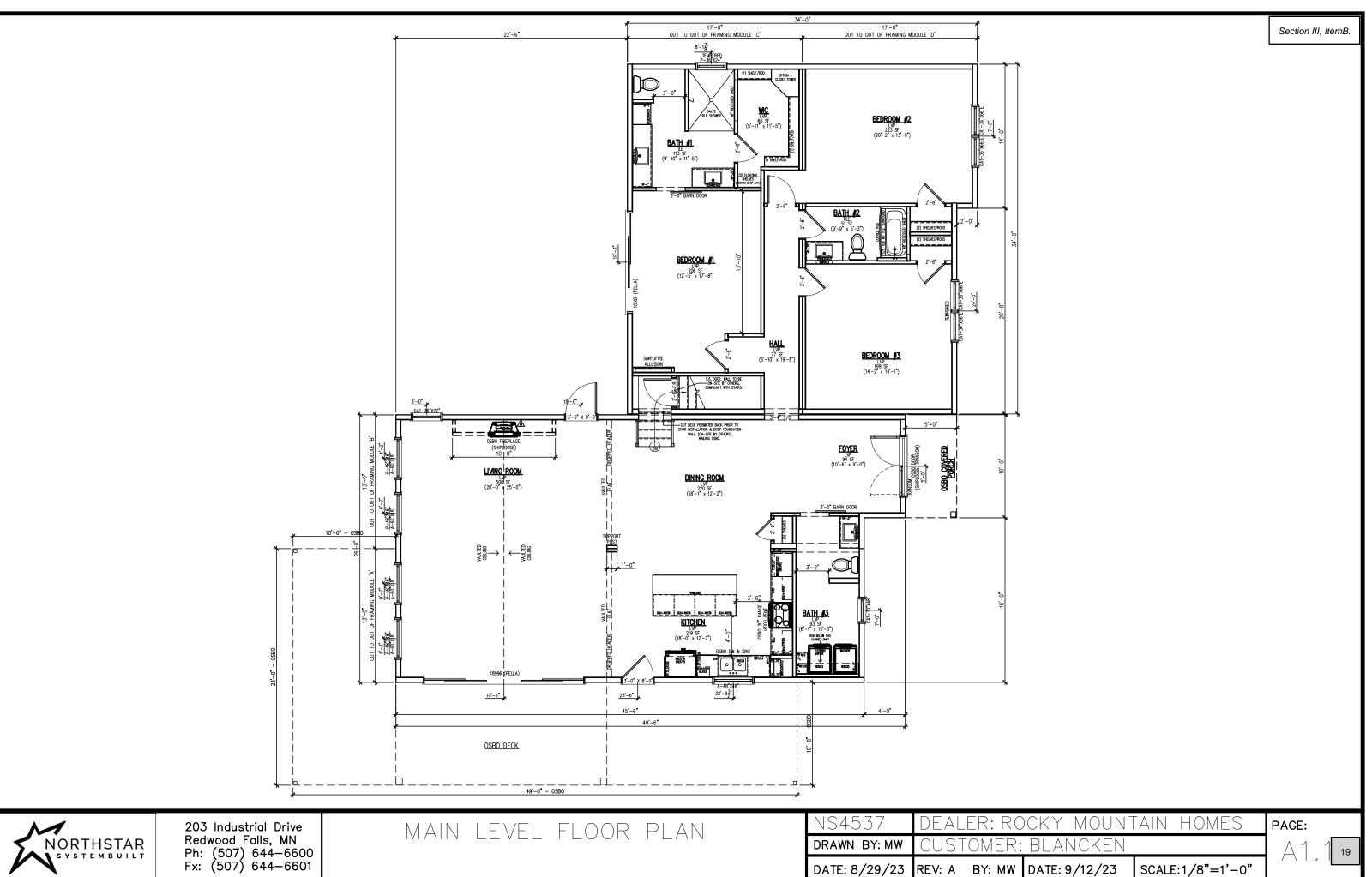




NORTHSTAR SYSTEMBUILT

203 Industrial Drive Redwood Falls, MN Ph: (507) 644-6600 Fx: (507) 644-6601

DRAWN BY: MW SCALE: 1/8"=1'-0" DATE:8/29/23 REV: A BY:MW DATE: 9/12/23



NORTHSTAR

DATE: 8/29/23 REV: A BY: MW DATE: 9/12/23 SCALE:1/8"=1'-0"

# Blancken Residence Materials Sheet

66 Conifer Dr, Blue River CO 80424

## **Blancken Residence Materials Sheet**

## 66 Conifer Dr, Blue River CO 80424

Siding (vertical portion)  LP Smart Batton Board  Terra Brown		
Siding (horizontal portion)  LP Smart  Tahoe		
Soffit/Fascia LP Smart Soffit- Terra Brown Fascia- Royal Brown	(Soffit)	(Fascia)
Roof Asphalt Shingle		
Windows ThermoTech Black		21

## **Blancken Residence Materials Sheet**

66 Conifer Dr, Blue River CO 80424

# **Exterior Stone** *Mountain Stone*



Garage Door Clopay Canyon Ridge Carriage House



Entry Door

MMI Door

Fiberglass

Hand-Stained Black



## **Blancken Residence Materials Sheet**

66 Conifer Dr, Blue River CO 80424

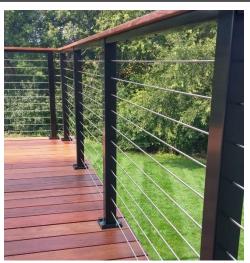
## **Decking**

Fortress Building Products Composite Decking Oasis palm



## **Deck Posts & Railing**

Cable Railing
Black Metal Posts



## **Covered Entry & Deck Posts**

Timber
Stone Wrapped Base



## **Blancken Residence Materials Sheet**

66 Conifer Dr, Blue River CO 80424

Exterior Lighting SeaGull Lighting Black	
Exterior Lighting- Entry SeaGull Lighting Black	

## **Blancken Residence Materials Sheet**

## 66 Conifer Dr, Blue River CO 80424

# **Exterior Stairs** *Natural Stone*



# **Retaining Walls** *Natural Stone*



TO: Michelle Eddy, CMC/CPM - Town Manager/Clerk

FROM: Kyle Parag, Plan Reviewer - CAA

DATE: September 27<sup>th</sup>, 2023

RE: Planning/Zoning/Architectural Guidelines review – 0066 Conifer Dr

Below please find staff's analysis that outlines the review with the Town's Zoning regulations and adopted Architectural Design Guidelines for the structure proposed.

#### **Staff Recommendation:**

Staff recommendation is to disapprove the planning review for this property until such a time when the garage requirements can be clearly met, and additional details to show compliance with lighting, chimney and foundation design are obtained.

## **Zoning Regulation analysis –**

Proposal: A new single-family residence with an attached garage. The property

replaces an old cabin on the property. The proposed structure is a modular structure with a main level Sqft of 2339, and a garage space of 1116 Sqft.

Zoning

district:

Lot Size: ~ 31,672 sq. ft.

80,000 sq. ft. Required-Existing Non-Conforming

Lot Width: ~ 163 Ft

100 ft. Required - Complies

Setbacks: Proposed principal residence complies with required setbacks based upon

submitted docs.

Height: Complies with required height limitations. The height applicant indicated is

not calculated per Town of Blue River definitions, actual height is calculated

at 33'. Complies with maximum 35'

Garage Stds: The proposed garage is indicated at 1116 sq. ft. and does not comply with

the standards for structures less than 5,000 sq. ft. in habitable size.

Parking Stds:

Parking requirements will be met through the proposed garage

## Architectural Design Guideline analysis -

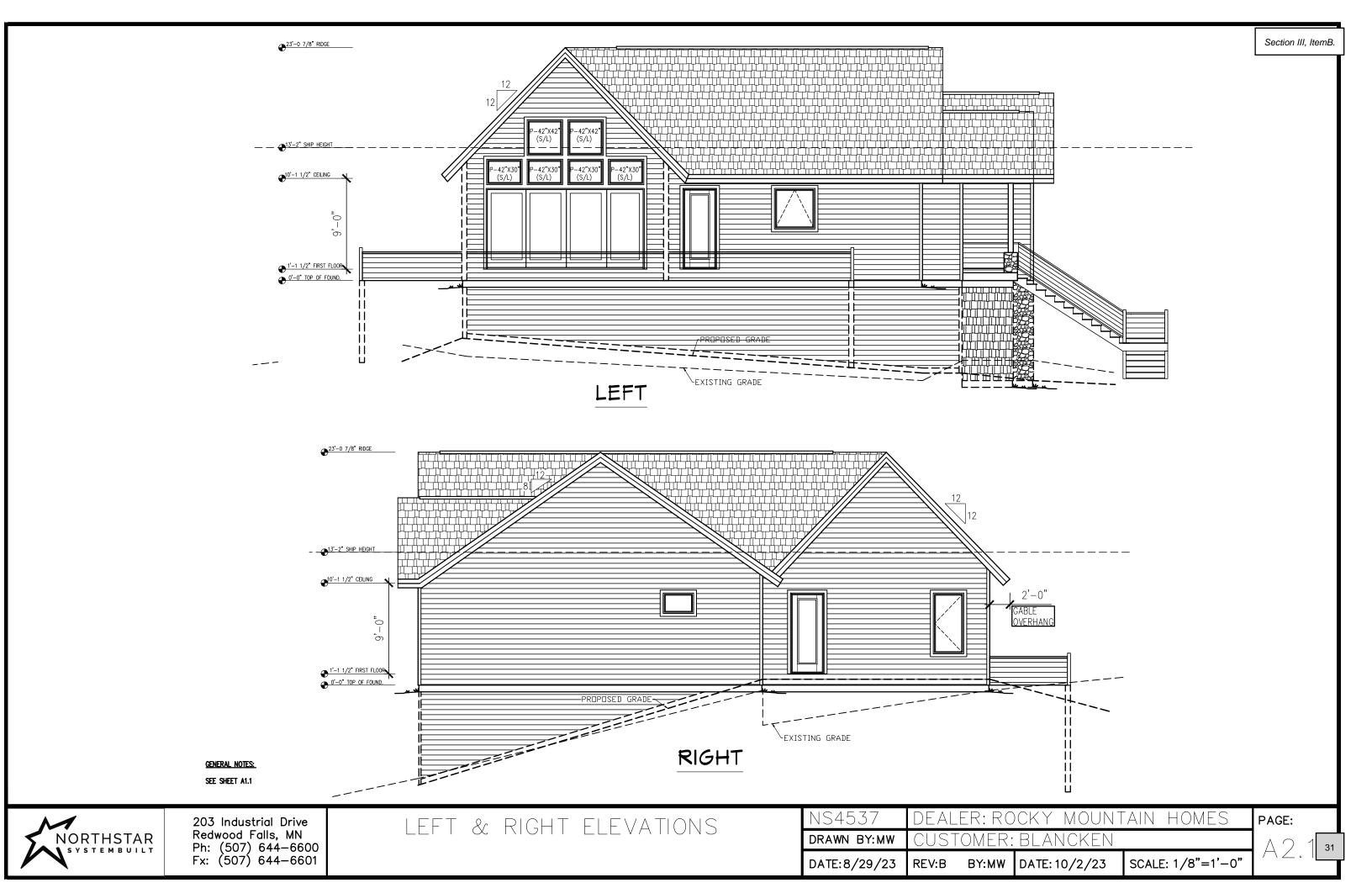
Please note the following key to the interpretation of the analysis table:

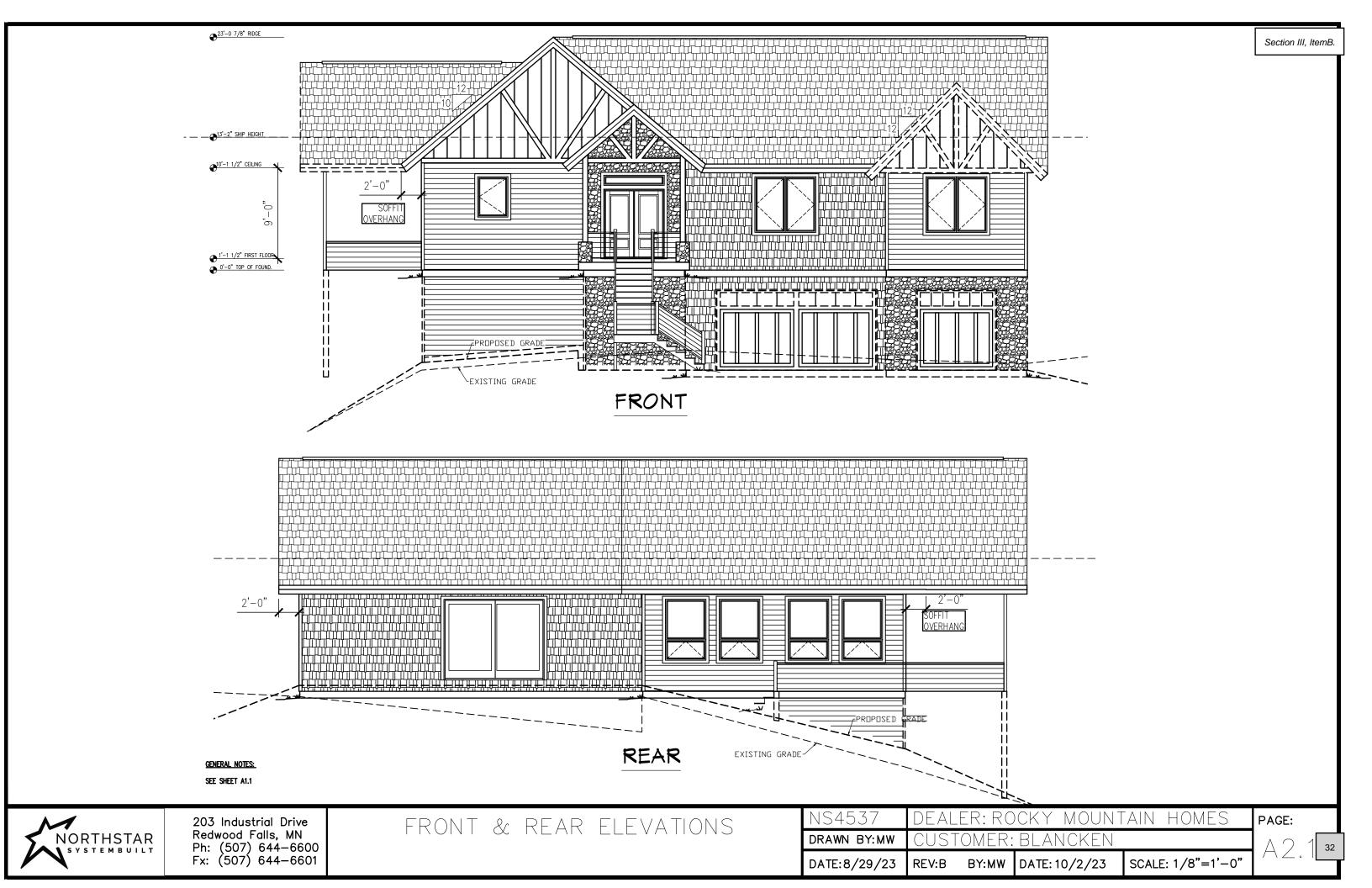
Υ	Element is in substantial compliance with the design guidelines
N	Does not comply with the design guidelines
PC	Subject to Planning Commission Specific approval
	Requires additional information from applicant
N/A	Not Applicable to the application

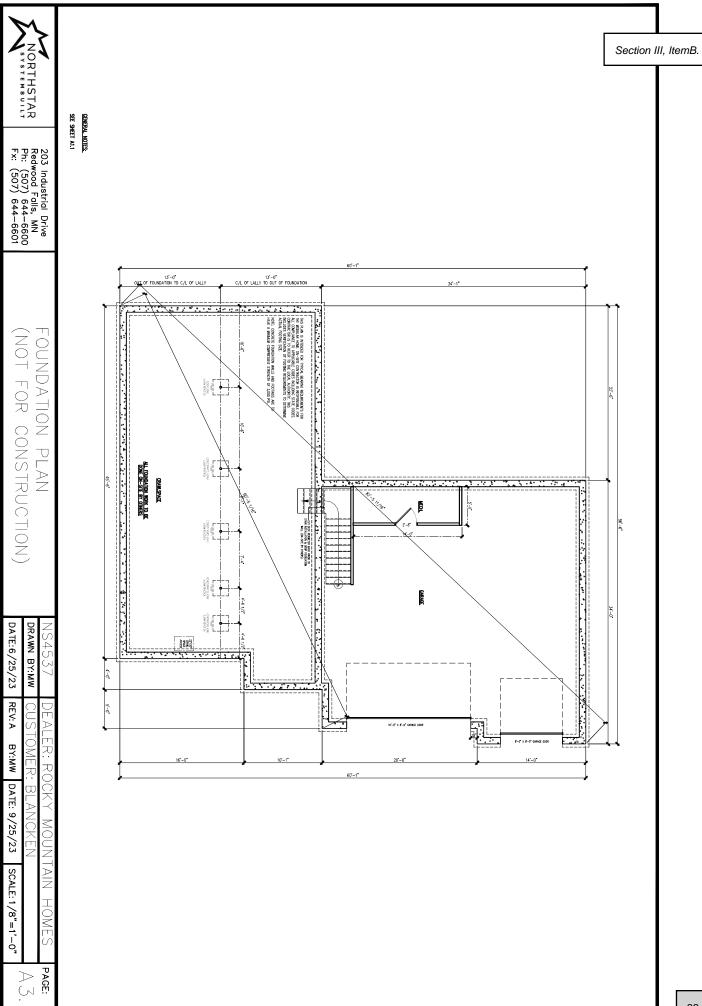
STANDARD	NOTES/REMARKS	SUBSTANTIAL COMPLIANCE
DEVELOPMENT STANDARD		
Article 3: Easements	Easements are indicated, and proposed structure complies	Y
Article 4: Buildable Area/setbacks	Setbacks are indicated, North and South are indicated as front and back, it is unclear what the front and back should be on this property, complies either way.	Υ
	Article 5 Building Design Standards	
Article 5-20 Building Height	Height Per Definitions is calculated from elevations at 33'	Y
Article 5-60 Foundation	Foundation final appearance is unclear in the elevations, and appears to show raw concrete.  Elevations do not depict elevations changes of final grade height, and unclear to the foundation visual impact.	

Article 5-70 Roofs	Proposed structure depicts gable roof with several roof changes with architectural interest. Roof plan and elevations do not appear to coordinate with the roof designs.	Y
Article 5-80 Garages	Garage is located under the main home, and low visual impact. Floor plan for garage level is not provided, and unable to determine actual sqft. From the application, the main level is 2339 sqft, 45% allowable garage area is 1052, less than the 1116 proposed.	N
Article 5-90 Easements and Utilities	Utilities are indicated to be from a well and septic. Gas and Electrical paths are not indicated	Y
Article 5-100 Balconies and railings	Railings are indicated to surround the deck, railing is indicated on the materials sheet as a horizontal cable system.	Y
Article 5-110 Chimney and Roof Penetrations	Fireplace is indicated in the living room, however no chimney or exterior elements to coordinate are indicated.	
	Article 6 Building Materials and Colors	
Article 6-10 Materials	Materials appear to be in general conformance, with composite siding materials, with stone accents	Y
Article 6-10 Colors	Colors appear to be in general conformance, with natural brown hues.	Υ
	Article 7 Accessory Improvements	
Article 7-(20-40, 110) Berms, Garages, sheds and Gazebos	No accessory structures are indicated	Y
Article 7-50 Driveways	The driveway when including the easement drive from adjacent property exceed 300' and a turnaround may be required by emergency responders. Driveway winds through the setbacks, and appears to be in noncompliance with (b) (1) as it is in the setback more than the extent necessary. Driveway is listed at a continuous 10%, and exceed the maximum 6% in the	PC

	first 20 feet, and the driveway has turns less than the minimum 30 feet radius.	
Article 7-60 Parking Areas	Parking is provided in the attached garages	Υ
Article 7-100 Decks	Deck appears to be in general conformance	Y
Article 7-120 Hot Tubs	No hot tub is indicated	Υ
Article 7-140 Fences	No fencing is indicated	Υ
Article 7-150 Retaining walls	Retaining walls are significant in nature for the driveway design. Walls are located in the setbacks.  Natural stone is indicated for the retaining walls with a maximum height of 3'	PC
	Article 8 Signs	
Article 8 Signs	No signage is indicated	Y
	Article 9 Lighting	
Article 9 Lighting	Exterior lighting is indicated on the materials sheet, and do not appear to comply with requirements.	N
VII. L. Solid Waste Collection and Service Areas	None indicated	Υ
Article 13 Environmental Regulations		
Article 13-20 Wetlands	None indicated	Υ







## **SPECIFICATIONS**

Certifications/Qualifications
Dark Clay Compliant

Dark Sky Compliant Yes

www.kichler.com/warranty

**Dimensions** 

Base Backplate4.75" X 5"Extension7.00"Weight0.95 LBSHeight from center of Wall opening3.50"

(Spec Sheet)

Height 7.00" Width 4.75"

**Light Source** 

Dimmable Yes
Lamp Included Not Included
Lamp Type BR30
Light Source Incandescent
Max or Nominal Watt 65.00

# of Bulbs/LED Modules 1
Socket Type Medium

Socket Type Medium Socket Wire 150"

Mounting/Installation

Interior/Exterior Exterior
Location Rating Wet
Mounting Style Wall Mount
Mounting Weight 0.95 LBS

#### **FIXTURE ATTRIBUTES**

Housing

Primary Material ALUMINUM
Shade Description Metal Shade
Shade Included Yes

**Product/Ordering Information** 

SKU 9234AZ

Finish Architectural Bronze
Style Contemporary
UPC 783927923446

#### **Finish Options**

Architectural Bronze

Black



**Brushed Aluminum** 





## **ALSO IN THIS FAMILY**





## Guidelines for Minimum requirements for Certificate of Occupancy

## Per Chapter 18 Blue River Municipal Code:

- Prior to the issuance of a certificate of occupancy, any person who builds or erects any structure must contact the Town by calling or writing the Building Official to obtain approval for issuance of the certificate of occupancy. Approvals of the septic/sewer authority, the fire protection district, the Architectural Review Board and homeowners' association may be required. Approval may, at the Town's sole discretion, require completion of the following improvements:
  - (1) Installation of culverts.
  - (2) Grading or regrading any disturbed or damaged roads or driveways or other areas necessary for proper drainage.
  - (3) Installation and placement of up to twelve (12) tons of approved road base.
  - (4) Any dirt, boulders or other material stored or remaining on the property described above shall be moved or distributed and arranged in such a way that it serves as landscaping and not piles of stored material.
  - (5) All construction debris shall be removed from the site and properly disposed of.
  - (6) All runoff created by or redirected by the construction, erection and landscaping of the structure on the property shall be treated, contained and controlled so that there are no increases in runoff or other drainage consequences resulting from said construction, erection and landscaping.
- If weather conditions are such that the foregoing requirements cannot be determined or performed prior to the issuance of the certificate of occupancy, the person building or erecting the structure and requesting the certificate of occupancy shall pay to the Town, in cash or a letter of credit acceptable to the Town, an amount equal to one hundred fifty percent (150%) of the Town's estimated cost for performing such improvements. The Town shall hold these funds in a non-interest-bearing account. The funds may be commingled with other Town funds. If the improvements are not completed, the Town may use the funds to complete the improvements. Any unused funds shall be returned to the owner.

## Additionally:

- 1. Exterior of structure must be complete in its entirety, including site cleanup and required landscaping. Approval of active subdivision Homeowner Associations must be obtained. If construction or inspection cannot be completed because of snow cover, a cash bond may be accepted to guarantee completion. The bond amount shall be 1 ½ times the estimated cost of the uncompleted/un-inspected work.
- 2. Final approval from the sewer/septic and water district authorities must be obtained and proof of fees paid.
- 3. Final approval of the local Fire District must be obtained (if required).
- 4. Third party Air Sealing or Blower Door Test report must be obtained.
- 5. All safety related items must be complete. This includes, but is not limited to, guardrails, handrails, stairways, required tempered glass and exposed electrical wiring.
- 6. All required electrical code items must be complete and operating.
- 7. The kitchen must be fully functional, with hot & cold running water, washing, cooking and refrigeration facilities.
- 8. The heating system must be fully functional.
- 9. Door and window hardware must be installed.



## Town of Blue River Memorandum

TO: Planning & Zoning Commission

FROM: Town Manager Michelle Eddy

DATE: October 2, 2023

SUBJECT: Building Certificate of Occupancy-Landscaping

## **Background**

On September 27, 2023, Chairman Tim Johnson requested an addition to the October agenda to review the requirements for CO (certificate of occupancy) specifically as it pertains to landscaping completion.

## **Current Conditions:**

A complete review of all completed new construction projects was conducted. Projects from 2015-present were evaluated for completeness.

Total Projects: 53 Completed Projects: 51

Incomplete Projects: 2 (1 duplex)

It was observed that one duplex (2 projects) was incomplete. The home was provided with a CO on January 3, 2023. The owner was contacted 9/20/23. He has indicated he has been working to hire a landscaper and was provided with additional contractors.

## Chapter 18-Building Department Regulations

#### Sec. 18-1-10. Certificate of occupancy.

Prior to the issuance of a certificate of occupancy, any person who builds or erects any structure must contact the Town by calling or writing the Building Official to obtain approval for issuance of the certificate of occupancy. Approvals of the septic/sewer authority, the fire protection district, the Architectural Review Board and homeowners' association may be required. Approval may, at the Town's sole discretion, require completion of the following improvements:

- (1) Installation of culverts.
- (2) Grading or regrading any disturbed or damaged roads or driveways or other areas necessary for proper drainage.
- (3) Installation and placement of up to twelve (12) tons of approved road base.
- (4) Any dirt, boulders or other material stored or remaining on the property described above shall be moved or distributed and arranged in such a way that it serves as landscaping and not piles of stored material.
- (5) All construction debris shall be removed from the site and properly disposed of.

(6) All runoff created by or redirected by the construction, erection and landscaping of the structure on the property shall be treated, contained and controlled so that there section III, ItemC. no increases in runoff or other drainage consequences resulting from said construction, erection and landscaping.

If weather conditions are such that the foregoing requirements cannot be determined or performed prior to the issuance of the certificate of occupancy, the person building or erecting the structure and requesting the certificate of occupancy shall pay to the Town, in cash or a letter of credit acceptable to the Town, an amount equal to one hundred fifty percent (150%) of the Town's estimated cost for performing such improvements. The Town shall hold these funds in a non-interest-bearing account. The funds may be commingled with other Town funds. If the improvements are not completed, the Town may use the funds to complete the improvements. Any unused funds shall be returned to the owner.

## Blue River Land Use Code

There are no regulations for landscaping in the adopted Land Use Code. In discussion with the Town Attorney, it was noted this was specifically left vacant as the Board of Trustees have chosen not to adopt heavy handed regulations on property.

## **Staff Recommendations and Considerations**

In reviewing the status of landscaping deficiencies, it is determined that this is not a widespread issue requiring adjustments and change to the current conditions. There is currently one project (duplex) that is incomplete and discussions with the owner indicate they are working towards completing the project. It is recommended not to make any changes at this time.

## TOWN OF BLUE RIVER, COLORADO

## **ORDINANCE NO. 2023-04**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, AMENDING CHAPTERS 16 AND 16A, WHICH ARE PART OF THE LAND USE CODE, OF THE BLUE RIVER MUNICIPAL CODE TO ADDRESS CAMPING AND USE OF VEHICLES FOR OVERNIGHT ACCOMMODATIONS

**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**, in furtherance the public health, safety, and welfare of the inhabitants of the Town, the Board of Trustees of the Town adopted a Land Use Code in June of 2023; and

**WHEREAS**, the Town desires to protect the integrity of neighborhoods, preserve public streets, rights-of-way and parks for their intended public purposes, ensure the proper use of property in conformity with zoning and land use regulations and promote the public health and safety; and

**WHEREAS**, camping on property within the Town can lead to congestion, unwanted noise, sanitation problems, unsightly visual conditions, and risk of fire which is or may be inconsistent with the Town's longstanding goal and policy of protecting the natural residential mountain character and environment; and

**WHEREAS**, the use of recreational vehicles for overnight accommodation is inconsistent with the Town's longstanding goal and policy of protecting the natural residential mountain character and environment; and

**WHEREAS**, opportunities for overnight accommodation through camping and use of recreational vehicles is readily available in locations properly designated for such uses elsewhere in Summit County; and

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

**Section 1. Amendment of Section 16-3-20.** Section 16-3-20 of the Municipal Code of the Town of Blue River titled *Definitions* is hereby amended to add the following definitions in alphabetical order as follows:

#### Sec. 16-3-20. Definitions

Camp or camping means to use property other than a dwelling unit for permanent or temporary living accommodation, which may include, but is not limited to, one or more of the following activities and circumstances:

(1) sleeping or preparing to sleep, including lying down of bedding for the purpose of sleeping; (2) occupying a shelter outside of a *dwelling unit*. "Shelter" shall mean any cover or protection from the elements other than clothing, such as a tent, tarpaulin, shack, sleeping bag, bedroll, blanket, or other structure or material; (3) the presence or use of a campfire, camp stove, or other heating source or cooking device; (4) keeping or storing personal property.

Recreational/Camping Vehicle means a motor vehicle or portable unit mounted on a chassis and wheels, which either has its own motive power or is mounted on or drawn by another vehicle, such as travel trailers, fifth wheel trailers, camping trailers, or motor homes, designed as or intended for permanent or temporary living quarters and often used for recreational, camping, travel, or seasonal use.

## Section 2. Article 22 of Chapter 16A is added to read in full as follows:

## Article 22 Camping and Recreational/Camping Vehicles.

## Sec. 16A-22-10. Camping Generally Prohibited.

It shall be unlawful for any person to *camp* on any private or public property, except that it shall not be unlawful if such activity is conducted:

- (1) By residents of the subject property and their invitees for infrequent use on property that has a lawful principal permitted residential *dwelling unit*, so long as no compensation or consideration is provided for the activity. "Infrequent" shall mean two (2) or fewer consecutive nights and no more than eight (8) nights in a calendar month. The purpose of the exemption is to permit a property that includes a lawfully existing residential *dwelling unit* to use of a tent or other similar form of shelter for overnight stay by persons related to the owners or invited to the property such as children or friends.
- (2) Pursuant to a permit issued by the Town Manager for special events approved by the Board of Trustees.

## Sec. 16A-22-20. Use of Vehicles for Overnight Accommodation.

(1) No person shall occupy any *Recreational/Camping Vehicle* upon any municipal street, state highway, alley, public right-of-way, public property, or private property for the purpose of providing a

Town of Blue River, Colorado Ordinance No. 2023-04 Page 3

residence, residential living or sleeping quarters or storage, or for overnight accommodation whether temporary or permanent. The type or nature of any given vehicle shall not be conclusive as to whether a vehicle is being occupied for living or sleeping quarters or other residential use.

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.

<u>Section 5.</u> <u>Minor Revision or Correction Authorized.</u> 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 17th day of October, 2023.

	Mayor
ATTEST:	
Town Clerk	
Published in the Summit County Journal	, 2023.