

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, AMENDING SECTIONS 2-6-10, 2-6-80, 2-6-100, 2-2-130, AND ADDING A NEW SECTION 2-2-140, OF THE BLUE RIVER MUNICIPAL CODE CONCERNING THE PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT

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”) is authorized by Article 23 of Title 31 of the Colorado Revised Statutes to establish and to provide for the purposes and duties of a planning and zoning commission; and

WHEREAS, in 2023, the Board adopted the Blue River Land Use Code (the LUC), a part of the Municipal Code, which provided for certain duties and responsibilities of the Planning and Zoning Commission; and

WHEREAS, with the adoption of the LUC, sections of Article VI of Chapter 2 of the Municipal Code require amendment to ensure consistency between the Municipal Code and the LUC.

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

Section 1. **Amendment of Section 2-6-10.** Section 2-6-10 of the Municipal Code of the Town of Blue River titled “*Establishment and purposes*” is amended to read in full as follows:

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

- (a) There is hereby established a Planning and Zoning Commission for the Town in accordance with Article 23, Title 31, C.R.S.
- (b) The purpose of the Planning and Zoning Commission is to perform the duties and responsibilities specified in:
 - (1) Article VI of Chapter 2 of the Blue River Municipal Code; and
 - (2) The Blue River Land Use Code (Chapters 16A, 16B, 16C, and 17 of the Municipal Code, as the Land Use Code may be amended.

Section 2. Amendment of Section 2-6-80. Section 2-6-80 of the Municipal Code of the Town of Blue River titled “*Duties of the Commission*” is amended to read as follows:

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

The Planning and Zoning Commission shall have the following duties in addition to or as necessary to implement Section 2-6-10:

- (1) To make and recommend to the Board of Trustees plans for the physical development of the Town, including any areas outside its boundaries, which in the Commission's judgment relate to the planning and zoning of the Town, with such plans being subject to the approval of the Board of Trustees.
- (2) To make recommendations to the Board of Trustees or to make final decisions on matters delegated to the Planning and Zoning Commission by the Blue River Land Use Code.
- (3) To review and recommend to the Board of Trustees any desirable or necessary amendments to the Blue River Land Use Code.
- (4) To consider any other matters pertaining to the Commission as specially provided by law, resolution, or ordinance and to act in an advisory capacity to the Board of Trustees when requested.

Section 3. Amendment of Section 2-6-100 by Deleting Subsection (c). Section 2-6-100 of the Municipal Code of the Town of Blue River titled “*Effective Date of Planning and Zoning Commission decision,*” is amended by deleting Subsection (c). The remainder of Section 2-6-100 (i.e. subsections (a) and (b)) remain unchanged.

Section 4. Amendment of Section 2-2-130 by Deleting Subsection (3). Section 2-2-130 of the Municipal Code of the Town of Blue River titled “Boards and commissions,” is amended by deleting Subsection (3). The remainder of Section 2-2-130 (i.e. subsections (1) and (2)) remain unchanged.

Section 5. Amendment to Add a New Section 2-2-140. Article II of Chapter 2 of the Municipal Code, titled “*Mayor and Board of Trustees,*” is amended by the addition of a new Section 2-2-140 to read in full as follows:

Sec. 2-2-140. Board to Serve as Board of Adjustment.

There is hereby established a Board of Adjustment pursuant to Section 31-23-307, C.R.S. The Board of Trustees hereby appoints itself to serve as the Board of Adjustment. The Board of Adjustment shall consist of seven (7) members. The

term of a member of the Board of Adjustment shall be concurrent with the member's term as an elected or appointed member of the Board of Trustees. Upon election or appointment of a member to the Board of Trustees, such member shall be automatically appointed to serve as a member of the Board of Adjustment without need for special appointment or action by the Board of Trustees. The Board of Adjustment shall perform the duties and responsibilities provided by Part 3, Article 23, Title 31, C.R.S., the Blue River Municipal Code, including the Blue River Land Use Code.

Section 6. **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 7. **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 8. **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 9. **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 March, 2025.

Mayor

ATTEST:

Michelle Eddy
Town Clerk

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