

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2025-05

**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*:

| Accessory Improvement | Reference Section |
|--|-----------------------|
| | |
| 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.

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|--------------------|---------------------------------------|
| 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.

Nick Decicco
Nick Decicco (Apr 30, 2025 13:13 MDT)

Mayor

ATTEST:

Michelle Eddy
Town Clerk

Published in the Summit County Journal April 25, 2025, 2025.






Ordinance 2025-05 Residential Conservation Zone District Ordinance FINAL 2025 RCW

Final Audit Report

2025-04-30

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"Ordinance 2025-05 Residential Conservation Zone District Ordinance FINAL 2025 RCW" History

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