



Agenda

Town of Blue River

Regular Meeting of the Board of Trustees

February 18, 2020

Blue River Town Hall, 0110 Whispering Pines Circle

5:00 p.m. Work Session

6:00 p.m. Regular Meeting

I. WORK SESSION- 5:00 p.m. Review of Planning & Zoning Recommendations

- Mayor Babich called the Work Session to order at 5:00 p.m.
- Trustees reviewed and discussed the proposed ordinances and discussion from the Planning and Zoning Commission.
- Discussion of the history and what it means moving forward. Mayor discussed the codes and plans that exist to density in the Joint Upper Blue Master Plan as well as land/lot information provided by the Town Manager. Noted the last subdivision completed was Timber Creek Estates.
- Town Attorney Widner noted that municipalities have the authority to set their own zoning regulations regardless of any plans in existence.
- Mayor reviewed the 2006 versus 2015 subdivision code.
- Trustee Cleary expressed the following concerns:
 - Concern the 2006 code didn't allow for any subdivision. Noted it is not about square footage but discussion about what is wanted to allow for the future of the Town. Agreed that drafted version is needed but need to address allowing subdivision taking into account any un-subdivided parcels. The focus would be anything that was previously subdivided. He stated by allowing subdivision of lots would allow for increase of density. He noted that the process, while not preventing future boards from changing it, should be difficult to do.
 - Discussion of a code change between 2006 and 2015.
- Mayor asked the Trustees whether or not to continue to allow subdivision as it is adopting in the code or not.
- Discussion about R-1 and zoning rules. Town Attorney noted that they have a minimum lot size and general rule if you have a minimum lot size and you have double that you may subdivide. While he has not seen communities with as many non-conforming lots but has seen communities make the minimum size larger to limit subdivision. He noted the zoning code sets the policy for lot size not the subdivision code. He stated that each lot has a minimum unit of development. Zoning sets the minimum amount allowed.
- Trustee Cleary noted that the new code needs to include that once a lot line is vacated, that lot may not be re-subdivided.
- Noted that lots that are not already subdivided will be exempt.
- Discussion as to whether or not to allow subdivision of lots in existing subdivisions. General consensus to limit subdivision of lots within a subdivision.
- Trustee Fossett noted allowing a 2 acre minimum is more for future subdivision and neighborhoods not existing. He also noted that the minimum lot size does need to be addressed. He noted he was comfortable about the 80,000 square foot size but not with going smaller.
- It was noted that for properties wanting to annex in to the Town, zoning and density can be customized to that application.
- Consensus that already subdivided lot in a subdivision should not be allowed but un-subdivided lots would be allowed. Agreed not to increase or decrease lot the minimum lot size.
- Discussion of agenda and upcoming meeting and process.

II. REGULAR MEETING OF THE BOARD OF TRUSTEES, 6:00 p.m.

- Mayor Babich called the Regular Meeting of the Board of Trustees to order at 6:08 p.m.
 - Roll Call
 - Mark Fossett
 - Joel Dixon
 - Tyler Brook
 - Dan Cleary
 - Toby Babich
- Trustees Robertson and Pilling were excused. Also present: Town Manager/Clerk, Michelle Eddy, and Town Attorney Robert Widner attended via phone.

III. CALL TO ORDER, ROLL CALL

IV. APPROVAL OF CONSENT AGENDA

- **MINUTES, January 22, 2020**
- **Approval of Bills- \$57,603.82**
 - Trustee Cleary clarified the committee appointment for code review and structure.
 - Trustee Fossett moved and Trustee Cleary seconded to approve the consent agenda. Motion passed. Trustee Brook abstained.

V. COMMUNICATIONS TO TRUSTEES

This is an opportunity for Citizens to bring comments and questions to the Board of Trustees not being addressed in the Regular Meeting Agenda. Please limit comments to 3 minutes. Citizens are asked to approach the podium state their name and address for the record.

- Citizen Comments (Non-Agenda Items Only)
- Citizen Communications (letters & emails)

VI. NEW BUSINESS

- First Reading, Ordinance 2020-01 Section of Article 17 Subdivisions
 - Trustee Cleary asked to include language as it pertains to existing subdivided parcels or within a subdivision not to be allowed to be subdivided. Town Attorney Widner noted any plat with the lots would be considered subdivided.
 - Trustee Cleary also asked for language that once a lot line is vacated, it cannot be re-subdivision. He also asked for clarification on notification for any subdivision. Town Attorney Widner noted that posting is most common.
 - Trustee Cleary reviewed clarification on different points and language with the Town Attorney.
 - Trustee Fossett moved and Trustee Dixon seconded to approve the First Reading of Ordinance 2020-01 Section of Article 17 Subdivisions for publication with recommended changes to be included in the second reading. Motion passed.
- Ordinance 2020-05 Subdivision Moratorium Ordinance
 - The ordinance was not passed.
- Ordinance 2020-06 Accessory Building Ordinance
 - Town Manager Eddy reviewed the Planning and Zoning recommendations.
 - Discussion of maximum size recommended as it pertains to larger homes as well as definition and size of shed. Discussion to refine definition of shed and clearly define permitted use to include limiting number of sheds based on lot size or add a maximum number of square feet. Discussion to provide feedback to Planning and Zoning for corrections.
 - Trustee Fossett moved and Trustee Cleary seconded to approve Ordinance 2020-06 Accessory Building Ordinance. Motion passed with changes noted to be referred back to Planning and Zoning to come back with a revised ordinance in April. Noted the ordinance will be effective March 18, 2020.
- Ordinance 2020-02 Accessory Building Moratorium
 - The ordinance was not passed.
- First Reading Ordinance 2020-03 Adoption of the 2020 Model Traffic Code
 - Discussion to review in the future the snowmobile ordinance.

- Trustee Cleary moved and Trustee Fossett seconded to approve the First Reading of Ordinance 2020-03 Adoption of the 2020 Model Traffic Code for publication. Motion passed unanimously.
- Ordinance 2020-04 Noxious Weeds Advisory Board
 - Mayor Babich noted it is a State Statute to pass this ordinance to establish the board and then develop the program.
 - Trustee Fossett moved and Trustee Brook seconded to approve Ordinance 2020-04 Noxious Weeds Advisory Board. Motion passed unanimously. Noted ordinance will be effective March 18, 2020.
- Resolution 2020-02 A Resolutions Appointing the Noxious Weeds Advisory Board
 - Trustee Dixon moved and Trustee Fossett seconded to approve Resolution 2020-02 Appointing the Noxious Weeds Advisory Board. Under discussion clarification of appointments. Motion passed unanimously.
- Memorandum of Understanding-Housing Helps Deed Restrictions
 - It was noted the memorandum still needs approval from the Town of Breckenridge and Summit County.
 - Discussion of MOU versus IGA. It was noted that they would not necessarily want to agree to it. Trustee Cleary asked for it to be more general language for deed restriction.
 - Discussion of need and how guidelines will work to allow for a say in future restrictions.
 - Trustee Brook moved and Trustee Fossett seconded to approve the Memorandum of Understanding-Housing Deed Restrictions. Motion passed unanimously.
- Housing Helps Review Guidelines
 - Town Manager Eddy noted a handout of comments from Trustee Cleary have been provided.
 - Mayor Babich noted the guidelines are an internal policy for review of Housing Helps applications.
 - Noted to remove criteria on investment property. Also noted to remove limiting a single person owning multiple properties. Suggestion to remove limit by block but add to not be allowed within 500' of an existing restriction with a maximum of 3% in the Town.
 - Recommended to change to limit to existing improved residential properties.
 - Discussion to have a meeting with the Housing Authority and understand the enforcement to ensure the restriction is enforced and monitored. Recommendation to have a work session with the Housing Authority.
 - Trustee Brook moved and Trustee Cleary seconded to approve the guidelines as revised. Motion approved unanimously.

VII. REPORTS

- Mayor
- Trustees
 - Transit Authority-Trustee Pilling-no report.
 - Wildfire Council-Trustee Dixon-no report.
 - Planning & Zoning-Trustee Robertson-no report.
 - Trails-Trustee Fossett
 - Committee Appointment
 - a. Trustee Fossett noted two applications have been received and are being recommended for approval. It was noted that Bob does not live here full-time but has a desire to be involved. Suggestion to have Bob remain involved but apply once he is here full-time.
 - b. Trustee Cleary moved and Trustee Brook seconded to approve Wile Asher for appointment of a three year term to the Trails Committee. Motion passed unanimously.
 - Land Acquisition Approval
 - a. Trustee Fossett reported out on a meeting held between himself, Town Manager Eddy and representatives of Summit County and Breckenridge Open Space. Summit County and Breckenridge recently purchased two properties within the Town for open space purposes. These properties are key to the Trails Committee's plans. In the meeting Trustee Fossett expressed a desire for the Town of Blue River to be a partner on this purchase. He asked the Trustees for approval of \$54,000 to "buy-in" the partnership to ensure the Town of Blue River has a stake and say in the future of the land. This would need to be approached to the Town of Breckenridge Council and Summit County Board of County Commissioners.

Noted to clarify amount paid for the properties. Intent is to have an equal share in ownership and equal say in use. It was noted that currently any use or change of use without Blue River at the table would have to be approved by the Board of Trustees.

- b. Discussion to propose an offer to both entities. Noted to include that it is a direct benefit to the trail system the Trails Committee has been developing. Suggestion to draft letter with proposal.
 - c. Trustee Fossett moved and Trustee Dixon seconded to move forward with negotiations and approve the payment of up to \$54,000 to partner with Summit County and Breckenridge in the purchase of Lots 92 & 97 Sherwood Forest. Motion passed unanimously.
 - d. Trustee Fossett noted additional properties being reviewed for trail connection and ongoing discussions with homeowners. He also reported there were approximately 30 residents at the open house and very positive feedback.
 - e. Discussion to reach out to neighboring properties about possible purchase of vacant land.
- Other Trustees Reports
 - Trustee Brook reported on plowing on the last storm. He noted the plowing was late in the five day storm and was a concern as roads became an issue and that some roads need attention. It was noted to review the contract and possible bid in March. Discussion to continue with current contract but review contract.
 - Trustee Fossett noted a suggestion that the paved roads should be paved completely down. He noted issues at entrance to Blue River Road and bridge.
 - Trustee Cleary noted intersections are needing to be addressed as the berms being caused by CDOT have made it difficult to get addressed.
 - Department/Staff Reports
 - Attorney's Report

VIII. OTHER BUSINESS

IX. Next Meeting, Wednesday, March 11, 2020

There being no further business before the Board, Trustee Fossett made a motion to adjourn the meeting. Trustee Brook seconded the motion. Mayor Babich adjourned the regular meeting 8:55 p.m..

Respectfully Submitted:

Michelle Eddy, Town Clerk