



## Minutes

### TOWN OF BLUE RIVER

### PLANNING AND ZONING COMMISSION REGULAR MEETING

November 1, 2022

0110 Whispering Pines, Blue River, CO 80424

Applicants and residents may attend via Zoom or in person. The Zoom link is below.

[Planning & Zoning | Town of Blue River \(colorado.gov\)](#)

#### I. Call to Order

- Chair Johnson called the regular meeting of the Planning & Zoning Commission to order at 6:00 p.m.

#### II. Roll Call

- Travis Beck
- Tim Johnson
- Bevan Hardy
- Doug O'Brien
- Ben Stuckey

Also Present: Board Liaison Noah Hopkins; Town Manager Michelle Eddy; Building Official Kyle Parag. Troy Watts was absent.

#### III. Minutes, September 6, 2022

- Beck moved and Stuckey seconded to approve the minutes of September 6, 2022. Motion passed unanimously.

#### IV. New Business

- **Chapter 18 Code Review/Update-Building Official Kyle Parag**
  - Building Official Parag presented and discussed needed changes to the existing Chapter 18 Building Code. The recommended changes clean up conflicting codes and brings the adopted 2018 IRC into conformance. He noted the change to energy code is necessary to conduct now as state law will mandate a change in July if a new code isn't included. He recommended the Town approve the revisions.
  - Discussion on whether or not to wait. It was noted that in July, the Town will be forced to move even further than the 2018. It is a 15% difference from 2012 to 2018.

- It was noted this is being brought forward to the Board of Trustees for the month of November.
- Discussion that the overall goal is to be consistent and resolve the conflicts within the code.
- The Commission recommended approval but wanted to express to the Trustees a concern of what is happening with the affordability of building in Blue River noting that there is limited ability to build and much will be a scrape.
- Building Official Parag reviewed dates and deadlines for future adoptions. Specifically in 2025 municipalities will be required to adopt the 2025 code across the state. It was also noted that the new code will automatically be adopted without a change in code when the State updates.
- It was noted that RWB did half of the wildland urban interface code but not the building code side of items of the overall code. The Town has the option to adopt it in the future.
- O'Brien moved and Hardy seconded to make a recommendation to the Board of Trustees to adopt the revised Chapter 18. Motion passed unanimously.
- **Discussion of Code recommendations to Board of Trustees**
  - **Review of current Natural Night Sky Ordinance Passed in 2020.**
    - Discussion that codes must be applied to all homes and cannot target short-term rentals only.
    - The current Natural Night Sky Ordinance was reviewed. It was noted that Planning & Zoning may make recommendations.
    - Martie Semmer, Blue Grouse introduced Aaron Watson with of the Chair International Dark Sky Association Colorado Chapter to discuss applying as a Town and submit a pre-application to begin the process. Semmer recommended the PZ make a recommendation to the Trustees.
    - Beck asked for clarification on what the application means for the town. Watson noted it would require an exceptional step towards dark sky compliance. It would include a dark sky ordinance and would include all lights within the town to be compliant with Town lights being compliant within five years and the entire town within ten years. Meters would be used to measure the light and rate the town for compliance.
    - Beck noted cost and asked if there are grants available to assist homeowners.
    - Watson noted that the focus on levels would be putting a cap on the number of lumens, curfew for signage and bistro lights would need to be added to existing ordinance. It was noted that the pre-application doesn't commit the town to going all the way through.
    - It was noted that the Trustees will be discussing in a future meeting.
    - Semmer noted outreach and education are necessary. She noted a desire to review the bistro lighting section of the ordinance.

- Johnson moved and Beck seconded to recommend the Board of Trustees consider filling out the pre-application. Four voted yes. Stuckey voted no.
- Semmer asked if the current code is being enforced by the building services and if the code is going to be part of the Chapter 16 clean up for the land use code.
- Other
  - Johnson asked about shed on Leap Year Trail and it doesn't meet color requirements.
  - Johnson asked about making a recommendation to the Trustees concerning "decorations"/ "screening" in trees. Discussion of creating rules/regulations that can't be enforced.
  - Hardy noted he will be attending via Zoom in December.

**V. Next Meeting December 6, 2022**

There being no further business before the Planning & Zoning Commission, Hardy moved and O'Brien seconded by to adjourn the meeting at 7:30 p.m. Motion passed unanimously.

Respectfully Submitted:  
Michelle Eddy, MMC  
Town Clerk