

TOWN OF BLUE RIVER, COLORADO

STAFF REPORT

TO: Mayor & Members of the Board of Trustees
THROUGH: Michelle Eddy, Town Manager
FROM: Bob Widner, Town Attorney
DATE: September 11, 2024
SUBJECT: Moratorium on Certain Development to protect Town Character
Ordinance No. 2024-03

Previous Town Boards adopted two regulations to advance the Town's long-standing and critically important policies of protecting the natural character of Blue River and ensure that natural areas and natural hazards are appropriately managed (e.g., floodways, floodplains, drainageways, wildlife areas, among others). These regulations are the Town's Land Use Code and the Town's 1041 Regulations.

At the time of adoption of the LUC and the 1041 Regulations, staff informed the Board of Trustees that additional steps would be necessary in the future to best advance the Town's policies. The Staff currently understands that the federal and state governments are working toward identification of natural resource areas and designating new floodways and floodplains within Summit County and Blue River. Moreover, the Colorado Areas and Activities of State Interest Act authorizes state agencies to assist municipalities, such as the Town, to help identify natural resource areas and natural hazard areas that can be made subject to the Town's regulations.

It is recognized that certain larger scale developments, if undertaken prior to a full study, review, and evaluation of the most current information and data concerning natural areas and natural hazards, may directly undermine the Town's ability to protect the natural character of the Town as well as protect the public from natural hazards.

The attached Ordinance No, 2024-03 implements a reasonable and judicially accepted land use practice (temporary moratorium) to temporarily suspend and delay developments that might undermine the Town's policies until such time that the Town can complete the study, review, and evaluation as described in the Ordinance.

If you have any questions, please do not hesitate to contact me at any time.