



MEETING MINUTES
Land Use and Development Code Update Committee
Monday, December 12, 2022, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION

This was an in-person meeting with access for the public to attend via Teams.

6:00 PM MEETING CALLED TO ORDER

Schlosser nominated Beveridge as acting Chairman. Hoiland arrived shortly after. Hoiland resumed Chairman and called the meeting to order at 6:08 PM.

COMMITTEE MEMBERS PRESENT

Kyle Hoiland, Jack Albertson,
Rick Beveridge, Scott Schlosser,
Scott Turnipseed, Dawn Koenig,
Rick Pylman

COMMITTEE MEMBERS ABSENT

Allison Kent

STAFF

Chad Phillips – Com Dev Director
Jessica Lake – Planner I
Peyton Heitzman – Planner II
Cliff Simonton – Senior Planner
Elizabeth Garvin – Clarion Associates (via Teams)

APPROVAL OF MINUTES

1. Minutes dated November 7, 2022

The minutes were approved as presented.

OVERVIEW

1. Installment 3: Administration and Procedures

- Drafting Goals for Procedures:

- Consistent organization
- Full set of instructions
- Full set of procedures
- Differing levels of flexibility
- Ability to elevate applications if needed
- Paths for infrequent Code users
- General Provisions (Section 4.01)
 - Updated purpose statements > broader representation of what is important to Eagle.
 - Will this become repetitive? Statement should describe the outcome of the application process.
 - Transitional Provisions > what happens to applicants in progress while we're undergoing Code adoption.
- Changes under Common Review Procedures
 - 6 basic steps > each step may or may not apply depending on the procedure.
 - Application Process Summary Table is intended to be "at a glance" with site specific sections.
 - Submittal and Completeness Review section now includes Development Impact Report.
 - Does the Application Submission Waiver belong in the Pre-App Conference?
 - Helps the applicant to determine what can/cannot be waived earlier in the process.
 - Completeness Application Review and Action section now includes 'Neighborhood Meeting' (rezoning or PUD application).
 - Completeness Application Review and Action section now includes 'Administrative Approval' - applications that require staff decision.
 - New 'Required Notice Table' and 'Post on Site' requirement.
 - Communities are starting to do 'Informational Notices' i.e., *"Staff is reviewing an ADU for this property..."* or *"Community members in this neighborhood have x-amount of time to provide comments on x-application."*
 - Review and Decision-Making section now include 'Referral and Call-up Procedures' which allow staff or P&Z to bump-up/call-up or refer an application to the next deciding body.
 - Post-Decision Actions include 'Successive Applications'; modification or amendment approvals; lapsing and extension of approvals. Current LUDC has Successive Applications at 6 months which the Committee thinks is adequate time.
- Specific Applications
 - New Applications: Comp Plan Adoption/Amendment; Conditional Use Permit; Development Plan (instead of Development Permit and 3 ways to streamline approvals)
 - Conditional Use will either get Administrative or P&Z approval; does not require Council approval. Special Use will go to Council for approval (significantly more impactful use in the Community).
 - How rezoning conditions differ from PUDs – PUDs build on zoning and conditions of approval; imposes limits beyond regular zoning requirements.
 - Organizational change
 - Identify review criteria to set common expectations of what the decision-making process will focus on.
 - Will include cross-referencing to simplify document navigation.
- Code Administration
 - Administrative Adjustments
 - Variance vs. administrative adjustments; new Code is moving away from variances.
 - When would Administrative Adjustments apply? Only minor zoning permit process. At time of building permit?

- Appeal of Administrative Decisions; (new) Code Interpretation; Code Text Amendment (language of the code, not the zoning map). Anyone affected by the decision can file an appeal. When appeals will go to P&Z/Council will be clarified in the new Code.
- LERP regulations going to be incorporated in Title 4 and likely retain a similar structure: describe the framework with specific details written in a separate policy document.
- Required Improvements:
 - Typically found in Subdivision Standards and unified all under this section, it's not just a subdivision process anymore.
 - Same thing with Land Dedication and Fees.

DISCUSSION QUESTIONS

- What type of applications should hold a Neighborhood Meeting before applying?
 - Beveridge suggested it should be up to the applicant and voluntary. However, it should be done for applications that are potentially controversial; can be recommended by staff. Applicant must provide information about the meeting, but staff doesn't need to be there.
 - Pylman added if there is a requirement, there should also be standards as to how the meeting is executed.
 - If the applicant does not hold a Neighborhood Meeting, P&Z/Council could put the application on hold and require the applicant to complete this step. Also need to establish definition of 'Neighborhood'.
- Should the neighbor be given public notice when developments with Administrative Approval (no hearing) are proposed?
 - Oftentimes this is at the discretion of the Planning Director.
 - Consider two categories: Minor Administrative Approval and Administrative Permit. The latter requires noticing.
- Should the Code include a P&Z adjustment process that allows more than 15% adjustments or adjustments to subjective standards? Should applicants be allowed to request their own adjustments?
 - After 15%, applicant should seek out a variance approval.
 - If the Code provides sound regulations, do we want to deviate? FONSI (Finding of no Significant Impact)
 - Site condition standards to allow for flexibility. Limit number of adjustments.
 - Adjustments wouldn't apply to PUDs.

2. Future Agenda Items:

- Next LUDC meeting is scheduled for 1/23/23.
- Tentative Working Schedule –
 - Staff draft I2: Development Standards - Dec. 22 thru mid-January
 - LUDC Committee I3 Review: early January?
 - Legal Review I3: mid-January
 - LUDC Committee I2 Review: mid-January
 - Staff & LUDC UC Consolidated Draft review: mid-February (a couple of months)
 - Public Review > Work Sessions > Adoption

ADJOURN

Meeting adjourned at 8:00 PM.