



**Planning & Zoning Commission
Tuesday, March 21, 2023, 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 AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First-time users of Teams will need to download the app.

Microsoft Teams meeting

Join on your computer or mobile app: [Click here to join the meeting](#)

Or call in (audio only): [+1 469-770-0416](tel:+14697700416), [484542231](tel:+1484542231) United States, Dallas

Phone Conference ID: 484 542 231#

Please Note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions for all meeting attendees. When it is your turn to speak, you will have three (3) minutes for public comment. For technical difficulties, please email Nikki.Davis@townofeagle.org and we will do our best to assist you.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

6:00 PM - REGULAR MEETING CALLED TO ORDER

1. Appointment - Vice Chairman

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated March 7, 2023

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

PRESENTATIONS

1. ReCode Eagle Update

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

1. Department and Town Council Update

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Nikki Davis
Administrative Technician II



MEETING MINUTES
Planning & Zoning Commission
Tuesday, March 7, 2023, 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 AND PUBLIC PARTICIPATION

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

6:00 PM - REGULAR MEETING CALLED TO ORDER & ROLL CALL

Hood called the meeting to order.

1. New Member Oath, Keith Montag (Regular Member)
2. New Member Oath, Weston Arbogast (Alternate)
3. Appointment of Vice Chairman – Tabled to March 21, 2023 meeting
4. Appointment of Land Use Code Update Committee Liaison

MOTION: NUTKINS MOTIONED TO KEEP FORMER PLANNING COMMISSIONER KYLE HOILAND AS THE LAND USE CODE UPDATE COMMITTEE LIAISON FOR THE PLANNING & ZONING COMMISSION.

MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

COMMISSIONERS PRESENT

Matt Hood, Bill Nutkins,
Jennifer Filipowski, Keith Montag,
Weston Arbogast,
Jamie Woodworth Foral (via Teams)

COMMISSIONERS ABSENT

Keegan Winkeller, Keith Klesner

STAFF

Chad Phillips – Community Development Dir.
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Dennis Wike – Town Engineer

APPROVAL OF MINUTES

1. Minutes dated February 21, 2023

The minutes were approved as presented without change.

PUBLIC COMMENT

Hood opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: Code Amendment – Amendment to Chapter 4.04
File #: LURA23-02
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Peyton Heitzman, Planner II
Request: To amend uses permitted in the Residential Single-Family (R1) zone district.

Hood opened file #LURA23-02.

Staff Presentation

Heitzman presented this file. The request is to allow duplexes and multi-family as a use by right within the Residential Single Family (R1) zone district. Staff noted there are no other impacts to other general zoning requirements. While an R1 zone district is not part of the Town's current zoning map, it is a recognized zone district in the Municipal Code. This amendment would further support community's efforts to increase affordable housing policies. The method of density increases was also supported by the recently completed Comprehensive Affordable Housing Assessment (CAHA).

Staff recommended the Commission approve the recommendation to amend Chapter 4.04.

Q & A

Nutkins asked why not eliminate R1 instead. Heitzman responded it can be discussed through ReCode but recommended keeping it. The Town must demonstrate efforts toward increasing affordable housing opportunities by adopting qualifying strategies identified by the State. This effort is linked to a grant application.

Hood asked if this amendment is being considered for any PUDs in town. Heitzman verified this amendment would not impact Planned Unit Development (PUD) guidelines at this time.

Montag asked if Clarion has provided input on the requested code amendment. Heitzman responded that Clarion has provided an initial draft and was also waiting for specific recommendations from the CAHA. Montag added that staff might consider a special use permit process to ensure all the criteria are met within a multi-family zone district.

Public Comment

There was no public comment.

Deliberation

Hood expressed the Town needs increased density and flexibility in the straight zoned areas of Eagle to spur redevelopment and ensure a vibrant downtown.

The Commission was supportive of waiting for Clarion's presentation to further discuss the matter.

MOTION: FILIPOWSKI MOTIONED TO APPROVE THE RECOMMENDATION TO AMEND CHAPTER 4.04 AS PROVIDED IN ORDINANCE 2, SERIES 2023 BASED ON CONSISTENCY WITH THE TOWN'S GOALS, POLICIES, AND PLANS.

MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

Hood closed file #LURA23-02.

OPEN DISCUSSION

Phillips provided an update on the department's future hearing schedule, anticipated applications, the Code Enforcement Specialist position, and construction progress at Reserve at Hockett Gulch.

ADJOURN

MOTION: NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED AND PASSED UNANIMOUSLY.



To: Town of Eagle Planning and Zoning Commission

From: Chad Phillips, A.I.C.P., Community Development Director

Date: March 21, 2023

RE: ReCode Introductory Presentation

As we get closer to the public release of the ReCode draft, we have scheduled this presentation to bring the P&Z Commission up-to-speed. Staff and Clarion are planning on releasing the working draft to the public on April 14th. Since this draft will be more than 300 pages, we felt that a summary and status presentation was in order. This presentation will focus on the draft's big departures from the existing Title 4 of the Municipal Code (Land Use and Development Code). This discussion with the P&Z Commission will begin the formal process leading to the adoption of the new development code, presently projected for the end of June.

As seen in the attached summary table, staff and Clarion have been busy collecting community comments and direction resulting in a draft code that not only supports the Elevate Eagle Comprehensive Plan but modernizes the code with clarity and current best practices. Clarion will be presenting information that will serve as an introduction to the new draft and provide document highlights.

Throughout this agenda item, staff and Clarion will also be taking questions and comments from the P&Z Commission and the public. I would suggest coming prepared to the meeting with questions regarding a couple sections of the code (those that you believe are in dire need of fixing or those of particular interest to you) incase Clarion's presentation doesn't provide enough detail.

Attachments:

ReCode Key Changes Document

ReCode Eagle: Major Changes to the Land Use and Development Code (2023)			Source of Change					LUDC Update Goal				
Chapter	Section	Change	Elevate Eagle	Sub Area Plan	Climate Plan	Affordable Housing	Best Practice	Code Cleanup	Implement Plans	Complete & Consist. Regulations	Address Local Priorities	User-Friendly Code
4.03	Neighborhood Districts											
	All	Formatted to include intent, graphic, and dimensional standards					◆	◆		◆		◆
	All	Single unit and duplex allowed in low density districts	◆	◆		◆	◆		◆		◆	
	All	Dimensional standards to clarify how to incorporate more housing types	◆		◆	◆	◆		◆	◆	◆	
	4.03.090	New Downtown residential district added to describe scale	◆			◆			◆		◆	
4.04	Mixed-Use Districts											
	4.04.030	Neighborhood protection standards address "good neighbor" scale issues					◆			◆		◆
	All	Formatted to include intent, graphic, and dimensional standards					◆	◆		◆		◆
	All	Linked to appropriate residential district to provide standards	◆	◆		◆	◆	◆	◆		◆	
	All	Allow mixed-use residential development		◆	◆	◆	◆		◆		◆	
	4.04.050	New MU district for commercial corridors	◆	◆		◆	◆		◆	◆	◆	
	4.04.060	CBD renamed Broadway, design standards converted to zone dimensions	◆				◆	◆	◆	◆		◆
4.05	Commercial and Industrial Districts											
	4.05.030	Neighborhood protection standards address "good neighbor" issues					◆			◆		◆
	All	Formatted to include intent, graphic, and dimensional standards										
	4.05.050	Commercial General East (CGE) district added for East Eagle		◆		○			◆	◆	◆	
4.06	Public and Civic Districts											
	4.06.020	New district created to allow housing on civic campuses (e.g., health care, school, church)			◆	◆	◆		◆		◆	
4.07	Rural Districts											
	Both	Carried forward and reformatted						◆		◆		◆
4.08	Planned Unit Development											
	4.08.020	Community benefits clarified to include affordable housing, sustainability, open space	◆	◆		◆	◆	◆	◆	◆	◆	◆
	4.08.030	Review process streamlined to two PUD steps - conceptual and final					◆	◆				◆
4.09	Use Standards											
	4.09.020	Use category descriptions added to help interpretation of future uses					◆	◆		◆		◆
	4.09.040	Use table updated to better describe current range of uses				◆	◆	◆		◆		◆
	4.09.040	Uses changed from Special Use Permit to Permitted or Conditional Use Permit (P&Z)					◆	◆		◆	◆	◆
	4.09.060	Use-specific standards updated and added as needed to help administrative review					◆	◆		◆		◆
	4.09.060	Solar standards added	◆		◆		◆		◆	◆	◆	
4.10	Site Layout and Structure Design Standards											
	All	Current design standards revised to establish more objective standards	◆	◆			◆	◆	◆	◆	◆	◆
	All	Repetitive sections consolidated, topic specific sections (parking) moved to that topic					◆	◆		◆		◆
	All	Graphics added to help describe preferred design elements					◆	◆		◆		◆
	4.10.030	Town design intent updated to reflect Elevate Eagle priorities	◆	◆			◆	◆	◆		◆	◆
	4.10.030	Standards added for attached and multifamily development	◆	◆		◆	◆	◆	◆		◆	◆
	4.10.050	Mixed-use and commercial standards updated and made more objective				◆	◆	◆		◆		◆
	4.10.070	Structural screening standards updated and clarified					◆	◆		◆		◆
	4.10.080	Erosion and sedimentation control requirements and design standards enhanced					◆	◆		◆	◆	◆
4.11	Landscaping and Buffering Standards											
	All	Current requirements clarified and illustrated	◆	◆			◆	◆	◆	◆	◆	◆
	4.11.050	Wildfire protection buffer standards added	◆	◆			◆	◆	◆	◆	◆	◆
	4.11.060	Parking lot landscaping requirements updated and clarified					◆	◆		◆		◆
	4.11.100	Landscaping irrigation made optional, standards added for low water use systems	◆		◆		◆	◆	◆		◆	◆
	4.11.110	Water-wise and FireWise landscaping materials requirement/turf grass limitation added	◆	◆	◆		◆		◆		◆	
4.12	Parking and Loading Standards											
	4.12.020	Applicability to expansion and redevelopment clarified in favor of new uses	◆				◆		◆		◆	
	Table 4.12-2	Off-street parking requirements clarified, updated, and reduced				◆	◆	◆		◆		◆
	4.12.050	Bicycle parking standards added	◆		◆		◆	◆	◆		◆	◆
	4.12.060	Parking reduction added for transit proximity and provision of active transportation route	◆		◆		◆	◆	◆		◆	◆
4.13	Outdoor Lighting											
	All	Current approach revised and streamlined to reflect Town lighting priorities					◆	◆		◆		◆
	4.13.040	Color temperature standard added to align lighting levels with humans and wildlife					◆	◆		◆	◆	◆
4.14	Sustainability, Resilience, and Hazards											
	4.14.010	New standards for review of potential geologic hazards added					◆	◆		◆		
	4.14.010	New standards for consideration of impacts to wildlife habitat added					◆	◆		◆	◆	
	4.14.020	Stream setback standards updated to designate 2 buffer zones with different impacts					◆	◆		◆		
4.15	Subdivision Design and Improvement Standards											
	4.15.010	Many current design standards integrated into Ch. 4.10, applicability instructions added	◆				◆		◆	◆	◆	◆
4.16	Signs											
	all	Updated in February 2022, carried forward	◆				◆	◆	◆	◆	◆	◆
4.17	Administration and Procedures											
	4.17.010	Complete set of common procedures created to describe application review basics					◆	◆		◆	◆	◆
	4.17.050	Notice added for administrative review					◆	◆		◆		◆
	4.17.070	Full set of post-decision actions and limitations standards added (modification, expiration)					◆	◆		◆		◆
	4.17.080	Specific application types consolidated into one section and updated for clarity					◆	◆		◆	◆	◆
	4.17.080	Review criteria tailored to different types of specific applications					◆	◆		◆		◆
	4.17.080.B	Comprehensive plan amendment process added					◆	◆		◆		◆
	4.17.080.C	Conditional use permit with P&Z review added					◆	◆		◆	◆	◆
	4.17.080.D	Development plan (was permit) revised with emphasis on admin and P&Z approval					◆	◆		◆	◆	◆
	4.17.080.I	Vested rights revised for readability and understanding					◆	◆		◆		◆
	4.17.090	Historic preservation processed added for Town consideration	◆				◆	◆	◆		◆	
	4.17.100.C	Minor subdivision changed to administrative review					◆	◆		◆	◆	◆
	4.17.100.E	Subdivision final plat changed to administrative review					◆	◆		◆	◆	◆
	4.17.100.G	Process for vacation of public right-of-way and easements added					◆	◆		◆		◆
	4.17.110.A	Administrative adjustments of 15% to specific standards added					◆	◆		◆		◆
	4.17.110.B	Code interpretation instructions added					◆	◆		◆		◆
	4.17.110.D	Process to determine applicability of LUDC standards to redevelopment added					◆	◆		◆	◆	◆
	4.17.130	Application submission requirements collected in one location and updated					◆	◆		◆		◆
	4.17.140	Required development improvements moved from subdivision for general applicability	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
	4.17.140	Standards for cost-sharing agreements added for consideration	◆	◆	◆	◆	◆		◆	◆		
4.18	Nonconformities											
	All	Complete set of standards for nonconformities added					◆	◆		◆	◆	◆
4.19	Violations and Enforcement											
	All	Carried forward, reformatted, clarified as needed					◆	◆		◆		
4.20	Measurements and Definitions											
	4.20.040	Measurements consolidated in one location, updated, and illustrated					◆	◆		◆		◆
	4.20.050	General definitions reviewed, updated, and added as needed					◆	◆		◆		◆



To: Planning & Zoning Commission
From: Community Development Department
Date: March 21, 2023
Agenda Item: Community Development Department Update

LONG RANGE PLANNING

- **ReCode Eagle – The Land Use and Development Code (LUDC) Update**
 - The Code committee met 3/6/23 to discuss design standards and the consolidated draft. Meeting materials can be accessed here ([LINK](#)).
 - Staff received the consolidate draft 3/2/23. This draft will be released to the public in late April.
 - A schedule of public outreach events is being finalized along with a robust awareness campaign, including social media, print, and radio advertisement. Staff anticipates outreach to take place at the end of April into early May.
 - Adoption schedule:
 - Joint Planning & Zoning Commission-Town Council work session: 4/4/23
 - Planning & Zoning Commission Recommendation hearing: 6/6/23
 - Town Council Adoption hearing: 6/27/23
 - As public drafts of sections of the new Code become available, community members can view these resources at www.Townofeagle.org/ReCodeEagle.
- **Comprehensive Affordable Housing Assessment (CAHA) by Economic & Planning Systems (EPS)**
 - The CAHA was approved as presented by Town Council. A copy of final report can be found online here: ([LINK](#)).

LAND USE APPLICATIONS IN PROGRESS

For more information and to access project documents, visit the Town's [Active Land Use Applications Page](#).

- **LURA23-02: Amendment to Municipal Code**
 - A request to amend Chapter 4.04 of the Land Use and Development Code to amend uses permitted in Residential Single-Family (R1) zone district and amend zone district requirements in the Residential Medium Density (RM) and Residential Multi-Family (RMF) zone districts.
 - Public hearing schedule:
 - Town Council: 3/28/23
- **SU23-02: Vibrant Health of Colorado Special Use Permit**
 - A request to operate a medical clinic in the Commercial Business District. The applicant is moving into a 108 sq ft unit at 217 Broadway #4.
 - Public hearing schedule:
 - Planning & Zoning Commission: 4/4/23 | Town Council: 4/11/23



OTHER NOTABLE UPDATES

- HB21-1271 IHOI Incentives Grant Program
 - The Town of Eagle is pleased to announce that it has been awarded \$1.1 Million from the IHOI Grant to assist with the Habitat / 3rd Street Housing Project. Construction is scheduled to commence in the spring and the Town anticipates the project will be move-in ready by 2024. Read the full press release here: ([LINK](#)).

BUILDING DEPARTMENT UPDATE

- This spring, the Town aims to adopt the 2021 International Building Code (IBC) and progressive energy codes from the International Energy Conservation Code (IECC). Updates include improved safety for buildings and preparing for the future of electric. This means ensuring new homes are both solar and electric power ready. Updates from the IECC will address energy efficiency on several fronts including cost, energy usage, use of national resource and the impact of energy usage on the environment.
- Town of Eagle Community Energy Efficiency Program – The 2023 Residential & Commercial Rebate specifications are now available. Home and business owners can schedule an energy assessment with Walking Mountain Science Center. More information available here: ([LINK](#)).

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Second Street Tavern	127 W Second St.	Building Dept. Plan review complete. Awaiting authorization from Public Works to release building permit.
Foodsmith	318 Broadway	Building Dept. Plan review complete. Awaiting authorization from Public Works to release building permit.
Eagle Fire Station	425 E Third St.	In progress going through inspections. Approximately 50% complete.
Eby Creek Apts.	435 Eby Creek	In progress with all framing almost complete.
Hockett Gulch Apts.	16186 Hwy 6	Underground plumbing approved for the fourth of six buildings.
410 Broadway Project	410 Broadway	In progress with exterior front brick wall covering just completed. Trades contractors currently installing mechanical, electrical, and plumbing rough-ins.
City Market Remodel	0103 Market St	Interior work almost complete. Parking lot improvements (re-configuration) still pending.
Eagle River Park Pavilion	200 Fairgrounds Rd	In progress, framing nearly complete. Waiting on steel installation at roof system.
Wanderlust Dog Ranch	45 Eagle Park East	Permit issued; inspections proceeding on interior.
Knapp Ranch	717 Sylvan Lake	Minor kitchen alteration.



The figures below show general activity levels not broken down by permit type (building, electrical, plumbing, mechanical, etc.)

TYPE OF WORK PERFORMED	EOY 2022	YTD 2023
Inspections (n/i Planning, Public Works)	1,308	327
Permits Processed	465	84

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

March 2023
March 21 st (Planning & Zoning Commission) ReCode Overview Presentation
March 28 th (Town Council) - LURA23-02 Amendment to Chapter 4.04 - ReCode Overview Presentation
April 2023
April 4 th (Town Council Work Session) ReCode, TC/PZ joint work session (Clarion in-person)
April 4 th (Planning & Zoning Commission) SU23-01 Vibrant Health SUP
April 11 th (Town Council) SU23-01 Vibrant Health SUP
April 18 th (Planning & Zoning Commission) & April 25 th (Town Council) <i>Currently no land use files.</i>
May 2023
May 2 nd & May 16 th (Planning & Zoning Commission) <i>Currently no land use files.</i>
May 9 th & May 23 rd (Town Council) <i>Currently no land use files.</i>
June 2023
June 6 th (Planning & Zoning Commission) ReCode Recommendation
June 13 th (Town Council) & June 20 th (Planning & Zoning Commission) <i>Currently no land use files.</i>
June 27 th (Town Council) ReCode Adoption