



**Planning & Zoning Commission
Tuesday, May 16, 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, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 278 737 685 73 | Passcode: TychH8

Or call in (audio only)

[+1 469-770-0416,,68224046#](#) United States, Dallas

Phone Conference ID: 682 240 46#

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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

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

1. Minutes dated May 2, 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 Draft: Design Standards and Local Employee Residency Program (LERP)

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, May 2, 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 at 6:00 PM.

COMMISSIONERS PRESENT

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

COMMISSIONERS ABSENT

None

STAFF

Chad Phillips – Community Development Director
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Jessica Lake – Planner II
Dennis Wike – Town Engineer
Nikki Davis – Admin Tech
Denise Cardoza – HR Admin Tech
Elizabeth Garvin – Clarion (via Teams)

APPROVAL OF MINUTES

1. Minutes dated April 18, 2023

The minutes were approved as presented.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARINGS

1. Project: North Broadway Sketch Review
File # SS23-01
Applicant: Elmington Capital Group and Alexis Kensinger
Location: 101 and 102 Ping Lane and 404 Brooks Lane, north of downtown Eagle
Staff Contact: Cliff Simonton
Request: A review of Conceptual Plan for Mixed Use Development.

Hood opened File # SS23-01.

Staff Presentation

Ryan Tobin of Elmington Capital Group was in attendance, serving as the representative of the Case and Brooks Lane properties. Stan and Alexis Kensinger are the other co-applicants and represented the Johnson family who own the far east parcel. The proposed development will include 135 low-income rental apartments and 57 deed restricted townhomes on 17 acres (not including the Johnson property) with related parking, open space, infrastructure, and improvements. The requested zoning will be Planned Unit Development (PUD).

Staff received one written public comment from a representative of the Eagle County Housing taskforce.

Simonton explained the Sketch Plan Review process is an opportunity for open discussion of a conceptual plan for development. The outcome of the meeting is an indication of the Planning & Zoning Commission's (the Commission) level of support and is not binding.

Regarding the geographic footprint of the project, Simonton highlighted that abutting the Eagle River are two parcels owned by Eagle County. Their referral response suggested a land exchange or another mechanism to resolve ownership and future use related to the development. Additionally, there are two properties located outside the Town boundary. Those properties will require annexation prior to the applicant submitting for final zoning designation. Next, Simonton described how the Eagle River Corridor Plan (Corridor Plan) identified both a Development Core, which is an extension of Broadway, and a Recreation Core, which is the location of the existing Eagle River Park.

The proposed site plan includes a roadway extending from Broadway, two buildings of rental units and a series of townhomes which border a river promenade. Surface parking would be available throughout the development in addition to some under structure spaces. Simonton added that the structures illustrated on the Johnson property are not indicative of their design. Currently, there is no development proposed on their land. Drawing back to the Corridor Plan, Simonton described how the conceptual rendering did not account for the topography of the land, particularly a significant grade break in the middle of the development site. Another conceptual rendering illustrated suggestions for tiered building heights in the Development Core, with the tallest building closest to Grand Avenue.

Simonton concluded with eight discussion questions for the Commission.

Q & A

Nutkins asked for clarification on the Johnson property. Simonton confirmed it is currently in consideration for access only, adding that Tobin has been working with the Johnsons to secure an easement.

Klesner asked if the Johnson property would also require rezoning. Simonton explained that through ReCode Eagle, rezoning has been considered to reflect more Mixed-Use Commercial as identified in the Corridor Plan.

Nutkins asked for clarification on the need to annex portions of the property. Simonton explained staff would target the application of a new zone district, which applies at the time of annexation.

Hood asked for clarification on connectivity to Broadway and how it was addressed in the Corridor Plan. Simonton explained the Corridor Plan proposes two pedestrian bridges; one which would connect to the existing Eagle River Park and the other which would connect to the Chambers roundabout area.

Nutkins asked if Brooks Lane is a private road. Phillips said the crossing over the railroad is public. Within this project, the roads would be privately maintained. Simonton added that Brooks Lane would be an access point able to accommodate emergency vehicles.

Applicant Presentation

Denver-based, Ryan Tobin of Elmington Capital Group provides 17 years of development experience with a focus on building workforce, attainable housing throughout Colorado. Most of their projects require infrastructure investment.

Tobin presented six goals and objectives to the Commission: 1) securing future approval of a Subdivision Plat to allow for feasible master planned development; 2) creating a PUD path forward which requires local support for a competitive tax credit application to the Colorado Housing and Finance Authority (CHFA); 3) seeking guidance on high density mixed-use zoning on Tracts 1 and 2 to align with the Town's zoning map; 4) adhering to a proposed schedule relative to securing finance opportunities and further collaborating with Eagle County and Town staff on the annexation process and; 5) generating an outcome representative of the Town's vision and goals, particularly highlighting public amenities and preservation to attract the community to this development.

Q & A

Montag asked if the project was totally dependent on CHFA funding and if Eagle County or the Town were also providing financial support. Tobin replied the level of affordability for a certain number of units is dependent on CHFA funding. He added that the project team has met with Eagle County and they continue to collaborate on funding sources. Elmington requires their letters of support for the CHFA application. Moreover, Elmington is aware financing from the Town is not available but will perhaps negotiate a fee in-lieu. A partnership with the Eagle Downtown Development Authority (DDA) may provide infrastructure development support.

Hood asked for clarification on below grade parking. Tobin confirmed this is part of the development and enables them to meet the parking needs.

Montag asked for a summary of major changes already made compared to previous iterations of the sketch plan. Tobin explained the major changes include providing two access points, reconfiguring parking layout, reinvisioning infrastructure and accommodating a 75-foot water setback.

Public Comment

There was no public comment.

Roundtable Discussion

Discussion Question 1: *Will the proposed development meet the River Corridor Plan goal of creating an "Extension of Broadway", and can this be determined without plans for development on the eastern (Johnson) property?*

Winkeller expressed several points. First, the connectivity proposed by the Corridor Plan was difficult to envision through the proposed sketch plan. He urged that this is going to be an impactful development to the Town; it should energize development and provide connectivity between Broadway and the river. The development only poses another roadblock to the river with limited pedestrian access from the Town core. Winkeller proposed providing more commercial within the development to draw the community and fulfill the vision of the Corridor Plan. Klesner noted the same, suggesting there are limited offerings for non-residents within the development. Nutkins added that the river promenade needs more activation. Arbogast said the sketch plan was a great start to the Broadway extension and whatever happens with Tracts 1 and 2 will have an impact on how the neighboring parcels are activated.

Members of the Commission questioned the reliability of securing an easement through the Johnson property to support a Broadway extension. Phillips replied the Johnsons are co-applicants who want to speak for themselves and don't have a plan for their land yet.

Discussion Question 2: *Will the proposed development meet expectations for character, identity, and sense of place? Is the scale, form, massing and positioning of structures compatible with and complimentary to the Town's existing western slope character and feel?*

Members of the Commission suggested five-story structures were too tall and out of scale for the river corridor/the Town in general. Tobin appealed, stating five stories was approved in the Corridor Plan. He added that commercial development requires twice as much parking compared to residential and asked if increased commercial in North Broadway would compete with Downtown. Filipowski highlighted the DDA's support for the project. Hood suggested there are other creative ways to structurally achieve a mix of units. Foral added this area would serve as a gateway to the Town and that the river park would experience increased visitation as a product of development. She questioned the negative impacts of parking by requiring more commercial use.

Discussion Question 3: *Will parking be adequate, and will it be conveniently located for all user groups?*

The Commission requested establishing a pedestrian connection and increased multi-modal access. Perhaps through the PUD, there can be more flexibility for commercial parking requirements. Wike added that through the Grand Avenue Corridor Study, it was determined that parking along Grand Avenue be limited, though there may be opportunities along Second Street and Third Street.

Discussion Question 4: *Will the natural resource attributes of the land and the river corridor be adequately protected, preserved, and showcased?*

Hood expressed this is the appropriate site for development along the Eagle River. However, there were mixed opinions about showing the natural resources and creating a barrier between the river and the town.

Discussion Question 5: *Will the space allocated for on-site recreational amenities be adequate to serve the anticipated residential population, and visitors to the river and Whitewater Park?*

Winkeller noted that based on the proposed landscape plan, there are plenty of natural parks and trails. Montag encouraged the addition of tot lots for much younger children. Tobin added the project team is envisioning an environmental education component throughout the development to highlight the land's natural attributes.

Discussion Question 6: *Overall, does the proposal comply with the Comprehensive Plan and Sub-area plan? Will there be any major regulatory issues?*

Montag suggested the applicant address the non/partially compliant items identified in the staff report.

Nutkins asked what agency would be responsible for maintaining the pedestrian bridges. Phillips replied, currently unknown.

Arbogast asked about dedicating land to the school district. Tobin replied this requirement is more commonly applicable to large developments, but the school district could generate a fee in-lieu. Arbogast also recommended increasing options for childcare services throughout the development. Tobin agreed noting Elmington would need to find a partner to oversee licensing and operations.

Discussion Question 7: *What do you think of the project as a whole? What would you like Town Council to focus on?*

The Commission had mixed impressions and concerns about the North Broadway project.

Most Commissioners supported the conceptual look, though the River Corridor Plan should continue to serve as the guiding document while establishing the PUD. They requested an increase of mixed commercial use to draw the public to this area and that pedestrian access should be prioritized.

While the project would increase the supply of affordable housing, the Town could also risk further developing into a bedroom community if there's not enough commercial activation to balance the site. Additionally, there were concerns about the unknown impacts of the Johnson property. The Commission requested that Town Council assess the project's compliance with the River Corridor Plan (scope, size, blend and overall fit within the community) and the proposed connectivity from Broadway.

Tobin added that activating sustainable transit is missing and should be further developed in next iteration.

Hood closed File # SS23-01.

8:41 PM Planning & Zoning Commission Recess

8:49 PM Planning & Zoning Commission Reconvenes

PRESENTATION

1. ReCode Eagle Draft: Parking Standards and Use Standards

Clarion Presentation

A ReCode public comment draft addenda is forthcoming. This will include sections from the current code that were not changed but not carried forward into the draft land use code. The Code Update Committee reviewed the proposed Local Employee Residency Program (LERP) draft and provided comments to staff.

Focus Topic: Parking

The joint parking reduction was carried forward into the draft land use code. The section now includes a calculation table to supplement review related to mixed-use development. By moving to standardize parking and applying a reduction percentage, the applicant can avoid complicated parking calculations or performing a parking study. Requirements related to drive-throughs and stacking have also been standardized.

For parking uses that are not listed, there is now a process which allows the Director to make an objective determination to assimilate the new use into the Code.

The draft code also features a detailed parking table categorized by use. The data compares Eagle's current requirements, requirements derived from neighboring peer communities and Clarion's recommendation (reduction, change of measurement, or new standard). Staff performed a mock parking calculation for parking on Nogal Road. Hood advised against reducing the minimum parking requirement for multi-unit residential that often houses multiple households. Klesner requested a definition and calculation for compact vehicle stall as well as recommendations for parking accommodations related to affordable housing development.

The state is preparing to publish model electric vehicle (EV) charging standards through the new State Energy Code. The most current draft includes four categories of EV capability and readiness.

Standards for bicycle parking, both short- and long-term, are now featured in the draft code. These recommendations were derived from the Model Bicycle Parking Code, published by the American Pedestrian and Bicycle Professionals. Nutkins asked to clarify whether a bike rack will need to be factored into a developer's landscape plan. How can we create more shared, secured bike parking downtown?

Adjustments & Exceptions:

- Administrative Adjustment Process
- Existing on-street parking credit
- Transit offset (Up to 20% reduction)
- Active Transportation Reduction (Up to 5% reduction when within a ¼ mile of recreation or bike path)
- Transportation Demand Management Reduction (Up to 25% reduction for employers who create flexibility that impacts driving)
- Reduced Needs Populations

Hood requested that Commissioners send their comments to staff.

Q & A

No additional questions.

OPEN DISCUSSION

No additional discussion items.

ADJOURN

MOTION: WINKELLER MOTIONED TO ADJOURN. MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

Meeting adjourned at 9:42 PM.



To: Town of Eagle Planning and Zoning Commission

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

Date: May 16, 2023

RE: ReCode Eagle Draft – Specific Discussion Focusing on LERP and Design Standards

BACKGROUND:

The full working draft of the Land Use and Development Code (ReCode) has been available to the public since April 17th. While the draft reflects substantial improvement from the existing Title 4 of the Municipal Code, it is still a work in progress. This is the last of our focused discussion agenda items. On May 16th we will be discussing Design Standards and Local Employee Residency (LERP) Standards. Within the design standards, staff is looking for specific direction from the P&Z Commission regarding the definition of *height* (see below).

It is staff's opinion that the working draft is close to being ready for presentation as an adoption draft. We are requesting the Commission either confirm that the work meets expectations or provide feedback and direction to complete these sections.

ANALYSIS:

Detailed comments are provided by staff below:

LOCAL EMPLOYEE RESIDENCY PROGRAM (LERP)

Like many sections in the existing Development Code, the LERP section is confusing, incomplete, and needs modernization. The recently finalized Town of Eagle Housing Assessment provides regulatory recommendations to assist the workforce housing problem. Highlights of the draft include:

- Clarification of standards to apply to for sale and for rent units,
- An increase in the number or percentage of deed restricted units,
- Options for restrictions based on Average Median Income (AMI) and resident/employee occupancy,
- Options to satisfy requirement -Flexibility for the location of LERP restricted units, fee in lieu, land dedication
- Incentives and Adjustments – ex. height bonus, fee reduction, reduced open space dedication

The updated LERP section has been reviewed by the Update Committee whose feedback has been incorporated into the standards. The section includes several questions for the P&Z Commission to consider for the meeting's discussion. The staff/consultant presentation will detail the modifications to the requirements.

CHAPTER 4.20 SITE LAYOUT AND STRUCTURE DESIGN STANDARDS

Following the direction of the Comprehensive Plan, Council, and the P&Z Commission, staff and the Clarion team have made considerable improvements to this chapter. In the existing chapter, staff enforcement and applicant clarity are problematic because of guidelines that include the words *should* and *encourage*. Since the Development Code is a set of requirements, not guidelines, the draft only includes enforceable elements.

Highlights, questions, and comments for this chapter include:

- Overall residential, commercial, and mixed use standards,
- Location Specific Standards for Broadway, Grand Avenue Corridor, and the North Interchange and East Eagle Area,
- Short-Term Rental Cap
- Building Orientation. The intent of the draft wording is to ensure that the front façade is parallel to the street that it fronts on. Should there be flexibility for views or solar orientation?
- Do the standards support the Comprehensive Plan?

HEIGHT DEFINITION

Helping landowners and design professionals interpret the definition of height continues to be an ongoing issue. It is a staff goal to have this new wording in the Development Code be as simple and clear as possible. The language in the draft is as follows:

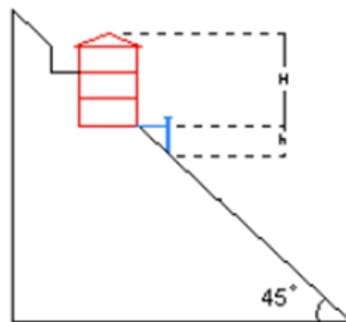
G. Height

- 1. Building height is measured as follows: The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building. Measurement shall be from existing or finished grade, whichever is more restrictive. The perimeter of the building shall include any and all attached decks. An additional 10 feet (h) over and above the maximum height will be allowed for deck piers. Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.*
- 2. Fence and wall height shall be measured vertically from undisturbed grade.*

Recently, staff processed an amendment to the Haymeadow PUD that included a modification to how height is measured for that project. That amendment was approved as follows:

F. Building Height

The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building. Grade shall be from the finished grade. The perimeter of the building shall include any and all attached decks. An additional 10' over and above the maximum height will be allowed for deck piers (see illustration). Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

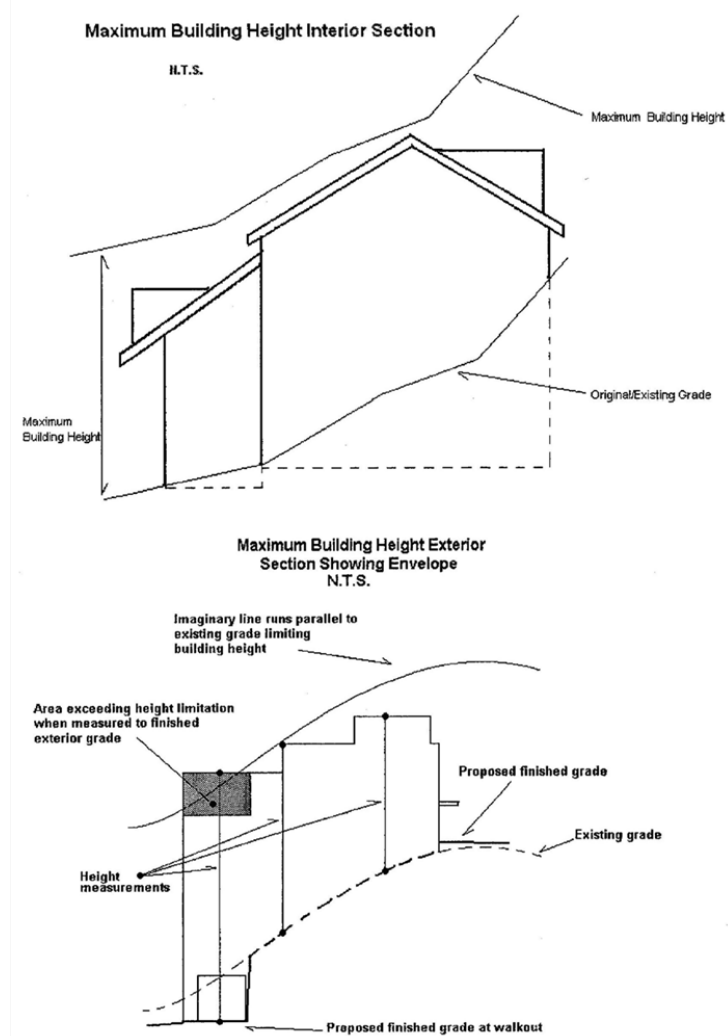


Staff has received public comment that we may want to consider wording that other local governments up-valley use. The concern was that the proposed wording in ReCode is problematic and restrictive when designing structures on steep hillsides. Suggested language is as follows:

HEIGHT. The distance measured vertically from any point on a proposed or existing roof or eaves to the existing or finished grade (whichever is more restrictive) located directly below said point of the roof or eaves. Within any building footprint, height shall be measured vertically from any point on a proposed or existing roof to the existing grade directly below said point on a proposed or existing roof.

Or

Building height means the distance measured vertically from the existing grade or finished grade (whichever is more restrictive) at any given point outside the building to the top of a flat roof, mansard roof or sloping roof. Within a building, height shall be measured vertically from any point on a flat roof, mansard roof or sloping roof to the existing grade or finished grade directly below said point.



It can be argued that the proposed wording in ReCode (or the Haymeadow example) is more clear and easier to enforce - and more in line with our community. The up-valley examples could be useful in a scenario where steep hillsides are common and large structures are part of the community character. Those definitions (measuring standards) allow for structures to “step up” a slope as long as any vertical point doesn’t exceed the maximum. Under this example, a building plan’s elevations could portray an overall height that far exceeds the zone district height (without maximum). In addition, a majority of the Town’s development takes place on the valley floor. For projects that would involve a steep hillside, a building height variance could be applied for. Staff is requesting that the P&Z Commission provide direction to staff on a preferred measurement standard.

REMAINING PUBLIC OUTREACH AND ADOPTION SCHEDULE

Staff has been engaging with the public over the past month through a series of events. As shown in the event calendar below, the remaining outreach will be with P&Z Commission and Town Council, followed by the

public hearings in June.

May 2023

June 2023

S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	★3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	★27	28	29	30	
May 1 Lunch & Learn - 11:30am, Town Hall (For Agencies Fire, Police, Public Works)							June 6 *PZC Recommendation Hearing 6:00pm, Town Hall						
May 1 *LUDC UC Meeting - 6:00pm, Town Hall													
May 2 Update: OSRAC - 9:00am, Town Hall													
May 2 Update: *PZC - 6:00pm, Town Hall													
★ May 3 Coffee & A Convo - 9:00am, Yeti's Grind							★ June 27 Town Council Adoption Hearing 6:00pm, Town Hall						
May 3 Open House - 4:00pm, Brush Creek Pavilion													
★ May 8 Lunch & Learn - 11:30am, Town Hall (For Agencies Climate Action Collaborative and Colorado Parks and Wildlife)													
May 9 Update: Town Council - 6:00pm, Town Hall													
★ May 10 Coffee & A Convo - 9:00am, Color Coffee Roasters													
May 12 2 nd Friday Downtown - 5:00pm, Town Hall													
May 15 Update: EVC - 1:00pm, Town Hall													
May 16 Update: *PZC - 6:00pm, Town Hall													
May 23 Update: Town Council - 6:00pm, Town Hall													

ATTACHMENTS:

- LERP
- Design Standards

A. Inclusionary Residential Requirements for Local Employee Residency¹**1. Purpose**

- a. The purpose of this section is to mitigate the impact of market rate housing construction on the limited supply of available land suitable for housing, and to increase the supply of housing that is affordable to a broad range of persons who live and/or work in the Town. In recent years, the cost of housing has increased at a rate much faster than the increases in the earnings of low to moderate income households. This section will prevent the Town's land use regulations applicable to residential development from having the effect of excluding housing that meets the needs of all economic groups within Eagle.
- b. The Town of Eagle is committed to increasing the supply of affordable housing in the community to expand the economic vitality that is derived from having a range of housing types, costs, and household incomes. Eagle will benefit from an enhanced community vibrancy generated by the inclusion of inventory of for-sale housing for the local workforce that earns 140 percent of the Area Median Income (AMI) or less, and rental housing for the local workforce that earns 80 percent or less of the AMI.
- c. The Town recognizes that affordable and local employee housing is a valuable community resource that needs to remain available not only for current residents and employees, but also for those who may come to the area in the future. For this reason, deed restrictions or other methods that assure that prices remain affordable over time are necessary.

2. Applicability

- a. affordable and market-rate units available for local employee residences shall be required as a condition of approval for all residential development, including:
 - i. New units,
 - ii. Redevelopment that creates new units in excess of any units that originally existed on the site, and
 - iii. Infill that is either new development or redevelopment.
- b. An applicant shall not avoid the mandatory provision of affordable or local employee units by submitting piecemeal applications or approval requests. Any applicant may submit a development application that intends construction of dwelling units, including applications for preliminary plats, site plans, preliminary development plans, or building permits, for less than the applicable number of dwelling units at any time; but the applicant shall agree in writing that upon the next such application or request, the applicant will comply with this section when the total number of dwelling units at one location has reached the applicable number of dwelling units.
- c. Development that was fully and finally approved prior to the effective date of this section shall only be required to comply with these requirements if an amendment is requested to provide 5 or more additional units in an existing development. When calculating the total number of affordable and local employee units required, the total number of units proposed shall only be the additional units and shall not include the existing units.

¹ Current 4.04.110, revised to include updated AMI goals and bonus density.

3. Exemptions

The following development is exempt from the requirements of this section:

- a. Development of affordable local employee residences that meet the requirements of this section.
- b. Accessory dwelling units.
- c. Development which is exempt by virtue of a vested property right pursuant to a site-specific development plan as defined and established in accordance with C.R.S. § 24-68-103 and Chapter 4.17 prior to the effective date of the ordinance from which this section is derived, or which is otherwise specifically exempt pursuant to an ordinance of the Town.

4. Eligibility

- a. Affordable housing shall be affordable to households with incomes that qualify for the AMI levels established in Section 5.c, below.
- b. Local employee resident shall meet the requirements of the LERP Guidelines related to employment, ownership of other properties, and occupancy.

5. Residential Development Requirements**a. Number of Local Employee Residences Required**

All residential development, approved after the Effective Date, shall set aside the following number of units as local employee residences as defined in this section and the Town's local employee residency requirements and guidelines. In addition, the developer of the project shall construct local employee residences in accordance with the Local Employee Residency Requirements and Guidelines.

Review Questions:

Does the Town want to require: (a) both affordable units and local employee (resident) units, (b) just affordable, or (c) just resident units? The two tables below show what just affordable and affordable + resident might look like.

Based on the answer to question 1, what percentages of the required unit types should be required? And, should the requirements be counted separately or should they be inclusive (e.g., affordable units can also be counted as resident units)?

Should the Town Council have the ability to adjust the percentages on project-by-project basis? If so, is there a limit on the ability to adjust the required affordable housing requirement?

Affordable Units Required	
Number of Units Proposed	Number of Affordable Units Required
0-4 units	0 units
5-7 units	1 unit
8 units and over	20% of total units
[1] If the final calculation of the number of required units includes a fractional unit, if the fraction is 0.5 or higher, the number of units is rounded up to the nearest whole number, and if the fraction is below 0.5 the number of units is rounded down to the nearest whole number.	

Affordable and Resident Units Required		
Number of Units Proposed	Number of Affordable Units Required	Number of Local Employee Resident Units Required
0-4 units	0 units	0 units
5-7 units	1 unit	1 unit [2]
8 units and over	20% of total units [1]	20% of total units [3]
[1] If the final calculation of the number of required units includes a fractional unit, if the fraction is 0.5 or higher, the number of units is rounded up to the nearest whole number, and if the fraction is below 0.5 the number of units is rounded down to the nearest whole number. [2] The required affordable unit can be counted for both affordable and resident uses. [3] The required affordable units may not be included in this percentage.		

b. Calculation of Units Proposed

The affordable and local employee housing calculation shall be made with the approval of a preliminary plat, development plan, PUD final plan, or other similar planning approval.

c. Unit Price for Affordable Housing

- i. For sale units shall be affordable to households whose earnings do not exceed 140%² of the AMI.³ The Town may allow income averaging across units.

Review Questions:

Should income averaging be allowed across all units or just the affordable units?

The approach described here, shown in strike through, is intended to allow income averaging by unit type, not by actual purchasers, to make it easier to calculate with project approval. Does the Town prefer this approach or is it not helpful?

(a)

- ii. For rent units shall be affordable to households whose earnings do not exceed 80% of the AMI.

d. Credits for Development of Excess Affordable Housing

i. Award of Credit⁴

(a) By Agreement

At the time of affordable or local employee unit calculation, an applicant may enter into an agreement with the Town that the applicant shall develop more affordable or local employee housing than would otherwise be required under this section.

(b) Certificate of Credit

² Prop 123 funding threshold is 120%, discuss with Code Committee.

³ How should the LUDC allow income averaging for units? Does the draft approach work?

⁴ Should we separate rental credits from ownership credits, should this just be price related? Should we set a base for credits created by Habitat or LIHTC housing?

Provided that such housing is actually developed, and a certificate of occupancy issued, the Town shall award the developer a credit for each unit in excess of the minimum number required.

(c) Exceptions

No credit shall be available for any affordable or local employee housing built on land donated or sold at a significant discount for the purpose of developing affordable housing in satisfaction of this section or any prior affordable housing requirements of the Town; or for any affordable housing receiving any Town-funded or Town-administered assistance whether financial subsidy, tax relief or other credits or incentives from the Town. However, a development's use of a loan from the U.S. Department of Housing and Urban Development shall not disqualify its affordable housing from generating a credit.

ii. Redemption of Credit

Credit may be redeemed to offset an equivalent number of affordable or local employee housing units that would otherwise be required under this section. Credit shall be freely transferable to any other developer, but shall be transferred in a manner acceptable to the Director so as to ensure accurate tracking of the transfer of credits by the Town.⁵ A credit shall expire ten years after it is awarded unless, within that time, the Town executes an agreement with the holder of the credit to apply the credit to a specified development. Before the credit expires, the Director may, upon request, in writing, and for good cause, extend the term of the credit by one additional term of two years.

6. Options to Satisfy Requirement

a. On-Site Construction

- i. On-site affordable or local employee unit construction shall be provided to the maximum extent feasible. The affordable or local employee units shall be provided at the same site as market-rate units.
- ii. Phasing of construction of affordable or local employee units and securities for each phase shall be detailed in a housing development agreement approved by the Town.
- iii. Affordable units must be placed on a fair and equal footing as market-rate units within the governing documents of any homeowners' association or similar entity.

b. Alternative Compliance

At the sole discretion of the Town Council, a project's affordable or local employee housing requirement may be met through alternative compliance in one or a combination of the following ways:

⁵ Community Development will create an administrative tracking program.

i. Housing Fee in-Lieu

- (a) Applicants for residential developments containing 5 or more units may pay a fee in lieu to the Town for each required affordable or local employee unit. The fee shall be established by Town Council by resolution during annual fee adoptions or at such time as may be determined by Town Council.
- (b) The in-lieu fee shall be paid at the time of site plan approval, but before any subsequent permits are issued. The fee paid shall be the fee in effect at the time of the final site plan for the development.
- (c) Fee in lieu funds shall be used by the Town for the purposes of planning for, subsidizing, acquisition of properties for, or developing affordable or local employee housing in partnership with other organizations and developers whose interest is to provide these housing options.
- (d) The fee in lieu shall be reviewed by the Town annually and, if necessary, a recommendation shall be made to Town Council on whether an adjustment to the fee is warranted in order to meet the purpose of this section.

ii. Off Site Location

- (a) A developer may seek to provide affordable or local employee units within the Town in a different location than the development of the market-rate units.
- (b) The developer shall provide no less quantity of affordable or local employee housing than would have been required on-site.
- (c) The affordable or local employee units may not be located in a low to moderate income area as designated by the U.S. Department of Housing and Urban Development.
- (d) Existing homes may be acquired and deed restricted as affordable or local employee if they are in good repair in the determination of the Director based on an inspection paid for by the developer but commissioned by the Town, carry a warranty of sufficient scope and duration to protect the resident from significant preexisting deficiencies, and are not already burdened by restrictions requiring them to be kept affordable or restrictions similar in effect.
- (e) No preliminary plat, development plan, or PUD preliminary plan shall be executed for the location of the market-rate units until a preliminary plat sufficient to facilitate the development of the affordable or local employee units, and development plan, PUD preliminary plan, if necessary, have been recorded. Phasing and security shall be governed in the same manner as development of on-site locations. The affordable or local employee housing agreement shall run with the land and shall be recorded against the off-site location.
- (f) Approval of the use of this option does not guarantee approval of any land use application or building permit for the off-site location. The developer risks forfeiture of security if unable to build the off-site units as proposed.

iii. Land Dedication

A developer may seek to provide land to the Town in lieu of the development of affordable units. Dedicated land must meet the following standards:

- (a) All off-site infrastructure necessary or proper for the development of the land as affordable housing either:
 - (i) Must already be in place, and any outstanding obligations paid to neighboring landowners for public infrastructure they installed;
 - (ii) The developer must agree to build the infrastructure within a timeframe that will not delay the development of the affordable housing and the developer may be required to post securities for the infrastructure via a public improvement agreement; or
 - (iii) The land donation must be accompanied with additional compensation to the Town sufficient to construct such infrastructure.
- (b) The land must be able to support at least the quantity of affordable or local employee housing as would be required on-site, without the need for a variance, modification, rezoning, or reliance on any incentive for affordable housing found in this section, such as a density or height bonus. The developer shall submit a concept plan illustrating how it complies.
- (c) The land must not be encumbered in any manner, including, but not limited to, any lien, outstanding tax or fee accrued, or floodplain, hazards/sustainability/wildlife/ which in any way jeopardizes the Town's ability to develop that quantity of housing.
- (d) The land may not be located in a low to moderate income area as designated by the U.S. Department of Housing and Urban Development.
- (e) The land must be dedicated to the Town at the time of execution of the plat or plan allowing the development of the market-rate units.
- (f) The land dedication must be in fee simple and by general warranty deed.

c. Redemption of Credits

A developer may acquire, and redeem credits generated as described in subsection 3 of this section to offset an equivalent quantity of required affordable or local employee housing.

7. Incentives and Adjustments

Review Questions:

The incentives and adjustments identified in this section are intended to allow a developer to offset the cost of creating affordable units through a density bonus that allows the construction of more or larger market-rate units.

Does the Town want to allow a density bonus, and if so, what adjustments (Section 7.c, below) are considered appropriate? Should a density bonus be offered to all projects or just those offering more affordable housing than required?

Does the Town want to provide incentives and adjustments for local employee housing or just affordable housing?

If fee reductions or waivers are offered, should they be at a set amount or decided by Town Council on a project-by-project basis?

a. Applicability

Development projects that require affordable and local employee units may qualify for the following incentives and adjustments when at least 50 percent of the units in the development are affordable. Community Development staff will work with the applicant to identify a combination of incentives and adjustments that will accommodate the development on the site while resulting in the least detrimental impact to the neighborhood and adjoining properties.

b. Incentives

In qualifying developments where affordable units will be constructed on-site, the following incentives shall apply:

i. Fee Reduction

Applications shall receive a development review fee reduction of \$2,500 per unit for required affordable and local employee units, not to exceed 50 percent of the total Community Development fee obligation. This fee reduction shall be applied as a rebate to the total of any fees listed in the Community Development Fee Schedule incurred by a project across all required applications. For example, if a final plat and site plan are required, the rebate would be applied to the combined total fees of those two procedures. The rebate would be provided at the time a certificate of occupancy is released for all on-site affordable units required for that particular phase of development.

ii. Projects with All Affordable Units

If the proposed development is for construction of all affordable units, a developer may propose alternative adjustments to any numerical bulk or height standard required by the zoning district provided the resulting development complies with the overall purpose of the district and the objectives of this section. Approval of these adjustments are at the discretion of the Town Council and must be approved by the Town Council before the initial approval of the development.

c. Adjustments

Community Development staff may apply any combination of the following adjustments to accommodate the inclusion of affordable housing units:

i. e

- ii. Maximum lot coverage may be increased by up to 20 percent;
- iii. Maximum height may be increased:
 - (a) Original residential zoning district limit of 35 feet may be increased to 40 feet;
 - (b) Height in mixed-use or nonresidential districts may be increased by 1 story, not to exceed an additional 15 feet⁶ above the original maximum height when facing Broadway or in the CMU-2 zone district;
- iv. ⁷If a public park or open space are located within 1,320 feet and safely accessible to the development site, any required open space dedication may be reduced by 50%, and⁸
- v. A residential structure with one additional unit per affordable unit to the maximum units permitted per lot per Table 4.09-1, or one additional unit to the average of the surrounding, adjoining lots may be added. For example, where a single-family detached unit is allowed, a duplex may be allowed.⁹

8. Character of Local Employee Residences

Affordable and local employee residences shall be a mix of unit types and sizes on site that are distributed throughout the proposed development, to the extent possible. The proposed character and density of affordable and local employee residences shall be compatible with the surrounding land uses and neighborhood character, and suitable for the proposed site. Development and construction of affordable and local employee residences shall comply with all other requirements of this Code.

9. Schedule for Construction of Local Employee Residences

A developer shall construct the required affordable or local employee residences prior to, or concurrently and proportionally with, the production of market rate housing or the sale of market rate lots. Prior to receiving development approval, the developer shall provide the Town with a proposed construction schedule for approval by the Town that clearly delineates the start and completion dates of the production of market rate units and/or the sale of market rate lots and the construction of affordable or local employee residences in accordance with the Town's local employee residency requirements and guidelines.

10. Deed Restrictions

All affordable and local employee residences required by this section shall be deed restricted, in accordance with the requirements of the Local Employee Residency Requirements and Guidelines, and as approved by the Town Attorney, as to rental or ownership and occupancy by persons and as to the resale price of the unit. The deed restriction shall be provided to the developer for review at the time of approval of the developer's local employee residency plan. Prior to the issuance of any building permit within the development, the Town shall have an approved, executed, and recorded deed restriction for all affordable and local employee residence lots or units in the project or phase of the project, if applicable. The deed restrictions shall not be subject to any recorded liens or encumbrances.

11. Local Employee Residency Plan

⁶ Is this enough extra height?

⁷ This adjustment should also be removed from the parking table if it is removed here.

⁸ For discussion in terms of impact on open spaces, parks, and trails?

⁹ This is a true density bonus, for discussion.

- a. All applications for approval of residential projects that are required to comply with this section shall be accompanied by an affordable and local employee residency plan, unless otherwise determined by the Director. The plan shall contain sufficient information to allow the Town to determine the plan's compliance with this section and the Town's affordable and local employee residency requirements and guidelines. The affordable and local employee residency plan shall include, but shall not be limited to, the information specifically required by the Town's Local Employee Residency Requirements and Guidelines.
- b. Upon receipt of a complete proposed affordable and local employee residency plan, the Director shall evaluate the plan for compliance with this section and the Town's Local Employee Residency Requirements and Guidelines. The Director may make a recommendation of approval, recommendation of approval with appropriate conditions, or a recommendation of denial. Following receipt of the Director's recommendation, and as a part of the Town's procedures for review and final approval of the application, the reviewing body may decide on the plan.

Chapter 4.10 Site Layout and Structure Design Standards

4.10.010 PURPOSE

This chapter includes standards that regulate the physical layout and design of development within the Town to ensure the protection of the health, welfare, safety, and quality of life. These standards address the physical relationship between structures in the same development as well as development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the comprehensive plan vision for a more attractive, efficient, and livable community.

4.10.020 APPLICABILITY

- A. This standards in this chapter are organized into categories by development type, with Section 4.10.030 applicable to multiple development types:
 1. Section [4.10.030](#), Standards Applicable to All Sites and Structures
 2. Section [4.10.040](#), Residential Structure and Site Design Standards
 3. Section [4.10.050](#), Mixed-Use and Commercial Structure and Site Design Standards
 4. Section [4.10.060](#), Industrial Structure and Site Design Standards
- B. Within these categories there may be standards that are also applicable to specific geographic areas, such as the Broadway District, Grand Avenue, or specific development types, such as Large Format Retail.

4.10.030 STANDARDS APPLICABLE TO ALL STRUCTURES AND SITES

A. Design Intent, Character and Goals

The intent of these standards is to preserve and protect property values by creating, supporting, and reinforcing the Town's vision of elevating Eagle's inclusive culture, unique character, adventurous lifestyle, relationship with the environment, and connections.

The Town's design character is expressed through the adopted comprehensive plan and supporting plans. Eagle has different character areas, including Downtown and surrounding neighborhoods, Eagle Ranch, Chambers Avenue Area, Grand Avenue Corridor, East Eagle, West Eagle, Brush Creek, and the Eagle River Corridor. Each character area has specific existing and/or proposed design patterns and style.

New development, redevelopment, and infill development shall meet the requirements of this Code in keeping with adopted plans, neighborhood character, and where applicable in keeping with the context of existing and surrounding historic structures. Structure and site design decisions shall be guided by the following general design goals:

1. Enhance the Vibrancy and Viability of Downtown;

2. Reinforce Broadway Street as the Heart of the Community, from the Eagle River to Town Park;
3. Celebrate the Town's Unique Small-Town Character;
4. Connect Eagle's Unique Neighborhoods Physically and Visually Through a Walkable and Trail-Oriented Environment with High Quality Wayfinding; and
5. Maintain and Improve the Appearance of Eagle by Establishing and Reinforcing the Town's Identity and Sense of Place.

Additional guidance about the general design goals is provided in the comprehensive plan.

B. Building Materials

1. Permitted Façade Materials

- a. Building materials shall be selected for their appearance and ability to withstand the Town's variable mountain climate. Materials with demonstrated durability include, but are not limited to:
 - i. Wood and log,
 - ii. Stone, including sandstone, river rock, and moss rock;
 - iii. Segmented horizontal or vertical siding and cementitious siding
 - iv. Brick masonry and dimensional cut stone, and
 - v. Cast concrete manufactured to simulate natural materials.
 - vi. Split-face concrete block is allowed for mixed-use and nonresidential structures.
- b. Additional materials with similar durability may be approved by the Director. Less durable materials not included on this list, may be approved by the Director as secondary materials.

2. Prohibited Façade Materials

The following materials are prohibited unless otherwise specified in a specific section:

- a. Concrete block,
- b. Modular panel materials, such as Texture 111 and ribbed sheet metal.

C. Roofs, Eaves, and Parapets

1. Roofs, eaves, and parapets shall be designed to withstand the Town's variable mountain climate by utilizing appropriate pitch, drainage, and materials. Where the Town is uncertain of the durability of a material, the Director may request applicable quality, maintenance, and durability information as shown by the manufacturer's specifications and industry studies.
2. Permitted roofing materials are:
 - a. Tile;
 - b. Slate and equivalent synthetic materials or better;
 - c. Metal, shingle or standing seam, equivalent or better;
 - d. Dimensional architectural grade composition shingles;
 - e. Class A asphalt shingles;

4.10.030. Standards Applicable to All Structures and Sites

Chapter 4.10 Site Layout and Structure Design Standards

D. Color and Reflectivity

- f. Fire resistant treated wood shingles;
 - g. Other materials of equivalent durability as approved by the Director.
3. Additional permitted materials that may be used where specified include:
- a. Cornices and soffits may be comprised of wood or metal.
 - b. Gutters and downspouts may be vinyl and/or metal.
 - c. Parapet wall materials, exclusive of copings, cornices, or other design accents, shall match the building wall.

D. Color and Reflectivity

1. Permitted materials shall meet the appropriate following color requirements:
 - a. Façade colors shall be subtle, neutral, or earth tone colors. The Director may approve brighter colors for as appropriate for residential structures with Victorian-era design.
 - i. The use of very bright, high intensity colors or fluorescent colors is prohibited.
 - ii. Darker colors are permitted for roofs and may be used as an accent for up to 20 percent of a façade.
 - b. Building trim and accent areas may feature brighter, complementing colors, including primary colors.
 - c. Metal roof colors shall be muted.
2. All façade and roof materials shall have low reflectivity.

E. Figure 10-A: Open fence requirement Circulation and Parking Location

1. Sidewalks shall be provided on both sides of all public and private streets.
2. A hierarchy of circulation in developments with multiple structures shall be designed to lead vehicles, pedestrians, and bicyclists safely from external public streets to internal private streets, drives, or walkways and then to outdoor spaces, parking areas, and entrances.
3. Circulation shall be designed to ensure safety for non-vehicular travel by minimizing crossing interaction between pedestrian/bicycle ways and vehicular traffic.
4. Pedestrian and bicycle sidewalk, multiuse path, or trail linkages shall be made between a project and existing or planned off-site amenities such as trails or open space. Where possible, linkages shall be designed to provide public view of the off-site amenity.

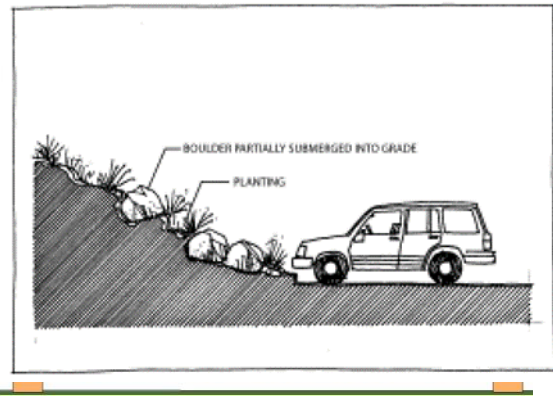


Figure 10-A: Open fence requirement

4.10.040. Residential Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

A. Standards for Residential Development

5. The project shall be designed to minimize negative vehicle traffic impacts on local streets and to surrounding uses.

4.10.040 RESIDENTIAL STRUCTURE AND SITE DESIGN STANDARDS⁴⁸**A. Standards for Residential Development**

Residential development shall meet the requirements of Section 4.10.030 and following sections as applicable.

1. Applicability

- a. This section applies to:
 - i. Development of any structure that will contain only residential uses, including single-family detached dwellings, two-family dwellings, townhouse dwellings, and multi-family dwellings; and
 - ii. Structures that are exclusively residential and are included as part of a multi-building mixed-use development.
- b. The following development is exempt from this section:
 - i. Development of any structure that will contain a mix of nonresidential and residential uses, which shall comply with Section 4.10.050, Mixed-Use and Commercial Structure and Site Design Standards;
 - ii. Subdivision or condominiumization of existing structures; and
 - iii. Accessory dwelling units, which shall comply with Section 4.09.120D.

2. Building Orientation

Single-family and duplex structure development on infill lots or new lots within an existing neighborhood shall comply with the following:

- a. The orientation of the primary entrance and façade of the dwelling shall be consistent with the established pattern along the block face.
- b. No residential structure shall be sited diagonally or otherwise skewed on the lot.

3. Fire Protection⁴⁹

- a. New residential structures located more than three driving miles from the nearest actual or to be constructed fire station, shall be constructed with built-in, automatic fire protection systems.
- b. Sellers of new residential structures located more than five driving miles from the nearest actual or to be constructed fire station, shall provide to all prospective buyers a statement that the property is considered not to have any fire protection other than built-in protection for insurance purposes. The developer and the Greater Eagle Fire Protection District shall mutually agree upon the contents and final form of statement, which shall be recorded in the

⁴⁸ This new section is intended to set modest design standards for residential construction, primarily focused on the relationship between new construction or redevelopment and surrounding neighborhoods.

⁴⁹ Current 4.13.040; wildfire standards were moved to 4.11.050. This section may be removed if it is addressed through the Fire Code.

4.10.040. Residential Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

B. Attached and Multifamily Sites and Structures

records of the County Clerk and Recorder with the closing documents for the subject property at the time of sale.

4. Common Open Space

All development containing [x] or more residential dwelling units shall comply with the standards in Section<>, Open Space.

B. Attached and Multifamily Sites and Structures**1. Applicability**

This section is applicable to single-family attached structures with three or more units and to multifamily structures.

2. Exterior Appearance Standards⁵⁰

a. The residential scale and character of a project shall be emphasized. In larger projects, the identity of the individual units shall be evident in the elevation. Box-like forms that are not relieved by massing or articulation of façades are prohibited.



Figure 10-B: Façade articulation example

b. The following elements shall be used to provide relief and contrast in the facade and delineate individual units as illustrated in Figure 10-B: Façade articulation example. A minimum of three elements shall be incorporated in single-family attached structures and a minimum of five elements shall be incorporated in multifamily structures:

- i. Balconies,
- ii. Overhangs,
- iii. Covered patios,
- iv. Prominent entry features,
- v. Windows,
- vi. Door openings,
- vii. Distinct variations in color (not a slight variation of a similar hue, such as beige or pastel),
- viii. Variations in materials,
- ix. Variations in building height,
- x. Variation in roof form,
- xi. Dormers,

⁵⁰ These graphics will be labeled to reflect the listed design requirements.

4.10.040. Residential Structure and Site Design Standards**Chapter 4.10 Site Layout and Structure Design Standards B. Attached and Multifamily Sites and Structures**

- xii. Projected or recessed building walls, or
- xiii. Another architectural feature as approved by the Director.
- c. A minimum of two of the elements listed above shall be used on non-façade walls that are publicly visible to complement the front façade and provides visual interest.
- d. When building elements such as decks and chimneys are repeated, some alterations to details of those elements such as varying orientation shall be used within the context of the overall design to provide interest and avoid monotonous repetition.
- e. The individuality and privacy of units shall be emphasized through the use of identifiable private or semi-private entries.
- f. Entries and stairwells shall be an integral part of the building design. Exterior stairwells shall be protected from the weather and partially screening or designed with architectural treatments that are integrated into the overall building elevation. Catwalks or long corridors lined with entrances to units are prohibited.
- g. Roof lines of greater than 50 linear feet shall be varied by providing different heights or varying roof orientations as illustrated in Figure 10-C: Roof line change example.
- i. Roof forms shall be visually associated with underlying building mass units.
- ii. Parapet walls shall be interrupted by setbacks or varying heights to provide variety to the roof line.



Figure 10-C: Roof line change example

3. Multi-Building Developments

Multifamily developments with more than three residential buildings shall incorporate more than one distinction among building designs. Distinct building designs shall be easily distinguished through a minimum of two of the following:

- a. A variation in length of 30 percent or more;
- b. A variation in the footprint of the building of 30 percent or more;
- c. A distinct variation in color and use of materials;
- d. A variation in the type of dwelling unit contained in the building that results in a significantly different scale and mass (i.e., apartments vs. townhomes or duplexes); and/or
- e. A distinct variation in building height and roof form.

4. Building Materials

- a. No more than 75% of a building façade or other wall facing a public street shall be comprised of a single façade material. The remaining 25% of the façade shall incorporate a different material.
- b. Exterior Insulation and Finish Systems (EIFS) shall not be utilized in high-traffic areas, such as at primary building entrances, where it may be easily damaged.

4.10.040. Residential Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

B. Attached and Multifamily Sites and Structures

- c. Stronger and heavier materials such as masonry shall be located below lighter materials such as wood. Stone or masonry shall be used to delineate the building foundation.

5. Walls

- a. Patio walls and fences shall be an integral part of building design and shall match or be complementary to the main building materials.
- b. Exterior perimeter walls of a project, including retention walls, facing public streets shall be compatible with the main building materials.

6. Accessory Structures

- a. Non-dwelling structures, such as car ports and storage units, shall be designed with similar details, materials, and design elements as the principal structure.
- b. Bulk storage shall be provided as follows:
 - i. A minimum of one cubic foot of storage for each 3 square feet of gross area of the dwelling unit shall be provided for each unit not including areas for bedroom closets, kitchen cabinets, and food storage areas.
 - ii. Bulk storage areas intended for storage of materials other than food and clothing, such as tools, bicycles, ski equipment, etc. shall be designed for this purpose. Bulk storage areas shall be separate from water heaters or other types of mechanical or electrical equipment.
 - iii. Exterior or detached bulk storage areas shall be designed as an integral part of the project. Bulk storage areas shall be incorporated into garages, car ports, and screening walls, using materials and details similar to those of the dwelling unit to achieve an integrated appearance.
 - iv. The provision of additional storage beyond these minimum requirements is encouraged.

7. Private Outdoor Space

- a. In addition to complying with the standards in Section <>, Open Space, private outdoor space shall be provided in compliance with this section unless the site is located within 500 feet of an improved public park, plaza, or other open space and are connected by a continuous sidewalk meeting the design standards of the Americans with Disabilities Act.

4.10.040. Residential Structure and Site Design Standards**Chapter 4.10 Site Layout and Structure Design Standards B. Attached and Multifamily Sites and Structures**

- b. Private outdoor space may be provided as the usable floor area of any patio, porch, balcony, deck, or enclosed yard accessible directly from a dwelling unit that is for the exclusive private use by the residents.



Figure 10-D: Example of front yard private outdoor space.

c. Requirements

Private outdoor space shall be provided according to the following:

i. First-Floor Units

- (a) For units located on the first floor, the minimum size of private outdoor space shall be 80 square feet or ten percent of the gross floor area of the unit, whichever is larger. The minimum dimension of such space shall be eight feet and may include lot area within a required setback but shall not include required landscaping areas.
- (b) Porches and entry patios that serve one dwelling may be considered private outdoor areas. However, any area necessary for walkways from outside the private outdoor area to the entrance of the dwelling unit shall be excluded from the calculation of the private outdoor space. Walkways shall be assumed to be three feet in width.

ii. Units Above First Floor

For units located above the first floor, the minimum size of private outdoor space shall be 80 square feet or ten percent of the “livable” floor area of the unit, whichever is larger. Private outdoor space may be provided as follows:

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

A. Applicability

- (a) Up to 100 percent of the required private outdoor space may be provided as common yard space. This space shall have a minimum dimension of 15 feet and may include lot area within a required setback but shall not include required landscaping areas.
- (b) Up to 50 percent of the total required private outdoor space may be provided as balconies that serve individual dwelling units and that are not be accessed from the ground by stairways. The minimum dimension of a balcony shall be eight feet.
- (c) Up to 25 percent of the total required private outdoor space may be provided as a rooftop deck. The minimum dimension of the deck shall be 10 feet.

iii. Design of Private Outdoor Spaces

Private outdoor spaces shall be designed as an extension of the living unit. Its location and relationship to interior spaces shall be given consideration to ensure that the outdoor space is both accessible and functional.

iv. Substitution for Infill⁵¹ Development Projects

Where an infill development site is configured or sized so as to not permit the provision of private common open space to meet the standards of this section, the Director may allow the substitution of developed sidewalk areas or streetscape, including:

- (a) Public plazas or fountains;
- (b) Tree wells or landscaping such as shrubs, live groundcover, planters, and hardscape (e.g., decorative fencing, arbors, patterned paving);
- (c) Street furnishings, including but not limited to waste receptacles, bicycle racks, drinking fountains, or
- (d) Features consistent with surrounding development or an adopted sub area plan.

4.10.050 MIXED-USE AND COMMERCIAL STRUCTURE AND SITE DESIGN STANDARDS⁵²**A. Applicability**

The standards in this section are applicable to all new structures, structural additions, and exterior renovations.

B. Generally Applicable Design Standards

The requirements of Section 4.10.030 apply to mixed-use and commercial development in addition to the following:

1. Site Layout**a. Building Location**

⁵¹ Infill Development definition: The process or development of vacant or under-utilized parcels within existing municipal areas that are already largely developed.

⁵² Based on current 4.07.040. Some current standards were incorporated in the updated zone district dimensional tables. Parking and landscaping requirements have been moved to the parking and landscaping sections.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

B. Generally Applicable Design Standards

Within developments that have three or more buildings, buildings shall be arranged and grouped using one or more of the following techniques (illustrated in **Error! Reference source not found.**):

- i. Frame the corner of an adjacent street intersection or entry point to the development;
- ii. Frame and enclose parking areas on at least two sides;
- iii. Frame and enclose outdoor dining and/or outdoor gathering spaces between buildings;
or
- iv. On sites of 15 acres or more, frame and enclose a “main street” pedestrian and/or vehicle access corridor within the development.

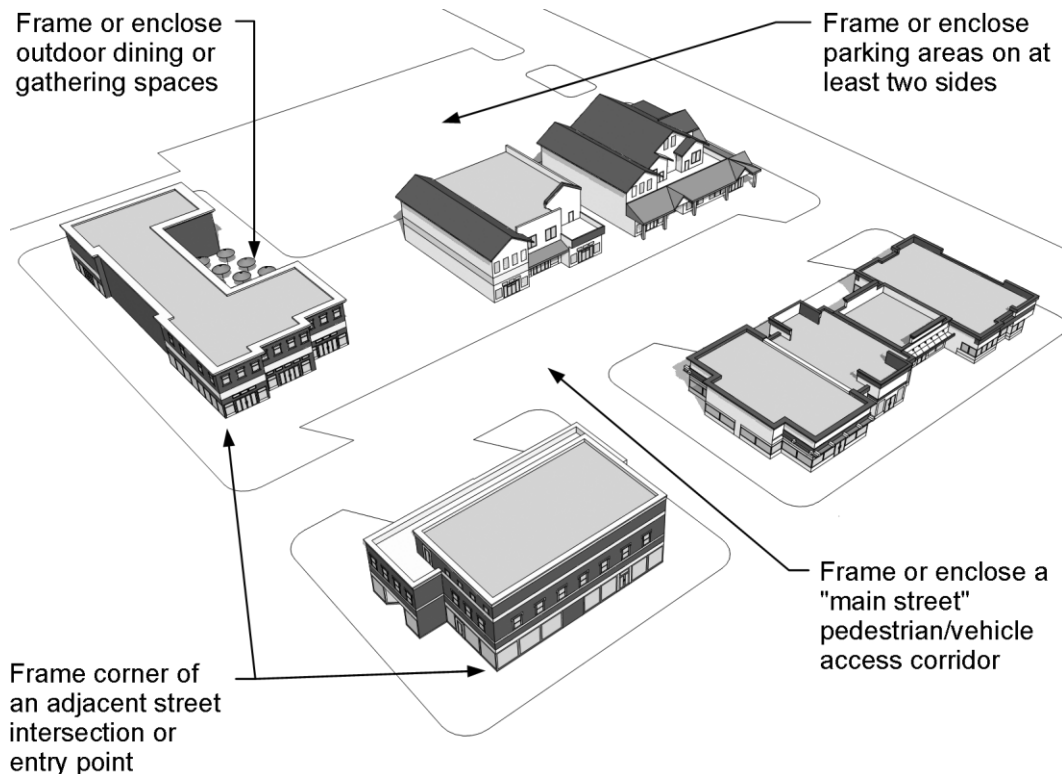


Figure 10-E Multi-Building Development

b. Building Orientation

- i. The building façade shall face the same public right-of-way as adjacent structures unless instructed otherwise in the zone district or applicable Town plan.
- ii. The facade containing the primary entry way shall parallel the street. Building entrances shall be visible and accessible from the pedestrian right-of-way along the building's primary street.
- iii. Structures with frontage on I-70 shall have an internal orientation, rather than a highway orientation. Entryways shall face towards the internal road system. The Director may allow a highway orientation where site conditions make it difficult to achieve an internal orientation.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

B. Generally Applicable Design Standards

-
- iv. Mixed-use or residential structures adjacent to low density residential zone districts shall comply with the following standards:
 - (a) Service and utility entrances, mechanical support facilities, and unimproved building “back sides” shall not be located within public view of neighboring residences.
 - (b) Service and utility courts or alleys may contain these necessary support functions.
 - c. **Mechanical**
 - i. Underground utility connection is required unless otherwise provided by the Building Official.
 - ii. Where the connection meets the building, risers, utility meters, panel boxes, or similar, are encouraged to be covered with the same or compatible material as the siding material unless expressly prohibited by utility company regulations.
 - d. **Sidewalks and Furnishings**⁵³
 - i. Sidewalks shall be constructed on both sides of the street in all mixed-use and commercial zones.
 - (a) In areas where traditionally there has been a zero-foot setback, sidewalks shall have an integral curb and gutter.
 - (b) In areas where it is customary to have a tree lawn or planting strip between the sidewalk and property line (ROW?), the sidewalk shall be detached from the curb and gutter.
 - (c) Sidewalk should be set back from the back of curb five feet minimum, aligning and connecting to existing sidewalks. Sidewalk material shall be concrete or concrete unit pavers.
 - ii. In areas where the sidewalk is adjacent to the building, planters and/or window boxes should be installed and maintained at the expense of the property owner. Planters shall not impede movement along the sidewalk.

⁵³ This section is subject to further review by Public Works.

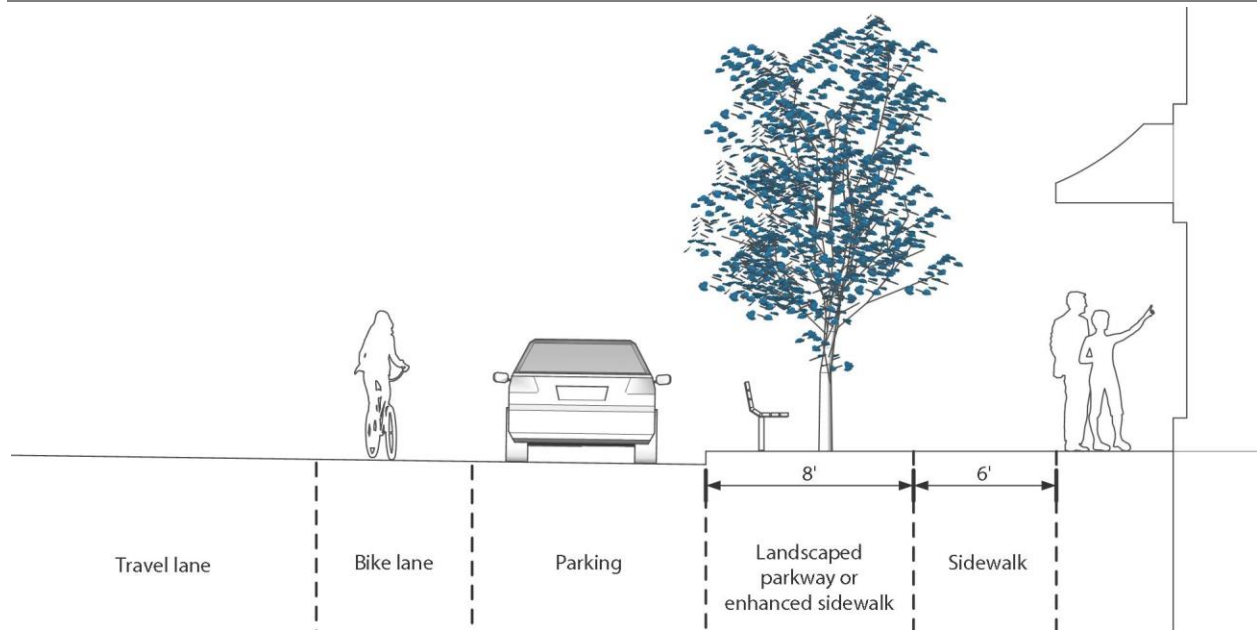


Figure 10-F: Sidewalk Design

e. Parking Location

- i. No more than 50 percent of all required parking may be located in between the property line abutting the public right-of-way and the building façade. Where a smaller percentage is specified in these standards, that percentage shall govern.
- ii. The remaining parking stalls shall be located to the sides or rear of the proposed building.
- iii. No more than two double-loaded rows of parking are permitted abutting the I-70 right-of-way. Parking areas shall be screened from view from I-70 with opaque landscape screening.

2. Building Mass and Form

a. Horizontal Façade Articulation

Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller components. No individual component shall have a length of more than 60 feet, measured horizontally. Components shall be distinguished from one another through two or more of the following, as illustrated in Figure 10-G: Horizontal Articulation:

- i. Variations in roof form or variations in roof height of two feet or more;
- ii. Changes in wall plane of 12 inches or more;
- iii. Variations in the arrangement and recessing of windows or doors; or
- iv. Ground-floor pedestrian-oriented design features along no less than 60 percent of the horizontal length of the segment. Pedestrian-oriented design features may include arcades, display windows, entryways, awnings, or other features. Shaded sidewalks that are part of the building design may be credited toward this standard.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

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B. Generally Applicable Design Standards

- v. Structures on corner lots shall have similar façade design on both streets that they face.

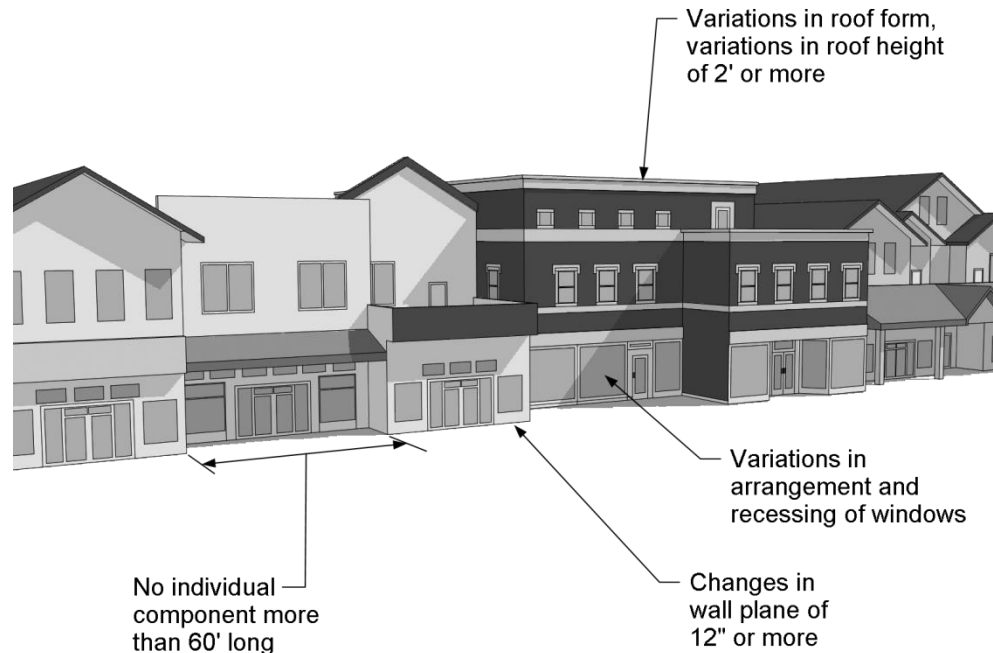


Figure 10-G: Horizontal Articulation

b. Vertical Façade Articulation

- i. Buildings shall be designed to reduce apparent mass by including a clearly identifiable base, body, and top, with horizontal elements separating these components.
- ii. The component described as the body shall constitute a minimum of 50 percent of the total building height.

c. Primary Building Entrance Design

Buildings shall feature visually prominent primary building entrances. Unless otherwise provided in this Code, buildings shall incorporate a combination of two or more of the following techniques:

- i. Canopy, portico, archway, arcade, or similar projection that provides architectural interest and protection for pedestrians;
- ii. Prominent tower, dome, or spire;
- iii. Peaked roof;
- iv. Projecting or recessed entry;
- v. Outdoor features, such as seat walls, landscaping with seasonal color, or permanent landscape planters with integrated benches; or
- vi. Other comparable techniques approved by the Director.

d. Roof Design

- i. Minimum roof pitch is 3:12.
- ii. Mansard roofs are prohibited.
- iii. Flat roofs are permitted provided that no mechanical equipment is visible from public rights-of-way and the roof shall be designed in keeping with the Town's design intent in Section <>. All flat roofs shall have a surrounding parapet wall.

e. Loading Docks and Service Areas

- i. Loading docks and service areas shall be located to the side or rear of building unless the building abuts the I-70 corridor.
- ii. If the parcel abuts the I-70 corridor, all services and loading areas shall be located behind an eight-foot high wall or screened.

C. Location Specific Standards

In addition to the standards in Section 4.10.030 and 4.10.050B, the following standards shall apply in specific zone districts or geographic areas.

1. Broadway District

The overriding vision for Broadway is to enhance the Town and to create a vibrant business district based on traditional western slope architecture. Broadway deserves special attention and more specific guidelines than other areas of Town.

a. Design Intent

The buildings of the Broadway District shall be permanent in character and referential to the business districts of traditional western slope communities. Historic Downtown districts found in Telluride, Crested Butte, Breckenridge, Ouray, Salida, Leadville, Montrose, Glenwood Springs, Carbondale, and similar Towns are all examples of the styles of architecture, design, building massing, and scale that must be considered when designing buildings for the Broadway District in Eagle. These communities vary from traditional mining towns to rural agricultural villages and Eagle's history comes from these same traditions of mining and rural agriculture. The buildings in the Broadway District shall be designed with these precedents in mind, however buildings are not tied to a strict period replication.

b. Street Level Orientation and Design:

- i. Street level storefronts shall be emphasized through the use of architectural or design elements, as described in this section.
- ii. Relation to human scale shall be considered in the design of street level facades and spaces.
- iii. The first floor shall be placed at ground level and buildings shall be a maximum of four (4) stories in height. For buildings that choose to incorporate a fourth story, the fourth floor shall step back from the front façade (or façades on a corner lot) by a minimum of 5-ft .
- iv. Buildings that have a front setback of at least 15 feet, shall design the space between the right-of-way and the front of the building for landscaping, as hardscaped patio spaces, or a combination of both. Buildings that choose a ground floor setback may incorporate and second and third floor overhang up to the front lot line.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

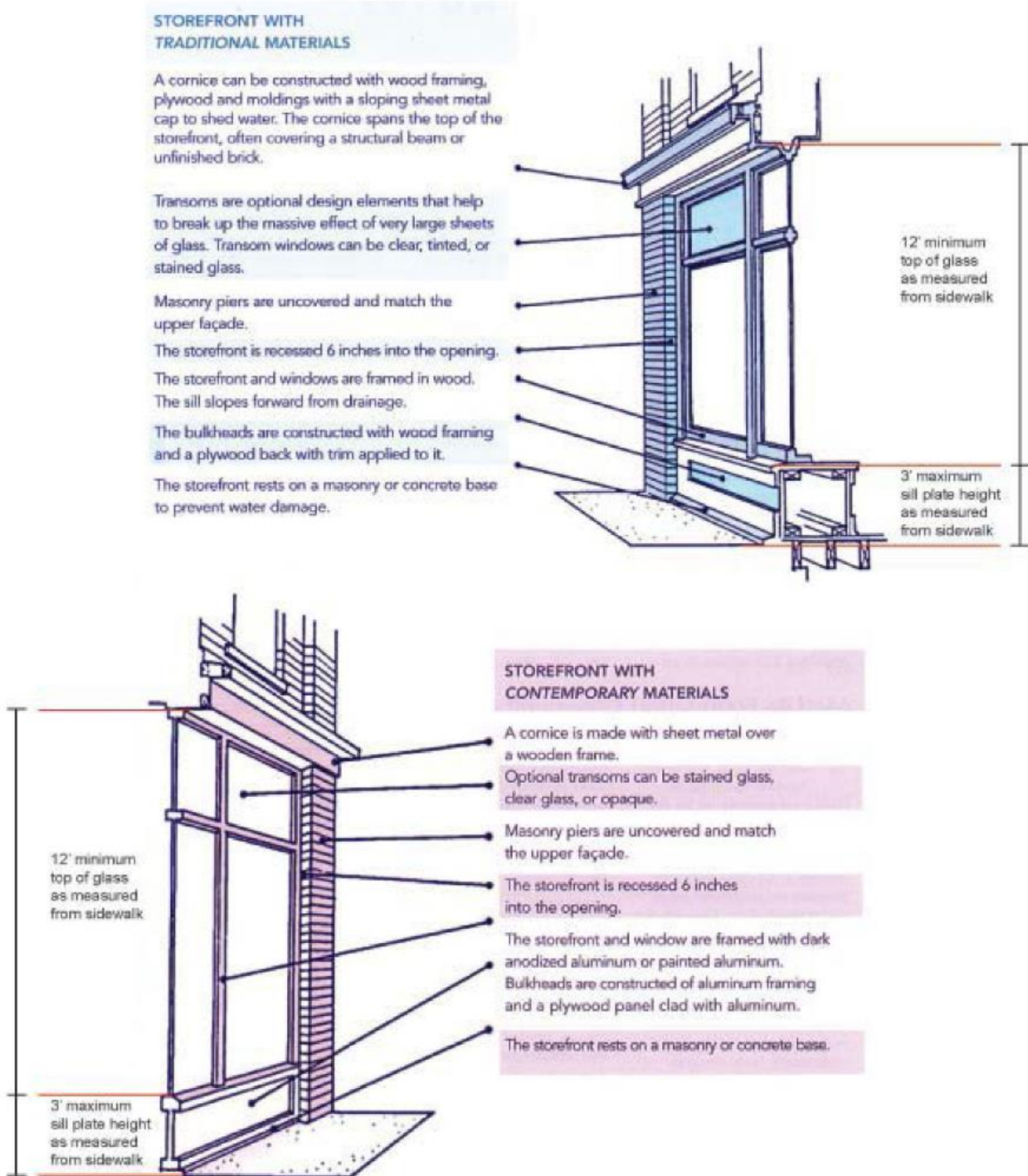
C. Location Specific Standards

- (a) Hardscaped areas. Hardscaping materials are not required to be the same as those found in the Broadway streetscape, but must be complementary to what is found on Broadway.
 - (b) Landscaped areas. Landscaping shall integrate with landscaping found along the Broadway streetscape and applicants are required to describe how their proposed landscaping is native, will be maintained and integrates with the existing street landscaping. Appropriate mature heights of ornamentals and shrubs shall not exceed 4-ft in height. Planting materials may include annuals, perennials, grasses, small ornamental trees or shrubs that flower, have colorful winter bark or showy fruits. Plantings shall be kept to designated planting areas and applicants shall provide a landscape plan for any proposed landscaping in the Broadway District (planting pots typically do not require a landscape plan). Turf is permitted, however, applicants must show how the turf is to be maintained. Hardscaped paths are required through any turf areas from the property line to the building entry door.
 - (c) Fencing in the Broadway District. Any proposed fencing in the Broadway District shall be no taller than 3-ft and shall be constructed with durable materials that complement the primary façade material on the existing or proposed building. Chainlink and vinyl are not permitted fencing materials in the Broadway District.
- v. Storefront windows shall extend from the sidewalk to a height of at least 12 feet. Transom windows may be included in the minimum window height calculation.
- vi. The sill plate of a retail display window may begin at the sidewalk level and shall be no higher than three feet above the sidewalk elevation. The window base need not match the building material but may include any permitted building materials. (Figures 13, 14)

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

C. Location Specific Standards



- vii. Storefront windows may be set parallel to the curb or storefront windows and entries may be articulated by creating areas of indentation. (Figure 14)

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

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C. Location Specific Standards

- viii. Windows on the second and third floors will be shorter in height than those occurring at ground level due to the smaller floor-to-ceiling heights. These window units shall be vertical in proportion. Windows on the second and third floors shall be arranged so as to reflect the composition of windows at the first floor.



- ix. Passages and entries to the second level shall be distinguished architecturally. Passages that lead to a rear parking area must be clearly signed. The architectural elements are required to distinguish these passages or entries.
- x. Door swings into the right-of-way are prohibited. Commercial and/or residential entryways may be indented so as not to swing into the right-of-way. (Figure 15)



- xi. Corner entrances are encouraged where they are possible. They have the advantage of addressing two streets and an intersection, resulting in a unique degree of visibility for those businesses that create them. They also contribute more animation to the district as a whole. (Figure 16)

c. Architectural Detail

- i. Roofs shall either be flat with parapet walls, gabled, cross-gabled, gambrel or a combination thereof and must include architectural elements and details to enhance the west slope design style of this area. Roof, cornice and parapet forms provide interest, scale, richness and height variations to buildings. (Figures 17,18)
- ii. Parapet walls may exceed the height limit of the district by not more than 30% beyond the highest point of the building. Parapet walls may be used as a design detail and/or to screen roof mounted appurtenances and/or roof entertainment areas from views of public rights of ways.



- iii. Cornices treatments shall be used on street facing facades to visually terminate the top of the building. Additional roofline architectural details similar to those shown in Figures 17, 18 above may be incorporated.
- iv. Front and corner building facades shall incorporate at least one of the following architectural design characteristics into the building design:
 - (a) Chamfered corner entrance.
 - (b) Façade articulation.
 - (c) Entrance door setback.
 - (d) Cornice details.
 - (e) Architectural/designed roof element.
 - (f) Parapet wall element.
- v. Exterior facade material along the side of the building must match the exterior facade material found on the front of the building for a length of at least 15 feet from the ground level to the height of the roof along any interior lot lines. See Figure 10-HFigure 10.5C.
- vi. Building materials used in the Broadway District are slightly more restrictive to those in other areas of Town. For exterior renovations and for new projects, development must incorporate a primary façade material that shall cover at least 75% of the building façade. Acceptable primary materials are as follows :
 - (a) Brick.
 - (b) Stone or hand-chiseled stone.
 - (c) Wood or composite wood siding (either a horizontal or board and batten layout is permitted).
- vii. Acceptable accent materials are as follows :
 - (a) Brick.
 - (b) Stone or hand-chiseled stone.
 - (c) Moss rock or river rock.
 - (d) Wood or composite wood siding.
 - (e) Metal.
 - (f) Materials typically used for architectural detail work.

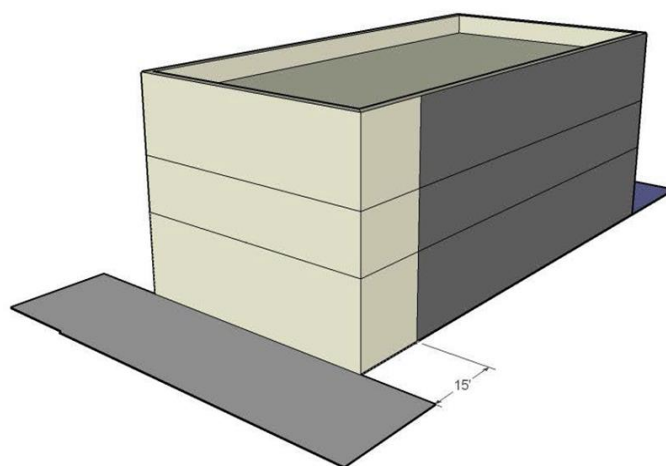


Figure 10-H: Exterior façade material wrapping

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

C. Location Specific Standards

viii. When brick or stone is used as a primary façade material, variation in the detailing of the brick or stone to cast shadow lines is required. See Figure 19.

ix. Color. A wide range of colors are permitted in the Broadway District. Neon or fluorescent colors are not permitted. Colors shall be documented in application materials and must be in keeping with those typically seen in western slope mountain town business districts. Color changes for existing buildings require a minimal administrative review by the Director and shall be a documented color used in a western slope mountain town business district.

d. Corner Lots:

i. Buildings that have two-street frontages are required to match the exterior façade materials along both street frontages. Figure 20.

ii. Buildings shall present their front facades to the street that they face. Buildings on corner lots shall face and address both street frontages, as shown in Figure 20.

iii. Buildings with two street frontages may choose to incorporate corner treatments. Corner treatments shall be used to provide architectural prominence to the building and shall be in scale with the building. Corner treatments may exceed the height limit of the district by not more than 30% beyond the highest point of the building. Figure 20.

e. Other Requirements of the Broadway District .

i. Art. Temporary art displays are permitted along the Broadway Streetscape with the permission of the Town Manager. Building art may be permitted on a case-by-case basis with the permission of the Director and requires a mockup of the proposed design and colors to be utilized. Any art displays utilized during special events are permitted as part of the special event permit.

ii. Plants. Potted plants are permitted on Town Property at entryways or on private property, provided that they do not impede the flow of pedestrian traffic and if on public property are removed (by the property owner/tenant) from November 1st through April 15th and during snow events to accommodate snow removal.

iii. Lighting. Downcast, opaquely shielded, lighting is permitted on building facades in conformance with Chapter 4.13 Outdoor Lighting. Private string lighting in the Broadway District is not permitted.

iv. Seating. Benches are provided by the Town along the Broadway streetscape. If a property owner/tenant desires to add additional seating along the sidewalk, two small tables and chairs shall be permitted providing ADA (Americans with Disabilities Act) requirements are met. The maximum diameter and height of tables shall be 30-in. These permitted tables and chairs shall not impede the flow of pedestrian traffic along the sidewalk, shall not impede access and egress from the building entry, shall be available for the use of all pedestrians and shall be removed from public property (by the property owner/tenant) from November 1st through April 15th and during any snow events. Tables and chairs, on public property, larger than those permitted or with more than two chairs shall require an encroachment permit and associated review from the Town.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

C. Location Specific Standards

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

C. Location Specific Standards

2. Chambers Avenue

The following standards apply to structures that front Chambers Avenue:

- a. Sheet metal exterior walls are prohibited; vertical metal siding is permitted on gables only.
- b. Modular panels are permitted.

3. Grand Avenue Corridor ⁵⁴**a. Design Intent**

Historically, Grand Avenue was the primary traffic corridor for the Town. Structures along this corridor shall complement the historic nature of this travel route. Design of new construction or renovation along this corridor will reflect a blending of historic and mountain modern design styles and will help draw travelers to Broadway Street, Eagle's historic Downtown. New development, redevelopment, and infill shall meet the standards of this section and the following design goals:

- i. Vacant lots should be targeted for development to fill in existing gaps and strengthen the street edge along the Grand Avenue corridor.
- ii. Development should create a distinct edge between the highway right-of-way and private property through street improvements and landscaping.

b. Site Layout**i. Structure Orientation**

Lots with a frontage of 25 percent or more along Grand Avenue shall be designed as follows:

- (a) The front façades of primary structures shall be oriented toward Grand Avenue. Sites with multiple structures shall orient primary structures to create a street wall along Grand Avenue before locating structures elsewhere on the site.
- (b) Buildings shall be sited square to a build-to line that is five feet back from the front property line along Grand Avenue to emphasize the street edge, as illustrated in Figure 10-1: Identification of build-to line.

⁵⁴ Current 4.07.090

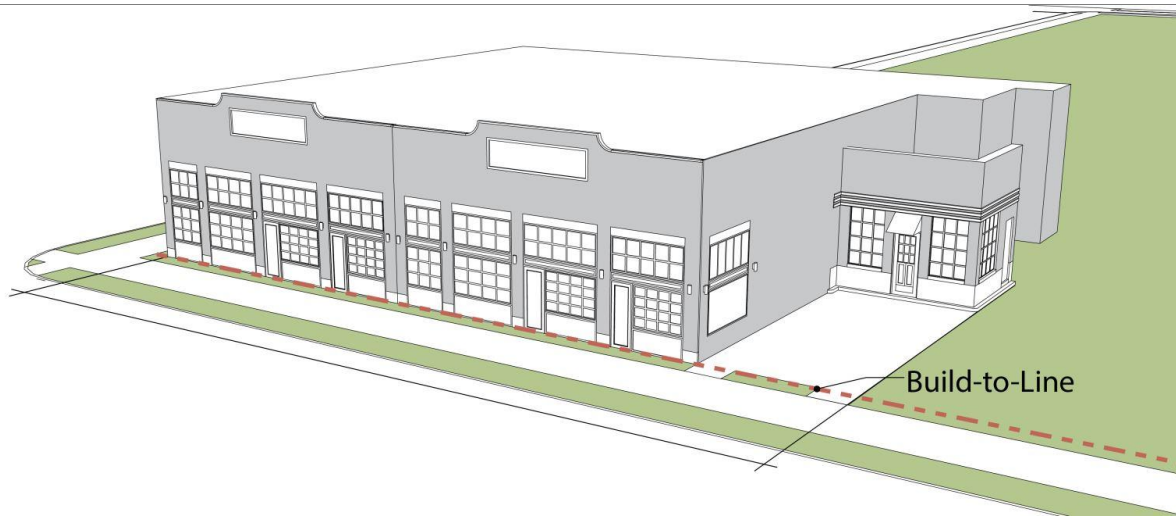


Figure 10-1: Identification of build-to line

- (c) Parking shall be located at least 30 feet behind the front building line to the maximum extent possible.
- (d) Access shall be taken off of a side street wherever feasible. Access may be taken off of Grand Avenue where access from a side street is not available or feasible because of road design or traffic concerns, and shall be consistent with the Grand Avenue Corridor Plan.

ii. Fences

- (a) Opaque privacy fencing is required where commercial lots abut residential neighborhoods. The fence shall be between six and eight-feet high. The Director may approve the use of plant material as a screening device if plant quantities and plant spacing are designed to create dense, visual barriers.
- (b) Chain link and electrical fencing is prohibited.

iii. Signage and Murals

- (a) All freestanding signs shall be monument style and integrated with the proposed landscaping.
- (b) Murals and art displays that are not signs are permitted along Grand Avenue as part of a permanent building or a revolving installation. Any permanent art must be approved by the Director.

c. Structure Design

- i. First floor design shall meet the following requirements:
 - (a) Residential uses in structures abutting Grand Avenue shall be permitted either above first-floor non-residential spaces or behind the front 30% of the ground floor, as measured from the front wall. First floor space shall be designed to accommodate nonresidential uses.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

C. Location Specific Standards

- (b) Lots that have a primary frontage along a side-street with only 25% or less of frontage along Grand Avenue are not required to have structures designed for first-floor nonresidential uses.
- (c) Garage doors shall not face Grand Avenue and shall be consolidated and located at one end of the building to reduce vehicular congestion.
- ii. Strip malls are not permitted, however, multiple storefronts on one building are permitted and shall be designed in accordance with Section 4.10.050.
- iii. Roof forms should vary: gable, hip, shed, and flat roofs with parapets are allowed.
- iv. Porches are not a required element, but any porches provided must project from the central form and be covered by a separate roof.
- v. Building height along Grand Avenue shall be a maximum of 40-feet. Residential behind the commercial shall blend in with the surrounding neighborhood and may be a maximum of 35-feet.
- vi. Rooftop decks, bars, and gardens are permitted and may exceed the maximum building height by up to 15%. All rooftop mechanical equipment shall be screened from public views.

d. Architectural Detail

- i. Storefront display windows are permitted at ground level only. First floor glass panels shall have low reflectivity and high transparency, allowing for visual access into the building at the ground level.
- ii. Garage doors made from glass and metal that meet all applicable building codes are a permitted alternative to windows.
- iii. Pre-approved color samples for Grand Avenue are available at Town Hall. Colors that are not pre-approved maybe submitted to the Director for review on case-by-case basis.

4. North Interchange and East Eagle Area**a. Design Intent**

The North Interchange and East Eagle Area incorporates privately owned, commercially zoned land north of the I-70 interchange, and in between the I-70 corridor and US Highway 6 east of Chambers Avenue. This area is completely separated physically and visually from the developed Town. Because of its isolated location, development on these lands should have less of an impact to the community, if treated sensitively, than if these uses occurred Downtown. Where sites develop with commercial activities that generate high volumes of user traffic, master planning of large parcels should be strongly encouraged. Careful consideration to the layout of curb cuts along existing public roads should be given. To the extent possible, the preservation of large pieces of indigenous landscape and plant materials should be an important objective.

b. Site Layout for Outdoor Uses

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

D. Large Format Retail Development

- i. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.
- ii. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within twenty (20) feet of any public or street, public sidewalk, or formal internal pedestrian way, such as a marked or signed walkway.
- iii. Trucks, trailers, and outdoor containers used for functions such as delivery or maintenance shall only be parked or stored in designated loading and unloading areas that are completely screened from adjacent streets or properties for the duration that they are on the site, and shall be removed promptly upon the completion of use or service.
- iv. Exterior display areas shall be clearly depicted on the approved development plan. All exterior display areas shall have a minimum buffer of 10 feet from vehicle lanes or parking areas and shall be permanently screened around the perimeter of the exterior display area with walls or fences.
- v. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters and trash compactors shall be incorporated into the overall design of the building and the landscaping so that their acoustic impacts are fully contained and their visual impacts are screened from view from adjacent properties and public streets, and the screening materials shall be consistent with the principal materials of the building and landscaping.

D. Large Format Retail Development⁵⁵**1. Applicability**

In addition to Section 4.10.050, the following standards shall apply to large format retail development that meets the following criteria:

- a. New construction of a large retail establishment, defined as single tenant building with at least 50,000 square feet of gross floor area for the purpose of retailing; or
- b. Expansion of or addition to an existing building that creates a large retail establishment.

2. Site Layout**a. Location and Design of Parking Lots**

- i. No more than 30 percent of the off-street surface parking spaces provided for all uses located in the building containing a large retail establishment shall be located between the front façade and a public street.
- ii. In order to reduce the scale of parking areas, all surface parking areas shall be broken up into smaller parking blocks containing no more than 40 spaces:
 - (a) Parking blocks shall be separated from each other by a minimum five-foot wide landscaping strip, access drives or public streets, pedestrian walkways, or buildings.
 - (b) Each parking block shall have consistent design angles for all parking within the block.

⁵⁵ New section.

4.10.050. Mixed-Use and Commercial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

D. Large Format Retail Development

- (c) Parking blocks shall be oriented to buildings to allow pedestrian movement down and not across rows (typically with parking drive aisles perpendicular to customer entrances).

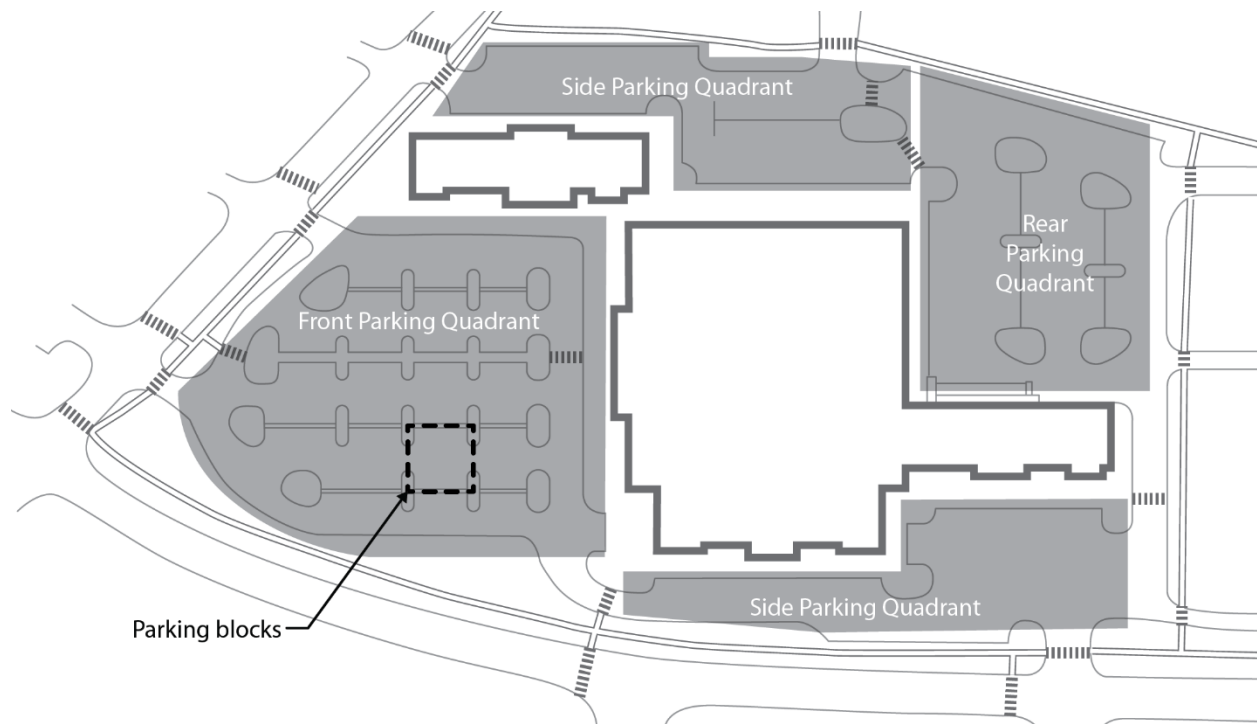


Figure 10-J: Location and Design of Parking Lots

b. Pedestrian Access and Circulation

Continuous pedestrian walkways at least eight feet wide shall be provided along the full length of any primary building façade featuring a customer entrance and along any facade abutting customer parking areas.

- i. Walkways shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
- ii. As an alternative to the six-foot planting bed, tree grates with decorative paving may be utilized along 50 percent of the facade.
- iii. For all options, a minimum eight-foot unobstructed pathway shall be maintained on the pedestrian walkway.

c. Site Amenities**i. Minimum Area Devoted to Site Amenities**

All development subject to this section's design standards shall provide a minimum of ten square feet of site amenities, open areas, and public gathering places for each 20 parking spaces provided.

ii. Allowed Site Amenities

Site amenities shall consist of at least two of the following:

- (a) Patio or plaza with seating area;
- (b) Mini-parks, squares, or greens;
- (c) Bus stops in coordination with the regional transit agency;
- (d) Customer walkways or pass-throughs containing window displays;
- (e) Public art;
- (f) Any other similar, deliberately shaped area and/or focal feature that, in the Director's judgment adequately enhances the development and serves as a gathering place.

iii. Aggregation Allowed

In developments containing more than one building, the required area may be aggregated into one larger space, provided such space is within easy walking distance of the large retail establishment and other major tenants in the center.

3. Structure Design**a. Customer Entrances****i. Number and Location**

- (a) Buildings containing large retail establishments with 100,000 square feet of gross floor area or more shall feature customer entrances on at least two sides of the building. The two required sides shall be those planned to have the highest level of public pedestrian activity.
- (b) When additional commercial establishments under separate ownership are located in the same primary building as a large retail establishment, each such establishment shall have an exterior customer entrance that complies with the visually prominent entrance requirement below, except that such entrance shall include a minimum of two visual prominence features listed in subsection 4.10.050D.3.a.iii below. Restaurants containing less than 2,000 square feet of gross floor area are excluded from this requirement for an exterior customer entrance, except that if such an entrance is provided, the entrance shall comply with the visually prominent entrance requirements below.

ii. Orientation

The primary entrance to a large retail establishment shall face the primary street adjacent to the site. The primary street will typically be the street with the highest level of vehicular and pedestrian activity.

iii. Visual Prominence

- (a) In order to provide clearly defined and highly visible entrances, all building and store fronts subject to this section shall have customer entrances featuring no fewer than three of the following:

4.10.060. Industrial Structure and Site Design Standards

Chapter 4.10 Site Layout and Structure Design Standards

A. Site Design

- (i) Canopies, arcades or porticos that, while satisfying weather protection requirements of Subsection (4)f, below, also lend visual prominence to the entrance;
 - (ii) Overhangs, recesses, or projections;
 - (iii) Raised corniced parapets over the door;
 - (iv) Peaked roof forms;
 - (v) Tower features integrated with the building design that extend above the building roof line;
 - (vi) Arches;
 - (vii) Outdoor patios;
 - (viii) Display windows;
 - (ix) Integral planters or wing walls; and
 - (x) Entrance atriums with visual connections to outside.
 - (xi) Transparency and Light
- (b) The principal customer entrance to any building shall feature at least two elements from the following:
- (i) Clerestory windows;
 - (ii) Windows flanking main entrance door;
 - (iii) Large entrance door(s)—Transparent, and double hung; and
 - (iv) Ornamental light fixtures.

b. Weather Protection

Canopies, arcades, or similar permanent sheltering roof structures shall provide weather protection along facades of buildings to pedestrians at customer entrances, taxi and drop off zones, valet parking, and bicycle parking. Weather protection means, for purposes of this provision, a permanent shelter or covering of sufficient length and width to provide protection to pedestrians from sun, wind, rain, or snow.

4.10.060 INDUSTRIAL STRUCTURE AND SITE DESIGN STANDARDS⁵⁶

In addition to Section 4.10.030, the following standards shall apply to development in industrial zone districts.

A. Site Design

- a. Structure space that is designed to be publicly accessible, such as offices or showrooms, shall be oriented to a street front, and where possible to a corner to establish the building lines of each street.

⁵⁶ New section.

- b. Loading and/or storage area that is oriented to I-70 or Highway 6 shall be set back from the property line a minimum of 20 feet and screened from direct view from either roadway with a 10-foot wall or opaque fence.

2. Structure Design

- a. The first-floor façade of all buildings, including structured parking facilities, shall be designed in keeping with pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.
- b. Architectural features and treatments shall be provided on all publicly visible sides of a structure.

4.10.070 SCREENING⁵⁷

A. Single Family Residential

- 1. To the maximum extent practicable, utility equipment on single-family residential lots shall be located behind the front building line of the house and screened from public view by an opaque wall, fence, or landscaping screen. Alternative locations may be approved by the Director to allow for the retention of existing trees or to address site topography.
- 2. Ground-mounted mechanical equipment shall be screened with a cover or box integrated into the landscaping.

B. Multifamily, Mixed-Use, and Non-Residential

1. Screening Generally

a. Site Screening

All landscape plans shall indicate how trash bins, recycle bins, storage yards, service areas, loading docks, and equipment areas on the property will be hidden or screened from view.

b. Visual Screening

Structures shall be designed and screened so that windows and decks do not overlook neighboring residential properties in a manner that intrudes on privacy.

2. Mechanical Equipment

a. Applicability

- i. The standards of this section shall apply to all of the following:
 - (a) Electrical and gas-powered mechanical equipment;
 - (b) Ductwork and major plumbing lines used to heat, cool, or ventilate; and
 - (c) Power systems for the building or site upon which the equipment is located.
- ii. Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards. The standards of this section are not intended to apply to solar arrays, solar energy collection systems, or small wind energy systems, if such systems are otherwise in compliance with applicable building codes and development standards requirements.

⁵⁷ This new section is provided to add a complete set of standards for utility and service area screening.

b. Screening Standards

- i. **Roof-Mounted Mechanical Equipment:** Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to, or greater than the height of the mechanical equipment being screened. Roof-mounted mechanical equipment, except solar energy collection systems, is prohibited on single-family residential dwellings.
- ii. **Wall-Mounted Mechanical Equipment:** Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.
- iii. **Ground-Mounted Mechanical Equipment:** Ground-mounted mechanical equipment shall be screened from view by landscaping, a fence, or a decorative wall that is either integrated into the architecture of the structure or incorporates materials from the primary structure. The fence or wall shall be of a height equal to, or greater than the height of the mechanical equipment being screened. See Figure 10-K: Location of Outdoor Storage, Mechanical Equipment, and Loading Areas.

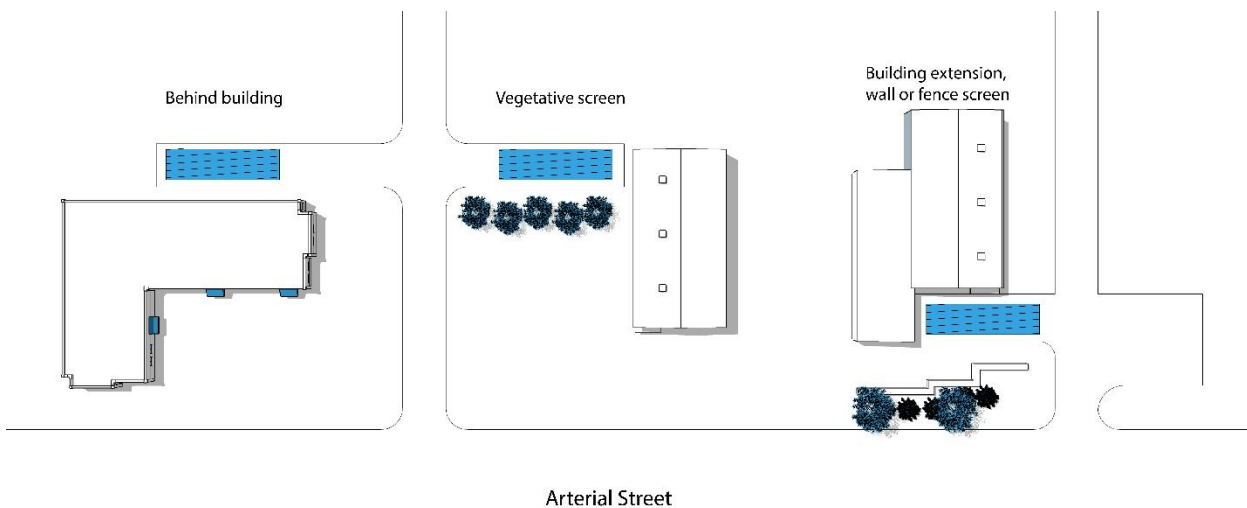


Figure 10-K: Location of Outdoor Storage, Mechanical Equipment, and Loading Areas

- iv. **Alternate Screening:** Alternate screening methods that meet the intent of this section may be approved by the Director. Alternative screening might include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, architectural elements, and painting or otherwise causing the equipment to blend with the site or structure.

3. Service, Loading, and Storage Areas**a. Applicability**

These screening requirements are applicable to all service, loading, and storage areas.

b. Placement

- i. All service areas shall be placed at the rear, on the side of, or inside buildings.
- ii. No service area shall be visible from a public right-of-way, or from adjacent residential areas.
- iii. Service areas and access drives shall be located so they do not interfere with the normal activities of building occupants or visitors on driveways, walkways, in parking areas, or at entries.

c. Outside Storage Areas and Loading Docks

- i. All storage areas, service areas, and loading docks visible from any public street right-of-way must be screened according to one or more of the screening options provided in these standards. Property zoned highway commercial or industrial must also screen from view all outside storage areas that are adjacent to or can be seen from non-commercial or industrial zoned property.
- ii. Screening shall be a minimum height of eight feet to screen truck berths, loading docks, areas designated for permanent parking, or storage of heavy vehicles, equipment, or materials.
- iii. Screening shall be long enough to screen the maximum size trailer that can be accommodated on site. Sites that can accommodate a full-size tractor-trailer shall provide a 48-foot wing wall, where wing walls are used.

d. Trash Receptacles

Areas for trash receptacles shall be designed so that the receptacle, as much as possible, cannot be viewed from the street or yard. Access to the receptacles must be provided to allow easy ingress and egress by trash hauling vehicles. Dumpsters must be placed on concrete pads.

e. Shopping Cart Storage

- i. All shopping carts shall be stored either inside the building they serve or adjacent to the building in an area that is screened from public view.
- ii. Shopping cart corrals shall be made of a material suitable for withstanding weathering and rusting.
- iii. Shopping cart storage shall not be located in required off-street parking spaces.

4.10.080 AFFORDABLE HOUSING PROVISION**A. Inclusionary Residential Requirements for Local Employee Residency⁵⁸**

⁵⁸ Current 4.04.110

1. Purpose

- a. The purpose of this section is to mitigate the impact of market rate housing construction on the limited supply of available land suitable for housing, and to increase the supply of housing that is affordable to a broad range of persons who live and/or work in the Town. In recent years, the cost of housing has increased at a rate much faster than the increases in the earnings of low to moderate income households. This section will prevent the Town's land use regulations applicable to residential development from having the effect of excluding housing that meets the needs of all economic groups within Eagle.
- b. The Town of Eagle is committed to increasing the supply of affordable housing in the community to expand the economic vitality that is derived from having a range of housing types, costs, and household incomes. Eagle will benefit from an enhanced community vibrancy generated by the inclusion of inventory of for-sale housing for the local workforce that earns 140 percent of the Area Median Income (AMI) or less, and rental housing for the local workforce that earns 80 percent or less of the AMI.
- c. This section requires new residential development of 10 or more units to provide at least 20 percent of the units at a sale price or rental rate affordable to households that qualify for the Town's affordable housing AMI requirements.
- d. The Town recognizes that affordable housing is a valuable community resource that needs to remain available not only for current residents and employees, but also for those who may come to the area in the future. For this reason, deed restrictions or other methods that assure that prices remain affordable over time are necessary.

2. Applicability

Local employee residences shall be required as a condition of approval for all residential development, including new units, redevelopment that creates new units in excess of any units that originally existed on the site, and infill that is either new development or redevelopment. .

3. Exemptions

The following development is exempt from the requirements of this section:

- a. Development of local employee residences.
- b. Proposed rental or for-sale residential development of less than ten units.
- c. Development which is exempt by virtue of a vested property right pursuant to a site-specific development plan as defined and established in accordance with C.R.S. § 24-68-103 and Chapter 4.17 prior to the effective date of the ordinance from which this section is derived, or which is otherwise specifically exempt pursuant to an ordinance of the Town.

4. Residential Development Requirements**a. Number of Local Employee Residences Required**

All residential development, approved after the Effective Date, containing ten or more residential units, shall set aside at least 20 percent of those units as local employee residences as defined in this section and the Town's local employee residency requirements and guidelines. In addition, the developer of the project shall construct local employee

residences in accordance with the Local Employee Residency Requirements and Guidelines. For developments whose calculation results in a fraction of a unit, the local employee residence requirement shall be rounded up or down to the nearest integer.

b. Unit Price

Residential units build to satisfy this requirement shall comply with the Town's affordability AMI requirements described in Section 4.10.080A.1.

c. Location and Character of Local Employee Residences

Local employee residences shall be distributed throughout the proposed development, to the extent possible. Off-site local employee residences may be approved, with the developer's consent and in the Town's discretion, at a location to be determined by agreement of the Town and the developer. A cash payment in lieu of the cost of construction of local employee residences may be permitted, with the developer's consent in the Town's discretion, in an amount to be determined by agreement of the Town and the developer. The proposed character and density of local employee residences shall be compatible with the surrounding land uses and neighborhood character, and suitable for the proposed site. Development and construction of local employee residences shall comply with all other requirements of this Code.

d. Schedule for Construction of Local Employee Residences

A developer shall construct the required local employee residences prior to, or concurrently and proportionally with, the production of market rate housing or the sale of market rate lots. Prior to receiving development approval, the developer shall provide the Town with a proposed construction schedule for approval by the Town that clearly delineates the start and completion dates of the production of market rate units and/or the sale of market rate lots and the construction of local employee residences in accordance with the Town's local employee residency requirements and guidelines.

e. Deed Restrictions

All local employee residences required by this section shall be deed restricted, in accordance with the requirements of the Local Employee Residency Requirements and Guidelines, and as approved by the Town Attorney, as to rental or ownership and occupancy by persons and as to the resale price of the unit. The deed restriction shall be provided to the developer for review at the time of approval of the developer's local employee residency plan. Prior to the issuance of any building permit within the development, the Town shall have an approved, executed, and recorded deed restriction for all local employee residence lots or units in the project or phase of the project, if applicable. The deed restrictions shall not be subject to any recorded liens or encumbrances.

5. Local Employee Residency Plan

- a.** All applications for approval of ten or more residential units, shall be accompanied by a local employee residency plan, unless otherwise determined by the Director. The plan shall contain sufficient information to allow the Town to determine the plan's compliance with this section and the Town's local employee residency requirements and guidelines. The local

employee residency plan shall include, but shall not be limited to, the information specifically required by the Town's local employee residency requirements and guidelines.⁵⁹

- b. Upon receipt of a complete proposed local employee residency plan, the Director shall evaluate the plan for compliance with this section and the Town's Local Employee Residency Requirements and Guidelines. The Director may make a recommendation of approval, recommendation of approval with appropriate conditions, or a recommendation of denial. Following receipt of the Director's recommendation, and as a part of the Town's procedures for review and final approval of the application the reviewing body may decide on the plan.

B. Density Bonus⁶⁰

Comment: To implement the Eagle Comprehensive Affordable Housing Assessment, a density bonus provision will be added that allows additional height to be added to development that provides affordable housing. Density bonus of up to one story in additional height will be available along Broadway, in the Mixed-Use areas of the West Eagle Sub Area Plan, and areas in the East Eagle Sub Area Plan that front Highway 6 where residential development is anticipated to be allowed. The Town Council will have a review process and decision-making criteria for density bonus requests. A draft of this provision will be posted separately in early May for public review.

C. Short-Term Rental Cap⁶¹

Comment: To implement the Eagle Comprehensive Affordable Housing Assessment, a cap on the number of short-term rentals permitted will be established. The Town currently has about 36 short-term rentals and the total cap is anticipated to accommodate at least this number units while addressing the creation of additional units that impact the availability of long-term rentals. A draft of this provision will be posted separately in early May for public review.

4.10.090 EROSION AND SEDIMENTATION CONTROL⁶²

Update Comment: The erosion and sedimentation control regulations have been revised to change from a primarily plan-based approach to an approach that balances basic erosion and sedimentation control standards with the application of a site-specific plan.

A. Purpose

These standards are intended to ensure that natural drainage patterns are preserved and protected from increased water flows, to keep any disturbance in natural vegetation and soil cover to a minimum, to prevent degradation of rivers and streams from sediment transport, to ensure that fugitive dust from development is minimal, and to ensure that erosion is minimal and slopes are properly stabilized and revegetated.

B. Applicability⁶³

An Erosion Control and Sedimentation Plan, and if determined necessary by the Director, a Slope Stabilization and Revegetation Plan, shall be required for the following applications:

⁵⁹ Revise this section to describe specific content.

⁶⁰ New

⁶¹ New

⁶² This section is subject to further review by Public Works.

⁶³ Current 4.07.030 and 4.13.060

1. Development Plan,
2. Subdivision,
3. Building permit, grading permit,
4. Any activity that includes excavations in excess of __ [tbd by PW] cubic yards (see Section [4.10.090E](#)).

C. Plans⁶⁴

1. Erosion and Sedimentation Control

The plan for erosion and sediment control shall meet the requirements of Section [4.10.090F](#) and be designed to ensure:

- a. That natural drainage patterns are preserved and protected from increased water flows which may otherwise tend to alter such patterns or subject existing channels and adjacent areas to increased erosion, keeping any disturbance of natural vegetation and soil cover to a minimum;
- b. That appropriate consideration of soil types is made in the design of cuts and fills, building sites, and other land uses;
- c. That structures, including settling ponds, filtration galleries, and sand traps, are provided and maintained as necessary to prevent or minimize the transport of sediment off site.

2. Slope Stabilization and Revegetation

The plan for slope stabilization and revegetation shall meet the requirements of Section [4.10.090F](#) and be designed to ensure:

- a. That adequate provision is made for revegetation and soil stabilization on disturbed areas during and after development of the site; and
- b. That all cuts and fills are adequately designed and revegetated to minimize erosion and prevent slope failure.

D. Remedial Measures During Construction

1. All permit holders must take adequate measures to ensure that during construction off-site effects of fugitive dust, blown trash, and tracking of mud are minimized.
2. A performance guarantee may be required.
3. The Director may order measures to correct any off-site effects, including, but not limited to, regular watering of disturbed areas, placement of gravel at entrances to the property, hand or machine shoveling and cleaning of dirt and mud from adjacent properties and rights-of-way and trash clean up.
4. The Director may order a plan for revegetation be immediately implemented if disturbed soil areas are not revegetated on a timely basis.
5. These remedial measures are not an alternative to other enforcement measures permitted by this Code or Colorado law.

⁶⁴ Current 4.13.060

E. Fills and Excavations Not Accompanied by a Building Permit or Subdivision Construction Plan.

1. Any person intending to fill and/or excavate in excess of __ cubic yards shall be required to submit a plan for Erosion and Sediment Control. The Director shall determine which elements of Section [4.10.090C](#) shall be provided by the applicant. No construction shall occur until such plans are approved by the Town. The Director may require a performance guarantee pursuant to Section <> [Performance Guarantee].
2. The Director may require an Erosion and Sediment Control Plan and/or a performance guarantee for any fills and/or excavations that occur without a permit. This may also include corrective measures or other conditions required to ensure completion of requirements of this section.
3. The Director may require immediate remedial action for any areas of exposed soils that pose an erosion, water quality, or fugitive dust problem, including regrading and revegetation or submission of an Erosion and Sediment Control Plan and a performance guarantee to ensure completion of the necessary corrective measures and the requirements of the section.

F. Erosion and Sedimentation Control Requirements

1. Cut and fill operations shall be kept to a minimum so as to create the least erosion potential.
 - a. Cuts shall be kept to less than 2:1 unless otherwise approved by the Town Engineer.
 - b. The original, natural grade of a lot shall not be raised or lowered more than four feet at any point for construction of any structure or improvement, except:
 - i. The site's original grade may be raised or lowered a maximum of six feet if retaining walls are used to reduce the steepness of man-made slopes, provided that the retaining walls comply with the requirements in Section.
 - ii. For the purposes of this subsection, basements and buildings set into a slope are not considered to lower the natural grade within their footprint.
 - iii. Cutting and grading to create benches or pads for buildings or structures shall be avoided to the maximum extent feasible.
 - c. Fills shall be placed in lifts and compacted to minimize the potential for slope failure and the slope surface shall be scarified to provide a suitable environment for seed germination.
 - d. Except for driveways, cut and fill slopes shall be entirely contained within a lot (i.e., natural grade at the lot lines shall be maintained). Overlot grading and/or the placement of fill in utility easements shall be minimized.
 - e. The top edges of cut and fill slopes shall be rounded within approximately five feet of the slope edge break point) unless sharp slope transitions are a natural character of the site.
 - f. Fill material shall not be placed in natural or constructed drainage channels.
 - g. Surface runoff shall be directed away from cut and fill slopes until adequate surface vegetation has been established.

-
2. To the maximum extent feasible⁶⁵, development shall preserve the natural surface drainage pattern.
 - a. Natural vegetation, especially that associated with drainage features, shall be retained and protected to the maximum extent practicable.⁶⁶
 - b. Grading shall be designed to ensure that drainage flows away from all structures, especially structures that are cut into hillsides.
 - c. Natural drainage patterns may be modified on site only if the applicant shows that there will be no significant adverse environmental impacts on site or on adjacent properties. Development shall be designed to mitigate all negative or adverse drainage impacts on adjacent and surrounding sites. Water shall not be diverted onto the property of another landowner unless a written easement agreement allowing such drainage is received from the other landowner and duly recorded.
 - d. If natural drainage patterns are modified, appropriate stabilization techniques shall be employed within any constructed channel or at the edge of any sheet flow area.
 3. Standard erosion and sedimentation control methods shall be used during construction to protect water quality, control drainage, and reduce soil erosion. Sediment traps, small dams, barriers of straw bales, or other methods acceptable to the Town shall be located as indicated on the approved erosion and sediment control plan to slow the velocity of runoff until the disturbed area is stabilized.
 - a. Exposed ground areas shall be protected with temporary vegetation and/or mulching during construction.
 - b. Soil stabilization or appropriate sediment control systems shall be implemented within five days of soil exposure.
 - c. If seeding or another vegetative erosion control method is used, it shall become established within two weeks or the Director may require the site to be reseeded or a nonvegetative option employed.
 - d. Soil stockpiles must be stabilized or covered at the end of each workday.
 - e. Structural erosion control measures shall be established and installed as soon as practicable; clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
 - f. Temporary or permanent irrigation may be required.
 4. Proper measures for dust control during earthwork operations shall be implemented, including watering of disturbed areas.

⁶⁵ Maximum extent feasible means no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

⁶⁶ Maximum extent practicable means that highest level of performance or effectiveness that can be achieved taking into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

4.10.090. Erosion and Sedimentation Control

Chapter 4.10 Site Layout and Structure Design Standards

F. Erosion and Sedimentation Control Requirements

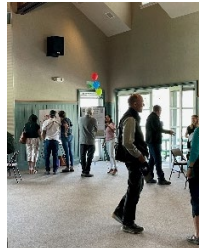
5. The number of entrances from the right-of-way shall be minimized and a tracking pad or gravel shall be provided at entrances to the public right-of-way to prevent the tracking of mud onto adjacent roads.
6. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.



To: Planning & Zoning Commission
From: Community Development Department
Date: May 16, 2023
Agenda Item: Community Development Department Update

LONG RANGE PLANNING

- **ReCode Eagle – The Land Use and Development Code (LUDC) Update**
 - The Code committee met 5/1/23 to discuss LERP standards and the consolidated draft. Meeting materials can be accessed here: ([LINK](#)). This was the last scheduled Code committee meeting.
 - The public outreach schedule has been finalized with the following events. Additional details with location and times are now available on the ReCode Eagle project page. On-going advertisement will occur through the Town’s social media platforms, Eagle Today, Vail Daily, radio ads on KZYR The Zephyr as well as La Nueva Mix and more.
 - Coffee & A Convo Series: 4/19/23, 5/3/23 and 5/10/23
 - Eagle Chamber’s Third Thursday Mixer 4/20/23
 - ReCode Eagle Open House 5/3/23
 - 2nd Friday’s Downtown 5/12/23
 - Staff held a well-attended open house on 5/3/23 at the Pavilion.



- In addition to the above public outreach schedule, staff and Clarion will be reconnecting with various stakeholder groups including local developers & builders, Eagle Chamber, DDA & DBA, EVC, OSRAC, Climate Action Collaborative, Eagle Police Department, Greater Eagle Fire Protection District and Colorado Parks & Wildlife. Town Council and the Planning & Zoning Commission will continue to receive updates throughout their regularly scheduled meetings until adoption.
- Adoption schedule:
 - Town Council Workshop (tentative): 5/30/23
 - Planning & Zoning Commission Recommendation hearing: 6/6/23
 - Town Council Adoption hearing: 6/27/23
- The public draft is available, community members can view the draft and other resources at www.Townofeagle.org/ReCodeEagle.

LAND USE APPLICATIONS IN PROGRESS



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

- **SS23-01: North Broadway Sketch Review**

- A review of a Conceptual Plan for a Mixed Use Development on 24.18 acres of land adjacent to the Eale River.
- Public hearing schedule:
 - Planning & Zoning Commission: 5/2/23
 - Town Council: 5/23/23

OTHER NOTABLE UPDATES

- West Eagle Open House May 24th from 5-7 pm at 712 Castle Drive – event to learn more about the proposed West Eagle workforce housing development, visit the invite here: ([LINK](#)). Please let the staff planner for this project, peyton.heiztman@townofeagle.org, know if you plan on attending. Staff or any PZ Commissioners who attend can provide a brief overview of what was presented at the open house during the next department update or on June 6th, if time permits.
- The Eagle River Watershed Council hosted its 23rd Annual Community Highway Pride Cleanup on Saturday May 6, 2023. Jackie VanEyll coordinated a group of volunteers to clean the section of highway closest to the Town of Eagle.
- In support of the Comprehensive Affordable Housing Assessment ([CAHA](#)), staff has been collaborating with Community Builders on a toolkit training session for early summer. The training would focus on the CAHA's recommended strategies, both near- and long-term, and how Eagle can begin implementing these tools. Additional details forthcoming and we encourage elected and appointed officials to attend. For more information on Colorado Division of Housing's Toolkit Program, visit the link here: ([LINK](#)).
- In the News! Eagle's housing initiative and project highlights:
 - [435 Eby Creek Apartments in Eagle to welcome residents this fall](#)
 - [Eagle County, Haymeadow developers finalize deal for county-purchasded housing at the site](#)
 - [Innovative housing project on Eagle's Third Street a product of collaboration](#)
 - [Eagle County, Habitat for Humanity finalize deal for \\$3.28M grant for 16-unit project in Eagle](#)
 - [Eagle and Habitat for Humanity receive \\$1.1M grant for 3rd Street affordable housing project](#)
 - [Preliminary designs presented for Eagle County's West Eagle Project](#)

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Second Street Tavern	127 W Second St.	Building permit issued and construction in progress. Interior remodel of existing space and use of outdoor patio is deferred until additional restroom/fixture provided.
Foodsmith	318 Broadway	Building permit issued.



Eagle Fire Station	425 E Third St.	In progress going through inspections. Approximately 65% complete.
Eby Creek Apts.	435 Eby Creek	In progress with all framing substantially complete.
Hockett Gulch Apts.	16186 Hwy 6	Full building permits issued for two of six buildings (Building #2 at 102 Mount Eve and the Clubhouse at 40 Mount Eve). Foundation approved for the fourth of six buildings. *Noteworthy: Foundation-only permits issued for the remaining four buildings.
410 Broadway Project	410 Broadway	In progress with exterior front brick wall covering just completed. Trades contractors currently installing mechanical, electrical, and plumbing systems in walls and ceilings.
City Market Remodel	0103 Market St	Interior work completed. 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	Project completed.
Knapp Ranch	717 Sylvan Lake	Minor kitchen alteration.
Haymeadow	91 Mountain Hope Circle	All plan reviews complete. Issued foundation permits for Buildings A, B, and D.
Habitat for Humanity	Third Street	Pending – formal submittal forthcoming.
Stone Concepts Warehouse	85 Marmot Ln	Pending – formal submittal forthcoming.

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	574
Permits Processed	465	137

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

May 2023
May 16 th (Planning & Zoning Commission) ReCode Eagle Discussion: Design Standards and Local Employee Residency Program (LERP) Standards
May 23 rd (Town Council) - SS23-01 North Broadway Subdivision Sketch - ReCode Eagle Update: Design Standards and Local Employee Residency Program (LERP) Standards
June 2023
June 6 th (Planning & Zoning Commission) ReCode Eagle Recommendation
June 13 th (Town Council)



• <i>Currently no land use files.</i>
June 20 th (Planning & Zoning Commission)
• <i>Currently no land use files.</i>
June 27 th (Town Council)
• ReCode Eagle Adoption
July 2023
July 4 th (Planning & Zoning Commission) – Town Hall closed for the 4 th of July
July 11 th (Town Council)
• <i>Currently no land use files.</i>
July 18 th (Planning & Zoning Commission)
• <i>Currently no land use files.</i>
July 25 th (Town Council)
• <i>Currently no land use files.</i>