Town Council
Tuesday, November 14, 2023
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in person meeting with access via Teams.

Microsoft Teams meeting

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 284 132 921 702
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+1 469-770-0416,,548625691# United States, Dallas
Phone Conference ID: 548 625 691#

- **Please note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions to the meeting attendees.**
- **When it's your turn to speak, you will have three (3) minutes for public comment.**
- **PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.**
- **For technical difficulties, please email jenny.rakow@townofeagle.org and we will do our best to assist you.**

CALL TO ORDER - 6:00 PM

ROLL CALL

ADOPTION OF AGENDA *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT *Citizen public comment offers an opportunity for citizens to express opinions or ask questions regarding town services, policies, or other matters of community concern, and any items that are not on the agenda. Please attempt to keep comments to three (3) minutes; time limits are established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. When appropriate, any questions by the public during public comment will be followed up on by the Town Manager and Town staff. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:05 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Colorado Gives Day Proclamation, John Weiss Small Champions Inc.
2. Community Grant Request, Buddy Werner League - Laura Merlihan
3. 2023 Community Impact Award

CONSENT AGENDA - 6:30 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes - October 24, 2023
2. Bill Pay - October 2023
3. Resolution 71, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Permanent Easement Agreement with the Greater Eagle Fire Protection District"
4. Resolution 74, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Permanent Easement Agreement with Son Ray LLC"
5. Approval of the MEAC recommendations for 2024 MEAC Special Event Funding Allocations.

STAFF REPORTS - 6:35 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update
3. Third Quarter Sales Tax Report

LIQUOR LICENSE AUTHORITY - 6:45 PM

1. PUBLIC HEARING: Application for a New Hotel & Restaurant License for Twisted Root Bistro LLC at 313 Chambers Avenue.

BUSINESS ITEMS - 6:50 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. Resolution 72, Series 2023, "A Resolution by the Town Council of the Town of Eagle, Colorado, Determining the Winter Use Restrictions on the Haymaker Trail"
2. PUBLIC HEARING: File #DR23-04: 263 Sawatch Rd. Major Development Permit *(Request to Continue until December 12, 2023)*
3. PUBLIC HEARING: Ordinance 08, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Adopting By Reference the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with Amendments and Related Definitions"
4. Ordinance 04, Series 2023 “An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.10 of the Eagle Municipal Code, Regarding the Local Licensing Authority and Administrative Approval of Applications for Retail Establishment Permits”
5. Termination of Intergovernmental Agreement Between Eagle County And The Town Of Eagle For The Collection Of Sales Taxes On The Sale Of Cigarettes And Tobacco Products
6. Resolution 78, Series 2023, “A Resolution of The Town Council of The Town of Eagle, Colorado, Amending The 2023 Fee Schedule Pursuant To 2.34 of The Eagle Municipal Code to Update Planning Department Fees Due to the New Title 4 Land Use and Development Code Adoption”
7. PUBLIC HEARING: Adoption of the 2024 Budget

a. Resolution 75, Series 2023, "A Resolution Reappropriating Funds to the Various Funds and Spending Agencies, in the Amounts and for the Purpose as Set Forth Below for the Town of Eagle, Colorado for the 2023 Budget Year."

b. Resolution 76, Series 2023 "A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Eagle, Colorado for the Calendar Year Beginning on the 1st Day of January, 2024, and Ending on the Last Day of December 2024".

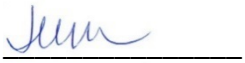
c. Resolution 77, Series 2023 “A Resolution Appropriating Funds to the Various Funds and Spending Agencies, in the Amounts and for the Purpose as Set Forth Below for the Town of Eagle, Colorado for the 2024 Budget Year”

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:30 PM

1. Council Committee Updates

ADJOURN - 8:40 PM

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.



Jenny Rakow, CMC
Town Clerk

PUBLIC WIFI – Eagle Guest

OFFICIAL PROCLAMATION TOWN OF EAGLE

COLORADO GIVES DAY

WHEREAS charitable giving in Eagle County, Colorado is critical to providing support that local nonprofit organizations need to make our community a desirable place to live; and

WHEREAS research shows an increase in online giving both locally and nationally, and many believe it is the future of philanthropy; and

WHEREAS Colorado Gives Foundation and FirstBank have partnered in an effort to increase charitable giving in our community through the online giving initiative Colorado Gives Day; and

WHEREAS, Colorado Gives Day in 2022 raised $53 million statewide in a single 24-hour period via online donations, and over $1.5 million to Eagle County nonprofits via 4,000 individual donations at eaglecountycoloradogives.org, a website allowing donors to direct their contributions to one or more of the over 50 local Eagle County charities featured on the site, making it an ideal resource for facilitating charitable giving to our locally based nonprofit organizations.

WHEREAS, Colorado Gives Day is Tuesday, December 5th this year, and all citizens are encouraged to participate because all donations, large or small, can make a difference to nonprofits in need.

WHEREAS, Eagle County Gives is supported by the generosity of 1st Bank, Climax Molybdenum, Comcast, 4 Eagle Foundation, Vail Daily, Vail Valley Cares, ANB Band, Chateau at Beaver Creek, Manor Vail Lodge, Mountain Collective Physical Therapy, Ski Butlers, Vail Valley Partnership, TV8, High Five Access Media, Radio Free Minturn, Always Mountain Time and KNS Broadcasting.

NOW, THEREFORE, BE IT PROCLAIMED BY Mayor (insert name) and the Town Council of the Town of (insert), Colorado THAT: Tuesday, December 5, 2023, will be known as Colorado Gives Day in our community.

Form Name:	2024 Community Sponsorships
Submission Time:	September 11, 2023 12:57 pm
Browser:	Chrome 116.0.0.0 / OS X
IP Address:	76.131.202.34
Unique ID:	1140807458
Location:	39.3678, -107.0372

Community Programs Funding Request

Name	Laura Merlihan
Business or Group Name	The Buddy Werner League/Vail-Beaver Creek
Email	bwl.vailbc@gmail.com
Phone	(970) 471-5126
Business Type	Non Profit
Mailing Address	PO Box 2248 Edwards , CO 81632
Dollar Amount Requested	$1,000
Previous funding amount from the Town of Eagle	$500
Funds requested are for...	Ongoing program support
Describe the program or event that the funds will support	Buddy Werner League - Vail/Beaver Creek (BWL), started in 1968 by Vail locals Vi and Byron Brown, is a ski race program designed for skiers in grades 2nd thru 8th, seeking a learning experience that is ski skills oriented. Each year, 300 participants meet in small groups from December into March with approximately 50 adult volunteer coaches. BWL offers a recreational racing program; the goal is to make participants better skiers through race training. BWL is able to keep fees low to be more inclusive to children who have an interest in ski racing and a love of skiing. The focus of the program is on safety, skills, etiquette, introduction to racing and to ensure everyone has fun!
What will the town funding be used for?	Funding from the Town of Eagle will help BWL offer training to our 50 plus volunteer coaches. Each year we provide safety, skiing skills and concussion courses to our coaches. BWL holds an off-snow training in early November as well as an on-snow half day training at Beaver Creek at the beginning of December. We also offer an optional USSSA/BWL hybrid training for those who want to take their coaching to another level. We strive to improve the quality of this training each year due to the importance to the success of our program and safety of our skiers!

Describe the benefits the Town will receive in exchange for financial support.	The large majority of BWL families live in Eagle and Gypsum. BWL needs the support of our local towns to continue offering the high quality recreational ski racing program to our skiers all while keeping the cost affordable. BWL prides itself on being the most affordable ski program for the "locals". BWL purchases the iconic BWL Hoodie sweatshirt from JB Tees in Eagle, owned by a local family. The Town of Eagle logo will be placed on the 400 plus hoodies. These hoodies can be seen all over the valley and beyond. The TOE logo is also placed on all BWL email correspondence through out the season to our 600 email addresses as well as on our website. This year the logo provides a. link directly to the TOE website. If a banner is supplied, it will be displayed on Beaver Creek mountain at the bottom of the Bear Trap run for all guests to see on our 3 race days this season. BWL/Eagle families patronize the local businesses on their way to Beaver Creek, whether it be buying snacks for their skier or team at City Market, filling up with gas to drive to Beaver Creek, suggesting lodging in Eagle to a teammate from out of town or getting a pair of skis tuned at the local bike shop. A lot of us live here, including me, the director of this program. BWL continues supporting the community in the summer months by hosting a BWL gathering at one of the Show Downtown concert each summer. There are countless ways that BWL families benefit the Town of Eagle. Thank you for your considering to support of the Buddy Werner League!
What are your other funding sources?	Sponsors, other local grants, registration fees which we keep low
Will the program or event continue without town funding?	Yes
Signature	Laura Moelihan

To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: November 14, 2023

Agenda Item: 2023 Community Impact Award

REQUEST: The Mayor and Town Council are requested to announce and honor this year's 2023 Community Impact Award winners.

BACKGROUND: The Town has been awarding the Community Impact Award to community members since 2014 in an effort to recognize those who have a positive impact on our community.

ANALYSIS: Solicitations for nominations took place in September of this year and we received five nominations. The individuals and businesses nominated were: R&H Mechanical/Tim Braun; Daniel Gibson; Ernest Saeger; Eric Mandeville; and United Methodist Church/Raenette Johnson.

The Council was provided the nominations and asked to make their selections via an online poll. There was a tie and the Mayor has been given both winner's names to announce during the meeting tonight. All nominees and their sponsors were invited to attend tonight's meeting.

COMMUNITY INPUT: The Community was invited to participate by nominating a local citizen or organization for this award during the month of September.

BUDGET / STAFF IMPACT: This is a budgeted item.

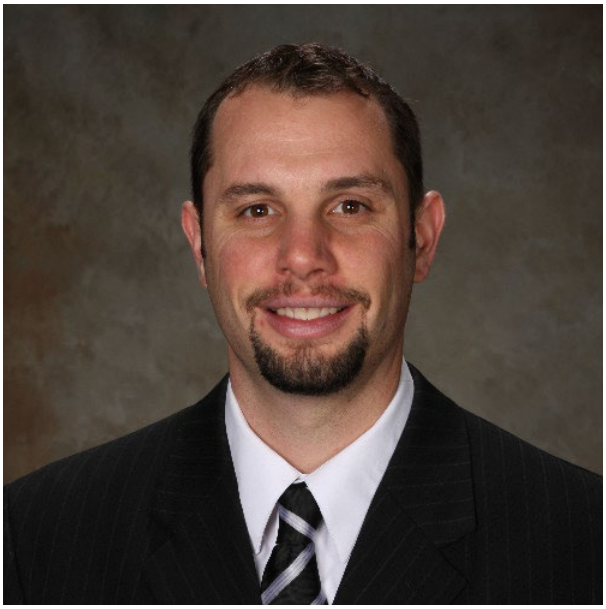
STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This program was developed prior to the adoption of the Strategic Plan. However, the intent of the Community Impact Award does highlight the Foundation of the Town's values of integrity, respect, commitment, responsibility, collaboration, and leadership.

RECOMMENDED ACTION OR PROPOSED MOTION: The Mayor is requested to honor all nominees and announce the 2023 Community Impact Award winners.

ATTACHMENTS:

1. Community Impact Award Nominees 2023

NOMINEE ERIC MANDEVILLE



Eric is the principal at Eagle Valley Middle School and was nominated for dramatically improving the student, teacher, parent culture, and community under his leadership since 2019.

With his kind and focused leadership, Mr. Mandeville has attracted and retained quality teachers and brought back programs to the school from local non-profits (most recently Walking Mountains) which has increased the overall educational experience for Eagle's middle school population. Mr. Mandeville is having a positive community impact on the town of Eagle by creating an inclusive, growth mindset-driven community school that offers employment and an enriching, positive middle school experience, which are very formative years.

https://www.vaildaily.com/news/eagle-valley/eagle-valley-middle-school-to-connect-local-youth-serving-organization-and-families/

NOMINEE DANIEL GIBSON

Daniel is a local resident who works at Costco and rides the bus every day from Eagle. He can often be seen riding his mountain bike and waving to neighbors and friends.

Daniel is described as consistently one of the kindest people we have ever met. He can turn a bad day around for perfect strangers. He works harder than anyone and never expects anything for the effort. Daniel predicts the needs of others and loves to help others. He is proactive at sharing a supportive story or a motivational comment to encourage you to stay positive.

Earlier this year, Daniel was celebrated on Eagle County Classifieds by over 1000 people who have been positively impacted by Daniel's kindness and hard work.

Facebook posts about Daniel

Just wanted to give a big shoutout to Daniel from Costco who was collecting the shopping carts in the parking lot, but stopped to help me load up my car with an overflowing cart groceries (I had my 2.5 yo son with me, so this was probably a bigger help then he realized!)

With all of the negative posts and comments Ive seen this year, just wanted to add a little positive!"

Great going Daniel👍🏻😊

Right on I worked at Costco for a day and all the employees or customer oriented shout outs to Daniel and his hard work. Daniel I'll buy you a rotisserie chicken when you want me to let me know

Oh my gosh! He did that for me too the other day when I had my little one with me!! Seriously, so helpful!!

Thank u! Im his supervisor i will let him know and our store manager! Go daniel!!!!

He is awesome 👏

Thank you for this refreshing post !!

Agreed! Those outside guys at Costco are so helpful.

Daniel is awesome 👏🏻

Daniel is the best!!!

He is one of the nicest people I have had the pleasure of working with! He just had his 40th birthday this week too!! Fantastic job Daniel!

Love seeing Daniel recognized for his hard work. ❤️ *He is a dedicated worker and genuinely good human being!*

Daniel is great!

He saw me coming in with my toddler and my baby in the car seat and pulled a cart out for me and brought it to me, with a big smile on his face! Such a sweet, thoughtful man! He is much appreciated! The world needs more Daniels! ❤️

Daniel has always helped with my big loads as well! Always with a smile! He is getting married this month!

He is the best person ever!!!

Costco *he has also helped me tons! He is an amazing employee! I wrote a good review card for him in Costco.*

It was on several occasions that he helped me load a 1,000$ cart of groceries while I was struggling alone. He makes my Costco trips from Leadville worth it! He is an amazing employee!

I have been on and off crutches for the past six months-Daniel is always there with a smile to help me load my car. Kuddos to him!

Daniel is the best!!! Every time I see him at Costco he says hello and we always have a great talk. He is so helpful to everyone!! I hope Costco knows what a great employee he is.

NOMINEE RAENETTE JOHNSON AND UNITED METHODIST CHURCH SIMPLE SUPPER PROGRAM

Raenette Johnson from the United Methodist Church of Eagle Valley was nominated by Aaron Strietzel for her efforts with the Monday evening Simple Supper.

Every Monday, from 4:30-6pm, Raenette helps coordinate a group of volunteers who serve a free community dinner. This dinner serves an average of 50-75 people each week. Before COVID-19 this was strictly an in-person dinner, but during COVID-19 this moved to a “to go” service. Currently they allow both in person or to go options to help serve the community’s needs.

This is not just a solo church effort but is a joint effort from a number of different churches and organizations in the Eagle Valley area. Raenette helps recruit, organize, plan, prepare and serve these Simple Supper meals every week. She is supported by a wonderful team, but she has been an amazing leader in this important endeavor, and I know many in our community have benefited from her work!

NOMINEE R&H MECHANICAL INC.

R & H MECHANICAL

"People & Products You Can Count On"

R&H Mechanical was nominated for the Community Impact Award for the following reasons:

- Giving back to our community – Title Sponsor for Eagle County Fair & Rodeo, Sponsor for Music in the Park,
- Chamber of Commerce member & monthly meeting sponsor, Trail Work Day's on Abrahams Ridge, Christmas on Broadway Parade, and Screaming Eagle Golf Sponsor
- Eagle Valley High School – Signage Sponsor, Umpiring, and Coaching
- Climate Action Collaborative – Buildings Board Member, Developed Case Studies for Beneficial Electrification, promotion of new building codes, and educating our customers on how to reduce their environmental footprint.
- Actively Green Company –supports our community with our R&H Recycling Program.
- R&H Recycling Program – All paper, plastic, glass, and cardboard recycled. All used refrigerant & glycol is recycled. All metal for replaced equipment is recycled.
- Tax Contributor to local Eagle economy for over 20 years.
- Career Path Development – Working with Colorado Mountain College to develop a cohort program for career development in the construction industry for our local community to live and thrive in the Town of Eagle.
- Held hands-on high school student classes in our training room to develop our high school students.

NOMINEE ERNEST SAEGER

Through Ernest's work with the VVMTA he has proven to be a tremendous asset to our community. He has a unique ability to strike a balance between recreation and wildlife as evidenced by his commitment to sustainable trails and his Respect the Wild Campaign. He is a true steward of our public lands.

Also, his ambitious fundraising has helped make the Eagle Bike Park a reality. This Bike Park will be used for many years and will be a great addition to our outdoor amenities in Eagle. Plain and simple, the Bike Park would not have happened without Ernest.

Ernest is fair, reasonable, humble, and extremely hardworking. The perfect candidate for the Community Impact Award. His work will be appreciated and used for generations to come.

Ernest came to the Vail Valley in 2014 to work as the Director of Operations for a local nonprofit organization. He currently resides in Eagle with his adventure partner Hailee. Ernest believes that like the reward of a downhill after a long climb or setting a skin track, trail work provides that same “earn your turns” satisfaction. When you can’t find him on a bike or skis, you’ll most likely still find him outdoors, and if not there then he’s in an ice rink. Ernest is also a member of Vail Mountain Rescue Group. He serves on many coalitions and committees in the Vail Valley including the Eagle County Community Wildlife Roundtable, **Chair of the Town of Eagle Open Space & Trails Advisory Committee,** Eagle Valley Outdoor Stewardship Coalition, and more. He is truly excited to help bring new and improved trails to our community for all to enjoy for many years to come.

2023 Vail Daily stories about Ernest Saeger

https://www.vaildaily.com/news/construction-kicks-off-at-the-eagle-bike-park-with-9-jump-lines-taking-shape/

https://www.vaildaily.com/news/vail-valley-mountain-trails-alliance-fundraiser-brings-in-105000/

https://www.vaildaily.com/news/vail-valley-mountain-trails-alliance-plans-trails-for-all-trails-forever-fundraiser/

https://www.vaildaily.com/opinion/vail-valley-mountain-trails-alliance-what-is-a-sustainable-trail/

https://www.vaildaily.com/opinion/sustainable-vail-time-to-brush-up-on-trail-etiquette-2/

https://www.vaildaily.com/news/eagles-haymaker-trail-at-heart-of-towns-open-space-maintenance-projects/

MEETING MINUTES
Town Council
Tuesday, October 24, 2023
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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Times listed are approximate and are subject to change.

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access via Teams.

CALL TO ORDER - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Geoffrey Grimmer, Sarah Parrish, Nick Sunday, Jamie Woodworth Foral

COUNCIL MEMBERS ABSENT

Ellen Bodenhemier

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Tom Gosiorowski, Public Works Director
Derek Bos, Police Chief
Peyton Heitzman, Planner
Jessica Lake, Planner
Brian Lieberman, Open Space & Trails Manager
Kira Koppel, Sustainability Specialist II
Eddie Wilson, Building Official
Thomas Rich, Patrol Sergeant
Nikki Davis, Economic Development & Housing Specialist
Ryan Goebel, Applications Analyst
Kevin Aoki, Information Technology Manager

ADOPTION OF AGENDA

MOTION: Council Member Nick Sunday motioned to adopt the agenda as presented. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

PUBLIC COMMENT

Matt Thompson, 60 Valley Road Gypsum – apologized to the Council for his behavior last week at the bike park.

Kate Sheldon 2809 East Haystacker – concerned the consultants on the Open Space Master Plan did a disservice to the town regarding the facilitation of the discussions at the Open House regarding Haymaker Trail and the impacts on the elk herd, and concerned they are promoting a flawed survey.

Gary Hill 431 Golden Eagle – requested the Council to address e-bikes and concerns about insurance coverage in case of accidents. Also inquired about resident satisfaction with the new trash service.

PRESENTATIONS

1. Bravo! Vail Music Festival Community Programs Request, Chatham Mayberry, Development Manager
   Chatham Mayberry, Bravo. Requested $4,000 for community programs funding.

   Council comments: the council is in budget discussions now and will address the request during that process.

CONSENT AGENDA

MOTION: Council Member Geoffrey Grimmer motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

1. Minutes - October 10, 2023

2. Resolution 67, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Members to the Town of Eagle Economic Vitality Committee"

3. Resolution 69, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving an Intergovernmental Agreement Between the Town of Eagle and the County of Eagle State of Colorado for the Provision of Animal Services"

STAFF REPORTS

1. Town Manager Update

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: Permanent Modification of Premises for Dillon Companies LLC dba City Market #34
   Mayor Scott Turnipseed opened the public hearing for the Permanent Modification of Premises for Dillon Companies LLC dba City Market #34 and convened as the Liquor License Authority.

   Adam Stapen Attorney from Dill & Dill was present via video representing Dillon Companies. Mr. Stapen described the modification request.

   Mayor Scott Turnipseed opened public comment.

   Beverly Barnes, owner of Boones Wine and Spirits at 65 Market Street. Expressed opposition to the modification due to concerns with youth access and visibility and alcohol displays appearing throughout the store.

   Don Barnes, owner of real estate in Eagle. Expressed opposition to the modification due to exposure to young children and control of underage sales.

   Trent Olson 12 XXX Court. Expressed opposition to the modification. Concerns with temporary display areas and local voter opposition to state ballot allowing this.

   Bill Lodge 30 Snow Owl Ct. Expressed opposition to the modification and concerns that more sales area for alcohol reduces options for food.

   Adam Stapen provided responses to concerns regarding alcohol visibility to youth, state policy, and liquor codes that also address underage access to alcohol. Stated that modifications are permissible under state law and this

application is in response to and to accommodate consumer demand for additional alcohol options.

Council comments: inquired if there was any opportunity to deny this application. Town Attorney Matt Mire stated the Council, acting as the Liquor License Authority did not have a basis to deny and is bound to follow state law.

Mayor Scott Turnipseed closed public comment.

Council comments: stated that 47 counties voted this ballot provision down, virtually all of rural Colorado, and believed that this was not right for our community. Asked if the Town Attorney could consider the idea of challenging this provision on behalf of our community and others similarly situated to protect them from the corporate takeover of sales from local liquor store owners.

MOTION: Mayor Scott Turnipseed motioned to approve the permit application and Findings and Order Approving a Permanent Modification of Premises for Dillon Companies LLC dba City Market #34.. The motion was seconded and passed with a vote of 5 in favor (Kerst, Turnipseed, Parrish, Sunday, and Woodworth Foral) and 1 opposed (Grimmer).

BUSINESS ITEMS

1. Presentation of the Town of Eagle Strategic Funding Roadmap and Request for Acceptance, Wade Kline, PTP from KLJ Engineering, Inc. and Larry Pardee, Town Manager

Council comments: thanked Wade Kline and KLJ Engineering for the report.

a. Resolution 70, Series 2023 “A Resolution of the Town Council of the Town of Eagle, Colorado, Accepting the Eagle Strategic Funding Roadmap from KLJ Engineering Inc.”

MOTION: Council Member Nick Sunday motioned to approve Resolution 70, Series 2023 “A Resolution of the Town Council of the Town of Eagle, Colorado, Accepting the Eagle Strategic Funding Roadmap from KLJ Engineering Inc.”. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

2. Economic Development Plan Final Report and Presentation by EPS

Nikki Davis, Economic Development & Housing Specialist introduced this item.

Sarah Dunmire and Andrew Knutsen gave the presentation on behalf of Economic Planning Systems.

Mick Daly, Economic Vitality Committee Chairperson thanked the Council for the direction to create this plan. Implored council to provide resources to accomplish the goals with additional resources.

a. Resolution 68, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Accepting the Economic Development Plan Prepared by Economic & Planning Systems, Inc. "

MOTION: Council Member Nick Sunday motioned to approve Resolution 68, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Accepting the Economic Development Plan Prepared by Economic & Planning Systems, Inc." The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

3. Ordinance 07, Series 2023 “An Ordinance of the Town Council of the Town of Eagle, Colorado Repealing and Reenacting Chapter 13.24 of the Eagle Municipal Code, Regarding Contractor Registration, and Amending Sections 13.17.020 and 13.17.040 of the Eagle Municipal Code, Regarding Solid Fuel Burning Devices”

Eddie Wilson Building Official Presented this item.

Council comments: inquiry on “certified wood stoves”, would like code to state “EPA certified” to be more specific.

MOTION: Council Member Sarah Parrish motioned to approve Ordinance 07, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado Repealing and Reenacting Chapter 13.24 of the Eagle Municipal Code, Regarding Contractor Registration, and Amending Sections 13.17.020 and 13.17.040 of the Eagle Municipal Code, Regarding Solid Fuel Burning Devices". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

4. PUBLIC HEARING: Ordinance 08, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Adopting By Reference the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with Amendments and Related Definitions"

Eddie Wilson, Building Official presented this item.

Mayor Scott Turnipseed opened public comment, there was no public comment.

MOTION: Council Member Sarah Parrish motioned to approve Ordinance 08, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Adopting By Reference the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with Amendments and Related Definitions" and set it for a second and final public hearing for adoption on November 14, 2023. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

5. Ordinance 10, Series 2023, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending the Eagle Municipal Code by the Addition of a New Chapter 3.10, Regarding Impact Fees"

MOTION: Council Member Nick Sunday motioned to approve Ordinance 10, Series 2023, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending the Eagle Municipal Code by the Addition of a New Chapter 3.10, Regarding Impact Fees". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

6. PUBLIC HEARING: 2024 Budget Presentation

Mayor Scott Turnipseed opened the Public Hearing for the 2024 Budget Presentation.

Jill Kane, Finance Director introduced this item and reviewed her staff memo.

Larry Pardee, Town Manager requested additional budget items stemming from the EPS Study for a commercial linkage nexus study and East Eagle financing strategy. The council stated they were comfortable with those priories and costs.

Melissa Daruna, Assistant Town Manager and Kevin Aoki Information Technology Manager presented the wireless broadband program. Staff provided clarification that fiber is a separate investment, and the wireless program is the most amenable and realistic program to start with and move to include fiber in the future. The main focus for the Town's program is on customer service.

Council comments: inquired if 800 households are realistic with the current competition. Kevin Aoki stated he believed it was realistic and the current subscribers are from word of mouth with a waitlist of 60. Concern that when the initial report was created competition for broadband was limited to Centurylink with many more providers now. Discussion on if the town wants to enter the broadband market as a provider and if we can do it better and cheaper. The council would like customer satisfaction metrics and or surveys. Staff stated that we have a ticketing system, and it tracks support calls. Additional concerns regarding speed guarantees and glitches

happening. Discussion on the loan and clarification that it will only be used when needed. Staff stated the breakeven number for customers is approximately 250-300 subscribers.

Mayor Scott Turnipseed opened public comment, there was no public comment.

Mayor Scott Turnipseed closed the public hearing. *The next budget hearing is scheduled for November 14, 2023.*

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items

   Mayor Turnipseed would like an update on the Terrace Dog Park request. Assistant Town Manager Melissa Daruna is scheduling an open house and a neighborhood survey and will bring back results to the Council. Another consideration for areas of town is to use pocket parks for off-leash use in the winter to keep dogs away from wildlife.

   Mayor Turnipseed would like staff to review yard sign regulations.

2. Council Committee Updates

   Council Member Sunday – Eagle Valley Transportation Authority update is that he is still working on Eagle getting bus service. Nick joined Craig Westering for the EPD Polar Plunge in Avon for Special Olympics.

   Council Member Grimmer – would like to address the liquor item heard earlier tonight regarding modifications.

   Town Attorney Matt Mire suggested to the council that they consider delegating the Liquor License Authority role to a Hearing Officer. State law mandates the liquor rules. He would also suggest allowing more administrative approvals for routine applications and permits.

MOTION: Mayor Pro Tem Kerst motioned to adjourn. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Parrish, Sunday, and Woodworth Foral) and 0 opposed.

ADJOURN - 8:00 PM

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

BILL SCHEDULE
OCTOBER 2023

GENERAL FUND			
Town Council			
Economic & Planning Systems, Inc.	Special Council Funding		7,739.95
Castle Lodge #122	Community Requests		714.00
Eagle Climbing + Fitness, LLC	Community Requests		107.00
Total Town Council		**$**	**8,560.95**
General Government			
CEBT	Health & Life Ins. Payable		2,487.16
Rocky Mountain Reserve LLC	Health & Insurance Benefits		109.14
Standard Insurance Company	Health & Life Ins. Payable		144.10
Amazon.Com	Office Supplies		52.77
Cintas Corporation	Office Supplies		24.62
Amazon.Com	Equipment (Non-Capital)		368.98
KLJ Engineering LLC	Professional Services		3,127.00
Davis, Anna Dominique L.	Travel Expense		1,039.59
Koppel, Kira	Travel Expense		174.23
King Soopers Customer Charges	Meeting Expense		92.42
Red Canyon Café	Meeting Expense		82.20
Total General Government		**$**	**7,702.21**
General Administration			
McGinnis, Patricia	Utility Overpayment Refund		53.07
Vandermay, Monty K Or Maureen C	Utility Overpayment Refund		25.55
Clerk Chat	Accounts Receivable		238.61
McGreevy, Hannah	Restitution Payable		425.93
CEBT	Health & Life Ins. Payable		6,944.22
Family Support Registry	Misc. Deductions Payable		146.76
Alzheimer's Association	Facility Usage Deposit Refund		750.00
Buddy Werner	Facility Usage Deposit Refund		750.00
Cyr, Nathan	Facility Usage Deposit Refund		1,125.00
Eagle Chamber Of Commerce	Facility Usage Deposit Refund		750.00
Eagle County Health & Human Service	Facility Usage Deposit Refund		750.00
Lopez, Leonora	Facility Usage Deposit Refund		375.00
Maldanado, Elder	Facility Usage Deposit Refund		650.00
Miner, Linda	Facility Usage Deposit Refund		750.00
Rosales, Odalys	Facility Usage Deposit Refund		361.12
Wang, Nancy	Facility Usage Deposit Refund		750.00
Wells Fargo	Reimbursable Income		(560.23)
CEBT	Health & Life Ins. Payable		7,412.57
Rocky Mountain Reserve LLC	Health & Insurance Benefits		965.64
Standard Insurance Company	Health & Life Ins. Payable		112.07
Amazon.Com	Office Supplies		133.74
Cintas Corporation	Office Supplies		139.51
Costco	Office Supplies		80.77
Federal Express Corp.	Communication & Shipping		33.56
Pitney Bowes Global Financial Services	Communication & Shipping		65.82
USPS	Communication & Shipping		9.55
Column Software, PBC	Legal Notices		161.66
Mountain Careers	Dues & Subscriptions		159.00
Mailchimp	Dues & Subscriptions		101.00

General Administration (Cont.)			
Chase Paymentech	C.C. Transaction Fees		219.39
Forte Payments	C.C. Transaction Fees		5.00
Xpress Bill Pay	C.C. Transaction Fees		41.34
Employer's Council Services, Inc.	Professional Services		11,078.25
Caselle, Inc.	Computer Support		3,396.90
Xpress Bill Pay	Computer Support		50.00
CGFOA	Tuition & Books		945.00
Cirsa	Insurance - Pavilion		2,518.73
Total General Administrations		**$**	**41,914.53**
Community Development			
CEBT	Health & Life Ins. Payable		7,226.98
Rocky Mountain Reserve LLC	Health & Insurance Benefits		319.02
Standard Insurance Company	Health & Life Ins. Payable		367.32
Amazon	Office Supplies		79.00
Amazon.Com	Uniforms		92.60
Trick Threads	Uniforms		526.17
Gypsum Eagle Ace Hardware	Vehicle Repair & Maintenance Supplies		199.98
Fleet Services	Gas & Oil		67.35
Column Software, PBC	Legal Notices		28.44
Lake, Jessica	Dues & Subscriptions		437.00
American Planning	Recruitment		395.00
Colorado Mtn. News Media	Recruitment		542.50
Certified Mail	Planning Reimbursable		54.27
Column Software, PBC	Planning Reimbursable		41.36
Cardoza, Denise	Travel Expense		585.53
Eventbrite	Tuition & Books		428.67
Total Community Development		**$**	**11,391.19**
Municipal Court			
CEBT	Health & Life Ins. Payable		243.76
Rocky Mountain Reserve LLC	Health Insurance Expenses		4.53
Rocky Mountain Reserve LLC	Health & Insurance Benefits		0.98
Rocky Mountain Reserve LLC	Health & Insurance Benefits		1.03
Standard Insurance Company	Health & Life Ins. Payable		7.80
Amazon.Com	Office Supplies		20.95
Gendelman Klimas, Ltd	Legal		1,500.00
Caselle, Inc.	Computer Support		275.66
Caselle, Inc.	Computer Support		275.66
Clerk Chat	Computer Support		120.00
Johnson, Erik A.	Contract Payments		750.00
Total Municipal Court		**$**	**3,200.37**
Streets			
CEBT	Health & Life Ins. Payable		3,483.71
Rocky Mountain Reserve LLC	Health & Insurance Benefits		244.46
Standard Insurance Company	Health & Life Ins. Payable		206.06
Cintas Corporation	Office Supplies		28.98
Amazon.Com	Uniforms		248.10
Vigil, Brendan	Uniforms		369.97
Alpine Lumber Co.	Repair & Maintenance Supplies		217.97
Colorado Barricade	Repair & Maintenance Supplies		793.28
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies		6.32

Streets (Cont.)		
Kleen-Rite	Repair & Maintenance Supplies	76.49
Signature Signs Inc	Repair & Maintenance Supplies	180.00
United Rentals (North America) Inc	Repair & Maintenance Supplies	17.26
Whitehall's Alpine BG	Repair & Maintenance Supplies	39.60
Wylaco Supply Co	Repair & Maintenance Supplies	204.71
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Maintenance Supplies	207.30
Two Valley Tire LLC	Vehicle Repair & Maintenance Supplies	64.65
Fleet Services	Gas & Oil	1,588.00
Costco	Equipment (Non-Capital)	160.00
Holy Cross Energy	Utility Services	334.64
Colorado Mtn. News Media	Recruitment	540.70
Info Cubic	Recruitment	44.25
IMS Infrastructure Management Services	Pavement Management Study	17,995.00
Eagle County Solid Waste & Recycling	Repair & Maintenance Services	30.74
Thermo-Fluids, Inc.	Repair & Maintenance Services	186.57
Two Valley Tire LLC	Repair & Maintenance Services	105.00
Utility Notification Center Of Colorado	Repair & Maintenance Services	194.36
Caselle, Inc.	Computer Support	36.28
Old Growth Tree Service	Tree Management-Comm Forestry	1,147.50
Caterpillar Financial Services	Winter Snow Equipment Rental	103.90
Wagner Equipment Co	Winter Snow Equipment Rental	23,150.00
City Market	Meeting Expense	(0.25)
King Soopers Customer Charges	Meeting Expense	111.63
Moe's Original BBQ	Meeting Expense	71.70
Cirsa	Insurance	946.74
Total Streets		**$ 53,135.62**
Public Safety		
Pinnacol Assurance	Worker's Compensation	138.15
CEBT	Health & Life Ins. Payable	22,699.54
Rocky Mountain Reserve LLC	Health & Insurance Benefits	652.65
Standard Insurance Company	Health & Life Ins. Payable	721.70
Amazon.Com	Office Supplies	211.33
AT&T	Office Supplies	69.43
SP Prostamps.Com	Office Supplies	18.95
Vista Print	Office Supplies	169.98
Amazon.Com	Operating Supplies	156.35
City Market	Operating Supplies	54.29
Law Enforcement Targets, Inc	Operating Supplies	462.58
Micro Plastic, Inc.	Operating Supplies	83.10
North American Rescue	Operating Supplies	241.73
Sirchie	Operating Supplies	73.83
Sirchie Acquisition	Operating Supplies	40.97
Amazon.Com	Uniforms	16.98
Galls, LLC	Uniforms	1,122.38
Skaggs Companies, Inc	Uniforms	330.45
Zero 9 Solutions	Uniforms	103.98
Eagle County Fleet Service	Vehicle Repair & Maintenance Supplies	1,695.00
Fas-Break Auto Glass	Vehicle Repair & Maintenance Supplies	1,549.31
Rich, Thomas	Vehicle Repair & Mtn Supplies	263.54
Fleet Services	Gas & Oil	2,947.05
Amazon.Com	School Res Officer Supplies	109.99
Amazon.Com	Equipment (Non-Capital)	125.92

Public Safety (Cont.)		
AT&T	Equipment (Non-Capital)	287.37
Galls, LLC	Equipment (Non-Capital)	6,624.50
Mile High Shooting	Equipment (Non-Capital)	22.49
Ryders Public Safety LLC	Equipment (Non-Capital)	1,605.00
US Cargo Control	Equipment (Non-Capital)	72.66
Federal Express Corp.	Communication & Shipping	22.95
United Postal Service	Communication & Shipping	10.80
Colorado Sec.State	Dues & Subscriptions	10.00
Rocky Mountain Info. Network, Inc	Dues & Subscriptions	50.00
AT&T Mobility	Utility Services	750.85
Nicoletti-Flater Associates, PLLP	Recruitment	250.00
Town Of Avon	Professional Services	503.75
Town Of Basalt	Professional Services	1,040.00
Eagle County Fleet Service	Repair & Maintenance Services	304.49
Eagle County Paramedic Services	Repair & Maintenance Services	375.00
Fas-Break Auto Glass	Repair & Maintenance Services	300.00
Technovia Consulting	Computer Support	2,808.00
Costco	Meeting Expense	232.49
Beaver Run Resort	Training & Travel - Grants	144.16
Blue To Gold, LLC	Training & Travel - Grants	5,586.00
Carl's Jr	Training & Travel - Grants	9.84
Causey, Luke	Training & Travel - Grants	24.65
Comfort Inn	Training & Travel - Grants	99.65
Gaylord Rockies Parking	Training & Travel - Grants	10.00
High Plains Hotel	Training & Travel - Grants	130.19
McDonalds	Training & Travel - Grants	10.49
Eagle County Animal Control	Animal Control	5,270.00
Transunion Risk & Alternative Data Solut	Contract Payments	105.00
Total Public Safety		**$ 60,719.51**
Buildings & Grounds		
CEBT	Health & Life Ins. Payable	6,738.99
Rocky Mountain Reserve LLC	Health & Insurance Benefits	200.82
Standard Insurance Company	Health & Life Ins. Payable	189.03
Cintas Corporation	Office Supplies	28.98
Alpine Lumber Co.	Repair & Maintenance Supplies	54.58
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	827.76
G & S Tool Clinic, LLC	Repair & Maintenance Supplies	49.99
Glenwood Springs Auto Parts Inc (Napa)	Repair & Maintenance Supplies	173.13
Grainger	Repair & Maintenance Supplies	114.17
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	137.16
Home Depot	Repair & Maintenance Supplies	79.16
Mr. Plumber Inc.	Repair & Maintenance Supplies	380.15
Pet Pick-Ups	Repair & Maintenance Supplies	897.02
R & H Mechanical	Repair & Maintenance Supplies	145.35
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Maintenance Supplies	141.81
Fleet Services	Gas & Oil	745.77
Gypsum Eagle Ace Hardware	Gas & Oil	39.95
Costco	Equipment (Non-Capital)	160.00
Gypsum Eagle Ace Hardware	Janitorial Supplies	15.96
Black Hills Energy	Utility Services	1,197.08
Holy Cross Energy	Utility Services	2,489.10
Jerrymaster Janitorial	Janitorial Maint. Contracts	2,158.00

Buildings & Grounds (Cont.)			
Mountain Pest Control, Inc.	Repair & Maintenance Services		80.00
Mr. Plumber Inc.	Repair & Maintenance Services		1,190.00
R & H Mechanical	Repair & Maintenance Services		184.00
Skyline Mechanical, Inc.	Repair & Maintenance Services		275.00
Sno-White Linen Rental	Repair & Maintenance Services		282.59
Vail Honeywagon	Repair & Maintenance Services		202.14
Venzor Carpet Cleaning	Repair & Maintenance Services		388.88
Caselle, Inc.	Computer Support		36.28
City Market	Meeting Expense		(0.25)
King Soopers Customer Charges	Meeting Expense		111.63
Moe's Original BBQ	Meeting Expense		71.70
Total Buildings & Grounds		**$**	**19,785.93**
Information Center			
Costco	Operating Supplies		75.46
Costco	Equipment (Non-Capital)		339.98
Total Information Center		**$**	**415.44**
Events			
CEBT	Health & Life Ins. Payable		2,125.92
Rocky Mountain Reserve LLC	Health & Insurance Benefits		69.84
Standard Insurance Company	Health & Life Ins. Payable		69.92
Amazon	Operating Supply		69.97
City Market	Operating Supply		69.06
Costco	Operating Supply		78.96
Eagle Chamber	Operating Supply		40.00
Flowerhound	Operating Supply		415.00
Read Island	Promotional Materials		174.69
Broadcast Music, Inc.	Dues & Subscriptions		421.00
Apple	Computer Support		12.02
Canva	Computer Support		14.99
Colorado Mtn. News Media	Media		1,126.45
Furtado, Molly	Travel Expense		48.86
Color Coffee	Meeting Expense		10.40
Yeti's Grind	Meeting Expense		14.20
Colo High School Cycling League	Events - Haymaker Classic		5,000.00
Eagle Arts	Events - Art Walk Festival & Murder on Broadway		12,000.00
Eagle Community Gardens	Events - Eagle Ranch Pumpkin Patch		400.00
Vail Valley Foundation	Events - Show DownTown		25,000.00
Total Events		**$**	**47,161.28**
Engineering			
Pinnacol Assurance	Workers Compensation		174.74
CEBT	Health & Life Ins. Payable		1,506.04
Rocky Mountain Reserve LLC	Health & Insurance Benefits		45.85
Standard Insurance Company	Health & Life Ins. Payable		47.31
Cintas Corporation	Office Supplies		28.98
Costco	Equipment (Non-Capital)		159.99
City Market	Meeting Expense		(0.25)
King Soopers Customer Charges	Meeting Expense		34.12
Moe's Original BBQ	Meeting Expense		71.70
Total Engineering		**$**	**2,068.48**

Information Technology			
CEBT	Health & Life Ins. Payable		2,178.36
Rocky Mountain Reserve LLC	Health & Insurance Benefits		67.23
Standard Insurance Company	Health & Life Ins. Payable		82.52
Amazon.Com	Office Supplies		419.31
Century Link	Utility Services		6,949.89
All Mountain Technologies, LLC	Computer Support		8,151.53
Aspen Wireless Technologies, Inc.	Computer Support		4,851.50
King Soopers Customer Charges	Meeting Expense		29.25
Pazzo's Pizzeria	Meeting Expense		227.70
Total Information Technology		**$**	**22,957.29**
Marketing			
Amazon.Com	Office Supplies		3.33
Colorado Logos	Media		360.00
Websedge Limited	Design & Production		24,300.00
Total Marketing		**$**	**24,663.33**
Total GENERAL FUND		**$**	**303,676.13**
CAPITAL IMPROVEMENTS FUND			
Aspen Wireless Technologies, Inc.	IT Improvements		38,060.99
New Electric, Inc.	Public Art		4,476.05
David Evans & Associates, Inc.	Traffic Control Improvements		911.30
Martin/Martin Consulting Engineers	Street Replacement - Howard Street		12,112.50
Stolfus & Associates	Grand Avenue Improvements		59,598.67
Total CAPITAL IMPROVEMENTS FUND		**$**	**115,159.51**
WASTE WATER FUND			
CEBT	Health & Life Ins. Payable		7,022.57
Rocky Mountain Reserve LLC	Health & Insurance Benefits		224.17
Standard Insurance Company	Health & Life Ins. Payable		249.68
Cintas Corporation	Office Supplies		28.97
Western Slope Supplies Inc	Office Supplies		9.85
Mid-American Research Chemical	Operating Supplies		282.39
Rand, Philip	Uniforms		60.00
Grainger	Repair & Maintenance Supplies		1,023.60
USA Blue Book	Repair & Maintenance Supplies		324.50
Two Valley Tire LLC	Vehicle Repair & Maintenance Supplies		136.25
Fleet Services	Gas & Oil		101.07
Grainger	Equipment (Non-Capital)		254.20
Chase Paymentech	C.C. Transaction Fees		1,035.28
Xpress Bill Pay	C.C. Transaction Fees		482.31
Vranesh And Raishch, LLP	Legal & Audit		1,599.00
Denali Water Solutions LLC	Sludge Disposal		1,992.87
Two Valley Tire LLC	Repair & Maintenance Services		387.50
Utility Notification Center Of Colorado	Repair & Maintenance Services		194.36
Caselle, Inc.	Computer Support		461.08
Colo Dept Of Public Health & Environment	Testing & Permits		310.68
Eagle River Water & Sanitation District	Testing & Permits		2,466.00
SGS North America Inc	Testing & Permits		3,065.89
City Market	Meeting Expense		(0.25)
King Soopers Customer Charges	Meeting Expense		34.13
Moe's Original BBQ	Meeting Expense		71.71

WASTE WATER FUND (Cont.)

Browns Hill Engineering	Contract Payments	2,066.20
Mott MacDonald	Capital Expenditures	4,220.00
Martin/Martin Consulting Engineers	Sewer Line Improvements - Howard Street	6,056.25
Colorado Water Resources & Power Dev Auth	CWRPDA Loan Payment	33,262.44
Colorado Water Resources & Power Dev Auth	Debt Service Interest	6,130.42
Total WASTE WATER FUND		**$ 73,553.12**

WATER FUND

Frame Built	Water Materials & Other	990.00
CEBT	Health & Life Ins. Payable	8,455.33
Rocky Mountain Reserve LLC	Health Insurance Expenses	295.32
Standard Insurance Company	Health & Life Ins. Payable	306.15
Cintas Corporation	Office Supplies	28.97
DPC Industries, Inc.	Operating Supplies	180.00
Glenwood Springs Auto Parts Inc (Napa)	Operating Supplies	35.09
Rand, Philip	Uniforms	59.99
Grainger	Repair & Maintenance Supplies	1,445.80
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	73.14
Native Electric	Repair & Maintenance Supplies	22.89
Pollardwater	Repair & Maintenance Supplies	92.90
Water Technology Group	Repair & Maintenance Supplies	2,365.19
Wylaco Supply Co	Repair & Maintenance Supplies	288.00
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Maintenance Supplies	56.97
Fleet Services	Gas & Oil	251.09
Universal Fuel Services Of Colorado	Gas & Oil	475.00
Allwater Supply LLC	Equipment (Non-Capital)	3,681.30
Browns Hill Engineering	Equipment (Non-Capital)	2,921.28
Glenwood Springs Auto Parts Inc (Napa)	Equipment (Non-Capital)	946.17
Federal Express Corp.	Communication & Shipping	142.53
AmeriGas	Utility Services	399.18
Holy Cross Energy	Utility Services	6,418.83
APWA Workzone	Recruitment	475.00
Your Membership	Recruitment	399.00
Chase Paymentech	C.C. Transaction Fees	1,735.61
Xpress Bill Pay	C.C. Transaction Fees	716.58
Native Electric	Repair & Maintenance Services	230.00
Universal Fuel Services Of Colorado	Repair & Maintenance Services	1,062.50
Utility Notification Center Of Colorado	Repair & Maintenance Services	194.36
Vail Honeywagon	Repair & Maintenance Services	170.43
Water Technology Group	Repair & Maintenance Services	10,080.00
City Market	Meeting Expense	(0.25)
King Soopers Customer Charges	Meeting Expense	34.13
Moe's Original BBQ	Meeting Expense	71.70
Browns Hill Engineering	Computer Support	320.00
Caselle, Inc.	Computer Support	461.08
Browns Hill Engineering	Contract Payments	8,264.80
Hach Company	Contract Payments	33,141.94
Mott MacDonald	Tank Replacement - East Eagle Tank	23,140.94
Short Elliott Hendrickson, Inc.	Tank Replacement - Eby Creek Tank	10,814.30
Short Elliott Hendrickson, Inc.	Tank Replacement - UBWTP 2 MG Tank	10,814.30
Martin/Martin Consulting Engineers	Water Line Improvements - Howard Street	6,056.25
Total WATER FUND		**$ 138,113.79**

REFUSE FUND			
Chase Paymentech	C.C. Transaction Fees		243.60
Xpress Bill Pay	C.C. Transaction Fees		124.02
Vail Honeywagon	Repair & Maintenance Service		176.18
Caselle, Inc.	Computer Support		461.06
Vail Honeywagon	Contract Services		112,122.92
Total REFUSE FUND		**$**	**113,127.78**
STORM WATER FUND			
Chase Paymentech	C.C. Transaction Fees		30.45
Xpress Bill Pay	C.C. Transaction Fees		13.78
360 Civil, Inc.	Repair & Maintenance Services		48,623.17
Total STORM WATER FUND		**$**	**48,667.40**
SALES TAX CAPITAL IMPROVEMENTS FUND			
Dynamic Program Management, LLC	Multi-Use Rec Facilities - Pool Rebuild Project		16,452.93
UMB Bank N.A.	Agent Fees		500.00
Total SALES TAX CAPITAL IMPROVEMENTS FUND		**$**	**16,952.93**
OPEN SPACE FUND			
CEBT	Health & Life Ins. Payable		1,160.42
Rocky Mountain Reserve LLC	Health & Insurance Benefits		51.07
Standard Insurance Company	Health & Life Ins. Payable		64.52
Alpine Lumber Co.	Repair & Maintenance Supplies		11.69
ERO Resources Corporation	Professional Services		9,526.00
Vail Honeywagon	Repair & Maintenance Services		186.83
Outdoor Services Inc	Weed & Pest Control		6,850.00
Lucas, Halsey	Travel		95.37
CW&H Graphics	Open Space Signage Projects		1,250.00
Total OPEN SPACE FUND		**$**	**19,195.90**
TOTAL		**$**	**828,446.56**
PAYROLL		**$**	**497,242.93**
GRAND TOTAL		**$**	**1,325,689.49**

To: Mayor Turnipseed and Town Council

From: Peyton Heitzman, Planner, Community Development

Date: November 14, 2023

Agenda Item: Resolution 71, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Permanent Easement Agreement with the Greater Eagle Fire Protection District

REQUEST:
For Town Council to consider approving a permanent easement agreement with the Greater Eagle Fire Protection District.

INTRODUCTION:
Habitat for Humanity Vail Valley is constructing the public improvements for the 3rd Street Housing project as required by the Major Development Permit, approved in November 2022. Through the grading permit process, Town Engineer identified the need to establish a permanent easement on 425 E Third Street, the adjacent property to the west owned by the Greater Eagle Fire Protection District.

ANALYSIS:
This easement is necessary for the project to continue moving forward. The Town Attorney has reviewed and approved the easement agreement as drafted. The Greater Eagle Fire Protection District has also reviewed, approved, and signed the easement agreement.

COMMUNITY INPUT:
Not applicable to this request

BUDGET / STAFF IMPACT:
None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
Overall, the project aligns with the 2020 Strategic Plan's major objective to 'Diversify the Attainable Housing Stock' by adding 16 deed-restricted units to the Town's housing stock.

RECOMMENDED ACTION OR PROPOSED MOTION:
I move to **approve** Resolution 71, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Permanent Easement Agreement with the Greater Eagle Fire Protection District.

ATTACHMENTS:
- Resolution 71, Series 2023

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 71
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING A PERMANENT EASEMENT AGREEMENT WITH THE GREATER EAGLE FIRE PROTECTION DISTRICT

WHEREAS, the Greater Eagle Fire Protection District owns the real property more particularly described in **Exhibit A** of the Permanent Easement Agreement attached hereto; and

WHEREAS, the Town wishes to install utilities in such real property, under the terms of the Permanent Easement Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The Permanent Easement Agreement with the Greater Eagle Fire Protection District is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

PERMANENT EASEMENT AGREEMENT

This PERMANENT EASEMENT AGREEMENT (the "Agreement") is made and entered into this 6 day of September, 2023 (the "Effective Date"), by and between Greater Eagle Fire Protection District, a * with an address of P.O. Box 961, Eagle, CO 81631 ("Grantor"), and the Town of Eagle, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, Colorado 81631 (the "Town") (each a "Party" and collectively the "Parties").

WHEREAS, Grantor is the owner of the real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Easement Property");

WHEREAS, the Town wishes to construct and install, and thereafter use, operate, inspect, maintain and repair drainage facilities and related appurtenances and facilities on, over, across and under the Easement Property, as depicted in **Exhibit B**, attached hereto and incorporated herein by this reference (collectively the "Facilities"); and

WHEREAS, for this purpose, Grantor is willing to convey this permanent easement to the Town, which allows the Town to install, operate, use, repair and maintain the Facilities upon and beneath the surface of the Easement Property.

NOW THEREFORE, for and in consideration of the mutual promises and covenants contained here, Grantor and the Town mutually agree as follows:

1. Grant of Easement. Grantor hereby grants to the Town, its successors and assigns, lessees, licensees and agents, a permanent, perpetual, non-exclusive easement (the "Easement") to enter, re-enter, occupy and use the Easement Property to construct, reconstruct, use, operate, maintain, repair, patrol, replace, enlarge and remove the Facilities in, through, over, across, under and above the Easement Property.

2. Town's Rights. The Town and its employees, agents, contractors, representatives, successors and assigns shall have and exercise the right of ingress and egress in, to, through, over, under, above and across the Easement Property for access to perform construction, reconstruction, operation, installation, use, maintenance, repair, replacement, upkeep, monitoring and removal of the Facilities.

3. Non-exclusive Use. The Town agrees, following written request to and approval by the Town, that other utilities and facilities may be installed in the Easement Property if such utilities do not interfere with the Town's rights as herein granted or the Town's use of the Easement and Easement Property. All surface and subsurface uses of the Easement Property must be approved in writing by the Town prior to installation.

4. Maintenance. The Town shall be solely responsible for maintaining the Facilities, and the Facilities shall remain the Town's property.

*quasi municipal government agency

5. No Interference. Grantor shall not construct or place any structure or building, shrub, tree, woody plant or nursery stock, whether temporary or permanent, of any kind or nature on the Easement Property that will interfere with or obstruct the Easement granted herein. Any such prohibited structure or item placed on the Easement Property may be removed by the Town at Grantor's expense and without liability to the Town for damages arising therefrom. Grantor shall retain the right to the use and occupancy of the Easement Property to the extent that it does not interfere with the Town's rights or its use of the Easement.

6. Maintenance of Grantor's Improvements. Grantor shall be solely responsible for the maintenance of all Grantor's improvements located within the Easement Property.

7. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

8. Warranty. Grantor warrants that it has the full right and legal authority to make the grant of Easement contained in this Agreement.

9. Recordation. Except as otherwise expressly provided herein, all provisions of this Agreement, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the Parties. The Town shall record this Agreement in timely fashion in the official records of Eagle County and may re-record it at any time as may be required to preserve its rights in this Agreement.

10. No Merger. It is the express intent of the Parties that the doctrine of merger shall not apply to this Agreement and there will be no merger of estate between the Easement and the Easement Property.

11. Miscellaneous.

a. *Governing Law and Venue*. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

b. *Integration*. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

c. *No Waiver*. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

d. *Third Parties*. There are no intended third-party beneficiaries to this Agreement.

f. *Severability*. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. *Modification*. This Agreement may only be modified upon written agreement of the Parties.

h. *Governmental Immunity*. The Town and Grantor and their respective officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town, its officers, attorneys or employees.

i. *Subject to Annual Appropriation*. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town and Grantor not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

k. *Force Majeure*. No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this Agreement due to acts of God, floods, storms, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

GRANTOR
GREATER EAGLE FIRE PROTECTION DISTRICT

By: _____

State of Colorado _____)
) ss.
County of Eagle)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 6 day of September, 2023 by Eric Paterson as the Chairman of the Board of Directors

My commission expires: 5/4/2026

(Seal)

CAROL KATHLEEN LAWN
Notary Public
State of Colorado
Notary ID # 19964016448
My Commission Expires 05-04-2026

C. Kathleen Lawn
Notary Public

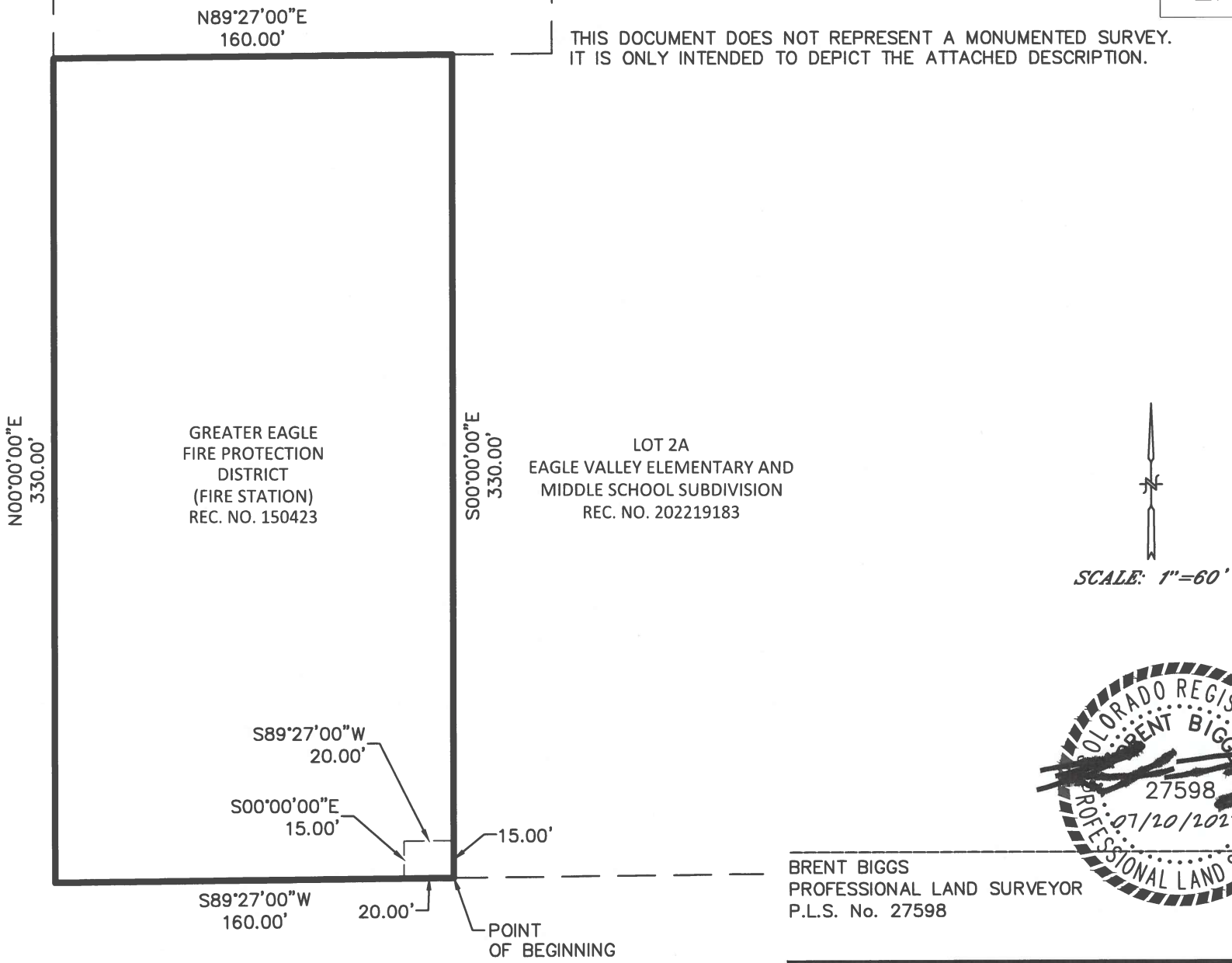
Exhibit A

A parcel of land located in Tract 71, Section 33, Township 4 South, Range 84 West of the Sixth Principal Meridian, according to the Independent Resurvey of said Township and Range approved by the US Surveyor General on June 20, 1922 more particularly described as follows:

Beginning at a point on the westerly line of Tract 71 from which Corner No. 3 of said tract bears South 374.63 feet; thence N89°27’00”E 160.00 feet; thence South 330.00 feet; thence S89°27’00”W 160.00 feet to the point of beginning; containing 1.212 acres, more or less;

EXHIBIT B

THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS ONLY INTENDED TO DEPICT THE ATTACHED DESCRIPTION.



BRENT BIGGS
PROFESSIONAL LAND SURVEYOR
P.L.S. No. 27598

COLORADO REGISTERED
BRENT BIGGS
27598
07/20/2023
PROFESSIONAL LAND SURVEYOR

DRAINAGE & UTILITY EASEMENT EXHIBIT GREATER EAGLE FIRE PROTECTION DISTRICT (FIRE STATION) TOWN OF EAGLE, COUNTY, COLORADO		
DRAWN BY: KPJ	CHECKED BY: BB	SHEET 1 OF 2
DATE: 07/20/23	PLC JOB NO.: 2361	

PEAK LAND CONSULTANTS, INC.
PH: (970)476-8844 FAX: (970)476-8818
1000 LION'S RIDGE LOOP, SUITE 1D
VAIL, CO 81657

EXHIBIT B

DRAINAGE AND UTILITY EASEMENT EXHIBIT

A PARCEL OF LAND LOCATED IN GREATER EAGLE FIRE PROTECTION DISTRICT (FIRE STATION) RECEPTION NO. 150423 EAGLE COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID GREATER EAGLE FIRE PROTECTION DISTRICT
THENCE N00°00'00"W A DISTANCE OF 15.00 FEET ALONG THE EASTERLY LINE OF SAID PARCEL;
THENCE DEPARTING SAID EASTERLY LINE S89°27'00"W A DISTANCE OF 20.00 FEET;
THENCE S00°00'00"E A DISTANCE OF 15.00 FEET TO THE SOUTH LINE OF SAID PARCEL;
THENCE S89°27'00"W A DISTANCE OF 20.00 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING

CONTAINING 300 SQUARE FEET/.007 ACRES MORE OR LESS

COLORADO REGISTERED
BRENT BIGGS
27598
07/20/2023
PROFESSIONAL LAND SURVEYOR

BRENT BIGGS
PROFESSIONAL LAND SURVEYOR
P.L.S. No. 27598

DRAINAGE AND UTILITY EASEMENT EXHIBIT GREATER EAGLE FIRE PROTECTION DISTRICT (FIRE STATION) TOWN OF EAGLE, COUNTY, COLORADO		
DRAWN BY: KPJ	CHECKED BY: BB	SHEET 2 OF 2
DATE: 07/20/23	PLC JOB NO.: 2361	

PEAK LAND CONSULTANTS, INC.
PH: (970)476-6644 FAX: (970)476-6616
1000 LION'S RIDGE LOOP, SUITE 1D
VAIL, CO 81657

To: Mayor Turnipseed and Town Council

From: Peyton Heitzman, Planner, Community Development

Date: November 14, 2023

Agenda Item: Resolution 74, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Permanent Easement Agreement with Son Ray LLC

REQUEST:
For Town Council to consider approving a permanent easement agreement with Son Ray LLC, the property owner of 435 Eby Creek.

INTRODUCTION:
Son Ray LLC entered into a Development Agreement with the Town on August 23, 2022, to construct a 30-unit apartment building. Section 13 of this agreement requires that the developer dedicate to the Town any easements required for the extension of utilities, drainage, access, and other related utility needs. The construction of a public water line on the property has warranted the need to establish and dedicate a public water line easement through an easement agreement.

ANALYSIS:
The dedication of the easement is not just an obligation of the Development Agreement, but it also grants the Town the ability to access, maintain, install, replace and manage on-site public improvements as needed. The easement agreement, as drafted, has been reviewed and approved by the Town Attorney. The attached Exhibit A with the easement specifics will require final approval by the Public Works Director prior to recording the agreement.

COMMUNITY INPUT:
Not applicable to this request.

BUDGET / STAFF IMPACT:
None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
Not applicable to this request.

RECOMMENDED ACTION OR PROPOSED MOTION:
I move to **approve** Resolution 74, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Permanent Easement Agreement with Son Ray LLC.

ATTACHMENTS:
- Development Agreement – Resolution 61, Series 2022
- Resolution 74, Series 2023

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 74
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING A PERMANENT EASEMENT AGREEMENT WITH SON RAY LLC

WHEREAS, SON RAY LLC owns the real property more particularly described in **Exhibit A** of the Permanent Easement Agreement attached hereto; and

WHEREAS, the Town wishes to install utilities in such real property, under the terms of the Permanent Easement Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The Permanent Easement Agreement with Son Ray LLC is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney and Town Engineer. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

PERMANENT EASEMENT AGREEMENT

This PERMANENT EASEMENT AGREEMENT (the "Agreement") is made and entered into this _____ day of November, 2023 (the "Effective Date"), by and between Son Ray LLC, a limited liability company with an address of P.O. Box 5446, Eagle, CO 81631 ("Grantor"), and the Town of Eagle, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, Colorado 81631 (the "Town") (each a "Party" and collectively the "Parties").

WHEREAS, Grantor is the owner of the real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Easement Property");

WHEREAS, the Town wishes to construct and install, and thereafter use, operate, inspect, maintain and repair water line facilities and related appurtenances and facilities on, over, across and under the Easement Property, as depicted in **Exhibit A**, attached hereto and incorporated herein by this reference (collectively the "Facilities"); and

WHEREAS, for this purpose, Grantor is willing to convey this permanent easement to the Town, which allows the Town to install, operate, use, repair and maintain the Facilities upon and beneath the surface of the Easement Property.

NOW THEREFORE, for and in consideration of the mutual promises and covenants contained here, Grantor and the Town mutually agree as follows:

1. Grant of Easement. Grantor hereby grants to the Town, its successors and assigns, lessees, licensees and agents, a permanent, perpetual, non-exclusive easement (the "Easement") to enter, re-enter, occupy and use the Easement Property to construct, reconstruct, use, operate, maintain, repair, patrol, replace, enlarge and remove the Facilities in, through, over, across, under and above the Easement Property.

2. Town's Rights. The Town and its employees, agents, contractors, representatives, successors and assigns shall have and exercise the right of ingress and egress in, to, through, over, under, above and across the Easement Property for access to perform construction, reconstruction, operation, installation, use, maintenance, repair, replacement, upkeep, monitoring and removal of the Facilities.

3. Non-exclusive Use. The Town agrees, following written request to and approval by the Town, that other utilities and facilities may be installed in the Easement Property if such utilities do not interfere with the Town's rights as herein granted or the Town's use of the Easement and Easement Property. All surface and subsurface uses of the Easement Property must be approved in writing by the Town prior to installation.

4. Maintenance. The Town shall be solely responsible for maintaining the Facilities, and the Facilities shall remain the Town's property.

5. No Interference. Grantor shall not construct or place any structure or building, whether temporary or permanent, of any kind or nature on the Easement Property that will interfere with or obstruct the Easement granted herein. Any such prohibited structure or item placed on the Easement Property may be removed by the Town at Grantor's expense and without liability to the Town for damages arising therefrom. Grantor shall retain the right to the use and occupancy of the Easement Property to the extent that it does not interfere with the Town's rights or its use of the Easement.

6. Maintenance of Grantor's Improvements. Grantor shall be solely responsible for the maintenance of all Grantor's improvements located within the Easement Property.

7. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

8. Warranty. Grantor warrants that it has the full right and legal authority to make the grant of Easement contained in this Agreement.

9. Recordation. Except as otherwise expressly provided herein, all provisions of this Agreement, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the Parties. The Town shall record this Agreement in timely fashion in the official records of Eagle County and may re-record it at any time as may be required to preserve its rights in this Agreement.

10. No Merger. It is the express intent of the Parties that the doctrine of merger shall not apply to this Agreement and there will be no merger of estate between the Easement and the Easement Property.

11. Miscellaneous.

a. *Governing Law and Venue*. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

b. *Integration*. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

c. *No Waiver*. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

d. *Third Parties*. There are no intended third-party beneficiaries to this Agreement.

e. *Notice*. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent prepaid, first-class United States Mail to the Party at the address set forth on the first page of this Agreement.

f. *Severability*. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. *Modification*. This Agreement may only be modified upon written agreement of the Parties.

h. *Governmental Immunity*. The Town and Grantor and their respective officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town, its officers, attorneys or employees.

i. *Subject to Annual Appropriation*. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town and Grantor not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

k. *Force Majeure*. No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this Agreement due to acts of God, floods, storms, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE

_____

Scott Turnipseed, Mayor

ATTEST:

_____

Jenny Rakow, Town Clerk

GRANTOR
SON RAY LLC

By: _____

State of Colorado _____)
) ss.
County of _____)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this ___ day of _____, 2023 by _____ as the _____ of _____.

My commission expires:

(Seal)

_____
Notary Public

Exhibit A
Legal Description of Easement Property/Depiction of Facilities

To: Mayor and Town Council

From: Molly Furtado, Special Events Manager

Date: 11/14/23

Agenda Item: 2024 MEAC Funding Requests Proposed Allocations

REQUEST:
Staff requests the Town Council review and approve the 2024 Marketing and Events Advisory Committee (MEAC) event funding requests and recommendations.

INTRODUCTION:
Starting in September 2023, the Marketing and Events Advisory Committee solicited and received requests for the funding of special events in the Town of Eagle for 2024. The MEAC committee has reviewed all requests and heard in-person presentations by producers requesting more than $5,000. MEAC members then discussed and scored these requests in alignment with MEAC's mission and objectives. What is being presented in the attached recommendaiton is the conclusion of their reviews and suggestions for allocating the 2024 MEAC events funding budget.

ANALYSIS:
In reviewing all requests for event programming, MEAC members followed the original intent of this program and created a plan to best accomplish its goals.

COMMUNITY INPUT:
All reviews of funding requests were discussed at a special session MEAC meeting. Input was given by the event producers requesting funding in proposal form. Producers requesting more than $5,000 were asked to present their request to the MEAC committee in-person.

BUDGET / STAFF IMPACT:
The 2024 MEAC Special Event Funding total budget is $120,000. Breakout of the allocations is in the attached documents.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
The implementation of the 2024 MEAC funding program aligns well with the Town of Eagle Strategic plan. These events will help us attract visitors to our community who will participate in the events or come to be a part of the audience. It will support and stimulate economic development by serving as seed money to drive revenue from visitors and participants of events. And many of these events help us to build and reinforce the active and outgoing culture of our town.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** the recommended 2024 MEAC Special Event funding allocations.

ATTACHMENTS:

- 2024 MEAC Event Funding Proposed Allocations

Rating Sheet: 2024 Special Events			
2024 Event Funding Available:	$120,000		
Event:	**Producing Entity:**	**2024 Funds Requested**	**2024 Funds Awarded**
Eagle Mushroom and Wildfood Fest	Mary Ann Morrison	$6,000	$5,500
Christmas on Broadway	DBA	$6,500	$2,500
Eagle County BMX State Race	Eagle County BMX	$3,000	$500
Vail Cup Soccer	Vail Valley Soccer Club	$4,000	$1,000
Triple Crown World Series	Triple Crown Sports	$1,000	$1,000
Pond Hockey	Eagle Valley Skating Assoc	$2,500	$1,000
Mountain Rats Festival	Mountain Rats	$5,000	$5,000
Indigenous Wisdom Gathering	The Tipi Raisers	$10,000	$5,000
Murder on Broadway	EagleARTS	$3,000	$3,000
EagleARTS ARTwalk	EagleARTS	$25,000	$0
LG Tri Sprint Triathlon	Vail Valley Charitable Fund	$500	$0
American Scholastic Climbing League	Eagle Climbing & Fitness	$10,000	$7,500
Music and a Movie	Kaleidoscope Productions	$10,000	$6,000
Haymaker Jam	The Cycle Effect	$5,000	$5,000
Colorado High School Cycling League	Colorado High School Cycling	$7,500	$5,000
Colorado High School Cycling League	Colorado High School Cycling	$7,500	$5,000
Dynafit Boneyard Boogie	Vail Rec District	$500	$500
VRD Mountain Bike Race Series	Vail Rec District	$1,000	$500
Eagle Egg Hunt	Eagle Vineyard Church	$2,500	$500
Eagle Ranch Pumpkin Patch	Cub Scout Pack# 229	$800	$800
Eagle Ranch Pumpkin Patch	Eagle Community Gardens	$450	$450
Mountain Tots Jingle Jog	Mountain Tots	$1,000	$750
Mountain Tots 50th Gala	Mountain Tots	$10,000	$0
Walk to End Alzheimer's	Alzheimer's Association	$1,000	$500
Home Dedication & House Tour	Habitat for Humanity	$3,000	$500
Eagle River Water Festival	ERWC	$1,000	$0
Community Float at River Park	ERWC	$1,000	$0
Community Highway Cleanup & Eagle	ERWC	$2,000	$2,000
ShowDown Town	Vail Valley Foundation	$50,000	$50,000
Vail Sportsmanship Tournament/Girls	Vail Mountaineer Hockey	$7,500	$1,500
Yoga in the Park	Yoga off Broadway	$3,500	$1,000
Mountain Rec Opening Day	Mountain Rec	$4,000	$2,000
Eagle County Fair & Rodeo	Eagle County Fair & Rodeo	$1,500	$1,500
Porchligh Players Theater Company	Porchlight Players	$2,500	$2,500
Biztoberfest	Eagle Chamber	$10,000	$2,000
TOTAL:		$209,750	**$120,000**

To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: November 14, 2023
Re: Town Manager Report

Outreach & Meetings – *This report will provide an overview of recent participation in community outreach opportunities and regional and project-specific meetings. These events offer valuable opportunities to collaborate with stakeholders, stay informed on the latest developments, and contribute to the local community.*

On October 26, I participated in the Northwest Colorado Council of Governments (NWCCOG) board meeting, where a comprehensive agenda encompassing various crucial topics was addressed. The session commenced with a thorough examination and approval of the minutes from the preceding meeting held in August 2023. Subsequently, the Board meticulously scrutinized the third-quarter financial reports, encompassing payments, balance sheets, and statements of revenues and expenditures. Delving further, the Board conducted a detailed review of documents about loan funds, risk ratings, portfolio summaries, and excerpts from the loan policy associated with their risk rating.

I hope you find this report interesting from Megan Lawson, Ph.D. from Headwaters, provides an overview of her publication Amenity Trap – How high-amenity Communities Can Avoid Being Lover to Death: https://www.townofeagle.org/DocumentCenter/View/19216/2023HE-Amenity-Trap-Report-R3b-LOWRES

Josh Blanchard and Bill Schenk delivered a notable presentation on the Summit County Strong Futures – SCRAP Recycling Program, which secured funding through the ballot-approved Strong Futures initiative. This initiative facilitates the recycling of challenging materials such as hard-to-recycle items, food scraps, glass, and mattresses. Bill Schenk invited those interested in touring the Summit County facility or seeking additional information to contact him directly.

Furthermore, the Board addressed the 2024 NWCCOG Council meeting schedule, https://www.townofeagle.org/DocumentCenter/View/19223/2024-NWCCOG-COUNCIL-MEETING-SCHEDULE approving the proposed dates. An integral component of the meeting involved the comprehensive review and subsequent approval of the 2024 NWCCOG budget. Additionally, an expeditious update was provided on the review of NWCCOG's Mission Statement, resulting in a refined version emphasizing fostering innovative regional solutions, managing diverse programs, and providing leadership and guidance to local government members.

The meeting concluded with the Board's approval of an AAA Advocacy Letter and a second addendum letter addressed to Governor Polis, underscoring NWCCOG's commitment to advocating for the interests and needs of its members. (Links to relevant documents: AAA Advocacy Letter https://www.townofeagle.org/DocumentCenter/View/19221/AAA-Advocacy-Letter-to-Governor-Polis, Second Addendum Letter - https://www.townofeagle.org/DocumentCenter/View/19222/AAA-Addendum-Letter-dated-October42023

On November 1, The Town hosted the Grand Avenue Open House in the Council Chambers. The open house was well attended, and the general overview was that most supported the concept, but we were wondering how we would pay for the project.

On November 2, Eagle Blaise Rastello and Craig Fitchett VPs of Development for Ulysses Development Group (UDG), and town staff met to discuss Eagle Villas's future housing status for this property. UDG is an affordable housing development group based in Denver, CO, and they are very interested in figuring out a solution to acquire and renovate this property but keep it affordable, not convert it to market rate. Also, UDG is setting up meetings with the Eagle County Housing team and Colorado Housing & Finance Authority (CHFA) to seek collaboration and support to assist them in pursuing this opportunity. The Town staff is committed to helping to support UDG in the future. Eagle Villas Offering:
https://www.townofeagle.org/DocumentCenter/View/19219/Eagle-Villas---Offering-Memorandum

On November 8, the Eagle Valley Transit Authority (EVTA) convened its monthly meeting. I am providing a high-level overview of the board meeting. The EVTA bylaws adopted in December of 2022 set December 1 as the date by which the EVTA must adopt a budget for the following year. Resolution 2023-21 amends the EVTA bylaws to allow for the adoption of an annual appropriation by December 31 of the preceding year, which better aligns with the required DOLA filing deadline. Amending the budget adoption date will also provide greater flexibility and allow for budget adoption at the regular December meeting.

Larry Tenenholz, Acting ECO Transit Director, delivered a comprehensive update on the third quarter of Transit operations. As part of our ongoing commitment to enhancing service quality and addressing capacity challenges, the 23/24 Winter Service has undergone a competitive bidding process. To mitigate overload issues and minimize cancellations, six additional Operators have been designated as "Extra Board" and deployed as "Loop Operators" during peak hours, ensuring swift assistance on any route.

Recent strategic measures include the appointment of two additional Road Supervisors in the past month, reinforcing operational support for both Operators and passengers throughout our service hours. Noteworthy enhancements to our Winter Schedule encompass a later trip from the Vail Transportation Center (VTC) at 1:00 AM, an extra AM and PM trip to alleviate peak-period overcrowding on Highway 6, and extended half-hour service until 11:00 PM on Highway 6.

In pursuit of our commitment to augmenting services, the concluded contract with SP Plus has yielded positive outcomes. The local painting of buses in Colorado and the satisfactory staffing levels of SP Plus operators align with our operational goals. This collaboration has enabled us to extend half-hour service on Highway 6 until 11:00 PM, marking a tangible step toward realizing the fare-free zone proposed in the EVTA ballot initiative. Additionally, it aligns with the recommendations from the Fare-Free implementation study by Fehr and Peers.

The SP Plus contract facilitates practical progress and is a valuable source of real-world data. By eliminating fares and increasing frequency on this route, we aim to gauge the impact on ridership and refine our fare-free demand model. Leveraging contract drivers and vehicles for this specific route allows us to redirect ECO Transit resources to address demand and capacity challenges elsewhere. Providing fare-free service on this route may incentivize visitors to opt for public transit, alleviating pressure on roadways and parking and contributing to overall safety. Moreover, this initiative holds the potential to alleviate crowding on Highway 6 runs, ensuring a more reliable commute for our customers.

EVTA Priority 3 within the EVTA's Interim Strategic Plan focuses on "Planning for the Region's Transportation Future," specifically to "develop an integrated driver hiring and housing strategy." As part of our commitment to this objective, we actively engage with local employers and peer transit agencies to gain insights into their experiences in formulating employee housing policies and programs.

In the initial segment of this presentation, we will provide the Board with an overview of ECO Transit's existing provisions for employee housing. Additionally, we will share critical insights gleaned from ongoing discussions with our peers, highlighting emerging themes that could inform our strategic approach.

Avon Town Manager Eric Heil will lead the subsequent portion of the presentation. Mr. Heil will present two housing-related items for the EVTA's consideration, adding valuable perspectives to our ongoing efforts in shaping an integrated driver hiring and housing strategy.

On Friday, November 3, the county communities continued to work on the Eagle County Regional Housing Action Plan RFP. The Department of Local Affairs (DOLA) approved a $200,000 grant application for the housing needs assessment. The Request for Proposals (RFP) encompasses several municipalities, including Vail, Minturn, Red Cliff, Avon, Eagle, Gypsum, and Eagle County.

During the meeting, we engaged in a comprehensive discussion concerning the draft RFP for consulting services. This critical document must be meticulously refined and perfected, a task scheduled for our next meeting on Friday, November 2, 2023. Our commitment to keeping the proposed timeline is of utmost importance. Completing the draft review and incorporating all pertinent comments on the RFP is crucial to preparing for the following interview and selection process, set to commence in mid-December. This strategic plan allows us to officially launch the project with a selected consultant in January of the following year.

Economic Development:
On Wednesday, November 8, Mick Daily, Chair of the Economic Vitality Committee, and Town staff convened with the Regional Resource Center (RRC) to advance discussions on developing draft economic dashboard matrices. The primary focus was identifying database sources crucial for bolstering dashboard creation. This collaborative meeting yielded insights and recommendations, marking a significant step towards finalizing and completing our inaugural economic dashboard.

Administration and organization update
We completed our draft update to the Town of Eagle Hazard Mitigation Plan, which will become a part of the comprehensive county-wide plan 5-year update.

The Town started 2023 with 18 open positions, and as of November 6, we have filled 32 positions, which means our total has increased to 39 positions either filled or in need of being filled for 2023. We currently still have nine positions open to serve to be staffed entirely. Note that these positions are crucial in elevating our community's overall quality of life.

WORK SESSIONS:
To help the Town Council keep track of upcoming work sessions, below is a table of topics to discuss over the next several months. Preparing in advance is helpful since it takes planning to execute a work session. Staff will keep this table in this report and make changes as needed. The topics are subject to change:

Date	**Topic**
July 4, 2023,	***(Meeting Cancelled)***
August 1, 2023 (COMPLETED)	*Affordable Housing items to discuss on guidelines for LERP*
September 5, 2023,	2023 – 2027 Capital Improvement Plan – Work Session
October 3, 2023,	Grand Avenue Project Update
November 7, 2023,	***(Meeting Cancelled)***
December 5, 2023,	***(Meeting Cancelled)***
Request for Additional Work Sessions	**Topic**
September 26, 2023	Budget Work Session

To: Mayor and Town Council

From: Larry Pardee, Town Manager, and Department Leads

Date: November 14, 2023

Re: Department Updates for October 2023

ASSISTANT TOWN MANAGER

October 2023

Economic Development

- Coordinated the presentation and successful acceptance of the Economic Development Plan by EPS to Town Council. A finalized copy will be available on the Town's website by late November.
- Coordinated monthly EVC meeting including administrative support. Facilitated new EVC member appointments by Town Council at the October 19th meeting.
- The October DDA meeting was cancelled; the board reconvened on November 8th.
- Hosted lunch with the director of the Glenwood Springs DDA and the Eagle DDA board members to discuss strategies.
- Continued work with RRC on economic dashboard design, specifically, data sourcing and integration.
- Assisted the Downtown Business Alliance planning for Christmas on Broadway.
- Attended the Economic Development Council of Colorado (EDCC) Drive, Lead, Succeed Conference, October 18-20, in Grand Junction.

Housing

- Ongoing research on the funding opportunities rolling out through Proposition 123. Specifically, staff is preparing to submit a Letter of Interest for DOLA's Local Planning Capacity Grant.
- Facilitated an introductory meeting with Colorado-based developers/investors interested in supporting affordable housing options in Eagle.
- Preparing content for the December Town Council Work Session aimed at strategizing 2024 goals from the Housing Assessment.
- Launched a staff-focused housing survey to better understand challenges across the organization. Findings will help inform future assistance, investment, and programming for Town staff.
- Attended the Housing Colorado Annual Conference, October 11-13, in Keystone on a scholarship.

Sustainability

- Developed and coordinated additional public information on composting and the upgraded trash service. Please note Vail Honeywagon is requesting that no yard waste is placed in the curbside bins.
- Continued Green Team meetings and developed proposed budget for 2024 initiatives and immediate action items to engage staff in the Town's sustainability initiatives.

- Drafted an outline for the net zero action plan for Town operations and the 2028 goal. Began planning content and ideas for discussion for the December Town Council Work Session.
- Worked with the Public Works team and Yearout energy on next steps with the solar array work and water meter evaluations.
- Attended the Mountain Towns 2030 Climate Solution Summit with other staff. Brainstormed ideas and strategies with Town leadership to bring the Town's sustainability goals to life.
- Researched grant opportunities to bolster sustainability budget allocations in 2024.
- Worked on the town's water-energy nexus to begin quantifying the GHG emissions associated with each gallon of water we produce and wastewater we treat, enabling the town to equate outdoor water conservation with GHG emissions savings.
- Continued researching energy management system software solutions in preparation for selecting a system early next year.

Communications & Marketing

- Staff from multiple departments including Finance, Events and the Clerk continue to fill the gap in communication capacity and help ensure community news and updates were sent out in a timely manner.
- Reviewed 16 applicants for the communications and Marketing position. Staff were very pleased with the caliber of candidates interested in the position. HR staff conducted initial phone interviews and elevated 5 candidates. Final interviews are scheduled for November 17th.
- Continued regular Communications Committee meetings to ensure all departments were sharing information and topics of interest were communicated to the public appropriately.

Pool Replacement Project

- The Town and Mountain Rec. Hosted the first Design Advisory Committee meeting with staff from both agencies, elected officials, and community members. The group weighed in on initial pool design and layout options, and ideal amenities and discussed the budget.
- Part of the initial design work consisted of evaluating an addition to the Pool and Ice Rink building to accommodate additional restrooms and changing / locker rooms that could be used by swimmers in the summer and hockey players in the winter. Through the discussion, the group made it clear to the consultants that the pool is the priority and additional amenities would be considered only if the budget allowed.
- Staff from the Town and Mountain Rec. meet with the pool design and construction teams weekly. The construction team is currently working on cost estimates for the base project and pool layout.
- The next step is a community open house at the Pool & Ice Rink on Thursday, December 7th from 4 – 7 p.m. Participants will be able to review pool layout ideas and prioritize pool site amenities that we will add into the project, pending available funds in the budget or through grants. An online survey with the same information and option for providing feedback will also be sent out.

FINANCE DEPARTMENT
October 2023

Administration/Financial:

- **Budget:**
  - Finance continued to work on the 2023 revised budget and the 2024 budget and 2024-2028 Capital Improvement Plan.
  - Upcoming Schedule:
    - November 14th – Public Hearing: Adoption of the 2023 Revised Budget & 2024 Budget
    - December 12th – Certification of the 2024 Mill Levy and 2024 Fee Schedule Adoption
    - January 31st – Deadline for Certified copy of the adopted budget filed with the State

- **Short Term Rentals:**
  - STR Active Permits – 23 (1 new)
  - STR Closed Permits – 0
  - STR Permits in process – 0
  - Revenue Collection:
    - January and September 2023: $21,625*(compared to 2022: $12,096 – 78.8% increase)*
    - 2022 Total Collection - $16,675
  - Compliance – Finance has been able to collect all significant outstanding balances.

- **Conservation Trust Fund –** Completed annual registration for the Conservation Trust Fund.

- **Broadband -** Worked with Assistant Town Manager and IT manager to develop 5 year financial projections for wireless broadband. Staff also started several conversations with local banks regarding potential financing options.

- **Debt Service:**
  - Scheduled 10/31/2023 – 2011 Wastewater Loan Payment - $39,393 (Last Pmt 2031)
  - Completed annual compliance reporting for 2013 Water Fund Bond

- **Culture & Leadership –** Initial meeting with Karah Maloley to discuss the Town's culture and leadership prior to retreat in November.

Payroll/HR:
- Positions changes in payroll
  - No New Hires in October:
  - 2 Terminations:
    - Building Inspector
    - B&G Maintenance Workers (Seasonal)
    - Planner III
- Completed 3rd Quarter Unemployment Tax Report
- Completed 3rd Quarter 941 Report
- Completed Self-Evaluations for YE performance reviews

Training: None in October

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID							
	2019	2020	2021	2022	2023	VARIANCE FROM PY	
JANUARY	303	205	230	249	285	36	14%
FEBRUARY	254	237	217	254	212	(42)	-17%
MARCH	326	234	247	243	264	21	9%
APRIL	215	137	214	331	259	(72)	-22%
MAY	275	162	260	269	388	119	44%
JUNE	298	221	400	398	290	(108)	-27%
JULY	414	314	239	329	310	(19)	-6%
AUGUST	220	241	243	255	312	57	22%
SEPTEMBER	306	92	218	222	330	108	49%
OCTOBER	296	371	234	301	304	3	1%
YEAR TO DATE	**2,907**	**2,214**	**2,502**	**2,851**	**2,954**	**103**	**4%**

Utilities:

- Property Transfers – 19 *(YTD – 105)*
- New Account Set Up – 2 *(YTD – 25)*
- Utility Red Tags – 27 *(2023 monthly Average 22.2)*
- Water Shut Offs – 2 *(2023 monthly Average 1.4)*
- *Water Usage:*

Water Usage *(In Thousands)*								
MONTH	2019	2020	2021	2022	PRIOR 4 YEAR AVERAGE	2023	CHANGE OVER AVERAGE	
JANUARY	**18,569**	**17,925**	**16,564**	**16,602**	17,415	**15,660**	(1,755)	-10%
FEBRUARY	**15,554**	**15,981**	**15,538**	**14,503**	15,394	**18,016**	2,622	17%
MARCH	**14,844**	**15,501**	**16,099**	**16,436**	15,720	**13,615**	(2,105)	-13%
APRIL	**16,101**	**15,578**	**17,443**	**14,988**	16,028	**15,071**	(957)	-6%
MAY	**20,473**	**34,006**	**23,775**	**24,859**	25,778	**17,773**	(8,005)	-31%
JUNE	**37,622**	**61,463**	**60,403**	**51,373**	52,715	**42,130**	(10,585)	-20%
JULY	**58,319**	**59,749**	**54,926**	**54,700**	56,924	**56,705**	(219)	0%
AUGUST	**66,525**	**68,047**	**58,490**	**54,510**	61,893	**65,705**	3,812	6%
SEPTEMBER	**57,092**	**58,173**	**57,272**	**56,490**	57,257	**48,778**	(8,479)	-15%
OCTOBER	**32,446**	**31,460**	**28,172**	**28,272**	30,088	**29,872**	(216)	-1%
TOTAL YTD	**337,545**	**377,883**	**348,682**	**332,733**	349,211	**323,325**	**(25,886)**	**-7%**

For the year water demand is at 93%, slightly up from 92% last month. This appears appropriate based on the level of precipitation received early this year. Our revenues are currently 88.74% of budget compared to 90.21% in 2022 and 91.92% in 2021. (a difference of 2% of budget in 2023 is approximately $70,000) Staff expects our usage to remain average for the remainder of the year.

Town Council Department
Budget to Actual:

TOWN OF EAGLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2023

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	TOWN COUNCIL					
10-49-110	SALARIES & WAGES	3,800.00	37,000.00	45,600.00	8,600.00	81.1
10-49-142	WORKERS COMPENSATION	.00	46.89	59.00	12.11	79.5
10-49-143	HEALTH & INSURANCE BENEFITS	.00	.00	168.00	168.00	.0
10-49-144	FICA - EMPLOYER'S	290.70	2,830.51	3,488.00	657.49	81.2
10-49-225	UNIFORMS	.00	.00	300.00	300.00	.0
10-49-320	LEGAL NOTICES	.00	252.17	500.00	247.83	50.4
10-49-347	PROFESSIONAL SERVICES	.00	.00	9,000.00	9,000.00	.0
10-49-351	LEGAL - GENERAL	.00	61.50	100.00	38.50	61.5
10-49-371	TRAVEL EXPENSE	.00	.00	2,900.00	2,900.00	.0
10-49-372	MEETING EXPENSE	.00	3,347.63	5,250.00	1,902.37	63.8
10-49-380	TUITION & BOOKS	.00	958.67	2,600.00	1,641.33	36.9
10-49-450	SPECIAL COUNCIL FUNDING	18,588.70	85,386.09	141,500.00	56,113.91	60.3
10-49-510	INSURANCE	.00	276.66	831.00	554.34	33.3
10-49-915	COMMUNITY REQUESTS	.00	44,750.00	50,000.00	5,250.00	89.5
	TOTAL TOWN COUNCIL	22,679.40	174,910.12	262,296.00	87,385.88	66.7

SPECIAL EVENTS & MARKETING
October 2023

Marketing & Events Advisory Committee (MEAC)

- 2024 Event Funding has been completed. Staff to make recommendations to Council on November 14, 2023.
    - Block Party is not returning in 2024
    - Eagle Farmer's Market is not returning in 2024
- Community Grant/Sponsorship applications have been received. Council will be asked to review and allocate funds December 12, 2023.

MARKETING & COMMUNICATIONS

- Social Media posts on Facebook and @EagleOutside
    - Composting
    - E-Bikes
    - Wildlife
- Collaborate on production of Eagle TODAY & Eagle SPIRIT
- Maintain EagleOutside.com with calendar updates and photography
- Monthly Communications Committee
- Monthly Green Team Meeting

MEETINGS

- Kim Fritzler to finalize Trick or Treat Street. ToE will have a booth next to PD.
- DBA – Christmas on Broadway planning meeting; parade running North to South.
- John Hutchinson, CO High School Mountain Bike Race, to discuss SEPT course change and if anything needs to change for OCT race.
- Organized Halloween parade through Town Hall for the preschoolers from St. Mary's and Mountain Tots.
- Danita Dempsey, Town of Avon, to discuss their commitment to Arts & Culture.
- IT to discuss options for updating Hwy 6 sign.
- ToE Employee Holiday Party committee meeting, save the date for DEC 6!
- Culture & Leadership. Excited to work with Dr. Maloley.

OCTOBER EVENTS

- Vail Valley Soccer Cup
- Eagle Ranch Pumpkin Patch
- CO High School Mountain Bike Race
- Trick or Treat Street

UPCOMING EVENTS

November	None.

Staff joined Mayor Scott Turnipseed and Council Member Geoff Grimmer at the Mountain Towns 2030 Climate Summit in early October, a gathering of 40 mountain communities and nearly 80 mountain resorts to take action on climate solutions.

INNOVATION TECHNOLOGY

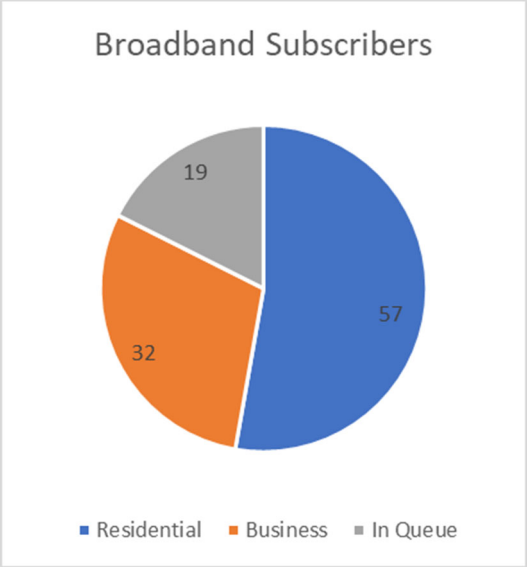
October 2023

Projects:

- Broadband team negotiated a partnership with Plume to provide better hardware and service options to our customers.
    - *"On the front end, Plume delivers self-optimizing, adaptive WiFi service fueled by cloud, artificial intelligence, and open-source technology to deliver better digital experiences in homes, small businesses, multi-dwelling units, and beyond. Why does this matter? The average number of devices connected to smart home networks is increasing fast. By correctly enabling smart spaces now, we plan to avoid the kind of chaos likely to result when networks attempt to manage 50+ devices. For Communications Service Providers (CSPs), Plume provides robust data- and AI-driven back-end applications for unprecedented visibility, insights, support, operations, and marketing. With Plume as their partner, CSPs can rapidly deliver new services at scale, increasing subscriber value and reducing churn. As the smart home revolution continues to accelerate, we are designing a new way forward that puts connectivity to work for the humans at the center of it all."*
- NWCCOG/THOR added a 100G Lumen connection to Meeker at the Town of Eagle Meet Me Center. This connection provides additional redundancy and failover protection.
    - In October, two major fiber cuts occurred between Eagle and Denver, causing many consumers west of fiber cuts to be out of service for over 22 hours. Many service providers were affected. However, Town of Eagle Broadband saw no significant outages due to the design and resiliency of the THOR network.
    - Fiber cuts between Glenwood Springs and Meeker also occurred with no significant outages to the THOR network.

Broadband update:

- 32 business subscribers, 57 residential subscribers, 19 in installation queue, 15 signups in October
- Broadband revenue generated in October: $6053.41



Training:

- Staff certified in Tarana administration, installation, and configuration for Broadband projects. Completed Tarana G1 TCS Operations and Administration Course and Tarana G1 BN and RN Installation Course.

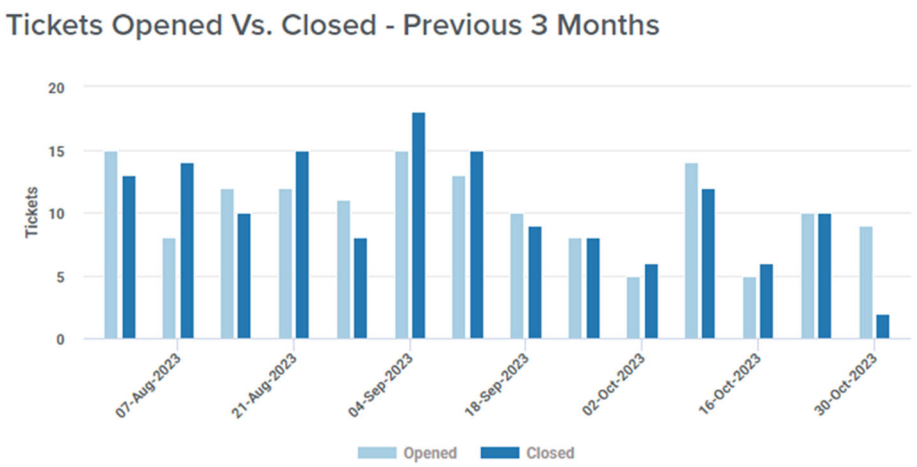
Staff provided technical training for the following departments:

- Sustainability - Oct 12th; Customer Voice (surveys)
- Commumity Development - Oct 18th, 23rd; Bookings and Planner
- Human Resources - Oct 24th, 25th; Bookings for self and interviews
- PubWorks - Streets and Buildings - multiple Thursdays; Staff training on entering, signing, and submitting timesheets using iPhones and PCs, Manager training accepting, reviewing, and signing Timesheets using PCs

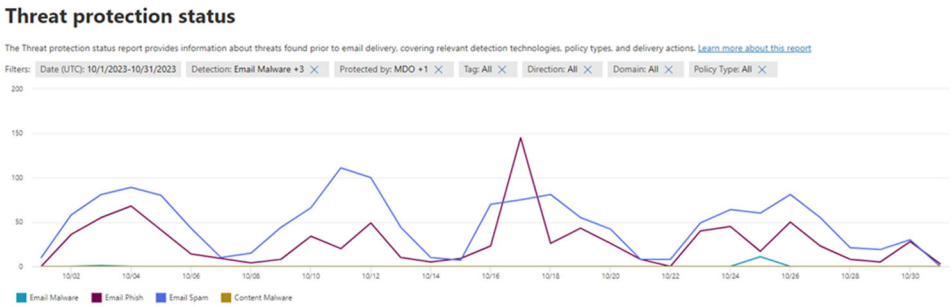
Technical Operations:

- Support ticket report:

147 Tickets Opened Previous 3 Months **146** Tickets Closed Previous 3 Months



- Email threat protection report for October:



HUMAN RESOURCES
October – November 8

Benefits

- Administering 5 FMLA/MLA claims
- Facilitated Annual Benefits Open Enrollment process and meetings 10/25, 26, & 27
- Facilitated Onsite Biometrics Testing 10/19

Compensation

- Working with Compensation Analyst to finalize market analysis

Risk Management, Safety and Work Comp

- Managing 8 General Liability & PC Open claims, 2023 total claims = 15
- Managing 2 Work Comp Claims, 2023 total claims = 4
- Assisted with Workplace Respectful Communication training held 11/2 & 11/3

Recruiting – Onboarding

- 1 New Hire & Benefit Orientation held
- 2023 started with a total of 18 total open positions, increased to 39 on 11/03
    - 34 full-time open positions, (8 of those positions carried over from the 2022 budget)
    - 5 seasonal positions (3 - B & G, 1 - Open space, 1 - Refuse/Yard Waste)
    - 6 positions currently in progress
        - Water Operator (2)
        - Town Engineer
        - Communication Marketing Specialist
        - PW Inspector
        - Community Development Director
    - 2023 Filled 32 positions as of 11/01
    - In 2022 - 25 positions were filled

HR Administration, Training, Translation Assistance

- Limited Spanish Translation assisting bilingual employment applicants and new hires
- Finished 6-month Leadership Training Program with Mile High SRHM
- Annual Performance Evaluation Process initiated

COMMUNITY DEVELOPMENT

October 2023

LONG RANGE PLANNING

ReCode Eagle – The Land Use and Development Code (LUDC)

- Staff is preparing application checklists, updating the fee schedule, and addressing other minor administrative tasks leading up to the effective date of ReCode.
- Municode upload to be completed in early 2024. The previous version of the Land Use and Development code will still be available to the public as an archived version.

LAND USE APPLICATIONS IN PROGRESS

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

- **DR23-05: Stone Concepts Warehouse**
  - A Minor Development Permit to construct a new warehouse on the currently vacant lot at 85 Marmot Lane.
  - Awaiting responses to the referral comments
  - Public hearing schedule: December 19, 2023 *Tentative*

- **DR23-04/ V23-02 / LLA23-02: 263 Sawatch Road**
  - A Major Development Permit, with design variances, to construct three buildings, each with three commercial units and three residential units accessory to a non-residential use, as approved via Resolution 37-2020. A zoning variance is requested for this project for joint use of parking spaces, pursuant to Section 4.07.140.H. of the Municipal Code.
  - Continued by P&Z – requested documents: compliance with Elevate Eagle/sustainability plan, conceptual sign plan, revised landscape plan to show recreation/open space amenities
  - Public hearing schedule (MDP/Variance): P&Z - September 19, 2023 (continued to 10/17) / TC – October 10, 2023 (Continued to 11/14)

- **AN23-01: West Eagle Housing**
  - The project consists of 9.5 acres and 113 units within 23 buildings. Applications include annexation, zoning, major development permit, special use permit and subdivision. Applicants are applying for RMF zoning with special use permit for higher density. Proposed lot area/dwelling unit is 3,278 SF, which is ~13.3units/acre
  - Application is complete and out for agency referral.

- **PUDA23-01: Haymeadow Major PUD Amendment**
  - This Project is a Major PUD Amendment within the Haymeadow development to:
    - Reverse the RMF-5 land swap;
    - Update the intended alignment of the extension of Sylvan Lake Rd
    - Update the conceptual/development plan
    - Revise the PUD Guide to align with ReCode and current best practices.

ADDITIONAL UPDATES:

Peyton Heitzman was promoted to Planner III/Sr. Planner on October 23, 2023. We are overjoyed for Peyton and so proud of her contributions to the Town of Eagle.

Sydney Dynak will be joining the Community Development team as a Planner I. Her first day will be January 8, 2024.

Chad Phillips, Community development Director, has resigned, with his last day being December 1, 2023. Chad will be greatly missed, and we wish him luck for whatever comes next.

Jessica and Peyton gave a presentation at the recent Colorado APA Conference, sharing the Town's experience with the two 1271 grant awards that funded the Comprehensive Affordable Housing Assessment (LINK), assisted with consultant expenses related to developing affordable housing regulations in ReCode, and ultimately the infrastructure costs for the 3rd Street Housing Project.

During the conference, Jessica participated in a workshop for the Department of Local Affair's draft Model Land Use and Development Code that will serve as a resource for municipalities across the state. During this workshop she reviewed the code against several scenarios, identified issues, and provided feedback on areas for improvement.

Jackie VanEyll attended the Mountain Towns 2030 conference this past October. This annual event brings together mountain communities dedicated to achieving net zero carbon emissions. The conference covered a wide range of topics, from biochar to microgrids, but its central theme underscored hope for a sustainable future, as hope encourages better choices and an obtainable net zero future. Jackie is most looking forward to working within her building department where she hopes to establish strategies for recycling building materials, promoting the environmentally friendly deconstruction of buildings with minimal waste, and assisting applicants in rebates for electrification initiatives.

Planning staff recently met with the Department of Local Affairs and Eagle County in a pre-application meeting to discuss the potential application to the Strong Communities grant program for the West Eagle Housing Project. If invited to apply, Eagle County would be the applicant and the Town would play a supporting, partner role in the grant application. The funds would assist with infrastructure-related costs for the development.

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Second Street Tavern	127 W Second St.	Approval pending the completion of the sidewalk improvements. TCO has been issued. Improvements are still pending. The encroachment agreement is awaiting finalization.
Foodsmith	318 Broadway	Working toward building final ***Noteworthy:** Retail food sales & cooking class.
Eby Creek Apts.	435 Eby Creek	Nearing Completion PW has identified outstanding items to confirm TOE Easements were changed & recorded with waterline realignment. Verify TOE has Recorded easements for all as-built waterlines.
Hockett Gulch Apts.	16186 Hwy 6	Trailhead restroom - Shaw resubmitted revising cost comparison. Forwarded Community Development department's request for color rendering of restroom for TOE Packet. Development Agreement revision with Kendra for drafting, revision will adjust deadlines for Grand Ave. entrance and irrigation system items. Back to Kendra for adjustment, Town needs to confirm time frames for task completion. Drywall in Building 2 and Clubhouse complete. Building 1 has started drywall stage at upper levels.
410 Broadway Project	410 Broadway	Nearing completion.

City Market Remodel	0103 Market St	Interior work completed. Parking lot improvements (re-configuration) still pending.
Haymeadow	91 Mountain Hope Circle	Foundations for 4 buildings complete. Framing has begun on first and second building. Inspections in progress. Continued work needed on Conditions of Approval / tracking of COA's
Habitat for Humanity	3rd Street	Grading work commenced and permits to be issued soon
Stone Concepts Warehouse	85 Marmot Ln	Awaiting responses to the referral comments. The applicant may pursue design variance for landscape, parking, and drive aisle widths. The hearing is tentatively Scheduled for 12/19.
Slope and Hatch	115 East Second St Unit 1	Permit issued. Sign Permit pending
High Country Hearth Showroom	115 East Second St Unit 4	Permit issued. Work in progress.
Desmond Builders Office	410 Broadway South Unit	Application submitted for tenant finish. Plan review completed. Permit issued. Work in progress.

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	1,683
Permits Processed	465	375

P&Z and Council Meeting Schedule

November 2023
November 7th (Planning Commission) - CANCELLED • No Hearing scheduled
November 14th (Town Council) - • DR23-04 263 Sawatch Rd continued from Oct. 10th
November 21st (Planning Commission) -CANCELLED • No hearings scheduled
November 28th (Town Council) •
December 2023
December 5th (Planning Commission) •
December 12th (Town Council) •
December 19th (Planning Commission) • *PUDA23-01 Haymeadow PUD Amendment – tentative* • *DR23-01 Stone Concepts Minor Development Permit - Tentative*
December 26th (Town Council) • No Meeting
January 2024
January 2nd (Planning Commission)

•
January 9th (Town Council) •
January 16th (Planning Commission) • •
January 23rd (Town Council)

EAGLE POLICE DEPARTMENT

October 2023

2023 October Calls for Service: 1,027
2023 January-October: 10,077

2022 October Calls for Service: 1,017
2022 January-October: 11,030

Agency Assist – 5	*Harassment – 4*
Assault -- 4	*Juvenile/Family Incident -- 7*
Burglary – 0	*Missing/Recovered * Juvenile – 2 Adult- 0*
Burglary False Alarm – 14	*Motor Vehicle Crash/Assist – 21*
Child Abuse Investigations -- 2	*Narcotics -- 0*
Citizen Assist – 29	*Noise – 7*
Civil –7	*Parking problem/violation – 36*
Code Violation -- 2	*Protection Order Violation -- 1*
Damage/Vandalism – 7	*Sex Assault -- 0*
Death -- 2	*Misconduct Investigations -- 0*
Disturbance – 15	*Sex Offender Check/Registration -- 3*
Dogs Leash, Welfare or Noise (EPD and not A.C.) - - 6	*SRO Related – 19*
	Suicidal/Welfare – 3
DUI/D -- 1	*Suspicious Person/Vehicle/Occurrence – 31*
DUR -- 3	*Theft – 5*
F or M Menace/Assault/Weapons- 0	*Trespassing -- 3*
Fire/Medical – 4	*Warrant Arrest – 3*
Fraud – 2	*Wildlife Animal -- 3*

Officer Megan Heil received the Medal of Valor at this year's 2023 Night of Excellence.

Happy Halloween! School Resource Officer Scriver and Officer Stahl attended the pumpkin patch held in Eagle Ranch on October 1st and spent the afternoon interacting with the community. On two different days, children and teachers from two local preschools dressed up in their Halloween costumes and visited Town Hall. Eagle PD participated by handing out stickers, coloring books, crayons and candy. Chief Bos, Lieutenant Buhlman, Sergeant Causey and School Resource Officer Scriver all attended Trick-or-Treat Street to hand out goodie bags and chat with attendees. Sergeant Causey, Officer Deering and Officer Shaffer handed out more goodie bags at a Trunk or Treat event hosted by a local church. Finally, Officers patrolled the Town neighborhoods on Halloween night.

Detective Bonta and Officer Stahl participated with Eagle County Sheriff's Office at the fall Drug Take Back Event held at City Market. Hosted in conjunction with the Drug Enforcement Administration (DEA), this event allows community members to dispose of unwanted or unneeded medications safely and anonymously in a secure environment.

Eagle PD participated in DOJ's National Faith and Blue weekend October 6-8. This is the single largest law enforcement/community engagement event in the country. The focus is to connect police with their local faith-based community to build stronger relationships. Officers spent time at Mountain Valley Lutheran Church, United Methodist of Eagle Valley and Redeemer Church Eagle Valley for their services followed by a meet-and-greet afterward. The event was well attended and very well received by the TOE residents. It was a fantastic time to get to know our faith-based communities!

Sergeant Rich, SRO Scriver, Officer Westering and Officer Stahl were joined by Administrative Technician Denise Cardoza, Assistant Town Manager Melissa Daruna and Town Council Member Nick Sunday from the Town for this year's annual Polar Plunge held at Nottingham Lake. Our agency's participation was led by Officer Westering and $3,466 was

raised for Special Olympics Colorado. The team also brought home two awards: most money raised by a team (2nd year in a row!) and most money raised by an individual.

Officers with Eagle Police continue to receive calls from concerned citizens about potential phone scams. Scammers will call community members pretending to be local law enforcement warning them about an outstanding warrant and demanding payment by phone. If you receive a similar call, please do not give out any of your personal information and do not give the caller any kind of payment over the phone. Hang up and call us at 970-479-2200 if you receive a similar call.

A vigilant driver called in a traffic complaint after another vehicle passed them on the wrong side of the road and speeding. Shortly after, the suspect vehicle crashed. The driver of this vehicle was found to be intoxicated and was charged with DUI and reckless driving.

The Town of Eagle is proposing new regulations regarding the use of e-bikes within town limits. The purpose of these proposed regulations is to create a culture of safety and courtesy for the community, by the community, through lifestyle, education and enforcement. The first step in soliciting feedback from the community was the creation and distribution of an online survey. The results were largely supportive of the proposed regulation with a few minor tweaks suggested. A few members of the community expressed that they are opposed to e-bike regulations. The next step will be to host a community open house on Saturday, November 11th from 5-6pm at Town Hall to gather more feedback from the community on the proposed regulations.

Eagle Police would like to welcome Ron Delp to our team! Ron will start on 11/15 as our new Code Enforcement Officer.

Eagle Police Department would like to welcome the community to attend a ceremony where we will swear in our two new Police Officers. The ceremony takes place on 11/14/2023 at 4pm in Town Hall, we hope you'll join us in welcoming our newest officers to the Town!

MUNICIPAL COURT	October Statement		
Court held October 4th & 18th			

Citations Issued	Current	YTD	2022
Animal Control	14	93	61
Juvenile	1	13	21
Misdemeanor/Ordinance	0	7	12
Parking	4	149	147
Traffic	12	103	215
Total	31	365	456

Fines and Fees Collected (includes collections for previous months)	Current	YTD	2022
Court Costs	$ 60.00	$ 865.00	$ 1,470.00
Criminal Police Equipment and Training Surcharge	$ 40.00	$ 430.00	$ 410.00
Traffic Surcharge	$ 140.00	$ 2,410.00	$ 3,380.00
Deferred Judgment Fee	$ -	$ -	$ 375.00
Fines	$ 1,740.00	$21,312.50	$32,062.50
Outstanding Judgement Fee	$ -	$ -	$ 30.00
Stay of Execution Fee	$ -	$ 145.00	$ 65.00
Bad Check Fee	$ -	$ 25.00	$ -
Warrant Fee	$ -	$ 100.00	$ 66.67
Failure to Appear	$ 105.00	$ 2,755.00	$ 2,893.33
Victim Restitution Fee	$ -	$ 732.31	$ -
Total	$ 2,085.00	$28,774.81	$40,752.50

Dispositions (Payments or Court Appearances)	Current	YTD	2022
Animal Control	13	94	40
Juvenile	1	12	20
Misdemeanor/Ordinance	0	5	6
Parking	5	153	172
Traffic	11	109	184
Total	30	373	422

Outstanding Fines and Fees At Collections & by Date		
Current	$ 530.00	
1-30 Days Past Due	$ 1,895.00	
31-60 Days Past Due	$ 405.00	
61-90 Days Past Due	$ 755.00	
91-180 Days Past Due	$13,339.00	**At Collections
Total	$16,924.00	

Public Works
October 2023

Buildings & Grounds (Kevin Fontana, Operations Manager)

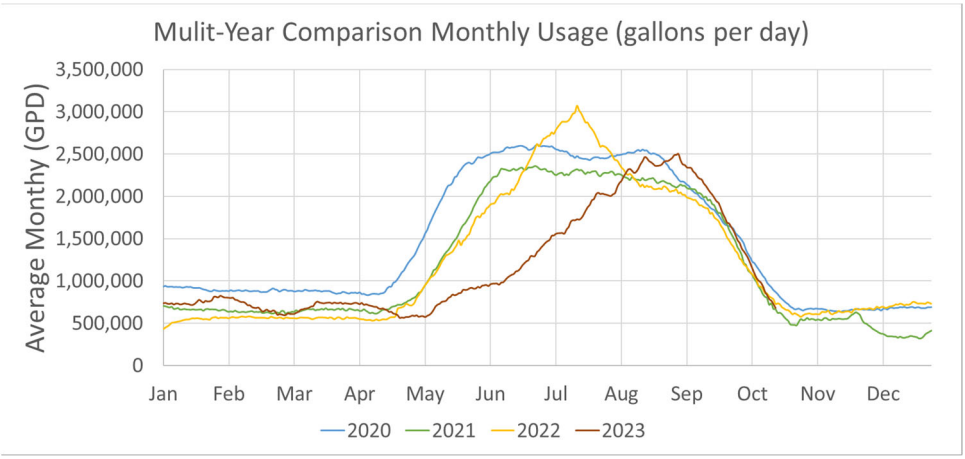
- Removal of trees at the TH Back parking area.
- Waiting for the new slide to come in for the BC Playground. Update: The slide is now expected to be shipped in early October.
- Waiting on quotes to update the bathroom at the Terrace playground.
- Placed order for new tables in the Council Chambers

Streets (Kevin Fontana, Operations Manager)

- Started fall leaf clean-up
- Started striping of parking stalls in the core area of town.
- Trenched along WB off-ramp for new wire to improve the lights on the pedestrian bridge
- 9 new replacement streetlights have been ordered for Market Street.

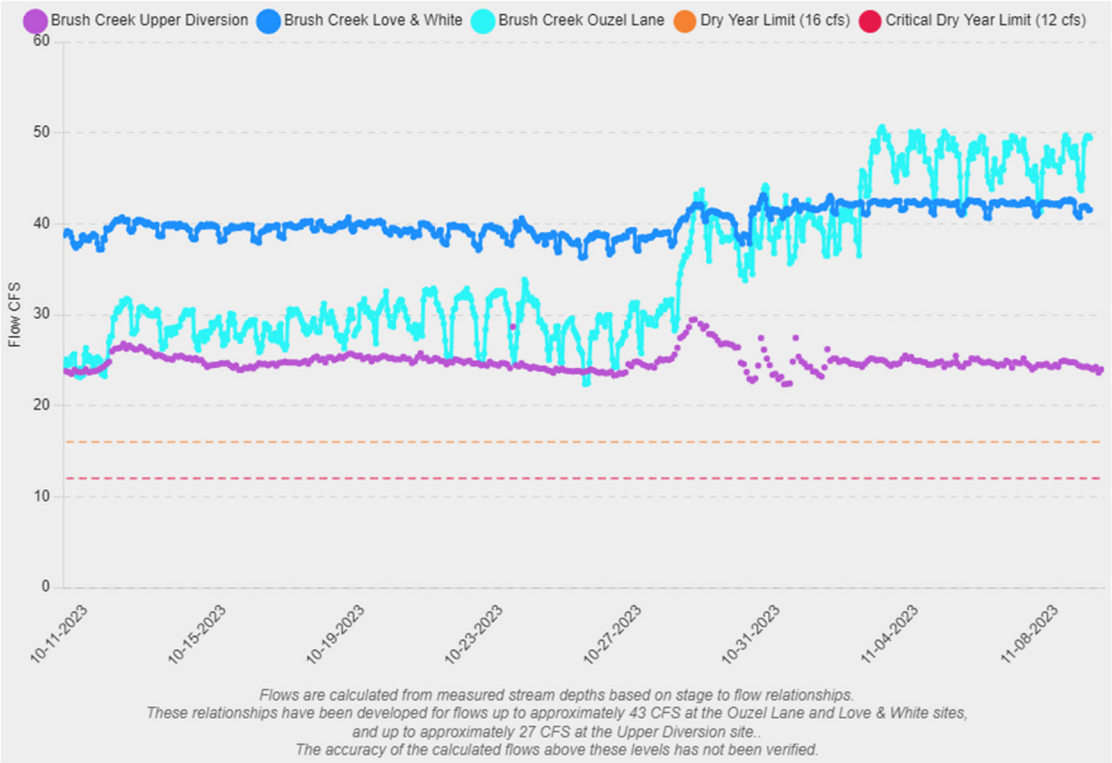
Water (Stephen Wilson, Utilities Manager)

- Weekly water production has reduced to around 0.6 million gallons per day (MGD) in October. This is down from the 2.5 MGD peak production in 2023 during the early fall.



- With the drop in potable water demands for the year staff are scheduling water storage tank cleaning and inspection for the week of November 13th.

- Brush Creek is currently flowing at approximately 25 CFS at the upper diversion point and 40 CFS in the lower reaches. The flows are remaining above flows identified in the Brush Creek Watershed Management Plan.



- 2 MG storage tank at the Upper Basin Water Treatment Plant and 1 MG Lower Eby Creek Tank: Two viable alternatives for the Lower Eby Creek tank site have been identified for further development.
- Cemetery tank replacement design is on-going and has been submitted for CDPHE for review and approval.
- We are beginning a hydraulic engineering analysis associated with the Haymeadow development that will evaluate linking Haymeadow to a water tank located in Eagle Ranch. Doing so will provide operational advantages for the Town and the new Haymeadow zone.

Wastewater (Stephen Wilson, Utilities Manager)

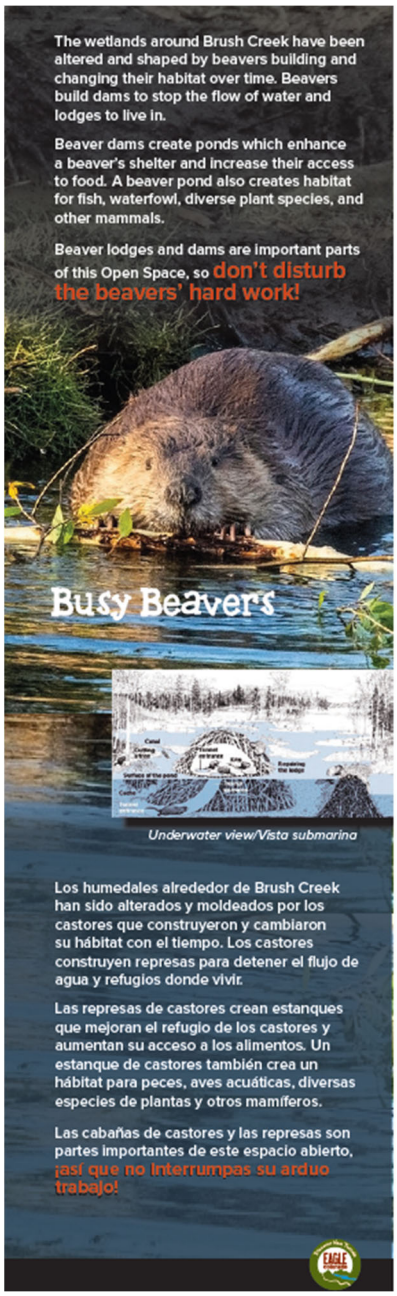
- Collection system cleaning: Staff are completing the final sections requiring cleaning in Eagle Ranch the week of November 13th.
- Collection system repair needs identified from the 2023 survey work are being scheduled.
- Fat Oil and Grease (FOG) program: The Town's vendor has sent letters to businesses in the program. Staff are starting to work with customers for inspections and education.
- We are still waiting for the State to release a final permit modification No. 1. This amendment is part of a very complex picture relating to the standards implemented by the State in our current discharge permit as well as future regulatory limits we will be required to comply with. We have been working with our consulting engineers to study how to best comply with the future regulations, and now are beginning preliminary design for the required improvements at the plant.

Open Space & Trails (Brian Lieberman, Open Space & Trails Manager)

- Open Space Management Plan Update – In October, ERO Resources (ERO), the consulting firm selected to develop Open Space Management Plans for the Town, worked with Town staff to host an open house. The open house provided the opportunity for Town residents to view the draft management plans and policy

recommendations and provide comments. Over 130 people attended the open house, and we received about 300 comments evaluating the draft plans. ERO will present the final drafts of the management plans and policy recommendations to OSRAC in November. Staff will bring the recommendations from OSRAC and ERO to the Council meeting in November and December to finish up the project. The final draft plans and policy recommendations can be viewed here: https://eagleco.portal.civicclerk.com/event/1989/files.

- Open Space and Trails Master Plan Projects Planning – The Bureau of Land Management (BLM) is still working on the Environmental Analysis (EA) submitted by the Hardscrabble Trails Coalition (HTC) and Vail Valley Mountain Trails Alliance (VVMTA). VVMTA and HTC anticipate hearing back from the BLM before the end of the year.
- Interpretive Open Space Signage – Staff and our graphic designer continued with phase 2 of this project in October. The project goal is to develop interpretive signage geared towards wildlife and recreation education. We have been working with Walking Mountains to develop content for the signs and a Spanish translator. Here are some preliminary rough drafts (note that the Spanish translations below is from Google translate. After the content is finalized, a professional and local translator will be on the project team):



- Eagle Bike Park – The Vail Valley Mountain Trails Alliance (VVMTA) and their contractor, Momentum Trail Concepts (MTC), made significant progress on the project in October. Most of the dirt jumps and ramps have been shaped on the jump zone. MTC and major construction is done for the year. It will resume next spring, weather permitting. Next year, VVMTA will focus on building the skills zone, signage, revegetation, and irrigation.
- Revegetation – The Youth Corps assisted town staff with a revegetation project near the Haymaker trail, the LOV Connection Bridge, and along the Abrams pipeline scar. Areas that were disturbed for bridge and trail maintenance were revegetated.

Engineering (Tom Gosiorowski, Public Works Director & Martha Miller, Project Manager)

- Eby Creek Rd at Chambers Art Wall landscaping is complete. The remaining work consists of lighting installation.
- Reserve at Hocket Gulch has been removed and replaced the failed pavement on Grand Avenue. All improvements on Grand Avenue will be completed by the end of September.
- Eby Creek Road Sidewalk – Construction of the sidewalk and pedestrian crossing has started.
- Sylvan Lake Road – A Design Scoping Metting (DSM) with CDOT was held on October 12th. Survey collection is complete.
- Grand Avenue Corridor – The project and Value Engineering recommendations were presented to the Town Council on October 3rd and the public on November 1st. The design will advance with the modified cross section. The team is compiling the comments from the Nov. 1st Open House and progressing towards a 30% design which is scheduled to be held in late February 2024. Town received the SS4A Action grant.
- Howard & 4th Street – An Open House was held on Oct 16th. The Open House was well attended, and staff received good input regarding service lines, drainage, driving speeds, and the bike corridor concept. There was strong opposition to the Shared Bike Lane concept. A 30% design for the water, sewer, roadway, and drainage has been received.
- Pavement Management Study – Staff working with IMS (Infrastructure Management Services) on getting a draft report.
- 2023 Resurfacing Project – Bus shelter concrete pads and project is complete. Staff are working on the final project paperwork.

TOWN CLERK
October 2023

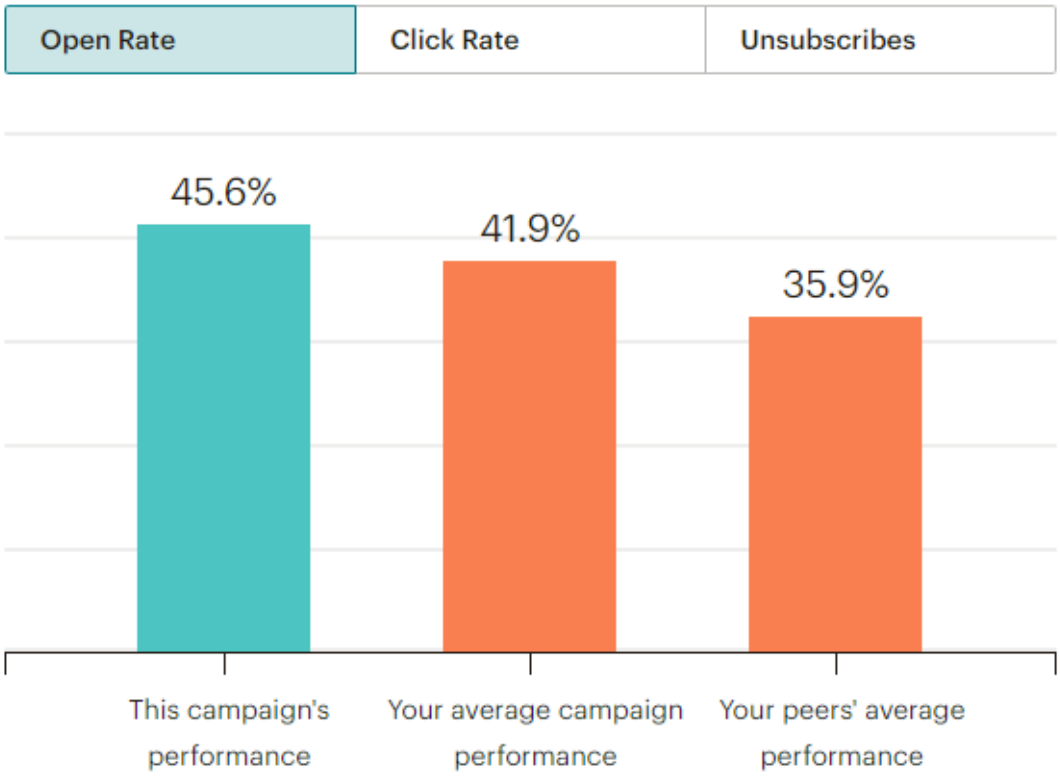
Communication Committee *(M. Furtado, M. Herota, S. Wilson, B. Lieberman, D. Cardoza, J. Rakow, M. Daruna, K. Koppel, R. Goebel)*

EAGLE TODAY: October 27, 2023 – 3,571 contacts and 2,900 subscribers

IN THIS EDITION:
- Trash, Recycling and Compost Bins
- Seasonal Wildlife Closures 12/1
- Grand Avenue Corridor Open House
- Eagle @ ICMA Annual Conference
- New Land Use Code is LIVE
- Mountain Towns 2023 in Vail
- Veteran's Day Town Offices Closed 11/10
- E-Bike Survey
- 2023 Election
- Medal of Valor Megan Heil
- Polar Plunge Fundraiser
- Happy Thanksgiving
- Christmas on Broadway 12/2
- Residential Broadband
- Open Town Staff Positions
- See Something Say Something
- Ask the Town

EAGLE SPIRIT EMPLOYEE NEWSLETTER: Sent September 27, 2023 & November 1, 2023

How your email campaign compares



Top links clicked

https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.vailho...	274
https://www.townofeagle.org/FormCenter/Eagle-Police-Department-Forms-5/E-Bi...	172
https://www.youtube.com/watch?v=_mH8Z3jn3UQ	89
http://www.townofeagle.org	63
https://www.townofeagle.org/177/Open-Space-and-Trail-Information	61

View All Links

October Website News Flash Topics/Posts *(See Hootsuite report for Social Media posts)*

- RFQ/RFP Pool Replacement Contractor
- 2023 Street Resurfacing
- Community Impact Award Nominations Open
- Economic Vitality Committee Vacancy
- 2024 Special Events & Community Sponsorship Application Open

- Town of Eagle Open Space Open House
- Howard Street & 4th Street Improvements Open House
- E-Bike Survey
- Homebuyer Class
- Upgraded Trash, Recycling, and Compost Services
- Grand Avenue Corridor Open House
- Seasonal Wildlife Closures December 1st
- Updated Land Use and Development Code
- Eagle Highlighted at ICMA Annual Conference

Ask the Town – https://www.townofeagle.org/975/Ask-us-a-question

1. Mailing Address Update Inquiry
2. New Trash Bin Inquiry
3. Yard Waste Inquiry
4. New Compost Pickup Inquiry
5. Puppy Mill Ordinance Inquiry
6. Off-Leash Dog Areas Inquiry
7. Lock off Unit Inquiry
8. Street Repair Inquiry Eagle Ranch

Records Requests

2018	2019	2020	2021	2022	2023
16	**13**	**16**	**30**	**41**	**29**

**Various Town Departments respond to Records Requests*

Business Licenses

- 2023 Business License – 370 Issued
- Liquor License 2023 Revenue: $9,155.00 – Budget $8,555.00
    - Pazzo's Renewal
    - Brush Creek Elementary Special Event Permit
    - Eagle Diner Renewal
    - Casa Mexico Renewal
    - Mauka Poke Bar Renewal
    - City Market Modification of Premises
    - Grand Avenue Grill Renewal
    - FoodSmith New Tavern License (318 Broadway)
    - Twisted Root Bistro New Hotel & Restaurant License (Old Stout House location)
    - Inquiry for transfer of license at Boneyard location
    - Inquiry for liquor store application

- Marijuana – no activity; all renewals complete for 2023
- Tobacco – no activity; all renewals complete for 2023

Training/Meetings

- *Vacation October 1-13*
- Internal IT meeting October 17
- Colorado Municipal Clerk's Association Annual Conference in Snowmass October 18-20
- Town Council Meeting October 24
- Halloween visitors from Mountain Tots and St. Mary's Preschool at Town Hall October 30 & 31.

November 2023 Election

- All candidates have submitted their first & second round of FCPA filings
- Eagle County posted the unofficial results on November 8th
- Candidates will be sworn in at the December 12th regular council meeting

Bryan K Woods	1217
Jamie Woodworth Foral	1254
Nick Sunday	1277
Thomas C. Olden, Jr.	705
Robert D'Agostino	686

Hootsuite

Post performance - Facebook Pages

Data from 01 Oct, 2023 to 31 Oct, 2023

Sources

Eagle Outside

Town of Eagle, CO

DATE	POST	AUTHOR	COMMENTS	ENGAGED U	ENGAGEME	REACH	REACTIONS	SHARES	VIDEO VIEW
Town of Eagle, CO Oct 30, 22:01	Grand Avenue Corridor OPEN HOUSE. Join the Project Team on Wednesday, November 1st, 5:30 pm, at Town Hall. The project is along Grand Ave, between Eby Creek Rd and Sylvan Lake Rd.	Town of Eagle	0	4	1.03%	389	1	0	0
Eagle Outside Oct 30, 22:00	Grand Avenue Corridor OPEN HOUSE. Join the Project Team on Wednesday, November 1st, 5:30 pm, at Town Hall. The project is along Grand Ave, between Eby Creek Rd and Sylvan Lake Rd.	Town of Eagle	0	1	0.44%	228	0	0	0
Town of Eagle, CO Oct 27, 22:30	Town of Eagle is honored to be showcased at #ICMA2023! We are grateful to serve a community dedicated to sustainability, increasing housing options, maintaining access to the outdoors and supporting the small-town culture tha…	Town of Eagle	0	9	4.95%	182	1	0	0
Town of Eagle, CO Oct 27, 19:43	Curbside compost bins have started arriving! To ensure your compost gets emptied on pickup day, check Vail Honeywagon's pickup schedule. Simply enter your address and a calendar showing your garbage, recycling, and…	Town of Eagle	17	175	15.87%	1,103	5	1	0
Town of Eagle, CO Oct 25, 22:00	Grand Avenue Corridor OPEN HOUSE. Join the Project Team on Wednesday, November 1st, 5:30 pm, at Town Hall. The project is along Grand Ave, between Eby Creek Rd and Sylvan Lake Rd.	Town of Eagle	0	53	4.01%	1,322	3	1	0
Eagle Outside Oct 25, 22:00	Grand Avenue Corridor OPEN HOUSE. Join the Project Team on Wednesday, November 1st, 5:30 pm, at Town Hall. The project is along Grand Ave, between Eby Creek Rd and Sylvan Lake Rd.	Town of Eagle	0	2	0.93%	215	0	0	0
Town of Eagle, CO Oct 25, 13:01	Bootiful evening for trick-or-treat street! Eagle Ranch Village comes alive tonight, Wednesday, October 25th, 5 PM - 7 PM 🎃	Town of Eagle	0	63	2.73%	2,310	9	3	0
Eagle Outside Oct 25, 13:00	Bootiful evening for trick-or-treat street! Eagle Ranch Village comes alive tonight, Wednesday, October 25th, 5 PM - 7 PM 🎃	Town of Eagle	0	3	1.02%	293	1	0	0
Town of Eagle, CO Oct 23, 22:00	Curbside compost service is different than backyard composting. Vail Honeywagon has a certified Class 3 commercial composting facility that processes food waste into a nutrient-rich soil amendment. The process your…	Town of Eagle	7	143	10.92%	1,309	19	0	0
Eagle Outside Oct 23, 22:00	Curbside compost service is different than backyard composting. Vail Honeywagon has a certified Class 3 commercial composting facility that processes food waste into a nutrient-rich soil amendment. The process your…	Town of Eagle	0	4	1.54%	259	0	1	0
Town of Eagle, CO Oct 23, 21:43	(Post with no description)		0	29	14.87%	195	5	0	0
Town of Eagle, CO Oct 22, 23:00	Eagle Ranch Trick or Treat Street | Wednesday, October 25th | 5 PM - 7 PM. This is a fun, free trick-or-treating event for the whole family 👻	Town of Eagle	2	39	4.57%	854	7	2	0
Eagle Outside Oct 22, 23:00	Eagle Ranch Trick or Treat Street | Wednesday, October 25th | 5 PM - 7 PM. This is a fun, free trick-or-treating event for the whole family 👻	Town of Eagle	0	1	0.44%	227	0	0	0
Town of Eagle, CO Oct 20, 22:00	COMPOSTING - What about yard waste? Your curbside compost bin is designed for food scraps, small houseplants and cut flowers can also be tossed in! Why separate yard waste? Commercial composting relies on the right mix of nitrog…	Town of Eagle	9	78	7.96%	980	8	1	0
Eagle Outside Oct 20, 22:00	COMPOSTING - What about yard waste? Your curbside compost bin is designed for food scraps, small houseplants and cut flowers can also be tossed in! Why separate yard waste? Commercial composting relies on the right mix of nitrog…	Town of Eagle	0	2	1.09%	184	1	0	0
Town of Eagle, CO Oct 20, 18:03	Are you passionate about our community? Town of Eagle Planning & Zoning Commission has a vacancy. Application deadline is October 26. Email clanzing@townofeagle.org	Town of Eagle	4	75	6.24%	1,202	10	1	0
Eagle Outside Oct 20, 18:00	Are you passionate about our community? Town of Eagle Planning & Zoning Commission has a vacancy. Application deadline is October 26. Email clanzing@townofeagle.org	Town of Eagle	0	1	0.3%	337	0	0	0
Town of Eagle, CO Oct 18, 18:00	Please join the Town of Eagle TODAY for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at th…	Town of Eagle	2	52	4.51%	1,154	0	1	0
Eagle Outside Oct 18, 18:00	Please join the Town of Eagle TODAY for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at th…	Town of Eagle	0	0	0%	262	0	0	0
Town of Eagle, CO Oct 18, 13:01	15th Annual Eagle Ranch Trick or Treat Street is Wednesday, October 25th, 5pm - 7pm. Ghostly good time for the whole family.	Town of Eagle	0	11	1.95%	564	7	1	0
Eagle Outside Oct 18, 13:00	15th Annual Eagle Ranch Trick or Treat Street is Wednesday, October 25th, 5pm - 7pm. Ghostly good time for the whole family.	Town of Eagle	0	15	2.46%	611	2	1	0
Town of Eagle, CO Oct 16, 22:00	Please join the Town of Eagle for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at the Brush Cre…	Town of Eagle	0	22	1.34%	1,648	1	15	0
Eagle Outside Oct 16, 22:00	Please join the Town of Eagle for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at the Brush Cre…	Town of Eagle	0	3	0.85%	355	2	0	0
Town of Eagle, CO Oct 16, 13:02	Get ready to compost! As your 32-gal compost bins arrive, let's be clear on what goes in them! COMPOST: • Food scraps: meat, bones, cooking oils, coffee grounds • Paper products: paper towels, napkins, paper coffee filters • Greasy…	Town of Eagle	14	227	12%	1,892	26	5	0
Eagle Outside Oct 16, 13:00	Get ready to compost! As your 32-gal compost bins arrive, let's be clear on what goes in them! COMPOST: • Food scraps: meat, bones, cooking oils, coffee grounds • Paper products: paper towels, napkins, paper coffee filters • Greasy…	Town of Eagle	8	57	8.35%	683	11	1	0
Town of Eagle, CO Oct 13, 13:02	Trick or Treat Street | Wednesday, October 25th | 5pm - 7pm | Eagle Ranch	Town of Eagle	0	14	2.41%	580	9	0	0
Eagle Outside Oct 13, 13:00	Trick or Treat Street | Wednesday, October 25th | 5pm - 7pm | Eagle Ranch	Town of Eagle	1	16	2.8%	571	3	1	0
Town of Eagle, CO Oct 10, 21:57	(Post with no description)		2	40	10.93%	366	8	0	0
Town of Eagle, CO Oct 09, 13:02	In observance of Indigenous Peoples' Day, Town Hall will be closed on Monday, October 9th. Emergency services are available by calling 911 or dispatch at (970) 479-2200.	Town of Eagle	1	29	7.61%	381	9	0	0
Eagle Outside Oct 09, 13:00	In observance of Indigenous Peoples' Day, Town Hall will be closed on Monday, October 9th. Emergency services are available by calling 911 or dispatch at (970) 479-2200.	Town of Eagle	0	1	0.68%	148	1	0	0
Town of Eagle, CO Oct 05, 02:00	CO High School Mountain Bike Races are back this weekend, October 6th-8th. Welcome Riders!	Town of Eagle	0	9	1.29%	699	9	0	0
Eagle Outside Oct 05, 02:00	CO High School Mountain Bike Races are back this weekend, October 6th-8th. Welcome Riders!	Town of Eagle	0	12	2.4%	500	8	0	0
Town of Eagle, CO Oct 04, 17:48	(Post with no description)		0	4	2.37%	169	0	0	0
Town of Eagle, CO Oct 03, 14:02	Please join the Town of Eagle for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at the Brush Cre…	Town of Eagle	1	277	4.4%	6,290	2	24	0
Eagle Outside Oct 03, 14:00	Please join the Town of Eagle for an Open House to learn about our new Open Space Management Plans and to provide your feedback on the draft plans. The Open House will be from 4:30-6:30 p.m. on October 18, 2023, at the Brush Cre…	Town of Eagle	0	18	2.74%	657	4	1	0
Town of Eagle, CO Oct 02, 23:00	Support the Eagle Bike Park! The bike park will connect our community to the trails we love. For more information, please visit vumtb.org/eagle-bike-park	Town of Eagle	1	59	6.7%	881	7	0	0
Eagle Outside Oct 01, 23:00	Support the Eagle Bike Park! The bike park will connect our community to the trails we love. For more information, please visit vumtb.org/eagle-bike-park	Town of Eagle	0	6	3.05%	197	0	0	0
Town of Eagle, CO Oct 02, 17:04	Interested in learning more about wildfire evacuations in Eagle County? The Eagle County Wildfire Collaborative is hosting a Facebook Live Q&A this week.		0	5	3.01%	166	3	0	0

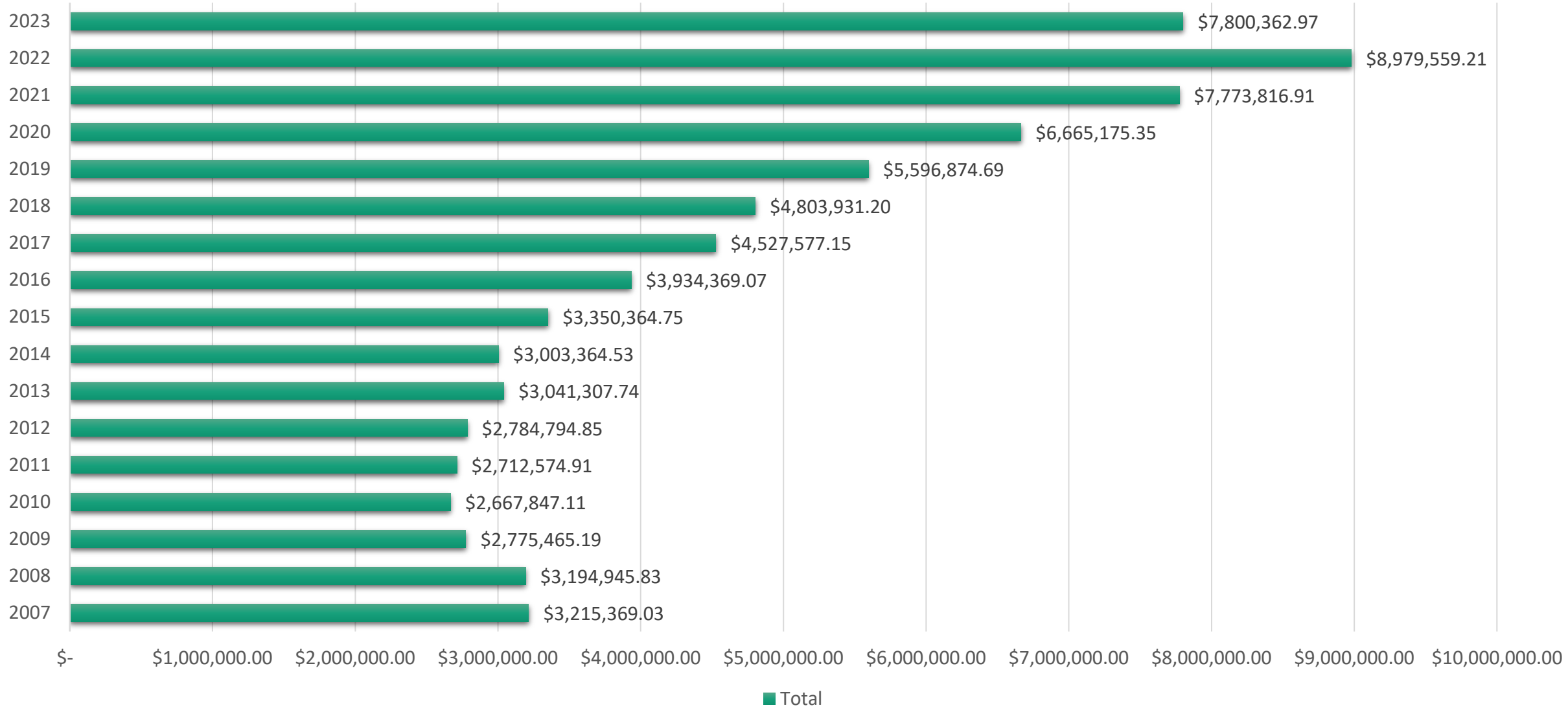
Sales Tax – 2023 Sales Tax - ***3rd Quarter Report is separate. Some businesses were reclassified in the report to more accurately reflect their business type, many "Miscellaneous" entries were reclassified to "Retail"***

2023					
Month	**Filing Period**	**Revenue Period**	**O/U**	**Online Sales**	**Online Retailers**
Jan	$ 723,542.56	$ 793,838.43	20%	$ 97,085.03	2016
Feb	$ 683,634.09	$ 675,138.60	3%	$ 91,521.57	1792
Mar	$ 772,906.68	$ 698,140.28	-5%	$ 97,830.73	1892
1 Q	**$ 2,180,083.33**	**$ 2,167,117.31**	5%	**$ 286,437.33**	
Apr	$ 689,762.02	$ 802,334.06	21%	$ 125,304.23	1921
May	$ 747,986.45	$ 700,216.68	0%	$ 98,906.78	1929
Jun	$ 806,989.53	$ 752,888.75	-4%	$ 102,648.68	2000
2 Q	**$ 2,244,738.00**	**$ 2,255,439.49**	5%	**$ 326,859.69**	
Jul	$ 820,517.91	$ 813,185.50	7%	$ 100,650.58	2063
Aug	$ 824,787.56	$ 839,114.42	3%	$ 105,800.61	2047
Sep	$ 761,048.68	$ 961,539.85	4%	$ 93,335.96	1920
3 Q	**$ 2,406,354.15**	**$ 2,613,839.77**	5%	**$ 299,787.15**	
Oct		$ 763,966.40	-1%	$ 95,830.83	2046

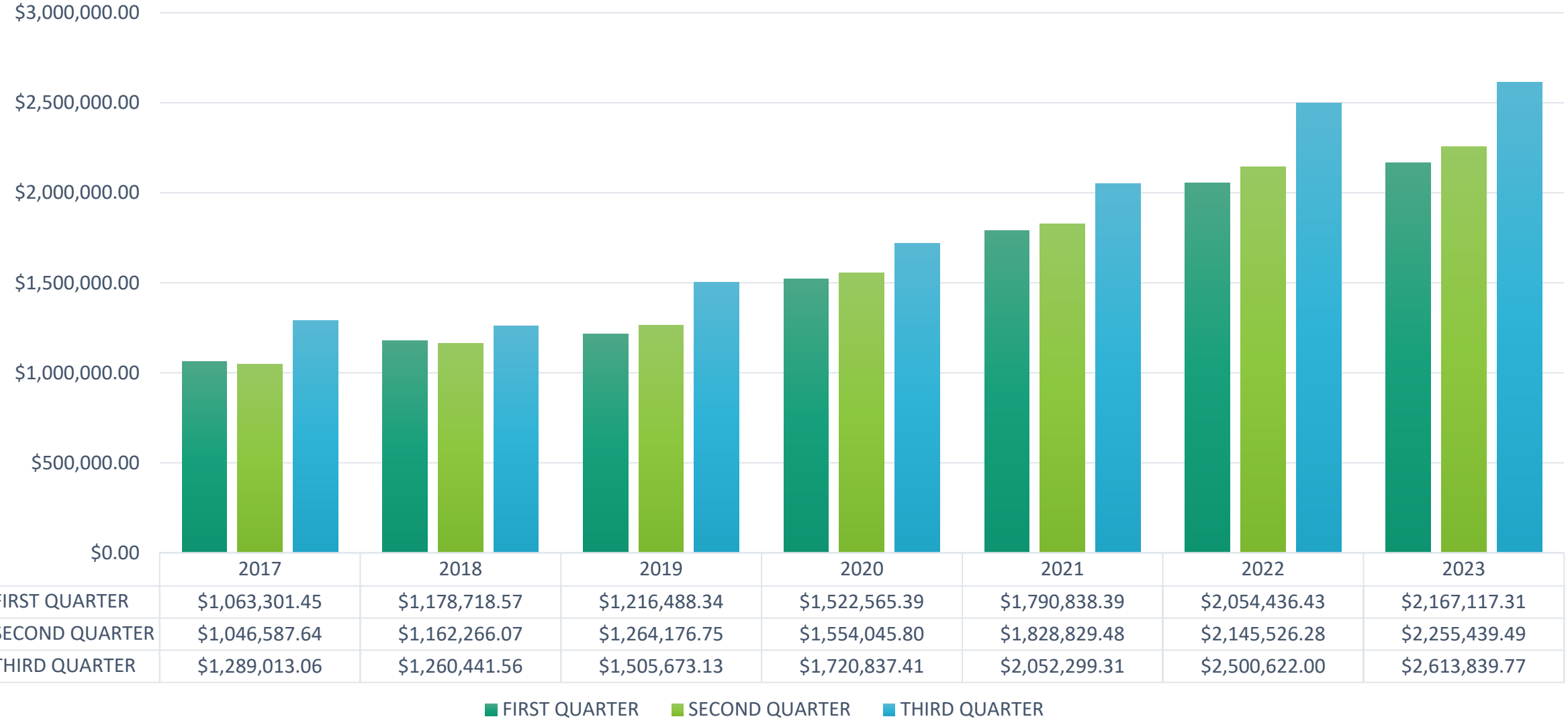
2022					
Month	**Filing Period**	**Revenue Period**	**O/U**	**Online Sales**	**Online Retailers**
Jan	$ 662,766.62	$ 756,522.10	10%	$108,423.99	1700
Feb	$ 655,302.39	$ 645,546.63	12%	$76,896.61	1570
Mar	$ 741,564.00	$ 662,102.20	26%	$78,856.55	1508
1 Q	**$ 2,059,633.01**	**$ 2,064,170.93**	15%	**$264,177.15**	
Apr	$ 666,876.43	$ 690,087.86	11%	$96,780.33	1670
May	$ 701,803.15	$ 697,691.25	21%	$80,285.44	1696
Jun	$ 778,108.01	$ 693,689.31	10%	$89,006.46	1678
2 Q	**$ 2,146,787.59**	**$ 2,081,468.42**	14%	**$266,072.23**	
Jul	$ 774,097.85	$ 762,434.69	11%	$106,817.35	1707
Aug	$ 760,943.33	$ 811,313.66	15%	$99,649.28	1796
Sep	$ 778,276.43	$ 926,873.65	40%	$99,874.53	1827
3 Q	**$ 2,313,317.61**	**$ 2,500,622.00**	22%	**$306,341.16**	

ANNUAL TOTAL SALES TAX
2007-2023
REVENUE PERIOD TOTALS

**2016 - PRESENT INCLUDE .5% SALES TAX INCREASE*

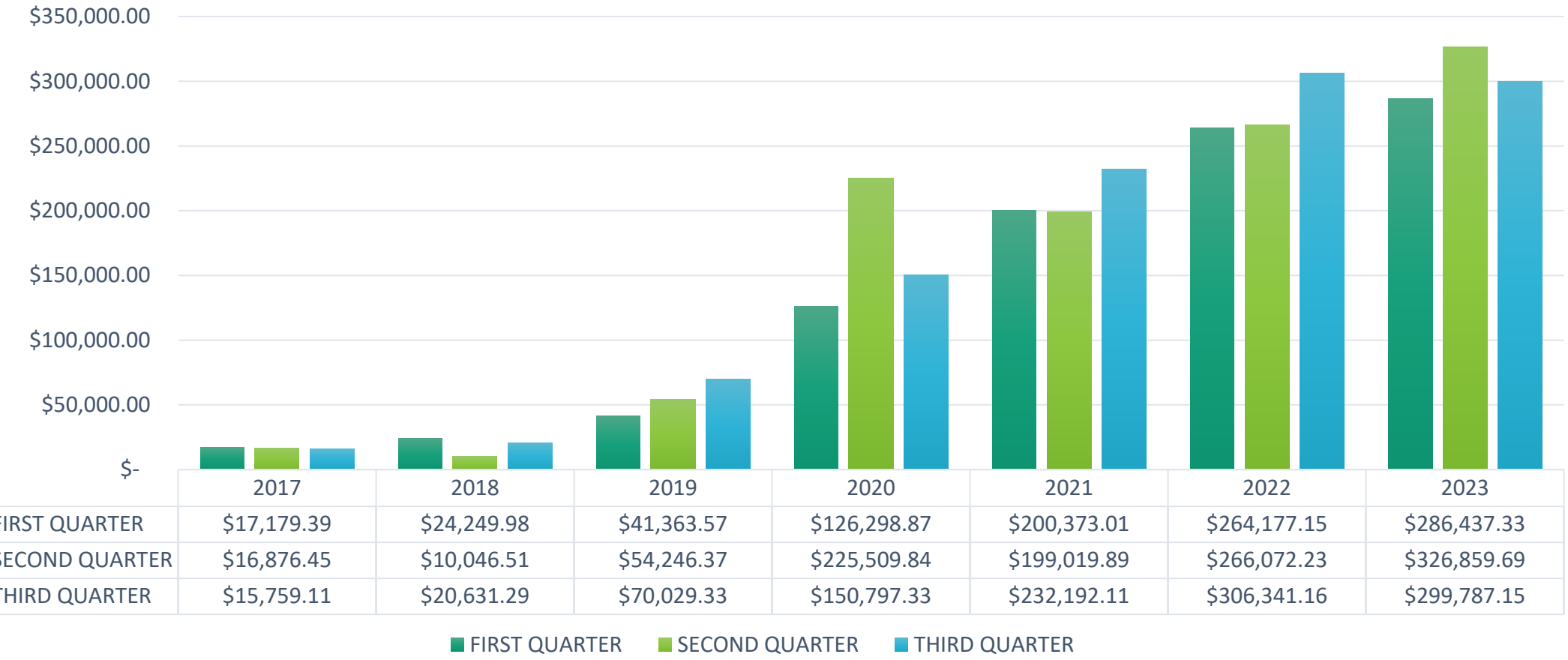


TOTAL SALES TAX BY QUARTER
2017-2023
REVENUE PERIOD TOTALS



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$1,063,301.45	$1,178,718.57	$1,216,488.34	$1,522,565.39	$1,790,838.39	$2,054,436.43	$2,167,117.31
SECOND QUARTER	$1,046,587.64	$1,162,266.07	$1,264,176.75	$1,554,045.80	$1,828,829.48	$2,145,526.28	$2,255,439.49
THIRD QUARTER	$1,289,013.06	$1,260,441.56	$1,505,673.13	$1,720,837.41	$2,052,299.31	$2,500,622.00	$2,613,839.77

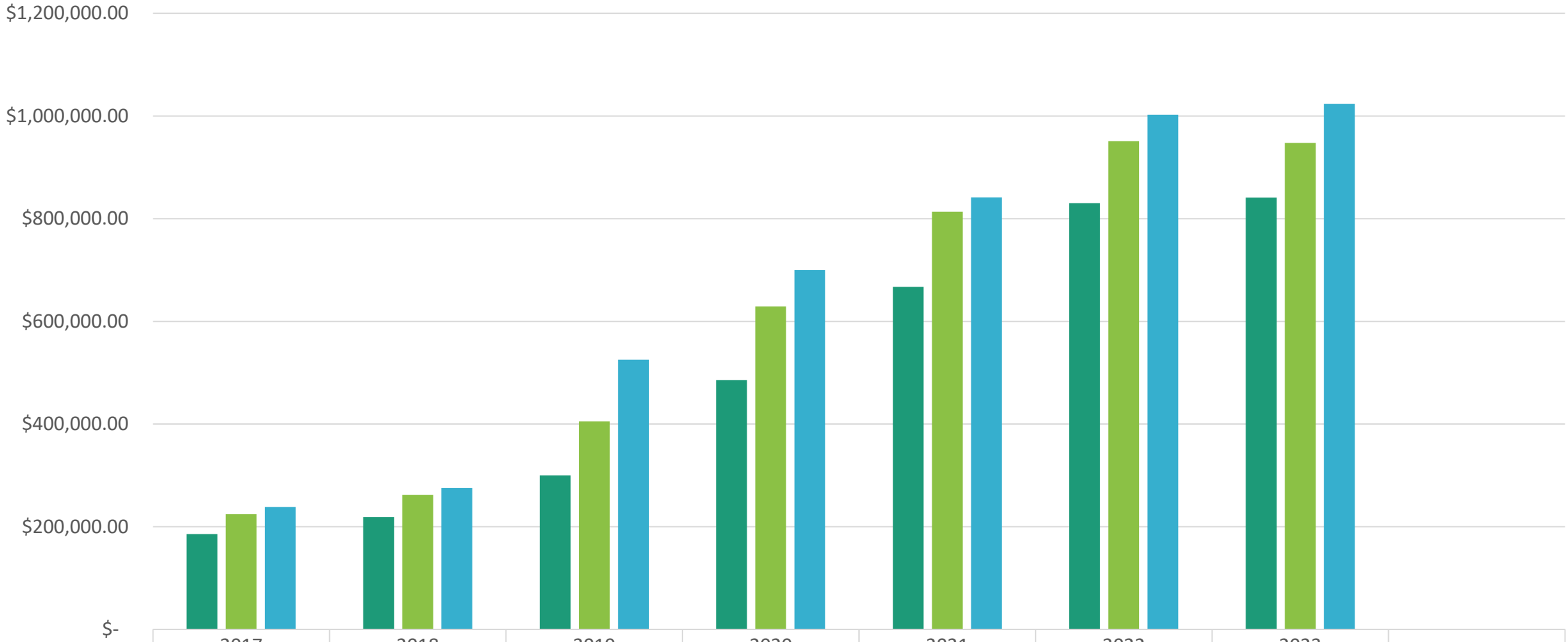
ONLINE SALES TAX BY QUARTER
2017-2023
REVENUE PERIOD TOTALS



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$17,179.39	$24,249.98	$41,363.57	$126,298.87	$200,373.01	$264,177.15	$286,437.33
SECOND QUARTER	$16,876.45	$10,046.51	$54,246.37	$225,509.84	$199,019.89	$266,072.23	$326,859.69
THIRD QUARTER	$15,759.11	$20,631.29	$70,029.33	$150,797.33	$232,192.11	$306,341.16	$299,787.15

Online sales are included in the retail and out of area sectors.

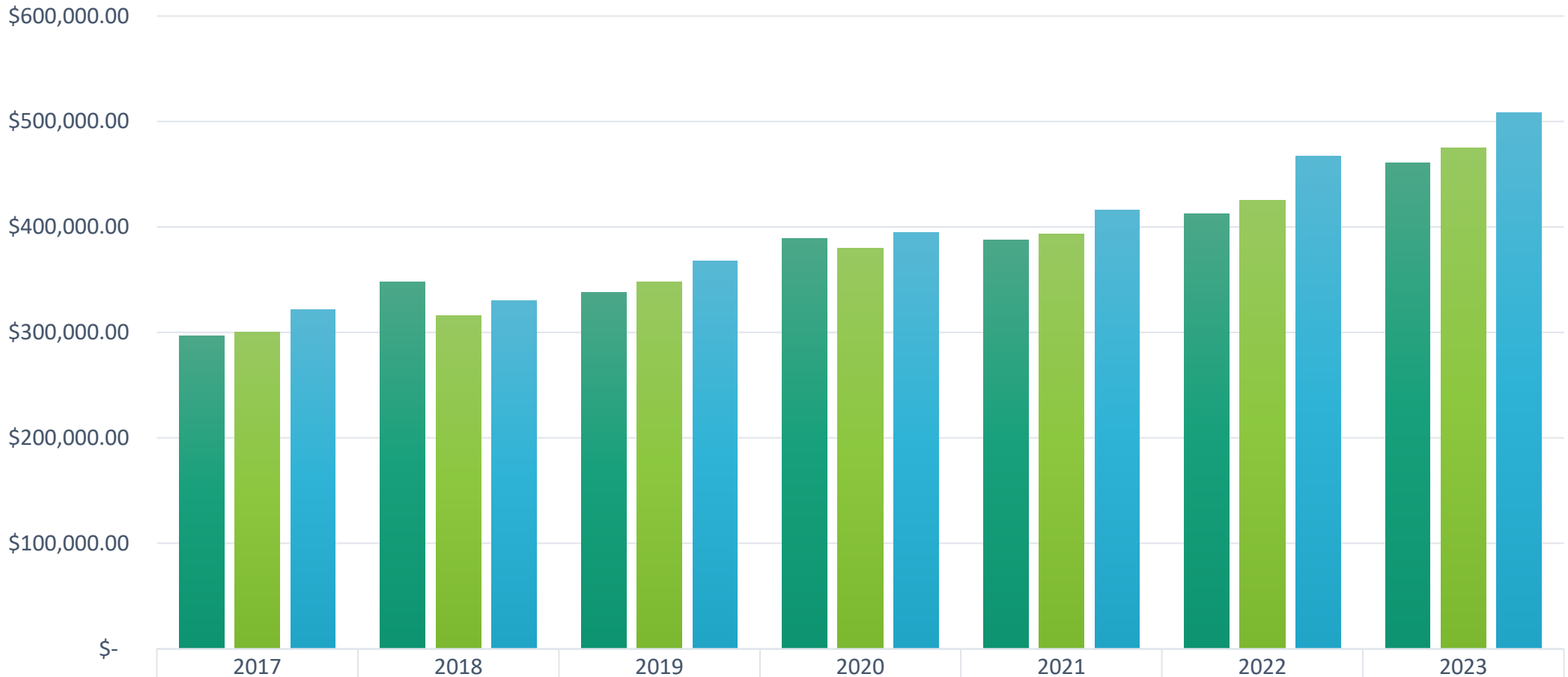
RETAIL QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$185,713.65	$218,784.29	$300,363.70	$485,838.07	$667,133.98	$830,214.43	$841,073.79
SECOND QUARTER	$225,023.08	$262,235.83	$405,199.18	$629,208.25	$813,291.24	$950,732.41	$947,743.79
THIRD QUARTER	$238,598.27	$275,313.83	$525,347.23	$699,684.49	$841,444.71	$1,002,525.13	$1,023,618.51

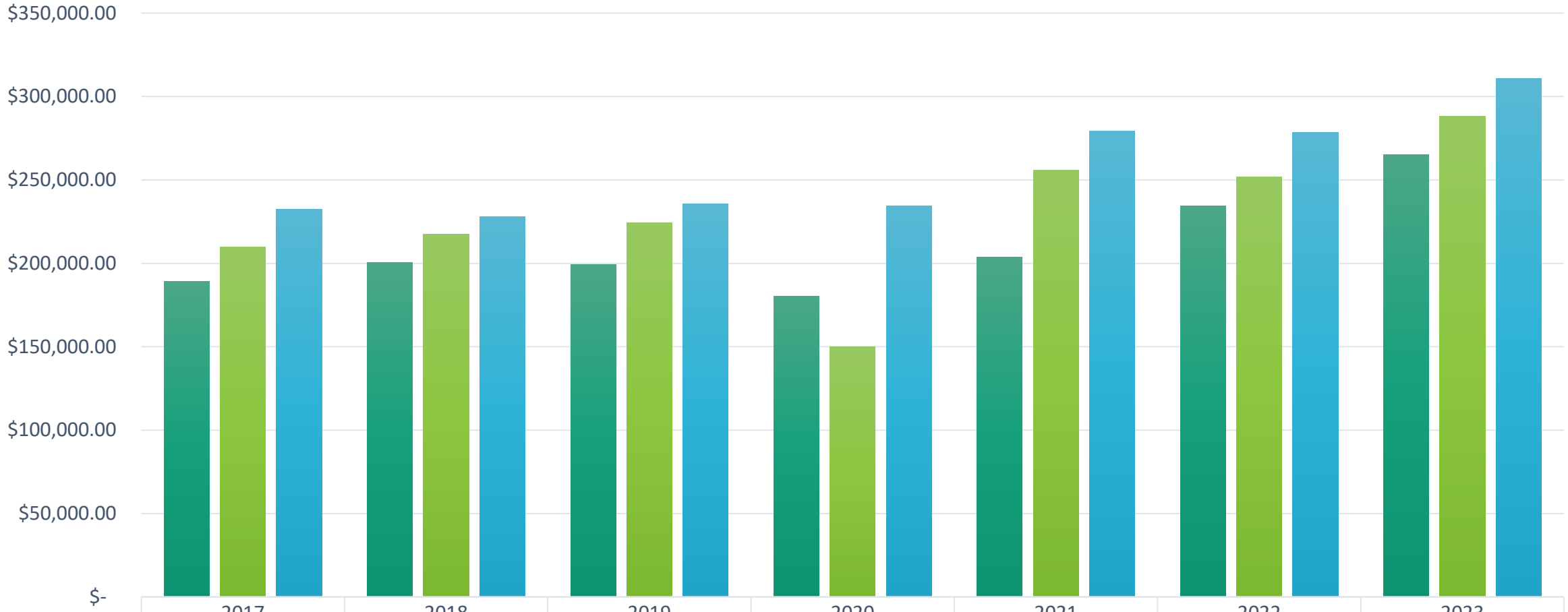
FIRST QUARTER SECOND QUARTER THIRD QUARTER

FOOD QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$296,863.99	$347,750.90	$338,156.09	$389,096.75	$387,598.83	$412,768.95	$460,774.49
SECOND QUARTER	$300,117.71	$316,228.73	$347,465.39	$379,808.92	$392,969.75	$424,951.53	$474,814.00
THIRD QUARTER	$321,576.88	$330,362.75	$367,876.45	$394,504.20	$416,288.89	$467,453.50	$508,604.05

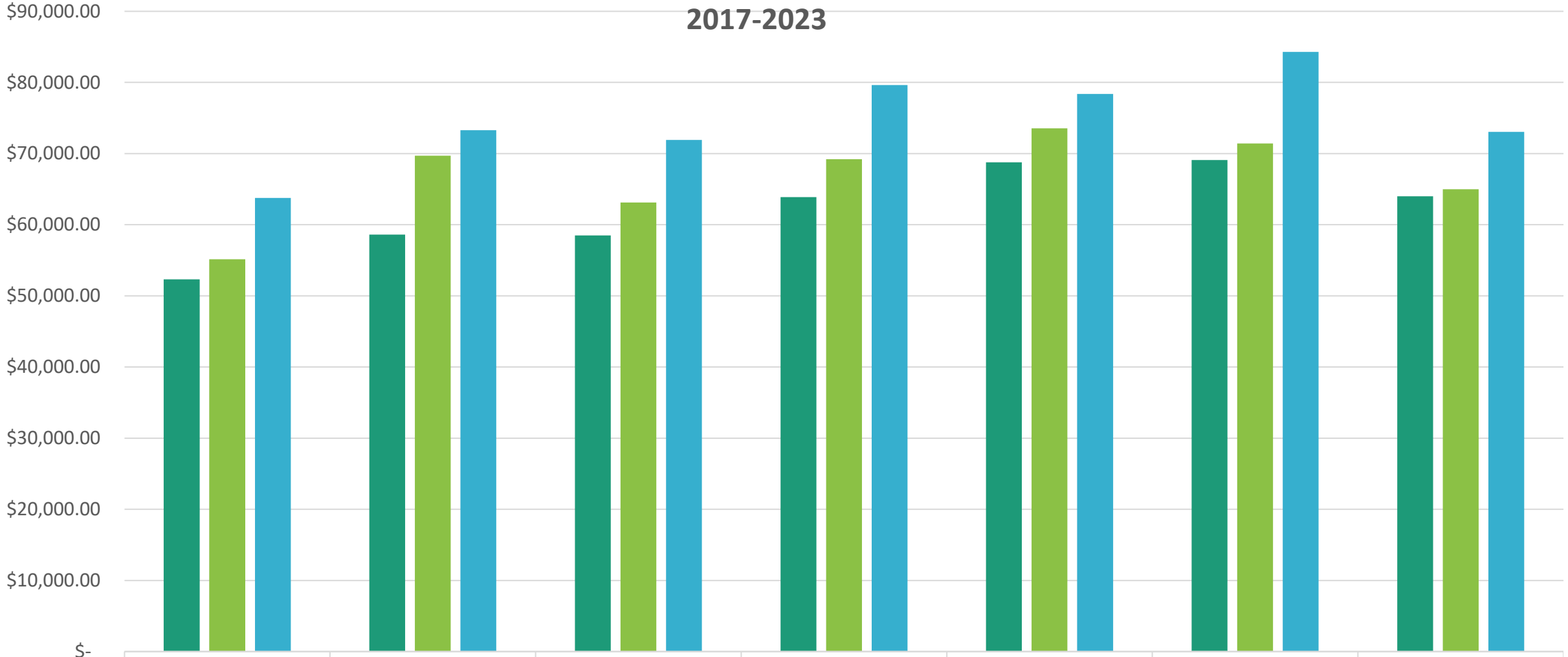
RESTAURANTS & BARS QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$189,057.51	$200,312.86	$199,299.24	$180,124.31	$203,591.89	$234,516.66	$264,927.92
SECOND QUARTER	$209,723.76	$217,359.13	$224,332.03	$149,891.54	$256,096.35	$251,819.96	$288,175.35
THIRD QUARTER	$232,501.00	$228,012.90	$235,608.11	$234,502.87	$279,406.87	$278,268.39	$310,858.88

FIRST QUARTER SECOND QUARTER THIRD QUARTER

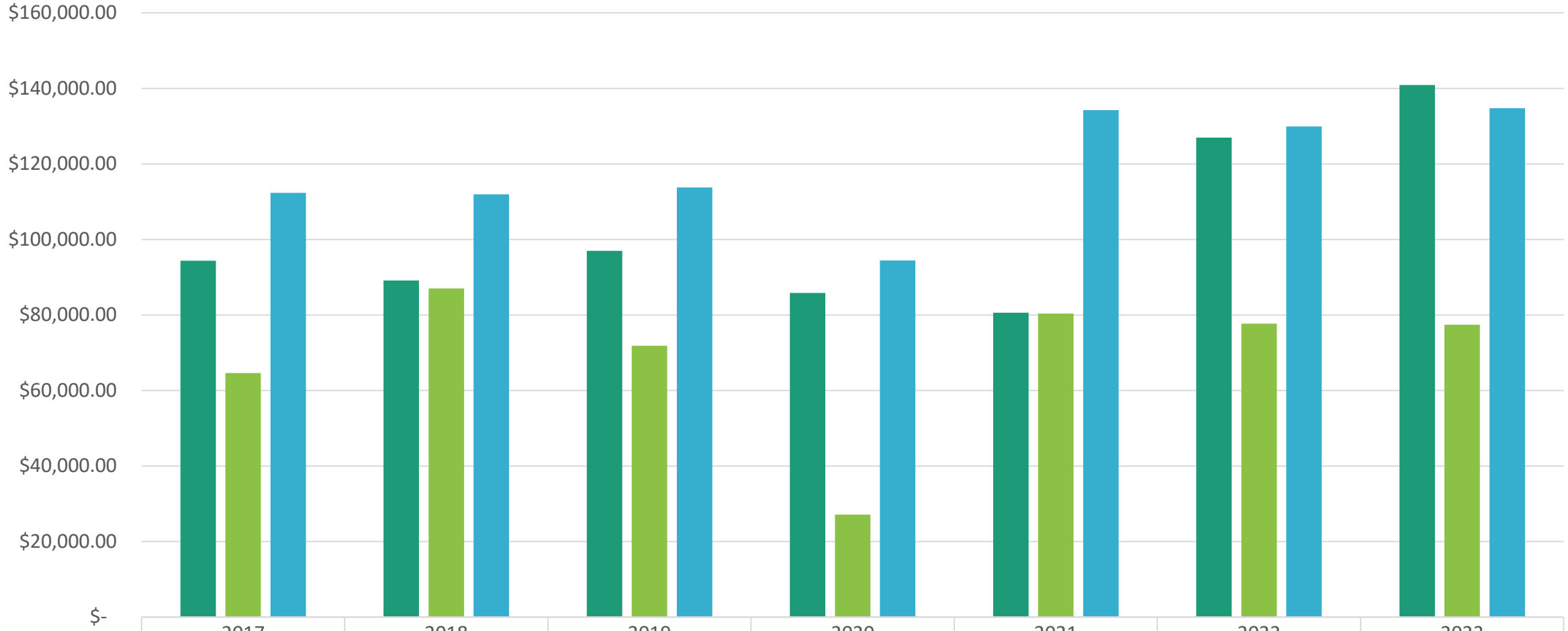
LIQUOR STORES QUARTERLY COLLECTIONS 2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$52,326.39	$58,597.16	$58,490.79	$63,888.87	$68,771.66	$69,083.80	$64,002.95
SECOND QUARTER	$55,143.00	$69,704.46	$63,122.55	$69,205.68	$73,536.01	$71,421.09	$64,977.59
THIRD QUARTER	$63,749.00	$73,287.39	$71,922.36	$79,623.67	$78,390.43	$84,296.53	$73,038.88

FIRST QUARTER SECOND QUARTER THIRD QUARTER

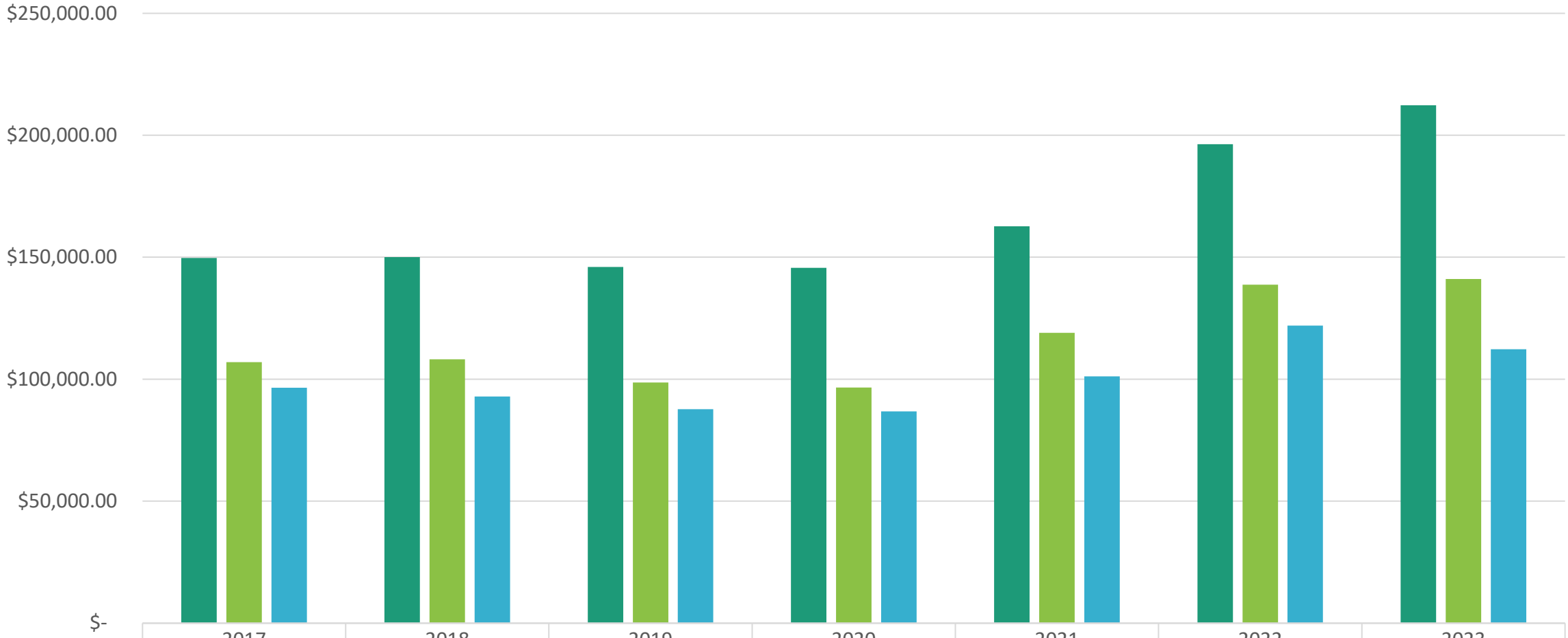
LODGING QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$94,372.02	$89,160.37	$96,980.25	$85,820.92	$80,628.61	$126,999.02	$140,924.86
SECOND QUARTER	$64,637.77	$87,050.94	$71,838.03	$27,146.28	$80,373.00	$77,711.63	$77,399.70
THIRD QUARTER	$112,350.05	$111,925.74	$113,750.78	$94,412.37	$134,246.08	$129,902.11	$134,755.68

FIRST QUARTER SECOND QUARTER THIRD QUARTER

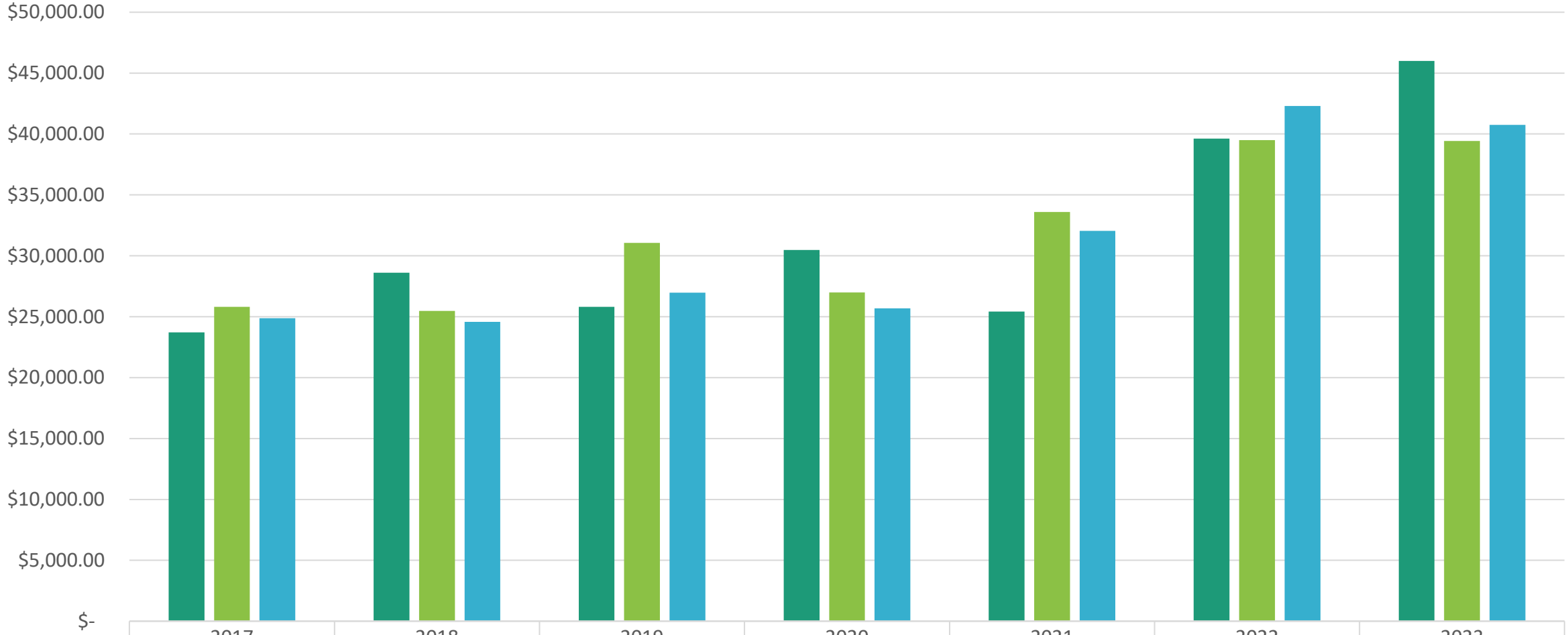
UTILITIES QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$149,694.73	$150,008.69	$146,036.11	$145,602.50	$162,687.19	$196,324.08	$212,304.86
SECOND QUARTER	$107,004.33	$108,121.50	$98,659.75	$96,551.30	$119,037.58	$138,750.76	$141,098.59
THIRD QUARTER	$96,443.03	$92,931.10	$87,732.83	$86,790.17	$101,187.23	$121,995.15	$112,252.13

FIRST QUARTER SECOND QUARTER THIRD QUARTER

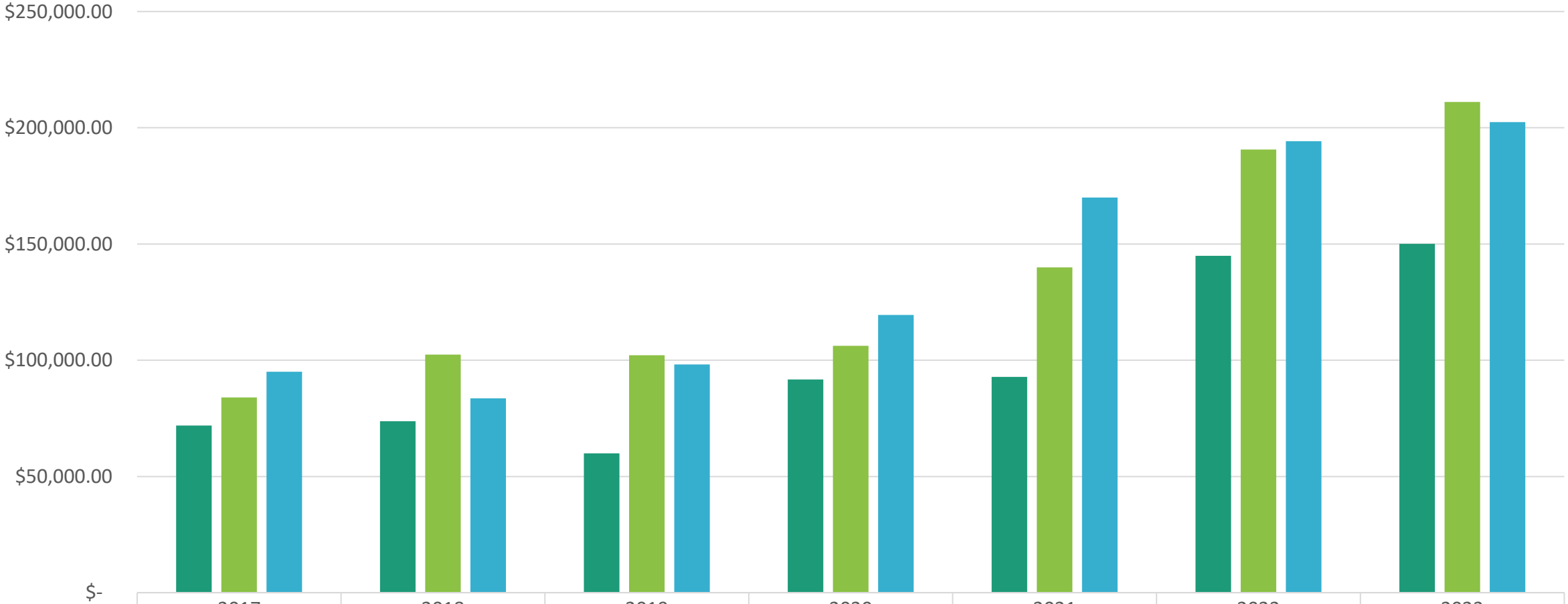
AUTOMOTIVE QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$23,719.36	$28,610.21	$25,812.64	$30,473.36	$25,422.88	$39,617.35	$45,996.01
SECOND QUARTER	$25,818.79	$25,478.13	$31,055.04	$26,989.27	$33,596.15	$39,496.62	$39,423.50
THIRD QUARTER	$24,873.55	$24,573.44	$26,976.52	$25,688.12	$32,051.32	$42,304.67	$40,753.07

FIRST QUARTER SECOND QUARTER THIRD QUARTER

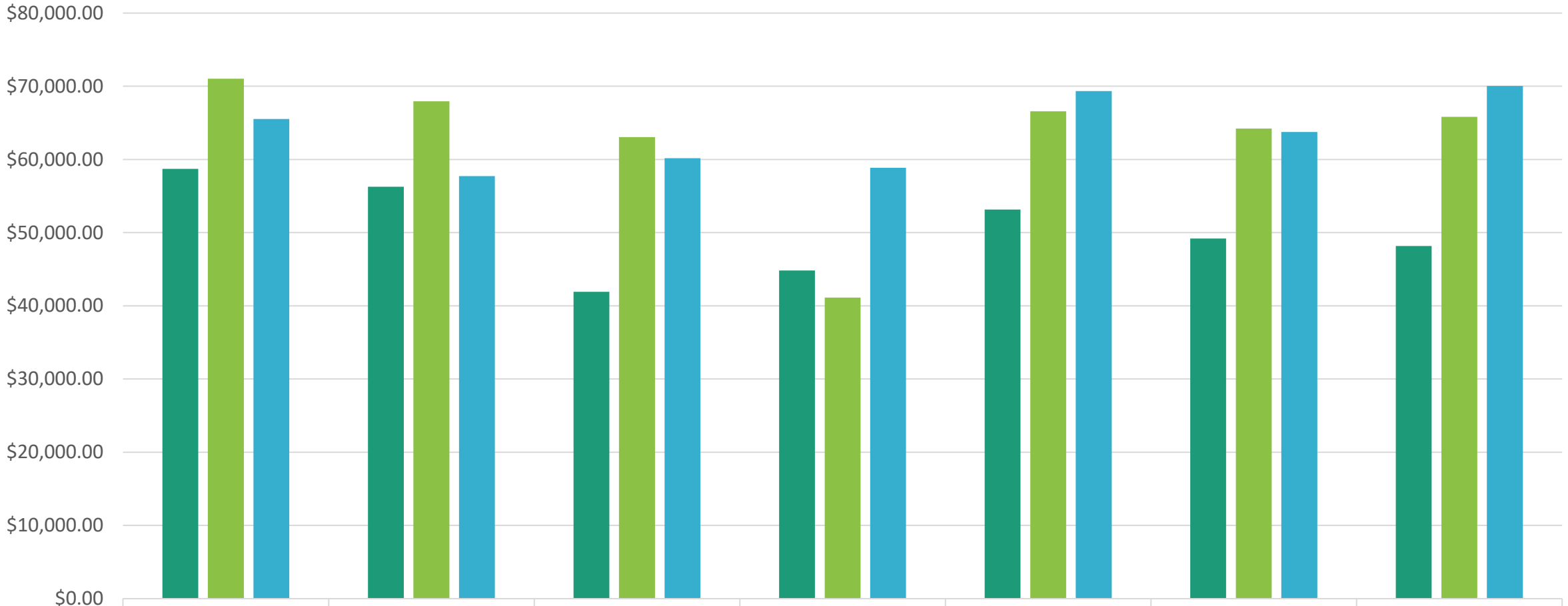
BUILDING/CONSTRUCTION QUARTERLY COLLECTIONS
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$71,879.15	$73,751.41	$59,891.50	$91,684.43	$92,784.76	$144,912.14	$150,078.45
SECOND QUARTER	$83,985.57	$102,372.09	$102,171.45	$106,204.34	$139,968.42	$190,642.28	$211,105.48
THIRD QUARTER	$95,046.46	$83,569.76	$98,198.07	$119,425.80	$169,971.85	$194,263.11	$202,472.95

FIRST QUARTER SECOND QUARTER THIRD QUARTER

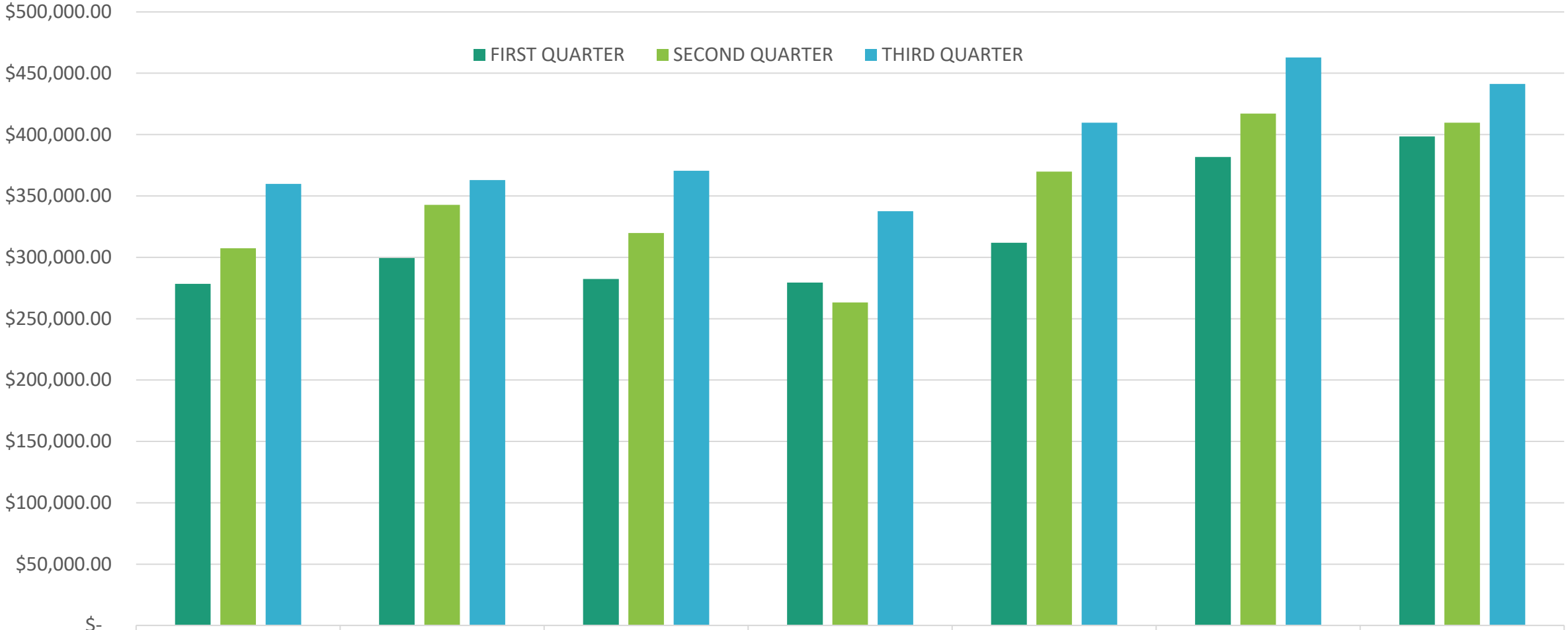
DOWNTOWN DISTRICT QUARTERLY
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$58,725.52	$56,255.15	$41,909.49	$44,841.93	$53,160.54	$49,190.97	$48,171.22
SECOND QUARTER	$71,021.95	$67,947.52	$63,053.77	$41,141.55	$66,588.95	$64,209.65	$65,812.67
THIRD QUARTER	$65,523.73	$57,726.79	$60,170.95	$58,850.54	$69,346.52	$63,755.56	$70,043.29

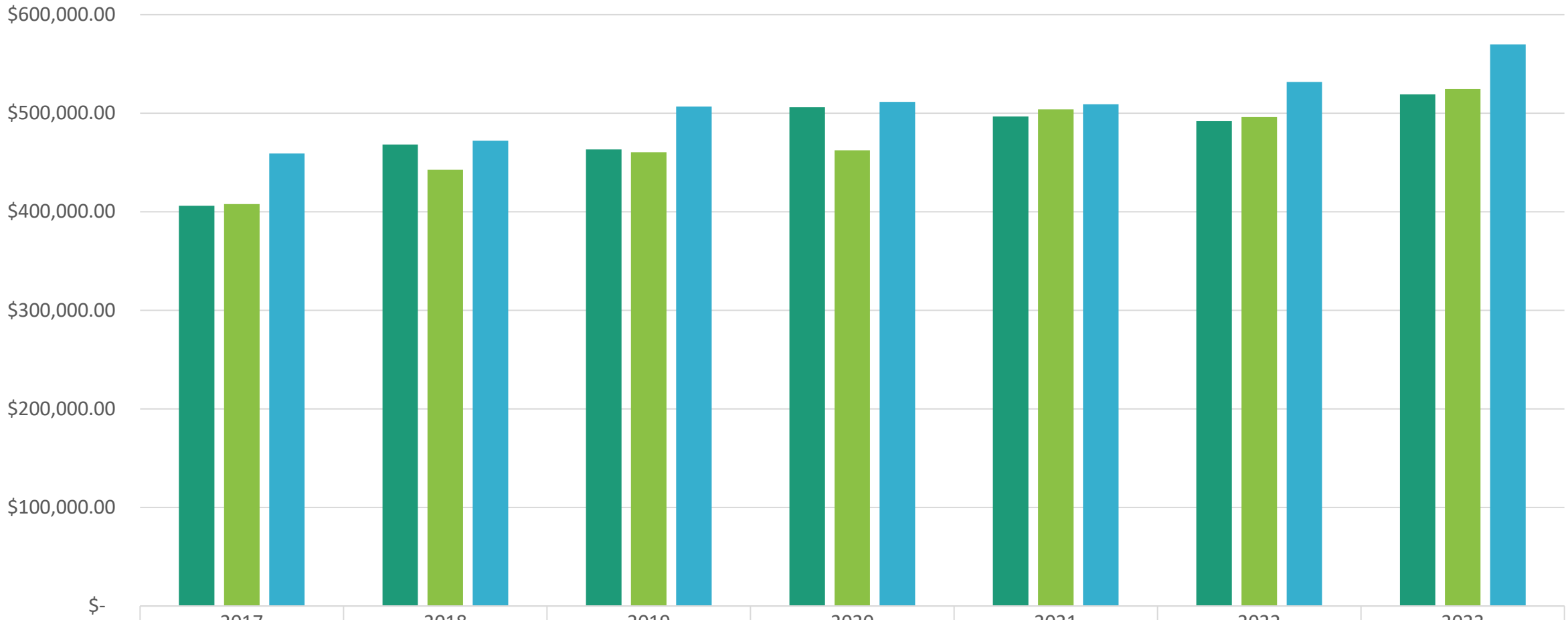
FIRST QUARTER SECOND QUARTER THIRD QUARTER

CHAMBERS AVENUE QUARTERLY
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$278,304.63	$299,453.33	$282,401.04	$279,462.43	$311,819.58	$381,756.93	$398,384.74
SECOND QUARTER	$307,442.37	$342,712.70	$319,742.85	$263,187.79	$369,868.78	$417,113.99	$409,602.02
THIRD QUARTER	$359,888.15	$362,859.36	$370,525.73	$337,620.17	$409,665.79	$462,780.97	$441,285.46

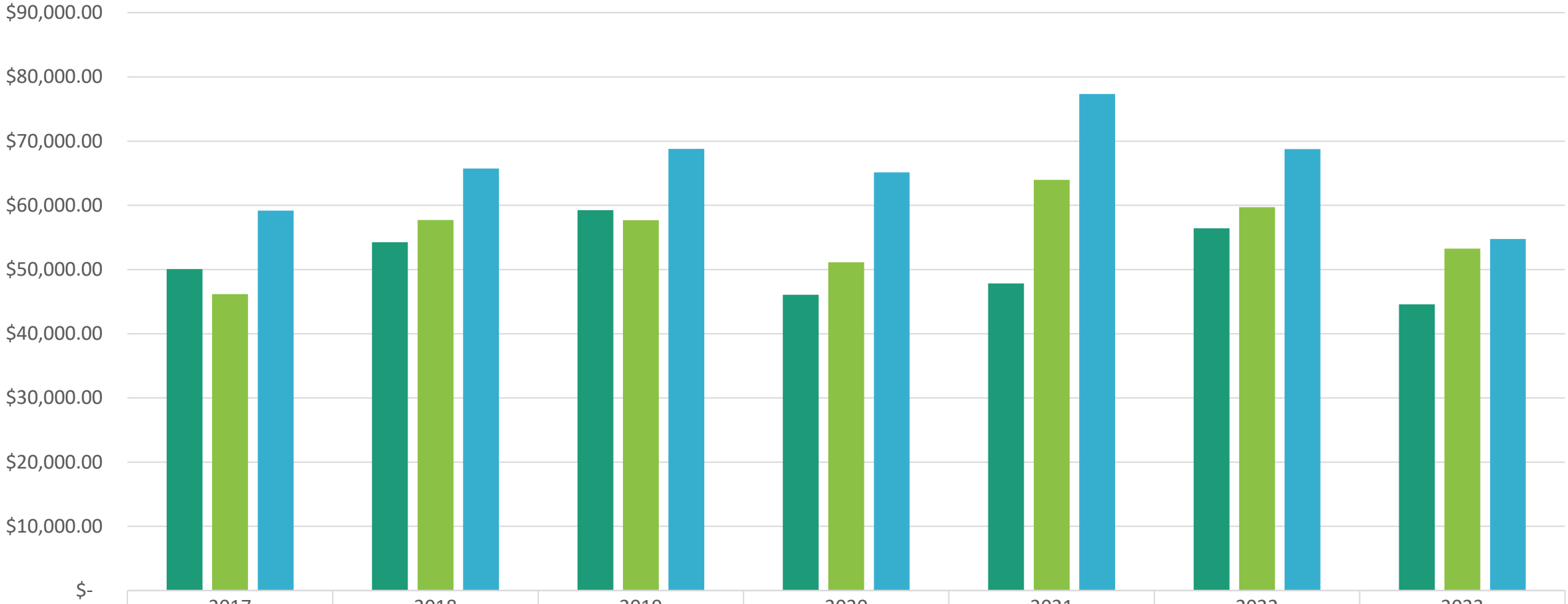
MARKET STREET QUARTERLY
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$406,079.19	$468,081.49	$463,201.73	$506,045.51	$496,752.97	$491,811.13	$519,043.41
SECOND QUARTER	$407,657.37	$442,608.71	$460,439.00	$462,266.07	$503,914.79	$495,917.72	$524,451.97
THIRD QUARTER	$459,153.09	$472,037.14	$506,567.88	$511,421.69	$509,101.52	$531,569.44	$569,647.91

FIRST QUARTER SECOND QUARTER THIRD QUARTER

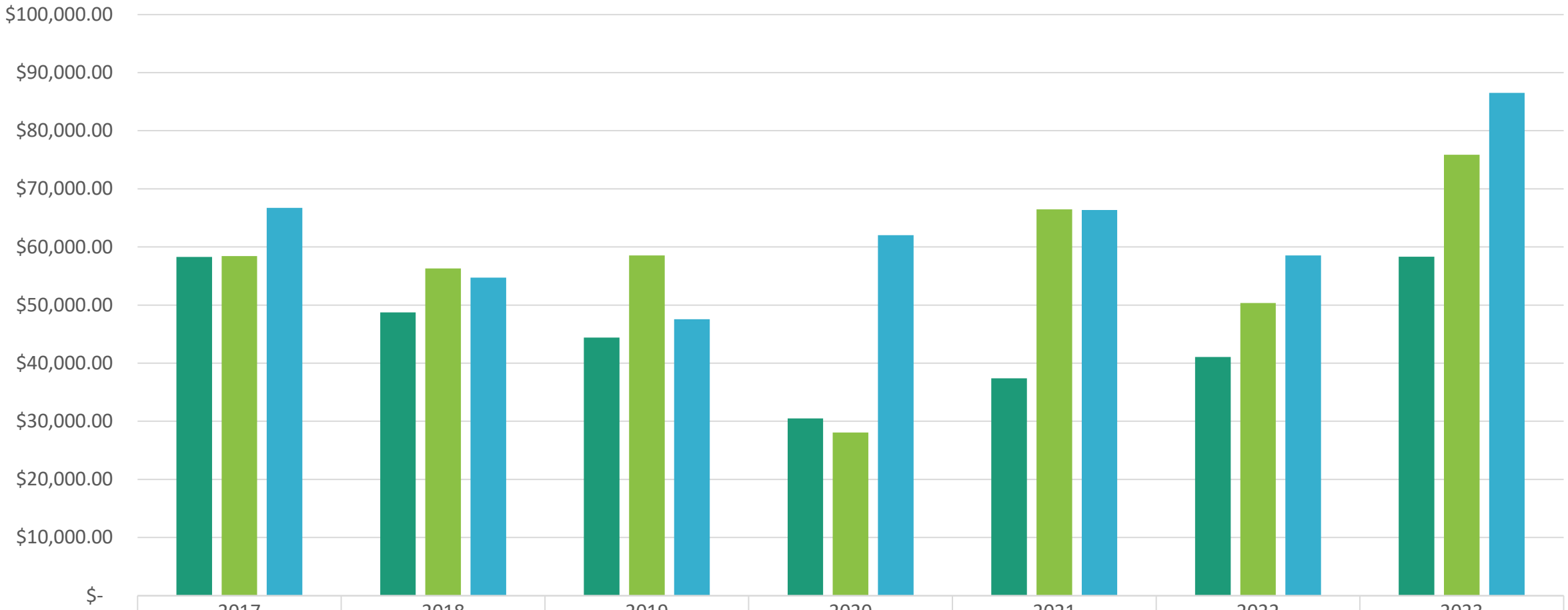
GRAND AVENUE QUARTERLY
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$50,074.86	$54,259.26	$59,240.30	$46,060.94	$47,824.08	$56,401.73	$44,580.27
SECOND QUARTER	$46,170.92	$57,711.06	$57,679.28	$51,140.22	$63,951.12	$59,712.88	$53,245.34
THIRD QUARTER	$59,190.86	$65,734.35	$68,802.39	$65,119.41	$77,335.23	$68,745.44	$54,760.99

FIRST QUARTER SECOND QUARTER THIRD QUARTER

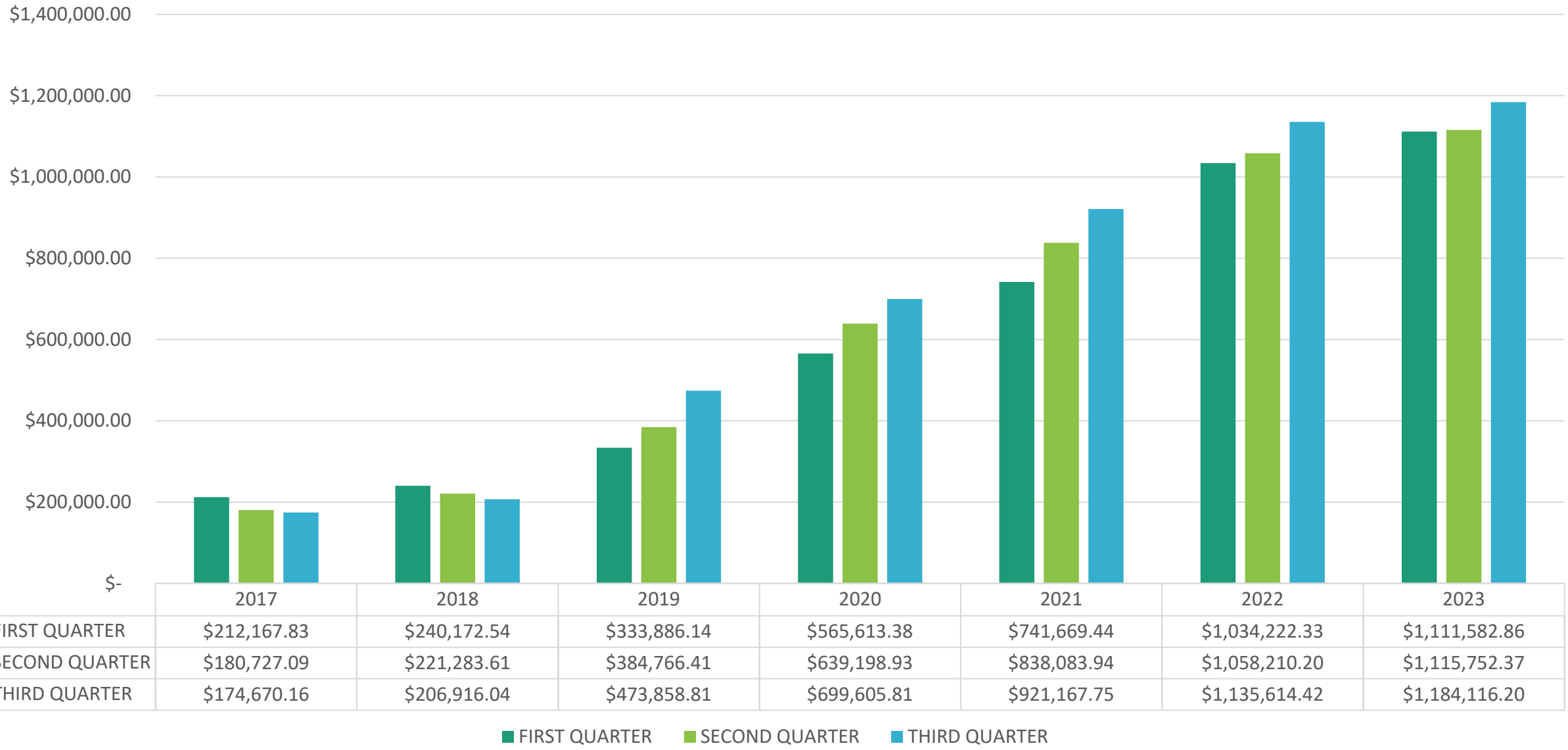
EAGLE RANCH QUARTERLY
2017-2023



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$58,274.77	$48,754.12	$44,391.62	$30,505.02	$37,393.19	$41,053.34	$58,320.83
SECOND QUARTER	$58,434.31	$56,287.21	$58,526.88	$28,071.02	$66,460.92	$50,361.84	$75,873.63
THIRD QUARTER	$66,712.25	$54,703.23	$47,554.41	$62,014.07	$66,370.57	$58,542.76	$86,500.30

FIRST QUARTER SECOND QUARTER THIRD QUARTER

OTHER AREAS QUARTERLY
2017-2023 *includes online sales



	2017	2018	2019	2020	2021	2022	2023
FIRST QUARTER	$212,167.83	$240,172.54	$333,886.14	$565,613.38	$741,669.44	$1,034,222.33	$1,111,582.86
SECOND QUARTER	$180,727.09	$221,283.61	$384,766.41	$639,198.93	$838,083.94	$1,058,210.20	$1,115,752.37
THIRD QUARTER	$174,670.16	$206,916.04	$473,858.81	$699,605.81	$921,167.75	$1,135,614.42	$1,184,116.20

To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: November 14, 2023

Agenda Item: PUBLIC HEARING: Application for a New Hotel & Restaurant License for Twisted Root Bistro LLC at 313 Chambers Avenue.

REQUEST: The Mayor should convene the Liquor License Authority and open the public hearing. The request is for consideration of approval of a new Hotel & RestaurantLiquor License for Twisted Root Bistro LLC located at 313 Chambers Avenue.

BACKGROUND: Connie and Ramon Sieminski owners of Twisted Root Bistro LLC submitted an application for a new Hotel & Restaurant license on October 13, 2023. A liquor license was previously issued at this location for Expert Burger from 2016 -2020. It was most recently occupied by the Stout House which did not have a liquor license.

ANALYSIS:
Department Staff has reviewed the application and made preliminary findings to the applicant that included the following:

- The location of the premises for which the license is sought is 313 Chambers Avenue, Eagle, Colorado 81631.
- It appears from the evidence submitted that the applicants are entitled to possession of the premises proposed to exercise the license.
- The location proposed to sell liquor for on-site consumption is not within 500 feet proximity to a school as defined in the Eagle Municipal Code.
- The applicants have applied for and have possession of a valid Town of Eagle Business License and state-issued Sales Tax License number.
- The renewal fee for 2024 will be $175.00 to the Town of Eagle.
- As of this date, the Town Clerk and the Eagle Police Department have completed their preliminary background investigation concerning the records of the premises and applicants as allowed by current statute. All issues reported were reviewed by the Eagle Police Department and were deemed acceptable.
- No undue concentration has been determined with the current class of license and does not require additional law enforcement resources as presented.
- The neighborhood for which the Local Licensing Authority has determined as the applicable neighborhood is the Town of Eagle. A petition to assist with determining the needs and desires of the adult inhabitants was submitted in support of approval.

17 Hotel & Restaurant Licenses	4 Beer and Wine Licenses
3 Tavern Licenses	3 Retail Liquor Store Licenses
4 Fermented Malt Beverage Off-Premises Licenses	1 Distillery (State Licensed)
1 Lodging & Entertainment License	

COMMUNITY INPUT: This is a public hearing and this item was publicly noticed at the location, in the newspaper, and on our website. The applicant will also have a representative present to answer any questions from the Authority.

BUDGET / STAFF IMPACT: There is no budget impact for approving this item. All fees have been paid.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This item does not have a direct link to a Major Objective. However, it does support "Stimulating Economic Vitality and Development." A denial of this license would need to be for cause and would limit the applicant's sales to non-alcoholic beverages only.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE OR DENY: Findings and Order approving a New Hotel & Restaurant License for Twisted Root Bistro - located at 313 Chambers Avenue and direct the Mayor and Town Clerk to sign and submit the application to the State of Colorado.

ATTACHMENTS:

1. Pages from STATE APPLICATION CONCURRENT REVIEW TWISTED ROOT 10.23.23
2. NOTICE OF FINDINGS AND ORDER

October 23, 2023

COLORADO DEPARTMENT OF REVENUE
PO BOX 17087
DENVER, CO 80217-0087
Also sent via MOVEIT on October 23, 2023

Re: Application for Concurrent Review Hotel & Restaurant New Application / Takeout & Delivery Permit
Twisted Root Bistro LLC dba Twisted Root Bistro

To Whom it May Concern:

Please find attached the pending application for a Concurrent Review for Hotel & Restaurant License and a Takeout and Delivery Permit for the above-referenced entity. Once the public hearing has been completed on November 14, 2023, I will email the signatures for final state approval. The check for $1711.00 will be included by US Mail.

If you have any questions, please contact me at jenny.rakow@townofeagle.org or 970-328-9623.

Sincerely,

Jenny Rakow, CMC
Town Clerk

DR 8404 (07/07/23)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Colorado Liquor Retail License Application

*** Note that the Division will not accept cash** ☒ **Paid by check** ☐ **Paid online** **Uploaded to Movelt on** Date 10/23/2023

☒ **New License** ☐ **New-Concurrent** ☐ **Transfer of Ownership** ☐ **State Property Only** ☐ **Master file**

- **All answers must be printed in black ink or typewritten**
- **Applicant must check the appropriate box(es)**
- **Applicant should obtain a copy of the Colorado Liquor, Beer and Wine Code:** SBG.Colorado.gov/Liquor

1. Applicant is applying as a/an ☐ Individual ☒ Limited Liability Company ☐ Association or Other ☐ Corporation ☐ Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation: Twisted Root Bisted LLC — FEIN Number: 93-1461899

2a. Trade Name of Establishment (DBA): Twisted Root Bisted — State Sales Tax Number: — Business Telephone:

3. Address of Premises (specify exact location of premises, include suite/unit numbers): 313 Chambers Ave # G

City: Eagle — County: Eagle — State: Co — ZIP Code: 81631

4. Mailing Address (Number and Street): PO Box 3881 — City or Town: Gypsum — State: Co — ZIP Code: 81637

5. Email Address: twistedrootbistro@yahoo.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date

Section A — Nonrefundable Application Fees*

- ☐ Application Fee for New License $1,100.00
- ☒ Application Fee for New License w/Concurrent Review $1,200.00
- ☐ Application Fee for Transfer $1,100.00

Section B — Liquor License Fees*

- ☐ Add Optional Premises to H & R ..... $100.00 X _____ Total _____
- ☐ Add Related Facility to Resort Complex $75.00 X _____ Total _____
- ☐ Add Sidewalk Service Area $75.00
- ☐ Arts License (City) $308.75
- ☐ Arts License (County) $308.75
- ☐ Beer and Wine License (City) $351.25
- ☐ Beer and Wine License (County) $436.25
- ☐ Brew Pub License (City) $750.00
- ☐ Brew Pub License (County) $750.00
- ☐ Campus Liquor Complex (City) $500.00
- ☐ Campus Liquor Complex (County) $500.00
- ☐ Campus Liquor Complex (State) $500.00
- ☐ Club License (City) $308.75
- ☐ Club License (County) $308.75
- ☐ Distillery Pub License (City) $750.00
- ☐ Distillery Pub License (County) $750.00
- ☐ Hotel and Restaurant License (City) $500.00
- ☒ Hotel and Restaurant License (County) $500.00
- ☐ Hotel and Restaurant License w/one opt premises (City) $600.00
- ☐ Hotel and Restaurant License w/one opt premises (County) $600.00
- ☐ Liquor–Licensed Drugstore (City) $227.50

Section B (Cont.) — Liquor License Fees*

- ☐ Liquor–Licensed Drugstore (County) $312.50
- ☐ Lodging & Entertainment - L&E (City) $500.00
- ☐ Lodging & Entertainment - L&E (County) $500.00
- ☐ Manager Registration - H & R $30.00
- ☐ Manager Registration - Tavern $30.00
- ☐ Manager Registration - Lodging & Entertainment $30.00
- ☐ Manager Registration - Campus Liquor Complex $30.00
- ☐ Optional Premises License (City) $500.00
- ☐ Optional Premises License (County) $500.00
- ☐ Racetrack License (City) $500.00
- ☐ Racetrack License (County) $500.00
- ☐ Resort Complex License (City) $500.00
- ☐ Resort Complex License (County) $500.00
- ☐ Related Facility - Campus Liquor Complex (City) $160.00
- ☐ Related Facility - Campus Liquor Complex (County) $160.00
- ☐ Related Facility - Campus Liquor Complex (State) $160.00
- ☐ Retail Gaming Tavern License (City) $500.00
- ☐ Retail Gaming Tavern License (County) $500.00
- ☐ Retail Liquor Store License–Additional (City) $227.50
- ☐ Retail Liquor Store License–Additional (County) $312.50
- ☐ Retail Liquor Store (City) $227.50
- ☐ Retail Liquor Store (County) $312.50
- ☐ Tavern License (City) $500.00
- ☐ Tavern License (County) $500.00
- ☐ Vintners Restaurant License (City) $750.00
- ☐ Vintners Restaurant License (County) $750.00

Questions? Visit: SBG.Colorado.gov/Liquor **for more information**

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total
			$

Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit:** *SBG.Colorado.gov/Liquor* **for more information**

Items submitted, please check all appropriate boxes completed or documents submitted

I. Applicant information

- ☑ A. Applicant/Licensee identified
- ☑ B. State sales tax license number listed or applied for at time of application
- ☑ C. License type or other transaction identified
- ☐ D. Return originals to local authority (additional items may be required by the local licensing authority)
- ☑ E. All sections of the application need to be completed
- ☐ F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application

N/A

DONE

II. Diagram of the premises

- ☑ A. No larger than 8½" X 11"
- ☑ B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.)
- ☑ C. Separate diagram for each floor (if multiple levels)
- ☑ D. Kitchen - identified if Hotel and Restaurant
- ☑ E. Bold/Outlined Licensed Premises

III. Proof of property possession (One Year Needed)

- N/A ☐ A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk
- N/A ☐ B. Lease in the name of the applicant (or) (matching question #2)
- ☐ C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant
- N/A ☐ D. Other agreement if not deed or lease. (matching question #2)

DONE

IV. Background information (DR 8404-I) and financial documents

- ☑ A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members)
- ☐ B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved State Vendor. Master File applicants submit results to the State using code 25YQHT with IdentoGO.

LATER

Do not complete fingerprint cards prior to submitting your application.
The Vendors are as follows:
IdentoGO – *https://uenroll.identogo.com/* Phone: 844-539-5539 (toll-free)
Colorado Fingerprinting – *http://www.coloradofingerprinting.com*
Appointment Scheduling Website: *http://www.coloradofingerprinting.com/cabs/*
Phone: 720-292-2722 Toll Free: 833-224-2227
Details about the vendors and fingerprinting in Colorado can be found on CBI's website here:
https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks

- N/A ☐ C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license
- ☑ D. List of all notes and loans (Copies to also be attached)

V. Sole proprietor/husband and wife partnership (if applicable)

- N/A ☐ A. Form DR 4679
- ☑ B. Copy of State issued Driver's License or Colorado Identification Card for each applicant

VI. Corporate applicant information (if applicable)

- ☐ A. Certificate of Incorporation
- N/A ☑ B. Certificate of Good Standing
- ☐ C. Certificate of Authorization if foreign corporation (out of state applicants only)

VII. Partnership applicant information (if applicable)

- N/A ☐ A. Partnership Agreement (general or limited).
- ☑ B. Certificate of Good Standing

DONE

VIII. Limited Liability Company applicant information (if applicable)

- ☑ A. Copy of articles of organization
- ☑ B. Certificate of Good Standing
- ☑ C. Copy of Operating Agreement (if applicable)
- N/A ☑ D. Certificate of Authority if foreign LLC (out of state applicants only)

DONE

IX. Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application

- ✓ ☐ A. $30.00 fee
- ☑ B. If owner is managing, no fee required

Name	Type of License	Account Number

7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years? Yes ☐ No ☒

8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):
- **a.** Been denied an alcohol beverage license? ☐ ☒
- **b.** Had an alcohol beverage license suspended or revoked? ☐ ☒
- **c.** Had interest in another entity that had an alcohol beverage license suspended or revoked? ☐ ☒

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. ☐ ☒

10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? ☐ ☒

or

Waiver by local ordinance? ☐ N/A

Other: _____

11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,0000? **NOTE**: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. ☐ ☒

12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,0000? **NOTE**: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. ☐ ☒

13. **a.** For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? ☐ ☐

b. Are you a Colorado resident? N/A ☐ ☐

14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. ☐ ☒

15. Does the applicant, as listed on line 2 of this application, **have legal possession of the premises by ownership**, lease or other arrangement? ☒ ☐

☐ Ownership ☒ Lease ☐ Other (Explain in Detail) _____

a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires
Mountain Castle Concepts LLC	Twisted Root Bistro LLC	2048

b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16. ☐ ☒

c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".

16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
N/A				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
Has a local ordinance or resolution authorizing optional premises been adopted? ☐ ☒

Number of additional Optional Premise areas requested. (See license fee chart) ☐

18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Name	Type of License	Account Number

19. Liquor Licensed Drugstore (LLDS) applicants, answer the following:
a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? N/A ☐ ☐
If "yes" a copy of license must be attached.

20. Club Liquor License applicants answer the following: **Attach a copy of applicable documentation** Yes No
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? ☐ ☐
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? N/A ☐ ☐
c. How long has the club been incorporated?
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? ☐ ☐

21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:
a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) ☐ ☒

22. Campus Liquor Complex applicants answer the following:
a. Is the applicant an institution of higher education? N/A ☐ ☐
b. Is the applicant a person who contracts with the institution of higher education to provide food services? ☐ ☐
If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

23. For all on-premises applicants.
a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

Last Name of Manager	First Name of Manager
	N/A

24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes ☐ No ☒

25. Related Facility - Campus Liquor Complex applicants answer the following: ☐ ☐
a. Is the related facility located within the boundaries of the Campus Liquor Complex?
If yes, please provide a map of the geographical location within the Campus Liquor Complex.
If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex. N/A
b. Designated Manager for Related Facility- Campus Liquor Complex

Last Name of Manager	First Name of Manager

26. Tax Information. Yes No
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? ☐ ☒
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? ☐ ☒

27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant. All persons listed below** must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

Name	Home Address, City & State	DOB	Position	%Owned
Connie Kay Sieminski	117 Bluffs Dr	3/24/1965	member	50
Ramon E. Sieminski II	117 Bluffs Dr	9/12/1965	member	50

Name	Type of License	Account Number

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.
** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)
** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

☐ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature	Printed Name and Title	Date
Connie K Siemiński	Connie Siemiński member	9-9-23

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)
October 10, 2023	November 14, 2023

For Transfer Applications Only - Is the license being transferred valid? N/A Yes ☐ No ☐

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

☒ Fingerprinted
☒ Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license
(Check One)

☐ Date of inspection or anticipated date _____
☒ Will conduct inspection upon approval of state licensing authority

	Yes	No
☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?	☐	☐
☐ Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?	☐	☐
NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		
☐ Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?	☐	☐

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

Local Licensing Authority for	Telephone Number	☒ Town, City ☐ County
Town of Eagle	9703289623	

Signature	Print	Title	Date
	Scott Turnipseed	Mayor	
Signature	Print	Title	Date
	Jenny Rakow	Town Clerk	

DR 8495 (07/23/19)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division

Tax Check Authorization, Waiver, and Request to Release Information

I, Connie Kay Sieminski am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Twisted Root Bistro, LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

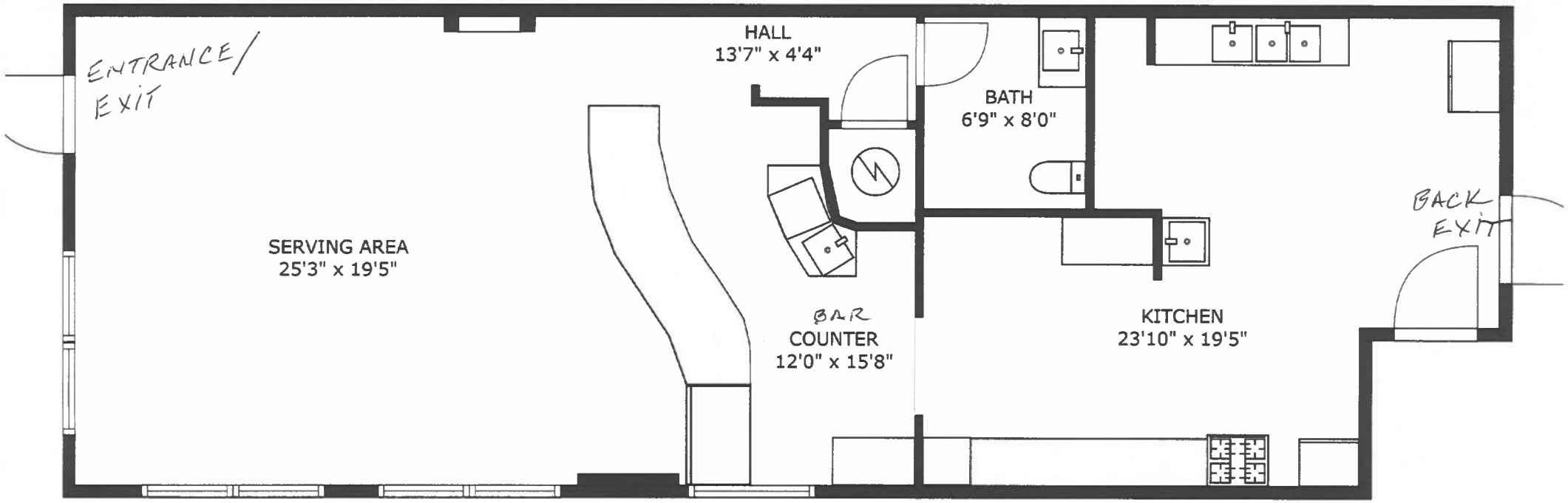
By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business)	Social Security Number/Tax Identification Number
Twisted Root Bistro, LLC	FEIN 93-1461899
Address: 313 Chambers Ave #G	
City: Eagle	State: Colorado / Zip: 81631
Home Phone Number: 623-698-9139	Business/Work Phone Number: Same as Home
Printed name of person signing on behalf of the Applicant/Licensee: Connie Kay Sieminski	
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information): Connie Kay Sieminski	Date signed: 9/9/23

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

AREA DESIGNATION DIAGRAM.



FLOOR 1

ESTABLISHMENT NAME:
TWISTED ROOT BISTRO, LLC.

ADDRESS:
313 CHAMBERS AVE., UNIT #G
EAGLE, COLORADO 81631

BEFORE THE TOWN OF EAGLE LIQUOR LICENSING AUTHORITY

200 BROADWAY
PO BOX 609
EAGLE CO 81631

FINDINGS AND ORDER APPROVING A HOTEL & RESTAURANT LICENSE

IN THE MATTER OF

Twisted Root Bistro LLC
Address: 313 Chambers Avenue, Eagle CO

Having considered the application of Twisted Root Bistro LLC for a new Hotel & Restaurant License, and all attachments submitted therewith (the "Application"), having held a public hearing on the Application on November 14, 2023, following due and proper notice, all in accordance with the Colorado Liquor Code, 44-3-101 et seq., C.R.S., and having considered all relevant and competent evidence admitted at the said public hearing, the Local Licensing Authority FINDS AS FOLLOWS:

1. There has not been a denial of an application at the same location by either the State or Local Licensing Authority within two (2) years preceding the date of the application.
2. The Applicant has submitted evidence that they are entitled to possession of the premises where the license is proposed to be exercised.
3. The premises where the Applicant proposes to sell alcohol is not in violation of the 500-foot limitation from any public or parochial school or the principal campus of any college, university, or seminary.
4. The premises are properly zoned for the activity which will occur therein. Approval has or will be provided by the Building Official and Planning Department prior to the issuance of State and Local Licenses.
5. A petition was not required.
6. No undue concentration has been determined with the current class of license and does not require additional law enforcement resources as presented.

BASED UPON THE FOREGOING, THE LOCAL LICENSING AUTHORITY HEREBY ORDERS that the application of Twisted Root Bistro LLC for a new Hotel & Restaurant License is hereby GRANTED.

DATED this 14th day of November 2023

LOCAL LIQUOR LICENSING AUTHORITY
TOWN OF EAGLE

_____
Scott Turnipseed, Chair

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor Turnipseed and Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: November 14, 2023

Agenda Item: Motion to APPROVE or DENY Resolution 72, Series 2023, "A Resolution by the Town Council of the Town of Eagle, Colorado, amending the Haymaker Trail seasonal use restriction dates to include the Second Loop in the December 1 – April 15 closure period."

REQUEST: Staff request that the Town Council consider the proposal from the Open Space and Recreation Advisory Committee (OSRAC) to close the Second Loop of the Haymaker Trail during the closure period from December 1 to April 15.

BACKGROUND: The Haymaker Trail has four loops that traverse a southern-facing hillside at the intersection of private property, Town open space, and federal lands. Currently, the first two loops remain open year-round, while the third and fourth loops (Extra Credit) are closed during the winter to protect winter habitat for elk and deer.

In 2021, Colorado Parks and Wildlife (CPW) presented herd data to OSRAC. They recommended that the Town close the first two loops of the Haymaker Trail during the winter closure period to protect wintering wildlife. Since then, OSRAC has been discussing winter management of the Haymaker Trail.

In 2022, OSRAC recommended that the Town work with partner organizations to increase education and outreach about responsible recreation on the trail during the winter and the importance of keeping dogs on a leash. In addition, OSRAC recommended collecting data on the number and types of users on the Haymaker Trail during the winter.

With advice from CPW, the Town partnered with Hardscrabble Trails Coalition (HTC) and Vail Valley Mountain Trails Alliance (VVMTA) to increase trail ambassador shifts at the Haymaker Trailhead, post new signage about responsible winter recreation, and support the Respect the Wild campaign. The campaign was geared towards creative messaging, for both on and off the trails, to educate about responsible winter recreation in the Eagle area. The Town contributed $20,000 to this campaign at the end of 2022.

The Committee also recommended that the need for any additional restrictions on the Haymaker Trail during the winter could be evaluated through the development of Open Space Management Plans in 2023.

In early 2023, the Town hired ERO Resources (ERO) to develop these Open Space Management Plans and tackle three open space policy issues that OSRAC has been evaluating (including winter use on the

Haymaker Trail). ERO has developed a policy brief that includes a background on the issue, management alternatives to address the issues, and ultimately, a recommendation on how to proceed.

See the attached policy brief developed by ERO for additional background information.

ANALYSIS:

COMMITTEE AND PUBLIC INPUT

OSRAC voted 4-3 to support ERO's recommendation to close the Second Loop during the winter but keep the first loop open. The Committee discussions centered around balancing winter recreation with wildlife habitat protection. Some Committee members believed that balance has already been achieved and supported focusing on the Respect the Wild Campaign and considering a ban on dog use of the trail during the winter instead of a closure. Other Committee members thought the Town needs to take the recommendation of CPW and fully close the trail. The remaining members thought the approach ERO recommended provided a compromise supported by the disturbance and fragmentation data identified in the policy brief.

Throughout the community engagement process to develop the management plans and the policy recommendations, the Town received diverse perspectives from the public on this issue. Proponents of adding additional restrictions on winter use of the Haymaker Trail argue that it would benefit wildlife by reducing disturbance in an important winter range. Like most other trails in the Eagle area, advocates think this trail should be subject to the existing closure as the trail traverses ideal areas for wintering animals (south-facing hillsides at a low elevation). Further, there is concern that the trail has become a go-to location for off-leash dog walking in the winter rather than a location for winter recreation.

Proponents of keeping the trail open during the winter argue that it is one of the only available natural surface trails that remains open during the winter. Therefore, it needs to be protected as a location for winter recreation. Residents move to the Eagle area to enjoy recreational opportunities close to their homes, and the Haymaker trail is the ideal spot for this during the winter. Proponents of keeping the trail open argue that with the approved Haymeadow development adjacent to it, closing the trail within that disturbance buffer seems counterintuitive. Last, people will continue to recreate, and providing a location for that recreation will reduce violations of other seasonal closures in the area.

Additional analysis is located in the attached policy brief created by ERO.

MANAGEMENT OPTIONS

During the development of the policy brief, ERO identified several management options to address this issue. Through conversations with staff, OSRAC, stakeholders, and comments submitted by the community, they narrowed these down to three management options: maintain the status quo, a compromise balance of closing the second loop in addition to the third and fourth loops, or a full closure of trail during the winter.

ERO and OSRAC's recommendation is to pursue the second option – closure of the second loop during the winter in addition to the already closed third and fourth loops. Based on ERO's habitat disturbance and fragmentation analysis, this management option would provide additional meaningful winter habitat for big game species while permitting some winter recreation in an area that is, or soon will be, experiencing disturbance from development and other trail use.

MANAGEMENT OPTIONS ANALYSIS

As CPW has pointed out, any reduction of human disturbance in a winter range will have benefits for big game wildlife. Removing people from a landscape in a winter range offers more food and terrain and reduces the potential for the animals to be disturbed. However, ERO suggests that the amount of disturbance occurring from other uses outside of recreation will have an impact on the quality of winter habitat, even with the reduction of recreation.

As it is the Town's role to balance winter recreation access with protecting wildlife habitat, we have tasked ERO with providing an analysis of disturbance and fragmentation in the area during the winter to help inform these discussions. ERO employed a habitat fragmentation tool that they've used throughout the state to help provide data to consider for recreation and wildlife management.

As ERO's habitat fragmentation analysis identifies, the first loop of Haymaker is within an area of existing disturbance. Land managed by the Bureau of Land Management directly to the north of the trail is not subject to seasonal wildlife closures for mechanized, equestrian, or pedestrian use. Therefore, disturbance would continue from trail users north of the Haymaker Trail. The first phase of the first filing of the Haymeadow subdivision is also under construction, and this will have a disturbance envelope that impacts part of the first loop of Haymaker. There is also a paved path adjacent to the Haymaker Trail that will remain open in the winter.

Disturbance may continue to occur in the area around the first loop of Haymaker even if the first loop is closed. However, removing recreation from the second loop during the winter would provide habitat in an ideal area for winter range that is away from disturbance, at least for now. This would need to be revealed with the build-out of the Haymeadow subdivision. For now, ERO recommends the closure of the second loop.

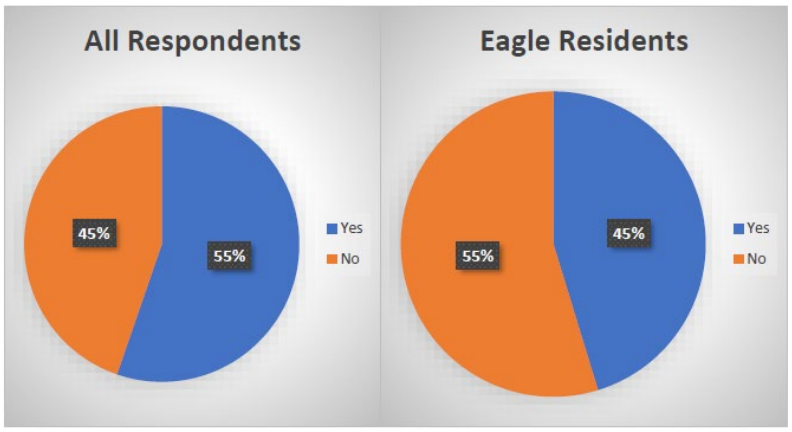
In the first survey, 55% of all respondents supported additional winter restrictions on the Haymaker trail to protect wildlife. However, only 45% of respondents who selected Eagle as their place of residency supported additional closures during the winter. The data received from the feedback on the draft policy recommendations during the open house supports this as well, with about 31% of respondents in favor of additional winter restrictions on the Haymaker trail, 16% neutral, and 53% in support of maintaining the status quo (no additional restrictions).

This data suggests there is not a clear consensus from the community on this issue. However, more than 50% of Eagle residents feel the balance of wildlife protection and winter recreation has already been achieved in this area and would prefer to keep the status quo.

COMMUNITY INPUT: Development of the Open Space Management Plans and the policy briefs included several opportunities for community input. ERO led two stakeholder focus groups, a preliminary survey, an open house, and provided an opportunity to collect feedback through a second input form on the drafts of the management plans and policy briefs. 802 respondents participated in the first community survey, 284 people submitted feedback on the draft plans during the second engagement opportunity, and over 130 individuals attended the open house. 76% of respondents reported living in the Town of Eagle during the first engagement opportunity, and 82% of respondents who provided feedback on the draft plans reported living in Eagle.

As noted above, in the first survey, 55% of all respondents supported additional winter restrictions on the Haymaker trail to protect wildlife. However, only 45% of respondents who selected Eagle as their place of residency supported additional closures during the winter.

Question 6. Would you support additional winter restrictions on the Haymaker Trail system to protect wildlife?



The data received from the feedback on the draft policy recommendations during the open house supports this as well, with about 31% of respondents in favor of additional winter restrictions on the Haymaker trail, 16% neutral, and 53% in support of maintaining the status quo (no additional restrictions).

About 42% of respondents supported ERO's management recommendation of closing the 2nd loop during the winter, 13% were neutral, and 45% did not support it.

41% of respondents supported a full winter closure of the Haymaker Trail, 8% were natural, and 51% did not support it.

Option	Agree	Neutral	Disagree
No change	53%	16%	31%
Close 2nd/3rd Loops	42%	13%	45%
Close all Loops	41%	8%	51%

BUDGET/ STAFF IMPACT: To implement a closure of the Second Loop, staff recommends the installation of three additional closure gates on the trail. Each gate would cost about $250 for all materials. Staff time would be required to install the gate this season and then to manage the gate every year.

Town staff will also need to work with community partners to advertise the change in management on the trail in the community.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Goal P2 from the 2022 Open Space and Trails Master plan says, "With seasonal wildlife closures, work to balance consistency, changing habitat needs of wildlife, and winter recreation opportunities. All recreational opportunities in mapped wintering

range and/or other environmentally vulnerable areas will be considered for seasonal wildlife closures. Dates will be determined in partnership with CPW, BLM, and any other applicable land managers."

RECOMMEND ACTION OR PROPOSED MOTION: Motion to APPROVE or DENY Resolution 72, Series 2023, "A Resolution by the Town Council of the Town of Eagle, Colorado, amending the Haymaker Trail seasonal use restriction dates to include the Second Loop in the December 1 – April 15 closure period."

ATTACHMENTS:

- Haymaker Policy Brief and Recommendation
    - Haymaker Closure Policy Paper
- Community Input
    - Public input from the preliminary survey (July/August)
        - Online Survey Summary
    - Public input from the Open House (October)
        - Engagement Opportunity Summary
- Stakeholder letters regarding Haymaker winter management from Colorado Parks and Wildlife (CPW) and the Hardscrabble Trails Coalition (HTC) are included in this packet.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 72
(SERIES OF 2023)

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING THE HAYMAKER TRAIL SEASONAL USE RESTRICTION DATES TO INCLUDE THE SECOND LOOP IN THE DECEMBER 1 – APRIL 15 CLOSURE PERIOD

WHEREAS, the Haymaker trail was built in 2013 and has four loops located partially on Town-owned open space and partially on a trail easement through private property; and

WHEREAS, the first two loops were left open year-round to provide winter recreation opportunities, and the third and fourth loops were closed during the winter to protect wintering wildlife habitat; and

WHEREAS, Colorado Parks and Wildlife (CPW) requested that the Town close the first two loops to provide further protection for wintering wildlife in a mapped winter range for elk and deer; and

WHEREAS, the Open Space and Recreation Advisory Committee (OSRAC) reviewed the request from CPW, and staff contracted a natural resource consulting firm to provide additional data to evaluate the request in an effort to balance winter wildlife protection and winter recreation; and

WHEREAS, the natural resource consultant proposed that there would be benefits to wintering wildlife protection by closing the second loop of Haymaker, but not significant benefits from closure of the first loop; and

WHEREAS, OSRAC evaluated the data and supports the closure of the second loop in a 4-3 vote; and

WHEREAS, Section 6.03.090(A)3 of the Eagle Municipal Code gives the Town Council of the Town of Eagle, Colorado, the authority to amend seasonal use restrictions on trails and open space properties not otherwise restricted by Section 6.03.090(A)1 following a public hearing; and

WHEREAS, a public hearing was advertised by the Town Clerk and held by the Town Council on November 14, 2023, in accordance with Section 6.03.090(A)3 of the Eagle Municipal Code; and

WHEREAS, the Town Council of the Town of Eagle, Colorado, concurs with the natural resource consultant and OSRAC's recommendation and finds there to be sufficient benefits for recreation management and wildlife to change the seasonal closure restrictions for the second loop of Haymaker.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Starting December 1, 2023, seasonal use restriction dates of December 1 – April 15 are hereby enacted annually for the Second Loop of the Haymaker Trail to match existing closure dates on the third and fourth loops (Extra Credit).

Section 2. The effectiveness of the seasonal use restrictions should be reevaluated with the development of Neighborhoods "A2" and "B" depicted in the Haymeadow Annexation and Development Agreement dated March 25, 2023.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on November 14, 2023.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

COLORADO
Parks and Wildlife
Department of Natural Resources
Glenwood Springs Area Wildlife Office
88 Wildlife Way
Glenwood Springs, CO 81601
P 970.947.2920 | F 970.947.2936

November 1, 2023

Dear members of the Town of Eagle's Open Space and Recreation Advisory Committee (OSRAC),

I am writing today to express Colorado Parks and Wildlife (CPW)'s recommendation and full support of a winter seasonal closure of the entire Haymaker Trail from December 1 to April 15. All loops of the Haymaker Trail fall within Elk and Deer Winter Range and Severe Winter Range and as so, carries with it a high ranked importance for elk and deer survival during the difficult winter months.

As winter sets in, elk and deer move down to their traditional winter range in search of any food they can find. By late winter, forage becomes very scarce and the animals survive primarily on the fat sores they developed over summer and fall. Constant stress caused by dogs running off-leash, bicycles, or just the mere presence of humans is very detrimental to wildlife. When people recreate irresponsibly, it spooks the animals causing them to move or run from the perceived threat, sometimes dozens of time per day for most of winter. These severely stressed animals eventually starve and die when their fat stores are used up.

Unfortunately, since the opening of the Haymaker Trail, CPW has observed a trend of many trail users of all types irresponsibly recreating directly upon the wintering wildlife in the Haymaker trail area, causing both deer and elk to vacate their location multiple times per day. This has a detrimental effect on the both the individual animal and the herd as a whole, since many of the animals being harassed within their winter range are pregnant females.

Referencing the Town of Eagle Open Space and Trails Master Plan, P2: "Seasonal Wildlife Closures With seasonal wildlife closures, work to balance consistency, changing habitat needs of wildlife, and winter recreation opportunities. All recreational opportunities in mapped wintering range and/or other environmentally vulnerable areas will be considered for seasonal wildlife closures. Dates will be determined in partnership with CPW, BLM, and any other applicable land managers."
A full winter closure of the Haymaker Trail will add to the consistency already found throughout the winter closures on other Town's trail systems. Additionally, due to the continued development within the Town of Eagle, especially the adjacent Haymeadow Development, the

Jeff Davis, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Dallas May, Chair · Richard Reading, Vice-Chair · Karen Bailey, Secretary · Jessica Beaulieu
Marie Haskett · Jack Murphy · Gabriel Otero · Duke Phillips, IV · Gary T. Skiba · James Jay Tutchton · Eden Vardy

valuable winter habitat found within the Haymaker trail system has become even more important to protect during the winter months. As stated in the Master Plan, CPW strongly recommends that "All recreational opportunities in mapped wintering range and/or other environmentally vulnerable areas will be considered for seasonal wildlife closures ", especially with the Haymaker trail system.

Throughout many of the past OSRAC meetings, the status and condition of the elk and deer herds has been discussed. CPW's official stance is that both the local elk and deer herds are in decline. Degradation and loss of historic habitats are a significant reason for these declines. With a recommendation of a winter closure on the entire Haymaker Trail, OSRAC has the opportunity to provide a simple, yet highly effective decision that will benefit the local wildlife populations. CPW also understands that there are users that would prefer to see this trail system to remain open year round. However, unlike the trail users that have other local options for winter recreation, wildlife does not have the choice to go elsewhere, especially when severe winter conditions exist.

Colorado Parks and Wildlife appreciates the opportunity to provide our recommendation of a winter closure from December 1 to April 15 on the full Haymaker Trail to the Town of Eagle's Open Space and Recreation Advisory Committee. If you have any further questions, please contact District Wildlife Manager Brian Wodrich at Brian.Wodrich@State.co.us.

Sincerely,

Brian Wodrich
District Wildlife Manager
Colorado Parks and Wildlife

Brian Lieberman, Open Space and Trails Manager
OSRAC Board Members
Eagle Town Council
1050 Chambers Ave
Eagle, CO 81631

September 15, 2023

Dear Brian, OSRAC Board, Eagle Town Council

During the September 5th OSRAC meeting we were very disappointed when the OSRAC Board seemed to decide not to take the recommendation of ERO and have more discussion surrounding the management of the Haymaker Trail. We agree with ERO and Bill when he was citing that Haymaker, 2nd Gulch and E-Bikes as more complex issues that deserve more discussion and community engagement to come to true consensus decisions.

It wasn't clear at the meeting how this process was going to proceed so we wanted to express our concerns and make sure all the decision makers are aware of the following.

- HTC would be most supportive of the option to maintain the status quo management of Haymaker. Keep loops 1 & 2 open during the winter unless animals or kill are present. This has worked well in the past, is easy for the public to understand and is well complied with. Additionally, just last winter this is what OSRAC recommended and Town Council approved. Volunteer organizations brought together all stakeholders to launch the Respect the Wild educational campaign and the Town committed to supporting this effort. After just 2 short months there was measurable improvement. This initiative needs more time to be fully impactful.

- If an adaptive closure is going to be pursued, the default status should be open and changed to closed when specific, defined circumstances warrant a closure.

- The impact maps ERO put together clearly show the Haymeadow development will impact the habitat this closure is trying to protect. As the development grows, impact will grow. If the 2nd loop closure takes place now it is our belief that we will never get that access back regardless of habitat destruction from the development.

- The Town has consistently said they want to be consistent with adjacent land managers. The BLM land that is directly adjacent to the Haymaker trail is open to foot and horse traffic in the winter. It makes it very confusing for trail users and compliance. Closing Haymaker will only exacerbate this issue.

- If the Haymaker trail is closed there is a very strong likelihood of violations of other trail closures increasing. Violations in other areas would ultimately spread out and increase human impact rather then reducing it.

- The numbers CPW publishes show that Elk herds E16 & E12 and Deer herds D14 & D8 are all within their management objectives yet they keep pushing for additional closures. It would be beneficial for the Town and OSRAC to pursue having meaningful conversations with CPW about things that could really benefit these herds if they are concerned about their survival. Discussions could include reducing hunting pressure, reducing predator pressures, reducing animal/auto collisions, potentially not introducing wolves into an area if the herds are already stressed and habitat improvement projects. We firmly believe that if CPW is concerned about these herds (that take up a massive geographic area) the 1.5 miles of Haymaker we have been discussing for years now is not the problem or the solution.

- When Haymaker was built it was always envisioned as a place for Eagle to recreate year round. When the request came to close the 3rd loop and Extra Credit, we happily agreed. When the request came for a 2 week longer closure every year, regardless of conditions, we reluctantly agreed attempting to operate in good faith and the spirit of compromise. Asking to close the trail completely or have an adaptive closure that has the default status as closed is not reasonable for trail users.

Thank you for your time and considering our position. We believe an appropriate compromise has already been reached a strong educational campaign in is place. Please help us preserve access to Haymaker in the winter.

Sincerely,

Robert Tadlock, President
Charlie Brown, Vice President
Laura Turitz, Treasurer
Nicky Asselin, Secretary

Hardscrabble Trails Coalition
www.hardscrabbletrailscoalition.org

ERO Resources Corporation

Denver | 1626 Cole Boulevard, Suite 100, Lakewood, CO 80401-3306
Durango | 835 East Second Avenue, Suite 400, Durango, CO 81301
Hotchkiss | 161 South 2nd Street, PO Box 932, Hotchkiss, CO 81419
Idaho | 7154 West State Street, Suite 398, Boise, ID 83714

10/31/23

Town of Eagle Open Space and Trails
Management Plans
Issue Discussion: Haymaker Winter Access/Wildlife Closure

In April 2023, ERO Resources was contracted with the Town of Eagle to develop a set of property management plans for town-owned open space. Based on the recommendations of the 2022 Open Space and Trails Master Plan, the community identified the need for a property-specific inventory of natural resource conditions that could be used to guide management decisions. ERO has developed four management plans for open space properties that provide background and recommendations for a number of issues including vegetation management, wildlife habitat protection, trail maintenance, and restoration/revegetation.

Early in the management process, several complex policy issues arose related to public access and use of open space, including issues related to winter access and management of the Haymaker Trail. This memo intends to outline this issue, management options, and management recommendations at a higher level of detail than would be found in a typical property management plan.

Background

The Haymaker Trail consists of four intersecting loops of natural surface singletrack trail, with a total of about 5 miles. This trail is designed for beginner to intermediate mountain bikers and is also popular for hiking and trail running. With direct access to the community and primarily south-facing slopes, it is a very popular amenity, particularly in the spring, fall, and winter months.

The Haymaker Trail is located at the interface between open terrain managed by the Bureau of Land Management (BLM) to the northeast, and urban Eagle neighborhoods to the west. The entire area is mapped by Colorado Parks and Wildlife (CPW) as winter range for both elk and mule deer, and the Haymaker Trail is located on the edge of Severe Winter Range and Winter Concentration Area for elk and mule deer. CPW has defined two primary migration corridors between the Eagle Ranch area and Brush Creek to the south, and the BLM lands to the northeast. These corridors are located through the irrigated hay meadow to the south of the first loop (Haymeadow Open Space and private land), and the privately-owned hay meadows south of the third loop.

In 2022, the Town of Eagle, in coordination with the Vail Valley Mountain Trails Alliance, Hardscrabble Trails Coalition, and other partners initiated the “Respect the Wild” campaign to raise awareness around protecting winter wildlife habitat and specifically asking residents to respect wildlife, respect trail closures, and keep their dogs leashed. Some community members do not feel like this effort has had enough time to be effective and change visitor behavior.

The Haymaker Trail is currently subject to the following management:

- First and second loops are open year-round
- Third loop and Extra Credit are closed December 1 through April 15
- Trails are open to bicycles and pedestrians, with dogs on-leash when open

The adjacent Pool & Ice Trail, just north of the Haymaker Trail, is located primarily on BLM land. BLM regulations restrict access to bikes during the winter, but the trail remains open to pedestrians. The lower portion of Pool and Ice is open to bikes in the winter, however. This trail has connections to Haymaker at points on the first and second loops.

Most of the land south of the Haymaker Trail is planned for long-term urban development as part of the Haymeadow Development. The first portion of the first development phase, south of the first loop of the trail, is currently under construction and is slated for completion in 2024. The full extent of the proposed Haymeadow development (https://haymeadow.com/site-plan/) would extend for about a mile to the east. While the development is intended to include three narrow open space corridors, any major wildlife movement in this area would be constrained at full buildout.

An existing wildlife corridor immediately south of the first loop and Haymeadow Open Space is currently slated for a "recreation and school site." While the details of this development are unknown, it is likely to constrain or eliminate the area as a meaningful wildlife corridor.

Haymeadow Development Phase 1 Site Plan:

Issues

As a result of stressed elk populations in the region, CPW and some community members have proposed extending the winter use closure (December 1 – April 15) to include the entirety of the Haymaker Trail. This is to support elk movement and their ability to utilize the south-facing slopes during the winter, at a time when they are naturally stressed and vulnerable to human and dog disturbance.

Many community members are concerned about the proposed closure, since the Haymaker Trail is one of the only natural-surface trails in Eagle that remains open through the winter. Most of the trails within Eagle Open Space and surrounding BLM are closed in the winter. Some community members highly value winter access on this trail and have stated that the winter recreation access provided by the Haymaker Trail has made it easier to maintain firm closures on the other trails near Eagle.

Anecdotally (and supported by remote camera findings), one of the primary uses of the trail in the winter is dog walking by local residents, often with the dog off-leash. This presents a concern since off-leash dogs are perceived by elk to be a predator, which exacerbates their reaction to disturbance.

Community Survey Results

The online community survey (July-August 2023) posed a direct question about this issue and allowed for open-ended responses. Based on the survey, a majority (55%) of respondents supported additional winter restrictions on the Haymaker Trail system to protect wildlife, compared to 45% who did not. Most respondents said that biking was their preferred use of the Haymaker Trail in the winter (43%), followed by hiking (35%) and dog walking (30%).

Open-ended responses provided a wider range of opinions, including the following:

- “I think with a massive development going in adjacent to haymaker that restricting access to protect wildlife is a moot point.”
- “Please close haymaker trail in winter and keep closed until March 1”
- “Yes, please leave Haymaker alone and back off on the off leash dog police.”
- “With the big development encroaching further down Haymaker, I don't see how further limiting access in winter is helpful to wildlife.”
- “We all like wildlife but it seems like the policies are contradictory as development is going in all around the areas that are being considered for wildlife closure. I don’t understand the reasoning. I oppose closing Haymaker 1and 2 loops in the winter.”
- “The first loop of Haymaker trail will soon be surrounded by homes so it makes no sense to close it off in the winter. Home construction is far more harmful to our wildlife than humans on the trails!”
- “Wildlife protection is very important however, with approved development going on in the Haymaker vicinity, this alone is going to affect wildlife more than full winter trail closures.”
- “I don't use Haymaker in the winter, I think it should be kept open for recreation as it currently is.”
- “With only 2 trails open in the Winder (and potentially only one if they close Haymaker) it creates conflict and issues every winter. I don't believe the wildlife impact argument for these lower trails is valid with all the housing and golf course in the area.”

- "Right now with only 2 trail opens in the winter (and talk of restricting Haymaker even more) there is WAY TOO MUCH CONGESTION on the trails in the winter."
- "If the Haymaker system needs to be closed for wintering wildlife, open the second gulch/riddle/wall areas so people can have an area for winter recreation."
- "Please seriously consider a winter closure on Haymaker. Currently it has turned into a winter, off-leash dog park that has major negative impacts upon our local wildlife populations. The town has plenty of other open areas (paved trail system, off-leash fog park, etc) for users to go during a winter closure."
- "The status quo provides reasonable equitable access for various recreational uses. The winter priority for the Haymaker area should serve as critical habitat for the elk populations but give the open space management flexibility to allow use in mild winters if the elk are not utilizing the space."
- "It seems illogical to close/restrict the first two loops of Haymaker in the Winter with all of the new development going on in that area."

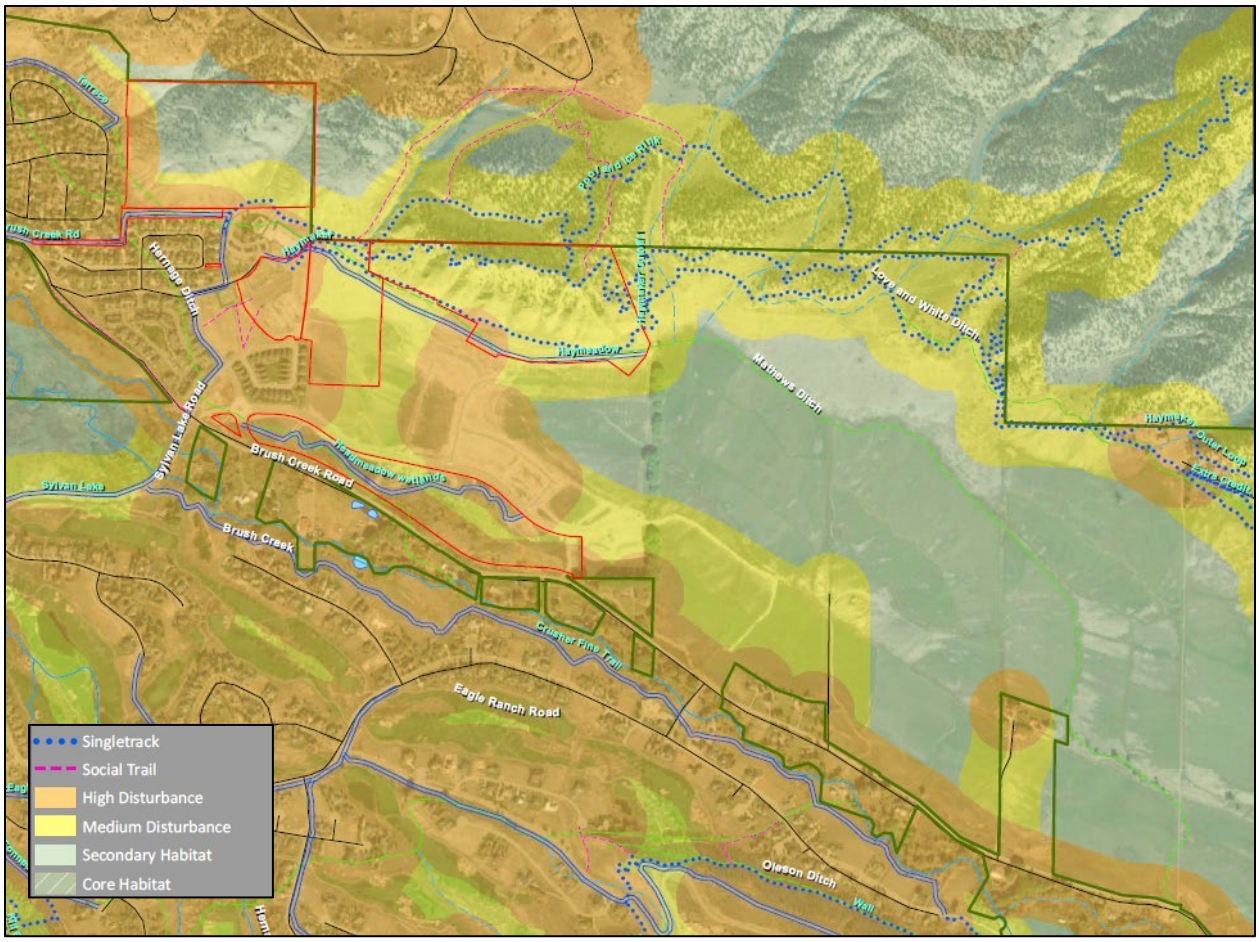
Habitat Fragmentation Analysis

As part of the management plan process, ERO conducted a GIS-based analysis of human disturbance and habitat fragmentation on all Town of Eagle open space properties. For the Haymaker areas, the analysis illustrates the following:

- The entire first loop is influenced by nearby homes and other disturbances (medium disturbance).
- Portions of the Haymeadow Open Space corridor is within the 100m buffer of homes and other human infrastructure (high disturbance), and all of the corridor is within the influence area (medium disturbance).
- Portions of the south leg of the first loop will be within the 100m buffer of new (2024) home and human infrastructure (high disturbance).

The existing habitat fragmentation analysis is shown below, and on the attached maps.

Habitat Fragmentation Map



Remote Camera/Use Data

Evaluation of remote camera data along the Haymaker Trail during the period from December 1, 2022 to April 12, 2023 resulted in the following observations:

- The *open* sections of Haymaker had an average total of 886 human visitors, and 476 dogs.
    - User types, on average, were 81% hikers, 17% bikers, and 2% skiers
    - 78% of dogs were off leash
- The *closed* sections of Haymaker (Third Loop) had 3 visitors.
- 299 elk and 87 deer were observed on the Haymaker Third Loop, while 22 elk and 254 deer were observed nearby on the lower Pool & Ice Trail (approx. ¼ mile uphill).
    - Most of the elk observations (167) were clustered in a short time period between 11/30 and 12/8, with a second cluster of observations (40) in mid-January.

These remote camera observations suggest that winter use on the open sections of Haymaker is dominated by hikers, with many off-leash dogs; illegal use of the closed section is limited, and elk use appears to be clustered around the lower hillsides.

Management Options

The range of options that were considered include the following:

- **Maintain status quo (seasonal closure of Third Loop and Extra Credit)** – No change from existing management
- **Full winter closure (all loops)** – Close all loops (December 1 – April 15) to protect winter wildlife habitat
- **Closure of Second, Third, and Extra Credit loops** – Extend winter closure to include the second loop in addition to the third and Extra Credit loops
- **Closure of east half of Second loop, and Third loop** – Extend winter closure to include the east half of the second loop, located at Pool & Ice connector
- **Winter dog closure** – Restrict dog access to all loops during the winter
- **Construct an off-leash dog park** – New facility to mitigate impacts of dog closure
- **Construct new loop behind Pool and Ice facility** – New, short loop that can remain open during the winter

Based on initial feedback on these options from Town Staff, OSRAC members, and CPW, these were narrowed to three distinct options:

1. **Status Quo** – No change from existing management.
2. **Closure of Second, Third, and Extra Credit Loops** – Extend winter closure to include the second and third loops and Extra Credit. First loop would remain open.
3. **Full Winter Closure** – Close all loops (December 1 – April 15) to protect winter wildlife habitat.

Based on preliminary stakeholder input, the Hardscrabble Trails Coalition has expressed their support for maintaining the status quo in management (Option 1), while CPW has firmly expressed support for a full closure of all loops (Option 3).

Recommendation

The Haymaker Trail traverses a south-facing slope that is appealing to residents in the winter, and also contains critical winter habitat for elk and mule deer. It is also located at the urban interface that is rapidly changing due to new residential development. The following recommendation considers the available facts, the changing land use context, and the interest in developing a *balanced* strategy for recreational access and winter elk habitat protection.

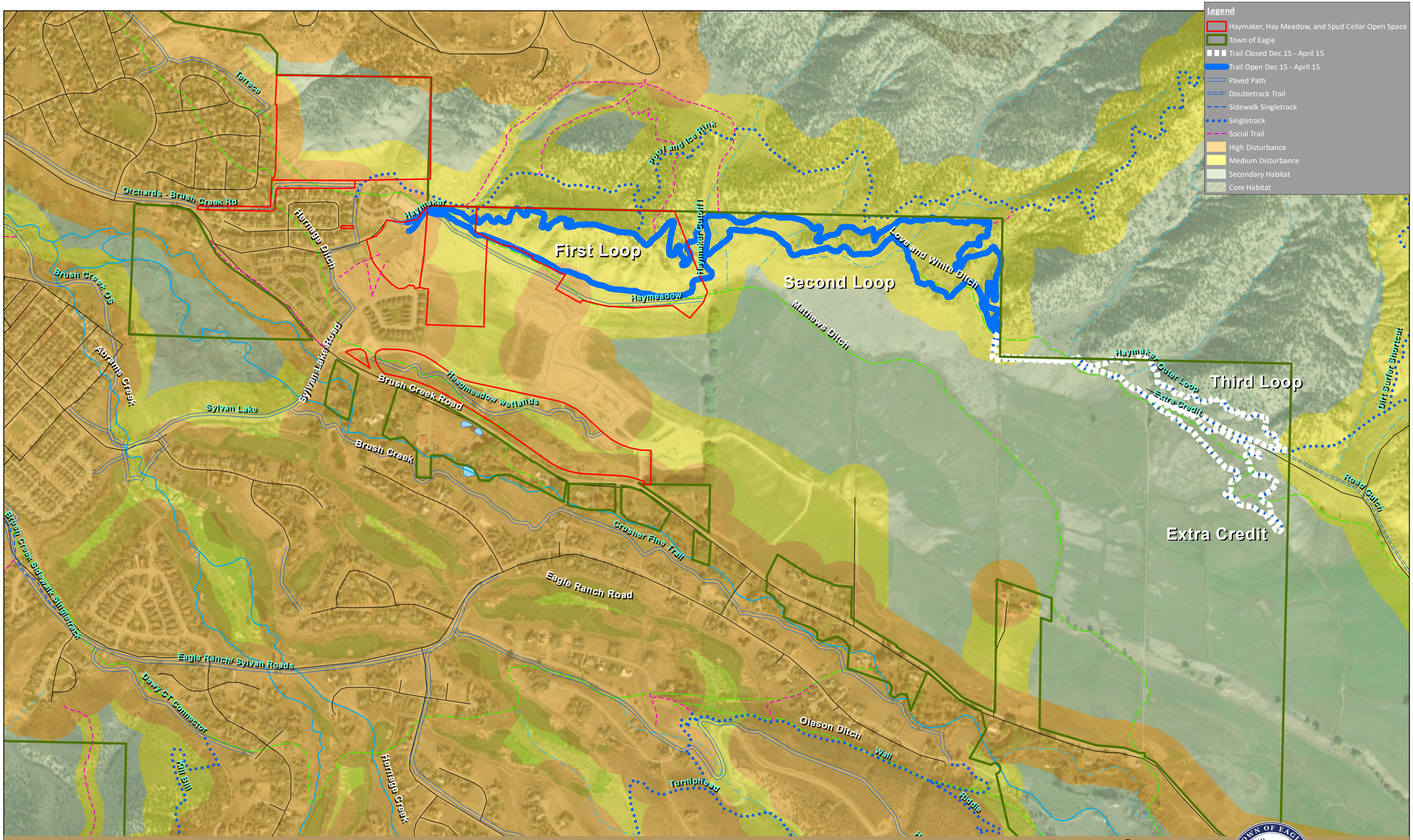
ERO's draft recommendation is to implement **Option 2 – Closure of Second, Third, and Extra Credit Loops.**

This recommendation is based on the following rationale:

- The first loop of the trail is already highly fragmented and subject to disturbance from nearby development.
- With the impending construction of the initial phase of the development, this disturbance will only be exacerbated, the wildlife corridor in this immediate area will be further compromised, and the demand for recreation access in this area will only increase.

- The southern leg of the first loop (about ½ mile) is generally less than 200 feet away from the paved Haymeadow Trail (which would remain open) and is 300 feet away from homesites that are currently under construction.
- The second loop of the trail is not adjacent to existing development or development phases that will be implemented in the foreseeable future, and it also includes three broad, open draws that provide transitional winter habitat and movement corridors for elk and mule deer. Closure of the second loop would protect this important interface between the lower hay fields and the upper pinyon-juniper slopes.
- Based on the habitat fragmentation analysis (see attached maps), the closure of the second loop (Option 2) would reduce human disturbance along about ½ mile of transitional habitat that would benefit wintering deer and elk; in contrast, the benefits of reduced human disturbance under a full closure (Option 3) are not significantly different then the benefits of a partial closure (Option 2).
- Maintaining access to the first loop will provide residents a meaningful and logical opportunity to access open space in an area with existing human disturbance, while closure of the second loop would protect the highest value winter habitat in the vicinity.

Note that a prior compromise option of an “adaptive” closure of the second loop has been dismissed from consideration due to the complexity of implementation.

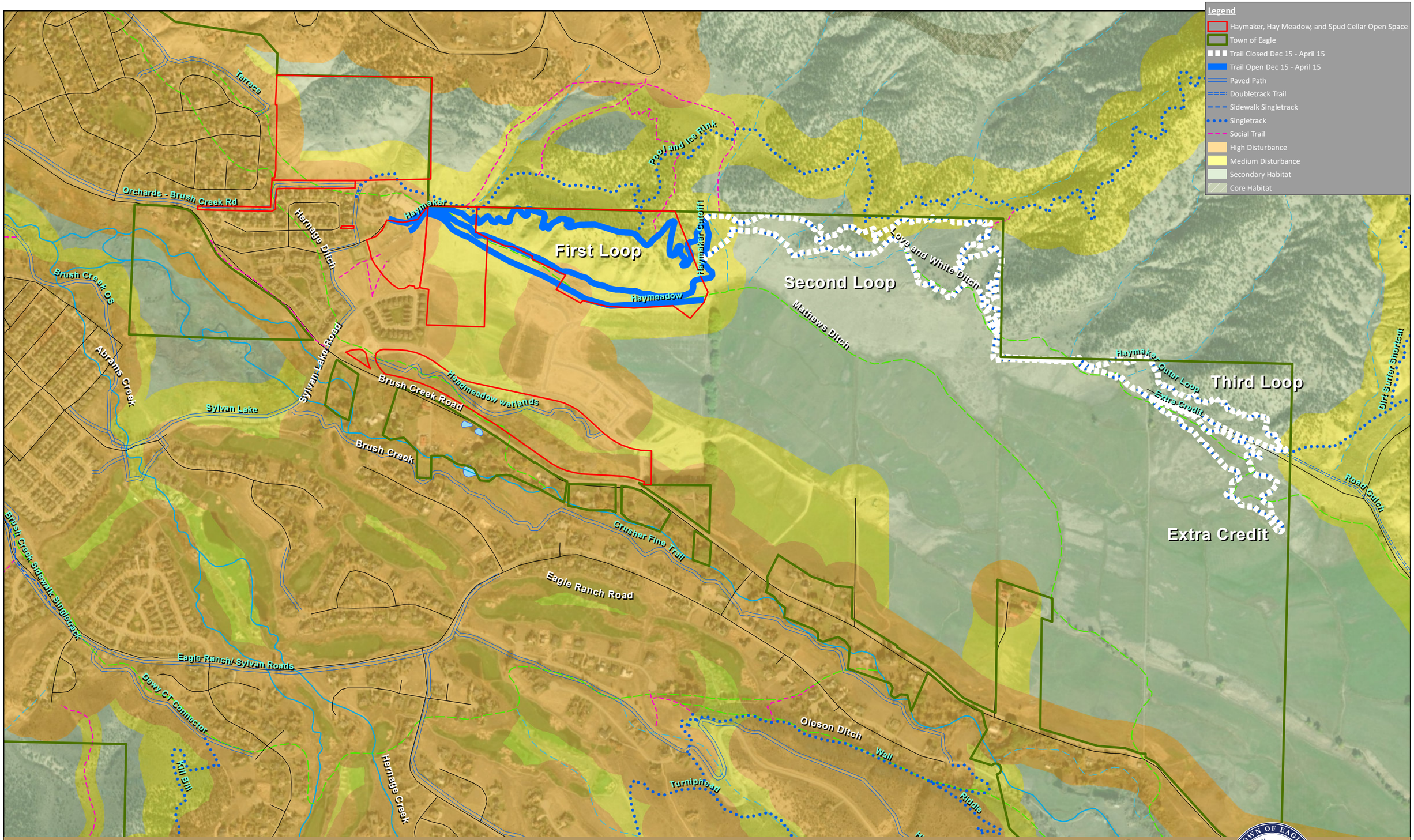


Existing Habitat Fragmentation – Winter

0 350 700 feet

September 14, 2023

Haymaker, Hay Meadow, and Spud Cellar Open Space • Town of Eagle Open Space Management Plans

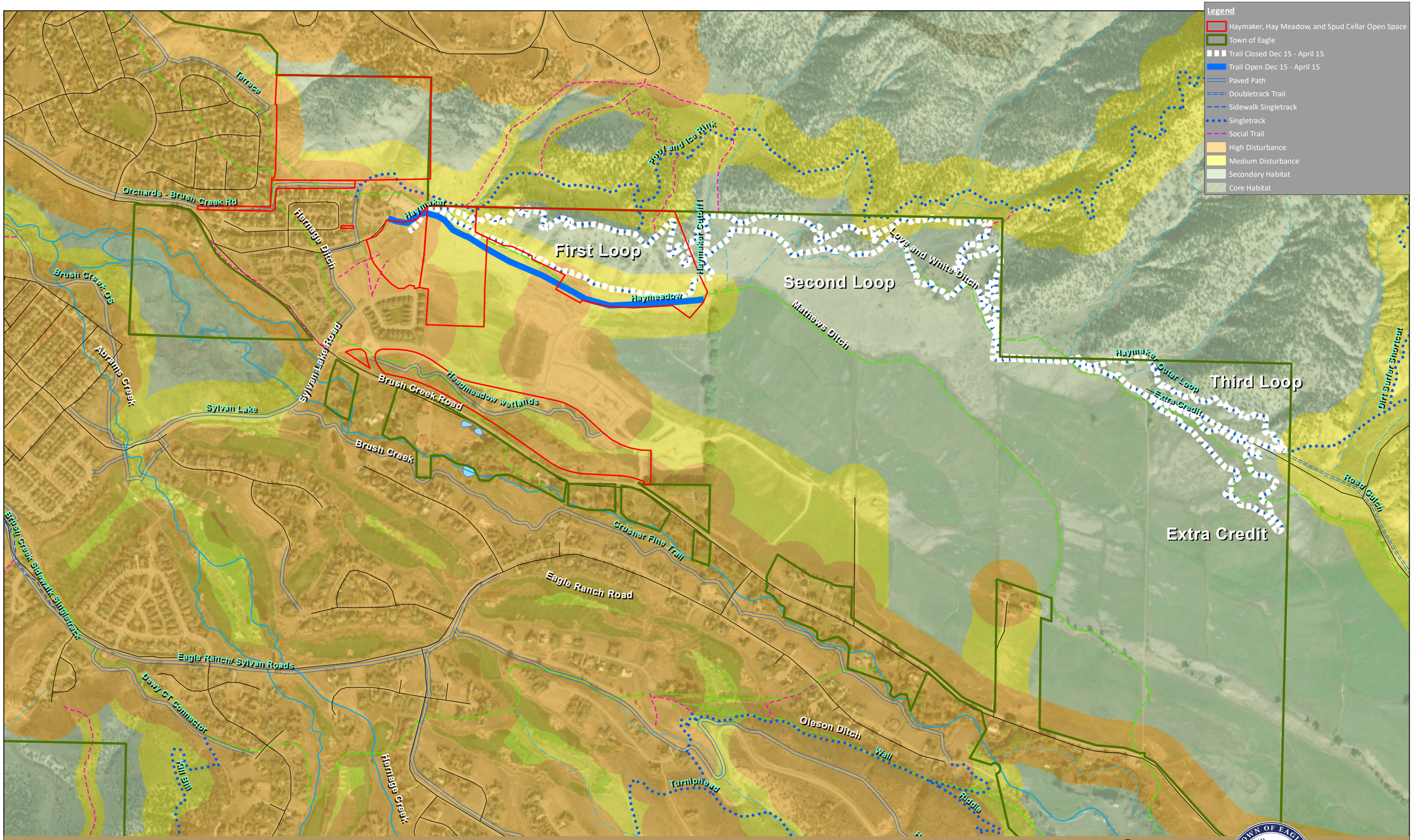


Proposed Strategy Fragmentation – Winter

0 350 700 feet

September 29, 2023

Haymaker, Hay Meadow, and Spud Cellar Open Space • Town of Eagle Open Space Management Plans



Full Closure Fragmentation – Winter

0 350 700 feet

September 29, 2023

Haymaker, Hay Meadow, and Spud Cellar Open Space • Town of Eagle Open Space Management Plans

ERO Resources Corporation

Denver | 1626 Cole Boulevard, Suite 100, Lakewood, CO 80401-3306
Durango | 835 East Second Avenue, Suite 400, Durango, CO 81301
Hotchkiss | 161 South 2nd Street, PO Box 932, Hotchkiss, CO 81419
Idaho | 7154 West State Street, Suite 398, Boise, ID 83714

10/11/23

Town of Eagle Open Space and Trails
Management Plans
Online Survey Summary

Summary

As part of the Open Space management planning process, public input was needed to understand community sentiments around natural resource and recreation management on Eagle open space.

One form of soliciting community input was through a public survey. The survey link was posted on the Town of Eagle's website, at trailheads, on social media, and in various community newsletters. There were 802 responses to the survey, and it remained open for four weeks (from July 17 to August 18, 2023). Below are the results of the survey.

General Survey Results

There were 802 responses to the survey with 76% of respondents reporting they reside in the Town of Eagle. Over 70% of respondents reported visiting open space multiple times per week and over 20% reported visiting open space one to two times per month. Less than one percent of respondents reported never having visited Eagle open space or trails.

The majority of survey respondents felt the management of Eagle open space was "good, but more could be done." Less than five percent of respondents thought management of open space was "poor."

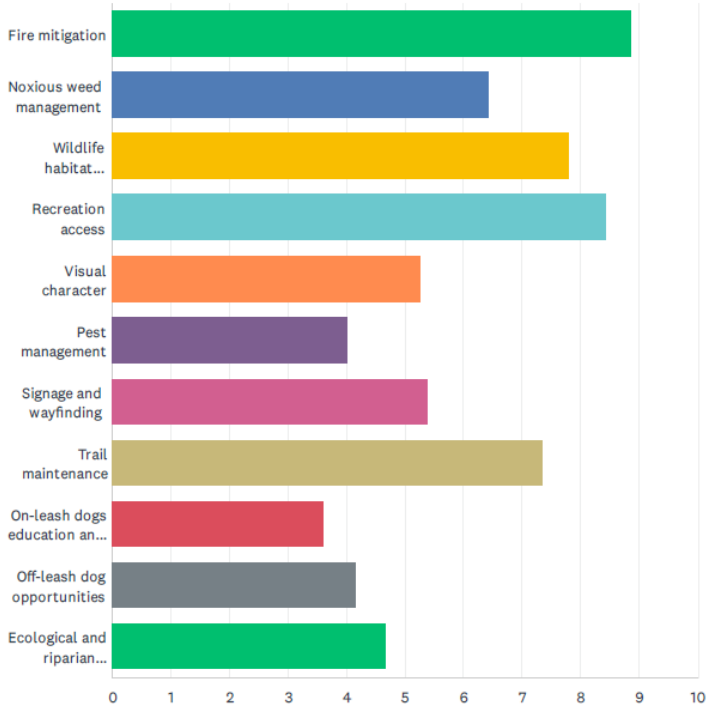
Detailed Survey Results

A series of questions asked about resource management priorities, recreation access/wildlife closures, and motorized access on open space. **Note**: Each substantive survey question result is shown in Survey Monkey generated tables and additional tables in the attached Appendices to compare the survey results for Town of Eagle residents with those of all respondents to the survey.

The first of these questions asked what respondents felt the recreation/natural resource management priorities should be on open space. Respondents ranked the management concerns from 1 to 11 (1 being the highest priority). The top 3 management priorities reported by respondents were fire mitigation, recreation access, and wildlife habitat improvements, respectively. Pest management, on-leash dog education and enforcement, and off-leash dog opportunities were among the lowest priorities for respondents. These responses were similar to those of Eagle residents only.

Q4 What should be the recreation/natural resource management priorities?
(1 being the highest priority and 11 being the lowest)

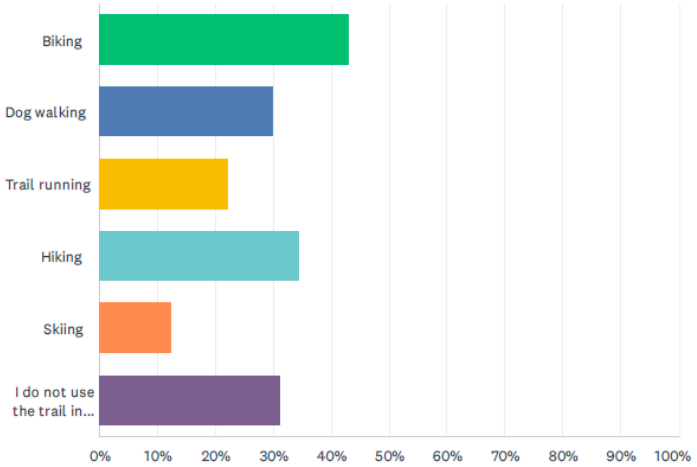
Answered: 788 Skipped: 14



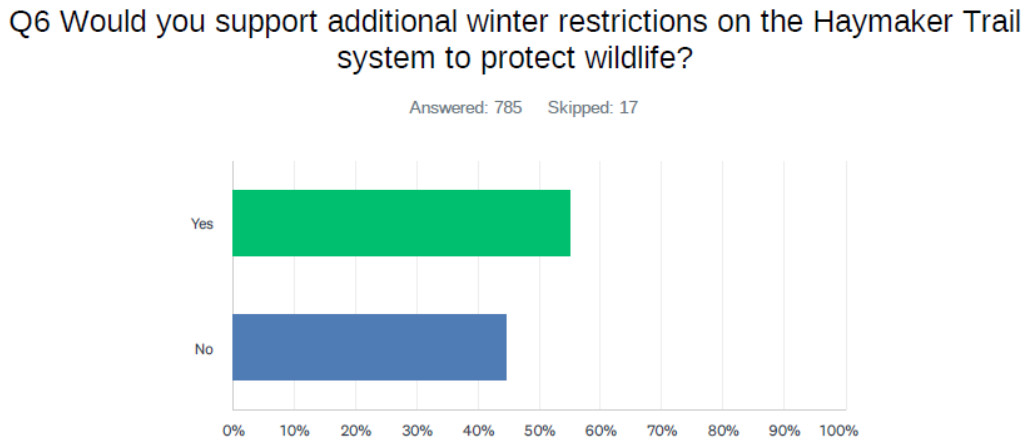
Next, respondents were asked to select their preferred winter use of the Haymaker Trail system. The number one response, with more than 42% of respondents, said their preferred winter use of the trail system was biking. Over 30% of respondents said they do not use the trail system during the winter. Biking was also the number one use for winter recreation on Haymaker for Eagle residents and similarly (around 30%) for those who do not use the trail system in the winter.

Q5 What is your preferred use of the Haymaker Trail system in the winter?
(check all that apply)

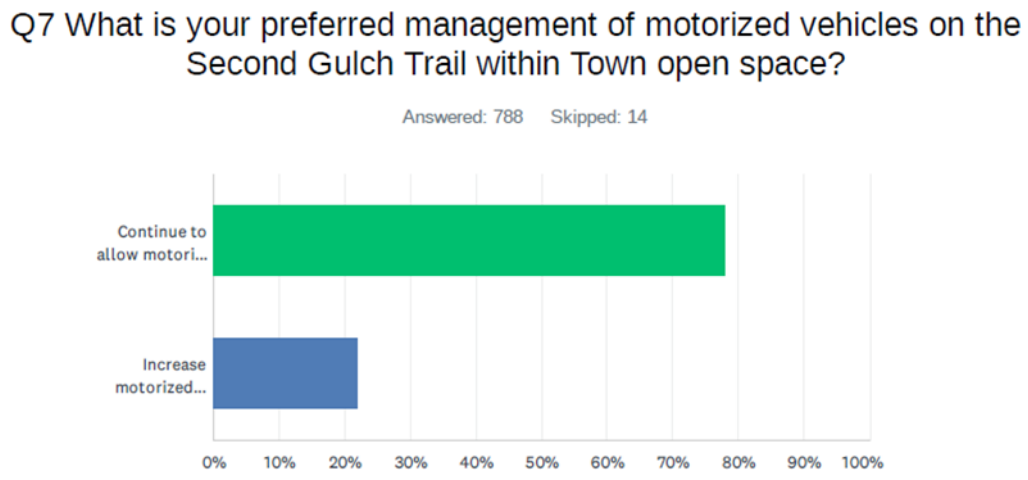
Answered: 798 Skipped: 4



Additionally, respondents were asked if they would support additional winter restrictions on Haymaker to protect wildlife. Respondents were mostly split on this issue, 55% supported additional restrictions and 45% did not support additional restrictions. The results were almost identical for Eagle residents only.



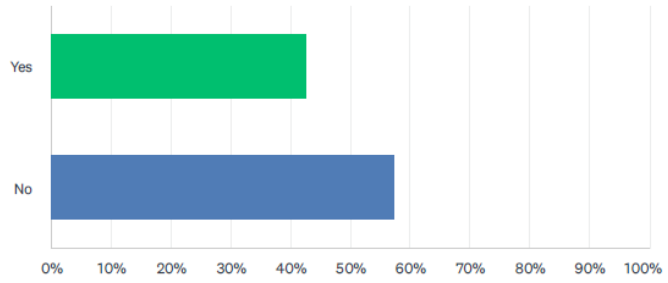
Question 7 asks the participants about their preferences regarding motorized access on open space. The majority of respondents (78%) said they would like to continue to allow motorized vehicles up to a width of 50 inches on the Second Gulch Trail, whereas 22% supported increasing motorized vehicle width to allow access for modern OHVs.



The final substantive question asked about respondents' support for increasing E-mountain bike (MTB) access on non-motorized dirt trails on open space. Nearly 60% of respondents did not support increasing E-MTB access, while roughly 40% of respondents did support increasing access. Question 7 and 8 had nearly identical results for Eagle residents only.

Q8 Do you support increasing E-Bike access on nonmotorized dirt trails on Town open space?

Answered: 799 Skipped: 3

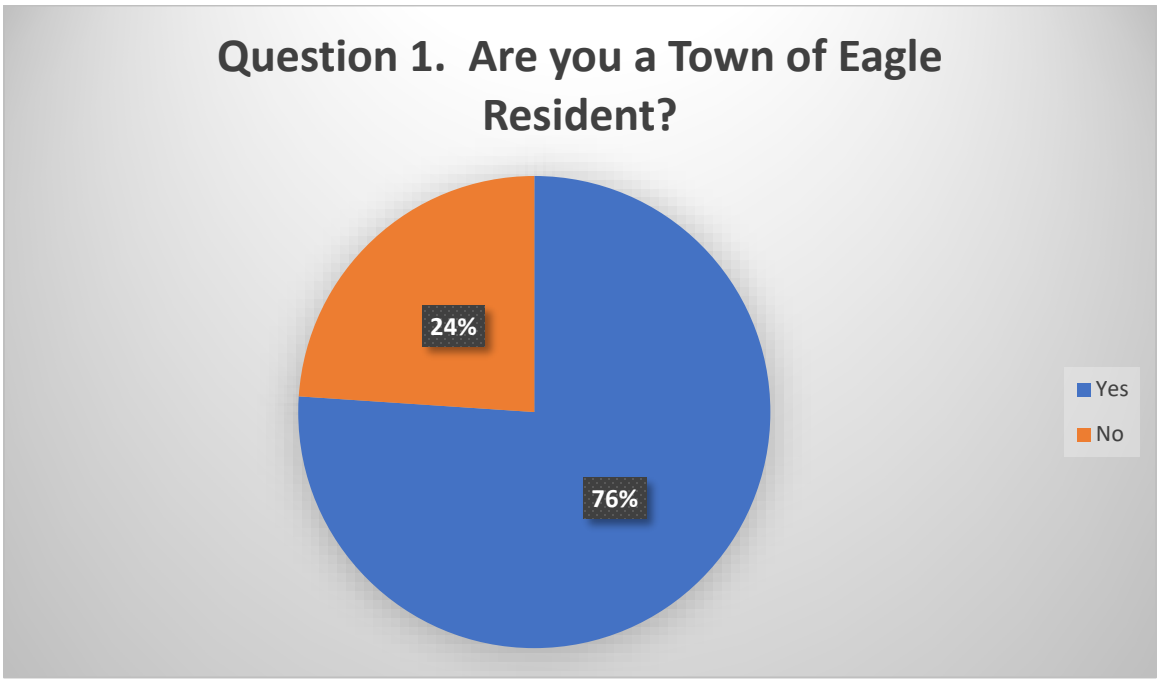


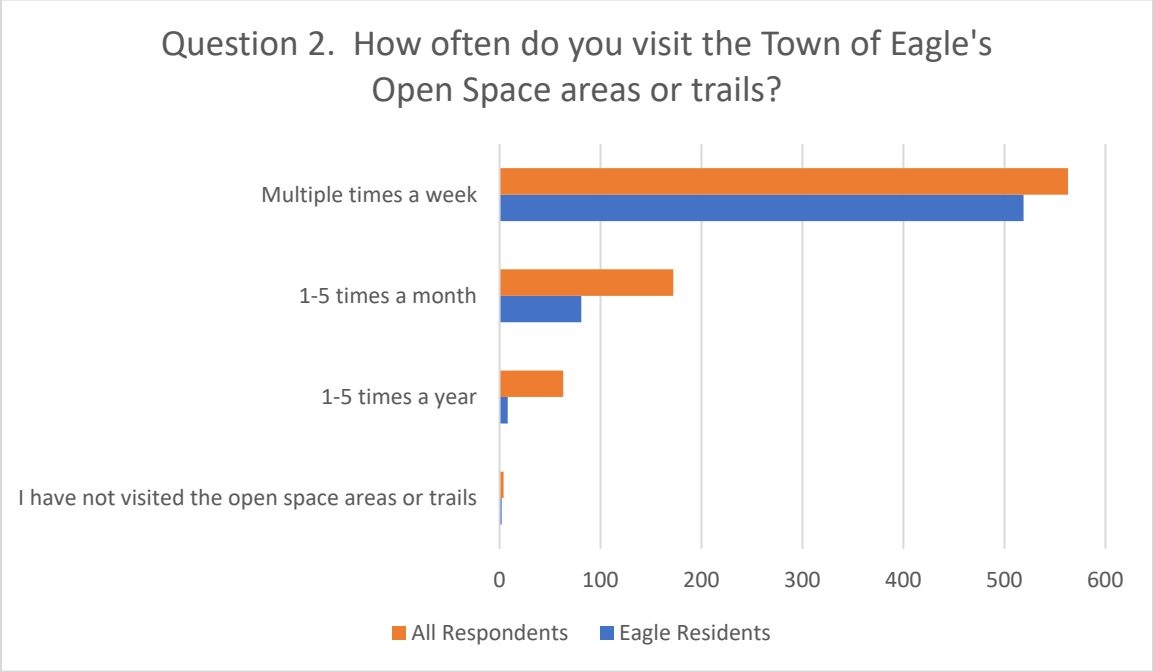
The last question on the survey asked respondents to share any additional concerns or comments. Many of the responses discussed E-bikes, trails and trail maintenance, winter access, dogs, and motorized use. Below is a word cloud of general themes in the responses.

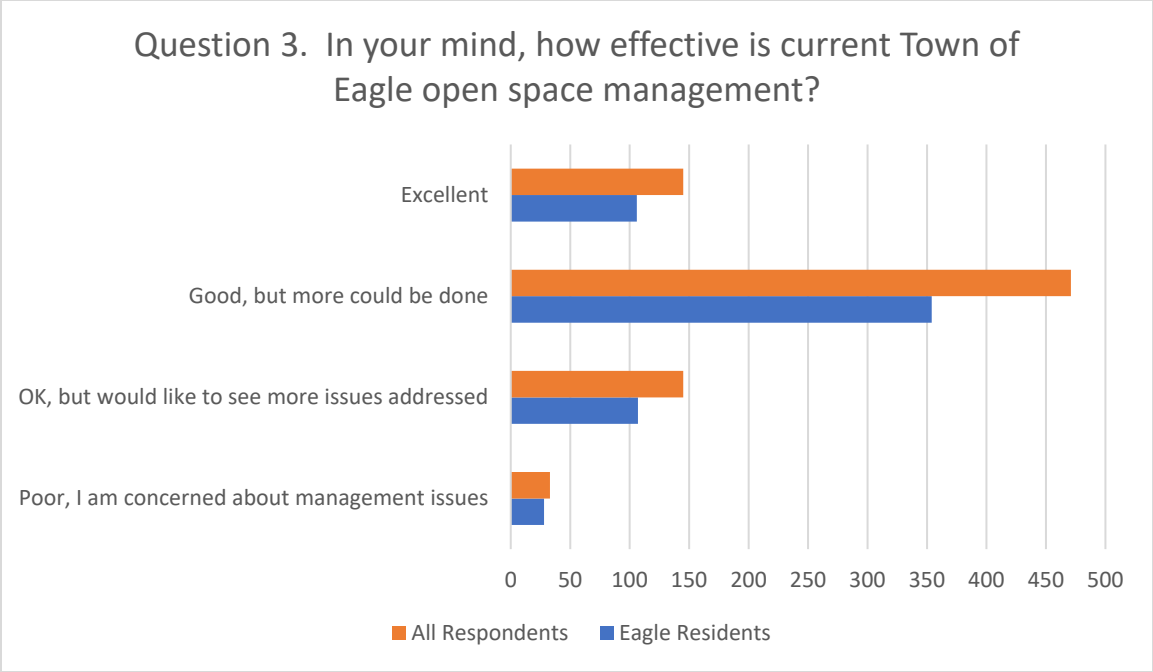
Attachments

1. Management Plan Public Survey Results Specific to Town of Eagle Residents
2. Survey Monkey Generated Survey Results (All Responses)

Management Plan Public Survey Results Specific to Town of Eagle Residents

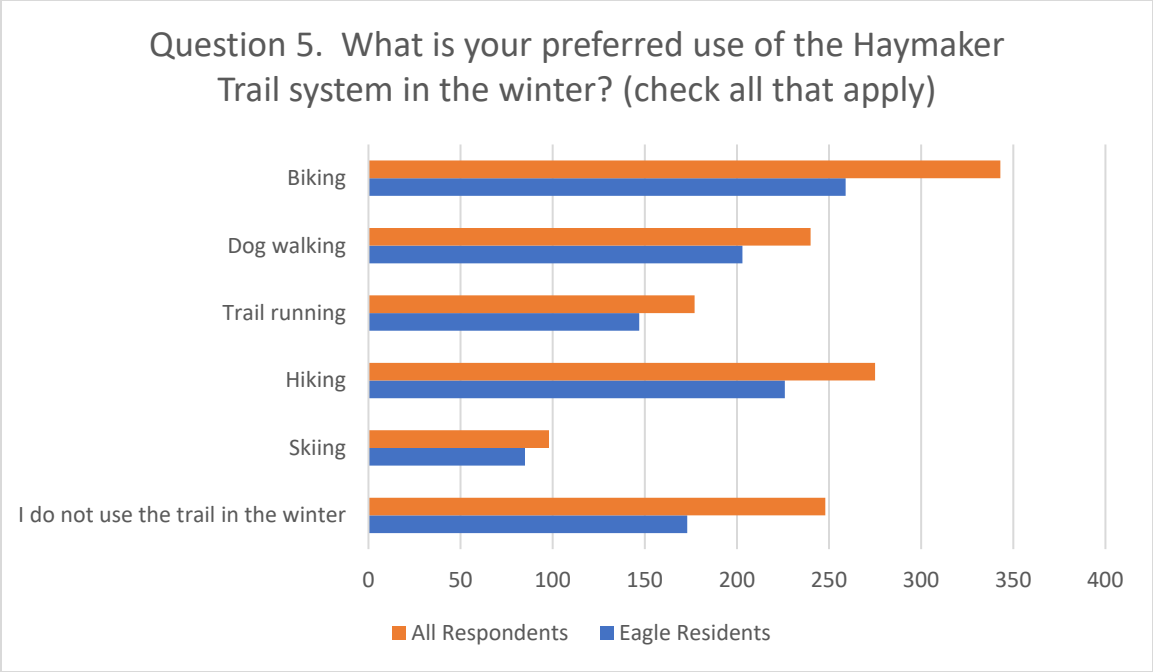




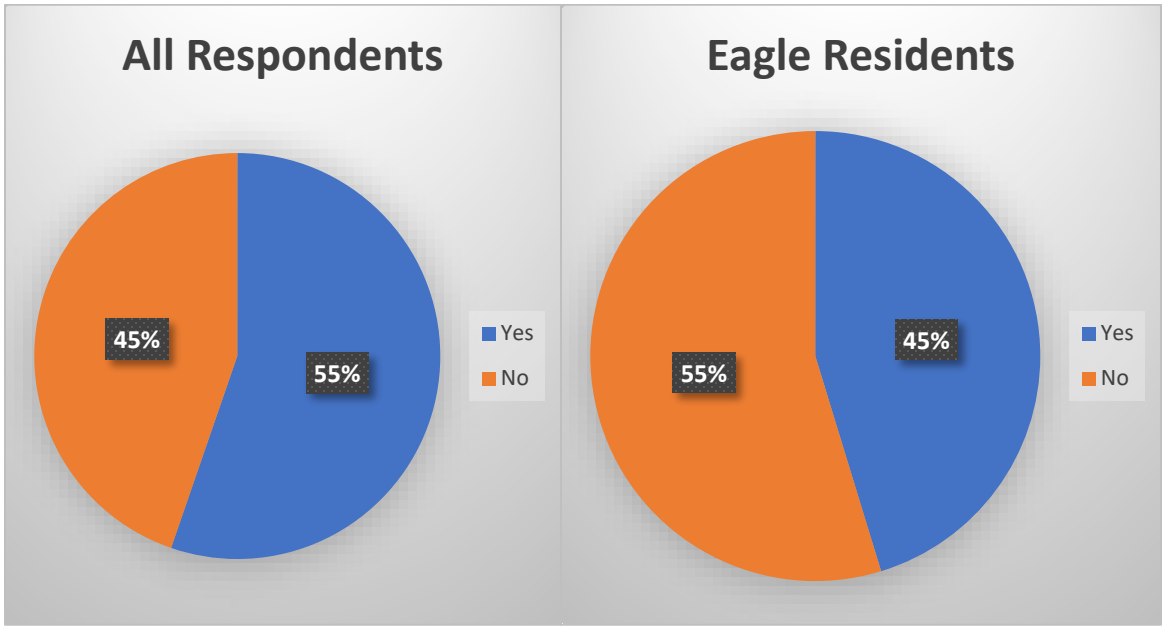


Question 4. What should be the recreation/natural resource management priorities? (1 being the highest priority and 11 being the lowest)

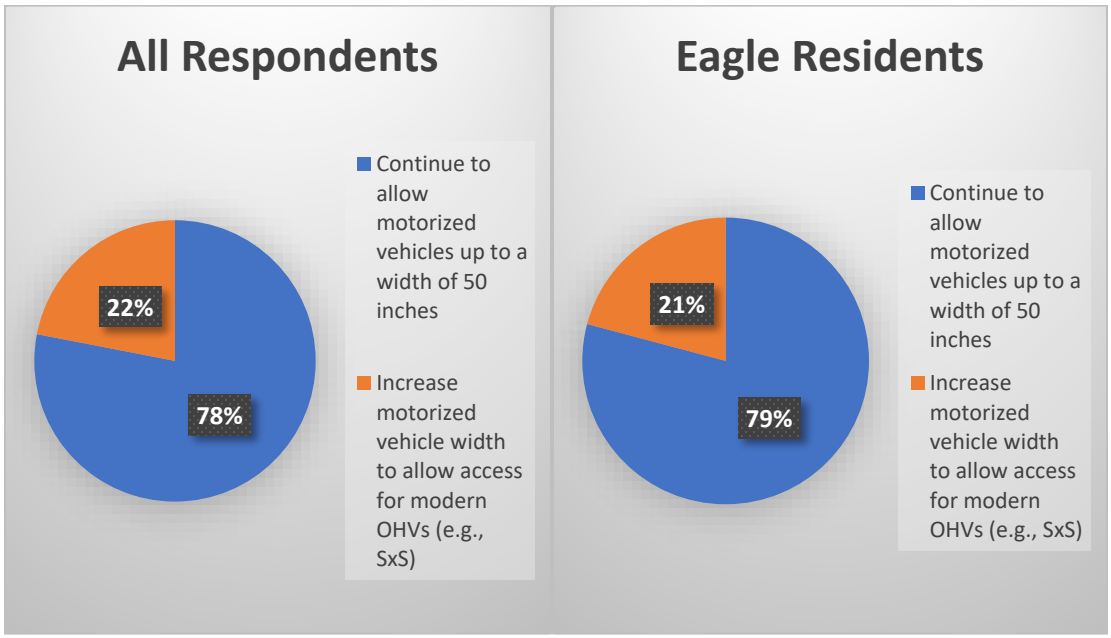
1. Fire mitigation
2. Recreation access
3. Wildlife habitat improvements
4. Trail maintenance
5. Noxious weed management
6. Signage and wayfinding
7. Visual character
8. Ecological and riparian restoration
9. On-leash dogs education and enforcement
10. Off-leash dog opportunities
11. Pest management

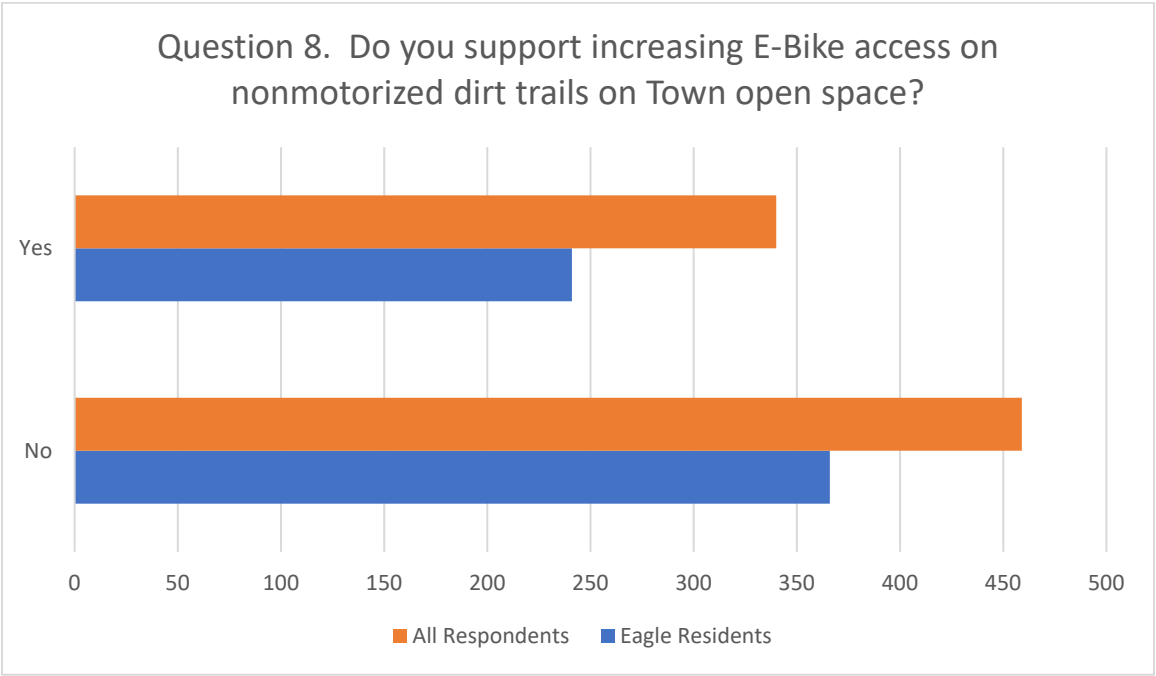


Question 6. Would you support additional winter restrictions on the Haymaker Trail system to protect wildlife?



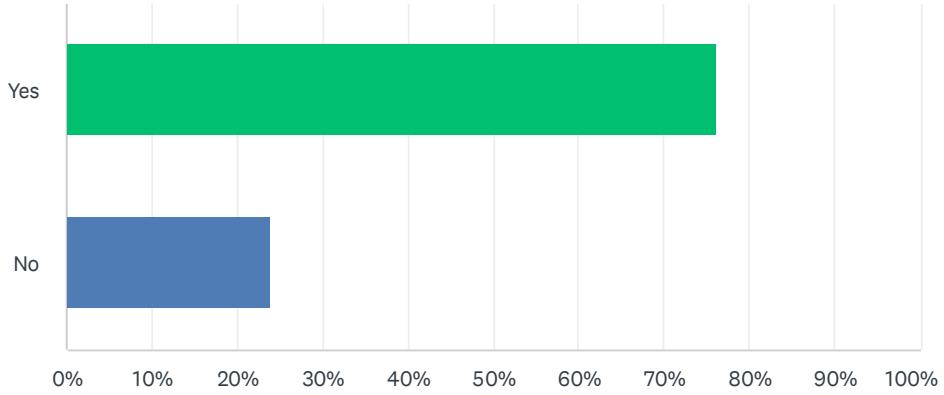
Question 7. What is your preferred management of motorized vehicles on the Second Gulch Trail within Town open space?





Q1 Are you a Town of Eagle resident?

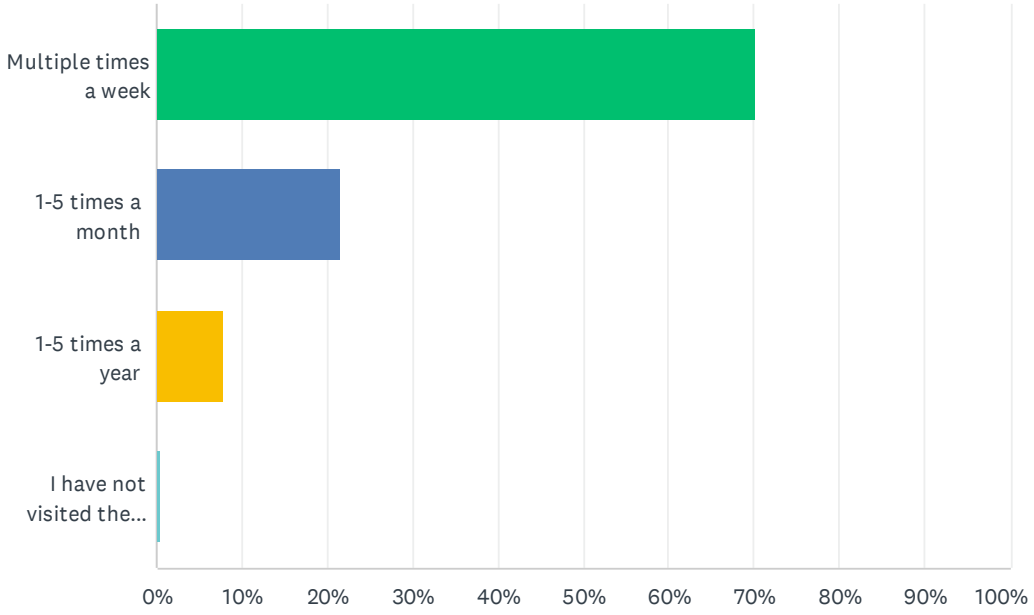
Answered: 802 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	76.06%	610
No	23.94%	192
TOTAL		802

Q2 How often do you visit the Town of Eagle's Open Space areas or trails?

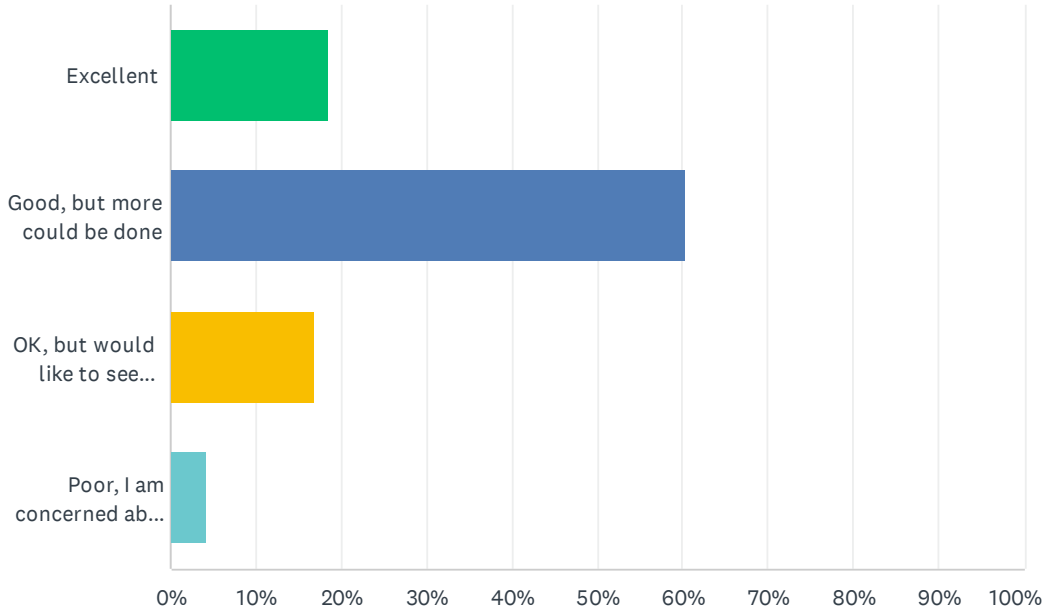
Answered: 802 Skipped: 0



ANSWER CHOICES	RESPONSES	
Multiple times a week	70.20%	563
1-5 times a month	21.45%	172
1-5 times a year	7.86%	63
I have not visited the open space areas or trails	0.50%	4
TOTAL		802

Q3 In your mind, how effective is current Town of Eagle open space management?

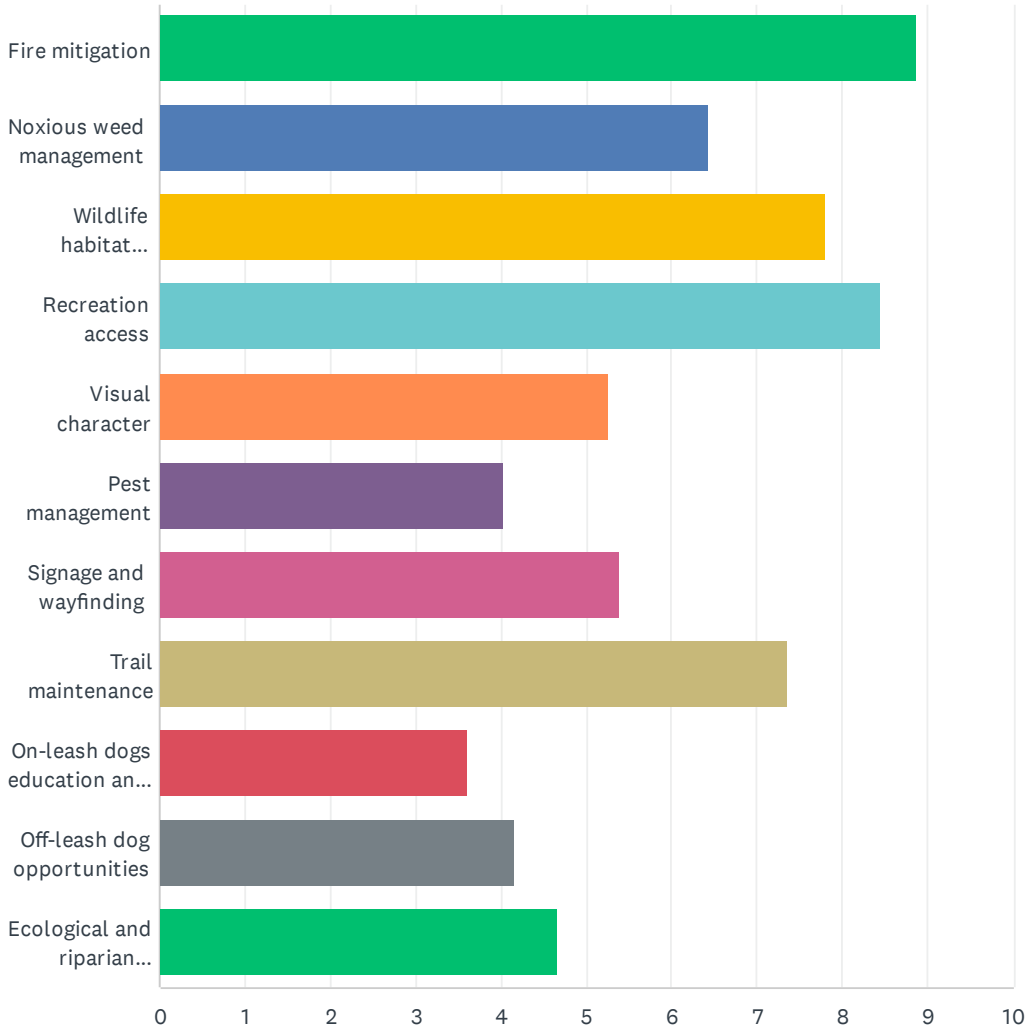
Answered: 781 Skipped: 21



ANSWER CHOICES	RESPONSES	
Excellent	18.57%	145
Good, but more could be done	60.31%	471
OK, but would like to see more issues addressed	16.90%	132
Poor, I am concerned about management issues	4.23%	33
TOTAL		781

Q4 What should be the recreation/natural resource management priorities? (1 being the highest priority and 11 being the lowest)

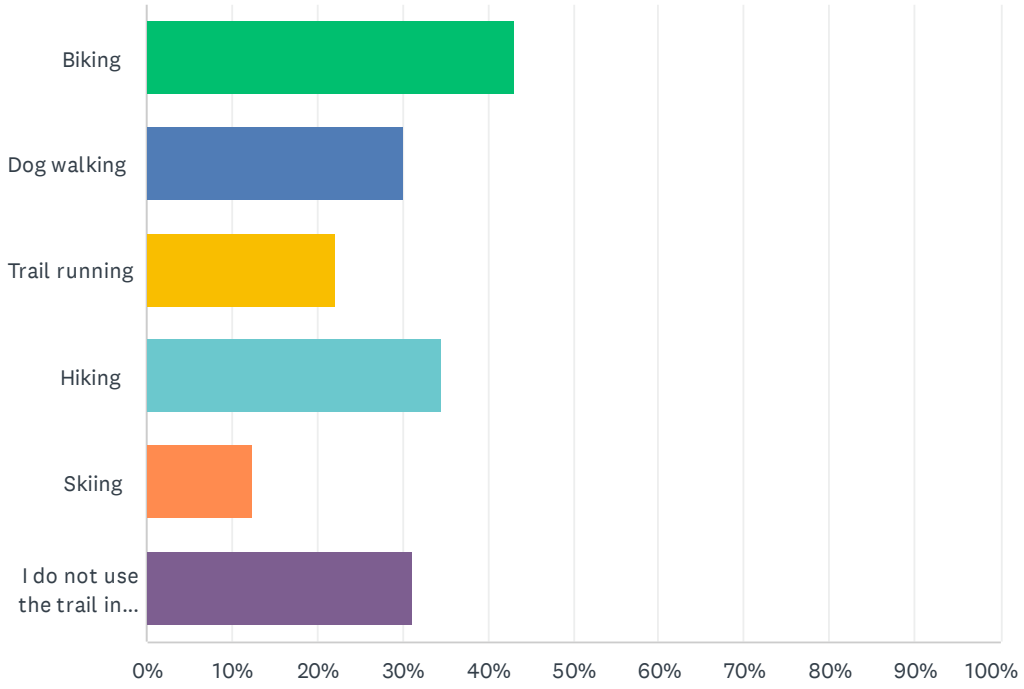
Answered: 788 Skipped: 14



	1	2	3	4	5	6	7	8	9	10	11
Fire mitigation	33.76% 266	14.85% 117	12.31% 97	14.97% 118	9.26% 73	5.71% 45	3.68% 29	3.30% 26	1.27% 10	0.51% 4	0.38% 3
Noxious weed management	2.92% 23	11.42% 90	10.79% 85	10.66% 84	12.56% 99	14.72% 116	13.45% 106	9.64% 76	6.98% 55	4.82% 38	2.03% 16
Wildlife habitat improvements	12.06% 95	18.27% 144	16.12% 127	12.69% 100	13.20% 104	9.26% 73	7.61% 60	5.08% 40	2.28% 18	2.41% 19	1.02% 8
Recreation access	29.70% 234	15.99% 126	13.83% 109	11.42% 90	7.36% 58	4.82% 38	6.22% 49	4.06% 32	3.05% 24	1.52% 12	2.03% 16
Visual character	1.14% 9	2.41% 19	4.95% 39	6.47% 51	14.72% 116	14.97% 118	17.77% 140	14.97% 118	10.79% 85	7.23% 57	4.57% 36
Pest management	0.38% 3	1.02% 8	1.27% 10	2.28% 18	4.95% 39	11.55% 91	14.21% 112	20.43% 161	21.70% 171	15.23% 120	6.98% 55
Signage and wayfinding	1.40% 11	5.84% 46	7.36% 58	10.91% 86	8.50% 67	9.77% 77	14.47% 114	13.20% 104	15.10% 119	9.77% 77	3.68% 29
Trail maintenance	8.88% 70	15.23% 120	15.10% 119	14.34% 113	10.53% 83	11.29% 89	5.33% 42	10.91% 86	5.96% 47	2.41% 19	0.00% 0
On-leash dogs education and enforcement	3.17% 25	3.30% 26	4.57% 36	3.81% 30	5.33% 42	3.68% 29	4.57% 36	4.57% 36	15.99% 126	21.95% 173	29.06% 229
Off-leash dog opportunities	3.93% 31	5.46% 43	7.23% 57	5.58% 44	5.71% 45	5.08% 40	5.08% 40	4.57% 36	6.98% 55	21.83% 172	28.55% 225
Ecological and riparian restoration	2.66% 21	6.22% 49	6.47% 51	6.85% 54	7.87% 62	9.14% 72	7.61% 60	9.26% 73	9.90% 78	12.31% 97	21.70% 171

Q5 What is your preferred use of the Haymaker Trail system in the winter? (check all that apply)

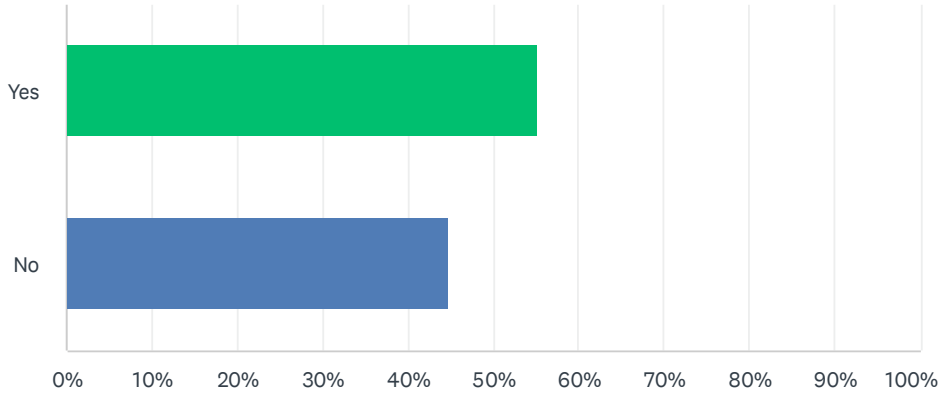
Answered: 798 Skipped: 4



ANSWER CHOICES	RESPONSES	
Biking	42.98%	343
Dog walking	30.08%	240
Trail running	22.18%	177
Hiking	34.46%	275
Skiing	12.28%	98
I do not use the trail in the winter	31.08%	248
Total Respondents: 798		

Q6 Would you support additional winter restrictions on the Haymaker Trail system to protect wildlife?

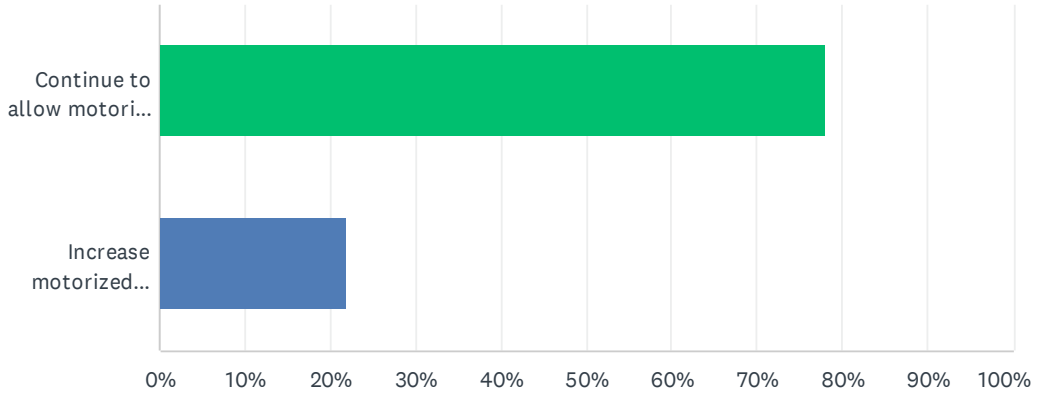
Answered: 785 Skipped: 17



ANSWER CHOICES	RESPONSES	
Yes	55.29%	434
No	44.71%	351
TOTAL		785

Q7 What is your preferred management of motorized vehicles on the Second Gulch Trail within Town open space?

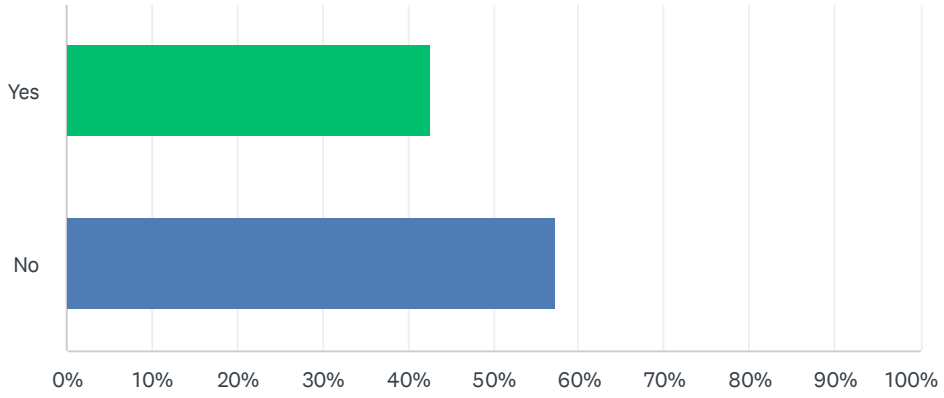
Answered: 788 Skipped: 14



ANSWER CHOICES	RESPONSES	
Continue to allow motorized vehicles up to a width of 50 inches	78.05%	615
Increase motorized vehicle width to allow access for modern OHVs (e.g., SxS)	21.95%	173
TOTAL		788

Q8 Do you support increasing E-Bike access on nonmotorized dirt trails on Town open space?

Answered: 799 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	42.55%	340
No	57.45%	459
TOTAL		799

Q9 Do you have any additional management concerns or comments?

Answered: 371 Skipped: 431

#	RESPONSES	DATE
1	Dogs off leash on trails, excessive waste from dogs on and alongside trails. Otherwise, love and appreciate our Eagle trails and all the work done to keep them open and in great shape!	8/19/2023 3:59 PM
2	Absolutely no dirt bikes or other motorised vehicles on any of the trails, new E-bikes ok. Speed limits are needed to keep trails safe. No need for loud, aggressive and dusty bikes.	8/18/2023 5:19 PM
3	Thank you!	8/18/2023 9:18 AM
4	We need more motorized and e-bike access. It encourages people to get out and be active where they may not be able to. It also polarizes users to not allow all activities.	8/17/2023 8:04 PM
5	I believe the time is right to allow class 1 ebikes on our local trail systems. These bicycles don't go any faster than a pro cyclist and they aren't causing any damage to the trails. Closing haymaker in the Winter would be ignorant. There is already a huge development in progress adjacent to the trail and that couldn't bother wildlife any more than the human element that will be in place. If anything, Eagle should introduce more Winter trail access.	8/17/2023 1:43 PM
6	I'm concerned about motorized vehicle access to the trails and what the impact is on wildlife, people biking or hiking and on residents around the trails.	8/17/2023 12:47 PM
7	The town should look for opportunities to convert buildable open space to affordable housing sites.	8/17/2023 6:56 AM
8	Start ticketing people that violate winter trail closures and shoot their dogs!!	8/16/2023 9:53 PM
9	More motorized access. Jeeps, snowmobiles, dirt bikes side by sides. Don’t forgot about the keep community the ability to loop trails.	8/16/2023 7:24 PM
10	Haymaker Trail access is critical in the winter for our community	8/16/2023 5:51 PM
11	Please build an actual trail up and over 2nd gulch and let the ORVs have the road and access to Hardscrabble. There is plenty of land to design an enjoyable sustainable trail rather than steep steep old jeep road that can become unrideable because of erosion.	8/16/2023 3:23 PM
12	Thanks for the amazing trails.	8/16/2023 3:14 PM
13	I live on Ewing Street facing dog park. I’m very concerned with overgrown weeds and trees in our area. I have met with fire mitigation workers and they agree this is dangerous. The last two years they did a controlled burn to help but this hasn’t been done this year. I have a corner lot with open space on one side and open space to the back. Im so concerned I would be willing to help with clean up or help pay for clean up. Thanks for listening.	8/16/2023 2:31 PM
14	Bathroom on top of Pool & Ice— where are all the dispersed campers pooping?!?! No dogs on Haymaker in the winter! Take them to Bellyache!	8/16/2023 2:29 PM
15	How about you be specific with the different classes of e-bike so people can be informed appropriately. Supe disappointed that you can spend $625000 on terrible art. Poor use of tax payer money. Hire the right people to have a pool built instead of the path you are currently going down.	8/16/2023 1:29 PM
16	I think that it is crucial to explain that the 2nd gulch limitations on vehicles wider than 50” where only enforced since last summer. While the code has on the books for years, it was never enforced until now. A lot of people do not understand that this has been accessed by the now restricted vehicles for years. The request to allow access that has been previously used is what’s being left out of the discussion in almost every one I’ve heard.	8/16/2023 1:18 PM
17	Dog and horse waste left on the trail	8/16/2023 12:30 PM
18	Actually, any sort of access with motorized vehicles should be forbidden. It is dangerous and loud and flies in the face of any nature preservation initiative.	8/16/2023 12:28 PM

19	Even better would be to ban all motorized vehicle access (regardless of width) from the Second Gulch Trail because of its noise pollution, its danger to hikers and bikers, and its fire hazard. Operating internal combustion engines of any kind is also incompatible with the trail system's role in preserving a natural environment.	8/16/2023 12:21 PM
20	Of Particular concern is the trail from Arroyo Parking until where 2nd Gulch intersects with the Hardscrabble Connector. As a neighbor resident I have several concerns I like the working teams/committees to consider before making a recommendation on the use of the trail. Providing access to wider motorized vehicles is a convenience for some but a nightmare for the neighborhood and the vulnerable trail users. Larger motor vehicle use is not compatible with the heavy use of this trail use by vulnerable trail users, like hikers, runners, and bikers, many of them kids and seniors. Putting them both on one path would not only be an annoyance but a liability and safety hazard. Vulnerable trail users don't wear crash protection, have vehicle protection, or wear noise protection. Larger motorized vehicles already have multiple access points to the backcountry at Hardscrabble Road. Second Gulch access would only be shortcut for these vehicles to get into the backcountry hindering other no-motorized frequent users. The people who designed the trial to be hikers and MTB only, designed it with great insight. I recommend that additional access points for larger motorized vehicles are being considered in collaboration with the County. The thought that Eagle should solve this issue on its own versus working with the County is not acceptable. I also recommend Eagle learns from the town of Moab and how motorized back-county access has negatively impacted the quality of life of its neighborhoods. Solutions for backcountry motorized access should and could be found substantially outside the current and future residential areas and outside the areas frequented daily by vulnerable trail users' young kids and seniors. Let's try to keep the environmental impact on our neighborhood limited and preserve the nearby trails for less impactful recreational use with the safety of our kids and seniors in mind. I fear any type of limited motorized access can't be controlled and will likely mushroom. The late evening/night use by dirt bikes is an indication of what will happen at an increased frequency. Complaints at previous public hearings about this have been to no avail. There is ample access in the backcountry for larger motorized vehicles and new access can be created well outside the town's boarders, so I don't see any valid reason to negatively impact those who live and/or visit the area and frequently use the trail to walk, hike, run and bike. Motorized vehicle access also accelerates the significant erosion on 2nd Gulch and the 2nd Gulch Hardscrabble connector. I believe the severally damaged cattle guard last year and fast erosion of 2nd Gulch – Hardscrabble connector demonstrated this already. Further trail damage would interfere with the frequent use of the trails by hikers, runners and gravel bikers. The trail from the Arroyo Parking Lot to the Cattle Guard sits in a natural amphitheater which substantially amplifies the noise of motor vehicles coming through it. This concern has been mentioned by other residents at a public hearing. I recommend that you study the noise impact/levels on the neighborhood before considering/proceeding. Note this is already a concern with the smaller motorized vehicles, especially since dirt bikes tend to use the road early and very late in the day. The noise would only increase with larger vehicles. We can literally understand every conversation people are having on the trail which is ~300 yards away. If you can overhear a private conversation just imagine the noise impact with an increased use of motorized vehicles. I noticed that most of the motorized vehicle user use substantial noise protection (noise cancelling headphones, earplugs). This proofs that the drivers recognize that the noise levels are high and even harmful. However, they only seem to care about themselves but not about the people in their environment. A convenience for some should not be a hindrance and safety hazard for others. I am extremely concerned about the increasing motorized traffic on the 2nd Gulch Connector. Instead of allowing even more and wider motorized traffic it should be banned totally. Again, on Saturday night August 12th at 10.30 pm several dirt bikes came through revving with flashing white, blue and red lights as they continued to Hardscrabble Rd. and later back into 2nd Gulch. It just exemplifies the risk of increasing and broadening motorized access on 2nd Gulch and the significant impact it has on the nearby community. If people can't behave and follow some easy rules and respect the neighbors, no further privileges should be granted, and the community should be put on notice that even dirt bike access isn't guaranteed. We went from a quiet and family friendly Eagle Ranch community to neighborhood interrupted daily at sunset and early mornings by revving motorbikes. In the very unfortunate case, it is recommended to broaden the access to larger motorized vehicles I respectfully request the compatibility, safety, noise, and erosion items to be carefully and fully addressed. Increased access should come with: No commercial use – zero tolerance / big fines Enforceable noise restrictions (7 mph speed limit, no revving) Local Eagle Ranch licenses only (no rentals, pre-registration required) Volume and time restrictions (access 2 hours after sunrise up to 1 hour before sunset, no access on weekends/holidays) Parking	8/16/2023 12:14 PM

	restrictions Patrol of the area Physical closure with a chain link barrier of trial daily before sunset Segregation (vulnerable trial users vs motorized traffic) No access of motorized vehicles during high fire risk days/periods Delayed opening for motorized traffic to avoid interference with wildlife Motorized vehicles, including e-bikes, should yield to vulnerable trail users in all circumstances asnd ready for others to make mistakes (and take the full liability) Mandatory driver training for e-bikes and all motorized traffic If access is granted, to avoid concentration, other access points should be created. Review of budget implications tax increase for recreational motorized vehicles to cover extra expense. Survey questions are leading and induce clear bias. The priority pre-setting creates a huge bias which makes the survey worthless. I recognize high quality surveys and polling are very difficult to design and administer. Extreme care should be taken not to read too much in the result. It is easy to misuse polls to support a politically driven decision. The survey for sure should have allowed for easier and more comments. The survey for sure should have allowed for easier and more comments and allow for non-binary answers. For example, I don't support motorized access on 2nd gulch and would have preferred to provide more nuanced comments/answers on all other survey questions. Please take the outcome with a big grain of salt. Regarding another matter. I also recommend that the Open Space Committee reviews and tightens access to the trials during excessive dry periods / days with high fire risk. I have personally seen how long it takes, despite best efforts, to get the fire crews up the gulch in case of emergency. The fire risk concerns me a lot. Any type of motorized recreational access to trials around town substantially increases this fire risk. I understand that further fire restrictions will require coordination among many agencies, but prevention is the better solution. A code change is overdue because of the significant expansion of the Eagle's population, its density, and its boarders. As such, I recommend a Code Change to significantly limit and/or ban fire-arm use, off-road recreational vehicle use, fireworks and party areas during days of very high fire risk and/or prolonged draughts. I would also recommend to substantially step up preemptive controlled fires/clearing of underbrush in areas surrounding Eagle. It doesn't make sense to restrict access in Haymaker areas for a longer period in spring given the high density of homes in the area. If there are valid concerns, haymaker shouldn't have been developed. Access period to trials should be the same everywhere. e-bikes use should be allowed but they need to yield to all non-motorized traffic in all circumstances and limit their speed on trials.	
21	You should differentiate e-bikes - class 1 should be allowed on all trails. class 2/3 should be ban on all trails! Ty!	8/16/2023 12:14 PM
22	Please do not make all trails beginner to intermediate. This is a poor management tool plan.	8/16/2023 9:57 AM
23	Keep building awesome flow trails?	8/16/2023 9:24 AM
24	My concern is that with the increased use of e-bikes that recreational wildlife space will become more populated and will contribute to increased disruption if wildlife habitats and wilderness/vegetation degradation.	8/16/2023 8:47 AM
25	Please more Ebike support and access. :)	8/16/2023 7:34 AM
26	I want to express my firm opposition to the proposed expansion of the Second Gulch Trail. While I understand the potential benefits of such an expansion, I believe the negative consequences far outweigh any perceived advantages. Firstly, the projected costs associated with both building and maintaining an expanded trail are concerning. Allocating resources towards this endeavor may divert funds from more pressing conservation efforts, which would ultimately have a greater positive impact on our community and its natural environment. Additionally, the expansion of the trail poses an increased fire risk to the area. With the current challenges posed by climate change and the unpredictability of wildfires, it would be unwise to introduce a potentially hazardous element that could exacerbate an already critical situation. Lastly, I must emphasize the adverse effect the trail expansion could have on the elk herd that frequents the area. The elk population has already experienced a significant decline, and disrupting their habitat further could push the herd to the brink of endangerment. Our responsibility to preserve and protect these creatures should take precedence over any recreational interests. In conclusion, I feel It is essential that we prioritize long-term ecological health, fiscal responsibility, and the safety of our community over short-term gains.	8/15/2023 7:30 PM
27	I am concerned about allowing motorized vehicles on the second gulch trail. With fire hazards being an issue when adding more access like that. There is no need to increase motorized vehicle use, especially because the current motorized vehicles allowed and current access is not at all monitored. Thank you	8/15/2023 7:14 PM
28	I wish all open spaces to allow e-bikes no matter what kind of land that allows any kind of	8/15/2023 1:19 PM

	biking. I used to race mtn bike and trail run until a major health issue hit and after much thought weighing bought an ebike to continue my favorite hobby. I find it ridiculous I gave a handicap that disqualifies me to have the same opportunities as a regular bike rider. I do less damage to trails than open range cattle or horseback riders are allowed to do, that does WAY more damage than I could ever do to trails allowable. It's very frustrating to say the least. Often I hear- ride on the road. However I've had more friends get hit by cars on their bikes which in return makes me nervous due to that inconsideration by car drivers. I've read a lot of studies on e-bikes and environmental damage and basically it's no different than a regular bike. This area needs more education all around with this whole "no ebike" rules.	
29	I think most important is how to have guidelines around ebike usage. It is so great to see so many people on bikes, but ebikes, dogs, mountain bikers and hikers, horses and more need a good way to harmoniously use the trails. It seems the ebikes with their speed are causing more human and dog collisions due to their rate of speed and lack of trail knowledge for new users	8/15/2023 9:05 AM
30	Seeing as our ohv funds help maintain the trails…. It would be nice to see more motorized single track.	8/14/2023 6:47 AM
31	1. E-bikes are a hazard to foot traffic and the biker. They allow riders to get places they don't have the skill so be. 2. Quit building homes and the elk will have a place to go. Duh. 3. We already have homes with trails around them in the arroyo area. Leave the lower trails open in the winter. I mean seriously, there are homes there. People, pets, cars, for gods sakes. And we can't use the trail. Duh…again. 4. This issue is so ass-backwards. Common sense?	8/13/2023 9:13 PM
32	Don't cut off access to the Bureau of Land Management public lands from Town of Eagle property in the winter or any time of the year. Thank you for putting up signage for the Spud Cellar property to keep people out of that land that was donated to the open space to be protected. There should not be any trails to the top of the hill at all, cutting through that property. You should focus on fencing it off for a few years so the vegetation grows back and it goes back to the natural terrain when the landowners donated it to the Open Space trust. You should take down the trail cameras that are out to survey people, seeming to make them criminals for enjoying the open space that was built to encourage people to get out side and what the Town of Eagle promoted for its growth.	8/13/2023 5:37 PM
33	Do not close the "Haymaker trail system" in the winter. People live in the mountains to enjoy access to trails outside their houses. Do not take that away from them. It is ridiculous to even suggest to close the trail and restrict access to those trials in the winter. Do better. I've enjoyed that access for the last 17 years. Do not take that away because you want to control and restrict those trails. The elk have enough land past the far end of Haymaker in the winter.	8/13/2023 5:29 PM
34	E bike etiquette / education Do not set hard dates for winter closures- Animal Control- overly aggressive officers going after well behaved dogs off leash in parks - needs to be addressed	8/11/2023 10:51 AM
35	As a frequent biking/hiking user, I am very worried about me and my familie's safety and the noise pollution if Second Gulch Trail access would be increased to vehicles of more then 50 inches!	8/11/2023 7:15 AM
36	This is simply a message to be passed along: E-Bike usage in town is rampant. They're a fun toy but they're OFTEN used very recklessly, especially by youth, with little regard to safety. Eagle PD has to enforce - buy the entire force E-bikes and have them patrol. Also, get rid of the dog leash laws in Eagle. They're archaic.	8/10/2023 4:19 PM
37	It is a privilege to use these trails, and we are lucky to be able to share them. Thank you	8/10/2023 3:46 PM
38	What is the point of Haymaker trail closures to protect wildlife when another 800 homes are being built in the area? It seems contradictory.	8/10/2023 2:00 PM
39	E-bikers are people too.	8/10/2023 11:05 AM
40	Three things -- 1) Hopefully the education program recently implemented and partially funded by the Eagle Ranch Wildlife Committee can continue. It was a great campaign coordinated with Hardscrabble Trails and Vail Valley Mtn Trails. 2) Why not ask the Eagle Ranch Wildlife Committee to buy a few vacant lots - and leave them undeveloped - to ease the pressure on wildlife and add habitat. The density of Eagle Ranch homes, even in the Highlands, is much too crowded already. 3) I would love to see a collaboration of the right agencies get behind better bikeways. One example would be widening Brush Creek road. Currently it is a dangerous route.	8/10/2023 9:39 AM

41	E bike regulation and enforcement is impossible in-town on the streets and rec paths. It will be out of control on the soft surface trails. E-bikes are not easily classified as class one, two or three vs electric dirt bikes. Once electric dirt bikes are on our trails you may as well allow gas's powered dirt bikes, little difference to the impact on the trail. Until there is a way to enforce e-bikes by class and such there Should be no access to the soft surface trails.	8/9/2023 8:01 PM
42	It's incredibly terrifying to be hiking this trail system and have a mountain biker fly around a blind corner and almost kill me. Please figure out a solution. Maybe one-way? I understand both forms of recreation should be allowed and I actually do both (biking and hiking), but for myself and my two pre-teen daughters (all of us hike and bike, I'm not biased, but the danger is real) the bikers are dangerous with speed on blind corners and someone could die. Seriously. So scary.	8/9/2023 6:43 PM
43	Keep doing a good job!	8/9/2023 4:04 PM
44	Class 1 e-bikes only on mtb trails.	8/9/2023 11:10 AM
45	Incress Motorized trail access. Fenced in dog park.	8/9/2023 10:23 AM
46	Improve trail maps and signage. Increase number of dog waste disposal bins at trail heads such as Silver Spur access.	8/8/2023 11:08 PM
47	More motorized access to Hardscrabble out of Eagle - ex. Hocket, or new single track to upper hubs	8/8/2023 10:12 PM
48	Speed limit for bike paths through town	8/8/2023 9:48 PM
49	Open Space policies should match adjacent land regulations for a seamless experience. E-bikes should be managed by classification of bikes	8/8/2023 7:46 PM
50	I use the trails for both mountain biking and dirt biking with family. The areas are great for both uses. Signage is much improved in the past year. Thanks.	8/8/2023 7:24 PM
51	Keep haymaker open year round and lift leash restriction to voice and sight control	8/8/2023 6:42 PM
52	I'm 70 years old and have been a cyclist in the Vail Valley for 50 years. I now ride a category 1 E-bike. It keeps me in the game. It's absolutely time to revisit allowing only category 1 E-bikes on most if not all non motorized trails. One still has to ride the bike. Time for forward thinking as many of us continue to age.	8/8/2023 6:35 PM
53	E-bikes that require pedaling should be considered the same as bicycles throughout all non motorized dirt trails. E-bikes with a throttle should still be considered motorized with restricted access. For what it's worth, I do not own an e-bike, but I most likely will at some point. In my opinion, pedal powered e-bikes will continue to take over the industry as tech improves. People will use them on non motorized trails regardless of restrictions and they'll become hard to different from regular bicycles. Let's be proactive and stay ahead of this to properly account for it, rather than pretend it's not happening. And, it will be great.	8/8/2023 5:59 PM
54	No. Thank you	8/8/2023 4:43 PM
55	Get the e-bikes off the walking paths. They should be on the street with cars and obey the same rules as cars. I'm fine with them on the dirt but the local side walks and recreation paths should be free of e-bikes going 28+mph. Super dangerous!	8/8/2023 4:20 PM
56	Not sure how to handle the off-leash dog issue. I have heard rumblings about maybe creating another off-leash dog park near Haymaker. I don't think that is a wise use of space, time or funds. We have a great dog park less than a mile away. People aren't walking/running with their dogs off leash because they need a dog park, they do it because they feel their dogs are "not the problem" or that the rules don't apply to their "well behaved" dogs. We see people on the paved rec trail that flanks the dog park running/walking with their dogs off leash all the time, and they are literally right next to the dog park! So adding another dog park isn't the solution, it's stronger penalties but I'm not sure who would enforce that. The police are busy enough that they can't be asked to really do it.	8/8/2023 3:25 PM
57	More biking and hiking trails. Including more opportunities for e bikes	8/8/2023 1:02 PM
58	Living near the Second Gulch Trail, the noise coming from motorized vehicles on the trail is creating tons of unnecessary noise pollution at all hours of the day.	8/8/2023 12:46 PM
59	Dog park entrance by Sylvan lake rd. Have a gate installed. At dog park-Some trees in the	8/8/2023 12:01 PM

	open area for shade. Repair broken furniture at dog park.	
60	Please no side by sides on 2nd gulch. This would be very dangerous for dirt bikers and bikers!	8/8/2023 11:15 AM
61	I would like to suggest a management plan for the trails that are currently paid for with local tax $$$. Require a paid trail pass for 'out of town' vehicles driving to trail heads. this will effectively impose a trail fee for individuals who do not pay taxes, but cause damage and deterioration of the quality of the trails, particularly during early spring season and late fall season when up valley trails are closed. town of eagle locals will not be charged and could be assigned a 'town of eagle trail pass' (because they already contribute through local area taxes) the revenue raised can be used to generate funding of a more robust trail management program, including more regular maintenance and continued expansion of the network of trails in and around eagle	8/8/2023 10:45 AM
62	my jeep is as narrow as many side by side and much quieter! i'll use the same access with my jeep!	8/8/2023 10:15 AM
63	On #7 I would prefer a lessen motorized access option. I would encourage a limited number of clearly designated trails for e-bike use.	8/8/2023 10:08 AM
64	Make more bike trails one way and not for hiking. A downhill fast bike trail with banked turns and jumps should not have hikers and dog walkers ascending it. Just an accident waiting to happen. These are flow trails. Do hikers and dog walkers really need banked turns and jumps. Being inclusive to everyone is pure stupidity. Someone is going to get seriously hurt.	8/8/2023 9:57 AM
65	Trail access for side by sides is important to keep them off the roads	8/8/2023 9:46 AM
66	It is my belief that e-bikes will over run the mountain bike trails if allowed to. When you take something that is hard (ie mountain biking) and make it super easy and accessible to anyone, you inevitably will have so many people doing it that the experience is ruined. Just look at what AT gear has done to backcountry skiing. No e-bikes on trails.	8/8/2023 9:46 AM
67	Class 1 E-Bike access on ALL local trails is MUST. This is my greatest concern. As many of us local avid mountain bikers get older it is imperative that we can access the trails on e-bike mountain bikes - peddle assist only.	8/8/2023 9:28 AM
68	Bikes are bikes- let us ride them on the recreation paths instead of the dangerous roadsides.	8/8/2023 8:54 AM
69	Bilingual signage and wayfinding. In town signage so nonlocals can stay on paved bike paths to trails instead of roads. They don't know how to get around and biking on capital and brush creek road is dangerous without any shoulder.	8/8/2023 8:19 AM
70	Keep dogs and motorized vehicles off the trail in the winter. Walkers, hikers and bikers can be respectful enough to allow them room and the space they need.	8/8/2023 8:11 AM
71	Stop listening to Texans and Californians that have moved to town and are trying to impose the will on established residents that have supported and managed Eagle for the years prior to their arrival.	8/8/2023 7:58 AM
72	Dog waste at trailheads it disgusting. Year round use at boneyard has driven the elk herds out of traditional safe wintering grounds. The herds of 20 years ago are gone	8/8/2023 6:07 AM
73	I run, hike and bike our local trails. We do have an E-Bike but only used for in town. NOT appropriate for trails. This will create dangerous situations on the trail.	8/7/2023 11:29 PM
74	1. The town has approved a very large development next to haymaker and it should expect more use year round. Haymaker is being built in wildlife habitat so it is going to get more challenging to separate humans from the wildlife when we continue to develop their winter habitat. Increasing the miles of trail system in Eagle and the new development first before the houses go in (condition of development) may take some of the pressure off haymaker. Additionally, having more places for people to walk and hike with well behaved dogs would also take pressure off haymaker in the winter. Coordination with Eagle ranch golf course as an option for off leash for example. Allow pet owners to have dogs "pass a test" they they can be controlled off leash and not aggressive toward people, other animals and wildlife. 2. E-bikes have become a real hazard in the town of eagle in general. That is likely another survey. They are dangerous. The town and schools should consider sponsoring some education for kids and parents. The speed differentials between walkers, mountain bikers, e-bikers, motor bikes are substantial. The more we promote Eagle trails and the more people living in and around Eagle will continue to increase the conflicts and risk between users. I am not in support of more types of motorized ATVs or e-bikes on trails with walkers, bikers, dog walkers and mountain	8/7/2023 9:33 PM

	bikes. The faster motorized/motorized assist vehicles and bikes should use the roads that lead to access to BLM instead of cutting through in the trails with lower speed mountain bikes, walkers, and hikers. Users should also be encouraged to not “plug in” to ear phones so they can hear conflicting users.	
75	This is why people live here to get outside an recreate! Some times with their dogs!	8/7/2023 8:32 PM
76	The E-bikes are out of control with youth use. If we as a community can get that under control then maybe we can consider one way use on some trails but for now people on then are very rude and don’t understand the consequences. It’s a matter of time before we have a tragic accident with the misuse of e-bikes. I do think Haymaker should be one way due to heavy use of bikes and hikes.	8/7/2023 8:19 PM
77	Accessibility for more vs less.	8/7/2023 7:49 PM
78	Ebikes are the future. Build trails around their use and access	8/7/2023 7:43 PM
79	Get outside	8/7/2023 7:41 PM
80	Eagle has built a community of outdoor enthusiasts. As much as e-bikes have multiple applications, Our trails should remain available to non-motorized (non-assisted) bicycles. We live in an outdoor mecca where there is ample land and trails for all to enjoy. We all enjoy the trails differently, and I don't think they need to be commingled. Pedal assisted bikes may enjoy their trails and areas, where motorized and e-bikes may enjoy other spaces. There is plenty of land to go around. As a mountain biker I fear for my safety and the safety of others if our trails would be open to assisted modes of transportation.	8/7/2023 7:22 PM
81	Cycling is rapidly wearing many of the trails that were primarily hiking in the past. Would be good to have rotating biking trails to minimize erosion.	8/7/2023 3:43 PM
82	If you’d like to protect the wildlife stop building developments in their migratory paths…and stop blaming dog owners for wildlife disturbance. The town was not concerned for the elk while building the road turnouts on BrushCreek and went ahead to construct turnouts right next to the herd. Where was the DOW for that?? Your main concern should be the street infrastructure and not jamming thousands of people in a small town with one way in and out to I-70. How about trying to purchase land along 1-70 (from the Red Developers/ Eagle River Station) for housing needs… I strongly disagree to closing Haymaker in the winter. That will only lead to crowding on other trails (the few still open), crowding our one and only dog fight park and on the bike paths and more dog fights. So many dog fights at the dog park please do not suggest more dog parks as there are constant dog fights at these parks…many people will not use…open space is for everyone and most people are responsible wildlife stewards (that’s why we moved here and not to a city)bad apples occasionally, but not a reason to close Haymaker in the winter. DOW needs to focus on other issues…closing access to more trails in the Winter is not the answer…	8/7/2023 3:22 PM
83	Class 1 e-bikes are fine.	8/7/2023 3:02 PM
84	In general in Colorado we seem to have too many elk, and they seem not to mind the presence of humans at all. The over abundance of elk can have a devastating impact on vegetation. We love wildlife, but there has to be a balanced system. Not only are additional closures to "protect" the elk not necessary, if they have any impact at all, it may be a negative impact (more elk, negative impact on vegetation).	8/7/2023 2:52 PM
85	I do not understand the closure of the first loop of Haymaker. There are over 500 homes going in there, how is that not disruptive? More opportunities for legal off leash dog walking would be incredible instead of always going up boneyard.	8/7/2023 2:42 PM
86	the e-bike question is likely going to become more and more of an issue as more people get e-bikes. While I understand the desire to open the trails to e-bikes, I believe this will change the intensity and character of trail use. The challenging terrain provides natural encouragement for riders to stay within their skill and endurance range. E-bikes may eliminate the primary barrier that helps one self-regulate their route selection to remain with their skill level, resulting in dangerous decents and trail interactions.	8/7/2023 2:30 PM
87	Leave the haymaker trail alone. Stop trying to close access in the winter. That trail was never going to or should be closed since its inception. You act like it's in the name of wildlife but your misled by a trail group within the town. Leave it alone. The elk winter on the Southern loop. You are allowing the building of over 800 homes in that area with no plan for traffic. Focus on that	8/7/2023 2:27 PM

	please. We want access to our trail year round. Stop trying to close our winter access. Educate users.	
88	Closing Haymaker for 'deer' is ridiculous. They are basically vermin at this point. Loops three and four are closed; we obey the closures. Keep something open. ATVs on 2nd/3rd - I am fine with them until they fly by at a high rate of speed with no courtesy for runners or bikers. Two dirt bikers almost took me out this weekend. What can be done about offenders? Same with ebikers, let them play but they need to be aware there are people who are a lot slower than they are. Put bathrooms at Boneyard. It's gross running over human poop.	8/7/2023 2:23 PM
89	I was hiking with family and almost hit by a dirt bike. I like that we can all use the trail but I wish that we could make it safe for all to use.	8/7/2023 10:16 AM
90	As our population grows and more visitors come please keep building out our trail systems, bike and hike	8/7/2023 9:43 AM
91	Eagle trails are are a great resource for our region in the Spring and fall for those living higher up in the Vail Valley and Summit County since they don't hold as much snow and for as long as they do at higher elevations. This closure would be a loss to our entire region. This is when I, and many other from Summit, drive over and spend the day in Eagle cycling. We buy lunch, visit shops, etc...It stands to have an economic impact.	8/7/2023 6:15 AM
92	Ebikes should be 100% allowed! They do no more damage to trails than mtb's, and they keep us older riders riding! Please open your minds to this!	8/7/2023 3:19 AM
93	Vail Mountain allows class 1E bikes, the eagle trail system should also. They are really no different than regular mountain bikes.	8/6/2023 9:21 PM
94	I believe pedal assist e-bikes should be allowed on all town trails. E bikes are becoming the fastest growing segment of the bike industry and allow many people who might not otherwise be able to to get out in the trails. This promotes a healthy lifestyle even when life is stressful and we feel less motivated. This would also help increase tourism. If this does happen we could be one of the first towns to completely welcome e-bikes and help guide the discussion and create town press. An e-bike set of rule and code of conduct would be a great place to start.	8/6/2023 9:08 PM
95	Love our trail system!	8/6/2023 8:19 PM
96	Any additional seasonal land closures should prevent ALL human access, not just certain user groups or trail access. They should be entire area closures, not "trail" closures. The science backs up this management style. And low power Class 1 pedal assist e-bikes should be allowed anywhere "standard" bikes are allowed.	8/6/2023 8:05 PM
97	Thanks	8/6/2023 7:07 PM
98	Please allow Class 1 E-bikes. They are an acceptable form of pedaling for those with disability or health problems. Throttle type e bikes should not be allowed for use on non OHV accessible trails.	8/6/2023 4:25 PM
99	Eagle should not allow side by side OHV's they create excessive noise and dust. There are enough places for OHV's and Eagle should maintain their restrictions. Eagle has a valuable mountain bike trail system and expanding it with new professionally built trails will only enhance their value to locals as well as tourists.	8/6/2023 3:56 PM
100	E bikes don't belong in nature. Bikes are disruptive to wildlife enough, motorized bikes and vehicles will only further harm wildlife areas and trails.	8/6/2023 11:09 AM
101	Pedal assist ebikes should have the exact same access as normal bikes. Most riders are older/slower/nursing injuries. Impact is thereby no different. If it has a throttle, its a motorcycle.	8/6/2023 9:59 AM
102	i find it ironic that they want to limit use of dogs and people and on haymaker yet are bei gong back wolves. Won't wolves have a huge impact on the wlk population we are supposedly trying to save? and what about the elk and deer that jump my fence in the Village homes and bed down when i have two dogs with a doggie door? will my dogs not be allowed in my yard in the winter? i think on leash or electric collars should be allowed and if dogs are scene chasing wildlife ticket the owner.	8/6/2023 9:57 AM
103	Do not let biking impinge on hunting. Only allow e-bike access to motorized trails as their use is a danger to hikers and bikers and incompatible with those uses.	8/6/2023 9:42 AM

104	I feel the e bike issue is a really big safety issue in this town. Not by adults- but the kids. I have feared all summer that a kid is going to get hit or they will hit someone and they get hurt. I have several times almost been hit walking on the paths and one time my child was almost struck. Every time by kids on these e bikes. I am not a fan of kids on fuses at all. I do like to see the older population using them to keep themselves active and healthy. It just seems like this problem(and i blame the kids parents for lack of education for the kids) won't change until someone is seriously hurt or dies.	8/6/2023 8:26 AM
105	The e-bike situation is tough. Perhaps there are limited trails they can access but not all of the trails? As a trail runner, I get nervous that the trails will get over crowded and over run. In turn I think this will create the need for more trail maintenance.	8/5/2023 11:22 PM
106	Closing access to arroyo trailhead in the winter makes me sad, we have poor access to the pathways from our road, and it's tight w a dog and cars. If we could at least park there and use the path in the winter, it would be far Safee than trying to use the narrow roads w no sidewalk or shoulders to walk to get there	8/5/2023 9:24 PM
107	Motorized vehicles required to stop to let bikers/hikers within line of site to pass so dust bowl isn't kicked up in our faces.	8/5/2023 9:00 PM
108	Maybe have specific e-bike allowed trails? And/Or have downhill only trails, to avoid collisions at higher rates of speed.	8/5/2023 8:57 PM
109	Will the 4th of July dirt trail now close for habitat migration with the new addition of gates?	8/5/2023 8:54 PM
110	I'm an avid E-Bike rider. While I'm not an Eagle resident, I would visit more often if I was allowed to ride on more trails in the area. I would not have the leg strength to ride most of trails without an E-Bike. E-Bikes have empowered myself and many others to enjoy the sport of mountain biking. Please increase E-Bike access to your trail system!	8/5/2023 7:56 PM
111	E-bikes can be a hazard on the paved town trails. On the soft surface trails they could be a potential speed hazard to foot and wheeled traffic.	8/5/2023 7:56 PM
112	We would like more winter access options on the trails	8/5/2023 7:35 PM
113	E bike are no more impact on trail system.	8/5/2023 7:33 PM
114	Keep more trails open in winter	8/5/2023 6:48 PM
115	Please expand connections (especially for non-e-bike or motorized) of trails from west eagle to gypsum.	8/5/2023 6:03 PM
116	Bentonville Arkansas allows e-bikes on all of their mountain bike trails. It would be great to educate our community on the different classes of e-bikes and post which class is allowed where.	8/5/2023 6:03 PM
117	Ebikes should be allowed anywhere old fashioned bikes are allowed.	8/5/2023 5:13 PM
118	Less motorized, no ebikes more winter hiking options	8/5/2023 5:01 PM
119	E bikes allow my family to ride together more and more often. We really enjoy the trail system. Thank you	8/5/2023 4:14 PM
120	I'm for class 1 e-bikes on mountain bike trails but not class 2 or 3.	8/5/2023 2:21 PM
121	No e-bikes please!	8/5/2023 2:20 PM
122	Kudos to the town of Vail for trying to protect bighorn sheep. I wish Eagle was similarly protective of the elk herd from over development.	8/5/2023 2:14 PM
123	E-bikes should only be allowed on trails currently open to dirt bikes. They are not compatible with human powered bicycles	8/5/2023 1:52 PM
124	E bike do no more damage to trails than regular mountain bikes	8/5/2023 1:49 PM
125	Cranky home owners close to trail heads	8/5/2023 1:38 PM
126	Post trail rules and ethics at every trail. It can be simple "Enjoy, be kind, yield to uphill riders and hikers, be happy. " Ebikes are unwelcome because they are rude and don't follow the rules of the trail, so keep them off mtb trails. There's plenty of motorized trails for them to utilize and those trails are more suitable for motorized traffic. Thank You!	8/5/2023 1:24 PM

127	Class 1 E-bikes only. I use the lowest electric setting on my class 1 bike to be able to get the most exercise. I cannot do Haymaker without an electric bike as I am 67. Those bikes who just use the motor without manual peddling should not be allowed.	8/5/2023 1:16 PM
128	E-bikes should be limited to bike paths and areas where motorized dirt bikes can go.	8/5/2023 1:14 PM
129	We do not need ebikes on ANY of our trails in this town. It would be abused and become dangerous for all trail users. The paved sidewalks are already becoming a problem in town with teenagers on ebikes going to fast in inappropriate situations—we don't need this on our trails.	8/5/2023 12:55 PM
130	Please make eagle ranch trails open year round. Thank you.	8/5/2023 12:54 PM
131	There should be an alternate OHV or side by side option. The second gulch access is so popular for mountain biking and hiking and dogs that it isn't a good place, but residents should have a way to get side by sides to hard scrabble mountain somehow. Would also love alternate winter trail options - is there anywhere in addition to boneyard, bellyache, and redneck ridge that we could have winter trail use without affecting the elk? Would love an additional skiing option aside from bellyache.	8/5/2023 12:46 PM
132	any trails opened to ebikes should be made mandatory directional trails for safety.	8/5/2023 12:28 PM
133	Thank you VVMTA and supports for managing all of these concerns for users and providing a way for us to quickly provide feedback. I feel restricting access to OHVs to public lands isn't who we are but allowing access across TOE land isn't a right. I support allowing access but don't know enough for my vote to have much merit.	8/5/2023 9:28 AM
134	E-Bikes should only be allowed where dirt bikes are allowed Spoiled kids and lazy adults are ruining hiking running and biking trails They are to heavy and dangerous it's going to kill somebody	8/5/2023 8:30 AM
135	No e-bikes please . And control off leash dogs , it's out of control	8/4/2023 10:59 PM
136	Emtb access through Eagle trails is a must	8/4/2023 9:31 PM
137	Only concern is if you continue to restrict recreational access for wider UTV then illegal access will become an issue. If not second gulch then where?	8/4/2023 6:41 PM
138	I believe well-behaved and controlled dogs should be able to recreate off leash with their owners.	8/4/2023 5:08 PM
139	If the town is going to continue allowing development to occur East of the pool along Brush Creek then why is the town wasting the effort over the closure of Haymaker trail?	8/4/2023 3:23 PM
140	e-bike usage is tricky. Class one, no problem with the correct education. Throttle bikes - no way! They are basically motorcycles.	8/4/2023 1:42 PM
141	Please do something about the off leash dogs, I've started carrying pepper spray due to irresponsible dog owners. E-bikes need to be regulated like motorcycles. Not alllwed on the sidewalk and not on the MTB trail. Ride the road or the motorized trails.	8/4/2023 12:47 PM
142	Wildlife habitat should be prioritized over increasing access for recreational users. There are plenty of trails in ciritical elk habitat already, and the elk should not be further pressured by expansion of recreational use. I fully support stricter enforcement of trail closures in sensitive habitat areas, including enforcing off-leash dog rules, and even increasing the number of areas that are closed in winter to help decrease the pressure on already-endangered wildlife populations. Unfortunately too many irresponsible dog owners cannot be trusted to keep their off-leash dog from running after wildlife. Enforcement of leash laws, increasing areas of leash-only use, and ticketing off-leash dog owners whose dogs are harrassing wildlife should be prioritized. Side by sides are loud and cause disturbance to the natural environment and access should not be increased for them. I love the existing trail system for mountain biking, and class 1 e-bikes should be considered in the same vein as non-motorized mountain bikes. Class 2 and 3 e-bikes/e-dirt bikes should not be allowed on non-motorized trails. I do not support further trail expansion into seneitive wildlife habitat. Eagle Ranch trophy homes have already caused great habitat loss and stress on already burdened wildlife populations. No more second homes and expansive suburban single family home development should be allowed in that area. If someone is building a home in a sensitive area they should at least be required to make it their primary residence. Too much development for rich people who don't even live here and are impacting the wildlife negatively has made me question the true priorities of the people who manage the places many of us call home.	8/4/2023 11:00 AM

143	We should allow e-mountain bike access to the trails, the pedal assist kind. There are many of these on the trails already and do not go that much faster. They allow for people to get out who would not normally. With the trails already popular and well used, they would not cause too much additional strain on the trails.	8/4/2023 10:22 AM
144	It is my opinion that e bikes should remain on pavement.	8/4/2023 9:54 AM
145	Thanks for the work, former town of eagle resident, in edwards now but still enjoy the trails..	8/4/2023 8:51 AM
146	In regards to e-bike access to open space trails, I think that e bikes should only be allowed on trails that directly access BLM land. Examples might be School House Rock and Abrams Ridge. Access should also be limited to only class 1 and 2 e-bikes.	8/4/2023 8:01 AM
147	Thank you for doing a survey to get our opinions.	8/4/2023 7:22 AM
148	As you know there is a major distinction between Class 1 e-bikes others. Class 1 ebikes SHOULD be allowed on the trails	8/4/2023 7:04 AM
149	Class 1 ebikes should be treated as bicycles on all trails.	8/4/2023 7:04 AM
150	Town of Eagle and other entities have done a phenomenal job of building and maintaining new trails. Keep up the good work! With more housing being built, and more residents moving in, we will continue to need more trail and recreation access to spread people out. Especially in the spring and fall when upvalley bikers and hikers come to our trails in Eagle. Please consider this need for continued new trail building. A trail linking Lov over towards Schoolhouse rock area would be really awesome! Hint hint :) Thanks for all that you do. Also, off leash / electric collar/voice command dog hiking areas are needed. I appreciate the dog park, but dogs needs a place to run in addition to that. Thanks for offering the survey. Sarah	8/4/2023 6:45 AM
151	Need more off leash dog trails if you want people to obey on leash rules. There will still be those who don’t but it would help I bet	8/4/2023 6:40 AM
152	I live to ride my bike with my dog off leash. Everyone else does, no enforcement just make haymaker off leash/voice control.	8/4/2023 6:15 AM
153	You guys are doing great. The trails are busy on the weekend but still quiet on the weekdays. Additional miles will only bring more people. Maintain what we have! Protect wildlife and keep out the e-bikes. With the future of development in Eagle, this time is essential to stay true to the values of Eagle resident which is to protect and enhance the natural environment. Once it’s gone, it’s hard to bring back. You can set the trajectory to not give in to the demand for more, more, more when the public lands already provide plenty.	8/4/2023 6:06 AM
154	Children on e-bikes are riding fast around town without a helmet and avoiding stop signs or disregarding traffic patterns. Something should be done about this before an accident occurs.	8/4/2023 3:58 AM
155	E-Bike access is the same as motorcycle access.	8/4/2023 12:52 AM
156	More motorized access, jeep access. More mountain bike trails. Fix the pool.	8/3/2023 11:15 PM
157	The eagle ranch trails wind through a neighborhood that has vehicle traffic all winter long yet the trails are closed to recreational use. They provide a great opportunity for recreation and do not pose any additional threat to wildlife migration for non motorized use. They should be open year round.	8/3/2023 10:57 PM
158	Thanks for all that you do!	8/3/2023 10:48 PM
159	I don’t know what trails e-bikes are currently allowed to use. More awareness. I think with a massive development going in adjacent to haymaker that restricting access to protect wildlife is a moot point. Allocate funds to increase trail systems, not reroute current systems that are already good. The reroute of haymaker was disappointing, the trail doesn’t flow as well, plus funds could have been used for other projects such as adding single track at the start of boneyard up that gravel road w vehicle traffic.	8/3/2023 10:32 PM
160	I feel like allowing 800 homes to be built along brush creek is going to have a larger impact on elk habitat than a handful of Singletrack trails scattered throughout open space. Also I've seen on your own studies regarding the local flora that the species studied are more successful along higher trafficked areas than they are in areas people are kept out of.	8/3/2023 10:13 PM
161	Pedal assist (non-throttle) bikes should be allowed on trails. It gives greater access to a broader array of people without making it a fully motorized trail.	8/3/2023 9:57 PM

162	E-bikes are hear to stay. So make sure you have a clear and innovative policy. Restrict certain trails from and open others for shared use.	8/3/2023 9:56 PM
163	There is a difference between Ebikes. Electric assist are very different than full throttle Ebikes.	8/3/2023 9:49 PM
164	Keep this open space accessible.	8/3/2023 9:38 PM
165	I understand some ppl will not choose to ride e-bikes & that is their choice. However riding an ebike which when it is turned off is technically just a mountain bike doesn't do any more damage to the trail. I have certainly enjoyed seeing older ppl out on the trails with e-bikes. If you have a disability, recovering from surgery or just plan want to enjoy the scenery without all the hard work I think you should be allowed. I feel as though the most complaints come from ppl who need to track every mile & beat someone else's time. Ppl who ride e-bikes are not out there for those reasons so rest assured we will not be logging on strava! Your medal of achievement will still be yours.	8/3/2023 9:11 PM
166	I support pedal assist e-bikes. I do not support any other type. They are a danger on narrow trails.	8/3/2023 9:10 PM
167	E-bike education/enforcement especially through partnership with local businesses that sell those bikes	8/3/2023 8:49 PM
168	Build a proper surf wave at the water park. Connect Boneyard trails, with Salt Creek	8/3/2023 8:23 PM
169	In my opinion, there is no sustainable option for side by sides andJeeps on second gulch. This road quickly deteriorated into an unusable and severely eroded path in less than two years during Covid. Restricting access in 2022 is the only reason its even usable at the moment. Also, it's intimately close to houses that back up to the open space and will certainly have a negative impact on their property values and owner experience. If we want to improve access to Hardscrabble, make a parking lot up there for UTV and ATV parking. If the vehicle is street legal, people can drive up Brush Creek and access the trails that way.	8/3/2023 7:49 PM
170	Yes, please leave Haymaker alone and back off on the off leash dog police. Thank you. Eagle used to be a cool place to live but I do not feel that way anymore. You are listening to the wrong group of people. I miss Adam and Andy.	8/3/2023 7:28 PM
171	You need to better define "E-Bike". If there are going to be regulations we need a definition. There are many variations of E-Bike at this time.	8/3/2023 7:09 PM
172	E-bikes will increase wear and tear of trails, from more users or more "laps" being risen. More maintenance of trails may be required.	8/3/2023 6:58 PM
173	E-bikes have a place in our community but my interaction with ebike users on trails has been nothing but awful. Entitled, selfish, rude, uneducated and unsociable are a few of the terms that come to mind when interacting with this user base. Thank you for creating this survey to collect information.	8/3/2023 6:32 PM
174	No to E-bikes, they're already dangerous on our paved trails and roads, they would be horrible on unpaved	8/3/2023 6:31 PM
175	No	8/3/2023 6:30 PM
176	BIG NO to EBikes on trails. Please don't do it!	8/3/2023 6:25 PM
177	I support assisted pedal e-bikes. Not throttle. Assisted pedal bikes allow access to those that may have injuries, or age limitations that would not allow them to enjoy the trails and rides with friends and family like a self assisted pedal bike would.	8/3/2023 6:23 PM
178	Keep the trails how they are!!! Plenty of trails for ohv vehicles out of town.	8/3/2023 6:09 PM
179	Thanks for everything you are doing!	8/3/2023 11:04 AM
180	Less e bikes and less motorcycle	8/2/2023 7:57 PM
181	Since Eagle County is 85%+/- public lands and communities within are "islands", help educate public to regarding their use of motorized vehicles. Use of motorized vehicles appears to create the greatest risk and degradation to Open Space and wildlife. Do not fill the Town of Eagle trailhead parking with off road vehicle trailers from outside Eagle, increased noise and wear on trails or worse. Town of Eagle is attempting to promote mountain biking events, Not off road vehicle events. Likely very different types of outdoor recreation attitudes. Add relevant	8/1/2023 9:59 PM

	restrictions (maybe speed bumps or photo radar cameras) to 4th of July, as dirt bikes tend to add noise as they speed up and down to & from 2nd Gulch for access to BLM. Consider developing an air space use policy regarding the use of drones (or flying vehicles of the near future), especially the noise pollution created and degradation of outdoor solitude experience for others.	
182	I support more designated trails for all e-transportation devices. They are not going away, so we should welcome them on specific routes, and be known as an e-friendly/ e-safe town. They should be required to use bells when approaching pedestrians and/or slower modes of transportation	8/1/2023 9:00 PM
183	Reducing Cleaning up trash (alcohol containers, etc) left at evening party sites in Boneyard area. Also, watch for / stop drug sales occurring car to car in same areas.	8/1/2023 6:22 PM
184	I strongly believe that motorized vehicles should not be allowed to access the Second Gulch Trail via the Town open space. Currently they have to tow their vehicles up Hardscrabble road or access via Gypsum; however, I would support access via lower on Hardscrabble road long before Second Gulch Trail.	8/1/2023 3:31 PM
185	With the big development encroaching further down Haymaker, I don't see how further limiting access in winter is helpful to wildlife. The homes are already going to disrupt their space.	8/1/2023 9:32 AM
186	In general, I have concerns about e-bikes and the lack of licensing training. They're essentially motorized vehicles, and I've seen a lot of dangerous activity by kids that do not respect rules of the road, safety, or other users of trails/bike paths/roads/etc.	8/1/2023 9:24 AM
187	It would be nice to be able to utilize existing trails as a hiker without worrying about mountain biker traffic (especially hiking with children). For example, in Boulder there are trails that are closed to mountain bike traffic on particular days of the week to allow for hikers to enjoy the trails safely. More regulations and oversight of E-Bikes is necessary for the safety of all. Connecting trails through town, BLM, and federal lands will further fragment wildlife habitat and is not necessary - ample trails exist already.	7/31/2023 8:19 PM
188	I split my time between JeffCo and Eagle County. You both do an amazing job of making open spaces available for recreation. Thank you.	7/31/2023 5:31 PM
189	OHV widths need to widened so access is available to all who chose to recreate. People walking dogs off leash on single track trails need to be educated for the safety of bikers and animals.	7/31/2023 5:20 PM
190	SxS in 2nd Gulch is a really bad idea for wildlife, recreation, noise, safety, climate and many other reasons. Despite what the ORV community would like to think or argue, that use goes against the character of Eagle and will further erode the quality of life in our community.	7/31/2023 3:25 PM
191	Keep it wild! Less mowing of the grass on open space	7/31/2023 2:47 PM
192	Having world class trails and access should not be at the expense of private property and animals who live here. I ask that the town be more open to uncomfortable conversations and compromise when private homeowners bring concerns to their attention.	7/31/2023 2:22 PM
193	I would like to highlight a few issues regarding the trails during winter and summer months. Firstly, during winter, there is a significant problem with dog waste along the trails, and it seems like there is no enforcement of the rules for dogs being off-leash and their excrement being left behind. Secondly, in the summer months, the question of allowing e-bikes arises. However, it becomes frustrating when there is no proper enforcement of the rules, as I frequently witness people riding e-bikes on non-approved trails. I want to emphasize that I'm not sharing my personal opinion on e-bikes, but it is disheartening to see rules being ignored without any consequences. If the Town of Eagle Open Space and Trails Management is responsible for outdoor recreation and wildlife/environmental protection is seeking input, I urge you to take action and enforce the existing rules more rigorously. By doing so, they can better protect the environment, wildlife, and enhance the overall outdoor experience for everyone.	7/31/2023 12:00 PM
194	Over abundance of trails and the expectation that town trail networks will provide access to all BLM/FS lands and subsequent trail systems. This in essence pressures the BLM/FS to entertain additional trail construction to provide access. This further fragments wildlife habitat, and generates displacement of wildlife from critical areas during critical times of year. Enforcement of seasonal closures is non-existent. Volunteer trail ambassador programs are near total failures, and give a false sense of effective mitigation, and inappropriately provide	7/31/2023 11:16 AM

	justification for additional trail construction on the false premise of mitigated impacts. This trend exists across the whole valley. Rarely are biologists or resource managers consulted on "if" a trail should exist prior to the ideation phase. More often it is "how" a trail should exist after it has been proposed, aligned and approved. This truly appears to be a deliberate choice of trail groups to circumvent analysis, scrutiny and other potential roadblocks. This needs to stop. We should be asking the professionals prior to any new proposal on whether new rec development should exist or not, and if there is truly a bonified public need, not just a desire. And furthermore, we should be asking if this public need is already provided for in other locations. This notion of backdoor trail access for everyone is mystifying, and is a slippery slope. Where has recreation opportunity not been provided for in our communities? Meanwhile, the trade-off is massive losses to our local wildlife herds, loss to public hunting opportunity, loss of conservation dollars within our communities... and all for what? Because some grow bored with the trails they're provided? To say they rode the latest and greatest loop? As locals, we should also be stewards of what truly makes this place special, our wildlife.	
195	Enforcement of trash fines for people throwing trash along bellyache road/boneyard access	7/31/2023 11:00 AM
196	It is important to maintain recreational angling access on open Space lands. Access for hunters to adjacent public lands should be maintained as well. I would not like to see the increased sized in off road vehicles.	7/31/2023 8:16 AM
197	People need a place for recreation in the winter that is close to town so more easily accessible. With all the challenges in daily life having a place for peace, fresh air, and sun is vital for our community.	7/30/2023 5:36 PM
198	enforcement for ebike speeds on recreation paths	7/30/2023 12:41 PM
199	The e-bikes and the impact they have on trails is significant. Despite plenty of signage, there are those who ignore the restrictions and continue to use them. There's also a lot of neighborhood Karen's who have their dogs off -leash and insist that "he's just playing." The amount of poop bags just left on the trail is disgusting. You know that these are the same people who are for HOA's and banning books.	7/29/2023 11:48 AM
200	More regulations/education on E-bike use, it's unsafe how under-restricted they are in our town right now	7/29/2023 11:48 AM
201	Dog poop seems to be increasing on the crusher fine trails	7/29/2023 11:14 AM
202	I feel Class 1 e-bikes should be allowed without restriction on all trails. Rider education/ etiquette signs may help for those that would otherwise comply but don't know how to act. I've never witnessed restrictions or attempts at enforcement being effective use of funding. Good luck with planning. Thanks for asking.	7/28/2023 9:00 AM
203	I feel like anywhere you add UTV access you end up with multiple unsanctioned trails from driving off trail that destroys the vegetation and in turn degrades the resilience of an already vulnerable habitat. I work for the Forest Service and I spend a lot of time on the BLM land adjacent to eagle and the forest and areas like Trail Gulch, Road Gulch, and parts of Hardscrabble and Gypsum Creek and you can see the permanent damage that has been done by people driving off trail. I wouldn't want to see second Gulch share the same damage and change to the landscape.	7/28/2023 8:05 AM
204	More off leash dog areas/trails!!!	7/28/2023 8:03 AM
205	I have lived in ER for 20 years and use the trails daily for biking and hiking with my dog. I WOULD like more access for my pedal assist mtn bike- why not??? Please-NO SXS. They are loud, dusty and scare wildlife. 50 " is PLENTY wide. With the exponential growth of Eagle in the next few years, there is NO NEED to advertise our trail system. You are doing a good job in most areas!😎👍 Please let us ride our pedal assist mtn bikes in more areas?	7/28/2023 6:57 AM
206	E-bikes on all trail systems. They are a free for all and ride way too fast, young and old! They are being used like motorcycles.	7/28/2023 6:42 AM
207	Archery range would be awesome addition	7/28/2023 6:41 AM
208	I think expanding the Second Gulch Trail is a terrible idea. The larger OHVs do not belong on that trail and allowing them there would seriously degrade the neighborhood.	7/27/2023 8:25 PM
209	More off leash dog areas, improvement to the dog park, maybe a fence by the really nasty part of the creek	7/27/2023 3:58 PM

210	Please come up with a way to regulate E-bike riders, including among other things helmet rules, dismounting e-bikes when riding through Capital in Eagle Ranch (if riding on sidewalks), stoping at street crossings if riding on sidewalks.	7/27/2023 3:43 PM
211	Please open the Second Gulch access to vehicles of any width (eg full size 4x4 vehicles).	7/27/2023 10:54 AM
212	I see an increased use of ebikes on our local bike and walking paths. Many ridden by young riders--no helmet and not yielding, going too fast for the conditions. This is an accident waiting to happen. I don't know the answer, but think this should be addressed immediately before a tragic accident happens.	7/27/2023 10:05 AM
213	E-bikes are a current safety threat in our community. The speeds at which people travel (mostly youth around Eagle) on e-bikes and the disregard for speed around corners, etc., coupled with minimal helmet use by e-bike riders, is a recipe for disaster. I don't want to see any youth or adults hurt due to an e-bike accident that could have been prevented by keeping e-bike's with other motorized transport options and OFF the dirt trails and paved bike paths.	7/27/2023 9:05 AM
214	If OHV's rule is changed, please institute and enforce a motorized vehicle speed limit on that section. Before it was closed to side by sides they would travel fast endangering other users and kick up lots of dust making it hard to see or breathe. Maybe build in speed calming obstacles for the width of the road that bikes could bypass through without additional effort.	7/27/2023 9:04 AM
215	Please call off the dog police. It is getting out of hand. We all like wildlife but it seems like the policies are contradictory as development is going in all around the areas that are being considered for wildlife closure. I don't understand the reasoning. I oppose closing Haymaker 1 and 2 loops in the winter. I support allowing pedal assist E-bikes on our trails.	7/27/2023 7:59 AM
216	Protect the wildlife and maintain the beauty of the area.	7/27/2023 7:26 AM
217	E-bikes have grown out of control. Haphazard planning for most user groups continues to dominate both town and federal lands.	7/26/2023 9:49 PM
218	Too many loops, too many bikes, segregated user days like Boulder's Betasso Preserve would alleviate some issues. Prioritize offsetting the overly abundant impacts with restoration work. Hardscrabble and Bellyache are beginning to look like someone planned trails by throwing a fistful of spaghetti noodles on a map and said, "let's build that." No more.	7/26/2023 9:41 PM
219	Class 1 e-bikes only	7/26/2023 4:16 PM
220	Thank you for the opportunity to share input. It is important that the Eagle Open Space and Trails Master Plan reflect community priorities which were confirmed via a community survey conducted in 2022. The feedback was clear that wildlife and wildlife habitat preservation is the top priority. Recreation and other land uses were secondary. Therefore, prioritizing preservation of wildlife and habitat is of critical importance in this master plan.	7/26/2023 2:51 PM
221	class 1 e bike should be aloud on all mt bike trails.	7/26/2023 2:22 PM
222	Off lease dogs are the biggest concern with wildlife disturbances. E-bikes will only increase accidents, trail deterioration, trail conflicts, people getting further than they would normally ending up with them needing to be rescued and simply just aren't necessary.	7/26/2023 1:56 PM
223	Please VERY CAREFULLY consider whether it is worth opening more trails to full-size OHVs. These vehicles are disruptive to wildlife and other users and can be very destructive in the hands of users who do not respect trail rules. I do not want to see Eagle become an OHV "mecca" and would I prefer to see the momentum continue in the direction of making Eagle a destination for non-motorized uses, especially mountain biking.	7/26/2023 12:34 PM
224	thank you for your good work!	7/26/2023 11:48 AM
225	For ebike access I believe Town trails should be directional to avoid collisions with ebikes as they are heavier, faster, and mototrized.	7/26/2023 11:45 AM
226	Make improvements to Eagle River park for a surfing wave similar to the Scout Wave in Salida.	7/26/2023 11:31 AM
227	Please expand e-bike access. Do not create issues on trails at Vail/Beaver Creek etc	7/26/2023 11:18 AM
228	Allowing E Pedal Assist bikes on trails that are not so subject to erosion and turning to gypsum powder, seems reasonable. Though enforcement is already nearly impossible.	7/26/2023 11:11 AM

229	E bikes have motors. Keep them on the motorized trail system and off of the non motorized trail system	7/26/2023 11:07 AM
230	The first loop of Haymaker trail will soon be surrounded by homes so it makes no sense to close it off in the winter. Home construction is far more harmful to our wildlife than humans on the trails! Keep our options open in the winter!!!	7/26/2023 11:05 AM
231	While I am an e-bike owner, much more needs to be done to regulate the uses and speed on trails.	7/26/2023 9:46 AM
232	Start managing the land and stop expanding the access. Ecosystem fragmentation is not improvement for the wildlife. Recreation is cancer to soils, wildlife and solitude. Time for Eagle to be a leader instead of another sold out town with zero moral values regarding the protection of wildlife.	7/25/2023 10:36 PM
233	E Bikes have no posted speed limit and some kids travel recklessly on paths. Someday, I fear a fatal accident will occur.	7/25/2023 10:24 PM
234	Please prioritize wildlife and the ecological health of the land. Don't love the land to death. Close unauthorized trails, especially ones that parallel or bisect official trails and are close to peoples homes.	7/25/2023 8:10 PM
235	On the e-bike question. Only allowing e assist e-bikes not a throttle e bike. A throttle e bike is like a moped but an e assist just gives a little extra.	7/25/2023 7:44 PM
236	Wildlife protection is very important however, with approved development going on in the Haymaker vicinity, this alone is going to affect wildlife more than full wintertrail closures.	7/25/2023 6:42 PM
237	I highly encourage you to consider opening second gulch I'm an avid mountain biker and believe in access for ALL users not just non-motorized. Cutting off access to some users while allowing access for others is u fair when ALL of our taxes go to funding open space management. Thanks!	7/25/2023 5:11 PM
238	No motorized or electrical vehicles of any kinds on single track trails.	7/25/2023 2:53 PM
239	Limit trails for motorized vehicles in the Hardscrabble BLM area. All trails are getting destroyed by Moto use.	7/25/2023 1:07 PM
240	Highway legal 4x4 vehicles should be also allowed on Second Gulch trail.	7/25/2023 12:41 PM
241	Please return full size 4x4 access to second gulch trail, for instance like jeeps.	7/25/2023 12:00 PM
242	Though this does not seem to be a consideration, I am in favor of allowing highway legal vehicles (Jeeps) on trails instead of atvs, trail motorcycles, and modern OHVs or side by sides. Highway legal vehicles are much less destructive to the land, do not typically travel at high speeds, are registered and insured. They also have proper mufflers and emissions controls, and are operated by licensed drivers. There is no regulation, insurance, etc. required for ATVs, trial bikes, or OHVs. With that said, I would not support increasing the access to OHVs from the current regulation of 50" or less. Thanks for your consideration.	7/25/2023 11:27 AM
243	Second Gulch should allow wider vehicles such as 4x4 jeeps etc. access to our open lands and BLM. People with the mentality of not in my back yard should not be able to close this access, these trails were here before they built their homes.	7/25/2023 10:56 AM
244	More jump trails:)	7/25/2023 10:26 AM
245	E-bikes and now E-Motos are openly disregarding signage and trail closures. They do not follow trail protocol like staying on designated trails or yielding to pedestrians and/or climbing trail users. Enforcement and education is needed and no further access to e-bike users as they can't follow existing rules and customs. Additionally equestrian traffic continues on haymaker/redneck and destroys the trails with massive holes and erosion.	7/25/2023 9:35 AM
246	Ohv access on 2nd seems like a bad idea. There would be limited room for passing and I'd be concerned about user conflict. Off leash dogs are a nuisance on our trails. I'm concerned that there is little enforcement	7/25/2023 9:30 AM
247	Please consider allowing Ebikes on single track trails in the Town of Eagle. Please consider opening more trails for winter access (i.e. 2nd, mayer, bailey's, wall, riddle)	7/25/2023 8:49 AM
248	No	7/25/2023 7:46 AM

249	I see a lot of dog bags abandoned by people and cleanup being done by trails managements. Might be worth it to consider more cans installed on paved trails specifically. (Path parallel to US 6)	7/24/2023 4:53 PM
250	I understand that we are stewards of our public lands. That said, we should have never approved all of the developments in the Eagle Ranch/ Brush Creek area if we truly cared about wildlife. Our community has already deprioritized wildlife and we now have an abundance of humans to take care of. Winter is hard and there are a lot of active people and dogs in our community. Let's prioritize the humans and their pets first, then wildlife after that since its always been an afterthought. Most of the people that want to protect wildlife, live in homes that already destroyed wildlife habitats. Regarding people wanting to recreate using larger vehicles than 50", I'm all for it. Yes if I lived right by the trailhead/ road I would most likely not be but this is how the world works. We all must bend and understand that our perfect little slice of heaven is indeed everyone's public lands and they should be able to access it in a responsible manner if it brings them joy. Regarding dogs, I understand this is a sensitive issue. My dog has been aggressive and has also been attacked so I understand both sides. Not sure how to work past this other than providing education, free dog training etc... I use an ecollar on my dog and have absolute control over him. He has chased a deer once and only got a few strides before I noticed what was happening and I was able to call him back with the collar. My dog needs exercise and stimulation in the winter...I need to get outside in the winter. Its more enjoyable for the both of us to be off-leash. I always grab my dog if I encounter another on leash. Best of luck on this wonderfully polarizing topic.	7/24/2023 4:46 PM
251	WILDLIFE! Manage people and dogs disrespecting our animals. Stay away from winter bedding areas.....enforcement needs to be heavy handed. No one ever patrols Charlie Brown trail and people let their dogs run all over the hillside near bedding does.....We have enough trails, we have enough people.... ruining the town.	7/24/2023 12:14 PM
252	Motorized access to all Open Space should be limited to emergency vehicles only, with physical barriers preventing unauthorized access	7/24/2023 10:23 AM
253	The use of engine brakes by construction vehicles is supposedly not allowed, and yet I hear them roaring past my home on an almost daily basis. Please increase the enforcement of the policies already in place for construction vehicles and construction activity.	7/24/2023 8:34 AM
254	More off-leash areas please.	7/24/2023 7:30 AM
255	There needs to be a trail that connects the ice rink to upper terrace that bypasses the children’s park. Several close calls with very young children. Dirt bikes have been poaching the trails for quite some time. It’s time to regulate this traffic before there is another collision. Please bring back the Sasquatch connector as it was a fantastic long loop that linked up with 3 sisters. Please make a single track from the end of 3 sisters parking area to Adams so we can ride off the road. The safety os decreasing with the resident increase of Adams rib. Please don’t alter abrams ridge to make it easier. There needs to be a least one externally difficult climb for those that want it. Eagle has high level MTB cyclists on out community and we need to encourage that. Our kids are no joke on a national scale.	7/23/2023 11:47 PM
256	Pedal assist bikes only to be added to trail system. No bikes with throttled. Those are motorized vehicles.	7/23/2023 10:32 PM
257	One must consider if we are even thinking of closing rec trails for the sale of wildlife, then the golf course should be closed on the Winter. That is where the elk are and that is where the most damage is being done by new residents. Off leash dogs, general disregard for everything on the golf course and the residents who live on it, like myself. You’re looking in the wrong place.	7/23/2023 9:42 PM
258	Eagle open space trails should stay open for fat biking.	7/23/2023 9:37 PM
259	How will the city address the use of personal golf carts, ATVs and Side by Sides? We are ripe for the opportunity to get around town on these types of vehicles.	7/23/2023 8:56 PM
260	Hiking and biking should not be allowed during the closed shed hunting season. They should not be out recreating until that season opens.	7/23/2023 5:23 PM
261	Town of Eagle managment is years behind other areas in their trail signage and promoting what could be a world class product. Also stop builing stupid jumps in the middle of a great flowing singletrack. Not every user thinks they are RAD! Also your winter closures are pointless considering you can access all the same ground from Spring Creek. Stop bending over to	7/23/2023 4:21 PM

	appease rich Eagle Ranch homeowners who are a group of NIMBYs. I have been a user of these trails almost 30 years.	
262	Please consider the needs of your constituents (tax paying voters) ahead of the the wildlife already displaced by development. We live here for the access to the outdoors, please do not further restrict this vital part of life in Eagle.	7/23/2023 4:05 PM
263	The biggest issue I currently have is off-leash dogs and their owners not following expectations of dog care.	7/23/2023 3:18 PM
264	Question 7 is misleading. "Modern OHVs" should have said 72". NO WHERE do you say up to 72". Who wrote this question? Your surveys are meaningless when they are skewed in this manner, you can and should do better. This is precisely how we legalized marijuana use in Eagle.	7/23/2023 2:28 PM
265	More directional suggestions would be helpful	7/23/2023 10:38 AM
266	I could not post my ratings to number 4. The rating procedure was not clear.	7/23/2023 10:07 AM
267	I don't care too much about e-bike access on trails as long as the bike is class 1, primarily because class 1 e-bikes top out at 20mph and I can reach similar speeds on a non-e-assist bike. I would like to see more designated trail signage. Ex: designated hiking trail, designated downhill, designated uphill. because 2-way trails are generally poor ideas because head-on collisions are inevitable, especially when you have a large population of advanced and ex-pro cyclists who just want to unleash their fast side. Continuing on the previous statement, we should have more trails that are tailored to going fast. I understand the changes made to Haymaker and pool and ice to slow riders down and keep them safe (do I think it could have been done better, yes, but I understand the reasoning) having more trails that allow for speed progression is a big part of growing as a cyclist. I understand that we have trails like Mike's night out and World's greatest but those trails are not nearly as accessible compared to trails on bellyache or second gulch. moving towards the winter season, In the winter we have two trails open to the entire county, and with a growing population that becomes dramatically unsustainable. On top of that, I am curious about the logic behind developing ON TOP of the elk habitat when it is a concern when people utilize a trail NEAR BY the elk habitat I ask the question again, why are we continuing to develop? Because people want to live here. Why do people want to live here? Because of our beautiful recreation land. What use is beautiful recreational land if we can recreate on it? I understand the need to protect the environment around us, but that can not be done by simply shutting it all down.	7/22/2023 9:41 PM
268	I can support pedal assist e-bike use on trails. This is being done on other popular trail systems, such as in Bentonville. However, not sure how that gets policed. Trail signage needs greatly improved. More signs at intersections and how to get to trailheads from different places in town. I would like to see some trails be downhill only, or at least recommended to ride this way, or most fun option. Mayer Gulch and Elmers need this. Someone is going to get hurt with our increased trail traffic. More needs to be done about off leash dogs. Many repeat offenders that know they will not be punished.	7/22/2023 9:37 PM
269	Would like jeep access not just Sxs to second glutch. If sxs or jeep access is allowed would suggest separate single track for Mtn bike access for safety.	7/22/2023 3:26 PM
270	EBikes are tricky, maybe we can open it up to some trails? I like the idea of more people getting to recreate (aging adults, people with disabilities) but we all see the middle school kids ripping through town and on our paved trails with zero regard to anyone and usually no helmets. So we have to consider that group of users too and they will cause an accident	7/22/2023 2:15 PM
271	I oppose all motorized usages on town open space, including the Second Gulch Trail.	7/22/2023 1:07 PM
272	Lessen motorized trail access was not an option on #7. I would have chosen it. E-bikes are a reality and of value to a population of the community. It would be great to have a limited number of specific trails for e-bikes.	7/22/2023 12:44 PM
273	Brian is doing a great job!!	7/22/2023 12:31 PM
274	Enforcement is my biggest issue. Currently you’re trying to make changes when enforcement isn’t even done at this time.	7/22/2023 12:31 PM
275	I do not support increasing usage or restrictions because people do not obey the current rules/restrictions. Please start effective enforcement.	7/22/2023 12:26 PM

276	The issues seem so simple - yes, we all live here for recreation, but we must be good stewards and prioritize wildlife ABOVE our own interests. Why is this even a question?	7/22/2023 11:56 AM
277	Support repairing and maintaining current trail system	7/22/2023 11:37 AM
278	These motorcycles and vehicles should not be allowed. Why come to the mountains to ride motorbikes and polite the air w emissions and noise. Why does the town allow this? U are destroying our country town and planet.	7/22/2023 11:26 AM
279	The Eagle Ranch golf course should be closed during the winter for elk migration… Also, there need to be more tickets written for people with Offleash dogs. We have personally witnessed people coaching their dogs to chase deer and elk herds, which decimates their numbers.	7/22/2023 11:05 AM
280	Please close haymaker trail in winter and keep closed until March 1 don't spray for noxious weeds in areas where deer and elk habitat even in the summer ie. the park off Capitol deer there all summer eating grass	7/22/2023 11:00 AM
281	I don't use Haymaker in the winter, I think it should be kept open for recreation as it currently is.	7/22/2023 9:18 AM
282	I struggle with the lack of recreational access in the winter. Trail access is extremely limited. We are developing like crazy and the message to the town residents who enjoy the outdoors is mixed, to say the least. The reason I live here is for outdoor recreation opportunities. I feel we need to expand our trail networks not only in the winter but also develop more trails for year-round access.	7/22/2023 8:12 AM
283	Concern about Limited outdoor recreation opportunity/access in winter especially as private land development increases.	7/22/2023 8:02 AM
284	No	7/22/2023 5:43 AM
285	We are concerned about safety, wear and tear, dust and increased noise of larger vehicles accessing BLM land via Second Gulch. Speeds and noise is already an issue on Arroyo and Fourth of July Rd from motor bikes accessing Second Gulch.	7/21/2023 11:02 PM
286	Regarding the 50 inch restriction. Your current access point is not at a measurement of 50 inches those of us that have 50 inch wide. SxS cannot access it. I feel like it is purposely limiting any use of the trail. I would like you to go out and measure the distance.	7/21/2023 9:03 PM
287	Yes, please better control dogs that are off leash to protect the wildlife.	7/21/2023 8:15 PM
288	E bikes are gay, just say no to e bikes	7/21/2023 7:11 PM
289	I'd like to see ebikes allowed for all downhill sections at a minimum. Maybe uphill sections could also be allowed. A 10MPH speed limit for the uphill sections might make sense?	7/21/2023 6:33 PM
290	Dogs owners are the problem …….they let their dogs run after and around wildlife and people completely out of control and away from voice commands … Frozen poop on the trail…. please don't let dog owners ruin it for everyone…they have a beautiful dog park in eagle ranch	7/21/2023 6:19 PM
291	Dogs and ebikes need to be restricted	7/21/2023 6:07 PM
292	Town needs to have an educational program for e-bike riders and especially kids that don't drive vehicles. They are unaware of rules of the road an bike etiquette. People are going to get seriously hurt. They rarely stop at stop signs on trails crossing roadways.	7/21/2023 6:06 PM
293	Educate people on the different classes of e bikes. Town is more than happy to spend $625000 on terrible art in town that money could have gone to so many other things that the community actually need.	7/21/2023 5:14 PM
294	Thanks for the great work you are doing. We are so thankful to live in this amazing town. And we know you can't make everyone happy all the time so take everyone's comments with a few grains of salt.	7/21/2023 4:59 PM
295	greater wildlife enforcement, also better patrolling of Brush Creek Rd especially in the winter when the elk are present, speeding is a big issue all year	7/21/2023 4:38 PM
296	Spend your time and money on highway 6 beautification, much greater return on investment.	7/21/2023 4:28 PM
297	Kids on Ebikes is a big safety issue.	7/21/2023 4:25 PM

298	For E-bikes, make nonmotorized single track only allow class 1 e-bikes.	7/21/2023 4:22 PM
299	Please consider closing Eagle Ranch golf course xc ski & rec path use during winter and spring. ER is the historic winter resting place for elk- who are in starvation mode, and most are pregnant; they won't go anywhere else during winter because this has always been their critical winter range, since long before cattle grazing or houses appeared. Runners, walkers, the local high school xc ski teams, & dogs (both on leash and Offleash) cause disturbances of the elk. Eight disturbances reduces the viability of the unborn calf; resulting in death of the calf. There's a reason our historic E-16 Elk Herd has diminished from 10,000+ for over 4 decades down to less than 700. Off leash dogs have killed other dogs here, mauled my child, and are chasing and exhausting the elk during winter. There needs to be active law enforcement writing tickets for Offleash dogs, this is the only way anyone will change their habits. Winter is when the elk are in starvation mode, and most are pregnant. Please consider protecting what's left of our elk herd by closing the golf course trails in Eagle Ranch during winter. Thank you.	7/21/2023 2:54 PM
300	I cannot walk my dog past the Arroyo lot due to past attacks by dogs off-leash. Limit usage during daylight hours. Night-time visitors to the Arroyo lot disturb the local neighbors, some of whom have small children trying to sleep.	7/21/2023 2:41 PM
301	It's hard to believe the elk popular are stressed when we are introducing wolves.	7/21/2023 1:50 PM
302	Teens and Tweens on e-bikes out of control - 25mph and on their phones.	7/21/2023 1:44 PM
303	Ebikes are a growing population that should start to be allowed in our trail systems. I believe class 1 ebikes should be allowed on our single track trails in the Town of Eagle open space. The latest e-MTB models are silent and don't feature a throttle, making it nearly impossible to break traction, let alone cause the type of trail damage normally associated with motorized off-road vehicles. Electric mountain bikes are also much lighter than gas-guzzling dirt bikes, which keeps their impact on par with the mountain bikes already on the trail. I also believe you should consider opening the lower eagle ranch trails in the winter. Including Riddle, Wall, Mayer gulch, Adam's Way, lower 2nd gulch, bailey's, and maybe even the LOV connector trail. With only 2 trails open in the Winder (and potentially only one if they close Haymaker) it creates conflict and issues every winter. I don't believe the wildlife impact argument for these lower trails is valid with all the housing and golf course in the area. Those restrictions were implemented long ago, before all the new development in the area.	7/21/2023 11:54 AM
304	I don't understand TOE open space management policy of aligning with BLM on some things but not others. Why are you increasing closure to match BLM but not matching that on foot access is allowed year round? And there is talk about closing more access to Haymaker but at the same time allowing development in that area? TOE either needs to really protect wildlife and stop development or just admit you don't care really about wildlife when it comes to $$.	7/21/2023 11:47 AM
305	It would be great if you opened the lower Eagle Ranch Trails in the winter. These trails already go through areas with homes. Right now with only 2 trail opens in the winter (and talk of restricting Haymaker even more) there is WAY TOO MUCH CONGESTION on the trails in the winter. This leads to conflict and issues on those trails.	7/21/2023 11:35 AM
306	Wonderful areas	7/21/2023 11:30 AM
307	doing a great job!	7/20/2023 8:48 PM
308	Please increase the width restriction on 2nd gulch. This is the only access point for side by sides and we should allow this for people who choose to access public lands in these vehicles. It also opens access to elderly and handicapped people who can ride in side by sides. Thank you.	7/20/2023 10:45 AM
309	Yes. The deer and elk populations in this area are very comfortable with humans and so long as humans and dogs are not aggressively going after them, they seem to be interested in cohabitating with humans. In my opinion this is evident from my 25 years of observation. Regarding E-Bikes.. If pedaling it is the only way to make it go, regardless of electric assist, it should be allowed on any surface that an acoustic bike is allowed.	7/19/2023 5:28 PM
310	Signage for cars to be aware of bikes, animals, and people in the area of trails.	7/19/2023 3:47 PM
311	I am very concerned about how you phrased question 7. This is not an accurate portrayal of the situation at hand. There are a number of issues relating to this matter and your phrasing of the question is indicative of the way the Town has poorly managed this issue.	7/19/2023 1:47 PM
312	Class 1 e-bikes should be allowed on nonmotorized dirt trails.	7/19/2023 12:46 PM

313	Better communication on what is happening. The decimation of sage brush and habitat in the open space by Old Growth Tree that happened last winter at the open space off of Brush Creek is shocking - what was that??? Signage and email communication regarding what's happening would be very helpful.	7/19/2023 12:41 PM
314	The projects on both Pool and Ice and the Haymaker downhill were a waste of town funds. Both of those trails need maintenance not rerouting. The reroutes are less sustainable, reduce the flow of the trails, and encourage "ride-arounds".	7/19/2023 10:50 AM
315	If the Haymaker system needs to be closed for wintering wildlife, open the second gulch/riddle/wall areas so people can have an area for winter recreation.	7/19/2023 9:24 AM
316	When you close all the trails in Eagle Ranch during the winter, it focuses all impacts to those that remain open. It would be better to allow winter access on a variety of trails. Please work harder to allow more winter access to trails in the area.	7/19/2023 9:07 AM
317	I am a resident of Gypsum and have family who have had a home in Eagle Ranch/4th of July for many years. From my experience, allowing the larger OHVs onto town roads with trail access would negatively impact the neighborhood experience in Eagle Ranch. There are many opportunities locally for these vehicles to access trails without utilizing this space for another access.	7/19/2023 8:59 AM
318	NO E-Bikes on dirt trails. They will kill someone if they are allowed on dirt trails.	7/19/2023 8:53 AM
319	With all the sales of E bikes and people riding them it’s only a matter of time until our trails should be E bike friendly.	7/19/2023 7:59 AM
320	Thank you for asking!	7/18/2023 11:11 PM
321	E bikes have become a menace to bike path users especially youngish kids going > 35 mph on the path with no regard for the safety of the dogs and people on the path or their own safety	7/18/2023 9:08 PM
322	Answer to number six would be yes if there was an opening of a trail like second Gulch instead during the winter. Answer to seven is increasing width, but there needs to be speed control put in place as well as possible single track for hiking and biking. Answer to eight is in support of E bikes. They are already used on all trails in Eagle whether they are allowed or not.	7/18/2023 7:55 PM
323	As far as ebikes go, there are 100's of miles of motorized trails where they are allowed-much more than there are non-motorized trails, so let's keep non-motorized trails just that. And better signage and enforcement is needed regarding ebikes on non-motorized trails-I see them all the time, and riders usually claim they didn't see the small signs. Or just tell me to f--- off if I mention they're not allowed on that trail (Abrams Ridge, 3rd gulch, Belly Up, Bone-yard...)	7/18/2023 7:52 PM
324	The prairie dogs need aggressively managed. (Killed)	7/18/2023 6:17 PM
325	We need to start and make things happen. Less government. More work.	7/18/2023 5:54 PM
326	The BLM has 50" restrictions in place on adjoining lands around Town of Eagle. Increasing 2nd Gulch trail width to >50" invites many very undesirable out comes, to include: increase safety hazard for existing users, trail and soil erosion impacts to already fragile system, impact on current wildlife populations by introducing a new user group to a popular existing trail, expanded costs to ToE Taxpayers, increase wildfire threat for ToE, potential loss of protected Pestimon plant species, increase of noise pollution, increased dust pollution, potential for 'destination OHV users' from out of town, increase traffic on existing popular trail...etc..	7/18/2023 5:46 PM
327	My biggest concerns with e-bikes and OHV is increasing the amount of "moon dust" created on these trails making them worse for non-motorized users.	7/18/2023 5:43 PM
328	Please seriously consider a winter closure on Haymaker. Currently it has turned into a winter, off-leash dog park that has major negative impacts upon our local wildlife populations. The town has plenty of other open areas (paved trail system, off-leash fog park, etc)for users to go during a winter closure. Thank you.	7/18/2023 4:59 PM
329	Any e-bike that is not just pedal assist is a danger to other trail users. As it is there are seemingly 100's of kids riding throttled e-bikes around the bike paths without helmets. They also almost never look before flying across the road and it is simply a matter of time before one of them is killed or seriously injured. They also pose a risk to other trail users as they are moving much faster than hikers and pedal bikers.	7/18/2023 4:55 PM

330	the use of the jeep road to access second gulch and the use of second gulch for motorized traffic is an incompatible use with walking, running, biking. The trail systems need to be separated with defined trails for motorized vs. other uses. There should also be restricted hours to use the jeep road, meaning 7A-7P	7/18/2023 4:43 PM
331	I think the town and CPW should present the facts about the elk and deer management numbers against the CPW targets to the entire town at a town meeting. There are many people that don't realize that our Elk numbers are in the management targets that the CPW sets forth. The new CPW officer should be educating instead of saying things like "our deer heard is at a tipping point" without clear numbers to support that statement. Every decision we make needs to be based on data provided from the CPW and not feelings and emotion. To start, we need the CPW to present their management targets and where we stand against those targets and also educate people as to where they can find all of that public data. How does it make any sense to close the Haymaker trial when we are building all those houses in that area? Closing the trail and then building all those houses in the same area without care to wild life will not sit well with people. If you don't give people a place to recreate, they will do it everywhere else. The BLM, CPW, and Forest service have already shown they don't have the recourses to enforce closures. E-Bikes and emotos (surons and quietkats) are already riding the trails all around Eagle (as well as all over the side walks and in parks, etc). We might as well find a way to manage the increased use and try and educate emotos and ebikes on proper trail etiquette. Again, we don't have enforcement, and how many people can tell the difference between a Class 1, 2, 3 and full emoto anyway? Ebikes are here to stay and as long as people treat others with respect, why can't we all share the same resource? It's better than building more single use trail. We may have to get progressive on directional trail building but we all need to share the MANY miles of trail that have been developed.	7/18/2023 4:07 PM
332	I feel that the current leash law enforcement philosophy does not really value wildlife or good manners on the part of dog owners--sometimes it even does the opposite, and it's creating division. I've given it much thought and have a couple of ideas I would like to share, which have evolved quite a bit since the last time I raised the issue. My name is Deb, and I can be contacted at 303.549.7857.	7/18/2023 3:52 PM
333	E-Bikes are the future. Learn how do best adopt them into the system.	7/18/2023 3:18 PM
334	There are a lot of new trails showing up in areas. My prioritization of "trail maintenance" in question 4 is to put resources into closing these additional trails (mainly used by motorcycles) to protect wildlife and prevent fragmentation.	7/18/2023 3:00 PM
335	E bikes are out of control on the streets of Eagle	7/18/2023 1:57 PM
336	development will ultimately effect eagle in a negative way. More land should be purchased to preserve open space. Especial land that is adjacent to BLM. Buy more land and develop less land.	7/18/2023 1:55 PM
337	Keep building bike trails that have bermed corners. They hold up better during the dry months of the summer.	7/18/2023 1:43 PM
338	E-Bikes are out of control. Young users are often seen flying down recreational paths without regard for the safety of others. Need enforcement of types of bikes that are allowed on paths.	7/18/2023 1:31 PM
339	Stop further development and protect the wildlife	7/18/2023 12:57 PM
340	I have already seen too many E-Bikes riding too fast for conditions on the asphalt paths here in Eagle. I don’t think any additional access should be granted to those types of bikes.	7/18/2023 12:55 PM
341	Good job! Still need work on the off leash dog issue.	7/18/2023 11:39 AM
342	The additional volume of trail users that comes with allowing e-bikes would devastate the Eagle trail system. If anything there needs to be more enforcement and signage to regulate this precious resource.	7/18/2023 11:35 AM
343	Safety education, rules and ticketing violations/punishment on eBikes.	7/18/2023 10:58 AM
344	Get rid of all motorcycles and 4-wheelers. Causes so much noise in Eagle Ranch Arroyo area. Especially when motor cycles start at 4:00 am!!	7/18/2023 10:57 AM
345	I would write "no opinion" for #7. I have been very impressed by the responsiveness of the Town of Eagle Open Space staff (Brian) and all partners who support the trails and open spaces. One observation in regards to educational signage of all sorts and wildlife	7/18/2023 10:57 AM

	management - visitors and neighbors mostly want to do the right thing to protect our habitats. I'd encourage more where issues are arising to help the community do our part to protect these trails and habitats. Especially where wildlife congregate - reminders to leash pets, keep a distance, etc. The newspaper articles and Facebook reminders are comprehensive and appreciated - but not everyone sees those. Similar to the Bear/Moose signs - those get people's attention and raise understanding long-term.	
346	Consider individualized winter closures - based on location and condition - rather than a "one size fits all" closure of 12/1-4/15. Increase opportunities for off-leash dogs. Increase dog waste receptacles at trailheads to increase compliance. Increase availability of pedestrian only trails.	7/18/2023 10:53 AM
347	Spend a significant increase in time visiting/researching/engaging with other towns who regret increasing their OHV access: Moab, UT; Aspen, Gunnison/Crested Butte, Marble, Silverton, Lake City, Pitkin (the town). Gunnison County is spending increased staff time managing the explosion: Gunnison County commissioners who have seen OHV use “go through the roof” in the words of Commissioner Jonathan Houck. He said the county is seeing torn-up roads and resource damage from users “that are more interested in CONQUERING the outdoors than in being in the outdoors.” He said the OHV problem has moved into the upper echelon of county issues, alongside a serious housing shortage and looming drought. I have my doubts that Eagle Town Council or OSRAC has thought of even a few of these issues that cascade from increasing OHV access. There is no way to manage speed, age of users, respond to and manage accidents, measure the deleterious impacts to our wildlife, measure/inventory sensitive species loss, prevent the transfer of noxious weeds into non-infested areas, replace the displaced soils removed from 4 lugged & spinning tires on each OHV, repair the hundreds of miles of eroded roads and trails that are re-created every day, mitigate the loss of tranquility non-OHV users rely on for mental health from the noise, speed, and dust; enforcement of OHV sizes (this is bordering a crisis in Moab) and hours of noise. MOST OF THESE IMPACTS ARE IMPOSSIBLE TO MITIGATE AND ARE PERMANENT.	7/18/2023 10:48 AM
348	Thanks for all you do!	7/18/2023 10:47 AM
349	Would like some restriction of noise (or motorized use) on 2nd Gulch trail from midnight to 6am.	7/18/2023 10:30 AM
350	The ToE OS Second Gulch trail connects to a BLM Second Gulch trail that is also width restricted to 50”.	7/18/2023 10:18 AM
351	No to E-bikes! They have already made the paved recreation paths dangerous. Kids and adults go flying on the paths and are not even pedaling. someone is going to get seriously hurt	7/18/2023 10:01 AM
352	Pedal assist E-Bikes only. No throttle bikes	7/18/2023 9:58 AM
353	E bike use on paved recreational paths is out of control! Kids and adults are flying on these trails and not even pedaling. Someone is going to get seriously hurt!	7/18/2023 9:54 AM
354	PLEASE REVIEW THE AFFECTS ON TRAILS WITHIN FRUITA. THEY HAVE ALLOWED E-BIKES WITH VERY LITTLE NEGATIVE ON TRAIL CONDITIONS	7/18/2023 9:52 AM
355	Not sure if this an open space concern, but ebikes on the walking paths have become a serious problem. They're ridden much faster than traditional bikes. Someone is going to get really hurt.	7/18/2023 9:46 AM
356	I would like bike access to Love Connector from Hernage creek. No need to access on the dog trail but it should be allowed to go up the gravel road to the old double track and access there. Also, we should not close old established trails then spend money on new ones. (I stil support new trails) Firebox single track and Woverton are prime examples. Also, Sasquatch in the Boneyard area. I get that it was unauthorized, but I am also sure all of the construction in the area has an equally negative (more) impact on wildlife.	7/18/2023 9:43 AM
357	It will take a child getting killed for people to wake up but e-bikes are motorcycles with electric power and should be treated as such.	7/18/2023 9:40 AM
358	We’d to keep Moto’s vehicles off sidewalks. There are tons of ebikes ripping past my relaxing walks everyday! And numerous E-motorbikes access g the trails through schoolhouse rocks singletrack and Abrams too. Zero enforcement across the board!	7/18/2023 9:39 AM
359	Concerns are for future of maintaining sufficient and safe open space for wildlife in winter as well as safe corridors for them to access habitat needed. Development of business and residential seem to be exceeding the establishment of protected area.	7/18/2023 9:38 AM

360	I have been a home, owner, tax payer and Eagle county resident since 2006. I am an avid mountain biker, now 58 years old with 2 replaced hips and a knee that is going to need to be replaced. I am still very active, like many other people, my age and older that have lived here for a long time. I purchased a specialized super light e-assist mountain bike three years ago to continue to enjoy the sport. I love. I strongly believe that e- assist mountain bikes should be allowed on AllTrails in our area. They are no different from other mountain bikes they just allow people to enjoy their sport into later years. they do not kick up dust. They do nothing different than a mountain bike. There are many people that feel this way and I am completely offended and angered that I am told I am not allowed to ride on my trails that I have been paying taxes on for many years. I will continue to ride them regardless. There should be differentiation on allowing e- assist mountain bikes, that weigh the same as other mounts bikes, made for single track, and heavy e bikes that kick up dust and are not made for single track mountain bike trails. Please consider this change.	7/18/2023 9:31 AM
361	There are trails in the area that should be labeled as one way. World's Greatest, Elmers, Mikes Night Out are great examples. These are high speed trails with lot of blind corners. I've been complaining about this issue to VVMTA for years. Seems like it's going to take few serious incidents before there are changes made. The trails are busier than ever. With increased traffic some of these trails need to be labeled as downhill only.	7/18/2023 9:23 AM
362	Thank you!	7/18/2023 9:21 AM
363	The town needs to allow access for all recreational activities. If you don't provide it in second gulch where will you provide it? People will destroy things by accessing illegally. Please be proactive on that issue.	7/18/2023 9:17 AM
364	The status quo provides reasonable equitable access for various recreational uses. The winter priority for the Haymaker area should serve as critical habitat for the elk populations but give the open space management flexibility to allow use in mild winters if the elk are not utilizing the space.	7/18/2023 9:14 AM
365	unleased dogs on mountain bike trails	7/18/2023 9:13 AM
366	more opportunities for trail access around eagle ranch during winter closures on trails that are surrounded by houses	7/18/2023 9:12 AM
367	Prioritize voice command dog not always leash . Need a winter trail cannot keep building homes in habitat but not let us access back country in winter.	7/18/2023 9:07 AM
368	It seems illogical to close/restrict the first two loops of Haymaker in the Winter with all of the new development going on in that area. Its hard to approve/disapprove of e-bike access when the impacts of ebikes are not really known yet. What type of impact will those bikes have on trails? Will they require more maintenance?	7/18/2023 9:05 AM
369	E-bikes, especially pedal assist bikes, should be permitted anywhere a nonmotorized bike is allowed.	7/18/2023 9:05 AM
370	More trails the better!	7/18/2023 9:00 AM
371	even with the proposed changes to Second Gulch, we still will not be allowing access to all classes of user that are allowed on BLM land beyond	7/17/2023 4:42 PM

ERO Resources Corporation

Denver | 1626 Cole Boulevard, Suite 100, Lakewood, CO 80401-3306
Durango | 835 East Second Avenue, Suite 400, Durango, CO 81301
Hotchkiss | 161 South 2nd Street, PO Box 932, Hotchkiss, CO 81419
Idaho | 7154 West State Street, Suite 398, Boise, ID 83714

11/1/23

Town of Eagle Open Space and Trails
Management Plans
Engagement Opportunity Summary

Summary

The Town of Eagle has encouraged and solicited community input from the outset of the management planning process. As draft management plans and policy papers were developed and shared with the public, online and in person engagement opportunities were held as avenues for the public to provide feedback on the direction of the plans and recommended policies.

The online engagement opportunity was a questionnaire that asked the respondents to rank the level of agreement or disagreement with the recommended management plan topics and policies. The form was open for responses from October 11th to the 27th and rendered 284 responses. Below is a summary of the online engagement opportunity. Additionally, an open house was held at the Brush Creek Pavilion on Wednesday October 18th, 2023, from 4:30 to 6:30 and included a short presentation on the project. Over 130 people attended the open house and provided comments to the project team.

General Online Engagement Results

There were 284 responses to the survey with 82% of respondents reporting they reside in the Town of Eagle. There were 41 respondents who reported living in other areas of Eagle County and only 10 respondents who reported residing in an area outside of Eagle County. Eighty percent of respondents reported being older than 41 years of age.

Detailed Online Engagement Results

A series of questions asked the respondent to rank their support for the management plan topics and management recommendations for the three policy issues which are Second Gulch motorized access, Haymaker seasonal closures, and E-bikes. **Note**: The following results are equally representative of Eagle-only respondents as they are to all respondents. The compiled SurveyMonkey results are shown as an attachment at the end of this report.

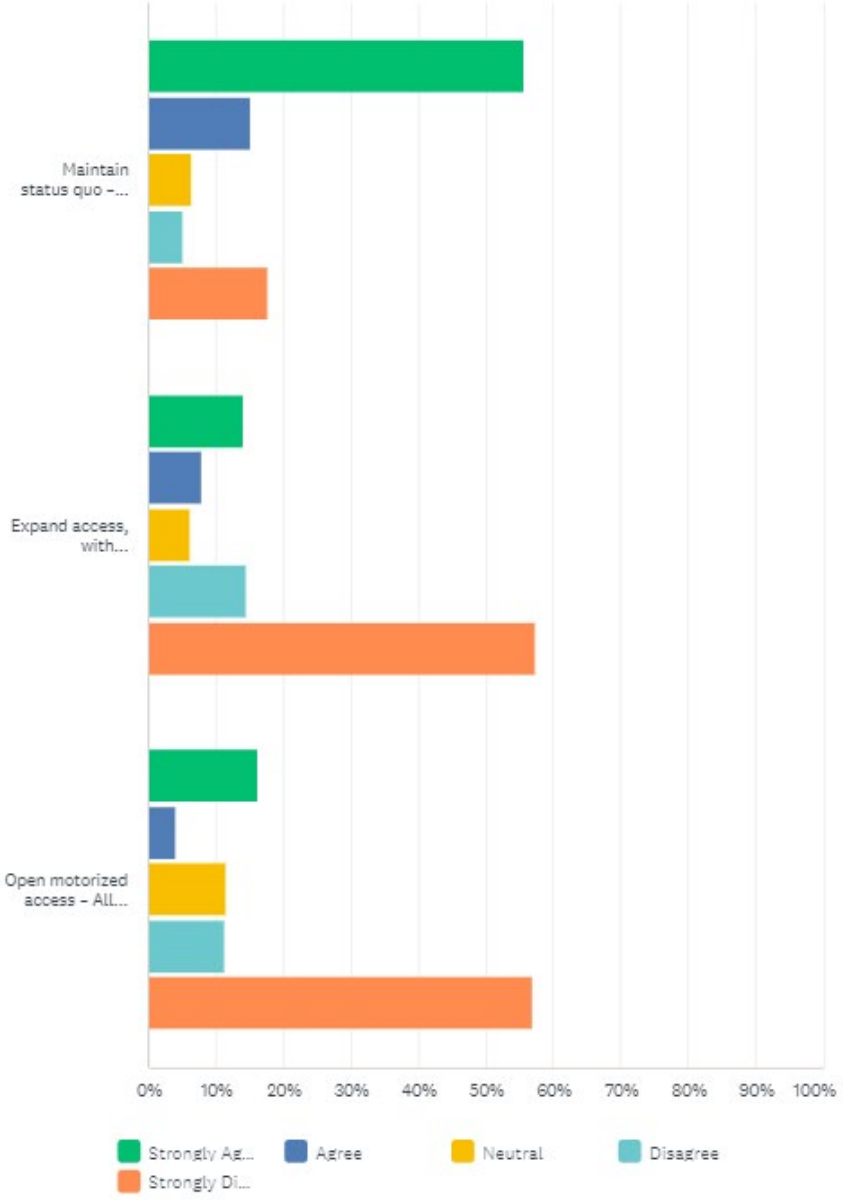
The first of these questions asked how supportive respondents are of the management plan recommendations by topic (from strongly agree to strongly disagree). Fire mitigation had the highest support for its recommendations whereas recreation access had the least support for its recommendations.

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL
Fire mitigation	39.50% 111	37.72% 106	16.73% 47	3.56% 10	2.49% 7	281
Noxious weed management	30.47% 85	40.50% 113	22.94% 64	3.23% 9	2.87% 8	279
Wildlife habitat improvements	30.47% 85	33.33% 93	24.37% 68	6.09% 17	5.73% 16	279
Recreation access	27.70% 77	25.90% 72	19.42% 54	12.23% 34	14.75% 41	278
Visual character	17.15% 47	33.94% 93	41.97% 115	4.01% 11	2.92% 8	274
Pest management	14.34% 40	37.28% 104	41.58% 116	4.30% 12	2.51% 7	279
Signage and wayfinding	16.67% 46	42.03% 116	34.42% 95	3.62% 10	3.26% 9	276
Trail maintenance	31.77% 88	45.49% 126	15.52% 43	4.33% 12	2.89% 8	277
On-leash dog education and enforcement	29.29% 82	20.71% 58	26.79% 75	13.93% 39	9.29% 26	280
Off-leash dog opportunities	24.10% 67	24.82% 69	27.70% 77	11.15% 31	12.23% 34	278
Ecological and riparian restoration	23.91% 66	36.96% 102	30.80% 85	5.43% 15	2.90% 8	276

Next, respondents were asked to select their support for each of the three management options for motorized access to Second Gulch (from strongly agree to strongly disagree). For maintaining the status quo, which would be no change to the existing management of 50-inch vehicle width limit, most respondents strongly agreed. For expanding access to allow UTVs and other modern recreation vehicles, most respondents strongly disagreed. For the last option, to open motorized access to all vehicles and uses, most respondents also strongly disagreed. Additionally, another question asked if respondents agreed or disagreed with ERO's recommendation to develop a community process to define a consensus recommendation for Second Gulch. Around 54% of respondents agreed with this strategy, while 46% disagreed.

How do you feel about each of the three management options for motorized access to Second Gulch?

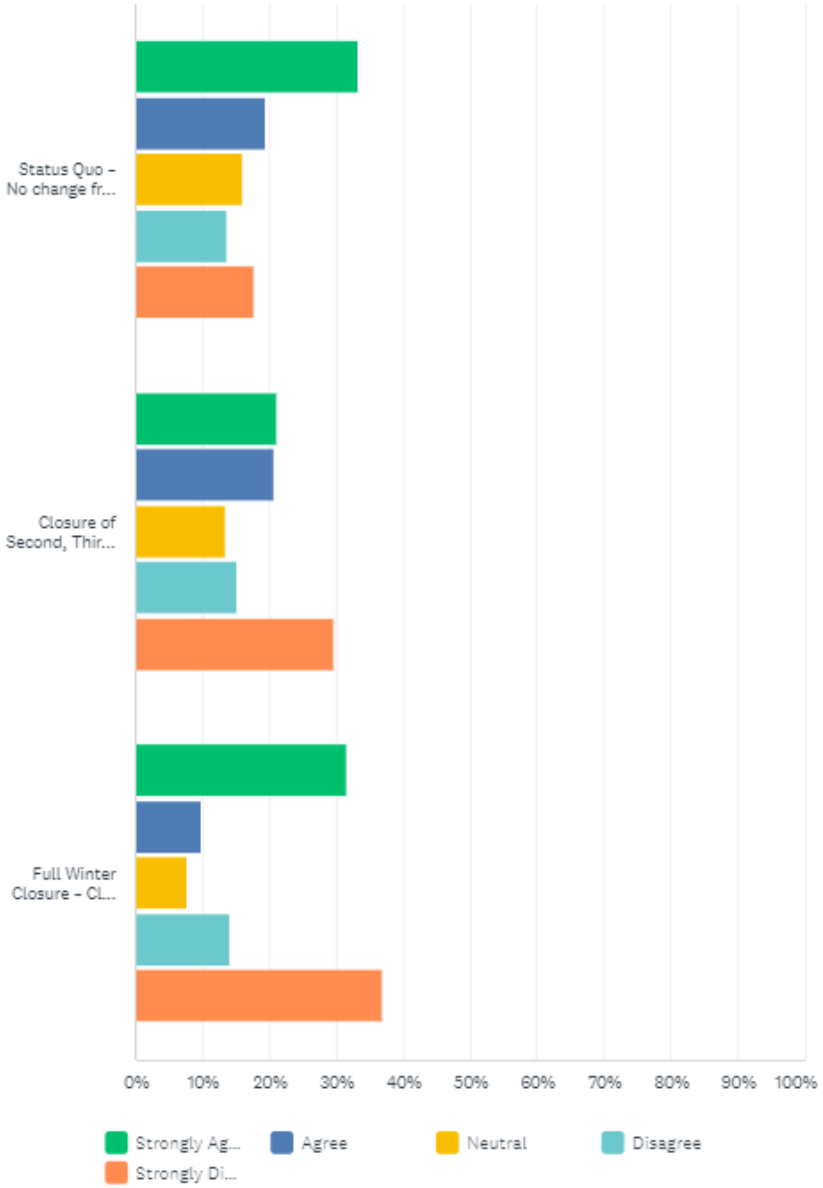
Answered: 283 Skipped: 1



The next question asked participants to select their support for the three possible management strategies of the Haymaker Trail system regarding seasonal closures for wildlife protection (from strongly agree to strongly disagree). For maintaining the status quo where there would be no change from existing management, most respondents strongly agreed. For closure of the Second, Third, and Extra Credit loops, nearly 30% strongly disagreed. For the full winter closure which would close all loops, nearly 37% strongly disagreed.

How do you feel about each of the recommended management strategies for the Haymaker Trail system?

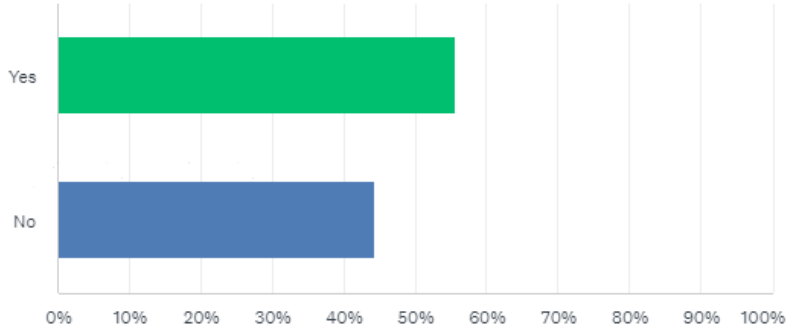
Answered: 282 Skipped: 2



The final substantive question asked respondents to answer yes or no to more support for E-bike access in Eagle in the next 10 years. Nearly 56% of respondents said yes to supporting more E-bike access in the next 10 years, whereas 44% said no.

In 10 years, do you see yourself supporting more E-bike access in Eagle?

Answered: 279 Skipped: 5



The last question on the survey asked respondents to share any additional feedback on the management plans or policy issue recommendations. Many of the responses discussed their support or disagreement with management recommendations for E-bikes, motorized access, Second Gulch, wildlife, and trails. Below is a word cloud of general themes generated from the responses.

Q9 What other feedback do you have regarding the management plans? (Optional)

Attachments

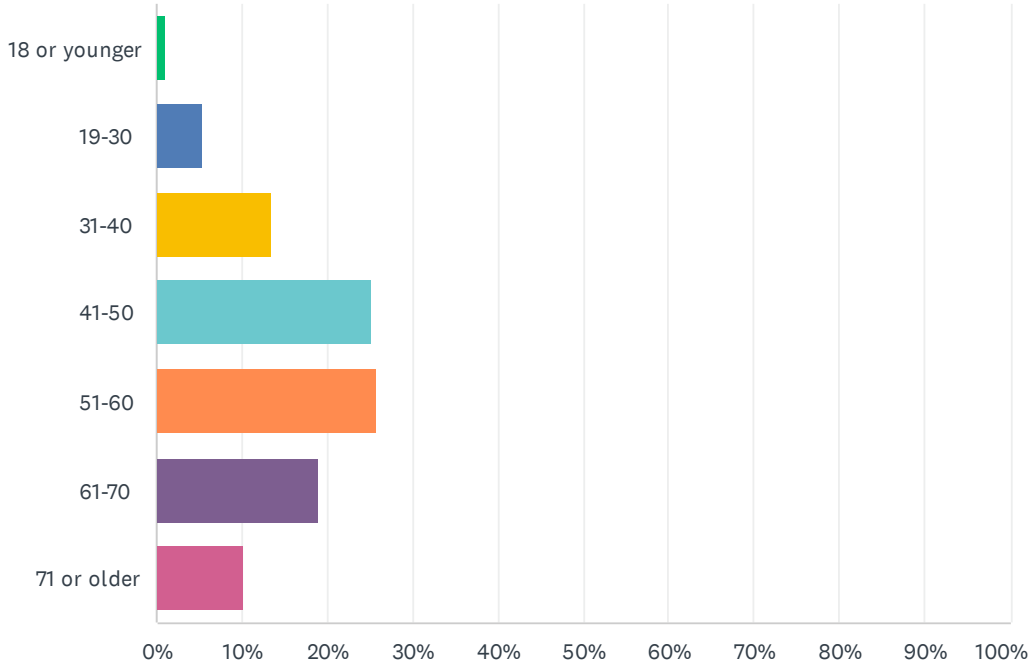
1. SurveyMonkey Generated Engagement Opportunity Results (All Responses)
2. Additional Compiled Public Comments

Q1 Name

Answered: 271 Skipped: 13

Q2 Which category below includes your age?

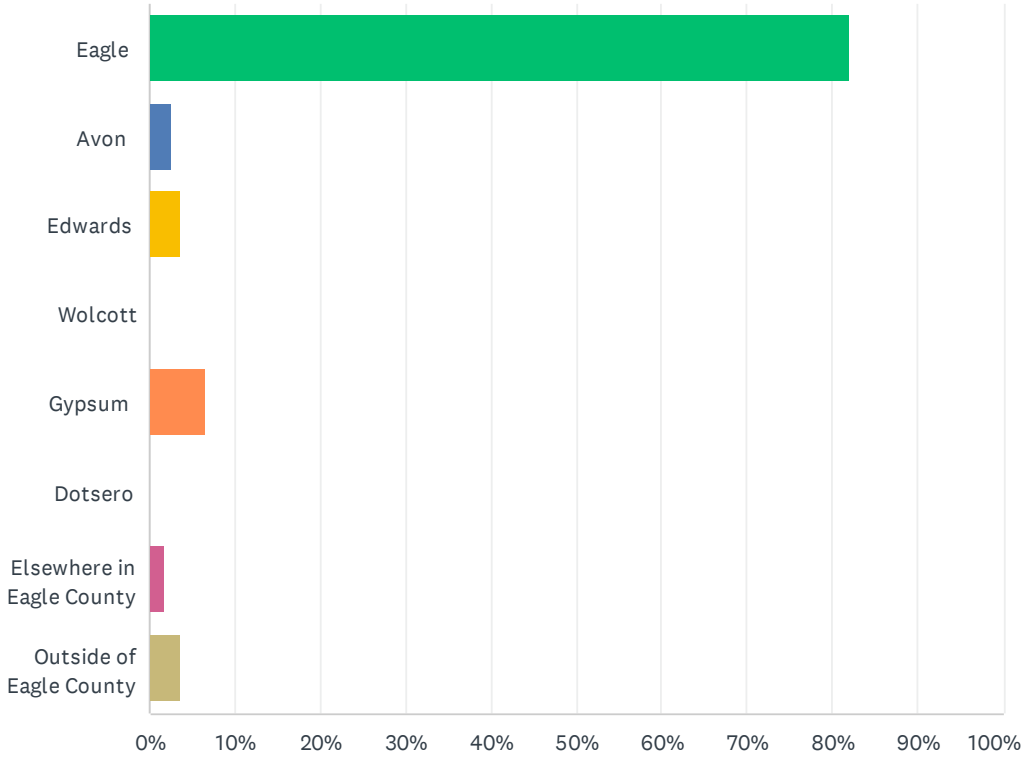
Answered: 283 Skipped: 1



ANSWER CHOICES	RESPONSES	
18 or younger	1.06%	3
19-30	5.30%	15
31-40	13.43%	38
41-50	25.09%	71
51-60	25.80%	73
61-70	19.08%	54
71 or older	10.25%	29
TOTAL		283

Q3 Where do you live?

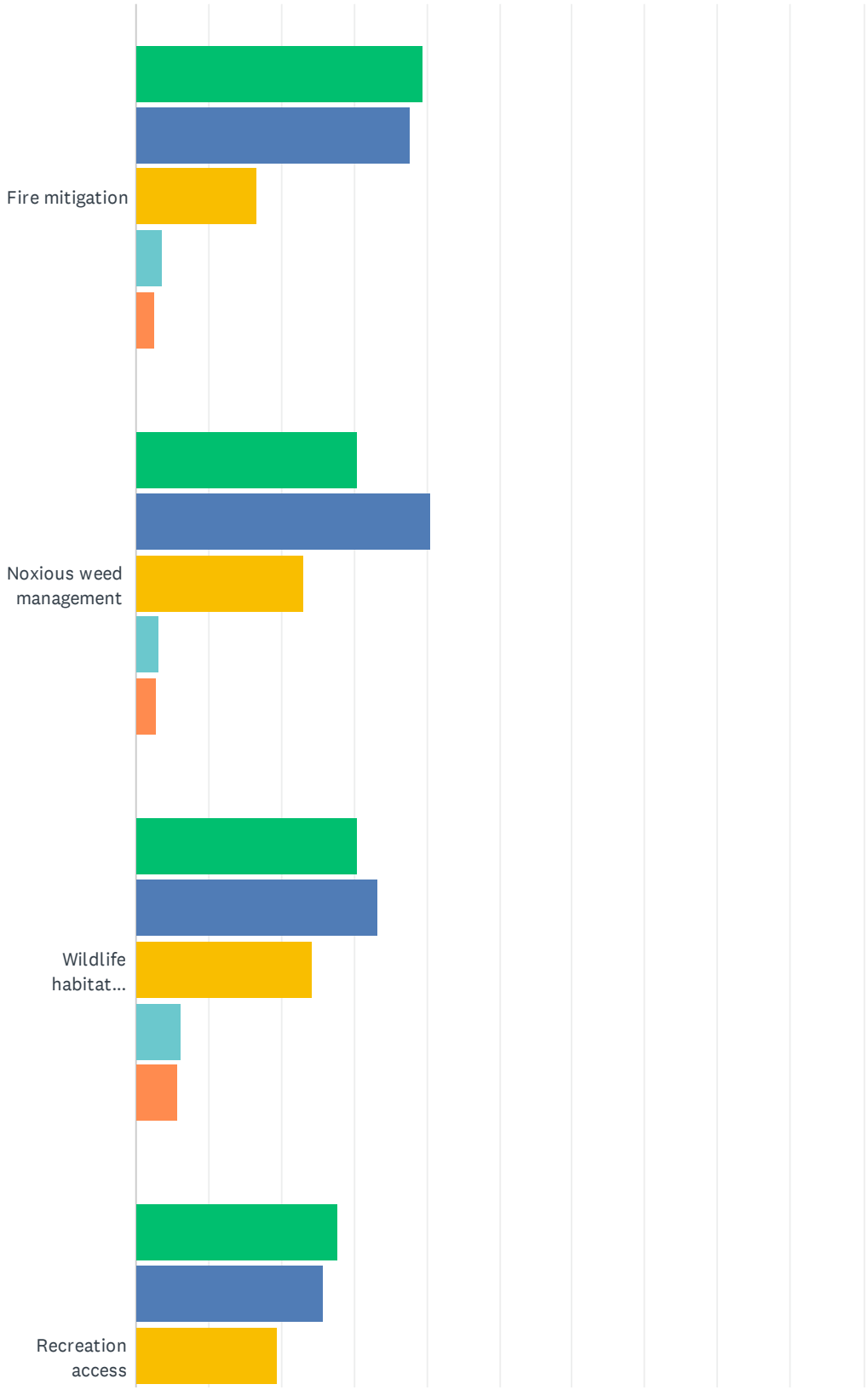
Answered: 284 Skipped: 0

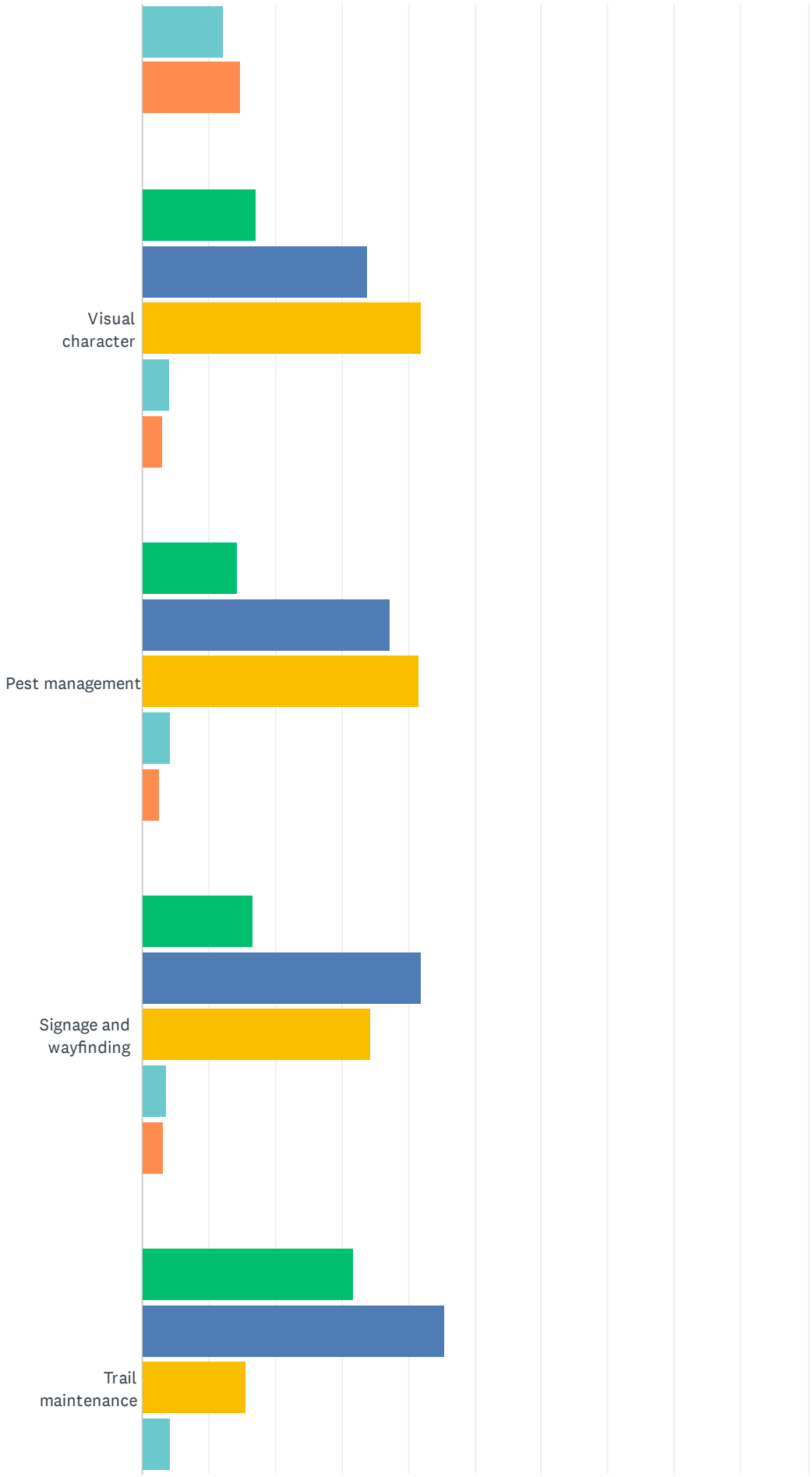


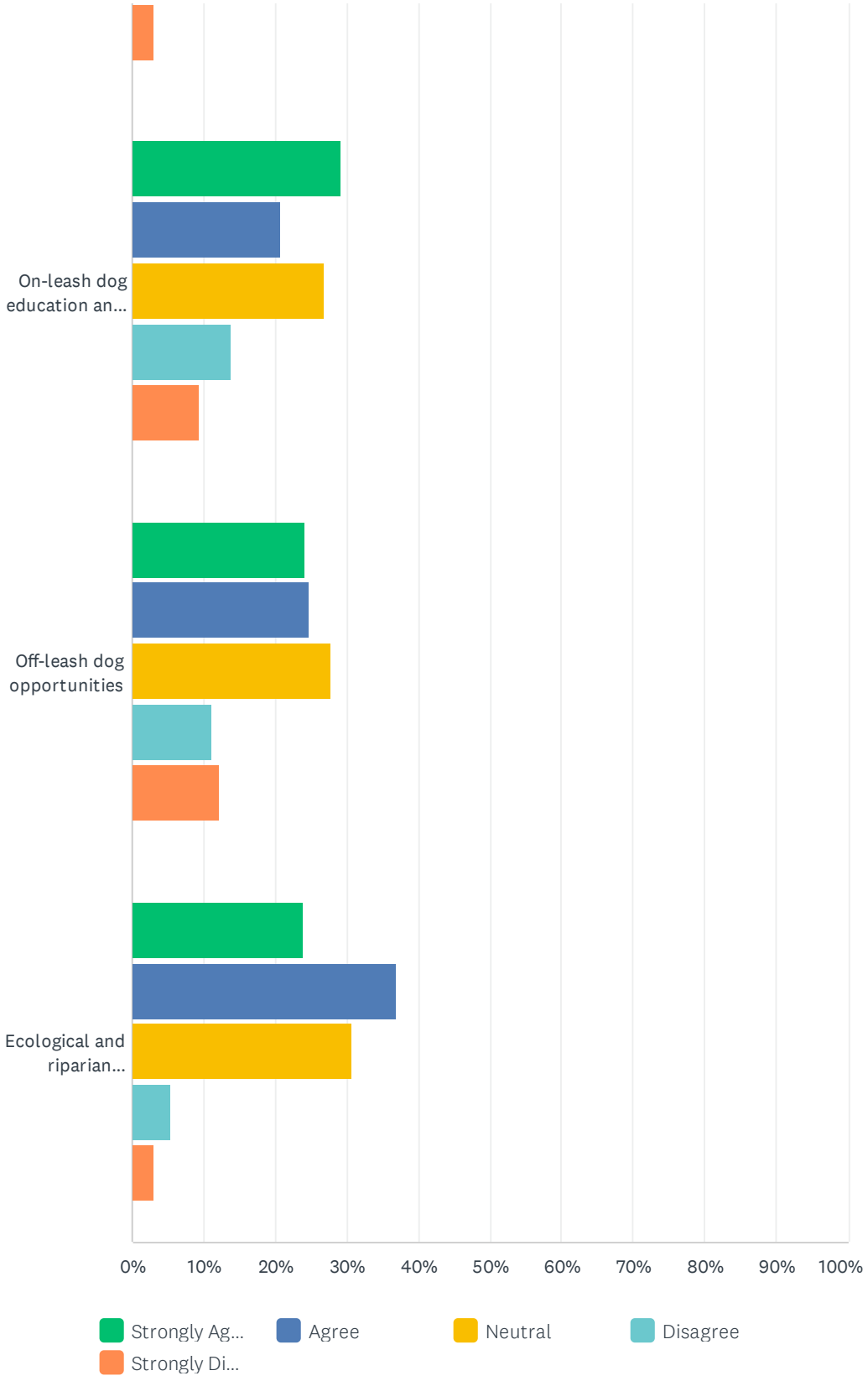
ANSWER CHOICES	RESPONSES	
Eagle	82.04%	233
Avon	2.46%	7
Edwards	3.52%	10
Wolcott	0.00%	0
Gypsum	6.69%	19
Dotsero	0.00%	0
Elsewhere in Eagle County	1.76%	5
Outside of Eagle County	3.52%	10
TOTAL		284

Q4 How much do you support the direction of the management plans for each of the following?

Answered: 284 Skipped: 0




Visual character
Pest management
Signage and wayfinding
Trail maintenance


On-leash dog education an...
Off-leash dog opportunities
Ecological and riparian...
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Strongly Ag...
Agree
Neutral
Disagree
Strongly Di...

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL
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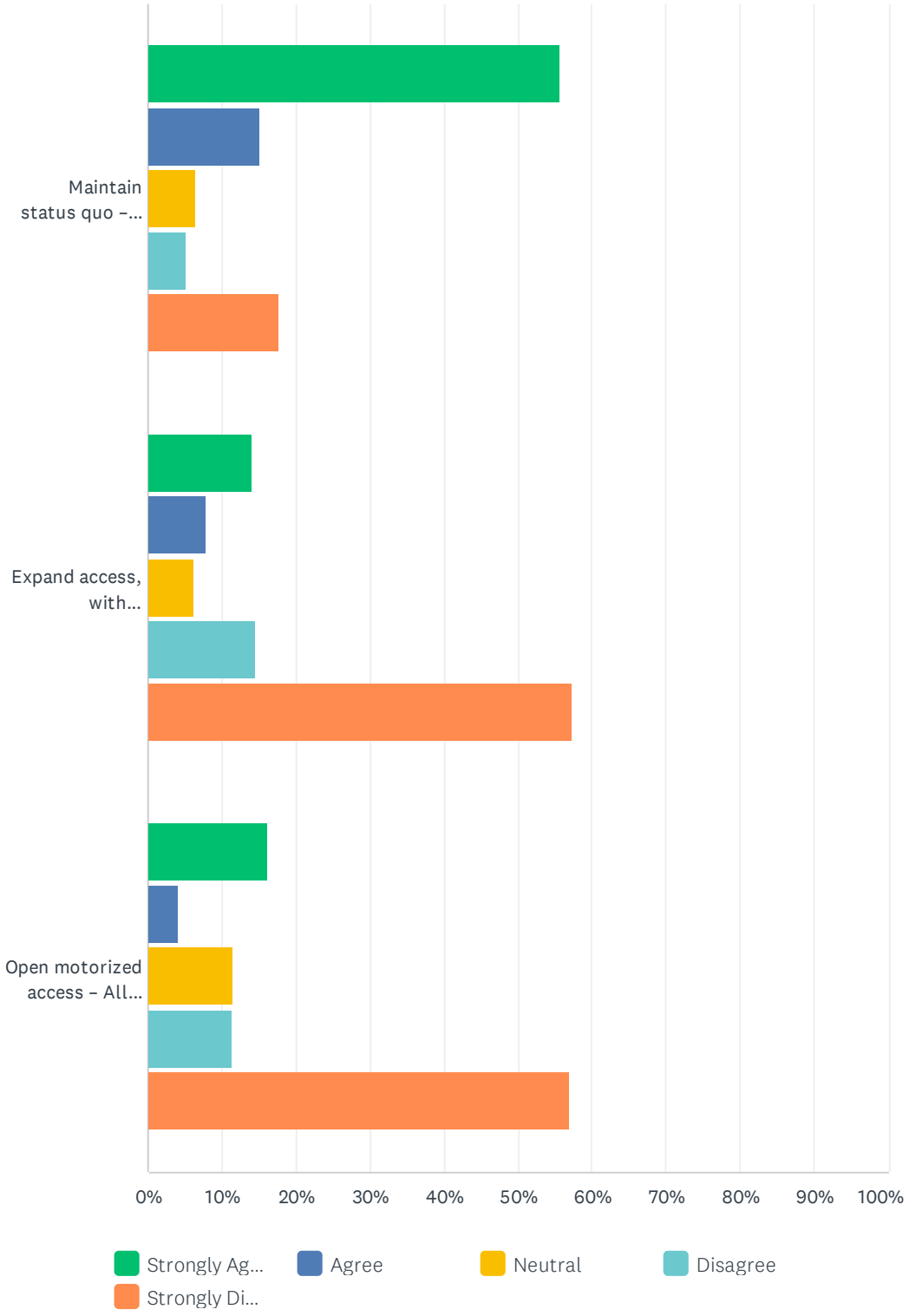
Ecological and riparian restoration	23.91% 66	36.96% 102	30.80% 85	5.43% 15	2.90% 8	276

Q5 How do you feel about each of the three management options for motorized access to Second Gulch?

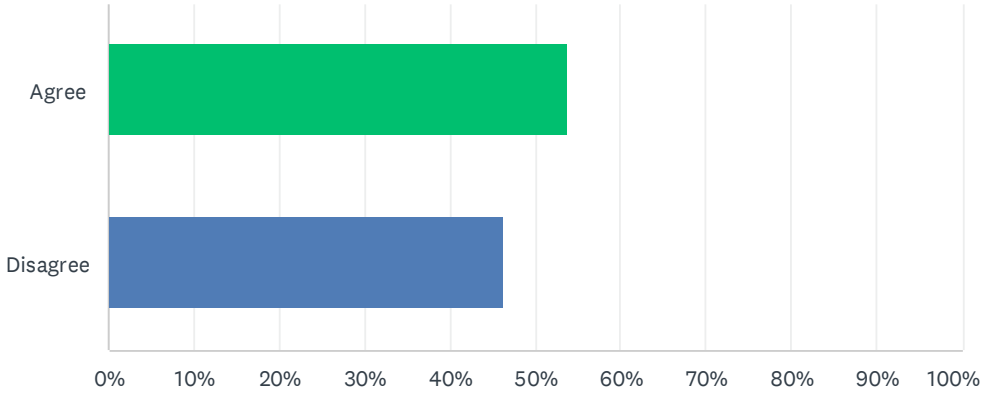
Answered: 283 Skipped: 1



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL
Maintain status quo – No change from existing management – 50-inch width restriction.	55.76% 155	15.11% 42	6.47% 18	5.04% 14	17.63% 49	278
Expand access, with restrictions – Expand the permitted width to allow UTVs and other modern recreation vehicles, with regulations, signage, restricting access to full size trucks and SUV's.	14.08% 39	7.94% 22	6.14% 17	14.44% 40	57.40% 159	277
Open motorized access – Allow all vehicles and uses, consistent with the adjacent regulations on BLM land.	16.30% 45	3.99% 11	11.59% 32	11.23% 31	56.88% 157	276

Q6 Do you agree or disagree with the Second Gulch management strategy ERO is recommending to the Town? (below)1. Develop a specific community process to further explore and address this issue, and engage a professional facilitator to manage and facilitate the process.2. Convene 4-5 community working group sessions to discuss the issue, explore options, and seek to define a consensus solution. The BLM should be involved in this working group and evaluation process.3. Define a consensus recommendation to OSRAC and Town Council for implementation.

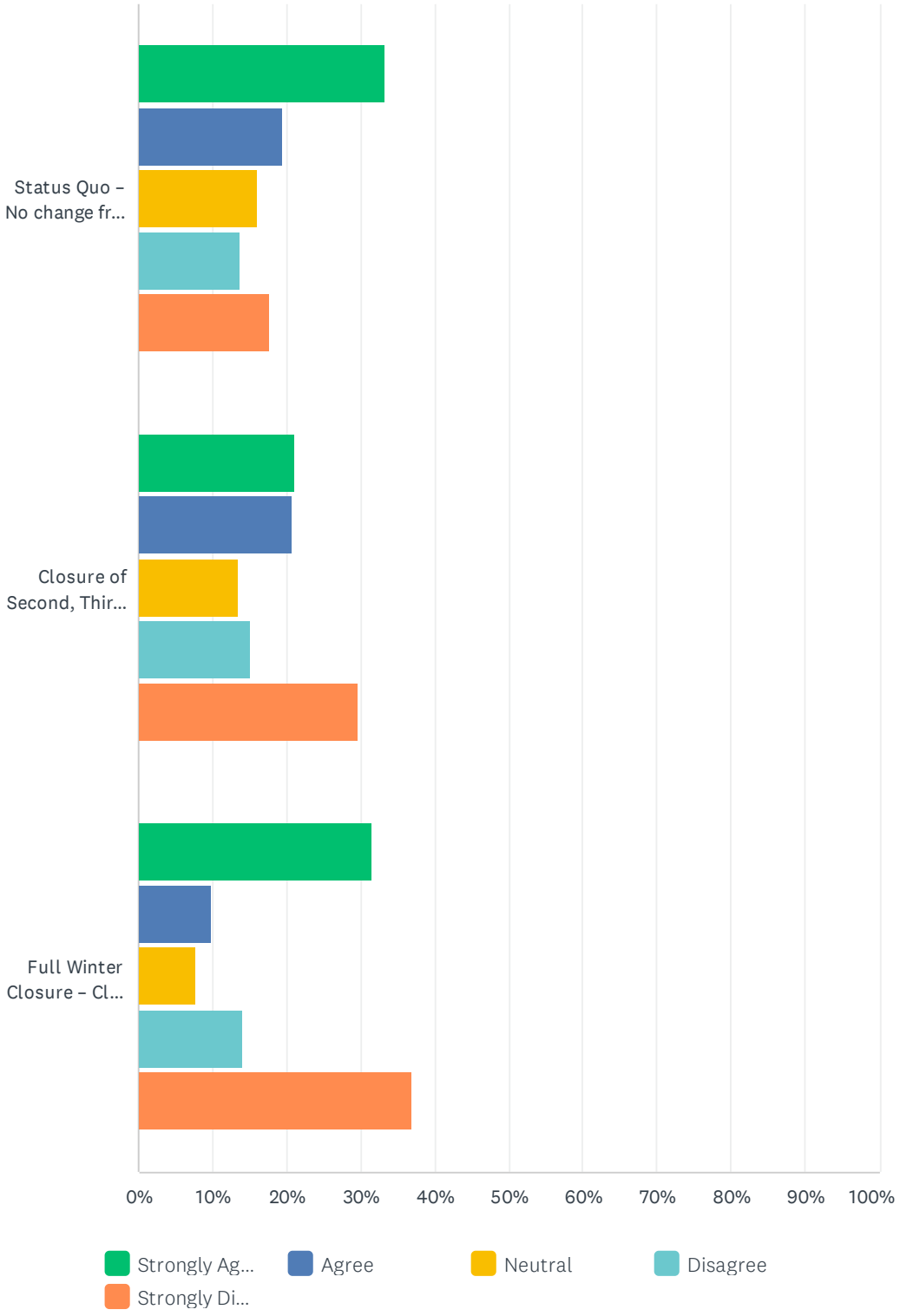
Answered: 266 Skipped: 18



ANSWER CHOICES	RESPONSES	
Agree	53.76%	143
Disagree	46.24%	123
TOTAL		266

Q7 How do you feel about each of the recommended management strategies for the Haymaker Trail system?

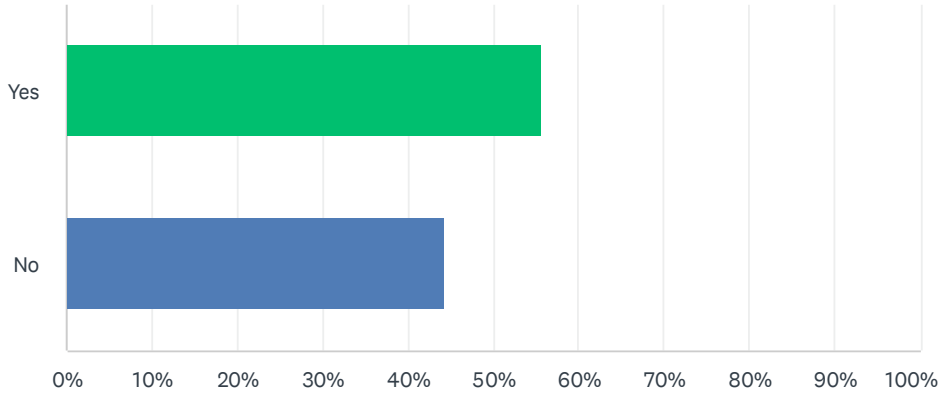
Answered: 282 Skipped: 2



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL
Status Quo – No change from existing management.	33.33% 88	19.32% 51	15.91% 42	13.64% 36	17.80% 47	264
Closure of Second, Third, and Extra Credit Loops – Extend winter closure to include the second and third loops and Extra Credit. First loop would remain open.	21.11% 57	20.74% 56	13.33% 36	15.19% 41	29.63% 80	270
Full Winter Closure – Close all loops (December 1 – April 15) to protect winter wildlife habitat.	31.52% 87	9.78% 27	7.61% 21	14.13% 39	36.96% 102	276

Q8 In 10 years, do you see yourself supporting more E-bike access in Eagle?

Answered: 279 Skipped: 5



ANSWER CHOICES	RESPONSES	
Yes	55.56%	155
No	44.44%	124
TOTAL		279

Q9 What other feedback do you have regarding the management plans? (Optional)

Answered: 157 Skipped: 127

#	RESPONSES	DATE
1	Please shut all trails to vehicles. No dogs off leashes.	10/30/2023 1:46 PM
2	I guess I prefer to just leave it as it is (2nd Gulch). The off roaders have plenty of places to go.	10/30/2023 1:45 PM
3	Do not widen 2nd Gulch.	10/30/2023 1:43 PM
4	Don't let wider vehical. Leave the trails alone.	10/30/2023 1:42 PM
5	Don't widen 2nd Gulch! There is no middle ground!	10/30/2023 1:40 PM
6	The town of Eagle is bat shit crazy if they think they are going to regulate, E bikes, bicycles, and E bikes of any sort do not belong on sidewalks and certain style E bikes, do not belong on bikes, pass, children driving Ebert should have to wear a helmet in the state of Colorado adults. Do not need to wear a helmet on motorized vehicles. Children under the age of 16 should not be allowed to ride E bikes as they are getting lazy kids are that it should be peddling just like we all had to do, and let's all get out there and ride	10/27/2023 6:32 PM
7	55% of the people in Eagle want winter access to Haymaker but you keep is closed (first loop is self evident to keep it open since it is in a build up area), e-bike access is a no brainer and his happening whether or not you allow it, but you push a decision out for ten years, almost 80% of the people want no change to 2nd Gulch but you keep pushing and spending money towards a falls compromise. To quote Hamlet, something is Rotten in Eagle Township. What are the political forces which continue to drive the 2nd Gulch agenda? I want to bring forward a code change to restrict all motorized vehicles, including dirt bikes on all bike and hiking path in Eagle Township. If Second Gulch is widened, I leave town, the noise pollution will be too significant.	10/27/2023 3:24 PM
8	I support e-bikes in eagle but not on the trails that will Affect wildlife.	10/27/2023 1:12 PM
9	I do not understand why Eagle Open Space chooses to adhere to BLM closure dates but not usage rules. Pedestrians have FULL access to BLM land with no closures.	10/27/2023 9:55 AM
10	Evaluate the impacts the elk and deer are having on the riparian/wetland area along Brush Creek.	10/27/2023 8:25 AM
11	Make surrons legal everywhere	10/27/2023 7:42 AM
12	Less signage! The open space areas were much better when people Did not know about them! Save the wildlife and the beauty of this town!	10/27/2023 3:37 AM
13	Don't add more rules for ebikes instead add more education and encourage parents to have their kids wear protective gear. Like life jackets are provided for kids at the river have events that provide helmets for ebikers. Let people choose their risk levels instead of adding more laws.	10/26/2023 10:51 PM
14	Full winter closure should be Nov 1-May 1 to protect wildlife. The elk herd is diminishing due to new building and exposure to humans and their destructive ATVs and UTVs, and it's incredulous that the town council would be in favor of UTVs tearing up the gulches and frightening the wildlife. Why do these members even consider such behavior?	10/26/2023 7:33 PM
15	Please move towards an ecologically based management strategy for wildlife protection and wildfire resistance management	10/26/2023 5:59 PM
16	I am open to the idea of e-bike (mountain bike) use on some trails in the future. That said, until the time that current rules are changed, there needs to be enforcement on trails that currently restrict such use. In regards to Haymaker: Restricting trail access or closure of any portion of	10/26/2023 5:29 PM

	the trail is absurd given the approval and construction of the Haymeadow project. That development will have a far greater impact on wildlife than the Haymaker trail use will.	
17	When events are held on our trails their should be some accountability for returning them to similar or better conditions than they were before the event	10/26/2023 4:57 PM
18	I don't know enough about the rules already in place or being considered but I would like for your panel to consider the fact that there are some who experience physical barriers to bike riding that e-bikes allow more mobility and enjoyment in nature. That little bit of motorized assist allows those with physical barriers to access areas where they otherwise would not be able to manage. We legally protect those with physical barriers at many places but we fail to understand or consider how this applies to those with physical barriers in nature. Yes, all riders regardless of motor or no motor should be respectful to others as well as the environment. Sure some guideline should be in place but out-right banning e-bikes on trails should consider those with physical barriers. Thanks for your attention in this matter, good luck!	10/26/2023 1:54 PM
19	Open the eagle ranch loops in the winter where homes already have impact	10/26/2023 1:50 PM
20	There needs to be motorized and non-motorized access on 2nd Gulch for all to enjoy the way they recreate.	10/26/2023 1:41 PM
21	There is a open construction site in the area, keep ALL of haymaker open	10/26/2023 12:08 PM
22	Please make a decision on the Haymaker trail based on actual data provided by the CPW and not emotional town members or enforcement officers. Post 2022 hunt numbers and the last 3 years of data show the Elk heard is growing, bull/cow ratio is where it should be, and although the calf/cow ratio is referenced often, it's not presented as a management target by the CPW in public documents. Even as such, the draft 2023 management plans show the calf/cow ratio is within acceptable targets, even if it's not specifically used as a key performance indicator for management plans. Latest heard estimates can be viewed here - https://cpw.state.co.us/Documents/Hunting/BigGame/Statistics/Elk/2022ElkPopulationEstimates.pdf Our CPW enforcement officer confirmed on the 18th the CPW would indeed issue more cow tags to bring the heard number back down below 8500 next season, which makes me wonder how he can continue to say the heard is "at a tipping point". If that were the case, why would we manage the heard back down via hunting? Closing the second part of the biking loop and then building phase two of a sub division in the same area sends the message to people that public land is not for recreation/public use, but rather to be sold for development. Lost access is generally lost forever and I'd hate to see access lost here when it's one of the few recreation opportunities available to people during the winter. I support closures where it makes sense and is balanced, which is why I, and HTC supported the closure of the 3rd loop and also agreed to not pursue building a new trail in the SRMA that was specifically set aside for recreation. We did this on the advice and direction of the CPW and because we want to be a balanced user group.	10/26/2023 12:06 PM
23	There's so many recreation options in the region we don't need to follow suit with everyone else. The Town of Eagle should do what's right for long-term wildlife and community well-being.	10/26/2023 11:47 AM
24	First and foremost, don't make rules you can't enforce. Secondly, let class 1 pedal assist e-MTB on non-motorized dirt trails (and KEEP class 2&3 e-bikes on motorized trails) like every other major bike community in Colorado. Is Eagle a bike friendly community or not? There's a classification system for a reason…Not allowing class 1 e-MTB on Eagle's dirt trails is absurd, limits healthy habits and doesn't address the issue the community is actually fired up over. It tells me, there needs to be education and understanding of the different classes of e-bikes. Most importantly, banning class1 e-bikes on dirt trails does not address the need for Class 2&3 e-bike regulations in medium to high density residential areas, where the rules can actually be enforced. Don't make rules you can't enforce…	10/26/2023 11:45 AM
25	Please remember that there have been a lot of access compromises already made to protect wintering wildlife and that Elk herd E16 is currently above it's targeted population count so CPW will be issuing more hunting tags. To restrict recreation so more animals can be shot is completely unreasonable to humans who depend on outdoor recreation for physical and mental health	10/26/2023 11:21 AM
26	Continue to allow Class 1 e-bikes on dirt trails	10/26/2023 11:16 AM
27	The current status of ebikes in Eagle today is completely out of control. I've nearly been hit 3 times on current trails I run on and the trail degradation from motorized bikes is coming on in earnest. Trail management is NOT enforced now, so with current berms starting (from power	10/26/2023 10:31 AM

	slides), more ebikes coming on (& at younger ages), NO enforcement in sight, and near-misses on the streets in Eagle (I have Ring Videos), I'm a VERY Strong NO on any expansion of any kind. Those deciding on ebikes are holding extensive risk, we don't need ebikes nor expansion, that does NOT improve Eagle in any form.	
28	Please keep in mind that there are different classifications of e-bikes when making decisions regarding regulation. There are also electric dirt bikes that should be grouped with normal dirt bikes, e.g. Surron, because they don't have to be pedaled.	10/26/2023 10:10 AM
29	2nd gulch survey comment Specific to the widening of 2nd gulch, I disagree with ERO's recommendations and offer the following comments: - How does the introduction of larger, faster, noisier and more destructive vehicles to this stretch of the trail system align with the specific goals and priorities stated in previously adopted plans and studies as well as the original Conservation Easement governing this area? Specifically: 1.) TOE's own Open Land Conservation Plan notes as its objectives: conserve natural habitat, protect critical wildlife habitat, and maintain scenic quality 2.) TOE Open Space and Trails Master Plan lists as its primary goals in order of priority - "invest in open space, natural resources, and wildlife protection". This is the second highest priority while "providing equitable access to open space" is ranked as the fifth highest priority. - The conservation easement governing Abrams Creek area running in favor of the Eagle Valley Land Trust requires upholding the following conservation values: - wildlife habitat including sensitive plant and wildlife species, - and protection of scenic and natural character from development. How do these align with the obvious negative impacts that would occur by expanding this trail to allow larger OHV vehicles? There will be greater trail erosion, greater habitat fragmentation, greater impacts to protected vegetation including Harrington Penstemon as well as protected species adjacent to this corridor. These are in addition to the safety concerns that will rise between hikers/bikers/horses and vehicles traveling over 50mph. For ERO in its Management Plan to then list as its top management priority "recreation and access management" ahead of "wildlife management and habitat management" is completely contrary and reverses the priorities and focus areas of the above plans and easement? It makes no sense? Additionally, there has been close to three years of public engagement around this topic including multiple surveys, round tables, discussion groups and open houses. Including the most recent survey where an overwhelming majority of respondents opposed the idea of widening access to this portion of the trail. To suggest there isn't enough input and that additional "facilitated" community process is needed feels as if the past three years of dialogue have been ignored. The Eagle residents have spoken and their desires should be respected and supported by the City and consultants it has hired. Finally, in reviewing the recommendations by ERO it is entirely inconsistent to say "if the working group is unable to develop a new consensus solution, the status quo management (50' wide restriction) would prevail" and then in the next sentence suggest that an interim pilot study might be adopted? Why even say this? If the working group recommendation is adapted, let THAT group come up with a consensus or not, and if not, then the restriction stays as-is as recommended by ERO. It's inappropriate to throw out the idea of additional public input but then "suggest" what this same public process might consider as a potential solution.	10/26/2023 9:14 AM
30	Ban E-Bikes on BLM.	10/26/2023 9:00 AM
31	In regard to 2nd Gulch: I don't support the recommendation because it prolongs a process that, I believe, has all the information already needed to make a decision. 1) As far as Equal Access is concerned, getting in a car and driving the Hardscrabble-area roads is open to all. You don't need UTV trail access to be able to enjoy the backcountry. 2) No one knows how much this access would be used by non-Eagle riders. It may not be "that big of a deal" if used by locals, but no one can predict that and there is not a plan in place to mitigate in the event of overuse. 3) Current management plans (ToE Open Lands Conservation Plan, ToE Open Space and Trails Master Plan) prioritize wildlife, habitat and fire mitigation higher than Recreational Opportunites and I can't see how increasing motorized use is aligned with that. 4) Public input has been received and overwhelmingly supports the status quo - "statistic validity" seems unnecessary to gauge general opinion. You are either for or against increasing motorized access and a large population made their voice heard. There is eventual fatigue over issues when asked for input over and over. Make a decision.	10/26/2023 7:17 AM
32	There is a big different between class 1 e-bikes and other bikes. We ride class 1 e-bikes in vail bike parks with no impact to trail or wildlife. It's important to make this distinction. It's pedal assist not a moto bike.	10/26/2023 4:39 AM
33	I find it patently unfair that you prohibit class one pedal assist emountain bikes on your trails. I	10/25/2023 12:35 PM

	would hope that you would incorporate some of the studies that have shown the E mountain bikes have no significant negative impact over analog mountain bikes. Please change this restriction. Thank you, Jack Kramer.	
34	I think class 1 ebikes should be allowed where all other bicycles are allowed, whether it's in the Town of Eagle, BLM, or National Forest. These bike are not doing any damage to the trails and should not be restricted. Ebikes are one of the fastest growing segments of the cycling industry. To deny or regulate class 1 ebike use on our trails is ignorant and out-dated. Class 1 ebikes do not really go any faster than the top-end "pro/expert" cyclists who currently are allowed on our singletrack tracks. Plus, allowing class 1 ebikes will allow some of our older mountain bike enthusiast to continue their live and passion for the sport into their later years. Why is the above question, "in 10 years" do you see yourself supporting ebike access in Eagle? Why not support it now? There is no reason to restrict class 1 ebike access at this point in time anywhere in our county, state and nation.	10/25/2023 11:49 AM
35	I think a band on mountain bike trails for e-bikes is discriminating. for a person with major back problems, I paid over $5000 for a bike that can get me out on the trails to enjoy them again. The weight of my bike should not be a factor, considering I only ride when the weather and the conditions permit doing zero damage to the trail. With my recent weight loss of 30 pounds you could say that my 65 pound bike is now 35 pounds. You can see why there is no debate. Further, I think the recent activity of teens riding recklessly through town at all times of the night needs to be nipped in the bud by the authorities.	10/25/2023 11:43 AM
36	more off leash options in town especially given the 67% of off leash dogs on Haymaker. Many dogs cannot go to a dog park and that is the only off leash option in Eagle. More info needs to be readily availble for dog owners and enforcement officers who violate owners irresponsibly. Or hire a full time enforcement officer for Eagle so enforcement is fairly done.	10/25/2023 11:33 AM
37	Please protect the wildlife, large and small, and close Haymaker upper loops in winter or at least when wildlife is present in the area in severe winters.	10/25/2023 8:02 AM
38	You have an extraordinary number of new housing units approved and under construction. Those families will need a place to recreate from their back door. If you do not provide sustainable trails and convenient year round access, they will be forced to do wrong, recreate in closed areas and cut in their own social trails. Please consider status quo for the Haymaker Trail system. Please also consider expanding the width of motorized access at Second Gulch to accommodate today's side by sides. They are trending in the industry and provide for a much safer recreational experience. Thank you for your consideration.	10/23/2023 4:01 PM
39	Question #8, for some reason does not specify where these E bikes would be permitted. So how can I agree or disagree. On dirt or pavement? Which type of E bikes?	10/23/2023 3:15 PM
40	In 2021, a scientifically based community survey was conducted for Eagle County residents. Results showed 83% prioritized wildlife and habitat preservation above development and recreation. Our community has shared their perspective. The town of Eagle Open Space Management Plan must reflect community values and priorities by implementing a full winter closure for the Haymaker Trail and maintaining the 50" width restriction on Second Gulch. Noxious weeds can be managed effectively with goats, I encourage you to consider that approach. It is more cost effective than pesticides and not harmful to wildlife. Thank you.	10/23/2023 2:56 PM
41	Pertaining winter trail closures: we need to consider the fact that a large neighborhood is being build adjacent to haymaker trail. This has a much larger impact on wildlife than human presence on the trail. This needs to be considered. It would also make sense that some of the other trails, which are currently closed in the winter, be reconsidered as open since it’s surrounded by homes… I.e. mayor Gulch and maybe some of the access points to BLM land which is open in the winter and has too much snow for elk/deer in winter. Is the elk population actually decreasing? From what I’ve heard it is increasing. We had no elk on the valley floor 20+ years ago.	10/23/2023 7:55 AM
42	Eagle already has compliance issues with motorized vehicles in our beautiful residential area. Maintaining land for Elk migration is vital to the ecosystem	10/22/2023 10:55 AM
43	We are all here to recreate and enjoy the outdoors together. Please incorporate and think of all the possible users, hikers, bikers, dirt bikers, atv, utv, and vehicles. Public land should remain accessible to multiple different forms of transportation. If we work together, we can accomplish great things. If we continue to battle for our existing trails, things will not go as planned. Work as a community and be open about having others use the trails, even if it is maybe not	10/22/2023 6:44 AM

	something you normally have seen on these trails. Be open about other people and how they enjoy their time.	
44	There is a lack of progressive trails in Eagle. This leads to the community building unsanctioned trails that fit this niche. Please build more progressive, difficult, sanctioned trails. Thank you for conducting this survey and listening to the community.	10/21/2023 9:01 PM
45	Highest priority should be to protect wildlife and wildlife habitat by closing ALL loops Haymaker Dec 1-April 15. Consult & Listen to hunters and equine people -not just mountain bikers; they have different use yet their opinions are neglected by OSRAC.. Repair all trails before creating new ones. 78% People with dogs have egregiously let their dogs off leash to the detriment of our Elk herd. Even leashed dogs cause panic in Elk, who are in starvation mode and most of them pregnant during winter. Elk herd is unstable and in decline- please give Elk a break and close all loops Haymaker in winter; Loop 1 is vital to Elk because it's south-facing & the right vertical, yet Elk get spooked & can't rest because of continual disturbances there and all loops Haymaker. Mountain bikers need lessons in etiquette and anger management-they rarely ever pull over on their downhill for an uphill hiker. Many trails are rutted out/destroyed for hikers by the mtn bikers. OSRAC needs to practice what they claim and finally Do the RIGHT thing for our Iconic Elk herd by closing Haymaker in winter. Thank you.	10/21/2023 8:52 PM
46	Wildlife should always be our priority	10/21/2023 3:11 PM
47	No doubt all the 50+ vehicles have trailers. Is it too much to ask the owners to go up Hardscrabble Road and unload, thereby preserving Second Gulch area? If Second Gulch were widened, would the owners push for more openings? Pandora's box???	10/21/2023 1:52 PM
48	Please keep open the winter access to Haymaker. There is really no alternative anywhere else in this area and it is crucial for the well being of residents in the area. There needs to be equal weight given to the needs of Eagle citizens as to the needs of the elk, whose numbers, according to CPW's own records, have actually increased since Haymaker was built in 2013.	10/21/2023 12:27 PM
49	I like the option proposed for 2nd Gulch that allowed more access for motorized user groups while maintaining safety and access for bikers/hikers etc by creating a separate single track trail. Haymaker - i like the idea of keeping it status quo with the option for additional full (or partial) closures based on how harsh the winter is.	10/21/2023 9:26 AM
50	Class 1 ebikes should be allowed on all trails. These bike do not erode anymore than none ebikes.	10/21/2023 8:57 AM
51	Thank you for all the work that has gone into this. With regard to the Haymaker Trail, I support the winter closure of Second, Third, and Extra Credit, with consultation from CPW. The data from the wildlife cameras indicate that people, in general, respect the closures. The fact that there are houses in the vicinity is not relevant. I live in an area that the ek herd migrates through, and the houses themselves do not disturb them. The problem is primarily with dogs, and particularly off-leash dogs. Let me repeat. The problem is dogs.	10/21/2023 7:15 AM
52	78 percent of respondents voted no to enlarging the gates for access by larger motorized vehicles so why are we still needing to respond again?? Are you just trying to wear us out? We don't want motorized vehicles on our trails due to noice level increase and safety concerns. We moved here because it is a nice quiet town. Keep it this way.	10/21/2023 7:04 AM
53	Eagle has one of the biggest elk herds in western Colordo. Need to protect them by way of road closers. BLM Does not the time funds to maintain roads. As far as weeds. Hay meadows is the worse on weeds. My opinion keep the bigger utv out of second clutch Bigger fines for those who do not comply.	10/20/2023 8:28 PM
54	Please allow an access point for OHV users. If not Second Gulch then somewhere else. It's not equitable to allow all other user groups access to the trails and not allow larger OHVs. How about making an access near the new development at Hockett Gulch?	10/20/2023 6:09 PM
55	Keep 50" at 50 inches	10/20/2023 6:07 PM
56	Motorcycles and the E-motorcycles use School house rock and there's another cheater line just before the cul de sac that gets you to school house rocks and there's a serious safety issue there. I saw BLM or the town put signs but it's done nothing. I also think e-bikes on sidewalks is an issue and maybe we should educate the young kids that rip through crosswalks on their e-bikes that they have to follow the same rules as vehicles before someone blows up one of these kids. Thanks	10/20/2023 6:01 PM

57	The community already indicated that they do NOT want motorized vehicles on 2nd Gulch. OHV's have no place mixing with our non-motorized community and the environment for which we moved here.	10/20/2023 4:22 PM
58	Regarding 6. above. I would agree, but only if 1. there is significant participation from Eagle neighborhood residents living in proximity to the Arroyo trailhead and Second Gulch access, and 2. if the affiliations and potential conflicts of interest of all participants are clearly spelled out, including any potential financial gains realized through increased access to Second Gulch. Regarding 8. above, yes -- I support more pedal assist e-bike access on Eagle and BLM trails. Throttle e-bike access should be limited to trails that permit dirtbikes. The community lands should be open to all so long as they do not disturb the community lands, wildlife, and surrounding neighborhoods. This is the difference between expanded vehicular access to Second Gulch, and expanded pedal assist e-bike access to Eagle area trails. The former has the potential for much greater degradation of the environment. Do the majority of Eagle residents really want to "Disneyfy"our community? Is growth of Eagle the primary goal, or is it maintaining our quality of life? This is a decision that should not be left to a working group that is not necessarily full-community in its composition.	10/20/2023 2:20 PM
59	Issue with the plan of further study for options for 2nd gulch access are: 1) who is making the committee assignments?, 2) who will be on these committees, mainly are people who awe not Town of Eagle residents going to be one these committees? They should not be. 3) there needs to be TOE residents whose properties are directly affected on each and every committee and at each and every meeting. 4) NO commercialized use should ever be allowed on 2nd Gulch access or any TOE Open Space access point, EVER. I have a huge issue with TOE taxpayer dollars being spent on surveys and open houses including people who are not residents of the TOE. If they eat to attend, fine but non - TOE residents have no business deciding what we do with TOE open space. I have never been sent a survey or been invited to an open house for any town in the Valley to help them decide the direction the town is going to go except for where I live; Eagle. That is as it should be. No one but TOE citizens should be making decisions for TOE.	10/20/2023 1:28 PM
60	The Town needs to “walk the talk” when it comes to protecting wildlife & their habitats! Wildlife is mentioned as a significant attribute throughout most all town documents. The experts in local wildlife issues have said close the Haymaker Trail in the winter. The town needs to quit being hypocrites by allowing the trail to remain open & severely impacting wildlife. There are tens of miles within the town limits that provide plenty of opportunity for winter MBers & hikers. Town needs to do Right by the wildlife!!	10/20/2023 12:09 PM
61	The Plan itself looks good. The Policy issues should be handled outside of the Plan.	10/20/2023 10:15 AM
62	Fully opening up second gulch to UTV's will continue to rapidly deteriorate the trail for all users. Just go up and look at it for yourself. What used to be a usable road to connect to Third Gulch has become incredibly rutted with up to 10 inches of moondust soil. You can't walk it, bike it, run it, or do anything other than a motorized vehicle on it. This is not a sustainable solution and really only cuts off a short drive to Hardscrabble Road, which is where any motorized access should start in the first place. They can drive on the road for a reason and don't need to use a highly coveted and quiet neighborhood as their base camp.	10/20/2023 9:03 AM
63	Thank you	10/20/2023 7:40 AM
64	The BLM has not changed second gulch to a designated road. According to the Hardscrabble SRMA travel management map, Second Gulch from the Town of Eagle open space to the Jeep road (Spring Creek road) is a trail 50" or less. It is not correct to say otherwise. The town would be directing citizens to break the law. Pest Management. Ground squirrels, voles, chipmunks, ect. all provide critical food source to our fox, badgers, coyote, Birds of prey, minks and martens, snakes, and many other species of wildlife. They are critical for these population to exist. To call them pests is incorrect. ERO should do a better job of understanding ecology.	10/19/2023 10:51 PM
65	As an aging mt biker I foresee riding pedal assist mt bike (class 1) more in the future and would like to have access to local trails in Eagle. This is allowed in Arrowhead, vail , BC etc. Not throttle bikes - class 1 only.	10/19/2023 9:19 PM
66	The idea to close haymaker to protect wildlife is hypocrisy from a town that has decided to built hundreds of new housing units. The new developments being built -‘and the hundreds of new homes being built is the problem, that’s what is taking precious wildlife habitats. To punish locals that recreate is so wrong and shows the poor planning and decision making taking place in the development of Eagle. If land use is an issue quit destroying it to build more	10/19/2023 8:03 PM

	unaffordable housing. The full time locals deserve to recreate and the wildlife deserve their space to live and thrive.	
67	Between wolves and the construction being done by ice rink and by the medical center (which are prime places for elk to gather) i cannot believe that the concern is the second loop or even dogs.	10/19/2023 8:01 PM
68	Separate trail systems are needed on the jeep road and second gulch to separate MTB and motorized uses. A cross walk and signage are needed where turniphead crosses arroyo. The barbed wire fence on upper riddle is dangerous and the trail runs too close to it.	10/19/2023 7:12 PM
69	Peddle Assist Mtn bikes are a reality for the active but aging population and need to be granted access now.	10/19/2023 6:54 PM
70	Thanks for putting this survey together! Our family appreciates it!	10/19/2023 6:10 PM
71	E-bikes are motorcycles. Depending on people to responsibly educate themselves on the differences between classes is wishful thinking. Anything with a motor should not be allowed on non motorized trails.	10/19/2023 6:06 PM
72	Please do not close Haymaker. So many of us live here because of the opportunity to enjoy the outdoors responsibly. Eagle outdoor recreation has already been EXTREMELY limited during the winter. The disconnect between the proposed closure and the exponential growth in our town is not only hypocritical, but is also lacking objective scientific support or clear rationale. Instead, can we continue, and perhaps even increase education and trail stewardship instead of implementing additional closures? I have lived here for over 20 years and over this time the conversations with friends, neighbors and visitors related to our towns' resistance to increasing recreational access (re trail development, progressive building) is becoming more and more heated. In my opinion, Eagle is falling behind other mountain towns and recreational areas. It has so much potential yet seemingly zero support from town leadership, BLM and organizations focused on decreasing sensible recreation. This proposed increased regulation with threats of closure are beyond difficult to accept.	10/19/2023 5:46 PM
73	Wider vehicles present a danger to hikers and bikers on 2nd Gulch. Where do they go when a vehicle the width of the trail comes whipping around a blind corner?	10/19/2023 5:44 PM
74	Stop restrictions. This place used to be so much better. Educate the newbies and stop keeping us from the open space we all pay to have access to. If there is a choice between 1) developing a space and maintaining public access or 2) conserving an open space with restrictions, I will always support number 1. Your management of the open space is a joke. You build developments in the middle of the elk migration patterns and then try to impose restrictions on the access to everything else. Why would any of us ever listen to your lies ever again?	10/19/2023 5:44 PM
75	I like Eagle's current status as a mountain bike town that requires fitness and motivation to access our incredible network of trails. Let's let Vail and Beaver Creek be the places where you can relax your way uphill on an e-bike, and Gypsum/Dotsero/Rifle be the places where you can have a great time on a motor vehicle. This brand works for us. Let's keep it.	10/19/2023 5:35 PM
76	Listen to CPW recommendations on Haymaker.	10/19/2023 4:58 PM
77	Ebikes do not represent our community ethos of 'people powered recreation' and do not self-police non-compliance of throttled ebikes (class 2 & 3) and emotos. They only have a place on current motorized trails.	10/19/2023 4:49 PM
78	I believe that no allowing senior to use class one e-bikes on all trails on pubic land is a violation of the Americans with Disabilities Act. Could also institute senior stickers for e-bikes.	10/19/2023 4:27 PM
79	Go slow to go fast - Money & developers - Shame !!!	10/19/2023 3:29 PM
80	Protect Wildlife first, there are no second chances....	10/19/2023 3:24 PM
81	more ebike access now	10/19/2023 3:22 PM
82	I believe the addition of the Haymaker neighborhood is doing more to put out Elk herds than anything else.	10/19/2023 2:52 PM
83	I live right behind a trail that's supposed to be closed in the winter. Elk and their babies bed down in this area and people disturb them, let their dogs chase them and don't care about the	10/19/2023 2:10 PM

	wildlife. Please do something about this, education or punishment whatever works. This area is beautiful, please don't let it get ruined by selfishness and idiocracy.	
84	Don't allow a few residents in a neighborhood to restrict public access to public lands. Don't discriminate against any vehicles that are legal on the trails in question. If full-size vehicles are legal on a public trail don't impose width restrictions that discriminate against full-size vehicles.	10/19/2023 12:23 PM
85	When thinking E-Bikes, there are 3 categories and only cat 1 bikes should be allowed on most trails and allowed on all closed back roads. I have been a mtn. biker for decades and about to turn 70. I can no longer ride many trails on a traditional mountain bike but love riding my E-bike. It is a game changer allowing me and others my age to continue to enjoy our improving trail system. E-bikes are getting more acceptance in many places and Eagle needs to do the same.	10/19/2023 11:43 AM
86	Provide more full size motorized access.	10/19/2023 10:57 AM
87	The elk come 1st!! We can't let wildlife die or there's no reason to be here! Stay on human trails and 4W - take a break and go to Utah.	10/19/2023 10:27 AM
88	Maybe there is an opportunity to create a mountain bike trail that is more fun and interesting than the road that is currently at Second Gulch. Is there data showing just how often vehicles larger than 50 inch width access Second Gulch?	10/19/2023 10:23 AM
89	Would support e-bikes in 2 years.	10/19/2023 10:20 AM
90	Development needs to be reigned in. It's affecting, adversely. the wildlife and traffic is becoming congested.	10/19/2023 10:12 AM
91	Take the wolves to Rocky Mtn. National Park, not here!!	10/19/2023 10:09 AM
92	Eagle needs to stay a town not a city. Wildlife is a priority over hobbies. Real estate developers need to not be on our council. As past resident in the 80s - our herds are drastically smaller. Our bears are coming to town. We never saw bears in town in the 80s. People are ruining the environment. Greed over life and the environment. Enforce winter closures - Charlie Brown trail. Elk are displaced. Hocket Gulch is going to cause trouble with the herd. The demolition of that house on 70 & 6 will decrease habitat. What will be built there? The elk were in the 500's in the 80s. Trapped on both sides. Haymeadow trails on one side - highway and interstate and development on the other.	10/19/2023 10:02 AM
93	Hi, why was housing development approved where elk have been living for 30 years that I know of. Should be shut down. Thank you.	10/19/2023 8:57 AM
94	The plans are an indication of positive progress, in many aspects enforcement of regulations is entirely lacking.	10/19/2023 8:45 AM
95	I think staying status quo is the best path for Second Gulch. Larger vehicles access via Hardscrabble or Spring Gulch works fine.	10/19/2023 8:35 AM
96	I find it ridiculous that the town would even consider more closures of any kind. All the development in Haymaker will impact wildlife far than any winter trail users. Like always it will come down to money unfortunately.	10/19/2023 7:34 AM
97	We should open more winter access. Survey question #7 implies that trail closures protect wintering wildlife. Survey question #7 implies that "status quo" does not protect wintering wildlife. Survey does not offer options outside of "status quo" or "closing more trails." When you define both ends of a negotiation, you define the compromise. This survey is loaded to project a predetermined compromise. Trail closures already compromise with the intention to protect wintering wildlife.	10/19/2023 7:30 AM
98	Haymaker should be kept open loops 1 and 2 fully open stop spying on citizens remove the cameras	10/19/2023 7:00 AM
99	I think you need to stop trying to make everyone happy and just make some decisions. On opening second gulch the last survey showed an overwhelming support to NOT open it with an incredibly high response rate. What else are you waiting to hear. That decision seems pretty easy. I am very concerned that opening it to larger vehicles will damage the trail, make it unusable for hikers and bikers and create a new road that will increase traffic, harm wildlife and change the trails in that area forever. Please don't do that.	10/19/2023 5:47 AM
100	Your 2nd gulch options are not well thought out. Basically your asking the community, which	10/18/2023 10:58 PM

	consist of only a handful of SxS owners, to get together and come to a resolution, so the opposition to YOUR recommendation just has to refuse to agree to anything and they win! You might as well have just said we give up, opposition wins. Why waste the time to go through a process that they just have to hold out on and not agree to anything because you told them the status quo would prevail if they don't agree to anything we suggest? What am I missing here?	
101	The term e-bike is vague and in my opinion doesn't represent fully accurate usage. I believe that a class 1 pedal assist bike should be considered as simply a bicycle. The fact that there is no more actual impact other than folks can get deeper into the backcountry does not negate that the real issue here is that more development is happening and more people are recreating. Animals and humans do and have successfully coexisted for millennia. This community has "until recently" done a great job of respecting that.	10/18/2023 8:20 PM
102	So far, the TOE & ERHOA have been doing a wonderful job! Thank you!	10/18/2023 8:17 PM
103	As to 2nd Gulch, 75% of comments received by the Town in March/April were against widening the trail. In July, nearly 80% of the respondents to your survey were against widening the trail. WHAT ARE YOU DOING STUDYING THIS FURTHER???? To generate fees? Stop with the nonsense and keep the restriction as is. As to the Haymaker Trail, LISTEN TO COLORADO PARKS AND WILDLIFE - THEY ARE THE EXPERTS - NOT YOU. Sorry about the tone, but I have a particular disdain for consultants who recommend more studies. I find it shocking and disturbing that this Town has a robust, and largely competent staff, yet continues to farm out important issues to out of town consultants at taxpayer expense.	10/18/2023 7:15 PM
104	The 50" rule makes no sense when dirt bikes, smaller ATVs and dirt bikes have access to the trail. They all can do as much damage if not more as a vehicle that is 50". The trails are all old Jeep trails from the previous ranch owners. Which makes them all wide enough for vehicles wider than 50". If it's more about the elk herd than keep the trials closed until later in the spring to all motorized vehicles through 2nd gulch to accommodate the elk herd and calving season. Maybe better education is needed for ALL recreational users, hikers, bikers, ATV, dirt bikes, etc. on trail stewardship. There needs to be a compromise for all parties involved.	10/18/2023 7:13 PM
105	I strongly promote the protection of our wildlife (elk, deer, etc) by closing trails in the winter and keeping motorized vehicles off all our trails!	10/18/2023 7:12 PM
106	Let e-bikes have the bike park and forest service roads. No e-bikes on singletrack	10/18/2023 6:59 PM
107	E-bike riders are out of control in Eagle. Helmets should be a rule. Have trails that are hiking or biking only. Not both. Dangerous. Education about bicycle manners " passing on the left, etc" riders are rude here and there are folks who are hearing impaired and need this call out.	10/18/2023 6:45 PM
108	The town is building housing left and right, even within identified large game habitat but you want to close recreation trails? Zero common sense.	10/18/2023 6:43 PM
109	Citizen feedback strongly opposes increasing Second Gulch access. Stop wasting taxpayer time and money beating this dead horse!	10/18/2023 6:26 PM
110	I'm very concerned that 78% of the community already indicated that they do NOT want motorized vehicles on 2nd Gulch, yet clearly that message did not get through and we're still discussing the issues. I will not vote for anybody that supports plans to allow access to 2nd Gulch. My opinion is that the conversation should really be centered around why OHV are not allowed access to 413 (Hard Scrabble Mountain Road) at Brush Creek Rd. Currently they have to tow up to the lot just past pipeline. Regardless, OHV's have no place mixing with our non-motorized community, our streets where our children play, and the environment that we moved here for.	10/18/2023 6:13 PM
111	Closure of Second loop of Haymaker for the whole winter is unnecessary as the elk populations are fine based on actual numbers of elk, not on guessing by a few. Also, by March there are no Elk in that area. It's too hot.	10/18/2023 5:44 PM
112	Make bikes and e bike get ohv like the motorized vehicles	10/18/2023 5:42 PM
113	If haymaker is going to be closed for the winter you better look at closing vineyards top section. Boneyard will be used much more and to be honest I see much more wildlife along those trails than along haymaker. The town needs to decide if they care about wildlife or housing.	10/18/2023 5:27 PM
114	Workshops to educate teens in this town regarding electric bikes and rules pertaining to them	10/18/2023 5:22 PM

115	Keep all of haymaker open in the winter, keeping only extra credit closed.	10/18/2023 5:01 PM
116	Please keep the current restrictions in place at a minimum and look into expanding the closures.	10/18/2023 3:53 PM
117	2nd Gulch policy does not need to go to mediator if majority agree to leave status quo Follow CPW recommendation for Haymaker Trail.	10/18/2023 3:50 PM
118	The kids riding E bikes is out of control. Most don't wear helmets and they don't observe speed limits either. Many are riding 2 kids on a bike as well which is dangerous. I believe the parents are the issue since they are providing these bikes to their kids.	10/18/2023 3:35 PM
119	Second gulch should be opened to all. Use obstacles at the beginning to discourage un prepared drivers and open up a single track access trail for dirt bikes, horse and hiking access. All open up more single track trails.	10/18/2023 3:04 PM
120	I think members of the community should consider the fact that Second Gulch is the only motorized access to BLM land from Eagle Ranch. In my experience, it is the dirt bikes that are noisy, fast, and do the most damage to the trails. I do not see how a 72-inch UTV would do anything different to the trails than a 48-inch ATV. I do not foresee significant increases in traffic as many folks have suggested. I think it will simply be the handful of Eagle Ranch residents that own UTVs and want to ride them on BLM property. Other folks are already going to have their UTVs on a trailer and will likely head to a more usable trailhead. I really hope the town will keep in mind the significant quantity of non-motorized trails and access points throughout town, and allow this one to be used for any size UTV.	10/18/2023 3:03 PM
121	Cat 1 e-bikes should be allowed on all trails. We need more off leash options for dogs.	10/18/2023 3:01 PM
122	I've worked for both the Forest Service and BLM in Idaho, California, and here in Eagle County. Across the board from those states, and specifically looking at BLM lands in Dotsero near the crater, Trail Gulch north of Gypsum, Spring Creek South of Gypsum, and even further south on 413 towards hardscrabble on the BLM where there has been UTV/OHV access people show little to no regard for the environment and ecosystem by creating their own trails and driving off of the established route. The sagebrush and high desert ecosystem is already at a critical point in many areas in the county, and destroying more ecosystem by building social trails will only exacerbate this issue along with an increase in erosion and flooding. Along with this, in my own personal experience when you increase OHV access, you also increase dispersed camping and with that littering and abandoned campfires putting an already stretched thin federal workforce even further behind the curve.	10/18/2023 2:35 PM
123	OSREC does not appear to listen to citizen input and opinions.	10/18/2023 2:30 PM
124	Please continue to help provide adequate access points to or between TOE Open Space and BLM for Class 1 ebikes.....	10/18/2023 2:18 PM
125	I believe we need equal access to our public lands and at a minimum ONE access point from eagle ranch to the blm. There are multiple access points for all other users but OHV. It isn't fair period.	10/18/2023 1:43 PM
126	E-bikes need to be controlled. A vehicle that has the capacity to go over 20 miles an hour has no place on a bike/walking path. I have twice almost been by e-bikes this summer. My dog was also almost hit. it is a legal liability for our HOA.	10/18/2023 1:15 PM
127	why 10 years for e-bikes. rules need to be established and enforced now. class 1 e-bikes are already being ridden across the eagle trail system, just look at Strava. The more important issue are class 2 and 3 and the way they are being ridden on bike paths.	10/18/2023 12:51 PM
128	E bike access only for the pedal assist models. If there is no pedaling required for motion the bike should not be on soft trails.	10/18/2023 12:43 PM
129	The policy issues for 2nd Gulch and Haymaker should have been completed outside the scope of the OSMP. We need to save our Elk, so close Haymaker in the Winter. We do not need to change 2nd Gulch!	10/18/2023 12:24 PM
130	I think the negative comments about e-bikes are ridiculous and not backed by any study. Not reflected in survey is the people against ebikes do NOT ride mtb at all. Presently Vail, BC, Fruita and other regional BLM trails allow class I ebikes. Why not my home town?	10/18/2023 12:06 PM
131	Class-1 ebikes should be allowed on ALL bike trails. Pedal assist allows older and weaker	10/18/2023 11:52 AM

	riders the opportunity to explore all of our trails without any tangible impact to the trails. My answers to question #4 are not real but I had to give an answer.	
132	The question about noxious weed management is irrelevant if large OHV‘s are allowed to transport weeds from other states and distribute them on our trails as currently happens with bicycles. Question number 8 does not allow an option other than yes or no. It is very vague and more information must be delineated before I could respond yes. Where? When? Who?On trails, sidewalks, and roads? Day and night? Legal age drivers or kids? Also, the fact that the survey is opened up to people outside of Eagle is comical. We don’t allow people in Vail or Denver to vote for our city Council, why would we allow them to opine on issues near and dear to our community? This reeks of an establishment that throws out established common sense principles, and changes the rules as they go to accommodate their will.	10/18/2023 11:27 AM
133	More trails. Less closures. More people means we need more access. Stop building if you don't want human intervention....common sense, no?	10/18/2023 11:26 AM
134	The loud voices of a few should not be permitted more rights than a quiet community to alter trails from what they were in the past.	10/18/2023 11:23 AM
135	What about hiking only trails? I'm tired of being overrun by mountain bikes and ATV's.	10/18/2023 11:20 AM
136	Level 1 pedal assist E bikes have no effect on trails and should be allowed. Not allowing them is discriminatory towards seniors & other physically limited individuals. Throttle E bikes should be banned from all eagle trails as they are a motorized vehicle & should follow laws of all motorized vehicles.	10/18/2023 11:20 AM
137	Didn't move here 11 years ago expecting the town to stress growth and a change towards making it a outdoor adventure park. STOP	10/18/2023 11:18 AM
138	The Town is out of control and destroying the quality and character of our community	10/18/2023 11:03 AM
139	We all moved here from somewhere, 40 years ago for myself, simply because we saw this area was perfectly suited for outdoor activities. It still is perfect. Why the sudden urge to change perfection?	10/18/2023 10:56 AM
140	Bad survey…again. Not well defined…intentionally? The public already spoke..78% against expansion of the 50” rule. Why are you revisiting the issue?	10/18/2023 10:48 AM
141	E-bikes need more management. It's unsafe with them speeding on the sidewalks and paths. Kids who don't know the rules of the road for driving are moving faster on the road than the limits allow.	10/18/2023 10:41 AM
142	The previous survey results were decisively opposed to increasing Second Gulch access. You should not even be considering this issue any more, let alone introducing even more unlimited access options.	10/18/2023 10:35 AM
143	I have been using haymaker to some capacity since its inception as do a lot of other residents and visitors. It is part of what makes our town amazing. I have not seen any data on continued use affecting any wildlife populations. I am all for a variable closure if wildlife are present and I have even seen the community implement that on their own. I think it would be a huge loss for our community to close more of this area. Maybe another option if the concern is off leash dogs, is to provide more areas for off leash rec. Secondly, I do not see any justification to not allow class one e-bikes on all of our trails. They are hardly any diff than a pro level rider’s speed and there is equally no data showing that they harm trails. Where focus might be beneficial is coming up w regulations on kids riding 20mph on class 2-3 e-bikes on paved paths. For second gulch, if motorized vehicles are allowed, why is it ok to limit the size when clearly this is an ‘old school’ regulation that was created before tech caught up to the side by side world.	10/18/2023 6:50 AM
144	Open second gulch for all uses. Makes the most sense. Do not allow e-bikes anywhere. Don't waste money on wildlife habitat. This is a town; wildlife will do better not being in it. If we keep them out, we don't have to worry about wildlife issues.	10/17/2023 2:51 PM
145	We should not be prioritizing increased access for motorized vehicles or e-bikes. There are plenty of areas that these individuals can access the outdoors. The Eagle trails are already experiencing over use with mountain bikers, hikers, and dog walkers. There are families with young children and Town of Eagle Open Space trails should primarily be non-motorized to maintain the health of the trails and for safety. There is also a huge issue with e-bikes on paved bike paths, I can't believe the number of young kids that have ebikes and do not use	10/17/2023 9:33 AM

	them safely, they are going soooooooo fast on bike trails. Please do not expand access for ebikes or motorized vehicles.	
146	Haymaker was originally built to stay open year round, CPW data shows elk heard is healthy, closing Haymaker to dogs or people for winter use would be devastating to Eagle residents. The only option that will work is a 10 pm to 5 am closure. Explore pedal assist e-bike licenses for handicap. and elderly	10/17/2023 7:17 AM
147	Approve use of Class 1 E-bikes throughout the area. No to anything with a throttle, pedal assist only.	10/17/2023 7:13 AM
148	I do not support any expansion of motorized or e-bike use on town of Eagle open space trails - especially in areas that have been designated as environmentally sensitive (such as for Harrington Penstemon) or as critical wildlife habitat/corridors for any season. I also think winter closures for Haymaker should be implemented to protect wildlife populations. In both cases, the desires of small user groups should not jeopardize the greater community good. Also, the opinions of non-town residents should not be factored when making town open space management decisions. Finally, OSRAC should better balance recreational interests with other open space issues and concerns. Thank you	10/16/2023 7:37 PM
149	I visit Eagle at least 10-15 times per year. I also visit Moab couple times each year. Don't let large OHVs start using any of the existing trails in Eagle, it will change the Eagle Culture that I like like forever in a negative way! I would use my ebike on Eagle trail system if the Town moves in that direction. I use the current trail system with my mtn bike and I support closing Haymaker for protection of the Eagle Elk herd. Once Eagle looses its Elk herd, Eagle will loose one of it's most valued wildlife attractions!	10/14/2023 1:43 PM
150	'Providing desirable visitor access and minimized adverse impacts' as stated in Management Objectives in the Abrams Creek and Eagle Ranch management plans to Open Space does not mean 'Equitable' access as stated in the Trail Management document regarding 2nd Gulch. There has not been any 'measurable value' proposed in this plan which supports changing the current restrictions at 2nd Gulch. Creating a focus group and bringing in a mediator for the purpose of recommending a 'pilot or changing current restrictions' is waste of time and money. 'Convenient' access thru 2nd Gulch by a small number of OHV users with larger width OHVs is not an appropriate 'value' for the ToE residents (despite OSRAC continuing to push 'equitable access' as a value proposition). The damage to ecosystem, trail safety issues, noise pollution, neighborhood disruption, Municipal Code changes, etc.. for the current ToE 2nd Gulch users by adding a 'new user group' of large OHVs to the current Open Space Trail System is not a compelling value proposition! Full closure of Haymaker for winter months has a 'strong value proposition' based on science and CPW recommendation which is to improve the Elk Herd survival opportunities in Town of Eagle Open Space for current and future years! Recommending any change to 2nd Gulch and not approving ebike on the current trail system would be very hypocritical of OSRAC staff and committee members!	10/14/2023 1:30 PM
151	There are 500 units being built on haymaker currently. Closing the trail is ridiculous, shortsighted, unnecessary. Additionally, every time I meet motorized vehicles on trails they are rude to the point of being dangerous. Please do not open any more trails to dirt biker/ATVs let them build their own. I think E bikes can go wherever mountain bikes can… They don't do any extra damage. People can just ride further on them. Who cares?	10/14/2023 12:04 PM
152	Thank you!	10/13/2023 10:50 AM
153	I don't think the second gulch review adequately considers increase fire hazard if opened to more vehicles. I personally had a trespassing side by side catch fire and burn some grassland requiring extraordinary efforts to extinguish. and Yet, the consultant (and OSRAC) seem only interested in convenience for a handful or people. UTVs are a significant contributor to wildfires. Do the research. A wild fire initiated in the vicinity of second gulch would be a clear and present danger to Eagle Ranch Residents. Secondly, while we are supposedly trying to reduce our carbon footprint, opening second gulch would bring out of towners and more CO2 emissions which runs counter to our sustainability goals. Those emissions must be quantified and accounted for, including the towing vehicles bringing OHVs to the Arroyo parking lot. Thirdly, opening the width restriction at second gulch after people have moved in and settled is a terrible precedent. It amounts to spot zoning. After the precedent is set, a small handful of people with a friend on town council, could get Hernage trailhead, Horton trailhead and Abrams Creek trailheads opened to say motorcycles first, and then OHVs later. The only acceptable "pilot" would be to maintain the status quo for the next 3-5 years and see how many complaints the town gets. lastly, I will mention noise, habitat, dust, and traffic. Traffic non	10/13/2023 9:27 AM

	compliance is already a significant issue to the residents in Eagle Ranch who regularly see and hear speeding dirt bikes and ebikes	
154	E-bike inclusion should start with specific trails, in order to get more data on their impact to the trails and other riders. Maybe haymaker? That said, I already encounter E-bikes all over the valley, including trails where they are not allowed. Giving them access to specific trails, and advertising/marketing on social media & trail apps, may help with that.	10/13/2023 9:10 AM
155	Thanks so much for all the work to help keep Eagle an amazing place to live and play!	10/12/2023 11:03 AM
156	TEST, TEST, TEST	10/11/2023 5:07 PM
157	Thank you for asking -- Questions #4 and #5 are broken.	10/11/2023 3:10 PM

OSMP Public Comments 9.5.23 – 11.7.23

Dear Brian and Committee members'

Priority #1
In response to the meeting September 5th. Why are our tax dollars funding third party analysis? CPW had established Critical Wildlife Habitat areas which include the haymaker trail for winter closures. This was sited years ago even before the hay meadow development was approved. This is nothing new. Brian Woodrich, our CPW officer with 28 years of education and field experience stood in front of the committee stating the need for winter closures for this trail due to its location within winter range, and the south facing slopes it boasts. There is no room for interpretation here. It is clear and if the town chooses to ignore this information there will be irreversible damage. Yes, some may be angry with your decision to close the trail, but this is your job!! You were hired to manage the open spaces for recreation and wildlife. There is a balance that needs to be maintained and winter trail closures are a part of that balance. You must make this decision now. Set in place the expectation before the first Haymeadow resident moves in, otherwise every person will think that these trail are fair game any time regardless. If we act now, the president will be set. Do not drag your feet or this will become an uphill battle. You have all the facts you need and a community majority who supports you. Be bold!

Priority #2
I am very disappointed there has been no more mention of equine only trails or equine connectivity. I would like to see an equine only trail based out of pool and Icerink parking lot leading up to the Boneyard area and circling back around haymaker by way of Road Gulch. I would also like to see a foot path along Brush Creek Rd. There are numerous families along Brush Creek with horses that cannot ride out their doors for fear of risking life and limb on Brush Creek Rd. Our only option is to cross the creek into open space. This summer one of my horses tore a ligament in this open space due to the unstable footing (gofer holes and tall grass) because we are not permitted to walk them along the crusher fines trail. This is how we get to the Riddle trail. We should have the same accessibility to trails as the mountain bikers! We feel very overlooked and excluded from these plans. Please let me know what your thoughts are on improving upon and eliminating this deficiency.

Priority #3
Recreation is important and you have ignored Hunting as a valued recreation in Eagle. This is a huge revenue for Colorado and should not be devalued. The once prevalent "welcome hunters" signs are now replaced with mountain bike race days and our once quiet forests are now infiltrated with bikers. It use to be that once hunting season opened, folks stayed out of the woods to allow hunters their time, not to mention avoid flying bullets and arrows. What can the town do to respect hunting season? Trails and open space needs to include this in its plan!

I look forward to hearing your thoughts and responses for all who have inside.

[redacted]

Hey Brian, I just heard that it's likely Haymaker will be closed all winter. Here I list a few points that I will regularly communicate to customers and as much as possible to the town in general as I'll have more time this autumn to do so.

Closing Haymaker in the winter has no basis in science. Haymaker's usage has no proven impact on local wintering wildlife. All herds are within CPW goals.

This open space is being paid for by residents. Losing winter access is a loss of value of local tax money.

Closing Haymaker puts more stress on the Bluffs. Because there are limited outdoor spaces in Eagle available for winter recreation, all the traffic that normally uses Haymaker for winter recreation will now move to Boneyard/Bellyache Rd. This will add congestion in that neighborhood, which already has limited parking opportunities in the winter.

Without any scientific basis, public space is being reduced. This sets the precedent that any public space is subject to arbitrary closures. Our space is not our own, and belongs to only a few influencers. This closure, along with other current standing closures, are, at best, bad decisions. At worst, they are infringing on our access to public open space such that a few users and/or homeowners maintain a space that is desirable to themselves at the expense of the general population. This could be considered a basic civil violation by a State agency.

There are some in my social circle who believe that Haymaker closing is something that will never be reversed. Be aware, if the Town pursues this action, it will re-open along with every other access point so long that it's legally viable. Closing Haymaker in the winter will be the Town of Eagle "choosing a side" and it will be the losing side.

No hate on you Brian, you're good people and I'm sorry I need to send a harsh letter through you. But, I've lived here long enough to stand up for what's right. Taking opportunities to recreate from the general public with no evidence of disturbance on the ecosystem is absolutely wrong.

I was reading the Vail daily article about how the BLM is considering the 52 " rule in 2nd Gulch. One concern is the noise and activity from the larger UTVs. If you want to know how loud and noisy it gets, just spend some time at the boneyard trail late on Friday or Saturday nights and you can observe the dust, motor noise, and trash left behind by users between 11 pm and 3am. We live nearby and can't leave our windows open at night due to noise and dust in the summer. It's definitely a party scene all night long!

Hi Brian, Town Council,
I won't be in Town for the open house so just wanted to add to the conversation and public input:
1. Haymaker should be closed but all points of access to Bellyache should also be closed throughout the winter seasonal closure period if you really want to positively impact local deer and elk herds. I don't think that is practical dealing with the BLM and Bluffs residents but it would be a huge gain for elk and deer.
2. People can and do recreate on the golf course trails through winter, the variety in riding isn't really justified to keep Haymaker open at the expense of local wildlife.

3. E bikes are motorized bikes - plain and simple- and should be managed as such. They don't have any place in our singletrack hiking and biking system beyond what they do currently. The e biker arguments in favor of doing anything different are lazy and ridiculous to say the least, since they can use that motor fine to go up to BLM trails.

Thank you for listening,

[redacted]

- Yes! Let's keep the 50" rule at Second Gulch, please!
- If more trails are closed in the winter, please consider, on a trial basis, a pay-to-play pass for dogs to be off-leash on the golf course, with closures when wildlife are present. Here's why: when enforcement on the golf course was stepped up last winter, people just went to places where they were less visible—and so was the wildlife. Or they went to the BLM, the boundaries of which are not ones wildlife observe. I believe this added enforcement may have actually led to more negative encounters between wildlife and dogs. The money from the passes could be used for additional clean-up of the course in the spring, since whether owners scoop dog poop is sporadic. My understanding is that this is the main reason the golf course prefers no dogs at all. If the passes don't cover the cost, the program could be abandoned.
- Attached is information dog owners in Eagle need and don't get. This is my own list, but I'd be happy to have it checked with CPW and vets. I'd also be happy to take it to all the places where it should be disseminated: shelters, vets, hotels that allow dogs, HOA's. I am working on finding someone who can design the website mentioned in the list. I am at 303.549.7857.
- Consideration should be given to off-leash hours in pocket parks and other areas that are underutilized or dormant during the winter. These areas should be chosen based on how easily owners can check for wildlife before unleashing, and the program should be contingent on people proving they will behave.
- Dog owners should have more input regarding dog park design.
- Leash law enforcement should be more targeted at defending the values of wildlife and good manners on the part of dog owners. I can give examples where it has actually worked against those values. If there are winter opportunities added for off-leash, enforcement should survey the areas offered first thing in the morning. Signage could notify of a closure if wildlife are present. A town of Eagle enforcement officer would help for consistency of enforcement. A structured fine system could encourage good manners.

Thanks so much for considering my ideas. [redacted]

Hi all,

Thanks for hearing me out on this again.

The “Keep the 50” Rule for off-highway vehicles at 2nd Gulch” is an attempt by a small group of passionate people who lack in facts the totality of their requests.

To enforce an outdated rule in a neighborhood for a 1/4 mile long access point which has been successfully shared by the community for many years is a display of discrimination.

As a community we should respect that we all have a human right to positive mental health options. The animals we share this land with are not more adversely affected by a person on a 72” wide vs an 18” wide vehicle.

This is an issue of social intolerance and the proponents of this 50” rule in my opinion should retract their negative and false propaganda.

Sincerely,

[redacted]

With regard to the Haymaker Trail winter access, I support the recommendation of winter closure of Second, Third, and Extra Credit. I understand that these areas are not far from development. But that is not relevant. I live in an area that is frequented by the elk herd in the winter. They roam our neighborhood without being disturbed by the houses. What disturbs them are people who don’t understand the need to leave them alone, and dogs.

I want to stress what I think is the most important issue here — off-leash dogs. We simply have to make sure that there are no off-leash dogs on our trails during the winter months. Enforcement is critical. We need to be using wildlife cameras, signs, and consequences.

With regard to Second Gulch, I support maintaining the status quo. The current situation, with the 50-inch limit, has existed for a long time. There was and is no overwhelming desire within the community to change it. Taking months to hire a facilitator and try to come up with a compromise is foolish. We know the facts, and we know the results of the survey, which shows the vast majority want to keep the status quo. It’s time to make the decision to keep things as they’ve been for many years.

[redacted]

Eagle Town Council
Brian Lieberman, Open Space and Trails Manager
OSRAC Board Members
1050 Chambers Ave
Eagle, CO 81631

November 13, 2023

Dear Eagle Town Council, Brian, OSRAC Board

During the November 7th OSRAC meeting the OSRAC Board narrowly voted to recommend to the Town Council that the 2nd loop of Haymaker be added to the existing winter closure of loops 3 & 4. While this is not our preferred option, HTC will support the final decision of the Town. We recognize the importance of protecting wildlife and the surrounding environment and the challenge of balancing recreation which is so important to everyones mental and physical health.

Please consider the following when reviewing the recommendation from OSRAC

- The original recommendation from ERO regarding the potential closer of the 2nd loop of Haymaker, suggested more community engagement and discussion due to the complex nature and impacts of the decision. Unfortunately, this was not implemented, limiting exploration of alternative solutions.

  Other ideas worth exploring include:

  - Explore an alternate gate location (see attached map) that would help preserve a bit of recreation and align with the closure on the adjacent Pool/Ice trail making compliance easier (not having Pool/Ice be a dead end) and allowing for loops to be made without increasing impact or potentially causing off-trail travel.

  - Consider a night closure (10 pm-5 am) to coincide with the most active time and presence of wildlife.

  - Explore dog alternatives. If off-leash dogs are a problem, continue with increased education, enforcement and alternative places for dogs to be off-leash. If compliance doesn't improve, consider closing the trail to dogs in the winter.

  - Explore an adaptive closure that allows for portions of the trail to be open or closed when specific, defined circumstances occur.

- Included in the ERO recommendation for closing the 2nd loop is that the closure would be ‘for now’. This decision will need to be revisited as the Haymeadow Development continues to grow and further degrade habitat.

- ERO polled the public twice during this process, each time the feedback came back fairly close but in favor of maintaining the status quo closure on Haymaker. It is going to be challenging to get community buy-in (and possibly compliance) on closing the 2nd loop of Haymaker.

- In the past several years, compliance with existing trail closures has been very good. It will be important to continue to monitor violations and see if there is an increase as a result of having less designated space to recreate ultimately increasing human impact on wildlife rather than decreasing it. The majority of the trails in Eagle are closed to winter recreation including all of the Eagle Ranch Loops and West Eagle.

- CPW’s official letter recommending a complete closure of Haymaker sites irresponsible recreation and off-leash dogs. With partnership and education on responsible recreation we could have a balance between recreation and wildlife preservation.

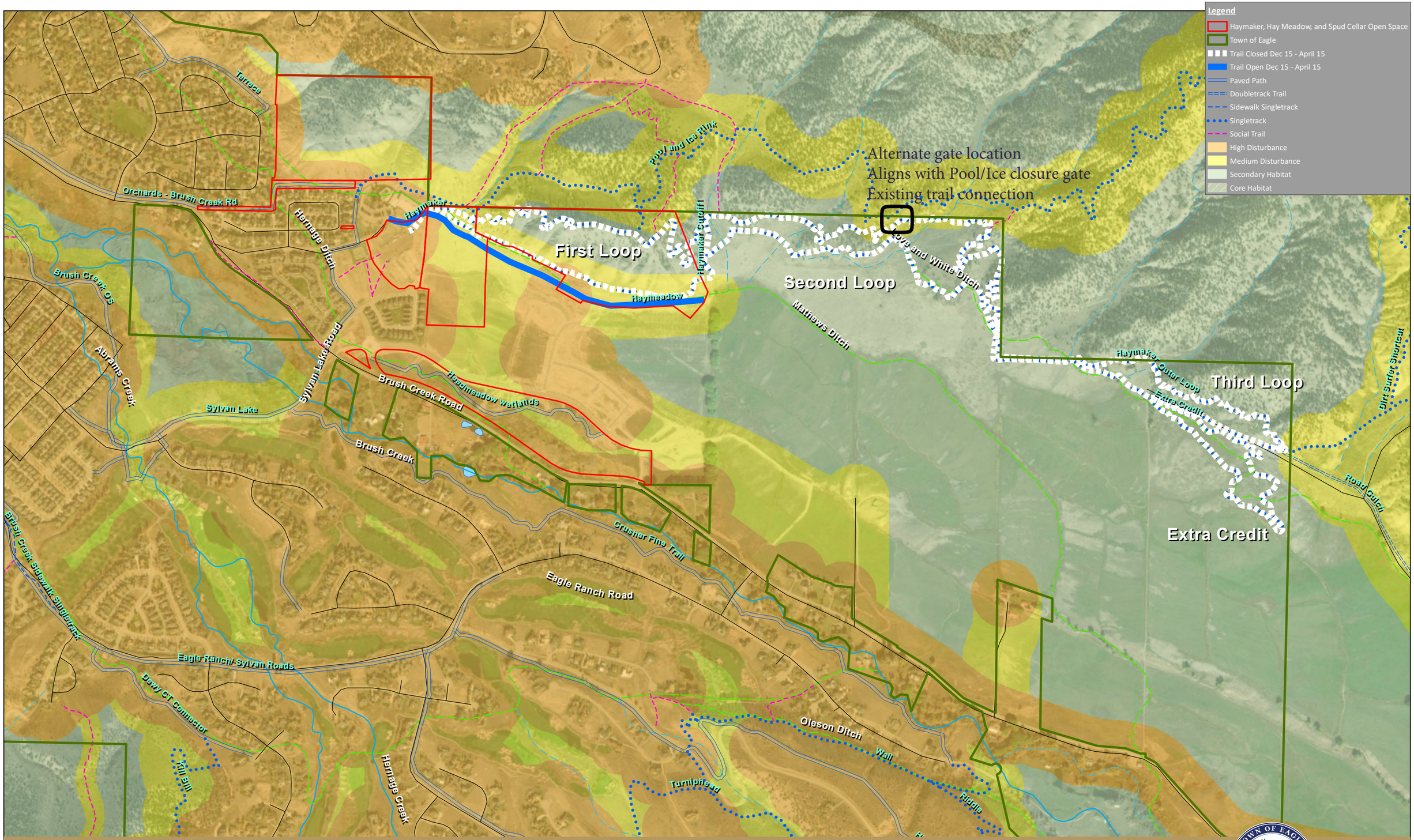
- We believe an appropriate compromise has already been reached on Haymaker by closing loops 3 & 4 and a strong educational campaign in is place. Please help us preserve access to Haymaker in the winter.

HTC believes in collaboration and open communication, and we are confident that we can continue to work together to find solutions that balance recreational opportunities with environmental protection. Despite our differing views on the matter, HTC remains committed to supporting the Town of Eagle, Colorado Parks and Wildlife, and other land managers in their efforts to effectively manage our open spaces and trails.

Sincerely,

Robert Tadlock, President
Charlie Brown, Vice President
Laura Turitz, Treasurer
Nicky Asselin, Secretary

Hardscrabble Trails Coalition
www.hardscrabbletrailscoalition.org



Full Closure Fragmentation – Winter

0 350 700 feet

September 29, 2023

Haymaker, Hay Meadow, and Spud Cellar Open Space • Town of Eagle Open Space Management Plans

Jenny Rakow

From: Linda Bennett <linda4bennett@gmail.com>
Sent: Monday, November 13, 2023 4:11 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

[Some people who received this message don't often get email from linda4bennett@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am not able to attend the meeting tomorrow, but wanted to express my support for leaving the second loop of Haymaker available for winter recreational use. I live in the Soleil neighborhood and hike/snowshoe the trails all winter. There are very few options available in the winter, and I'd hate to lose another. Also, when I'm out, there are always other people out using the trails too. Thank you for considering leaving the second loop open.

Jenny Rakow

From: James Harrison <jharrismed@gmail.com>
Sent: Monday, November 13, 2023 4:43 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support full winter closure on the Haymaker trail system. We humans have plenty of places we can recreate outdoors during the winter. The elk do not.

I also support more enforcement of the laws requiring dogs to be on leash.

Thank you for considering my comments.

Jamie Harrison
797 Fourth of July Rd.

Jenny Rakow

From: Jody Diemar <jody@diemar.com>
Sent: Monday, November 13, 2023 5:12 PM
To: ALL COUNCIL
Subject: Support to keep Haymaker open

> Some people who received this message don't often get email from jody@diemar.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it concerns,

I am writing this email for consideration to keep the 2nd loop of Haymaker open. Having lived in Eagle for a total of 9 years, our family has utilized this trail all year long. It is a nice loop for all ages and I believe that by having both loops open you are giving residents a decent area to hike, fat bike and even ski in the winter. I believe by leaving this open it creates an option besides Boneyard (which is straight up and down)so people are tempted to poach on other trails in the winter.

The early closure of other trails that started last year has cut down on opportunities into the winter months already. With construction near the ice rink and new development in Eagle, the town needs to keep areas open, not close them. With the Haymaker development being approved it does not seem right you are closing the trail when it is the construction and development that are actually scaring the elk if anything. I understand you can monetize the construction but mental health (which is improved with access to outdoor space)is a key consideration for the town of eagle as well.

The town has already lost a major part of the community with the Eagle pool closing, please do not close another important town amenity.

Thank you for your time,
Jody Diemar
145 Greenhorn Ave
970-471-9148

Jenny Rakow

From: Charlie Brown <cb@mountainpedaler.com>
Sent: Monday, November 13, 2023 6:27 PM
To: ALL COUNCIL
Subject: Haymaker and E-bikes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello everyone,

As a business owner, trail advocate and town of Eagle resident since 1999, I probably don't chime in enough and apologize for that. To start, I would like to offer my opinion regarding the proposed closure of the send loop of Haymaker. I sell bikes so I certainly have opinions and knowledge in this area. Some of the bikes I sell are Fatbikes for winter use, which I have sold over the years and currently have in stock. To close the second loop of Haymaker would take away the best trail to use this type of bike.

I haven't seen any good evidence that cycling recreation reduces wildlife on its own. The argument that I've heard about wildlife deaths by 1,000 cuts could be said about almost everything we do in Eagle. This also sounds very political. Never mind we are building a housing complex right next to this town open space that was originally put in so we could recreate in the winter. Seems most of the issues I hear from CPW are related to dogs off leash. Sounds like an enforcement problem, so why should other user groups, that have historically been very compliant to closures, be closed out? This is also a mental health use.

I believe there is more homework to be done here. Why rush this if there are other options/opportunities that make more sense for our whole community? Maybe a night time closure (other towns seem to use this for wildlife issues) or mid loop that connects to BLM better to create another loop. Or just enforcement of a leash law.

I think that any of these solutions sound better than what OSRAC recommended. Maybe start with enforcement of the current rules in place, continue with the educational piece that really just started and we all spent time and money on. We are a town of many types of user groups. The majority of our trails already have seasonal closers and we are good with that. More closers will send the wrong message to business's like mine and others.

Regarding E-bikes, this is a true rabbit hole. They are not going away. I break it down into three categories:

1. Class 2 have a throttle and do not require you to pedal at all. These are all the types of contraptions that are causing many issues around town. Many companies put pedals on them and call them a bicycle but I beg to differ. I don't sell any of these. I'm not a big fan of them. It seems they can be tricked into going much faster than they're designed to. I think I've seen them go 40mph. On another note, there are many other electric things out there that are not bikes at all, hence the rabbit hole.

2. Class 1 are pedal assist only and stop assisting at 20mph. These are most of what I sell and probably what most other bike shops sell as well. They ride just like an acoustic/analog/traditional bike and can't be modified easily. I think we should consider doing a yearlong trial on one or two of our trails, or even a portion of the network. I think we will find that we are simply helping a bunch of older riders keep fit and maintain their mental health. Also, the newer designs make no sound and weigh the same as many other non-E-bikes. Even I can barely tell it is an E-bike. This is going to be the trend in the industry, so I say we should embrace this technology or fall behind.

3. Class 3 are pedal assist only and stop assisting at 28mph. I sell a few of these. They are designed for commuting and riding on roads.

All of these E-bikes can be ridden responsibly.

Thank you for your consideration.

Charlie Brown
Mountain Pedaler
636 Founders Ave
cb@mountainpedaler.com

Jenny Rakow

From: Mike Claymon <mikeclaymon@hotmail.com>
Sent: Monday, November 13, 2023 6:33 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

> Some people who received this message don't often get email from mikeclaymon@hotmail.com. Learn why this is important

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Please don’t close the second loop of Haymaker for the winter. I value it immensely as one of the few trails that is open in the winter.

Jenny Rakow

From: Dan Brown <dbrown@partnersenv.com>
Sent: Monday, November 13, 2023 7:20 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

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To the Honorable Members of Council,

I am writing to you to voice my disfavor with the recommendation in front of Council to close portions of the Haymaker Trail to winter access.

All winter long the deer and elk travel through the Town neighborhoods in constant and close contact with people doing, among other things, their daily walks, driving their cars, skiing, walking their dogs and riding their bikes. Everyday on Brush Creek Road, hundreds of cars pass near the Town open space, no farther from the elk herds than the Haymaker Trail.

So, why are we considering closing this trail? Using the same reasoning to close the trail proposed by the advocates, I guess we should close Brush Creek Road too. And we should require everyone in Eagle to stay in their homes all winter, for fear of killing the elk herd.

It is, frankly, hypocritical to pretend that you care about this herd, while you live an unsustainable life, living in your big house, consuming goods and services, driving your car, flying in airplanes on your vacations, and leaving behind your waste everywhere you go.

Enough is enough. The open space is for access. That is why we all live here. To have access to the beautiful outdoors.

So, let's stop kidding ourselves that this potential trail closing will have any meaningful impact on wildlife. It won't.

Dan B. Brown, CPG, CP
President
Eagle, CO

Tel. (800) 763-1363
Cell (216) 214-5591

PARTNERS

www.partnersenv.com

Environmental, Safety, Engineering & Surveying
Offices in Ohio, New York, New Jersey and Colorado

Jenny Rakow

From: Jim Jones <jjjones72@gmail.com>
Sent: Monday, November 13, 2023 8:07 PM
To: ALL COUNCIL
Cc: Daddy
Subject: Wild Life Closure

[Some people who received this message don't often get email from jjjones72@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Eagle Town Council,

Please stop the closures around the town of Eagle!
As time goes on, more and more areas are being closed. The community is transforming into a sleepy bedroom community without services.

After watching this community transform over the last 25 years we've lost restaurants, local services and year after year our outdoor recreation. Eagle is loosing its charm. I've recently heard the town now wants to close the Eagle Golf course due to the elk heard. This is where our local high school kids train for Nordic! That specific decision will take away opportunities to our children.

The town continues to close more and more wildlife space. However, continues to build homes and apartments in the areas you're closing? Please explain this…

It's extremely disappointing to whiteness this shift within our beautiful town as it appears money is the driving factor.

- Jim

Jenny Rakow

From: Chris Weathers <chriswvail@gmail.com>
Sent: Monday, November 13, 2023 8:28 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

> Some people who received this message don't often get email from chriswvail@gmail.com. Learn why this is important

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I do not think it is beneficial to local deer and elk to close the 2nd loop of the Haymaker loop system during winter. South of that in the next gulch, yes. You know construction and housing is coming to that area and the populations are healthy.

I would rather educate trail users than say you can't use an area. If my dog is on leash and we see deer or elk in front of us, we turn around.

Thanks,

Chris Weathers
970-376-3412

Jenny Rakow

From: Jones, James <jjjones@coloradomtn.edu>
Sent: Monday, November 13, 2023 8:42 PM
To: ALL COUNCIL
Subject: Wildlife Closure/Local Trail Access

> Some people who received this message don't often get email from jjjones@coloradomtn.edu. Learn why this is important

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Eagle Town Council,

After watching this community transform over the last 25 years we've lost restaurants, local services and now our outdoor recreation access continues to be threatened. At the last community hearing at the Brush Creek Pavilion, it was mentioned the town now wants to close the Eagle Golf course due to the elk population. This is where our local high school kids train for Nordic events! **That specific decision takes away opportunities to our children!**
Seriously why do you continue to authorize more and more housing, choaking out the wildlife habitat that increases the need for closing our local trails and the outdoor access.
Why is the town continuing to close recreational trails and build housing in their place? It's extremely disappointing to whiteness this shift within our beautiful town as it appears money is the driving factor that continues to transform this gem of town into a sleepy community with nothing to do! My entire family and friend network is extremely frustrated and disappointed with this decision!

JIM JONES
Program Director of Skilled Crafts & Trades
jjjones@coloradomtn.edu
C: 970.376.1263
Colorado Mountain College Vail Valley
150 Miller Ranch Road / Edwards, CO 81632
ColoradoMtn.edu
COLORADO MOUNTAIN COLLEGE / ELEVATE YOUR FUTURE

Jenny Rakow

From: Michael Anderson <michael.anderson1210@gmail.com>
Sent: Monday, November 13, 2023 10:02 PM
To: ALL COUNCIL
Subject: Haymaker 2nd loop

> Some people who received this message don't often get email from michael.anderson1210@gmail.com. Learn why this is important

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Hello,

I am an Eagle resident and avid user of the Haymaker trail system. Please keep the trail system open in the winter. It is a difficult time of year for many, and outdoor recreation/exercise is a stalwart tool during the dark cold months. Thank you for your consideration.

- Michael

Michael Anderson
303-304-7150
michael.anderson1210@gmail.com

Jenny Rakow

From: John Bailey <jdbailey13959@gmail.com>
Sent: Monday, November 13, 2023 10:24 PM
To: ALL COUNCIL
Subject: Haymaker trail
Attachments: IMG_0856.jpg; IMG_0916.jpg; IMG_0921.jpg

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I am writing in regards to the proposed Haymaker winter use restrictions.

The Haymaker trail was originally built for year round use on loops 1 and 2. This was determined by a committee with closing loops 3 and 4 for winter use as a compromise.

The Haymaker trail is the only TOE open space soft surface trail open for winter use. It is the only relatively flat trail open for winter use as Boneyard is quite steep. It is the only trail open during the winter with ample parking. Boneyard has limited parking, it is difficult to access the overflow parking during school drop off and pick up. The Haymaker trail is the only TOE soft surface trail within close proximity to Eagle's heavily populated area providing recreational opportunities for the Terrace, Orchards and Brush Creek Village residents.

ERO Resource Corporation's original recommendation regarding closing the second loop of Haymaker, suggested more community engagement and discussion due to the complex nature and impacts of the decision. This makes perfect sense but unfortunately this did not happen and other options were not explored. There was zero on the ground field research done by ERO or OSRAC on the actual Haymaker trail. At the open house I tried to explain some trail options to ERO. They did not appear to understand which leads me to believe they never actually went on the Haymaker trail.

In the Vail Daily article "Booming in Eagle"9-22-23, Scooter Slaughter stated: "In addition to people moving from east to west in the valley, a number of people from outside the valley have decided Eagle's a "great place to be" citing recreational opportunities."
The TOE Community survey cites the majority of participants selected quality of life, recreational amenities, access to winter recreation and family oriented community as responses. Closing off recreation areas in the winter would directly contradict the survey responses.

During OSRAC's 11-7-23 meeting Chris Kehoe made some important comments including: according to OSRAC's recent survey 53% of survey respondents agree with no change keep second loop open and only 31% disagree. This is direct feedback from your constituents the residents of Eagle have voiced their opinion . It was fantastic on Saturday 11-11-23 when the Eagle town manager and assistant manager came to the Terrace Park "to gather feedback directly from residents" along with a QR code sign for their survey. On July 29, 2023, I sent a letter to Brian Lieberman suggesting OSRAC do the exact same thing. Unfortunately, it never happened and there never was any effort to gather feedback directly from actual Haymaker trail users. Below is the unreadable sign posted on the Haymaker trail for the open house. Had the Haymaker trail users been properly informed, more people would have completed the survey and your survey results would even be more skewed towards keeping all of the trail open for winter use. I am confident those who completed the survey in favor of keeping Haymaker open in the winter include a wide range of demographics and those who want to close the trail include a very narrow range of demographics. All of your surveys point towards Eagle residents desire for year round access to trails for recreation. When residents complete surveys they assume public officials will follow through in good faith. If the TOE continues to ignore their own survey results or only cherry picks the results that fit their agenda people will stop completing surveys and have no confidence in the surveys.

During the same OSRAC meeting a committee member said we've heard from everyone in Eagle. Committee member Erinn Hoban chimed in "I disagree with the fact we've heard from everyone". Erinn went on to correctly state we haven't heard from the trail users. Very few trail users are aware of these proposed changes. OSRAC does not seem to understand many Eagle residents do not look at TOE webpage, the newspapers, internet or social media. They do enjoy using our trails on a regular basis.

Chris Kehoe also said the point of going somewhere else to recreate is ridiculous. This is in reference to an OSRAC committee member previously stating that people can go other place to recreate like Salt Creek and McKenzie Gulch. Is this the TOE's new directive to send Eagle residents to "other place to recreate" as suggested by OSRAC members?

It is important to understand the CPW provides recommendations as they always have back to when they were the DOW. They provide recommendations to towns and other land agencies including the BLM plus USFS. While I was working with the BLM on their RMP we were instructed the CPW gives recommendations, they are just that, recommendations. It is not the law. The BLM does not change their policies each time there is a new CPW agent. This is the fourth CPW agent I have worked with here in Eagle. Each one has a different agenda. The next agent may not be concerned about the elk, they may be interested in the sage grouse and the next one might be concerned about the trout in Brush creek. I appreciate all of their hard work and dedication. Brian Woodrich is our current agent he is described as new to his position and a bit over zealous. He is the same agent who last year pulled a gun on Eagle middle school property shouting that he was going to shoot a puppy in front of family members. The CPW is primarily funded by out of state hunting licenses, it seems they would be happy if no one is allowed in the woods except for hunting. On September 1, 2023, The Friends of Animals filed a law suit against the CPW for prohibiting forms of non consumption recreation. The area for our Roaring Fork Elk Herd goes all the way to Hwy 82. Eagle is the only town closing down trails. Gypsum, El Jebel, Basalt, BLM and USFS all are not closing down trails, just Eagle. OSRAC did hear from a well respected wildlife expert, Craig Westcott, while he was a member of OSRAC. Craig stated he felt Haymaker trail should remain open for winter recreation citing "people need a place to recreate". OSRAC chose to ignore Craig's input.

During the last OSRAC meeting member Phillip Kirkman stated "my concern is where will people go? They're not going to sit on their hands and not going to sit in their houses. We're not discussing Eagle Ranch paved trail, which has more millage of critical winter habitat and we're sending people there. I'm thinking what we might be doing is changing the policy every couple years which is not good for the public".

OSRAC has statistics of Haymaker users and dogs. They do not have actual data of trails users and dogs on the trail when there are animal present. They just interject there are animals present without data to support their claims. During the open house the ERO presenter stated during the winter most of the wildlife are on the 3rd and 4th loop with few animals being on the 1st and 2nd loops. If OSRAC talked with actual trail users they would discover the trail users do not use the trail when animals are present.

Last year when TOE voted on Resolution 77, Series 2022 pertaining to closing Eagle Ranch trails two weeks early. TOE used justification being in alignment and consistent with the BLM. The closing of any parts of the Haymaker trail will be inconsistent with the BLM. There is an option to keep some of Haymaker open and still connect with the BLM trails that are open year round.

There are other options that have not been explored or discussed by OSRAC:

Alternative gate location where the Haymaker trail comes close together providing access to the BLM trail Pool & Ice. This will be in alignment with the BLM trails. This will reduce the need of one gate.

Consider nighttime closure 10pm to 5am while most of the animals are moving. This is the standard operating procedure of most towns with wildlife including Rifle, Castle Rock and many others.

Use an “open unless closed” approach. Haymaker 2nd loop would be closed when animals are present . Utilize trail cameras to alert the TOE when animals are present on the trail. The animal videos could be shown on the TOE webpage.

The Respect the Wild campaign started last year, please give it a chance. Continue with this program and education of trail users.

Last year the Eagle Town council gave the Community Impact award to Kyle Foster. In the Vail Daily article, Mayor Scott Turnipseed was quoted as saying” what Kyle is doing- trying to connect people with the outdoors and seeing the positivity in physical health and being outdoors as it ties to your mental health, it’s huge”
I fully agree with Scott’s statement and closing the Haymaker trail in the winter would directly impact Eagle residents physical and mental health causing stress, anxiety and depression.

I would more than willing to do a site visit on Haymaker to evaluate potential trail alignment.

Please remember your constituents have been surveyed and they want to keep status quo with loops 1 & 2 open for winter use as originally intended.
Thank you for your time and consideration.

---------- Forwarded message ---------
From: **John Bailey** <jdbailey13959@gmail.com>
Date: Mon, Nov 13, 2023 at 6:01 PM
Subject:
To: John Bailey <jdbailey13959@gmail.com>

Eagle Chamber
of Commerce
BluSky Restoration

Jenny Rakow

From: Amber Moran <ambermoran2@gmail.com>
Sent: Tuesday, November 14, 2023 8:51 AM
To: ALL COUNCIL
Subject: Haymaker Winter Use

[Some people who received this message don't often get email from ambermoran2@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Good morning Eagle Town Council,

My husband and I plan to attend tonight's meeting and show our disapproval of closing Haymaker 2nd loop during the winter.

We also wanted to send an email ahead of the meeting to share our viewpoint in case we don't get to comment.

The root of the issue is the development going on there. We would be completely in favor of the closure if the development of 800 plus housing units was not going in. If there is any way to limit or land swap, that would be ideal. It was a real shame that the community showed overwhelming rejection of that development for exactly that reason and yet it was pushed through by the town administrators at that time.

In the absence of reducing or limiting that development it is really illogical to limit biking on that loop to limit wildlife impact and shows a real double standard that wildlife impact is allowed for developers and not recreation when the damage has already been done.

If you are really serious about wildlife impact, and we should be-it is a special area, we need to limit that development.

Thank you for your consideration.

Lee and Amber Hoover

Sent from my iPhone

Jenny Rakow

From: John Bailey <jdbailey13959@gmail.com>
Sent: Tuesday, November 14, 2023 11:12 AM
To: ALL COUNCIL; Charlie Brown; Laura Turitz
Subject: HM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This morning I stood at the entrance to Haymaker trail to gather information from actual trail users. Most of the trail users walked to the trail from their homes in the Terrace, Orchards or Brush Creek Village. ERO described this as "walkable" recreation. Meaning people can comfortably walk to trails from their home. This has always been a tremendous asset of our town.

Some of the people were parents who dropped their kids off at the hockey rink for morning practice. They said they've been walking HM for years while their kids are at the rink. They told me many parents do the same including ones that drive from other towns. They stated Pool & Ice trail is steep and can be icy that's why they prefer Haymaker.

When I mentioned potential wildlife closures they said if they see any wildlife on or near the trail they do not go on Haymaker. Some people that walked there said they see far more wildlife in their neighborhood than on HM. They said they enjoy and respect the wildlife that's one reason why they are raising their families in the mountains.

No one I talked with was aware of the potential trail closures.

Thanks
John Bailey

Jenny Rakow

From: Caren Davis <carendavis26@gmail.com>
Sent: Tuesday, November 14, 2023 12:51 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

> Some people who received this message don't often get email from carendavis26@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To ALL town council members:

In the 24 years of living in the town of Eagle I have loved having a variety of trails to use in the winter-some are steeper, some are flatter, some have more snow etc. Over those 24 years, our options have dwindled, houses were built in Eagle Ranch diminishing a significant grazing area for our wildlife and subsequently limiting access to the trails in that area. Now we have an approved neighborhood going up in another grazing area which leads me to the impending winter closure of Haymaker.

It's really sad to think that Eagle is becoming a winter island -surrounded by open space land which is open in the winter but NOT accessible. We have paved rec paths which are plowed in winter and come thru the same areas as the closed dirt trails. Why is that?
Now we face the closure of yet another trail which offers loads of options late into the fall and early in the spring:

Closing the 2nd loop of Haymaker will not allow anyone to access Pool and Ice trail from the bottom and create the possibility of people making their own trail-
whether accessing it from the top (loop) or the bottom.

Haymaker is a flattish trail which holds snow in winter. Closing the 2nd loop will push more people to east Eagle and Boneyard (which is far from flat) since that could become the ONLY place in Eagle to go off trail. There are plenty of people who would prefer not to or cannot go up steep terrain. Is there an option for them? Snowshoeing on a plowed sidewalk is kind of tough.

The wildlife are a part of the reason we live here-we all love seeing Elk and Deer in our surrounding areas. However, we also came in order to enjoy our surroundings ... summer and winter! Building neighborhoods encroaches on wildlife far more than people on trails. Ranchers chasing Elk with their 4-wheelers is worse than some runners with dogs (yes-ranchers have been observed doing this).
Lastly-wildlife is able to adapt and we need to respect them and give them space. We can all coexist if we know the rules. Other communities have figured out how to do this and we can too.

Let's not lose the vision we have for the beautiful place we live in and figure out how to keep trails open and keep Adam and Andy's vision alive. Open space access is a main reason why we live here!

Keep loop 2 open on Haymaker!! Educate! Have night time closures! We can make it happen.
Caren Davis
--

Jenny Rakow

From: Brent W <brentwambach@gmail.com>
Sent: Tuesday, November 14, 2023 1:38 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

> Some people who received this message don't often get email from brentwambach@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Eagle Town Council,

I am writing to request you keep the second loop of Haymaker open during the winter. This is a vital recreation area for Eagle residents, especially late winter when it offers a sunny escape from the long winter. By March, this trail system is often dry and offers one of the only mountain bike access to the town. If this closes, it will put extra use on Boneyard and Redneck creating overcrowding and safety issues.

Furthermore, the whole basis for considering this closure is based on protecting the elk. Using CPW's own numbers (and not the anecdotal evidence of an untrained individual from a privileged perch of their own deck), the elk herd has grown significantly over the last few years providing no evidence that this open trail has caused harm. In fact, the numbers have reached the level where CPW will have to issue more hunting tags to reduce the herd numbers because there will be too many elk for the area to support. Therefore, basic scientific analysis of the data tells us that there is no negative impact to the population from the trail if more hunting will be needed to cull the herd and there has been a population growth with the trails open. While I support hunters and the use of hunting to manage animal populations, hunting has a far more direct impact on the population than this couple miles of trail.

Additionally, the second loop of Haymaker will be directly bordered by the Phase 2 of the Haymeadow development that has been approved by the town. There will be no elk corridor when this development occurs. Why are we worried about a small section of trail in comparison to a massive housing development that will be right next to the trail?

Thank you for considering the popular opinion of the residents of the town which is to keep this trail open.

Sincerely,

Brent Wambach
Town of Eagle Resident

Jenny Rakow

From: Nancy Mires <nancysm4444@gmail.com>
Sent: Tuesday, November 14, 2023 1:40 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

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I haven’t thought out exactly how to express this but don’t want to miss a chance to say that I oppose the closing the 2nd Haymaker loop in the winter.

Sent from my iPhone

Jenny Rakow

From: Tracy Stowell <tstowell2205@gmail.com>
Sent: Tuesday, November 14, 2023 2:13 PM
To: ALL COUNCIL
Subject: Winter closure of second loop of Haymaker

> Some people who received this message don't often get email from tstowell2205@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am in strong support of leaving the first and second loop of the Haymaker Trail open for winter access. I understand the argument of saving our elk herd but that sounds so absurd when we see bulldozers and hundreds of construction workers building homes in the new Haymeadow subdivision. The town council approved 837 dwelling units in the Haymeadow PUD. Almost all of those units will be built in Loop 2, 3 and loop 4 of the Haymaker trail. I am not sure why this is coming up now with our herd very healthy, the compromised 3 and 4 loop closure and through all community surveys, residents want this loop open. You are going to have a hard time getting buy-in for this one. And when there isn't buy-in, there is non-compliance.

Respectfully,
Tracy Stowell
Eagle, CO

Jenny Rakow

From: Mike Duffy <duffyavalanche1@gmail.com>
Sent: Tuesday, November 14, 2023 3:04 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

> Some people who received this message don't often get email from duffyavalanche1@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm all for closing the second loop of haymaker in the winter. Too many elk and deer in the area. I lived where I could see the elk almost every day and the second loop definitely infringes on their winter area. People can do other sports in the winter.

--
Mike Duffy
Avalanche1.com
Professional avalanche education for mountain riders.

Jenny Rakow

From: Bert Christianson <bert.christianson@gmail.com>
Sent: Tuesday, November 14, 2023 4:41 PM
To: Jenny Rakow
Subject: For Public comment on OSRAC Haymaker Recommendation

> You don't often get email from bert.christianson@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email did go to Council Members on Sunday

which prompted the change of the Consent Agenda. Please include as 'Public comment' for tonight's meeting for the record.

Dear Town Council Members

On behalf of our families, we would like to *Thank You* for your service on the Town Council.

We are writing to you regarding Haymaker and would urge you to pull this item from the Consent Agenda and move it to the Business Items portion of the Agenda for the November 14 Council Meeting for further discussion for the reasons stated as follows.

OSRAC's Winter Policy Recommendation for 2023-2024 to allow Haymaker Loop 1 to remain open is based solely on ERO's recommendation. We request the Council take this Recommendation a step further.

We believe the merits of the ***science based*** CPW argument for *Full Closure of Haymaker* should be considered as CPW is the *expert* in this arena. Distilled as succinctly as possible, CPW's evidence shows that our Eagle Area Elk Herd is unstable and in a multi-year period of major population decline which has our elk herd on the road to demise, if action is not taken to reverse this decline. A cause for this decline is, in part, due to our elk herd NOT producing enough new calves each year to maintain sustainability!

To paraphrase what Brian Wodrich/CPW said to a small group of viewers at the October OS Open House:

Loop 1 sits in the *'sweet spot'* of vital elk and deer wintering grounds. Defined as the 'sweet spot' by CPW because of its unique orientation and topography: south facing slopes capturing the longest amount of sun warmth each day, and a slight incline which helps snowmelt and aids access to plant and root forage, since our Elk are in starvation mode during winter. An elk beds down on south facing slopes during the winter day for rest and warmth, and to recuperate from the harsh nights. Most elk cows are pregnant in winter. In addition, Loop 1 is a high conflict area between elk and trail users in winter due to the Trail's curves and corners. Each time a trail user rounds a corner or bend where the elk are resting, these pregnant elk must get up and flee, normally in an uphill direction, unnecessarily expending significant energy and taxing their limited reserves. An Elk loses 1-1.5 pounds per day during winter just in rest-mode. Fleeing causes exponentially worse weight loss and *reduces survivability of the unborn calf.*

The Town's camera monitoring data of Haymaker from winter 12/1/22 – 4/12/23 recorded 886 human counts on Haymaker for the period 12/1/22 – 4/12/2023. That averages to approximately 7 trail users/day during the period. Obviously, this presents the potential of significant elk-human encounters each day during the winter period where *pregnant, resting elk are being disturbed and needing to 'get up and flee'.*

The Town's camera monitor data of Haymaker illustrates, amongst other information, approximately *3 of the 7 trail users recorded on average each day during the period 12/1/22-4/12/23 were hikers with unleashed dogs*. Obviously with

an average of *3 unleashed dogs* using Haymaker each day from 12/1/22 - 4/12/23 we *have compounded the potential of the elk encounter problem significantly*!

Unleashed dogs chasing pregnant elk flies in the face of the Town's mission to protect wildlife! The elk are under extreme stress in the winter. *Irresponsible hikers with unleashed dogs* recreating directly upon the wintering wildlife in the Haymaker trail area will continue to cause *pregnant elk* to vacate their location of rest multiple times per day. This harassing of elk by unleashed dogs, along with other trail users, has a detrimental effect on both the pregnant individual animal and the herd!

For the reasons above ***AND*** in support of CPW recommendation we *urge the Town Council to vote for **FULL CLOSURE** of Haymaker for the 2023 – 2024 Winter Season. Bold action is needed to reverse the 'critically low calving rates' of our Elk Herd. Bold action requires strong Leadership!*

***FULL CLOSURE** of Haymaker for the 2023 – 2024 Winter Season* is very consistent with the Town of Eagle Open Space and Trails Master Plan, Goal P2. Goal P2 states: "*With seasonal wildlife closures, work to balance consistency, changing habitat needs of wildlife, and winter recreation opportunities. All recreational opportunities in mapped wintering range and/or other environmentally vulnerable areas will be considered for seasonal wildlife closures. Dates will be determined in partnership with CPW, BLM, and any other applicable land managers*."

Respectfully,

Bert & Debbie Christianson, Bret Hooper, Kristin Shaw, Kathy & Bill Heicher, Stephen & Jackie Hoffman, David Christian, Tom & Celena Olden, Robert D'Agostino, Sheela Lowdermilk, Steve & Nicole Clemins, Dan & Kathy Klein, Ed & Barbra Farrell, Val & Tom Glimp, Mike & Emily Sherwood, Allison & Matt Wyatt, Neil & Dory Marken, Karen Scott, Joe Crosbie, Tracy Feldman, Kate Sheldon, Steve Mairose, Floyd & Rita Duffy, Chrissy Lundquist, Greg & Carol Anderson, Lee & Donna Merkel, Helmut & Charlotte Fricker, Molly Anfieod

Jenny Rakow

From: Michele McDonald <moomcdonald@me.com>
Sent: Tuesday, November 14, 2023 4:10 PM
To: ALL COUNCIL
Subject: Haymaker Winter Use

[Some people who received this message don't often get email from moomcdonald@me.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Makes ZERO sense for TOE to continue to approve of all these housing developments directly in the Elk habitat…destroying their habitat. But, in the same exact area you'd like to close trails to "protect" their habitat from bikers and hikers?!! Complete nonsense and hypocrisy especially when the herd health and numbers (per CPW) indicates the herd is thriving.

Is CPW is trying to grow the herd so more hunting tags can be issued and more money is at their disposal and in their control…OR is the OSRAC is just trying to be relevant? What experience, training or credibility does this committee actually have?

Shutting down Haymaker will have people driving to Boneyard (screw the environment), we will all be packed on one trail with dogs (what could possibly go wrong?), or forced to use the one "dog park" that is not even fenced-in and has so many gofer holes for your dog to blow their knees out… Hardscrabble Road is still logging so that's not really an option any more, so we will be driving to exercise our dogs….

TOE please focus on real issues such as our INFRASTRUCTURE! Stop approving housing developments until our infrastructure can service the population. At present, we can't even evacuate this town in case of an emergency/Fire…

If the herd was in danger/unhealthy I would wholeheartedly approve of a closure, based on CPW it is a thriving herd. This closure is nonsense. Stop gaslighting the community…

Michele McDonald
moomcdonald@mac.com

Jenny Rakow

From: Ray Long <sledhedrmk@aol.com>
Sent: Tuesday, November 14, 2023 4:05 PM
To: ALL COUNCIL
Subject: Hay maker trail seasonal closure.

[Some people who received this message don't often get email from sledhedrmk@aol.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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On behalf of the Castle Peak Chapter of The Rocky Mountain Elk Foundation we strongly support the seasonal closures on all Town of Eagle Open Space trails; especially those that intersect with critical wildlife habitat. As the largest conservation non profit in the Valley with over $1.6 million dollars raised and over 280 projects under our belt it's critical to our mission to protect the winter habitat from disturbance when conditions are the toughest on our local wildlife! With the continued failed ballot box wildlife management the State of Colorado continues to force on rural Coloradans it's more important than ever to protect these critical areas! Thanks for your time and consideration.

Have a great day!

Jenny Rakow

From: Michael Granzin <michael.granzin@vailhealth.org>
Sent: Tuesday, November 14, 2023 3:47 PM
To: ALL COUNCIL
Subject: haymaker meeting

> Some people who received this message don't often get email from michael.granzin@vailhealth.org. Learn why this is important

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Please do not shut down our trails for the winter. The great reason we live in eagle is because of the great trail and outdoor access. Limiting this to summer only significantly limits our access. The elk will just move further south into the private ranches and be just fine.

Michael Granzin, MSPT, MHA, cMDT
Physical Therapist
Howard Head Sports Medicine
PO Box 40,000 | Vail, CO 81658
(970) 555-5555 | HowardHead.org

***Mission**: Elevating health across our mountain communities.*

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Jenny Rakow

From: Josh Yandle <josh@umbrella-roofing.com>
Sent: Tuesday, November 14, 2023 4:53 PM
To: ALL COUNCIL
Subject: Haymaker Trail Closure

[Some people who received this message don't often get email from josh@umbrella-roofing.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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I've lived in Eagle Colorado my entire life and now have my own home here in Eagle. My home backs up to the bike path that leads to haymaker trail. During the winter months I see hundreds of people from 5am until dark passing my home headed towards Haymaker. Since I was young the deer and elk have wintered in that corridor and long before I was young. The majority of recreational hikers and walkers have zero knowledge of how fragile the elk and deer are from December thru June and disregard the animals as they walk down the trails. I've witnessed hundreds of people talking on their phones and among themselves as they pass a group of animals that run off into the trees from the fields. Literally pushing these animals even 1 times can result in their death as they use vital fat storage to run away. Last winter alone I counted 12 mature mule deer bucks that died behind the ice rink from winter kill and 6 elk. Closing the trail entirely is a necessity as brush creek continues to grow. Our wildlife is a priority and there are plenty of open trails that can be used during the winter along with hundreds within short drives. The town preaches it cares about our outdoors and now it's time to actually care. Education isn't enough Haymaker must be closed so BLM and the DOW can enforce it properly.

Kind regards,
Josh Yandle
Owner/Operator
970-309-8137

Jenny Rakow

From: David McDonald <eioenterprises@yahoo.com>
Sent: Tuesday, November 14, 2023 6:06 PM
To: ALL COUNCIL
Subject: Urgent Concerns Regarding Winter Closure of Haymaker Trail Access

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Urgent Concerns Regarding Winter Closure of Haymaker Trail Access(2 nd loop)

Dear Town of Eagle,

I trust this message finds you well. I am writing to express my deep concern regarding the recent discussions around the potential winter closure of the Haymaker Trail access on the second loop.

It has come to my attention that the Trail Management Group, with a primary focus on closing trails and limiting access, has experienced a loss of members, including notable individuals such as John Bailey, who left due to their dissatisfaction with the current approach. I have also heard statements suggesting that individuals should seek alternative transportation options, which, given our existing traffic concerns, is a matter of considerable apprehension.

Furthermore, the juxtaposition of advocating for trail closure while concurrently permitting the construction of over 800 homes in the HayMeadow raises questions about the consistency of the approach. It is crucial to maintain transparency and coherence in policies related to wildlife protection and urban development.

Rather than pursuing a restrictive access policy, I propose a more inclusive strategy that involves educating trail users on proper wildlife encounter protocols. This approach aligns with the original vision of the Haymaker Trail, which, from its inception, was not intended to be closed during the winter months.

As an active daily user of the trail, I chose to reside in the adjacent area specifically for its year-round accessibility. Altering this access policy would not only impact my personal choice but also affect the broader community.

In conclusion, I implore you to reconsider any plans for the winter closure of the Haymaker Trail and to uphold its original commitment to year-round access. Such a decision would not only preserve the integrity of the trail but also foster a positive relationship between the community and the Trail Management Group.

Thank you for your attention to this matter, and I look forward to a favorable resolution.

Sincerely,

David McDonald
970-390-3697

Jenny Rakow

From: Jesse Horton <jhorton3@gmail.com>
Sent: Tuesday, November 14, 2023 6:28 PM
To: ALL COUNCIL
Subject: Haymaker closure

> Some people who received this message don't often get email from jhorton3@gmail.com. Learn why this is important

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I would like to express my concern for the winter closure of haymaker. I have not seen any objective information that supports the need for this closure. This community is centered around its outdoor rec opportunities and the community has already done a great job at abiding by respecting current closures to give the animals a place to winter. It seems unusual that trail users should be punished but still to allow development to happen in the area. Additionally, it seems the herd numbers are thriving under the current usage which has been going on for 10 years thus no providing any correlation to the use of the trail and any harm to the animals. It seems that if this were to close it is being done just on how some people feel things should be handled which is not fair to the community at large.

Thank you for your time in reading this

Jesse Horton

To: Mayor and Town Council

From: Jessica Lake, Planner, Community Development Department

Date: November 14, 2023

Agenda Item: File #DR23-04 Major Development Permit for 263 Sawatch Rd.

REQUEST:
For Town Council to hear the presentations for a Major Development Permit for three buildings, each with 3 residential units and 3 commercial units, at 263 Sawatch Rd and continue the application until December 12, 2023 to allow for more time to finalize the Development Agreement.

INTRODUCTION:
Sawatch 263 RD LLC (Applicant), represented by Jeff Manley of Martin Manley Architects, is requesting a Major Development Permit to construct three live/work buildings at 263 Sawatch Road (Property). Each of the three buildings will include 3 commercial ground floor units with 3 residential units located above the commercial units. The Applicant received a Special Use Permit (SUP) for this property in 2020, approving "*one single dwelling unit – accessory to a use permitted*" in the Commercial General Zone District. Special Use Permit SU20-01 replaced a previous permit on this site, the approved SUP included seven conditions of approval:

1. Permit #SU17-06 will be null and void upon issuance of a permit for SU20-01.
   Staff Comment: Complete.
2. There shall be a maximum of 19 accessory residential units on the Property, with up to 10 units at 263 Sawatch (Lot 2), and up to 9 units at 483 Sawatch (Lot 3).

   Staff Comment: The application is in compliance with this requirement. Nine residential units are proposed for 263 Sawatch and an application for 483 Sawatch is not being considered at this time.
3. The dwelling units shall remain as *Accessory* as defined in the Eagle Municipal Code.
   Staff Comment: Title 4 of the Municipal Code defines *Accessory* as a *use subordinate to and customarily associated with the use of the lot*. P&Z and Council previously made a determination that the residential use is *customarily associated with the use of the lot*. Whether or not the residential use

is *subordinate* to the use of lot is under review with this application due to the condition of approval in the Special Use Permit. The residential units proposed in this development are roughly the same size as the commercial units below. There is an optional door available to each commercial unit, which would in effect make the stairs, upstairs hallway and office common elements of the unit. The doors between the stairs/residential entrances and the commercial units are an optional element only.

4. Dwelling units shall not be sold separately from the associated commercial units.
   Staff Comment: This condition will be maintained by staff in the terms of the Development Agreement.
5. An improvement plan for the stormwater detention area, as an active recreation area, shall be submitted with the development permit application.
   Staff Comment: The stormwater detention area / drainage pit will provide recreation amenities for residents of the site, including: a gravel pathway with picnic tables and climbing boulders, shade trees, sodded lawn area, gathering space between two of the buildings, and additional terracing down to the detention pond for enhanced safety and useability. A split rail fence will surround most of the pit and is to be located about 1/3 of the way down the slope, an access gate is provided at the southwestern corner. The detention pond is also required to function as a stormwater detention facility to capture stormwater for much of the Chambers Avenue area and a portion of I-70. A grading permit is required for the site as a whole and through this process staff will ensure that the detention pond maintains its primary function. Grading permit review and approval is performed administratively by Public Works and is separate from this Major Development Permit application.
6. Minor modifications to the buildings or site plan may be approved administratively without notice.
   Staff Comment: Staff is proposing to continue this condition with this application for any minor modifications discovered at time of building permit.
7. All site-specific development improvements including without limitation parking, landscaping, impervious coverage, access, setbacks, will be considered as part of the Development Review process.
   Staff Comment: Staff has reviewed and provided analysis for all of these components for development review within the full staff report submitted to the Planning & Zoning Commission on September 19th (LINK).

This application notably does not include 483 Sawatch (Lot 3), which was approved for up to nine additional live/work units on the lot east of 263 Sawatch. The owner of 483 Sawatch has not submitted an application to staff for this location and has until July 14 of 2024 to do so, under the terms of the approved Special Use Permit. The primary access road for the development on 263 Sawatch straddles the property line between 263 Sawatch and 483 Sawatch and is platted as a common access drive for both properties.

Concurrent with this Major Development Application, the applicant has submitted an application for a Lot Line Vacation to add 700 Chambers Ave #E to 263 Sawatch Rd and for a grading permit for 700 Chambers/263 Sawatch. The Lot Line Adjustment application is now an administrative process with staff approval or denial. The applicant must consolidate the "pit" lot with 263 Sawatch in order to meet the impervious requirements for this development permit. The grading permit application is also an administrative review and is required for the site improvements and to move dirt around on the lots. Site improvements for the stormwater detention area

on the subject property were required to be part of this application as well as the grading permit application.

There are four design variances included with this request. These variances include:

1) Parking within the front yard setback.
2) Intersection of the access way and public street within 15 feet of the side lot line.
3) Reduction of the planting buffers/screening along the edges of parking lots in the Landscape standards.
4) Reduction of planting buffers/screening along the edges of parking lots in the Parking standards.

The combined Property is 1.6 acres and is located south of I-70 and about 700-ft west and south of the Eby Creek Rd/Chambers Avenue roundabout. The Property is within the 700 Chambers Avenue subdivision, which has been replatted multiple times throughout the years. The topography of the Property is a steep slope down the detention pond on the western, northwestern, and southwestern sides of the Property. The eastern half of the property is relatively flat, buildable land. Surrounding uses include a vacant lot to the west owned by Holy Cross Electric, Sawatch Rd and the railroad right of way to the south, a contractor's yard to the east, and live/work units to the north. The current use of this property is as a contractor yard.

ANALYSIS:

The application was reviewed for conformance with the Land Use and Development Code and the 2021 Amended Elevate Eagle Comprehensive Plan (Comp Plan). On September 19th, the Commission heard presentations from staff and the applicant and expressed concerns about the lack of useable green space and amenities on the project site, inadequate information about the sustainability of the project, and that the project needed to be in greater compliance with the Comprehensive Plan. The motion from the meeting on September 19, 2023, was to table the meeting until October 17th to include additional documentation to demonstrate compliance with condition #5 from SU20-01, demonstrate overall compliance with the Elevate Eagle Comprehensive Plan, and provide a sign concept plan. A full analysis is provided in the staff report for the Planning & Zoning Commission dated September 19, 2023, which is included as an attachment in the packet and accessible through this (LINK). The staff report containing the additional information requested by the Planning & Zoning Commission dated October 17, 2023 is also included as an attachment in the packet and accessible through this (LINK).

During the September 19th and October 17th public hearings the Planning & Zoning Commission discussed the following items:

<u>Accessory use definition includes two components: that the use is subordinate and that the use is customarily associated with the use of the lot:</u>

The Commission believes that this was established in the review of the Special Use Permit in 2020. Staff felt that review of whether or not the residential units were subordinate was by necessity deferred to development permit, as that's when the project becomes engineering and build ready, and the unit sizes are shown. Condition of approval #3 was included in the Special Use Permit in order to establish how large the Town was willing to allow the residential units to be. Staff attempted to work with the applicant during the review process on the size of the residential units. The applicant has included an optional element to remove the wall and add a door between the commercial units and the entrance/stairwell to the residential units. The Commission did not pursue this optional element as a necessity in meeting Condition #3 from the SUP.

<u>Safety measures for the detention pond:</u>

Staff had expressed concerns about the initial lack of safety measures included in the plan for the detention pond. The Commission was concerned that the plan provided very little usable green space for residents and that this lack of amenities was not supported by the Comprehensive Plan. After the revisions to the detention pond, presented to the Commission on October 17th, staff's concerns regarding safety were reduced and the Commission was satisfied with what the applicant had presented for useable recreation space.

Joint use of parking zoning variance:

The Commission discussed the zoning variance for joint use of parking at both the September and October Public Hearings. Initially staff had provided the Commission with an option of partial garage spaces in three of the commercial units to bring down the number of spaces needed for joint use. However, after consideration P&Z felt the property would be better served without garage spaces and requested that staff remove the associated condition of approval. The Commission asked about the variance standards applied to joint use of parking, since the code regulation removes the hardship criteria for this specific type of variance. Staff confirmed that only three of the four standards were relevant to the decision of whether or not to grant this zoning variance. As joint use of parking is a zoning variance and not a design variance, the final approval for this application rests with P&Z. Should Town Council vote to deny the major development permit application, this variance approval would become null and void.

Design Variances:

The Commission did not have any significant concerns about the design variances requested. As noted above there are four design variances associated with this application. The first will allow for parking within the front yard setback. The applicant has added two evergreen trees to the front yard landscaping in order to better screen the impacts of the parking within the setback. There is limited space on this site for the buildings and parking and staff believes that the applicant is making efficient use of the space and still trying to provide the required parking (with the granting of the parking variance). The second design variance is for the intersection of the access point and the side lot line being within 15' feet, this requirement includes an allowance for shared driveways, staff believes that this design variance request will be alleviated when the applicant provides the "separate legal instrument" referenced in Note 12 of the 2011 Subdivision Final Plat. The third and fourth design variance are the same, they are just found in both the landscaping and parking sections of the code. The requirement is for screening of parking lots from adjacent properties. Due to the site constraints the applicant has provided some screening, but not the full amount required by Code. Screening cannot be accomplished along the eastern side of the property due to the location of the driveway. Some screening is provided along the western side, but the topography of the detention pond and the recreation component requirement make full code compliance challenging. Staff believes that these design variances all result in peculiar and exceptional practical difficulties upon the applicant, the Commission agreed with staff's analysis.

Should LERP standards apply to this application:

On October 17th, the Commission discussed whether or not the LERP standards could or should be applied to this application. After discussion and input from the applicant, the Commission determined that the 1970's Code did not provide a clear mechanism to apply the LERP standards to an application like this where properties were previously subdivided and applications occurred at different times. This issue has been rectified in the newly adopted Code and if all the projects at 700 Chambers were to come through today, the applicant would be required to comply with LERP standards regardless of previous subdivisions.

Recreation space for residents:

There was discussion about the lack of on-site recreational amenities and the project's alignment with Policy 3-3.1. *Ensure residents have access to recreation amenities*. The Applicant shared that the site

constraints associated with the property has limited their ability to add an outdoor recreation facility, as had been discussed at the Town Council hearing for the Special Use Permit. The Commission discussed the detention pond as a potential location to provide recreation amenities to residents within the whole subdivision. The Commissioners recommended approval of the application after the applicant resubmitted architectural plans depicting additional recreation amenities, as shown on sheet A1.3 of the updated architectural plans (LINK).

Sustainability within the project:
During the September Public Hearing, the Commissioners expressed concerns regarding the lack of information on the sustainability of the project and they directed the applicant to come back on October 17th to demonstrate that the project would employ sustainable practices and therefore achieve compliance with the Comprehensive Plan. At the October 17th meeting, the Commissioners thanked the applicant for the information they provided demonstrating that they are utilizing sustainable materials, reducing construction waste, and would provide trash enclosures that could accommodate trash, recycling and composting. The applicant will also incorporate passive solar design strategies, solar ready roof designs, energy star appliances, LED lighting, and high efficiency water heating. With the additional clarity provided by the applicant as to the sustainability of the project, the Commission recommended approval of the application.

Development Agreement
The Planning & Zoning Commission unanimously recommended approval of the application and design variances with conditions. All of the conditions of approval have been incorporated into the Development Agreement (DA) and the Resolution will approve both the application and the agreement. The Development Agreement is currently under legal review and will need to be reviewed by planning staff and the applicant before it can be brought to Council for a decision.

COMMUNITY INPUT:
No public comment has been received on this application as of November 9, 2023. Any public comment received after this date will be sent to Council separately from this packet.

BUDGET / STAFF IMPACT:
No impact anticipated.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
This request aligns with the 2020 Strategic Plan's major objectives to 'Diversify the Attainable Housing Stock' and 'Stimulate Economic Vitality and Development' with the addition of nine residential and commercial "live/work" units. The housing stock in the Town is still predominantly single-family homes.

RECOMMENDED ACTION OR PROPOSED MOTION:
Move to CONTINUE File #DR23-04, the Major Development Permit for 263 Sawatch Road, to the December 12, 2023, Town Council meeting.

ATTACHMENTS:
- Staff Report – Planning & Zoning Commission dated September 19, 2023
- Draft Minutes – Planning & Zoning Commission dated September 19, 2023 (LINK)
- Staff Report – Planning & Zoning Commission dated October 17, 2023
- Draft Minutes – Planning & Zoning Commission dated October 17, 2023 (LINK)
- Application and Project Narrative

- Revised Project Narrative – responding to P&Z
- Aerial Map and Site Photos
- Architectural Plans (LINK)
- Updated Architectural Plans
- 3D Renderings
- Civil Plans (LINK)
- Lighting Plan (LINK)
- Drainage Memo (LINK)
- Subsoil Study dated February 25, 2022 (LINK)
- Trip Generator Study Letter (LINK)
- PFIR and Water Demand Analysis (LINK)
- Referral Agency Comments and Responses-Planning (LINK)
- Referral Agency Comments and Responses-Engineering (LINK)
- Ability to Serve Letters from Utility Providers (LINK)

STAFF REPORT AND
CERTIFICATE OF RECOMMENDATION

TO:	Planning & Zoning Commission
FROM:	Community Development Department
STAFF:	Jessica Lake, Planner – jessica.lake@townofeagle.org
DATE:	September 19, 2023
PROJECT:	263 Sawatch Rd.
REQUEST:	Application for a Major Development Permit, with design variances, to construct three buildings, each with three commercial units and three residential units *accessory to a non-residential use*, as approved via Resolution 37-2020. A zoning variance is requested for this project for joint use of parking spaces, pursuant to Section 4.07.140.H. of the Municipal Code.
FILE NUMBER:	DR23-04 & V23-02
APPLICANT:	Dave Dantas and Rick Patriacca of Sawatch 263 Rd. LLC
APPLICANT REP:	Jeff Manley of Martin Manley Architects
LOCATION:	263 Sawatch Rd. Eagle, CO 81631 / Lot 2 of 700 Chambers Subdivision
CODE:	Chapter 4.04 Zoning Chapter 4.05 Zoning Review Chapter 4.06 Development Review Chapter 4.07 Development Standards Chapter 4.08 Sign Code Chapter 4.13 Subdivision Design, Improvements and Dedications Chapter 4.14 Assurance of Adequate Public Facilities
ZONING:	Commercial General (CG) Zone District
EXHIBITS:	A: Application and Project Narrative

B: Architectural Plans
C: Civil Plans
D: Lighting Plan (LINK)
E: Drainage Memo (LINK)
F: Subsoil Study dated February 25, 2022 (LINK)
G: Trip Generator Study Letter (LINK)
H: PFIR and Water Demand Analysis (LINK)
I: Public Comment (none received)
J: Referral Agency Comments and Responses-Planning (LINK)
K: Referral Agency Comments and Responses-Engineering (LINK)
L: Ability to Serve Letters from Utility Providers (LINK)

PUBLIC COMMENT: Staff has not received any letters of public comment as of September 13, 2023. Letters received after this time will be gathered and entered into the public record at the hearing.

INTRODUCTION

Sawatch 263 RD LLC (Applicant), represented by Jeff Manley of Martin Manley Architects, is requesting a Major Development Permit to construct three 3-unit live/work building at 263 Sawatch Road (Property). Three buildings are proposed on this site, and each building will include 3 commercial ground floor units with 3 residential units located above each of the commercial units. The Applicant received a Special Use Permit (SUP) for this property in 2020, approving "*one single dwelling unit – accessory to a use permitted*" in the Commercial General Zone District. Special Use Permit SU20-01 replaced a previous permit on this site, the approved SUP included seven conditions of approval and are as follows:

1. Permit #SU17-06 will be null and void upon issuance of a permit for SU20-01;
2. There shall be a maximum of 19 accessory residential units on the Property, with up to 10 units at 263 Sawatch (Lot 2), and up to 9 units at 483 Sawatch (Lot 3);
3. The dwelling units shall remain as *Accessory* as defined in the Eagle Municipal Code; and
4. Dwelling units shall not be sold separately from the associated commercial units; and
5. An improvement plan for the stormwater detention area, as an active recreation area, shall be submitted with the development permit application; and
6. Minor modifications to the buildings or site plan may be approved administratively without notice; and
7. All site-specific development improvements including without limitation parking, landscaping, impervious coverage, access, setbacks, will be considered as part of the Development Review process.

This application notably does not include 483 Sawatch (Lot 3), which was approved for up to nine live/work units on the lot east of 263 Sawatch. The owner of 483 Sawatch has not submitted an

application to staff for this location and has until July 14 of 2024 to do so, under the terms of the approved Special Use Permit. The primary access road for this development on 263 Sawatch straddles the property line between 263 Sawatch and 483 Sawatch and encroaches by at least 15' onto 483 Sawatch at any given point. Staff has included a condition of approval for Town Attorney review and sign off on the applicant's lot line vacation prior to this application for Major Development Permit going before Town Council.

Concurrent with this Major Development Application, the applicant has submitted an application for a Lot Line Adjustment/Consolidation to add 700 Chambers Ave #E to 263 Sawatch Rd and for a grading permit for 700 Chambers/263 Sawatch. The Lot Line Adjustment application is now an administrative process with staff approval or denial. The applicant needs to consolidate the "pit" lot with 263 Sawatch in order to meet the impervious requirements for the development. The grading permit application is also an administrative review and is required for the site improvements and to move dirt around on the lots. Site improvements for the stormwater detention area on the subject property were required to be part of this application and the grading permit application.

Response to conditions from Special Use Permit SU20-01:

1. Permit #SU17-06 will be null and void upon issuance of a permit for SU20-01.
   Staff Comment: Complete.
2. There shall be a maximum of 19 accessory residential units on the Property, with up to 10 units at 263 Sawatch (Lot 2), and up to 9 units at 483 Sawatch (Lot 3).

   Staff Comment: The application is in compliance with this requirement. Nine residential units are proposed for 263 Sawatch and an application for 483 Sawatch is not being considered at this time.
3. The dwelling units shall remain as *Accessory* as defined in the Eagle Municipal Code.
   Staff Comment: Title 4 of the Municipal Code defines *Accessory* as a *use subordinate to and customarily associated with the use of the lot*. P&Z and Council previously made a determination that the residential use is *customarily associated with the use of the lot*. Whether or not the residential use is *subordinate* to the use of lot is under review with this application due to the condition of approval in the Special Use Permit. The residential units proposed in this development are roughly the same size as the commercial units below. There is an optional door available to each commercial unit, which would in effect make the stairs, upstairs hallway and office common element of the unit. The doors between the stairs/residential entrances and the commercial units are an optional element only. Additional analysis is provided later in this report.
4. Dwelling units shall not be sold separately from the associated commercial units.
   Staff Comment: This condition will be maintained by staff in this staff report.

5. An improvement plan for the stormwater detention area, as an active recreation area, shall be submitted with the development permit application.
   Staff Comment: The stormwater detention area / drainage pit is no longer proposed as an active recreation area and a grading permit application has been submitted to Public Works for review and approval of this area. Grading permit review and approval performed administratively by Public Works and is separate from this Major Development Permit application.
6. Minor modifications to the buildings or site plan may be approved administratively without notice.
   Staff Comment: Staff is proposing to continue this condition with this application for any minor modifications discovered at time of building permit.
7. All site-specific development improvements including without limitation parking, landscaping, impervious coverage, access, setbacks, will be considered as part of the Development Review process.
   Staff Comment: Staff has reviewed and provided analysis for all of these components for development review within this staff report.

This application includes a zoning variance process, without the hardship criteria for "joint use of parking spaces" as described in Section 4.07.140.H. of the Municipal Code. *Where an owner or developer can document that two separate uses do not require parking during the same hours and that adequate provisions have been made to ensure that the uses will not require parking during the same hours, such owner or developer may petition the Planning Commission for permission to allow parking spaces which otherwise comply with the provisions of this chapter to fulfill the requirements for both uses. Permission for such joint use of parking spaces may be granted subject to such conditions as the Planning Commission finds necessary to carry out the purpose and intent of this chapter. Such request shall follow the Town's review procedures for zoning variance, as set forth in Section 4.05.020, except that hardship criteria shall not apply*. Staff provides a review of the zoning variance criteria against the applicant's request below.

The application also includes requests for several design variances, which staff has reviewed and analyzed within the standards section of this staff report.

ISSUES FOR DISCUSSION

1. Is the proposed residential use subordinate to the permitted commercial uses on the lot?
2. Does the Commission have any concerns with the layout of this project on the site?
3. Are there any specific safety measures for the pit that the Commission would like staff to consider as we review the Grading Permit application?
4. Does the Commission agree that the "joint use of parking spaces" meets the criteria for a variance (without the hardship criteria)?
5. Does the Commission agree with staff's analysis of the design variances that the applicant has requested?

STANDARDS FOR DEVELOPMENT PERMIT (Section 4.06.020.)

Pursuant to Section 4.06.060. Major Development Permits are subject to review and recommendation by the Planning and Zoning Commission and review and approval by Town Council, who will base their decision on the proposal's conformance to applicable regulations, goals and policies.

Town of Eagle Regulations

Staff reviewed the development application against the relevant Town regulations contained in Title 4 of the Municipal Code ("Code"). Applicable chapters from the Code include:

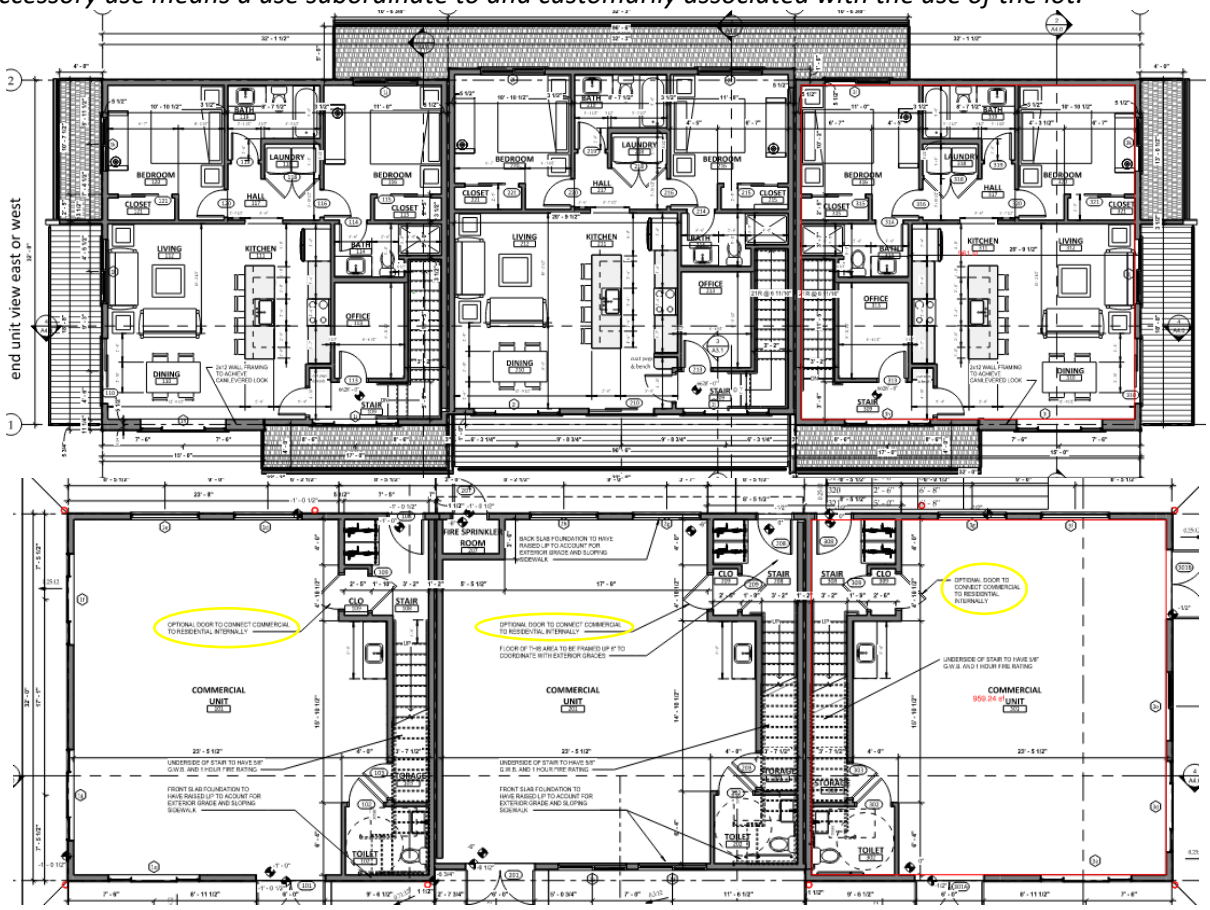
1) Chapter 4.03: General

2) Chapter 4.04: Zoning
3) Chapter 4.06: Development Review
4) Chapter 4.07: Development Standards
5) Chapter 4.13: Subdivision Design, Improvements and Dedications
6) Chapter 4.14: Assurance of Adequate Public Facilities

CHAPTER 4.03. – GENERAL

Section 4.03.040. – Definitions.

Accessory use means a use subordinate to and customarily associated with the use of the lot.



Staff Comment: As noted in the introduction above, this project contains residential uses and associated commercial uses as approved in a Special Use Permit in 2020. That permit included a condition of approval that at time of development review, the project must comply with the definition of accessory. The layout of the first-floor commercial spaces are open "white box" level finished spaces with a powder room at the front entrance and an additional sink between the powder room and the rear of the space. The second-floor residential units are accessed at the rear of the building and have an entry way, a stairwell to the second floor, a second-floor office and a hall closet. A door allows for private entry into the apartment, which is a two-bedroom, two-bath unit with private laundry facilities in each unit. An optional entry point is provided on the plans (circled in yellow above) to allow the developer to decide to create access from the commercial space to a common stairwell, hallway and office space.

Common synonyms for subordinate include lesser, junior, less, and smaller. It is difficult to argue that the current configuration creates residential units that are subordinate to the commercial units. One option to create subordinate residential units could be to open the commercial spaces to the stairwell, creating access to the office and hall closet on the second floor. A condition of approval has been included for the Commission's consideration. The Commission could also determine that the inclusion of the optional

entrance from each commercial space into the 1st level residential entryway satisfies the "subordinate" requirement, and direct staff to remove that condition of approval.

CHAPTER 4.04. – ZONING

Section 4.04.070. – Schedule of Uses Permitted in Non-Residential Zone Districts for the Commercial General (CG) Zone District.

The proposed uses include 2nd floor residential accessory to a use permitted and ground floor commercial to be finished to a "white box" level for future tenant occupancy. All commercial units must contain permitted uses within the zone district and this will be reviewed by planning staff during business licensing. If a commercial use that required an additional special use permit or an unpermitted use were to come forward, the special use permit for the accessory residential would be compromised.

Section 4.04.090. – Schedule of requirements in nonresidential districts / dimensional standards for the Commercial General (CG) Zone District.

CG ZONE DISTRICT REQUIRMENTS							
	MLA	**MFY**	**MSY**	**MRY***	**MBH**	**MLC***	**MFA**
REQUIRED	20,000 sf	L - 25'	Greater of 12.5' or ½ building height	Com-com 25'	35'	Building 50%; All other impervious 30%	150%
ACTUAL	71,177 sf	30' 8"	35'	25'	29' 8"	Building = 13% Other = 30%	26%
KEY:	MLA = Minimum lot area. MFY = Minimum front yard. MSY = Minimum side yard.			MRY = Minimum rear yard. MBH = Maximum building height. MLC = Maximum lot coverage. MFA = Maximum floor area.			

*See Site Plan on Sheet A1.1 of the Architectural Plans.

Staff Comment: This property is on Sawatch Road, a local street, within the 700 Chambers Avenue Subdivision and is zoned Commercial General (CG). The project meets all the applicable dimensional standards as shown above.

Section 4.04.110. – Inclusionary residential requirements for local employee residency

Number of local employee residences required. All residential annexations, new residential subdivisions, new planned unit developments containing residential units, development permits for new multifamily residential developments and special use permits for high density multifamily dwellings, approved after the effective date of the ordinance from which this section is derived, containing ten or more residential units, shall set aside at least ten 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 such project shall construct local employee residences in accordance with the Local employee residency requirements and guidelines.

Staff Comment: The project is a live/work development with 9 units, putting it under the 10 unit requirement threshold for LERP.

CHAPTER 4.06. – DEVELOPMENT REVIEW

Staff Comment: The application includes a new water main, which will be dedicated to the Town and a new fire hydrant also dedicated to the Town. The requirement for these public improvements necessitates a major development permit review process rather than a minor.

CHAPTER 4.07. – DEVELOPMENT STANDARDS

Section 4.07.010. – Lighting Standards

Town of Eagle lighting standards are intended to provide quality lighting sensitive to the Town's mountain environment and to sustain a pristine nighttime sky by controlling glare and minimizing light pollution beyond property lines. Proper shielding of light fixtures is required to eliminate glare at normal viewing angles.

Staff Comment: A lighting / photometric plan has been submitted with the application, indicating six parking lot fixtures. Mounting heights for the parking lot fixtures have not been provided. No lighting is currently shown on the building facades. Staff has determined that the Lighting Plan submittal included in the application is preliminary and a full review will be conducted at time of building permit application and will be based on the regulations in place at time of that application. A condition of approval stating this has been included for the Commission's consideration.

Section 4.07.020. – Landscape Standards

All yards adjacent to primary and secondary streets shall be landscaped. Landscape materials shall include deciduous, coniferous, and ornamental trees, shrubs, perennials, bulbs, and seed or sodded lawn. Plant quantities are flexible; however, the planting plan shall provide combinations of plant material with differing heights and densities, contributing to the overall uniform appearance of the neighborhood.

The width of the landscaped buffer shall be five percent of the average of the two side property lines, but not less than 15 feet. Plant material for landscape areas shall be suitable for use in the local climate. All landscape areas shall be irrigated using an underground automatic system. All landscaped areas shall be maintained and all sod and seeded lawn areas to be mowed regularly.

Groundcovers, including sod and seed, shall be planted at a rate to achieve full coverage and mowed to a maximum height of six inches. All plant beds shall be mulched to an appropriate depth to retain moisture and reduce dust. Mulch shall be organic; rock and gravel mulch is not allowed.

The boundaries of every development shall be landscaped to adequately buffer potential incompatibility between adjacent land uses. Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from lot onto adjacent property and to screen views into parking lots. Planting buffers along the edge(s) of parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used.

All required landscaped areas in nonresidential zone districts must be served by an underground sprinkler system that provides full coverage for landscaped areas. The landscape plan need not specify the exact irrigation plan, but must clearly state that an underground sprinkler system providing full coverage will be provided.

All new construction adjacent to the right-of-way shall provide new curb and gutter if curb and gutter does not exist or is in disrepair unless the Town intends to make similar improvements within an established capitol plan.

Staff Comment: A landscape plan has been provided and where landscaping does not fully meet the code requirements, conditions of approval are provided at the end of the staff report for the Commission's review. A design variance request has been included below to address the landscape buffer on the east side of the property. One type of deciduous tree is provided in 29 locations throughout the property, five of which are in the front street buffer area. No coniferous or ornamental trees are included in the

landscaping. Similarly, all shrubs are deciduous and will therefore only provide buffering during the warmer months of the year. The landscape plan does provide combinations of plant material with differing heights and densities. Overall, landscaping is sparser along Sawatch Road then it typically is along Chambers Ave, but other properties do include both deciduous and coniferous trees along the street frontage. Additional plants shall be required in the front street buffer area to the west of the Sawatch Rd exit only access point, except they shall not be within the Town's access easement to the detention pond.

Section 4.13.060. – Erosion and Sediment Control

The use of retaining walls or structures to stabilize cut or its fill slopes will not be permitted without the written approval of the Town Engineer and the Planning Commission.

Staff Comment: Three boulder retaining walls are shown on the Pond Improvement Plan (C7) and the Grading Plan. Notes on Sheet C7 of the Civil Plans indicate that the boulder retaining walls have a maximum exposed height of 4 feet. The purpose of the retaining walls, according to the project engineer, is: "The boulder walls were constructed for several purposes. First, to dispose of numerous boulders that were either imported with the soil or exposed during exploratory excavation work to find the well-draining native cobbles. Second, the walls allow the bioretention and infiltration area to be located as close as possible to the native cobbles which were found up against the western property limits. Finally, the walls serve to reduce the quantity of soil import required per the proposed grading plan. The benefit here for the town is that less imported soil translates to more available storage volume in the pond – above and beyond what is necessary per the hydrologic analysis. Fortunately, maintenance for the boulder walls should be minimal over the long-term. The ownership team has confirmed each rock was well-heeled into the soil. Furthermore, the rocks are very large in size and unlikely to move." Planning staff coordinating with Public Works to determine whether or not they agree with the project engineers' position.

The majority of the stormwater detention pond is graded at either a 3:1 or 4:1 slope, however the boulder walls appear to be a greater slope as does the rip rap, during a site visit staff noted that the northern section of the detention pond was very steep and a significant grade drop from the existing units at 700 Chambers. Staff has included a condition of approval that grade will not be steeper than 2:1 and no portion of the detention pond or improvements within shall be steeper than 2:1 without approval from the Public Works Director or the Town Engineer.

Public Works had the following comment, regarding safety concerns: "This plan does not depict any fencing, gates, etc. to prevent access to steep slopes, rip-rap walls and other potential safety concerns of the pond area… explain the purpose of retaining walls and how maintained". The project engineer provided the following response: "I am unaware of a code mandate for fences and gates around this pond. Furthermore, I am not familiar with any other ponds in the town that have perimeter fencing. I completely agree this is a potential liability issue for the owner and highly recommend the owner construct these elements. However, I do not believe the town can mandate these as part of the project. Per discussions with town staff, a split-rail fence may be constructed along the west side." The site plans do not show any fencing along the west side of the property or anywhere else on the property. The Code reflects the minimum standards which are to be imposed upon development to ensure the purpose of the Code, which is to promote the health, safety and welfare of present and future inhabitants of the community. Staff feels strongly that fencing and signage should be provided around this detention pond to ensure the safety of the residents, the commercial tenants and visitors to the property. Fencing along the west side of the property should be of a type and material that would fully screen the area from future inhabitants of the currently vacant lot to the west of 263 Sawatch.

A condition of approval has been added to ensure that any Public Works and staff's safety concerns are met and addressed prior to building permit approval and that all necessary plans are updated accordingly. The Code requires that the Planning Commission provide written approval for the use of retaining walls.

Another condition of approval has been included to provide for Planning Commission approval upon approval of the Town Engineer or Public Works Department designee.

Section 4.07.040. and Section 4.07.070 - General Architectural Standards and Chambers Avenue Area Architectural Standards

Staff reviewed the application against the General Architectural Standards that apply to all development, and the Chambers Avenue Commercial General and Industrial Area design standards.

General Standard. *The architectural design plan shall demonstrate how the following items have been addressed in the location of buildings and design of the development: orientation, sun, views, natural light, shadows and ventilation for inhabitants, prevailing winds, slopes, existing and future drainage patterns, snow shedding, existing landscaping, pedestrian circulation, and compatibility with scale.*

Staff Comment: The three buildings are laid out parallel to the front property line. The property is relatively flat, draining to the detention pond to the west side of the property. Roof eaves will be guttered, and runoff will be collected and directed to drainage basins along the west sides of the buildings and parking areas. Snow will shed onto concrete, grass, or graveled surfaces adjacent to parking areas and/or buildings. Door entrances will be protected from shedding snow with roof structures or 2nd story balconies. Numerous doors and windows will provide natural light and opportunities for interior ventilation. Ground floor commercial entrances are immediately adjacent to parking areas and residential entryways are to the rear of each building and connected by pathways from the parking areas. Three designated spaces handicap parking spaces are provided on the site, each within proximity to the three buildings. The scale of the two-story structures and proposed exterior finishes are similar to and compatible with those at 700 Chambers and with other structures on Chambers in the Commercial General Zone District.

Building height.

The maximum height allowed is 35 feet to any point on the building. On a gable, hip, or gambrel roof, any selected reference point on the roof surface that sits directly above the interior of the building must be measured from existing grade to the average distance between the eaves and the apex of the roof.

Staff Comment: The most restrictive measurement taken on the elevations shows the maximum height at 34-feet to the apex of the roof, the building height as measured is within the 35-foot maximum height allowed by Code.

Building mass/form/orientation.

Building mass, form, length, and height shall be designed to provide variety and visual interest, maintaining a scale appropriate to surroundings. Building styles that are traditionally used within the Town and in rural settings (such as two-story, false fronts and ranch buildings) shall be used as examples for new construction and renovations. Appropriate styles and form vary within the Town; refer to specific area design standards for appropriate building types.

(Chambers) Buildings shall be similar in size to those found in a rural mountain community. Traditionally, the largest buildings in the vicinity are those found in ranch complexes. The central form of the buildings is usually simple and rectangular, having secondary gable and shed roofed wings. Porches shall project from the central form and be covered by a separate roof. Roofs that are similar to those of traditional ranch buildings, such as simple gable and shed forms, are appropriate. This incremental add-on approach creates visual interest and scale. Roof pitches, trim, window size and placement, and entrance locations also help to delineate the architectural character of a building.

Staff Comment: Simple rectangular buildings are proposed with gable roof forms. The applicant has incorporated several design features to provide variety and visual interest including a combination of stucco and horizontal siding, the stucco will be the same color on each of the three buildings, but the 2nd story siding will have a different accent color unique to each of the three buildings. The building shows that the areas with the accent color have slight projections. The center 1st floor commercial units are recessed slightly at the front providing increased variation between units.

Building entrances shall be visible and accessible from the pedestrian right-of-way along the building's primary street. The front facade of buildings shall orient towards the street; the front building facade containing the primary entry way shall parallel the street.

Staff Comment: Sawatch does not have a pedestrian sidewalk along the street frontage and no sidewalk is proposed here either. However, there will be sidewalk connectivity and parking connectivity between this development at 263 Sawatch and the 700 Chambers Ave development. The building that fronts Sawatch has 1st floor access to the commercial units and is parallel to Sawatch. The residential units on that 1st building are accessed to the rear and are connected to the parking areas with sidewalks. All of the buildings are parallel to Sawatch and access routes are provided to all commercial and residential entrances from the parking areas.

All mechanical equipment (either on roofs or at ground level), service areas, storage areas, loading docks, and trash receptacles shall be screened from public view.

Staff Comment: Mechanical equipment will be minimal and any equipment located outside shall be screened. The site's trash receptacle will be enclosed in a structure and the exterior finishes are the same as the building, with horizontal siding and an asphalt shingle roof.

Architectural detail.

(Chambers) Facades that face public rights-of-way, including the I-70 corridor, shall include variation in the wall plane. Facades that are greater than 100 feet in length shall include spatial definition in the form of wall projections and/or recesses which must have a depth of at least three percent of the length of the facade. Projections and/or recessions must occupy at least 20 percent of the length of the facade. Group items such as windows to create an interesting composition; these type of features provide visual interest to the pedestrian, reduce monolithic appearance, and add local character to development. Facade projections, recesses, windows and entrances should be integral parts of the building and must not be superficially applied trim, graphics, or paint.

Staff Comment: The façade for the south building, which faces Sawatch Road is about 96' in length, negating the requirement for a specific percentage of wall projections and/or recesses. All three buildings

do provide some amount of both recesses and projections, with the middle front first floor units all being recessed, variation in roof heights and roof and balcony projections.

Provide variation in roof lines and forms. Mansard roofs are not traditionally seen in the region and are prohibited. For buildings with a floorplate of from 5,000 square feet to 10,000 square feet, a multiple roof treatment is encouraged; flat roofs are not permitted. Minimum roof pitch to be 5:12 for all buildings less than 10,000 square feet.

Staff Comment: Three buildings are proposed, all have a floor plate of roughly 3,100 sf. All three buildings include a higher roof height over the center residential/commercial unit. A simple gable roof form is proposed for each building, incorporating a 6:12 roof pitch.

Loading docks and service areas must be located to the sides and/or rear of building, unless the building abuts the I-70 corridor.

Staff Comment: A loading dock or exterior service area is not proposed as a part of this project.

Building materials.

Building materials should be sympathetic and harmonious with the natural setting of Eagle. Traditional materials used in construction of buildings in rural mountain communities are wood, stone, stucco, and brick masonry. A variety of materials should be employed within the building facade. Stone or masonry delineating the building foundation is encouraged. Facade and roof colors shall have subtle, neutral, or earth tone colors. Muted colors are encouraged. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited.

(Chambers) Building materials shall be used for all major surfaces that are similar to those employed historically. Segmented, horizontal siding as traditionally seen on wood and wood-clad ranch buildings is appropriate. Horizontal, segmented siding material to be wood, vinyl, or aluminum; maximum overlap dimension shall be eight inches. Stone masonry is appropriate when used as a foundation material; however, stone cladding over large portions of a surface is not a documented historical use and is inappropriate. Concrete block must be split-faced and all windows and entrances on such buildings must have added trim. Modular panel materials, such as Texture 111 and ribbed sheet metal, are not allowed. All facade materials shall have low reflectivity. Pitched roof materials shall be wood or asphalt shingles, or standing rib seam sheet metal-matte finish.

Staff Comment: An engineered wood material is proposed for the horizontal siding on the second story of each building. The first story of each building will have a stucco application in a neutral beige/griege color. An asphalt shingle roof is proposed on each building in a "weathered wood" color. Accent colors unique to each building are proposed in Benjamin Moore "Chelsea Gray" for the South building, "Slate Tile" Sherwin Williams for the center building and in "Witching Hour" Benjamin Moore for the North Building. Balcony railings are shown in a black metal.

Building trim and accent areas may feature brighter, complementing colors, including primary colors, but plastic materials and neon tubing is unacceptable for building trim or accent areas. Plastic light raceways are prohibited.

Staff Comment: No plastic materials, neon tubing, or plastic light raceways are proposed.

Plastics.

Major components, including roofs, walls, fascia and exterior trim of a principal structure shall not be of plastic. Plastic may be allowed for smaller components such as skylights, outdoor seating and similar items. The use of plastics shall be discouraged unless it is demonstrated that the proposed material is the best alternative for the particular component.

Staff Comment: No plastic material is proposed.

Utility connection.
Underground utility connection is encouraged. Where the connection meets the building, risers, utility meters, panel boxes, etc., are encouraged to be covered with the same or compatible material as the siding material unless expressly prohibited by utility company regulations.

Staff Comment: The property to be developed is in an approved subdivision and all utilities are available at or near the property boundary. All utility connections will be underground, as indicated on the plan sheets. Utility risers, meters and panel boxes should be indicated on plans submitted for building permit and should be located and/or screened from public view to the greatest extent possible.

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.

Staff Comment: A trash enclosure is proposed that will hide the trash receptacle from public view. The enclosure will be located adjacent to the primary driveway and will be easy to access by trash trucks.

Section 4.07.100 - Development Impact Report
Every development permit application and preliminary subdivision plan shall include a preliminary statement of whether the proposed project will, will not, or could possibly affect the environment, either during construction or on a continuing basis.

Staff Comment: The Applicant has completed the Development Impact Checklist, which indicates no significant impact from development. Staff has concerns with the applicant's assertion of no significant impact to any of the items on the development impact report. Staff will refer foundation plans to Colorado Geological Survey (CGS), in addition to the building department, to determine whether or not appropriate mitigation has occurred to ensure the structural integrity of the buildings on a lot with a detention pit that was originally much larger in size. This recommendation is based on comments from CGS and that entity's requested condition of approval has been included below. Based on CGS's stated concerns, which have been echoed by the Public Works Department and the Building Department, staff recommends requiring a development impact report be provided by the applicant prior to building permit approval of the application to study whether or not the development could possibly result siltation, settlement, or other land-form change of hazard to health and safety. Specifically, the development impact report should provide estimates of differential settlement for each recommended foundation system and potential impacts to the foundations from sinkhole development. Also, staff recommends that the applicant provide a Phase 1 Environmental Site Assessment (ESA) prior to building commercial and residential units on this site, which is currently used as a contractor yard. An ESA will provide scrutiny of the land, including examination of potential soil contamination, groundwater quality, and surface water quality. This assessment may also include an inventory of hazardous substances stored or used on site. Phase 1 ESA's are frequently ordered on commercial and industrial properties at time of sale, loan or refinance.

Section 4.07.140. - Parking Standards

Number of Parking Spaces Required.
Uses within the proposed structure that drive parking requirements include uses not known and residential – multiple-family dwelling. There are spaces within both structures that do not generate parking requirements, like mechanical rooms, entryways, hallways, and stairwells. The following tables provide the parking requirements for the two proposed buildings.

All Buildings

Use	Spaces required	Parking Required Staff Calc.	Parking Required Applicant Calc.	Parking Plan Count
(6) Uses not known (831.34 sf each)	1 space per 225 sf	22 spaces	35 spaces	
(3) Uses not known, 1st fl. (786.75 sf each)	1 space per 225 sf	11 spaces		
(9) Uses not known, 2nd fl. (56.9 sf each)	1 space per 275 sf	2 spaces	0 spaces	
(9) Residential 2-bedroom units	2 spaces per dwelling unit + 1 space for every six units	18 spaces + 2 spaces (20 spaces total)	20 spaces	
TOTAL SPACES		**55**	**55**	**45**

Total parking required = 55 spaces (rounded up) Total parking proposed = 45 spaces

Each off-street parking space shall cover an area not less than nine feet wide and 19 feet long. All parallel parking spaces shall be a minimum of 22 feet in length.
A minimum of one parking space for the disabled shall be provided for each nonresidential use which requires a minimum of 15 parking spaces. For such uses requiring more than 15 spaces, one space designed for the disabled shall be provided for each additional 40 spaces. Such spaces shall be located as close as possible to a major entrance of a building or use. Such spaces shall be a minimum of 12 feet in width, unless located parallel to a sidewalk, in which case they shall be a minimum of nine feet in width. Parallel spaces shall be a minimum of 24 feet in length. All parking spaces for the disabled shall be designated by means of a permanent identification sign.
All parking areas serving nonresidential buildings which contain more than 10 spaces or have more than 3000 square feet of parking area shall have parking areas surfaced with asphalt or concrete.

Staff Comment: Fifty-five parking spaces are required for the two buildings, and 45 are proposed. The applicant has requested 10 spaces to be considered as "joint use of parking" between the residential and commercial. Staff has provided an analysis for the joint use of parking request with the variance criteria later in the staff report. One way for the applicant to further reduce the number of parking stalls needed might be to incorporate overhead garage/loading doors at the eastern commercial unit for each building to allow for one parking space within the commercial unit. This would create three additional parking spaces, which would be required to be a stacked space with an existing parking space on the plan. An optional condition of approval has been included for the Commission's review.

The applicant elected to choose the "uses not known" category to determine the parking requirements on the lot to provide flexibility in determining tenants. This category in the Parking Standards provides flexibility for "unknown commercial space" and requires that first floor space be calculated at 225 sf/parking space and second floor space be calculated at 275 sf/parking space. This use accounts for most permitted uses within a commercial zone district, with the exception of indoor restaurant, bar, or tavern uses, which would only be permitted to occupy up to 25% of the floor area without providing additional parking. Staff has included a condition of approval to make future tracking of this as easy as possible.

A variety of parking spaces are proposed throughout the site. The majority of parking stalls will be straight in, with typical spaces of 9 feet wide and 19 feet deep. All travel surfaces and parking areas will be paved with asphalt.

Three dedicated handicapped parking spaces with ground identification and signage are provided on site in proximity to each of the three buildings. The ADA spaces shown on the plans meet the requirements

of this code. However, the building department has expressed concern about the location of the ADA spaces, as the spaces do not appear to be located on the shortest route of travel to accessible entrances.

Should the applicant relocate the proposed accessible parking spaces on the site plan, planning would not consider this to be a significant design change, unless the total number of spaces provided were to be reduced.

Design of parking areas and access.

Each access way between a public street and the parking area shall be not less than 15 feet nor more than 35 feet wide at the intersection of the access way with the public street. Access from any parking area with four or more parking spaces onto a local street shall be designed to permit user vehicles to enter and exit unrestricted in forward drive. The intersection of an access way with a public street shall be located not closer than 15 feet to a side lot line.

For parking lots with ten or more parking spaces, one deciduous shade tree shall be required to be planted in the interior of the lot for every ten spaces. All required shade trees shall be located within curbed, planted medians and/or islands to provide spatial definition and shade within paved areas. All parking lots adjacent to primary and secondary streets shall be screened using plant material and/or fencing.

Commercial parcels that front Chambers Avenue should have no more than 50 percent of all required parking located between the property line abutting the public right-of-way and the building face. The remaining parking stalls are to be located to the sides or rear of the proposed building.

Staff Comment: The two proposed access points are both on Sawatch Road, one is the primary driveway and can be entered or exited from the development, the other access point is an exit only. The primary driveway will be approximately 22 feet wide. The exit only driveway is approximately 18 feet wide. The exit only access point is approximately 68 feet from the west side property line. Staff suggest additional screening between the vacant property to the west and the parking lot with a combination of plant materials of differing heights to plant and fencing materials, however plants and fencing should not be located within the Town's access easement to the detention pond. The Town is also requesting fencing around the detention pond for safety purposes, but this will be reviewed and approved through the grading permit process. Currently the plans don't show any fencing or safety measure around the detention pond.

Vehicles will enter and exit parking areas in forward drive. Although throughout the site is well in excess of 10 spaces, no more than 9 stalls are in any one run of parking without being broken by a landscape median, sidewalk, trash enclosure, etc.

The property line on the east side is straddled on both sides by the driveway. A request for a design variance is analyzed below for both of the following requirements: 1) the intersection of an access way with a public streel shall not be located closer than 15 feet to a side lot line and 2) all parking lots adjacent to primary and secondary streets shall be screened using plant material and/or fencing.

Sections 4.07.120., 4.07.130., and 4.07.170. - Street Improvement Fee, Fire Protection Impact Fee, and Public Safety Impact Fee

Staff Comment: The applicant has been provided with a spreadsheet with applicable fees included and these will also be included in the Development Agreement prepared for Town Council.

Fire protection standards.

Any development which is located more than three driving miles from the nearest actual or to be constructed fire station shall have approved, built-in, automatic fire protection systems installed and maintained in all improvements (occupancies).

Staff Comment: The development is less than one mile driving distance from the nearest fire station, and is not subject to this standard. The project is required to show compliance with all applicable fire codes at time of building permit and will be reviewed by the Fire District at that time.

Section 4.07.160. – Design Variance

A variance from the strict application of the requirements of Chapter 4.06 may be granted by the body authorizing the development permit where a finding is made that there exists on the property in question exceptional topographical, soil, or other subsurface condition, or other extraordinary conditions peculiar to the site, existing buildings, or lot configuration, such that strict application of the regulation from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant; or that the public good would be better served by granting the variance.

1. Section 4.07.140.F.2. Parking standards: *Off-street parking may be located on any part of the lot occupied by the dwellings or uses for which such parking space is required except that no parking space shall be established in a required front yard setback on any lot containing three or more dwellings*.

Staff Comment: Four parallel parking stalls and a portion of five angled parking spaces are within the front yard setback and the property contains three or more dwellings. This property is constrained on the east side by an access easement that straddles the property line between 263 and 483 Sawatch and on the west side by a detention pond. A significant amount of parking is required on this site for the uses proposed and there are extraordinary conditions peculiar to this site in evidence. Staff believes that this design variance request is warranted as the site conditions do result in peculiar and exceptional practical difficulties for the applicant.

2. Section 4.07.140.L.1.d. Parking standards: *The intersection of an access way with a public street shall be located not closer than 15 feet to a side lot line, except that a common access way to two adjacent properties with a combined width not exceeding 35 feet may be provided at the common lot line*.

Staff Comment: When this lot was resubdivided in 2011 both 263 Sawatch and 483 Sawatch were under common ownership with 700 Chambers and the site access was planned as a common access way between the two adjacent properties. During the Special Use Permit process, the Commission saw this as a planned combined accessway as well. Since the time that the Special Use Permit was approved. One property, 263 Sawatch, has decided to come forward with a development permit application, while 483 Sawatch has not. An easement was dedicated to and accepted by the Town on the 2011 final plat for the 700 Chambers Subdivision and staff believes that since the accessway met the standards then, but no longer does, this situation should be considered both a "peculiar and exceptional practical difficulty and an exceptional hardship upon the applicant".

3. Section 4.07.020.B.4. Landscape standards: *The boundaries of every development shall be landscaped to adequately buffer potential incompatibility between adjacent land uses. Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from parking lots onto adjacent property and to screen views into parking lots. Planting buffers along the edge(s) of parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used*.
4. Section 4.07.140.L.6.a. Parking standards: *Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from parking lots onto adjacent property and to screen views into parking lots. Planting buffers along the edges or parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used*.

Staff Comment: Staff will require the applicant to improve the screening from the parking lot from the property to the West of 263 Sawatch. However, due to the nature of the access road that straddles the property line between 263 Sawatch and 483 Sawatch, the applicant is unable to provide buffering

between the parking lot and 483 Sawatch. Staff believes that this falls under the same "peculiar and exceptional practical difficulty and exceptional hardship upon the applicant" as in #2 above.

CHAPTER 4.14 - ASSURANCE OF ADEQUATE PUBLIC FACILITIES (PFIR)

[2] *Nonresidential developments containing 12 or less equivalent residential units (EQRs) on one or more contiguous parcels of land held under the same or substantially the same ownership.*

Staff Comment: This chapter does not apply to the development proposed at 263 Sawatch as it will not materially impact existing public facilities. From the Code, and for purposes of this chapter, the following has been deemed to not materially impact existing public facilities:

CHAPTER 4.13 - SUBDIVISION DESIGN, IMPROVEMENTS AND DEDICATIONS

Drainage.

Every development plan and preliminary subdivision plan shall include a drainage plan.

Staff Comment: The applicant has provided plans for drainage, indicated within the Civil Plans. The Town Engineer has reviewed these plans and provided comment, to which the Applicant has responded with adjustments and corrections. Details for site drainage must be approved by the Town Engineer as part of the grading and subsequent building permit reviews.

Easements.

Encroachments within easements prohibited. Unless otherwise permitted by the Public Works Director, no person shall construct improvements, deposit materials, or alter the existing ground elevation within an easement dedicated to the Town which could in any way impair the Town's or other service provider's use of such easement. Encroachments that do not alter the existing grade and ground elevation and that do not in any manner restrict vehicular access to and along the dedicated easement shall not require and easement encroachment permit; provided, however, neither the Town nor any service provider shall be responsible for damage to surface encroachments such as landscaping resulting from use of such easements for their intended purpose.

Staff Comment: Platted easements are shown on the final plat application submitted for a lot line vacation, as well as on the Site Plan in the Civil Plan Set (sheet C3.1). Proposed development does include improvements within several utility and drainage easements. Site and development plans have been reviewed by the Town Engineer. Public Works is still reviewing the easements and will determine through the lot line vacation process if they meet Town standards or not. Staff is requiring that any comments on the civil plans or final plat for the lot line application and associated dedication of easements be addressed prior to Town Council's review of this Major Development Permit application.

TOWN OF EAGLE GOALS AND POLICIES

Goal 1-1. Promote a wide range of attainable housing opportunities for young adults, families, aging residents, workforce and others.

Policy 1-2.1. Provide opportunities that increase the likelihood of the Town's citizens to work within Eagle.

Policy 1-2.2. Promote commercial development that fits the desired character of the community and its character areas.

a. Support businesses and activities that benefit from Eagle's proximity to the I-70 corridor.

Policy 1-2.3. Support opportunities to expand and diversify the commercial and light industrial base.

Policy 1-2.5. Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors.

Policy 1-2.6 As development occurs, ensure the Town's overall mix of land uses remains aligned with community goals.

Policy 1-2.7. Support alternative work environments such as home-based businesses, location neutral businesses, mobile vendors, as well as traditional brick and mortar establishments.

Policy 2-7.1. Portions of the I-70 Influence character area are intended to support commercial and industrial uses, exclusive of other uses. Improvements along Chambers Avenue and Market Streets are auto oriented with limited pedestrian amenities.

Eagle Character Areas Map

Policy 2-7.2. Workforce housing that directly supports on-site commercial or light industrial uses is considered an acceptable amount of residential in these districts.

Policy 2-7.5. Encourage the development of vacant or underutilized lots at the western end of Chambers Avenue with more intensive uses that would benefit from their accessibility to the interstate corridor.

Policy 2-7.6. Maintain existing commercial and industrial zoning in the Chambers Avenue, Market Street, Sawatch Road, and Marmot Lane areas.

Policy 3-3.1. Ensure residents have access to recreation amenities.

b. Require new development to provide adequate parks, trails, other recreational facilities, and connections to pedestrian/bicycle-oriented amenities.

Staff Comment: This application proposes a type of workforce housing, since the residential is meant to be accessory to the commercial units below. There is no requirement imposed by the Code on this development to be attainable. As noted above, the requirements provided within this code are meant to be the minimum requirements, therefore P&Z and Town Council have the ability to impose requirements that are more restrictive than the Code, but not less.

This application provides increased opportunities to residents to both reside and work within Eagle. The project fits with the character of the neighboring development, and generally complies with the design requirements set forth in the Code, with the exception of the requested design variances. This development, as proposed, does not expand and diversify the commercial and light industrial base. The commercial units are too small for many of the heavier commercial and light industrial uses found in other locations in the Chambers Avenue Area. These commercial spaces are more conducive to office, personal services, retail, and other similar uses, which could also be located on Broadway or along smaller lots fronting Grand Avenue.

When the application for a Special Use Permit was approved by P&Z and Town Council for 263 Sawatch, the Town had not yet adopted this Comprehensive Plan and was still operating under the Eagle Area Community Plan. If some of the policies in this plan are not supported by the uses proposed on this lot, it is because the Town approved these uses in the Special Use Permit under the previous community plan.

This application does support a type of alternative work environment, if the units are utilized as live/work units. The Comprehensive Plan indicates that the character area that includes Chambers and Sawatch are supposed to be reserved in some proportional manner for commercial and industrial uses. If this application is the last, or next to last, live/work application in this area, then staff would suggest that this policy is still supported. Furthermore, the next policy says that workforce housing that directly supports on-site commercial or light industrial uses is considered an acceptable amount of residential in these districts. If these units are utilized/rented/owned by a common tenant then they would be considered workforce housing that is in support of on-site commercial or light industrial.

The current use of this lot is for a Contractor's Yard and an argument could be made that this lot is underutilized because there are no buildings and storage is all outdoors. The uses proposed on this site are certainly more intensive than the current use and might benefit from proximity to I-70. This property has not undergone a rezoning and the uses that the Town will allow in the commercial spaces must be permitted uses in the Code under the conditions of the Special Use Permit.

Residents at this property will have access to the sidewalks planned internally to the lot, which will also connect to the sidewalks in the 700 Chambers development. The 700 Chambers development also provides access to the public sidewalk along Chambers Avenue, which connects to the roundabouts on Eby Creek, and the bus station and River Park to the West and to the Chambers wildlife corridor with a paved path to the East. Residents will also have access to the climbing gym and other associated businesses at 700 Chambers, with a paid membership.

STANDARDS FOR ZONING VARIANCE (Section 4.05.020.)

Pursuant to Section 4.05.020. Zoning Variances are subject to review and approval by the Planning and Zoning Commission, who will base their decision on the proposal's conformance to applicable regulations, goals and policies. Further, the Planning Commission may grant a variance provided it finds both Subsections (A)(1)(a) and (b) of this section and either (A)(1)(c) or (d) of this section are applicable. Except in this instance (A)(1)(b) is not applicable to a variance for joint use of parking.

Applicant Request: The applicant requests review of a zoning variance for **10 parking stalls** to be used jointly under the standards for joint use of parking spaces in Section 4.07.140.H. *Joint use of parking spaces. Where an owner or developer can document that two separate uses do not require parking during the same hours and that adequate provisions have been made to ensure that the uses will not require parking during the same hours, such owner or developer may petition the Planning Commission for permission to allow parking spaces which otherwise comply with the provisions of this chapter to fulfill the requirements for both uses. Permission for such joint use of parking spaces may be granted subject to such conditions as the Planning Commission finds necessary to carry out the purpose and intent of this chapter. Such request shall follow the Town's review procedures for zoning variance, as set forth in Section 4.05.020, except that hardship criteria shall not apply*.

Applicant's Justification: 700 Chambers Lots: Out of 60 parking stalls (Observation: Tuesday May 9th, 2023 of Building B, C, and D on the 700 Chambers Lots with combined empty parking stalls of: 38 stalls morning 7:45 am, 39 stalls mid-day 12:45 PM, and 40 stalls 6:55 PM) (Greater amount of open stalls were found on May 19th study). There appears to be adequate parking to jointly use stalls at this similar development. The commercial and dwelling unit may be used by the same person or the need parking is at separate times. [BLDGS B, C, & D, is a larger development with a combined 16 residential and 16 commercial units].

From reviewing the draft of Recode Eagle: Note: new Dev. Code 4.12-2 (1.5 per DU in multi-use= 9 X 1.5 stalls = 13.5 stalls) Commercial retail of 7,875.6 s.f. result in: 1 per 400 for first 2000 s.f. = 5 stalls and 1

per 300 for remaining (5,875.6 s.f./300) = 19.6 stalls TOTAL =38.1 stalls …. before any reduction for bike parking/proximity to Bus/Public transportation.

(A)(1)(a) The parking is proven to be adequate based upon similar uses on the property to the north (700 Chambers building B, C, and D), AND comparing to the Recode Eagle draft, it appears that the quantity is sufficient to satisfy parking requirements.

(A)(1)(c) The property has a detention pit that takes up a large portion of the property 'condition of peculiar site.' This property has 'exceptional topography' with the grades required for the detention pit. The addition of the 10 stalls would create 'practical difficulties' in adding the additional spaces due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.

(A)(1)(d) The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Standards for a Joint Use of Parking Zoning Variance:

(A)(1)(a) That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and

~~(A)(1)(b) That the variance granted is the minimum necessary to alleviate the hardship; and~~

(A)(1)(c) That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties upon the owner of the property in question; or

(A)(1)(d) That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

Staff Comment: In analyzing this variance request, staff has looked at these units both as live/work and as mixed-use. In the case of the live/work scenario, the same tenant would typically be using the residential unit in the evening/night and the work/office units during the day, so requiring 2 spaces for the residential and roughly 4 additional spaces for the work unit would more than cover the parking utilized by one tenant. However, there is currently no guarantee that the residential units will be used to house employees of the business below or won't be rented separately. The Special Use Permit does contain a condition of approval that the residential cannot be sold separately from the commercial but has no similar provisions for rentals. Staff does suggest a condition of approval that would require the units to be both rented and sold to a common tenant in order to make a stronger case for approval of a variance.

In the scenario where these units are viewed more as mixed-use than live/work, for purposes of evaluating joint parking. An argument can be made that residential tenants will typically be parking near their dwelling from 5:30 pm until 7:30 am Monday through Friday and most of the day on Saturday's and Sunday's. Whereas commercial tenants will typically be parking near their office/workspace from 8 am until 5 pm Monday through Friday and will not be there on the weekends. This example does demonstrate that the uses would typically utilize the provided parking spaces at different times of the day during the week and on the weekends.

Staff does not believe that there is a substantial detriment to the public good, should this variance be granted. The variance request also does not impair the intent and purposes of the Town's regulations, goals, policies plan, the regulation in question was created to allow for flexibility in the parking standards between different uses at different times. Consideration should also be given to the fact that parking is not permitted on Sawatch Rd. If the development is under parked, it is possible that tenants could start

parking along Sawatch, which would require the Town to expend additional resources on enforcement in this area. Should the property be under-parked, this could result in a substantial detriment to the public good. One way to help ensure that this scenario does not occur would be to require the applicant to rent and/or sell each commercial unit and its associated residential unit to a common tenant/owner.

This site does have some unique challenges, with the access easement for the primary driveway and the detention pond, neither of which were induced by any action of the applicant and are not a general condition throughout the zone district. The detention pond was in place long before any portion of the 700 Chambers Subdivision was developed and the access easement for the driveway was part of a 2011 plat for this subdivision when it was all under common ownership and development was planned out for the site as a whole on each of the respective lots. Staff is in support of this variance request with the noted condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the 263 Sawatch Rd Major Development Permit and Zoning Variance, Files #DR23-04 and V23-02, based on compliance with the Municipal Code and the goals and policies of the 2021 Elevate Eagle Comprehensive Plan.

RECOMMENDED MOTION

I move to **recommend approval** the Major Development Permit for 263 Sawatch Rd, File #DR23-04, with the following findings of fact and conditions:

I move to approve the Joint Use of Parking Zoning Variance, File #V23-02, with the following findings of fact:

FINDINGS OF FACT

Major Development Permit

1. That the application for DR23-04 meets the requirements of Title 4 of the Municipal Code and substantially supports the 2021 Elevate Eagle Comprehensive Plan.

Zoning Variance

1. That the application for V23-02 complies with Subsection (A)(1)(a) and (d) of Section 4.05.020. of the Land Use and Development Code. Specifically, that the application:
    a. Is without substantial detriment to the public good as street parking is prohibited on both Sawatch Rd and Chambers Ave, so off-street parking only affects this development and does not impair the intent of the parking regulations, which allow for joint use of parking.
    b. Was not induced of any action by the applicant and is not a general condition of the zone district.

IF APPROVED, THE P&Z AND COUNCIL MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

Major Development Permit

1. Dwelling units shall not be sold separately from their associated commercial units, as approved under SU20-01.

2. Minor modifications to the buildings or site plan at time of building permit application/review may be approved administratively without notice. Substantive changes to the buildings or site plan will require a new application and review by the current approving authority under the regulations in effect at that time. The Director will make the determination of whether or not the change(s) is minor or substantive.
3. This development permit shall expire three years from its effective date, unless application for a building permit is made or unless application for renewal of the development permit is approved. The inability to obtain a grading permit from the Town shall not be a criteria upon which to base a request for renewal of the development permit.
4. Staff will conduct a full review of the Lighting Plan under the regulations in place at the time that an application for the building permit has been received and deemed complete. The Lighting Plan submitted with this application is deemed by staff to be preliminary only.
5. At the time of building permit application, the applicant shall submit a revised Landscape Plan, which shall include at least two coniferous trees in the front street buffer. The applicant shall also provide the required amount of screening between the parking lot and the property to the west of 263 Sawatch as determined by staff.
6. Changes to the location of "Accessible / ADA" parking spaces will not constitute a revision to this development permit, unless the changes result in an overall reduction of the number of parking spaces approved or approved as joint use of parking spaces.
7. Commercial parking spaces have been calculated according to Section 4.07.140.C.6., "uses not known". This parking calculation does not allow for indoor restaurants, bars or taverns to occupy more than 25% of the floor area without providing additional off-street parking.
8. Prior to building permit approval, the applicant shall submit a development impact report including estimates of differential settlement for each recommended foundation system and potential impacts to the foundations from sinkhole development and address all concerns expressed by CGS to the Town.
9. All staff comments shall be adequately addressed by the applicant for the lot line vacation application prior to Town Council review of this Major Development Permit.
10. All slopes shall be shown on the Pond Improvement Plan (C7) or the Grading Plan, including rip rap and boulder retaining walls. At no time shall any slope, cut or fill be greater than 2:1 unless expressly approved by the Town in writing.
11. All Public Works comments shall be adequately addressed by the applicant prior to approval of a grading permit for the stormwater detention pond and/or the site as a whole, and all plans updated accordingly. Including, but not limited to, any safety precautions that the Public Works Director or Town Engineer deems necessary for the detention pond. This requirement shall not constitute the need to come back through the development permit review and approval process, unless a substantial design change is required as a result of staff or referral agency comments, as determined by the Director.
12. A positive recommendation of approval by the Planning & Zoning Commission shall be considered written consent for the use of retaining walls within the stormwater detention pond, conditional upon final review and approval by the Town Engineer or a designee of the Public Works Department.
13. Prior to Town Council's review of this application, the applicant shall provide with the Town with the legal agreement between 263 and 483 Sawatch for the private access drive located on both properties. Owners of 263 Sawatch shall acknowledge that this access driveway is still common between 263 and 483 Sawatch and can be utilized by both owners in common.

14. Prior to building permit approval, the applicant shall submit a Phase 1 Environmental Site Assessment, or other similar evaluation that addresses site status as approved by the Public Works Director.
15. Garage bays/loading doors shall be added to each of the three eastern commercial units to provide one additional parking space for each of the three commercial units, reducing the joint use of parking space variance from 10 spaces to 7 spaces.
16. Prior to submitting a building permit application, the applicant shall revise the plans to remove the wall between the commercial space and current first-floor residential entrance.
17. Dwelling units shall not be rented separately from their associated commercial units.

STAFF REPORT AND
CERTIFICATE OF RECOMMENDATION

TO:	Planning & Zoning Commission
FROM:	Community Development Department
STAFF:	Jessica Lake, Planner – jessica.lake@townofeagle.org
DATE:	October 17, 2023, continued from September 19, 2023
PROJECT:	263 Sawatch Rd.
REQUEST:	Application for a Major Development Permit, with design variances, to construct three buildings, each with three commercial units and three residential units *accessory to a non-residential use*, as approved via Resolution 37-2020. A zoning variance is requested for this project for joint use of parking spaces, pursuant to Section 4.07.140.H. of the Municipal Code.
FILE NUMBER:	DR23-04 & V23-02
APPLICANT:	Dave Dantas and Rick Patriacca of Sawatch 263 Rd. LLC
APPLICANT REP:	Jeff Manley of Martin Manley Architects
LOCATION:	263 Sawatch Rd. Eagle, CO 81631 / Lot 2 of 700 Chambers Subdivision
CODE:	Chapter 4.04 Zoning Chapter 4.05 Zoning Review Chapter 4.06 Development Review Chapter 4.08 Sign Code Chapter 4.13 Subdivision Design, Improvements and Dedications
ZONING:	Commercial General (CG) Zone District
EXHIBITS:	A: Applicant Response to P&Z and Staff dated October 3, 2023 B: Updated Architectural Site and Landscape Plans C: Updated Civil Plans

D: 3D Images of Project Site
E: Staff Report dated September 19, 2023 (LINK)

PUBLIC COMMENT: Staff has not received any letters of public comment as of October 13, 2023. Letters received after this time will be gathered and entered into the public record at the hearing.

INTRODUCTION

Sawatch 263 RD LLC (Applicant), represented by Jeff Manley of Martin Manley Architects, is requesting a Major Development Permit to construct three 3-unit live/work building at 263 Sawatch Road (Property). Three buildings are proposed on this site, and each building will include 3 commercial ground floor units with 3 residential units located above each of the commercial units. The Applicant received a Special Use Permit (SUP) for this property in 2020, approving "*one single dwelling unit – accessory to a use permitted*" in the Commercial General Zone District. Special Use Permit SU20-01 replaced a previous permit on this site, the approved SUP included seven conditions of approval.

On September 19th, the Commission heard presentations from staff and the applicant and expressed concerns about the lack of useable green space and amenities on the project site, inadequate information about the sustainability of the project, and that the project needed to be in greater compliance with the Comprehensive Plan. The motion from the meeting on September 19, 2023, was to table the meeting until October 17th to include additional documentation to demonstrate compliance with condition #5 from SU20-01, demonstrate overall compliance with the Elevate Eagle Comprehensive Plan, and provide a sign concept plan.

This update to the application and staff report will focus on condition #5 from SU20-01, which requires an improvement plan for the stormwater detention area, as an active recreation area with the development permit application. An updated Landscape Plan has also been submitted with the updated Civil and Architectural site plans for the Commissions review.

In addition to condition #5, this update will also provide a more in-depth review of the goals and policies from Elevate Eagle for *Elevating our Adventurous* Lifestyle (recreation) and *Elevating our Relationship with the Environment* (sustainability). A sign concept plan is also included with this update on sheet A3.0; staff will review the sign code application against Chapter 4.08 when an application for sign permit is submitted to the Town.

This application includes a zoning variance process, without the hardship criteria for "joint use of parking spaces" as described in Section 4.07.140.H. of the Municipal Code. The application also includes requests for several design variances, which staff has reviewed and analyzed within the standards section of this staff report.

ISSUES FOR DISCUSSION

1. Does the submitted information requested by the Commission satisfy concerns for an active recreation amenity to support the 9 residential units proposed on the site; as well as the 20+ existing on the 700 Chambers lots?
2. As part of the Commission's recommendation to Council, should a percentage of the proposed nine units be deed restricted as affordable units subject to the LERP standards in the Code?
3. Are there any additional safety measures for the detention pond that the Commission would like staff to consider as we review the Grading Permit application?

4. Does the Commission agree that the "joint use of parking spaces" meets the criteria for a variance (without the hardship criteria)?
5. Does the Commission agree with staff's analysis of the design variances that the applicant has requested?

STANDARDS FOR DEVELOPMENT PERMIT (Section 4.06.020.)

Pursuant to Section 4.06.060. Major Development Permits are subject to review and recommendation by the Planning and Zoning Commission and review and approval by Town Council, who will base their decision on the proposal's conformance to applicable regulations, goals and policies.

Town of Eagle Regulations

Staff reviewed the development application against the relevant Town regulations contained in Title 4 of the Municipal Code ("Code"). Applicable chapters from the Code include:

1) Chapter 4.03: General
2) Chapter 4.04: Zoning
3) Chapter 4.06: Development Review
4) Chapter 4.07: Development Standards
5) Chapter 4.13: Subdivision Design, Improvements and Dedications
6) Chapter 4.14: Assurance of Adequate Public Facilities

CHAPTER 4.03. – GENERAL
CHAPTER 4.04. – ZONING
CHAPTER 4.07. – DEVELOPMENT STANDARDS

Section 4.07.020. – Landscape Standards
All yards adjacent to primary and secondary streets shall be landscaped. Landscape materials shall include deciduous, coniferous, and ornamental trees, shrubs, perennials, bulbs, and seed or sodded lawn. Plant quantities are flexible; however, the planting plan shall provide combinations of plant material with differing heights and densities, contributing to the overall uniform appearance of the neighborhood.

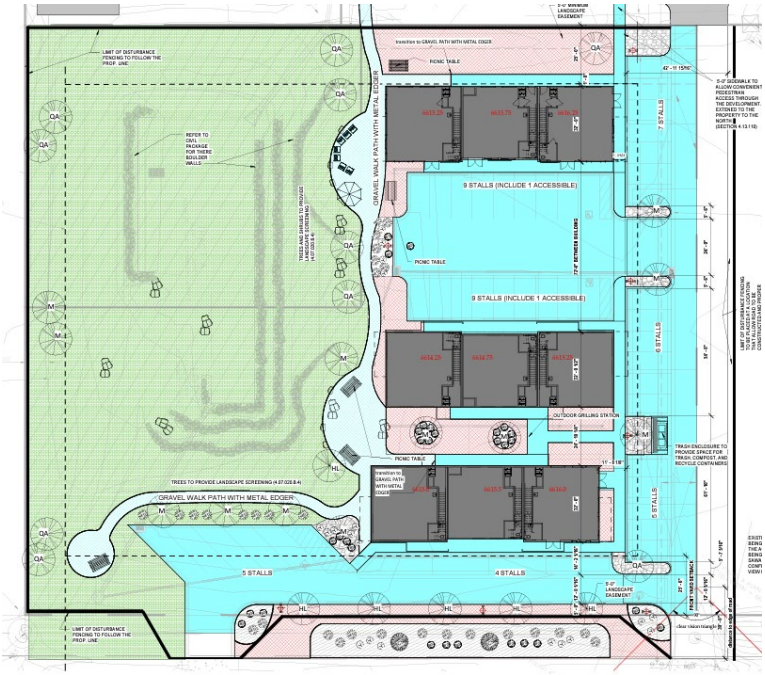
Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from lot onto adjacent property and to screen views into parking lots. Planting buffers along the edge(s) of parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used.

Condition #5: *An improvement plan for the stormwater detention area, as an active recreation area, shall be submitted with the development permit application*.

Staff Comment: An updated landscape plan has been provided and where landscaping does not fully meet the code requirements, conditions of approval are provided at the end of the staff report for the Commission's review. A design variance request has been included below to address the landscape buffer on the east side of the property. The updated landscape plan and new recreation diagram show additional useable space between the western side of the buildings and the detention pond. This area has a mix of gravel and seeded grasses and plantings, the applicant also added additional boulder retaining walls to step that side down into the bottom of the pond. Two evergreen trees have been added to the front street buffer area within the increased planting strip. Staff recommends switching out the proposed sod in this area with the seed mixture proposed in the detention pond. The seed mixture proposed is a mix of grass and fescue seeds that is a native low growth mountain mix. Three groupings of two trees each have been added along the western edge of the property to better screen between uses on the properties. A gravel path has been added to the north of the diagonal parking spaces near the front of the property.

Staff recommends relocating the terminus of this gravel path so that it does not impede the Town's access to the detention pond. Staff believes that the increased landscaping overall meets the landscaping code requirements.

The detention pond area now allows for additional useable space along the western side of the buildings and has a gentler slope between the parking spaces and the retaining walls along the southern side. A fence with a gate will be installed to create one safe access point into the bottom of the pond, which can be utilized as additional green/recreation space whenever water is not present.

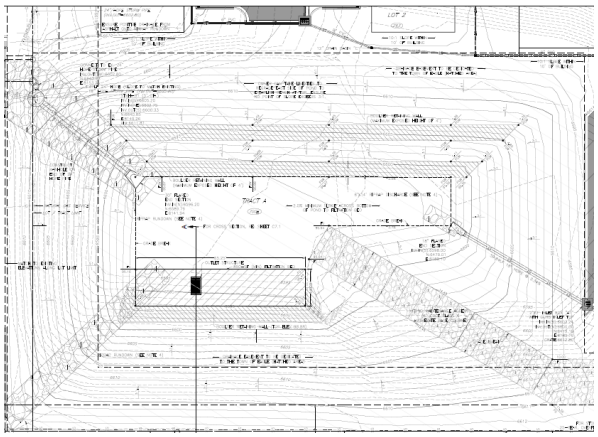


[Section 4.13.060.](#) – Erosion and Sediment Control

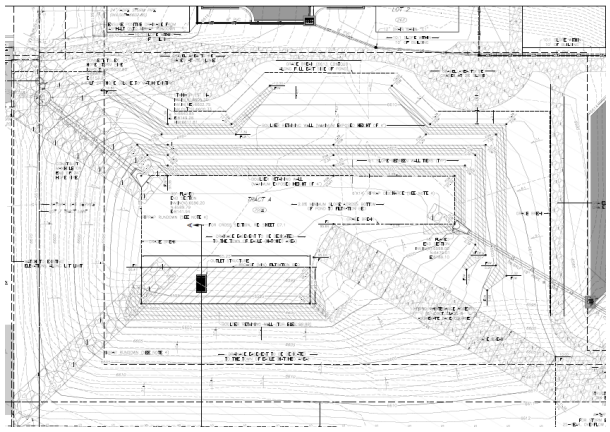
The use of retaining walls or structures to stabilize cut or its fill slopes will not be permitted without the written approval of the Town Engineer and the Planning Commission.

Locate cuts and fills so as not to endanger adjoining property; keep cuts less than 2:1 unless a subdivision variance or development permit variance is granted.

Staff Comment: An updated Pond Improvement Plan and Grading Plan have been submitted based on P&Z feedback. The overall shape of the detention pond has been modified slightly with the proposed changes, planning staff has not yet heard from Public Works whether or not the changes to the detention pond still meet the Town's requirements for this facility. The overall slope along the southern side of the detention pond has been reduced. The slope on the western and northern sides has not changed from the original plan. The proposed retaining walls have been altered in the new plan. As shown below, the original two retaining walls on the eastern side of the pond now extend and wrap around to the southern side in the updated plan. The updated plan also shows an additional two retaining walls along the eastern side to accommodate the extended useable amenity space along the buildings.



Original Pond Improvements Plan



Updated Pond Improvements Plan

A split rail fence will surround the detention pond along the slope and will include a gate at the Town's accessway. The gate will need to be wide enough to accommodate any Town vehicles or equipment that

may need access. The exact positioning of the fence can be determined either as part of the building permit or the grading permit. Staff is also including a condition for an ownership and maintenance agreement to be created for this area to define the ongoing maintenance responsibilities of the detention pond. Staff is electing to keep condition of approval #11 to ensure that Public Works comments will be incorporated into the final grading plans and to define the process for any minor or substantive changes to the development plan as a result of grading permit or lot line review.

Section 4.07.160. – Design Variance

A variance from the strict application of the requirements of Chapter 4.06 may be granted by the body authorizing the development permit where a finding is made that there exists on the property in question exceptional topographical, soil, or other subsurface condition, or other extraordinary conditions peculiar to the site, existing buildings, or lot configuration, such that strict application of the regulation from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant; or that the public good would be better served by granting the variance.

1. Section 4.07.140.F.2. Parking standards: *Off-street parking may be located on any part of the lot occupied by the dwellings or uses for which such parking space is required except that no parking space shall be established in a required front yard setback on any lot containing three or more dwellings*.

Staff Comment: Four parallel parking stalls and a portion of five angled parking spaces are within the front yard setback and the property contains three or more dwellings. This property is constrained on the east side by an access easement that straddles the property line between 263 and 483 Sawatch and on the west side by a detention pond. A significant amount of parking is required on this site for the uses proposed and there are extraordinary conditions peculiar to this site in evidence. Staff believes that this design variance request is warranted as the site conditions do result in peculiar and exceptional practical difficulties for the applicant.

2. Section 4.07.140.L.1.d. Parking standards: *The intersection of an access way with a public street shall be located not closer than 15 feet to a side lot line, except that a common access way to two adjacent properties with a combined width not exceeding 35 feet may be provided at the common lot line*.

Staff Comment: When this lot was re-subdivided in 2011 both 263 Sawatch and 483 Sawatch were under common ownership with 700 Chambers and the site access was planned as a common access way between the two adjacent properties. During the Special Use Permit process, the Commission saw this as a planned combined accessway as well. Since the time that the Special Use Permit was approved. One property, 263 Sawatch, has decided to come forward with a development permit application, while 483 Sawatch has not. An easement was dedicated to and accepted by the Town on the 2011 final plat for the 700 Chambers Subdivision and staff believes that since the accessway met the standards then, but no longer does, this situation should be considered both a "peculiar and exceptional practical difficulty and an exceptional hardship upon the applicant".

3. Section 4.07.020.B.4. Landscape standards: *The boundaries of every development shall be landscaped to adequately buffer potential incompatibility between adjacent land uses. Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from parking lots onto adjacent property and to screen views into parking lots. Planting buffers along the edge(s) of parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used*.
4. Section 4.07.140.L.6.a. Parking standards: *Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from parking lots onto adjacent property and to screen views into parking lots. Planting buffers along the edges or parking lots must be a minimum of five feet wide or a combination of fencing and a two-foot wide buffer may be used*.

Staff Comment: Staff will require the applicant to improve the screening from the parking lot from the property to the west of 263 Sawatch. However, due to the nature of the access road that straddles the property line between 263 Sawatch and 483 Sawatch, the applicant is unable to provide buffering between the parking lot and 483 Sawatch. Staff believes that this falls under the same "peculiar and exceptional practical difficulty and exceptional hardship upon the applicant" as in #2 above.

TOWN OF EAGLE GOALS AND POLICIES

Goal 1-1. Promote a wide range of attainable housing opportunities for young adults, families, aging residents, workforce and others.

Policy 1-2.1. Provide opportunities that increase the likelihood of the Town's citizens to work within Eagle.

Policy 1-2.2. Promote commercial development that fits the desired character of the community and its character areas.

a. Support businesses and activities that benefit from Eagle's proximity to the I-70 corridor.

Policy 1-2.3. Support opportunities to expand and diversify the commercial and light industrial base.

Policy 1-2.5. Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors.

Policy 1-2.6 As development occurs, ensure the Town's overall mix of land uses remains aligned with community goals.

Policy 1-2.7. Support alternative work environments such as home-based businesses, location neutral businesses, mobile vendors, as well as traditional brick and mortar establishments.

Policy 2-7.1. Portions of the I-70 Influence character area are intended to support commercial and industrial uses, exclusive of other uses. Improvements along Chambers Avenue and Market Streets are auto oriented with limited pedestrian amenities.

Eagle Character Areas Map

Policy 2-7.2. Workforce housing that directly supports on-site commercial or light industrial uses is considered an acceptable amount of residential in these districts.

Policy 2-7.5. Encourage the development of vacant or underutilized lots at the western end of Chambers Avenue with more intensive uses that would benefit from their accessibility to the interstate corridor.

Policy 2-7.6. Maintain existing commercial and industrial zoning in the Chambers Avenue, Market Street, Sawatch Road, and Marmot Lane areas.

<u>Added Goals and Policies:</u>

Goal 3-3. Continue to maintain the incredible trail and park system and find new opportunities for expansion and connections to keep up with the adventurous residents' lifestyle.

Policy 3-3.1. Ensure residents have access to recreation amenities.

b. Require new development to provide adequate parks, trails, other recreational facilities, and connections to pedestrian/bicycle-oriented amenities.

Goal 3-4. Protect open space lands with high conservation or recreation value in and surrounding Eagle.

4-2.1. Preserve and protect the quality of and integrity of wetlands, rivers, streams, and riparian areas.

4-2.3. Support measures to maintain and improve water quality and quantity.

4-2.4. Support and enhance water conservation by implementing the adopted 2020 Water Efficiency Plan.

Goal 4-3. Support and demonstrate sustainability.

4-3.1. Enhance or create a tree canopy in new development areas or existing urban areas where tree cover is lacking.

4-3.2. Promote energy efficient designs and building codes that encourage energy conscious lifestyles and reduce overall energy consumption.

a. Encourage all constructions efforts to utilize green building practices.

4-3.3. Support and demonstrate the efficient use of natural resources.

4-3.4. Encourage the use of local renewable energy resources, including wind, solar, micro-hydro, biomass and geothermal in land use applications.

4-3.6. Encourage site designs and alternative transit incentives that reduce the demand for automobile trips in the area.

4-3.8. Support projects that promote and uphold the Climate Action Plan for the Eagle County Community.

5-1.4. Promote the development of compact neighborhoods in close proximity to public transit options, and allowing increased residential, retail, and mixed-use densities in areas close to transit stops.

5-1.5. Support transit-oriented development, and improvements that promote multi-modal transportation options.

5-2.1. Ensure adequate access to and appropriate mobility options within the Town.

c. Locate high traffic generating land uses close to collector and arterial roadways and transit centers.

5-3.2. Ensure efficient multimodal connectivity between all residential areas and public destinations.

5-3.3. Encourage a compact development pattern.

Staff Comment: This application proposes a type of workforce housing, since the residential is meant to be accessory to the commercial units below. There is no requirement imposed by the Code for this development to be attainable. As noted above, the requirements provided within this code are meant to be the minimum requirements, therefore P&Z and Town Council have the ability to impose requirements that are more restrictive than the Code, but not less.

This application provides increased opportunities to residents to both reside and work within Eagle. The project fits with the character of the neighboring development, and generally complies with the design requirements set forth in the Code, with the exception of the requested design variances. This development, as proposed, does not expand and diversify the commercial and light industrial base. The commercial units are too small for many of the heavier commercial and light industrial uses found in other locations in the Chambers Avenue Area. These commercial spaces are more conducive to office, personal services, retail, and other similar uses, which could also be located on Broadway or along smaller lots fronting Grand Avenue.

When the application for a Special Use Permit was approved by P&Z and Town Council for 263 Sawatch, the Town had not yet adopted this Comprehensive Plan and was still operating under the Eagle Area Community Plan. If some of the policies in this plan are not supported by the uses proposed on this lot, it is because the Town approved these uses in the Special Use Permit under the previous community plan.

This application does support a type of alternative work environment; if the units are utilized as live/work units. The Comprehensive Plan indicates that the character area that includes Chambers and Sawatch are supposed to be reserved in some proportional manner for commercial and industrial uses. If this application is the last, or next to last, live/work application in this area, then staff would suggest that this policy is still supported. Furthermore, the next policy says that workforce housing that directly supports on-site commercial or light industrial uses is considered an acceptable amount of residential in these districts. If these units are utilized/rented/owned by a common tenant then they would be considered workforce housing that is in support of on-site commercial or light industrial.

The current use of this lot is for a Contractor's Yard and an argument could be made that this lot is underutilized because there are no buildings and storage is all outdoors. The uses proposed on this site are certainly more intensive than the current use and might benefit from proximity to I-70. This property has not undergone a rezoning and the uses that the Town will allow in the commercial spaces must be permitted uses in the Code under the conditions of the Special Use Permit.

Residents at this property will have access to the sidewalks planned internally to the lot, which will also connect to the sidewalks in the 700 Chambers development. The 700 Chambers development also provides access to the public sidewalk along Chambers Avenue, which connects to the roundabouts on Eby Creek, and the bus station and River Park to the West and to the Chambers wildlife corridor with a paved path to the East. Residents will also have access to the climbing gym and other associated businesses at 700 Chambers, with a paid membership.

Additional Review:

Recreation and Connectivity: Gravel walkways have been added along the eastern side of the buildings with connectivity to the lots on the north side of 263 Sawatch. The detention pond area will be revegetated with a natural grass seed mixture and will receive temporary drip irrigation. Boulder seating/play areas have been added both around and in the detention pond, additional picnic tables are shown, shade trees are grouped near seating areas and trees have been added along the western property line. A split rail fence with metal mesh is also included as a safety feature. The development now provides park-like amenities along and in the detention pond for residents of both the 263 Sawatch property and the 700 Chambers properties.

Sustainability: Trees have been added along the western property line, shown on the landscape plan in groupings of two. Two blue spruce evergreen trees have been added to the front landscape buffer area. Pairing the two spruce trees with five honey locusts should overtime create tree canopy at the front of the property along Sawatch Rd and provide partial shade along the driveway that runs parallel to the street frontage.

This project is not eligible to apply for a building permit until a development permit has been approved. The Building Official for the Town will be submitting the 2021 Building Code for Council's review before the end of the year. This project will almost certainly be required to submit under the more restrictive energy and building codes rather than the 2015 building codes that the Town currently operates under. Since the Town will be adopting a significantly more energy conscious building code this year, this project will incorporate energy efficient designs and reduce overall energy consumption. The applicant maintains that since the three buildings are identical, materials can be shared, and the overall construction waste will be reduced. The applicant has noted the following materials as sustainable: LP smart siding, STO Stucco system, roof shingle and windows.

Water: The applicant has provided additional information on how this project achieves water efficiency. Outdoor water use will be reduced by utilizing temporary drip irrigation throughout planting beds and in/around the detention pond where native low growth grasses will be seeded. An irrigation sensor will be installed on the entire irrigation system to not water when enough moisture has been provided naturally and this system can be programed to only water during pre-determined days and times. Use of xeriscaping, gravel terraces and walkways will also reduce water consumption while maintained a pervious surface for stormwater filtration. Fixtures inside the building will also be low-flow or water-sense labeled.

Heating and Cooling: This project will incorporate passive solar design strategies such as south facing windows and thermal mass, reducing glass along the east/west building sides, the orientation of the buildings and shading of south facing windows. South facing roof surfaces that allow for solar readiness, cellular shades on the windows. Concrete slabs on the ground level and 2nd level also provide greater efficiencies in heating and cooling.

Other sustainable elements: The project will utilize Energy Star certified appliances, LED lighting, high efficiency water heating – such as a heat pump water heater or electric water heating system, and the project will provide solar ready roof design with pre-wired conduit and rough-ins for EV charging or battery storage. The builder will protect the duct system prior to use, provide higher levels of filtration, utilize an advanced fresh air ventilation system and will provide all electric residential units.

Climate Action Plan and Water Efficiency & Conservation Plan: *For new and remodeled residential and commercial buildings, adopt 'above building code' standards and incentives, and implement net-zero or all electric construction requirements by 2030*. This project has committed to all electric construction of the residential units and has catalogued how the project is incorporating sustainable materials and practices into the buildings. As previously stated, the building official will present an ordinance to Council before the end of 2023 to adopt the 2021 building and energy codes, there may other requirements adopted by the Town at that time to go above and beyond the building code requirements. This project will be required to conform to the building codes adopted by the Town at the time that they submit for building permit. This project will also provide space for trash, recycling and composting bins within the trash enclosure in the parking area. One of the ways to save our water resources is to limit sodded turf grass, especially in areas where it won't be used for playing or dogs, like within a front street buffer. The landscape standards require that there be seed or sod in the front street buffer, but it does not require a certain percentage of seed or sod and it also does not differentiate between the two. The amount of sod shown in the front street buffer has been reduced by the applicant, staff recommends seeding this section with the same seed mixture shown in the detention pond and along the western street frontage.

STANDARDS FOR ZONING VARIANCE (Section 4.05.020.)

Pursuant to Section 4.05.020. Zoning Variances are subject to review and approval by the Planning and Zoning Commission, who will base their decision on the proposal's conformance to applicable regulations, goals and policies. Further, the Planning Commission may grant a variance provided it finds both Subsections (A)(1)(a) and (b) of this section and either (A)(1)(c) or (d) of this section are applicable. Except in this instance (A)(1)(b) is not applicable to a variance for joint use of parking.

Applicant Request: The applicant requests review of a zoning variance for 10 parking stalls to be used jointly under the standards for joint use of parking spaces in Section 4.07.140.H. *Joint use of parking spaces. Where an owner or developer can document that two separate uses do not require parking during the same hours and that adequate provisions have been made to ensure that the uses will not require parking during the same hours, such owner or developer may petition the Planning Commission for*

permission to allow parking spaces which otherwise comply with the provisions of this chapter to fulfill the requirements for both uses. Permission for such joint use of parking spaces may be granted subject to such conditions as the Planning Commission finds necessary to carry out the purpose and intent of this chapter. Such request shall follow the Town's review procedures for zoning variance, as set forth in Section 4.05.020, except that hardship criteria shall not apply.

Applicant's Justification: 700 Chambers Lots: Out of 60 parking stalls (Observation: Tuesday May 9th, 2023 of Building B, C, and D on the 700 Chambers Lots with combined empty parking stalls of: 38 stalls morning 7:45 am, 39 stalls mid-day 12:45 PM, and 40 stalls 6:55 PM) (Greater amount of open stalls were found on May 19th study). There appears to be adequate parking to jointly use stalls at this similar development. The commercial and dwelling unit may be used by the same person or the need parking is at separate times. [BLDGS B, C, & D, is a larger development with a combined 16 residential and 16 commercial units].

From reviewing the draft of Recode Eagle: Note: new Dev. Code 4.12-2 (1.5 per DU in multi-use= 9 X 1.5 stalls = 13.5 stalls) Commercial retail of 7,875.6 s.f. result in: 1 per 400 for first 2000 s.f. = 5 stalls and 1 per 300 for remaining (5,875.6 s.f./300) = 19.6 stalls TOTAL =38.1 stalls …. before any reduction for bike parking/proximity to Bus/Public transportation.

(A)(1)(a) The parking is proven to be adequate based upon similar uses on the property to the north (700 Chambers building B, C, and D), AND comparing to the Recode Eagle draft, it appears that the quantity is sufficient to satisfy parking requirements.

(A)(1)(c) The property has a detention pit that takes up a large portion of the property 'condition of peculiar site.' This property has 'exceptional topography' with the grades required for the detention pit. The addition of the 10 stalls would create 'practical difficulties' in adding the additional spaces due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.

(A)(1)(d) The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Standards for a Joint Use of Parking Zoning Variance:

(A)(1)(a) That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and

~~(A)(1)(b) That the variance granted is the minimum necessary to alleviate the hardship; and~~

(A)(1)(c) That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties upon the owner of the property in question; or

(A)(1)(d) That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

Staff Comment: In analyzing this variance request, staff has looked at these units both as live/work and as mixed-use. In the case of the live/work scenario, the same tenant would typically be using the residential unit in the evening/night and the work/office units during the day, so requiring 2 spaces for the residential and roughly 4 additional spaces for the work unit would more than cover the parking utilized by one tenant. However, there is currently no guarantee that the residential units will be used to house employees of the business below or won't be rented separately. The Special Use Permit does contain a condition of approval that the residential cannot be sold separately from the commercial but has no similar provisions for rentals.

In the scenario where these units are viewed more as mixed-use than live/work, for purposes of evaluating joint parking, an argument can be made that residential tenants will typically be parking near their dwelling from 5:30 pm until 7:30 am Monday through Friday and most of the day on Saturday's and Sunday's. Whereas commercial tenants will typically be parking near their office/workspace from 8 am until 5 pm Monday through Friday and will not be there on the weekends. This example does demonstrate that the uses would typically utilize the provided parking spaces at different times of the day during the week and on the weekends.

Staff does not believe that there is a substantial detriment to the public good, should this variance be granted. The variance request also does not impair the intent and purposes of the Town's regulations, goals, policies plan, the regulation in question was created to allow for flexibility in the parking standards between different uses at different times.

This site does have some unique challenges, with the access easement for the primary driveway and the detention pond, neither of which were induced by any action of the applicant and are not a general condition throughout the zone district. The detention pond was in place long before any portion of the 700 Chambers Subdivision was developed and the access easement for the driveway was part of a 2011 plat for this subdivision when it was all under common ownership and development was planned out for the site as a whole on each of the respective lots. Staff is supportive of this variance request.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the 263 Sawatch Rd Major Development Permit and Zoning Variance, Files #DR23-04 and V23-02, based on compliance with the Municipal Code and the goals and policies of the 2021 Elevate Eagle Comprehensive Plan.

RECOMMENDED MOTION

I move to **recommend approval** the Major Development Permit for 263 Sawatch Rd, File #DR23-04, with the following findings of fact and conditions:

I move to **approve** the Joint Use of Parking Zoning Variance, File #V23-02, with the following findings of fact:

FINDINGS OF FACT

Major Development Permit

1. That the application for DR23-04 meets the requirements of Title 4 of the Municipal Code and substantially supports the 2021 Elevate Eagle Comprehensive Plan.

Zoning Variance

1. That the application for V23-02 complies with Subsection (A)(1)(a) and (d) of Section 4.05.020. of the Land Use and Development Code. Specifically, that the application:
    a. Is without substantial detriment to the public good as street parking is prohibited on both Sawatch Rd and Chambers Ave, so off-street parking only affects this development and does not impair the intent of the parking regulations, which allow for joint use of parking.
    b. Was not induced of any action by the applicant and is not a general condition of the zone district.

IF APPROVED, THE P&Z AND COUNCIL MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

Major Development Permit

1. Dwelling units shall not be sold separately from their associated commercial units, as approved under SU20-01.
2. **REVISED:** Minor modifications to the buildings, site plan or landscape plan at time of building permit application/review may be approved administratively without notice. Substantive changes to the buildings, site or landscape plan will require a new application and review by the current approving authority under the regulations in effect at that time. The Director will make the determination of whether or not the change(s) is minor or substantive.
3. This development permit shall expire three years from its effective date, unless application for a building permit is made or unless application for renewal of the development permit is approved. The inability to obtain a grading permit from the Town shall not be a criteria upon which to base a request for renewal of the development permit. A development permit may be renewed by the original approving authority for no more than one year as permitted under Section 4.06.020.E. of the regulations.
4. Staff will conduct a full review of the Lighting Plan under the regulations in place at the time that an application for the building permit has been received and deemed complete. The Lighting Plan submitted with this application is deemed by staff to be preliminary only.
5. **REVISED**: At the time of building permit application, the applicant shall submit a revised Landscape Plan, which shall show the same seed mix as proposed in the detention pond along the entire street frontage. ~~which shall include at least two coniferous trees in the front street buffer. The applicant shall also provide the required amount of screening between the parking lot and the property to the west of 263 Sawatch as determined by staff.~~
6. Changes to the location of "Accessible / ADA" parking spaces will not constitute a revision to this development permit, unless the changes result in an overall reduction of the number of parking spaces approved or approved as joint use of parking spaces.
7. Commercial parking spaces have been calculated according to Section 4.07.140.C.6., "uses not known". This parking calculation does not allow for indoor restaurants, bars or taverns to occupy more than 25% of the floor area without providing additional off-street parking.
8. Prior to building permit approval, the applicant shall submit a development impact report including estimates of differential settlement for each recommended foundation system and potential impacts to the foundations from sinkhole development and address all concerns expressed by CGS to the Town.
9. All staff comments shall be adequately addressed by the applicant for the lot line vacation application prior to Town Council review of this Major Development Permit.
10. At time of grading permit application, all slopes shall be shown on the Pond Improvement Plan or the Grading Plan, including rip rap and boulder retaining walls. At no time shall any slope, cut or fill be greater than 2:1 unless expressly approved by the Town in writing.
11. All Public Works comments shall be adequately addressed by the applicant prior to approval of a grading permit for the stormwater detention pond and/or the site as a whole, and all plans updated accordingly. Including, but not limited to, any safety precautions that the Public Works Director or Town Engineer deems necessary for the detention pond. This requirement shall not constitute the need to come back through the development permit review and approval process, unless a substantial design change is required as a result of staff or referral agency comments, as determined by the Director.

12. A positive recommendation of approval by the Planning & Zoning Commission shall be considered written consent for the use of retaining walls within the stormwater detention pond, conditional upon final review and approval by the Town Engineer or a designee of the Public Works Department.
13. Prior to Town Council's review of this application, the applicant shall provide the Town with the legal agreement between 263 and 483 Sawatch for the private access drive located on both properties. Owners of 263 Sawatch shall acknowledge that this access driveway is still common between 263 and 483 Sawatch and can be utilized by both owners in common.
14. Prior to building permit approval, the applicant shall submit a Phase 1 Environmental Site Assessment, or other similar evaluation that addresses site status as approved by the Public Works Director.
15. An Ownership and Maintenance agreement shall be created and signed by the Public Works Director prior to the Town acceptance of improvements on the site.

TOWN OF EAGLE
COMMUNITY DEVELOPMENT
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631
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www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit ☐ Zoning Variance ☐ Rezoning ☐ Temporary Use Permit ☐ Amendment to Zone District Regulations ☐ Encroachment Permit ☐ Wireless Communications Facility	☐ Minor Development Permit ☒ Major Development Permit **PLANNED UNIT DEVELOPMENT (PUD) REVIEW** ☐ PUD Zoning Plan ☐ PUD Development Plan	☐ Concept Plan ☐ Preliminary Plan ☐ Final Plat ☐ Lot Line Adjustment ☐ Condominium / Townhouse ☐ Minor Subdivision

PROJECT NAME 263 Sawatch Road

PRESENT ZONE DISTRICT Commercial Generalt PROPOSED ZONE DISTRICT _____
(if applicable)

LOCATION

STREET ADDRESS 263 Sawatch Road, Eagle CO 81631

PROPERTY DESCRIPTION

SUBDIVISION 700 Chambers Ave Subdivision LOT(S) Lot 2 BLOCK _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE 3 new buildings with 3 commercial units on ground level and 3 accessory dwelling units above as approved in SU20-0. The proposed will include 9 units total rather then the 10 approved by the Special use.

APPLICANT NAME Sawatch 263 RD LLC c/o Dave Dantas and Rick Patriacca PHONE 970-376-6111

ADDRESS PO Box 2322, Avon CO 81620 EMAIL Dave@DWDantas.com

OWNER OF RECORD Sawatch 263 RD LLC PHONE 970-376-6111

ADDRESS PO Box 2322, Avon CO 81620 EMAIL Dave@DWDantas.com

REPRESENTATIVE* Martin Manley Architects/Jeff Manley PHONE 970-688-0326

ADDRESS PO Box 1587, Eagle CO 81631 EMAIL Jeff@martinmanleyarchitects.com

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

☐ Applicable fees and deposits.

☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.

☐ Surrounding and interested Property Ownership Report (see project specific checklist for more information).

☐ Proof of Ownership (ownership & encumbrance report) for subject property.

☐ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.

☐ Project specific checklist.

FEES AND DEPOSITS:
See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

_____ _____
Signature Date

FOR OFFICE USE ONLY
DATE RECEIVED _____ BY _____ FILE NUMBER _____
REVIEW FEE _____ DATE PAID _____ RECEIVED BY _____
DATE CERTIFIED COMPLETE _____ BY _____
P&Z HEARING DATE _____ DECISION _____
TC HEARING DATE _____ DECISION _____

MARTIN MANLEY
ARCHITECTS

Town of Eagle
Community Dev. Dept
Eagle Co 81631

Date: 8-16-23

Community Development Department,

The Development team, represented by Martin Manley Architects, are requesting review for the Development Permit. The property at 263 Sawatch Road, part of Subdivision: 700 CHAMBERS AVENUE SUBDIVISION Lot: 2 Parcel # 1939-333-45-001 is looking to build 3 buildings on the property with 3 commercial units on the lower level and residential units accessory to a non-residential use. The active Special Use Permit as recorded July 14th, 2020, as resolution NO. 37, SU20-01 for 263 Sawatch and 483 Sawatch Road. This project will not include the property of 483 Sawatch Road associated with the SU20-01 approval. The criteria of the special use permit were ruled on with separate conditions for each lot pertaining to what is approved for building on each lot. This proposal/project will also include the ½ of the detention pit located on 700 CHAMBERS AVE #E, part of Subdivision: 700 Chambers Avenue Subdivision, Tract A re subdivision of Lot 1, Parcel# 1939-33-45-005.

The property is within the Commercial General Zoning of Town of Eagle. The project will include only 9 units of the 10 units approved by the Special use permit for the 263 Sawatch Road property. Each unit will have a commercial on ground level and a 2-bedroom accessory dwelling unit above at a 1:1 ratio. There will be a total of 9 commercial units/9 dwelling units divided into 3 buildings. Each building of 6142.9 s.f. will have a 2615.1 s.f. of residential use above that is accessory to the commercial use below. Each owner can connect the residential unit by an internal doorway into the stairwell if desired.

Each building will be split into 3 units:

#1 Commercial area =1188 s.f. with accessory dwelling unit = 867.7 s.f.
#2 Commercial area =1128 s.f. with accessory dwelling unit = 881.7 s.f.
#3 Commercial area =1188 s.f. with accessory dwelling unit = 867.7 s.f.

Total s.f. of the project is 6142.9 s.f. X 3 buildings= 18,428.7 s.

The Tract A Parcel contains ½ of the detention pit and it was determined that it would be advantageous to create one entity that contains the whole detention pit. A 'Lot Consolidation' will be part of this development and will be reviewed separately by the Town to create the single large lot.

The projects on the adjacent lots to the north at the 700 Chambers development have proven to be a successful mixed-use development. The goal of the development is to add to this area with similar product that is providing small commercial while adding a much-needed residential component to the Town of Eagle. The property is located between Chambers and Sawatch Road and is near to the Citi Market, restaurants, public path system and public transportation.

The project is compatible with the Town's goals and policies. *The vision provided in the plan states: Eagle will continue to be a high quality livable community through the implementation of strategies that will enhance the Town's unique identity, its economic vitality, its sense of community and the quality and character of the surrounding rural lands*. This is a development that will add to the efforts that the Town of Eagle has embraced with bring in a place of business, while addressing the goal of adding more affordable housing to the town.

The project is compatible with the Town's Elevate Eagle Comprehensive Plan. Goal 1-1.3 *Stimulate the creation of workforce housing through town policies, incentives, and regulatory procedures. Collaborate with community partners and the private sector to expand the reach of Eagle's workforce housing efforts.* These buildings are a mix of residential and commercial spaces. It is a model of how to achieve affordable workforce housing for the businesses below and throughout Eagle. Goal 1-2-5 *Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors.* The residential and Commercial are of sizes that will promote small business and affordable housing. Goal 1.2.8 *Encourage continued reinvestment in existing commercial areas.* The lots will be transformed from storage use to a more refined and upkept mixed use development. Goal 1-2-9 *Create a positive business environment that encourages (re)investment and expansion*. As the Development did at 700 Chambers to the north, the area is being activated by the creation of these types of mixed use buildings with smaller commercial units. Action plan Section 1.10 *Optimize commercial development. Determine factors that are preventing build-out of existing commercial centers.* One of the major challenges of creating commercial development is the housing needed to support the workers. This project has both commercial and residential aspects. Action Plan Section 5.3 *Promote compact development, allowing increased residential, retail and mixed use densities in areas close to transit stops where appropriate.* The project is not far from the Eby Creek round-a-bout that

has a transit bus stop. We have included bike racks within the vestibules of the buildings so that the apartments have a place to store their bikes. This addresses in a manner the Action plan Section 5.4 *Create a policy to allow installation of bicycle racks to offset parking requirements.*

Town of Eagle goal and policies 3-3.1.i, requires new development to provide adequate parks, trails, other recreational facilities and connections to pedestrian/bicycle-oriented amenities. The east side of the development will have a pedestrian sidewalk that will connect the 3 buildings of this development to the development to the north.

The project is in alignment with the Eagle Area Community plan to provide more workforce housing. So many of the area's workers need to find other arrangements for living or need to leave the valley do to the fact that they cannot find housing. This project will create local inventory of housing so that the employers can better retain their employees, Fulfilling part of the town's Housing Goal #1.

The Town of Eagle Strategic Plan has a Major objective is to Stimulate Economic Vitality and Development. This objective works when the employees have a suitable place to live. Giving a start to the ability to invest in this community by providing the resident with an overall quality of living arrangement and quality of life. The project will deliver attainable housing stock in 2-bedroom units with small commercial units that will allow a small business to thrive within a proven developed area within Eagle. The Team is looking forward to the presentation to the Town of Eagle.

Jeffrey P Manley AIA
Martin Manley Architects
PO Box 5668
Eagle Colorado 81631
970-688-0326

Attachments: CG Zoning matrix, Parking matrix, Land use code variance request

Lot size:	263 SAWATCH =	1.243 ACRES
	Tract A=	0.391 ACRES
	Total lot area=	1.634 acres (71,177.04 s.f.)

Standards of the CG Zone District

Allowed	Proposed
Minimum Lot Area 20,000 sq. ft.	Lot: 1.634 acres =71,177.04 s.f.
Minimum Front Yard 25 ft.	Proposed Front Yard Setback 25 ft.
Minimum Side Yard > of 12.5 ft. or 1/2 building ht	Proposed Side 12.5 ft. or 1/2 bldg ht of 17'6.
Minimum Rear Yard 25'0	Proposed Rear 25'-0"
Maximum Building Height 35 ft. to mid span	Building Height <35'-0" (28'-9"). to mid span
Maximum Lot Coverage 80% (56,941.63 s.f.)	Proposed Lot Coverage= 30,492.49 s.f. (42.8%)
Max. Impervious by building=50% (35,588.52 s.f.)	Proposed Impervious by bldg =9,121.74 s.f. (12.81%)
Max. Impervious by impervious paving=30%(21,353.1s.f.)	Proposed Impervious by paving=21,350.75 (29.9%)
Minimum Landscape Area 20% (14,235.41 s.f. min.)	Proposed Landscape Area = 57.2% (40,704.55 s.f.)
Snow storage:20 % (21,350.75 s.f.) pavement=4270 s.f.	Provided SNOW STORAGE= 4300 s.f.

PARKING MATRIX:
RESIDENTIAL: 4.07.140.1.b multi family
2 SPACES PER 2 BEDROOM UNIT
(3) BUILDINGS OF (3) 2 BEDROOM UNITS AT 2 PER UNIT = **18** PARKING STALLS
GUEST:
9 UNITS /6 GUEST STALLS = 1.5 OR **2** SPACES

Count for unknown commercial space is 225 s.f. per stall 4.07.140.6
1 SPACE PER 225 S.F.
(3) BUILDINGS OF 2,625.2 S.F. OF COM. SPACE =3 X 2,625.2 S.F. =7,875.6 S.F./225 = 35 STALLS

TOTAL = 18 RESIDENTIAL + 2 GUEST + 35 COMMERCIAL = 55 STALLS (INCLUDE 3 ACCESSIBLE)
45 STALLS provided - 55 STALLS required = - 10 STALLS

Variance request: per section **4.07.140.H, Joint use of parking spaces**
Request: a total of **10 stalls** are to be used jointly since the residential and the commercial will require parking at opposite times.

Justification: 700 Chambers Lots
Out of 60 parking stalls (Observation: Tuesday May 9th, 2023 of Building B, C, and D on the 700 Chambers Lots with combined empty parking stalls of: 38 stalls morning 7:45 am, 39 stalls mid-day 12:45 PM, and 40 stalls 6:55 PM) (Greater amount of open stalls were found on May 19th study). There appears to be adequate parking to jointly use stalls at this similar development. The commercial and dwelling unit may be used by the same person or the need parking is at separate times. [BLDGS B, C, & D, is a larger development with a combined 16 residential and 16 commercial units]

Justification: From reviewing the draft of Recode Eagle:
Note: new Dev. Code 4.12-2 (1.5 per DU in multi-use= 9 X 1.5 stalls = 13.5 stalls) Commercial retail of 7,875.6 s.f. result in: 1 per 400 for first 2000 s.f. = 5 stalls and 1 per 300 for remaining (5,875.6 s.f./300) = 19.6 stalls
TOTAL =38.1 stalls …. before any reduction for bike parking/proximity to Bus/Public transportation

Town of Eagle Land use: Conditions for granting a variance
a. That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and
RESPONSE: The parking is proven to be adequate based upon similar uses on the property to the north (700 Chambers building B, C, and D), AND comparing to the Recode Eagle draft, it appears that the quantity is sufficient to satisfy parking requirements.
b. That the variance granted is the minimum necessary to alleviate the hardship; and
RESPONSE: The sharing of parking stalls is the minimum necessary. And will result in meeting the impervious limitation set forth in the zoning.
c. That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; or
RESPONSE: The property has a detention pit that takes up a large portion of the property 'condition of peculiar site.' This property has 'exceptional topography' with the grades required for the detention pit. The addition of the 10 stalls would create 'practical difficulties' in adding the additional spaces due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.
d. That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.
RESPONSE: The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Variance request: per section **4.07.140.F.2** Off-Street Parking spaces are not allowed within the front yard setback on any lot containing 3 or more dwellings. Sawatch Road is secondary street within the area. The 9 parking stalls are within or partially within the front yard setback. The closest parking stall point is 51' from the Sawatch Road's edge. Trees have been planned to provide a landscape buffer to the street.

Town of Eagle Land use: Conditions for granting a variance

a. That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and

RESPONSE: The closest parking stall point is 51' from the Sawatch Road's edge. Landscape screening has been provided. Given the topography of the site the location of parking is limited and a more refined hardscape/ landscape between the buildings is preferable to squeezing the building 7'-10" closer together. It is preferable to have more light and air between the buildings that will make it a better place to live.

b. That the variance granted is the minimum necessary to alleviate the hardship; and

RESPONSE: Having parking in front of the building is parallel parking stalls and a one-way access to minimize the parking to the street with minimal affect.

c. That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; or

RESPONSE: The property has a detention pit that takes up a large portion of the property 'condition of perticular site.' This property has 'exceptional topography' with the grades required for the detention pit. The placing of parking elsewhere on the site would create 'practical difficulties' due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.

d. That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

RESPONSE: The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Variance request: per section **4.07.140.L.6.a.iv** Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from lot onto adjacent property and to screen views into parking lots. Request: The east side of the lot has a deeded fire lane/access road that spits this property to the property to the east. Flat lot area outside the detention pit and limitations on impervious site coverage of paving are limiting factors to creating adequate parking lot landscape buffer between the access road and the parking. Head in parking off the access road is most practical to use and consistent with parking layouts of other Chambers' Ave businesses.

Town of Eagle Land use: Conditions for granting a variance

a. That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and

RESPONSE: The parking off the access road is consistent with those on neighboring properties. The access road is a unique site constraint that limits the locations of parking stalls. The goals of screening are achieved at most of the parking areas from other surrounding sites to conform with the Town's policies.

b. That the variance granted is the minimum necessary to alleviate the hardship; and

RESPONSE: A different location of parking to add a landscape buffer would require additional impervious site coverage and would trigger other variances.

c. That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; or

RESPONSE: The property has a detention pit that takes up a large portion of the property 'condition of perticular site.' This property has 'exceptional topography' with the grades required for the detention pit. The placing of parking elsewhere on the site would create 'practical difficulties' due to limited flat areas of the site.

d. That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

RESPONSE: The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Note:A Traffic Study requirement for this development is NOT needed for this development due to the overall impact of trips will be less than the 50 trip count threshold. (50 Peak hour trip ends) See attached traffic analysis. Section 4.14 Assurance of Adequate Public Facilities and not is applicable per section 4.14.020 due to the fact that 10 or fewer dwelling units

MARTIN MANLEY
ARCHITECTS

10-6-23
RE: 263 Sawatch Rd, Development Permit response to P & Z board/ town staff comments on 9-19-23,)

To: Town of Eagle Com Dev. Dept, P and Z Board and Town Commissioners,

Signage program to be described.
Response: Show typical sign parameters that it meets TOE standards, show where signage would occur on site and on building. Refer to front elevation drawings of buildings and 3D image.
Describe Recreation opportunities on the property: **Refer to new sheet A1.3, movie and 3D images**
Response:

1. We have created flatter graded benches with retaining walls within the east and south side of the pit on the sides before the detention pit gets too steep.
2. Gravel walk path has been added.
3. Fenced the detention area with a split rail fence for safety and for a resident dog walking area. This fence will be 4'-0" tall and be positioned 1/3 down from the rim of the pit.
4. There are rocks to sit on like at Ford Amp.,
5. added gravel terrace areas with seating on the west side of the building to energize the areas that will have good afternoon sun and be adjacent to the open area of the detention area.
6. Identified on the sheet is a 40'X102' green space between Building 'C' of 700 chambers and the north building of 263 Sawatch development as a place for recreation.
7. Each apartment has a private deck for outside living/enjoyment.

Landscape plan to be enhanced: Response: the design will add more low water use plantings, more diverse tree specimens, add (2) conifers on the south right of way to better screen parking and building. The project has proposed a total of 30 bio-diverse trees. We have reviewed the Landscape as described within the 2023 Land Use Code. The project incorporates more xeriscape areas. We have reduced the sodded area that only 7.5% of the site area is permanent irrigated lawn. This sod is a low growth/low water use variety of fescue and hardy grasses. Most other portions of the site are on a drip irrigation system. The detention area is on a temporary irrigation system to be used to establish new seeded mix of low growth/low water use grasses and fescue. (Note:The project cannot comply with the turf grass limitation of the 2023 Land Use Code which allows no turf, but project limits turf as much as possible to tie into the existing language of the area and provide rec. opportunities)
Describe in detail the methods and materials that make this development a sustainable and energy wise development.
Response: all electric heating and cooling, electric water heaters, solar ready on south facing roof masses, compliance with or beyond 2021 IECC code requirements for insulation and windows, energy rated appliances and heating system, Low flow plumbing fixtures, compliance with sustainable/durable/renewable/recycled content (ex. LP Smart siding is durable and has a high amount of % recycled content), stucco is durable, location of site is an infill site, near town businesses, can encourage limited driving since workers are near business on Chambers and businesses on the ground level, limited need for auto use due to proximity to bus, and work opportunities, Brown site/infill site, creating an environment that is clean and not a storage yard
Response: Add solar, all electric project, providing rough-in for EV charging

See below for more detailed information:

Characteristics of a green built project: We shall comply with most of the applicable points
Sustainable Sites

- Walk-able, bike-able, and/or located near public transit
- Infill site.
- Transforming a storage area with multiple vehicles over gravel/dirt to a paved parking lot for vehicles over paved parking areas. (limits seepage into ground)
- Planning and site implementation to protect natural features during construction
- drought tolerant landscaping
- Providing space within the trash enclosure for trash, compost, and recycling container

Water Efficiency

- Innovative landscaping and irrigation techniques to reduce outdoor water use
  - mostly drip and use of temporary irrigation. An irrigation sensor will be installed on the system to not water when nature has provided enough moisture and only be provided at appropriate water schedules. Use of xeriscape, gravel terraces and gravel walk paths.
- low-flow or Water Sense labeled fixtures inside the building

Building Envelope building is constructed under 2015 IBC/IECC, but will comply with most recent 2021 IECC code. (International Energy Conservation Code) In addition A CommCheck performance shall be submitted with Building Permit application.

- insulation to meet or exceed IECC 2021
  - attic ---R-49 (blown-in batt insulation on the bottom chord of trusses 17" to 21" equaling R-50.76 to R-62.16)
  - wood framed walls--- R-20 +R-3.8ci (fiberglass batt insulation 5 ½" = R-21 Plus Zip panel continuous insulation =R-3.8)
  - Below grade--- R-10ci (with 2 3/8" Drain-n-Dry on face of exterior foundation walls or R-10 rigid insulation for a depth of 4'-0")
  - Fenestration (design goals of .32 for fixed and operable windows)
    - Fixed windows U-0.34 code maximum
    - Operable Windows and doors U-0.42 code maximum
    - Entrance Doors U-0.63 code maximum

Heating and Cooling

- Incorporating passive solar design strategies such as south facing windows and thermal mass, reduced east/west glass, proper orientation of the home and shading of south
- facing window
- HVAC system technologically possesses higher efficiency ratings/Heat-pump heating/cooling systems
- Providing roof south facing area over 40% that allows for a solar ready building.
- Provide cellular shades for windows
- Providing a thermal mass. Concrete slab on ground level and added 1" slab on 2nd level.

Appliances, Lighting, and Renewable Energy

- Energy Star certified appliances
- High efficiency water heating choices, heat pump water heater or electric water heating system
- 100% LED lighting,
- Solar-ready steps taken with roof design and pre-wired conduit
- Rough-in for EV charging or battery storage as part of project

Health and Indoor Air Quality

- Builder protected duct system prior to use
- Higher levels of filtration
- Advanced fresh air ventilation system design
- Low-emitting building products selected
- All electric homes

Materials

- Material efficient building designs
  - The buildings are 3 identical buildings so materials can be shared to reduce waste and over purchasing.
- Simple design and simple structure allow for efficient building construction.
- Durable exterior construction practices used
- Sustainable building materials selected (listed on next page)

- Siding- LP Smart siding (most durable siding on the market, made with in-plan manufacturing approved by the APA, sustainable manufacturing, responsible forest management and reforestation, Sustainable Forestry Initiative® and the Programme for the Endorsement of Forest Certification (PEFC), SFI Chain of Custody Certificate, SFI Forest Management Certificate, SFI Fiber Sourcing Certificate)
- Stucco- Sto Stucco system (innovative wall systems are engineered to reduce carbon emissions through long-term durability, energy-efficiency, STO has Operational Efficiencies through Environmental Management System in accordance with ISO 14001, STO is Committed to employees and their communities)
- Roofing shingle, Gaf-Elk (recycled content, with optimized Energy performance -title 24 compliant)
- Windows- Andersen (indoor air Quality Certification, meets National Green Building standards, SCS recycled content certification)

Addressing Elevate Eagle:

ELEVATING OUR INCLUSIVE CULTURE

GOAL 1-1. PROMOTE A WIDE RANGE OF ATTAINABLE HOUSING OPPORTUNITIES FOR YOUNG ADULTS, FAMILIES, AGING RESIDENTS, WORKFORCE, AND OTHERS.

1-1.1. Ensure a healthy mix of housing types and densities (e.g. Single-family, duplex, multifamily, mixed use, and accessory dwelling units) to allow for greater diversity. Response: Providing nine 2 bedroom housing units that are close to work, restaurants, shops, grocery, town and county transportation (buses, paths, and major road infrastructure)

1-1.2. Promote and encourage additional senior housing. Utilize the findings from the Eagle County Housing Needs Assessment to determine what regulations are needed, what the demand is, and appropriate areas for senior housing. Response: units are 2 bedroom and could function well for a senior or others looking to downsize.

1-1.3. Stimulate the creation of workforce housing through town policies, incentives, and regulatory procedures. Collaborate with community partners and the private sector to expand the reach of Eagle's workforce housing efforts. Response: Providing nine 2 bedroom housing units that are close to work, restaurants, shops, grocery, town and county transportation (buses, paths, and major road infrastructure)

EXPAND AND DIVERSIFY THE TOWN'S ECONOMIC OPPORTUNITIES.

1-2.1. Provide opportunities that increase the likelihood of the Town's citizens to work within Eagle. Response: Providing nine 2 bedroom housing units that are close to work, restaurants, shops, grocery, town and county transportation (buses, paths, and major road infrastructure)

1-2.2. Promote commercial development that fits the desired character of the community and its character areas.

a. Support businesses and activities that benefit from Eagle's proximity to the I-70 corridor. Response: the property is close to I-70 and has commercial units that are appropriate in size for small and mid-sized businesses.

b. Improve signage to draw visitors from Interstate 70 and US Highway 6. Response: Not addressed within this development nor applicable.

1-2.3. Support opportunities to expand and diversify the commercial and light industrial base. Response: providing (9) commercial units that are appropriate for small and mid-sized businesses.
1-2.4. Work to attract and retain businesses that support and enhance Eagle's tourism revenues, while also seeking to build upon entrepreneurship. Response: providing employee worker housing close to businesses and location for businesses to provide goods and services near the business area of Chambers
1-2.5. Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors. Response: providing both employee worker housing and a place for small commercial businesses.
1-2.6. As development occurs, ensure the Town's overall mix of land uses remains aligned with community goals.
1-2.7. Support alternative work environments such as home-based businesses, location [1]neutral businesses, mobile vendors, as well as traditional brick and mortar establishments. Response: providing a place where one could have a home-based business and in a location that other smaller commercial businesses exist.
1-2.8. Encourage continued reinvestment in existing commercial areas. Response: The development takes a single entity use of contractor storage and transforms into a desired multiple use (nine businesses) area that is pleasing to work and to shop within and expands the existing 700 Chambers commercial uses and character.
1-2.9. Create a positive business environment that encourages (re)investment and expansion. Response: this development expands the existing group of small businesses on Chambers and creates a place where these small businesses can exist without needing to do stand along buildings. Existing along side of other businesses creates a desired place to do business within Eagle's Commercial General zoned area.
1-2.10. Support the retention and expansion of regionally serving commercial and service uses. Protect the light industrial areas from dilution and intrusion by other uses. Response: Development has addressed one of the town's hardest tasks. Where to house the work force needed for the commercial and service industries. By having worker housing within Eagle, it encourages businesses to stay local and not need to relocate elsewhere employees can be found and afford to live.

ELEVATING OUR UNIQUE CHARACTER

GOAL 2-6. POLICIES FOR THE WEST AND EAST GATEWAY AREAS (SHOWN ON MAP).
Response: While not in these areas, some of the goals are being addresses

2-6.5. Work to improve the appearance of developed areas at the Town's western and eastern edges. Response: the property will become better-looking and more business friendly within the proposed development.
2-6.7. Work to phase out non-conforming and/or unsightly uses. Response: The Storage yard use is unsightly, and this development will be an improvement, creating a better impression for the Town of Eagle. Especially for visitors coming to use the Climbing Gym or visiting the businesses of this and the immediate area.
2-6.8. Ensure that new development in these areas includes architectural elements and treatments consistent and compatible with established design guidelines for the Town of Eagle. Response: Architecture shall comply

GOAL 2-7. POLICIES FOR THE INTERSTATE 70 INFLUENCE CHARACTER AREA (SHOWN ON MAP): INCLUDING THE MARKET STREET AREA, EBY CREEK ROAD AREA, AND THE CHAMBERS AVENUE AREA.

2-7.1. Portions of the I-70 Influence character area are intended to support commercial and industrial uses, exclusive of other uses. Improvements along Chambers Avenue and Market Streets are auto oriented with limited pedestrian amenities. Response: A sidewalk is proposed to be added to connect this property to the 700 Chambers development. We would propose a pervious path in gravel with metal landscape edger on a walkway along the east side of the detention pond to encourage a path of travel. This pervious path will not meet accessibility requirements due to impervious limitations on the site. But feel that this path is a good improvement and will promote controlled circulation.
2-7.2. Workforce housing that directly supports on-site commercial or light industrial uses is considered an acceptable amount of residential in these districts. Response: Providing nine 2 bedroom housing units that are close to work, restaurants, shops, grocery, town and county transportation (buses, paths, and major road infrastructure) and above nine commercial units.
2-7.5. Encourage the development of vacant or underutilized lots at the western end of Chambers Avenue with more intensive uses that would benefit from their accessibility to the interstate corridor. Response: Providing nine 2 bedroom housing units that are close to work, restaurants, shops, grocery, town and county transportation (buses, paths, and major road infrastructure) and above nine commercial units.
2-7.6. Maintain existing commercial and industrial zoning in the Chambers Avenue, Market Street, Sawatch Road, and Marmot Lane areas. Response: This development will create commercial activity.

ELEVATING OUR ADVENTUROUS LIFESTYLE

GOAL 3-3. CONTINUE TO MAINTAIN THE INCREDIBLE TRAIL AND PARK SYSTEM AND FIND NEW OPPORTUNITIES FOR EXPANSION AND CONNECTIONS TO KEEP UP WITH THE ADVENTUROUS RESIDENTS' LIFESTYLE.
3-3.1. Ensure residents have access to recreation amenities.
b. Require new development to provide adequate parks, trails, other recreational facilities, and connections to pedestrian/bicycle-oriented amenities. Response: The Project has provided space for outdoor activities, connected the development to the 700 Chambers Development that connects with 700 Chambers sidewalks. The project connects with the world class climbing facility that is Eagle Climbing and Fitness.

GOAL 3-4. PROTECT OPEN SPACE LANDS WITH HIGH CONSERVATION OR RECREATION VALUE IN AND SURROUNDING EAGLE. Response: While not and open space the detention pit is a non-developable area that is being transformed from a wild environment to an improved grass covered area that will be overlooked and become an asset to the areas' residents, rather than a negative.

ELEVATING OUR RELATIONSHIP WITH THE ENVIRONMENT

GOAL 4-2. FIND A BALANCE BETWEEN RECREATION AND PRESERVATION ALONG RIPARIAN AREAS TO PROTECT HABITATS AND WATER QUALITY.
4-2.1. Preserve and protect the quality of and integrity of wetlands, rivers, streams, and riparian areas. Response: The preserved detention pit is a needed element to collect water from the area. This area is not only being preserved it is being improved to make it a more pleasant place to be around.
4-2.3. Support measures to maintain and improve water quality and quantity. Response: The detention pit does filter and controls the water run-off of the surrounding area.
4-2.4. Support and enhance water conservation by implementing the adopted 2020 Water Efficiency Plan. Response: The project will use all water conservation plumbing fixtures. The lawn area has been minimized to save on irrigation water to be required. Sodded areas are to use a drought tolerant and low water use seed mix. Sodded/grass area is only 7.5% of the total lot area. Plantings proposed are low water use specimens. An irrigation sensor will be installed on the system to not water when nature has provided enough moisture and only be provided at appropriate water schedules. Impervious coverage is compliant with Town of Eagle Standards.

GOAL 4-3. SUPPORT AND DEMONSTRATE SUSTAINABILITY.
4-3.1. Enhance or create a tree canopy in new development areas or existing urban areas where tree cover is lacking. Response: The project has proposed 30 bio diverse trees that will provide shade and screening. This will aid in the reduction of internal temperatures of the building and temperature on the parking lot surfaces.
4-3.2. Promote energy efficient designs and building codes that encourage energy conscious lifestyles and reduce overall energy consumption.
a. Encourage all construction efforts to utilize green building practices. Response: The project will use green building practices wherever possible. A full description of efforts is listed previously within this letter.
4-3.3. Support and demonstrate the efficient use of natural resources. Response: these 3 buildings are identical and will be able to reduce construction waste as compared to 3 unique buildings. The project is proposed to use wood stud construction and wood trusses. Wood is one if the best uses of embodied carbon and is relatively quickly replenished. Material within the building (the LP Smart siding and others) are products that use a high recycled content. Wood trusses for the roof and floor structure are fabricated in Colorado. Drywall can be sourced locally. Local workers will be constructing the project which will reduce fossil fuel use.
4-3.4. Encourage the use of local renewable energy resources, including wind, solar, micro-hydro, biomass and geothermal in land use applications. Response: The project has over 40% of the roof surface facing due south and will have solar panels or be solar ready.
4-3.5. Support measures to maintain and/or improve air quality. Response: This project will be all electric, eliminating the exhaust from gas burning heating and cooling systems.
4-3.6. Encourage site designs and alternative transit incentives that reduce the demand for automobile trips in the area. Response: This project has residential above commercial uses. The project is an infill site. This project is close to public transit. We have installed bike racks within the vestibule of the residential units to encourage non-automotive transportation. The project is walking or biking distance to grocery, restaurants, gym, water park, and other local businesses. ALL these contribute to lessen the need for automotive transportation.
4-3.7. Support projects that promote water conservation and uphold the Water Conservation Plan, Source Water Protection Plan, and Brush Creek Management Plan. Response: see item 4-2-4
4-3.8. Support projects that promote and uphold the Climate Action Plan for the Eagle County Community. Response: The project will address the Climate Action plan within the construction and materials used within and on the buildings. To include: durable materials, use of material with high recycled content, All electric development with high efficient heating/cooling/water heating, low water use plumbing fixtures, low water use/drought resistant landscape, sensor controlled irrigation system, solar ready roof design, proper building orientation to provide Passive Solar design, providing residential near commercial work opportunities to reduce need for auto transportation, project is close to Public transportation, providing EV charging auto station, Project will include a Trash/Compost/recycling program with separate containers for each, project is an infill site, preserving and improving the watershed/ filtration within the detention pond.

ELEVATING OUR CONNECTIONS
GOAL 5-1. EXPAND OUR PUBLIC TRANSPORTATION NETWORK AND OPTIONS.

5-1.4. Promote the development of compact neighborhoods in close proximity to public transit options, and allowing increased residential, retail, and mixed-use densities in areas close to transit stops. Response: The development is close to local bus stops, businesses, and amenities. The apartments within the development are close to businesses and could eliminate the need for frequent auto use.

GOAL 5-2. IMPROVE VEHICULAR TRAFFIC CIRCULATION. Response: The project will have little effect on vehicular traffic on surrounding infrastructure due to the limited size of the development. We have reviewed this and traffic loads with the TOE. There is access from both Sawatch and through the 700 Chambers Development via the north/south access road.

Thank you,

Jeffrey P Manley AIA
Martin Manley Architects
PO Box 5668
Eagle Colorado 81631
970-688-0326 (Cell)

Aerial & Site Photos – 263 Sawatch Major Development Permit

Aerial – 263 Sawatch Road

View of property from Sawatch looking northeast

View of property from Sawatch looking northwest

View of property from Sawatch looking north	View of Property from 700 Chambers looking south
View of detention pond from 700 Chambers	View of access driveway from 700 Chambers

SAWATCH
LOT 2 DEVELOPMENT
263 SAWATCH DRIVE
EAGLE COLORADO 81631
10-07-23
DEVELOPMENT PLAN PHASE

PROJECT INFORMATION

Owner: SAWATCH 263 RD LLC
PO BOX 2322
AVON, CO 81620-2322
Location: 263 SAWATCH DRIVE
(Subdivision: 700 CHAMBERS AVENUE SUBDIVISION Lot: 2)
Parcel # 1939-333-45-001

Owner: CHAMBERS 700 LLC (TRACT A)
PO BOX 2322
AVON, CO 81620-2322
Location: 700 CHAMBERS AVE #E
(Subdivision: 700 CHAMBERS AVENUE SUBDIVISION
Tract: A RESUBDIVSION OF LOT 1)
Parcel # 1939-333-45-005

Architect: Martin Manley Architects
Jeffrey P Manley, AIA
jeff@martinmanleyarchitects.com
970-688-0326
Civil: Yarnell Consulting & Civil Design, LLC
Justin Yarnell, PE (CO)
Justin@TheYarnells.com
970-323-7008
Surveyor: Gore Range Surveying
Sam Ecker
970-37603154
Struct. Eng.: KRM....To be Determined

Contractor: Patriacca Construction/DW Dantas Construction
PO BOX 4556 — PO BOX 2322
EAGLE, CO 81631 — AVON, CO 81620
970-328-7751 — 970-376-6111

PROJECT DESCRIPTION

3 buildings on the site that consist of 3 unit with each building. There is to be 1 commercial unit with an accessory apartment proposed....
* the commercial unit shall be deeded together with the apartment that is above.
* the project will combine Tract A and 263 Sawatch into a single lot

CODE SUMMARY

This project falls under the jursidiction of:
The Town of Eagle Planning and Zonning and Building Department
The 2015 International Building Code (IBC 2015)
The 2015 National Electrical Code
The Town of Eagle Municipal Code including adopted amendments

Class of Work: New Construction
Type of Occupancy: B/R-2
Type of Construction: Type V-b (Sprinklered)
Levels: 2-story

FIRE DEPT. SUMMARY

Smoke Detectors and Carbon Monoxide alarms must be installed IN ALL DWELLING UNITS, and be installed per 2021 IFC and fire alarm installation standards.
AN AUTOMATIC FIRE-SPRINKLER SYSTEM AND MONITORED FIRE ALARM MUST BE INSTALLED PER FIRE DEPT. REQUIREMENTS.

GENERAL NOTES

THESE CONSTRUCTION DOCUMENTS INCLUDING ARCHITECTURAL SHEETS HAVE BEEN PREPARED IN RESPONSE TO THE SPECIFIC BASIC SERVICES REQUESTED BY THE OWNER CONTEMPLATING CONTINUED INVOLVEMENT, SELECTIONS AND DECISION MAKING BY THE GENERAL CONTRACTOR AND OWNER THROUGH COMPLETION OF CONSTRUCTION.

THESE DOCUMENTS INDICATE THE SCOPE OF ARCHITECTURAL DESIGN CONCEPTS APPROVED BY THE OWNER AND INCLUDE DIMENSIONS OF THE BUILDING, THE TYPES OF STRUCTURAL SYSTEMS AND AN OUTLINE OF THE ARCHITECTURAL AND STRUCTURAL ENGINEERING ELEMENTS OF CONSTRUCTION.

THESE CONSTRUCTION DOCUMENTS PROVIDE THE SCOPE OF SERVICES AS OUTLINED IN THE AGREEMENT FOR ARCHITECTURAL SERVICES AND THEREFORE DO NOT NECESSARILY INDICATE OR DESCRIBE ALL MATERIALS REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE WORK.

IT IS THE UNDERSTANDING OF THE ARCHITECT AND ENGINEER THAT THE GENERAL CONTRACTOR SHALL FURNISH ALL WORK REQUIRED FOR PROPER COMPLETION OF THE WORK AND THAT THE WORK SHALL BE OF SOUND AND QUALITY CONSTRUCTION IN ACCORDANCE WITH INDUSTRY STANDARDS AND ALL MANUFACTURERS SPECIFICATIONS, INSTRUCTIONS, AND WARRANTY REQUIREMENTS.

THE CONTRACTOR, BASED ON THE FOREGOING, SHALL PREPARE FOR OWNER REVIEW A REALISTIC BUDGET WITH A LATITUDE OF PRICES BASED ON ASSUMPTIONS OF SCOPE OF WORK AND OWNER PRODUCT SELECTIONS.

CONTRACTOR'S RESPONSIBILITIES:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING CONDITIONS, CONSTRUCTION DOCUMENTS, STRUCTURAL DOCUMENTS, MUNICIPAL AND/OR COUNTY ZONING CODES, PERTINENT **IBC 2015** CODE REQUIREMENTS, AND GENERAL SPECIFICATIONS.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MECHANICAL AND ELECTRICAL ENGINEERING, DESIGN, SPECIFICATIONS AND DRAWINGS AS REQUIRED FOR BUILDING PERMIT AND APPROVAL BY OWNER AND ARCHITECT.

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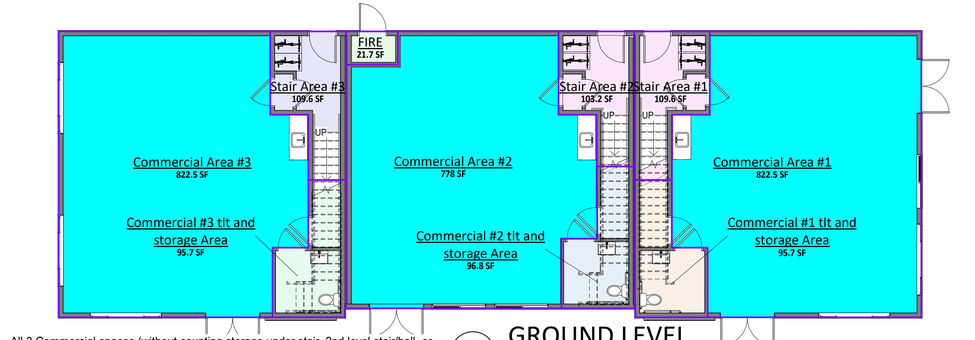
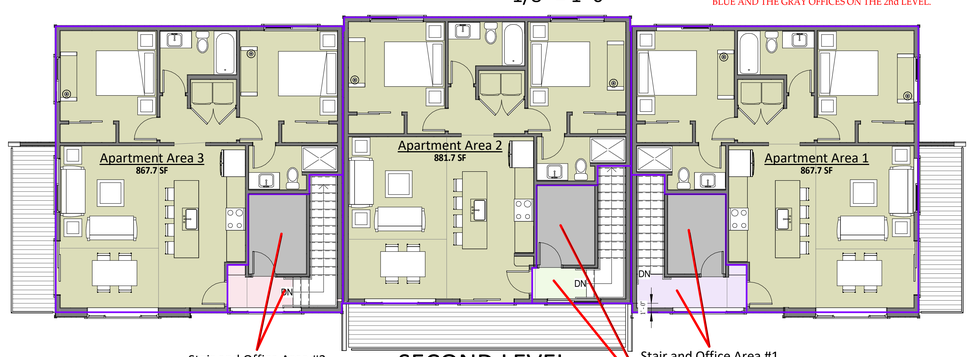


All 3 Commercial spaces (without counting storage under stair, 2nd level stair/hall, or toilet room) = 2423 s.f. + (3) 63.2 s.f. offices on second level= **2612.6 s.f.** each bldg 2612.6 s.f. x 3 bldgs =7837.8 s.f. (AREA to be used for parking calculations)

1 GROUND LEVEL
1/8" = 1'-0"

THIS 2612.6 AREA =THE COMMERCIAL AREAS IN BLUE AND THE GRAY OFFICES ON THE 2nd LEVEL.

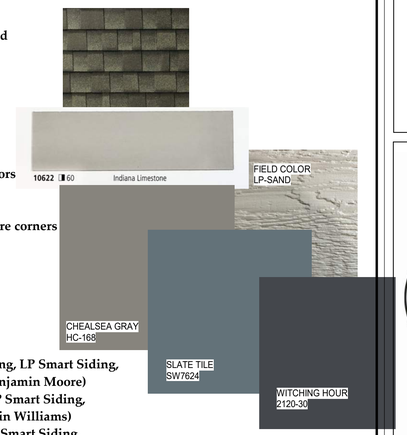


2 SECOND LEVEL
1/8" = 1'-0"

MATERIALS & COLORS

Roofing: 50 -Year Asphalt shingle
Elk-Gaf, Prestique High Def, Weathered Wood

Flashing and Gutters:
Paint lock aluminum Color: dark bronze
Decks: Synthetic Gray
(Class B Flame Spread)
Walks: Concrete slab
Drive: Asphalt drive
Windows:Fiberglass composite windows and doors
Color: Dark Bronze
Cement Stucco system:
Very Light Hand Trowel-freeform square corners
Sto- Indiana Limestone 10622 LRV 60
Field Siding: 8" Lap Siding, LP Smart Siding,
Color: LP Color Strand Sand



Accent Siding South North building: 8" Lap Siding, LP Smart Siding,
Color: Chealsea Gray HC-168 (Benjamin Moore)
Accent Siding Center building: 8" Lap Siding, LP Smart Siding,
Color: Slate Tile SW 7624 (Shermin Williams)
Accent Siding North building: 8" Lap Siding, LP Smart Siding,
Color: Witching Hour 2120-30 (Benjamin Moore)
Corner trim and window/door trim, 4" Color: match adjacent siding color
Fascia 1x4 and 1x8 Fascia Trim
Color: Witching Hour 2120-30 (Benjamin Moore)
Railing: Pickets and Rails metal, Black

Area Schedule (Residential unit 1)

Name	Area
Apartment Area 1	867.7 SF
Grand total: 1	867.7 SF

Area Schedule (Residential unit 2)

Name	Area
Apartment Area 2	881.7 SF
Grand total: 1	881.7 SF

Area Schedule (Residential unit 3)

Name	Area
Apartment Area 3	867.7 SF
Grand total: 1	867.7 SF

Area Schedule (whole building)

Name	Area
Commercial Area #3	822.5 SF
Commercial Area #2	778 SF
Commercial Area #1	822.5 SF
Stair Area #3	109.6 SF
Stair Area #2	103.2 SF
Stair Area #1	109.6 SF
Apartment Area 1	867.7 SF
Apartment Area 2	881.7 SF
Apartment Area 3	867.7 SF
FIRE	21.7 SF
Commercial #3 tlt and storage Area	95.7 SF
Commercial #2 tlt and storage Area	96.8 SF
Commercial #1 tlt and storage Area	95.7 SF
Stair and Office Area #3	160.1 SF
Stair and Office Area #2	149.9 SF
Stair and Office Area #1	160.1 SF
Grand total: 16	6142.9 SF

Area Schedule (Commercial unit...

Name	Area
Commercial Area #1	822.5 SF
Stair Area #1	109.6 SF
Commercial #1 tlt and storage Area	95.7 SF
Stair and Office Area #1	160.1 SF
Grand total: 4	1188 SF

Area Schedule (Commercial unit 2)

Name	Area
Commercial Area #2	778 SF
Stair Area #2	103.2 SF
Commercial #2 tlt and storage Area	96.8 SF
Stair and Office Area #2	149.9 SF
Grand total: 4	1128 SF

Area Schedule (Commercial unit 3)

Name	Area
Commercial Area #3	822.5 SF
Stair Area #3	109.6 SF
Commercial #3 tlt and storage Area	95.7 SF
Stair and Office Area #3	160.1 SF
Grand total: 4	1188 SF

Area Schedule (Commercial area...

Name	Area
Commercial Area #3	822.5 SF
Commercial Area #2	778 SF
Commercial Area #1	822.5 SF
Grand total: 3	2423 SF

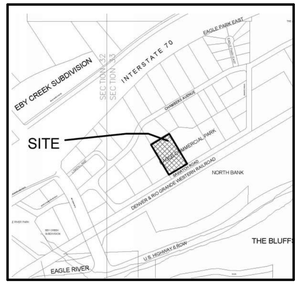
All 3 Commercial spaces (without counting storage under stair, 2nd level stair/hall, or toilet room) = 2423 s.f. + (3) 63.2 s.f. offices on second level= **2612.6 s.f.** each bldg 2612.6 s.f. x 3 bldgs =7837.8 s.f. (AREA to be used for parking calculations)

Area Schedule (Commercial)

Name	Area
Commercial Area #3	822.5 SF
Commercial Area #2	778 SF
Commercial Area #1	822.5 SF
Stair Area #3	109.6 SF
Stair Area #2	103.2 SF
Stair Area #1	109.6 SF
Commercial #3 tlt and storage Area	95.7 SF
Commercial #2 tlt and storage Area	96.8 SF
Commercial #1 tlt and storage Area	95.7 SF
Stair and Office Area #3	160.1 SF
Stair and Office Area #2	149.9 SF
Stair and Office Area #1	160.1 SF
Grand total: 12	3504 SF

Area Schedule (General common...

Name	Area
Stair Area #3	109.6 SF
Stair Area #2	103.2 SF
Stair Area #1	109.6 SF
Stair and Office Area #3	160.1 SF
Stair and Office Area #2	149.9 SF
Stair and Office Area #1	160.1 SF
Grand total: 6	792.6 SF



VICINITY MAP

MARTIN MANLEY ARCHITECTS
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PO Box 1587, Eagle, CO 81631
www.martinmanleyarchitects.com

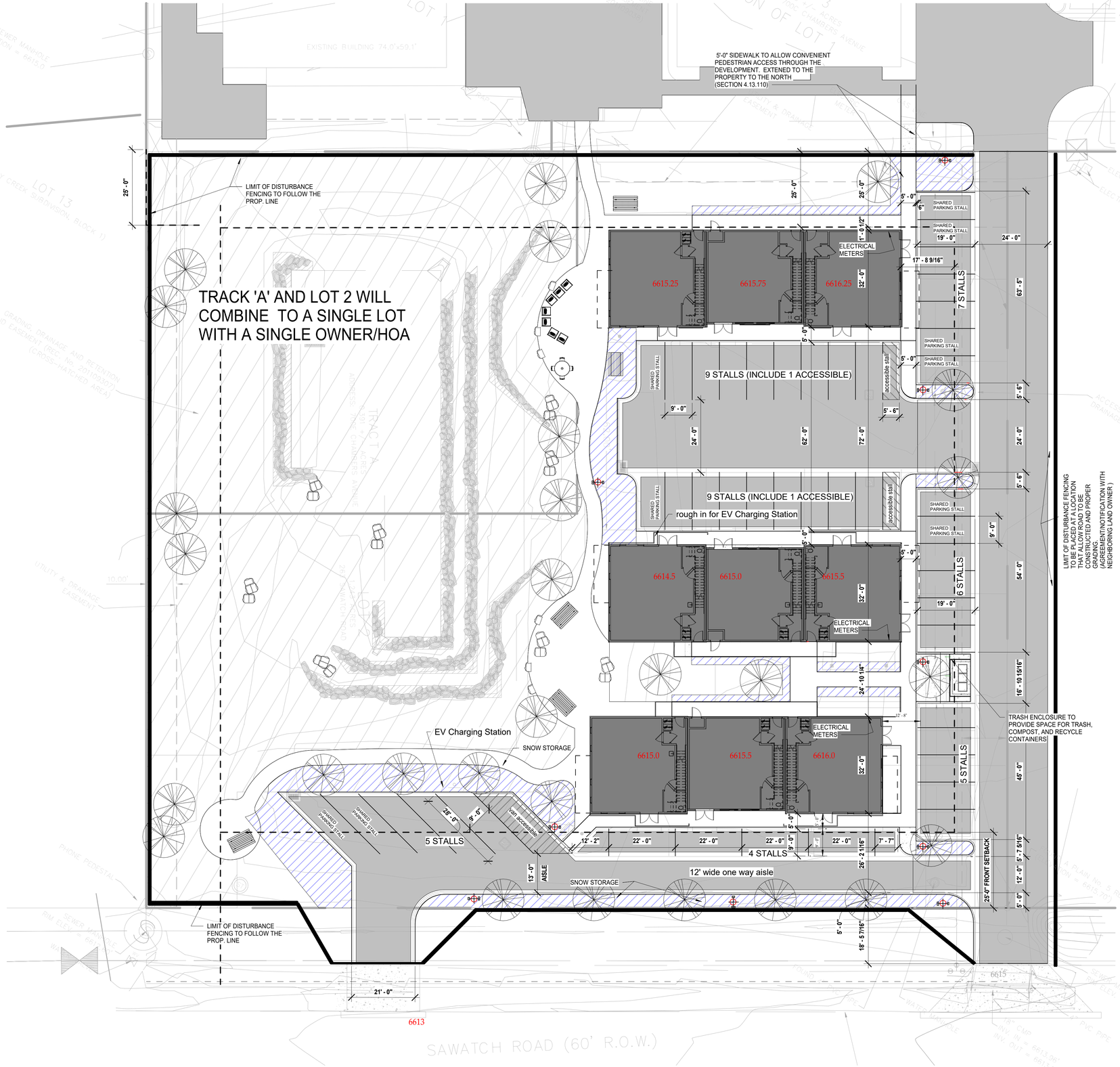
REVISIONS

No.	Description	Date

SAWATCH
LOT 2 DEVELOPMENT
263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

NOT FOR CONSTRUCTION

Date : 10-07-23
Project Number: 2303
COVER SHEET
A0.0



GENERAL NOTES:

1 LIGHTING WITHIN PARKING AREAS IN THE COMMERCIAL GENERAL ZONE ARE TO BE ON A TIMER TO OPERATE after closing or servicing PER SECTION 4.07.010 Lights on until one hour

PARKING LOT 25' TALL LIGHT POLE SYMBOL

2 TRASH ENCLOSURE IS TO BE ON A CONCRETE PAD AND BE CLAD IN THE SAME MATERIALS AS THE BUILDING. LP SMART LAP SIDING ON WALLS WITH AN ASPHALT SHINGLE ROOF, LARGE ENOUGH TO HOUSE TRASH, COMPOSTIBLES, AND RECYCLING CONTAINERS

PARKING STALL SIZES:
90 DEGREE= 9'X19' STALLS
PARALLEL= 9'X22' STALLS
45 DEGREE = 9'x19.8' STALLS WITH 13' AISLE WIDTH
PARKING MATRIX:
RESIDENTIAL: 4.07.140.1.b multi family
2 SPACES PER 2 BEDROOM UNIT
(3) BUILDINGS OF (3) 2 BEDROOM UNITS AT 2 PER UNIT
= **18** PARKING STALLS
GUEST:
9 UNITS /6 GUEST STALLS = 1.5 OR **2** SPACES

Count for unknown commercial space is 225 s.f. per stall 4.07.140.6
1 SPACE PER 225 S.F.
(3) BUILDINGS OF 2,625.2 S.F. OF COM. SPACE =3 X 2,625.2 S.F.
=7,875.6 S.F./225 = 35 STALLS

TOTAL = 18 RESIDENTIAL + 2 GUEST + 35 COMMERCIAL = 55 STALLS
(INCLUDE 3 ACCESSIBLE 1 per 15 stalls commercial + 1 for each 40 more=3)
45 STALLS provided - 55 STALLS required = - 10 STALLS

Variance request: per section **4.07.140.H, Joint use of parking spaces**
Request: a total of **10 stalls** are to be used jointly since the residential and the commercial will require parking at opposite times.

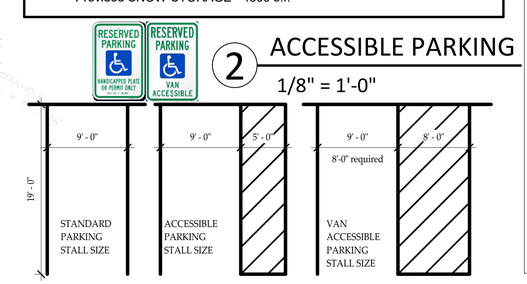
Variance request: per section **4.07.140.F.2** Off-Street Parking spaces are not allowed within the front yard setback on any lot containing 3 or more dwellings. Request: Sawatch Road is secondary street within the area. The 9 parking stalls are within or partially within the front yard setback. The closest parking stall point is 51' from the Sawatch Road's edge. Trees have been planned to provide a landscape buffer to the street.

Variance request: per section **4.07.140.L.6.a.iv** Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from lot onto adjacent property and to screen views into parking lots. Request: The east side of the lot has a deeded fire lane/access road that spits this property to the property to the east. Flat lot area outside the detention pit and limitations on impervious site coverage of paving are limiting factors to creating adequate parking lot landscape buffer between the access road and the parking. Head in parking off the access road is most practical to use and consistent with parking layouts of other Chambers' Ave businesses.

Standards of the CG Zone District
Allowed
Minimum Lot Area 20,000 sq. ft.
Minimum Front Yard 25 ft.
Minimum Side Yard > of 12.5 ft. or 1/2 building ht
Minimum Rear Yard = 25'-0"
Maximum Building Height 35 ft. to mid span
Maximum Lot Coverage 80% (56,941.63 s.f. max.)
Maximum Impervious by building = 50% (35,588.52 max.)
Maximum Impervious by impervious paving = 30% (21,353.112 max.)
Minimum Landscape Area 20% (14,235.41 s.f. min.)

Proposed
Lot size = TRACT 'A' .391 + LOT 2 1.243 acres = 1.634 acres =71,177.04 s.f.
Proposed Front Yard Setback 25 ft.
Proposed Side Yard 12.5 ft. or 1/2 bldg ht of 17'6.
Rear Yard 25'-0"
Building Height <35'-0" (28'-9"). to mid span
Proposed Lot Coverage=
by sidewalks, drives and parking = 21,350.75 s.f. (29.9%< 30%)
by building (3,040.58 X 3 buildings)= 9,121.74 s.f. (12.81% < 50%)
total= 30,492.49 s.f. (42.8% of lot < 80%)
Proposed Landscape Area = 57.2% of lot (40,704.55 s.f. >20%)

Snow storage: 20 % of 21,350.75 s.f. of pavement = 4270 s.f.,
Provided SNOW STORAGE= 4300 s.f.



2 ACCESSIBLE PARKING
1/8" = 1'-0"

DUST CONTROL STRATEGEIS:
1. Soil stockpile areas must be covered or sprayed with a palliative to prevent dust from wind, and all travel routes shall be treated to prevent dust during dry periods.
2. During construction, all driveway, parking and lay-down areas must be covered with at least three inches of three quarter inch screened rock.
3. During construction, all sediment control features and fencing must be maintained in good working order.
4. If needed, public roads adjacent to the Construction Site must be scraped and/or broomed at the end of the workday to remove transported material.

1 SITE PLAN
1/16" = 1'-0"

Project North

10/3/2023 10:39:13 AM

MARTIN MANLEY ARCHITECTS
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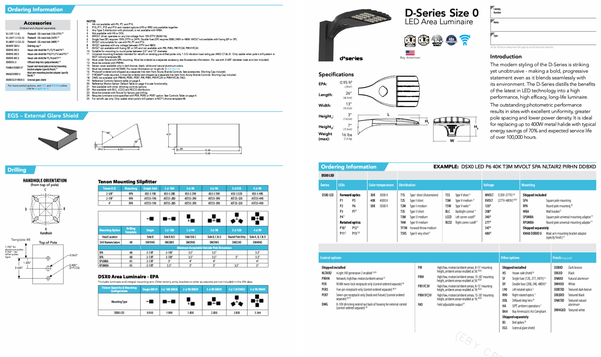
REVISIONS		
No.	Description	Date

263 SAWATCH
COMMERCIAL WITH RESIDENCE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	09.26.23
Project number	2303
SITE PLAN	A1.1



Symbol	Name	Size	Count
Evergreen Trees			2
CS	COLORADO SPRUCE (PICEA PUNGENS)	6'-8'	2
Deciduous Trees			28
QA	QUAKING ASPEN (POPULUS TREMULOIDES)	2" to 2.5" CAL. with 25% of trees to be 3" CAL.	10
M	Hot Wings Tatarian Maple (Acer tataricum 'GarAnn') (waterwise planting)	2" to 2.5" CAL. with 25% of trees to be 3" CAL.	12
HL	Honey Locust (Gleditsia triacanthos)	3" CAL. within front setback	6
Deciduous Shrubs- all shrubs are low water use and hardy. Plants will be cut back in late fall to allow for snow storage and promote new growth in spring.			118
Y	MOONSHINE YARROW (Achillea x 'Moonshine')	#5	19
BG	BLUE GRAMA GRASSES (BLONDE AMBITION) (Bouteloua gracilis 'Blonde Ambition)	#5	70
KFG	KARL FORESTER GRASSES (Achillea x 'Moonshine')	#5	29
Mulched Areas			
GRAVEL MULCH	2" -3" GRAVEL MULCH ON WEED BARRIER	1080 square feet of cover.	
BARK MULCH	HARDWOOD BARK MULCH ON WEED BARRIER	1320 square feet of cover.	
Grass Areas (SODDED LAWN)	6350 square feet of sodded lawn cover. TO BE IRRIGATED WITH PERMANENT SPRAY IRRIGATION		
SODDED LAWN	SOD LAWN WITH SEED MIX OF GRASSES AND FESCUE SEED. ARKANSAS VALLEY SEED COMPANY, NATIVE LOW GROW MOUNTAIN MIX	5350 s.f. of cover ON PROPERTY (7.5% of landscape area) 1000 s.f. within ROW of Sawatch	
Natural Grass Areas (reveg)	34,000 - square feet of cover. (WITHIN THE PIT AREA) includes area south of PIT to street edge		
NG	SEED MIX OF GRASSES AND FESCUE SEED. ARKANSAS VALLEY SEED COMPANY, NATIVE LOW GROW MOUNTAIN MIX. AREAS ARE TO SPRAYED WITH A FERTILIZER AND SEED MIX.	Irrigation in seeded areas to be Temp drip irrigation in areas to become more natural. Underground Spray irrgation at south landscape easement and ROW area to the south. MINIMAL TO NO IRRIGATION WITHIN DETENTION PIT AREA	

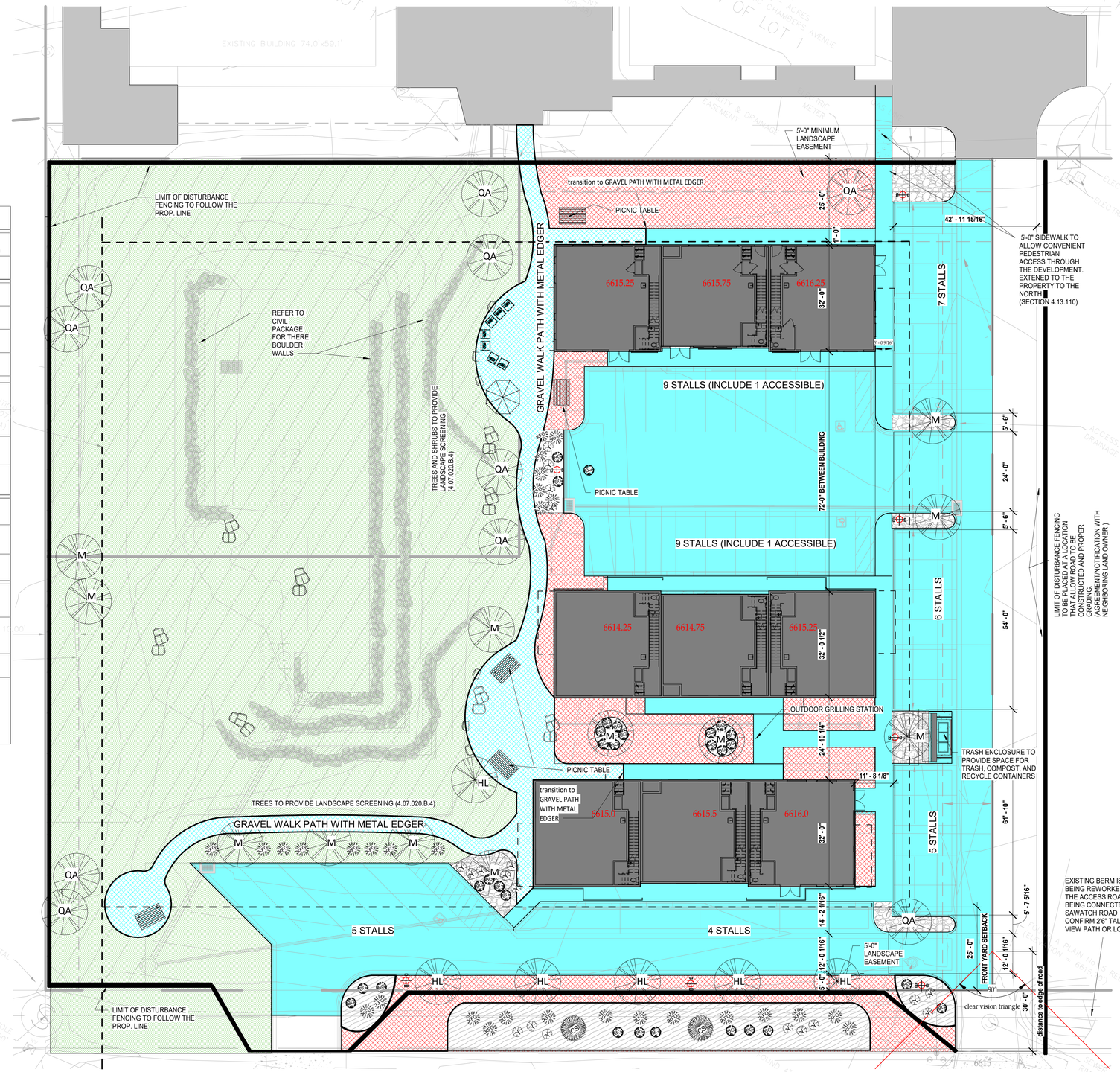
GENERAL NOTE:
1 An HOA will be formed to maintain the the landscape.
2 Gravel path and walkway = 3640 s.f.

IRRIGATION NOTE:
1 ALL RESEEDED AREAS ARE TO TEMPORARY DRIP IRRIGATION
2 THE PLANTING BEDS AT TREES BETWEEN BUIDLINGS ARE TO RECIEVE PERMANENT MICRO SPRAY IRRIGATION 63.5 S.F.)
3 PERMANENT SPRAY IRRIGATION SHALL BE INSTALLED ON THE SODDED LANDSCAPE, INCLUDING THE AREA BETWEEN THE PROPERTY LINE AND SAWATCH ROAD (SECTION 3.07.020.b.3.a)

TOTAL OF PERMANENT DRIP,DRIP AT TREES AND SPRAY IRRIGATION AREA OF 7,670 S.F.

ERROSION CONTROL AND SITE PROTETION NOTES:
1 CONSTRUCTION FENCING SHALL BE PLACED AT THE PERIMETER OF THE PROJECT AS SHOWN ON THE SITE PLANS.
2 SILT FENCING IS TO BE PLACED AT THE LIMIT OF DISTURBANCE FENCING AS NEEED TO PREVENT EROSION AND SEDIMENTATION.
3 SILT FENCING IS TO BE PLACED AT THE BASE OF ALL SOIL STOCK PILES.
4 STRAW WATTLES SHALL BE PLACED AT ALL EXISTING AND PROPOSED DRAINAGE SWALES.
5 SOIL STABLIZATION NETTING AND STRAW IS TO BE USED AT THE 'PIT AREA' SLOPED WALLS
6 ALL DISTURBED AREAS ARE TO RECIEVE SEED AND FERTILIZER MIXTURE

LANDSCAPE LEGEND
1/8" = 1'-0"



1 LANDSCAPE PLAN
1/16" = 1'-0"

Project North

DUST CONTROL STRATEGEIS:
1. Soil stockpile areas must be covered or sprayed with a palliative to prevent dust from wind, and all travel routes shall be treated to prevent dust during dry periods.
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4. If needed, public roads adjacent to the Construction Site must be scraped and/or broomed at the end of the workday to remove transported material.

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REVISIONS No.	Description	Date

263 SAWATCH
COMMERCIAL WITH RESIDENCE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	09.26.23
Project number	2303
	LANDSCAPE PLAN
	A1.2

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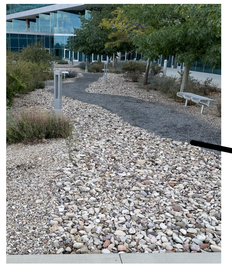
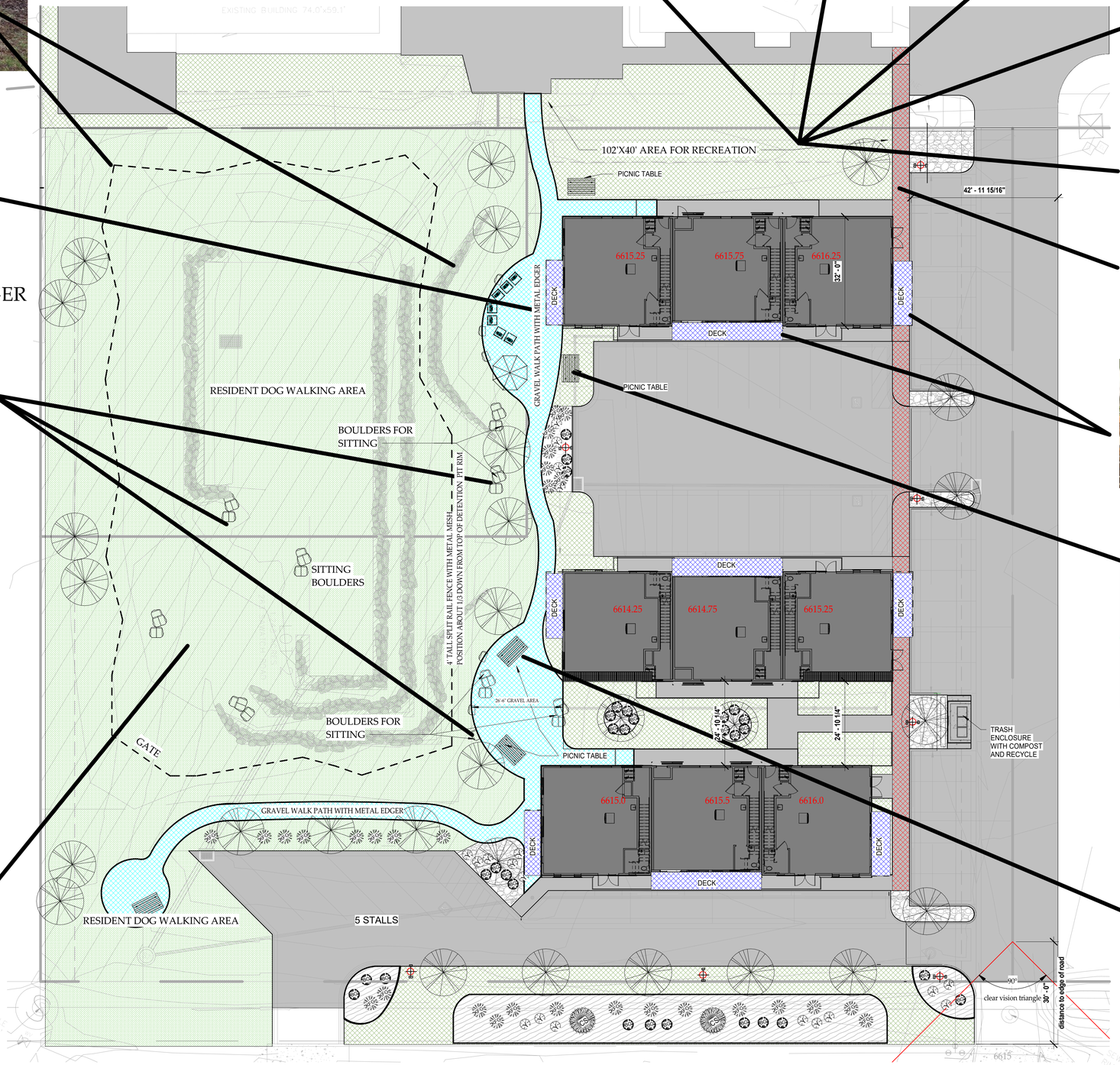
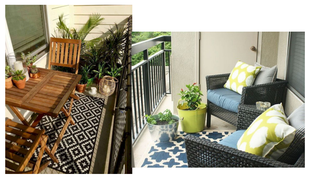
4' TALL SPLIT RAIL FENCE WITH METAL MESH POSITION ABOUT 1/3 DOWN FROM TOP OF DETENTION PIT RIM



GRAVEL PATH WITH METAL EDGER

PAVED PATHWAY CONNECTING 263 SAWATCH TO 700 CHAMBERS DEVELOPMENT





APARTMENT DECKS

1 OUTDOOR RECREATION PLAN

1/16" = 1'-0"

Project North

10/3/2023 10:39:21 AM

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REVISIONS		
No.	Description	Date

263 SAWATCH

COMMERCIAL WITH RESIDENCE

EAGLE COLORADO 81631

DEVELOPMENT PLAN PHASE

Date	09.26.23
Project number	2303
RECREATION DIAGRAM	A1.3

WINDOW SCHEDULE

Mark	Family	Width	Height	Comments
1a	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
1d	FIXED PICTURE	6' - 0"	2' - 0"	
1e	FIXED PICTURE	6' - 0"	2' - 0"	
1f	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
1g	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
1h	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
1i	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
1j	SLIDER	6' - 0"	4' - 0"	
1k	SLIDER	5' - 0"	5' - 0"	
1l	SLIDER	6' - 0"	5' - 0"	
2a	SLIDER	6' - 0"	5' - 0"	
2d	SLIDER	6' - 0"	5' - 0"	
2g	FIXED PICTURE	6' - 0"	2' - 0"	
2h	FIXED PICTURE	6' - 0"	2' - 0"	
2i	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	

WINDOW SCHEDULE

Mark	Family	Width	Height	Comments
2j	SLIDER	6' - 0"	5' - 0"	
2k	SLIDER	6' - 0"	5' - 0"	
2l	SLIDER	6' - 0"	5' - 0"	
3a	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
3d	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
3e	SLIDER	6' - 0"	5' - 0"	
3f	FIXED PICTURE	6' - 0"	2' - 0"	
3g	FIXED PICTURE	6' - 0"	2' - 0"	
3h	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
3i	SLIDER 3_Panel-XOX	8' - 0"	5' - 0"	
3j	SLIDER	6' - 0"	5' - 0"	
3k	SLIDER	5' - 0"	5' - 0"	
3l	SLIDER	6' - 0"	4' - 0"	

WINDOW SCHEDULE

Mark	Family	Width	Height	Comments

WINDOW NOTES:

1. ALL WINDOWS SHALL BE DOUBLE-PANED FIBERGLASS/COMPOSITE UNLESS OTHERWISE NOTED.
2. **U-VALUE OF .30** MAXIMUM (SEE INSULATION SUMMARY).
3. ALL WINDOWS TO RECEIVE LOW-E TREATMENT.
4. ALL SIZES SHOWN ARE NOMINAL. CONTRACTOR TO VERIFY ROUGH-OPENING SIZES WITH CHOSEN WINDOW MANUFACTURER.
5. WINDOWS MUST DISPLAY MANUFACTURER SPECS INCLUDING U-VALUES PRIOR TO INSPECTIONS.
6. LOW WINDOWS SHALL RECEIVE MANUFACTURERS' OPENING LIMITER AS REQUIREED BY BUILDING CODE IF SILL IS < 3'-0"ABOVE INTERIOR FINISHED FLOOR AND THE SILL OF THE WINDOW IS MORE THAN 5'-0" ABOVE EXTERIOR GRADE
7. CONTRACTOR AND WINDOW SUPPLIER TO CONFIRM ALL LOCATIONS OF TEMPERED GLASS AND PROVIDE ACCORDINGLY.
8. ALL SLIDING AND HINGED PATIO DOORS ARE TO BE PROVIDED BY THE WINDOW MANUFACTURE.

DOORS SCHEDULE

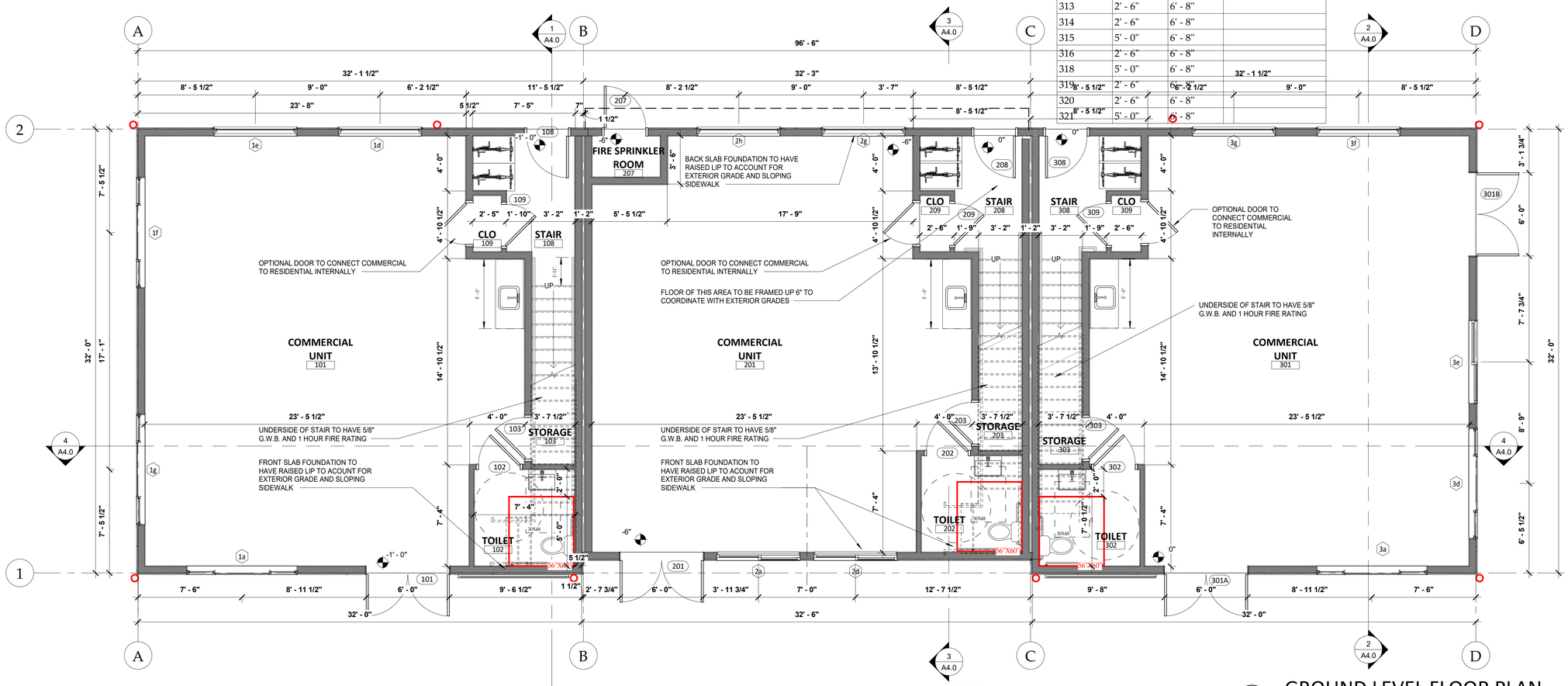
Mark	Width	Height	Comments
101	6' - 0"	8' - 0"	
102	3' - 0"	7' - 0"	
103	3' - 0"	5' - 0"	
108	3' - 0"	7' - 0"	
109	3' - 0"	7' - 0"	
110	6' - 0"	8' - 0"	
113	2' - 6"	6' - 8"	
114	2' - 6"	6' - 8"	
115	5' - 0"	6' - 8"	
116	2' - 6"	6' - 8"	
117	3' - 0"	7' - 0"	
118	5' - 0"	6' - 8"	
119	2' - 6"	6' - 8"	

DOORS SCHEDULE

Mark	Width	Height	Comments
214	2' - 6"	6' - 8"	
215	5' - 0"	6' - 8"	
216	2' - 6"	6' - 8"	
218	5' - 0"	6' - 8"	
219	2' - 6"	6' - 8"	
220	2' - 6"	6' - 8"	
221	5' - 0"	6' - 8"	
301A	6' - 0"	8' - 0"	
301B	6' - 0"	8' - 0"	
302	3' - 0"	7' - 0"	
303	3' - 0"	5' - 0"	
308	3' - 0"	7' - 0"	
309	3' - 0"	7' - 0"	
310	6' - 0"	8' - 0"	
313	2' - 6"	6' - 8"	
314	2' - 6"	6' - 8"	
315	5' - 0"	6' - 8"	
316	2' - 6"	6' - 8"	
318	5' - 0"	6' - 8"	
319	2' - 6"	6' - 8"	
320	2' - 6"	6' - 8"	
321	5' - 0"	6' - 8"	

DOORS SCHEDULE

Mark	Width	Height	Comments
120	2' - 6"	6' - 8"	
121	5' - 0"	6' - 8"	
122	3' - 0"	7' - 0"	
123	3' - 0"	7' - 0"	
124	2' - 6"	6' - 8"	
125	2' - 6"	6' - 8"	
126	2' - 6"	6' - 8"	
201	6' - 0"	8' - 0"	
202	3' - 0"	7' - 0"	
203	3' - 0"	5' - 0"	
207	3' - 0"	7' - 0"	
208	3' - 0"	7' - 0"	
209	3' - 0"	7' - 0"	
210	6' - 0"	8' - 0"	
213	2' - 6"	6' - 8"	



NOTE:
EACH UNIT IS TO HAVE THE GROUND LEVEL TO DOWN STEP 6" TO COORDINATE WITH GRADE.
SECOND LEVEL IS TO REMAIN CONSTANT.

2 .GROUND LEVEL FLOOR PLAN
1/4" = 1'-0"

Project North

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REVISIONS

No.	Description	Date

SAWATCH
LOT 2 DEVELOPMENT
263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	10-07-23
Project number	2303
GROUND LEVEL PLAN	A2.1

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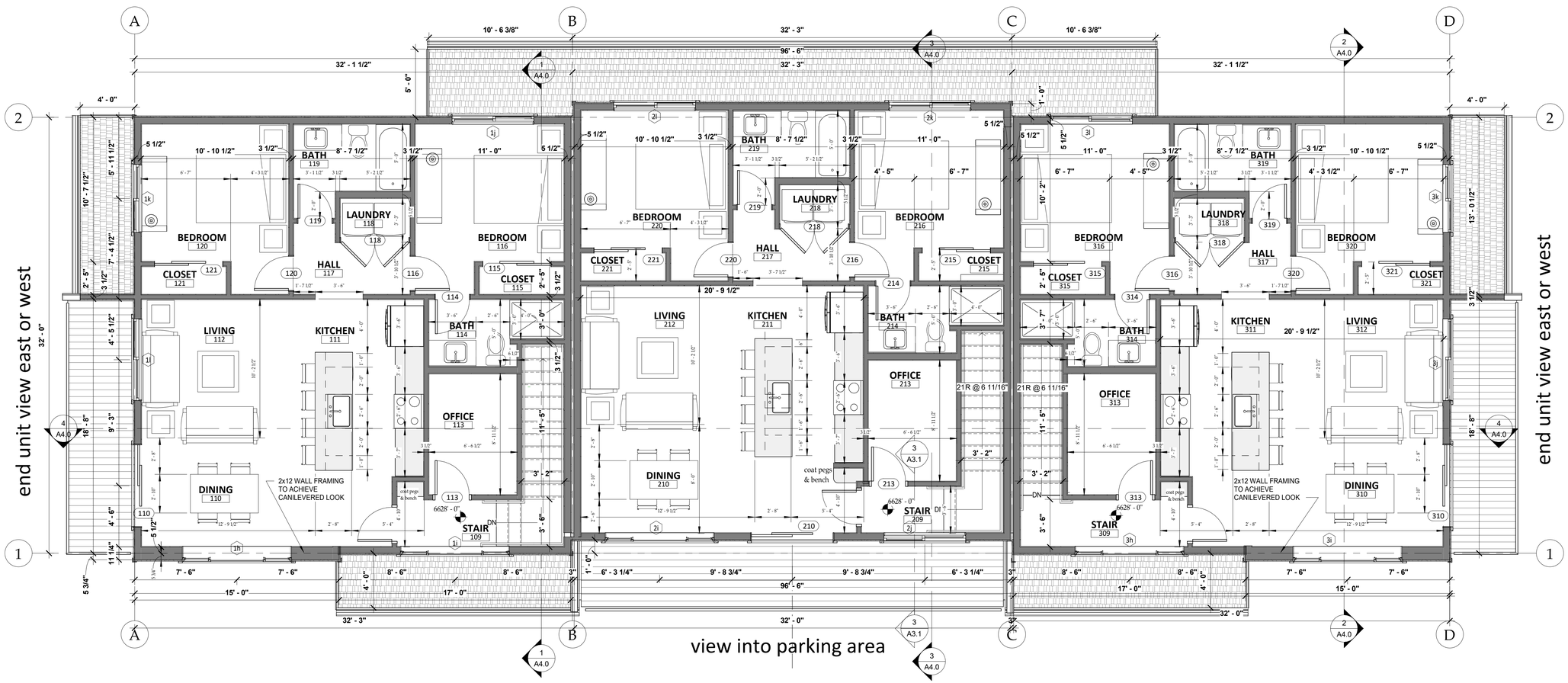

1 .SECOND LEVEL FLOOR PLAN

1/4" = 1'-0"

Project North

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REVISIONS		
No.	Description	Date

SAWATCH

LOT 2 DEVELOPMENT

263 SAWATCH DRIVE

EAGLE COLORADO 81631

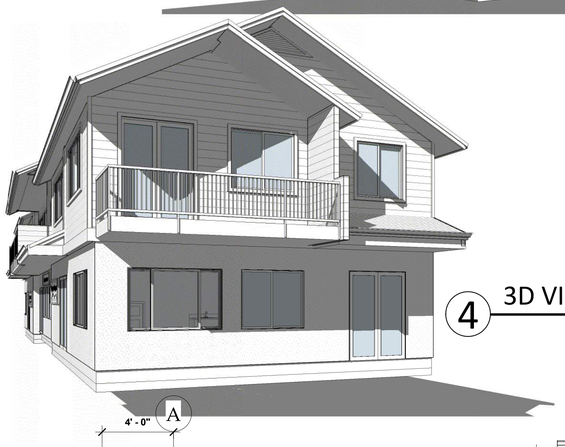
DEVELOPMENT PLAN PHASE

Date	10-07-23
Project number	2303
SECOND LEVEL PLAN	

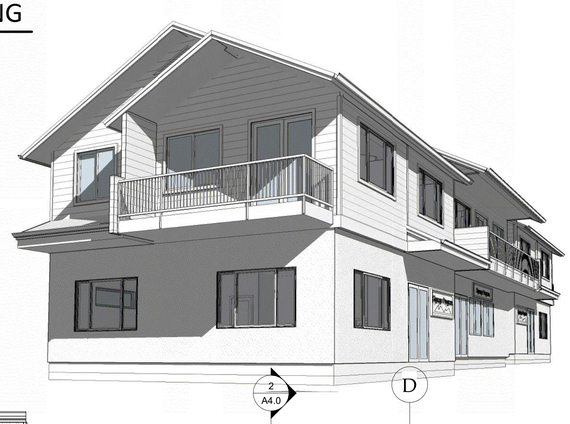
A2.2

3 3D OF BACK OF BUILDING

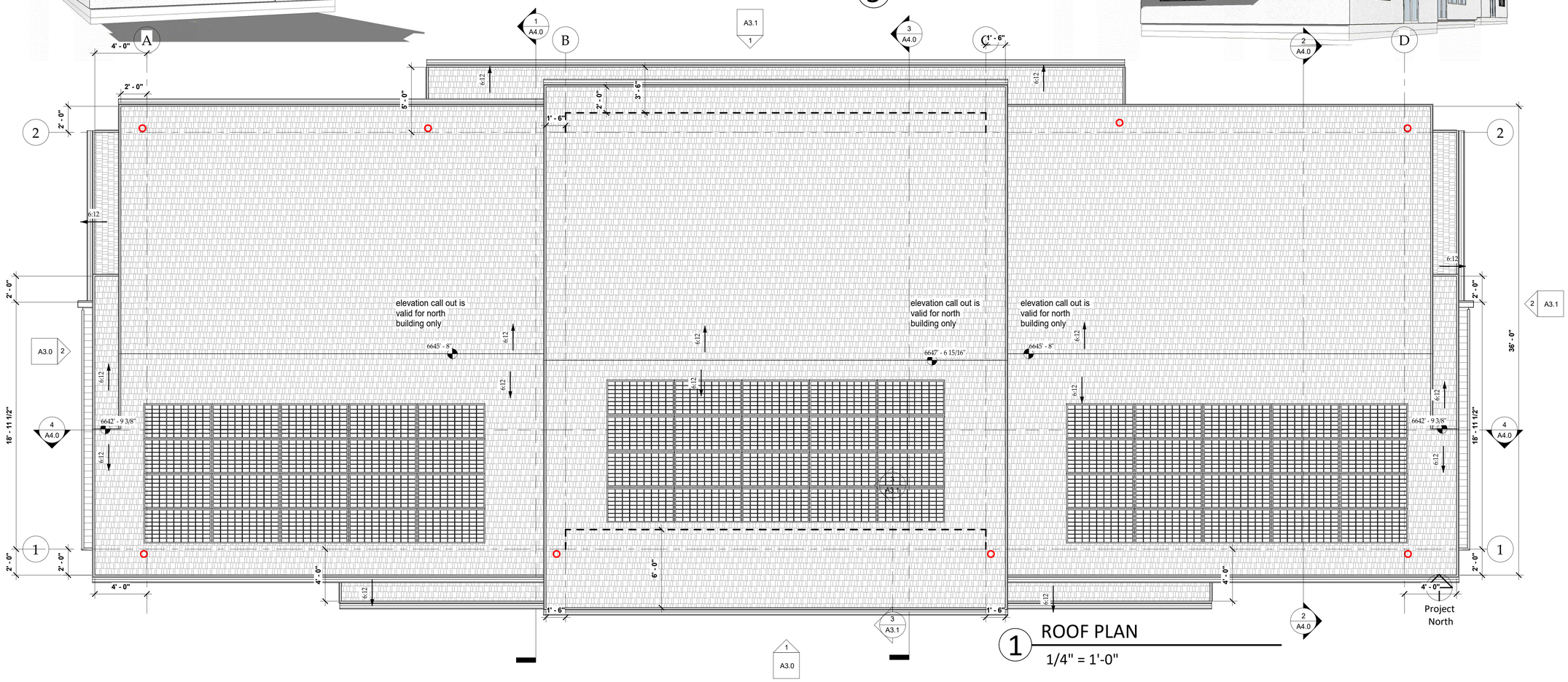
2 3D FROM FRONT PARKING



4 3D VIEW FROM ACCESS ROAD



5 3D VIEW FROM PIT SIDE



1 ROOF PLAN

1/4" = 1'-0"

9/27/2023 4:44:10 PM

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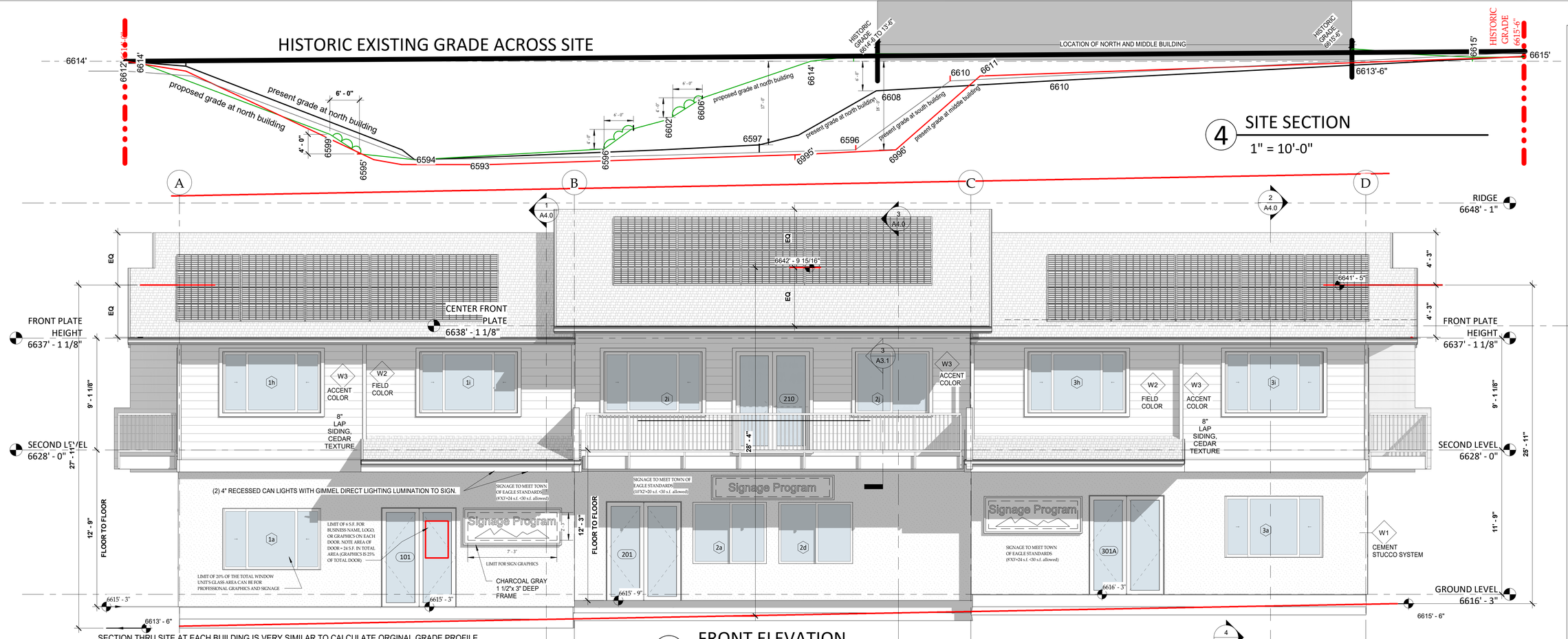
REVISIONS		
No.	Description	Date

SAWATCH

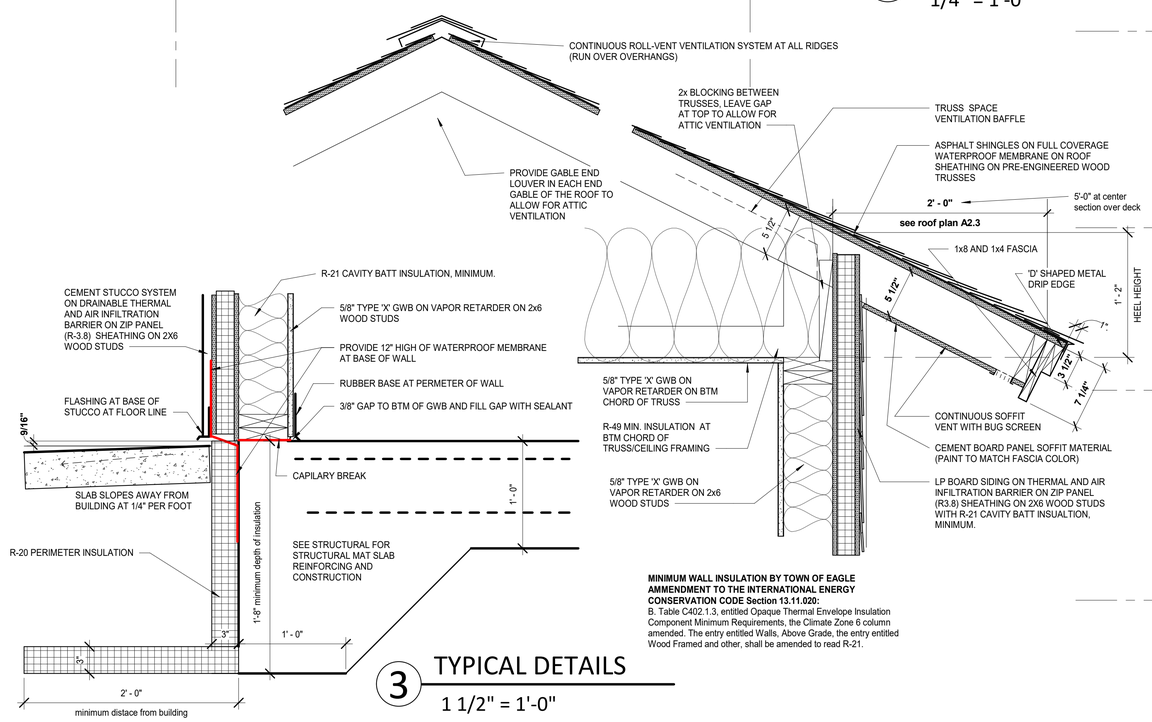
LOT 2 DEVELOPMENT

263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

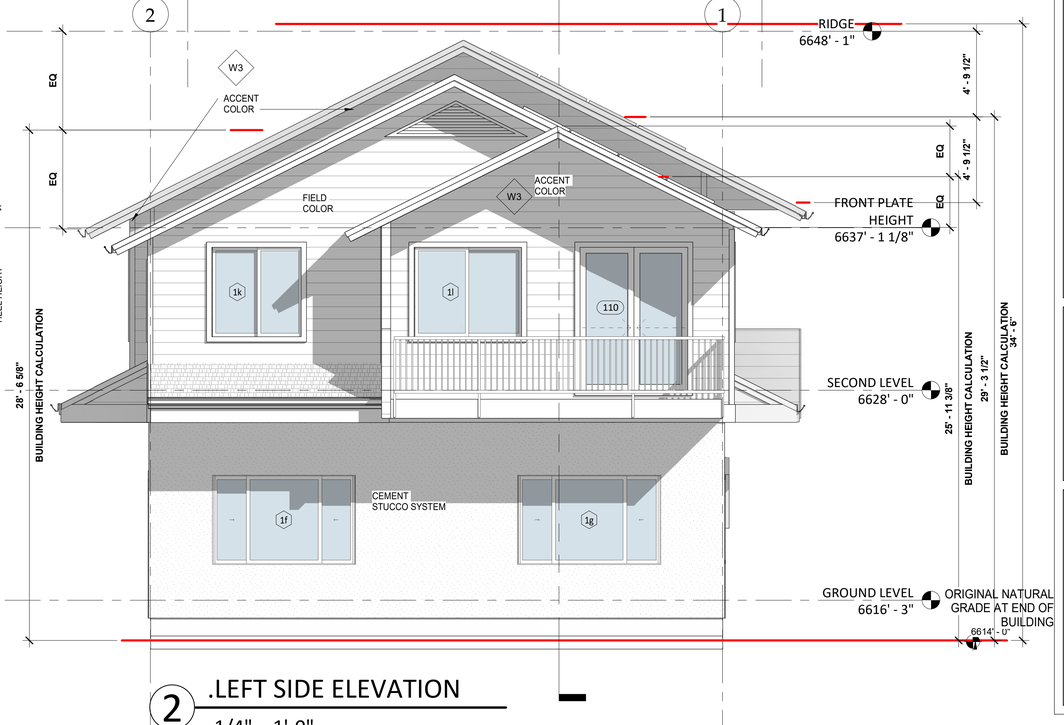
Date	10-07-23
Project number	2303
ROOF PLAN	A2.3



SECTION THRU SITE AT EACH BUILDING IS VERY SIMILAR TO CALCULATE ORGINAL GRADE PROFILE BEFORE PIT WAS DUG. AVERAGE EAST SIDE OF PROPERTY ELEVATION 6615'- 6" WITH 6614' TO 6612' ON WEST SIDE OF PROPERTY. MAX RIDGE HIGHT IS NOT CLOSE TO EXCEEDING THE 35' LIMIT.



MINIMUM WALL INSULATION BY TOWN OF EAGLE AMMENDMENT TO THE INTERNATIONAL ENERGY CONSERVATION CODE Section 13.11.020:
B. Table C402.1.3, entitled Opaque Thermal Envelope Insulation Component Minimum Requirements, the Climate Zone 6 column amended. The entry entitled Walls, Above Grade, the entry entitled Wood Framed and other, shall be amended to read R-21.



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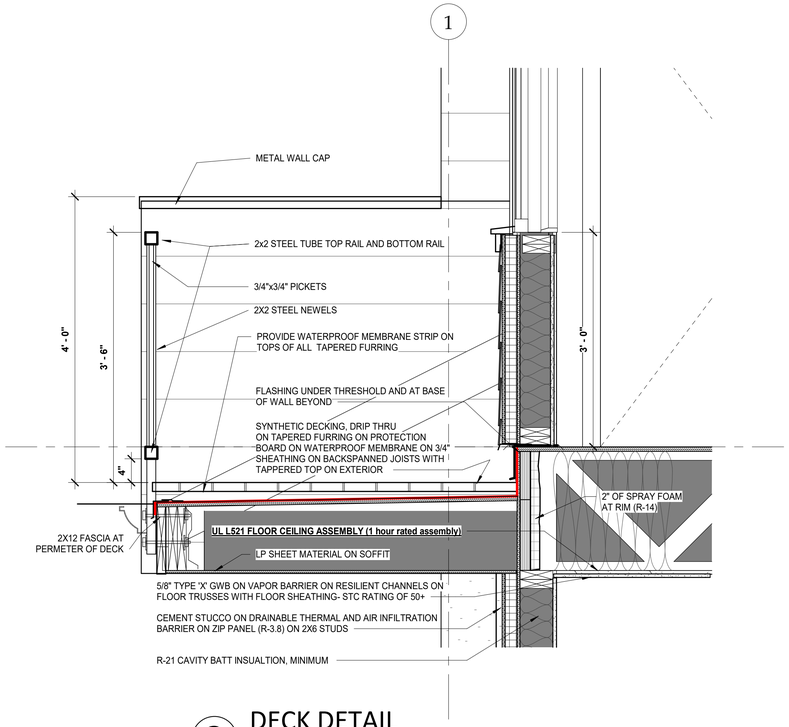
No.	Description	Date

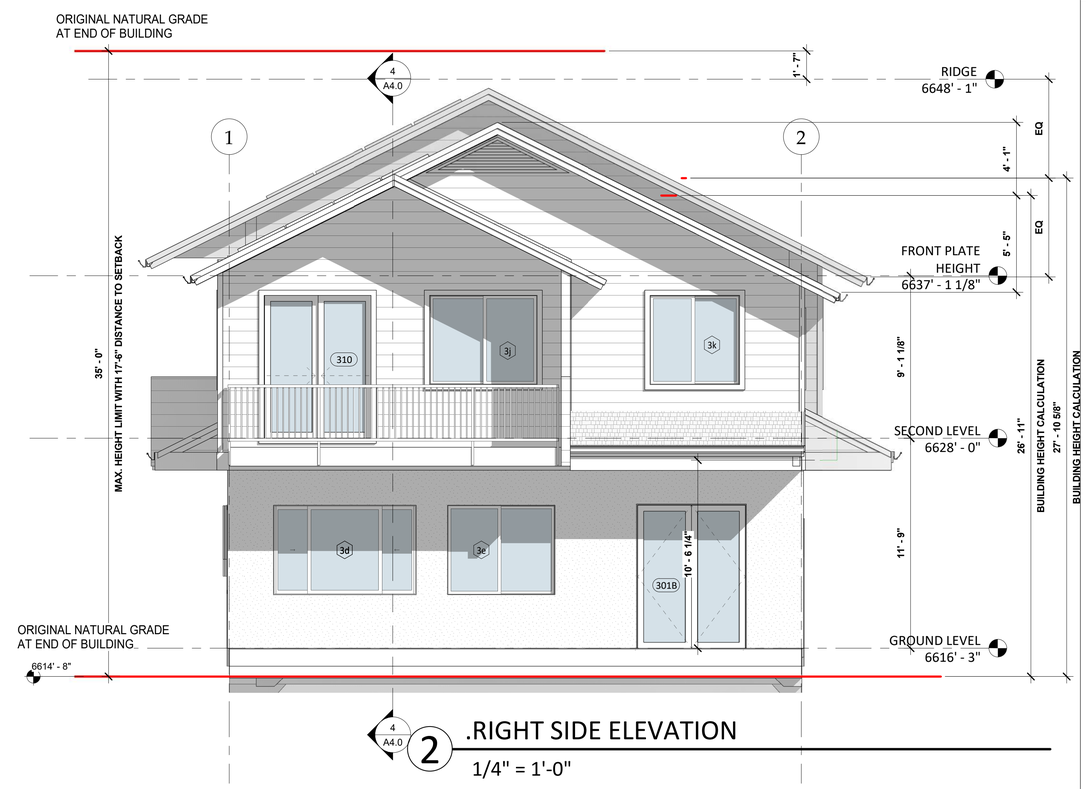
SAWATCH
LOT 2 DEVELOPMENT
263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	10-07-23
Project number	2303
EXTERIOR ELEVATIONS	A3.0



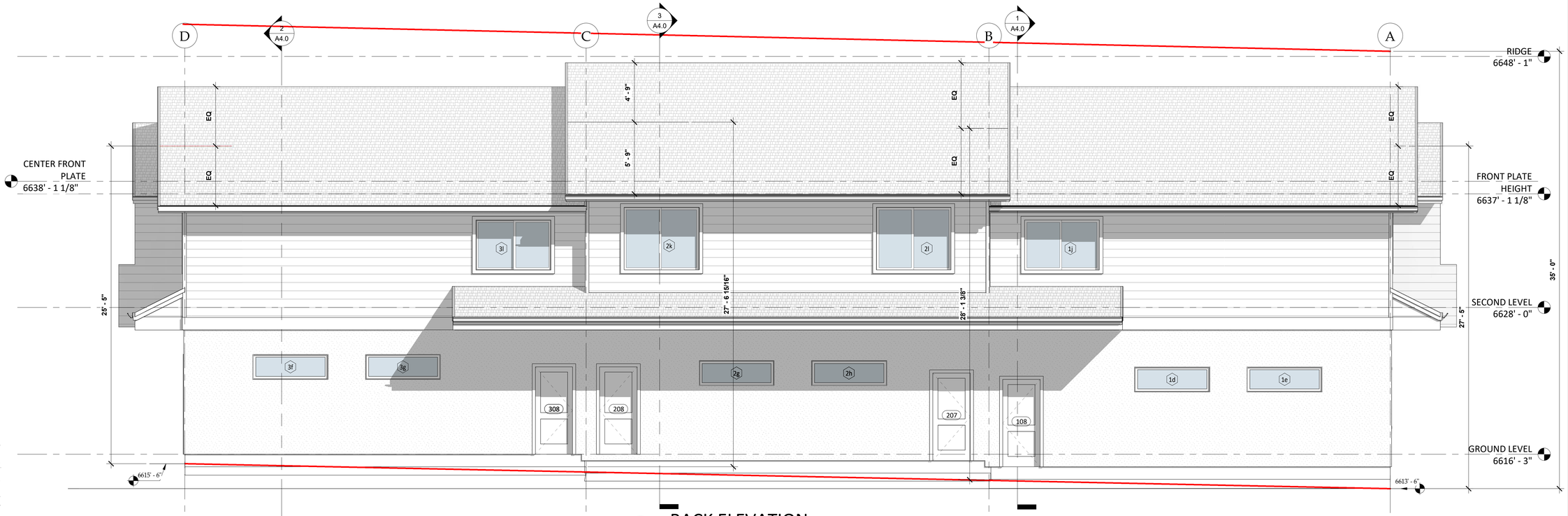
3 DECK DETAIL

1" = 1'-0"



2 .RIGHT SIDE ELEVATION

1/4" = 1'-0"



1 .BACK ELEVATION

1/4" = 1'-0"

SECTION THRU SITE AT EACH BUILDING IS VERY SIMILAR TO CALCULATE ORGINAL GRADE PROFILE BEFORE PIT WAS DUG. AVERAGE EAST SIDE OF PROPERTY ELEVATION 6616'- 6" WITH 6614' TO 6612' ON WEST SIDE OF PROPERTY. MAX RIDGE HIGHT IS NOT CLOSE TO EXCEEDING THE 35' LIMIT.

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REVISIONS

No.	Description	Date

SAWATCH

LOT 2 DEVELOPMENT

263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	10-07-23
Project number	2303
EXTERIOR ELEVATIONS	A3.1

3 Section 5
1/4" = 1'-0"

2 Section 2
1/4" = 1'-0"

1 Section 1
1/4" = 1'-0"

4 Section 7
1/4" = 1'-0"

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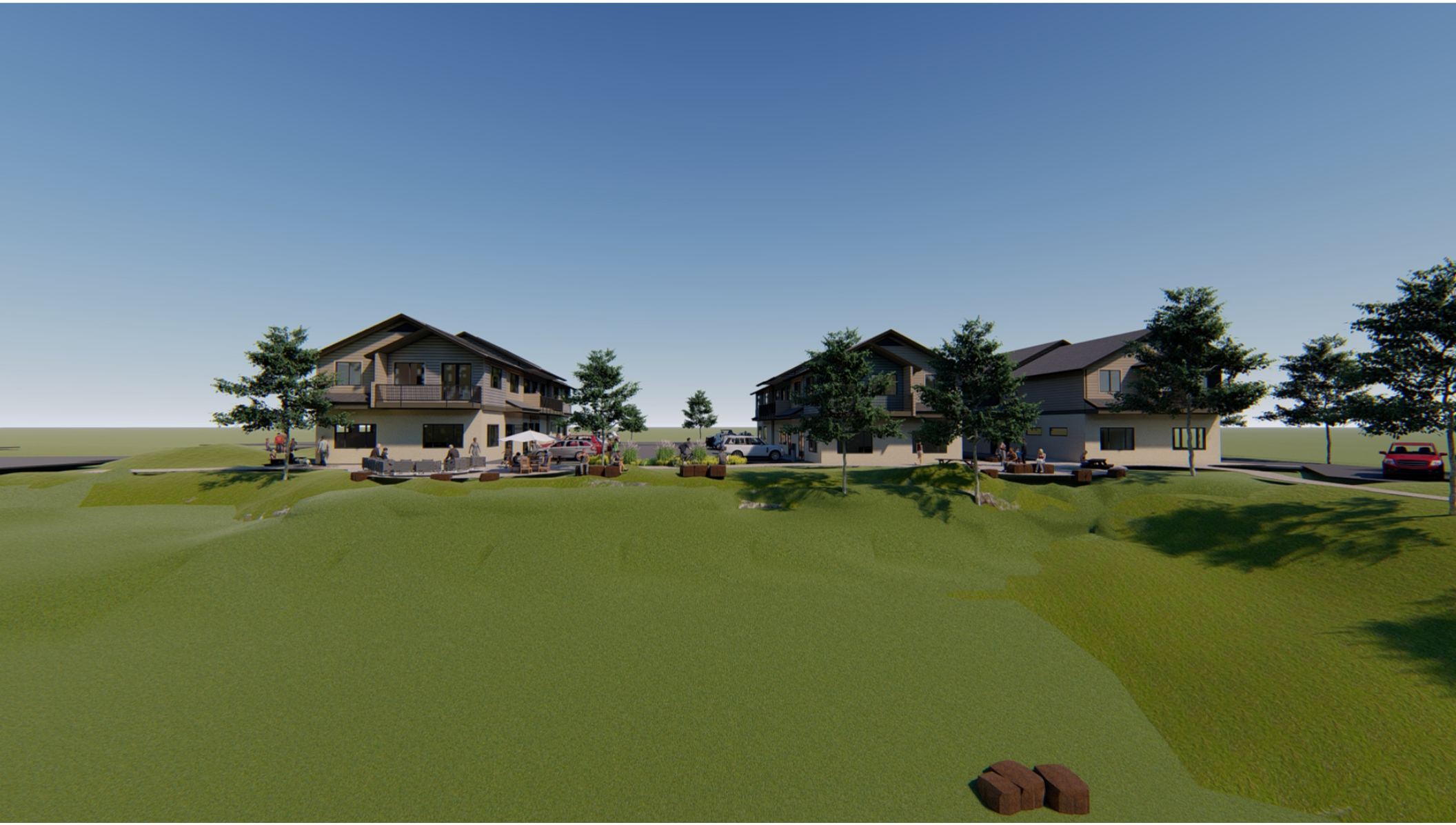
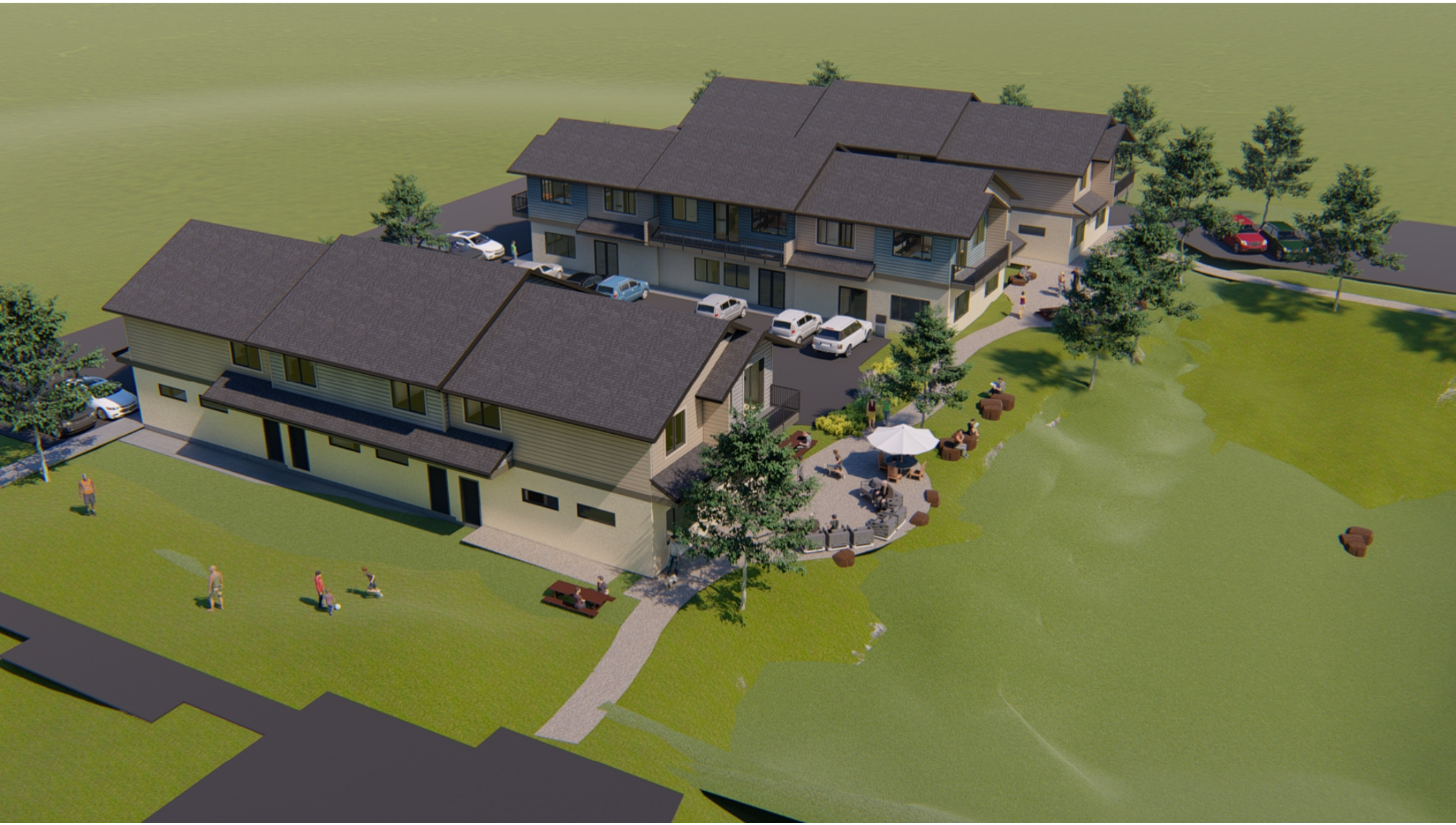
SAWATCH
LOT 2 DEVELOPMENT
263 SAWATCH DRIVE
EAGLE COLORADO 81631
DEVELOPMENT PLAN PHASE

Date	10-07-23
Project number	2303
BUILDING SECTIONS	A4.0

Signage Program
Signage Program
Signage Program





To: Mayor and Town Council

From: Eddie Wilson, Building Official

Date: October 24, 2023

Agenda Item: Ordinance 08, Series 2023. An Ordinance of the Town Council of the Town of Eagle, Colorado, Adopting By Reference the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with Amendments and Related Definitions

---

REQUEST: Adoption of the 2021 editions of the International Codes and the 2020 Edition of the 2020 National Electric Code

BACKGROUND: The Town adopted the 2015 editions of the International Codes along with the 2017 National Electric Code in April of 2017. The "I-Codes" are updated and published every three years by the International Code Council and the NEC is published by the National Fire Protection Association (NFPA). Adoption of each code series is both time-consuming and expensive which is why the 2018 editions were passed over. Adoption of updated codes assists with maintaining acceptable ratings by insurance companies when performing risk analysis for communities.

ANALYSIS: The proposed adoption consists of ten (10) codes. Two are new publications - the Swimming Pool and Spa Code as well as the Existing Building Code. Both were previously embedded as a separate chapter within the Building Code and the Residential Code. There is not any recognized impact on stakeholders as adoption of new building codes does not present hardships that are deemed as incompatible or unreasonable. Adopting updated building codes demonstrates a progressive community committed to the health, safety, and general welfare of the residents and businesses alike.

COMMUNITY INPUT: Positive feedback has been received from our customers as the new code adoptions have been anticipated by most for quite some time. With municipalities up and down the valley having already adopted the 2021 I-Codes, it was not unforeseen that Eagle would soon be aligned.

BUDGET / STAFF IMPACT: Minimal impact as purchases of new code books and training materials have been spread out over the past couple of years.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Core values related to Innovation, Initiative, Accountability, and Commitment to Excellence

RECOMMENDED ACTION OR PROPOSED MOTION: Staff recommends approval of Ordinance 08, Series 2023. An Ordinance of the Town Council of the Town of Eagle, Colorado, Adopting By Reference the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with Amendments and Related Definitions.

ATTACHMENTS:

1. Ordinance 08, Series 2023

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 08
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, ADOPTING BY REFERENCE THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, AND THE INTERNATIONAL FIRE CODE, AND THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE, WITH AMENDMENTS AND RELATED DEFINITIONS

WHEREAS, the Town Council finds it necessary to adopt this ordinance providing minimum standards to safeguard the health, property, and welfare of the citizens of Eagle by regulating and controlling the use, occupancy, maintenance, repair, design, construction and quality of materials for buildings and structures within the Town; and

WHEREAS, the Town agreed to collaborate with neighboring communities to adopt a consistent version of the 2021 International Energy Conservation Code with supporting amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 13.010.050 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 13.01.050. - Violation and penalty.

A. It is unlawful to violate any provision of this Title.

B. Violations of this Title shall be a Class A offense and subject to the penalties set forth in Chapter 1.12 of this Code. Each day of violation shall be a separate offense.

Section 2. Section 13.020.010 of the Eagle Municipal Code is hereby amended by the addition of the following definitions, to appear in alphabetical order:

All-Electric Building means a building and building site that contains no combustion equipment, or plumbing for combustion equipment, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

Assisted Living Facility means a building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a

supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

Change of Use means a change in the use of a building or a portion of a building, within the same group classification, for which there is a change in application of the code requirements.

GEFPD means the Greater Eagle Fire Prevention District.

Special Inspector means a qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

Section 3. Sections 13.03.010 and 13.030.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

Section 13.03.010. - Adoption.

The International Building Code, 2021 Edition, with Appendices C, G, J, and K, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IBC"), is adopted by reference.

Section 13.03.020. - Amendments.

The IBC is amended as follows:

1. Section 103.1 is amended to read as follows: "The Town of Eagle Building Department is the enforcement agency and the official in charge thereof shall be known as the Building Official."

2. Section 105.1 is amended to read as follows: "Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or outdoor assembly space, or to erect, install, enlarge, alter, repair, remove, convert or replace and electric, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

3. Section 105.2 is amended by the deletion of items 1, 2, 10 and 11 under the "Building" subtitle.

4. Section 109.4 is amended by the addition of the following: "An investigation fee, in addition to the permit fee, shall be assessed for work that commences before the issuance of a building permit. The investigation fee shall be equal to the permit fee and payment does not exempt any person from compliance with all other requirements of this code or from any penalty prescribed by law."

5. Section 111.3 is amended by the addition of the following: "The Building Official is authorized to create a policy to address applicable procedures and fees for a Temporary Certificate Occupancy (TCO)."

6. The definition of “Change of Occupancy” in Section 202 is amended as follows: "CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy: a change in the occupancy classification of a building or structure; a change of use; a change in the business occupant; a change in the business name; or a change in the business owner. Exception: Individual office occupancies (excluding medical/dental care occupancies) leased as executive suites which are not part of a mixed-use occupancy such as office/warehouse, or there is no change in electric or gas meter accounts."

7. Section 303.1.3 is amended by the addition of the following: "A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, except when applying the assembly requirements of Chapters 10 and 11."

8. Section 406.3.3.1 is amended by the addition of the following: "A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet."

9. Section 410.6 is amended by the addition of the following and the deletion of Exceptions 1-3: "Automatic sprinkler system**.** With the approval of the fire code official, alternate automatic fire suppression systems may be considered for use in areas where a fire sprinkler system may not be suitable. Stages shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops and storerooms accessory to such stages."

10. Section 903.2.3 is amended by the deletion of the Exception under Item #2.

11. Section 903.2.4.2 is amended to read as follows: "An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits unless involving not more than 120 gallons of distilled spirits in the fire area at any one time and approved by the Fire Marshal."

12. Section 903.2.8.1 is amended to read as follows: "An automatic fire sprinkler system installed in accordance with Section 903.1.3 shall be required, permitted, and installed in Group R-3 occupancies that are supplied by a municipal water supply and constructed more than 5.5 miles of road travel distance from a fire station."

13. Section 903.2.8.1 is amended by the addition of the following: "Group R-2. An automatic fire sprinkler system installed in accordance with Section 903.1.3

shall be required in buildings that have Group R-2 occupancies and other occupancies under one common roof."

14. Section 903.2.9.1 is amended by the addition of the following subsection: "5. Buildings in which repair garages and other occupancy types occupy a building under one common roof."

15. Section 903.2.9.3 is amended to read as follows: "An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine unless involving not more than 120 gallons of distilled spirits or wine in the fire area at any one time and approved by GEFPD."

16. Section 903.2 is amended by the deletion of the Exception.

17. Section 903.4 is amended by the deletion of Exception #1.

18. Section 903.4.3 is amended by the addition of the following: "Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings. Floor control valves shall be readily accessible without the use of special key, knowledge or ladder. Locations of floor control valves shall be subject to approval of the fire code official."

19. A new Section 905.2.1 is added to read as follows: "Installation standards – standpipe systems. Class III standpipes may be required to manual wet when required by the fire code official. Standpipes shall be hydraulically separated from fire sprinkler risers. Combination risers are prohibited without express permission of the fire code official."

20. Section 905.3 is amended to read as follows: "Required installations. Standpipe systems shall be installed where required by Sections 905.3.1-905.3.8. Standpipe installations may be required by the fire code official where distances to all portions of the property from fire apparatus exceed 150 feet. Standpipe class shall be determined by the fire code official based on the conditions presented. Exception**:** Standpipe systems are not required in Group R-3 occupancies."

21. Section 905.3.1 is amended by the deletion of Exception #6.2.

22. Sections 907.2.1 and 907.22 are amended by the deletion of the Exceptions.

23. Section 907.2.2.1 is amended by the deletion of the Exception.

24. A new Section 907.2.3.1 is added to read as follows: "Automatic smoke detection system**.** An automatic smoke detection system shall be installed throughout Group E occupancies in accordance with Section 907.5 and Section 907.6. Exception**:** Group E occupancies with an occupant load of 50 or less."

25. Sections 907.2.4, 907.2.7 and 907.2.8.1 are amended by the deletion of Exception #2.

26. Section 907.2.9.1 is amended by the deletion of Exceptions #2 and #3.

27. Section 907.2.10 is amended by the deletion of the Exception.

28. Section 907.5.2.1.4 is amended to read as follows: "Silencing of alarm notification appliances. Upon the silencing (by the fire department) of a fire alarm system that has been activated, the fire alarm system shall be capable of silencing the audible alarms while still providing visual notification to occupants."

29. Section 907.6.6 is amended by the deletion of Exception #3.

30. Section 1203.1 is amended by the addition of the following: "The minimum design criteria shall be -20 degree Fahrenheit outside."

31. Section 1809.5.1 is amended to read as follows: "Extending below the frost line of the locality to a depth of not less than 48 inches measured from the bottom of the footing to the backfill grade lines, unless otherwise designed by a structural engineer for a specific location."

32. Section 2902.1 is amended by the addition of the following: "In other than Group E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official."

33. Table 2902.1 is amended by the addition of the following footnote g: "Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining or drinking establishments. The Building Official may consider the substitution of approved electric water dispensers for the required number of drinking fountains where existing conditions make such installations impractical or unreasonable."

34. Section 2902.3.3 is amended to read as follows: "Location of toilet facilities in occupancies other than malls. For occupancies other than Group A-2, (including less than 50 occupants), covered malls, and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 75 feet (152 m). Group A-2 shared restrooms may be approved by the Building Official under the following conditions: the occupant load does not exceed 15; the minimum number of fixtures is based on the total occupant load served by all occupancies; a written restroom-sharing agreement is executed between owners of both spaces or between the building owner where the restrooms exist and new business owner; access to the restroom is not be controlled by any locked doors within the path of travel to such facilities unless a site diagram (minimum 18" x 18") is posted at the business front door with the current keypad code; the restroom is accessible during operating hours of the subject business regardless of operating hours of the space providing the restroom; access to the restroom is provided along an accessible route.

Section 4. Sections 13.04.010 and 13.04.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

Section 13.04.010. - Adoption.

The International Residential Code, 2021 Edition, with Appendices AE, AF, AH, AK, AM, AQ, AR, AS and AU, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IRC"), is adopted by reference.

Section 13.04.020. - Amendments.

The IRC is amended as follows:

1. The energy provisions in Chapter 11 are deleted in their entirety.

2. Section R102.4 is amended to read as follows: "Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted."

3. Section R103.1 is amended to read as follows: "The Town of Eagle Building Department is the enforcement agency and the official in charge thereof shall be known as the Building Official."

4. Section R105.2 is amended to read as follows: "1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 120 square feet and the tallest portion of the building does not exceed 10 feet. Such structures shall not be intended or used for human habitation. 2. Fences not over 6 feet high and are located entirely within side or rear yard areas.

5. Table R301.2 (1) is amended to read as follows*:*

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDER-LAYMENT[h]	FLOOD HAZARDS[g]	FREEZING AIR INDEX[i]	MEAN ANNUAL TEMP[j]
	SPEED[d] (MPH)	Topographic Effects[k]	Wind Special Region[L]	Windborne Debris Zone[m]		Weathering[a]	Frost Line Depth[b]	Termite[c]					
65 lb/ft	115	No	No	No	B	Severe	48”	None	-22^0 F	Yes	Local Code	2500	43.9^0 F

	(3 sec-gust)/ 76 fastest mile												

6. Section R302.13 is amended to read as follows: "Fire protection of floors. Floor assemblies located over basements or crawl spaces which contain fuel-fired or electric-powered heating, cooling, water heating, or other similar appliances and not located within mechanical rooms constructed of one-hour fire resistance and not required elsewhere in this code to be fire-resistive rated, shall be provided with a ½-inch gypsum wallboard membrane, 5/8-inch structural panel membrane, or equivalent on the underside of the floor framing member. Where protection is not installed, the cavity spaces formed by floor framing members shall be completely filled with unfaced batt insulation or other approved material and interconnected smoke/CO detectors shall be installed as determined by the code official. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted."

7. Section R303.10 is amended by the addition of the following: "Heat loss calculations required for dwelling units shall be calculated at a minimum 68 degree temperature inside and a -20 degree temperature outside."

8. The following is added to the Exception in Section R303.4: "Spaces containing only a water closet or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air."

9. Section R308.4 is amended by the addition of the following: "Hazardous locations**.** The locations specified in Sections R308.4.1-R308.4.7 shall be considered to be specific hazardous locations for the purposes of glazing. The application of window film to existing glazing is not acceptable as an equivalent method and material for compliance with this section."

10. Section R309.5 is amended by the addition of the following: "Private garages and Accessory Dwelling Units attached to dwellings containing fire sprinkler systems shall be protected by fire sprinkler systems when required by the fire official."

11. Section R313.1 is amended to read as follows: "An automatic fire sprinkler system may be installed in townhouses except for designated geographical locations."

12. Section R313.2 is amended to read as follows: "An automatic fire sprinkler system may be installed in one-and-two family dwellings except for designated geographical locations."

13. Exception #2 in Section R315.2.2 is amended to read as follows: "Installation, alteration or repairs of all electrically powered mechanical systems or plumbing appliances."

14. Section R401.2 is amended by the addition of the following: "Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Colorado-registered engineer unless otherwise authorized by the Building Official.

15. Section R403.1.4.1 is amended by the addition of the following: "All conditioned spaces within a building or attached thereto shall have foundation frost walls extend a minimum depth of 48" as measured from the bottom of the footing to the backfill grade lines, unless otherwise designed by a structural engineer."

16. Chapter 11 [RE] – Energy Efficiency is deleted in its entirety.

17. Section M1305.1.2 is amended to read as follows: "Appliances in attics. Attics containing appliances shall be provided with an opening and a clear unobstructed passageway large enough to allow removal of the largest appliance, but not less than 60 inches high and 36 inches wide and not more than 20 feet long measured along the centerline of the passageway from the opening to appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 36 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present along all sides of the appliance. The clear access opening dimensions shall be a minimum of 22 inches by 30 inches, and large enough to allow removal of the largest appliance.

Exceptions:

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet high and 22 inches wide for its entire length, the passageway shall be not more than 50 feet long.

18. Section M1305.1.3 is amended to read as follows: "Appliances under floors. Underfloor spaces containing appliances shall be provided with an opening and a clear unobstructed passageway large enough to allow removal of the largest appliance, but not less than 60 inches high and 36 inches wide, not more than 20 feet long measured along the centerline of the passageway from the opening to the appliance. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. If the depth of the passageway or the service space exceeds 12 inches below the adjoining grade, the walls of the passageway shall be lined with concrete or masonry extending 4 inches above the adjoining grade in accordance with Chapter 4. The clear access

opening dimensions shall be a minimum of 22 inches by 30 inches, and large enough to allow removal of the largest appliance."

19. A new Section G2420.1.4 is added to read as follows: "Termination of CSST valves. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting in accordance with manufacturer's installation requirements. In the absence of specific provisions, the Building Official may approve an equivalent support, suitable for the size of the valves, of adequate strength and quality, and located not greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping."

20. Section G2420.5.1 is amended by the addition of the following: "(409.5.1) Located within the same room. The shutoff valve shall be within 6 feet of the appliance, and shall be installed upstream of the union, connector or quick disconnect device is serves. Such shutoff valves shall be provided with access. Shutoff valves serving movable appliances, such as cooking appliances and clothes dryers, shall be considered to be provided with access where installed behind appliances. Appliance shutoff valves located in the firebox of a fireplace shall be installed in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed outside of the fireplace and located within 3 feet of the firebox if the appliance shutoff is located within the firebox."

21. Section P2603.5.1 is amended to read as follows: "Sewer depth**.** Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade."

22. Section P2801.6.1 is amended to read as follows: "Pan size and drain**.** Where a pan drain was not previously installed and structural conditions are technically infeasible for a new drain installation, a pan drain shall not be required for a replacement water heater installation and an automatic shut-off triggered by a sensor or other approved device shall be installed."

23. Section P2804.6.1 is amended to read as follows: "Requirements for discharge piping**.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor, to the outdoors or to an approved location. Exception: Replacement of existing water heaters shall not trigger the requirement to add or modify existing discharge piping unless such piping was never code compliant as determined by the code authority."

Section 5. Sections 13.05.010 and 13.05.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

Section 13.05.010. - Adoption.

The International Mechanical Code, 2021 Edition, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IMC") is adopted by reference.

Section 13.05.020. - Amendments. -

The IMC is amended as follows:

1. A new Section 201.5 is added to read as follows: "Mechanical Contractor. Only a Mechanical Contractor is authorized to install "Mechanical Systems" as defined in Section 202 of the IMC. Mechanical Contractors shall possess state or national certifications, registrations, or licenses as recognized by the Building Official. The Building Official may determine accepted criteria until such time that the State commences licensing or registration of mechanical contractors."

2. Section 306.3 is amended to read as follows: "Appliances in attics**.** Attics containing appliances shall be provided with an opening and a clear unobstructed passageway large enough to allow removal of the largest appliance, but not less than 60 inches high and 36 inches wide and not more than 20 feet in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 36 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 22 inches by 30 inches, and large enough to allow removal of the largest appliance.

Exceptions:

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet high and 36 inches wide for its entire length, the passageway shall be not more than 50 feet long.

3. Section 306.4 is amended to read as follows: "Appliances under floors**.** Underfloor spaces containing appliances shall be provided with an opening and a clear unobstructed passageway large enough to allow removal of the largest appliance, but not less than 60 inches high and 36 inches wide and not more than 20 feet long measured along the centerline of the passageway from the opening to the appliance. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. If the depth of the passageway or the service space exceeds 12 inches below the adjoining grade, the walls of the passageway shall be lined with concrete or masonry extending 4

inches above the adjoining grade in accordance with Chapter 4. The clear access opening dimensions shall be a minimum of 22 inches by 30 inches, and large enough to allow removal of the largest appliance.

Exceptions:

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet high and 36 inches wide for its entire length, the passageway shall be not more than 50 feet long.

4. Section 309.1 is amended by the addition of the following: "The minimum design criteria shall be -20 degree Fahrenheit outside."

5. Section 621 is deleted in its entirety.

Section 6. Sections 13.06.010 and 13.06.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

Section 13.06.010. - Adoption.

The International Plumbing Code, 2021 Edition, with Appendices C, D and E, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IPC"), is adopted by reference.

Section 13.06.020. - Amendments.

The IPC is amended as follows:

1. Section 305.4.1 is amended as follows: "Building sewers shall be a minimum of 12 inches below grade."

2. Section 306.2.4 is amended by the addition of the following: "Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. The piping shall be bedded in 4 inches of granular fill or fine rock aggregate not exceeding 0.75 inches in diameter and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85% standard proctor density and extend to a minimum of 6 inches above the top of the pipe."

3. Section 312.1.1 is amended to read as follows: "Test Gauges. Gauges used for testing shall not be dilapidated as determined by the Code Official and shall be as follows: 1. Tests requiring a pressure of 10 pounds per square inch or less shall utilize a testing gauge having increments of 0.10 psi or less. 2.Tests requiring a pressure of greater than 10 psi but less than or equal to 100 psi shall utilize a testing gauge having increments of 1 psi or less. 3. Tests requiring a pressure of greater than 100 psi shall utilize a testing gauge having increments of 2 psi or less."

4. The first sentence of Section 312.3 is deleted in its entirety.

5. Section 403.1 is amended by the addition of the following: "In other than E Occupancies, the minimum number of fixtures in Table 403.1 may be lowered, if requested in writing by the applicant, stating the specific hardship(s) for a reduced number and approved by the Building Official."

6. Table 403.1 is amended by the addition of the following footnote: "g. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining or drinking establishments. The Building Official may authorize the use of other devices where a hardship is demonstrated that prohibits the installation of a drinking fountain."

7. Section 403.3.3 is amended to read as follows: "Location of toilet facilities in occupancies other than malls. In occupancies other than Group A-2, (including less than 50 occupants), covered malls, and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below he space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 75 feet. The Building Official may approve shared restrooms under the following conditions: the occupant load does not exceed 15; the minimum number of fixtures is based on the total occupant load served by all occupancies; a written restroom-sharing agreement is executed between owners of both spaces or between the building owner where the restrooms exist and the new business owner; access to the restroom is not controlled by any locked door within the path of travel to such facilities unless a site diagram (min. 18” x 18”) to the restroom is posted at the business front door with the current keypad code; the restroom is accessible during operating hours of the subject business regardless of operating hours of the space providing the restroom; and access to the restroom is provided along an accessible route.

8. Section 413.4 is amended to read as follows: "Required location for floor drains shall be installed in the following areas: 1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall have floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches in diameter. 2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks. 3. Public restrooms."

9. Section 703.6 is deleted in its entirety.

10. Section 713.1 is amended to read as follows: "Design of drainage system**.** The sizing, design and layout of the drainage system shall be designed by a registered engineer using approved design methods."

11. Section 903.1.1 is amended to read as follows: "Open vent pipes that extend through a roof shall terminate not less than 6 inches above the roof."

12. Section 903.2 is amended to read as follows*:*

903.2 Frost closure**.** Where the 97.5% value for outdoor design temperature is 7 degrees Fahrenheit or less, vent extensions through a roof or wall shall be not less than 3 inches in diameter. Any increase in the size of the vent shall be made not less than 1 foot inside the thermal envelope of the building.

Section 7. Chapter 13.07 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 13.07.010. - Adoption.

The International Fuel Gas Code, 2021 Edition, promulgated by the International Code Council, 500 New Jersey Avenue NW 6th Floor, Washington, DC 20001 (the "IFGC"), is adopted by reference.

Section 13.07.020 - Amendments.

The IFGC is amended as follows:

1. Section 103.1 is amend to read as follows: "The Town of Eagle Building Department is the enforcement agency and the official in charge thereof shall be known as the Building Official."

2. Sections 106.1 and 106.2 are deleted in their entirety.

3. A new Section 401.11 is added to read as follows: "When gas meters are located in an area subject to vehicular or other means of physical damage, as determined by the code official, proper protection approved by the code official shall be provided around the gas meter(s)."

4. Section 404.12.1 is amended to read as follows: "Individual outdoor appliances**.** Individual lines to outdoor lights, grills and other appliances shall be installed a minimum depth of 12 inches top of pipe below grade."

5. A new Section 409.1.4 is added to read as follows: "Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12 inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping."

6. Section 621.2 is amended by the addition of the following: "Exception: Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Building Official unless an unsafe condition is determined to exist as described in Section 108.7."

Section 8. Sections 13.08.010 and 13.08.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

13.08.010. - Adoption.

The National Electrical Code, 2020 Edition, promulgated by the National Fire Protection Association, 1 Battery March Park, Quincy, MS 02169 (the "NEC"), is adopted by reference.

Section 13.08.020. - Amendments.

The NEC is amended as follows:

1. Article 210.8 is amended to include the following sentence: "All G.F.C.I. protection shall be resettable in rooms where protection is required including outside receptacles."

2. Article 590.3 is amended to include a new subsection (e) to read as follows: "(e) Permanent services on buildings which are energized for construction work will be considered as temporary service equipment until such time as the final inspection is complete."

3. Article 680.71 is amended to include the following: "All G.F.C.I. protection shall be located within the same room and shall be installed 5 feet off of finished floor and 6 feet from hydro-massage bathtub. The cord shall not exceed 3 feet from motor to receptacle installed near the access door protected by the resettable G.F.C.I. outlet mounted on wall (the resettable G.F.C.I. shall not be mounted under the tub)."

Section 9. Title 13 of the Eagle Municipal Code is hereby amended by the addition of a new Chapter 13.09, to read as follows:

CHAPTER 13.09. - INTERNATIONAL EXISTING BUILDING CODE

Section 13.09.010. - Adoption.

The International Existing Building Code, 2021 Edition, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IEBC") is adopted by reference.

Section 13.09.020. - Amendments.

The IEBC is amended as follows:

1. Section 103.1 is amended to read as follows: "The Town of Eagle Building Department is the enforcement agency and the official in charge thereof shall be known as the Building Official."

2. The following definitions in Section 202 are amended to read as follows:

CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy where the current International Building Code requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure: a change in the occupancy classification of a building or structure; a change in the purpose of or a change in the level of activity withing a building or structure; a change of use; a change in the business occupant; a change in the business name; and a change in the business owner. Exception: Individual Office occupancies (excluding medical/dental care occupancies) leased as executive suites (as defined by ordinance) which are not part of a mixed-use occupancy such as office/warehouse and/or there is no change in electric or gas meter accounts.

EXISTING BUILDING. A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. Components that were illegally installed or improperly installed do not maintain a legal non-conforming status.

EXISTING STRUCTURE. A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. Components that were illegally installed or improperly installed do not maintain a legal non-conforming status.

WORK AREA**.** The portions of a building including all reconfigured spaces as indicated on the construction documents and including the entire tenant space or spaces bounded by walls containing the subject work area. If the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be included in the work area calculations and shall be protected in its entirety on that particular floor level.

3. Section 406.1 is amended by the addition of the following: "Material**.** Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70."

4. Section 702.7 is amended to read as follows: "Materials and methods**.** All new work shall comply with the materials and methods requirements in the IBC, IECC, IMC, NEC, and IPC, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building."

5. Section 705.4 is amended to read as follows: "Reinstallation of materials. Existing slate, clay or cement tile may be permitted for reinstallation provided that all used materials are inspected and approved by a qualified independent Special Inspector approved in advance by the Building Official, except that damaged, cracked or broken slate or tile shall not be reinstalled."

6. Section 802.5.1 is amended to read as follows: "Minimum requirement. Every portion of open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps, and landings that are more than 30 inches above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards."

7. Section 803.1 is amended by the addition of the following: "For purposes of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level."

8. Section 804.6.2 is amended by the addition of the following: "Transoms. In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies, all transoms in corridor walls in work areas shall be either glazed with ¼-inch wired glass set in metal frames or other glazing assemblies having a fire protection rating as required for the door and permanently secured in the closed position or sealed with materials consistent with the corridor construction.

9. A new Section 808.2 is added to read as follows: "Plumbing installations. Level 2 alterations shall comply with the adopted IPC."

10. Section 904.1 is amended by the addition of the following: "For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level."

11. Section 1001.3 is amended to read as follows: "Certificate of occupancy. A certificate of occupancy shall be issued where a change of occupancy occurs as defined in the IEBC and by the IBC.

12. The Exception to Section 1009.1 is deleted in its entirety.

Section 13.09.030. - Copies on file and available for sale.

At least one copy of the IEBC, together with one copy of the ordinance from which this Chapter is derived, shall be kept on file in the office of the Town Clerk or the

Building Official. Copies of the IEBC shall be available for sale to the public at a moderate price.

Section 13.09.040. - Penalties.

A. Any person who violates any of provision of the IEBC, fails to carry out an order made pursuant to the IEBC, or violates any condition attached to a permit, approval or certificate under the IEBC shall be deemed guilty of a Class A municipal offense. Each separate day, or portion thereof; during which any such violation occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, and approval of, any violation of any provision of the IEBC. No permit presuming to give authority to violate or cancel the provisions of said Codes shall be valid, except insofar as the work or use, which is authorized, is lawful. Any municipal offense under the IEBC shall be deemed one of strict liability.

B. The imposition of the penalties herein described shall not prevent the Town from instituting the appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 10. Chapter 13.10 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

CHAPTER 13.10 - INTERNATIONAL SWIMMING POOL AND SPA CODE

Section 13.10.010. - Adoption.

The International Swimming Pool and Spa Code, 2021 Edition, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "ISPSC") is adopted by reference.

Section 13.10.020. - Amendments.

The ISPSC is amended as follows:

1. Section 103.1 is amended to read as follows: "The Town of Eagle Building Department is the enforcement agency and the official in charge thereof shall be known as the Building Official."

Section 13.10.030. - Copies on file and available for sale.

At least one copy of the ISPSC, together with one copy of the ordinance from which this Chapter is derived, shall be kept on file in the office of the Town Clerk or the Building Official. Copies of the ISPSC shall be available for sale to the public at a moderate price.

Section 13.10.040. - Penalties.

A. Any person who violates any of provision of the ISPSC, fails to carry out an order made pursuant to the ISPSC, or violates any condition attached to a permit, approval or certificate under the ISPSC shall be deemed guilty of a Class A municipal offense. Each separate day, or portion thereof; during which any such violation occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, and approval of, any violation of any provision of the ISPSC. No permit presuming to give authority to violate or cancel the provisions of said Codes shall be valid, except insofar as the work or use, which is authorized, is lawful. Any municipal offense under the IEBC shall be deemed one of strict liability.

B. The imposition of the penalties herein described shall not prevent the Town from instituting the appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 11. Sections 13.11.010 and 13.11.020 of the Eagle Municipal Code are hereby repealed in their entirety and reenacted as follows:

Section 13.11.010. - Adoption.

The International Energy Conservation Code, 2021 Edition, with Appendices CB, CD, CE, RB, RD, and RE, promulgated by the International Code Council, 500 New Jersey Avenue NW 6th Floor, Washington, DC 20001 (the "IECC"), is adopted by reference.

Section 13.11.020. - Amendments.

The IECC is amended as follows:

1. Section C103.2 is amended by the amendment of subsection 6 and the addition of subsections 14, 15, and 16, to read as follows:

6. Mechanical and service water heating systems and equipment types, sizes, fuel source, and efficiencies.

14. Details of additional electric infrastructure, including branch circuits, conduit, or pre-wiring, and panel capacity in compliance with the provisions of this code.

15. Location of pathways for routing of raceways or cable from the solar ready zone to the electrical service panel.

16. Location of designated EVSE spaces, EVSE Universal spaces, EV Ready spaces, and EV Capable spaces in parking facilities.

2. Section C104.2 is amended to read as follows: "A fee for each permit shall be paid as required in accordance with the established fee resolution by Town Council.

3. Section C105.2.5 is amended to read as follows: C105.2.5 Electrical System Inspections shall verify lighting system controls, components, meters, and additional electric infrastructure, as required by the code, approved plans and specifications.

4. Section C202 is amended to add or revise the following definitions:

CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy: a change in the business occupant; any change in the business name; or a change in the business owner. Exception: Individual Office occupancies (excluding medical/dental care occupancies) leased as executive suites (as defined by ordinance) which are not part of a mixed-use occupancy such as office/warehouse and/or there is no change in electric or gas meter accounts.

COMBUSTION EQUIPMENT: Any equipment or appliances used for space heating, cooling, water heating (including pools and spas), cooking, clothes drying or lighting that uses natural gas, propane, other fuel gas, or fuel oil.

ELECTRIFICATION RETROFIT BID: A contractor bid showing the cost of replacing combustion equipment with an electric heat pump-based system.

MIXED-FUEL BUILDING. A building and building site that contains combustion equipment or plumbing for combustion equipment.

5. Section C401.2.1 is amended by the addition of a new subsection 2 to read as follows:

2. Total Building Performance. The Total Building Performance option requires compliance with Section C407 and, for mixed fuel buildings, Section C405.13 and 10 credits from Tables C406.1(1)-C406.1(5).

6. Section C401.2.2 is amended to read as follows: "ASHRAE 90.1. Commercial buildings shall comply with ANSI/ASHRAE/IESNA 90.1 and, for mixed fuel buildings, Section C405.13 and 10 credits from Tables C406.1(1)-C406.1(5)."

7. A new Section C403.13.3, is added to read as follows: "Roof and gutter deicing controls. Roof and gutter deicing systems, including without limitation self-regulating cable, shall include automatic controls configured to shut off the system when the outdoor temperature is above 40°F maximum and shall include one of the following: a moisture sensor configured to shut off the system in the absence of moisture; or programmable timer configured to shut off the system for 8 hours minimum during the day."

8. Exception #1 to Section C404.2.1 is amended to read as follows: "Where not less than 50% of the annual service water heating requirement is provided by on-site renewable energy or site-recovered energy, not including any capacity

used for compliance with Section C406 of this code or the Exterior Energy Offset Program, the minimum thermal efficiency requirements of this section shall not apply."

9. A new Section C404.10 is added to read as follows: "Water heating equipment location. Water heaters with combustion equipment shall be located in a space with the following characteristics:

1. Minimum dimensions of 3 feet by 3 feet by 7 feet high.
2. Minimum volume of 760 cubic feet, or the equivalent of one 16-inch by 24-inch grill to a heated space and one 8-inch duct of no more than 10 feet in length for cool exhaust air.
3. Contains a condensate drain that is no more than 2 inches higher than the base of the installed water heater and allows natural draining without pump assistance, installed within 3 feet of the water heater.
   Exceptions:
   1. Instantaneous water heaters located within 10 feet of the point of use.
   2. Water heaters with an input capacity of more than 300,000 Btu/h.

10. Section C405.5.3 is amended to read as follows: "Gas lighting. Gas fired lighting appliances are not permitted."

11. Table C405.12.2 is amended to add a new line at the end:

Table C405.12.2 ENERGY USE CATEGORIES

EV charging	EV charging loads.

12. A new Section C405.13 is added to read as follows: "Additional electric infrastructure. All combustion equipment shall be provided with a junction box that is connected to an electrical panel by continuous raceways that meet the following requirements:

1. The junction box, raceway, and bus bar in the electric panel and conductors serving the electric panel shall be sized to accommodate electric equipment that is sized to serve the same load as the combustion equipment.
2. The panel shall have reserved physical space for a 3-pole circuit breaker.
3. The junction box and electrical panel directory entry for the dedicated circuit breaker space shall have labels stating “For future electric equipment.”
4. The junction box shall allow for the electric equipment to be installed within the same place of the combustion equipment that it replaces.
   Exceptions:
   1. Warm air furnaces serving spaces that also have space cooling.
   2. Water heating equipment with an input capacity more than 300,000 Btu/h.

3. Industrial, manufacturing, laboratory, and high hazard occupancy combustion equipment."

13. The first sentence of Section C406.1 is amended to read as follows: "Additional energy efficiency credit requirements. New all-electric buildings shall achieve a total of 10 credits and new mixed-fuel buildings shall achieve a total of 20 credits from Tables C406.1(1)-C406.1(5) where the table is selected based on the use group of the building and from credit calculations as specified in relevant subsections of C406."

14. Sections C406.7.3 and C406.7.4 in Climate Zone 6B of Table C406.1(2) are amended to read as follows:

TABLE C406.1(2)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP R AND I OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater [b]	3
C406.7.4: Heat pump water heater [b]	9

15. Sections C406.7.3 and C406.7.4 in Climate Zone 6B in Table C406.1(3) are amended to read as follows:

TABLE C406.1(3)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP E OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater[a]	1
C406.7.4: Heat pump water heater [a]	3

a. For schools with showers or full-service kitchens.

16. Sections C406.7.3 and C406.7.4 in Climate Zone 6B in Table C406.1(5) are amended to read as follows:

TABLE C406.1(5)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR OTHER OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater[b]	3
C406.7.4: Heat pump water heater [b]	9

a. Other occupancies include all groups except Groups B, E, I, M, and R.
b. For occupancy groups listed in Section 406.7.1

17. Table C407.2 is amended to add the following:

TABLE C407.2
REQUIREMENTS FOR TOTAL BUILDING PERFORMANCE

SECTION	TITLE
Envelope	
C401.3	Thermal envelope certificate
C402.2.4	Slabs-on-grade
C402.2.6	Insulation of radiant heating system

18. A new Section C501.6 is added to read as follows: "Energy audit. An ASHRAE Level II energy audit shall be performed and provided to the code official prior to a permit application for any alteration, addition, or change of occupancy, in order to baseline the efficiency of the existing building and offer opportunities for cost-effective energy upgrades."

19. A new Section C501.7 is added to read as follows: "Thermostatic controls. Alterations, additions, and changes of occupancy that involve replacing or expanding a heating or cooling system shall comply with section C403.4.1 Thermostatic controls."

20. A new Section C501.8 is added to read as follows: "Replacement of electric equipment. Combustion equipment shall not be installed to replace electric equipment."

21. A new Section C503.3.2 is added to read as follows: "Electrification retrofit bid. Where a gas-fired warm-air furnace is replaced with a gas-fired warm-air furnace, or when a unitary air conditioner or condensing unit serving a heated space is replaced with another unitary air conditioner or condensing unit, an Electrification Retrofit Bid is required."

22. A new Section C503.3.4 is added to read as follows: "Mechanical system acceptance testing. Where an alteration requires compliance with Section C403 or any of its subsections, mechanical systems that serve the alteration shall comply with Sections C408.2.2, C408.2.3 and C408.2.5. Exceptions:

1. Mechanical systems and service water heater systems in buildings where the total mechanical equipment capacity is less than 480,000 Btu/h (140.7 kW) cooling capacity and 600,000 Btu/h (175.8 kW) combined service water-heating and space-heating capacity.
2. Systems included in Section C403.5 that serve individual dwelling units and sleeping units.

23. A new Section C503.4.1 is added to read as follows: "Service hot water system acceptance testing. Where an alteration requires compliance with Section

C404 or any of its subsections, service hot water systems that serve the alteration shall comply with Sections C408.2.3 and C408.2.5. Exceptions:

1. Service water heater systems in buildings where the total mechanical equipment capacity is less than 600,000 Btu/h (175.8 kW) combined service water-heating and space-heating capacity.
2. Systems included in Section C403.5 that serve individual dwelling units and sleeping units."

24. Section C503.5 is amended by the deletion of the Exception.

25. Appendix CB103.1 is amended as follows: "General. A solar-ready zone shall be located on the roof of all new buildings that are subject to the commercial provisions of the IECC and that are oriented between 110 degrees and 270 degrees of true north or have low-slope roofs. Solar-ready zones shall comply with Sections CB103.2-CB103.9."

26. Appendix CD is added to read as follows:

APPENDIX CD
EV READINESS – COMMERCIAL

CD101. Purpose and intent. The purpose and intent of this Appendix CD is to accommodate the growing need for EV charging infrastructure. Including these measures during initial commercial construction substantially reduces the costs and difficulty of installing EV infrastructure at a later date.

CD102. Applicability. This Appendix CD shall apply to all new commercial construction to which the current International Building Code applies.

CD103. Definitions.

AUTOMOBILE PARKING SPACE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE: EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the EVSE that will then directly charge the EV.

EV LOAD MANAGEMENT SYSTEM: A system designed to allocate charging capacity among multiple EVSE and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

EV SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the EV

connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the EV.

EV SUPPLY EQUIPMENT INSTALLED SPACE (EVSE SPACE). An automobile parking space that is provided with a dedicated EVSE connection.

EV CAPABLE SPACE. A designated automobile parking space that is provided with electrical infrastructure, such as, raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an EVSE.

EV READY SPACE. An automobile parking space that is provided with a branch circuit and a ground fault circuit interrupter (GFCI/GFI) outlet, junction box, or receptacle, that will support an installed EVSE.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches with 36 inch access aisles on each side.

CD104. EV power transfer infrastructure. New parking facilities shall be provided with EV power transfer infrastructure in compliance with Sections CD104.1-CD104.6, CD105, and CD106.

CD104.1. Quantity. The number of required EVSE spaces, EV ready spaces, and EV capable spaces shall be determined in accordance with this Section and Table CD104.1. based on the total number of automobile parking spaces and shall be rounded up to the nearest whole number. For multifamily buildings, the Table requirements shall be based on the total number of dwelling units or the total number of automobile parking spaces, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required automobile parking spaces required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Where one shared parking facility serves multiple building occupancies, the required number of spaces shall be determined proportionally based on the floor area of each building occupancy.
3. Installed EVSE spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for EV ready spaces and EV capable spaces.
4. Installed EV ready spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for EV capable spaces.
5. Where the number of EV ready spaces allocated for multifamily occupancies is equal to the number of dwelling units or to the number of automobile parking spaces, whichever is less, requirements for EVSE spaces shall not apply.

6. In multifamily complexes that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.
7. DCFC. The number of EVSE spaces may be reduced by up to 10 per DCFC EVSE provided that the building includes not less than one parking space equipped with a DCFC EVSE and not less than one EV ready space. A maximum of 50 spaces may be reduced from the total number of EVSE spaces. Exception**:** Parking facilities, serving occupancies other than multifamily, with fewer than 10 automobile parking spaces.

TABLE CD104.1
REQUIRED EV POWER TRANSFER INFRASTRUCTURE

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
Multifamily [a]	5%	10%	40%
All Other Commercial	5%	0%	40%

a. Where 100% of parking serving multifamily are EV ready spaces, requirements for EVSE spaces shall not apply.

CD104.2. EV capable spaces. Each EV capable space used to meet the requirements of Section CD104.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet of the EV capable space and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with CD104.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.
4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each EV capable space.

CD104.3. EV ready spaces**.** Each branch circuit serving EV ready spaces used to meet the requirements of Section CD104.1 shall comply with all of the following:

1. Terminate at an outlet or enclosure, located within 3 feet of each EV ready space it serves.
2. Have a minimum circuit capacity in accordance with CD104.5.
3. Branch circuit on the panelboard or other electrical distribution equipment directory designated as "For electric vehicle supply equipment (EVSE)" and

the outlet or enclosure marked "For electric vehicle supply equipment (EVSE)."

CD104.4. EVSE spaces**.** An installed EVSE with multiple output connections shall be permitted to serve multiple EVSE spaces. Each EVSE installed to meet the requirements of Section CD104.1, serving either a single EVSE space or multiple EVSE spaces, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with CD104.5.
2. Have a minimum charging rate in accordance with CD104.4.1.
3. Be located within 3 feet of each EVSE space it serves.
4. Be installed in accordance with Section CD104.6 and CD104.7.

CD104.4.1. EVSE minimum charging rate**.** Each installed EVSE shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple EVSE spaces and controlled by an energy management system providing load management, be capable of simultaneously charging each EVSE space at a minimum rate of no less than 3.3 kVA.
3. When serving EVSE spaces allowed to have a minimum circuit capacity of 2.7 kVA in accordance with CD104.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each ESVE space at a minimum rate of no less than 2.1 kVA.

CD104.5. Circuit capacity. The capacity of electrical infrastructure serving each EV capable space, EV ready space, and EVSE space shall comply with one of the following:

1. A branch circuit with a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each EV ready space or EVSE space it serves.
2. The requirements of CD104.5.1.

CD104.5.1. Circuit capacity management. The capacity of each branch circuit serving multiple EVSE spaces, EV ready spaces or EV capable spaces designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

1. Have a minimum capacity of 4.1 kVA per space.
2. Have a minimum capacity of 2.7 kVA per space when serving EV ready spaces or EVSE spaces for a building site where 100% of the automobile parking spaces are designed to be EV ready or EVSE spaces.

CD104.6. EVSE installation. EVSE shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

CD104.7. EVSE ENERGY STAR. All EVSE shall be ENERGY STAR certified.

CD105. Universal vehicle charging stations. Where EV charging stations are provided for public use, or where EV charging stations are shared by multiple multifamily dwelling units, the number of universal EV charging stations shall be provided in accordance with Table CD104.1. When multiple stalls are required, access aisles may be shared.

TABLE CD105.1
UNIVERSAL EV SPACE REQUIREMENTS

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
1 or more	25%

CD106. Identification. Construction documents shall designate all EV capable spaces, EV ready spaces, and EVSE spaces and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the EV capable spaces, EV ready spaces, and EVSE spaces shall be clearly identified in the panel board directory. The conduit for EV capable spaces shall be clearly identified at both the panel board and the termination point at the parking space.

27. Appendix CE is added as follows:

APPENDIX CE
EXTERIOR ENERGY OFFSET PROGRAM

CE101.1. Intent and Purpose. The purpose of the Exterior Energy Offset Program ("EEOP") Chapter is to encourage sustainable, energy efficient, exterior heating solutions that conserve energy and natural resources, as well as, to offset the greenhouse gas impact of exterior energy use in residential and commercial buildings.

CE101.2. Applicability. The standards in this Chapter apply to all new residential buildings and commercial buildings and their exterior energy uses, as defined in the IECC, including snowmelt, spas, pools and outdoor fire pits/fireplaces.

CE101.3. Scope. The scope of this document includes Exterior Energy uses, and energy production to offset exterior energy use. Compliance with this section will be documented via the free Public Domain tool "EEOP Calculation Sheet" in the most current version at the time of permit application. Projected energy use, associated energy offset required, fees and credits are defined within this tool.

CE103.1. Exterior Energy Uses. Residential, Commercial, and Governmental exterior energy uses (per list below) may be installed only if the building project meets the requirements of this Appendix. The completed "EEOP Calculation Sheet" must be submitted along with the subject building permit application.

Exception: Mobile Home units that are approved by the Colorado Department of Housing are exempt.

1. Snowmelt (ie: driveways, patios, walkways, or similar surfaces). Exception: Snowmelt systems 200 square feet or less.
2. Exterior pools.
3. Exterior spas. Exception: Exterior spas 64 square feet or less.
4. Outdoor gas fireplaces and firepits.

CE103.2. Snowmelt Systems. All snowmelt systems shall be installed in accordance with the following provisions. The first 200 square feet of snowmelt are exempt from the requirements of this section.

1. The maximum area of snowmelt is capped at 6,000 square feet per parcel.
2. R-15 insulation shall be installed under all areas of snowmelt.
3. Automated controls that have the following capabilities:
   a. Limit operation to only when moisture is present.
   b. Limit operation to when outdoor air temperature is between 20 and 40 degrees F.
   c. Configured to shut the system off when surface temperature is above 50 degrees F.
   d. Idling shall only be permitted for commercial applications where public safety is shown to be a factor.
4. Snowmelt heating appliances such as, but not limited to, condensing boilers will have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters shall be permitted. Where condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.

CE103.3. Exterior Pools. All exterior pools shall be installed in accordance with the following provisions.

1. Pool covers are required for all pools, with a minimum R-value of 2.
2. Pool heating appliances shall have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters are permitted. Where condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.

CE103.4. Exterior Spas. All exterior spas shall be installed in accordance with the following provisions:

1. Spa covers are required for all spas, with a minimum R-value of 12.
2. Spa heating appliances shall have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters shall be permitted. Where condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.
3. The first 64 square feet of spa, as measured from the perimeter edge, are exempt from this Section.

CE103.5. Credits for Exterior Energy Use. This EEOP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy or use all-electric energy efficient technology via an air source heat pump or ground source heat pump to earn credit towards their exterior energy use offset. Credits for renewable energy production and high efficiency all-electric heating systems shall be calculated and applied per "EEOP Calculation Sheet'' for energy generated and systems installed onsite. Renewable energy methods listed in the calculator include: solar photovoltaic panels, solar thermal arrays, and hydroelectric and wind power. High efficiency heating systems listed in the calculator include: ground source heat pumps (GSHPs), and air source heat pumps (ASHP). Provision for alternative method calculations, including off site renewable energy methods, is also provided, and will require specific review and approval by the Building Official.

CE103.6. Solar Photovoltaic Systems. System designer/installer shall be certified by COSEIA (Colorado Solar Energy Industries Association) or NABCEP, (North American Board of Certified Energy Practitioners), or a licensed Professional Engineer in the State of Colorado.

CE103.7. Solar Hot Water. The size of solar hot water systems is limited to 500 square feet of collector area unless otherwise approved by the Building Official. Systems larger than this limit will be considered, but will require documentation showing year-round utilization of this larger system.

CE103.8. Ground Source Heat Pump. To use a GSHP for on-site renewable credit the GSHP system must supply at least 20% of the peak load for heating the building and all the exterior energy uses. Each ground source heat pump system shall be tested and balanced and the design engineer shall certify in writing that it meets or exceeds a design coefficient of performance of 3.0 inclusive of source pump power. Design conditions for determining COP will be: 30F ground loop temperature measured at the GSHP inlet, and 110F GSHP load side outlet. The ground loop system shall be designed by a CGD (Certified GeoExchange Designer certified by the Association of Energy Engineers) or a Professional Engineer licensed in the State of Colorado or an IGSHPA (International Ground Source Heat Pump Association) certified designer. The mechanical system must be installed by a certified IGSHPA contractor.

CE103.9. EEOP Fees. The EEOP fees shall be paid at the time of Building Permit. All fees shall be calculated through the "EEOP Calculation Sheet”. No refund of fee payment shall be made to an applicant for installation of renewable energy production that exceeds the on-site renewable credits required pursuant to this section.

CE103.10 EEOP Fund Created.

1. Fees collected at Building Permit are placed in the Town's EEOP fund to create financial assistance, rebates, and incentives to promote energy efficient projects elsewhere within the Town.
2. The Town's EEOP Fund will be managed by the Town Manager or designee. Expenditures of EEOP funds shall be used for the following purposes:
    a. To provide educational materials and outreach for Town residents, businesses, employees and building owners including but not necessarily limited to printed guides, efficient building educational events, a webpage with available resources, links, and information.
    b. Planning, design and implementation of renewable energy generation projects.
    c. Providing a community grant and/or rebate program for energy efficiency enhancements or renewable energy generation projects.
    d. Funding other resources and administrative costs associated with green building and environmental sustainability oriented efforts.
    e. Special consideration is given to projects that positively affect occupants of local affordable housing or low income residents in the Town.

28. Section R101.1 is amended to read as follows. "This code shall be known as the Energy Conservation Code of The Town of Eagle."

29. Section R202 is amended to add the following definitions in alphabetical order:

ALL-ELECTRIC BUILDING. A building and building site that contains no combustion equipment, or plumbing for combustion equipment, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

COMBUSTION EQUIPMENT: Any equipment or appliances used for space heating, cooling, water heating (including pools and spas), cooking, clothes drying or lighting that uses natural gas, propane, other fuel gas, or fuel oil.

MIXED-FUEL BUILDING. A building and building site that contains combustion equipment or plumbing for combustion equipment.

30. Section R401.2.5 is amended to read as follows: "Additional energy efficiency. This section establishes additional requirements applicable to all compliance approaches to achieve additional energy efficiency.

1. For buildings complying with Section R401.2.1, the building shall meet one of the following:
    1.1. For all-electric buildings, one of the additional efficiency package options shall be installed according to Section R408.2.
    1.2. For mixed-fuel buildings, 3 of the additional efficiency packages shall be installed, at least one of which addresses the envelope.

2. For buildings complying with Section R401.2.2, the building shall meet one of the following:
   2.1. For all-electric buildings, one of the additional efficiency package options in Section R408.2 shall be installed without including such measures in the proposed design under Section R405.
   2.2. For mixed-fuel buildings, 3 of the additional efficiency packages shall be installed, at least one of which addresses the envelope, without including such measures in the proposed design under Section R405.
   2.3. For all-electric buildings, the proposed design of the building under Section R405.3 shall have an annual energy cost that is less than or equal to 95% of the annual energy cost of the standard reference design.
   2.4. For mixed-fuel buildings, the proposed design of the building under Section R405.3 shall have an annual energy cost that is less than or equal to 80% of the annual energy cost of the standard reference design.
3. For buildings complying with the Energy Rating Index alternative Section R401.2.3, the Energy Rating Index value shall be at least 5% less than the Energy Rating Index target specified in Table R406.5.

The options selected for compliance shall be identified in the certificate required by Section R401.3."

31. Section R401.3 is amended to read as follows: "Certificate**.** A permanent certificate shall be completed by the builder or other approved party and posted on a wall in the space where the furnace is located, a utility room or an approved location inside the building. Where located on an electrical panel, the certificate shall not cover or obstruct the visibility of the circuit directory label, service disconnect label or other required labels. The certification shall indicate the following:

4. The types, sizes, fuel sources, and efficiencies of heating, cooling and service water heating equipment. Where a gas-fired unvented room heater, electric furnace or baseboard electric heater is installed in the residence, the certificate shall indicate "gas-fired unvented room heater," "electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be indicated for gas-fired unvented room heaters, electric furnaces and electric baseboard heaters.
8. The fuel sources for cooking and clothes drying equipment.
9. Where combustion equipment is installed, the certificate shall indicate information on the installation of additional electric infrastructure including which equipment or appliances include additional electric infrastructure, capacity reserved on the electrical service panel for replacement of each piece of combustion equipment or appliance.

10. Where a solar-ready zone is provided, the certificate shall indicate the location, dimensions, and capacity reserved on the electrical service panel.

32. Section R403.5 is amended to read as follows: "R403.5 Service hot water systems**.** Energy conservation measures for service hot water systems shall be in accordance with Sections R403.5.1-R403.5.4."

33. Subsection 1 of Section R403.5.2 is amended to read as follows: "Piping located inside the conditioned space, unless completely encapsulated by insulation which serves the cavity or space."

34. A new Section R403.4 is added to read as follows: "Water heater equipment location. Water heaters with combustion equipment shall be located in a space with the following characteristics:

1. Minimum dimensions of 3 feet by 3 feet by 7 feet high.
2. Minimum volume of 760 cubic feet, or the equivalent of one 16-inch by 24-inch grill to a heated space and one 8-inch duct of no more than 10 feet in length for cool exhaust air.
3. Contains a condensate drain that is no more than 2 inches higher than the base of the installed water heater and allows natural draining without pump assistance, installed within 3 feet of the water heater.

Exception**:** Water heaters with an input capacity of greater than 300,000 Btu/h that serve multiple dwelling units or sleeping units.

35. A new Section R403.10 is added to read as follows**: "**Roof and gutter de-icing controls. Roof and gutter deicing systems, including without limitation self-regulating cable, shall include automatic controls configured to shut off the system when the outdoor temperature is above 40°F (4.8°C) maximum and shall include one of the following:

1. A moisture sensor configured to shut off the system in the absence of moisture, or
2. A programmable timer configured to shut off the system for 8 hours minimum during the day.

36. Section R404.1.1 is amended to read as follows: "Fuel gas lighting**.** Fuel gas lighting systems are prohibited.

37. A new Section R404.1.4 is added to read as follows: "Additional electric infrastructure**.** All combustion equipment shall be installed in accordance with Section R403.5.4 and shall be provided with a junction box that is connected to an electrical panel by continuous raceways that meet the following requirements:

1. The junction box, raceway, and bus bar in the electric panel and conductors serving the electric panel shall be sized to accommodate electric equipment that is sized to serve the same load as the *combustion equipment*.
2. The panel shall have reserved physical space for a dual-pole circuit breaker.

3. The junction box and electrical panel directory entry for the dedicated circuit breaker space shall have labels stating: “For future electric equipment.”
4. The junction box shall allow for the electric equipment to be installed within the same place as the *combustion equipment* that it replaces.
   Exceptions:
   1. Fossil fuel space heating equipment where a 208/240-volt electrical circuit with a minimum capacity of 40 amps exists for space cooling equipment.
   2. Water heating equipment with an input capacity greater than 300,000 Btu/h that serves multiple dwelling units or sleeping units.

38. A new row is added to Table R405.2 as follows:

TABLE R405.2 REQUIREMENTS FOR TOTAL BUILDING PERFORMANCE

SECTION	**TITLE**
Mechanical	
R403.5.4	Water heating equipment location
Electrical Power and Lighting Systems	
R404.4	Additional electric infrastructure

39. A new row is added Table R406.2 as follows:

TABLE R406.2 REQUIREMENTS FOR ENERGY RATING INDEX

SECTION	TITLE
Mechanical	
R403.5.4	Water heating equipment
Electrical Power and Lighting Systems	
R404.4	Additional electric infrastructure

40. Table R406.5 is amended as follows: "ERI-based compliance**.** Compliance based on an ERI analysis requires that the rated proposed design and confirmed built dwelling be shown to have an ERI less than or equal to the appropriate value for the proposed all-electric or mixed-fuel building as indicated in Table R406.4 when compared to the ERI reference design.

TABLE R406.5 MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ALL-ELECTRIC BUILDING	MIXED FUEL BUILDING

6	54	49

41. A new Section R501.7 is added to read as follows: "Energy Audit**.** A RESNET, Building Performance Institute, or other approved energy audit shall be performed and provided to the code official prior to a permit application for any *addition* or *alteration,* in order to baseline the efficiency of the existing building and offer opportunities for cost-effective energy upgrades. The audit must include a blower door test and a thermographic scan."

42. A new Section R501.8 is added to read as follows: "Programmable thermostat. Alterations, additions, and changes of occupancy that involve replacing or expanding a heating or cooling system shall comply with section R403.1.1."

43. A new Section R501.9 is added to read as follows: "Replacement of electric equipment**.** Combustion equipment shall not be permitted to be installed to replace electric equipment.

44. A new Section R501.10 is added to read as follows: "Electrification retrofit bid. Where a gas-fired warm-air furnace is replaced with a gas-fired warm-air furnace, or when a unitary air conditioner or condensing unit serving a heated space is replaced with another unitary air conditioner or condensing unit, an Electrification Retrofit Bid shall be obtained and submitted.

45. Section R503.1.4 is amended by the deletion of the Exception.

46. The title of Appendix is amended to read: "Appendix RB Solar Ready Provisions."

47. The first sentence of Appendix RB 103.1 is amended to read as follows: "General**.** New residential buildings with not less than 600 square feet of roof area oriented between 110 degrees and 270 degrees of true north shall comply with Sections RB103.2-RB103.8."

48. Appendix RD is added as follows:

APPENDIX RD
EV READINESS - RESIDENTIAL

RD101. Purpose and intent**.** The purpose and intent of this Appendix RD is to accommodate the growing need for EV charging infrastructure, in particular meeting preferences for charging at home. Including these measures during initial construction substantially reduces the costs and difficulty of installing EV infrastructure at a later date.

RD102. Applicability**.** This Appendix RD shall apply to all new residential construction to which the IRC applies.

RD103. Definitions.

AUTOMOBILE PARKING SPACE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE. EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the EVSE that will then directly charge the EV.

EV LOAD MANAGEMENT SYSTEM. A system designed to allocate charging capacity among multiple EVSE and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

EV SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the EV connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the EV.

EV SUPPLY EQUIPMENT INSTALLED SPACE (EVSE space). An automobile parking space that is provided with a dedicated EVSE connection.

EV CAPABLE SPACE. A designated automobile parking space that is provided with electrical infrastructure, such as raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an EVSE.

EV READY SPACE**.** An automobile parking space that is provided with a branch circuit and receptacle that will support an installed EVSE.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches with 36 inch access aisles on each side.

RD104. One- and two- family dwellings and townhouses**.** One EV ready space shall be provided for each dwelling unit. The branch circuit shall be identified as EV ready in the service panel or subpanel directory, and the termination location shall be marked as EV ready. Exceptions**:**

1. Dwelling units where no parking spaces are either required or provided.
2. ADUs.

RD105. Residential multifamily dwellings, 3-stories or less**.** New dwelling units for residential multifamily buildings, other than duplexes and townhomes, shall be provided with EV power transfer infrastructure in compliance with Sections RD105.1-RD105.6 and Sections RD106-RD107.

RD105.1. Quantity**.** The number of required EVSE spaces, EV ready spaces, and EV capable spaces shall be determined in accordance with this Section and Table RD105.1 based on the total number of automobile parking spaces and shall be rounded up to the nearest whole number. For multifamily buildings, the Table requirements shall be based on the total number of dwelling units or the total number of automobile parking spaces, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required automobile parking spaces required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Installed EVSE spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for EV ready spaces and EV capable spaces.
3. Installed EV ready spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for EV capable spaces.
4. Where the number of EV ready spaces allocated for multifamily occupancies is equal to the number of dwelling units or to the number of automobile parking spaces allocated to multifamily occupancies, whichever is less, requirements for EVSE spaces shall not apply.
5. In multifamily complexes that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.

TABLE RD105.1
REQUIRED EV POWER TRANSFER INFRASTRUCTURE FOR MULTIFAMILY

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
Multifamily	5%	10%	40%

a. Where 100% of the parking serving multifamily occupancies are EV ready spaces, requirements for EVSE spaces shall not apply.

RD105.2. EV capable spaces**.** Each EV capable space used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet of the EV capable space and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with RD105.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.

4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each EV capable space.

RD105.3. EV ready spaces**.** Each branch circuit serving EV ready spaces used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. Terminate at a receptacle with overcurrent protection and GFCI protection as required by NFPA 70, located within 3 feet of each EV ready space it serves.
2. Have a minimum circuit capacity in accordance with RD105.5.
3. Have a branch circuit on the panelboard or other electrical distribution equipment directory designated as “For electric vehicle supply equipment (EVSE)” and the outlet or enclosure shall be marked “For electric vehicle supply equipment (EVSE).”

RD105.4. EVSE spaces**.** An installed EVSE with multiple output connections shall be permitted to serve multiple EVSE spaces. Each EVSE installed to meet the requirements of Section RD105.1, serving either a single EVSE space or multiple EVSE spaces, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with RD105.5.
2. Have a minimum charging rate in accordance with RD105.4.1.
3. Be located within 3 feet of each EVSE space it serves.
4. Be installed in accordance with Section RD105.6 and RD105.7

RD105.4.1. EVSE minimum charging rate**.** Each installed EVSE shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple EVSE spaces and controlled by an energy management system providing load management, be capable of simultaneously charging each EVSE space at a minimum rate of no less than 3.3 kVA.
3. When serving EVSE spaces allowed to have a minimum circuit capacity of 2.7 kVA in accordance with RD105.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each EVSE space at a minimum rate of no less than 2.1 kVA.

RD105.5. Circuit capacity**.** The capacity of electrical infrastructure serving each EV capable space, EV ready space, and EVSE space shall comply with one of the following:

1. A branch circuit with a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each EV ready space or EVSE space it serves.
2. The requirements of RD105.5.1.

RD105.5.1. Circuit capacity management**.** The capacity of each branch circuit serving multiple EVSE spaces, EV ready spaces or EV capable spaces designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

1. Have a minimum capacity of 4.1 kVA per space.
2. Have a minimum capacity of 2.7 kVA per space when serving EV ready spaces or EVSE spaces for a building site when 100% of the automobile parking spaces are EV ready or EVSE spaces.

RD105.6. EVSE installation**.** EVSE shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

RD105.7. EVSE ENERGY STAR**.** All EVSE shall be ENERGY STAR certified.

RD106. Universal vehicle charging stations**.** Where EV charging stations are provided for public use, or where EV charging stations are shared by multiple multifamily dwelling units, the number of universal EV charging stations shall be provided in accordance with Table RD106.1. When multiple stalls are required, access aisles may be shared.

TABLE RD106.1
UNIVERSAL EV SPACE REQUIREMENTS

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
1 or more	25%

RD107. Identification. Construction documents shall designate all EV capable spaces, EV ready spaces, and EVSE spaces and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the EV capable spaces, EV ready spaces, and EVSE spaces shall be clearly identified in the panel board directory. The conduit for EV capable spaces shall be clearly identified at both the panel board and the termination point at the parking space.

29. Appendix RE is added as follows:

APPENDIX RE
EXTERIOR ENERGY OFFSET PROGRAM

RE101.1 Intent and Purpose. The purpose of the Exterior Energy Offset Program ("EEOP") Chapter is to encourage sustainable, energy efficient, exterior heating solutions that conserve energy and natural resources, as well as, to offset the greenhouse gas impact of exterior energy use in residential and commercial buildings.

RE101.2 Applicability. The standards in this Chapter apply to all new residential buildings and commercial buildings and their exterior energy uses, as defined in

the International Energy Conservation Code, including snowmelt, spas, pools and outdoor fire pits/fireplaces.

RE101.3 Scope. The scope of this document includes Exterior Energy uses, and energy production to offset exterior energy use. Compliance with this section will be documented via the free Public Domain tool "EEOP Calculation Sheet" in the most current version at the time of permit application. Projected energy use, associated energy offset required, fees and credits are defined within this tool.

RE103.1. Exterior Energy Uses. Residential, Commercial, and Governmental exterior energy uses (per list below) may be installed only if the building project meets the requirements of this section. The completed "EEOP Calculation Sheet" must be submitted along with the subject building permit application. Exception: Mobile Home units that are approved by the Colorado Department of Housing are exempt.

1. Snowmelt (driveways, patios, walkways, or similar surfaces). Exception: Snowmelt systems 200 square feet or less.
2. Exterior pools.
3. Exterior spas. Exception: Exterior spas 64 square feet or less.
4. Outdoor gas fireplaces and firepits.

RE103.2. Snowmelt Systems. All snowmelt systems shall be installed in accordance with the following provisions:

1. The maximum area of snowmelt is capped at 6,000 square feet per parcel.
2. R-15 insulation shall be installed under all areas of snowmelt.
3. Automated controls that have the following capabilities:
    a. Limit operation to only when moisture is present.
    b. Limit operation to when outdoor air temperature is between 20 and 40 degrees F.
    c. Configured to shut the system off when surface temperature is above 50 degrees F.
    d. Idling shall only be permitted for commercial applications where public safety is shown to be a factor.
4. Snowmelt heating appliances such as, but not limited to, condensing boilers will have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters shall be permitted. Where condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.
5. The first 200 square feet of snowmelt are exempt from this Section.

RE103.3. Exterior Pools. All exterior pools shall comply with the following:

1. Pool covers are required for all pools, with a minimum R-value of 2.
2. Pool heating appliances shall have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters shall be permitted. Where

condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.

RE103.4. Exterior Spas. All exterior spas shall be installed in accordance with the following provisions:

1. Spa covers are required for all spas, with a minimum R-value of 12.
2. Spa heating appliances shall have a minimum efficiency of 92% AFUE. Electric resistance and heat pump heaters shall be permitted. Where condensing boilers are used, the boiler supply water temperature shall be a maximum of 130 F to allow for efficient boiler operation.
3. The first 64 square feet of spa, as measured from the perimeter edge, are exempt from the requirements of this Section.

RE103.5. Credits for Exterior Energy Use. The EEOP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy or use all-electric energy efficient technology via an air source heat pump or ground source heat pump to earn credit towards their exterior energy use offset. Credits for renewable energy production and high efficiency all-electric heating systems shall be calculated and applied per "EEOP Calculation Sheet'' for energy generated and systems installed onsite. Renewable energy methods listed in the calculator include: solar photovoltaic panels, solar thermal arrays, and hydroelectric and wind power. High efficiency heating systems listed in the calculator include: ground source heat pumps (GSHPs), and air source heat pumps (ASHP). Provision for alternative method calculations, including off site renewable energy methods, is also provided, and will require specific review and approval by the Building Official.

RE103.6. Solar Photovoltaic Systems. System designer/installer shall be certified by COSEIA (Colorado Solar Energy Industries Association) or NABCEP, (North American Board of Certified Energy Practitioners), or a licensed Professional Engineer in the State of Colorado.

RE103.7. Solar Hot Water. The size of solar hot water systems is limited to 500 square feet of collector area unless otherwise approved by the Building Official. Systems larger than this limit will be considered, but will require documentation showing year-round utilization of this larger system.

RE103.8. Ground Source Heat Pump. To use a GSHP for on-site renewable credit the GSHP system must supply at least 20% of the peak load for heating the building and all the exterior energy uses. Each ground source heat pump system shall be tested and balanced and the design engineer shall certify in writing that it meets or exceeds a design coefficient of performance of 3.0 inclusive of source pump power. Design conditions for determining COP will be: 30F ground loop temperature measured at the GSHP inlet, and 110F GSHP load side outlet. The ground loop system must be designed by a CGD (Certified GeoExchange Designer certified by the Association of Energy Engineers) or a Professional Engineer

licensed in the State of Colorado or an IGSHPA (International Ground Source Heat Pump Association) certified designer. The mechanical system must be installed by a certified IGSHPA contractor.

RE103.9. EEOP Fees. EEOP fees shall be paid at the time of Building Permit. All fees shall be calculated through the "EEOP Calculation Sheet". No refund shall be made to an applicant for installation of renewable energy production that exceeds the on-site renewable credits required by this Section.

RE103.10. EEOP Fund.

1. Fees collected at Building Permit are placed in the Town's EEOP fund to create financial assistance, rebates, and incentives to promote energy efficient projects elsewhere within the Town.

2. The Town's EEOP Fund will be managed by the Town Manager or designee. Expenditures of EEOP funds shall be used for the following purposes:

a. To provide educational materials and outreach for Town residents, businesses, employees and building owners including without limitation printed guides, efficient building educational events, a webpage with available resources, links, and information.

b. Planning, design and implementation of renewable energy generation projects.

c. Providing a community grant or rebate program for energy efficiency enhancements or renewable energy generation projects.

d. Funding other resources and administrative costs associated with green building and environmental sustainability oriented efforts.

e. Special consideration is given to projects that positively affect occupants of local affordable housing or low income residents in the Town.

Section 12. Chapter 13.12 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 13.12.010. - Adoption.

The International Fire Code, 2021 Edition, with Appendices A, B, C, D, E, F, G, H, I, K, and N, promulgated by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001 (the "IFC") is adopted by reference.

Section 13.12.020. - Amendments.

The IFC is amended as follows:

1. Section 101.1 is amended by the insertion of the GEFPD where indicated.

2. Section 102.4 is amended to read as follows: "The design and construction of new structures shall comply with the IBC and the IFC, and any alterations, additions, changes in use or changes in structures required by this code which are within the scope of the IBC and the IFC shall be made in accordance therewith.

3. Section 104.1 is amended by the addition of the following: "The Building Official shall have the same authority as the Fire Code Official to enforce and render interpretations of this Code. In the case of dispute with regard to new construction or remodel, the Building Official's interpretation shall be final. With regard to maintenance, the Fire Code Official's interpretation shall be final."

4. Section 106.1 is amended to read as follows: "Submittals. Construction documents and supporting data shall be submitted electronically with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Exception: The fire code official is authorized to waive the submission of construction documents not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code. The fire code official is authorized to require a scope of work letter to be submitted at the time of application in lieu of the construction documents."

5. Section 106.3 is amended to read as follows: "Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be approved by the fire code official and shall be submitted in an amended set of as-built construction documents prior to final inspection."

6. Section 107.2 is amended to read as follows: "Schedule of permit fees. The fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be set forth by the GEFPD and reference the Town of Eagle Building Permit Fees where applicable."

7. Section 107.4 is amended to read as follows: "Work commencing before permit issuance. Any person who commences any work, activity, or operation regulated by this code before obtaining the necessary permits shall be subject to an additional investigation penalty established by the authority GEFPD Board of Directors, which shall be in addition to the required permit fees. Such investigation penalty may be collected whether or not a permit is then or subsequently issued. The minimum investigation penalty shall be 4 times the applicable permit fee. The payment of such investigation penalty shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

8. Section 107.6 is amended to read as follows: "Refunds. The GEFPD shall authorize the refunding of fees upon written request filed by the original permit applicant not later than 180 days after the date of fee payment as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. The full amount of any fee paid hereunder for which the permit has not been processed.
3. Not more than 80% of the total permit fee paid when an application has been processed but is withdrawn or cancelled before any plan review effort has been expended.

9. A new Section 107.7 is added to read as follows: "Permit fees/Plan check fees. Plan check fees for permits required under this code are non-refundable. Minimum plan check fees shall be paid at the time of application. Plan check fees will be assessed according to the fee schedule adopted by the GEFPD Board of Directors. Additional plan check fees may be assessed if the plan review requires more than 4 hours for review. The fire code official shall, at his or her discretion, require additional plan and inspection review by the department's contracted fire protection engineer at the contractor's expense. Additional plan check fees shall be assessed for review of re-submittals in excess of the 4 hours allotted by the original plan check fee. Any additional plan check fees shall be paid prior to issuance of the permit. Permit fees shall be assessed according to the fee schedule adopted by the GEFPD Board of Directors. Permit fees are based on one rough-in inspection for each space in the building and one final inspection for each space in a building. Permit fees shall be paid prior to issuance of the permit. Permit fees are non-refundable once the permit has been issued. After 2 failed inspections on any level (for example, 2 roughs or 2 finals), the contractor shall be assessed additional inspection fees for that inspection level according to the fee schedule adopted by the GEFPD Board of Directors. Re-inspection fees (if applicable) shall be paid prior to requesting final inspection.

10. Section 110.1 is amended to read as follows: "Authority to disconnect service utilities. The fire code official or fire company officer in command of an incident shall have the authority to authorize disconnection of utility service to the building, structure or system to safely execute emergency operations or to eliminate an immediate hazard. The fire code official or fire company officer in command of an incident shall notify the serving utility and, where possible, the owner or owner's authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, then the owner, owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

11. Section 111.1 is amended to read as follows: "Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the GEFPD Board of Directors pursuant

to Section 111.1.1 and shall hold office at its pleasure. The board of appeals shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

12. A new Section 111.1.1 is added to read as follows: "Membership of the board of appeals. A board of appeals, consisting of 3 members, shall be appointed by the GEFPD Board of Directors to hear and decide appeals as provided hereunder. The board of appeals shall appoint from its membership a chairman and a secretary who shall keep a written record of all proceeding of the board."

13. Section 111.2 is amended to read as follows: "Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board of appeals shall have the authority to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code. The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code. The board shall not have authority to waive requirements of this code or any resolution adopted by the GEFPD."

14. Section 111.3 is amended to read as follows: "Qualifications. The board of appeals shall consist of members who are a licensed or certified professional engineer, architect, building contractor, superintendent or building construction, building official, fire code official, or other person qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions, or fire protection systems, and are not employees of the jurisdiction."

15. A new Section 111.5 is added to read as follows: "Fees. Fees for a board of appeals hearing shall be $100 payable to the GEFPD at time of application."

16. Section 111.6 is amended by the addition of the following: "Time for appeal. An appeal shall be commenced within 10 days from the date of the decision being appealed by filing a written notice of appeal with the secretary of the board of appeals."

17. A new Section 111.10 is added to read as follows: "Appeals of rulings. Any person aggrieved by a decision of the board of appeals shall have the right to appeal therefrom to the GEFPD Board of Directors. Such appeal shall be made within 30 days from the date of the decision of the board of appeals and, in the case of an appeal by the fire code official, the original appellant shall be notified within 5 days from the date of the decision that the fire code official intends to appeal the decision.

111.10.1. Procedure**.** Appeal of a ruling shall be commenced by filing a written notice of appeal with the administrative assistant to the GEFPD Board of Directors,

who shall schedule the appeal for a hearing not later than the second regular meeting following receipt of said notice. The administrative assistant shall notify the secretary of the board of appeals, fire code official, and the appellant in writing of the date, time, and place of the hearing.

111.10.2. Fees**.** The fee for an appeal of a ruling shall be $100, payable to the GEFPD at the time of filing a notice of appeal.

111.10.3. Transmission of files**.** Upon receipt of a notice of appeal, the board of appeals shall transmit the file containing all exhibits, testimony, and evidence not later than 10 days prior to the scheduled hearing.

111.10.4. Hearing. At the hearing, the GEFPD Board of Directors shall examine the file and consider any additional evidence which it deems appropriate. Strict rules of evidence shall not apply, but all additional oral evidence shall be reduced to writing in summary form.

111.10.5. Ruling**.** Within 10 days of the date of the hearing, the GEFPD Board of Directors shall issue its written ruling affirming, modifying, or reversing the ruling of the board of appeals. Copies of the ruling shall be mailed to the board of appeals, fire code official, and the appellant. The fire code official shall then take whatever action is indicated by the ruling of the GEFPD Board of Directors.

18. In Section 202, the following definitions are amended to read as follows:

NUISANCE ALARM**.** An alarm caused by the mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined. Fire alarms that require emergency response that are caused by a system not being offline during repair, test, inspection, or maintenance will be considered a nuisance alarm.

CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy: a change in the business occupant; a change in the business name; or a change in the business owner. Exception: Individual Office occupancies (excluding medical/dental care occupancies) leased as executive suites which are not part of a mixed-use occupancy such as office/warehouse and/or there is no change in electric or gas meter accounts.

19. Section 307.3 is amended to read as follows: "Extinguishment authority. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official or fire company officer in command of an incident is authorized to order the extinguishment of the open burning operation."

20. Section 308.2 is amended to read as follows: "Permits required. Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.

2. Use of open flame, fire or burning in connection with Group A, B, E, F, H, I, R-1, R-2, R-4, S, or U occupancies. Exception: Group R-3 occupancies
3. Use or operation of torches and other devices, machines, or processes liable to start or cause fire in or upon wildfire risk areas

21. Section 403.4.1 is amended to read as follows: "First emergency evacuation drill. The first emergency evacuation drill of each school year shall be conducted within 21 days of the beginning of classes."

22. A new Section 503.6.1 is added to read as follows: "Electrically powered security gates. Electrically powered security gates shall have an approved fire department emergency access key switch in an approved location. Electrically powered gates opened using the fire department key switch shall remain open not less than one minute after opening."

23. A new Section 503.6.2 is added to read as follows: "Electrically powered security gates, fail-safe hinge. Electrically powered security gates shall be equipped with a fail-safe hinge pin that will disable the operating arm. The safety hinge pin shall be accessible without use of a special key or tool."

24. Section 507.2.2 is amended to read as follows: "Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22 and the water supply calculations shall be determined by NFPA 1142."

25. Section 603.4.1 is amended to read as follows: "Labeling. Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign, of contrasting colors (red letters on a white sign, stating ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident."

26. Section 605.8.2 is amended to read as follows: "Spark arrestor. Incinerators shall be equipped with an effective means for arresting sparks. Chimneys used with fireplaces, or heating appliances in which solid fuels are used, shall be maintained with an effective means for arresting sparks."

27. Section 901.2.2 is amended by the addition of the following: "Personnel qualifications. Fire suppression system personnel shall be registered with the Colorado Division of Fire Prevention and Control as a fire suppression system contractor and qualified and experienced in the installation, inspection, testing, and maintenance of fire sprinkler systems. Qualified personnel shall also meet one of the following requirements:

1. National Institute for Certification in Engineering Technologies (NECET);
    a. Level II minimum is required for field supervisors.
    b. Level III minimum is required for system engineering and plans submittals.
2. Factory trained or certified;

3. Journeyman certification program through an organized labor union;
4. Trained and qualified personnel employed by an organization listed by a national testing laboratory for the servicing of fire sprinkler systems; or
5. Completion of apprentice program through an accredited educational program."

28. Section 901.4.2 is amended to read as follows: "Nonrequired fire protection systems. A fire protection system or portion thereof not required by this code or the IBC shall be allowed to be furnished for complete protection provided such installed system meets the applicable requirements of this code and the IBC."

29. Section 901.6.3 is amended to read as follows: "Records. Records of all system inspections, test and maintenance required by the referenced standards shall be maintained and submitted to the fire code official, for record keeping purposes, not later than 30 days after any such system inspections, test or maintenance is performed or conducted."

30. Section 901.11 is amended by the addition of the following: "Response to nuisance alarms. If the GEFPD responds to 2 or more nuisance alarms within a 30 day period, the property owner/agent may be fined by the GEFPD for each offense. Fines shall be as follows:

First offense:	$0
Second offense:	$0
Third offense:	$150
Fourth offense:	$300
Fifth offense:	$500

Additional offenses will be billed at the current full cost of personnel and fire equipment for a minimum of a one hour time period. Exception**:** The property owner/agent can provide documentation that the issue that caused the nuisance alarm is in the process of being repaired."

31. Section 903.2.3 is amended by the deletion of Exception #2.

32. Section 903.2.4.2 is amended to read as follows: "Group F-1 distilled spirits. An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits unless involving not more than 120 gallons of distilled spirits in the fire area at any one time and approved by the Fire Marshal."

33. Section 903.2.8.1 is amended to read as follows: "Group R-3. An automatic fire sprinkler system installed in accordance with Section 903.3.1.3 shall be required, permitted, and installed in Group R-3 occupancies that are supplied by a municipal water supply and constructed more than 5.5 miles of road travel distance from a fire station."

34. Section 903.2.8.1.1 is amended by the addition of the following: "Group R-2. An automatic fire sprinkler system installed in accordance with Section 903.3.1.3 shall be required in buildings that have Group R-2 occupancies and other occupancies under one common roof."

35. Section 903.2.9.1 is amended by the addition of the following: "Repair garages. An automatic fire sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the IBC, as shown. Buildings in which repair garages and other occupancy types occupy a building under one common roof."

36. Section 903.2.9.3 is amended to read as follows: "Group S-1 distilled spirits or wine**.** An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine unless involving not more than 120 gallons of distilled spirits or wine in the fire area at any one time and approved by the Fire Marshal."

37. Section 903.4.3 is amended by the addition of the following: "Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings. Floor control valves shall be readily accessible without the use of special key, knowledge or ladder. Locations of floor control valves shall be subject to approval of the fire code official."

38. A new Section 905.2.1 is added to read as follows: "905.2.1 Installation standards – standpipe systems. Class III standpipes may be required to manual wet when required by the fire code official. Standpipes shall be hydraulically separated from fire sprinkler risers. Combination risers are prohibited without express permission of the fire code official."

39. Section 905.3 is amended to read as follows: "Required installations. Standpipe systems shall be installed where required by Sections 905.3.1-905.3.8. Standpipe installations may be required by the fire code official where distances to all portions of the property from fire apparatus exceed 150 feet. Standpipe class shall be determined by the fire code official based on the conditions presented. Exception**:** Standpipe systems are not required in Group R-3 occupancies."

40. Section 905.3.1 is amended by the deletion of Exception #6.2.

41. Section 907.1.4 is amended by the addition of the following: " Personnel qualifications. Fire suppression system personnel shall be registered with the Colorado Division of Fire Prevention and Control as a fire suppression system contractor and qualified and experienced in the installation, inspection, testing, and maintenance of fire sprinkler systems. Qualified personnel shall also meet one of the following requirements:

1. National Institute for Certification in Engineering Technologies (NECET);

a. Level II minimum is required for field supervisors
b. Level III minimum is required for system engineering and plans submittals

2. Factory trained or certified
3. Journeyman certification program through an organized labor union;
4. Trained and qualified personnel employed by an organization listed by a national testing laboratory for the servicing of fire sprinkler systems; or
5. Completion of apprentice program through an accredited educational program."

42. Section 907.2.1 is amended by the deletion of the Exception.

43. Section 907.2.2 is amended by the deletion of the Exception.

44. Section 907.2.2.1 is amended by the deletion of the Exception.

45. A new Section 907.2.3.1 is added to read as follows: "Automatic smoke detection system**.** An automatic smoke detection system shall be installed throughout Group E occupancies in accordance with Section 907.5 and Section 907.6. Exception: Group E occupancies with an occupant load of 50 or less."

46. Section 907.2.4 is amended by the deletion of the Exception.

47. Sections 907.2.7 and 907.2.8.1 are amended by the deletion of Exception #2.

48. Section 907.2.9.1 is amended by the deletion of Exceptions #2 and #3.

49. Section 907.2.10 is amended by deleting the Exception.

50. A new Section 907.5.2.1.4 is added to read as follows: "Silencing of alarm notification appliances. Upon the silencing (by the fire department) of a fire alarm system that has been activated, the fire alarm system shall be capable of silencing the audible alarms while still providing visual notification to occupants.

51. Section 907.6.6 is amended by the deletion of Exception #3.

52. Section 914.3.1 is amended by the deletion of the Exception and the addition of the following: "Automatic sprinkler system. Buildings and structures shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and a secondary water supply where required by Section 914.3.3. However, with the approval of the fire code official, alternate automatic fire suppression systems may be considered for use in areas where a fire sprinkler system may not be suitable."

53. Section 914.6.1 is amended by the deletion of Exceptions 1-3 and the addition of the following: "Automatic sprinkler system. With the approval of the fire code official, alternate automatic fire suppression systems may be considered for use in areas where a fire sprinkler system may not be suitable. Stages shall be equipped with an automatic sprinkler system in accordance with Section

903.3.1.1. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops and storerooms accessory to such stages."

Section 14. Chapter 13.14 of the Eagle Municipal Code is hereby amended by the addition of the following new Sections 13.14.080 and 13.14.090:

Section 13.14.080 - Reinspection Fee.

A. Under any of the codes adopted by this Title, a reinspection fee, in the amount established by resolution of the Town Council, may be charged when:

1. The inspection called for is not ready when the inspector arrives;

2. The building address is not clearly posted;

3. Town-approved plans are not on the job site available to the Inspector;

4. The building is locked or work otherwise not available for inspection when called;

5. A correction notice has been issued more than once for the same item(s); or

6. Failure to maintain erosion control, trash control or site disturbance fence protection.

B. Any reinspection fees shall be paid before any additional inspections are made on that job site.

Section 13.14.090 - Refunds

A. The Building Official may authorize the refund of any fee paid under any code adopted by this Title which was erroneously paid or collected.

B. The Building Official may authorize a refund of not more than 80% of the permit fee paid when no work has been performed under an active permit.

C. The Building Official may authorize a refund of not more than 80% of the plan review fee paid if withdrawn or cancelled before any plan review has been performed.

D. Any request for a refund of any fee shall be filed in writing by the original applicant and shall not be more than 180 days after the date of payment.

Section 15. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 16. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 17. Effective Date. This Ordinance shall take effect on November 24, 2023.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that on October 24, 2023, and November 14, 2023 at 6:00 p.m., the Eagle Town Council will consider the adoption by reference of the 2021 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the International Energy Conservation Code, and the International Fire Code, and the 2020 Edition of the National Electrical Code, with amendments and related definitions. A copy of the proposed ordinance is on file in the office of the Town Clerk and open for public inspection.

Written comments may be submitted to the Town Clerk prior to the Public Hearings at clerk@townofeagle.org or testimony may be given at the Public Hearing.

By Jenny Rakow, Town Clerk

PUBLISHED: Eagle Valley Enterprise: October 5, 2023, and November 2, 2023

To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: November 14, 2023

Agenda Item: Ordinance 04, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.10 of the Eagle Municipal Code, Regarding the Local Licensing Authority and Administrative Approval of Applications for Retail Establishment Permits"

REQUEST: Staff is requesting the Council to consider approval of Ordinance 04, Series 2023 to address creating a Liquor License Authority and delegating additional responsibilities to the Town Clerk as it relates to certain liquor license applications and actions.

BACKGROUND: The Town Council has been acting as the Liquor License Authority for all liquor license actions with the exception of the delegated items in Section 5.10.030 EMC, which includes: Renewals, Changes of Manager, Temporary Permits, Special Event Permits and Local Festival Permits. The clerk was also granted authority to refer any licensing matters listed for a public hearing and the Town Council/Liquor License Authority approval process.

With the increase in licensing matters and state law changes, staff believes it may be in the best interest of the town to create a separate Liquor License Authority ("LLA") and appoint a hearing officer to handle these matters who has sufficient knowledge and expertise to enforce the State of Colorado Beer, Liquor, Special Events Codes and related Code of Regulations.

ANALYSIS: Hearing officers are common practice in all types of municipalities. Staff will create a LLA schedule to best accommodate local community needs.

Staff will continue to update the Mayor and Town Council on licensing actions in the monthly report. LLA Meetings will be open to the public.

The LLA will have the following definition added to the Eagle Municipal Code: Local Licensing Authority means the licensing authority, which shall have and is vested with the authority to grant or refuse licenses and special permits for the sale at retail of malt, vinous or spirituous liquors and fermented malt beverages; designate and assess fees; promulgate reasonable rules and regulations, as provided by law; conduct investigations as are required by law; and to suspend or revoke such licenses for cause in the manner provided by law. Such authority shall have all the powers of the local licensing authority as set forth in C.R.S. Title 44, Articles 3 and 4, as may be amended or repealed and reenacted from time to time. A hearing officer appointed by Town Council shall serve as the local licensing authority.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: The budget Impact will be the additional cost of the Hearing Officer for holding monthly scheduled hearings, lasting approximately one hour. The estimated cost would be less than $5,000.00 annually.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Using a hearing officer in lieu of the council could relate to Major Objective: Improving Community Responsive Services with the intent of having a open engagement and public hearing process for applicants with the intent of improving our licensing involvement and timelines.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE OR DENY: Ordinance 04, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.10 of the Eagle Municipal Code, Regarding the Local Licensing Authority and Administrative Approval of Applications for Retail Establishment Permits"

ATTACHMENTS:

1. 04 LLA-A081723

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 04
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING CHAPTER 5.10 OF THE EAGLE MUNICIPAL CODE, REGARDING THE LOCAL LICENSING AUTHORITY AND ADMINISTRATIVE APPROVAL OF APPLICATIONS FOR RETAIL ESTABLISHMENT PERMITS

WHEREAS, the Town desires to have a hearing officer serve as the Town's Local Licensing Authority instead of Town Council; and

WHEREAS, the Town desires to authorize the Town Clerk to administratively approve applications for retail establishment permits.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 5.10.010 of the Eagle Municipal Code is amended by the addition of the following definition to appear in alphabetical order:

Local Licensing Authority means the licensing authority, which shall have and is vested with the authority to grant or refuse licenses and special permits for the sale at retail of malt, vinous or spirituous liquors and fermented malt beverages; designate and assess fees; promulgate reasonable rules and regulations, as provided by law; conduct investigations as are required by law; and to suspend or revoke such licenses for cause in the manner provided by law. Such authority shall have all the powers of the local licensing authority as set forth in C.R.S. Title 44, Articles 3 and 4, as may be amended or repealed and reenacted from time to time. A hearing officer appointed by Town Council shall serve as the local licensing authority.

Section 2. Section 5.10.030(A) of the Eagle Municipal Code is amended as follows, and by the addition of a new subsection 6, to read as follows:

Section 5.10.030. - Delegation of authority to Town Clerk.

* * *

A. As set forth below, the Town Clerk is authorized to administratively review and approve liquor license renewals; transfers of ownership, including corporate and trade name changes and reports of changes for corporations, limited liability companies, and partnerships; changes of manager; special event permits; ~~and~~ local festival permits*; and retail establishment permits*.

* * *

6. *Retail establishment permits*. The Town Clerk may administratively approve applications for the initial retail establishment permit and renewals thereof where, after reasonable investigation and consultation with the Eagle Police Department and other appropriate agencies, all the following circumstances are found to exist:

a. The applicant has timely submitted a complete application and paid all fees in accordance with this Chapter and C.R.S. Title 44, Article 3.

b. The application is complete and timely; and

c. The application, if granted, would not result in a violation of State or local laws, rules, or regulations.

Section 3. Section 5.10.050(A) of the Eagle Municipal Code is amended as follows:

Section 5.10.050. – Special event permits.

A. Pursuant to C.R.S. § 44-5-107(5)(a), ~~the Town Council, acting as~~ the Local Licensing Authority~~,~~ elects not to obtain the State Licensing Authority's approval or disapproval of applications for special events permits pursuant to C.R.S. Title 44, Article 5. The Town Council hereby authorizes the issuance of special event permits for the sale, by the drink only, of alcohol beverages by the Town, organizations, and political candidates in accordance with this chapter and C.R.S. Title 44, Article 5. No alcoholic beverages shall be sold at any special event until a special event permit is obtained from the Town. The standards in this Chapter shall be in addition to all other applicable requirements of the Colorado Liquor Code, C.R.S. § 44-3-101, *et seq.*

Section 4. Sections 5.10.070(A) and (B) of the Eagle Municipal Code are hereby amended as follows:

Section 5.10.070. - Alcoholic beverage tastings.

A. In accordance with C.R.S. § 44-3-301(10), as amended, retail liquor store licensees, liquor-licensed drugstore licensees and fermented malt beverage and wine retailer licensees may conduct alcohol beverage tastings subject to the limitations contained in C.R.S. § 44-3-301(10), and subject to approval by the ~~Town Council, acting as the~~ Local Licensing Authority~~,~~ of an alcohol beverage tastings permit and payment of all requisite fees.

B. A retail licensee that desires to conduct tastings may submit an application to the ~~Town Council, acting as the~~ Local Licensing Authority. The Town Council may reject the application if the applicant fails to establish that it is able to conduct tastings in compliance with C.R.S. § 44-3-301(10) or without creating a safety risk to the neighborhood.

Section 5. Section 5.10.110(B)(1) of the Eagle Municipal Code is hereby amended as follows:

Section 5.10.110. - Entertainment districts.

B. *Authority.*

1. The Local Licensing Authority~~, acting through the Town Council,~~ is authorized to certify and decertify promotional associations; designate the location, size, security, and hours of operation of common consumption areas; and allow attachment of licensed premises to common consumption areas consistent with this section.

Section 6. Chapter 5.10 of the Eagle Municipal Code is hereby amended by the addition of the following new Section 5.10.140:

Section 5.10.140. – Hearing officer.

A. The Local Licensing Authority may, at the Town Council's discretion, consist of a sole hearing officer who shall serve at the pleasure of the Town Council.

B. The hearing officer shall be appointed by the Town Council and may be removed with or without cause by a majority vote of the Town Council. The Town Council shall establish the hearing officer's compensation.

C. The hearing officer shall be an individual over the age of 21 years and with sufficient knowledge and expertise to apply and enforce the State of Colorado Beer Code, Liquor Code, Special Events Code, and related Code of Regulations. The hearing officer shall not hold any other Town office, appointment or position, except that the Town Council may appoint the municipal court judge as the hearing officer. Additionally, the hearing officer shall not have any financial interest in the operation of any business located or operating in the city that holds a license pursuant to C.R.S. § 44-4-101, *et seq*., or C.R.S. § 44-3-101, *et seq*.

Section 7. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 8. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: November 14, 2023

Agenda Item: Termination of Intergovernmental Agreement Between Eagle County and The Town of Eagle For The Collection of Sales Taxes on The Sale of Cigarettes and Tobacco Products

REQUEST: Staff requests the Council review staff's recommendation to terminate the Intergovernmental Agreement (IGA) between Eagle County and the Town of Eagle for the Collection of sales taxes on the sale of cigarettes and tobacco products so the Town can take over the collection of the special sales tax by January 1, 2024.

BACKGROUND: On April 7, 2020, voters approved imposing a special sales tax on cigarettes, tobacco products and nicotine products at a rate of $0.20/cigarette or $4/pack of 20 cigarettes and 40% on all other tobacco and nicotine products, starting on July 1, 2020. Eagle County had collected this special sales tax from Eagle retailers from January 1, 2020 through the implementation of the Town tax on July 1, 2020. In order to create efficiencies, the Town set up an IGA with the County to continue to collect the sale tax on behalf of the Town. We are now almost two and half years into this agreement and staff has re-evaluated the agreement and is recommending termination.

ANALYSIS: When the Town initially agreed to the IGA with the County, staff looked at the following collection options and ultimately went with the first option:

1. **County Collection:** Have the County continue to collect the tax on behalf of the Town with a 2.5% fee withheld to pay for the statutorily required 1% treasurers fee and 1.5% to pay for the collection, administration, and enforcement of the Town's Tax. The Town receives one monthly payment from the County for tobacco tax collected. *(The County uses HDL Companies to administer tobacco tax collection).*

   Vendors were already familiar with the County collection process, which would make for a seamless transition. Based on the Town's annual anticipated collections of $330,000, the annual fees paid to the County would be approximately $8,250.

2. **Other Vendor Collection:** Staff reached out to HDL Companies and MUNIRevs in 2020 for proposals on the collection of Tobacco Tax on behalf of the Town. HDL Companies is an all-inclusive vendor and Muni Revs would still require the Town to handle reconciliations, compliance and delinquency issues. HDL declined to quote since they said it would not be worth it for the sum we were expecting to collect, however, the quote the County received was $8,000 for implementation and approximately $17,100 annually. MuniRevs would be $2,500 for implementation and approximately $8,000 annually.

3. **Town of Eagle Collection (Paper and Electronic payment collection via Xpress Billpay):** The Town could continue to transition all vendors to Town collection via paper or electronic submittals. If retailers pay via credit cards the Town is charged a fee based on the type of card used which could be anywhere from 1% to 2.5% and an additional minimal fee from Xpress Billpay, who is the Town online payment vendor. If retailers pay via check then there would be no fee charged. This option would be the least expensive for

the Town, however, would require staff to be responsible for the collection of taxes, penalty and interest, customer service support, education related to tobacco tax, reconciliations, and delinquency notices for failure to file and pay tax. Staff is concerned about the follow up on delinquent taxes.

Staff Analysis and Recommendation: The original estimate for fees that would be paid to the County was based on collection information from the County during the period of January 1,2020 through April 30, 2020. However, during that period, the County had not received taxes from a retailer with the most significant regular monthly collections. The fees paid to the County have been significantly higher than originally projected.

- 2020 (6 months) - $ 9,335
- 2021 - $18,336
- 2022 - $17,008
- 2023 (through Aug) - $10,326

Since entering the IGA with the County, the Town has acquired a new module in Xpress Billpay, called Forms. Forms allows staff to set up any type of form for collection of information, taxes, permits, etc. The software allows the Town to automatically calculate any interest and penalties based on the timing of the remittance. Our vendors will be able to fill out the monthly form and pay at the same time. Since Xpress Billpay is integrated with Caselle, it appropriately allocates multiple revenues received in one payment/form into their respective accounts. Thus, staff will not have to make additional journal entries which other software has required in the past. Vendors will have the option to pay by check or online, however we will limit it to bank payments to not accrue additional bank fees. Mark Herota, our Utility Billing and Accounting Specialist, will be administering the tobacco sales tax collection and will make initial attempts to collect any delinquent taxes. Should we have any significant issue with any retailer being out of compliance, Finance will engage our code enforcement officer. *The Town did not have a code enforcement officer position when this original IGA was entered into.* That being said, the County has not had any significant issues with tobacco tax remittances on behalf of the Town.

Staff is also looking forward to receiving the taxes directly from the vendors, so the Town receives proceeds on a more timely basis for reporting purposes. There is a current delay between when the County receives the funds and when they are remitted to the Town. There are currently 6 vendors that collect and remit tobacco sales tax. Annually it will be an additional 72 returns for tobacco tax collection. Staff would like to make this transition by January 1, 2024.

COMMUNITY INPUT: No community input was obtained.

BUDGET / STAFF IMPACT: Based on the prior fees paid to Eagle County, staff is projecting a minimum of $16,000 that will be saved annually. There will be additional work for finance, however, with Xpress Billpay Forms it will be less than what it would have been in 2020. Staff has already created the draft forms for the website and will be drafting letters and emails that will go out to all vendors communicating this transition if approved by Council. Finance has been working through the anticipated time commitment and feel comfortable taking it on.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

- Sound Finances and Increasing Efficiency: Staff want to ensure we are being fiscally responsible with taxpayer funds. By collecting tobacco sales taxes through the Town instead of the County it will create savings for the Town's General Fund while still being able to provide a high quality of service to retailers.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to direct staff to terminate the intergovernmental agreement between Eagle County and the Town of Eagle for the collection of sales taxes on the sale of cigarettes and tobacco products.

ATTACHMENTS:

- IGA between Eagle County and the Town of Eagle Concerning the Collection of sales taxes on the sale of Cigarettes and Tobacco Products

EAGLE COUNTY

Agenda Item Details

Meeting	Jan 01, 2050 - *****Signature Workflow*****
Category	A. BoCC Signature
Subject	Intergovernmental Agreement between Eagle County and the Town of Eagle Concerning the collection of Sales Taxes on the Sale of Cigarettes and Tobacco Products
Access	Public
Type	Action (Consent)
Preferred Date	Sep 15, 2020
Absolute Date	Sep 15, 2020
Fiscal Impact	Yes
Dollar Amount	7,500.00
Budgeted	No
Budget Source	Revenue will be generated through this contract
Recommended Action	Approve

Public Content

Prepared By: Jill Klosterman

Department: Finance

Executive Summary: The town of Eagle has requested that the county, through HdL, continue to collect its cigarette and tobacco product tax. The county will pass the town's sales tax to the town and collect a 2.5% fee.

Reviewing Attorney: Bryan Treu

- **BoCC signature?**: Yes Approved as to form: DocuSigned by: 782F1315A1E64A8... DocuSigned by: Rhea Silverkorn 444EFF6D9F7F48E...

Administrative Content

- Vendor Authorized Signer Information-
  - **Business Name**: Town of Eagle
  - **Signer Name**: Scott Turnipseed
  - **Signer Email Address**: scott.turnipseed@townofeagle.org
  - **Signer Phone**: 970-328-6354
  - **Business Name**: Town of Eagle
  - **Signer Name**: Jenny Rakow
  - **Signer Email Address**: jenny.rakow@townofeagle.org
  - **Signer Phone**: 970-328-9623

DocuSign Envelope ID: A800317D-D41D-41F1-811D-897324F609C0

INTERGOVERNMENTAL AGREEMENT BETWEEN EAGLE COUNTY AND THE TOWN OF EAGLE CONCERNING THE COLLECTION OF SALES TAXES ON THE SALE OF CIGARETTES AND TOBACCO PRODUCTS

THIS INTERGOVERNMENTAL AGREEMENT (this "Agreement") is made and entered into this 9/20/2020, among EAGLE COUNTY, COLORADO (the "County"), a body corporate and politic and political subdivision of the State of Colorado (the "State"), and THE TOWN OF EAGLE (the "Town"), a municipality and political subdivision of the State. The County and the Town are referred to collectively herein as "the Parties" or individually as "a Party."

WHEREAS, pursuant to title 29, article 1, part 2, section 203, Colorado Revised Statutes, as amended (the "Intergovernmental Relations Statute"), and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility; and

WHEREAS, tobacco and nicotine use is the leading cause of preventable death in Colorado and in the United States generally; and

WHEREAS, in 2019, the Colorado General Assembly passed, and the Governor signed, House Bill No. 19-1033 (the "Act"), which authorizes a county to levy, collect, enforce and administer a county-wide special sales tax upon all sales of cigarettes, tobacco products, or nicotine products within the unincorporated and incorporated areas of the county, but in the event a municipality has passed its own special sales tax upon all sales of cigarettes, tobacco products, or nicotine products, the county may only continue to levy, collect, enforce and administer its special sales tax within the municipal limits of that incorporated area of the county if the county and the municipality enter into an agreement permitting the county to do so; and

WHEREAS, in 2019, to combat the upturn in youth tobacco use, the County passed a county- wide special sales tax of four dollars ($4.00) on each pack of cigarettes, or twenty cents ($0.20) per cigarette sold, and 40% on the sale of all other tobacco and nicotine products within the incorporated and unincorporated areas of the County; and

WHEREAS, in 2020, the Town passed a ballot initiative implementing a sales tax of four dollars ($4.00) per pack of cigarettes or twenty cents ($0.20) per cigarette sold within the municipal limits of the Town and a 40% sales tax on the sale of all other tobacco and nicotine products starting on July 1, 2020; and

WHEREAS, the County had been collecting the county-wide tax from retailers within the municipal limits of the Town beginning on January 1, 2020 through the implementation of the Town tax on July 1, 2020; and

WHEREAS, the Town has requested that the County continue to collect the tax from retailers

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within the municipal limits of the Town and pass the revenue through to the Town as more fully set forth in this Agreement.

NOW, THEREFORE, the Parties agree as follows:

Section 1. Implementation of the Town Cigarette Sales Tax. The Parties agree that the Town may levy, collect, enforce and administer its recently enacted municipal sales tax on the sale of cigarettes within the municipal limits of the Town. The County shall no longer be permitted to levy, collect, enforce or administer its county-wide tax within the Town's municipal limits unless the Town decreases or otherwise changes its tax at a future date.

Section 2. Administration, Powers and Duties. The County or its authorized designee shall (a) collect and administer the Town's special sales tax on the sale of cigarettes, tobacco and nicotine products and (b) distribute the revenue from the taxes as described in Section 3 of this Agreement. The Town hereby agrees to pay the County a collection fee of 2.5% of the Town's revenues from its special sales tax collected within the municipal limits of the Town. Should additional costs be charged by a 3rd party vendor to the County related to the collection of this sales tax, a portion of the charges will be charged to the Town by the County which amount shall be based upon the relative number of retailers within the Town. County will seek Town's approval prior to executing a contract for additional services.

Section 3. Distribution of Revenues. The County or its authorized designee shall collect and distribute the sales tax revenues. The County will remit to the Town the Town's portion of the revenues from the taxes less (a) the 2.5% collection fee and (b) additional sums, if any, for the reimbursement of additional costs as stated in Section 2 of this Agreement no later than the 45th day following the month of collection of such revenues. The distribution will include a report showing the total amount of collections by retailer along with the total amount of fees charged by the County to the Town per Section 2.

Section 4. Licensing, Regulation, Additional Fees or Taxes. This Agreement shall not limit each Party's authority to independently license each retailer of cigarettes, nicotine products and tobacco products within its jurisdictional boundaries as it deems necessary and appropriate and to impose additional taxes, fees, or fines in excess of the sales tax as may be warranted.

Section 5. Amendment of Agreement. This Agreement may be modified or amended only by a duly executed written agreement with the express approval of the governing bodies of the Parties.

Section 6. Term and Termination of the Agreement.

a. Effective Date. The term of this Agreement shall begin upon execution.

b. Termination. The term of this Agreement shall end upon the written request of either party.

Section 7. Execution and Performance of Agreement in Accordance with Law. Each Party hereby represents to the other Party that it has adopted and executed this Agreement in accordance with applicable law. Each Party shall perform their respective obligations and expend any revenues derived hereunder in accordance with all applicable laws, rules, and regulations, including but not limited to the Act, this Agreement, and a voter-approved ballot measure.

Section 8. No Waiver of Immunity. All actions or omissions by any Party, including their

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respective representatives, employees, agents, volunteers or officials, shall be the sole responsibility of the respective Party. The Parties understand and agree that liability for claims for injuries to persons or property arising out of the actions or omissions of any Party is controlled and limited by the provisions of the Colorado Governmental Immunity Act ("Immunity Act") title 24, article 10, Colorado Revised Statutes, as now or hereafter amended and that the Parties do not intend to waive by any provision of this Agreement the liability limitations or any other right, immunity or protection afforded by the Immunity Act or as may otherwise be afforded by law.

Section 91. Confidentiality. For purposes of ensuring proper distribution of the sales tax revenues, the County and the Town shall share and exchange confidential information obtained by the Parties or provided by the State subject to any limitations of the State and all statutes and local ordinances controlling the same while maintaining taxpayer confidentiality. All such information exchanged shall remain strictly confidential and shall be used only for the purposes designated herein.

Section 10. Parties in Interest. Nothing expressed or implied herein is intended or shall be construed to confer upon any person other than the Parties any right, remedy or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the Parties.

Section 11. No Personal Liability. No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of an elected or appointed official, officer, agent, servant or employee of any Party in his or her individual capacity.

Section 12. Notices. Except as otherwise provided in this Agreement, all notices or other communications by either Party shall be in writing, shall be given in a reasonable time and shall be deemed given when actually received.

Section 13. Severability. If any clause, provision, subsection, or Section of this Agreement shall be held to be invalid, illegal or unenforceable for any reason, the Agreement shall be reformed to the extent necessary to reflect the intent and purpose of the original agreement or the Parties may terminate this Agreement.

Section 14. Interpretation. Because this Agreement is the result of mutual negotiation and drafting, in the event this Agreement is deemed to be ambiguous or vague, the Parties agree that the rule of construction that "ambiguities shall be construed against the drafter" shall not apply. In the event of any conflict between the Act, the Intergovernmental Relations Statute or any other law with respect to the exercise of any such power, the provision that permits the broadest exercise of the power consistent with the limitations set forth in this Agreement shall control. The laws of the State shall govern the construction and enforcement of this Agreement.

Section 15. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same Agreement. Electronic or scanned signatures shall be valid and acceptable for all purposes.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties effective as of the date set forth above.

EAGLE COUNTY, COLORADO

By: DocuSigned by: Kathy Chandler-Henry 86A681FFEB84403...
Kathy Chandler-Henry,
Chair **ATTEST:**

By: DocuSigned by: Regina O'Brien 1B0A2F2A6B3A40...
Regina O'Brien, Clerk and Recorder

TOWN OF EAGLE

By: DocuSigned by: Scott Turnipseed 0C23BEB0E297494...
Scott Turnipseed, Mayor

ATTEST:

By: DocuSigned by: Jenny Rakow 5E4CC6556A5C44E...
Jenny Rakow, Town Clerk

To: Mayor and Town Council

From: Jill Kane, Finance Director
Chad Phillips, Community Development Director

Date: November 14, 2023

Agenda Item: Resolution 78, Series 2023, "A Resolution of The Town Council of The Town of Eagle, Colorado, Amending The 2023 Fee Schedule Pursuant To 2.34 of The Eagle Municipal Code to Update Planning Department Fees Due to the New Title 4 Land Use and Development Code Adoption"

REQUEST: Staff requests that the Council review Resolution 78, Series 2023 to amend the 2023 fee schedule which provides for several modifications to Planning Department fees due to the newly updated Title 4.

BACKGROUND: The new Title 4 that was adopted by Council earlier this fall took effect on October 23rd. Due to several of the modifications made to the language in the code, Community Development has provided the following requests for modifications to the 2023 fee schedule so that both the code and the fee schedule are aligned.

ANALYSIS:

Fees to Delete – These fees no longer apply with the revisions to title 4, and staff is recommending removing them from the fee schedule:

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE
LAND USE APPLICATION FEES	Small Area Plan Exception/Amendment	$1,000 + Deposit of 20% of estimated passthrough costs	$1,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	PUD Residential Zoning Plan	$750 + $25 per du+ Deposit of 20% of estimated passthrough costs	$750 + $25 per du+ Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	PUD Residential Development Plan	$1,000 + $25 per du+ Deposit of 20% of estimated passthrough costs	$1,000 + $25 per du+ Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	PUD Commercial & Industrial Zoning Plan	$800 + Deposit of 20% of estimated passthrough costs	$800 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	PUD Commercial & Industrial Development Plan	$1,250 + Deposit of 20% of estimated passthrough costs	$1,250 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	PUD Zoning Plan and Development Plan Combination	Listed Fee with 15% discount+ Deposit of 20% of estimated passthrough costs	Listed Fee with 15% discount+ Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Temporary Use Permit - No Hearing	$ 250	$ 250
LAND USE APPLICATION FEES	Temporary Use Permit - Public Hearing	$ 600	$ 600

Fees to have a name change – Based on the new language in Title 4, staff is recommending modifying the names to the following fees:

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE
LAND USE APPLICATION FEES	~~Community Plan Exception~~ Sub-Area Plan Amendment	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	~~PUD Multiple Use - Development Plan~~ Final Plan	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Development Permit - Minor ~~non PUD~~	$1,000 + Deposit of 20% of estimated passthrough costs	$1,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Development Permit - Major ~~non PUD~~	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs

New Proposed Fees or Updates to Fees – Based on the new language in Title 4 and comparisons of other regional municipal community development fees, community development is making the following recommendations:

FEE TYPE	FEE TITLE	2023 FEE	2023 FEE (REVISED)	PROPOSED FEE MODIFICATION
LAND USE APPLICATION FEES	~~PUD Multiple Use - Zoning Plan~~ Concept Plan	$1,000 + Deposit of 20% of estimated passthrough costs	$1,500 + Deposit of 20% of estimated passthrough costs	NAME CHANGE & FEE CHANGE
LAND USE APPLICATION FEES	Subdivision - Minor	$550 + $600 Deposit	$650 + $600 Deposit	FEE CHANGE
LAND USE APPLICATION FEES	Sign Permit	$ 50	$100	FEE CHANGE
LAND USE APPLICATION FEES	Conditional Use Permit		$650	NEW FEE
LAND USE APPLICATION FEES	Administrative Use Permit		$250	NEW FEE
LAND USE APPLICATION FEES	Minor Permit		$100	NEW FEE
LAND USE APPLICATION FEES	Vacation of Easement or Right of Way		$750	NEW FEE

Local Comparisons: *Community Development reached out to several regional municipalities and counties for fee schedule comparisons when determining the proposed rates, including Gypsum, Vail, Eagle County, Summit County, Avon, Steamboat Springs, and Aspen. Below is information that we received from the municipalities and Counties below for each proposed fee change.*

- **Concept Plan:**
  - Town of Eagle (Current) - $1,000 + Deposit of 20% of estimated passthrough costs
  - Town of Eagle (Proposed) - $1,500 + Deposit of 20% of estimated passthrough costs

Town of Gypsum	Town of Vail	Eagle County	Summit County	Town of Avon	Steamboat Springs	Aspen
SKETCH PLAN FEES: - Residential $500 plus $20 per unit (less than 20 units) - Residential $1,000 plus $20 per unit (more than 20 units) - Commercial/Industrial $500 (0-5 acres) - Commercial/Industrial $1,000 (more than 5 acres) - Mixed Use $500 (0-5 acres) - Mixed Use $1,000 (more than 5 acres) DEPOSIT FEES: - Residential (less than 20 units) $3,000 - Residential (more than 20 units) $5,000 - Commercial/Industrial (0-5 acres) $3,000 - Commercial/Industrial (more than 5 acres) $5,000 - Mixed Use (0-5 acres) $3,000 - Mixed Use (more than 5 acres) $5,000	Development Plan $1,500 Plan establishment	Sketch - Minor - $1,890.00 Major - $2,730.00 Preliminary Minor - $2,730.00 Major - $3,360.00	Major - $5,240.00 + 235/dwelling unit or lodge room, Other Structural $875/1,00 sq ft for the 1st 30,000 sq ft.and $170/1000 sq. ft. thereafter Minor- $1,760.00	Preliminary - $1,500.00	Base fee of $2,500 + $50 for each additional sq. ft. of gross floor area over 10,00 sq. ft.	Planned Development Review $10,400.00 = (24 Hour Deposit)

- **Subdivision - Minor:**
  - Town of Eagle (Current) - $550 + $600 Deposit
  - Town of Eagle (Proposed) - $650 + $600 Deposit

Town of Vail	Eagle County	Summit County	Town of Avon	Steamboat Springs	Aspen
Review - $650	*Sketch Plan - $1,575.00 *Preliminary Plan - $2,205.00	Preliminary Plat - $5,240.00 + $235.00 per lot shown on plat. Final Plat - $2,380.00 plus $225.00 per lot shown on plat	Preliminary/Final - $1,350.00	Preliminary Plat 1-6 lots $2,000 7-15 lots - $2,225 16+ lots $3,750.00 Final Plat $850.00	$650.00 (2hr Deposit) $325 every additional hour

- **Sign Permit:**
  - Town of Eagle (Current) - $50
  - Town of Eagle (Proposed) - $100

Town of Gypsum	Town of Vail	Eagle County	Summit County	Town of Avon	Steamboat Springs
$30	$50 + $1.00/sq foot of sign area	$52.50 + $1.00/sq foot of sign area	$205	$100	$150

- **Conditional Use Permit:**
  - Town of Eagle (Proposed) - $650

Town of Gypsum	Eagle County	Summit County	Town of Avon	Steamboat Springs
$150.00	Special use permit Minor - $945.00 Major - $1,680.00	Industrial - $7,010.00 base fee +$205.00/hr for additional hours beyond the standard 30 hr review time. All other: $5,240.00. $1,540 for accessory apartments that require planning commission review.	Special Review Use - $500.00	$1,500 - Not concurrent with the Conceptual Development Plan or Development plan application

- **Administrative Use Permit:**
  - Town of Eagle (Proposed) - $250

Town of Avon	Steamboat Springs	Aspen
$250.00	$250.00	$975 (3hr Deposit) 325 every additional hr.

- **Minor Permit:**
  - Town of Eagle (Proposed) - $100

Town of Avon	Steamboat Springs
Residential - $75 4+ Residential units or Commercial - $250.00	Minor Development Permit - $500

- **Vacation of Easement or Right of Way:**
    - Town of Eagle (Proposed) - $750

Eagle County	Summit County	Town of Avon	Steamboat Springs
$1,470	$1,125	$750	Subdivision $1,400

COMMUNITY INPUT: There has not been any public comment received to date on this matter.

BUDGET/STAFF IMPACT: Most of these fee schedule modifications are modest adjustments or based on the language in the new Title 4 and will have only a slight impact to the Town's General Fund revenues. Staff impacts will be minimal. Staff will need to provide updated forms for our building community on the fee schedule updates and upload fee schedule modifications to the website.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

- ***Enhance the Economic Resiliency of the Town Government*** – This is a standard administrative procedure that requires the Council's review and approval. The proposed modifications to the fee schedule does align with the Council's major objective to "enhance the economic resiliency of the town government" by identifying and implementing diverse revenue streams.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution 78, Series 2023, "A Resolution of The Town Council of The Town of Eagle, Colorado, Amending the 2023 Fee Schedule Pursuant To 2.34 of The Eagle Municipal Code to Update Planning Department Fees Due to the New Title 4 Land Use and Development Code Adoption"

ATTACHMENTS:

- Resolution 78-2023 Adopting an amendment to the 2023 fee schedule

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 78
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING THE 2023 FEE SCHEDULE PURSUANT TO 2.34 OF THE EAGLE MUNICIPAL CODE TO UPDATE PLANNING DEPARTMENT FEES DUE TO THE NEW TITLE 4 LAND USE AND DEVELOPMENT CODE ADOPTION

WHEREAS, Section 2.34.010 of the Eagle Municipal Code provides that the Town Council shall adopt a fee schedule by resolution to establish fees for services provided to members of the general public; and

WHEREAS, it is necessary to ensure that fees charged by the Town of Eagle are reasonable, transparent, and sustainable to support the continued provision of quality services; and

WHEREAS, the Town has recently adopted a new Land Use and Development Code that provides different definitions and permit types; and

WHEREAS, The Town desires to amend certain fees and to adopt the same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO:

Section 1. That the Town of Eagle 2023 Fee Schedule concerning Planning Department Fees, be amended with the following modifications:

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2023 FEE	2023 FEE (REVISED)
~~LAND USE APPLICATION FEES~~	~~Small Area Plan Exception/Amendment~~	~~$1,000 + Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~PUD Residential Zoning Plan~~	~~$750 + $25 per du+ Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~PUD Residential Development Plan~~	~~$1,000 + $25 per du+ Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~PUD Commercial & Industrial Zoning Plan~~	~~$800 + Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~PUD Commercial & Industrial Development Plan~~	~~$1,250 + Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~PUD Zoning Plan and Development Plan Combination~~	~~Listed Fee with 15% discount+ Deposit of 20% of estimated passthrough costs~~	
~~LAND USE APPLICATION FEES~~	~~Temporary Use Permit - No Hearing~~	~~$ 250~~	
~~LAND USE APPLICATION FEES~~	~~Temporary Use Permit - Public Hearing~~	~~$ 600~~	

PLANNING DEPARTMENT FEES			
FEE TYPE	FEE TITLE	2023 FEE	2023 FEE (REVISED)
LAND USE APPLICATION FEES	~~Community Plan Exception~~ Sub-Area Plan Amendment	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	~~PUD Multiple Use - Development Plan~~ Final Plan	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Development Permit - Minor ~~non PUD~~	$1,000 + Deposit of 20% of estimated passthrough costs	$1,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Development Permit - Major ~~non PUD~~	$2,000 + Deposit of 20% of estimated passthrough costs	$2,000 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	~~PUD Multiple Use - Zoning Plan~~ Concept Plan	$1,000 + Deposit of 20% of estimated passthrough costs	$1,500 + Deposit of 20% of estimated passthrough costs
LAND USE APPLICATION FEES	Subdivision - Minor	$550 + $600 Deposit	$650 + $600 Deposit
LAND USE APPLICATION FEES	Sign Permit	$ 50	$ 100
LAND USE APPLICATION FEES	Conditional Use Permit		$ 650
LAND USE APPLICATION FEES	Administrative Use Permit		$ 250
LAND USE APPLICATION FEES	Minor Permit		$ 100
LAND USE APPLICATION FEES	Vacation of Easement or Right of Way		$ 750

INTRODUCED, READ, PASSED, AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, CMC
Town Clerk

To: Mayor and Town Council

From: Larry Pardee, Town Manager
Jill Kane, Finance Director

Date: November 14, 2023

Re: Public Hearing: 2023 & 2024 Proposed Budget Presentation

REQUEST: Staff requests that the Town Council:

- Review the changes made to the 2022 Supplemental Budget and 2023 proposed Budget since the October 24th budget hearing and provide feedback
- Adopt the 2023 Supplemental Budget
- Adopt and Appropriate funds for the 2024 Budget

INTRODUCTION: The Council has reviewed various draft proposals and discussed the budget over the last several meetings. The next step in the process includes the adoption of the 2024 Budget and 2023 supplemental budget with associated resolutions. Staff has provided a description of modifications made to the budget since this October 24th budget hearing. The fully polished budget document including all narratives, attachments, and appendices will be presented to the Council at the December 12th meeting or 1st meeting in January. This document is due to the State on January 31st.

Staff needs additional time to research fee schedule modifications and will bring a proposed 2024 fee schedule to Council for review at the December 12th Council meeting.

ANALYSIS: Provided below is a summary of the modifications that have been made to the draft budget since the October 24th meeting:

General Fund Revenues: *No adjustments to the 2023 budgeted revenues were made. Adjustments made for 2024 Increased budgeted General Fund revenues by $412,831, from $12,960,691 to $13,373,522. Below are the details of the modifications that were made.*

- **Intergovernmental Revenue - Grants: 2024 $451,332 –**
    - **SS4A -** The Town was recently notified that we received an SS4A grant for a Comprehensive Safety Action Plan for the Town in the amount of $220,800. The total cost for this study is $276,000 and was already budgeted in the Streets department. This modification to the budget is a net positive for the general fund. The Town will fund 20% of the total cost of this Study. By completing this study, it will set up the Town to be able to apply for significant federal grants for the Grand Avenue project.
    - **SMART Policing** – The Town was recently notified that we received a SMART Policing grant to fund two officers for two years, which is $230,532 annually. We already had one additional position budgeted, so we are now able to add one more position for 2024. The Town does need to remain cognizant that this funding is only for two years in which the Town will need to fund the positions starting in year three.

- **Transfers from other Funds – 2024 ($38,501)** - Staff had rolled over the transfer from the Water, Wastewater, and Open Space funds to the General Fund for IT support for 2024 from 2023 and had not yet updated the amounts based on the 2024 budget. Staff has now updated the budget amounts and it is decreased revenue to the general fund by $38,501. The allocations are based on IT departmental organization-wide expenses. Total transfers from other funds for IT services are budgeted at $138,894 compared to $176,770 in 2023.

General Fund Expenditures: *No adjustments were made to 2023 general fund expenditures. Adjustments made by Staff has increased the 2024 general fund expenditures by $239,983, which increases total General Fund expenditures from $13,304,200 to $13,544,183 in 2024. These total expenditure amounts do not include transfers to other funds.*

General Government 2024 Budget –

- ***Professional Services: 2024 - $60,000*** *- Added $60,000 for for following, which Council provided direction to include during the October 24th Council Meeting:*
    - Commercial Linkage Nexus Study. $35,000 - The outcome of this effort is to require commercial developers to provide housing (or a fee in lieu) based on the nature and extent of a future commercial project. Eagle currently has this in place for residential projects (LERP) and this would provide a parallel program. It will be important to have this in place well before large scale development occurs in recently annexed areas, such as East Eagle.
    - East Eagle Financing Strategy. $25,000 - The Financing Strategy is to help the Town understand what its role should be for East Eagle and how all parties working together can achieve a financially viable outcome. The current land ownership group has suggested the Town of Eagle take on much of the infrastructure needs in East Eagle, including utilities and transportation improvements. In addition to the question regarding the lead agency for installing infrastructure, there is the underlying question about the revenues available to service the bonds to be issued to construct the infrastructure. The Strategy would include a financial model that would demonstrate future revenues and expenditures and overall viability. It would include optimistic and conservative assumptions about costs and revenues and would be used as a tool with elected officials, developers, and landowners to arrive at a reasonable set of assumptions as to public sector and private sector responsibilities. As part of the financial analysis, the strategy would identify critical milestones for progress, and clarify to all parties the degree of risk by the Town, based on the level of performance by the developers.

Public Safety 2024 Budget –

- ***Personnel Services: 2024 –*** *$179,983 – Increase the public safety budget to include an additional Police Sergeant. The Town obtained the SMART policing Grant which will fund two officers for two years. The Town had already budgeted for one new Sergeant position, and this is the addition of one additional Sergeant. This will allow the Town to have 24/7 supervisor coverage. This amount is offset by the grant funding received.*

General Fund Balance Summary: The estimated ending fund balance for 2024 is $4,172,848 (a $172,848 increase from the prior draft) with an unassigned fund balance of $3,456,032, which is 25.52% of operating expenditures. ***The Town's reserve policy is to keep an unassigned fund balance of 25% of operating expenditures (not including transfers to other funds).***

Water Fund: Staff did not make any adjustments to Water fund revenues and only made one adjustment to 2024 expenses described below. The revised projected 2024 ending fund balance of $9,720,213, is an increase of $27,836 from the October 24th draft budget.

Water Fund Expenses:

- **Transfer to General Fund for IT Services– 2024 – ($27,836)** - Staff rolled over the transfer from the Water fund to the General Fund for IT support for 2024 from 2023 and had not yet updated the amounts based on the 2024 budget. Staff has now updated the budget amounts. This expense decreased from $104,374 to $76,538.

Waste Water Fund: Staff did not make any adjustments to Waste Water fund revenues and only made one adjustment to 2024 expenses described below. The revised projected 2024 ending fund balance of $5,715,879, is an increase of $5,208 from the October 24th draft budget.

Waste Water Fund Expenses:

- **Transfer to General Fund for IT Services– 2024 – ($5,208)** - Staff rolled over the transfer from the waste water fund to the General Fund for IT support for 2024 from 2023 and had not yet updated the amounts based on the 2024 budget. Staff has now updated the budget amounts. This expense decreased from $56,405 to $51,197.

Broadband Fund: Staff added the Broadband fund to the budget based on projections provided to Council at the during the last budget hearing, no adjustments have been made. We are currently projecting a $75,498 fund balance at the end of 2024.

Open Space Fund: With the additional adjustments made to revenues and expenditures in 2023 and 2024 below there is a net positive impact to 2024 ending fund balance in the Open Space Fund by $4,831. The projected 2024 ending fund balance is $663,638.

Open Space Fund Revenues:

- **Intergovernmental Contributions: 2024 - $35,000** –The development of the interpretive Open Space signage project focused the content on ecosystem education and responsible recreation with wildlife. The signage is bilingual and focuses on pictures to engage diverse backgrounds/ages. The final design came in $35,000 over the original $110,000 budget. The additional $35,000 in funding is being requested from the Eagle Ranch Wildlife committee, staff is fairly confident that the request will be approved based on the input and feedback that has already been received by the committee on this project and will know by the end of November.

Open Space Fund Expenses:

- **Open Space Signage Project: 2023 & 2024 - $20,000 & $125,000** – The original budget was for the project was $110,000 and based on final design is $145,000. The design will be fully completed in 2023, however the production and installation of the signage will occur in 2024. The 2023 budget has be reduced from $90,000 to $20,000 and rolled over into 2024. The 2024 budget has been increased from $20,000 to $125,000. With the additional $35,000 in funding coming from the Eagle Ranch Wildlife Committee.

- **Transfer to General Fund for IT Services– 2024 – ($4,831)** - Staff rolled over the transfer from the open space fund to the General Fund for IT support for 2024 from 2023 and had not yet updated the amounts based on the 2024 budget. Staff has now updated the budget amounts. This expense decreased from $15,990 to $11,159.

The next steps are:

- Adopt Mill Levy – December 12th
- Adopt the 2024 Fee Schedule – December 12th
- Council will receive the final 2024 budget document to certify in December or early January
- Final certified 2024 budget document to be sent to the State by January 31st

COMMUNITY INPUT: Community input was solicited throughout the budget process. There were three public hearings scheduled for the budget:

- October 10
- October 24
- November 14

Other than requests from specific organizations requesting funding from the Town through our community request and event funding programs, staff has not received any other community input.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: The Budget implements different aspects of the Strategic Plan as well as other long-range planning documents.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve the following resolutions and ordinances:

> Motion to **approve** or **deny** Resolution 75, Series 2023, "A Resolution Reappropriating Funds To The Various Funds And Spending Agencies, In The Amounts And For The Purpose As Set Forth Below For The Town Of Eagle, Colorado For The 2023 Budget Year."
>
> Motion to **approve** or **deny** Resolution 76, Series 2023, "A Resolution Summarizing Expenditures And Revenues For Each Fund And Adopting A Budget For The Town Of Eagle, Colorado For The Calendar Year Beginning On The 1st Day Of January, 2024, And Ending On The Last Day Of December, 2024."
>
> Motion to **approve** or **deny** Resolution 77, Series 2023, "A Resolution Appropriating Funds To The Various Funds And Spending Agencies, In The Amounts And For The Purpose As Set Forth Below For The Town Of Eagle, Colorado, For The 2024 Budget Year.

ATTACHMENTS:

- 2023 - 2024 Budget – Final Draft
- Resolution 75-2023 – Reappropriating Various 2023 Funds
- Resolution 76-2023 – Summarizing Exp and Rev for Each Fund and Adopting a Budget for 2024
- Resolution 77-2023 – Appropriating Funds for the 2024 Budget Year

Town of Eagle
2024 Budget

November 14th, 2023

Honorable Mayor and Members of the Town Council:

The Town of Eagle budget for the fiscal year 2024 is presented in accordance with the Town of Eagle Charter and reflects the Town's mission to maintain and enhance quality of life for everyone in our community in a fiscally responsible manner. This budget, prepared on a modified accrual basis, contains the revenues and expenditures necessary to fund the Town's operations for the fiscal period January 1, 2024, through December 31, 2024. The budget is a living document that serves as a planning tool for the upcoming year. The Town Council and staff refer to the budget all year to plan and execute the priorities of the community. Although needs typically exceed available resources, the 2024 budget prioritizes the Town's vision, mission, and major objectives while supporting core services and demonstrating a commitment to community priorities.

Different areas of the budget achieve the goals of the Town of Eagle and they are provided below:

Economic Outlook

Although we continue to be optimistic about Eagle's economy and local budget, we have seen our sales tax year over year increase drop in 2023, in comparison to other recent years. Overall sales tax collections in 2023 are up around 5% over 2022. In 2024, the Town is proposing a 5% increase in projected sales tax collections over 2023 based on the economic forecasts. This represents a $410,000 increase over our 2023 projection. Sales tax makes up about 66% of General Fund revenues. Property taxes will also see a year over year increase of $188,786. All other taxes will remain relatively flat for 2023. Overall revenue in the General Fund will decrease by $856,355 over 2023. The total projected revenues for the General Fund are $13,373,522 which represents a 6% decrease over 2023.

In 2023, the Town's maintained a conservative approach amidst the continued predictions of a potential economic downturn, driven by escalating interest and inflation rates. However, the ongoing economic recovery has surpassed initial projections, demonstrating the town's resilience in navigating an unpredictable environment. Despite challenges, the Town not only weathered uncertainties but is actively sustaining growth. Looking forward, however, we will need to remain cognizant of maintaining slow growth in our expenditures to ensure a sustainable future for the Town.

Economic Development Initiatives

Most of the Town's revenues are generated by sales tax and economic development is important to ensure long-term financial stability. There are a few investments that the Town is making in economic development in 2024.

- Implementation of Economic Strategies – In 2023 the Town developed our first Town-Wide Economic Development Plan. The Town is investing $20,000 in starting to implement some of the strategies recommended and outlined in the Plan. The Town is also investing $10,000 in on-going Economic Dashboard updates.

- Broadband – Town invested in broadband in 2022 by constructing a telecommunications connection for downtown Broadway business district. In 2023, the Town initiated a pilot program offering wireless internet service to businesses and residents. In 2024, the Town has set up a separate Broadband fund to offer wireless internet to Eagle residents on a larger scale.

Long Range Planning Initiatives

The Town has prioritized long-range planning and development of a vision that will inform several of the projects that the Town is working on. These projects will set the foundation for how the Town will develop and grow. Below is a list of initiatives that are slated for 2024:

- Highway 6/Grand Avenue Corridor Plan – In 2021, the consultant team and stakeholder committee completed phases one and two of the project and successfully revealed a concept plan to the public. In 2023 the Town began phase three of the planning and engineering of Grand Avenue to bring it to 70% design. The Town will continue this work in 2024, investing $2,475,000.

- Open Space & Trails Master Plan – In 2024, the Town will continue to implement the recommendations identified in the plan.

    - $80,000 - Restoration project/habitat improvements on open space Phase 1
    - $100,000 - Open Space and Trails Master Plan Implementation Phase 1
    - $125,000 – Complete the Wildlife Interpretive, multilingual, and educational signage project

- East Eagle Financing Strategy –The Town is investing $25,000 in a Financing Strategy to help the Town understand what its role should be for East Eagle and how all parties working together can achieve a financially viable outcome. The current land ownership group has suggested the Town of Eagle take on much of the infrastructure needs in East Eagle, including utilities and transportation improvements. In addition to the question regarding the lead agency for installing infrastructure, there is the underlying question about the revenues available to service the bonds to be issued to construct the infrastructure. The Strategy would include a financial model that would demonstrate future revenues and expenditures and overall viability. It would include optimistic and conservative assumptions about costs and revenues and would be used as a tool with elected officials, developers, and landowners to arrive at a reasonable set of assumptions as to public sector and private sector responsibilities. As part of the financial analysis, the strategy would identify critical milestones for progress, and clarify to all parties the degree of risk by the Town, based on the level of performance by the developers.

- Commercial Linkage Nexus Study – In 2024 we will be investing $35,000 in a commercial linkage nexus study. The outcome of this effort is to require commercial developers to provide housing (or a fee in lieu) based on the nature and extent of a future commercial project. Eagle currently has this in place for residential projects (LERP) and this would provide a parallel program. It will be important to have this in place well before large scale development occurs in recently annexed areas, such as East Eagle.

Administrative Initiatives
In 2024, the Town will be investing the organization to help create efficiencies and further develop our team:

- Organization culture & Leadership – The Town will be investing $35,000 in organizational culture and leadership development and training. It is our goal to establish a culture of high-performance. We will be defining our organization's culture and articulating our leadership philosophy to the organization and community.

- Software – In 2024, the Town will be investing in software to create efficiencies for several departments including the following:
    - $20,700 - HRIS Software - The primary purpose of HRIS software is to help organizations manage and automate HR processes more efficiently. Implementing HRIS software can lead to increased efficiency, reduced administrative workload, improved accuracy, and better decision-making within the HR department. It's a valuable tool for organizations looking to modernize and streamline their HR processes.
    - $11,000 – Timekeeping Software – The Town will be investing in timekeeping software to streamline the current payroll process, so time tracking will be completed electronically along with leave time management and the approval processes.
    - $6,000 – Electronic Accounts Payable software – The purpose of this software is to create efficiencies in the invoice approval process and document storage, including employee access to invoices.
    - $95,000 – Community Development Permitting & Planning Software for the purpose of managing the permitting and planning processes more efficiently. This software aims to streamline and automate various tasks associated with land use planning, zoning, permitting, and related regulatory activities.

- Grant Writing Services – In 2023 the Town completed our first strategic roadmap for grants. In 2024 staff will continue to work on grants that are prioritized for upcoming projects, specifically Grand Avenue. In 2024, the Town will be investing $50,000 in grant writing services.

- Community Opinion Survey – Since there are always more needs than available funding, in 2024 the Town will be investing $23,000 to conduct community surveys to obtain the community's opinion on what the Town's priorities should be Town-wide and also specifically for the Sales tax capital Improvement fund:
    - Infrastructure (Grand Ave)
    - Open Space
    - Sustainability
    - Affordable Housing
    - Other Capital Projects

Infrastructure and Capital Improvements
The Town has many important infrastructure projects in the works. In 2024 the Town's Capital spending is projected to be $37,459,460, compared to $11,127,594 in 2023 and $1,805,887 in 2022.The Town is planning to work on the following projects:

- Pool Rebuild Project – The Town will continue working on the Pool rebuild, in collaboration with Mountain Recreation, which is slated to being construction in 2024. With matching funds from both partners and debt issuance, the projected total cost of the project is $13,000,000.

- Capital Improvement Identification Planning – In 2024, the Town will be hiring consultants to improve the CIP and better develop a 10-year plan. The staff has done a good job of identifying capital but could benefit from having the capacity to complete a comprehensive capital improvements list. The Town currently has budgeted for the following:
    - $47,000 – Buildings & Grounds Building Assessment
    - $31,000 – Public Works Facility Master Plan
    - $63,520 – UBWTP – Facility Master Plan

- Pavement Management – Public Works continues to complete maintenance and improvements. In 2024, the Town will resurface Chambers, Sawatch, Marmot, Loren, Market, Fairgrounds, and Howard Street. This is an increased investment from 2023, totaling $1,755,000.

- Tank Replacement/Rehabilitation Projects – The Town will be continuing work on several Tank replacement and maintenance projects including:
    - Cemetery Tank project- $3,600,000
    - East Eagle Cemetery Tank project - $1,550,000
    - Lower Eby Creek Tank and Booster Pump Station Replacement Project - $1,665,000
    - UBWTP – 2 MG Tank Rehabilitation Project - $2,070,800

- Water and Sewer Line Improvements – The Town will be investing $1,241,600 in the Town's water and sewer lines including Phase III of the Brush Creek Transmission, Howard Street, Fourth Street, Capital Street, and Grand Avenue.

- Building and Grounds Improvements – In 2024 the Town will be investing in the following building improvement initiatives:
    - Chambers Park Irrigation Improvements - $121,000
    - Public Restrooms Improvements - $15,000
    - New Community Holiday Décor - $40,000
    - Info Center Facilities Exterior Repaint - $20,000
    - Pavilion Flooring - $6,000
    - Eagle Ranch Dog Park Improvements - $45,000

Public Safety Investments

The Town continues to prioritize investments in public safety. As Eagle grows it is important to provide safe and reliable services. Below are items that are funded in 2023 to ensure that the Town is making improvements in this area:

- Police Department Equipment and Fleet Upgrades – The Town will continue the replacement cycle for patrol cars. In 2024, staff will replace three cars for Police officers and one car for Chief of Police for a total of $335,216.

- Brush Creek Park Playground Equipment Replacement – The existing equipment at Brush Creek Park was built over 20 years ago. The wood play structure is showing its age, is harder to

maintain, and is unsafe. In 2023, the Town started designing a refurbished play structure to be able to keep the character of the most popular playground. The Town will continue to work on this project in 2024.

- Fire Mitigation – In 2024, the Town is set to allocate an additional $20,000 towards fire mitigation initiatives spearheaded by GEFPD. Leveraging these funds, GEFPD can secure fire mitigation grants, exponentially amplifying the impact of the Town's contribution and significantly extending the reach of their mitigation endeavors for our community.

- Security Cameras & Access Control – The Town will be investing $99,029 for three years in security cameras and access controls for all Town Buildings. The project includes establishing secure access control systems for Town Hall, Public Works, Lower Water and Wastewater buildings. It also includes replacing aging security camera systems or adding new security camera and access systems to the Police Department, Public Works building, Water and Wastewater buildings and Town parks to help control vandalism.

Sustainability and Conservation

In 2021, the Town Council adopted a net-zero carbon emissions policy which established goals for the organization to achieve. In 2024, the Town will fund strategies to save money and improve the environment. Those projects are listed below:

- Sustainability Initiatives – In 2024, the Town will be investing $250,000 in Town sustainability initiatives that will help achieve net-zero goals.

- Energy Rebate Program – In 2024, the Town will invest $40,000 in an Energy Rebate Program. This is the third year in a row in which the Town has provided funding for this program through Walking Mountains.

- Sustainability Tracking Software – The Town will be investing $15,000 in sustainability Tracking software to track environmental metrics to help determine and prioritize sustainability strategies more efficiently and effectively.

- Building Occupancy Sensors – Public works will be installing occupancy sensors in 2024 in all buildings to save electricity.

- Yearout Energy Solar Project – The Town is investing $3,139,314 in solar that will be installed for usage by the Wastewater Plant and Lower Basin Water Treatment Plant (LBWTP). The Town received a $750,000 grant to support this build.

- Xeriscaping – The Town is investing $20,000 in the installation of xeriscape for the Violet Lane campus near our LBWTP and wastewater plant.

- Electric Vehicle Charging Stations – The Town will invest $70,000 in electric vehicle charging stations to continue the process of converting fleet to electric, the Town will install EV stations at Public Works and Town Hall.

Organizational Changes
This budget also reflects our continued investment in our employees in what is a highly competitive labor market. The Town is proposing a few changes to staffing in 2024. In 2022 and 2023, the organization experienced prolonged vacancies and struggled to fill positions. Once filled, the organization continues to struggle with keeping up with the growth the Town is experiencing. To ensure that we maintain a positive organizational culture, the Town has proposed making investments in the workforce in 2024. These investments include:

- Staff Changes – The Town continues to build capacity. The organization will go from 78 positions in 2023 to 82 in 2024. The organization will hire 4 FTEs, which will increase the ability to provide improved levels of service. The proposed budget includes an additional $614,000 for the following positions:

    - Public Safety – Sergeant
    - Public Safety – Sergeant
    - Public Works – Engineer
    - Public Works – Water / Wastewater Operator A

- Pay Plan – Human resources completed a comprehensive assessment of wages and grades of the pay plan for 2024. This resulted in making several market adjustments. The average market adjustments are between 5% - 6% and the projected merit pool will be 2% - 3%.

- Insurance & Benefits - In 2021, the Town invested significant resources to enrich healthcare and retirement plans for employees. The Town will see an approximately 10% increase in healthcare costs for the Towns PPO4 plan and 4% for the HDHP. The Town will be covering most of the increase in premiums. Only slight modifications will be made to employee health insurance premiums.

Conclusion
The Town continues to execute the Strategic Plan and make investments in economic development, infrastructure, service delivery, and organizational capacity. The Town is growing and will continue to be the beneficiaries of development. The 2024 budget reflects new investments that will pay off over time. It is our goal to become a standard-driven organization and operate with professionalism. Progress made towards proactive policies and initiatives will serve the Town well. The budget builds on these efforts. The development of the 2024 budget was a collaboration between all departments and elected officials. Thanks to the entire team for their efforts.

My staff and I are dedicated to making 2024 a successful year as we implement the budget presented here.

Respectfully submitted,

Larry Pardee

Larry Pardee
Town Manager
Town of Eagle

BUDGET - ALL FUNDS SUMMARY

	2022 ACTUAL	2023 BUDGET	2023 REVISED	2024 BUDGET	DIFFERENCE INCREASE(DECREASE)
GENERAL FUND:					
BEGINNING FUND BALANCE	**$ 6,845,355**	**$ 5,754,853**	**$ 7,316,034**	**$ 6,537,565**	**$ (778,469)**
REVENUES	11,988,119	11,973,507	14,039,108	13,218,628	(820,480)
TRANSFERS-IN FROM OTHER FUNDS	162,981	196,769	190,769	154,894	(35,875)
EXPENDITURES	(8,465,421)	(11,515,005)	(12,185,346)	(13,544,183)	1,358,837
TRANSFERS-OUT TO OTHER FUNDS	(3,215,000)	(2,720,000)	(2,823,000)	(2,150,000)	(673,000)
ENDING FUND BALANCE	**$ 7,316,034**	**$ 3,690,124**	**$ 6,537,565**	**$ 4,216,904**	**$ (2,320,661)**
WATER FUND:					
BEGINNING FUND BALANCE	**$ 15,226,667**	**$ 17,156,563**	**$ 17,749,899**	**$ 17,157,229**	**$ (592,670)**
REVENUES	5,805,233	5,564,651	7,480,850	7,871,400	390,550
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(3,206,802)	(8,927,367)	(7,969,146)	(15,231,878)	7,262,732
TRANSFERS-OUT TO OTHER FUNDS	(75,198)	(104,374)	(104,374)	(76,538)	(27,836)
ENDING FUND BALANCE	**$ 17,749,899**	**$ 13,689,473**	**$ 17,157,229**	**$ 9,720,213**	**$ (7,437,016)**
WASTE WATER FUND:					
BEGINNING FUND BALANCE	**$ 8,171,688**	**$ 9,052,502**	**$ 9,348,667**	**$ 11,376,261**	**$ 2,027,594**
REVENUES	3,612,936	3,681,800	5,772,000	5,205,000	(567,000)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(2,381,502)	(3,957,767)	(3,688,001)	(10,814,185)	7,126,184
TRANSFERS-OUT TO OTHER FUNDS	(54,454)	(56,405)	(56,405)	(51,197)	(5,208)
ENDING FUND BALANCE	**$ 9,348,667**	**$ 8,720,130**	**$ 11,376,261**	**$ 5,715,879**	**$ (5,660,382)**
REFUSE FUND:					
BEGINNING FUND BALANCE	**$ 261,743**	**$ 270,203**	**$ 289,497**	**$ 306,859**	**$ 17,362**
REVENUES	696,638	753,500	811,750	1,033,745	221,995
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(648,883)	(716,053)	(780,388)	(999,774)	219,386
TRANSFERS-OUT TO OTHER FUNDS	(20,000)	(20,000)	(14,000)	(16,000)	2,000
ENDING FUND BALANCE	**$ 289,497**	**$ 287,650**	**$ 306,859**	**$ 324,830**	**$ 17,971**
STORMWATER FUND:					
BEGINNING FUND BALANCE	**$ 80,233**	**$ 132,538**	**$ 168,233**	**$ 217,598**	**$ 49,365**
REVENUES	91,876	93,000	99,850	101,000	1,150
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(3,876)	(86,033)	(50,485)	(35,470)	(15,015)
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 168,233**	**$ 139,505**	**$ 217,598**	**$ 283,128**	**$ 65,530**
BROADBAND FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
REVENUES	-	-	-	1,943,834	1,943,834
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	-	-	-	(1,868,336)	1,868,336
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ 75,498**	**$ 75,498**
CAPITAL IMPROVEMENTS FUND:					
BEGINNING FUND BALANCE	**$ 8,301,332**	**$ 10,357,191**	**$ 11,245,307**	**$ 13,716,588**	**$ 2,471,281**
REVENUES	2,194,740	4,084,356	5,907,348	4,543,581	(1,363,767)
TRANSFERS-IN FROM OTHER FUNDS	2,000,000	-	-	125,000	125,000
EXPENDITURES	(1,250,765)	(3,017,854)	(3,436,067)	(5,576,514)	2,140,447
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 11,245,307**	**$ 11,423,693**	**$ 13,716,588**	**$ 12,808,655**	**$ (907,933)**
SALES TAX CAPITAL IMPROVEMENT FUND (EAGLE RIVER PARK FUND):					
BEGINNING FUND BALANCE	**$ 1,543,519**	**$ 1,552,056**	**$ 2,067,174**	**$ 928,925**	**$ (1,138,249)**
REVENUES	1,038,758	1,038,920	1,257,000	14,374,000	13,117,000
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(515,102)	(1,242,488)	(2,395,249)	(13,495,088)	11,099,839
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 2,067,174**	**$ 1,348,488**	**$ 928,925**	**$ 1,807,837**	**$ 878,912**

2023 BUDGET - ALL FUNDS SUMMARY

	2022 ACTUAL	2023 BUDGET	2023 REVISED	2024 BUDGET	DIFFERENCE INCREASE(DECREASE)
CONSERVATION TRUST FUND:					
BEGINNING FUND BALANCE	**$ 118,589**	**$ 141,299**	**$ 144,927**	**$ 201,027**	**$ 56,100**
REVENUES	50,322	42,900	56,100	53,000	(3,100)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(23,984)	-	-	-	-
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 144,927**	**$ 184,199**	**$ 201,027**	**$ 254,027**	**$ 53,000**
OPEN SPACE PRESERVATION FUND:					
BEGINNING FUND BALANCE	**$ 694,982**	**$ 712,387**	**$ 765,934**	**$ 813,443**	**$ 47,509**
REVENUES	263,977	286,850	314,333	332,500	18,167
TRANSFERS-IN FROM OTHER FUNDS	150,000	150,000	150,000	150,000	-
EXPENDITURES	(329,696)	(503,156)	(400,834)	(621,146)	220,312
TRANSFERS-OUT TO OTHER FUNDS	(13,328)	(15,990)	(15,990)	(11,159)	(4,831)
ENDING FUND BALANCE	**$ 765,934**	**$ 630,091**	**$ 813,443**	**$ 663,638**	**$ (149,805)**
DOWNTOWN DEVELOPMENT AUTHORITY FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ 6,361**	**$ 7,649**	**$ 1,288**
REVENUES	65,014	37,398	38,686	31,481	(7,205)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(58,653)	(37,398)	(37,398)	(34,550)	(2,848)
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 6,361**	**$ -**	**$ 7,649**	**$ 4,580**	**$ (3,069)**
PARKING FEE IN LIEU FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
REVENUES	-	-	-	-	-
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	-	-	-	-	-
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
TOTAL - ALL FUNDS:					
BEGINNING FUND BALANCE	**$ 41,244,108**	**$ 45,129,592**	**$ 49,102,033**	**$ 51,263,144**	**$ 2,161,112**
REVENUES	25,807,612	27,556,882	35,777,025	48,708,169	12,931,144
TRANSFERS-IN FROM OTHER FUNDS	2,312,981	346,769	340,769	429,894	89,125
EXPENDITURES	(16,884,687)	(30,003,122)	(30,942,914)	(62,221,124)	31,278,210
TRANSFERS-OUT TO OTHER FUNDS	(3,377,981)	(2,916,769)	(3,013,769)	(2,304,894)	(708,875)
ENDING FUND BALANCE	**$ 49,102,033**	**$ 40,113,352**	**$ 51,263,144**	**$ 35,875,190**	**$ (15,387,954)**

GENERAL FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
NON-SPENDABLE: 1	**$ 233,066**	**$ 219,000**	**$ 223,267**	**$ 223,300**	**0%**	**$ 33**
RESTRICTED FOR: Emergency Reserve	**237,500**	**410,242**	**290,000**	**470,714**	**62%**	**180,714**
RESTRICTED FOR: ARPA Grant Earnings	**132**	**832**	**28,496**	**122,496**	**330%**	**94,000**
ASSIGNED FOR: Capital Projects	**103,000**	**103,000**	**103,000**	**-**	**-100%**	**(103,000)**
UNASSIGNED FUND BALANCE:	**6,271,657**	**5,021,779**	**6,671,271**	**5,721,055**	**-14%**	**(950,216)**
TOTAL FUND BALANCES (Beginning)	**$ 6,845,355**	**$ 5,754,853**	**$ 7,316,034**	**$ 6,537,565**	**-11%**	**$ (778,469)**
REVENUE						
Taxes	9,796,846	9,919,204	10,204,483	10,768,590	6%	564,107
Licenses and Permits	687,933	732,356	942,480	683,975	-27%	(258,505)
Intergovernmental Revenue	810,747	773,463	1,869,791	1,246,183	-33%	(623,608)
Charges for Services	319,165	234,200	305,840	234,000	-23%	(71,840)
Fines & Forfeitures	106,784	88,914	94,721	85,779	-9%	(8,942)
Misc. Revenues	266,644	225,370	621,793	200,101	-68%	(421,692)
Transfers from Other Funds						-
From Water	75,198	104,374	104,374	76,538	-27%	(27,836)
From Wastewater	54,454	56,405	56,405	51,197	-9%	(5,208)
From Refuse	20,000	20,000	14,000	16,000	14%	2,000
From Open Space	13,328	15,990	15,990	11,159	-30%	(4,831)
TOTAL REVENUE	**$ 12,151,100**	**$ 12,170,276**	**$ 14,229,877**	**$ 13,373,522**	**-6%**	**$ (856,355)**
TOTAL SOURCES	**$ 18,996,455**	**$ 17,925,129**	**$ 21,545,911**	**$ 19,911,087**	**-8%**	**$ (1,634,824)**
EXPENDITURES						
Town Council	163,317	248,296	262,196	153,143	-42%	(109,053)
General Government	348,335	869,882	1,760,822	1,312,843	-25%	(447,979)
General Administration	681,226	938,587	878,698	1,016,900	16%	138,202
Information Technology	616,318	847,042	887,867	863,650	-3%	(24,217)
Community Development	1,074,133	1,477,634	1,303,645	1,407,434	8%	103,789
Streets	1,749,198	2,002,522	1,956,353	2,505,131	28%	548,778
Engineering	296,587	356,287	354,063	575,273	62%	221,210
Buildings & Grounds	786,327	1,238,959	1,159,576	1,285,350	11%	125,774
Public Safety	2,288,785	2,911,838	2,970,627	3,661,041	23%	690,414
Municipal Court	74,975	95,457	98,921	102,026	3%	3,105
Information Center	20,688	24,887	28,082	26,256	-7%	(1,826)
Events	365,534	503,613	430,732	453,313	5%	22,581
Communication & Marketing	-	-	93,764	181,823		
TOTAL EXPENIDTURES	**$ 8,465,421**	**$ 11,515,005**	**$ 12,185,346**	**$ 13,544,183**	**11%**	**$ 1,358,837**
TRANSFERS TO OTHER FUNDS						
Transfer to Open Space Fund	150,000	150,000	150,000	150,000	0%	-
Transfer to Sales Tax Capital Improvements Fund	-	-	103,000	-	-100%	(103,000)
Transfer to DDA Fund	65,000	20,000	20,000	-	-100%	(20,000)
Transfer to Capital Improvements Fund	3,000,000	2,550,000	2,550,000	2,000,000	-22%	(550,000)
TOTAL TRANSFERS TO OTHER FUNDS	**$ 3,215,000**	**$ 2,720,000**	**$ 2,823,000**	**$ 2,150,000**	**-24%**	**$ (673,000)**
TOTAL EXPENDITURES & TRANSFERS	**$ 11,680,421**	**$ 14,235,005**	**$ 15,008,346**	**$ 15,694,183**	**5%**	**$ 685,837**
NET SOURCE (USE) OF FUNDS	**$ 470,679**	**$ (2,064,729)**	**$ (778,469)**	**$ (2,320,661)**	198%	**$ (1,542,192)**
FUND BALANCES (Ending):						
NON-SPENDABLE: 1	**$ 223,267**	**$ 219,000**	**$ 223,300**	**$ 223,000**	**0%**	**$ (300)**
RESTRICTED FOR: Emergency Reserve	**290,000**	**486,325**	**470,714**	**537,872**	**14%**	**67,158**
RESTRICTED FOR: ARPA Grant Earnings	**28,496**	**49,832**	**122,496**	**-**	**-100%**	**(122,496)**
ASSIGNED FOR: Capital Projects: 2	**103,000**	**103,000**	**-**	**-**		
UNASSIGNED FUND BALANCE: 3	**6,671,271**	**2,831,967**	**5,721,055**	**3,456,032**	**-40%**	**(2,265,023)**
TOTAL FUND BALANCES (Ending)	**$ 7,316,034**	**$ 3,690,124**	**$ 6,537,565**	**$ 4,216,904**	**-35%**	**$ (2,320,661)**
Percentage of Unassigned Fund Balance compared to total expenditures not including transfers to other funds	**79%**	**25%**	**47%**	**26%**		

1 Non-Spendable: Prepaid Expenditures and EHOP (Long-term notes and funds held with fiscal agent for the Town's Employee Home Ownership Program)

2 This Assigned Fund Balance is from the Eagle County School District settlement funds received in 2021. Council Assigned the funds towards a Mountain Rec Project

3 It is the Town's practice to have the unassigned fund balance for the General Fund to total approximately 25% of total expenditures not including transfers to other funds. The 2024 budget's unassigned fund balance is currently at 24.38% of operating expenditures.

GENERAL FUND
REVENUE SOURCES

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
TAXES							
10-431-10	General Property Tax	$ 384,916	$ 381,304	$ 381,304	$ 570,090	50%	$ 188,786
10-431-20	Specific Ownership Tax	20,796	21,000	21,000	21,000	0%	-
10-431-30	Sales Tax - Regular	7,988,190	8,120,000	8,430,000	8,840,000	5%	410,000
10-431-31	Sales Tax - Special Marijuana/Tobacco	859,065	882,000	811,000	811,000	0%	-
10-431-44	Severance Tax	234	300	281	250	-11%	(31)
10-431-45	Federal Mineral Tax	278	250	1,865	250	-87%	(1,615)
10-431-50	Franchise Tax	293,817	262,000	295,000	254,000	-14%	(41,000)
10-431-60	Marketing Lodging Tax	249,550	252,350	264,033	272,000	3%	7,967
	TOTAL TAXES	**$ 9,796,846**	**$ 9,919,204**	**$ 10,204,483**	**$10,768,590**	**6%**	**$ 564,107**
LICENSES & PERMITS							
10-432-10	Business Licenses	$ 46,475	$ 55,450	$ 33,500	$ 35,000	4%	$ 1,500
10-432-12	Liquor Licenses	9,853	4,856	8,555	5,000	-42%	(3,555)
10-432-13	Marijuana & Tobacco Licenses	7,000	7,000	7,000	7,000	0%	-
10-432-20	Building Permits	585,247	623,000	797,000	596,000	-25%	(201,000)
10-432-27	Electrical Permits	31,548	35,500	93,000	35,000	-62%	(58,000)
10-432-30	Road Cut Permits	6,160	5,000	2,500	5,000	100%	2,500
10-432-35	Sign Permits	600	550	550	550	0%	-
10-432-40	Special Event Permits	1,050	1,000	375	425	13%	50
	TOTAL LICENSES & PERMITS	**$ 687,933**	**$ 732,356**	**$ 942,480**	**$ 683,975**	**-27%**	**$ (258,505)**
INTERGOVERNMENTAL REVENUE							
10-433-20	Motor Vehicle License Fee	$ 35,269	$ 39,800	$ 31,500	$ 32,000	2%	$ 500
10-433-30	Highway Users Tax	267,587	258,627	242,117	266,465	10%	24,348
10-433-60	Road & Bridge Tax	113,519	113,000	113,000	119,000	5%	6,000
10-433-70	County Sales Tax	277,166	278,700	292,000	307,000	5%	15,000
10-433-75	Grants	83,543	15,000	1,122,838	451,332	-60%	(671,506)
10-433-85	Intergovernmental Contributions	33,663	68,336	68,336	70,386	3%	2,050
	TOTAL INTERGOVERNMENTAL REVENUES	**$ 810,747**	**$ 773,463**	**$ 1,869,791**	**$ 1,246,183**	**-33%**	**$ (623,608)**
CHARGES FOR SERVICES							
10-434-10	Planning & Zoning Fees	$ 36,183	$ 16,000	$ 22,000	$ 16,000	-27%	$ (6,000)
10-434-20	Planning & Zoning Reimbursable	169,407	140,000	140,000	140,000	0%	-
10-434-25	Facility Usage Fees	73,277	63,000	60,000	63,000	5%	3,000
10-434-26	Facility Usage Deposits	4,386	-	1,640	-	-100%	(1,640)
10-434-30	Sponsorship & Event Fees	14,372	15,200	15,200	15,000	-1%	(200)
10-434-32	Broadband Service Charges	21,540	-	67,000	-	-100%	(67,000)
	TOTAL CHARGES FOR SERVICES	**$ 319,165**	**$ 234,200**	**$ 305,840**	**$ 234,000**	**-23%**	**$ (71,840)**
FINES & FORFEITURES							
10-435-10	Fines & Forfeits	$ 42,915	$ 35,000	$ 33,000	$ 35,000	6%	$ 2,000
10-435-15	Police Surcharge	3,708	6,500	7,500	6,500	-13%	(1,000)
10-435-20	Police Miscellaneous	9,236	5,000	7,400	5,000	-32%	(2,400)
10-435-25	Police Grants	25,676	12,414	16,821	9,279	-45%	(7,542)
10-435-30	Special Duty Reimbursable	25,249	30,000	30,000	30,000	0%	-
	TOTAL FINES & FORFEITS	**$ 106,784**	**$ 88,914**	**$ 94,721**	**$ 85,779**	**-9%**	**$ (8,942)**
MISCELLANEOUS REVENUE							
10-436-10	General Interest	$ 177,837	$ 140,000	$ 431,000	$ 150,000	-65%	$ (281,000)
10-436-11	ARPA Interest	28,364	49,000	94,000	25,438	-73%	(68,562)
10-436-12	GASB87 Lease Interest Revenue	711	-	-	-	-	-
10-436-17	Penalty & Interest	940	500	2,200	500	-77%	(1,700)
10-436-50	Rental Income	19,882	20,870	21,350	13,663	-36%	(7,687)
10-436-51	GASB87 NPV Adj to Lease Revenue	(1,535)	-	-	-	-	-
10-436-70	Other Miscellaneous Revenue	9,117	15,000	10,000	10,500	5%	500
10-436-72	Sale of Fixed Assets	14,000	-	31,600	-	-100%	(31,600)
10-436-78	Insurance Proceeds	8,278	-	24,300	-	-100%	(24,300)
10-436-80	Reimbursable Revenue - Other	8,282	-	4,831	-	-100%	(4,831)
10-436-94	Impact Fees Administration Fees	770	-	2,512	-	-100%	(2,512)
	TOTAL MISCELLANEOUS REVENUE	**$ 266,644**	**$ 225,370**	**$ 621,793**	**$ 200,101**	**-68%**	**$ (421,692)**
TRANSFERS FROM OTHER FUNDS							
10-437-20	Water - Indirect IT Services	$ 75,198	$ 104,374	$ 104,374	$ 76,538	-27%	$ (27,836)
10-437-30	Wastewater - Indirect IT Services	54,454	56,405	56,405	51,197	-9%	(5,208)
10-437-40	General Admin. Refuse	20,000	20,000	14,000	16,000	14%	2,000
10-437-80	Open Space - Indirect IT Services	13,328	15,990	15,990	11,159	-30%	(4,831)
	TOTAL TRANSFERS FROM OTHER FUNDS	**$ 162,981**	**$ 196,769**	**$ 190,769**	**$ 154,894**	**-19%**	**$ (35,875)**
	TOTAL GENERAL FUND REVENUES	**$ 12,151,100**	**$ 12,170,276**	**$ 14,229,877**	**$13,373,522**	**-6%**	**$ (856,355)**

FUND: GENERAL
DEPT: TOWN COUNCIL

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 49,346	$ 49,315	$ 49,315	$ 49,312	0%	$ (3)
SUPPLIES	56	300	300	500	67%	200
CHARGES FOR SERVICES	5,570	16,350	20,250	52,500	159%	32,250
DISCRETIONARY FUNDING	108,044	181,500	191,500	50,000	-74%	(141,500)
FIXED CHARGES	301	831	831	831	0%	-
TOTAL EXPENDITURES	**$ 163,317**	**$ 248,296**	**$ 262,196**	**$ 153,143**	**-42%**	**$ (109,053)**

FUND: GENERAL
DEPT: GENERAL GOVERNMENT

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 122,882	$ 605,267	$ 425,505	$ 664,078	56%	$ 238,573
SUPPLIES	10,473	500	11,000	1,500	-86%	(9,500)
CHARGES FOR SERVICES	195,188	241,615	1,301,817	628,065	-52%	(673,752)
DISCRETIONARY FUNDING	-	-	-	-	-	-
FIXED CHARGES	19,793	22,500	22,500	19,200	-15%	(3,300)
TOTAL EXPENDITURES	**$ 348,335**	**$ 869,882**	**$ 1,760,822**	**$ 1,312,843**	**-25%**	**$(447,979)**

FUND: GENERAL
DEPT: GENERAL ADMINISTRATION

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 463,545	$ 649,888	$ 627,062	$ 744,675	19%	$ 117,613
SUPPLIES	8,117	8,955	8,955	6,441	-28%	(2,514)
CHARGES FOR SERVICES	195,931	262,694	226,131	249,484	10%	23,353
FIXED CHARGES	13,632	17,050	16,550	16,300	-2%	(250)
CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 681,226**	**$ 938,587**	**$ 878,698**	**$ 1,016,900**	**16%**	**$138,202**

FUND: GENERAL
DEPT: INFORMATION TECHNOLOGY

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 97,708	$ 197,404	$ 206,229	$ 237,069	15%	$ 30,840
SUPPLIES	68,131	87,500	87,500	84,000	-4%	(3,500)
CHARGES FOR SERVICES	449,369	560,416	592,416	541,181	-9%	(51,235)
FIXED CHARGES	1,111	1,722	1,722	1,400	-19%	(322)
TOTAL EXPENDITURES	**$ 616,318**	**$ 847,042**	**$ 887,867**	**$ 863,650**	**-3%**	**$ (24,217)**

FUND:GENERAL
DEPT: COMMUNITY DEVELOPMENT

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 633,571	$ 1,073,021	$ 987,417	$ 1,043,399	6%	$ 55,982
SUPPLIES	5,645	5,250	5,250	5,000	-5%	(250)
CHARGES FOR SERVICES	433,309	397,095	308,710	357,535	16%	48,825
FIXED CHARGES	1,608	2,268	2,268	1,500	-34%	(768)
CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 1,074,133**	**$ 1,477,634**	**$ 1,303,645**	**$ 1,407,434**	**8%**	**$103,789**

FUND: GENERAL
DEPT: STREETS

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 450,117	$ 729,842	$ 754,872	$ 887,930	18%	$133,058
SUPPLIES	176,361	157,620	186,620	190,454	2%	3,834
CHARGES FOR SERVICES	1,106,256	1,097,199	996,999	1,412,247	42%	415,248
FIXED CHARGES	16,464	17,862	17,862	14,500	-19%	(3,362)
CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 1,749,198**	**$ 2,002,522**	**$ 1,956,353**	**$ 2,505,131**	**28%**	**$548,778**

FUND:GENERAL
DEPT: ENGINEERING

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 285,040	$ 324,893	$ 307,169	$ 545,325	78%	$ 238,156
SUPPLIES	3,517	7,450	7,450	7,450	0%	-
CHARGES FOR SERVICES	6,338	20,000	35,500	21,098	-41%	(14,402)
FIXED CHARGES	1,691	3,944	3,944	1,400	-65%	(2,544)
TOTAL EXPENDITURES	**$ 296,587**	**$ 356,287**	**$ 354,063**	**$ 575,273**	**62%**	**$221,210**

FUND: GENERAL
DEPT: BUILDING & GROUNDS

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 443,804	$ 626,962	$ 619,871	$ 706,536	14%	$ 86,665
SUPPLIES	79,949	152,972	180,942	185,122	2%	4,180
CHARGES FOR SERVICES	210,299	405,492	273,230	324,392	19%	51,162
FIXED CHARGES	52,275	53,533	53,533	69,300	29%	15,767
CAPITAL OUTLAY	-	-	32,000	-	-100%	(32,000)
TOTAL EXPENDITURES	**$ 786,327**	**$ 1,238,959**	**$ 1,159,576**	**$ 1,285,350**	**11%**	**$ 125,774**

FUND:GENERAL
DEPT:PUBLIC SAFETY

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 1,705,589	$ 2,246,078	$ 2,285,883	$ 2,905,797	27%	$ 619,914
SUPPLIES	143,456	180,258	181,253	188,976	4%	7,723
CHARGES FOR SERVICES	405,233	447,045	465,034	492,268	6%	27,234
FIXED CHARGES	34,506	38,457	38,457	74,000	92%	35,543
TOTAL EXPENDITURES	**$ 2,288,785**	**$ 2,911,838**	**$ 2,970,627**	**$ 3,661,041**	**23%**	**$ 690,414**

FUND:GENERAL
DEPT: MUNICIPAL COURT

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 40,927	$ 57,596	$ 61,860	$ 64,221	4%	$ 2,361
SUPPLIES	509	1,350	550	500	-9%	(50)
CHARGES FOR SERVICES	33,455	36,403	36,403	37,215	2%	812
DISCRETIONARY FUNDING	-	-	-	-	-	-
FIXED CHARGES	84	108	108	90	-17%	(18)
TOTAL EXPENDITURES	**$ 74,975**	**$ 95,457**	**$ 98,921**	**$ 102,026**	**3%**	**$ 3,105**

FUND: GENERAL
DEPT: INFORMATION CENTER

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 20,756	$ 24,033	$ 27,228	$ 25,436	-7%	$ (1,792)
SUPPLIES	(156)	800	800	800	0%	-
CHARGES FOR SERVICES	38	-	-	-	-	-
FIXED CHARGES	50	54	54	20	-63%	(34)
TOTAL EXPENDITURES	**$ 20,688**	**$ 24,887**	**$ 28,082**	**$ 26,256**	**-7%**	**$ (1,826)**

FUND: GENERAL
DEPT: EVENTS

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 161,954	$ 257,680	$ 214,570	$ 229,543	7%	$ 14,973
SUPPLIES	7,459	6,675	2,250	2,300	2%	50
CHARGES FOR SERVICES	133,455	142,475	85,942	100,500	17%	14,558
DISCRETIONARY FUNDING	61,500	95,000	127,000	120,000		
FIXED CHARGES	1,166	1,783	970	970	0%	-
TOTAL EXPENDITURES	**$ 365,534**	**$ 503,613**	**$ 430,732**	**$ 453,313**	**5%**	**$ 22,581**

FUND: GENERAL
DEPT: COMMUNICATION & MARKETING

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ 36,014	$ 118,173	228%	$ 82,159
SUPPLIES	-	-	750	2,700	260%	1,950
CHARGES FOR SERVICES	-	-	56,700	60,800	7%	4,100
FIXED CHARGES	-	-	300	150	0%	(150)
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ 93,764**	**$ 181,823**	**94%**	**$ 88,059**

PROPRIETARY FUNDS

WATER FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
RESTRICTED FOR:						
DEBT SERVICE [1]	**$ 677,792**	**$ 839,107**	**$ 737,984**	**$ 848,956**	**15%**	**$ 110,972**
ASSIGNED FUND BALANCE	**14,548,875**	**16,317,456**	**17,011,915**	**16,308,273**	**-4%**	**(703,642)**
TOTAL FUND BALANCES (Beginning)	**$ 15,226,667**	**$ 17,156,563**	**$ 17,749,899**	**$ 17,157,229**	**-3%**	**$ (592,670)**
REVENUE						
Operating Revenues	$ 4,467,031	$ 4,486,651	$ 4,581,150	$ 4,563,400	0%	$ (17,750)
Interest on Investments	246,119	336,000	880,500	420,000	-52%	(460,500)
Other Revenue	95,410	92,000	49,200	88,000	79%	38,800
Prepaid Plant Investment Fees	-	-	-	-	-	-
Plant Investment Fees (Tap Fees)	996,673	650,000	1,970,000	2,800,000	42%	830,000
TOTAL REVENUE	**$ 5,805,233**	**$ 5,564,651**	**$ 7,480,850**	**$ 7,871,400**	**5%**	**$ 390,550**
TOTAL SOURCES	**$ 21,031,900**	**$ 22,721,214**	**$ 25,230,749**	**$ 25,028,629**	**-1%**	**$ (202,120)**
EXPENDITURES						
Operating Expenditures	$ 1,690,964	$ 2,485,632	$ 2,131,941	$ 2,518,855	18%	$ 386,914
Capital Expenditures	254,865	5,177,852	4,573,322	11,446,081	150%	6,872,759
Debt Service	1,260,973	1,263,883	1,263,883	1,266,942	0%	3,059
Transfers-Out	75,198	104,374	104,374	76,538	-27%	(27,836)
TOTAL EXPENDITURES	**$ 3,282,001**	**$ 9,031,741**	**$ 8,073,520**	**$ 15,308,416**	**90%**	**$ 7,234,896**
NET SOURCE (USE) OF FUNDS	**$ 2,523,232**	**$ (3,467,090)**	**$ (592,670)**	**$ (7,437,016)**	**1155%**	**$ (6,844,346)**
FUND BALANCES (Ending):						
RESTRICTED FOR:						
DEBT SERVICE [1]	**$ 737,984.20**	**$ 937,379**	**$ 848,956.00**	**$ 946,449**	11%	**$ 97,493**
ASSIGNED FUND BALANCE	**17,011,915**	**12,752,094**	**16,308,273**	**8,773,764**	-46%	**(7,534,509)**
TOTAL FUND BALANCE (Ending)	**$ 17,749,899**	**$ 13,689,473**	**$ 17,157,229**	**$ 9,720,213**	**-43%**	**$ (7,437,016)**

1 Per the 2018 loan agreement the Town shall maintain an operations and maintenance reserve in an amount equal to three months operations and maintence expenses (not to exceed $1,250,000)

FUND: WATER

DETAIL OF REVENUES

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
52-434-70	Debt Service Surcharge	$ 475,812	$ 478,800	$ 476,150	$ 473,400	-1%	$ (2,750)
52-434-80	Water Sales - In Town	3,465,345	3,481,000	3,559,000	3,540,000	-1%	(19,000)
52-434-83	Water Sales - Out Of Town	525,874	526,851	546,000	550,000	1%	4,000
52-434-85	Water Materials/Other	69,550	80,000	34,000	76,000	124%	42,000
52-434-90	Plant Investment Fees (Tap Fees)	996,673	650,000	1,970,000	2,800,000	42%	830,000
52-436-50	Water Interest	228,176	308,000	840,000	420,000	-50%	(420,000)
52-436-60	Water Rights Interest	17,943	28,000	40,500	-	-100%	(40,500)
52-436-65	Grants	5,000	-	-	-	-	-
52-436-75	Service Charge	19,265	12,000	15,200	12,000	-21%	(3,200)
	TOTAL REVENUE	**$ 5,805,233**	**$ 5,564,651**	**$ 7,480,850**	**$ 7,871,400**	**5%**	**$ 390,550**

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 766,825	$ 1,206,238	$ 954,461	$ 1,189,702	25%	$ 235,241
SUPPLIES	248,989	310,617	368,117	293,800	-20%	(74,317)
CHARGES FOR SERVICES	600,526	838,094	678,679	898,353	32%	219,674
FIXED CHARGES	74,623	80,684	80,684	87,000	8%	6,316
CAPITAL EXPENDITURES	254,865	5,177,852	4,573,322	11,446,081	150%	6,872,759
DEBT SERVICE	1,260,973	1,263,883	1,263,883	1,266,942	0%	3,059
CONTINGENCY	-	50,000	50,000	50,000	0%	-
TRANSFER TO OTHER FUNDS	75,198	104,374	104,374	76,538	-27%	(27,836)
TOTAL EXPENDITURES	**$ 3,282,001**	**$ 9,031,741**	**$ 8,073,520**	**$ 15,308,416**	**90%**	**$ 7,234,896**

UTILITY (WASTE WATER) FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
RESTRICTED FOR:						
RATE STABILIZATION ACCOUNT [1]	**$ 283,647**	**$ 413,859**	**$ 362,990**	**$ 444,611**	**22%**	**$ 81,620**
ASSIGNED FUND BALANCE	**$ 7,888,041**	**$ 8,638,643**	**$ 8,985,677**	**$ 10,931,650**	**22%**	**$ 1,945,974**
TOTAL FUND BALANCES (Beginning)	**$ 8,171,688**	**$ 9,052,502**	**$ 9,348,667**	**$ 11,376,261**	**22%**	**$ 2,027,594**
REVENUE						
Operating Revenues	$ 2,881,999	$ 2,971,800	$ 3,080,000	$ 3,175,000	3%	$ 95,000
Interest on Investments	133,136	160,000	525,000	230,000	-56%	(295,000)
Plant Investment Fees (Tap Fees)	597,800	550,000	2,167,000	1,800,000	-17%	(367,000)
TOTAL REVENUE	**$ 3,612,936**	**$ 3,681,800**	**$ 5,772,000**	**$ 5,205,000**	**-10%**	**$ (567,000)**
TOTAL SOURCES	**$ 11,784,624**	**$ 12,734,302**	**$ 15,120,667**	**$ 16,581,261**	**10%**	**$ 1,460,594**
EXPENDITURES						
Operating Expenditures	$ 1,397,507	$ 1,784,330	$ 1,722,038	$ 1,956,050	14%	$ 234,012
Capital Expenditures	12,815	1,201,168	993,694	7,886,615	694%	6,892,921
Debt Service	971,181	972,269	972,269	971,520	0%	(749)
Transfers-Out	54,454	56,405	56,405	51,197	-9%	(5,208)
TOTAL EXPENDITURES	**$ 2,435,956**	**$ 4,014,172**	**$ 3,744,406**	**$ 10,865,382**	**190%**	**$ 7,120,976**
NET SOURCE (USE) OF FUNDS	**$ 1,176,979**	**$ (332,372)**	**$ 2,027,594**	**$ (5,660,382)**	**-379%**	**$ (7,687,976)**
FUND BALANCES (Ending):						
RESTRICTED FOR:						
RATE STABILIZATION ACCOUNT [1]	**$ 362,990**	**$ 460,184**	**$ 444,611**	**$ 501,812**	**13%**	**$ 57,201**
ASSIGNED FUND BALANCE	**8,985,677**	**8,259,946**	**10,931,650**	**5,214,067**	**-52%**	**(5,717,583)**
FUND BALANCE (Ending)	**$ 9,348,667**	**$ 8,720,130**	**$ 11,376,261**	**$ 5,715,879**	**-50%**	**$ (5,660,382)**

[1] Per the 2007 loan the Town shall maintain an operations and maintenance reserve in an amount equal to three months of operation and maintenance expenses excluding depreciation of the system

FUND: WASTEWATER

DETAIL OF REVENUES

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
51-434-70	Service Fees	$ 2,881,999	$ 2,971,800	$ 3,080,000	$ 3,175,000	3%	$ 95,000
51-431-15	Loan Payment Mill Levy 1	-	-	-	-	-	-
51-434-85	Other Income	-	-	-	-	-	-
51-436-50	Interest Income	133,136	160,000	525,000	230,000	-56%	(295,000)
51-434-90	Plant Investment Fees (Tap Fees)	597,800	550,000	2,167,000	1,800,000	-17%	(367,000)
	Transfers-In	-	-	-	-	-	-
	TOTAL REVENUE	**$ 3,612,936**	**$ 3,681,800**	**$ 5,772,000**	**$ 5,205,000**	**-10%**	**$ (567,000)**

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 606,487	$ 726,823	$ 730,416	$ 885,402	21%	$ 154,986
SUPPLIES	135,870	150,540	155,540	166,500	7%	10,960
CHARGES FOR SERVICES	620,724	819,167	748,772	811,548	8%	62,776
FIXED CHARGES	34,427	37,800	37,310	42,600	14%	5,290
CAPITAL OUTLAY	12,815	1,201,168	993,694	7,886,615	694%	6,892,921
DEBT SERVICE	971,181	972,269	972,269	971,520	0%	(749)
CONTINGENCY	-	50,000	50,000	50,000	0%	-
TRANSFER TO OTHER FUNDS	54,454	56,405	56,405	51,197	-9%	(5,208)
TOTAL EXPENDITURES	**$ 2,435,956**	**$ 4,014,172**	**$ 3,744,406**	**$ 10,865,382**	**190%**	**$ 7,120,976**

REFUSE FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
ASSIGNED FUND BALANCE	**$ 261,743**	**$ 270,203**	**$ 289,497**	**$ 306,859**	**6%**	**$ 17,362**
TOTAL FUND BALANCES (Beginning)	**$ 261,743**	**$ 270,203**	**$ 289,497**	**$ 306,859**	**6%**	**$ 17,362**
REVENUE						
Operating Revenues	$ 691,415	$ 746,000	$ 795,700	$ 1,018,745	28%	$223,045
Non-Operating Revenues	5,223	7,500	16,050	15,000	-7%	(1,050)
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ 696,638**	**$ 753,500**	**$ 811,750**	**$ 1,033,745**	**27%**	**$221,995**
TOTAL SOURCES	**$ 958,381**	**$ 1,023,703**	**$ 1,101,247**	**$ 1,340,604**	**22%**	**$ 239,357**
EXPENDITURES						
Operating Expenditures	$ 648,883	$ 716,053	$ 780,388	$ 999,774	28%	$219,386
Capital Expenditures	-	-	-	-	-	-
Transfers-Out	20,000	20,000	14,000	16,000	14%	2,000
TOTAL EXPENDITURES	**$ 668,883**	**$ 736,053**	**$ 794,388**	**$ 1,015,774**	**28%**	**$ 221,386**
NET SOURCE (USE) OF FUNDS	**$ 27,754**	**$ 17,447**	**$ 17,362**	**$ 17,971**	**4%**	**$ 609**
FUND BALANCES (Ending):						
ASSIGNED FUND BALANCE	**$ 289,497**	**$ 287,650**	**$ 306,859**	**$ 324,830**	**6%**	**$ 17,971**
TOTAL FUND BALANCE (Ending)	**$ 289,497**	**$ 287,650**	**$ 306,859**	**$ 324,830**	**6%**	**$ 17,971**

DETAIL OF REVENUES

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
OPERATING REVENUES							
53-434-40	SERVICE FEES	$ 622,374	$ 675,000	$ 724,000	$ 947,000	31%	$223,000
53-434-50	YARDWASTE/RECYCLE CENTER FEE	41,456	41,500	41,700	41,745	0%	45
53-434-60	ADMINISTRATIVE FEE	27,585	29,500	30,000	30,000	0%	-
	OPERATING REVENUES	**$ 691,415**	**$ 746,000**	**$ 795,700**	**$ 1,018,745**	**28%**	**$ 223,045**
NON-OPERATING REVENUES							
53-436-50	INTEREST INCOME	$ 5,223	$ 7,500	$ 16,050	$ 15,000	-7%	$ (1,050)
53-436-70	MISCELLANEOUS REVENUE	-	-	-	-	-	-
	NON-OPERATING REVENUES	**$ 5,223**	**$ 7,500**	**$ 16,050**	**$ 15,000**	**-7%**	**$ (1,050)**
	TOTAL REVENUES	**$ 696,638**	**$ 753,500**	**$ 811,750**	**$ 1,033,745**	**27%**	**$ 221,995**

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 9,961	$ 11,961	$ 12,913	$ 13,044	1%	$ 131
SUPPLIES	103	725	1,325	1,475	11%	150
CHARGES FOR SERVICES	638,134	702,092	765,485	984,580	29%	219,095
FIXED CHARGES	685	1,275	665	675	2%	10
CAPITAL EXPENDITURES	-	-	-	-	-	-
TRANSFERS TO OTHER FUNDS	20,000	20,000	14,000	16,000	14%	2,000
TOTAL EXPENDITURES	**$ 668,883**	**$ 736,053**	**$ 794,388**	**$ 1,015,774**	**28%**	**$ 221,386**

STORMWATER FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
ASSIGNED FUND BALANCE	**$ 80,233**	**$ 132,538**	**$ 168,233**	**$ 217,598**	**29%**	**$ 49,365**
TOTAL FUND BALANCES (Beginning)	**$ 80,233**	**$ 132,538**	**$ 168,233**	**$ 217,598**	**29%**	**$ 49,365**
REVENUE						
Operating Revenues	$ 90,202	$ 90,000	$ 91,000	$ 91,000	0%	$ -
Non-Operating Revenues	1,674	3,000	8,850	10,000	13%	1,150
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ 91,876**	**$ 93,000**	**$ 99,850**	**$ 101,000**	**1%**	**$ 1,150**
TOTAL SOURCES	**$ 172,109**	**$ 225,538**	**$ 268,083**	**$ 318,598**	**19%**	**$ 50,515**
EXPENDITURES						
Operating Expenditures	$ 3,876	$ 86,033	$ 50,485	$ 35,470	-30%	$ (15,015)
Capital Expenditures	-	-	-	-	-	-
Transfers-Out	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 3,876**	**$ 86,033**	**$ 50,485**	**$ 35,470**	**-30%**	**$ (15,015)**
NET SOURCE (USE) OF FUNDS	**$ 88,000**	**$ 6,967**	**$ 49,365**	**$ 65,530**	**33%**	**$ 16,165**
FUND BALANCES (Ending):						
ASSIGNED FUND BALANCE	**$ 168,233**	**$ 139,505**	**$ 217,598**	**$ 283,128**	**30%**	**$ 65,530**
TOTAL FUND BALANCE (Ending)	**$ 168,233**	**$ 139,505**	**$ 217,598**	**$ 283,128**	**30%**	**$ 65,530**

DETAIL OF REVENUES

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
OPERATING REVENUES							
55-434-40	Service Fees	$ 90,202	$ 90,000	$ 91,000	$ 91,000	0%	$ -
	OPERATING REVENUES	**$ 90,202**	**$ 90,000**	**$ 91,000**	**$ 91,000**	**0%**	**$ -**
NON-OPERATING REVENUES							
55-436-10	Interest Income	$ 1,674	$ 3,000	$ 8,850	$ 10,000	13%	$ 1,150
55-436-70	Miscellaneous Revenues	-	-	-	-	-	-
	NON-OPERATING REVENUES	**$ 1,674**	**$ 3,000**	**$ 8,850**	**$ 10,000**	**13%**	**$ 1,150**
	TOTAL REVENUES	**$ 91,876**	**$ 93,000**	**$ 99,850**	**$ 101,000**	**1%**	**$ 1,150**

SUMMARY OF EXPENDITURES

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ -	-	$ -
SUPPLIES	-	-	-	10,000	-	$ 10,000
CHARGES FOR SERVICES	3,784	85,385	50,405	25,440	-50%	(24,965)
FIXED CHARGES	93	648	80	30	-63%	(50)
CAPITAL EXPENDITURES	-	-	-	-	-	-
TRANSFERS TO OTHER FUNDS	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 3,876**	**$ 86,033**	**$ 50,485**	**$ 35,470**	**-30%**	**$ (15,015)**

BROADBAND FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
ASSIGNED FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
TOTAL FUND BALANCES (Beginning)	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
REVENUE						
Broadband Fees - Residential (In Town)	$ -	$ -	$ -	$ 125,856	-	$ 125,856
Broadband Fees - Residential (Out of Town)	-	-	-	11,748	-	
Broadband Fees - Business	-	-	-	117,850	-	117,850
Broadband Installation Fees	-	-	-	39,380	-	
Broadband Fees - Miscellaneous	-	-	-	-	-	
Franchise Tax	-	-	-	49,000	-	
Debt Proceeds	-	-	-	1,600,000	-	
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ -**	**$ -**	**$ -**	**$ 1,943,834**	**-**	**$ 1,943,834**
TOTAL SOURCES	**$ -**	**$ -**	**$ -**	**$ 1,943,834**	**-**	**$ 1,943,834**
EXPENDITURES						
Operating Expenditures	$ -	$ -	$ -	$ 1,432,146	-	$ 1,432,146
Capital Expenditures	-	-	-	-	-	-
Debt Service	-	-	-	436,190	-	
Transfers-Out	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ 1,868,336**	**-**	**$ 1,868,336**
NET SOURCE (USE) OF FUNDS	**$ -**	**$ -**	**$ -**	**$ 75,498**	-	
FUND BALANCES (Ending):						
ASSIGNED FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ 75,498**	**-**	**75,498**
TOTAL FUND BALANCE (Ending)	**$ -**	**$ -**	**$ -**	**$ 75,498**	**-**	**$ 75,498**

FUND: BROADBAND

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ -	-	$ -
SUPPLIES	-	-	-	1,000,000	-	1,000,000
CHARGES FOR SERVICES	-	-	-	431,146	-	431,146
FIXED CHARGES	-	-	-	1,000		
CAPITAL EXPENDITURES	-	-	-	-	-	-
DEBT SERVICE	-	-	-	436,190	-	
TRANSFERS TO OTHER FUNDS	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ 1,868,336**	**-**	**$ 1,868,336**

CAPITAL IMPROVEMENTS FUND

CAPITAL IMPROVEMENTS FUND SUMMARY

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FOR:							
COMMUNITY ENHANCEMENT		**$ 351,995**	**$ 370,955**	**$ 402,901**	**$ 51,924**	**-87%**	**$ (350,977)**
TRANSPORTATION EXPENDITURES		**1,668,606**	**1,691,106**	**1,697,801**	**1,783,801**	**5%**	**86,000**
ASSIGNED FOR:							**-**
GRAND AVENUE		**3,750,371**	**4,750,371**	**4,750,371**	**6,521,221**	**37%**	**1,770,850**
AFFORDABLE HOUSING		**-**	**-**	**-**	**375,000**		
OTHER CAPITAL PROJECTS		**2,530,360**	**3,544,759**	**4,394,234**	**4,984,642**	**13%**	**590,408**
TOTAL FUND BALANCES (Beginning)		**$ 8,301,332**	**$ 10,357,191**	**$ 11,245,307**	**$ 13,716,588**	**22%**	**$ 2,471,281**
REVENUE							
31-430-45	Capital Improvement Interest	$ 114,643	$ 120,000	$ 528,000	$ 454,000	-14%	$ (74,000)
31-430-46	Community Enhancement Interest	5,478	7,200	12,500	2,060	-84%	(10,440)
31-430-47	Devolution & Transportation Interest	29,195	33,600	86,000	68,000	-21%	(18,000)
31-430-50	Community Enhancement [1]	50,906	50,429	51,924	54,521	5%	2,597
31-430-60	Municipal Land Dedication	-	-	-	-	-	-
31-430-65	LERP - Fee In Lieu	-	-	375,000	-	-100%	(375,000)
31-430-70	Miscellaneous Income	-	-	-	-	-	-
31-430-74	Developer Contribution to Grand Ave.	-	-	220,850	300,000	36%	79,150
31-430-77	Eagle County Contributions	-	-	-	-	-	-
31-430-78	ECO Reimbursement	-	-	-	-	-	-
31-430-84	Public Safety Impact Fees	63,957	11,840	306,074	330,000	8%	23,926
31-430-85	Street Impact Fees	32,948	46,287	192,000	160,000	-17%	(32,000)
31-430-86	Use Tax	828,862	1,265,000	1,560,000	1,300,000	-17%	(260,000)
31-430-87	Grants	68,750	-	25,000	-	-100%	(25,000)
31-437-10	Transfer from General Fund - Grand Ave	1,000,000	2,550,000	2,550,000	1,500,000		
31-437-10	Transfer from General Fund - LERP	-	-	-	375,000		
31-437-10	Transfer from General Fund - Other	2,000,000	-	-	125,000	-	125,000
TOTAL REVENUE		**$ 4,194,740**	**$ 4,084,356**	**$ 5,907,348**	**$ 4,668,581**	**-21%**	**$ (1,238,767)**
TOTAL SOURCES		**$ 12,496,072**	**$ 14,441,547**	**$ 17,152,655**	**$ 18,385,169**	**7%**	**$ 1,232,514**
EXPENDITURES							
Capital Expenditures		$ 1,250,765	$ 3,017,854	$ 3,436,067	$ 5,576,514	62%	$ 2,140,447
Transfers to Other Funds		-	-	-	-	-	-
TOTAL EXPENDITURES		**$ 1,250,765**	**$ 3,017,854**	**$ 3,436,067**	**$ 5,576,514**	**62%**	**$ 2,140,447**
NET SOURCE (USE) OF FUNDS		**$ 2,943,975**	**$ 1,066,502**	**$ 2,471,281**	**$ (907,933)**	**-137%**	**$(3,379,214)**
FUND BALANCES (Ending):							
RESTRICTED FOR:							
COMMUNITY ENHANCEMENT		**$ 402,901**	**$ 428,584**	**$ 51,924**	**$ 106,445**	**105%**	**$ 54,521**
TRANSPORTATION EXPENDITURES		**1,697,801**	**1,724,706**	**1,783,801**	**1,851,801**	**4%**	**68,000**
ASSIGNED FOR: CAPITAL PROJECTS:							
GRAND AVENUE		**4,750,371**	**6,722,371**	**6,521,221**	**5,846,221**	**-10%**	**(675,000)**
AFFORDABLE HOUSING		**-**	**-**	**375,000**	**750,000**		
OTHER CAPITAL PROJECTS		**4,394,234**	**2,548,032**	**4,984,642**	**4,254,188**	**-15%**	**(730,454)**
TOTAL FUND BALANCES (Ending):		**$ 11,245,307**	**$ 11,423,693**	**$ 13,716,588**	**$ 12,808,655**	**-7%**	**$ (907,933)**

[1] Per Holy Cross Energy (HCE) 2010 Franchise agreement, the Town receives 1% of the municipalities revenue. The funds received are restricted to be spent on programs approved by HCE.

SALES TAX CAPITAL IMPROVEMENTS FUND

SALES TAX CAPITAL IMPROVEMENT FUND (EAGLE RIVER PARK FUND) SUMMARY

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FOR:							
RESERVE		**$ 161,619**	**$ 161,619**	**$ 161,619**	**$ 161,619**	**0%**	**$ -**
NONSPENDABLE		**11,871**	**11,871**	**10,848**	**10,848**	**0%**	**-**
ASSIGNED FOR CAPITAL PROJECTS/DEBT SERVICE		**1,370,029**	**1,378,566**	**1,894,707**	**756,458**	**-60%**	**(1,138,249)**
TOTAL FUND BALANCES (Beginning)		**$ 1,543,519**	**$ 1,552,056**	**$ 2,067,174**	**$ 928,925**	**-55%**	**$ (1,138,249)**
REVENUE							
61-431-30	Sales Tax	$ 998,524	$ 1,015,000	$ 1,054,000	$ 1,110,000	5%	$ 56,000
61-433-10	Grants	-	-	-	1,850,000	-	1,850,000
61-433-20	Mountain Rec Capital Funds	-	-	-	2,000,000	-	2,000,000
61-433-30	Mountain Rec Debt Service Match	-	-	-	350,000	-	350,000
61-436-10	Interest - ColoTrust STCIF	35,234	23,920	100,000	64,000	-36%	(36,000)
61-436-42	Contributions & Donations	5,000	-	-	-	-	-
61-436-50	Bond Proceeds	-	-	-	9,000,000	-	9,000,000
61-436-60	Bond Premium	-	-	-	-	-	-
61-436-70	Miscellaneous Revenue	-	-	-	-	-	-
61-437-10	Transfer from General Fund	-	-	103,000	-	-100%	(103,000)
61-437-31	Transfer from Capital Improvements Fund	-	-	-	-	-	-
61-437-81	Transfer from Open Space Fund	-	-	-	-	-	-
TOTAL REVENUE		**$ 1,038,758**	**$ 1,038,920**	**$ 1,257,000**	**$ 14,374,000**	**1044%**	**$ 13,117,000**
TOTAL SOURCES		**$ 2,582,277**	**$ 2,590,976**	**$ 3,324,174**	**$ 15,302,925**	**360%**	**$ 11,978,751**
EXPENDITURES							
CHARGES FOR SERVICES							
61-50-347	Professional Services	$ -	$ -	$ -	$ -	-	$ -
61-50-351	Legal	3,351	15,000	3,500	2,000	-43%	(1,500)
TOTAL CHARGES FOR SERVICES		**$ 3,351**	**$ 15,000**	**$ 3,500**	**$ 2,000**	**-43%**	**$ (1,500)**
DISCRETIONARY FUNDING							
61-50-450	Eagle County Trails Funding	-	25,000	25,000	25,000	0%	-
TOTAL DISCRETIONARY FUNDING		**$ -**	**$ 25,000**	**$ 25,000**	**$ 25,000**	**0%**	**$ -**
CAPITAL OUTLAY							
61-50-720	Multi-Use Rec Facilities Improvements	$ -	$ -	$ 1,000,000	$ 12,000,000	1100%	$ 11,000,000
61-50-730	Paved Path Improvments	-	140,250	30,000	110,250	268%	80,250
61-50-745	Town Park Improvements	3,189	700,000	700,000	45,000	-94%	(655,000)
61-50-760	River Park Improvements	187,125	40,000	314,511	90,000	-71%	(224,511)
TOTAL CAPITAL OUTLAY		**$ 190,314**	**$ 880,250**	**$ 2,044,511**	**$ 12,245,250**	**499%**	**$ 10,200,739**
DEBT SERVICE							
61-50-815	Debt Service	$ 105,000	$ 110,000	$ 110,000	$ 425,000	286%	$ 315,000
61-50-816	Debt Service Interest	215,938	211,738	211,738	597,338	182%	385,600
61-50-810	Cost of Issuance	-	-	-	200,000	-	200,000
61-50-820	Agent Fees	500	500	500	500	0%	-
TOTAL DEBT SERVICE		**$ 321,438**	**$ 322,238**	**$ 322,238**	**$ 1,222,838**	**279%**	**$ 900,600**
TOTAL EXPENDITURES		**$ 515,102**	**$ 1,242,488**	**$ 2,395,249**	**$ 13,495,088**	**463%**	**$ 11,099,839**
NET SOURCE (USE) OF FUNDS		**$ 523,655**	**$ (203,568)**	**$ (1,138,249)**	**$ 878,912**	**-177%**	**$ 2,017,161**
FUND BALANCES (Ending):							
RESTRICTED FOR:							
RESERVE		**$ 161,619**	**$ 161,619**	**$ 161,619**	**$ 161,619**	**0%**	**$ -**
NONSPENDABLE		**10,848**	**-**	**10,848**	**10,848**	**0%**	**-**
ASSIGNED FOR CAPITAL PROJECTS/DEBT SERVICE		**1,894,707**	**1,186,869**	**756,458**	**1,635,370**	**116%**	**878,912**
TOTAL FUND BALANCEs (Ending):		**$ 2,067,174**	**$ 1,348,488**	**$ 928,925**	**$ 1,807,837**	**95%**	**$ 878,912**

CONSERVATION TRUST FUND

CONSERVATION TRUST FUND SUMMARY

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ 118,589**	**$ 141,299**	**$ 144,927**	**$ 201,027**	**39%**	**$ 56,100**
TOTAL FUND BALANCES (Beginning)		**$ 118,589**	**$ 141,299**	**$ 144,927**	**$ 201,027**	**39%**	**$ 56,100**
REVENUES							
71-430-10	Lottery Proceeds	$ 47,859	$ 40,000	$ 47,300	$ 45,000	-5%	$ (2,300)
71-430-20	Interest on Investments	2,463	2,900	8,800	8,000	-9%	(800)
TOTAL REVENUES		**$ 50,322**	**$ 42,900**	**$ 56,100**	**$ 53,000**	**-6%**	**$ (3,100)**
TOTAL SOURCES		**$ 168,911**	**$ 184,199**	**$ 201,027**	**$ 254,027**	**26%**	**$ 53,000**
EXPENDITURES							
71-50-347	Professional Services	$ 23,984	$ -	$ -	$ -	-	$ -
TOTAL EXPENDITURES		**$ 23,984**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
NET SOURCE (USE) OF FUNDS		**$ 26,338**	**$ 42,900**	**$ 56,100**	**$ 53,000**	**6%**	**$ (3,100)**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ 144,927**	**$ 184,199**	**$ 201,027**	**$ 254,027**	**26%**	**$ 53,000**
TOTAL FUND BALANCE (Ending)		**$ 144,927**	**$ 184,199**	**$ 201,027**	**$ 254,027**	**26%**	**$ 53,000**

OPEN SPACE PRESERVATION FUND

OPEN SPACE PRESERVATION FUND SUMMARY

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
COMMITTED FUND BALANCE		**$ 694,982**	**$ 712,387**	**$ 765,934**	**$ 813,443**	**6%**	**$ 47,509**
TOTAL FUND BALANCES (Beginning)		**$ 694,982**	**$ 712,387**	**$ 765,934**	**$ 813,443**	**6%**	**$ 47,509**
REVENUES							
81-430-10	Lodging Tax	$ 249,550	$ 252,350	$ 264,033	$ 272,000	3%	$ 7,967
81-430-15	Penalty & Interest	656	500	300	500	67%	200
81-430-20	Interest on Investments	11,708	14,000	35,000	25,000	-29%	(10,000)
81-431-00	State Grants	-	10,000	15,000	-	-100%	(15,000)
81-433-00	Other Grants	2,062	10,000	-	35,000	-	35,000
81-437-10	Transfer from General Fund	150,000	150,000	150,000	150,000	0%	-
TOTAL REVENUES		**$ 413,977**	**$ 436,850**	**$ 464,333**	**$ 482,500**	**4%**	**$ 18,167**
							-
TOTAL SOURCES		**$ 1,108,959**	**$ 1,149,237**	**$ 1,230,267**	**$ 1,295,943**	**5%**	**$ -**
EXPENDITURES							
Operating Expenses		$ 232,569	$ 332,656	$ 352,834	$ 316,146	-10%	$ (36,688)
Capital Expenditures		97,128	170,500	48,000	305,000	535%	257,000
Transfers-Out		13,328	15,990	15,990	11,159	-30%	(4,831)
TOTAL EXPENIDTURES		**$ 343,025**	**$ 519,146**	**$ 416,824**	**$ 632,305**	**52%**	**$215,481**
NET SOURCE (USE) OF FUNDS		**$ 70,952**	**$ (82,296)**	**$ 47,509**	**$ (149,805)**	-415%	**########**
FUND BALANCES (Ending):							-
COMMITTED FUND BALANCE		**$ 765,934**	**$ 630,091**	**$ 813,443**	**$ 663,638**	**-18%**	**########**
TOTAL FUND BALANCE (Ending)		**$ 765,934**	**$ 630,091**	**$ 813,443**	**$ 663,638**	**-18%**	**########**

FUND: OPEN SPACE

SUMMARY OF EXPENDITURES	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL	$ 143,309	$ 179,260	$ 188,124	$ 191,761	2%	$ 8,864
MATERIALS & SUPPLIES	8,048	14,675	12,255	14,475	18%	(2,420)
CHARGES FOR SERVICES	69,621	136,517	150,250	108,910	-28%	13,733
DISCRETIONARY FUNDING	10,000	-	-	-	-	-
FIXED CHARGES	1,591	2,205	2,205	1,000	-55%	0
CAPITAL EXPENDITURES	97,128	170,500	48,000	305,000	535%	(122,500)
TRANSFERS TO OTHER FUNDS	13,328	15,990	15,990	11,159	0%	-
TOTAL EXPENDITURES	**$ 343,025**	**$ 519,146**	**$ 416,824**	**$ 632,305**	**52%**	**########**

DOWNTOWN DEVELOPMENT AUTHORITY FUND

DOWNTOWN DEVELOPMENT AUTHORITY FUND SUMMARY

		ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ -**	**$ -**	**$ 6,361**	**$ 7,649**	**20%**	**$ 1,288**
TOTAL FUND BALANCES (Beginning)		**$ -**	**$ -**	**$ 6,361**	**$ 7,649**	**20%**	**$ 1,288**
REVENUES							
91-431-10	TIF Property Taxes	$ -	$ 17,398	$ 17,386	$ 29,981	72%	$ 12,595
91-436-10	DDA Interest	14	-	1,300	1,500	15%	200
91-436-70	Miscellaneous	-	-	-	-	-	-
91-437-10	Transfer From General Fund	65,000	20,000	20,000	-		(20,000)
TOTAL REVENUES		**$ 65,014**	**$ 37,398**	**$ 38,686**	**$ 31,481**	**-19%**	**$ (7,205)**
TOTAL SOURCES		**$ 65,014**	**$ 37,398**	**$ 45,047**	**$ 39,130**	**-13%**	**$ (5,917)**
EXPENDITURES							
91-50-210	Office Supplies	$ -	$ -	$ -	$ -	-	$ -
91-50-220	Operating Supplies	-	-	-	-	-	-
91-50-330	Dues & Subscriptions	1,000	1,000	1,000	1,000	0%	-
91-50-347	Professional Services	53,924	21,250	21,250	24,500	15%	3,250
91-50-351	Legal	3,194	15,148	15,148	9,000	-41%	(6,148)
91-50-371	Travel	535	-	-	-		
91-50-385	Treasurer Fees	-	-	-	-	-	-
91-50-510	Insurance	-	-	-	50	-	50
TOTAL EXPENDITURES		**$ 58,653**	**$ 37,398**	**$ 37,398**	**$ 34,550**	**-8%**	**$ (2,848)**
NET SOURCE (USE) OF FUNDS		**$ 6,361**	**$ -**	**$ 1,288**	**$ (3,069)**	**338%**	**$ (4,357)**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ 6,361**	**$ -**	**$ 7,649**	**$ 4,580**	**-40%**	**$ (3,069)**
TOTAL FUND BALANCE (Ending)		**$ 6,361**	**$ -**	**$ 7,649**	**$ 4,580**	**-40%**	**$ (3,069)**

PARKING FEE IN LIEU FUND

PARKING FEE IN LIEU FUND SUMMARY

	ACTUAL 2022	BUDGET 2023	REVISED 2023	BUDGET 2024	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
RESTRICTED FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**-**	$ -
TOTAL FUND BALANCES (Beginning)	**$ -**	**$ -**	**$ -**	**$ -**	**-**	$ -
REVENUES						
Parking Fee in Lieu - Operating	$ -	$ -	$ -	$ -	-	$ -
Parking Fee in Lieu - Capital	-	-	-	-		-
Miscellaneous	-	-	-	-	-	-
TOTAL REVENUES	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
TOTAL SOURCES	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
EXPENDITURES						
Office Supplies	$ -	$ -	$ -	$ -	-	$ -
Operating Supplies	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-
Legal	-	-	-	-	-	-
Insurance	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
NET SOURCE (USE) OF FUNDS	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
FUND BALANCES (Ending):						
RESTRICTED FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**
TOTAL FUND BALANCE (Ending)	**$ -**	**$ -**	**$ -**	**$ -**	**-**	**$ -**

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 75
(Series of 2023)

A RESOLUTION REAPPROPRIATING FUNDS TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW FOR THE TOWN OF EAGLE, COLORADO FOR THE 2023 BUDGET YEAR.

WHEREAS, the Town Council of the Town of Eagle has previoulsy adopted the 2023 budget;

WHEREAS, the Town Council reviewed and revised estimated revenues and expenditures for all funds of 2023;

WHEREAS, the Town Council finds it necessary to amend the 2023 budget to more accurately reflect the revenues and expenditures for 2023; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to revenues or planned to be expended from fund balances so that the budget remains in balance as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. There be and hereby is appropriated out of the revenues of the Town of Eagle, Colorado for the fiscal year 2023 beginning January 1, 2023 and ending December 31, 2023, the sum of $33,956,683 to be raised by taxation and otherwise, which sum is hereby divided and appropriated for the following purposes:

GENERAL FUND	
Operating Expenditures	$ 12,185,346
Transfer to Other Funds	2,823,000
TOTAL GENERAL FUND	$15,008,346
WATER FUND	
Operating Expenditures	$ 2,131,941
Captial Expenditures	4,573,322
Debt Service	1,263,883
Transfer to Other Funds	104,374
TOTAL WATER FUND	$8,073,520
WASTE WATER FUND	
Operating Expenditures	$ 1,722,038
Capital Expenditures	993,694
Debt Service	972,269
Transfer to Other Funds	56,405
TOTAL WASTE WATER FUND	$ 3,744,406

REFUSE FUND	
Operating Expenditures	$ 780,388
Capital Expenditures	-
Transfer to Other Funds	14,000
TOTAL REFUSE FUND	$ 794,388
STORMWATER FUND	
Operating Expenditures	$ 50,485
Capital Expenditures	-
Transfer to Other Funds	-
TOTAL STORMWATER FUND	$ 50,485
CAPITAL IMPROVEMENTS FUND	
Capital Expenditures	$ 3,436,067
Transfer to Other Funds	-
TOTAL CAPITAL IMPROVEMENTS FUND	$ 3,436,067
SALES TAX CAPITAL IMPROVEMENT FUND	
Operating Expenditures	$ 28,500
Capital Expenditures	2,044,511
Debt Service	322,238
TOTAL SALES TAX CAPITAL IMPROVEMENT FUND	$ 2,395,249
CONSERVATION TRUST FUND	
Operating Expenditures	$ -
Transfer to Other Funds	-
TOTAL CONSERVATION TRUST FUND	$ -
OPEN SPACE PRESERVATION FUND	
Operating Expenditures	$ 352,834
Capital Expenditures	48,000
Transfer to Other Funds	15,990
TOTAL OPEN SPACE PRESERVATION FUND	$ 416,824
DOWNTOWN DEVELOPMENT AUTHORITY FUND	
Operating Expenditures	$ 37,398
Transfer to Other Funds	-
TOTAL DOWNTOWN DEVELOPMENT AUTHORITY FUND	$37,398
GRAND TOTAL ALL FUNDS	$ 33,956,683

INTRODUCED, READ, PASSED, AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

By: _____

Scott Turnipseed, Mayor

ATTEST:

_____

Jenny Rakow, Town Clerk

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 76
(Series of 2024)

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF EAGLE, COLORADO FOR THE CALENDAR YEAR BEGINNING ON THE 1ST DAY OF JANUARY, 2024, AND ENDING ON THE LAST DAY OF DECEMBER, 2024.

WHEREAS, The Town Council of the Town of Eagle has appointed the Town Manager to prepare and submit a proposed budget to said governing body at the propert time;

WHEREAS, Larry Pardee, Town Manager, has submitted a proposed budget to the Town Council on October 10, 2023 for its consideration;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was opened for inspection by the public at a designated place, a public hearing was held on October 10, October 24, and November 14, 2023 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increase may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO:

SECTION 1. That estimated expenditures for each fund are as follows:

GENERAL FUND	$ 15,694,183
WATER FUND	15,308,416
WASTE WATER FUND	10,865,382
REFUSE FUND	1,015,774
STORMWATER FUND	35,470
BROADBAND FUND	1,868,336
CAPITAL IMPROVEMENTS FUND	5,576,514
SALES TAX CAPITAL IMPROVEMENTS FUND	13,495,088
CONSERVATION TRUST FUND	-
OPEN SPACE PRESERVATION FUND	632,305
DOWNTOWN DEVELOPMENT AUTHORITY FUND	34,550
TOTAL ALL FUNDS	**$ 64,526,018**

SECTION 2. That estimated revenues for each fund are as follows:

GENERAL FUND	
Non Property Tax	$ 12,803,432
Property Tax	570,090
GENERAL FUND TOTAL	$ 13,373,522
WATER FUND	
Non Property Tax	$ 7,871,400
Property Tax	-
WATER FUND TOTAL	$ 7,871,400
WASTE WATER FUND	
Non Property Tax	$ 5,205,000
Property Tax	-
WASTE WATER FUND TOTAL	$ 5,205,000
REFUSE FUND	
Non Property Tax	$ 1,033,745
Property Tax	-
REFUSE FUND TOTAL	$ 1,033,745
STORMWATER FUND	
Non Property Tax	$ 101,000
Property Tax	-
STORMWATER FUND TOTAL	$ 101,000
BROADBAND FUND	
Non Property Tax	$ 1,943,834
Property Tax	-
BROADBAND FUND TOTAL	$ 1,943,834
CAPITAL IMPROVMENTS FUND	
Non Property Tax	$ 4,668,581
Property Tax	-
CAPITAL IMPROVEMENTS FUND TOTAL	$ 4,668,581
SALES TAX CAPITAL IMPROVMENTS FUND	
Non Property Tax	$ 14,374,000
Property Tax	-
SALES TAX CAPITAL IMPROVEMENTS FUND TOTAL	$14,374,000

CONSERVATION TRUST FUND	
Non Property Tax	$ 53,000
Property Tax	-
CONSERVATION TRUST FUND TOTAL	$ 53,000
OPEN SPACE PRESERVATION FUND	
Non Property Tax	$ 482,500
Property Tax	-
OPEN SPACE PRESERVATION FUND TOTAL	$ 482,500
DOWNTOWN DEVELOPMENT AUTHORITY FUND	
Non Property Tax	$ 1,500
Property Tax	29,981
DOWNTOWN DEVELOPMENT AUTHORITY FUND	$ 31,481
TOTAL ALL FUNDS	**$ 49,138,063**

INTRODUCED, READ, PASSED, AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, CMC
Town Clerk

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 77
(Series of 2023)

A RESOLUTION APPROPRIATING FUNDS TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW FOR THE TOWN OF EAGLE, COLORADO, FOR THE 2024 BUDGET YEAR.

WHEREAS, the Town Council of the Town of Eagle has adopted the 2024 budget in accordance with Local Government Budget Law, on November 14, 2023;

WHEREAS, the Town Council has made provision therein for revenues in an amount equal to or greater than the Total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues and reserves or fund balances provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the Town of Eagle.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO THAT:

Section 1. There be and hereby is appropriated out of the revenues of the Town of Eagle, Colorado for the fiscal year 2024 beginning January 1, 2024 and ending December 31, 2024, the sum of $64,526,018 to be raised by taxation and otherwise, which sum is hereby divided and appropriated for the following purposes:

GENERAL FUND	
Operating Expenditures	$ 13,544,183
Transfer to Other Funds	2,150,000
TOTAL GENERAL FUND	$ 15,694,183
WATER FUND	
Operating Expenditures	$2,518,855
Captial Expenditures	11,446,081
Debt Service	1,266,942
Transfer to Other Funds	76,538
TOTAL WATER FUND	$ 15,308,416
WASTE WATER FUND	
Operating Expenditures	$ 1,956,050
Capital Expenditures	7,886,615
Debt Service	971,520
Transfer to Other Funds	51,197
TOTAL WASTE WATER	$ 10,865,382

REFUSE FUND	
Operating Expenditures	$ 999,774
Capital Expenditures	-
Transfer to Other Funds	16,000
TOTAL REFUSE FUND	$ 1,015,774
STORMWATER FUND	
Operating Expenditures	$ 35,470
Capital Expenditures	-
Transfer to Other Funds	-
TOTAL STORMWATER FUND	$ 35,470
BROADBAND FUND	
Operating Expenditures	$1,432,146
Capital Expenditures	-
Debt Service	436,190
Transfer to Other Funds	-
TOTAL BROADBAND FUND	$1,868,336
CAPITAL IMPROVEMENTS FUND	
Capital Expenditures	$ 5,576,514
Transfer to Other Funds	-
TOTAL CAPITAL IMPROVEMENTS FUND	$ 5,576,514
SALES TAX CAPITAL IMPROVEMENTS FUND	
Operating Expenditures	$ 27,000
Capital Expenditures	12,245,250
Debt Service	1,222,838
TOTAL SALES TAX CAPITAL IMPROVEMENT FUND	$13,495,088
CONSERVATION TRUST FUND	
Operating Expenditures	$ -
Capital Expenditures	-
Transfer to Other Funds	-
TOTAL CONSERVATION TRUST FUND	$ -
OPEN SPACE PRESERVATION FUND	
Operating Expenditures	$ 316,146
Capital Expenditures	305,000
Transfer to Other Funds	11,159
TOTAL OPEN SPACE PRESERVATION FUND	$ 632,305
DOWNTOWN DEVELOPMENT AUTHORITY FUND	
Operating Expenditures	$34,550
Transfer to Other Funds	-
TOTAL DOWNTOWN DEVELOPMENT AUTHORITY FUND	$34,550

GRAND TOTAL ALL FUNDS	$ 64,526,018

INTRODUCED, READ, PASSED, AND ADOPTED ON NOVEMBER 14, 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk