Town Council
Tuesday, October 22, 2024
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 *This will be an in-person meeting using Teams. 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.*

1. Microsoft Teams meeting

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 210 981 059 849
Passcode: UuWhN4
Download Teams | Join on the web
Or call in (audio only)
+1 469-770-0416,,111256605# United States, Dallas
Phone Conference ID: 111 256 605#

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 *Prescheduled presentations from the public are limited to 5 minutes. Invited presentations are limited to 10 minutes. Prior arrangements for presentations are made with the Town Clerk. The Council cannot appropriate funds or waive fees in response to a presentation.*

1. Eagle Valley Land Trust, Keri Inouye - Community Engagement Manager

CONSENT AGENDA - 6:15 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 8, 2024
2. Resolution 75, Series 2024 "A Resolution by the Town Council of the Town of Eagle, Colorado, Amending Terms for Open Space and Recreation Advisory Committee Members to Maintain Staggered Committee Terms"
3. Fleet ZERO Grant Application Match

STAFF REPORTS - 6:20 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update

BUSINESS ITEMS - 6:25 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. PUBLIC HEARING: Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit
    a. Resolution 70, Series 2024, "A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)" (*Request for a continuance)*
    b. Ordinance 10, Series 2024, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Residential Multi-Family (West Eagle Housing Annexation)" (*Request for a continuance)*
2. PUBLIC HEARING: Land Use File: PUDA23-01 Haymeadow Major PUD Amendment
    a. Ordinance 11, Series 2024, "An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting the Fourth Amended Planned Unit Development Guide and Development Plan for the Haymeadow Planned Unit Development"
3. MEAC Funding Recommendations
    a. 2025 Event Funding
    b. 2nd Street Seasonal Closure Request
    c. Resolution 78, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Funding Recommendations and 2nd Street Closure Recommendation of the Marketing and Events Committee"
4. Resolution 77, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Eagle River Community Water Plan"
5. Exterior Energy Offset Program
6. Resolution 76, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Local Employee Residency Program (LERP) Housing Guidelines, Updated October 2024, Pursuant to Title 4, Section 4.02.050 of the Eagle Municipal Code"
7. Ordinance 12, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Repealing and Reenacting Section 5.10.030(A) of the Eagle Municipal Code, Delegating Administrative Authority to the Town Clerk for Liquor Licensing Approvals"
8. PUBLIC HEARING: 2024 & 2025 Budget Presentation

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 9:00 PM *Council will use this time to propose future agenda items, provide updates on Council Committees, and address general discussion items.*

ADJOURN - 9:10 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

EAGLE VALLEY LAND TRUST

Our mission is to protect forever, as a permanent legacy, the lands we love, including its scenic beauty, recreational opportunities, and wildlife habitat.

FOCUS AREAS

Land Conservation

- 14,028 acres protected
- 38 conservation easements
- 1 property transferred to federal ownership

Stewardship

- Annual site monitoring
- Landowner resources
- Stewardship projects

Community Engagement

- Programs and outreach

Advocacy

EAGLE VALLEY LAND TRUST

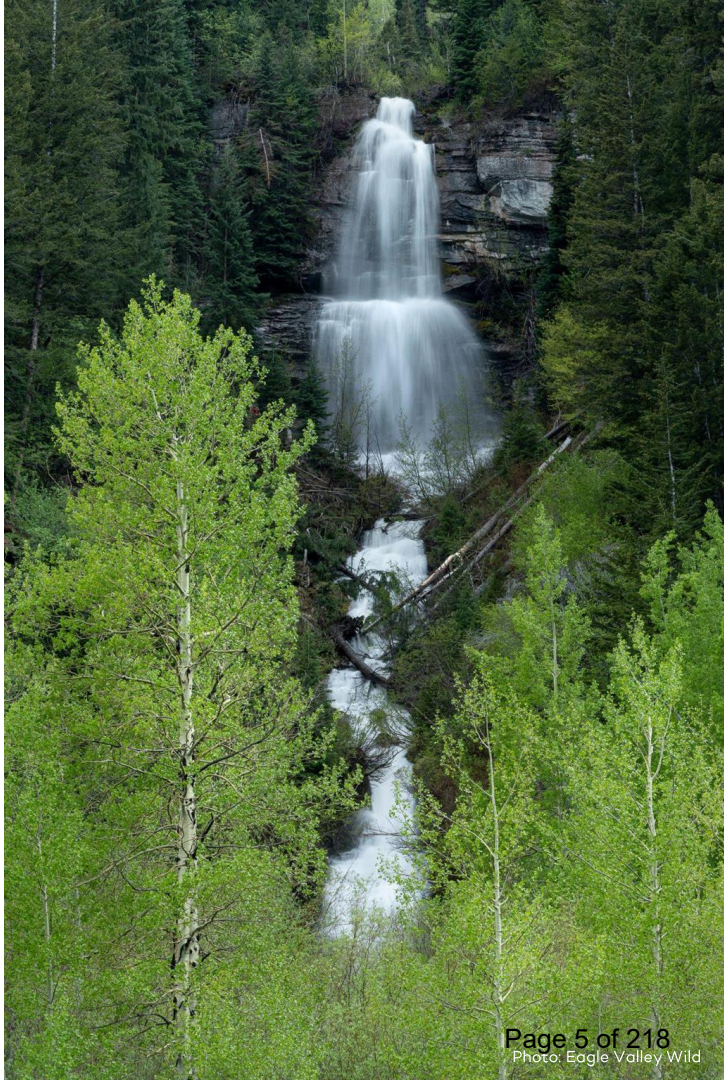
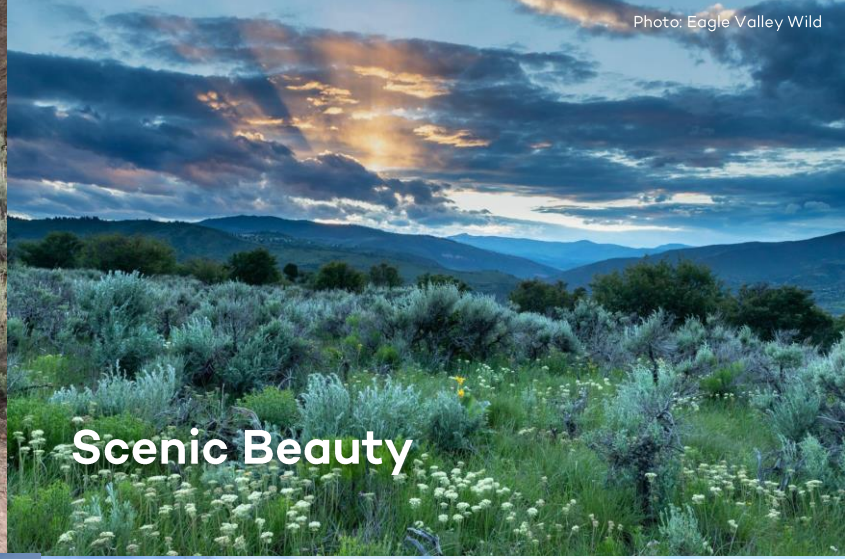


Photo: Eagle Valley Wild

CONSERVATION VALUES



SPUD CELLAR

Photo: Eagle Valley Land Trust

Conservation easement signed: 1993 (amended in 2006)

Total acreage: 35

Conservation values: Open space, wildlife habitat, and relatively natural plant communities

PROGRAM SPOTLIGHT:
Stewardship Series

Cleanup and beautification project on June 6

Removal of fence posts and smooth and barbed wire

Collaboration with the Town of Eagle

Photo: Eagle Valley Land Trust

ABRAMS CREEK OPEN SPACE

Conservation easement signed: 2016

Total acreage: 172

Conservation values: Public recreation and education, relatively natural habitat, and scenic open space

PROGRAM SPOTLIGHT:
Community Land Connection Series

Lunch break hike on April 17

Part of EVLT's Earth Week programming

Participants returned with Vail Club 50

Photo: Eagle Valley Land Trust

Photo: Keri Inouye

PARTNERSHIP OPPORTUNITIES

Conservation Easements

- Public and private land
- Tax benefits for landowners

Land Acquisition Projects

Stewardship Projects

- Volunteer recruitment

Community Engagement

- Adult and youth programs
- Outreach

DOUBLING CONSERVATION

Doubling Engagement

- Expand community outreach
- Facilitate more diverse program offerings

Doubling Resources

- Increase landowner resources
- Fund more conservation easement transactions

Doubling Strategies

- Create and implement new conservation tools

Photo: Eagle Valley Wild

This Thursday!

Join EVLT and the Town of Eagle as we hand broadcast seeds in fuel break areas that have been treated for noxious weeds.

Help us restore the habitat of these beautiful open spaces.

Pizza will be provided!

THANKS FOR YOUR SUPPORT!

EAGLE VALLEY LAND TRUST

Keri Inouye
Community Engagement Manager
keri@evlt.org

FOREVER. FOR ALL.

MEETING MINUTES
Town Council
Tuesday, October 8, 2024
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This was an in-person meeting using 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, Ellen Bodenhemier, Geoffrey Grimmer *(remote)*, Nick Sunday, Jamie Woodworth Foral, Bryan Woods

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Ruthanne H. Goff, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Carrie Buhlman, Police Chief
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Jessica Lake, Senior Planner
Sydney Dynek, Planner
Jamie Wilson, Communications & Marketing Specialist
Kira Koppel, Sustainability Specialist
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Nick Sunday motioned to adopt the agenda as presented. The motion was seconded and Passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

PUBLIC COMMENT

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

PRESENTATIONS

1. Eagle Valley Community Foundation, Grace Anshutz
   Grace Anschutz presented this item.

CONSENT AGENDA

MOTION: Council Member Nick Sunday motioned to approve the consent agenda. The motion was seconded and Passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

1. Minutes - September 24, 2024

2. Bill Pay - September 2024

3. Resolution 69, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a lot line adjustment for 263 Sawatch Rd. and 700 Chambers Ave, Application No, LLA23-02"

4. Resolution 72, 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Memorandum of Understanding with the Adam Palmer Sustainability Fund"

STAFF REPORTS

1. Town Manager Update
   Town Manager Larry Pardee addressed the business vacancy rate of downtown businesses and code enforcement.
2. Department Update

BUSINESS ITEMS

1. Sixth Amendment to the Haymeadow Annexation and Development Agreement

a. Resolution 65, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Sixth Amendment to the Annexation and Development Agreement for the Haymeadow Property"

MOTION: Council Member Bryan Woods motioned to approve Resolution 65, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Sixth Amendment to the Annexation and Development Agreement for the Haymeadow Property". The motion was seconded and Passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

2. PUBLIC HEARING: Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit
   Mayor Turnipseed opened the Public Hearing for Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit.

   Council Member Woodworth Foral recused herself from this item due to conflict of interest living in West Eagle neighborhood.

Town Staff and the Eagle County team presented the West Eagle Housing project, detailing the rezoning, subdivision, major development permit, and annexation applications. Highlights of the presentation included: Project Overview: Peyton presented the West Eagle Housing project, which includes 113 workforce housing units, rezoning, subdivision, and annexation applications; Project Goals: The project aims to provide affordable housing, ensure connectivity, promote sustainability, and conform to the town's plans; Site Design: The site design includes connected open spaces, parking around the edges, and a mix of duplexes, triplexes, and multi-family units; Sustainability: The project is designed to be all-electric and net-zero ready, with energy-efficient building envelopes and potential for solar panels; Traffic Impact: Greg Schoeder discussed the traffic impact study, noting that the project would generate 682 vehicle trips per day, with minimal impact on Grand Avenue.

Council comments: discussion regarding LERP selection criteria and price cap relation to AMI totals. More detail to be presented at the next meeting. Discussion regarding Forest Service parcel access to 7th Street and public access easements within the property.

Mayor Turnipseed opened this item for public comment:

Cindy Callicrate Talley - 770 Castle Drive – expressed concern regarding traffic impacts, access to the project from Castle Drive, building height effect on solar, overall project value to the neighborhood.

Dan Emerich - 740 Castle Drive – expressed concern with density and impact on existing neighborhood.

George Forman – expressed concern regarding the project before addressing Highway Six and snow storage.

Debbie Comerford 107 Oxbow Ct – expressed concern regarding parking being used for storage and need for a dog park.

Tom Olden - 646 Grand Avenue – expressed concern regarding meeting notification, traffic congestion, government building and developing housing, survey results wanting infrastructure before housing, lack of parking for families and guests.

Dave S. - 530 West 5th street – expressed concern about parking, lack of improvements on Grand Avenue, lack of sidewalks and overall pedestrian safety.

Devon Duvall - 731 Bull Run – expressed concern regarding lack of infrastructure to support development, sacrificing quality of life for housing, need for more public engagement, density and height issues, traffic congestion, amount of housing currently approved and not yet built, requested the town to slow down on approvals until infrastructure is ready.

Jennifer Duvall - 713 Bull Run – expressed concern regarding meeting notification, privacy for current residents, noise, density, traffic, lack of infrastructure and Colorado “Right to Sunlight” as issues.

Celena Olden - 1864 Eagle Ranch Road – expressed concern regarding taxpayers paying for infrastructure and housing, cost of building is prohibitive to affordable, lack of public input on development, who will be allowed to purchase the units (government or private employees), impacts on current resident water costs, energy demand for all electric, who pays for subsidizing price capped units and private street maintenance.
Mick Daly 1843 East Haystacker Drive – expressed support on behalf of several organizations that support Eagle vitality, need for work force housing and for housing families of current residents.

Mayor Turnipseed closed public comment.

Council comments: further discussion on Castle Drive access, Brush Creek Road extension impacts, building height

measurement, lack of closets shown in drawings for bedrooms, “Right to Sunlight” solar analysis to be reviewed, parking, dog park, traffic impacts, NetZero impacts up front will pay off later and value of access to 7th Street.

MOTION: Council Member Scott Turnipseed motioned to continue the PUBLIC HEARING for Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit until October 22nd. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods), 1 abstain (Woodworth Foral) and 0 opposed.

a. Resolution 70, Series 2024, "A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)"
Continued

b. Ordinance 10, Series 2024, An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Residential Multi-Family (West Eagle Housing Annexation) to October 22, 2024.
Continued

3. PUBLIC HEARING: Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents".

Mayor Turnipseed opened public hearing for Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents".

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

Council comments: discussion and confirmation regarding lease purchase and property release timeline.

MOTION: Council Member Nick Sunday motioned to approve Ordinance 09, Series 2024, "An Ordinance Of The Town Council Of The Town Of Eagle, Colorado Concerning The Financing Of A Public Swimming Pool And Ice Rink In The Town And Approving The Execution And Delivery By The Town Of A Site Lease Agreement And A Lease Purchase Agreement And Related Documents". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

4. PUBLIC HEARING: Land Use File: LUDC24-02 Text Amendment to the Land Use and Development Code
Mayor Turnipseed opened PUBLIC HEARING: Land Use File: LUDC24-02 Text Amendment to the Land Use and Development Code.

Sydney Dynek, Planner presented six proposed amendments to the land use code, addressing issues such as alleyway use, employee dwelling units, RV screening, riparian setbacks, special use permits, and the definition of family. Highlight of issues: Alleyway Use: The proposed amendment restricts the use of alleyways for primary access to parking unless approved by the Public Works Director; Employee Dwelling Units: The amendment clarifies the definition, allows units in industrial zones via special use permit, and includes deed restrictions; RV Screening: The amendment removes the requirement for RV screening and specifies that front yard parking must be in designated spots; Riparian Setbacks: The amendment reduces the setback from 75 feet to 50 feet if no adverse environmental impacts are shown, and clarifies the definition of natural waterways; Special Use Permits: The amendment clarifies that only one special use permit is allowed per property; Definition of Family: The amendment updates the definition of family to comply with state legislation prohibiting occupancy restrictions

based on familial ties.

Council comments: discussed the proposed changes to employee dwelling units, including the number allowed per lot, deed restrictions, and the review process, and decided to revisit this topic in a future work session. The Council discussed the limitation of one employee dwelling unit per lot and considered allowing more based on lot size or building size. The Council debated the necessity of deed restrictions tying occupancy to full-time employees and the challenges of enforcement. The Council considered whether the special use permit process was necessary or if administrative review by staff would suffice. The Council would like to revisit the topic in a future work session to explore options and gather more input. The Council wished to approve the proposed amendments to the land use code, with the exception of the employee dwelling units, which will be revisited.

Mayor Turnipseed opened public comment.

Tom Braun – expressed urgency regarding stream/riparian setbacks on pending projects.

Council comments: The Council acknowledged the confusion surrounding the current language of the setback regulation. They agreed that the language should be clarified to ensure it is easily understandable, particularly the relationship between the 75 feet setback and the 100-year floodplain.

a. Ordinance 8, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Eagle Municipal Code Regarding Occupancy Restrictions, Special Use Permits, Parking Location and Design, Riparian Setbacks, Recreational Vehicles, and Employee Residential Units"

MOTION: Council Member Sunday motioned to approve an Ordinance 8, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Eagle Municipal Code Regarding Occupancy Restrictions, Special Use Permits, Parking Location and Design, Riparian Setbacks, Recreational Vehicles, and Employee Residential Units" with amendments as discussed and approved by the Town Attorney. The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

5. PUBLIC HEARING: 2024 & 2025 Budget Presentation

Mayor Scott Turnipseed opened the public hearing fot the 2024-2025 Budget Presentation.

Jill Kane presented this item.

Council comments: discussion on grant opportunities, sales tax capital improvement fund and getting a fund balance policy in place for future budgets.

Mayor Turnipseed opened public comment.

Kate Sheldon - 2806 Haystacker Drive, thanked the council for keeping the ranger in the budget and for their support of investment in open space.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Council Member Grimmer – noted that in the Eagle County Strategic Plan they included the completion of the I70 interchange in Gypsum.

Council Member Kerst updated the council that Kevin Brubeck lost his wife, would like to see the town do something for this family. The service is October 19th at 10: a.m.

EXECUTIVE SESSION – 9:45 PM

1. **MOTION: Council Member Scott Turnipseed motioned to enter into an executive session to receive legal advice from the Town attorney and special counsel pursuant to CRS 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators pursuant CRS 24-6-402(4)(e) regarding the West Eagle Annexation and further, move to adjourn the regular meeting at its conclusion. The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.**

ADJOURN - 10:10 PM

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

To: Mayor Turnipseed and Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: October 22, 2024

Agenda Item: Resolution 75, Series 2024: A Resolution by the Town Council of the Town of Eagle, Colorado, amending terms for Open Space and Recreation Advisory Committee members to maintain staggered Committee terms.

REQUEST: Staff requests that the Town Council review the proposed term adjustment for Open Space and Recreation Advisory Committee (OSRAC) members to maintain staggered Committee terms. Staff requests that the Town Council approve the motion or provide feedback to staff on suggested changes.

BACKGROUND: The OSRAC was established in late 2020, and all appointments to the Committee were four-year terms ending in December 2024. For the most part, any Committee vacancies were appointed to fulfill the remaining terms of existing Committee members.

At the September 24, 2024, Town Council meeting, the Council passed a resolution permitting it to adjust OSRAC terms to achieve staggered appointments.

Staff is returning to the Council to propose a resolution to enact the adjustment of Committee terms and collect any feedback. Staff have proposed an approach that we believe will successfully stager term expirations fairly and keep the vast majority of terms at or below four years, which is the intended term for Committee members.

ANALYSIS: Currently, four members of the Committee are original appointments, and three members were appointed when a former member left. There is also a vacancy on the Committee.

To set up staggered term expirations, staff suggests extending four terms to expire in 2026 and keeping four terms that would expire in 2024. This would set up four appointments to conclude every two years.

Staff proposes extending the terms of the three newer members (Kehoe, Mitchell, & Lambert) and the vacant position until 2026. This change would keep the terms of these committee members below or at four years, except Kehoe, who would serve a 5-year term.

The four original Committee members' (Seager, Foulis, Hoban, and Kirkman) terms would expire in December 2024, as planned, with all four members serving four-year terms.

The current vacancy on the Committee would be advertised to fulfill a term through 2026. Staff expect to advertise this vacancy soon after the new terms are established. Consistent with other vacancies on the Committee, the existing alternate position (Lambert) is proposed to become a voting member and the new vacancy will be advertised as an alternate member.

All Committee members interested in a second term will need to reapply. The Bylaws limit appointments to no more than two successive four-year terms.

Below is a chart demonstrating the proposed term changes for the OSRAC members:

Name	Term start date	Original Term End Date	Proposed Term End Date	Term Length
Ernest Saeger	December 2020 (original member)	December 2024	December 2024 (no change)	4 years
Jessica Foulis	December 2020 (original member)	December 2024	December 2024 (no change)	4 years
Erin Hoban	December 2020 (original member)	December 2024	December 2024 (no change)	4 years
Phil Kirkman	December 2020 (original member)	December 2024	December 2024 (no change)	4 years
Chris Kehoe	July 2021	May 2025	December 2026	5.5 years
Roger Mitchell	August 2022	December 2024	December 2026	4.3 years
Dan Lambert	June 2024	December 2024	December 2026	2.5 years
Vacant (Alternate)	Proposed to start in January 2025	December 2024	December 2026	2 years

COMMUNITY INPUT: Staff presented this proposal to the Open Space and Recreation Advisory Committee at the October 2024 meetings. The Committee did not express any concerns about this approach to stagger term expirations.

At the meetings, two members of the public expressed concern about extending any committee member terms. However, to achieve the desired staggering of term expiration dates, some terms will need to be extended. Staff believes that this approach will successfully stager term expirations fairly and keep the vast majority of terms at or below four years, which is the intended term for Committee members.

BUDGET/STAFF IMPACT: None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: OSRAC provides additional expertise to the Town Council and the Town Manager necessary to enhance and facilitate open space and recreation in the Town, and to act as a conduit between the Town, residents, relevant stakeholders, and the broader community to expand and improve the Town's internal and adjacent open space and recreation opportunities within the context of the Town’s commitment to conservation, social, and environmental objectives.

RECOMMEND ACTION OR PROPOSED MOTION: Motion to Approve or Deny Resolution 75, Series 2024 “A Resolution by the Town Council of the Town of Eagle, Colorado, amending terms for Open Space and Recreation Advisory Committee members to maintain staggered Committee terms.”

ATTACHMENTS: Resolution 75, Series 2024.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 75
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING TERMS FOR OPEN SPACE AND RECREATION ADVISORY COMMITTEE MEMBERS TO MAINTAIN STAGGERED COMMITTEE TERMS MEMBERS

WHEREAS, the Town Council established an Open Space and Recreation Advisory Committee ("OSRAC") to provide additional expertise to the Town Council to enhance and facilitate open space and recreation in the Town and directed staff to coordinate the committee;

WHEREAS, OSRAC Bylaws established that the OSRAC shall consist of not more than 7 voting members appointed by the Town Council to 4-year terms with an alternate member;

WHEREAS, OSRAC was established in December 2020 with all appointments to OSRAC ending in December 2024;

WHEREAS, the Town Council amended the OSRAC Bylaws to provide for staggered terms to maintain longevity and institutional knowledge of OSRAC; and

WHEREAS, the Town Council desires to reappoint certain members of OSRAC in accordance with the amended OSRAC Bylaws.

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

Section 1. The Town Council hereby reappoints the following OSRAC members with terms ending on December 31, 2026:

- Chris Kehoe
- Roger Mitchell
- Dan Lambert

Section 2. The Town Council hereby reappoints Dan Lambert as a voting member of OSRAC.

Section 3. Should any member resign or otherwise be removed, any appointment to fill the vacancy shall be in accordance with the OSRAC Bylaws, as amended,

INTRODUCED, READ, PASSED AND ADOPTED ON October 22, 2024.

TOWN OF EAGLE, COLORADO

_____

Scott Turnipseed, Mayor

ATTEST:

_____

Jenny Rakow, Town Clerk

To: Mayor Turnipseed and Town Council

From: Kira Koppel, Sustainability Specialist

Date: October 22, 2024

Agenda Item: Fleet ZERO Grant Application

REQUEST: Staff requests that Town Council review and approve the Sustainability Funding Application for the Fleet ZERO grant match.

BACKGROUND: Town staff intends to pursue the Fleet Zero-Emission Resource Opportunity (Fleet-ZERO) grant, administered by the Colorado Energy Office. This program supports the charging needs of fleet owners and operators seeking to electrify their vehicles, as well as third-party providers intending to offer public charging and EV charging as a service to fleets. This program offers statewide competitive grant funding for private depot charging, public and semi-public fleet charging, and fleet charging as-a-service, with prioritized investments in disproportionately impacted communities and enhanced incentives for eligible qualifying entities. As a government agency, the town is considered a qualifying entity and is eligible to apply on a rolling basis when requesting less than $50,000.

Town staff would like to apply for the maximum potential grant award of $10,000 per dual port charger for two charging stations to be installed at Public Works. This will provide enough EV charging stations to meet current needs and to also accommodate additional electric vehicle purchases over the next two years. It is important to future-proof our facilities to accommodate electric vehicle charging, as this reduces barriers for EV purchases in alignment with our net zero by 2028 goal.

ANALYSIS: A match of $2,000 (10%) is required to unlock the maximum incentive for this project, which is $20,000 ($10,000 per charger). Overall, project costs are estimated to be $90,000. This is largely due to electrical upgrades that will be required, as well as prewiring for two additional stations. The project scope has been brought down from 4 original stations to 2 stations and prewiring for 2 more in an effort to reduce costs in 2025 while still building out the required infrastructure to enable future EV purchases in alignment with our net zero by 2028 goal.

Fleet ZERO grant	$10,000 per dual port charger
Total potential grant award	$ 20,000
Match required	$ 2,000
Total project cost	$ 90,000
Total town dollars required	$ 70,000
% Project costs covered by the grant	29%

COMMUNITY INPUT: No community input has yet been gathered for this grant application, though staff intends to solicit letters of support from the Adam Palmer Sustainability Fund and Holy Cross Energy.

BUDGET / STAFF IMPACT: If awarded, this program will result in a $90,000 expenditure from the Capital Fund and a $20,000 increase in revenues, bringing the town to a net of $70,000 in expenses. In an effort to reduce 2025 expenditures as much as possible, this project will only proceed if grant funding is received. Additionally, the project scope has been reduced by $50,000 from the original CIP Request, bringing it down from a $120,000 project cost with 4 stations to a $90,000 cost with 2 stations and prewiring for the other 2. The vast majority of costs are associated with necessary electrical upgrades and construction. Staff will continue to find additional ways to reduce these costs, including working with Holy Cross Energy.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: This policy aligns with the town's goal to elevate our relationship with the environment by supporting and demonstrating sustainability (Goal 4-3 of Elevate Eagle Comprehensive Plan) and with the town's strategic objective to invest in environmental and energy sustainability. It will also support further implementation of Town Council Resolution No. 56, a resolution adopting town-wide sustainability goals.

RECOMMENDED ACTION OR PROPOSED MOTION: A motion to formally **APPROVE** pursuing the Fleet ZERO Grant from the Colorado Energy Office. An additional motion to **APPROVE** the associated Sustainability Funding Support Application for the Fleet ZERO grant application match, should the town be awarded grant funding from the state.

ATTACHMENTS:

- Sustainability Funding Application – Fleet ZERO

Sustainability Funding Support Application

Project Title: Fleet ZERO Grant Application Match

Organization/Individual Name: Town of Eagle

Contact Information: Kira Koppel, kira.koppel@townofeagle.org, 970-328-9658

Project Overview:
Please provide a brief overview of your project, detailing its objectives, target outcomes, and how it aligns with the Net Zero 2028 and Net Zero 2030 goals (NZ-2028 or NZ-2030).

Town staff intends to pursue the Fleet Zero-Emission Resource Opportunity (Fleet-ZERO) grant, administered by the Colorado Energy Office. This program supports the charging needs of fleet owners and operators seeking to electrify their vehicles, as well as third-party providers intending to offer public charging and EV charging-as-a-service to fleets. This program offers statewide competitive grant funding for private depot charging, public and semi-public fleet charging, and fleet charging as-a-service, with prioritized investments in disproportionately impacted communities and enhanced incentives for eligible qualifying entities. As a government agency, the town is eligible to apply on a rolling basis when requesting less than $50,000.

Town staff would like to apply for the maximum potential grant award of $10,000 per dual port charger for two charging stations to be installed at Public Works. This will provide enough EV charging stations to meet current needs and to also accommodate an additional vehicle purchase or two next year.

This project would allow the town to install 2 dual port, Level II charging stations, as well as complete the prewiring for 2 additional future stations. This will allow us to future-proof the Public Works facility and remove barriers for additional EV purchases in accordance with our net zero by 2028 goal.

A match of $2,000 (10%) is required to unlock the maximum incentive for this project, which is $20,000 ($10,000 per charger). Overall, project costs are estimated to be $90,000. This is largely due to electrical upgrades that will be required, as well as prewiring for two additional stations. The project scope has been brought down from 4 original stations to 2 with the prewiring in an effort to reduce costs in 2025 while still building out the required infrastructure to enable future EV purchases in alignment with our net zero by 2028 goal.

“Installing EV infrastructure prior to fleet conversion” is a key strategy within the town’s Net Zero Action Plan for Internal Operations. Working to decarbonize our buildings and vehicles are staff’s top two priorities in 2025, in accordance with our two largest estimated sources of emissions. This grant is well-aligned with a pragmatic approach to reducing town operations-produced greenhouse gas emissions.

Budget Overview:

- **Total Project Cost:** $90,000

- **Requested Town Funding:** $2,000 for the grant match
    - Staff will come back with another ask of $68,000 should we be successful in receiving $20,000 in grant funding.
- **Dollar Match Ratio**: 10:1 match (grant dollars: town dollars) for the grant match. For the entire project, grant funding would cover 29% of total project costs.
- **Other Funding Sources**: Staff will investigate other funding opportunities that could be stacked to further reduce the cost of the project to the town, including working with Holy Cross Energy (they have provided some complimentary transformer upgrades to other municipalities). Additionally, depending on the timing of this project, it could be possible to utilize a portion of the Public Building Electrification Grant Funding to cover the costs associated with electric service upgrades and further drive down the total project cost for installing the EV charging stations.

Fleet ZERO grant	$10,000 per dual port charger	
Total potential grant award	$	20,000
Match required	$	2,000
Total project cost	$	90,000
Total town dollars required	$	70,000
% Project costs covered by the grant		29%

Strategic Alignment:

Please explain how your project aligns with the most significant strategic goals outlined in the Sustainability Funding Support Policy, focusing on its contribution to carbon reduction, energy efficiency, renewable energy, and overall sustainability.

This project will address the areas mentioned above in the following ways:

- **Carbon reduction –** Installing EV charging stations will allow the town to further electrify our fleet, reducing the carbon associated with gasoline combustion.
- **Energy efficiency –** Utilizing networked EV charging stations will allow us to monitor energy use and ensure the most efficient fueling of our vehicles.
- **Renewable energy –** While this project does not deploy renewable energy, the associated electric upgrades can ready the site for future renewable energy projects.
- **Overall sustainability –** This project future proofs the Public Works facility to enable future EV charging, ensuring we remain on path toward our net zero goals. It sets the stage for future sustainability implementation.

Community Engagement:

Detail the level of community engagement and support for your project. Include any collaboration with local stakeholders and the anticipated community benefits.

No community engagement has yet taken place. However, staff plans to solicit letters of support from the Adam Palmer Sustainability Fund and Holy Cross Energy for the grant application.

Timeline:

Provide a timeline for project implementation, including key milestones and completion dates.

The Fleet ZERO program standard application is due November 15th, 2024. However, as a local government applicant, we are eligible to apply on a rolling basis. Staff prefers to apply by November 15th to ensure the project can move forward in a timeline manner and to gain clarity on a funding decision sooner than later.

Rolling application submissions from qualifying entities will be evaluated monthly, so the town can expect a response before the end of the 2024 fiscal year. If funds are awarded, the town will be required to complete the EV charging station installations within 12 months of notice of award and receipt of the executed small dollar grant award or contract. Project completion should occur within fiscal year 2025.

Measurable Outcomes:

Outline specific and measurable outcomes expected from your project, demonstrating its impact on achieving the NZ-2028 and/or NZ-2030 goal(s).

Outcomes from this project include capacity for charging four additional electric vehicles, removal of barriers for future town electric vehicle purchases, and preparing the town to reduce GHG emissions from our fleet. This project will set the foundation to address fleet vehicle emissions in association with the net zero 2028 goal.

Monitoring and Reporting:

Describe your plan for monitoring the project's progress and providing regular updates to the Town regarding its implementation and outcomes.

The Town's Sustainability Specialist will work with the Public Works Manager and Director to ensure an effective planning and installation process with the selected contractors. Data will be collected on the town's existing electric vehicle mileage and the associated avoided emissions. This data will be used to predict a future GHG emissions reduction for additional EVs that will be enabled after the installation of these chargers.

If awarded, the Fleet ZERO program requires reporting the following back to the Colorado Energy Office: downloadable data access to the network dashboard or reporting on charging station usage, time of use, duration of use, number of unique users, and kWh used for 5 years.

Attachments:
Include any supporting documents, such as project plans, environmental impact assessments, or letters of support from community stakeholders.

- Fleet ZERO Application Guidelines: LINK
- Staff Memo - Fleet ZERO Grant Application
- Town of Eagle Sustainability Funding Policy

Conclusion:
This draft policy and application form the foundation for a structured and strategic approach to sustainability funding support, ensuring that investments align with Net Zero goals and contribute significantly to the Town's environmental objectives.

Town of Eagle Sustainability Funding Policy

The Town of Eagle is committed to achieving Net Zero emissions by 2028 and 2030. This policy aims to provide financial support for sustainability initiatives that align with these goals. We recognize the urgency of addressing climate change and are dedicated to investing in projects that have a tangible impact on reducing our carbon footprint. The Town invests in projects that maximize impact, innovation, and community involvement to accelerate progress towards these targets.

1. Alignment with Strategic Goals:

1.1. Funding support will be prioritized for projects aligning with the most significant and strategic goals to achieve Net Zero by 2028 and 2030.

1.2. Applicants must clearly articulate how their project contributes to the overarching sustainability objectives and milestones set forth by the Town.

2. Funding Matching Ratio Goal:

2.1. A 2-to-1-dollar match ratio or higher aims to maximize the impact of every Town dollar invested. Also, this policy recognizes that flexibility will need to be considered if funding ratios do not meet the 2:1 or greater match but achieve our top priorities.

2.2. Applicants must demonstrate a clear and achievable plan to secure matching funds from external sources, ensuring a robust financial foundation for the proposed project.

3. Allocation of First-Year of 2024 Funding:

3.1. In the initial year of funding, 75% of the allocated funds will be directed towards initiatives supporting the Net Zero 2028 Town goal.

3.2. The remaining 25% will be allocated to projects contributing to the Net Zero 2023 community goal.

3.3. This allocation strategy balances short-term and long-term sustainability objectives, fostering a comprehensive and inclusive approach to achieving Net Zero targets.

4. Application Process:

4.1. All applicants must submit a detailed proposal outlining the project's objectives, budget, timeline, and expected outcomes to be accomplished.

4.2. Town staff will review applications first and assess the alignment with strategic goals, the potential for impact, and the ability to secure matching funds approved by the Town Council.

4.3. Approved projects will enter into a funding agreement with the Town, specifying reporting requirements, milestones, and evaluation criteria.

5. Reporting and Accountability:

5.1. Recipients of funding support must provide regular progress reports, including financial statements, to ensure transparency and accountability.

5.2. The Town reserves the right to reassess funding if a project deviates from the agreed-upon goals or fails to meet established milestones.

7. Review and Adaptation:

7.1. This policy will be subject to periodic review to ensure its effectiveness in meeting the Town's sustainability goals.

7.2. Amendments may be made based on changing circumstances, emerging opportunities, or lessons learned from previous funding cycles.

8. Conclusion:

8.1. The Town is committed to supporting innovative and impactful sustainability projects, and this policy provides a framework to ensure strategic investment in initiatives is in place to advance our Net Zero goals.

8.2. This policy will be periodically reviewed to assess its effectiveness and relevance. Adjustments may be made to align with emerging sustainability priorities, technological advancements, or changing community needs.

To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: October 22, 2024
Re: Town Manager Report

Community Engagement & Meetings: This report highlights our recent community outreach efforts and critical regional and project-specific meetings. Our top priority is to engage with stakeholders, stay abreast of developments, and contribute to our Community's growth.

Avon Regional Housing Action Plan Update: At the Town of Avon's Regional Housing Action Plan meeting, EPS and RRC Associates shared critical insights on housing in Eagle County. Their presentation, over 130 slides, delved into critical areas, and key takeaways included: 1) Housing Demand – driven by demographic and employment shifts; 2) Housing Supply – with a focus on market and development trends; 3) Affordability Analysis – offering detailed looks at rental and ownership options; and 4) Outreach and Engagement – compiling input from interviews and surveys. The entire Eagle County Regional Housing Needs Analysis and Action Plan for further details is attached (Link-Eagle.County.Housing.24)

Sawatch Development Progress Update: Our ongoing collaboration with Dave Dantas propels forward the 263-unit Sawatch Development on Chambers Avenue. Through regular check-ins, we monitor project milestones, ensure the timely submission of critical documents, and work diligently to meet all deadlines, keeping the development on track for successful completion.

Administration and Organization Update:

The two-day **MT2030 Climate Solutions Summit in Jackson, Wyoming,** brought together influential leaders and experts to exchange actionable strategies for combating climate change across multiple sectors. The summit started with a keynote from Dr. Ayana Elizabeth Johnson, who painted a hopeful picture of the future through the lens of achievable climate solutions. Attendees also engaged with the En-ROADS Climate Policy Simulation, led by Bethany Patten, which allowed leaders to assess how different policies could impact global climate variables like air quality and energy prices.

Breakout sessions were a highlight, offering deep dives into decarbonizing mountain communities, renewable energy, and the crucial role of sustainability partnerships. Attendees learned from case studies on solarizing communities and deploying renewable diesel to cut emissions. At the same time, a panel of officials from Yellowstone and Grand Teton National Parks emphasized the importance of regional collaboration in mitigating tourism's environmental impact.

On the second day, James Rattling Leaf shared invaluable insights into indigenous climate solutions, followed by a session on building nonpartisan environmentalism led by Benji Backer. The final sessions aimed to reach net-zero emissions by 2030, ranged from grid decarbonization efforts in mountain towns to creative tourism strategies in Queenstown, New Zealand, and local innovations in Eagle, Colorado.

Thank you to Mayor Scott Turnipseed, Kira Koppel, Laura Hartman, and Casey Sheahan for their breakout session, ***It Takes A Small Mountain Town*. Mayor Turnipseed** opened by sharing Eagle's ambitious journey toward net zero and the impact that small communities can make through strategic efforts. Larry followed with practical steps Eagle has taken, from energy efficiency measures to renewable energy projects. **Kira Koppel** provided an update on solar projects and building electrification, while **Laura Hartman** emphasized the power

of partnerships in achieving sustainability goals. **Casey Sheahan** tied in the corporate perspective, reinforcing that small towns and organizations can drive significant change.

The summit concluded with the MT2030 Climate Action Awards and an inspiring conversation on decarbonization with Ari Matusiak and David Roberts, motivating attendees to take concrete steps toward a sustainable future.

2025 Budget Development: Email Message I sent to the Management Team members –

> **Dear Management Team,**
>
> I understand that our recent budget discussions may have stirred some concerns, and I've heard from a few managers that their teams are feeling uncertain or stressed. These moments, however, are where our leadership truly shines. It's easy to guide our teams when everything is running smoothly, but it's during challenging times like these that we can make the most meaningful impact.
>
> If you hear any concerns or notice anxiety among your staff, I encourage you to reassure them that we're on the right path and that everything will be okay. I have complete confidence that we will navigate this successfully. Our role is to stay focused on solutions, keep the conversation constructive, and avoid negative dialogue. Remember, our teams look to us for leadership direction and the calm, positive energy we project will help them feel more secure and focused.
>
> We've been fortunate to experience significant growth over the last few years and accomplished a great deal. As we plan for a more measured pace of growth in the coming year of 2025, I want to remind you that this is not only okay but also an opportunity. For the first time in years, we're on track to be nearly fully staffed, allowing us to achieve more even with a leaner budget in 2025.
>
> Together, we can shape a strong and positive outlook for the future. Our teams will follow our lead, and by staying focused, solution-driven, and optimistic, we can make a real difference in how they experience this transition. I also believe transparency is critical—ensuring that our staff are well-informed about the Town's financial position helps foster a collaborative and empowered environment where everyone feels connected and involved.
>
> I wanted to reach out now so you can begin thinking about how you'll lead these essential conversations with your teams. Thank you for your continued leadership and dedication as we build a successful budget for 2025. I genuinely appreciate your support.

In 2024, we took bold steps to bolster our workforce by **successfully filling 25 crucial positions**, reinforcing our dedication to building a vibrant, dynamic community. However, with four full-time roles still vacant, we are now focused on attracting exceptional talent to continue raising the bar on service delivery. Looking ahead, we are taking a deliberate pause on recruiting for general fund-supported roles, adopting a more strategic approach to ensure long-term financial stability. This decision allows us to align future hires with reliable, recurring revenues, ensuring we can fully sustain existing and new positions.

Economic Development:

East Eagle Development Meeting Recap: On Friday, October 18, we convened a dynamic discussion centered on the exciting development opportunities in East Eagle. The meeting brought together key players, including Merv Lapin and his partners, Mayor Scott Turnipseed, Council Member Bryan Woods, Peyton Heitzman, and representatives from Kroger Corporation. Together, we explored innovative pathways for potential development, highlighting opportunities that could transform East Eagle's landscape and economy.

The Town of Eagle is working closely with **East Eagle Partners** to unlock development potential in already annexed areas and finalize the annexation of Parcels A and F. This collaboration is designed to foster sustainable growth and ensure that new projects align with the Community's long-term vision.

As part of this initiative, the Town is exploring the implementation of a Commercial Linkage Fee, connecting commercial development to housing solutions. Financial assessments for the proposed annexations are underway in partnership with **Economic & Planning Systems (EPS)**. The Town and EPS also examine infrastructure financing and revenue-sharing strategies, with draft recommendations to be presented to the Town Council. These efforts are vital to driving balanced, equitable growth in the East Eagle Subarea while addressing the urgent need for affordable housing.

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**
August 6, Work Session	*Canceled*
September 3, Work Session	Capital Improvement Projects (CIP)
October 1, Work Session	MEAC – 1-hr check-in with Town Council to clarify their role OSRAC – 1-hr check-in with Council
November 5, Work Session	
December 3, Work Session	
Request for Additional Work Sessions	**Topic**

To: Mayor Turnipseed and Town Council

From: Peyton Heitzman, Community Development Director, Community Development

Date: October 22, 2024

Agenda Items: Resolution 70, Series 2024, A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)

Ordinance 10, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County, Zoning the Property Residential Multi-Family, Approving the Associated Final Plat, the Associated Development Permit, and Approving the Associated Annexation and Development Agreement (West Eagle Housing Annexation)

REQUESTS:
For Town Council to consider the West Eagle Housing presentations and public comment and continue the public hearing to a date requested by Eagle County. Staff anticipated the specific date to be requested at the hearing.

BACKGROUND:
On September 17, 2024, the Planning Commission reviewed the zoning, preliminary plan/final plat, and major development permit, and recommended approval based on compliance with the Town's land use regulations and alignment with the Town's long-range planning documents. The staff report from that meeting provides code analysis and can be accessed through this (LINK).

On October 8th, 2024, the Town Council reviewed presentations from staff and Eagle County ("Applicant"), along with public

comment, for all land use applications except the annexation. The Town Council memo can be accessed here (LINK).

Tonight's meeting will provide the Town Council an overview of the annexation application and allow for public comment on all applications. The Applicant has requested a continuance to allow additional time for negotiating the Annexation and Development Agreement.

ANALYSIS:

Annexation

Annexation is a discretionary action on the part of the Town. However, annexations must comply with Title 31, Article 12 of the Colorado Revised Statutes and the Colorado Constitution.

The property's boundaries are contiguous with the Town of Eagle's boundary for 2,055.62 feet of its 2,296.35-foot total exterior boundary (or 89.5% of its perimeter) as demonstrated on the annexation map, thereby exceeding the one-sixth contiguity requirement per C.R.S. § 31-12-104(a). Staff finds the proposed annexation meets the statutory urbanization and integration requirements, and the property is within the Urban Growth Boundary as defined in the Elevate Eagle Comprehensive Plan (2021). Lastly, the proposed annexation would not extend the Town's boundary more than three miles in any direction. Staff finds the annexation request complies with state law.

Annexation and Development Agreement (ADA)

Staff have put together a summary of the key terms and conditions of the Annexation and Development Agreement (ADA) that can be accessed through this LINK. In addition to the terms described below, the conditions of approval from the Planning & Zoning meeting outlined in the PZ Resolution 5, Series 2024, have been incorporated into the agreement. The Town and Eagle County are discussing the terms outlined in the summary and anticipate resolution in time for the next meeting.

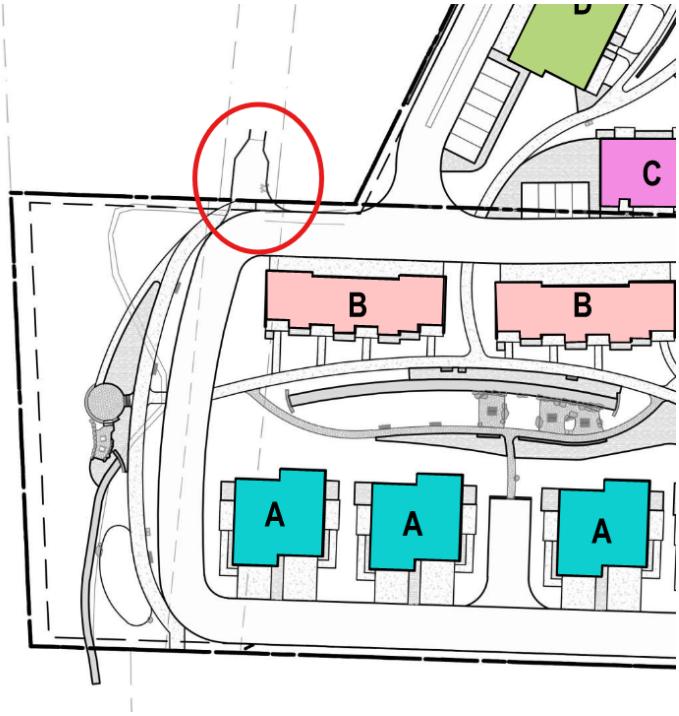
- **Public Improvements:** Exhibit D provides a list of all public improvements that will serve the development. The Applicant will be responsible for the construction of all improvements serving the development. The ADA requires that these public improvements be constructed to Town standards and secured by a performance guarantee. Upon completion, the Town will withhold a warranty for 2 years to ensure the improvements function as intended, with the Developer responsible for remedying any issues during that period. As-built drawings must also be provided for Town records.

  The Town will be allowed to oversize water and wastewater infrastructure in anticipation of future development needs in the area. In this situation, the Applicant would only be required to pay the portion of the cost that supports the development.

- **Maintenance Obligations for Improvements:** The ADA includes an Ownership and Maintenance Agreement (Exhibit C) that specifies which improvements will be the responsibility of the Developer (and later the HOA) and which will be the long-term maintenance responsibility of the Town.

- **Transportation and Access:** The agreement requires the Developer to dedicate 0.963 acres of land for the extension of the Brush Creek Road. However, the Developer is only committing to constructing a 2-lane segment that will provide access from the Development to Grand Avenue, rather than the full width envisioned for the full road extension.

  The project design includes access on the southern end of the property to Castle Drive, as shown in the image to the right. The ADA requires emergency access to the Development, which is a departure from the existing plans and will require a modification to the project design.



- **Park Land Dedication:** The project is required to dedicate 0.455 acres to satisfy the park land dedication. Half of this has been met through private park facilities, as allowed by code, and another 0.366 acres is encumbered by a public access easement to allow the public the use and enjoyment of the sidewalk connectivity through the Development. The remaining dedication will be fulfilled with the conveyance of the Eagle River Park, which must be completed by September 2025. Eagle County has shared concern with tying the dedication requirement to the Eagle River Park.

- **Affordable Housing:** All units will be deed restricted. Through the ADA, the Developer has committed 10% of the units to the Town's Local Employee Residency Program (LERP). Another 50% of the units will be restricted under the Eagle County Housing and Development Authority's priced capped deed restriction. The remaining units will be restricted but not price capped. In total, 60% of the project will be affordable to families earning 140% of the Area Median Income (AMI).

  The Town will have the right to purchase three units when certificates of occupancy are requested. These units will be sold at construction cost, excluding land and soft costs such as project design. The Town will have 60 days to close on the sale of the unit after receiving notice. If the Town declines to make a purchase within the specified timeframe, the County may sell the units to a third party.

  The agreement also allows the Town to purchase units in foreclosure.

- **Real Estate Transfer Assessment (RETA):** Section 9 of the agreement imposes a 1% fee on each home sale, with the revenue allocated to a purpose determined by the Town. Eagle County has not agreed to this provision.

- **Water Rights Dedication and Raw Water Irrigation:** The Town requires all developments to dedicate water rights to maintain a sufficient portfolio. Part of the dedication will come from Ditch No. 2, which crosses through the property and will meet the outdoor irrigation needs with raw, non-potable water. This avoids the need for water treatment, reducing energy consumption.

  Indoor water use will be covered through a fee-in-lieu, set at $10 per equivalent residential unit (EQR), a rate significantly lower than what the Town typically charges. This reduced fee is intended to support the project's affordability by offsetting costs.

- **Phasing:** The project will be developed in three phases, as outlined in Exhibit G. The first two phases focus on Lot 2 to the south, starting on the western side of the site. Phase 3 will cover Lot 1 to the north. Construction is expected to occur between 2026 and 2029.

- **Fees:** The project is required to pay all applicable fees, including the Town's impact fees for streets, public safety, and fire. The street and public safety impact fees support the Town's Streets and Police Departments, while fire impact fees are passed through to the Fire District. The Developer proposes to meet the School Land Dedication with a fee-in-lieu payment.

- **Vesting:** Section 17 grants the Developer a 10-year vesting period for the construction and initial acceptance of public improvements within Phase 1. Once these improvements are accepted, a 5-year extension is granted, resulting in a total of 15 years of vested rights.

In response to questions raised by the Town Council during the October 8th public hearing, staff has provided additional information regarding parking, building height, and solar access.

- **Parking:** A question was raised about whether rooms designated as offices or dens were considered in the parking calculations. Buildings B and G include office spaces within units, and building F has a den in one unit. Staff reviewed the parking calculations (details below) and confirmed these auxiliary rooms were not factored into the overall parking count.

Building Type	# of Bldgs	Units/Bldg	Number of Beds/Bldg	Parking Required/Unit	Min parking required
A - Duplex	5	2	4	3	30
B - Multifamily	6	4	2	2	48
C - Duplex	2	2	2	2	8
D - Multifamily	1	6	3 units - 1 BR	1.5	4.5
			3 units - 2 BR	2	6
E - Multifamily	4	10	8 units - 2 BR	2	64
			2 units - 1 BR	1.5	12
F - Multifamily	2	10	2 units - 1 BR	1.5	6
			8 units - 2 BR	2	32
G - Multifamily	2	3	2	2	12
J - Triplex	1	3	1 unit - 2 BR	2	2
			2 units - 3 BR	2.5	5
Total Guest Spaces Required (rounded up):					17
Total Parking Required with Guest Spaces:					246
Total Parking Provided (See Sheet L0.2):					246

- **Building height:** Sheets A55-58 of Planset O (LINK) provide building height diagrams. Buildings B, E, G, and F are three-story structures, nearing the maximum height limit of 35 feet. Buildings B and G feature pitched roofs and buildings E and F have flat roofs.

  The pitched roofs were measured from the average distance between the eaves and apex to the existing grade. The standard the flat roofs were measured against was from any selected reference point on the roof surface above the interior of the building, measured from existing grade to the highest point of the building. These measurements were based on the standards in the previous Land Use Code that the development permit was reviewed under.

  The current land use code measures height against the following definition, “Building height means the distance measured vertically from the existing grade or finished grade (whichever is more restrictive) at any given point outside the building to the top of a flat roof, mansard roof, or sloping roof.”

- **Solar Access:** The Applicant has provided a supplemental document identifying the shadow impact to adjacent properties at noon on December 21st, the time of year when solar access is most limited. This document can be accessed through this LINK.

COMMUNITY INPUT:
Staff have received no written public comments since the October 8th Town Council meeting. All previously submitted comments are attached for the Council's reference.

BUDGET:
The application includes a Fiscal Impact Analysis (FIA) that is based on the annexation of two lots with 23 structures and 113 dwelling units. It does not project revenues and expenses based on the current use of the property, but rather the future use. The FIA provides an analysis of potential incremental revenues generated, and general fund expenditures incurred as a result of the annexation and development of the residential development based on forecasted assumptions. The report looks specifically at property tax generation for the general fund and does not analyze other potential revenues. The FIA utilized the same assumptions as the Red Mountain Ranch FIA which entails new development and new residents. Town Staff generally supports the methodology of the FIA; however, the per household estimates from the Red Mountain Ranch date back to 2020 and may not accurately represent current day expenses.

The ADA provides assessments and waivers of the Town's fees. The impact fees amount to $427,386.34 collected, of which $172,664.00 will be passed through to the Fire District and $254,722.34 will be retained by the Town. The Town's Plant Investment Fee (PIF) will be charged at the regular rate for water and wastewater. Additional revenue will be collected through the RETA, the building permit, and the fee-in-lieu of water rights dedication.

Not included in the FIA are the long-term costs associated with maintaining public improvements. Per the Ownership and Maintenance Agreement, the Town will be responsible for the maintenance of improvements within the Brush Creek Road, water and sewer mains and other Town-owned utilities, and fire hydrants. The Homeowners Associations (HOAs) or Metro District, if established, will be responsible for all other improvements within the Development.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
The project achieves alignment with the following Objectives of the Strategic Plan:

- Stimulate Economic Vitality and Development: The development follows the Comprehensive Plan, resulting in economic benefits from new amenities, infrastructure, and quality of life through the addition of affordable homes to support the local workforce.
- Match Infrastructure to Quality of Life: Through the dedication of right-of-way for the Brush Creek Road extension, the project supports the implementation of Town-planned infrastructure that supports connectivity through the community.
- Improve Community Responsive Services: The project adheres to the Town's policies and regulations that ensure thoughtful growth and development.
- Invest in Environmental and Energy Sustainability: The project incorporates several sustainable elements into the overall design and supports sustaining natural resources as an infill project.

- Diversify the Attainable Housing Stock: The development provides a variety of unit types from duplexes to 10-unit structures and provides an attainable and affordable rate for most of the units.

RECOMMENDED ACTION OR PROPOSED MOTION:

1. A motion to **CONTINUE** Resolution 70, Series 2024, A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation) to a date certain. specific.
2. A motion to **CONTINUE** Ordinance 10, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County, Zoning the Property Residential Multi-Family, Approving the Associated Final Plat, the Associated Development Permit, and Approving the Associated Annexation and Development Agreement (West Eagle Housing Annexation) to a date certain.

ATTACHMENTS:

1: Project Application and Narrative (LINK)
2: Exhibits A-X (LINK) Detailed 'Table of Contents' on first page of link.
- Exhibit A. Proof of Ownership and Title Commitment
- Exhibit B. Adjacent Property Owners for public noticing
- Exhibit C. Annexation and Development Agreement (ADA) – Not included.
- Exhibit D. Water Rights
- Exhibit E. Preliminary Water Demand Analysis
- Exhibit F. Traffic Study – Full Transportation Impact Study can be accessed through this LINK.
- Exhibit G. Geotechnical Study
- Exhibit H. "Will Serve" Letters
- Exhibit I. Local Employee Residency Plan (LERP)
- Exhibit J. Project Phasing
- Exhibit K. Drainage Report
- Exhibit L. Emergency Communication
- Exhibit M. Engineering Specifications
- Exhibit N. Public Utilities Cost Estimate
- Exhibit O. Plan set (separate document – see below)
- Exhibit P. Fiscal Impact Analysis
- Exhibit Q. Ownership and Maintenance Plan
- Exhibit R. Master Declaration for West Eagle
- Exhibit S. Preliminary Plan (separate document – see below)
- Exhibit T. Public Facilities Information Report (separate document – see below)
- Exhibit U. Gas Tank Removal
- Exhibit V. Environmental Site Assessment
- Exhibit W. Variance Requests
- Exhibit X. WESAP Conformance Memo

3: Exhibit S: Preliminary Plan (LINK)
4: Exhibit T: Public Facilities Information Report (LINK)
5: Appendix O – Plan Set (LINK) Detailed 'Table of Contents' on first page of link.
- Existing Conditions Survey

Existing Buildings and Land Use Diagram
Annexation Map
Subdivision Plat
Setback Diagram
Civil Plans
Landscape Plans
Architectural Plans

6: Staff report for September 17th Planning Commission meeting (LINK)
7: Minutes from September 17th Planning Commission meeting (LINK)
8: Staff report for October 8th Town Council meeting (LINK)
9: All public comment received as of 10/17/24 (LINK)
10: DRAFT Annexation and Development Agreement (LINK)
11: Resolution 70, Series 2024 (LINK)
12: Ordinance 10, Series 2024 (LINK)

ANNEXATION AND DEVELOPMENT AGREEMENT

THIS ANNEXATION AND DEVELOPMENT AGREEMENT (the "Agreement") is entered into as of _____ (the "Effective Date") by and between the TOWN OF EAGLE, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, CO 81631 (the "Town"), and EAGLE COUNTY, COLORADO, a body corporate and politic with an address of 500 Broadway, P.O. Box 850, Eagle, CO 81631 ("Developer") (each a "Party" and collectively the "Parties").

WHEREAS, Developer owns a 5.02-acre parcel of real property located in unincorporated Eagle County more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Unincorporated Property");

WHEREAS, the Unincorporated Property is currently zoned in Eagle County as Resource;

WHEREAS, Developer owns an additional 4.57-acre parcel of real property within the Town more particularly described in **Exhibit B**, attached hereto and incorporate herein by this reference (the “Incorporated Property”);

WHEREAS, the Incorporated Property is zoned Commercial Mixed Use 1 (CMU1), in part, and Residential Multi-Family (R3), in part;

WHEREAS, Developer desires to file a petition for annexation with the Town for the Unincorporated Property in accordance with this Agreement and C.R.S § 31-12-101, *et seq*., and thereafter develop the Unincorporated Property and the Incorporated Property (collectively the "Development Property");

WHEREAS, the Development Property consists of 9.59 acres, and the proposed development would create 113 deed restricted residential dwelling units within 23 buildings (the "Development");

WHEREAS, contemporaneously with the petition for annexation, Developer has filed applications for a Major Development Permit, a rezoning of some of the Property to Residential Multi-Family (R3) and a Preliminary Plan/Final Plat (collectively the "Land Use Applications");

WHEREAS, the Town may institute proceedings to annex the Unincorporated Property and to make the Unincorporated Property subject to zoning and subdivision in accordance with C.R.S § 31-12-115; and

WHEREAS, the Parties wish to set forth their understanding of the terms and conditions regarding the annexation of the Unincorporated Property and the terms and conditions of development of the Development Property.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Purpose and Applicability.

a. The purpose of this Agreement is to set forth the terms under and conditions which the Unincorporated Property will be annexed to the Town and the Development will proceed.

b. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Eagle Municipal Code, as amended (the "Code") and other applicable law.

c. By agreement of the Parties, the Land Use Applications, with the exception of the rezoning application, shall be processed under the Town's previous Land Development Code. The rezoning application shall be processed under the Town's Land Development Code existing as of the date of this Agreement. All amendments to past approvals or new applications shall be reviewed under the Code provisions applicable at the time the application is submitted.

d. Nothing in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its residents. Nothing herein shall be deemed to be a prejudgment or preapproval of the Land Use Applications by the Town.

2. Definitions. As used in this Agreement, the following terms shall have the following meanings:

a. *Area Median Income* means the gross median household income as annually calculated by the U.S. Department of Housing and Urban Development for residents of Eagle County.

b. *Legal Challenge Period* means the period of time commencing upon the date of final approval by the Town Council of the Land Use Applications and ending on the 61st day thereafter.

d. *Ownership and Maintenance Plan* means the plan mutually agreed upon by the Parties to delineate the maintenance responsibilities of the Parties with respect to the public areas of the Development Property and as further described in **Exhibit C,** attached hereto and incorporated herein by this reference.

3. Annexation. The annexation of the Unincorporated Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq*., as amended.

4. Term and Termination.

a. This Agreement shall commence on the Effective Date, and shall continue until the expiration or termination of the vested rights established pursuant to Section 17 hereof, unless

otherwise terminated as provided herein (the "Term"). If the Land Use Applications are not approved by the Town or are successfully challenged by a third party, or if the annexation of the Unincorporated Property is not completed, then this Agreement shall be null and void and of no force and effect whatsoever.

b. If any judicial proceeding or other legal action is brought by a third party, including referendum or initiative, that challenges this Agreement, the annexation of the Unincorporated Property, the Land Use Applications or any of the Town's related resolutions or ordinances, this Agreement will remain in full force and effect and until the 61st day following entry of a final, non-appealable order resolving such legal action, unless earlier terminated or modified by a written amendment signed by the Parties. However, to the extent that any other approvals necessary for the Development are delayed or withheld due to the legal action described above, any obligations of Developer under this Agreement shall be tolled until resolution of such legal action.

5. Developer's General Obligations.

a. *No Obligation to Develop*. Developer shall have no obligation under this Agreement to develop all or any portion of the Development and shall have no liability under this Agreement to the Town or any other person or entity for its failure to commence or complete the Development, except as expressly provided herein.

b. *Plans*. Developer shall prepare all Development Permit applications and related plans for the Development at Developer's sole cost.

c. *Construction of Public Improvements*.

i. To adequately address the impacts of the Development, Developer shall, at its own expense, design, construct and install all public improvements necessary for the Development, including without limitation streets, alleys, curbs, gutters, sidewalks, landscaping, irrigation, fencing, street lights, water, waste water, storm sewer and drainage facilities, and trails and park improvements (collectively the "Improvements"). A list of the required Improvements is set forth in **Exhibit D**, attached hereto and incorporated herein by this reference. Omission of any necessary Improvement from **Exhibit D** does not relieve Developer from responsibility for furnishing, installing or constructing such Improvement.

ii. Developer shall construct the Improvements in accordance with plans approved by the Town (the "Plans"). Developer shall furnish, at its expense, all necessary engineering and consulting services relating to the design and construction of the Improvements. These services shall be performed by or under the supervision of a professional engineer licensed in the State of Colorado.

iii. Upon completion of construction of the Improvements, Developer shall provide the Town with complete "as-built" drawings including CAD base files in .dwg file format.

d. *Reimbursement*. Developer shall pay to the Town the actual cost incurred by the Town in connection with processing the Land Use Applications in accordance with the Reimbursement Agreement dated June 13, 2023 between the Town and Developer. Developer shall also be responsible for reimbursement to the Town of all costs associated with any applicable water court applications for the Development.

e. *Ownership and Maintenance Plan*. Developer shall comply with the Ownership and Maintenance Plan.

f. *Compliance with Law*. Developer shall at all times comply with all applicable law, including all federal, state and local statutes, regulations, ordinances, decrees and rules relating to the emission, discharge, release or threatened release of a hazardous material into the air, surface water, groundwater or land, the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a hazardous material, and the protection of human health and safety, including without limitation the following, as amended: the Comprehensive Environmental Response, Compensation and Liability Act; the Hazardous Materials Transportation Act; the Resource Conservation and Recovery Act; the Toxic Substances Control Act; the Clean Water Act; the Clean Air Act; the Occupational Safety and Health Act; the Solid Waste Disposal Act; the Davis Bacon Act; the Copeland Act; the Contract Work Hours and Safety Standards Act; the Byrd Anti-Lobbying Amendment; the Housing and Community Development Act; and the Energy Policy and Conservation Act.

g. *Rights-of-way and Easements*. Prior to construction of any Improvements that require additional rights-of-way or easements, Developer shall acquire at its own expense all such rights-of-way and easements. Any easements or rights-of-way conveyed to the Town shall be free and clear of liens, taxes and encumbrances and shall be conveyed on documents in a form acceptable to the Town.

6. Specific Improvements.

a. *Transportation and Access*.

i. Developer shall dedicate the land required for the extension of Brush Creek Road ("BCR") through the Development Property. In anticipation of the future construction of BCR, Developer shall construct a two-lane segment of Castle Drive to provide access from U.S. Highway 6/Grand Avenue to the Development as specified in the final plat and the Plans.

ii. Developer shall revegetate the unconstructed portion of BCR with native grasses until the Haymeadow developer begins construction of BCR (from U.S. Highway 6/Grand Avenue to Capitol Street).

iii. Developer shall ensure that emergency access to the private drive on the southern side of the Development Property that connects to the public alley, as depicted in the

Plans, be open and accessible to the public for vehicular and pedestrian access at all times. Any encroachment or construction into the Town's right-of-way shall require prior approval from the Town.

iv. Developer shall construct turn bay and pedestrian safety improvements along the BCR extension as specified in the final plat and the Plans.

b. *Water Main Extension*. Developer shall abandon a portion of the existing water main within Castle Drive as determined by the capacity study commissioned by the Town and install the Castle Drive Water Main Extension (the "Water Main Extension") from Grand Avenue to the east property line of the Development as specified in the Plans. Although the Water Main Extension within Castle Drive and Bull Pasture Road and the water main serving the Development (the "Water System") shall be dedicated to the Town and, upon final acceptance by the Town, shall be operated, maintained, repaired and replaced by the Town, Developer shall bear all costs of operation, maintenance, repair and replacement of the Water Main Extension until such time as the Water Main Extension to the east property line and the Water System are completed. The Water Main Extension is currently proposed as a dead-end line to include a stub for the connectivity of future development. To ensure payment of these costs, Developer shall post a form of security, acceptable to the Town. The Town shall have the right, at any time, to inspect the Water Main Extension and the Water System. The Town is not obligated to provide potable water service to any Phase of the Development until the Town has inspected and approved the construction of the portion of the Water System through the subject Phase.

c. *Wastewater*. Developer shall demolish and remove a portion of the existing sanitary sewer main within Castle Drive and install wastewater collection lines from Grand Avenue to the east property line of the Development in accordance with the Plans and Code § 12.36.060 (the "Castle Drive Wastewater Collection System Extension"). Although the Castle Drive Wastewater Collection System Extension (the "Wastewater System Extension") and the wastewater main serving the Development (the "Wastewater System") shall be dedicated to the Town and, upon final acceptance by the Town, shall be operated, maintained, repaired and replaced by the Town, Developer shall bear all costs of operation, maintenance, repair and replacement of the Wastewater System Extension until such time as the Wastewater System Extension to the east property line and the Wastewater System is completed. The Wastewater System Extension is currently proposed as a dead-end line to include a stub for connectivity of future development. To ensure payment of these costs, Developer shall post a form of security, acceptable to the Town. The Town shall have the right, at any time, to inspect the Wastewater System Extension and the Wastewater System. The Town is not obligated to provide wastewater collection services to any Phase of the Development until the Town has inspected and approved the portion of the Wastewater System for that Phase.

d. *Trails*.

i. Developer shall construct all trail connections shown on the approved development plan for the Development Property (the "Trail Connections"). Developer

shall be solely responsible for obtaining all necessary easements for the Trail Connections. The Trail Connections shall be constructed prior to issuance of the first certificate of occupancy for any Unit in Phase 1 of the Development. Maintenance of the Trail Connections shall be in accordance with the Ownership and Maintenance Plan.

ii. Developer shall construct soft surface and paved trails in accordance with the Code on the Development Property in the locations specified in the final plat and the Plans (the "Trails"). Construction of the Trails shall occur as each Phase is developed. Following acceptance by the Town of the Trails, Developer shall grant, for the use and benefit of the public, a perpetual and non-exclusive public trail easement to the Town. Maintenance of the Trails shall be in accordance with the Ownership and Maintenance Plan.

iii. If the Unincorporated Property is annexed, the Town shall, within 90 days of the effective date of the annexation, forward to the Town Council for its consideration an ordinance to vacate the 40-foot public road easement located on the southern boundary of the Unincorporated Property, recorded at Reception No. 496530 in the records of the Eagle County Clerk and Recorder (the "Public Road Easement").

e. *Tree Buffer*. Developer shall install additional trees along the parking buffer on Lot 2 and the front yard buffer on Lot 1. Such trees shall be shown on the Plans.

7. Open Space.

a. *Open Space*. Open space areas designed on the final plat shall be owned and maintained in accordance with the Ownership and Maintenance Plan. These areas shall be used for passive recreation, playgrounds, limited lawn and ornamental landscape, paved and soft surface trails, natural vegetation management and removal of non-native species to maintain health of the ecosystem and planting of native vegetation.

b. *Municipal and Park Land Dedication*.

i. Pursuant to Code § 4.13.190.B, the dedication requirement for the Unincorporated Property is 1.242 acres. Pursuant to Code § 4.13.190.C, the park land dedication requirement may be reduced by up to 50% (0.621 acres) by provision of private recreation facilities that provide for the needs of the residents of the Development, provided the private recreation facilities meet all of the criteria set forth in Code § 4.13.190.C. The Development private recreation facilities meet the requirements of the Code and satisfy 50% of the dedication requirement (0.621 acres). The remaining 0.621 acre requirement shall be satisfied with the provision of 0.16 areas of public pedestrian easements and Trails.

ii. Developer shall convey the area known as the Eagle River Park in the amount of _____ acres to the Town on or before September 30, 2025.

8. Affordable Housing Requirements.

a. *Local Employee Residences*. The Development shall include 113 deed restricted residential dwelling units (each a "Unit"). Eleven Units shall be subject to the Town's Local Employee Residency Program and deed restricted, in a form approved by the Town, to be affordable to households earning 100% of AMI or less.

b. *County Deed Restricted Units.* The remaining Units shall be subject to the Resident Occupied deed restriction or the Price Capped deed restriction of the Eagle County Housing and Development Authority (the "ECDHA"), in substantially the same form as attached hereto in **Exhibit F**, and shall be managed through ECHDA's related entity, The Valley Home Store. At a minimum, 50% of the Units will be subject to an ECHDA Price Capped Deed Restriction.

c. *Option to Purchase Upon Completion*. The Town shall have the first right to purchase three Units, to include one three-bedroom Unit, and one accessible Unit, to be selected by the Town at the time of issuance of the first certificate of occupancy for the Development, at a price per Unit equal to the actual construction costs of the Unit excluding the costs of the land and other soft costs at the time of issuance of the first certificate of occupancy for the Development. The purchase price of each such Unit shall be mutually determined, verified, and accepted by the Parties at time of application for building permit for such Unit, and following Developer's submittal of the costs to the Town. The Town shall exercise its first right to purchase by providing Developer with written notice of its intent to purchase within 14 days of notification from Developer that a certificate of occupancy has been issued for the Unit selected by the Town. Closing on the sale of the Unit shall occur within 60 days of the Town's exercise of its first right to purchase. If the Town does not exercise its first right to purchase within the deadline set forth herein, the Town's first right to purchase shall immediately terminate and Developer may thereafter list the Unit on the open market and proceed with a sale to a third party in compliance with this Agreement.

d. *Option to Purchase at Foreclosure*. The Town shall be subject to the same purchase provisions as Developer upon a foreclosure proceeding, and such right shall be included in each deed restriction.

9. Real Estate Transfer Assessment. Within 30 days of the Effective Date, Developer shall record a covenant against the Property requiring payment of a real estate transfer assessment in the amount of 1% of the consideration paid for each non-exempt transfer of any Unit in the Development (the "RETA"). The covenant shall be in substantially the form attached hereto as **Exhibit F**, and incorporated herein by this reference. The funds collected from the RETA shall be

transmitted to the Town, to be deposited in the general fund and used for public purposes as the Town determines necessary.

10. Water and Wastewater.

a. *Plant Investment Fees*. Developer shall pay Water and Wastewater Plant Investment Fees with each building permit application at the rates in place at the time of such application.

b. *Water Rights*.

i. The maximum approved density for the Development is 113 units, which equals 90.9 Equivalent Residential Units ("EQR"). Landscaped area in the Development is approximately 3.66 acres, which equals an additional 23.12 EQR. As such, the total EQRs for the Development is 114.02. Within 7 days after expiration of the Legal Challenge Period, Developer shall convey to the Town, by Special Warranty Deed, all water rights historically used upon the Unincorporated Property, which consist of Developer's 0.127 cfs interest in the Ditch No. 2 Ditch, which water rights will be used for the raw water irrigation system serving the Development, as outlined below. To satisfy the shortfall in the water rights dedication requirement of Code § 12.26.030.C, Developer shall also pay cash-in-lieu of dedication. Because the Ditch No. 2 water rights dedication provides sufficient water rights for the landscape irrigation, the cash-in-lieu payment will be calculated based on the number of EQR associated with the residential units only. Thus, the cash-in-lieu payment shall be calculated as 0.95 acre-feet/EQR multiplied by 90.9 EQR multiplied by $10.00 per acre-foot for a total of $863.55.

ii. The Development shall utilize raw water irrigation for all permanently-irrigated landscape areas, which is a total of approximately 3.66 acres. This raw water irrigation system will utilize Developer's interest in the Ditch No. 2 Ditch of 0.127 cfs. Developer shall receive a non-potable irrigation credit towards Water Plant Investment Fees, calculated pursuant to the Code in place at the time the Water Plant Investment Fees are paid.

iii. Within 30 days of the Effective Date, Developer shall remit a deposit of $50,000 to the Town for all costs and fees, including engineering and legal fees, associated with the necessary water court applications to change the dedicated Ditch No. 2 Ditch water conveyed by Developer to the Town to be used for raw water irrigation throughout the entire Development, both on the Unincorporated Property and the Incorporated Property. If additional funds are required to cover the costs of the necessary adjudication, Developer shall make an additional deposit to the Town in an amount requested by the Town.

iv. Developer shall be responsible for all costs related to the relocation and/or improvement of the Ditch No. 2 Ditch structure to serve the Development. Within 45

days of the effective date of the annexation of the Unincorporated Property to the Town, Developer and Town shall enter into a lease agreement whereby Developer shall lease the water rights to be used in the raw water irrigation system for the Unincorporated Property; once a water court decree has been entered allowing for the use of the Ditch No. 2 Ditch water rights on the Incorporated Property. Developer may use potable water to irrigate the Development until such time as the non-potable irrigation system and water court case have been finalized, provided that Developer shall pay all service fees associated with the use of potable water for irrigation.

c. *Water and Wastewater Line Extension*.

i. Developer shall extend water and wastewater infrastructure needed to serve the Development in accordance with the recommendations in the Mott McDonald Utility Capacity Analysis as provided with the Plans.

ii. The Town may require that Developer oversize certain water and wastewater infrastructure in anticipation of the needs of future development. In such case, Developer may enter into reimbursement agreements to recover the proportional share of costs from benefitting developers.

d. *Ditches*.

i. With Developer's first application for a grading permit, Developer shall provide evidence that all downstream water rights owners in the Nielson South Ditch have consented to the changes/piping of the Nielson South Ditch through the Property as shown on the Plans.

ii. With Developer's first application for a grading permit, Developer shall include specific civil engineering plans to demonstrate management and proper discharge of the tailwater from the Ditch No. 2 Ditch, which plans are subject to approval by the Town Engineer prior to grading permit issuance.

11. Phasing. The Development shall be constructed in phases in accordance with **Exhibit G**, attached hereto and incorporated herein by this reference. Prior to the issuance of any building permits for each Phase, all of the following Improvements shall be installed and shall have received preliminary approval from the Town for that Phase, which requires a finding by the Town Engineer that such Improvements are safe to be used during construction: streets; street signage; water; wastewater; drainage facilities; and streetlights, provided that such streetlights may be temporary at the time of issuance of building permits for that Phase, but must be permanent prior to issuance of any certificates of occupancy for that Phase.

12. Districts.

a. *Metropolitan District*. Subject to applicable law, Developer may form a metropolitan district (the "Metro District") to finance, acquire, design, construct, operate and

maintain improvements required for the Development. The Metro District may exercise any and all powers and functions permitted by law in accordance with its service plan, including the provision of facilities and services to the Development, provided that the Metro District will be bound by the provisions of this Agreement. If the Metro District wishes to assume maintenance of any improvements otherwise being maintained by Developer, such assumption shall be by written agreement, subject to the Town's prior approval.

b. *Other Districts*. In addition to the Metro District, to facilitate financing, maintenance, and development of the Public Improvements, the Parties may agree to create one or more general improvement districts pursuant to C.R.S. § 31-25-601, *et seq.,* or special improvement districts pursuant to C.R.S. § 31-25-501, *et seq.*

13. Homeowners' Associations. Developer may create no more than 4 homeowners' associations for the Development, which may include one primary association and 3 sub-associations, one for each Phase. Each Association shall assume the obligation to maintain common areas, including without limitation private roads, common landscaping, Trails, sidewalks, signage, and drainage facilities applicable to each Phase, all as set forth in the Ownership and Maintenance Plan.

14. Impact Fees. Prior to issuance of any Development Permit, Developer shall pay all the then-current associated impact fees, with the exception of the School Land Dedication fees, which shall be paid at the time of approval of annexation.

15. Acceptance of Improvements and Warranty.

a. *Initial Acceptance*. No later than 10 days after Improvements are substantially complete, Developer shall request an inspection by the Town. If Developer does not request this inspection, the Town may conduct the inspection without Developer's approval.

i. If the Improvements are satisfactory, the Town shall grant Initial Acceptance.

ii. If the Improvements are not satisfactory, the Town shall provide written notice to Developer of the repairs, replacements, construction or other work required to receive Initial Acceptance. Developer shall complete all needed repairs, replacements, construction or other work within 30 days of said notice. After Developer completes the repairs, replacements, construction or other work required, Developer shall request of the Town a re-inspection of such work to determine if Initial Acceptance can be granted, and the Town shall provide written notice to Developer of the acceptability or unacceptability of such work prior to proceeding to complete any such work at Developer's expense. If Developer does not complete the repairs, replacements, or other work required within 30 days, Developer shall be in breach of this Agreement. The costs of re-inspection shall be borne by Developer.

b. *Final Acceptance*. At least 30 days before 2 years has elapsed from the issuance of Initial Acceptance Developer shall request an inspection by the Town. If Developer does not request this inspection, the Town may conduct the inspection without Developer's approval.

i. If the Improvements are satisfactory, the Town shall grant Final Acceptance and take ownership of the Improvements.

ii. If the Improvements are not satisfactory, the Town shall provide written notice to Developer of the repairs, replacements, construction or other work required to receive Final Acceptance. After Developer completes the repairs, replacements, construction or other work required, Developer shall request of the Town a re-inspection of such work to determine if Final Acceptance can be granted, and the Town shall provide written notice to Developer of the acceptability or unacceptability of such work prior to proceeding to complete any such work at Developer's expense. If Developer does not complete the repairs, replacements, or other work required within 30 days, Developer shall be in breach of this Agreement.

c. *Warranty*. For all Improvements to be dedicated to the Town, Developer shall provide the Town with a 2-year warranty, commencing on the date of Initial Acceptance (the "Warranty Period"). Specifically, but not by way of limitation, Developer shall warrant that: the title is marketable and its transfer rightful; the Improvements are free from any security interest or other lien or encumbrance; and the Improvements are free of defects in materials or workmanship. During the Warranty Period, Developer shall, at its own expense, take all actions necessary to maintain the Improvements and make all necessary repairs or replacements.

16. Improvement Guarantee.

a. *Amount and Form*. To secure the construction and installation of the Improvements, Developer shall provide a letter of credit, or cash in an amount equal to 110% of the total costs listed in **Exhibit D** (the "Improvement Guarantee"), in a form approved by the Town.

b. *Timing*. Developer shall not commence construction on any Phase, including without limitation staking, earth work, overlot grading or the erection of any structure, temporary or otherwise, until the Town has received and approved the Improvement Guarantee for that Phase.

c. *Draw*. If the Improvements are not constructed or completed within the periods of time specified herein, the Town may draw on the associated Improvement Guarantee to complete the Improvements. If the Improvement Guarantee is to expire within 14 days and Developer has not yet provided a satisfactory replacement, or completed the Improvements, the Town may draw on the Improvement Guarantee and either hold such funds as security for performance of this Agreement or spend such funds to finish the Improvements or correct problems with the Improvements as the Town deems appropriate. If the Town has drawn on the

Improvement Guarantee, and a satisfactory replacement guarantee is provided or the Improvements have been completed, then the Town will release any funds received as a result of its draw within a reasonable period of time, or within 10 days of a request by Developer.

d. *Reduction*. Upon Initial Acceptance of all the Improvements for a particular Phase, the Improvement Guarantee shall be reduced to 10% of the total actual cost of construction and installation of such Improvements. The reduced Improvement Guarantee shall be held by the Town during the Warranty Period.

17. Vested Rights.

a. Upon approval, the Major Development Plan for the Development shall constitute a site-specific development plan as defined in C.R.S. § 24-68-101, *et seq*., and Code § 4.17.080.G., and shall create vested property rights for 10 years from the date of approval of the Major Development Permit (the "Initial Term"), provided that all required procedures are followed. The Major Development Plan shall include the language required by C.R.S. § 24-68-102(4)(a). Developer shall be responsible for publication of the notice required by C.R.S. § 24-68-103(c).

b. If, within the Initial Term, the Town has granted Initial Acceptance of all Public Improvements in Phase 1.0, the term of the vested rights shall be extended for an additional 5 years from the date of expiration of the Initial Term, for a total vesting period of 15 years (the "Extended Term"). After expiration of the Extended Term, the vested rights shall be deemed terminated and of no further force or effect.

18. Indemnification. To the extent permitted by law, Developer agrees to indemnify and hold the Town harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity, in connection with, or on account of the performance of work in the Development by Developer, or its agents, contractors or employees pursuant to this Agreement, except to the extent any such claims, costs or liability arises from the negligent or intentional act or omission of the Town. To the extent permitted by law, Developer's obligation to indemnify the Town shall survive termination of this Agreement.

19. Remedies.

a. *Town Remedies*. The Town's remedies against Developer for Developer's breach of this Agreement include without limitation the refusal to issue any building permit or certificate of occupancy; the revocation of any building permit under which construction directly related to such building permit has not commenced; and any other remedy available at law.

b. *Developer Remedies*. Developer's remedies against the Town for the Town's breach of this Agreement are limited exclusively to breach of contract. In no event shall Developer be entitled to specific performance, economic damages, lost profits, consequential damages or punitive damages of any kind.

c. *Notice of Breach*. In the event of a breach by either Party, the non-breaching Party shall deliver written notice to the breaching Party of such breach and the breaching Party shall have 30 days from the date of such notice to cure the breach. If the breach is not cured, the non-breaching Party is entitled to the remedies specified above.

20. 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. *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.

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

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 U.S. 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. *Assignment*. Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

i. *Governmental Immunity*. The Parties 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 and its officers, attorneys or employees.

j. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of either Party 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. *Recordation*. This Agreement shall be recorded in the real estate records of the Eagle County Clerk and Recorder.

l. *Rights and Remedies*. The rights and remedies of the Parties under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Parties' legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

m. *Covenants*. The provisions of this Agreement shall be binding on all subsequent owners of the Development Property as covenants running with the Development Property, to be released only by the Town, unless this Agreement is otherwise terminated in accordance with its terms. The benefits and burdens of this Agreement shall bind and inure to the benefit of all estates and interests in the Development Property and all successors in interest to the Parties to this Agreement, except as otherwise provided herein.

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

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

EAGLE COUNTY, COLORADO, by and through its Board of County Commissioners

_____
Matt Scherr, Chair

ATTEST:

_____
Regina O'Brien
Clerk of the Board of County Commissioners

EXHIBIT A

Legal Description of Unincorporated Property

A TRACT OF LAND FOR A ROAD RIGHT-OF-WAY IN THE COUNTY OF EAGLE, STATE OF COLORADO, LYING IN TRACT 47, SECTION 5, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH PRINCIPAL MERIDIAN ACCORDING TO THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE SURVEYOR GENERAL IN DENVER, COLORADO ON JUNE 20, 1922, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT CORNER NO. 1, FROM WHICH CORNER NO. 7 OF SAID TRACT 47 BEARS S. 68°18'00" E. 456.40 FEET DISTANT; THENCE N. 47°59' W. 25.31 FEET TO CORNER NO. 2; THENCE N. 80°22'40" W. 218.59 FEET TO CORNER NO. 3; THENCE 70.82 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 64.98 FEET, THE CHORD OF WHICH BEARS N. 49·09'20" W. 67.36 FEET TO CORNER NO. 4; THENCE N. 40°04' E. 118.59 FEET TO CORNER NO. 5; THENCE N. 47°59' W. 20.01 FEET TO CORNER NO. 6; THENCE S. 40°04' W. 142.0 FEET TO CORNER NO. 7; THENCE 108.43 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 94.98 FEET, THE CHORD OF WHICH BEARS S. 47°40'20" E. 102.64 FEET TO CORNER NO. 8; THENCE S. 80°22'40" E. 215.40 FEET TO CORNER NO. 9; THENCE S. 84°20" E. 28.50 FEET TO CORNER NO. 10; THENCE N. 05'40" W. 15.0 FEET TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXHIBIT B

Legal Description of Incorporated Property

EXHIBIT C

Ownership and Maintenance Plan

EXHIBIT D

Improvements

Exhibit E

Eagle County Housing and Development Authority Deed Restriction

Exhibit F

Real Estate Transfer Assessment

Exhibit G

Phasing Plan

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 70
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF REAL PROPERTY LOCATED IN UNINCORPORATED EAGLE COUNTY (WEST EAGLE HOUSING ANNEXATION)

WHEREAS, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Eagle County and described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference, also known as West Eagle Housing Annexation (the "Property");

WHEREAS, by resolution adopted on August 27, 2024, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on October 22, 2024, the Town Council conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

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

Section 1. The applicable provisions of C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town.

Section 2. The applicable provisions of C.R.S. § 31-12-105 have been met, in that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

Section 3. An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which will be considered and approved separately.

Section 4. The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105.

Section 5. An ordinance annexing the Property to the Town will be considered by the Town Council pursuant to C.R.S. § 31-12-111.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 10
(Series of 2024)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ANNEXING TO THE TOWN CERTAIN UNINCORPORATED TERRITORY LOCATED IN EAGLE COUNTY, ZONING THE PROPERTY RESIDENTIAL MULTI-FAMILY (R3), AND APPROVING THE ASSOCIATED FINAL PLAT, DEVELOPMENT PERMIT, AND ANNEXATION AND DEVELOPMENT AGREEMENT (WEST EAGLE HOUSING ANNEXATION)

WHEREAS, Eagle County ("Applicant") owns the real property in unincorporated Eagle County described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, on July 26, 2024, Applicant filed a petition for annexation of the Property to the Town, along with an application for approval of the initial zoning, final plat and development permit for the Property;

WHEREAS, by resolution adopted on August 27, 2024, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

WHEREAS, on October 22, 2024, the Town Council conducted a properly-noticed public hearing and determined that the Property is eligible for annexation to the Town;

WHEREAS, also on October 22, 2024, the Town Council conducted a properly-noticed public hearing on the proposed zoning of the Property as Residential Multi-Family ("R3");

WHEREAS, also on October 22, 2024, the Town Council considered the request for approval of an associated final plat for the Property (the "Final Plat");

WHEREAS, also on October 22, 2024, the Town Council considered the request for approval of an associated development permit for the Property (the "Development Permit");

WHEREAS, also on October 22, 2024, the Town Council considered the associated Annexation and Development Agreement (the "ADA"); and

WHEREAS, the Town Council finds that it is desirable and necessary and in the best interest of the public health, safety and welfare that the Property be annexed to the Town, that the Property be zoned R3, that the Final Plat be approved, that the Development Permit be approved, and that the Annexation and Development Agreement be approved.

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

Section 1. Annexation. The Property is hereby annexed to the Town. The Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Eagle County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office. The Town Clerk shall request that the Eagle County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 2. Zoning. The Town Council hereby finds and determines that the R3 zoning satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, upon the effective date of the annexation of the Property to the Town, the Property is zoned R3.

Section 3. Final Plat. The Town Council hereby finds and determines that the Final Plat satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, the Final Plat is hereby approved.

Section 4. Development Permit. The Town Council hereby finds and determines that the Development Permit satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, the Development Permit is hereby approved.

Section 5. Annexation and Development Agreement. The Town Council hereby approves the Annexation and Development Agreement in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Annexation and Development Agreement on behalf of the Town.

Section 6. 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 7. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 8. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter, this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor Turnipseed and Town Council

From: Jessica Lake, Senior Planner, Community Development

Date: October 22, 2024

Agenda Items: Ordinance 11, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting the Fourth Amended Planned Unit Development Guide and Development Plan for the Haymeadow Planned Unit Development"

REQUESTS:

For Town Council to consider approval of the fourth amendment to the Haymeadow Planned Unit Development (PUD) Guide and Development Plan.

BACKGROUND:

Abrika Properties, LLC ("Applicant") has applied for a Major Amendment to the Haymeadow Planned Unit Development (PUD) to:

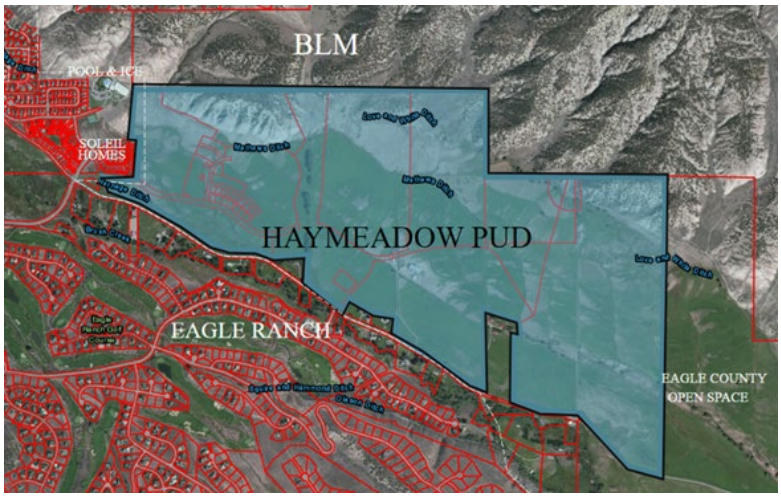
1) Restore the school and recreation parcel to its original size and location as depicted in the 2014 PUD Development Plan (shown as Tract E);
2) Relocate the residential development currently allowed on the Tract E school and recreation parcel to Neighborhood C;
3) Add a 1.6-acre childcare site to the PUD Development Plan in Neighborhood A1;
4) Revise the alignment of Sylvan Lake Road to create smaller neighborhood nodes; and
5) Bring the PUD Guide into alignment with the current Town Code.

A representative for the applicant initially submitted this PUD Amendment application on September 25, 2023. The application was deemed complete on October 18, 2023, which was before the effective date of the new Land Use and Development Code on October 23, 2023. Since the application was deemed complete prior to the effective date of the new Code, staff has reviewed this application for a Major PUD Amendment against the standards for approval from the 1976 Code.

The Haymeadow PUD encompasses approximately 660 acres of land southeast of downtown Eagle. The property was originally annexed and zoned in 2014, and this application represents the fourth amendment to the PUD. The previous PUD amendments are as follows:

1. 1st Amendment (May 25, 2021): A Major PUD Amendment to establish zoning requirements and permitted uses for the Cabin (Tract I).

2. 2nd Amendment (November 9, 2021): A Major PUD Amendment to transfer multi-family density from Neighborhoods B and C to Neighborhood A1/Tract E, create new parkland in Neighborhood C, and define building height.
3. 3rd Amendment (September 12, 2023): A Minor PUD Amendment to add single-family as a permitted use for Tract I.



Haymeadow PUD boundaries

Tract E, as platted in Filing 1

Restore the original school and recreation parcel to its original size and location:

Part of the purpose of this PUD Amendment is to reverse the 2nd PUD Amendment, which transferred multi-family density from Neighborhoods B and C to Neighborhood A1. In that amendment, Neighborhood A1 was also expanded into Tract E on the Development Plan, in exchange for additional parkland in Neighborhood C. Although the 2nd PUD Amendment updated both the PUD Guide and the Development Plan, this amendment was never finalized through a subdivision process.

This 4th PUD Amendment aims to restore the multi-family residential development to Neighborhood C and return the parkland from Neighborhood C to Tract E. As part of the final approval of the 2nd Amendment, the developer committed to certain obligations through a separate Agreement with Town Council. None of the provisions of that Agreement are proposed to change with this application. The provisions of the Development Agreement associated with the 2nd PUD Amendment are as follows:

a. *The Development Permit for the RMF-1 portion of Neighborhood A1 (the "RMF-1 Permit") shall include the following condition: Developer shall commence construction of at least 24 dwelling units within 12 months following approval of the RMF-1 Permit, at least 48 dwelling units (cumulatively) within 2 years following approval of the RMF-1 Permit, and at least 72 dwelling units (cumulatively) within 3 years following approval of the RMF-1 Permit. "Commence construction" means the actual, physical, vertical construction of a building containing one or more dwelling units, not simply civil infrastructure*.
    i. **Staff Comment**: This obligation has been satisfied and completed. Temporary Certificates of Occupancy (TCO) have been issued for Buildings A, B, and D, and Buildings C and E have approved condo plats and are close to receiving TCO. Buildings F and G are still under construction and the condo plats are not yet completed.
b. *Developer shall sell 30 resident-occupied, deed-restricted units in Haymeadow over and above the existing Local Employee Residency Program (LERP) requirements (the "RO Units") prior to the*

listing for sale of the 150th dwelling unit in Haymeadow. The deed restriction for the RO Units shall require that any dwelling unit offered for sale first be offered for sale to residents of the Town for 30 days, after which the dwelling unit may be offered for sale to any resident of Eagle County.

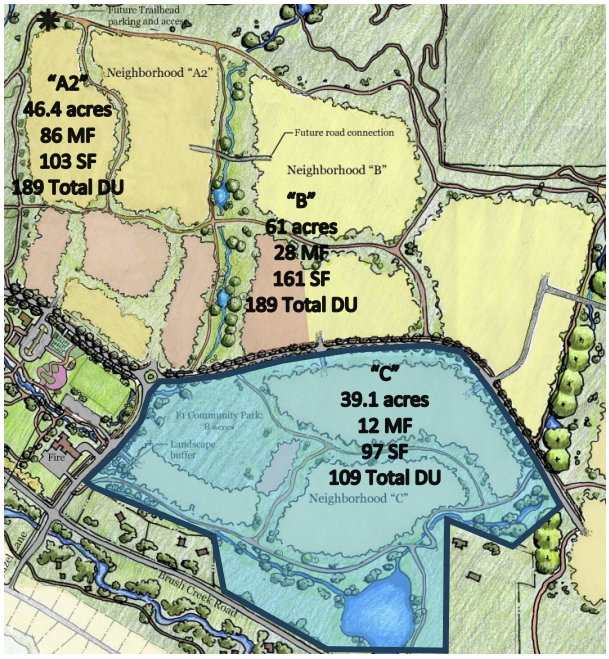
i. **Staff Comment**: This obligation is in progress. The developer has established RO-deed restrictions, which have been approved by the Town and plans to sell 14 of the 30 units with this restriction. While the RO units are deed-restricted, they are not subject to a price cap.

c. *The first 72 units within Haymeadow will all be offered for sale by the Developer. If any unit is not sold within 60 days of listing, the Developer may rent that unit for no more than a 2-year period*.

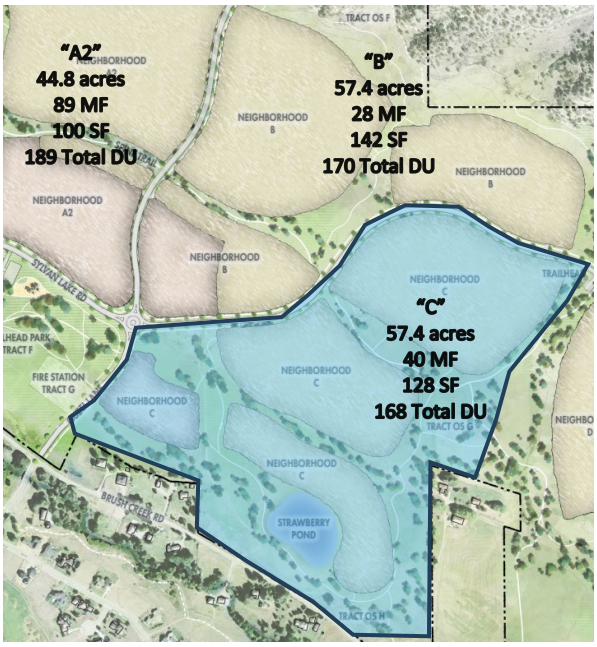
i. **Staff Comment**: All of the initial 76 units are currently for sale. Forty-three of the 76 units will be sold to Eagle County, deed-restricted, and resold under the County's program. As of today, the developer does not have plans to rent any of these initial units. The 76-unit total includes 18 affordable price-capped units and 14 RO Units.

Relocate the residential development currently allowed on the Tract E school and recreation parcel to Neighborhood C:

In this application, Neighborhood C has been adjusted in terms of location, acreage, and density. In the 2021 Development Plan, Neighborhood C was the smallest development parcel by both acreage and dwelling units, except for Neighborhood D, whose dwelling unit count has remained unchanged throughout the amendments. In the current application, Neighborhood C is now nearly equal in size and total dwelling units to Neighborhood B. A significant change between the 2021 and 2024 Development Plans is the increased distance between existing properties along Brush Creek Road and the developable areas of Neighborhood C. The updated plan also improves access to amenities, including the community Trailhead Park, a proposed childcare site, and the recreation and future school facilities on Tract E.

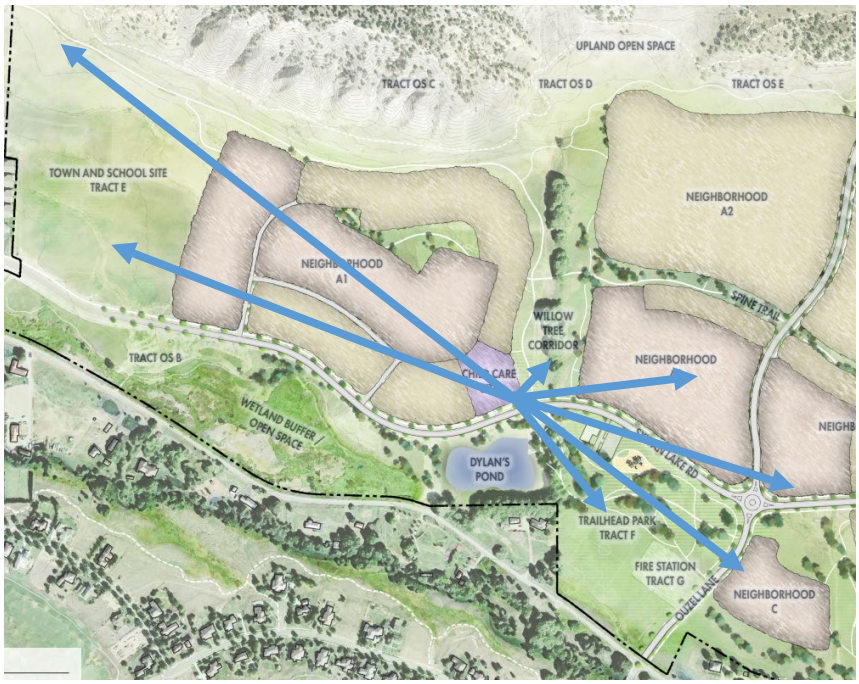


2021 Development Plan



2024 Development Plan

Add a 1.6-acre childcare site to the PUD Development Plan in Neighborhood A1:



Childcare has been part of the Haymeadow PUD since its approval in 2014. In this application, the PUD Guide removes the Special Use provisions. All uses are now categorized as by-right uses, by-right uses with parameters, or not allowed. While uses that are not allowed are not explicitly listed, future requests for additional uses will be subject to the following guideline: "Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation."

During the ReCode process, staff referred to the Comprehensive Plan for guidance. The Comprehensive Plan directed staff to "identify and evaluate regulations that may limit childcare in certain zone districts." This directive was based on community feedback, which identified childcare as a top concern: "A key concern of stakeholders was the lack of affordable childcare in the Town. With over 20% of Eagle's population under the age of 10, childcare was a top priority." Additionally, stakeholders cited the lack of primary job opportunities, the high cost of childcare, and the shortage of infant care as common reasons for leaving Eagle.

The Comprehensive Plan, under Policy 1-2.11, encourages the development of childcare and infant care facilities in commercial, mixed-use, and residential neighborhoods where appropriate. The Eagle Valley already has several examples of childcare facilities in various neighborhoods, ranging from commercial to residential and mixed-use settings. Eagle has two preschools located within churches: Mountain Valley Lutheran Preschool in the Terrace neighborhood and St. Mary's Preschool on Capitol Street in CMU1. Additionally, the Town's public schools are centrally located in neighborhoods. Eagle Valley Elementary and Eagle Valley Middle School are in the Bluffs neighborhood, while Brush Creek Elementary is in Eagle Ranch. The southern portion of Tract E is designated for a future school site. The central location of the proposed childcare site offers convenient access to the public-school site, recreation amenities, community park, Willow Tree Corridor, primary and secondary trails, and residential developments in Neighborhoods A2, B, and C.

According to the land use code, any new buildings will require development and building permits. Childcare centers within the PUD Guide will also be subject to parking requirements and review against design standards. Following the approval of this amendment, Haymeadow plans to submit changes to the Design Guidelines to the Town for review, including design standards for the childcare site.

Revise the alignment of Sylvan Lake Road to create smaller neighborhood nodes:

This revised alignment creates two primary, though still local, roads through the community: Ouzel Lane from Brush Creek Road north to the Trailhead Parking area, and Sylvan Lake Road east to Neighborhood D and a secondary trail parking area. These are the only streets shown on the Development Plan, except for the streets that have already been platted in Neighborhood A1. This will allow small areas within each neighborhood to be developed off one or both primary streets. For example, if a developer bought land and development rights for 50 single family or duplex units in Neighborhood B, they could develop five small cul-de-sacs off another local road that connects to Ouzel.

Land Use and Development Code Alignment:

In the current PUD Guide, all the residential neighborhoods are grouped together except for Neighborhood D. One of the ways that the PUD Guide has been updated is through the creation of three zone districts. Now Neighborhoods A1 and A2 are most closely related, in terms of dimensional standards, to the R2 Zone District in the Code, while Neighborhoods B and C are closely aligned with the R1 Zone District. Neighborhood D has remained the same in terms of setbacks and other changes within this Neighborhood are consistent with the rest of the PUD Guide.

In review of this application, staff has solicited feedback from Public Works and Engineering, the Building Department, Town of Eagle Open Space, Greater Eagle Fire District, Eagle County School District, Mountain Recreation, Eagle County Community Development, Eagle County Environmental Health, and Colorado Parks & Wildlife. Concerns have been addressed by the applicant in the application materials included in this packet and staff is not aware of any outstanding concerns.

The Planning Commission held a special meeting on Thursday, October 10th to review this application. Public Notice was mailed to all property owners in the PUD and was noticed in the newspaper 15 days prior to the first public hearing, in conformance with the requirements of the 1976 Code. Staff received 37 public comment letters prior to the Planning Commission meeting, all in support of the application. During the public hearing, there was public comment from three members of the public, one was in support of the application, and two had questions, which staff has addressed in the Analysis section below. The Commissioners had questions for both staff and the applicant and discussed the application and the standards for approval. After questions, public comment, and deliberation, the Planning Commission voted to recommend approval of the application.

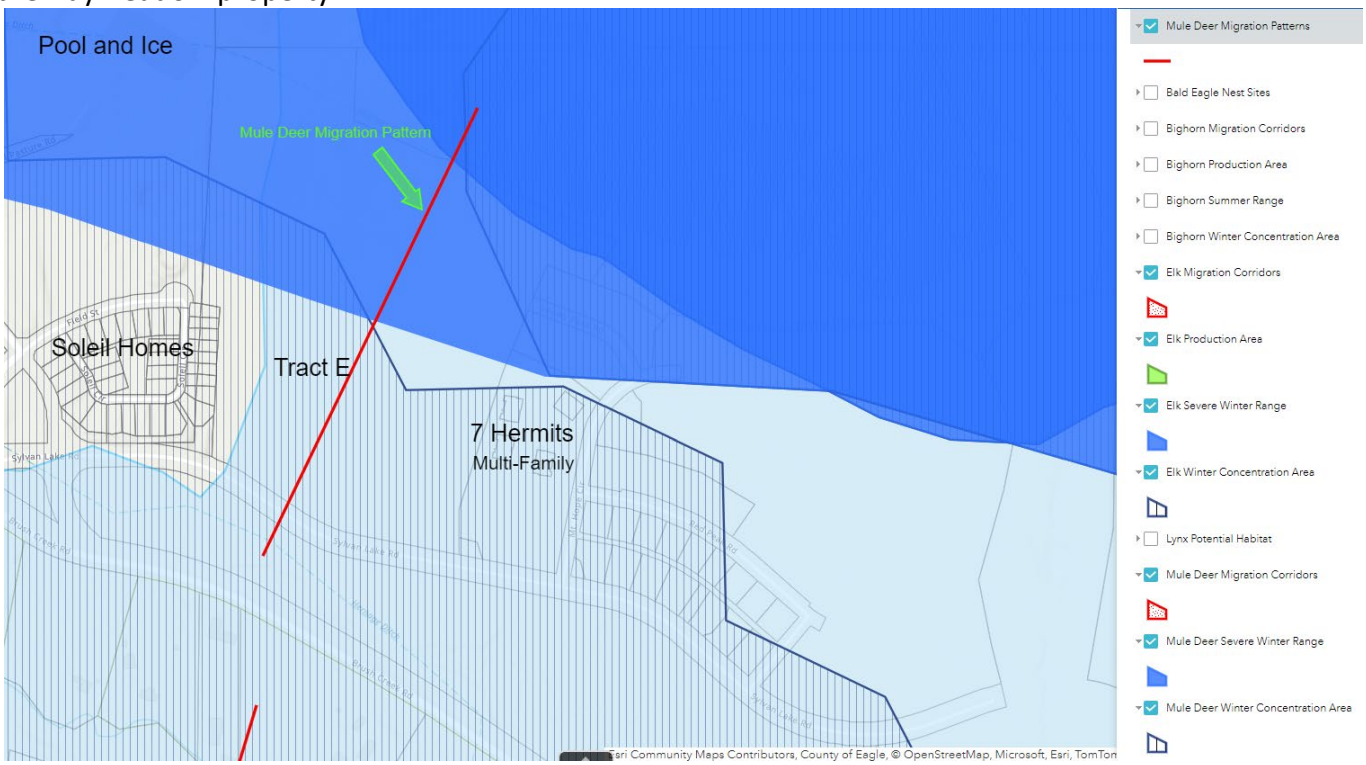
ANALYSIS:

The October 10, 2024 Planning Commission staff report (LINK) analyzes the application against the relevant Town standards. In response to questions from the Planning Commission hearing, further analysis on Wildlife, Accessory Dwelling Units, Neighborhood Density/PUD Density, Density Transfers, and Traffic/Parking have been provided below.

Wildlife

- A concern was raised about the wildlife corridor/frequent presence of elk near the Soleil Homes subdivision through the Tract E School and Recreation parcel.

Staff Comment: Development at Haymeadow was designed around the wildlife corridors and migration patterns as they existed during the years spent planning the development, leading up to the 2014 approval. Tract E has been platted and was dedicated to the Town in 2019. This amendment application has been reviewed by CPW and comments were provided to staff. Staff has also reviewed the Community Wildlife Roundtable Interactive Map Viewer (LINK) and has noted that while there is a Mule Deer Migration pattern through Tract E of the Haymeadow PUD, there are not established Elk or Mule Deer Migration Corridors through this area. In the map shown below, the blue hashed area with darker blue perimeter lines show the Elk Winter Concentration areas. The same line pattern is also used for Mule Deer Winter Concentration areas, but this area is solely an Elk Winter Concentration Area. The area that is shown in the middle as a blue-filled area is for Elk Severe Winter Range while the darker blue-filled areas are Elk Severe Winter Range, Elk Winter Concentration Area, and Mule Deer Winter Concentration Area. The lightest blue-filled areas are Mule Deer Winter Range and extend through much of the Eagle Ranch Open Space as well as more developed parts of Eagle Ranch, in addition to much of the Haymeadow property.



Community Wildlife Roundtable Interactive Map: Tract E and 7 Hermits in the Haymeadow PUD

CPW provided the following comments regarding this PUD amendment application, which are specific to Tract E:

> *The location of this parcel exchange falls within mule deer winter range and has a mule deer migration pattern that runs directly through the section of the proposed exchange. This mule deer migration pattern connects two important sections of mule deer winter concentration and severe winter range in Eagle. These sections of winter concentration and severe winter range carry high importance to the survival of the local mule deer population, especially during high snow years. CPW believes reversing the RMF-5 land swap to the original plan of*

only having a school in this 'School Site section" as the better of the two options in regards to mule deer migration. Having only the school in this section will leave a majority of the migration pattern area unbuilt, which in turn will provide a larger green space footprint, allowing for more unobstructed deer passage throughout the remaining open space within this section.

Accessory Dwelling Units

- More information was requested regarding ADUs at Haymeadow compared to other PUD's and to what is allowed under the Town Code.

Staff Comment: In the currently approved Haymeadow PUD Guide (2021 PUD Guide), accessory apartments (ADUs) are allowed as a use by right "to a single-family dwelling as defined by the Town of Eagle (TOE) Municipal Code, not to exceed 700 square feet". In the 1976 Code, accessory apartments were defined as "accessory apartment to owner-occupied single-family dwelling means an individual dwelling unit subordinate to, and contained within or adjacent to, a single-family dwelling". ADUs also had standards in the 1976 Code: "1) one ADU is allowed on each lot containing a single-family dwelling; 2) an ADU may be located in a single-family dwelling, attached to a single-family dwelling, detached from a single-family dwelling, or in an accessory building; 3) each ADU shall be a complete, separate dwelling unit, with its own ingress, egress and access; 4) the owners of the property in which the ADU is located shall occupy at least one of the dwelling units on the premises as a full-time residence except for bona fide temporary absences; and 5) an ADU shall not exceed 850 square feet, using the following means of measurement…"

The size restriction of up to 850 square feet was updated from 700 square feet in 2021 in the Town's Land Use Code. The 2021 expansion of the maximum sizes of an ADU was not able to be applied to any PUDs that included a separate size restriction in the PUD Guide. Any regulations included in the PUD Guide are applied first to applications within the PUD. If the PUD Guide does not contain any language about a regulation that is included in the Town's Land Use and Development Code, then it automatically defers to the Town Code. If we take the example of ADUs at Haymeadow, the PUD Guide states that they can be accessory to a single-family home, and while ReCode expanded ADUs to allow them with duplexes, that would not be permitted under the existing PUD Guide for Haymeadow. Haymeadow ADU's are likewise restricted to 700 square feet in the current PUD Guide. What does apply to ADUs are any of the standards and definitions that do not conflict with the PUD Guide; therefore, owner-occupancy requirements apply to Haymeadow as it is not referred to in the PUD Guide, but it is in the standards and definition in the Land Use Code.

Parking for ADUs was also discussed at the October 10th Planning Commission meeting. ReCode now requires one dedicated stand-alone parking space per ADU. The 1976 Code was more ambiguous in terms of parking requirements for ADUs. The Eagle Ranch PUD Guide includes its own parking table for uses permitted in the PUD and Haymeadow has taken a similar approach in this application by including a parking table. The current 2021 PUD Guide for Haymeadow defers to the Town's parking requirements.

Neighborhood Density / PUD Density

- How is density calculated for a PUD, is it based on the entire PUD or each Neighborhood or Zone District within the PUD?
- How do ADUs factor into density calculations?

Staff Comment: Density is typically calculated for a PUD as a whole. Although it is possible to calculate the Neighborhoods in Haymeadow now based on Gross Density, it would not be possible to calculate net density (only developable land, not including streets, easements, open spaces, and other unusable areas) as most of the PUD has not been through the full subdivision process yet. For the entire PUD, staff estimates that there are 1.27 units per acre which is based on the 837 unit maximum and a total acreage of 657.3. Staff also reviewed the density in the neighborhoods to ensure consistency with the base zone districts, as shown in the following table:

Zone District (PUD & Code)	Density Regulation (Land Use Code)	Gross Density: 4th Amended PUD Development Plan (this application)	Gross Density: 3rd Amended PUD Development Plan (2021 Amendment)	Gross Density: original PUD Development Plan (2014)
R2 (Land Use Code)	4-16 du/acre			
Neighborhood A1 (PUD Guide)		6.11 du/acre	6.22 du/acre	5.46 du/acre
R1 (Land Use Code)	Up to 4 du/acre			
Neighborhood C (PUD Guide)		2.93 du/acre	2.80 du/acre	3.42 du/acre

When evaluating the above numbers, they would all be rounded up to the next whole number, but the decimal points help show how close these densities are. It also shows that while staff would allow a subdivision of up to 16 dwelling units per acre in our R2 Zone District (the Orchard neighborhood is zoned R2, however actual density in the Orchard has not been calculated), Haymeadow's density is closer to the lower end of the range in R2. The Town has not used the R1 Zone District, or its predecessor, Residential Low Density, in any areas of the Town to date. The dwelling units per acre become progressively lower as you progress through the Neighborhoods alphabetically.

ADUs do not count towards density either in traditional zone districts or in planned unit developments, unless explicitly called out in a PUD Guide. Staff is not currently aware of any of the Town's PUD Guides requiring ADUs to be counted towards residential density.

Density Transfer

- Does the ability to transfer densities within a Neighborhood both ways (ie: from multi-family to single-family/duplex or single-family/duplex to multi-family) increase the possibility of there being more bedrooms than initially expected, leading to more occupants and vehicles?

Staff Comment: Possibly, but the likelihood is based on multiple factors that would be hard to predict. Technically, the way it's written in the current PUD Guide, where density can transfer only from multi-family to single-family/duplex increases the likelihood of additional bedrooms. Single-family units typically have more bedrooms than multi-family units. Single-family units also typically generate more traffic, since they tend to have more residents and cars per household. However, these are all general truths and may or may not turn out to be applicable to this development in Eagle. As a community, we have also seen increased occupancy and cars in some multi-family developments, due to high costs of living; but this is not a universal condition of all multi-family development throughout the Town. There is no real way to know if this allowance could have adverse impacts, but by allowing density transfer to

occur back and forth between these types of housing, staff hopes that the community also gains flexibility in addition to the developer.

Traffic

- Was there any consideration of moving the childcare site closer to the school site to help mitigate school traffic within the community?

Staff Comment: The developer faces some limitations regarding the location of the childcare site. Tract E has been dedicated to the Town for recreational and school purposes, and the Town is required to transfer a portion of Tract E to the School District upon request. The Town Code generally mandates either a land dedication to the School District for residential developments or a fee-in-lieu if land cannot be dedicated. The multi-family tract RMF-1A (now known as 7 Hermits) has already been developed, and RMF-2A to the north has an approved development permit but no building permit. RMF-3, further north, is platted with utilities in place, though it lacks development and building permits. RMF-4, east of RMF-1A, is partially platted and has utilities but also lacks development and building permits.

Below is a snapshot of the proposed traffic changes from the original 2014 traffic study to this application with the childcare included:

Table 2. Trip Generation Estimate for the Haymeadow Development and the Recreation Facility

					Trip Reduction Factors			Average Daily Trips			External A.M. Peak Hour Trips				External P.M. Peak Hour Trips			
Parcel	ITE Code	Land Use	Size	Unit	Multi-Modal	Internal Trips and Multi-Purpose Trips	Pass-By	Rate	Total Trips with No Trip Reductions	Total External Trips With Trip Reductions	Rate	Total	In	Out	Rate	Total	In	Out
School	520/522	K - 8 School (4)	600	Students	0.10	0.375	0.00	1.36	816	459	0.47	159	87	72	0.15	51	25	26
A1	210	Single Family Detached	67	Dwelling Units	0.05	0.05	0.00	9.57	641	579	0.75	45	11	34	1.01	61	38	23
A1	230	Townhome / Condo / Apt	140	Dwelling Units	0.05	0.05	0.00	5.86	820	740	0.44	56	9	47	0.52	66	44	22
A1	(2)	Accessory Dwelling Units	10	Dwelling Units	0.05	0.05	0.00	5.86	59	53	0.44	4	1	3	0.52	5	3	2
A1		Subtotal Parcel A1:	217						1,520	1,372		105	21	84		132	85	47

2014 Traffic Study

					Trip Reduction Factors			Average Daily Trips			External A.M. Peak Hour Trips				External P.M. Peak Hour Trips			
Parcel	ITE Code	Land Use	Size	Unit	Multi-Modal	Internal Trips and Multi-Purpose Trips	Pass-By	Rate	Total Trips with No Trip Reductions	Total External Trips With Trip Reductions	Rate	Total	In	Out	Rate	Total	In	Out
School	520/522	K - 8 School (4)	600	Students	0.10	0.375	0.00	2.23	1,340	754	0.72	245	135	110	0.16	53	26	27
A1	210	Single Family Detached	48	Dwelling Units	0.05	0.05	0.00	9.43	453	409	0.70	30	8	22	0.94	41	26	15
A1	215	Single Family Attached (Duplex)	40	Dwelling Units	0.05	0.05	0.00	7.20	288	260	0.48	17	4	13	0.57	21	12	9
A1	220	Multifamily (Low-Rise)	108	Dwelling Units	0.05	0.05	0.00	6.74	728	657	0.40	39	9	30	0.51	50	32	18
A1	(2)	Accessory Dwelling Units	10	Dwelling Units	0.05	0.05	0.00	6.74	67	61	0.40	4	1	3	0.51	5	3	2
A1	565	Day Care Center	80	Students	0.05	0.05	0.00	4.09	327	295	0.78	56	30	26	0.79	57	27	30
A1		Subtotal Parcel A1:	206						1,863	1,682		146	52	94		174	100	74

2024 Updated Traffic Memo

The updated traffic memo shows that overall trips have increased since the 2014 traffic study. Residential trip counts have increased by 15 trips per day when comparing the 2014 and 2024 Total Trips with Reductions, even before accounting for the 295 additional trips generated by the childcare facility. Overall, total external trips with reductions increased by approximately 7% from 2014 to 2024. This percentage increase accounts for factors beyond the addition of childcare. Both residential trip counts and trip counts for the Public School have increased since the initial traffic study.

COMMUNITY INPUT:

Staff received written public comments for the October 10, 2024, Planning Commission meeting, which can be accessed through this (LINK). Since that meeting, staff has received public comments for the October 22nd Town Council meeting which can be accessed through this (LINK).

BUDGET:

All application-related pass-through costs will be reimbursed by the applicant. Staff time is accounted for in the application fee.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Attract Visitors / Focus on Recreation, Events and Open Space – The Haymaker trail, dedicated to the Town by Abrika, attracts visitors through events like the Colorado High School Mountain Bike races. The trails throughout the development, as shown on the updated Trails Plan (LINK), may provide additional opportunities to attract visitors by expanding Eagle's existing trail network. Haymeadow is made up of more than 50% open space and includes a trails network that will connect Neighborhoods, Open Space, Park Land, and School/Recreation land to one another and to the Eagle Ranch trails and the trails at the Pool & Ice Rink. There are also two trailhead parking areas for visitors and residents to access the trail system.

Diversify the Attainable Housing Stock – While the number of multi-family, single-family, and affordable housing units do not change with this amendment, ADUs have been expanded to align with the Code. There is also additional flexibility built into the PUD Guide now. Within Neighborhoods, it was previously allowable to transfer single-family density to multi-family. It is now also allowable to transfer from multi-family to single-family. This expansion of density transfers within Neighborhoods allows the developer more flexibility to adjust to changing market conditions in Eagle.

RECOMMENDED ACTION OR PROPOSED MOTION:

The Planning Commission and Staff recommend approval of Ordinance 11, Series 2024, based on the finding that the application complies with the applicable criteria in Section 4.11.050. of the Eagle Municipal Code and the 2021 Updated Elevate Eagle Comprehensive Plan.

1. A motion to **APPROVE** Ordinance 11, Series 2024, An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting the Fourth Amended Planned Unit Development Guide and Development Plan for the Haymeadow Planned Unit Development.

ATTACHMENTS:

1) Land Use Application
2) Project Narrative
3) PUD Guide – Clean (LINK)
4) PUD Guide – Redline
5) PUD Development Plan
6) Response to Comments Report (LINK)
7) Trails Plan
8) Trails PUD Overlay on top of 2014 Trails Plan (LINK)
9) Wildlife Section (LINK)
10) Traffic Memo (LINK)

11) Water and Wastewater Memo (LINK)
12) Staff report for October 10th Planning Commission meeting (LINK)
13) Draft Minutes from the October 10th Planning Commission meeting (LINK)
14) Public Comment submitted prior to October 10th Planning Commission meeting (LINK)
15) Public Comment submitted prior to October 17, 2024 (LINK)
16) Ordinance 11, Series 2024

TOWN OF EAGLE
COMMUNITY DEVELOPMENT
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LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☐ Concept Plan
☐ Zoning Variance	☐ Major Development Permit	☐ Preliminary Plan
☐ Rezoning		☐ Final Plat
☐ Temporary Use Permit	**PLANNED UNIT DEVELOPMENT (PUD) REVIEW**	☐ Lot Line Adjustment
☒ Amendment to Zone District Regulations	☐ PUD Zoning Plan	☐ Condominium / Townhouse
☐ Encroachment Permit	☐ PUD Development Plan	☐ Minor Subdivision
☐ Wireless Communications Facility		

PROJECT NAME Haymeadow PUD Amendment

PRESENT ZONE DISTRICT PUD PROPOSED ZONE DISTRICT (if applicable) PUD

LOCATION

STREET ADDRESS _____

PROPERTY DESCRIPTION

SUBDIVISION _____ LOT(S) _____ BLOCK _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE An amendment to the Haymeadow PUD to:
1) Restore the School and Recreation Parcel to it's original location in the 2014 PUD Development Plan;
2) Relocate residential density from Neighborhoods A1 and B to Neighborhood C; 3) Add a 1.6-acre childcare site;
4) Revise the alignment of Sylvan Lake Road; and 5) Align with the Recode Eagle Land Use and Development Code.

APPLICANT NAME *Abrika Properties, LLC* *PHONE* _____

ADDRESS 8250 Southwest 27th Avenue, Ocala, FL 34476 EMAIL _____

OWNER OF RECORD Same as Applicant PHONE _____

ADDRESS _____ EMAIL _____

REPRESENTATIVE* Michael Hood, Range Resources, LLC PHONE (970) 331-4492

ADDRESS PO Box 9091, Avon, CO 81620 EMAIL michael@rangeconsultingllc.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 6/14/24

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 _____

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HAYMEADOW PUD AMENDMENT
REVISED PROJECT NARRATIVE

Date: June 17, 2024
To: Jessica Lake, Planner II, Town of Eagle
From: Norris Design

Re: PUDA23-01 Haymeadow Major PUD Amendment Resubmittal

BACKGROUND:

The Haymeadow PUD was originally approved in 2014 and subsequently amended multiple times, with the last amendment occurring in 2023. The current PUD Development Plan consists of five distinct residential neighborhoods, community parks, a fire station, a K-8 sized public school site and expansive open space tracts. The neighborhoods are situated around a framework of open space corridors, parks and trails that create an organized layout of neighborhoods and public spaces. The Haymeadow PUD is approved for 837 dwelling units on 660 acres. This includes 344 multi- family units and 493 single family/duplex units. Approximately 381 acres (58% of the total land area) is designated as open space.

Eagle Area Community Plan

The primary design influence for the Haymeadow community has been the Eagle Area Community Plan. The PUD closely aligns with the applicable goals of the 2010 EACP. Specifically, the chapters on Vision, Land Use, and Conservation Oriented Development provided very specific guidance for the Haymeadow design. The concepts of livability, sense of community, stewardship of the natural environment, and compact walkable neighborhoods are all reflected in the approved plan. Preserving the character of Brush Creek Road is also a key objective of the PUD design, which is achieved by providing significant setbacks and open space buffers from the road and transitioning to lower density, more rural residential development, moving east up Brush Creek Road.

PUD AMENDMENT PURPOSE AND OVERVIEW

The purpose of the current PUD amendment application is to propose the following changes to the existing PUD:

1. Restore the original, preferred school and recreation parcel to its original location depicted in the 2014 PUD. This 6.5-acre site, shown as Tract E, is located immediately adjacent to the existing Mountain Recreation facility and future expanded bike park.
2. Relocate the residential development currently allowed on the Tract E school and recreation parcel (Neighborhood A1 in the current PUD) to Neighborhood C, a more central location within the heart of the neighborhood, adjacent to the central neighborhood park space and amenities in Trailhead Park.
3. Add a 1.6-acre childcare site to the PUD Development Plan in Neighborhood A1, along Sylvan Lake Road, adjacent to the central Trailhead Park. Childcare development standards are being addressed in a concurrent update to the Haymeadow Design Guidelines.
4. Revise the alignment of Sylvan Lake Road to create smaller neighborhood nodes, providing a more small-town feel throughout the community and creating a transition to lower density, more rural residential areas moving eastward up the valley. Sylvan Lake Road currently ends at Neighborhood D on the PUD Development Plan, as this is where the collector road will end, and the road network will transition to more rural, local access roads through Neighborhood D.
5. Bring the PUD into alignment with the current Town Code, updating the PUD to align with the Recode Eagle Land Use and Development Code, adopted in October 2023.

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The proposed changes are improvements being made in the best interest of the community, to better meet community needs over the long-term buildout of the development. These changes will maximize livability, concentrate/cluster density within the neighborhood core, increase the continuity of open space lands and natural corridors, and better preserve Brush Creek Road's unique character. The changes will also further enhance placemaking opportunities, construction feasibility, and opportunities to provide a wide range of housing types and childcare to best serve community needs.

The PUD amendment application materials have been revised to address the issues and concerns identified in the Town of Eagle Referral Response Summary Report, issued on November 13, 2023. Materials provided with this resubmittal include:

1. Revised Project Narrative
2. Revised PUD Document
    a. Redlined PUD language
    b. Revised PUD graphics
3. Response to Comments Letter

KEY BENEFITS OF PROPOSED PUD AMENDMENT:

Maintain Existing Density

The proposed PUD amendment will remain true to the intent of the original PUD and the Town's Comprehensive Plan. There is no change proposed to the total residential density, which will remain 837 units on approximately 660 acres. The overall density will remain the same, with 59 total units of density moving internally from Neighborhoods A1 and B into Neighborhood C, as described below.

- 41 units are being moved from the Tract E Town and School Site (Neighborhood A1 in the current PUD) back to Neighborhood C, restoring the original location for this density in the 2014 PUD Development Plan, which is a more appropriate and desirable location in the heart of the community.
- 18 units are being moved from Neighborhood B into Neighborhood C, because of the Sylvan Lake Road realignment, which will reduce the size of Neighborhood B by approximately 3.5 acres. This change is intended to create smaller sized neighborhoods that are more easily phaseable. In the refreshed plan, both Neighborhoods B and C are each approximately 57.4 acres.

Neighborhood	2014 Approved Density	2021 Approved Density	Proposed Density
A1	**228**	**300**	**259**
A2	189	189	189
B	209	189	170
C	**161**	**109**	**168**
D	50	50	50
I			1
TOTAL	837	837	837

The PUD currently allows flexibility for density to be transferred between neighborhoods and for multifamily units to be converted to single family/duplex units (up to 25% of the density within each neighborhood). The PUD amendment proposes to allow this 25% flexibility to be applied in both directions (i.e., converting from multifamily to single family/duplex or converting from single family/duplex to multifamily). This change is intended to provide maximum flexibility to adapt to changing market conditions and housing needs over time,

recognizing that it may be in the best interest of the community to increase multifamily housing options to provide more diversity of housing types and affordability within the Town of Eagle.

The PUD amendment also clarifies that acreage may be transferred between neighborhoods in conjunction with a density transfer, provided the resulting density does not exceed the density thresholds set forth in Section 4. Density Control (e.g., a maximum 16 dwelling units per gross acre for development within any Multi-Family Tract). No other changes to the proposed PUD density are proposed.

Improve Land Use Plan

The proposed changes to the PUD Development Plan will restore the original, deliberately selected school and recreation parcel to its original location immediately adjacent to the existing Mountain Recreation facility and future expanded bike park and other amenities as indicated in the Haymaker Master Plan. The alternate school site location in the current PUD was approved through the 2021 PUD amendment because of water pressure and water storage tank phasing, which have since been resolved through engineering solutions explained in more detail below. With these water engineering constraints no longer present, the original Town and School Site can be restored, and residential density currently permitted on this site can be moved to a more appropriate location in Neighborhood C. This change to the land use plan results in the following improvements:

- Residential development will be moved to a more central location within the heart of the community, closer to amenities, and concentrated / clustered in the neighborhood core. This is a more compact, efficient and sustainable use of land and provides enhanced placemaking opportunities centered around the meadow as the central community gathering place.
- Restoring the 6.5-acre Tract E Town and School Site will increase continuity of open space lands and natural corridors, consolidating public lands adjacent to the existing community center, which is a return to the originally approved PUD Development Plan. This change is more conducive to the site topography and creates a larger open space buffer between the Haymeadow residential community and the existing Soleil neighborhood and Mountain Rec facility.

Maintain and Increase Community Benefits

The proposed PUD amendment maintains the community benefits included in the current PUD and provides an additional community benefit through the addition of a 1.6-acre childcare site in Neighborhood A1. No changes are proposed to the deed-restricted component of the neighborhood, which will be fulfilled ahead of schedule with the attainable housing units provided in the earliest stages of the project. The PUD Amendment application proposes adding an additional community benefit with a childcare center added within the heart of the community adjacent to Trailhead Park.

Plan Refresh – Stronger Connections to Nature and Community Amenities

The Plan has been refreshed to encourage areas and spaces for people to be immersed in the natural surroundings. The proposed community amenities and density are designed to strengthen the relationship between people and the environment, bringing nature into central gathering areas and allowing for respectful connections for people into different ecosystems.

The Plan has been designed to focus on enhancing different naturally occurring ecosystems, including:

- Riparian
- Aspen grove
- Pinyon pine juniper forest
- High alpine meadows

The Plan focuses on providing habitat for pollinators and animal habitats that support wildlife. Water will be an important part of the natural ecosystems and enhanced willow corridors and drainage systems will flow through the site; although water is just one of the central ecosystems, rather than the dominant one.

Trail System

As shown on the PUD Trails Plan, the Haymeadow Neighborhood will provide an extensive, expanded trail network within Town, with two proposed trailheads and Trailhead Park serving as new access points to the expansive trail network. The proposed trails are connecting into the larger Town trail system, and trailheads are located on collector roads to best accommodate vehicle access.

The small neighborhood pods allow for a natural trail hierarchy with paved pathways and soft surface trails provided for a variety of users. The primary paved pathways will connect into the larger Town paved trail system, with a connection to the Pool and Ice Rink and an interior loop that provides safe routes for bicyclists and pedestrians. Secondary, soft surface trails will connect into the existing open space trail system to the north of the property and to the Eagle Ranch Trail System to the south.

Wildlife Corridor & Berm

No change is proposed to the wildlife corridor and berm along the eastern edge of the Haymeadow community, which will be maintained to provide a buffer between the site and adjacent Eagle County Open Space lands.

ENVIRONMENTAL ANALYSIS:

The 2014 approved Haymeadow PUD included a thorough environmental analysis of the property that was reviewed as a part of the Haymeadow Concept and Zoning PUD review processes. Environmentally sensitive portions of the property such as wildlife habitat, wetlands, geologically sensitive areas and drainageways were identified and protected by designating these areas as open space. Restoration of the original school and recreation parcel will not create any new adverse environmental impacts. The Haymeadow open space corridors have been strategically designed to protect wetlands, riparian areas and large stands of Cottonwood and Willow trees.

The proposed amendment to the PUD does not add any additional impact to native vegetation areas or to wetlands. The proposed uses will occur in areas of introduced or disturbed vegetation.

Access and Traffic

The restoration of the original school and recreation parcel, and relocation of residential density to Neighborhood C will not change the overall traffic volumes generated from the Haymeadow site or prior PUD Amendment analysis. Fox Tuttle Transportation Group has updated the trip generation table in the traffic impact analysis to add the proposed childcare center. As shown in the updated Table B, the childcare center would generate 295 additional daily, 56 AM peak hour, and 57 PM peak hour trips (assuming 5% non-auto reduction for folks walking/biking kids to day care). The updated A1 trip generation with the childcare use added is a total of 1,682 daily, 146 AM peak hour, and 174 PM peak hour trips. These are local roadway volumes (below collector threshold), and would be split between the multiple access points, so are not expected to create any bottleneck/operational concerns at this level. The childcare site will be designed to accommodate drop-off/pick-up and parking on-site, to mitigate impacts to the adjacent residential uses.

Water and Wastewater

Since there is no increase or decrease proposed to the intensity or density of the proposed plan, there is no effect upon the water rights dedication requirements or the capacity of the water and wastewater plants and infrastructure. The addition of a childcare center will increase water demand and wastewater effluent volumes by an estimated 3,600 gallons per day. Cutthroat Consulting, LLC has prepared a memo analyzing the increased impacts, which is attached. As stated in this memo, the water and sewer mains within Haymeadow have adequate capacity to accommodate the small increase in demand and effluent volumes.

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Adding a water tank on the Eagle Ranch Zone 2 versus the Haymeadow Town Zone eliminates elevation and water pressure limitations in Neighborhood A1, allowing more density in locations not governed by the geographic boundary of the pressure line. The water main through A1 is sized to handle the volume for the entire development, and therefore will have sufficient capacity to support the site development and density as proposed. Additionally, the pivot to Eagle Ranch Zone 2 provides community benefits of improving water pressure balancing and redundancy to the entire Town's network.

The existing sanitary sewer mains and non-potable water mains installed as part of Haymeadow Filing 1, have sufficient capacity to support the site development and density as proposed.

ELEVATE EAGLE COMPREHENSIVE PLAN ALIGNMENT:

As stated above, the 2014 approved Haymeadow PUD Development Plan was designed to a very high level of compliance with the 2010 Eagle Area Community Plan. The prior amendment in 2021 was deemed in conformance with the Elevate Eagle Comprehensive Plan adopted on December 5, 2020.

In 2021, Elevate Eagle was amended. The updated Plan outlines a larger vision with five core themes (page 10): inclusive culture, unique character, adventurous lifestyle, relationship with the environment, and connections. These values apply well to the overall Haymeadow PUD, and the proposed changes maintain overall compliance with the current edition of the Elevate Eagle Comprehensive Plan.

An important component of Elevate Eagle is the Future Land Use Chapter. The proposed PUD changes do not modify intended uses and remain consistent with the Future Land Use map on pages 30-31, also depicted below.

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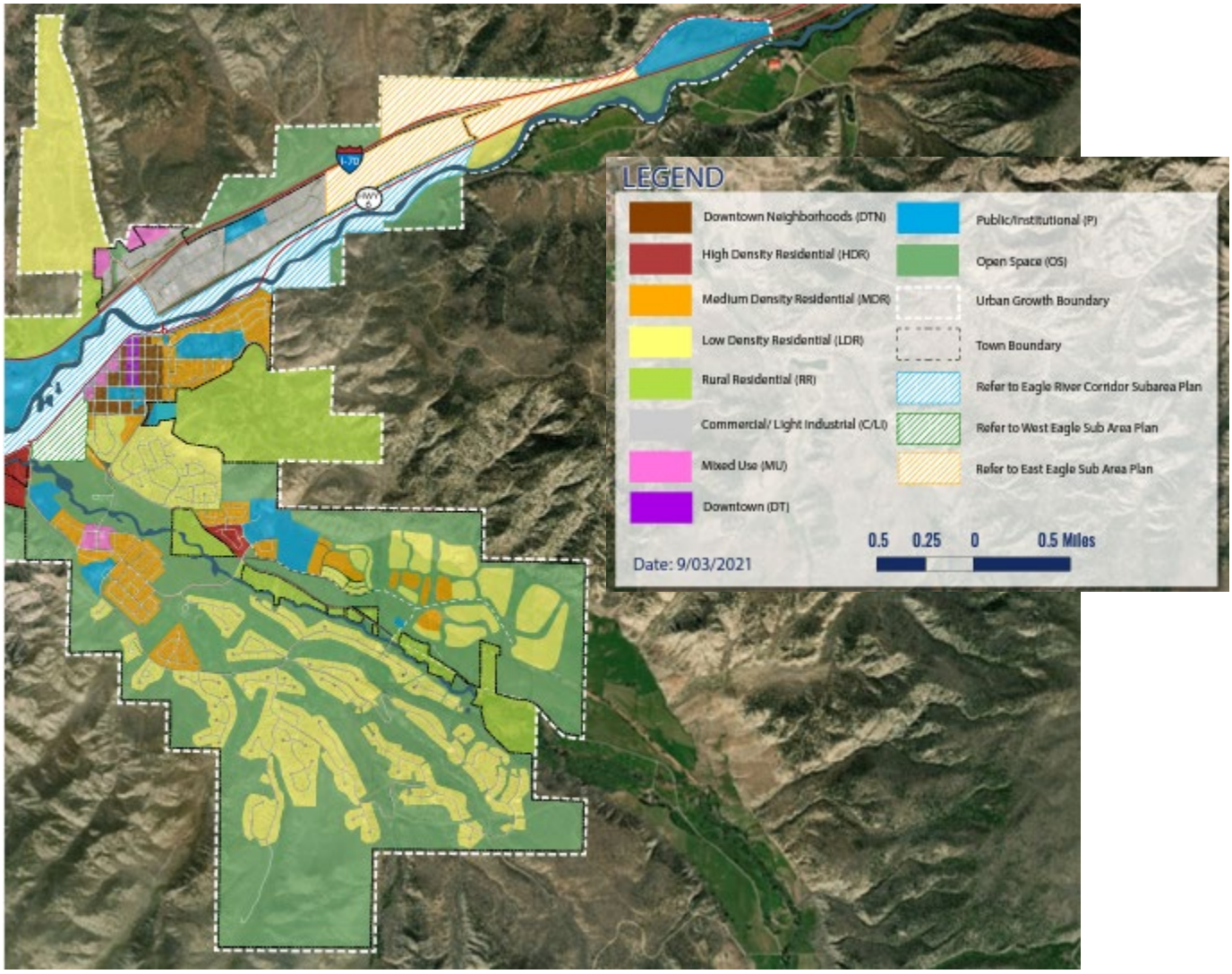

The Haymeadow PUD is aligned with the following relevant goals and policies set forth to implement the community vision.

Inclusive Culture

- ✓ 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.
    - i. Low and medium density residential options are provided offering a range of housing in line with the original PUD.
    - ii. Maintaining increased density in the earliest neighborhood to allow expedited speed to delivery on housing, more accessible price points, and wide range of products, while being most proximate to Town.

Unique Character

- ✓ Preserve and enhance Eagle's unique Brush Creek Area.
    - i. Existing enhanced wetlands and future community park are provided adjacent to Brush Creek. No changes to the original PUD are proposed.
- ✓ Maintain the Town's identity and sense of place.

i. Haymeadow will have a small-town feel with community amenities incorporated into the stunning natural landscape.

- ✓ Preserve viewsheds and view corridors in key areas throughout Town.
  - i. No changes are proposed affecting viewsheds and view corridors, key wetland, and wildlife corridors.
- ✓ Large setbacks from Brush Creek Road for rural, county lane experience.
  - i. Maintained a minimum setback of 250' from Brush Creek Road per the original PUD.

Adventurous Lifestyle

- ✓ Promote the Town's unique activities (fishing, biking, hiking, and more)
  - i. Enhanced outdoor amenities and neighborhood offerings are proposed in Trailhead Park, with recreational community amenities and interconnected trails throughout the community.
- ✓ Interconnect and expand upon the unparalleled trail and park system.
  - i. Spine Trail retained with four linkages to the greater Eagle network.
- ✓ Support efforts to enhance and expand parks, trails (hiking, biking, motorized), and recreation amenities.
  - i. The small neighborhood pods allow for a natural trail hierarchy (paved, soft/crusher fine trails, and dirt trails) for a variety of users.
- ✓ Improve the safety and efficiency of bicycle and pedestrian crossings throughout Town via Brush Creek Road extension vision.
  - i. Attached and detached sidewalks are provided along the main collector as previously approved.

Relationship with the Environment

- ✓ Protect open space lands with high conservation or recreation value.
  - i. No changes are proposed to the dedicated or future identified open space lands.
  - ii. 381 acres (58%) open space lands and wildlife buffer immediately adjacent to newer Eagle County Open Space lands.
- ✓ Protect and preserve wildlife habitat, movement corridors, and other sensitive lands.
  - i. All wetland and wildlife areas left intact or further enhanced with continuity to open space.
- ✓ Remove unnecessary fencing and encourage the use of wildlife-friendly fencing according to CPW standards.
  - i. No fencing along BLM lands or Brush Creek Road as desired by the Town.
- ✓ Strike balance between recreation and preservation along riparian areas.
- ✓ Maintain and enhance the existing trail network along Brush Creek to define areas for human interaction.

Connections

- ✓ Expand the transportation network.
  - i. Additional roundabouts and collector roads for ease of circulation and transit.
- ✓ Improve circulation on US Highway 6/Grand Avenue.
  - i. Partnership approach and view with Brush Creek Road Extension access point.
- ✓ Expand the network of safe and convenient pedestrian and bicycle circulation.
  - i. Multi-modal street cross-sections to facilitate all modes of vehicular and pedestrian transportation.
- ✓ Enhance multi-modal and pedestrian connectivity.
  - i. New paved and natural pathways throughout the property.
- ✓ Create connections to existing trails and pedestrian areas within the Brush Creek character area.
  - i. Key Haymaker linkage as well as future trailhead interfaces with existing network.

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CONDITIONS FOR APPROVAL OF PUD AMENDMENT:

In accordance with the Town of Eagle Town Code Section 4.11.050 an approved PUD zoning plan or an approved PUD development plan may be amended if the applicant demonstrates that the proposed modification:

1. **Is consistent with the efficient development and preservation of the entire planned unit development.**

   The proposed amendment is consistent with the efficient development and preservation of the entire planned unit development. The proposed amendment includes re-alignment of Sylvan Lake Road within the development that creates smaller development pods and increases the efficiency of the development, while working within the parameters of the PUD. Residential development has been moved to the central core of the neighborhood, closer to amenities. This is a more compact, efficient, and sustainable use of land and with enhanced placemaking opportunities centered around the meadow as the central community gathering place.

2. **Does not affect in a substantially adverse manner either the enjoyment of land abutting upon, adjoining or across a street from the Planned Unit Development or the public interest.**

   The proposed amendment does not have a substantial adverse effect upon any lands abutting the PUD or the public interest. The outer boundary extents of the development pods have been honored in the new development plan and there is no expansion of development pod acreage.

3. **Is not granted solely to confer a special benefit upon any person.**

   The proposed PUD amendment does not confer a special benefit upon any person. The amendment maintains the community benefits included in the current PUD and provides an additional community benefit through the addition of a 1.6-acre childcare site in Neighborhood A1. The proposal will create more efficient use of land, and provide community park, open space and trail amenities at the heart of Haymeadow. These amenities are located directly across from the 20.5 acre “Town Park” creating great synergies for the Eagle community.

4. **Does not contain proposed uses that detract from other uses approved in the PUD.**

   The PUD amendment does not contain proposed uses that detract from other uses approved in the PUD.

5. **Does not contain an open space plan that differs substantially in quantity or quality from that originally approved.**

   The proposal improves the continuity of open space in the approved plan. The smaller neighborhood pods allow for a natural trail hierarchy (paved, soft/crusher fine trails, and dirt trails) that appeal to different user groups, while maintaining the Spine Trail and its four linkages to the greater Eagle network.

6. **Contains street and utility plans that are coordinated with planned and/or existing streets and utilities for the remainder of the PUD.**

   There are no significant changes to the existing or approved street and utility plans.

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DEVELOPMENT IMPACT REPORT:

The Town of Eagle Land Use Regulations Section 4.07.100 is titled Development Impact Report. The intent of this section of the land use regulations is to ensure that development proposals address and evaluate potential impacts.

This section of the Haymeadow PUD Amendment addresses the purpose, intent, and details of this portion of the town land use regulations.

Purpose - It is the purpose of this Section to:

1. **Ensure that complete information concerning any adverse effects of the proposed development or subdivision on the environment and essential public and private services and facilities, including educational facilities, as well as the health, safety, order, convenience, prosperity, and welfare of present and future inhabitants of the Town is available to the Town Board, the Planning and Zoning Commission and the general public;**

The approved PUD Development Plan included a thorough environmental analysis of the property and that analysis was reviewed as a part of the Haymeadow PUD Zoning and Development Plan review processes. Those Haymeadow applications were assembled in a comprehensive manner and included information throughout the narrative application and the appendices that addresses the environment, essential public and private services and facilities, educational facilities, and the health, safety, order, convenience, prosperity, and welfare of present and future inhabitants of the Town.

Environmentally sensitive portions of the property such as wetlands and drainageways were identified and protected by designating these areas as open space. The recreation parcel and the multi-family locations were found to be areas suitable for development.

The restoration of Tract E does not create any adverse environmental impacts, have any adverse impact upon the provision of the above listed services or other impact to the community. In fact, it was designed that way originally as part of the 2014 PUD approval.

2. **Ensure that long term protection of the environment and the provision of essential public and private services and facilities such as streets, utilities, and educational facilities are considered in major development and subdivision planning and that land use and development decisions, both public and private, take into account the relative merits of possible alternative actions;**

The 2014 Haymeadow PUD application included a robust environmental analysis of geology, vegetation, wildlife, traffic, drainage, utilities, and water rights and provided information on these topics as well as schools that allowed town officials and citizens opportunity to consider these factors as they evaluated the proposal. The result of that review process was the 2014 PUD Development Plan and Preliminary plan approval. The geologic, vegetation, wildlife, drainage, utility, and water rights analyses are unaffected by this shift in location of land uses. Total traffic will be unaffected and there will be no material changes to traffic patterns.

3. **Ensure that proposed developments and subdivisions promote a healthful and convenient distribution of population, the wise and efficient expenditure of public funds, including the funds of other governmental entities, as well as the adequate provision of essential public services, facilities and requirements, including schools;**

This application proposes a shift/restoration in location of public park / open space as designed and contemplated in the 2014 PUD and conceptual plan. The application materials are sufficient to allow the reviewers the ability to evaluate any adverse impact to the distribution of population.

4. **Provide procedures for local review and evaluation of the environmental and social-economic effects of proposed development projects and subdivisions, including essential public and private services and facilities, prior to granting major development permits or subdivision approvals; and**

This section of the Town of Eagle Land Use Regulations provides the procedures stated above and the Haymeadow review process is in compliance with those procedures.

5. **Provide for the reasonable and adequate mitigation of on-site and off- site impacts generated by the proposed development or subdivision on the environment and essential public or private services and facilities, including streets, utilities and educational facilities.**

This application has evaluated on-site and off-site impacts. The applicant does not believe there are any on or off-site impacts that require mitigation above and beyond the current PUD approval.

Preliminary 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, in each of the following respects:

1. **By altering an ecological unit or landform, such as a ridgeline, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse, or other natural landform feature;**

The 2014 approved PUD Development Plan has identified Tract E as now proposed. The level of disturbance to this site will remain similar. This application will not alter any of these landforms above and beyond the current approval.

2. **By directly or indirectly affecting a wildlife habitat, feeding, or nesting ground;**

A complete wildlife analysis was included in the 2014 application and includes a comprehensive analysis of wildlife habitats and potential Haymeadow impacts and improvements and includes a recommendation for a wildlife movement corridor across the eastern portion of the site. This recommendation, among others, has been incorporated into the Haymeadow design and would be enhanced by the proposed increase in the size of that wildlife movement corridor across the eastern portion of the site.

The approved Haymeadow PUD includes wildlife mitigation measures to address potential impacts. The level of disturbance on Tract E will remain similar and will not create any additional affect to wildlife habitat, feeding or nesting areas.

3. **By substantially altering or removing native grasses, trees, shrubs, or other vegetative cover;**

The majority of the Haymeadow lands exist as irrigated and cultivated agricultural lands. Tract E does not include native vegetation. The Haymeadow plan will not result in the substantial alteration of native vegetative cover. The level of disturbance to these respective sites will remain the same regardless of built use. This application will not alter any of this vegetative cover above and beyond the current approval.

4. **By affecting the appearance or character of a significant scenic area or resource, or involving buildings or other structures that are of a size, bulk, or scale that would be in marked contrast to natural or existing cultural features;**

The proposed PUD Amendment will not affect these factors above and beyond the current approval. These lands are located within the Eagle Area Community Plan Urban Growth Boundary and as such a certain level of impact to the above factors is understood.

5. **By potentially resulting in avalanche, landslide, siltation, settlement, flood, or other landform change of hazard to health and safety;**

This application will not affect these factors.

6. **By discharging toxic or thermally abnormal substance or involving use of herbicides or pesticides, or emitting smoke, gas, steam, dust, or other particulate matter;**

This application will not change the approved PUD in any manner that will affect these factors.

7. **By involving any process which results in odor that may be objectionable or damaging;**

This application will not create any odor issues.

8. **By requiring any waste treatment, cooling, or settlement pond, or requiring transportation of solid or liquid wastes to a treatment or disposal site;**

This application will not change the approved PUD in any manner that will affect these factors.

9. **By discharging significant volumes of solid or liquid wastes;**

This application will not change the approved PUD in any manner that will affect these factors.

10. **By increasing the demand on existing or planned sewage disposal, storm drainage, water distribution system, streets, or other utility systems to a level which is likely to cause an adverse impact on the environment;**

This application will not change the approved PUD in any manner that will affect these factors.

11. **By involving any process which generates noise that may be offensive or damaging;**

This application will not change the approved PUD in any manner that will affect these factors.

12. **By either displacing significant numbers of people or resulting in a significant increase in population;**

This application will not displace any people or result in any increase in population that is not already approved through the current PUD.

13. **By pre-empting a site which is desirable for recreational uses or planned open space;**

This application contemplates consolidated recreational or open space use in Tract E.

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Frisco, Colorado 80443
970.368.7068

14. **By altering local traffic patterns or causing an increase in traffic volume or transit service need;**

This application will not alter traffic patterns internal to Haymeadow as density and areas remains unchanged from the prior amendment.

15. **By substantially affecting the revenues or expenditures of the Town government;**

This application has a neutral impact on revenues to the Town as density remains unchanged and anticipated buildout remains consistent with the 2021 PUD Major Amendment.

16. **By increasing the demand on existing or planned school facilities to a level which is likely to cause an adverse impact on such school facilities, an adverse impact on educational opportunities, or an adverse impact on the revenues and expenditures of the Eagle County School District RE 50-J.**

This application will not increase demand for school facilities, educational opportunities or ECSD revenues.

17. **By being a part of a larger project which, at any future stage, may involve any of the impacts listed above.**

The application is a part of a larger project that has been reviewed and approved by the Town of Eagle. The Haymeadow PUD is a complete master planned community and has addressed all the elements associated with the anticipated buildout of the property.

~~THIRD~~FOURTH AMENDED PUD GUIDE FOR THE HAYMEADOW PLANNED UNIT DEVELOPMENT

Amended and Approved
~~September 12, 2023~~

TBD, 2024

This document supersedes and replaces the Haymeadow PUD ~~Guides~~Guide dated November 9, 2021, May 25, 2021 and March 25, 2014.

APPROVAL OF THIS PLAN CONSTITUTES A VESTED PROPERTY RIGHT PURSUANT TO SECTION 24-68-103,C.R.S., AS AMENDED

1. PURPOSE:

The purpose of the Haymeadow PUD Guide is to serve as the governing land use regulations which will control the development of the Haymeadow PUD. The PUD Guide will serve as the "Zone District Regulations" for the PUD and is in conformance with Section 4.11.030 of the Town of Eagle Land Use and Development Code.

The Haymeadow PUD authorizes a total of 837 dwelling units, a ~~publicschool~~public school facility, a fire station, active and passive parks and recreation areas, community facilities, trails, and open space on 660 acres of land within the Town of Eagle, Eagle County, Colorado as described in the approved Haymeadow PUD Development Plan. Development within the PUD is administered by the Town of Eagle through the provisions of the PUD Development Plan and this PUD Guide. Building construction within the PUD is governed by the applicable Town of Eagle ordinances, rules, regulations and codes. Approval of this plan constitutes a vested property right pursuant to section 24-68-103,C.R.S., as amended.

The approved Haymeadow PUD Development Plan Drawing dated _____~~May 25, 2021~~ is attached to this PUD Guide as Exhibit A.

2. DEFINITIONS:

Unless otherwise defined below, all terms used in this document shall be as defined by the Town of Eagle Land Use Regulations.

A. Haymeadow PUD

The Haymeadow PUD is a zone district authorized by the Town of Eagle Ordinance No. _____,11, Series of 2014, and containing the property commonly known as Haymeadow and as amended by the owner or successors and assigns.

B. Bed and Breakfast

An owner-occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation.

~~C~~C. Design Review Guidelines

Established Design Review Committee and Guidelines recorded February 4, 2023, and as amended by the owner or successors and assigns.

D. Neighborhood Parcels

Areas as indicated on the approved Haymeadow PUD Development Plan for residential development, the development of which shall be regulated by this Haymeadow PUD Guide. These parcels are listed as Neighborhood A1, Neighborhood A2, Neighborhood B, Neighborhood C and Neighborhood D.

~~D~~E. Planning Tracts

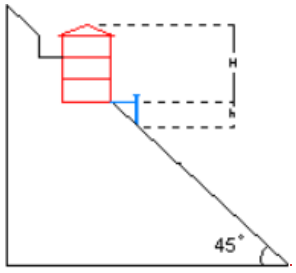
Areas as indicated on the approved Haymeadow PUD Development Plan and Preliminary Subdivision Plan for non-residential development with the exception of the proposed residence by others on Tract I; Cabin, the development of which shall be regulated by this Haymeadow PUD Guide. These Tracts are listed as Tract E: Recreation/School, Tract F: Park, Tract G: Fire Station, Tract I; Cabin, and Tract H: Future Development. The future ~~resubdivision~~re-subdivision of Tract K will create additional tracts regulated by the PUD Guide. The Preliminary Plan is attached as Exhibit B.

~~E~~F. Special Use

Special Use shall be as defined in Section 4.~~05~~09 of the Town of Eagle Land Use and Development Code.

~~F~~G. Building Height

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



H. Short Term Rentals

Short term rental is defined as a rental of a bedroom or home for any duration less than 30 days.

I. Community Gardens

An area of land, either private or public, used for the cultivation of fruits, flowers, vegetables, or plants by more than one person or family.

J. Amenity Center and/or Community Center

An integral part of a residential project that is under the management and unified control of the operators of the project or development, and that is used by the residents of the project or development for a place of meeting, recreation, or social activity. Indoor and outdoor amenities included within an amenity center may include, but are not limited to: pool/hot tubs/spas, central gathering space, kitchen, restrooms, exercise rooms, activities deck, outdoor firepit, shade structures / shelters, picnic tables, park /playground, paths and trails.

K. Building Square Footage

Gross Floor Area excluding garages and accessory structures. Gross floor area is measured as the total gross horizontal area of all floors in a building measured to the interior of the exterior wall.

3. PUD ZONE DISTRICTS:

A. Residential One – Neighborhood Parcels A1, ~~A2, B~~ and ~~C~~A2 :

1. Purpose:
   To provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to provide for mixed residential neighborhoods in order to serve the needs of the residents of Eagle. The design of neighborhoods in this district is intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Uses by Right:
   This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.
   a. One single family home on each specifically designated lot.
   b. One duplex building (two units) on each specifically designated lot.
   c. Multiple family residential, including condominiums, townhomes, flats or apartments, and single family or duplex cluster units on specifically designated lots.
   d. Accessory ~~apartment to single family~~ dwelling unit as defined by the Town of

Eagle (TOE) Municipal Code~~, not to exceed 700 square feet~~.

e. Utility service structures and buildings.

f. Home occupations as defined by the TOE Municipal Code.

g. Short term rentals per Section 8.17 of the Haymeadow CCRs

h. Parks~~,~~ / playgrounds, community gathering spaces, preserves / open space, amenity center, pool and community gardens.

~~h~~i. Model homes.

~~i.~~ij Pedestrian and bicycle trails.

~~j~~k. Ponds, reservoirs and irrigation ditches.

~~k~~l. Temporary construction staging areas.

~~l. Additional uses determined by the Town Planner to be similar to uses by right listed above.~~

~~m. Accessory uses customarily appurtenant to uses by right listed above including special events.~~

m. Accessory uses allowed in Residential Districts, as outlined in Table 4.09-2: Accessory Use Table in the Recode Eagle Land Use and Development Code. .

n. A Homeowner Association or Metro District operated or contracted enclosed storage building.

o. Typical agricultural uses may continue within each neighborhood until residential site development is initiated within the neighborhood as contained in LUDC Section 4.09 – Use Standards. . as contained in LUDC Section 4.09 – Use Standards

p. ~~Mail box~~Mailboxes drop boxes or similar mail delivery facilities.

q. Temporary sales office.

~~3. Special Uses:~~

~~a. Day care of more than 8 children and elderly care.~~

~~b~~r. Childcare Home permitted as an accessory use as defined in code.

s. Pre-School / Childcare Center

t. Assisted Living Facility.

u. Special Events subject to required Town of Eagle Permits.

4. Minimum Building Setback Requirements:

a. Single family with front loaded garage:

1. Front: ~~12.5~~10 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 5 feet into the ~~12.5foot~~10-foot required setback. The minimum distance from the front property line to a garage door shall be 25 feet. The maximum front setback for the front porch shall be 22 feet from the front property line.
2. Side: ~~12.~~5 feet.
3. Rear: ~~12.5~~10 feet ~~for one-story elements and 20 feet for two-story elements~~.

b. Duplex with front loaded garage:

1. Front: ~~12.5~~10 feet minimum setback to the front porch and /or front of the

building facade. Porch steps may encroach up to 3 feet into the ~~12.5foot~~10-foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line. The minimum distance from the property line to a garage door facing ~~a~~the front property line shall be 25 feet.

2. Side: ~~12.5 feet~~5feet. The minimum distance from the side property line to a garage door shall be 33 feet for a lot with a shared driveway.
3. Rear: ~~12.5~~10 feet. An unenclosed, covered porch or deck may encroach up to 5 feet into the rear setback.

c. Single family and duplex ~~uses~~use with alley loaded garage:
   1. Front: ~~12.5~~10 feet to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the ~~12.5foot~~10-foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line.
   2. Side: ~~12.~~5 feet
   ~~3. Rear: 12.5 feet, however, the minimum distance from the property line to a garage door shall be 22 feet, or 24 feet to the alley travel way, whichever is more restrictive.~~

d. Multiple Family:
   1. Front: 15 feet. The minimum distance from the front property line to a garage door shall be 25 feet. Porch steps may encroach up to 5 feet into the 10-foot required setback.
   2. Side: 15 feet
   3. Rear: ~~20~~15 feet

e. Supplementary setback requirements:
   1. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.
   2. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.
   3. There shall also be a 50~~-~~foot building setback from Sylvan Lake Road as measured by top back of curb in Neighborhood ~~A1 and~~A1and A2.

~~5. Maximum Building Height:~~
~~a. Residential Multi-Family~~
~~1. 40 ft. maximum and not to exceed 3 stories above any point on foundation (not including lofts).~~
~~b.~~a. ~~Residential Single Family/Duplex~~
~~1. 35 feet.~~

~~6. Maximum Lot Coverage:~~
~~a. Residential Multi-Family~~
4. On single family/duplex lots the rear setback to be 10' measured from top back of curb / edge of pavement or property line whichever is more

restrictive.

5. Maximum Building Height:
   a. Residential Multi-Family
      1. 40 ft. maximum and not-to-exceed 3-stories above any point on foundation.
   b. Residential Single Family/Duplex
      1. 35 feet.

6. Maximum Lot Coverage:
   a. Residential Multi-Family
      1. ~~Building 60%~~
      ~~2.~~ All impervious materials - ~~70%~~ 80%
   b. Residential Single Family
1. ~~Building 40%~~
      ~~2.~~ All impervious materials - ~~60~~70%

7. ~~Maximum Density~~Supplemental Requirements:
~~The maximum density shall not exceed 15 dwelling units per gross acre for development within any Multi-Family Tract as shown on the initial Final Plat for each Neighborhood.~~ The minimum depth for first floor front porches and/or patio shall be 7 feet.

8. Childcare Site:
Development Standards for the Childcare are set forth in the Haymeadow Design Guidelines. No change may be made to the Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without approval of the Town Council. Any subsequent major revisions to the Design Guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle.

9. Neighborhood A1 Core Trail:
The Multi-Family buildings in west/central area of Neighborhood A-1 shall be configured in such a manner to accommodate an alignment of the future 10~~-~~foot~~-~~wide asphalt trail identified on ~~the~~ Neighborhood A-1, Phase 1 Trails Plan as described below.

This trail will serve as a main route for school children to access the school site at a location close to the north side of the school's vehicular access system. This trail shall be configured to encourage use by children and designed in such a manner that provides direct views of the school site where possible and places a strong emphasis on safety at roadway crossings. This portion of the trail system will be approved by the Town as part of the Development Permit review process for the adjacent multi-family buildings and the trail shall be constructed concurrent with the multi-family units. In the event construction is initiated on the school prior to completion of the trail, the developer shall cause completion of this trail prior to the opening of the school.

B. Residential Two – Neighborhood Parcels B & C:

1. Purpose:
To provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to provide for mixed residential neighborhoods in order to serve the needs of the residents of Eagle. The design of neighborhoods in this district is intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

a. One single family home on each specifically designated lot.
b. One duplex building (two units) on each specifically designated lot.
c. Multiple family residential, including condominiums, townhomes, flats or apartments, and single family or duplex cluster units on specifically designated lots.
d. Accessory dwelling unit as defined by the Town of Eagle (TOE) Municipal Code.
e. Utility service structures and buildings.
f. Home occupations as defined by the TOE Municipal Code.
g. Short term rentals per Section 8.17 of the Haymeadow CCRs
h. Parks / playgrounds, community gathering spaces, preserves / open space, amenity center, pool, activities deck, water access, and community gardens.
i. Model homes.
j. Pedestrian and bicycle trails.
k. Ponds, reservoirs and irrigation ditches.
l. Temporary construction staging areas.
m. Accessory uses allowed in Residential Districts, as outlined in Table 4.09-2: Accessory Use Table in the Recode Eagle Land Use and Development Code.
n. A Homeowner Association or Metro District operated or contracted enclosed storage building.
o. Typical agricultural uses may continue within each neighborhood until residential site development is initiated within the neighborhood.
p. Mailboxes, drop boxes or similar mail delivery facilities.
q. Temporary sales office.
r. Childcare Home permitted as an accessory use as defined in code.
s. Pre-School / Childcare Center
t. Assisted Living Facility.
u. Bed and Breakfast.
v. Special Events subject to required Town of Eagle Permits.

4. Minimum Building Setback Requirements:

a. Single family with front loaded garage:

1. Front: 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 5 feet into the 12.5-foot required setback. The minimum distance from the front property line to a garage door shall be 25 feet. The maximum front setback for the front porch shall be 22 feet from the front property line.
2. Side: 12.5 feet.
3. Rear: 12.5 feet for one-story elements and 20 feet for two-story elements.

b. Duplex with front loaded garage:

1. Front: 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 5 feet into the 12.5-foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line. The minimum distance from the property line to a garage door facing the front property line shall be 25 feet.
2. Side: 12.5 feet. The minimum distance from the side property line to a garage door shall be 33 feet for a lot with a shared driveway.
3. Rear: 12.5 feet. An unenclosed, covered porch or deck may encroach up to 5 feet into the rear setback.

c. Single family and duplex use with alley loaded garage:

1. Front: 12.5 feet to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the 12.5-foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line.
2. Side: 12.5 feet
3. Rear: 12.5 feet, however, the minimum distance from the property line to a garage door shall be 22 feet, or 24 feet to the alley travel way, whichever is more restrictive.

d. Multiple Family:

1. Front: 15 feet. The minimum distance from the front property line to a garage door shall be 22 feet. Porch steps may encroach up to 5 feet into the 10-foot required setback.
2. Side: 15 feet
3. Rear: 20 feet

e. Supplementary setback requirements:

1. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.
2. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.
3. Design Review Committee is allowed to approve an encroachment into setbacks up to 5 feet provided minimum building separation of 20 feet is

maintained between units.

4. On single family/duplex lots the rear setback to be 10' measured from top back of curb / edge of pavement or property line whichever is more restrictive.

5. Maximum Building Height:
   a. Residential Multi-Family
      1. 40 ft. maximum and not-to-exceed 3-stories above any point on foundation (not including lofts).
   b. Residential Single Family/Duplex
      1. 35 feet.

6. Maximum Lot Coverage:
   a. Residential Multi-Family
      ~~9~~1. All impervious materials - 70%
   b. Residential Single Family
      1. All impervious materials - 60%

7. Supplemental requirements:
   The minimum depth for first floor front porches ~~/~~and or patios shall be 7 feet~~.~~ for single family/duplexes.

~~B~~C. Residential ~~Two~~Three – Neighborhood D:

1. Purpose:
   To provide sites for lower density single family homesites.

2. Uses by Right:
   This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

   a. Single family dwelling units not to exceed 7,000 square foot maximum size.
   b. Accessory ~~apartment to single family~~ dwelling units as defined by the Town of Eagle Municipal Code~~, not to exceed 700 square feet~~.
   c. Model homes.
   d. Parks~~,~~ / playgrounds, community gathering spaces, preserves / open space, amenity center, pool, and community gardens.
   e. Home occupations.
   f. Short term rentals per Section 8.17 of the Haymeadow CCRs
   g. Utility service structures and buildings/ maintenance facilities.
   ~~g~~h. Pedestrian and bicycle trails.
   ~~h~~i. Ponds, reservoirs and irrigation ditches.
   ~~i~~j. Temporary construction staging areas.
   ~~j. Additional uses determined to be similar to uses by right listed above~~.

k. Accessory uses allowed in Residential Districts, as outlined in Table 4.09-2: Accessory Use Table in the Recode Eagle Land Use and Development Code.

~~k. Accessory uses customarily appurtenant to uses by right listed above.~~

l. Accessory buildings may include detached garages, sheds and similar structures.

m. Temporary tree farm

n. Typical agricultural uses may continue within ~~the~~each neighborhood until residential site development is initiated within the neighborhood per Section 4.9.20F Rural and Agricultural zone districts

o. ~~Mail box~~Mailboxes, drop boxes or similar mail delivery facilities.

p. Temporary sales office.

q. Childcare Home permitted as an accessory use as defined in code.

r. Pre-School / Childcare Center

s. Assisted Living Facility.

t. Bed and Breakfast.

u. Special Events subject to required Town of Eagle Permits.

3. Special Uses:

~~a. Day care of more than 8 children and elderly care.~~

~~b. Bed and breakfast.~~

~~e~~a. Gravel borrow pit for on-site use.

~~d. Special Events~~

~~4. Minimum Building Setback Requirements:~~

4. Minimum Building Setback Requirements:

a. Front: 25 feet.

b. Side: 15 feet.

c. Rear: 20 feet.

5. Supplementary setback requirements:

a. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.

b. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

c. All garage doors shall be a minimum of 25 feet from the facing property line.

d. Design Review Committee is allowed to approve an encroachment into setbacks up to 5 feet provided minimum building separation of 20 feet is maintained between units.

e. Dwelling Units fronting on private drive shall measure setbacks from the edge of pavement.

6. Maximum Building Height:
35 feet.

7. Maximum Lot Coverage:

~~a. Building - 30%~~

~~b~~a. All impervious materials - 50%

8. ~~Building Envelopes:~~
~~The Subdivision Final Plat or Plats for Neighborhood D shall contain appropriate notations requiring building envelopes to be designated on certain lots prior to any site grading or other disturbance of the designated lot. Specifically, any lot over 1/2 acre shall be limited to a building envelope of 15,000 square feet. Application(s) for Subdivision Final Plat shall include a supplemental exhibit specifying lots requiring building envelopes. Upon approval of such supplemental exhibit by the Town Planner, any modification of such supplemental exhibit shall require approval from the Town. The owner of such lot shall propose a building envelope as part of the application for design review and building permit. The proposed building envelope shall comply with all criteria affecting building envelopes contained in the Design Guidelines as approved by the Town, and shall be so indicated graphically on a landscape/ site plan. This landscape/site plan shall also include calculations to indicate the building envelope does not exceed 15,000 sq. ft. The Town reserves the right not to issue a building or site improvement permit until a building envelope, if required, that complies with all approved Design Guideline criteria has been approved by the Design Review Committee.~~

~~As used in this document, the term "building envelope" shall be deemed to include the residence, any allowable accessory buildings, driveways, walkways, patios, and landscaped areas.~~

~~All portions of a lot outside of the designated 15,000 square foot building envelope shall maintain the existing pasture grasses or be landscaped in a dryland, native or xeric style that requires minimal irrigation. Any landscaping of this area shall require approval by the DRB.~~

~~9.~~ Wildlife Corridor and Berm:
At the time of the first subdivision plat for Neighborhood D a ~~500footwide~~500-foot-wide wildlife corridor shall be established on the adjacent open space to the east of Neighborhood D, as indicated on the approved PUD Development Plan attached as Exhibit A. ~~If at this time a corresponding 500 foot wide wildlife corridor has not been provided or committed on the adjacent Adam Rib Ranch property, then a 1000 foot wide corridor is required on the Haymeadow Planned Unit Development.~~ At the time of this final plat a deed restriction shall be placed on this wildlife corridor to guarantee its protection. This corridor shall be maintained in agricultural production.

The construction of a landscape screening berm shall be included in the public improvements for Neighborhood D. The purpose of this landscape screening berm is to provide visual buffer between the animals using the wildlife corridor and the activity associated with Neighborhood D. The final plat or deed restriction will include language that ensures this landscape screen/ berm is a permanent landscape feature. A conceptual graphic that illustrates the intent of the landscape berm is attached as Exhibit C.

D. Recreation Open Space/School – Tract E, Town of Eagle Recreation and School Site:

1. Purpose:
To provide a land area for a recreation site and a school site to be dedicated to the Town of Eagle.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

a. Indoor and outdoor recreation and entertainment facilities including but not limited to: bike parks, pools, ice rinks, fields, courts, play structures and pavilions.
b. Parks and picnic facilities.
c. Community Center.
d. Cultural and educational buildings and activities.
e. Concessions, food~~e. Concessions, food,~~ and beverage service.
f. Special events including sports events and tournaments, entertainment and cultural events.
g. Public Administration building.
h. Administration/Maintenance facilities.
i. Equestrian, pedestrian and bicycle trails.
j. Dog park.
k. Community gardens.
l. Playgrounds, play equipment and water features.
m. Temporary structures, tents and trailers associated with special events.
n. Landscape improvements.
o. Lakes, ponds, reservoirs and irrigation ditches
p. Public and/or Private School and related ancillary facilities, which may include, but not be limited to, classrooms, common areas, gymnasiums, cafeterias, ~~theaters~~theatres, offices, meeting rooms, parking, and outdoor recreation and athletic facilities. A bus barn or overnight vehicle storage area would not be considered a use-by-right.
q. Special events utilizing either indoor or outdoor facilities of the school, including sporting, cultural or entertainment events.
r. Temporary construction/administration office.
s. Agricultural uses as contained in LUDC Section 4.09 – Use Standards.
t. Public or private roads and utilities including bridges, utility, improvements, lines and mains, facilities, services, parking lots and buildings.
~~u. Additional uses determined to be similar to uses by right listed above.~~
u. Entry signage
v.

3. Minimum Building Setback Requirement:
There shall be a ~~25foot~~25-foot building setback from all lot lines that front public roads,

except from Sylvan ~~lake~~Lake Road where a ~~50foot~~50-foot setback shall be required. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations.

4. Maximum Building Height:
35 Feet. Architectural features such as a tower, cupola or other architectural focal point may have a maximum height of 42 feet if approved by the Haymeadow Design Review ~~Board~~Committee.

5. Density Allowance:
N/A

6. Maximum Site Coverage:
N/A

~~D~~E. **Natural Open Space Tracts - OS-A, OS-B & OS–C, as labeled on the Preliminary Subdivision Plan, as well as future open space Tracts which will be created through ~~resubdivision~~re-subdivision of Tract H of the PUD Preliminary Subdivision Plan. The approved PUD Development Plan depicts the general location and size of the future Open Space and Neighborhood areas within Tract H. The PUD Preliminary Subdivision Plan is attached as Exhibit B.**

1. Purpose:
To provide sites for natural open space, active recreation, agricultural uses, trails and park facilities, water storage and drainage improvements and landscape improvements.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

a. Non-motorized trail systems including: Equestrian, pedestrian and bicycle trails.
b. Landscape Improvements.
c. Lakes, ponds, reservoirs, and irrigation ditches.
d. Shade shelters and picnic facilities.
e. Public or private roads, trailhead parking, restrooms, and utilities including bridges and utility improvements, tanks, lines, mains, pumphouses, facilities, services, and buildings.
f. Agricultural uses and associated facilities.
g. Community gardens and associated facilities.
h. Parks / playgrounds
i. Community gathering spaces
j. Water access
k. Activities deck
l. Dog parks.

~~i~~m. Special events associated with agricultural facilities, community garden facilities, trails, and trailheads, such as athletic, entertainment or cultural events.
n. Trash receptacles, wildlife resistant
o. Entry signage

3. Building Setback requirement
25 feet

4. Maximum Building Height
35 feet

5. Gross Density Allowance:
N/A

6. Maximum Site Coverage:
N/A

7. Supplemental Requirements:
The design and placement of recreation trails adjacent to the eastern wildlife corridor and open space shall minimize the impact of recreation users upon wildlife.

~~E~~F. Fire Station - Tract G:

1. Purpose:
To provide a site for a fire station and related improvements.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

a. Fire station and related ancillary facilities, which may include, but not be limited to, offices, meeting rooms, training areas, crew quarters and temporary residences for fire fighters.
b. ~~Additional uses determined to be similar to uses by right listed above.~~ Accessory uses allowed in the Public and Civic Campus (PC1) District, as outlined in Table 4.09-2: Accessory Use Table in the Recode Eagle Land Use and Development Code.
~~c. Accessory uses customarily appurtenant to uses by right listed above.~~

3. Building Setback Requirement:
There shall be a 25' building setback from all lot lines.

4. Maximum Building Height:
35 feet. Architectural features such as a tower, cupola or other architectural focal point

may have a maximum height of 42 feet if approved by the Haymeadow Design Review ~~Board~~Committee and Town of Eagle.

5. Haymeadow ~~DRB~~DRC approval and Town of Eagle Development Permit approval will be required prior to construction of buildings or alteration of the site.

~~F~~G. Trailhead Park – Tract F ~~& F1~~

1. Purpose:
To provide a site for active park and recreation facilities, formal and informal play fields, open space, ponds and water features, stream corridors and recreation trails, community buildings and facilities.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

a. Indoor and outdoor recreation and entertainment facilities.
b. Parks and picnic facilities.
c. Amenity Center and/or Community Center.
d. Cultural and educational buildings and activities.
e. Concessions, food and beverage service.
f. Special events including sports events and tournaments, entertainment and cultural events.
g. Administration/Maintenance facilities.
h. Homeowner Association, Metro District or Town of Eagle operated or contracted enclosed storage or administration building.
i. Equestrian, pedestrian, and bicycle trails.
j. Dog park.
k. Community gardens.
l. Playgrounds, pavilions, play equipment and water features.
m. Temporary structures, tents and trailers associated with special events.
n. Landscape improvements.
o. Lakes, ponds, reservoirs, raw water irrigation structures and facilities and irrigation ditches.
p. Temporary construction/administration/sales office. Public or private roads and utilities including bridges, utility, improvements, lines and mains, facilities, services and buildings.
q. Agricultural uses.
~~r. Additional uses determined by the Town Planner to be similar to uses by right listed above.~~
r.

3. Building Setback Requirement:

There shall be a 25' building setback from all lot lines.

4. Maximum Building Height:
35 feet. Architectural features such as a tower, cupola or other architectural focal point may have a maximum height of 42 feet if approved by the Haymeadow Design Review ~~Board~~Committee and the Town of Eagle.

~~G~~H. Cabin – Tract I

1. Purpose:
To provide a venue for special events including but not limited to weddings, community and corporate events including overnight stays by guests for no more than two consecutive nights.

2. Uses by Right:
This list of uses is meant to be inclusive rather than exhaustive. Should additional uses be considered for Planning Department interpretation, the use categories established in ReCode Table 4.09-1 and Section 4.20.050 Use Category Definitions shall be the basis for interpretation.

   a. Cabin with kitchen, bathrooms, and dressing/bedroom rooms which may be used as a single-family dwelling and/or in support of the Purpose described above~~—~~.
   b. Indoor and outdoor special events limited to a maximum of 170 attendees.
   c. Landscape Improvements
   d. Seasonal tents for special events
   e. Parking for no more than 20 vehicles
   f. Portable ~~selfcontained~~self-contained restrooms.
   g. Equestrian, bicycle, and pedestrian trails.
   h. Detached structure/garage
   i. Accessory apartment to single family dwelling as defined by the Town of Eagle (TOE) Municipal Code.
   ~~j. Additional accessory uses determined by the Town Planner to be similar to uses by right listed above.~~
   j.

3. Building setback requirement: 25 feet from all lot lines
4. Maximum Building Height 24 feet
5. Gross Density Allowance: One Dwelling Unit not to exceed 2,500 square feet floor area not including accessory structures.
6. Maximum site coverage: N/A
7. Supplementary Regulations:

   a. Special Events utilizing outdoor space shall not be allowed on a seasonal basis between the dates of December 1 to May 15.
   b. No amplified music shall be allowed between the hours of 11:00 pm and 9:00 am.
   c. Water and wastewater connection to the cabin shall be completed within two years of the time those utilities are extended to within 400 feet of the cabin parcel. Application for a building permit for construction of an accessory apartment or ADU shall not be made until such time as water and wastewater connections have been made to the Town's system.

d. Special Event parking for events larger than 20 attendees shall be accommodated on ABRIKA owned Haymeadow property or guests shall be shuttled in from private offsite locations. ABRIKA will require that special events organizers agree not to utilize public parking lots, Town of Eagle property or road right of ways without express permission from the Town of Eagle.

4. DENSITY CONTROL

Allowable maximum densities for each Neighborhood Parcel are set forth within the following density chart; provided however, that any Neighborhood Parcel may contain up to 1.25 times the total number of allowable dwelling units as described below. Any such increase in density of a Neighborhood Parcel shall be offset by an equal decrease in density from another Neighborhood Parcel. The intent of this provision is to allow flexibility in planning to take into account varying site conditions, market conditions and other design factors. There shall be no transfer of density allowed into Neighborhood D. There shall be one unit of density allowed in Tract I:Cabin, there shall be no transfer of density allowed into Tract I:Cabin.

The maximum density shall not exceed 16 dwelling units per gross acre for development within any Multi-Family Tract for each Neighborhood. The overall maximum density shall not exceed 7 dwelling units per gross acre. Acreage may be transferred between neighborhoods in conjunction with a density transfer, provided the resulting density does not exceed these maximum density thresholds.

In no event shall the total number of residential units in all planning parcels within the Haymeadow PUD combined exceed 837 units. Accessory dwelling units ~~not exceeding seven hundred (700) square feet appurtenant to single family dwellings~~meeting all Municipal Code requirements shall not be included in such limitation.

The combination of two or more existing residential units into a lesser number of units shall first be approved by the Haymeadow Design Review ~~Board~~Committee and the Town Planner if any of such units have been designated as an affordable housing unit pursuant to the Town of Eagle Local Employee Residence Program. Approval by the Town shall be granted if such a combination is in conformance with this PUD Guide, the Land Use and Development Code (LUDC), and any applicable building codes. However, residential units designated as affordable housing units shall not be combined if such combination would reduce the total number of affordable housing units below the minimum number of required affordable housing units required under the Town's Local Employee Residence Program.

The Haymeadow Homeowners (Design Review ~~Board~~Committee) and the Town of Eagle shall have all remedies available to them at law or in equity to enforce the provisions of this Section.

Accompanying each Final Plat and Development Permit application shall be an inventory of dwelling units that have been approved by previously final plats and/or Development Permits for each respective Neighborhood.

Neighborhood	Single Family/Duplex	Multi-Family	Total # D.U.
A1	82	218	300
A2	103	86	189
B	161	28	189
C	97	12	109
D	50	0	50
TOTAL	493	344	837

Density Table 1

Neighborhood	Single Family/Duplex	Multi-Family	Total # D.U.	Max. # Conversion D.U. per Neighborhood
A1	72	187	259	323
A2	100	89	189	236
B	142	28	170	212
C	128	40	168	210
D	50	0	50	50
Tract I	1	0	1	1
TOTAL	493	344	837	837 (Cumulative Max.)

Density within each neighborhood has been defined in the PUD Development Plan and the PUD Guide as two unit types: Multi-Family and Single Family/Duplex. Up to 25% of the units within each neighborhood identified as Multi-Family may be converted between these two unit types (i.e., converted from Multi-Family to Single Family/Duplex or converting from Single Family/Duplex to Multi-Family) to Single Family/Duplex units and allowed in areas referenced as Multi-Family on the PUD Zoning Plan. No additional density beyond the 837 approved units is allowed.

5. RAW WATER IRRIGATION SYSTEM

The Haymeadow Metropolitan District will own and operate the raw water irrigation system serving the development.

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6. PARKING REQUIREMENTS

All uses within Haymeadow will be subject to the parking standards ofset forth in Section 4.12 of the Town of Eagle Land Use & Development Code with the exception of the following exceptions. Any on-street parking spaces shall be constructed as guest or park parking and may not be counted toward fulfilling residential parking requirements. Each single family or duplex residence shall have a minimum of two on site parking spaces in addition to any garage space. These parking spaces shall fit within the property and not overhang any public walkway or travel way. Any accessory dwelling associated within a single family residence shall have one dedicated on-site parking space. A Bed and Breakfast use as defined in this PUD Guide shall provide the required single family parking plus one additional parking space per guest room. Parking requirements for Cabin Tract I shall be as specified in Section 3G, Cabin Tract I.:

Use	Required Parking (Min.)
Single Family, and Duplex	2 per DU

Townhomes	2 per DU
Accessory Apartment	1 per DU
Multiple Family Dwellings	Studio/1 BR Units: 1 per DU 2/3 BR Units: 2 per DU Plus 1 space per 6 units
Bed and Breakfast	1 per guest room + 2 for DU
Senior Housing	1 per DU
Childcare Center	1 space per 300 sq. ft., plus 4 drop-off spaces.

7.~~6.~~ DESIGN REVIEW

~~Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Haymeadow. These guidelines shall be approved and in place for any area of the Haymeadow PUD prior to the approval of any Subdivision Final Plat for that area. The Design Guidelines shall be submitted to the Town for review and approval by the Town Board using the Major Development Permit Review process. Subsequent major revisions to the guidelines shall be subject to the same review and approval process of the Town of Eagle.~~

~~The Haymeadow Home Owners Association shall establish a Haymeadow Design Review Board~~The Haymeadow Homeowners Association has established a Haymeadow Design Review Committee that shall have authority and responsibility over the design review process. In the event that the Haymeadow Design Review ~~Board~~Committee ceases to fulfill its duties as described in the guidelines ~~the~~, Town of Eagle must notify Homeowners Associate in writing and allow a 120-day cure period. If uncured, Town of Eagle may assume the role of the Design Review ~~Board~~Committee. Uses under this PUD Guide are subject to the Haymeadow Design Guidelines.

All projects requiring a Town of Eagle permit shall adhere to the standards of this PUD and, where not specifically covered, the provisions of the Town of Eagle Land Use Code.

Applicants for all new development proposals, new buildings or building modifications, new landscaping, or landscaping modifications, as defined in the adopted design guidelines, shall submit such proposals for review and approval by the Design Review ~~Board~~Committee.

The Town ~~of Eagle~~ will make every effort to ensure that DRC approval has occurred prior to issuance of grading or building permits, ~~shall not issue a building permit or grading permit without prior approval by the Design Review Board~~ as demonstrated by drawings stamped as approved by the Design Review ~~Board.~~Committee.

8. SIGNAGE

Sign regulations shall adhere to the signage standards within the Haymeadow PUD Guide

1. Community Signage. The following signs are permitted: Two (2) Primary community

entry signs/monuments/structures, (1) subdivision access sign per neighborhood, (1) entry/monument/structure signage for each of the following: Trailhead Park, multi-family area parcels, trailhead(s), and amenity area(s).

a. Any Trailhead Park sign installed by the HOA or Metro District shall be maintained by the HOA or Metro District.
b. The maximum height for primary entry signs/monuments/structures is seventeen feet (17') and the maximum sign area is fifty (50) square feet. The maximum height for subdivision access signs is ten (10') feet and the maximum sign area is thirty-two (32) square feet.
c. Entry signs/monuments/structures may encroach into the public right-of-way provided a clearance of at least thirteen feet six inches (13'6") is provided between the surface of the travel lanes and the lowest point of the sign directly above the travel lanes.
    1. For the purposes of this section, 'structures' refers to the sign area/sign cabinet, as well as the sign base/supports, and any other portions of the sign that provide above ground structural support or aesthetic enhancements.

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2. Enhanced Signage. Public and private signage within the Property may be designed to support the neighborhood character. Standard traffic and other regulatory signage, such as Stop signs and Yield signs, shall comply with the Manual on Uniform Traffic Control Devices (MUTCD) standards. To the extent consistent with MUTCD standards, Haymeadow PUD may modify such standard traffic and other regulatory signage to include natural materials. American Association of State Highway and Transportation Officials (AASHTO) standards shall be followed for all signage and sign posts. If Haymeadow PUD elects to utilize enhanced signage, this design will be subject to approval by the Public Works Director at Preliminary Subdivision.

~~1. **Architectural Design Standards:**~~

~~The site design concept for Haymeadow, and for Neighborhood A in particular, is to create pedestrian friendly, walkable well-connected neighborhoods. A streetscape plan that includes a wide planting strip with street trees and sidewalks along both sides of the street will frame the residential development.~~

~~In the single family and duplex neighborhoods relatively narrow lots with uniform building setbacks, recessed garages and a well established front porch element will create a strong neighborhood pattern. As the development progresses into Neighborhoods B, C and D the approved PUD Development Plan density decreases and the narrow lot pattern and streetscape design may become more relaxed.~~

~~Multi-family buildings will also be oriented to respect the streetscape while providing off-street parking. The buildings will be arranged to also focus on courtyard and open space access that will maintain a less formal but equally inviting pedestrian neighborhood quality.~~

~~The architecture of the Haymeadow community will both integrate with and enhance the beauty of the Town of Eagle and the Brush Creek valley. The intended goal is to develop~~

a series of neighborhoods at ease with the surrounding ranching setting that look and feel like a natural evolution of the greater Eagle community. This will be assured through the development, adoption and enforcement of design guidelines that:

a. Establish design and construction standards that both fit in the setting and ensure a consistent high level of quality across a wide array of housing types;

b Respond to the unique attributes and sensitivities of the site which are reflected in the design tenets underlying the plan;

c. Implement a diverse but cohesive, unified and balanced architectural and landscape theme;

d. Control massing of buildings to be appropriate in scale and context;

e. Site structures in a manner which responds to existing physical site features, maximizes vistas, privacy and addresses energy usage ;

f, Utilize forms and materials that honor the site's cultural history.

The Applicant has begun to develop housing designs that are illustrative of its vision for the property and are attached as Exhibit D.

These illustrative drawings:

- are examples of the type and style of housing that can be achieved in each residential building type. The architectural character will offer variety but will also include a style that ties together the single family and multi-family building types;
- reflect the general design principals outlined above which are the framework to be expanded upon and implemented in future design guidelines.

The architecture of the Haymeadow Community is inspired by the natural materials and simple gathered forms of the surrounding historic Colorado ranch compounds. These typical asymmetric historic buildings which evolved over time have a casual and intimate architecture which is at harmony with the land. The proposed palette of natural earth colored stucco, timbers and stained wood sidings will give the buildings a natural patina that will blend in with the surroundings. The architecture of the community will be rooted in the history of the place.

The main element of the house should typically be two stories in height and typically have gable roof(s) with smaller attached one-story elements with typical shed roofs. Buildings are generally taller in the middle and step down at ends with typically one and a half story massing at the sides of the house and should step with grade to minimize site grading.

Primary building materials/colors must be muted tones derived from the earth, trees and rock outcroppings of the surroundings environment.

2. **Environmental Building Practices:**

a. Low environmental impact and energy efficiency approaches to site planning, design, landscaping and construction are highly encouraged.

b. Owners are encouraged to review LEED guidelines published by the US Green Building Council (www. usgbc.org) which encourage energy efficiency, resource efficiency and healthy indoor air quality.

c. Passive and active solar is highly encouraged. Hot water and photo voltaic solar panels are encouraged to be well planned and integrated in to the architectural design. Panels should be installed in the same plane as the roofs and close to flush with the roof. Solar panels and all associated mounting brackets and hardware shall be all black. No bright shiny metal elements are allowed.

3. **Landscape Design Standards:**

Landscape Design Standards will be written and adopted as an integral part of the overall design guidelines. The intent of the landscape design guidelines will be provide standards for landscaping and water conservation within the PUD that enhance and maintain the character of the residential neighborhoods and public spaces of the Haymeadow PUD. The Landscape Design Guidelines shall comply with the Town of Eagle Water Efficiency & Conservation plan as applicable.This will be accomplished by:

a. Setting minimum and maximum standards for planting within residential and public spaces.
b. Promoting the conservation of water through selection of proper plant palettes and the use of efficient irrigation techniques.
c. Controlling the spread of noxious weeds and invasive plant species.

4. **Illumination Design Standards:**

Illumination design standards for residential and public uses shall be included within the approved design guidelines. The intent of these standards will be to provide compliance with adopted Town of Eagle lighting requirements and appropriate dark sky practices.

5. **Fencing Design Standards:**

1. Fencing design standards shall be included within the approved design guidelines. The intent of these standards will be to provide a compatible appearance among residential properties and to regulate the structure, location, height, color and materials of fencing prior to installation. Where appropriate and as required, wildlife friendly fencing will be specified.

6. **Specific Design Considerations:**

Specific design considerations have been discussed with the Town of Eagle through the Haymeadow PUD Development Plan approval process. This section of the PUD provides a commitment to incorporate certain design considerations into the Haymeadow Design Guidelines.

a. Final Plat and Development Permit applications shall include site and landscape design considerations for each Sylvan Lake Road intersection that creates key visual corridors into the adjacent neighborhood, creating a sense of welcome and entry. This is of specific importance at the school road intersection.
b. Any development plan that includes a enclosed storage building or a HOA/Metro District maintenance yard shall include appropriate landscape screening to screen

~~the view from the public street. Any yard and building plan structures shall require approval of the Haymeadow Design Review Board.~~

~~c. Cedar or other wood shake shingle products shall not be allowed as a roofing material.~~

~~d. Multi-Family development and Fire Station shall be subject to Town of Eagle Development Permit review as outlined in Section 4.06 of the Town of Eagle Land Use and Development Code.~~

~~7. SIGNS~~

~~Sign regulations shall meet the Town of Eagle sign code; unless a comprehensive Haymeadow Sign Program is approved by the Town of Eagle.~~

9. ARCHITECTURAL DESIGN STANDARDS

Architectural Design Guidelines are set forth in the Haymeadow Design Guidelines. No change may be made to the Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without approval of the Town Council. Any subsequent major revisions to the Design Guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle.

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10. WILDLIFE CONSERVATION

The Haymeadow PUD has been designed to comply with the Wildlife Conservation Development Standards in Section 4.14.040 of the Town Code, to maintain and enhance the diversity of wildlife species and habitat in the Town and to plan and design land uses to be harmonious with wildlife habitat and the species that depend on this habitat. Wildlife impacts have been reviewed at the PUD level and Development Standards required in accordance with Code Section 4.14.040.

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Clustering: Development nodes have been clustered in areas of introduced or disturbed vegetation, and environmentally sensitive portions of the property such as wildlife habitat, wetlands, geologically sensitive areas and drainageways have been identified and protected by designating these areas as open space.

Buffering: Per Section 3.C.8 of the PUD Guide, a 500-foot-wide wildlife corridor and landscape screening berm shall be established on the adjacent open space to the east of Neighborhood D, as indicated on the approved PUD Development Plan attached as Exhibit A.

In addition to the clustering and buffering achieved through the PUD Development Plan, the following wildlife mitigation measures are also required within the PUD:

A. Dogs and Pet Control~~DOGS AND PET CONTROL~~

Each dwelling unit will be permitted to house up to two dogs and offspring up to three months old. Residents will be prohibited from harboring dogs on their property unless they have adequate facilities (i.e., animals kept in residence, a fenced yard, an electronically fenced yard,

dog run, or kennel) to contain the animals. Enclosed runs must be located immediately adjacent to the home, within the lot's building envelope if an envelope is required~~,~~ and shall not exceed 1,000 square feet. If facilities are inadequate to contain the dog(s), the animals will be immediately removed from the subdivision until adequate structures can be built.

At no time are dogs to be allowed to run freely, other than within designated leash free dog parks. Haymeadow shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle.

Stray dogs may also be controlled by the Town and/or County and Colorado Department of Parks and Wildlife (CDPW). Homeowners not in compliance with these dog restrictions will be responsible for any and all costs incurred by the Town, County, and/or CDPW for enforcing these provisions.

Contractors, subcontractors, and other construction related visitors shall be prohibited from bringing dogs onto the Haymeadow PUD.

~~9.~~ B. Fencing ~~FENCING~~

Any fencing separating a residential lot from adjacent natural open space shall be required to meet the wildlife friendly fencing guidelines of Colorado Parks and Wildlife.

The Haymeadow Metro District and/or Homeowners Association shall be responsible for maintaining a fence at appropriate perimeter sections of the PUD to keep cattle grazing on adjacent lands from entering the Haymeadow PUD.

C. Trash Recptacles

Single family residences within the Haymeadow PUD shall be restricted from storing or leaving trash receptacles outside overnight. Trash receptacles shall be placed outside on the day of pick-up and shall be returned to an indoor location the same day.

Multi-family buildings shall provide wildlife resistant trash enclosure structures.

D. Haymeadow Design Guidelines

Additional Wildlife Conservation Development Standards are also set forth in the Haymeadow Design Guidelines, addressing preservation of native vegetation, tree removal, native plant selection, deer/wildlife fencing, and exterior lighting. No change may be made to the Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without approval of the Town Council. Any subsequent major revisions to the Design Guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle.

11~~0~~. TOWN OF EAGLE DEVELOPMENT PERMIT

All multi-family buildings, the fire station, school and Trailhead Park pavilion building shall be required to obtain a Development Permit pursuant to Section 4.~~06~~17 of the Town of Eagle Land Use and Development Code

~~11 TRASH RECEPTACLES~~

~~Single family residences within the Haymeadow PUD shall be restricted from storing or leaving trash receptacles outside overnight. Trash receptacles shall be placed outside on the day of pick-up and shall be returned to an indoor location the same day.~~

~~Multi-family buildings shall provide wildlife resistant trash enclosure structures consistent with the approved Design Guidelines.~~

12. CONFLICTS

The specific provisions of this Guide shall supersede those of the Town of Eagle Land Use Regulations. However, where the Guide does not address an issue, the specific provisions of the Town of Eagle Land Use Regulations shall prevail. In cases of dispute or ambiguity, the ~~Board of Trustees shall act to interpret~~Developer will follow the appeals process listed in the Land Use Development Code.

13. AMENDMENTS TO THE HAYMEADOW PUD GUIDE, PUD DEVELOPMENT PLAN AND SUBDIVISION PLANS

It is anticipated that modifications or amendments to this PUD Guide, the PUD Development Plan, and Subdivision Plans will be necessary from time to time as Haymeadow progresses. This PUD Guide provides for two types of modifications or amendments: minor and major.

A. Minor Modifications:

Minor modifications are those changes which will not alter the original project concept, but which may result in minor changes in the design of Haymeadow. Minor modifications include, but are not limited to internal road alignment alterations, minor adjustments to parcel boundaries, building envelope changes, and additions of land uses not previously listed but determined to be similar to listed uses. Minor adjustments to Planning Parcel boundaries shall be defined as:

Change in land use of a parcel of property not to exceed 20,000 square feet to conform to the land use of property immediately adjacent to it, provided however, that the provisions of this article shall not apply to property adjacent to any parcel of property the land use of which has previously been changed pursuant to the provisions of this article. Minor modification shall also include any decrease in size of a Neighborhood Residential parcel that is offset by an equal increase in an open space parcel.

Minor modifications will be processed administratively in accordance with the review procedures set forth in Chapter 4.17 of the Town Code. ~~may be authorized by the Town of Eagle Zoning Administrator upon written request. The Zoning Administrator shall act upon any minor modification request within 30 days of such a request. Any decision by the Zoning Administrator may be appealed in writing to the Eagle Board of Trustees within 30 days of such decision.~~

B. Major Modifications:

Major modifications are those changes not considered to be minor modifications and are changes that could alter the character or land use of a portion of the project.

Major modifications shall include:

1. Any increase in the total number of residential units.
2. Any change in land use designation of any parcels within the PUD, except as provided above.
3. Any additional ~~of~~ land into the PUD.

Major modifications will be reviewed by the Planning and Zoning Commission and Town Council in accordance with the review procedures set forth in Chapter 4.17 of the Town Code., ~~shall be under the authority of the Eagle Board of Trustees. Applications for major modifications shall be heard in public hearing by the Board after receiving a recommendation from the Planning and Zoning commission.~~ The Town ~~Board~~Council shall approve the modification if it is found that the modification is consistent with the efficient development of the entire PUD and does not substantially affect the enjoyment of land abutting the PUD or the public interest.

Approved by Abrika Properties, LLC, the developer of the Haymeadow PUD, this _____ day of _____, ~~2021~~2024.

By:_____

TOWN of EAGLE Signature block:

Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its ~~Board of Trustees~~Twon Council, this _____ day of _____, ~~2021~~2024.

_____, Mayor
ATTEST:

_____
Town Clerk

LEGEND

- MULTI-FAMILY
- SINGLE FAMILY / DUPLEX LOTS
- CHILDCARE SITE

Neighborhood Parcels	Acreage	Multi-Family Units	Single-Family / Duplex Units	Total Units
A1	42.4	187	72	259
Childcare Site	1.6	-	-	-
A2	44.8	89	100	189
B	57.4	28	142	170
C	57.4	40	128	168
D	47.0	0	50	50
I	5.8	0	1	1
Subtotal	**256.4**	**344**	**493**	**837**

Planning Tracts	Acreage	Land Use
Tract E	32.8	School/Recreation
Tract F	20.9	Community Park
Tract G	1.6	Fire Station
Subtotal	**55.3**	
Private ROW	0	Roads
Public ROW	18.2	Roads
Open Space	327.4	Open Space
Subtotal	**345.6**	
Total	**657.3**	

HAYMEADOW | PUD DEVELOPMENT PLAN

August 28, 2024

NORTH

0' 150' 300' 600'
SCALE

NORRIS DESIGN
PLANNING | LANDSCAPE ARCHITECTURE | BRANDING

POOL AND ICE RINK
TRACT OS C
UPLAND OPEN SPACE
TRACT OS D
TRACT OS E
HAYMAKER TRAILS
TRAILHEAD
TRACT OS F
TOWN AND SCHOOL SITE TRACT E
NEIGHBORHOOD A2
NEIGHBORHOOD A1
NEIGHBORHOOD B
TRACT OS A
SPINE TRAIL
WILLOW TREE CORRIDOR
TRACT I
EXTRA CREDIT TRAILS
NEIGHBORHOOD B
CHILDCARE SITE
NEIGHBORHOOD A2
TRACT OS B
WETLAND BUFFER / OPEN SPACE
SYLVAN LAKE RD
NEIGHBORHOOD B
TRAILHEAD
DYLAN'S POND
NEIGHBORHOOD C
TRAILHEAD PARK TRACT F
FIRE STATION TRACT G
QUAIL LANE
NEIGHBORHOOD C
TRACT OS G
NEIGHBORHOOD D
NEIGHBORHOOD D
NEIGHBORHOOD C
BRUSH CREEK RD
STRAWBERRY POND
TRACT OS L
WILDLIFE CORRIDOR
BRUSH CREEK PAVED PATH
TRACT OS H
HAYSTACKER PAVED LOOP
TRACT OS I
TRACT OS K
TRACT OS J

LEGEND

- EXISTING TRAILS
- EXISTING TRAILS (OFF-SITE)
- PROPOSED PRIMARY PATH
- PROPOSED SECONDARY PATH

NOTES:

1) PROPOSED PRIMARY PATHS TO INCLUDE HARD SURFACE (ASPHALT, CONCRETE) TRAILS. WIDTH TO VARY 4' MIN – 12' MAX.

2) PROPOSED SECONDARY PATHS TO INCLUDE HARD SURFACE (ASPHALT, CONCRETE) AND SOFT SURFACE (NATURAL DIRT, CRUSHER FINES) TRAILS. WIDTH TO VARY 2' MIN – 8' MAX.

HAYMEADOW | PUD TRAILS PLAN

September 13, 2024

NORTH

0' 150' 300' 600'

SCALE

NORRIS DESIGN

PLANNING | LANDSCAPE ARCHITECTURE | BRANDING

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 11
(Series of 2024)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ADOPTING THE FOURTH AMENDED PLANNED UNIT DEVELOPMENT GUIDE AND DEVELOPMENT PLAN FOR THE HAYMEADOW PLANNED UNIT DEVELOPMENT

WHEREAS, ABRIKA Properties, LLC, 7 Hermit Condos, LLC, and the Town (collectively, "Applicants") own the real property described as Tracts E, 37, 38, 44, 55, 61, 62 and 63, Town of Eagle, Eagle County, Colorado (the "Property");

WHEREAS, on October 18, 2024, Applicants submitted an application for a major amendment to the Planned Unit Development for the Property (the "PUD") to amend and update the Haymeadow PUD Guide and PUD Development Plan;

WHEREAS, on October 10, 2024, the Planning and Zoning Commission held a properly-noticed public hearing on the Application and recommended that the Town Council approve the Application;

WHEREAS, on October 22, 2024, the Town Council held a properly-noticed public hearing on the Application; and

WHEREAS, the Town Council, upon reviewing the recommendation of the Planning and Zoning Commission, and upon hearing the statements of staff and the public, and giving due consideration to the matter, determines as provided below.

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

Section 1. Findings. The Town Council finds that the Application complies with the applicable criteria in Section 4.11.050. of the Eagle Municipal Code and the 2021 Updated Elevate Eagle Comprehensive Plan.

Section 2. Decision. Based on the foregoing findings, the Town Council approves the Application.

Section 3. 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 anyone, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter, this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor and Town Council

From: Molly Furtado, Special Events Manager

Date: 10/22/24

Agenda Item: 2025 MEAC Funding Requests Proposed Allocations

REQUEST:
Staff requests the Town Council review and approve the 2025 Marketing and Events Advisory Committee event funding requests and recommendations. Staff also seeks Council's support and for a summer season closure of 2nd Street in 2025.

INTRODUCTION:
Starting in September 2024, the Marketing and Events Advisory Committee (MEAC) solicited and received requests for funding of special events in the Town of Eagle for 2025. The MEAC committee received a total of $261, 800 in funding requests. MEAC 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 objectives and criteria. What is presented in the attached recommendation is the conclusion of their reviews and suggestions for allocating the 2025 MEAC events funding budget, which is $100,000.

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. To accommodate multiple events, MEAC proposes a summer season closure of 2nd Street, between Broadway and Grand Ave., from June 20 – September 29, 2025. See attached draft proposal to business owners and stakeholders. With Council's support, staff will continue to collaborate with each impacted business and property owner to ensure stakeholder support for the closure.

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 in-person to MEAC members.

BUDGET / STAFF IMPACT:
The 2025 MEAC Special Event Funding total budget is $100,000. Breakout of the allocations is in the attached documents.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
The implementation of the 2025 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 2025 MEAC Special Event funding allocations.
- Direction to staff to collaborate with impacted businesses on a summer season closure of 2nd Street for 2025.

ATTACHMENTS:

- 2025 MEAC Event Funding Proposed Allocations
- Proposal for Summer Season 2nd Street Closure
- Hard Street Closure Fee Estimate

2025 MEAC Event Funding

Special Events	Requesting Party	2024 Request	2024 Awarded	2025 Request	MEAC 2025 Recommendation	
Ice Castles	Ice Castles, LLC			25,000	$ 5,000	
Gearvana	Gearvana, Mike McCormack			7,500	3,700	
Yoga in The Park	Yoga Off Broadway, Yvonne DeGorter	3,500	1,000	3,000	1,000	
Climbing League High School Regional Championships/National Championships	Eagle Climbing + Fitness, Larry Moore	10,000	7,500	15,000	6,500	
ShowDown Town	Vail Valley Foundaton, Greg Bloom	50,000	50,000	50,000	40,000	
Eagle Mushroom & Wild Food Festival	Hamilton Mushrooms, Hamilton Pevec	6,000	5,500	10,000	5,000	
Eagle Farmers Market & Art Show	Ren Productions, Angela Mueller			33,000	2,000	
Murder Mystery	EagleARTS, Tara Novak	3,000	3,000	5,000	3,000	
Fall Festival ARTwalk	EagleARTS, Tara Novak			12,000	3,500	
Holiday ARTwalk	EagleARTS, Tara Novak			3,000	-	
Biztoberfest	Eagle Chamber, Michelle Morgan	10,000	2,000	10,000	2,000	2nd St closure
Down Valley Vibes	Your Fathers Office, Brian Kunkel			10,000	5,000	use of brush creek soccer fields
Access Unbound: All Wheels Crit Ride	Access Unbound, Elizabeth Latenser			10,000	5,000	date change
Eagle County BMX State Race	Eagle County BMX	3,000	500	3,000	500	
Vail Cup Soccer Tournament	Vail Valley Soccer Club	$ 4,000	$ 1,000	$ 5,000		
Triple Crown World Series	Triple Crown Sports	5,000	1,000	5,000	-	
Pond Hockey	Eagle Valley Skating Assoc	2,500	1,000	1,000	700	
Youthapalooza	Mountain Youth			5,000		
Bikes & BBQ	The Cycle Effect			5,000	-	
RM Sports Riders event	RM Sport Riders			1,000		
Race #2 Haymaker Classic	Colorado High School Cycling League	$ 7,500	$ 5,000	7,500	4,000	
Race #3 Haymaker Classic	Colorado High School Cycling League	7,500	5,000	7,500	4,000	
Rocky Mountain Walk to End Alz	Alzheimer's Association	1,000	500	1,000	500	
Dynafit Boneyard Boogie	Vail Recreation District, Beth Pappas	500	500	1,500	-	
VRD Mountain Bike Race Series	Vail Recreation District, Beth Pappas	1,000	500	1,200	-	
Mountain Tots Jingle Jog	Mountain Tots Preschool	$ 1,000	$ 750	750	500	
Fiesta Pride	Mountain Pride			5,000	1,500	
Community Pride Hwy Cleanup and River Cleanup	Eagle River Coalition	$ 2,000	$ 2,000	2,000	1,000	
Eagle Ranch Pumpkin Patch	Cub Scout Pack 229	$ 800	$ 800	900	600	
Eagle Ranch Pumpkin Patch	Eagle Community Gardens	$ 450	$ 450	450	-	
Little League Opening Day	Mountain Recreation	$ 4,000	$ 2,000	2,000	1,000	
Eagle County Fair and Rodeao	Eagle County Fair and Rodeo	$ 1,500	$ 1,500	1,500	1,500	
Eagle Egg Hunt	Eagle Vineyard Church	$ 2,500	$ 500	2,000	500	
Porchlight Players Dinner Theater	Porchlight Players, Ltd.	$ 2,500	$ 2,500	2,500	2,000	
Vail Mountaineer Hockey Club	Vail Mountaineer Hockey Club	$ 7,500	1500			
Habitat Home Dedication	Habitat for Humanity	3,000	500			
Music and a Movie	Kaleidoscope Productions	10,000	6000			
Haymaker Jam	The Cycle Effect	5,000	5000			
Mountain Rats Festival	Mountain Rats Festival	10,000	5000			
Christmas on Broadway	Downtown Business Alliance	6,500	2500			
Indigenous Wisdom Gathering	The Tipi Raisers	5,000	5,000			
	Totals	**176,250**	**120,000**	**261,800**	**100,000**	

All events submitted will be promoted on Town of Eagle's website

2025 4 PROPOSED BUDGET $ 100,000

Proposal for the Summer Season 2nd Street Closure (West of Broadway)

INTRODUCTION

The purpose of this proposal is to present an opportunity for the businesses along 2nd Street to come together in support of a summer-long street closure of the block where your storefronts are located. By temporarily transforming this area into a pedestrian-only zone, we can create an engaging, bustling atmosphere that will attract more visitors to events throughout the summer.

BENEFITS

1. Enhanced Exposure for Your Business

   A closed 2nd Street will naturally draw more foot traffic, allowing residents and visitors to explore local shops, restaurants, and services without the interruption of vehicle traffic. A pedestrian-friendly area also allows businesses to extend their space outdoors, providing unique opportunities for pop-up events, sidewalk sales, outdoor seating, and interactive displays.

2. Community Engagement and Events

   Closing the street offers a unique platform for hosting events, markets, and community activities that will attract more visitors and create a memorable experience. Think about possibilities like live music performances, street art, themed markets, food festivals, and more, which would benefit businesses, and create a vibrant cultural hub on 2nd Street.

3. Health and Safety

   A vehicle-free 2nd Street promotes a safer environment for pedestrians, allowing families, tourists, and locals to enjoy the area with ease. With increased pedestrian flow, businesses will have an excellent opportunity to foster a stronger connection with their community, offering a safe and welcoming space for all.

PROPOSAL

1. Street Closure Duration and Logistics

   We propose a street closure from Friday, June 20, 2025, through Monday, September 29, 2025. This will include weekends and holidays. Adjustments can be made based on feedback from business owners.

2. Event Programming and Promotion

   A seasonal schedule will be developed in partnership with local businesses, town officials, and community groups to create a lineup of activities and events that will maximize foot traffic

and engage visitors. We will also work on promotional strategies that include social media marketing, local media partnerships, and collaboration with the Chamber to attract visitors from surrounding areas.

3. Public Works Collaboration and Cost Analysis

We have preliminary discussions with public works to ensure that any costs or concerns regarding maintenance, trash collection, and emergency access are addressed in advance. The anticipated cost savings for public works will be factored into this plan, demonstrating a practical benefit beyond the increase in visitor traffic.

CONCLUSION

The 2nd Street summer closure will create a dynamic environment that will benefit businesses, encourage community participation, and save resources. We welcome your feedback and support in moving forward with this exciting initiative. Together, we can transform 2nd Street into a thriving summer venue and maximize the potential for all businesses involved.

Please feel free to contact me with any questions, concerns, or suggestions. We look forward to collaborating with each of you to make this proposal a reality.

Thank you for your consideration.

Molly Furtado, Special Events Manager
Town of Eagle
(970) 456-6099
Molly.furtado@townofeagle.org

Hard Street Closure Fee Estimate By: Tom Gos 9/5/2024

1 trailer load is 5 blocks
Each block closes 10 LF of street width (6' long block + 4' gap between blocks)

	Hours	Rate	Total	
Loading Blocks at PW				
Truck	0.5	$ 20.80	$ 10.40	
Gooseneck Trailer	0.5	$ 20.00	$ 10.00	
Loader	0.5	$ 60.00	$ 30.00	
Labor (2 man crew)	1	$ 59.50	$ 59.50	
Haul, Unload, Place Blocks				
Truck	2	$ 20.80	$ 41.60	
Gooseneck Trailer	1	$ 20.00	$ 20.00	
Loader	1	$ 60.00	$ 60.00	
Labor (5 man crew)	5	$ 59.50	$ 297.50	
Remove, Load, Haul Blocks				
Truck	2	$ 20.80	$ 41.60	
Gooseneck	1	$ 20.00	$ 20.00	
Loader	1	$ 60.00	$ 60.00	
Labor (5 man crew)	5	$ 59.50	$ 297.50	
Unloading Blocks at PW				
Truck	0.5	$ 20.80	$ 10.40	
Gooseneck Trailer	0.5	$ 20.00	$ 10.00	
Loader	0.5	$ 60.00	$ 30.00	
Labor (2 man crew)	1	$ 59.50	$ 59.50	
		Total for 5 Blocks	$1,058.00	
		Cost per Block	$ 105.80	
		Cost per Foot of Street Width	$ 10.60	
Example Cost for closing a 24' wide street			$ 254.40	$2,035.20
Example Cost for closing a 40' wide street			$ 424.00	

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 78
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING THE FUNDING RECOMMENDATIONS AND 2ND STREET CLOSURE RECOMMENDATION OF THE MARKETING AND EVENTS ADVISORY COMMITTEE

WHEREAS, the Marketing and Events Advisory Committee ("MEAC") solicited and received requests for funding of special events within the Town during 2025;

WHEREAS, the MEAC received event proposal requests totaling $261,800;

WHEREAS, the MEAC reviewed all requests and scored the requests in accordance with the MEAC's objectives and criteria;

WHEREAS, the MEAC has issued their recommendations for the allocation of the MEAC's 2025 budget of $100,000;

WHEREAS, the MEAC also recommends a closure of 2nd Street, between Broadway and Grand Avenue, from June 20 to September 29, 2025, to accommodate multiple events; and

WHEREAS, the Town Council finds that the funding recommendations and street closure recommendation are consistent with the Town's Strategic Plan.

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

Section 1. The Town Council hereby approves the MEAC's 2025 Event Funding recommendations attached hereto, pending final adoption of the 2025 Town Budget.

Section 2. The Town Council hereby approves the closure of 2nd Street from June 20 to September 29, 2025, and directs Staff to collaborate with impacted businesses regarding the same.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor Turnipseed and Town Council

From: Kira Koppel, Sustainability Specialist; Stephan Wilson, Utilities Manager, Tom Gosiorowski, Public Works Director

Date: October 22nd, 2024

Agenda Item: Resolution 77, Series 2024, Adopting the Eagle River Community Water Plan

REQUEST: Town staff requests that the Council review and approve Resolution 77, adopting the Eagle River Community Water Plan.

BACKGROUND: Eagle River Coalition (ERC), formerly the Eagle River Watershed Council, initiated the Eagle River Community Water Plan to develop proactive water management recommendations that anticipate changes to local hydrology and water demand. The State of Colorado laid the groundwork for this plan with the adoption of the Colorado Water Plan in 2015, with a goal of completing stream management plans for 80 percent of locally prioritized rivers by 2030. The Eagle River and its tributaries are one such prioritized river.

The Eagle River Watershed supports diverse uses of water that may be impacted by population growth and increasing municipal demand for water in Eagle County, climate change and volatility, and projects related to the Eagle River Memorandum of Understanding (ERMOU)–an intergovernmental agreement for developing municipal water supplies in the upper Eagle River watershed. Therefore, the overall goal of the Eagle River Community Water Plan is to consider past, present and future human and ecosystem river health values to identify opportunities to correct historical degradation and prevent and mitigate against non-desirable future conditions.

The plan is meant to serve as a guidance document that provides insight into watershed-level values and priorities. Values and priorities were identified by various stakeholders, including a core/technical group and the community at large (representing individuals living within the Eagle River watershed). This plan is intended to serve as a supporting document in grant applications and funding opportunities that the town is already interested in pursuing; as an additional guidance document when implementing Goal 4 of the comprehensive plan and the Brush Creek Watershed Management Plan; and as a resource that can bolster the town's existing efforts in this space.

The full plan is linked HERE, and the Community Water Plan Projects and Strategies summary has been included below for discussion in the Analysis section.

Initial set of project and policy Strategies identified through the ERCWP process. Each Strategy is accompanied by a pair of dimensionless indices that describe their respective responsiveness to the Management Objectives and the number and type of limiting factors that may complicate implementation of the Strategy.

Strategy	ID	Description	Scaled Evaluation Indices	
			Responsiveness to Objectives	Perceived Limiting Factors
Instream Habitat Restoration	HAB-1	Partner with local conservation district to construct fish passage structures around select agricultural water diversions on Gypsum Creek and Brush Creek	2.9	1
	HAB-2	Partner with USFS and CPW to install Aquatic Organism Passage (AOP) Projects on tributaries holding native trout	1.8	0
	HAB-3	Implement aquatic and riparian habitat restoration project on the Eagle River below Gypsum impacted by wildfire	2.5	2
	HAB-4	Reroute Wearyman Road (connector of Shrine Pass and Red Cliff) to reduce sedimentation	1.0	1
	HAB-5	Conduct post-project monitoring for instream habitat restoration projects to quantify effectiveness	0.8	3
Management of Instream Flows	Q-1	Construct modeling tools to evaluate feasibility of mitigating water temperature impacts on lower Eagle River through reservoir releases	3.5	5
	Q-2	Pilot Water Temperature Reduction Project	7.0	2
	Q-3	Support the Colorado River District's efforts to secure the Shoshone Power Plant water rights in Glenwood Canyon	7.0	1
Climate Studies/ Infrastructure	CSI-1	Support the Colorado River District regional cloud seeding program	1.2	2
	CSI-2	Incentivize installation and use of smart irrigation controls on residential dwellings	3.2	1
Riparian Habitat Restoration	RIP-1	Continue to pursue riparian/wetland restoration opportunities identified in the Eagle River Inventory and Assessment that fall outside the ERCWP planning area	3.2	2
	RIP-2	Use riparian condition mapping produced by the ERCWP to plan and implement riparian habitat restoration with private landowners in Edwards near the confluence with Lake Creek and between Eagle and Gypsum	8.3	2
	RIP-3	Plan and implement riparian habitat restoration projects with public land entities on upper Brush Creek and Gypsum Creek.	7.6	1
	RIP-4	Increase river canopy shading along the lower Eagle River with large trees to address increasing river temperatures	6.6	1
	RIP-5	Utilize conservation easements to protect riparian habitat, wetlands, and floodplains, especially near Edwards, Wolcott, and between Eagle and Gypsum	3.9	3
	RIP-6	Develop recommendations for complementary riparian setbacks in Eagle County and the towns of Eagle County	7.5	2
Recreation Infrastructure	REC-1	Inventory and upgrade existing boat ramp infrastructure (e.g., hard and soft), river access points, and nearby recreational areas	6.2	2
	REC-2	Improve efficiency of existing irrigation water delivery and irrigation systems for parks and ball fields	0.6	3
Recreation Use Limits	USE-1	Study the impacts of recreational boating and angling on aquatic species, especially during elevated temperature events	0.6	1
	USE-2	Study user pay systems for river use, including the effectiveness, feasibility and equity of such regulations	0.6	1
Turf reduction and Landscaping	TRF-1	Implement turf replacement and stormwater demonstration projects throughout the county	6.8	3
	TRF-2	Organize an education and outreach program to promote water-wise landscaping throughout the county	6.8	0
	TRF-3	Establish a local source/nursery for native drought-tolerant and/or riparian vegetation	3.2	1
	TRF-4	Establish landscape guidelines for turf reduction for new developments or rebuilds	6.8	1
	TRF-5	Develop an incentive program for community members to re-landscape their properties and reduce turf	6.8	2
	TRF-6	Establish policies to reduce water use on existing properties	7.2	1
Water Rates	RTE-1	Promote use of Eagle River Water and Sanitation District's tiered water rate cost structure in other jurisdictions	7.0	1
	RTE-2	Establish water budgets for residential and commercial properties throughout Eagle County	3.5	1
Education and Community Outreach	EDU-1	Establish a long-term stakeholder coalition to prioritize, fund, and implement projects	0.0	1
	EDU-2	Engage with homeowners by bringing information to their homes to reduce excessive water use	3.6	1

ANALYSIS: Staff supports adopting this plan as a resource to support the implementation of existing town goals. The plan includes an analysis of the Lower Eagle River from Brush Creek to Gypsum Creek, and of Brush Creek from the town diversion to the Eagle River. These analyses include current and historical drivers of degradation and a scorecard for both current conditions and potential future drivers of change to current conditions. Using this plan as a reference will be valuable when identifying projects that support Goal 4-2 of the comprehensive plan and the goals within the Brush Creek Management Plan. Staff would like to acknowledge that a handful of specific strategies in the table above do not currently align with our existing plans. As such, staff recommends each implementation strategy is taken into consideration before implementation. Staff supports the overall purpose of the plan, but recognizes that some strategies may not apply to Eagle as well as they may to other areas of the Eagle River Basin. As shown in the river section and tributary report cards, there may be certain implementation strategies that work best and most relevant to stream health within Eagle that may not apply so much in Vail, and vice versa.

Specific strategies of concern are listed below.

- Recreation Use Limits – USE-2 – Study user pay systems for river use, including the effectiveness, feasibility, and equity of such regulations.
- Management of Instream Flows – Q2 – Pilot Water Temperature Reduction Project

COMMUNITY INPUT: This plan was formed with extensive community input, though the exact involvement from Eagle residents is unknown. The Eagle River Coalition is encouraging each municipality within the Eagle River Watershed to adopt the plan.

BUDGET / STAFF IMPACT: No budgetary impact is anticipated. The plan can support staff with decision-making and data points to support project implementation in support of the goals listed below. There may be budget implications once specific strategies are implemented.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:
The adoption of the Eagle River Community Water Plan (as a guide) aligns with Goal 4-2 of the Elevate Eagle Comprehensive Plan:

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.

4-2.2. Maintain and enhance the existing trail network along Brush Creek to define areas for human interaction.

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.

and the Brush Creek Management Plan:

Goal No. 1: Maintain sufficient streamflow in Brush Creek to support and protect the Stream's aquatic environment.

Goal No. 2: Protect and improve the quality of Brush Creek and its tributaries.

Goal No. 3: Establish and promote land and water management practices that conserve and protect the natural resources of the watershed.

RECOMMENDED ACTION OR PROPOSED MOTION:
A motion to **APPROVE** Resolution 77, adopting the Eagle River Community Water Plan as a resource for implementation of the town's existing and related goals.

ATTACHMENTS:

- Resolution 77, Adopting the Eagle River Community Water Plan
- Eagle River Community Water Plan: LINK
- Elevate Eagle Comprehensive Plan: LINK
- Brush Creek Watershed Management Plan: LINK

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 77
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, ADOPTING THE EAGLE RIVER COMMUNITY WATER PLAN

WHEREAS, The Eagle River Community Water Plan (the "Plan") is a long-range planning document that considers the past, present, and future ecosystems of the Eagle River watershed and identifies opportunities to correct historical degradation and prevent and mitigate against non-desirable future conditions;

WHEREAS, the Plan identified strategies to create a foundation for the communities within the Eagle River watershed to mitigate potential future impacts on the values they hold associated with the waterways in the Eagle River watershed;

WHEREAS, the primary planning and modeled area of the Plan is the mainstem Eagle River below its confluence with Homestake Creek, and Gore Creek below its confluence with Black Gore Creek;

WHEREAS, the Eagle River is a resource that provides drinking water, recreational access, and economic vitality to more than 50,000 people, and contributes about 9% of the Colorado River's flow at the Utah/Colorado border, and between 2.5-3% of the Colorado River's total annual discharge;

WHEREAS, the issues, needs, projects, and processes described in the Plan articulate the goals and objectives of the communities in the Eagle River watershed for collaboratively addressing the region's water future;

WHEREAS, the Plan does not supersede or serve as a substitution for any local, state, or federal permitting processes or subvert any existing water rights;

WHEREAS, the Town intends to use the Plan as a resource to develop future priorities, allocate resources, and work to secure a vibrant future for the Eagle River and its tributaries; and

WHEREAS, implementation of specific strategies within the Plan will align with existing priorities within the Town of Eagle Strategic Plan, the Town of Eagle Water Efficiency & Conservation Plan, and the Brush Creek Water Management Plan.

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

Section 1. The Town Council hereby adopts the Eagle River Community Water Plan, attached hereto.

Section 2. Nothing contained herein shall be construed as approval by the Town Council in its governmental capacity with respect to any particular project or funding request; all actions of the

Town are subject to applicable limitations and authority for local governments, as well as Town Council's discretion and budgeting authority in compliance with the Local Government Budget Law (C.R.S. § 29-1-101, *et seq*.) and TABOR (Colo. Const. Art. X, § 20).

Section 3. The Town Council hereby finds, determines and declares that this Resolution is necessary for the public health, safety and welfare of the residents of the Town and Eagle County.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____

Scott Turnipseed, Mayor

ATTEST:

_____

Jenny Rakow, Town Clerk

To: Mayor Turnipseed and Town Council

From: Kira Koppel, Sustainability Specialist & Eddie Wilson, Building Official

Date: October 22nd, 2024

Agenda Item: Exterior Energy Offset Program

REQUEST: Staff would like to provide more information regarding the Exterior Energy Offset Program, to be sure all council members are aware of the program, how it functions, and its purpose. Staff asks that council consider the EEOP as it stands and provide direction on further clarification needed.

BACKGROUND: The Mayor has requested that staff bring this item to council in order to provide more clarification regarding the Exterior Energy Offset Program (EEOP). The EEOP was adopted in November 2023 as an amendment to the 2021 International Energy Conservation Code (IECC). The adoption of the 2021 IECC and EEOP was part of a regional effort (the Eagle County Code Cohort) to ensure towns in the Eagle River Valley were aligned around the same energy code and stretch amendments: namely, the 2021 IECC and the electric-ready, EV-ready, and the EEOP amendments. Aligning on energy codes provides clarity to the building community (electricians, contractors, HVAC professionals, developers, and designers), as the same individuals work across town and county borders. It also enables all municipalities in the county to move toward the same energy-saving measures in the building code that support our county-wide climate action plan.

When a new building or retrofit within the Town of Eagle intends to install new exterior energy uses (including snowmelt systems above 200 square feet, exterior pools, exterior spas above 64 square feet, and outdoor gas fireplaces and firepits), the system designer or installer must use the EEOP calculator to determine the amount of renewable energy that must be installed onsite to offset the system or the fee that must be paid in lieu. The system designer or installer can choose whether to offset the system or pay the fee. The calculator and directions are available on our website at the following links:

- EEOP Calculator: LINK
- EEOP Calculator Instructions: LINK
- Amendments to the 2021 International Energy Conservation Code: LINK
    - The EEOP for commercial buildings begin on page 11 and the EEOP for commercial buildings begins on page 24.

Details on the EEOP Fund are linked in the EEOP Fund Budget Narrative here at this LINK.

ANALYSIS: Adopting the EEOP in August 2023 was a significant step toward the town's net zero goals, especially the "net zero carbon emissions for the greater Eagle community by 2030" goal. The building and energy codes apply to all new construction (and some renovation/retrofit projects) within town boundaries. Therefore, they have a wide reach in what they can accomplish. Updating the building code to reduce and/or offset emissions from future buildings is a strategy that tackles the low-hanging fruit. We know that addressing the existing

building stock will be a much bigger challenge, so it has been important to take accessible, practical steps now, that support the goal before moving on to address existing homes and buildings.

The EEOP is designed to ensure there are renewable energy offsets for inefficient uses of energy, specifically, the use of energy to heat the outdoors. Heating the outdoors is extremely inefficient and has a high impact on our town-wide greenhouse gas emissions as 39% of them are associated with residential and commercial buildings in Eagle. It is important to note that the project owner always has a choice within this program: (1) offset with renewable energy, specifically, solar PV or (2) pay the fee in lieu, neither of which eliminate the possibility to install and retain the exterior heating use.

In order to apply the appropriate figure for energy offsets for each project (and also the appropriate fee-in-lieu), the town council also adopted the EEOP calculator (which is also used by the other municipalities in the Eagle County Code Cohort), linked above. The calculator was developed by August Hasz, with Resource Engineering Group, who supported the work of the Eagle County Code Cohort in conjunction with consultant Lotus Engineering & Sustainability. The number in the calculator that pertains to outdoor fireplaces assumes 364 hours of use per year for the residence.

All exterior energy uses included in the EEOP program are typically heated with natural gas and are associated with very large amounts of carbon emissions. These uses are not required to heat a home, protect life and safety, or provide a required service. They are amenity loads. The program allows our residents to choose to have the exterior heating sources they desire, but that comes at a cost to them, and the dollars they pay are then reinvested to support other carbon-saving activities in the town. It is designed to create a helpful intervention that residents and businesses can use to consider whether having that emissions source is worth offsetting or paying the fee-in-lieu.

A version of the EEOP has been in place in Aspen, Pitkin County, Snowmass Village, Avon, Eagle County, and Minturn for several years. While it is new to our population here in Eagle, it is not a new concept to the building industry who work throughout the valley. Several communities have gone even further in recent years:

- Pitkin County is now interpreting their electric-ready code to require all outdoor snowmelt, fireplaces, pool and spa systems to be electric-ready.
- Steamboat Springs just passed an ordinance that requires all new snowmelt to be powered by renewable energy (no gas allowed)
- Gunnison County banned all snowmelt systems

COMMUNITY INPUT: None at this time.

BUDGET / STAFF IMPACT: The EEOP is one of the few ways the town can and has dedicated a funding stream to projects that improve energy efficiency in the community. There are limited opportunities to develop new funding streams, and the benefit of this one is that it has a restricted use, ensuring funds from the program support further energy efficiency work and renewable energy development in town. Specifically, funds must be used for any of the following purposes:

- 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.
- Planning, design and implementation of renewable energy generation projects.
- Providing a community grant and/or rebate program for energy efficiency enhancements or renewable energy generation projects.

- Funding other resources and administrative costs associated with green building and environment sustainability-oriented efforts.
- Special consideration will be given to projects that positively affect occupants of local affordable housing or low-income residents in the Town.

Having a dedicated funding stream to address the 39% of emissions throughout Eagle that are associated with energy use in our building stock is a great opportunity to support future work toward our net-zero emissions goals.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: The EEOP aligns with the town's goal to elevate our relationship with the environment by supporting and demonstrating sustainability (Goal 4-3 of Elevate Eagle Comprehensive Plan) and with the town's strategic objective to invest in environmental and energy sustainability. It will also support further implementation of Town Council Resolution No. 56, a resolution adopting town-wide sustainability goals.

RECOMMENDED ACTION OR PROPOSED MOTION: Staff recommends that council consider this memo and the original purpose of the EEOP, discuss, and provide direction if further clarification is needed.

ATTACHMENTS:

- Resolution adopting the 2021 International Energy Conservation Code & Amendments: LINK
- Amendments to the 2021 International Energy Conservation Code: LINK
- EEOP Fund Budget Narrative: LINK

To: Mayor Turnipseed and Town Council

From: Nikki Davis, Economic Development & Housing Specialist
Melissa Daruna, Assistant Town Manager

Date: October 22, 2024

Agenda Item: Resolution 76, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Local Employee Residency Program (LERP) Housing Guidelines, Updated October 2024, Pursuant to Title 4, Section 4.02.050 of the Eagle Municipal Code"

REQUEST: Staff's request is two-part. The first request is for the Council to review and provide feedback on the proposed 2024 LERP Housing Guidelines (guidelines). Should the Council deliberate and decide the guidelines are complete as drafted, the second request is for the Council to consider approving Resolution 76, Series 2024 to adopt the guidelines.

BACKGROUND: In 2002, the Town of Eagle adopted Ordinance 19-2002, amending Title 4 of the Eagle Municipal Code to establish Inclusionary Residential Requirements for Local Employee Residency. The purpose of this new section was to increase the supply of affordable housing and protect it through deed restrictions, ensuring prices remain affordable over time. Thus, the Local Employee Residency Program (LERP) was created. For ease of administration, the Town also adopted a separate set of guidelines. This supplementary document was created to provide residential developers and homebuyers direction and best practice to comply with the new Title 4 regulations. Subsequently, in 2003 and 2004, the guidelines were amended to accommodate evolving community needs. Today, the 2004 guidelines – and corresponding deed restriction template – remain in place.

As the LERP inventory grew and administrative demand increased, the Town established a service agreement with The Valley Home Store, a subsidiary of Eagle County Housing. Since 2009, the Home Store has served as the LERP Program Administrator.

In 2023, the Town completed ReCode Eagle (ReCode); a comprehensive update to Title 4. Through ReCode, the Local Employee Residency section was expanded to meet Eagle's new priorities. Namely, the section grew to address two overarching categories of deed restricted housing: 1) the existing model of affordable (price-capped) units[1], and 2) a new tier known as resident occupied (RO) units[2]. The ReCode updates coupled with general lack of maintenance over the years necessitated an evaluation and refreshment of the guidelines.

On August 1, 2023, Town Council held a work session (link) to provide staff with feedback and guidance ahead of drafting. A copy of staffs' notes from the work session can be found under Attachments. In addition to broad-stroke improvement, the guidelines also required new language relative to RO and

[1] As defined in Title 4, Section 4.02.050 – A dwelling unit that is affordable to households with incomes that qualify for the Area Median Income (AMI) levels: a) For sale units shall be affordable to households whose earnings do not exceed 140% of the AMI; b) For rent units shall be affordable to households whose earnings do not exceed 80% of the AMI.

[2] As defined in Title 4, Section 4.02.050 – A unit that is deed restricted for availability to persons who meet the LERP Guidelines.

for-rent inventory. Over the course of the last year, staff worked with the Town Attorney to refine the iterations of the guidelines and incorporate the Council's vision. To inform drafting, staff researched over twenty peer communities across Colorado, local agencies such as Eagle River Water & Sanitation District and Eagle County, as well Teton County/Town of Jackson, Wyoming Housing Department. From active guidelines and programs, staff sought to compile and mirror best practice language, as applicable.

ANALYSIS: To aid the Council's review, staff extracted the following topics for elevated attention. Recalling some of these as larger topics during the work session, the Council may wish to spend time in these areas for discussion or provide alternative feedback to staff.

Topic 1: Consideration for Remote Workers.

Staff Response: The guidelines do not expressly prohibit Remote Workers from qualifying for a LERP unit. Instead, it is suggested that their current Principal Place of Residence would determine where they fall in Selection Priority Criteria (also known as the "Waterfall").

Topic 2: Consideration for "Essential Workers".

Staff Response: Per Fair Housing law, terms such as "Essential Workers", "Essential Workforce", or the like constitutes as discriminatory language. For the purposes of the guidelines, the term Local Government Partners has been used (see Section 5).

Topic 3: Provide Town of Eagle with the First Option to Purchase.

Staff Response: This provision will be memorialized in the deed restriction templates.

Topic 4: Create a mechanism for the Town to purchase a free market unit, then deed restrict it.

Staff Response: There are no criteria that preclude the Town from purchasing a free market unit, then placing a LERP deed restriction on it. The discretion to pursue such an investment lies with the Town Council.

Topic 5: Consideration for short-term rentals.

Staff Response: Per the Town Attorney, short-term rentals should not be permitted in any type of deed restricted unit. This exclusion will be memorialized in the deed restriction templates. Additionally, the guidelines require continuous occupancy by a Qualified Household for all LERP units, which would preclude use of a unit as a short-term rental for tourists or visitors.

Topic 6: Appreciation Rate (see Section 6).

Staff Response: The guidelines state that price capped units shall appreciate in alignment with the Denver-Aurora-Lakewood Consumer Price Index (CPI) using a compounding interest model, and that there shall be no cap on the annual appreciation rate increase. To illustrate varying appreciation models, staff created a series of scenarios that demonstrate how home prices could be impacted (link). For example, Eagle County follows an annual percentage increase in wages to calculate appreciation. This methodology suggests that the home price appreciates in closer alignment to wage increases, therefore narrowing the affordability gap.

Topic 7: Cap on Permitted Capital Improvements (see Section 6).

Staff Response: To encourage deed restricted homeowners to maintain and invest in tangible upgrades, the cap on permitted capital improvements has been removed.

Topic 8: Removed section for Special Review and condensed section for Grievances / Failure to Comply.

Staff Response: More explicit direction to remedy non-compliance will be memorialized in the deed restriction templates. It should be noted that under the new guidelines, remedies for failure to comply include the forced sale of a unit and/or eviction of a non-compliant occupant.

Topic 9: Updating existing LERP homeowners to the 2024 LERP Housing Guidelines and corresponding deed restrictions at the homeowner's request.

Staff Response: Generally, deed restrictions that have already been recorded against a property shall run with that property in perpetuity. Current owners of LERP units have inquired about updating their deed restriction following the adoption of the new guidelines, however. Staff is continuing to seek input from the Town Attorney on whether this is permissible or advisable for Council to allow.

Following the adoption of the updated guidelines, staff will continue to work with the Town Attorney to finalize the template deed restrictions. These will be presented to Town Council for approval at a future meeting. Once adopted, the templates will be administered in conjunction with the guidelines in effect. Concurrently, staff will begin the process of creating and/or updating any applicable forms that will also coincide with the guidelines. Coordination between staff and the Program Administrator will ensure a smooth transition toward using the new LERP documents package on future deed restricted inventory.

Lastly, as a point of distinction, the LERP Housing Guidelines are not designed to administer the Town's employee housing program and inventory. A separate program summary and documents package will come before the Council for review and adoption at a future meeting.

COMMUNITY INPUT: Community input was received during the August 1, 2023 Town Council work session. One written public comment can be found under Attachments.

BUDGET / STAFF IMPACT: None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: Regularly updating the LERP Housing Guidelines to align with changes in the Eagle Municipal Code, state and federal regulations, and evolving community needs will increase and safeguard Eagle's supply of affordable and workforce housing.

RECOMMENDED ACTION OR PROPOSED MOTION: A motion to approve or deny Resolution 76, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Local Employee Residency Program (LERP) Housing Guidelines, Updated October 2024, Pursuant to Title 4, Section 4.02.050 of the Eagle Municipal Code".

ATTACHMENTS:

1. Resolution 76, Series 2024
2. (LINK) 2004 TOE LERP Guidelines and Restrictive Covenant
3. (LINK) Town Council work session, staff notes 080123
4. (LINK) Workbook: appreciation calculation models

5. (LINK) Public Comment

Town of Eagle

Local Employee Residency Program (LERP)
Housing Guidelines

Updated October 2024

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DEFINITIONS

Area Median Income ("AMI"). The estimates of median household income compiled and released annually by the U.S. Department of Housing and Urban Development.

Base Price. The initial price of a LERP unit set by the developer upon sale, which may appreciate over time, and which includes the garage, lot premium, and other developer inclusions.

ECAHGAP. The Eagle County Affordable Housing Guidelines: Administrative Procedures.

Homeowner's Association (HOA). An organization comprised of owners concerned with managing the common areas of a subdivision or condominium complex, which is responsible for enforcing Covenants, Conditions & Restrictions (CC&Rs) that apply to the property.

Household. All individuals who will occupy a unit regardless of legal status or relation.

Individual with a disability. An individual who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

Initial Sales Price. The maximum price for which a Price Capped Unit may be initially sold, as provided for in these Guidelines.

Land Use and Development Code. Title 4 of the Eagle Municipal Code.

Maximum Rental Rate. The maximum monthly rent payment for a Rent-Capped Unit, as provided in these Guidelines. All ongoing fees required to be paid by the resident (including without limitation utilities and mandatory parking fees) may be included within the Maximum Rental Rate.

Maximum Resale Price. The maximum price of a Price-Capped Unit, as determined by these Guidelines.

Owner. The Owner of record according to the Clerk and Recorder of Eagle County during their period of ownership interest.

Permitted Capital Improvements. Certain improvements made to a LERP unit that may be included in a seller's Maximum Resale Price, as determined by these Guidelines.

Principal Place of Residence. The home or place in which one's habitation is fixed, and to which one has a present intention of returning after a departure or absence therefrom. In determining what is a Principal Place of Residence, the Program Administrator shall consider the criteria set forth in C.R.S. § 31-10-201(3), as amended.

Principal Place of Business. The physical address (not a P.O. Box) of a business, company, corporation, or similar entity, as indicated in the entity's corporate documents.

Program Administrator. The entity or individual appointed by the Town to administer the Local Employee Residency Program and Housing Guidelines.

Qualified Employer. A corporation, limited liability company or other entity with a Principal Place of Business in Eagle County that employs employees within Eagle County, and that pays taxes in Eagle County.

Resident. An individual who occupies a residential dwelling unit as their Principal Place of Residence.

SECTION 1: INTRODUCTION

PURPOSE

The primary goal of the Local Employee Residency Program ("LERP") is to provide housing that supports Town of Eagle ("Town") residents, workforce, and businesses. LERP cultivates sustainable community growth by fostering economic and social diversity, ensuring long-term affordability, and providing housing for the local workforce.

APPLICABILITY

These LERP Housing Guidelines (the "Guidelines") govern the development of, admission to, and occupancy of LERP units in Eagle and apply to all for-sale and for-rent residential development that is approved after the date of the Guidelines' adoption. The Town Council reserves the right to negotiate with developers outside of the Guidelines. The Guidelines provide the technical procedures for developing, purchasing, owning, selling, and renting LERP units. The Guidelines should be read in conjunction with the Town's Land Use and Development Code (the "LUDC"). The Guidelines include specific eligibility criteria, AMI levels, pricing, sale and leasing procedures, and other information relevant to the development and operation of LERP units.

ADMINISTRATION

The Guidelines shall be administered by the Program Administrator. The Guidelines may be updated periodically based on the current real estate market, area median income, and the most recent affordable housing data for the Town.

The Town recognizes that LERP units are a valuable community resource. For this reason, housing units that are constructed or provided through the LERP program shall include individual deed restrictions that must be recorded at closing and run with the land in perpetuity. If a discrepancy exists between these Guidelines and a recorded deed restriction, the recorded deed restriction will control.

SECTION 2: TYPES OF UNITS

There are four primary types of LERP units in the Town: (1) for-sale price-capped units ("Price-Capped Units"); (2) rental units with rent caps ("Rent-Capped Units"); (3) for-sale units that must be occupied by residents, but are not price-capped ("RO For-Sale Units"); and (4) rental units that must be occupied by residents, but are not rent-capped ("RO Rental Units"). All units have residency and employment requirements designed to ensure the housing supports a local workforce.

PRICE-CAPPED AND RENT-CAPPED UNITS

Price-Capped and Rent-Capped units provide housing that is affordable for low-to-middle AMI households and preserve the affordability of such housing while providing appropriate reimbursement for capital investments upon resale.

MAXIMUM INITIAL SALES PRICE

The Maximum Initial Sales Price of Price-Capped units shall be set no higher than a price affordable to households earning 140% of AMI. The units shall be priced in a spectrum of prices consistent with unit size, location, and market demand. Price-Capped units should come to market proportionately with free market units.

MAXIMUM RENTAL RATES

Maximum rental rates for Rent-Capped units shall be set no higher than a price affordable to households earning 80% of AMI, based on unit type.

RO FOR-SALE UNITS AND RO RENTAL UNITS

The purpose of RO For-Sale Units and RO Rental Units is to provide housing to local employees that occupy the units as their Principal Place of Residence without limiting the sale price or the rental rate.

OPEN MARKET PRICING

The sale price and rental price are not restricted or limited and shall be determined by the owner. For new residential development, the developer generally sets the Initial Sales Price.

SECTION 3: QUALIFICATION

OCCUPANCY

Each LERP unit shall be occupied by a Qualified Household.

A Qualified Household must meet the following criteria:

- At least one member of the household is at least 18 years of age.
- At least one member of the household currently maintains a Principal Place of Residence in Eagle County or is actively seeking to establish a Principal Place of Residence in Eagle County.
- At least one member of the household is employed full-time by a Qualified Employer, which means that the individual works an average of 30 hours per week for such Qualified Employer, earns 75% of their income from such Qualified Employer or has been hired by a Qualified Employer on a permanent basis to work at least 30 hours per week for such Qualified Employer and earn at least 75% of their income from such Qualified Employer.

A Qualified Household also includes a household with at least one member of the household qualified at the time the unit was initially leased or purchased, but then retired while owning or renting the property; was 60 years of age or older at the time of retirement, and for the 5 years immediately prior to retirement, worked an average of 30 hours or more per week at a Qualified Employer; or

A household with at least one individual with a disability who had been a full-time employee in the Town or Eagle County a minimum of 2 years immediately prior to their disability or has been granted an exception to the minimum of 30 hours per week to continue with a federal or state disability benefit program, or as qualifying programs allow.

OWNERSHIP BY A QUALIFIED EMPLOYER
A Qualified Employer is eligible to own LERP units as long as they comply with the Occupancy Requirements.

FOR-SALE UNIT APPLICATION PROCESS
Prospective buyers must apply to the Program Administrator to certify eligibility prior to submitting an offer to purchase the unit. All claims shall be verified by the Program Administrator. Claims of residency or employment that cannot be verified will not be considered.

Prospective buyers must be pre-qualified by a lender prior to submitting a bid. Co-signers (persons providing security or assuming partial responsibility for the loan) may be approved for ownership of the unit but shall not occupy the unit unless qualified by the Program Administrator. An additional document will be required for the co-signer to sign at the time of closing and will be provided by the Program Administrator.

CERTIFICATION
Following employment and residency verification, the applicant will receive a notice stating: (1) they are eligible to purchase or rent a unit; and (2) a priority number. This letter also serves as notification that the applicant is eligible to participate in a drawing, which may be conducted if necessary to sell or rent the unit.

RENTAL APPLICATION PROCESS
Prospective tenants must meet all other requirements of the deed restriction. The property manager must document how eligibility was verified and must keep a record of any documents supporting the eligibility determination.

OWNERSHIP OF OTHER REAL PROPERTY
No individual member of a Qualified Household may own any interest in improved real property in Eagle County as of the date of purchase of a unit. Should this conflict arise, the individual member of the Qualified Household must sell or convey the property within 180 days of the purchase of the unit.

NON-DISCRIMINATION POLICY
In its activities and operations, the Town does not discriminate on the basis of race, color, religion (creed), gender, age, national origin (ancestry), disability, marital status, sexual orientation, military status, genetic information, or any other characteristic protected under applicable federal, state or local law.

SECTION 4: DEVELOPMENT OF LERP UNITS

LERP PLAN

For any land use application to be deemed complete, the applicant shall submit a clear, concise, and complete LERP plan (the "Plan").

At a minimum, the Plan must contain the following information, as applicable:

- Total estimated amount of square footage in the residential development.
- Total estimated number of market rate and LERP units (price capped and/or non-price capped).
- Details regarding how the Guidelines will be met, including unit types, square footage per unit, number of bedrooms per unit, targeted income category, and Initial Sales Prices.
- Estimated average lot size of proposed market rate and LERP units as applicable.
- Estimated location of proposed LERP units within the project, by unit type and size.
- Estimated proposed production schedule of market rate and LERP units, including issuance of building permits or other acceptable triggers.
- Computation which clearly delineates how the average cost of the LERP units satisfies the affordability requirement specified within the Guidelines.
- Any proposed alternative methods of compliance with these Guidelines.
- And any other information deemed to be relevant by the Town.

The Plan will be attached the Development Agreement and must be approved by the Town Council. Any amendment to the Plan will constitute an amendment to the Development Agreement and will require Town Council approval.

DEED RESTRICTION

Prior to application for a building permit, an approved deed restriction shall be recorded against the property. Such deed restrictions shall not be subject to any recorded liens or encumbrances.

INITIAL SALE OF LERP UNITS

The developer is responsible for the marketing and initial sales of the LERP units within its project, or it may choose to coordinate with the Program Administrator. The Program Administrator shall have the right to review the terms of each sale for compliance with the Guidelines**.**

INITIAL SALES PRICE CONFIRMATION

Because approval processes can take time and Initial Sales Prices may change, the applicant is responsible for obtaining a sales price confirmation for the LERP units at least 30 days before submitting a building permit application. If there are changes to the published Initial Sales Price after the confirmation is issued, the developer may request a new confirmation; however, the Program Administrator reserves the right to refuse such requests.

An issued sales price confirmation is valid for 120 days. If a LERP unit is not sold at the Initial Sales Prices within this period, the price may be re-evaluated and adjusted to be more appealing to moderate-income households. Adjustments will only occur if factors like median income, interest rates, or similar conditions change to merit an adjustment.

UNIT MIX AND SIZE
While there are no specific bedroom mix or size requirements for LERP units, the applicant is expected to analyze market demand and to propose a mix that is responsive and appropriate to that demand.

PRODUCTION SCHEDULE
All LERP units must be provided prior to, or concurrently and proportionally with, the production of market rate housing. The production schedule shall clearly delineate the expected start and completion dates of all units.

MARKETING PROCESS
At least 60 days before starting the marketing program, the developer must provide a schedule which indicates when the LERP units will be available for sale. This schedule should include the start of pre-marketing activities, potential availability of a model unit (if applicable), unit details (type, bedroom configuration, square footage), addresses (if applicable), and sales price. The developer must conduct a good faith marketing effort to attract qualified buyers. When potential buyers are identified, their names and qualification information shall be submitted to the Program Administrator for review. The developer can only execute a sale contract for a LERP unit after the Program Administrator certifies potential qualified buyers and, if necessary, determines their priority.

INITIAL PURCHASE BY ENTITY
When authorized in writing by Town Council, the developer may market and sell entity-owned Price Capped Units or RO For-Sale Units to a Qualified Employer at initial sale. The Developer should articulate whether entity-owned units align with the greater mission, vision, and goals of its project. Authorization will be determined by Town Council on a project-by-project basis and will be memorialized in the deed restriction. The appropriate development approval document(s) shall specify:

1. Which units (types, price points) are eligible for entity-ownership;
2. The maximum number or percentage of units eligible for entity-ownership; and
3. A prioritization model which would apply during the entity-buyer selection process.

SECTION 5: BUYER AND RENTER SELECTION PROCESS

BUYER SELECTION PROCESS
If more than one qualified bid is received during any bid period, the bids will be prioritized according to the criteria described in these Guidelines. Within 7 days of the date on which the application window closes, the Program Administrator will verify the eligibility of each applicant and publish a final list of qualified applicants. By applying the Selection Priority Criteria outlined below and, as needed, a weighted drawing, the Program Administrator will then select a Qualified Household.

- **SELECTION PRIORITY CRITERIA**
  The following criteria and points structure will be used to select a Qualified Household. Points will not be combined for joint applicants. "Working full-time" means an individual is working a minimum average of 30 hours per week or a total of 1,569 hours per calendar year, and earning 75% of their income and earnings at such work, or has been presented with a job offer for such work.

  Priority 1: A Qualified Household with an individual who is currently employed by Town.

  Priority 2: A Qualified Household with an individual who is working full-time in the Town and maintaining a Principal Place of Residence in the Town.

  Priority 3: A Qualified Household with an individual who is working full-time in the Town, but not maintaining a Principal Place of Residence in the Town.

  Priority 4: A Qualified Household with an individual who is working full-time in Eagle County and maintaining a Principal Place of Residence in the Town.

  Priority 5: A Qualified Household with an individual who is not employed in the Town or maintaining a Principal Place of Residence in the Town, but maintaining a Principal Place of Residence in Eagle County.

  Priority 6: A Qualified Household with an individual who is not working full-time in the Town or Eagle County and does not maintain a Principal Place of Residence in the Town or Eagle County, but only if a LERP unit has been actively listed for sale for at least 30 days.

- **QUALIFIED EMPLOYER OWNERSHIP**
  A Qualified Employer may apply for the purchase of a LERP unit. A Qualified Employer with a Principal Place of Business in the Town will be given priority over a Qualified Employer with a Principal Place of Business outside of the Town.

- **ADDITIONAL POINTS**
  Should multiple qualified applicants meet the priority requirements outlined above, selection may be further weighted with points.

  1. Local Government Partners. 1 point if at least one member of the Qualified Household works an average of at least 30 hours per week for an agency whose principal place of business is located in the Town.
  2. Years of Employment. 1 point for each calendar year that at least one member of the Qualified Household held full-time employment in the Town.
  3. Years of Residency. 1 point for each calendar year that at least one member of the Qualified Household has maintained a Principal Place of Residence in the Town, determined pursuant to the criteria set forth in C.R.S. § 31-10-201(3), as amended.
  4. Local Student. 1 point if at least one member of the Qualified Household is currently enrolled in an institute of higher education or technical training certification program in Eagle County.

5. A Qualified Household in an existing LERP unit will receive 1 point.

- **RANDOMIZED DRAWING**
  If any applications are tied, the Program Administrator will conduct a randomized drawing. Each Applicant may witness the drawing.

- **NOTICE OF AWARD**
  The Program Administrator shall immediately contact the selected Qualified Household who will have 7 days to execute the purchase and sale contract. If there is no response from the Qualified Household within 7 days, the next in line will have the option to purchase, under the same circumstances as the first. The process continues until the unit is under contract for purchase. The Program Administrator may simultaneously notify the first, second, and third runners-up for purposes of speeding up the purchase process, however, the timelines for response outlined above will be maintained.

- **ADDITIONAL TERMS**
  The Program Administrator will not accept or enter any incomplete Homebuyer Application Form. It is the responsibility of the applicant to submit a complete application with updated documentation and to contact the Program Administrator to ensure it is complete and accepted. There will be no consideration for those who do not meet the definition of Qualified Household. The ability to purchase the unit with cash has no relevance to the selection process.

RENTER SELECTION PROCESS
Rental units do not require a bid process or randomized drawing, as long as the owner or property manager verifies that the prospective tenant is a Qualified Household. Documentation of the verification must be submitted to the Program Administrator. Prospective tenants will be prioritized following the Buyer Selection Criteria outlined above, except for Qualified Employer owned units. Qualified Employer owned units may prioritize their own employees first.

SECTION 6: RESALE PROCESS

Unless otherwise provided by the deed restriction, the unit must be registered for sale with the Program Administrator. Following registration, the seller may elect to use the Program Administrator or a licensed Colorado real estate broker who is a member of the Vail Board of Realtors as the Sales broker for the unit, as further described in the deed restriction.

LISTING THE UNIT
An owner who wishes to sell their unit must follow these steps:

1. Execute a standard Listing Contract on forms approved by the Program Administrator.
2. Consult with the Program Administrator to review the deed restriction recorded against the unit to determine Maximum Resale Price and other applicable provisions concerning a sale.

The Program Administrator or broker shall administer the sale in accordance with the Guidelines in effect at the time of listing.

All sellers and purchasers may consult legal counsel regarding examination of title and all contracts, agreements, and title documents. The retention of such counsel, licensed real estate brokers, or such related services (excluding all sales fees), will be at the seller's or purchaser's own expense and shall not be included in the calculation of the Maximum Resale Price.

There shall be a minimum listing period of 90 days before the Maximum Resale Price of can be recalculated.

ADVERTISING THE UNIT

Program Administrator: At a minimum, the Program Administrator will advertise in two consecutive weekly editions of the Vail Daily, on the Program Administrator's website, on the Town of Eagle's website, and via email to all households that have completed the Homebuyer Application Form. The Program Administrator shall host a minimum of two open houses. The initial (2) two-week bid period ends on the Friday after the second week of advertising. If no bids are received during the initial bid period, there will follow consecutive one-week bid periods, ending on Friday, until the unit is sold.

Real Estate Broker: The sales broker must list the unit in the Multiple Listing Service with a co-op commission payable and must actively market the unit within Eagle County during the term of the listing. The seller shall immediately notify the Program Administrator upon listing the unit for sale and provide a copy of the listing agreement.

INSPECTION PRIOR TO SALE

The seller shall undertake a listing inspection by a listing inspector certified by the Program Administrator before executing a listing contract to determine the condition of the unit.

1. The seller shall pay for the cost of the inspection at the time of inspection.
2. The inspector shall furnish a written report to the seller and the Program Administrator.
3. This information shall be furnished to the purchaser as a part of the seller's property disclosure once a purchase contract has been executed.
4. The inspection will be valid for no more than 60 days.
5. The seller shall replace or repair any items that are identified as unsatisfactory in the report at market value or reduce the listing price accordingly.

ADMINISTRATION FEES

Unless otherwise set forth in the deed restriction, at the closing of the sale, the seller shall pay the Program Administrator, or its designee, an administration fee equal to 2% of the sale price. This fee offsets the administration and associated fees of selling the unit. The fee does not act as a direct commission for the Program Administrator or the Town.

1. Listing Deposit. The seller shall deposit 0.5% of the list price with the Program Administrator upon listing the unit for sale.
2. If the seller fails to perform under the listing contract, rejects all offers, or withdraws the listing after advertising has commenced, the seller shall not be refunded the listing deposit.
3. The listing deposit shall be considered a budgeted amount for advertising and administrative costs that will be incurred by the Program Administrator. If the Program Administrator incurs any additional costs, the seller will be notified in advance by the Program Administrator and shall be responsible for those additional costs.

4. The seller shall not permit any prospective buyer to assume any of the seller's customary closing costs, including the fees set forth herein, and shall not accept any other consideration that would increase the purchase price above a Maximum Resale Price to incent the seller to select a particular prospective buyer.

MAXIMUM RESALE PRICE FOR PRICE CAPPED UNITS

No owner of a Price Capped unit shall sell for an amount greater than the Maximum Resale Price.

The Maximum Resale Price will be calculated as follows:

Base Price (+) Appreciation of Base Price (+) Permitted Capital Improvements (-) Depreciation of Capital Improvements (+) Sales Fee = Maximum Resale Price.

APPRECIATION ON PRICE CAPPED UNITS

The annual appreciation rate shall follow the Denver-Aurora-Lakewood (formerly Denver-Boulder-Greeley) CPI. New CPI figures are published by the Colorado Department of Labor and Statistics twice a year. The most current data available will be used unless the deed restriction specifically references an alternative appreciation method or no measured appreciation. If the Denver-Aurora-Lakewood Colorado CPI ceases to exist, a comparable index will be used.

APPRECIATION RATE

There shall be no cap on the annual appreciation rate increase. The appreciation is calculated on the Initial Sales Price of the home (compounding interest) plus Permitted Capital Improvements.

INCREASE TO BASE PRICE AND PERMITTED CAPITAL IMPROVEMENTS

A selling owner may include the cost of Permitted Capital Improvements to the selling price of a unit for the duration of their ownership.

All Permitted Capital Improvements must be pre-approved in writing by the Program Administrator, properly permitted and inspected by the Town's Building Official. All Permitted Capital Improvements will be depreciated as applicable according to the National Association of Homebuilders/Bank of America Home Equity Study of Life Expectancy of Home Components or a similar resource.

Permitted Capital Improvements			
Replaced appliances	Washer/Dryer	Water heaters	Carpet/pad replacement
Laminate flooring	New garage door openers	Door locks (incl. smart)	Ceiling fans
Thermostats (incl. smart)	Permanent fitted window blinds	Health & safety protection	Gutters & downspouts
Heat tape	Exterior paint	Storm doors	Windows
Cabinets incl. vanities	Closet organization systems	Outdoor decks	Permanent irrigation system
Flooring & countertop upgrades incl. hardwood, stone, slate, granite, marble, tile, etc.	Trees and permanent landscaping incl. sod, concrete pads, concrete pavers, etc.	Light fixtures (electrical fixtures & wiring)	Plumbing fixtures incl. sinks & toilets
New fencing (replacements will be considered maintenance)	Permanent air conditioning units, swamp coolers, split units, or similar	Roof replacement to include asphalt roof shingles (single family & duplex only)	Full furnace replacement
Conversion of a carport to a completely enclosed garage	Conversion of surface parking into a carport or garage (if permitted under the Town codes	Finishing an uninhabitable space if it is converted into a habitable room	Addition of a habitable room or storage space
Solar panels			

Items that are NOT Permitted Capital Improvements.
• All work performed without the issuance of a building permit. • Jacuzzis, saunas, steam showers, hot tubs, etc. • Maintenance, cleaning, painting, or improvements to existing mechanical systems, fixtures, appliances • Decorative items including window coverings, lamps & lightings not affixed to walls or ceilings, bathroom towel bars, hooks, etc. • Removable items not attached to the unit • Gas or electric fireplaces • Security and smart home systems • Cost of tools and equipment rental

For an owner to request Permitted Capital Improvements be added to the Maximum Resale Price, owners must retain original receipts and invoices. Additionally:

1. A written request must be submitted to the Program Administrator at least 21 days prior to initiating the work.
2. Upon completing the work, the following must be submitted to the Program Administrator:
    a. Legible copies of receipts for materials and or invoices for purchases.
    b. Proof of payment by a third party and itemized invoice receipt for work performed.
3. In calculating the costs allowed as Permitted Capital Improvements, the owner's actual out-of-pocket costs and expenses shall be eligible for inclusion.
4. Work that requires and is performed without the issuance of all required building permits or HOA approval will not be eligible for credit.
5. The value of the Permitted Capital Improvements will be added to the appreciated value of the unit at the time of sale. No appreciation is allowed on Permitted Capital Improvements.
6. Other improvements to the unit are allowed, but adjustments to the Maximum Resale Price will only be made for Permitted Capital Improvements.
7. If a Permitted Capital Improvement performed on the unit is removed or is no longer operational, the actual cost of the improvement shall be deducted from the unit's Permitted Capital Improvement allowance.
8. No Permitted Capital Improvement shall be removed from the unit prior to sale, unless it is replaced with a like kind or better Permitted Capital Improvement.

SECTION 7: OCCUPANCY

MAINTAINING OCCUPANCY
All LERP units shall be continuously occupied by a Qualified Household.

ANNUAL VERIFICATION – FOR-SALE UNITS
On an annual date set by the Program Administrator, the owner shall submit a compliance verification form stating that the owner continues to meet employment and residency requirements, as applicable. Failure to provide information as required may result in forfeiture of appreciation, a sale mandated by the Program Administrator, or any other available remedy at law or equity.

ANNUAL VERIFICATION – RENTAL UNITS

The property manager of deed restricted rental units must annually verify that the tenants comply with the deed restriction, and submit the following information:

1. A list of tenants who occupied the unit in the prior calendar year and the evidence, submitted by such tenants to establish that they were part of Qualified Households; and
2. A copy of each tenant's executed lease.

The property manager shall maintain all tenant records with respect to the use and occupancy of the unit for at least 3 years following the tenant's vacation of the unit.

LEAVE OF ABSENCE (LOA)

A leave of absence may be granted at the sole discretion of the Program Administrator, subject to clear and convincing evidence that shows the reason for leaving and a commitment to return. Said evidence shall be in written form and presented to the Program Administrator for review and decision prior to the start of the absence. The leave of absence shall not exceed one year, but may, at the discretion of the Program Administrator, be extended up to one additional year, provided that in no event shall it exceed two years. In the case of an approved leave of absence, the owner or property manager shall only rent to a Qualified Household.

SECTION 8: COMPLIANCE

FAILURE TO COMPLY

In the event any individual or entity fails to comply with any of the restrictions, the Program Administrator may take all action permitted by law and the Deed Restriction.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 76
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO REPEALING AND READOPTING THE LOCAL EMPLOYEE RESIDENCY PROGRAM HOUSING GUIDELINES

WHEREAS, the Town Council finds that it is in the best interest of the public health, safety, and welfare to update the Local Employee Residency Program ("LERP") Housing Guidelines.

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

Section 1. The Town Council hereby repeals the LERP Housing Guidelines in their entirety and adopts the LERP Housing Guidelines attached hereto as Exhibit A.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: October 22, 2024

Agenda Item: Ordinance 12, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Repealing and Reenacting Section 5.10.030(A) of the Eagle Municipal Code, Delegating Administrative Authority to the Town Clerk for Liquor Licensing Approvals"

REQUEST: Expanding administrative approvals intends to streamline the application process for our business community. By reducing waiting periods in the liquor license process, we can positively affect our local community, and enhance the services offered in our bar and restaurant industry.

BACKGROUND: In Colorado, liquor licensing involves a dual approval process. After receiving local approval, most liquor license transactions must also be approved by the state. Following the Town Clerk's administrative review, the Eagle Police Department, Community Development, and other relevant departments are notified and asked for their approval. Once all internal approvals are secured, the application is then submitted to the state for final review and approval. Only after state approval is a local permit or license granted.

ANALYSIS: Many other municipalities in Colorado have expanded their internal authority for liquor license application approvals, aiming to enhance business vitality and efficiency. With the addition of an Administrative Hearing Officer to chair the Liquor License Authority, the Town Clerk now has more resources to review applications and address complex issues related to applicants or locations.

The Town Clerk can mandate a public hearing if there is a concern or request from an internal department or a public objection, with the final decision resting with the Administrative Hearing Officer.

In certain instances, a public notice will be published in the newspaper and on our website to solicit public comments. New licenses, as well as those with objections or concerns, will still undergo public hearings.

COMMUNITY INPUT: Not required.

BUDGET / STAFF IMPACT: There is no impact on the budget. Town staff already perform the work involved with the license review process.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Improve Community Responsive Services - streamlining our code and reviewing policies to simplify administrative approval; which supports businesses in adapting their strategies to attract customers.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE OR DENY: Ordinance 12, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Repealing and Reenacting Section 5.10.030(A) of the Eagle Municipal Code, Delegating Administrative Authority to the Town Clerk for Liquor Licensing Approvals"

ATTACHMENTS:

1. Ordinance 12-2024 LLA-O101724

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 12
(Series of 2024)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO REPEALING AND REENACTING SECTION 5.10.030(A) OF THE EAGLE MUNICIPAL CODE, DELEGATING ADMINISTRATIVE AUTHORITY TO THE TOWN CLERK FOR LIQUOR LICENSING APPROVALS

WHEREAS, C.R.S. § 44-4-103(4) authorizes the designation of a local licensing authority;

WHEREAS, the Eagle Municipal Code sets forth the authority of the Town Clerk to administratively review and approve certain liquor license applications; and

WHEREAS, the Town Council of the Town of Eagle now desires to expand the Town Clerk's administrative authority regarding liquor licensing.

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

Section 1. Section 5.10.030 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

5.10.030. – Delegation of authority to Town Clerk.

A. The Town Clerk is authorized to serve the Town's Local Licensing Authority as follows:

1. The Town Clerk shall receive all applications for licenses and shall issue all licenses granted by the Local Licensing Authority upon payment of all required fees and upon approval by the State Licensing Authority.

2. The Town Clerk shall serve as the secretary of the Local Licensing Authority and shall provide the necessary notice of meetings and keep the electronic recordings of all meetings.

3. The Town Clerk may administratively approve the following application types:

a. Temporary permit during the time in which a transfer application is pending;

b. Change, alteration or modification to premises;

c. Takeout or delivery permit;

d. Open container or private event permit;

e. Communal outdoor dining area application;

f. Festival permit;

g. Retail establishment permit; and

h. Catering company permit.

4. If there have been no violations of the Colorado Liquor or Beer Code or any other applicable Town ordinance during the past twelve (12) months, and there is no other derogatory information regarding the applicant, its partners, officers, directors, managers or shareholders, then the Town Clerk may administratively approve the following applications:

a. Renewal;

b. Transfer of ownership;

c. Change of corporate status;

d. Change of location;

e. Merger and conversion of a retail liquor license into a single liquor-licensed drug store license;

f. Manager registration or change of manager; and

g. Change of trade name.

5. The Town Clerk may administratively approve an application for a special event permit pursuant to C.R.S. § 44-5-101, *et seq.*, provided that the following conditions are satisfied:

a. The applicant has no pending liquor licensing violations within the preceding year; and

b. No person has filed a written objection to said permit.

6. The Town Clerk, at their sole discretion or upon a finding that any administrative conditions provided herein are not met, may refer any application to the Local Licensing Authority.

B. The Town Clerk shall not approve an application if the Eagle Police Department has timely submitted written objections to the Town Clerk concerning such action. If any such objection is received, the Town Clerk shall refer the application to the Local Licensing Authority for action.

C. Any applicant or party in interest, as defined in C.R.S. § 44-3-311, who is dissatisfied with a decision of the Town Clerk under this Section may appeal the same to the Local Licensing Authority by filing a written protest with the Town Clerk not more than ten (10) days after the date of the decision. The Town Clerk shall promptly set the appeal for a hearing before the Local Licensing Authority, which hearing shall be noticed as required by law.

D. The Town Clerk shall report to the Local Licensing Authority in a timely

manner all actions taken by the Town Clerk under this Section.

Section 2. 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 3. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON OCTOBER 22, 2024.

TOWN OF EAGLE, COLORADO

_____
Scott Turnipseed, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

To: Mayor and Town Council

From: Larry Pardee, Town Manager
Jill Kane, Finance Director

Date: October 22, 2024

Re: Public Hearing: 2024 & 2025 Budget Presentation

REQUEST: Staff requests that the Town Council:

- Review the changes made to the 2023 supplemental budget and 2024 proposed budget since the October 8 budget hearing and provide feedback
- Review the Broadband Strategic Plan and proposed 2024 budget

INTRODUCTION: The Town has already held two budget work sessions and one public hearing:

1. ***September 3:*** Staff presented proposed amendments to the 2024 capital projects and the Town's draft 2025 – 2029 Capital Improvements Plan.
2. ***September 24:*** Staff presented the 2024 supplemental budget and the first draft of the 2025 proposed Budget*. The budget memo from this work session can be found **here**, which thoroughly discusses revenue and expenditure projections for all funds.*
3. ***October 8:*** Staff presented modifications that had been made to the 2024 supplemental budget and 2025 proposed budget since the September 24th meeting. *The budget memo from the public hearing can be found here.*

During the October 8 meeting, the Council did not provide additional feedback on the draft budget. However, Staff informed the Council of several necessary adjustments from prior meetings. This includes the Council's request to add the **Open Space Ranger position** to the Open Space Fund budget and the presentation of the revised 2024 and proposed 2025 **Broadband Fund budgets**. Additionally, Staff has made a few other adjustments since the public hearing on the 8th, which are reflected in the updated draft budget attached to this report. A summary of these changes is provided below.

ANALYSIS: Provided below is a summary of the modifications that have been made to the draft budget since the October 8th meeting:

General Fund Revenues: *The only adjustment made since the last draft budget was an increase in the transfer from the Open Space Fund to the General Fund for IT expenditures. This change was necessary due to the transition from a part-time trails technician position to a full-time ranger position, which increased the transfer by $4,895, bringing the total to $16,782.*

General Fund Expenditures: *No adjustments were made to 2024 general fund expenditures. 2025 adjustments made due to the Open Space Fund adjustments are discussed below.*

Events 2025 Budget –

- ***Salaries & Wages:*** *A $**4,076** increase has been incorporated into the 2025 events budget due to the addition of the Open Space (O/S) Ranger position. The Town allocates 5% of hours from Buildings and Grounds, Streets, and O/S staff to the Events Budget. While the part-time Trails Technician position has been removed, the Ranger's inclusion results in an overall increase in spending.*

  The budget also includes $11,750 for overtime expenses related to public safety and public works support for Town events. With the departmental contributions, a total of 1.85 full-time equivalent (FTE) positions are allocated to the Events budget.

General Fund Balance Summary: The revised estimated ending fund balance for 2025 is $3,889,597, with an unassigned fund balance of $3,194,724, which represents 25.24% of operating expenditures. **The Town's reserve policy is to maintain an unassigned fund balance of 25% of operating expenditures, excluding transfers to other funds. Since our budgeted ongoing operating expenditures continue to exceed projected ongoing revenues, staff recommends that any fund balance exceeding the 25% reserve policy be transferred to the Capital Fund for one-time expenditures, rather than being used to fund additional ongoing costs.**

Capital Improvement Fund (CIF) Summary: Staff did not make any additional adjustments to 2024 or 2025 CIF revenues or expenditures at this time. The estimated ending fund balance for 2025 is 12,789,531, with $9.2 million assigned for Grand Avenue.

- **Building Electrification Improvements:** – The building electrification improvements project, which aims to electrify the remaining Town of Eagle buildings, currently has a total estimated cost of $2,319,200. This amount is currently divided between 2025 and 2026 in the Capital Improvements Plan as follows:
  - **2025**: $2,310,462 from the Capital Fund and $8,738 from the Water Fund
  - **2026**: $609,282 from the Capital Fund

  The Town Council has requested more detailed information about the project. As of now, no adjustments have been made to the project's budget, largely because there is still significant information yet to be gathered. Much of the uncertainty stems from the fact that the project is still in its pre-planning phase. This phase, which has yet to begin, will be carried out in partnership with Yearout Energy, and will commence once the State issues the necessary purchase order. The planning process itself is expected to take up to five months.

  Once the planning phase is complete, Town staff will review the findings both internally and with the Council and State to refine the project's scope. This phase will be critical in determining how to proceed with implementation. Since the grant funding for this project requires a 25% match from the Town, securing the full amount of funding depends on showing at least $1 million in viable project costs. If that threshold is met, $750,000 in implementation grant funding will be released to the Town with a purchase order, but all expenses will be handled on a reimbursement basis. Minimum expense to the Town will be $250,000.

  At this time, staff anticipates that the project will have well over $1 million in eligible expenses. The initial focus will be on the **Town Hall** and **Public Works facility**, as both of these buildings have outdated and failing equipment that is in need of replacement. Staff recommends prioritizing these two facilities during the implementation phase. Yearout Energy has provided some preliminary estimates for what these costs might look like, but the final figures will not be known until the planning phase is complete. The most cost-effective approach will likely involve addressing the electrification needs of both facilities within a single project, which would help reduce mobilization costs and ensure that the systems

installed operate efficiently. Undertaking a partial project could result in higher operating costs and reduced comfort for staff, which the Town seeks to avoid. A more comprehensive cost-benefit analysis will be available once the planning stage concludes.

Once the implementation plan is refined and a purchase order is issued, the Town will have 12 months to utilize the grant funds. The project's implementation is expected to span 2025 and 2026, helping to lessen the financial burden on the 2025 budget by distributing the costs over two years.

Before moving forward with the implementation phase, Town staff will present the results of the planning phase to the Council. Although the full scope of the building electrification project remains in the budget for now, the Council will have the option to pursue a smaller scope of work to fully capture the grant funding available. Should the Council choose this route, any remaining funds could be redirected toward other priorities, such as the **Grand Avenue Project**, especially since the General Fund transfer for 2025 was reduced, or reserved for future projects.

Broadband Fund Summary: Staff is currently projecting a year-end fund balance of $2,002 for 2025. Adjustments have been made to both the 2024 and 2025 budgeted revenues and expenditures. We are working with local banks to secure $700,000 in funding, a reduction from the original budgeted amount of $1.6 million for 2024. Additionally, staff is exploring potential lease-purchase options for the necessary wireless equipment. While we are still considering various options, the budget currently presented should accommodate either approach. Once we have more information, we will bring the available options back to the Council for consideration. As of now, we are projected to have 150 accounts by the end of 2024 and an additional 240 accounts by the end of 2025, resulting in a total of 390 accounts.

Open Space Fund Summary: During the September 24th work session, Staff recommended not moving forward with the Open Space Ranger position in the 2025 budget. However, the Council has since directed Staff to include the position and the corresponding partner revenue contributions. Over the past few weeks, Staff has refined the 2025 Open Space budget, resulting in a projected $84,061 decrease in the ending fund balance. These changes are detailed below.

Also attached is an updated 5-year projection of the Open Space Fund. Based on the conversation with the Council and OSRAC during the work session, Staff did not adjust our 5-year capital plan. While we are currently projecting a positive ending fund balance at the end of five years, the projections show that annual spending will continue to exceed revenues by an average of $145,000 per year, which is not sustainable. Without additional partner contributions, new revenue sources, or expenditure reductions, the Open Space budget will face deficit spending by 2030.

Revenues: Staff is now projecting $528,838 in Open Space revenues for 2025, an increase from the previously budgeted $431,800, representing a $97,038 increase from the original 2025 budget projections. This revision is due to the following factors:

- **(4,717) - Grant Revenue:** Staff completed more work in 2024 than expected using the America the Beautiful grant for noxious weed treatments and reseeding. Initially, we budgeted $5,000 for 2024 and $10,000 for 2025. We've increased the 2024 revenue to $9,717 and reduced 2025 to $5,283, reflecting a $4,717 shift. The total grant amount of $15,000 remains unchanged, with more collected in 2024. There is a matching adjustment on the expenditure side.
- **$101,755 - Intergovernmental Contributions:** Staff has included the 48% revenue contribution for total Open Space Ranger expenditures in 2025. This funding will be provided by the Eagle Ranch Wildlife Committee, Eagle Ranch HOA, and Eagle Ranch Metro District, who have agreed to a three-year

contribution. The Town will need to draft an intergovernmental agreement (IGA) for this position, similar to the existing IGA for the school district for the school resource officer.

Expenditures: Staff is now projecting $627,598 in Open Space expenditures for 2025, which includes the Open Space Ranger position. This represents a $181,101 increase compared to the $446,497 budget without the ranger. Below is a summary of budgeted expenditure modifications made from the prior Budget and a 5-year projection of Open Space Ranger expenditures and revenue sources:

EXPENDITURES	2025 Original Draft No Ranger	2025 Revised Draft Ranger	*Increase*
Personnel	$ 203,700	$ 281,273	*$ 77,573*
Materials & Supplies	11,400	31,935	*20,535*
Charges for Service	80,910	104,008	*23,098*
Fixed Charged	1,100	1,100	-
Capital Expenditures	137,500	192,500	*55,000*
Transfers to Other Funds	11,887	16,782	*4,895*
TOTAL EXPENDITURES	**$ 446,497**	**$ 627,598**	***181,101***

Ranger Position Budget - 5 year Projection					
Operating Expenses	**Budget 2025**	**Budget 2026**	**Budget 2027**	**Budget 2028**	**Budget 2029**
Salary & Benefits	$ 101,344	$ 105,398	$ 109,614	$ 113,999	$ 118,559
Office Supplies	1,000	100	105	110	116
Uniform	2,000	500	525	551	579
Vehicle R&M	750	800	840	882	926
Gas and oil	900	1,000	1,050	1,103	1,158
Minor Equipment	17,785	2,000	2,100	2,205	2,315
Recruitment	2,500	500	525	551	579
Legal	10,000	10,000	10,500	11,025	11,576
Travel expense	1,500	1,500	1,575	1,654	1,736
Training - Ranger	1,800	1,800	1,890	1,985	2,084
Training - O/S Conference	500	600	630	662	695
Brazos	315	350	368	386	405
Dispatch	11,700	12,000	12,600	13,230	13,892
Transfer to computer support	4,895	5,140	5,397	5,667	5,950
Total Operating Expense	**$ 156,989**	**$ 141,688**	**$ 147,718**	**$ 154,008**	**$ 160,568**
Capital					
Vehicle	$ 55,000	-	-		
Total Expenditures	**$ 211,989**	**$ 141,688**	**$ 147,718**	**$ 154,008**	**$ 160,568**
Source of Funds					
Town of Eagle	$ 110,234	$ 73,678	$ 76,814	$ 154,008	$ 160,568
Eagle Ranch Groups - 48%	*$ 101,755*	$ 68,010	$ 70,905	$ -	$ -
Total Funding Sources	**$ 211,989**	**$ 141,688**	**$ 147,718**	**$ 154,008**	**$ 160,568**

Staff Comments Regarding Open Space Ranger Addition: While adding the ranger position will add to the existing staff capacity for the Open Space Department, it will require tremendous resources and staff time to develop and build the ranger program. Some of these tasks include:

- Amending the Municipal Code to grant enforcement powers, coordinating with the Town prosecutor and legal counsel

- Developing and designing a ticketing system
- Developing a Ranger Manual and Standard Operating Procedures
- Purchasing and set-up of new gear and software
- Setting up a new office space
- Ranger Excellent School and Eagle Police Department training
- And ultimately, recruitment, hiring, and new personnel training (including background checks)

The selected ranger will assist with many of these tasks, so full enforcement and field responsibilities are not expected until fall 2025 at the earliest. Existing Staff will also need to prioritize these tasks, affecting capacity for other departmental projects.

Next Steps:

Staff requires additional time to compile the first draft of the 2025 Fee Schedule. At the next meeting, we will provide a separate memo that includes all amendment requests, along with descriptions and justifications. We will seek Council's feedback on the proposed fee schedule to ensure that any necessary modifications can be made. The final approval of the fee schedule is scheduled for the meeting on December 10th.

November 12 – Public Hearing on the Budget

- Follow-up on items discussed on October 22
- Presentation of additional budget adjustments as needed
- Presentation of an 2025 fee schedule
- Adoption of the 2024 Supplemental Budget
- Adoption of the 2025 Budget

December 10th – Council Meeting

- Adoption of the Mill Levy
- Adoption of the 2025 Fee Schedule

COMMUNITY INPUT: Public comment was received before the last budget work session on September 24 recommending that the Council include the Open Space Ranger in the Budget. That public comment is located here**.** We received additional public comment from Kate Sheldon during the October 8th meeting in support of the Open Space Ranger.

Opportunities for additional public feedback will be available during the upcoming budget hearings scheduled for:

- October 22
- November 12

The Staff has incorporated feedback from the Sales Tax Capital Improvement Fund (STCIF) Survey conducted earlier this year to help guide the STCIF budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: The 2025 Budget integrates various aspects of the Strategic Plan and other long-range planning documents. Staff is preparing an analysis highlighting the specific areas of the strategic plan being implemented through our Budget, which will be included in our budget message. This analysis will demonstrate how the proposed expenditures and projects align with the Town's broader goals and priorities, ensuring that the Budget supports the community's long-term vision.

RECOMMENDED ACTION OR PROPOSED MOTION: Provide feedback to Staff about the proposed 2024 Supplemental Budget, 2025 Recommended Budget, and proposed 2025 fee schedule.

ATTACHMENTS:

- 2024 - 2025 Proposed Draft Budget
- Open Space Fund – Revised 5-Year Projection

DRAFT BUDGET - 10/22/2024

BUDGET - ALL FUNDS SUMMARY

	2023 ACTUAL	2024 BUDGET	2024 REVISED	2025 BUDGET	DIFFERENCE INCREASE(DECREASE)
GENERAL FUND:					
BEGINNING FUND BALANCE	**$ 7,315,684**	**$ 6,537,215**	**$ 7,009,495**	**$ 5,461,755**	**$ (1,547,739)**
REVENUES	13,493,964	13,218,628	13,504,555	12,520,949	(983,606)
TRANSFERS-IN FROM OTHER FUNDS	190,769	154,894	142,139	159,673	17,534
EXPENDITURES	(11,167,922)	(13,544,183)	(12,857,827)	(12,655,280)	(202,547)
TRANSFERS-OUT TO OTHER FUNDS	(2,823,000)	(2,150,000)	(2,336,606)	(1,597,500)	(739,106)
ENDING FUND BALANCE	**$ 7,009,495**	**$ 4,216,554**	**$ 5,461,755**	**$ 3,889,597**	**$ (1,572,158)**
WATER FUND:					
BEGINNING FUND BALANCE	**$ 17,749,899**	**$ 17,157,229**	**$ 21,495,818**	**$ 14,660,423**	**$ (6,835,395)**
REVENUES	7,582,628	7,871,400	6,597,450	5,784,554	(812,896)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(3,732,335)	(15,231,878)	(13,366,729)	(12,261,222)	(1,105,507)
TRANSFERS-OUT TO OTHER FUNDS	(104,374)	(76,538)	(66,116)	(69,632)	3,516
ENDING FUND BALANCE	**$ 21,495,818**	**$ 9,720,213**	**$ 14,660,423**	**$ 8,114,123**	**$ (6,546,300)**
WASTE WATER FUND:					
BEGINNING FUND BALANCE	**$ 9,348,667**	**$ 11,376,261**	**$ 12,345,599**	**$ 10,545,297**	**$ (1,800,302)**
REVENUES	5,746,733	5,205,000	4,595,000	3,886,000	(709,000)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(2,693,396)	(10,814,190)	(6,347,505)	(7,719,719)	1,372,214
TRANSFERS-OUT TO OTHER FUNDS	(56,405)	(51,197)	(47,797)	(49,426)	1,629
ENDING FUND BALANCE	**$ 12,345,599**	**$ 5,715,874**	**$ 10,545,297**	**$ 6,662,152**	**$ (3,883,145)**
REFUSE FUND:					
BEGINNING FUND BALANCE	**$ 289,497**	**$ 306,859**	**$ 317,959**	**$ 318,161**	**$ 202**
REVENUES	813,462	1,033,745	1,039,700	1,050,700	11,000
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(771,000)	(999,774)	(1,023,498)	(998,685)	(24,813)
TRANSFERS-OUT TO OTHER FUNDS	(14,000)	(16,000)	(16,000)	(16,000)	-
ENDING FUND BALANCE	**$ 317,959**	**$ 324,830**	**$ 318,161**	**$ 354,176**	**$ 36,015**
STORMWATER FUND:					
BEGINNING FUND BALANCE	**$ 168,233**	**$ 217,598**	**$ 216,841**	**$ 287,371**	**$ 70,530**
REVENUES	101,402	101,000	106,000	106,000	-
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	(52,795)	(35,470)	(35,470)	(35,500)	30
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 216,841**	**$ 283,128**	**$ 287,371**	**$ 357,871**	**$ 70,500**
BROADBAND FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ 390,550**	**$ 390,550**
REVENUES	-	1,943,834	905,000	326,000	(579,000)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	-	(1,868,336)	(514,450)	(711,715)	197,265
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	(2,833)	2,833
ENDING FUND BALANCE	**$ -**	**$ 75,498**	**$ 390,550**	**$ 2,002**	**$ (388,548)**
CAPITAL IMPROVEMENTS FUND:					
BEGINNING FUND BALANCE	**$ 11,245,307**	**$ 13,716,588**	**$ 15,365,101**	**$ 14,730,051**	**$ (635,050)**
REVENUES	3,425,407	2,668,581	1,985,087	2,363,047	377,960
TRANSFERS-IN FROM OTHER FUNDS	2,550,000	2,000,000	2,416,275	1,705,000	(711,275)
EXPENDITURES	(1,855,613)	(5,576,514)	(5,036,412)	(6,008,567)	972,155
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 15,365,101**	**$ 12,808,655**	**$ 14,730,051**	**$ 12,789,531**	**$ (1,940,520)**
SALES TAX CAPITAL IMPROVEMENT FUND (EAGLE RIVER PARK FUND):					
BEGINNING FUND BALANCE	**$ 2,067,174**	**$ 928,925**	**$ 2,602,791**	**$ 8,083,320**	**$ 5,480,529**
REVENUES	1,503,546	14,374,000	14,389,000	2,025,000	(12,364,000)
TRANSFERS-IN FROM OTHER FUNDS	103,000	-	-	-	-
EXPENDITURES	(1,070,928)	(13,495,088)	(8,658,471)	(8,482,145)	(176,326)
TRANSFERS-OUT TO OTHER FUNDS	-	-	(250,000)	(250,000)	-
ENDING FUND BALANCE	**$ 2,602,791**	**$ 1,807,837**	**$ 8,083,320**	**$ 1,376,175**	**$ (6,707,145)**

2024 BUDGET - ALL FUNDS SUMMARY

	2023 ACTUAL	2024 BUDGET	2024 REVISED	2025 BUDGET	SUPPLEMENTAL INCREASE(DECREASE)
CONSERVATION TRUST FUND:					
BEGINNING FUND BALANCE	**$ 144,926**	**$ 201,027**	**$ 206,629**	**$ 263,629**	**$ 57,000**
REVENUES	61,702	53,000	57,000	53,875	(3,125)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	-	-	-	(110,000)	110,000
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 206,629**	**$ 254,027**	**$ 263,629**	**$ 207,504**	**$ (56,125)**
DISPOSABLE BAG FEE FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ 30,331**	**$ 30,331**
REVENUES	-	-	10,000	5,000	(5,000)
TRANSFERS-IN FROM OTHER FUNDS	-	-	20,331	-	(20,331)
EXPENDITURES	-	-	-	(2,000)	2,000
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	(5,000)	5,000
ENDING FUND BALANCE	**$ -**	**$ -**	**$ 30,331**	**$ 28,331**	**$ (2,000)**
EXTERIOR ENERGY OFFSET FUND:					
BEGINNING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ 29,200**	**$ 29,200**
REVENUES	-	-	29,200	-	(29,200)
TRANSFERS-IN FROM OTHER FUNDS	-	-	-	-	-
EXPENDITURES	-	-	-	(29,000)	29,000
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ -**	**$ -**	**$ 29,200**	**$ 200**	**$ (29,000)**
OPEN SPACE PRESERVATION FUND:					
BEGINNING FUND BALANCE	**$ 765,933**	**$ 813,443**	**$ 845,138**	**$ 766,210**	**$ (78,928)**
REVENUES	315,835	332,500	346,017	386,338	40,321
TRANSFERS-IN FROM OTHER FUNDS	150,000	150,000	150,000	142,500	(7,500)
EXPENDITURES	(370,640)	(621,146)	(562,719)	(610,816)	48,097
TRANSFERS-OUT TO OTHER FUNDS	(15,990)	(11,159)	(12,226)	(16,782)	4,556
ENDING FUND BALANCE	**$ 845,138**	**$ 663,638**	**$ 766,210**	**$ 667,450**	**$ (98,760)**
DOWNTOWN DEVELOPMENT AUTHORITY FUND:					
BEGINNING FUND BALANCE	**$ 6,361**	**$ 7,649**	**$ 31,687**	**$ 15,537**	**$ (16,150)**
REVENUES	18,858	31,481	68,400	82,500	14,100
TRANSFERS-IN FROM OTHER FUNDS	20,000	-	-	-	-
EXPENDITURES	(13,532)	(34,550)	(84,550)	(70,000)	(14,550)
TRANSFERS-OUT TO OTHER FUNDS	-	-	-	-	-
ENDING FUND BALANCE	**$ 31,687**	**$ 4,580**	**$ 15,537**	**$ 28,037**	**$ 12,500**
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	**$ 49,101,681**	**$ 51,262,794**	**$ 60,437,057**	**$ 55,581,835**	**$ (4,855,222)**
REVENUES	33,063,536	46,833,169	43,632,409	28,589,963	(15,042,446)
TRANSFERS-IN FROM OTHER FUNDS	3,013,769	2,304,894	2,728,745	2,007,173	(721,572)
EXPENDITURES	(21,728,161)	(62,221,129)	(48,487,631)	(49,694,649)	1,207,018
TRANSFERS-OUT TO OTHER FUNDS	(3,013,769)	(2,304,894)	(2,728,745)	(2,007,173)	(721,572)
ENDING FUND BALANCE	**$ 60,437,057**	**$ 35,874,834**	**$ 55,581,835**	**$ 34,477,149**	**$ (21,104,686)**

GENERAL FUND REVENUES

GENERAL FUND SUMMARY

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
NON-SPENDABLE: 1	**$ 223,267**	**$ 223,300**	**$ 223,000**	**$ 223,000**	**0%**	**$ -**
RESTRICTED FOR: Emergency Reserve	**290,000**	**470,714**	**290,000**	**499,395**	**72%**	**209,395**
RESTRICTED FOR: ARPA Grant Earnings	**28,496**	**122,496**	**123,855**	**-**	**-100%**	**(123,855)**
ASSIGNED FOR: Capital Projects: 2	**103,000**	**-**	**-**	**-**	**-**	**-**
UNASSIGNED FUND BALANCE:	**6,670,921**	**5,720,705**	**6,372,640**	**4,739,360**	**-26%**	**(1,633,279)**
TOTAL FUND BALANCES (Beginning)	**$ 7,315,684**	**$ 6,537,215**	**$ 7,009,495**	**$ 5,461,755**	**-22%**	**$ (1,547,739)**
REVENUE						
Taxes	10,092,176	10,768,590	10,247,570	10,227,500	0%	(20,070)
Licenses and Permits	975,115	683,975	561,762	509,350	-9%	(52,412)
Intergovernmental Revenue	1,273,418	1,246,183	1,799,925	1,205,116	-33%	(594,809)
Charges for Services	365,578	234,000	276,750	273,000	-1%	(3,750)
Fines & Forfeitures	110,144	85,779	93,925	95,838	2%	1,913
Misc. Revenues	677,532	200,101	524,623	210,145	-60%	(314,478)
Transfers from Other Funds						-
From Water	104,374	76,538	66,116	69,632	5%	3,516
From Wastewater	56,405	51,197	47,797	49,426	3%	1,629
From Refuse	14,000	16,000	16,000	16,000	0%	-
From Broadband	-	-	-	2,833	-	2,833
From Capital Improvements	-	-	-	-	-	-
From Bag Fee Fund	-	-	-	5,000	-	5,000
From Open Space	15,990	11,159	12,226	16,782	37%	4,556
TOTAL REVENUE	**$ 13,684,733**	**$ 13,373,522**	**$ 13,646,694**	**$ 12,680,622**	**-7%**	**$ (966,072)**
TOTAL SOURCES	**$ 21,000,417**	**$ 19,910,737**	**$ 20,656,189**	**$ 18,142,377**	**-12%**	**$ (2,513,811)**
EXPENDITURES						
Town Council	219,913	153,143	161,266	129,187	-20%	(32,079)
General Government	1,450,964	1,312,843	1,366,766	607,402	-56%	(759,364)
General Administration	850,656	1,016,900	983,533	1,021,972	4%	38,440
Information Technology	864,372	863,650	828,973	769,739	-7%	(59,234)
Community Development	1,179,678	1,407,434	1,306,588	1,408,229	8%	101,641
Streets	1,828,676	2,505,131	2,354,465	2,049,867	-13%	(304,598)
Engineering	297,200	575,273	413,332	471,152	14%	57,820
Buildings & Grounds	1,074,126	1,285,350	1,250,240	1,155,764	-8%	(94,476)
Public Safety	2,789,686	3,661,041	3,439,185	3,825,647	11%	386,462
Municipal Court	90,537	102,026	107,674	112,427	4%	4,753
Information Center	27,491	26,256	26,294	27,031	3%	737
Events	427,204	453,313	443,456	451,724	2%	8,268
Communication & Marketing	67,418	181,823	176,054	178,724	2%	2,670
Sustainability	-	-	-	182,822	-	182,822
Economic Development & Housing	-	-	-	263,592	-	263,592
TOTAL EXPENIDTURES	**$ 11,167,922**	**$ 13,544,183**	**$ 12,857,827**	**$ 12,655,280**	**-2%**	**$ (202,547)**
TRANSFERS TO OTHER FUNDS						
Transfer to Capital Improvements Fund	2,550,000	2,000,000	2,166,275	1,455,000	-33%	(711,275)
Transfer to Sales Tax Capital Improvements Fund	103,000	-	-	-	-	-
Transfer to DDA Fund	20,000	-	-	-	-	-
Transfer to Open Space Fund	150,000	150,000	150,000	142,500	-5%	(7,500)
Transfer to Disposable Bag Fee Fund	-	-	20,331	-		
TOTAL TRANSFERS TO OTHER FUNDS	**$ 2,823,000**	**$ 2,150,000**	**$ 2,336,606**	**$ 1,597,500**	**-32%**	**$ (739,106)**
TOTAL EXPENDITURES & TRANSFERS	**$ 13,990,922**	**$ 15,694,183**	**$ 15,194,433**	**$ 14,252,780**	**-6%**	**$ (941,653)**
NET SOURCE (USE) OF FUNDS	**$ (306,189)**	**$ (2,320,661)**	**$ (1,547,739)**	**$ (1,572,158)**	2%	**$ (24,419)**
FUND BALANCES (Ending):						
NON-SPENDABLE: 1	**$ 223,000**	**$ 223,000**	**$ 223,000**	**$ 223,000**	**0%**	**$ -**
RESTRICTED FOR: Emergency Reserve	**290,000**	**537,872**	**499,395**	**471,873**	**-6%**	**(27,522)**
RESTRICTED FOR: ARPA Grant Earnings	**123,855**	**-**	**-**	**-**	**-**	**-**
UNASSIGNED FUND BALANCE: 3	**6,372,640**	**3,455,682**	**4,739,360**	**3,194,724**	**-33%**	**(1,544,636)**
TOTAL FUND BALANCES (Ending)	**$ 7,009,495**	**$ 4,216,554**	**$ 5,461,755**	**$ 3,889,597**	**-29%**	**$ (1,572,158)**
Percentage of Unassigned Fund Balance compared to total expenditures not including transfers to other funds	**57%**	**26%**	**37%**	**25%**		

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. Transferred to STCIF in 2023.

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 2025 budget's unassigned fund balance is currently at 24.99% of operating expenditures.

GENERAL FUND
REVENUE SOURCES

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
TAXES							
10-431-10	General Property Tax	$ 382,588	$ 570,090	$ 578,000	$ 561,000	-3%	$ (17,000)
10-431-20	Specific Ownership Tax	21,902	21,000	23,000	22,000	-4%	(1,000)
10-431-30	Sales Tax - Regular	8,296,117	8,840,000	8,325,000	8,325,000	0%	-
10-431-31	Sales Tax - Special Marijuana/Tobacco	815,619	811,000	811,000	811,000	0%	-
10-431-44	Severance Tax	281	250	53	250	372%	197
10-431-45	Federal Mineral Tax	1,865	250	517	250	-52%	(267)
10-431-50	Franchise Tax	298,286	254,000	254,000	254,000	0%	-
10-431-60	Marketing Lodging Tax	275,519	272,000	256,000	254,000	-1%	(2,000)
	TOTAL TAXES	**$ 10,092,176**	**$ 10,768,590**	**$ 10,247,570**	**$10,227,500**	**0%**	**$ (20,070)**
LICENSES & PERMITS							
10-432-10	Business Licenses	$ 37,975	$ 35,000	$ 38,500	$ 35,000	-9%	$ (3,500)
10-432-12	Liquor Licenses	12,583	5,000	7,500	5,000	-33%	(2,500)
10-432-13	Marijuana & Tobacco Licenses	6,500	7,000	3,000	3,000	0%	-
10-432-20	Building Permits	811,869	596,000	500,000	460,000	-8%	(40,000)
10-432-27	Electrical Permits	103,633	35,000	6,212	-	-100%	(6,212)
10-432-30	Road Cut Permits	1,780	5,000	5,000	5,000	0%	-
10-432-35	Sign Permits	650	550	550	550	0%	-
10-432-40	Special Event Permits	125	425	1,000	800	-20%	(200)
	TOTAL LICENSES & PERMITS	**$ 975,115**	**$ 683,975**	**$ 561,762**	**$ 509,350**	**-9%**	**$ (52,412)**
INTERGOVERNMENTAL REVENUE							
10-433-20	Motor Vehicle License Fee	$ 31,389	$ 32,000	$ 32,000	$ 32,000	0%	$ -
10-433-30	Highway Users Tax	270,286	266,465	288,000	288,000	0%	-
10-433-60	Road & Bridge Tax	112,800	119,000	170,000	170,000	0%	-
10-433-70	County Sales Tax	288,605	307,000	292,000	292,000	0%	-
10-433-75	Grants	502,031	451,332	947,539	350,618	-63%	(596,921)
10-433-85	Intergovernmental Contributions	68,306	70,386	70,386	72,498	3%	2,112
	TOTAL INTERGOVERNMENTAL REVENUES	**$ 1,273,418**	**$ 1,246,183**	**$ 1,799,925**	**$ 1,205,116**	**-33%**	**$ (594,809)**
CHARGES FOR SERVICES							
10-434-10	Planning & Zoning Fees	$ 18,450	$ 16,000	$ 10,000	$ 16,000	60%	$ 6,000
10-434-20	Planning & Zoning Reimbursable	108,887	140,000	140,000	140,000	0%	-
10-434-25	Facility Usage Fees	62,895	63,000	78,000	70,000	-10%	(8,000)
10-434-26	Facility Usage Deposits	3,928	-	1,750	-	-100%	(1,750)
10-434-30	Sponsorship & Event Fees	11,105	15,000	15,000	15,000	0%	-
10-434-32	Broadband Service Charges	93,478	-	32,000	32,000	0%	-
10-434-40	Real Estate Transfer Fee	36,936	-	-	-		
10-434-50	Disposable Bag Usage Fee	29,899	-	-	-		
	TOTAL CHARGES FOR SERVICES	**$ 365,578**	**$ 234,000**	**$ 276,750**	**$ 273,000**	**-1%**	**$ (3,750)**
FINES & FORFEITURES							
10-435-10	Fines & Forfeits	$ 42,162	$ 35,000	$ 35,000	$ 35,000	0%	$ -
10-435-15	Police Surcharge	7,921	6,500	6,500	6,500	0%	-
10-435-20	Police Miscellaneous	9,394	5,000	7,200	6,400	-11%	(800)
10-435-25	Police Grants	16,868	9,279	20,000	8,258	-59%	(11,742)
10-435-30	Special Duty Reimbursable	33,799	30,000	25,225	39,680	57%	14,455
	TOTAL FINES & FORFEITS	**$ 110,144**	**$ 85,779**	**$ 93,925**	**$ 95,838**	**2%**	**$ 1,913**
MISCELLANEOUS REVENUE							
10-436-10	General Interest	$ 467,569	$ 150,000	$ 375,000	$ 175,000	-53%	$ (200,000)
10-436-11	ARPA Interest	95,359	25,438	70,000	-	-100%	(70,000)
10-436-12	GASB87 Lease Interest Revenue	-	-	-	-	-	-
10-436-17	Penalty & Interest	4,189	500	2,200	500	-77%	(1,700)
10-436-30	Contributions & Donations	100	-	-	-	-	-
10-436-50	Rental Income	21,350	13,663	22,123	22,545	2%	422
10-436-70	Other Miscellaneous Revenue	10,543	10,500	10,500	10,500	0%	-
10-436-72	Sale of Fixed Assets	31,600	-	-	-	-	-
10-436-78	Insurance Proceeds	38,181	-	43,000	-	-100%	(43,000)
10-436-80	Reimbursable Revenue - Other	5,973	-	1,800	1,600	-11%	(200)
10-436-94	Impact Fees Administration Fees	2,668	-	-	-	-	-
10-436-95	Fee in Lieu - LERP	-	-	-	-	-	-
10-436-96	Grants	-	-	-	-	-	-
	TOTAL MISCELLANEOUS REVENUE	**$ 677,532**	**$ 200,101**	**$ 524,623**	**$ 210,145**	**-60%**	**$ (314,478)**
TRANSFERS FROM OTHER FUNDS							
10-437-20	Water - Indirect IT Services	$ 104,374	$ 76,538	$ 66,116	$ 69,632	5%	$ 3,516
10-437-30	Wastewater - Indirect IT Services	56,405	51,197	47,797	49,426	3%	1,629
10-437-40	General Admin. Refuse	14,000	16,000	16,000	16,000	0%	-
10-437-56	Broadband - Indirect IT Services	-	-	-	2,833	-	2,833
10-437-31	Capital Improvements	-	-	-	-	-	-
10-437-72	Bag Fee Fund	-	-	-	5,000	-	5,000
10-437-80	Open Space - Indirect IT Services	15,990	11,159	12,226	16,782	37%	4,556
	TOTAL TRANSFERS FROM OTHER FUNDS	**$ 190,769**	**$ 154,894**	**$ 142,139**	**$ 159,673**	**12%**	**$ 17,534**
	TOTAL GENERAL FUND REVENUES	**$ 13,684,733**	**$ 13,373,522**	**$ 13,646,694**	**$12,680,622**	**-7%**	**$ (966,072)**

GENERAL FUND EXPENDITURES

FUND: GENERAL
DEPT: TOWN COUNCIL

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 48,059	$ 49,312	$ 49,312	$ 49,312	0%	$ -
SUPPLIES	42	500	-	500	-	500
CHARGES FOR SERVICES	8,327	52,500	46,500	24,250	-48%	(22,250)
DISCRETIONARY FUNDING	163,209	50,000	65,334	55,000	-16%	(10,334)
FIXED CHARGES	277	831	120	125	4%	5
TOTAL EXPENDITURES	**$ 219,913**	**$ 153,143**	**$ 161,266**	**$ 129,187**	**-20%**	**$ (32,079)**

FUND: GENERAL
DEPT: GENERAL GOVERNMENT

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 383,399	$ 664,078	$ 652,213	$ 451,390	-31%	$(200,823)
SUPPLIES	4,278	1,500	1,500	1,100	-27%	(400)
CHARGES FOR SERVICES	1,045,545	628,065	695,900	137,138	-80%	(558,762)
DISCRETIONARY FUNDING	-	-	-	-	-	-
FIXED CHARGES	17,742	19,200	17,153	17,775	4%	622
TOTAL EXPENDITURES	**$ 1,450,964**	**$ 1,312,843**	**$ 1,366,766**	**$ 607,402**	**-56%**	**$(759,364)**

FUND: GENERAL
DEPT: GENERAL ADMINISTRATION

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 634,448	$ 744,675	$ 729,781	$ 780,194	7%	$ 50,413
SUPPLIES	6,927	6,441	5,640	5,081	-10%	(559)
CHARGES FOR SERVICES	196,354	249,484	233,712	221,197	-5%	(12,514)
FIXED CHARGES	12,927	16,300	14,400	15,500	8%	1,100
CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 850,656**	**$ 1,016,900**	**$ 983,533**	**$ 1,021,972**	**4%**	**$ 38,440**

FUND: GENERAL
DEPT: INFORMATION TECHNOLOGY

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 201,649	$ 237,069	$ 238,371	$ 199,333	-16%	$ (39,038)
SUPPLIES	98,954	84,000	66,500	79,000	19%	12,500
CHARGES FOR SERVICES	562,384	541,181	523,602	490,881	-6%	(32,721)
FIXED CHARGES	1,385	1,400	500	525	5%	25
TOTAL EXPENDITURES	**$ 864,372**	**$ 863,650**	**$ 828,973**	**$ 769,739**	**-7%**	**$ (59,234)**

FUND:GENERAL
DEPT: COMMUNITY DEVELOPMENT

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 904,484	$ 1,043,399	$ 940,852	$ 1,038,478	10%	$ 97,626
SUPPLIES	5,438	5,000	5,000	4,700	-6%	(300)
CHARGES FOR SERVICES	268,265	357,535	359,846	364,051	1%	4,205
FIXED CHARGES	1,491	1,500	890	1,000	12%	110
CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 1,179,678**	**$ 1,407,434**	**$ 1,306,588**	**$ 1,408,229**	**8%**	**$101,641**

FUND: GENERAL
DEPT: STREETS

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 624,480	$ 887,930	$ 860,553	$ 916,316	6%	$ 55,763
SUPPLIES	184,000	190,454	203,244	206,954	2%	3,710
CHARGES FOR SERVICES	1,000,119	1,412,247	1,232,588	905,347	-27%	(327,241)
FIXED CHARGES	20,076	14,500	15,120	21,250	41%	6,130
CAPITAL OUTLAY	-	-	42,960	-	-100%	(42,960)
TOTAL EXPENDITURES	**$ 1,828,676**	**$ 2,505,131**	**$ 2,354,465**	**$ 2,049,867**	**-13%**	**########**

FUND:GENERAL
DEPT: ENGINEERING

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 267,890	$ 545,325	$ 383,334	$ 449,874	17%	$ 66,540
SUPPLIES	3,997	7,450	7,450	4,950	-34%	(2,500)
CHARGES FOR SERVICES	23,766	21,098	21,098	14,548	-31%	(6,550)
FIXED CHARGES	1,547	1,400	1,450	1,780	23%	330
TOTAL EXPENDITURES	**$ 297,200**	**$ 575,273**	**$ 413,332**	**$ 471,152**	**14%**	**$ 57,820**

FUND: GENERAL
DEPT: BUILDING & GROUNDS

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 586,654	$ 706,536	$ 688,161	$ 738,007	7%	$ 49,846
SUPPLIES	164,367	185,122	170,122	120,200	-29%	(49,922)
CHARGES FOR SERVICES	233,293	324,392	321,242	226,842	-29%	(94,400)
FIXED CHARGES	56,597	69,300	70,715	70,715	0%	-
CAPITAL OUTLAY	33,215	-	-	-	-	-
TOTAL EXPENDITURES	**$ 1,074,126**	**$ 1,285,350**	**$ 1,250,240**	**$ 1,155,764**	**-8%**	**$ (94,476)**

FUND:GENERAL
DEPT:PUBLIC SAFETY

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 2,159,430	$ 2,905,797	$ 2,669,520	$ 3,005,303	13%	$ 335,783
SUPPLIES	159,673	188,976	188,976	119,053	-37%	(69,923)
CHARGES FOR SERVICES	426,867	492,268	506,689	617,291	22%	110,602
FIXED CHARGES	43,716	74,000	74,000	84,000	14%	10,000
TOTAL EXPENDITURES	**$ 2,789,686**	**$ 3,661,041**	**$ 3,439,185**	**$ 3,825,647**	**11%**	**$ 386,462**

FUND:GENERAL
DEPT: MUNICIPAL COURT

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICE	$ 55,062	$ 64,221	$ 69,901	$ 69,387	-1%	$ (514)
SUPPLIES	446	500	500	350	-30%	(150)
CHARGES FOR SERVICES	34,940	37,215	37,215	42,625	15%	5,410
DISCRETIONARY FUNDING	-	-	-	-	-	-
FIXED CHARGES	89	90	58	65	12%	7
TOTAL EXPENDITURES	**$ 90,537**	**$ 102,026**	**$ 107,674**	**$ 112,427**	**4%**	**$ 4,753**

FUND: GENERAL
DEPT: INFORMATION CENTER

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 26,874	$ 25,436	$ 25,474	$ 26,216	3%	$ 742
SUPPLIES	594	800	800	795	-1%	(5)
CHARGES FOR SERVICES	-	-	-	-	-	-
FIXED CHARGES	23	20	20	20	0%	-
TOTAL EXPENDITURES	**$ 27,491**	**$ 26,256**	**$ 26,294**	**$ 27,031**	**3%**	**$ 737**

FUND: GENERAL
DEPT: EVENTS

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 209,617	$ 229,543	$ 227,935	$ 244,714	7%	$ 16,779
SUPPLIES	4,308	2,300	1,300	1,350	4%	50
CHARGES FOR SERVICES	87,310	100,500	104,421	104,860	0%	439
DISCRETIONARY FUNDING	125,000	120,000	109,100	100,000		
FIXED CHARGES	967	970	700	800	0%	100
TOTAL EXPENDITURES	**$ 427,204**	**$ 453,313**	**$ 443,456**	**$ 451,724**	**2%**	**$ 8,268**

FUND: GENERAL
DEPT: COMMUNICATION & MARKETING

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 6,145	$ 118,173	$ 110,404	$ 115,962	5%	$ 5,558
SUPPLIES	197	2,700	3,700	2,700	-27%	(1,000)
CHARGES FOR SERVICES	61,076	60,800	61,800	59,912	-3%	(1,888)
FIXED CHARGES	-	150	150	150	0%	-
TOTAL EXPENDITURES	**$ 67,418**	**$ 181,823**	**$ 176,054**	**$ 178,724**	**2%**	**$ 2,670**

FUND: GENERAL
DEPT: SUSTAINABILITY

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ 113,744	-	$ 113,744
SUPPLIES	-	-	-	1,750	-	$ 1,750
CHARGES FOR SERVICES	-	-	-	52,078	-	$ 52,078
DISCRETIONARY FUNDING	-	-	-	15,000	-	$ 15,000
FIXED CHARGES	-	-	-	250	-	$ 250
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ 182,822**	-	**$ 182,822**

FUND: GENERAL
DEPT: ECONOMIC DEVELOPMENT & HOUSING

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ 121,472	#DIV/0!	$ 121,472
SUPPLIES	-	-	-	150	#DIV/0!	150
CHARGES FOR SERVICES	-	-	-	141,720	#DIV/0!	141,720
FIXED CHARGES	-	-	-	250	0%	250
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ 263,592**	**#DIV/0!**	**$ 263,592**

PROPRIETARY FUNDS

WATER FUND SUMMARY

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
RESTRICTED FOR:						
DEBT SERVICE [1]	**$ 737,984**	**$ 848,956**	**$ 749,117**	**$ 910,758**	**22%**	**$ 161,641**
ASSIGNED FUND BALANCE	**17,011,915**	**16,308,273**	**20,746,701**	**13,749,665**	**-34%**	**(6,997,036)**
TOTAL FUND BALANCES (Beginning)	**$ 17,749,899**	**$ 17,157,229**	**$ 21,495,818**	**$ 14,660,423**	**-32%**	**$ (6,835,395)**
REVENUE						
Operating Revenues	$ 4,557,167	$ 4,563,400	$ 4,616,000	$ 4,666,000	1%	$ 50,000
Interest on Investments	966,358	420,000	1,000,000	500,000	-50%	(500,000)
Other Revenue	47,865	88,000	461,450	71,554	-84%	(389,896)
Prepaid Plant Investment Fees	-	-	-	-	-	-
Plant Investment Fees (Tap Fees)	2,011,238	2,800,000	520,000	547,000	5%	27,000
TOTAL REVENUE	**$ 7,582,628**	**$ 7,871,400**	**$ 6,597,450**	**$ 5,784,554**	**-12%**	**$ (812,896)**
TOTAL SOURCES	**$ 25,332,527**	**$ 25,028,629**	**$ 28,093,268**	**$ 20,444,977**	**-27%**	**$ (7,648,291)**
EXPENDITURES						
Operating Expenditures	$ 1,813,282	$ 2,518,855	$ 2,376,091	$ 2,638,588	11%	$ 262,497
Capital Expenditures	735,866	11,446,081	9,723,696	8,632,062	-11%	(1,091,634)
Debt Service	1,183,186	1,266,942	1,266,942	990,572	-22%	(276,370)
Transfers-Out	104,374	76,538	66,116	69,632	5%	3,516
TOTAL EXPENDITURES	**$ 3,836,709**	**$ 15,308,416**	**$ 13,432,845**	**$ 12,330,854**	**-8%**	**$ (1,101,991)**
NET SOURCE (USE) OF FUNDS	**$ 3,745,919**	**$ (7,437,016)**	**$ (6,835,395)**	**$ (6,546,300)**	**-4%**	**$ 289,095**
FUND BALANCES (Ending):						
RESTRICTED FOR:						
DEBT SERVICE [1]	**$ 749,117.13**	**$ 946,449**	**$ 910,758**	**$ 907,290**	0%	**$ (3,468)**
ASSIGNED FUND BALANCE	**20,746,701**	**8,773,764**	**13,749,665**	**7,206,833**	-48%	**(6,542,832)**
TOTAL FUND BALANCE (Ending)	**$ 21,495,818**	**$ 9,720,213**	**$ 14,660,423**	**$ 8,114,123**	**-45%**	**$ (6,546,300)**

[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 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
52-434-70	Debt Service Surcharge	$ 476,936	$ 473,400	$ 476,000	$ 476,000	0%	$ -
52-434-80	Water Sales - In Town	3,534,121	3,540,000	3,600,000	3,645,000	1%	45,000
52-434-83	Water Sales - Out Of Town	546,110	550,000	540,000	545,000	1%	5,000
52-434-85	Water Materials/Other	16,200	76,000	49,350	53,000	7%	3,650
52-434-90	Plant Investment Fees (Tap Fees)	2,011,238	2,800,000	520,000	547,000	5%	27,000
52-436-50	Water Interest	927,342	420,000	1,000,000	500,000	-50%	(500,000)
52-436-60	Water Rights Interest	39,016	-	-	-	-	-
52-436-65	Grants	12,500	-	395,600	6,554	-98%	(389,046)
52-436-75	Service Charge	17,790	12,000	16,500	12,000	-27%	(4,500)
52-436-80	Reimbursable Income	1,375	-	-	-	-	-
	TOTAL REVENUE	**$ 7,582,628**	**$ 7,871,400**	**$ 6,597,450**	**$ 5,784,554**	**-12%**	**$ (812,896)**

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 876,529	$ 1,189,702	$ 1,085,958	$ 1,355,730	25%	$ 269,772
SUPPLIES	300,575	293,800	313,800	301,765	-4%	(12,035)
CHARGES FOR SERVICES	557,348	898,353	842,333	841,093	0%	(1,240)
FIXED CHARGES	78,830	87,000	84,000	90,000	7%	6,000
CAPITAL EXPENDITURES	735,866	11,446,081	9,723,696	8,632,062	-11%	(1,091,634)
DEBT SERVICE	1,183,186	1,266,942	1,266,942	990,572	-22%	(276,370)
CONTINGENCY	-	50,000	50,000	50,000	0%	-
TRANSFER TO OTHER FUNDS	104,374	76,538	66,116	69,632	5%	3,516
TOTAL EXPENDITURES	**$ 3,836,709**	**$ 15,308,416**	**$ 13,432,845**	**$ 12,330,854**	**-8%**	**$ (1,101,991)**

UTILITY (WASTE WATER) FUND SUMMARY	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
RESTRICTED FOR:						
RATE STABILIZATION ACCOUNT [1]	**$ 362,990**	**$ 444,611**	**$ 386,642**	**$ 488,846**	**26%**	**$ 102,203**
ASSIGNED FUND BALANCE	**$ 8,985,677**	**$ 10,931,650**	**$ 11,958,956**	**$ 10,056,451**	**-16%**	**$ (1,902,505)**
TOTAL FUND BALANCES (Beginning)	**$ 9,348,667**	**$ 11,376,261**	**$ 12,345,599**	**$10,545,297**	**-15%**	**$ (1,800,302)**
REVENUE						
Operating Revenues	$ 2,995,150	$ 3,175,000	$ 3,098,000	$ 3,190,000	3%	$ 92,000
Interest on Investments	557,963	230,000	600,000	440,000	-27%	(160,000)
Taxes	-	-	-	-	-	-
Plant Investment Fees (Tap Fees)	2,181,120	1,800,000	397,000	256,000	-36%	(141,000)
Grants	12,500	-	500,000	-	-100%	(500,000)
Loan Proceeds	-	-	-	-	-	-
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ 5,746,733**	**$ 5,205,000**	**$ 4,595,000**	**$ 3,886,000**	**-15%**	**$ (709,000)**
TOTAL SOURCES	**$ 15,095,400**	**$ 16,581,261**	**$ 16,940,599**	**$14,431,297**	**-15%**	**$ (2,509,302)**
EXPENDITURES						
Operating Expenditures	$ 1,490,165	$ 1,956,055	$ 1,907,585	$ 2,065,041	8%	$ 157,456
Capital Expenditures	230,963	7,886,615	3,468,400	4,683,158	35%	1,214,758
Debt Service	972,269	971,520	971,520	971,520	0%	-
Transfers-Out	56,405	51,197	47,797	49,426	3%	1,629
TOTAL EXPENDITURES	**$ 2,749,801**	**$ 10,865,387**	**$ 6,395,302**	**$ 7,769,145**	**21%**	**$ 1,373,843**
NET SOURCE (USE) OF FUNDS	**$ 2,996,932**	**$ (5,660,387)**	**$ (1,800,302)**	**$ (3,883,145)**	**116%**	**$ (2,082,843)**
FUND BALANCES (Ending):						
RESTRICTED FOR:						
RATE STABILIZATION ACCOUNT [1]	**$ 386,642**	**$ 501,813**	**$ 488,846**	**$ 528,617**	**8%**	**$ 39,771**
ASSIGNED FUND BALANCE	**11,958,956**	**5,214,061**	**10,056,451**	**6,133,535**	**-39%**	**(3,922,916)**
FUND BALANCE (Ending)	**$ 12,345,599**	**$ 5,715,874**	**$ 10,545,297**	**$ 6,662,152**	**-37%**	**$ (3,883,145)**

[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 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
51-434-70	Service Fees	$ 2,995,150	$ 3,175,000	$ 3,098,000	$ 3,190,000	3%	$ 92,000
51-431-15	Loan Payment Mill Levy 1	-	-	-	-	-	-
51-434-85	Other Income	-	-	-	-	-	-
51-436-50	Interest Income	557,963	230,000	600,000	440,000	-27%	(160,000)
51-434-90	Plant Investment Fees (Tap Fees)	2,181,120	1,800,000	397,000	256,000	-36%	(141,000)
51-436-55	Grants	12,500	-	500,000	-		
	Transfers-In	-	-	-	-	-	-
	TOTAL REVENUE	**$ 5,746,733**	**$ 5,205,000**	**$ 4,595,000**	**$ 3,886,000**	**-15%**	**$ (709,000)**

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 697,818	$ 885,407	$ 835,537	$ 993,069	19%	$ 157,532
SUPPLIES	118,819	166,500	166,500	167,500	1%	1,000
CHARGES FOR SERVICES	636,718	811,548	811,548	810,472	0%	(1,076)
FIXED CHARGES	36,810	42,600	44,000	44,000	0%	-
CAPITAL OUTLAY	230,963	7,886,615	3,468,400	4,683,158	35%	1,214,758
DEBT SERVICE	972,269	971,520	971,520	971,520	0%	-
CONTINGENCY	-	50,000	50,000	50,000	0%	-
TRANSFER TO OTHER FUNDS	56,405	51,197	47,797	49,426	3%	1,629
TOTAL EXPENDITURES	**$ 2,749,801**	**$ 10,865,387**	**$ 6,395,302**	**$ 7,769,145**	**21%**	**$ 1,373,843**

REFUSE FUND SUMMARY

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
ASSIGNED FUND BALANCE	**$ 289,497**	**$ 306,859**	**$ 317,959**	**$ 318,161**	**0%**	**$ 202**
TOTAL FUND BALANCES (Beginning)	**$ 289,497**	**$ 306,859**	**$ 317,959**	**$ 318,161**	**0%**	**$ 202**
REVENUE						
Operating Revenues	$ 796,454	$ 1,018,745	$ 1,019,200	$ 1,035,700	2%	$ 16,500
Non-Operating Revenues	17,007	15,000	20,500	15,000	-27%	(5,500)
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ 813,462**	**$ 1,033,745**	**$ 1,039,700**	**$ 1,050,700**	**1%**	**$ 11,000**
TOTAL SOURCES	**$ 1,102,959**	**$ 1,340,604**	**$ 1,357,659**	**$ 1,368,861**	**1%**	**$ 11,202**
EXPENDITURES						
Operating Expenditures	$ 771,000	$ 999,774	$ 1,023,498	$ 998,685	-2%	$ (24,813)
Capital Expenditures	-	-	-	-	-	-
Transfers-Out	14,000	16,000	16,000	16,000	0%	-
TOTAL EXPENDITURES	**$ 785,000**	**$ 1,015,774**	**$ 1,039,498**	**$ 1,014,685**	**-2%**	**$ (24,813)**
NET SOURCE (USE) OF FUNDS	**$ 28,462**	**$ 17,971**	**$ 202**	**$ 36,015**	**17729%**	**$ 35,813**
FUND BALANCES (Ending):						
ASSIGNED FUND BALANCE	**$ 317,959**	**$ 324,830**	**$ 318,161**	**$ 354,176**	**11%**	**$ 36,015**
TOTAL FUND BALANCE (Ending)	**$ 317,959**	**$ 324,830**	**$ 318,161**	**$ 354,176**	**11%**	**$ 36,015**

FUND: REFUSE

DETAIL OF REVENUES

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
OPERATING REVENUES							
53-434-40	Service Fees	$ 724,472	$ 947,000	$ 947,000	$ 963,000	2%	$ 16,000
53-434-50	Yardwaste/Recycle Center Fee	41,815	41,745	42,200	42,200	0%	-
53-434-60	Administrative Fee	30,167	30,000	30,000	30,500	2%	500
	OPERATING REVENUES	**$ 796,454**	**$ 1,018,745**	**$ 1,019,200**	**$ 1,035,700**	**2%**	**$ 16,500**
NON-OPERATING REVENUES							
53-436-50	Interest Income	$ 17,007	$ 15,000	$ 20,500	$ 15,000	-27%	$ (5,500)
53-436-70	Miscellaneous Revenue	-	-	-	-	-	-
	NON-OPERATING REVENUES	**$ 17,007**	**$ 15,000**	**$ 20,500**	**$ 15,000**	**-27%**	**$ (5,500)**
	TOTAL REVENUES	**$ 813,462**	**$ 1,033,745**	**$ 1,039,700**	**$ 1,050,700**	**1%**	**$ 11,000**

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ 10,575	$ 13,044	$ 20,141	$ 12,760	-37%	$ (7,381)
SUPPLIES	977	1,475	1,475	475	-68%	(1,000)
CHARGES FOR SERVICES	758,784	984,580	1,001,282	984,850	-2%	(16,432)
FIXED CHARGES	664	675	600	600	0%	-
CAPITAL EXPENDITURES	-	-	-	-	-	-
TRANSFERS TO OTHER FUNDS	14,000	16,000	16,000	16,000	0%	-
TOTAL EXPENDITURES	**$ 785,000**	**$ 1,015,774**	**$ 1,039,498**	**$ 1,014,685**	**-2%**	**$ (24,813)**

STORMWATER FUND SUMMARY

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):						
ASSIGNED FUND BALANCE	**$ 168,233**	**$ 217,598**	**$ 216,841**	**$ 287,371**	**33%**	**$ 70,530**
TOTAL FUND BALANCES (Beginning)	**$ 168,233**	**$ 217,598**	**$ 216,841**	**$ 287,371**	**33%**	**$ 70,530**
REVENUE						
Operating Revenues	$ 91,818	$ 91,000	$ 93,500	$ 93,500	0%	$ -
Non-Operating Revenues	9,584	10,000	12,500	12,500	0%	-
Transfers-In	-	-	-	-	-	-
TOTAL REVENUE	**$ 101,402**	**$ 101,000**	**$ 106,000**	**$ 106,000**	**0%**	**$ -**
TOTAL SOURCES	**$ 269,635**	**$ 318,598**	**$ 322,841**	**$ 393,371**	**22%**	**$ 70,530**
EXPENDITURES						
Operating Expenditures	$ 52,795	$ 35,470	$ 35,470	$ 35,500	0%	$ 30
Capital Expenditures	-	-	-	-	-	-
Transfers-Out	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 52,795**	**$ 35,470**	**$ 35,470**	**$ 35,500**	**0%**	**$ 30**
NET SOURCE (USE) OF FUNDS	**$ 48,608**	**$ 65,530**	**$ 70,530**	**$ 70,500**	**0%**	**$ (30)**
FUND BALANCES (Ending):						
ASSIGNED FUND BALANCE	**$ 216,841**	**$ 283,128**	**$ 287,371**	**$ 357,871**	**25%**	**$ 70,500**
TOTAL FUND BALANCE (Ending)	**$ 216,841**	**$ 283,128**	**$ 287,371**	**$ 357,871**	**25%**	**$ 70,500**

FUND: STORMWATER

DETAIL OF REVENUES

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
OPERATING REVENUES							
55-434-40	Service Fees	$ 91,818	$ 91,000	$ 93,500	$ 93,500	0%	$ -
	OPERATING REVENUES	**$ 91,818**	**$ 91,000**	**$ 93,500**	**$ 93,500**	**0%**	**$ -**
NON-OPERATING REVENUES							
55-436-10	Interest Income	$ 9,584	$ 10,000	$ 12,500	$ 12,500	0%	$ -
55-436-70	Miscellaneous Revenues	-	-	-	-	-	-
	NON-OPERATING REVENUES	**$ 9,584**	**$ 10,000**	**$ 12,500**	**$ 12,500**	**0%**	**$ -**
	TOTAL REVENUES	**$ 101,402**	**$ 101,000**	**$ 106,000**	**$ 106,000**	**0%**	**$ -**

SUMMARY OF EXPENDITURES

	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ -	-	$ -
SUPPLIES	-	10,000	10,000	10,000	0%	$ -
CHARGES FOR SERVICES	52,715	25,440	25,440	25,470	0%	30
FIXED CHARGES	80	30	30	30	0%	-
CAPITAL EXPENDITURES	-	-	-	-	-	-
TRANSFERS TO OTHER FUNDS	-	-	-	-	-	-
TOTAL EXPENDITURES	**$ 52,795**	**$ 35,470**	**$ 35,470**	**$ 35,500**	**0%**	**$ 30**

BROADBAND FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
ASSIGNED FUND BALANCE		**$ -**	**$ -**	**$ -**	**$ 390,550**	**-**	**$ 390,550**
TOTAL FUND BALANCES (Beginning)		**$ -**	**$ -**	**$ -**	**$ 390,550**	**-**	**$ 390,550**
REVENUE							
56-434-10	Broadband Fees - Residential (In Town)	$ -	$ 125,856	$ 72,000	$ 176,500	145%	$ 104,500
56-434-20	Broadband Fees - Residential (Out of Town)	-	11,748	-	-	-	
56-434-30	Broadband Fees - Business	-	117,850	59,000	60,000	2%	1,000
56-434-40	Broadband Installation Fees	-	39,380	25,000	40,000	60%	
56-436-50	Interest	-	-	-	-	-	
56-436-70	Miscellaneous	-	-	-	-	-	
56-431-50	Franchise Tax	-	49,000	49,000	49,500	1%	
56-436-90	Debt Proceeds	-	1,600,000	700,000	-	-100%	
56-437-10	Transfers-In	-	-	-	-	-	-
TOTAL REVENUE		**$ -**	**$ 1,943,834**	**$ 905,000**	**$ 326,000**	**-64%**	**$ (579,000)**
TOTAL SOURCES		**$ -**	**$ 1,943,834**	**$ 905,000**	**$ 716,550**	**-21%**	**$ (188,450)**
EXPENDITURES							
Operating Expenditures		$ -	$ 1,432,146	$ 379,450	$ 617,715	63%	$ 238,265
Capital Expenditures		-	-	-	-	-	-
Debt Service		-	436,190	135,000	94,000	-30%	
Transfers-Out		-	-	-	2,833	-	2,833
TOTAL EXPENDITURES		**$ -**	**$ 1,868,336**	**$ 514,450**	**$ 714,548**	**39%**	**$ 200,098**
NET SOURCE (USE) OF FUNDS		**$ -**	**$ 75,498**	**$ 390,550**	**$ (388,548)**	-199%	
FUND BALANCES (Ending):							
ASSIGNED FUND BALANCE		**$ -**	**$ 75,498**	**$ 390,550**	**$ 2,002**	**-99%**	**(388,548)**
TOTAL FUND BALANCE (Ending)		**$ -**	**$ 75,498**	**$ 390,550**	**$ 2,002**	**-99%**	**$ (388,548)**

FUND: BROADBAND

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL SERVICES	$ -	$ -	$ -	$ 62,711	-	$ 62,711
SUPPLIES	-	1,000,000	187,500	300,000	-81%	$ 112,500
CHARGES FOR SERVICES	-	431,146	190,950	254,004	-56%	63,054
FIXED CHARGES	-	1,000	1,000	1,000		
CAPITAL EXPENDITURES	-	-	-	-	-	-
DEBT SERVICE	-	436,190	135,000	94,000	-69%	
TRANSFERS TO OTHER FUNDS	-	-	-	2,833	-	2,833
TOTAL EXPENDITURES	**$ -**	**$ 1,868,336**	**$ 514,450**	**$ 714,548**	**-72%**	**$ 200,098**

CAPITAL IMPROVEMENTS FUND

CAPITAL IMPROVEMENTS FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FOR:							
COMMUNITY ENHANCEMENT		**$ 402,901**	**$ 51,924**	**$ 51,242**	**$ 105,763**	**106%**	**$ 54,521**
TRANSPORTATION EXPENDITURES		**1,697,801**	**1,783,801**	**1,788,531**	**1,881,531**	**5%**	**93,000**
ASSIGNED FOR:							**-**
GRAND AVENUE		**4,750,371**	**6,521,221**	**7,129,504**	**8,148,697**	**14%**	**1,019,193**
AFFORDABLE HOUSING		**-**	**375,000**	**375,000**	**213,479**		
OTHER CAPITAL PROJECTS		**4,394,234**	**4,984,642**	**6,020,824**	**4,380,581**	**-27%**	**(1,640,243)**
TOTAL FUND BALANCES (Beginning)		**$ 11,245,307**	**$ 13,716,588**	**$ 15,365,101**	**$ 14,730,051**	**-4%**	**$ (635,050)**
REVENUE							
31-430-45	Capital Improvement Interest	$ 539,303	$ 454,000	$ 656,000	$ 550,000	-16%	$ (106,000)
31-430-46	Community Enhancement Interest	11,310	2,060	-	-	-	-
31-430-47	Devolution & Transportation Interest	90,730	68,000	93,000	35,000	-62%	(58,000)
31-430-50	Community Enhancement [1]	51,242	54,521	54,521	54,600	0%	79
31-430-60	Municipal Land Dedication	-	-	-	-	-	-
31-430-65	LERP - Fee In Lieu	375,000	-	-	-	-	-
31-430-70	Miscellaneous Income	-	-	-	-	-	-
31-430-74	Developer Contribution to Grand Ave.	220,850	300,000	519,193	-	-100%	(519,193)
31-430-77	Eagle County Contributions	-	-	-	-	-	-
31-430-78	ECO Reimbursement	-	-	-	-	-	-
31-430-84	Public Safety Impact Fees	311,222	330,000	646	-	-100%	(646)
31-430-85	Street Impact Fees	194,940	160,000	1,727	-	-100%	(1,727)
31-430-86	Use Tax	1,630,811	1,300,000	660,000	480,000	-27%	(180,000)
31-430-87	Grants	-	-	-	1,243,447	-	1,243,447
31-437-80	Transfer from STCIF	-	-	250,000	250,000	0%	-
31-437-10	Transfer from General Fund - Grand Ave	2,550,000	1,500,000	1,500,000	955,000	-36%	(545,000)
31-437-10	Transfer from General Fund - LERP	-	375,000	375,000	-	-100%	(375,000)
31-437-10	Transfer from General Fund - Other	-	125,000	291,275	500,000	72%	208,725
TOTAL REVENUE		**$ 5,975,407**	**$ 4,668,581**	**$ 4,401,362**	**$ 4,068,047**	**-8%**	**$ (333,315)**
TOTAL SOURCES		**$ 17,220,714**	**$ 18,385,169**	**$ 19,766,463**	**$ 18,798,098**	**-5%**	**$ (968,365)**
EXPENDITURES							
Capital Expenditures		$ 1,855,613	$ 5,576,514	$ 5,036,412	$ 6,008,567	19%	$ 972,155
Transfers to Other Funds		-	-	-	-	-	-
TOTAL EXPENDITURES		**$ 1,855,613**	**$ 5,576,514**	**$ 5,036,412**	**$ 6,008,567**	**19%**	**$ 972,155**
NET SOURCE (USE) OF FUNDS		**$ 4,119,794**	**$ (907,933)**	**$ (635,050)**	**$ (1,940,520)**	**206%**	**$(1,305,470)**
FUND BALANCES (Ending):							
RESTRICTED FOR:							
COMMUNITY ENHANCEMENT		**$ 51,242**	**$ 106,445**	**$ 105,763**	**$ 160,363**	**52%**	**$ 54,600**
TRANSPORTATION EXPENDITURES		**1,788,531**	**1,851,801**	**1,881,531**	**1,916,531**	**2%**	**35,000**
ASSIGNED FOR: CAPITAL PROJECTS:							
GRAND AVENUE		**7,129,504**	**5,846,221**	**8,148,697**	**7,353,697**	**-10%**	**(795,000)**
AFFORDABLE HOUSING		**375,000**	**750,000**	**213,479**	**213,479**		
OTHER CAPITAL PROJECTS		**6,020,824**	**4,254,188**	**4,380,581**	**3,145,461**	**-28%**	**(1,235,120)**
TOTAL FUND BALANCES (Ending):		**$ 15,365,101**	**$ 12,808,655**	**$ 14,730,051**	**$ 12,789,531**	**-13%**	**$(1,940,520)**

[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 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FOR:							
RESERVE		**$ 161,619**	**$ 161,619**	**$ 161,619**	**$ 161,619**	**0%**	**$ -**
NONSPENDABLE		**10,848**	**10,848**	**10,848**	**10,848**	**0%**	**-**
ASSIGNED FOR CAPITAL PROJECTS/DEBT SERVICE		**1,894,707**	**756,458**	**2,430,324**	**7,910,853**	**226%**	**5,480,529**
TOTAL FUND BALANCES (Beginning)		**$ 2,067,174**	**$ 928,925**	**$ 2,602,791**	**$ 8,083,320**	**211%**	**$ 5,480,529**
REVENUE							
61-431-30	Sales Tax	$ 1,037,015	$ 1,110,000	$ 1,045,000	$ 1,045,000	0%	$ -
61-433-10	Grants	225,884	1,850,000	1,910,000	530,000	-72%	(1,380,000)
61-433-20	Mountain Rec Capital Funds	112,591	2,000,000	2,125,000	-	-100%	(2,125,000)
61-433-30	Mountain Rec Debt Service Match	-	350,000	175,000	350,000	100%	175,000
61-436-10	Interest - ColoTrust STCIF	128,056	64,000	134,000	100,000	-25%	(34,000)
61-436-42	Contributions & Donations	-	-	-	-	-	-
61-436-50	Bond Proceeds	-	9,000,000	9,000,000	-	-100%	(9,000,000)
61-436-60	Bond Premium	-	-	-	-	-	-
61-436-70	Miscellaneous Revenue	-	-	-	-	-	-
61-437-10	Transfer from General Fund	103,000	-	-	-	-	-
61-437-31	Transfer from Capital Improvements Fund	-	-	-	-	-	-
61-437-81	Transfer from Open Space Fund	-	-	-	-	-	-
TOTAL REVENUE		**$ 1,606,546**	**$ 14,374,000**	**$ 14,389,000**	**$ 2,025,000**	**-86%**	**$ (12,364,000)**
TOTAL SOURCES		**$ 3,673,720**	**$ 15,302,925**	**$ 16,991,791**	**$ 10,108,320**	**-41%**	**$ (6,883,471)**
EXPENDITURES							
CHARGES FOR SERVICES							
61-50-347	Professional Services	$ -	$ -	$ -	$ 20,000	-	$ 20,000
61-50-351	Legal	2,874	2,000	2,000	10,000	400%	8,000
TOTAL CHARGES FOR SERVICES		**$ 2,874**	**$ 2,000**	**$ 2,000**	**$ 30,000**	**1400%**	**$ 28,000**
DISCRETIONARY FUNDING							
61-50-450	Eagle County Trails Funding	25,000	25,000	25,000	-	-100%	(25,000)
TOTAL DISCRETIONARY FUNDING		**$ 25,000**	**$ 25,000**	**$ 25,000**	**$ -**	**-100%**	**$ (25,000)**
CAPITAL OUTLAY							
61-50-720	Multi-Use Rec Facilities Improvements	$ 338,475	$ 12,000,000	$ 7,346,093	$ 6,653,907	-9%	$ (692,186)
61-50-730	Paved Path Improvments	54,910	110,250	96,540	220,000	128%	123,460
61-50-745	Town Park Improvements	203,158	45,000	270,000	555,000	106%	285,000
61-50-760	River Park Improvements	124,275	90,000	46,000	-	-100%	(46,000)
TOTAL CAPITAL OUTLAY		**$ 720,817**	**$ 12,245,250**	**$ 7,758,633**	**$ 7,428,907**	**-4%**	**$ (329,726)**
DEBT SERVICE							
61-50-815	Debt Service	$ 110,000	$ 425,000	$ 270,000	$ 430,000	59%	$ 160,000
61-50-816	Debt Service Interest	211,738	597,338	402,338	592,738	47%	190,400
61-50-810	Cost of Issuance	-	200,000	200,000	-	-100%	(200,000)
61-50-820	Agent Fees	500	500	500	500	0%	-
TOTAL DEBT SERVICE		**$ 322,238**	**$ 1,222,838**	**$ 872,838**	**$ 1,023,238**	**17%**	**$ 150,400**
CONTINGENCY							
61-50-900	**CONTINGENCY**	**$ -**	**$ -**	**$ -**	**$ -**	**0%**	**$ -**
TRANSFERS TO OTHER FUNDS							
61-50-950	TRANSFER TO CAP IMPR FUND	**$ -**	**$ -**	**$ 250,000**	**$ 250,000**	**0%**	**$ -**
TOTAL EXPENDITURES		**$ 1,070,928**	**$ 13,495,088**	**$ 8,908,471**	**$ 8,732,145**	**-2%**	**$ (176,326)**
NET SOURCE (USE) OF FUNDS		**$ 535,617**	**$ 878,912**	**$ 5,480,529**	**$ (6,707,145)**	**-222%**	**$ (12,187,674)**
FUND BALANCES (Ending):							
RESTRICTED FOR:							
RESERVE		**$ 161,619**	**$ 161,619**	**$ 161,619**	**$ 161,619**	**0%**	**$ -**
NONSPENDABLE		**10,848**	**10,848**	**10,848**	**10,848**	**0%**	**-**
ASSIGNED FOR CAPITAL PROJECTS/DEBT SERVICE		**2,430,324**	**1,635,370**	**7,910,853**	**1,203,708**	**-85%**	**(6,707,145)**
TOTAL FUND BALANCEs (Ending):		**$ 2,602,791**	**$ 1,807,837**	**$ 8,083,320**	**$ 1,376,175**	**-83%**	**$ (6,707,145)**

SPECIAL REVENUE FUNDS

CONSERVATION TRUST FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ 144,926**	**$ 201,027**	**$ 206,629**	**$ 263,629**	**28%**	**$ 57,000**
TOTAL FUND BALANCES (Beginning)		**$ 144,926**	**$ 201,027**	**$ 206,629**	**$ 263,629**	**28%**	**$ 57,000**
REVENUES							
71-430-10	Lottery Proceeds	$ 52,736	$ 45,000	$ 45,000	$ 45,000	0%	$ -
71-430-20	Interest on Investments	8,967	8,000	12,000	8,875	-26%	(3,125)
TOTAL REVENUES		**$ 61,702**	**$ 53,000**	**$ 57,000**	**$ 53,875**	**-5%**	**$ (3,125)**
TOTAL SOURCES		**$ 206,629**	**$ 254,027**	**$ 263,629**	**$ 317,504**	**20%**	**$ 53,875**
EXPENDITURES							
71-50-347	Professional Services	$ -	$ -	$ -	$ -	-	$ -
71-50-755	Haymaker Trailhead Improvements	-	-	-	110,000	100%	110,000
TOTAL EXPENDITURES		**$ -**	**$ -**	**$ -**	**$ 110,000**	**-**	**$110,000**
NET SOURCE (USE) OF FUNDS		**$ 61,702**	**$ 53,000**	**$ 57,000**	**$ (56,125)**	**198%**	**########**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ 206,629**	**$ 254,027**	**$ 263,629**	**$ 207,504**	**-21%**	**$ (56,125)**
TOTAL FUND BALANCE (Ending)		**$ 206,629**	**$ 254,027**	**$ 263,629**	**$ 207,504**	**-21%**	**$ (56,125)**

DISPOSABLE BAG FEE FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ -**	**$ -**	**$ -**	**$ 30,331**	**-**	**$ 30,331**
TOTAL FUND BALANCES (Beginning)		**$ -**	**$ -**	**$ -**	**$ 30,331**	**-**	**$ 30,331**
REVENUES							
72-434-10	Disposable Bag Fee	$ -	$ -	$ 10,000	$ 5,000	-50%	$ (5,000)
72-437-10	Transfer from General Fund	-	-	20,331	-	-100%	(20,331)
TOTAL REVENUES		**$ -**	**$ -**	**$ 30,331**	**$ 5,000**	**-84%**	**$ (25,331)**
TOTAL SOURCES		**$ -**	**$ -**	**$ 30,331**	**$ 35,331**	**16%**	**$ 5,000**
EXPENDITURES							
72-50-220	Operating Expenditures	$ -	$ -	$ -	$ -	-	$ -
72-50-347	Professional Services	-	-	-	2,000	-	2,000
72-50-920	Transfer to General Fund	-	-	-	5,000	-	5,000
TOTAL EXPENDITURES		**$ -**	**$ -**	**$ -**	**$ 7,000**	**-**	**$ 7,000**
NET SOURCE (USE) OF FUNDS		**$ -**	**$ -**	**$ 30,331**	**$ (2,000)**	**107%**	**$ (32,331)**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ -**	**$ -**	**$ 30,331**	**$ 28,331**	**-7%**	**$ (2,000)**
TOTAL FUND BALANCE (Ending)		**$ -**	**$ -**	**$ 30,331**	**$ 28,331**	**-7%**	**$ (2,000)**

EXTERIOR ENERGY OFFSET FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ -**	**$ -**	**$ -**	**$ 29,200**	**-**	**$ 29,200**
TOTAL FUND BALANCES (Beginning)		**$ -**	**$ -**	**$ -**	**$ 29,200**	**-**	**$ 29,200**
REVENUES							
73-432-10	Exterior Energy Offset Program	$ -	$ -	$ 29,200	$ -	-100%	$ (29,200)
73-437-10	Transfer from General Fund	-	-	-	-	-	-
TOTAL REVENUES		**$ -**	**$ -**	**$ 29,200**	**$ -**	**-100%**	**$ (29,200)**
TOTAL SOURCES		**$ -**	**$ -**	**$ 29,200**	**$ 29,200**	**0%**	**$ -**
EXPENDITURES							
73-50-220	Operating Expenditures	$ -	$ -	$ -	$ -	-	$ -
73-50-347	Professional Services	-	-	-	29,000	-	29,000
73-50-920	Transfer to General Fund	-	-	-	-	-	-
TOTAL EXPENDITURES		**$ -**	**$ -**	**$ -**	**$ 29,000**	**-**	**$ 29,000**
NET SOURCE (USE) OF FUNDS		**$ -**	**$ -**	**$ 29,200**	**$ (29,000)**	**199%**	**$ (58,200)**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ -**	**$ -**	**$ 29,200**	**$ 200**	**-99%**	**$ (29,000)**
TOTAL FUND BALANCE (Ending)		**$ -**	**$ -**	**$ 29,200**	**$ 200**	**-99%**	**$ (29,000)**

OPEN SPACE PRESERVATION FUND

OPEN SPACE PRESERVATION FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
COMMITTED FUND BALANCE		**$ 765,933**	**$ 813,443**	**$ 845,138**	**$ 766,210**	**-9%**	**$ (78,928)**
TOTAL FUND BALANCES (Beginning)		**$ 765,933**	**$ 813,443**	**$ 845,138**	**$ 766,210**	**-9%**	**$ (78,928)**
REVENUES							
81-430-10	Lodging Tax	$ 275,519	$ 272,000	$ 256,000	$ 254,000	-1%	$ (2,000)
81-430-15	Penalty & Interest	383	500	300	300	0%	-
81-430-20	Interest on Investments	39,933	25,000	45,000	25,000	-44%	(20,000)
81-431-00	Grants	-	-	9,717	5,283	-46%	(4,434)
81-433-00	Intergovernmental Contributions	-	35,000	35,000	101,755	191%	66,755
81-434-10	Reimbursable Revenue	-	-	-	-	-	-
81-436-70	Miscellaneous	-	-	-	-	-	-
81-437-10	Transfer from General Fund	150,000	150,000	150,000	142,500	-5%	(7,500)
TOTAL REVENUES		**$ 465,835**	**$ 482,500**	**$ 496,017**	**$ 528,838**	**7%**	**$ 32,821**
							-
TOTAL SOURCES		**$ 1,231,768**	**$ 1,295,943**	**$ 1,341,155**	**$ 1,295,048**	**-3%**	**$ -**
EXPENDITURES							
Operating Expenses		$ 328,151	$ 316,146	$ 312,719	$ 418,316	34%	$105,597
Capital Expenditures		42,489	305,000	250,000	192,500	-23%	(57,500)
Transfers-Out		15,990	11,159	12,226	16,782	37%	4,556
TOTAL EXPENIDTURES		**$ 386,630**	**$ 632,305**	**$ 574,945**	**$ 627,598**	**9%**	**$ 52,653**
NET SOURCE (USE) OF FUNDS		**$ 79,205**	**$ (149,805)**	**$ (78,928)**	**$ (98,760)**	25%	**$ (19,832)**
FUND BALANCES (Ending):							-
COMMITTED FUND BALANCE		**$ 845,138**	**$ 663,638**	**$ 766,210**	**$ 667,450**	**-13%**	**$ (98,760)**
TOTAL FUND BALANCE (Ending)		**$ 845,138**	**$ 663,638**	**$ 766,210**	**$ 667,450**	**-13%**	**$ (98,760)**

FUND: OPEN SPACE

SUMMARY OF EXPENDITURES	ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
PERSONNEL	$ 178,461	$ 191,761	$ 195,567	$ 281,273	44%	$ 3,806
MATERIALS & SUPPLIES	9,575	14,475	13,975	31,935	129%	(500)
CHARGES FOR SERVICES	139,021	108,910	102,127	104,008	2%	(6,783)
DISCRETIONARY FUNDING	-	-	-	-	-	-
FIXED CHARGES	1,093	1,000	1,050	1,100	5%	50
CAPITAL EXPENDITURES	42,489	305,000	250,000	192,500	-23%	(55,000)
CONTINGENCY	-	-	-	-	0%	-
TRANSFERS TO OTHER FUNDS	15,990	11,159	12,226	16,782	0%	1,067
TOTAL EXPENDITURES	**$ 386,630**	**$ 632,305**	**$ 574,945**	**$ 627,598**	**9%**	**$ (57,360)**

DOWNTOWN DEVELOPMENT AUTHORITY FUND

DOWNTOWN DEVELOPMENT AUTHORITY FUND SUMMARY

		ACTUAL 2023	BUDGET 2024	REVISED 2024	BUDGET 2025	% CHANGE FROM PY	$ CHANGE FROM PY
FUND BALANCES (Beginning):							
RESTRICTED FUND BALANCE		**$ 6,361**	**$ 7,649**	**$ 31,687**	**$ 15,537**	**-51%**	**$ (16,150)**
TOTAL FUND BALANCES (Beginning)		**$ 6,361**	**$ 7,649**	**$ 31,687**	**$ 15,537**	**-51%**	**$ (16,150)**
REVENUES							
91-431-10	TIF Property Taxes	$ 17,502	$ 29,981	$ 26,100	$ 40,000	53%	$ 13,900
91-433-10	Grants	-	-	40,000	40,000	0%	-
91-436-10	DDA Interest	1,355	1,500	2,300	2,500	9%	200
91-436-70	Miscellaneous	-	-	-	-	-	-
91-437-10	Transfer From General Fund	20,000	-	-	-		-
TOTAL REVENUES		**$ 38,858**	**$ 31,481**	**$ 68,400**	**$ 82,500**	**21%**	**$ 14,100**
TOTAL SOURCES		**$ 45,218**	**$ 39,130**	**$ 100,087**	**$ 98,037**	**-2%**	**$ (2,050)**
EXPENDITURES							
91-50-210	Office Supplies	$ -	$ -	$ -	$ -	-	$ -
91-50-220	Operating Supplies	-	-	-	-	-	-
91-50-330	Dues & Subscriptions	-	1,000	1,000	1,000	0%	-
91-50-347	Professional Services	12,056	24,500	24,500	14,400	-41%	(10,100)
91-50-351	Legal	901	9,000	9,000	-	-100%	(9,000)
91-50-362	Computer Support	-	-	-	3,000	-	3,000
91-50-371	Travel	-	-	-	1,050	-	1,050
91-50-379	Grant Program Expenditures	-	-	50,000	50,000	0%	-
91-50-380	Tuition & Books	-	-	-	500	-	500
91-50-385	Treasurer Fees	525	-	-	-	-	-
91-50-510	Insurance	50	50	50	50	0%	-
TOTAL EXPENDITURES		**$ 13,532**	**$ 34,550**	**$ 84,550**	**$ 70,000**	**-17%**	**$ (14,550)**
NET SOURCE (USE) OF FUNDS		**$ 25,326**	**$ (3,069)**	**$ (16,150)**	**$ 12,500**	**177%**	**$ 28,650**
FUND BALANCES (Ending):							
RESTRICTED FUND BALANCE		**$ 31,687**	**$ 4,580**	**$ 15,537**	**$ 28,037**	**80%**	**$ 12,500**
TOTAL FUND BALANCE (Ending)		**$ 31,687**	**$ 4,580**	**$ 15,537**	**$ 28,037**	**80%**	**$ 12,500**

OPEN SPACE FUND BUDGET PROJECTIONS THROUGH 2029 (WITH OPEN SPACE RANGER)

		ACTUAL 2022	*ACTUAL 2023*	*PROJECTION 2024*	*PROJECTION 2025*	*PROJECTION 2026*	*PROJECTION 2027*	*PROJECTION 2028*	*PROJECTION 2029*
FUND BALANCES (Beginning):									
COMMITTED FUND BALANCE		**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 766,212**	**$ 667,452**	**$ 508,362**	**$ 456,191**	**$ 255,688**
TOTAL FUND BALANCE (Beginning)		**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 766,212**	**$ 667,452**	**$ 508,362**	**$ 456,191**	**$ 255,688**
REVENUES									
81-430-10	Lodging Tax	$ 249,551	$ 275,519	$ 256,000	$ 254,000	$ 254,000	$ 259,080	$ 264,262	$ 269,547
81-430-15	Penalty & Interest	657	383	300	300	-	-	-	-
81-430-20	Interest on Investments	11,708	39,933	45,000	25,000	10,000	10,000	10,000	10,000
81-433-00	Other Grants	2,062	-	9,717	5,283	-	-	-	-
81-433-00	Intergovernmental Contribution	-	-	35,000	101,755	68,010	70,905	-	-
81-436-70	Miscellaneous	-	-	-	-	-	-	-	-
81-437-10	Transfer from General Fund	150,000	150,000	150,000	142,500	150,000	150,000	150,000	150,000
	TOTAL REVENUES	**$ 413,977**	**$ 465,835**	**$ 496,017**	**$ 528,838**	**$ 482,010**	**$ 489,985**	**$ 424,262**	**$ 429,547**
TOTAL SOURCES		**$ 1,108,958**	**$ 1,231,768**	**$ 1,341,156**	**$ 1,295,050**	**$ 1,149,462**	**$ 998,347**	**$ 880,452**	**$ 685,235**
EXPENDITURES									
Operating Expenses		$ 245,897	$ 344,140	$ 324,944	$ 435,098	$ 431,100	$ 452,157	$ 474,764	$ 498,503
Capital Expenditures		97,128	42,489	250,000	192,500	210,000	90,000	150,000	150,000
	TOTAL EXPENDITURES	**$ 343,025**	**$ 386,629**	**$ 574,944**	**$ 627,598**	**$ 641,100**	**$ 542,157**	**$ 624,764**	**$ 648,503**
	Net Surplus (Deficit)	**$ 70,952**	**$ 79,206**	**$ (78,927)**	**$ (98,760)**	**$ (159,090)**	**$ (52,172)**	**$ (200,503)**	**$ (218,956)**
FUND BALANCES (Ending):									
COMMITTED FUND BALANCE		**$ 765,933**	**$ 845,139**	**$ 766,212**	**$ 667,452**	**$ 508,362**	**$ 456,191**	**$ 255,688**	**$ 36,732**
TOTAL FUND BALANCE (Ending):		**$ 765,933**	**$ 845,139**	**$ 766,212**	**$ 667,452**	**$ 508,362**	**$ 456,191**	**$ 255,688**	**$ 36,732**

Updated: 10/22/2024

OPEN SPACE FUND BUDGET PROJECTIONS THROUGH 2028 (WITHOUT OPEN SPACE RANGER)

		ACTUAL 2021	*ACTUAL 2022*	*ACTUAL 2023*	*PROJECTION 2024*	*PROJECTION 2025*	*PROJECTION 2026*	*PROJECTION 2027*	*PROJECTION 2028*	*PROJECTION 2029*
FUND BALANCES (Beginning):										
COMMITTED FUND BALANCE		**$ 359,736**	**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 770,929**	**$ 751,515**	**$ 631,426**	**$ 620,582**	**$ 537,924**
TOTAL FUND BALANCE (Beginning)		**$ 359,736**	**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 770,929**	**$ 751,515**	**$ 631,426**	**$ 620,582**	**$ 537,924**
REVENUES										
81-430-10	Lodging Tax	$ 230,678	$ 249,551	$ 275,519	$ 256,000	$ 254,000	$ 254,000	$ 259,080	$ 264,262	$ 269,547
81-430-15	Penalty & Interest	1,162	657	383	300	300	-	-	-	-
81-430-20	Interest on Investments	156	11,708	39,933	45,000	25,000	10,000	10,000	10,000	10,000
81-430-30	Usage Fees	-	-	-	-	-	-	-	-	-
81-433-00	Other Grants	5,000	2,062	-	9,717	5,283	-	-	-	-
81-433-00	Intergovernmental Contribution	5,000	-	-	35,000	-	-	-	-	-
81-436-70	Miscellaneous	-	-	-	-	-	-	-	-	-
81-437-10	Transfer from General Fund	300,000	150,000	150,000	150,000	142,500	150,000	150,000	150,000	150,000
	TOTAL REVENUES	**$ 541,996**	**$ 413,977**	**$ 465,835**	**$ 496,017**	**$ 427,083**	**$ 414,000**	**$ 419,080**	**$ 424,262**	**$ 429,547**
TOTAL SOURCES		**$ 901,732**	**$ 1,108,958**	**$ 1,231,768**	**$ 1,341,156**	**$ 1,198,012**	**$ 1,165,515**	**$ 1,050,506**	**$ 1,044,844**	**$ 967,471**
EXPENDITURES										
Operating Expenses		$ 145,113	$ 245,897	$ 344,140	$ 320,227	$ 308,997	$ 324,089	$ 339,924	$ 356,920	$ 374,766
Capital Expenditures		61,638	97,128	42,489	250,000	137,500	210,000	90,000	150,000	150,000
	TOTAL EXPENDITURES	**$ 206,751**	**$ 343,025**	**$ 386,629**	**$ 570,227**	**$ 446,497**	**$ 534,089**	**$ 429,924**	**$ 506,920**	**$ 524,766**
	Net Surplus (Deficit)	**$ 335,245**	**$ 70,952**	**$ 79,206**	**$ (74,210)**	**$ (19,414)**	**$ (120,089)**	**$ (10,844)**	**$ (82,658)**	**$ (95,219)**
FUND BALANCES (Ending):										
COMMITTED FUND BALANCE		**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 770,929**	**$ 751,515**	**$ 631,426**	**$ 620,582**	**$ 537,924**	**$ 442,705**
TOTAL FUND BALANCE (Ending):		**$ 694,981**	**$ 765,933**	**$ 845,139**	**$ 770,929**	**$ 751,515**	**$ 631,426**	**$ 620,582**	**$ 537,924**	**$ 442,705**