



**Town Council**  
**Tuesday, April 22, 2025**  
**Public Meeting Room / Eagle Town Hall**  
**200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at [www.Townofeagle.org](http://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 Camille Deering, Town Clerk, and will be included as part of the record. For technical difficulties, please email [clerk@townofeagle.org](mailto:clerk@townofeagle.org) and we will do our best to assist you.*

1. **Microsoft Teams** [Need help?](#)

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**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. Life Saving Award- Tyler White
2. 2025 Town of Eagle Wildfire Update - Hugh Fairfield-Smith, Eagle Valley Wildland

**CONSENT AGENDA - 6:25 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
2. Waiver of Pavilion Fees for Dusty Walls' Memorial Service
3. Resolution 31, Series 2025, A Resolution of the Town Council of the Town of Eagle Authorizing the use of \$94,913.35 from the LERP Fee-in-Lieu Funds to Cover Plan Review and Permit Costs Associated with the Property Updates at 405 Nogal Rd., the Eagle Villas.

**STAFF REPORTS** *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update

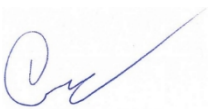
**BUSINESS ITEMS - 6:30 PM** *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. PUBLIC HEARING: Land Use File: LUDC25-01 Natural Medicine Businesses
  - a. Ordinance 3, Series 2025, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Town Code to Regulate Natural Medicine Businesses"
2. PUBLIC HEARING: File #PPFP24-01 Haymeadow 5th Amendment to the Filing 1 Final Plat, Neighborhood A1 Preliminary Plan Update, and Filing 2 Final Plat (Continue to May 13, 2025)
3. Discuss new appointments to Eagle Ranch Housing Corporation
4. Resolution 32, Series 2025 "A Resolution of the Town Council of the Town of Eagle, Colorado Accepting the Commercial Linkage Nexus Study Final Report as Presented"

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

## **ADJOURN - 8:00 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.



\_\_\_\_\_  
Camille Deering  
Town Clerk

**PUBLIC WIFI – Eagle Guest**

2025 Town of Eagle Wildfire Update  
Hugh Fairfield-Smith  
Division Chief of Wildland Fire Operations



# 2024 Projects

Prescribed  
Fire  
Operations-  
110 Acres

Thinning  
Projects- 26  
Acres

Community  
Chipping  
110,000 LBS

# 2025 Projects

NO  
Prescribed  
Fire Operation  
in 2025

Continued  
thinning  
operations

Chipping to  
begin in May

# New Evacuation Notifications

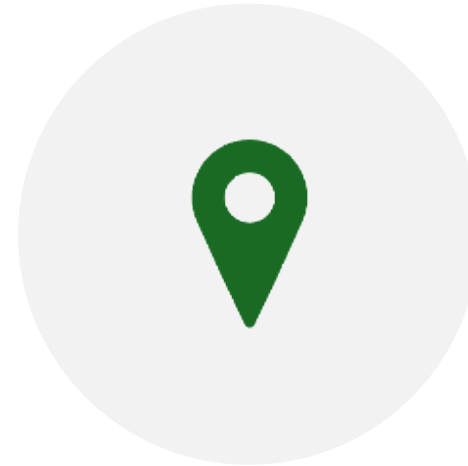
**Genasys  
Protect**

**EC Alert**

# WUI CODE



MEETINGS CONTINUE  
TO HAVE A UNIFIED  
FRONT



STATEWIDE WUI CODE

# New Fire Models



We are now looking at  
FIRE PATHWAYS



New risk assessment  
from Xylo Plan



Could help with  
insurance issues



**MEETING MINUTES**  
**Town Council**  
**Tuesday, April 8, 2025**  
**Public Meeting Room / Eagle Town Hall**  
**200 Broadway Eagle, CO**

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**TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION** *This will be an in-person meeting using Teams.*

**CALL TO ORDER - 6:00 PM**

**ROLL CALL**

**COUNCIL MEMBERS PRESENT**

Mikel Kerst, Scott Turnipseed, Ellen Bodenheimier,  
Geoffrey Grimmer, Nick Sunday, Bryan Woods

**COUNCIL MEMBERS ABSENT**

Jamie Woodworth Foral

**STAFF PRESENT**

Melissa Daruna, Assistant Town Manager  
Richard Peterson-Cremer, Town Attorney  
Camille Deering, Town Clerk  
Jill Kane, Finance Director/Treasurer  
Luke Causey, Police Lieutenant  
Tom Gosiorowski, Public Works Director  
Peyton Heitzman, Community Development Director  
Lynette Horan, Human Resources Manager  
Jessica Lake, Senior Planner  
Sydney Dynek, Planner  
Kyle Brotherton, Planner  
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 6 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Sunday, and Woods) and 0 opposed.

**PUBLIC COMMENT**

Ken Marchetti - Gypsum: Announced his candidacy for the Eagle County Health Service District board, highlighting his platform of financial expertise, transparency, and accountability. He provided information on the election process and encouraged people to vote.

## **PRESENTATIONS**

### **CONSENT AGENDA**

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

1. Minutes
2. Bill Pay
3. Letter of Support to Preserve IRA Tax Credits
4. Resolution 26, Series 2025: A Resolution Approving a Contract With DRC Construction Services for Sanitary Sewer System Cleaning 2025-2028
5. Resolution 30, Series 2025, Correcting a Numbering Error

### **STAFF REPORTS**

1. Town Manager Report
2. Department Update
3. 1st Quarter 2025 and 4th Quarter 2024 - Capital Projects Budget to Actual Reports

### **BUSINESS ITEMS**

1. Eagle Villas Plan Review and Permit Fee Request

Melissa Daruna and a representative from the Ulysses Development Group, owner of the Eagle Villas, presented this item. They requested support from the Council by waiving permit fees. The Council supports the project and discussed different options to fund the fee waivers.

**MOTION: Council Member Geoffrey Grimmer motioned to support the waiver of the plan, review, and permit fees totaling \$103,536.82 for the Eagle Villas rehabilitation project and directs staff to prepare a resolution for adoption at next Town Council meeting. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Sunday, and Woods) and 0 opposed.**

2. Employee Compensation Strategy

Melissa Daruna presented this item, proposing a shift from a pay-for-performance model to a blended staff development plan. The Council supported the proposed changes, trusting management staff to implement a strategy that better aligns with the town's organizational culture and provides more meaningful recognition of staff.

**MOTION: Council Member Bryan Woods motioned to support the transition from a pay-for-performance model to a blended staff development plan effective for the 2025 fiscal year. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods) and 0 opposed.**

3. Ordinance 2, Series 2025: An Emergency Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 8 of the Eagle Municipal Code to Regulate the Protection of Wildlife.

Melissa Daruna presented this item along with comments from Lieutenant Luke Causey and representatives from Colorado Parks and Wildlife. They asked the Council to support an emergency ordinance implementing stricter waste management practices. The Council was not opposed to the idea but were hesitant to support the ordinance on such short notice for the public and the town to adapt. The Council would like more information on the cost implications for the town, and to change the language of the ordinance with more focus on education and increase the implementation timeline.

**MOTION: Council Member Geoffrey Grimmer motioned to continue the discussion on Ordinance No. 02, Series of 2025, as an emergency measure for the immediate preservation of public property, health, welfare, peace, and safety. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods) and 0 opposed.**

**COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS**

The council agreed to support the memorial for Dusty Walls, the former Public Works Director, by waiving the fees for the use of the Brush Creek Pavilion for the event on June 8th. They recognized his long service to the town and the importance of honoring his memory.

**ADJOURN - 7:30**

**MOTION: Council Member Mikel Kerst motioned to adjourn. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods) and 0 opposed.**

Date: 4/22/2025

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Scott Turnipseed, Mayor

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Camille Deering, Town Clerk



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: April 22, 2025

Agenda Item: Waiver of Pavilion Fees for Dusty Walls' Memorial Service

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**REQUEST:** Consider a request to waive pavilion rental fees for Dusty Walls' memorial service on Sunday, June 8, 2025.

**INTRODUCTION:** At the April 8<sup>th</sup> Town Council meeting, Mayor Pro Tem Kerst requested that staff bring forward a formal request to waive pavilion rental fees for the memorial service honoring Dusty Walls.

**ANALYSIS:** Dusty Walls served as the Town's Public Works Director and dedicated over four decades to the Town of Eagle, beginning his career with the Town in 1974 and retiring in 2018 after 43 years of service.

**COMMUNITY INPUT:** No public input has been received on this request to date.

**BUDGET / STAFF IMPACT:** The requested fee waiver totals \$740 for the pavilion rental on June 8. The family will still be responsible for the \$750 security deposit and required event insurance. There is no additional staff impact associated with the request.

**STRATEGIC PLAN ALIGNMENT:** This request is not directly aligned with any strategic priority.

**RECOMMENDED ACTION OR PROPOSED MOTION:** Motion to approve the waiver of pavilion rental fees in the amount of \$740 for Dusty Walls' memorial service on June 8, 2025.



To: Mayor and Town Council  
From: Melissa Daruna, Assistant Town Manager  
Date: April 22, 2025

**Agenda Item:** Resolution 31, Series 2025, A Resolution of the Town Council of the Town of Eagle Authorizing the use of \$94,913.35 from the LERP Fee-in-Lieu Funds to Cover Plan Review and Permit Costs Associated with the Property Updates at 405 Nogal Rd., the Eagle Villas.

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**REQUEST:** Staff requests Council review and approve Resoution 31, Series 2025.

**BACKGROUND:** At the April 8, 2025 Town Council meeting, staff and the Ulysess Development Group presented information about the property and unit updates occurring at the Eagle Villas. The work is occurring in conjunction with maintaining unit affordability and is funded by UDG, State grants and County housing funds. The Town was requested to consider covering the plan review and permit fees as a contribution to the project. Town Council agreed to use LERP fee-in-leiu funds to cover those costs.

**ANALYSIS:** The attached resolution was prepared following Town Council's direction from the April 8, 2025 meeting and formalizes the authorization of use of the LERP fee-in-leiu funds.

**COMMUNITY INPUT:** No additional community input has been received.

**BUDGET / STAFF IMPACT:** \$94,913.35 will be transferred from the restricted LERP Fee-In-Leiu fund to the general fund to cover the permit and plan review fees for the project. This figure is slightly lower than the one discussed by Council earlier in April but is reflective of the exact fees charged by the Town Planning and Building Departments.

**STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:** This request aligns with the Town's stratgeic objective to *Diversify Attainable Housing Stock*.

**RECOMMENDED ACTION OR PROPOSED MOTION:** Staff recommends Town Council adopt Resolution 31, Series 2025: A Resolution of the Town Council of the Town of Eagle Authorizing the use of \$94,913.35 from the LERP Fee-in-Leiu Funds to Cover Plan Review and Permit Costs Associated with the Property Updates at 405 Nogal Rd., the Eagle Villas.

**ATTACHMENTS:**

1. RESOLUTION 31, Series 2025 - Eagle Villas Fee Reimbursement

**TOWN OF EAGLE, COLORADO**  
**RESOLUTION NO. 31**  
**(Series of 2025)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AUTHORIZING THE USE OF \$94,913.35 FROM THE LERP FEE-IN-LIEU FUNDS TO COVER PLAN REVIEW AND PERMIT COSTS ASSOCIATED WITH THE PROPERTY UPDATES AT 405 NOGAL RD, THE EAGLE VILLAS.

WHEREAS, The Town of Eagle adopted a strategic plan with a major objective to *Diversify the Attainable Housing Stock* of the Town of Eagle;

WHEREAS, The Town has established the LERP (Local Employee Residency Program) Fee-in-Lieu fund to support affordable housing initiatives in the Town of Eagle;

WHERE, The Town Council of the Town of Eagle understands the urgent need to maintain affordable housing at diverse AMI levels and wishes to maintain affordable housing at 405 Nogal Road, the Eagle Villas, by offsetting the plan review and permit fees for the property upgrades;

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

Section 1. The Town Council of the Town of Eagle directs \$94,913.35 be transferred from the LERP Fee-in-Lieu fund to the general fund to be used to cover the plan review and permit fees for the unit and property upgrades at 405 Nogal Rd, the Eagle Villas.

INTRODUCED, READ, PASSED AND ADOPTED ON APRIL 22, 2025.

TOWN OF EAGLE, COLORADO

\_\_\_\_\_  
Scott Turnipseed, Mayor

ATTEST:

\_\_\_\_\_  
Camille Deering, Town Clerk



To: Mayor and Town Council  
From: Larry Pardee, Town Manager  
Date: April 22, 2025  
Re: Town Manager Report

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**Administration and Organization Update:**

Skate Park Design Planning: Town and Mountain Recreation staff have been working with American Ramp Company on the community survey and initial site location for the future skate park. During the discussions, it was noted that in the Haymaker Trailhead Master Plan, the skate park is located between the bike park and the BMX track. This location is no longer ideal for various reasons. Staff and the design consultants are commending a revised location immediately to the west of the dirt parking lot. The new location will allow easier access from the parking area, better prevent user conflicts between bike amenity visitors and the skate park visitors, and keep the skate park from dust and dirt debris coming off the bike park and BMX track. Additional information and an updated site map will be released soon. Please also save the Community Skate Park meeting date on Thursday, May 15, from 5 - 7 pm. At that meeting, we can review initial design concepts with the Community and receive additional feedback on the final design.

Reminder: Town Council Retreat at the Brush Creek Pavilion - Wednesday, May 7, from 8 am - 12 pm, with lunch to follow.

Eagle Pool Grand (Re)Opening—Please save the date: **Thursday, June 5!**

- Ribbon Cutting Ceremony - 11:30 am.
- Public Opening - 12 pm - 6 pm.
- Invitations and additional details are coming soon.

On Wednesday, April 16, Town and Stolfus hosted the first Grand Avenue property owners meeting and held an open house for the Eagle community to attend. The Stolfus team led the presentations and discussions with the property owners group, followed by an interactive open discussion with the general public, where they laid out large corridor maps of the proposed project design and the potential impacts to each property along the corridor. The meetings were well-attended by the property owners and the general public.

We are excited to have Racheal Tand join our team as our new Finance Director. Rachel plans to start her new role for the Town of Eagle on Monday, May 5.

As of 2025, the Town of Eagle has successfully onboarded 10 new team members and continues to focus on filling nine additional positions to support core services and operational efficiency. There is a temporary pause on the Open Space Ranger position until we fill the Open Space Manager role first. This measured approach ensures that workforce growth remains aligned with the Town's fiscal outlook while reinforcing our commitment to cultivating a resilient, mission-driven organization that effectively serves a growing and dynamic community.

**Economic Development:**

Commercial-Housing Balance & Economic Analysis: As part of our commitment to balanced growth and long-term prosperity, the Town has partnered with Economic & Planning Systems (EPS) to evaluate strategies that thoughtfully integrate commercial and residential development. A key focus of this work is to establish a data-informed approach to housing mitigation, including developing a commercial linkage fee to help address the workforce housing needs generated by new businesses. EPS also provides fiscal modeling and scenario testing to help the Town understand the financial impacts of future annexations, enabling more strategic planning around

infrastructure investments and cost-sharing partnerships. These efforts are intended to ensure that new development contributes meaningfully to Eagle's economic strength and community well-being.

**East Eagle Annexation Coordination:** Town representatives continue to work collaboratively with the East Eagle development team to advance the annexation process for Parcels A, and F. Recent meetings have centered on clarifying key provisions of the proposed annexation agreement and exploring a parallel agreement to outline additional commitments that support mutual interests. These discussions, which build on prior executive session direction, reflect our shared goal of aligning development proposals with the Town's long-term planning objectives. Both teams have committed to gathering more technical and legal input before finalizing next steps. This deliberate and inclusive approach is designed to foster a transparent path toward annexation that supports responsible growth, infrastructure readiness, and community priorities.

**Old Town Hall Property Review:** The Town is thoughtfully evaluating the future use of the Old Town Hall site in coordination with the Community's evolving needs. To inform this process, we have released the most recent commercial appraisal and are inviting interest in concepts that support broader economic or housing goals. The potential sale or repurposing of the property is guided by the Town's Home Rule Charter, which outlines the formal process for disposing of municipal real estate through ordinance. At the same time, lease arrangements are authorized by resolution. By following these protocols and engaging stakeholders early in the process, the Town aims to ensure that any future decision reflects fiscal responsibility and community vision.

**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.

There are no new community engagement initiatives to highlight at this time. Current efforts remain centered on maintaining a productive dialogue with Grand Avenue stakeholders and advancing coordinated planning discussions with our partners in East Eagle. These interactions are valuable in shaping the next steps and ensuring our strategic priorities align. While there are no immediate needs for broader public outreach, we remain attentive to emerging issues and are prepared to engage the Community when appropriate opportunities arise.

**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                                                            |
|---------------------------------------------|------------------------------------------------------------------|
| April 1, 2025 Work Session                  | Grand Avenue update discussion 1-hour                            |
| May 6, 2025 Work Session                    | Joint Long-Range Planning Discussion Council and P & Z - 2-hours |
| June 3, 2025 Work Session                   | Regional Net Zero Roadmap 1-hour & Density Cap Discussion 1-hour |
| July 1, 2025 Work Session                   |                                                                  |
| August 5, 2025 Work Session                 |                                                                  |
| September 2, 2025 Work Session              |                                                                  |
| <b>Request for Additional Work Sessions</b> | <b>Topic</b>                                                     |
|                                             |                                                                  |



To: Mayor Turnipseed and Town Council

From: Kyle Brotherton, Planner  
Richard Peterson, Interim Town Attorney  
Peyton Heitzman, Community Development Director

Date: April 22, 2025

Agenda Item: Ordinance 3, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Town Code to Regulate Natural Medicine Businesses.

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**REQUEST:**

For the Town Council to review and approve a staff proposed text amendment to the Land Use and Development Code establishing regulations for Natural Medicine Businesses.

**BACKGROUND:**

Proposition 122: Access to Natural Psychedelic Substances, approved in November 2022 through a citizen-initiated ballot measure, decriminalizes the use and consumption of certain plant-based psychedelic substances.

In May 2023, the Governor signed Senate Bill 23-290 ([LINK](#)), the “Natural Medicine Regulation and Legalization” into law. This bill clarifies the regulatory framework for Natural Medicine Facilities and grants municipalities the authority to regulate the time, place, and manner of operating Natural Medicine Businesses. However, municipalities cannot outright prohibit these uses within their jurisdictions.

Unlike marijuana and alcohol, which require local licenses, Natural Medicine Business licenses are regulated by the State of Colorado through the Natural Medicine Division under the Department of Revenue. The licensing rules can be found here: [LINK](#).

Staff is proposing a text amendment to the Land Use and Development Code (LUDC) to regulate Natural Medicine Businesses. This amendment was presented to the Planning Commission at the April 15 public hearing. While the full staff report from that meeting is available here ([LINK](#)), this memo summarizes and expands on the most relevant analysis for Council consideration. The Commission recommended approval of the Planning Commission Resolution 5 ([LINK](#)), with two modifications, 1) that Natural Medicine Healing Centers screen any outdoor use and 2) that the approval of the Natural Medicine Healing Centers be Administrative (A), a staff-level decision requiring notice to adjacent property owners.

The Planning Commission discussion included the following topics:

- **Zoning compatibility:** The Commission considered allowing Natural Medicine Healing Centers in additional zone districts, given their comparable impacts to medical offices. The medical center in Eagle Ranch was brought up as a location where this type of use would be appropriate, however,

the medical center is located in a Planned Unit Development (PUD), and permitting Natural Medicine Healing Centers there would require a PUD Amendment.

- **Outdoor spaces:** The Commissioners generally viewed Natural Medicine Healing Centers as contained uses overseen by licensed providers, similar to a doctor’s office. Staff clarified that the Town cannot prohibit these uses from utilizing outdoor areas, which led to a recommendation to require screening.
- **Buffer requirement:** The Commission discussed imposing a 1,000-foot buffer between the Natural Medicine uses and education facilities, similar to the standards provided for marijuana uses. The group expressed concerns that imposing buffers might overregulate the use and discourage businesses from opening, potentially limiting access for residents.
- **Use approval:** While the Commission supported staff’s recommendation to require a Special Permit for all natural medicine production-type uses, they expressed interest in changing the Natural Medicine Healing Center approval from a Permitted (P) to Administrative (A). Both are staff level approvals, but the “A” process includes noticing the adjacent property owners. There was some discussion on changing the Natural Medicine Healing Center use from a “P” to a “S”, but the majority of the Commission expressed favor with the “A” designation to strike a balance between overregulation and appropriate controls.

#### ANALYSIS:

The following analysis outlines the proposed text amendment found in Ordinance 3, Series 2025 as well as research from other communities and feedback from the Planning Commission.

#### Standards adopted in other jurisdictions:

|                                                      | Castle Rock ( <a href="#">LINK</a> )                                                                                                                                                                                                                           | Glenwood Springs ( <a href="#">LINK</a> )                                                                                                                 |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Location of healing center</b>                    | I-1-Light Industrial and I-2-General Industrial Zone Districts                                                                                                                                                                                                 | Permitted in Residential Transitional (RT), Mixed Use (M1, M2, M3), Commercial (CO), Resort (RE), River Industrial (I2), and Institutional (IN) districts |
| <b>Location of other natural medicine businesses</b> | I-1-Light Industrial and I-2-General Industrial Zone Districts                                                                                                                                                                                                 | M1 -Special Use, CO – Permitted, I2 - Permitted                                                                                                           |
| <b>Buffer Requirements</b>                           | 1,000 ft from schools (childcare, preschool, elementary, middle and high school) and residential uses (single, duplex, multifamily)                                                                                                                            | 1,000 ft buffer from another natural medicine business (cultivation, manufacturing or testing facility)                                                   |
| <b>Hours of operation</b>                            | 8:00 a.m. to 5:00 p.m., Monday through Friday                                                                                                                                                                                                                  | 8:00 a.m. to 10 p.m., Monday through Sunday                                                                                                               |
| <b>Other regulations</b>                             | <ul style="list-style-type: none"> <li>• Screening requirements to prevent view of the interior from public/semipublic area.</li> <li>• All activities to take place indoors.</li> <li>• Lighting, storage, odor, disposal and processing standards</li> </ul> | Parking: <ul style="list-style-type: none"> <li>• Healing Center – 1 per 400 sf</li> <li>• Natural Medicine Businesses – 1 per 1,000 sf</li> </ul>        |

#### Proposed Standards for the Town of Eagle

The following outlines the standards in the draft ordinance, along with an explanation of key standards that were intentionally omitted.

The ordinance establishes regulations for:

- Definitions
- Location/Review process
- Minimum parking requirements
- Screening

The ordinance does **NOT** include regulations for:

- Buffer requirements
- Hours of operation
- Number of permits

### Definitions

Following the recommendation of the Town's legal team, the definitions proposed in the resolution reference state law, recognizing that these laws may evolve under the new legislation. By deferring to state definitions, the Town can avoid amending its code with each substantive change. However, the Town is proposing a specific definition for "Natural Medicine Business" to clarify which uses fall within this general category.

*Natural medicine business* means any of the following entities licensed under the Colorado Natural Medicine Code and includes:

1. Natural medicine healing centers;
2. Natural medicine cultivation facilities;
3. Natural medicine products manufacturers;
4. Natural medicine testing facilities; and
5. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

### Location/Review Process

Staff propose allowing the Natural Medicine Businesses in the Commercial General (CG), Industrial (I), and Commercial General East (CGE) zone districts, which are intended to accommodate more intensive commercial and light manufacturing uses. Since this is a new use with no practical examples to draw from, staff recommend prohibiting the use in residential and mixed-use districts to avoid potential conflicts. The Town Council could recommend additional and/or alternative zone districts for the uses.

The anticipated impacts of the Natural Medicine Healing Center are expected to be minimal, since all activities would occur in a controlled office environment. Strict licensing requirements ensure that patients must return to a non-impaired state before leaving the center. As a result, staff propose the use be permitted through an Administrative Review "A" process, which would streamline the review process, while still enforcing all applicable standards in the LUDC.

Other Natural Medicine Businesses (cultivation, manufacturing, testing, and other) are proposed as a Special Review "S", allowing conditions to be placed on the use to mitigate impacts. This process is more

extensive, requiring a Planning Commission recommendation and Town Council decision. Given the newness of these uses and the uncertainty of their impacts, staff believe the more intensive “S” review is appropriate.

| Table 4.09-1: Primary Use Table                                                                                                           |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |                           |     |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----|----|----|-----|---------------------------------|-----|---|------------------------------------------------|------|----|----|-----|----|-----|---------------------------|-----|------------------------|
|                                                                                                                                           | Residential Districts |    |    |    |     | Rural and Agriculture Districts |     |   | Mixed-Use, Commercial and Industrial Districts |      |    |    |     |    |     | Govt. and Civic Districts |     |                        |
| Zone Districts                                                                                                                            | R1                    | R2 | R3 | R4 | OTR | RR1                             | RR2 | R | CMU1                                           | CMU2 | BD | CG | CGE | CI | IND | PC1                       | PC2 | Use-Specific Standards |
| KEY: P = Permitted / M = Minor Review (no notice) / A = Administrative Review / C = Conditional Use / S = Special Use / - = Not Permitted |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |                           |     |                        |
| Use definitions are located in Section 4.20.050, Use Category Definitions                                                                 |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |                           |     |                        |
| NATURAL MEDICINE USES                                                                                                                     |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |                           |     |                        |
| Natural medicine cultivation facility                                                                                                     | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -                         | -   | Section 4.09.070.H     |
| Natural medicine healing center                                                                                                           | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | P  | P   | -  | P   | -                         | -   | Section 4.09.070.H     |
| Natural medicine products manufacturer                                                                                                    | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -                         | -   | Section 4.09.070.H     |
| Natural medicine testing facility                                                                                                         | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -                         | -   | Section 4.09.070.H     |
| Other natural medicine business entity licensed to perform operations related to natural medicine by the state                            | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -                         | -   | Section 4.09.070.H     |

Table 4.09-1 summarizes where Natural Medicine Businesses are allowed and the applicable review process.

All Natural Medicine Businesses will be subject to the generally applicable use standards already available in Section 4.09.040 ([LINK](#)), including the following:

*Significant adverse impacts.* The proposed use shall not create any significant adverse impacts in surrounding areas or Town services or infrastructure. If the Director determines that a use has the potential to create significant adverse impacts, mitigation may be required. If adequate mitigation cannot be accomplished, the Director may deny the application. In determining whether a use creates significant adverse impacts, the Director shall consider the use's impact on the following:

- i. Town services and infrastructure.
- ii. Traffic.
- iii. Wildlife and wildlife habitat.
- iv. Water quality and quantity.
- v. Air quality.
- vi. Visual amenities and scenic qualities.
- vii. Wildland fire.

- viii. Noise.
- ix. Odors.
- x. Vibration.
- xi. Snow storage.
- xii. Historical significance.
- xiii. Reclamation and restoration.

Following the direction of the Planning Commission, a screening standard has been added to the Ordinance, requiring adherence to the Town’s general screening standards outlined in Section 4.11.060.C of the LUDC as follows:

*Screening materials.*

1. Screening walls or fences shall be constructed from durable materials suited to the Town's climate and that will require low maintenance. All screening devices shall be constructed of materials and in a manner that creates a completely opaque screen through which it is not possible to see any portion or silhouette of the items being screened. Unless otherwise specified, acceptable materials for screening may include:

- a. Masonry walls with stucco or other acceptable finish or constructed from masonry units with a stone or wood pattern or finish.
- b. Rock or stone walls.
- c. Wooden fences constructed from pressure treated wood or native wood.
- d. Plant materials appropriate for screening such as trees or shrubs commonly used in hedging.

2. Other materials may be approved by the Director, based on durability and suitability within the neighborhood.

Minimum Parking Requirements

The following minimum parking requirements are comparable to other communities’ adopted standards (Castle Rock and Glenwood Springs) and are also similar to the office use and marijuana manufacturing facility use in Eagle’s parking standards. See Section 4.12.040 ([LINK](#)).

| Table 4.12-1: Off-Street Parking Standards                                   |                         |
|------------------------------------------------------------------------------|-------------------------|
| Use Category                                                                 | Required Parking Spaces |
| KEY: DU = Dwelling Unit BR = Bedroom GFA = Gross Floor Area (total)          |                         |
| <b>COMMERCIAL [Category description: Section 4.20.050 C.]</b>                |                         |
| <b>Natural Medicine Uses [Subcategory description: Section 4.20.050 C.2]</b> |                         |
| Natural medicine cultivation facility                                        | 1 per 1,000 square feet |
| Natural medicine healing center                                              | 1 per 400 square feet   |
| Natural medicine products manufacturer                                       | 1 per 1,000 square feet |
| Natural medicine testing facility                                            | 1 per 1,000 square feet |
| Other natural medicine business entity                                       | 1 per 400 square feet   |

## Other Town Council Considerations

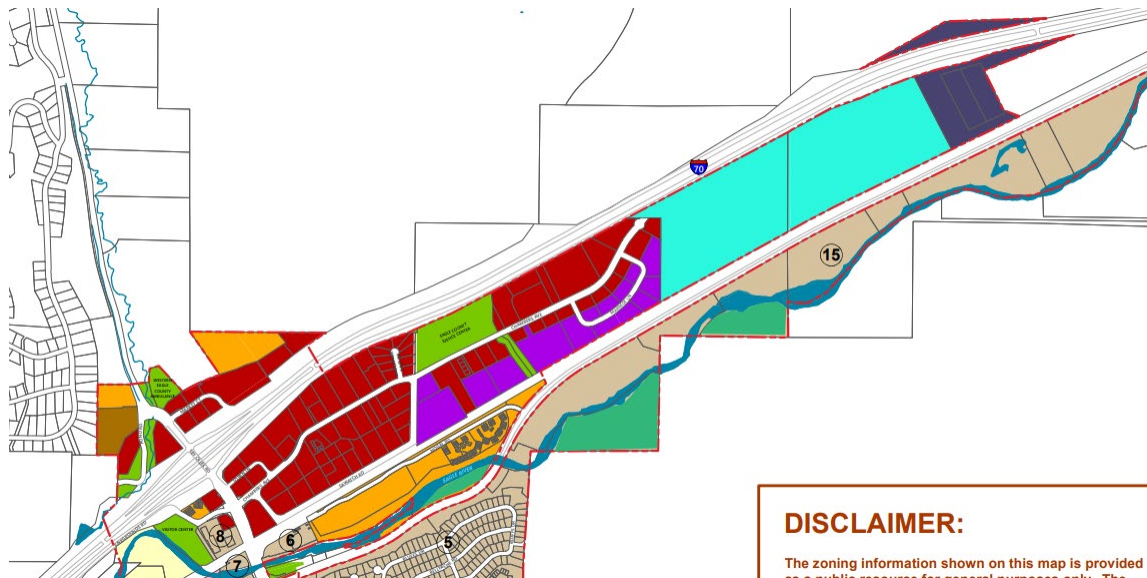
### Level of Review

Staff have suggested that the Natural Medicine Healing Center use be Permitted while all other Natural Medicine Businesses be approved through a Special Review. The Town Council can suggest alternative levels of review including:

- Permitted “P” Uses – Use by right with minimal review.
- Minor “M” Review – Administrative review, no noticing
- Administrative “A” Uses – Administrative review with noticing required for adjacent property owners.
- Conditional “C” Uses – Uses approved by the Planning and Zoning Commission. Noticing required.
- Special “S” Review Uses – Uses approved by the Town Council following a Planning Commission recommendation. Noticing required.

### Buffer Requirements

Buffer requirements have not been included in the draft ordinance due to zoning limitations where Natural Medicine Facilities are proposed: Commercial General (CG), Industrial (I), and Commercial General East (CGE).



Imposing a 1,000-foot buffer standard could significantly limit the siting of Natural Medicine Businesses due to the size and configuration of eligible zoning areas. The north-south length of CG, I, and CGE-zoned properties between I-70 and Highway 6 range from approximately 800 to 1,200 feet. The properties fronting Chambers Avenue, zoned Commercial General, extend about 5,550 feet, while Market Street spans approximately 1,950 feet.

Although the use table proposes to allow Natural Medicine Facilities in the CGE zone, development in East Eagle is currently constrained by a lack of streets and supporting infrastructure. The linear distance of

CGE-zoned properties is approximately 4,480 feet, but much of this area is not yet viable for business operations.

The Town of Eagle currently enforces a 1,000-foot buffer for marijuana uses from schools. Staff have spoken with childcare providers interested in relocating to Chambers Avenue, which could restrict future marijuana business expansions through additional licensing. Similar conflicts are anticipated for Natural Medicine Facilities, as Pre-School/Childcare and School/Trade/Private Academy uses are permitted in the CG, I, and CGE zones (see below).

| Table 4.09-1: Primary Use Table                                                                                                           |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----|----|----|-----|---------------------------------|-----|---|------------------------------------------------|------|----|----|-----|----|-----|
|                                                                                                                                           | Residential Districts |    |    |    |     | Rural and Agriculture Districts |     |   | Mixed-Use, Commercial and Industrial Districts |      |    |    |     |    |     |
| Zone Districts                                                                                                                            | R1                    | R2 | R3 | R4 | OTR | RR1                             | RR2 | R | CMU1                                           | CMU2 | BD | CG | CGE | CI | IND |
| KEY: P = Permitted / M = Minor Review (no notice) / A = Administrative Review / C = Conditional Use / S = Special Use / - = Not Permitted |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |
| Use definitions are located in <a href="#">Section 4.20.030, Use Category Definitions</a>                                                 |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |
| Pre-School/Childcare Center                                                                                                               | A                     | A  | A  | A  | A   | A                               | A   | A | A                                              | A    | A  | A  | A   | A  | -   |
| Public/Civic Assembly or Auditorium                                                                                                       | -                     | -  | -  | -  | -   | -                               | -   | - | A                                              | M    | M  | M  | M   | M  | -   |
| Regional Transit Station                                                                                                                  | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | A    | A  | A  | A   | A  | -   |
| Religious Assembly/Church                                                                                                                 | A                     | A  | A  | A  | A   | M                               | M   | M | A                                              | A    | A  | A  | A   | A  | -   |
| Research Facility                                                                                                                         | -                     | -  | -  | -  | -   | -                               | C   | C | -                                              | C    | C  | A  | A   | A  | A   |
| School K-12, public                                                                                                                       | P                     | P  | P  | P  | P   | P                               | P   | P | -                                              | -    | -  | -  | -   | -  | -   |
| School/Trade/Private Academy                                                                                                              | -                     | C  | C  | C  | C   | C                               | C   | C | C                                              | C    | -  | A  | A   | A  | A   |

(Image of Use Table from LUDC with Pre-School/Childcare and School/Trade/Private Academy highlighted)

In addition to a buffer standard, the Town Council could recommend other standards for the new uses including:

- Hours of operation
- Limiting the number of permits

Staff is hesitant to include standards related to these topics due to concerns with administration and enforcement, especially considering that these businesses will be state licensed, limiting the amount of local oversight through the licensing process.

### Review Criteria

**STANDARD #1:** *Comprehensive Plan. The text amendment is consistent with the Comprehensive Plan.*

**Staff Comment:** Policy 2-7.1. states that portions of the I-70 Influence character area are intended to support commercial and industrial uses, exclusive of other uses. The Natural Medicine Businesses are considered commercial uses, aligning with the intent of the I-70 Influence character area. The East Eagle Sub Area plan also envisions uses similar to those found in the Chambers Avenue area, primarily commercial and retail uses not typically found on Broadway Street. Both plans support the proposed uses within the CG, CGE and I zone districts.

**STANDARD #2:** *Land Use and Development LUDC standards; conflict. The text amendment is consistent with and does not conflict with or contradict other provisions of this LUDC.*

**Staff Comment:** Staff has not identified any conflicts or inconsistencies with other provisions of the LUDC.

**STANDARD #3:** *Specific reasons. A proposed LUDC text amendment shall meet at least one of the following specific reasons:*

- i. Community need or development trend or change. The text amendment is necessary to address a demonstrated community need or anticipated change in development trends;*
- ii. Changed conditions. The text amendment is necessary to respond to specific changes in conditions or policy; or*
- iii. Clarification or modification. The proposed LUDC text amendment provides a clarification or modification to current standards or procedures that will aid the overall function of the LUDC.*

**Staff Comment:** The proposed text amendment meets the second reason, resulting from changed conditions with State policy that mandate the inclusion of these new uses.

**COMMUNITY INPUT:**

Public hearings are being held both at the Planning & Zoning Commission and Town Council meetings in April, providing members of the public with the opportunity to comment on the proposed regulations.

As of April 17, 2025, no public comment has been received.

**BUDGET / STAFF IMPACT:**

None.

**STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:**

The code amendments support the following major objective within the Town's Strategic Plan:

- *Improve Community Responsive Services.* This amendment to the Code aims to regulate new uses, supporting the Town's goal of being responsive to the community through thoughtful growth and development.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

I move to **APPROVE** Ordinance 3, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Title 4 of the Town Code to Regulate Natural Medicine Businesses.

**ATTACHMENTS:**

- Ordinance 3, Series 2025

**TOWN OF EAGLE, COLORADO**  
**ORDINANCE NO. 2025-3**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO  
AMENDING TITLE 4 OF THE TOWN CODE TO REGULATE NATURAL MEDICINE  
BUSINESSES.

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Eagle (the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Eagle Home Rule Charter (the "Charter"); and

WHEREAS, pursuant to Section 1.01.080 of the Eagle Town Code (the "Code"), the Town Council may amend the Code and pursuant to Section 4.17.120 of the Code, the Town may amend the Land Use and Development Code (the "LUDC"); and

WHEREAS, in 2022, Colorado voters approved "Proposition 122: Access to Natural Psychedelic Substances," which is now codified in C.R.S. §§ 12-170-101 through 115 (the "Natural Medicine Health Act"); and

WHEREAS, the Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities; and

WHEREAS, the Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, the State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the "Colorado Natural Medicine Code"), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances; and

WHEREAS, the Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or high school; or a residential child care facility pursuant to the Colorado Natural Medicine Code; and

WHEREAS, it is in the interest of the public health, safety, and welfare of the Town to amend the Code as set forth in this Ordinance.

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

**Section 1. Recitals.** The foregoing recitals are hereby incorporated as it set forth herein in full.

**Section 2. Section 4.09.030 – Amended.** Table 4.09-1: Primary Use Table, under Section 4.09.030 – Uses permitted by district (use tables), is hereby amended with the addition of natural medicine uses, as follows:

| Table 4.09-1: Primary Use Table                                                                                                           |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |     |                           |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----|----|----|-----|---------------------------------|-----|---|------------------------------------------------|------|----|----|-----|----|-----|-----|---------------------------|------------------------|
|                                                                                                                                           | Residential Districts |    |    |    |     | Rural and Agriculture Districts |     |   | Mixed-Use, Commercial and Industrial Districts |      |    |    |     |    |     |     | Govt. and Civic Districts |                        |
| Zone Districts                                                                                                                            | R1                    | R2 | R3 | R4 | OTR | RR1                             | RR2 | R | CMU1                                           | CMU2 | BD | CG | CGE | CI | IND | PC1 | PC2                       | Use-Specific Standards |
| KEY: P = Permitted / M = Minor Review (no notice) / A = Administrative Review / C = Conditional Use / S = Special Use / - = Not Permitted |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |     |                           |                        |
| Use definitions are located in Section 4.20.050, Use Category Definitions                                                                 |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |     |                           |                        |
| NATURAL MEDICINE USES                                                                                                                     |                       |    |    |    |     |                                 |     |   |                                                |      |    |    |     |    |     |     |                           |                        |
| Natural medicine cultivation facility                                                                                                     | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -   | -                         | Section 4.09.070.H     |
| Natural medicine healing center                                                                                                           | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | A  | A   | -  | A   | -   | -                         | Section 4.09.070.H     |
| Natural medicine products manufacturer                                                                                                    | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -   | -                         | Section 4.09.070.H     |
| Natural medicine testing facility                                                                                                         | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -   | -                         | Section 4.09.070.H     |
| Other natural medicine business entity licensed to perform operations related to natural medicine by the state                            | -                     | -  | -  | -  | -   | -                               | -   | - | -                                              | -    | -  | S  | S   | -  | S   | -   | -                         | Section 4.09.070.H     |

**Section 3. Section 4.09.070 – Amended.** Section 4.09.070 - Standards for commercial uses is hereby amended with the addition of natural medicine uses, as follows:

**Section 4.09.070. - Standards for commercial uses.**

\* \* \* \*

H. *Natural medicine uses.*

1. Natural medicine uses may be allowed as permitted by Table 4.09-1: Primary Use Table.

2. All outdoor spaces utilized for Natural Medicine Services at Natural Medicine Healing Centers shall be screened and adhere to the standards in Section 4.11.060.C.

**Section 4. Section 4.12.040 – Amended.** Table 4.12-1: Off-Street Parking Standards, under Section 4.12.040 – Required off-street vehicle parking, is hereby amended with the addition of a natural medicine subcategory as follows:

| Table 4.12-1: Off-Street Parking Standards                                   |                         |
|------------------------------------------------------------------------------|-------------------------|
| Use Category                                                                 | Required Parking Spaces |
| KEY: DU = Dwelling Unit BR = Bedroom GFA = Gross Floor Area (total)          |                         |
| <b>COMMERCIAL [Category description: Section 4.20.050 C.]</b>                |                         |
| <b>Natural Medicine Uses [Subcategory description: Section 4.20.050 C.2]</b> |                         |
| Natural medicine cultivation facility                                        | 1 per 1,000 square feet |
| Natural medicine healing center                                              | 1 per 400 square feet   |
| Natural medicine products manufacturer                                       | 1 per 1,000 square feet |
| Natural medicine testing facility                                            | 1 per 1,000 square feet |
| Other natural medicine business entity                                       | 1 per 400 square feet   |

**Section 5. Section 4.20.020 – Amended.** Section 4.20.020 is amended with the addition of the following definitions:

*Natural medicine* shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*Natural medicine business* means any of the following entities licensed under the Colorado Natural Medicine Code and includes:

1. Natural medicine healing centers;
2. Natural medicine cultivation facilities;
3. Natural medicine products manufacturers;
4. Natural medicine testing facilities; and
5. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

*Natural medicine cultivation facility* shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

*Natural medicine facilitator* or *facilitator* shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

*Natural medicine healing center* shall have the same meaning as “healing center” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*Natural medicine participant* or *participant* shall have the same meaning as “participant” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*Natural medicine product* shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*Natural medicine products manufacturer* shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

*Natural medicine services* shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*Natural medicine testing facility* shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

*Regulated natural medicine* shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

*State licensing authority* shall have the same meaning as “State licensing authority” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

**Section 6.**     **Section 4.20.050 – Amended.** Section 4.20.050 is amended with the addition of a natural medicine subcategory as follows:

**Section 4.20.050. - Use category definitions.**

\* \* \* \*

C.    *Commercial uses.*

\* \* \* \*

2.    *Use types.*

\* \* \* \*

m.    *Natural medicine.* This use type includes the Town’s approved natural medicine uses.

\* \* \* \*

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

**Section 8.**     **Severability.** If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

**Section 9.**     **Conflicts.** All prior ordinances, resolutions, or other acts, or parts thereof, by the Town of Eagle in conflict with this Ordinance are hereby repealed, except that this repeal shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

INTRODUCED, READ, MOVED, AND ORDERED PUBLISHED ON APRIL 22, 2025.

TOWN OF EAGLE, COLORADO

By: \_\_\_\_\_

Scott Turnipseed, Mayor

ATTEST:

By: \_\_\_\_\_

Camille Deering, Town Clerk



To: Mayor and Town Council

From: Jessica Lake, Senior Planner, Community Development Department

Date: April 22, 2025

Agenda Items: FILE NUMBER: PPFP24-01 Haymeadow 5<sup>th</sup> Amendment to Filing 1, Neighborhood A1 Preliminary Plan Update, and Filing 2 Final Plat

---

**REQUESTS:**

For Town Council to continue the public hearing to May 13, 2025.

**BACKGROUND:**

Abrika Properties, LLC ("Applicant") has submitted concurrent applications for 1) an Amendment to the Filing 1 Final Plat to rename two streets and reassign addresses to the new street names, as well as 2) an update to the 2014 Preliminary Plan for Neighborhood A1 and 3) a Filing 2 Final Plat to subdivide Neighborhood A1 of the development into 46 single-family residential lots, 6 duplex lots, two multi-family residential development parcels, a 1.6-acre childcare site, five open space tracts, and extend the public right of way of Haymeadow Drive (Sylvan Lake Road), Ouzel Lane, and Mt. Hope Circle. The applicant and Town staff request a continuance of this item to the Town Council meeting on May 13, 2025. This additional time will allow the applicant to provide updated plans, enable staff to complete a thorough review of the updated plans, and allow time to finalize the Subdivision Improvement Agreement.

**ANALYSIS:**

An analysis will be provided at the May 13, 2025, hearing.

**COMMUNITY INPUT:**

All public comments will be shared at the next public hearing.

**BUDGET:**

Any budget impacts will be provided at the next public hearing.

**STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:**

An analysis of the project's alignment with the Strategic Plan will be provided at the next public hearing.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

A motion to **CONTINUE** the public hearing for File PPFP24-01, Haymeadow 5<sup>th</sup> Amendment to Filing 1, Neighborhood A1 Preliminary Plan Update, and Filing 2 Final Plat to May 13, 2025.

**ATTACHMENTS:**

- None.



To: Mayor and Town Council  
From: Camille Deering, Town Clerk  
Date: April 22, 2025

**Agenda Item:** Discuss new appointments to Eagle Ranch Housing Corporation

---

**REQUEST:** The Mayor and Town Council are requested to select representatives to replace Town Council Member Ellen Bodenhemier and Mayor Scott Turnipseed on the Eagle Ranch Housing Corporation.

**BACKGROUND:** Mayor Scott Turnipseed and Town Council Member Ellen Bodenhemier have expressed their desire not to renew their term on the Eagle Ranch Housing Corporation. Members of the Eagle Ranch Housing Corporation serve 2-year terms. Ideally, representatives selected to be appointed to the corporation would be able to serve the entire 2-year term before their current Town Council term ends. This criteria makes Town Council members, Bryan Woods, Nick Sunday, and Jamie Woodworth Foral ideal candidates to be a representative. Town of Eagle's Economic Development & Housing Manager Nikki Davis has volunteered to be the other representative.

**ANALYSIS:** None

**COMMUNITY INPUT:** None

**BUDGET / STAFF IMPACT:** None

**STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:** N/A

**RECOMMENDED ACTION OR PROPOSED MOTION:** Town Council is asked to select a representative to be appointed to the Eagle County Housing Corporation in addition to Nikki Davis, directing staff to draft a resolution for the next Town Council Meeting nominating the two new representatives.

**ATTACHMENTS:**

1. Current Board Committees

## EAGLE TOWN COUNCIL COMMITTEES

| <u>Organization Name</u>                                                  | <u>Member</u>     | <u>Alernate</u>       | <u>Alternate 2</u> | <u>Term</u>                                    |
|---------------------------------------------------------------------------|-------------------|-----------------------|--------------------|------------------------------------------------|
| Affordable Housing                                                        | Geoff Grimmer     |                       |                    | Until Replaced/Annual                          |
| Affordable Housing – Eagle County                                         | Geoff Grimmer     |                       |                    |                                                |
| CC4CA                                                                     | Geoff Grimmer     |                       |                    | Until Replaced/Annual                          |
| Club 20                                                                   | Larry Pardee      |                       |                    |                                                |
| CML Policy and Legislative Committee                                      | Geoff Grimmer     |                       |                    | Until Replaced/Annual                          |
| Compact of Colorado Communities                                           | CLOSED            |                       |                    |                                                |
| Council Policy Committee                                                  | CLOSED            |                       |                    | Will Reinstate with activity                   |
| Downtown Development Authority                                            | Bryan Woods       |                       |                    | Until Replaced/Annual                          |
| Eagle County Climate Action Committee/Sustainability                      | Geoff Grimmer     | Eddie Wilson          |                    | Until Replaced/Annual                          |
| Eagle County Housing and Development Authority Advisory Committee (ECHDA) | Bret Hooper       | Dominic Mauriello     |                    | By Resolution                                  |
| Eagle Pool Design Advisory Committee                                      | Tom Gosiorowski   | Scott Turnipseed      |                    | Until Replaced/Annual                          |
| Eagle Ranch Housing Corporation                                           | Ellen Bodenhemier | Scott Turnipseed      | Grant Murphy       | 2022 By Resolution (two year terms even years) |
| Eagle Ranch Wildlife Committee                                            | Tom Gosiorowski   |                       |                    | Until Open Space Manager/Coordinator is hired  |
| Eagle Recreation Facility Advisory Corporation Board                      | Tom Gosiorowski   | Scott Turnipseed      |                    | Until Replaced/Annual                          |
| Affordable Housing Accelerator and Land Inventory Analysis Project (AHAP) | Bryan Woods       |                       |                    | Until Replaced/Annual                          |
| Eagle River Park Steering Committee                                       | CLOSED            |                       |                    | Will Reinstate with activity                   |
| Eagle Valley Transportation Authority                                     | Nick Sunday       | Ellen Bodenhemier     |                    |                                                |
| Economic Vitality Committee                                               | Nick Sunday       |                       |                    | Until Replaced/Annual                          |
| Grand Avenue Corridor Stakeholder Committee                               | Ellen Bodenhemier | Jamie Woodworth Foral |                    | Until Replaced/Annual                          |
| Land Use Code Update Committee                                            | Scott Turnipseed  |                       |                    | Until Replaced/Annual                          |
| MEAC                                                                      | Bryan Woods       |                       |                    | Until Replaced/Annual                          |
| NWCCOG                                                                    | Geoff Grimmer     | Larry Pardee          |                    | January Annually                               |
| Open Space and Recreation Advisory Committee                              | Ellen Bodenhemier |                       |                    | Until Replaced/Annual                          |
| Vail Valley Partnership Economic Advisory                                 | Geoff Grimmer     |                       |                    | Until Replaced/Annual                          |



**To:** Mayor Turnipseed and Town Council

**From:** Nikki Davis, Economic Development & Housing Specialist  
Larry Pardee, Town Manager

**Date:** April 22, 2025

**Agenda Item:** EPS: Commercial Linkage Fee Nexus Study Final Report & Presentation

---

**REQUEST:** The request is for Town Council to review and consider accepting the Commercial Linkage Nexus Study as presented via Resolution 32-2025. At this time, staff are not requesting adoption of new policy or approval to execute on program recommendations.

**BACKGROUND:** In late 2023, the Town of Eagle completed an Economic Development Plan (Plan) to shape priorities and direct resources over the next 5-10 years. In early 2024, the Town retained EPS to complete a Commercial Linkage Fee Nexus Study – an initiative from the Plan which aims to expand the local employee and employment base while balancing affordable housing needs.

On January 7, EPS facilitated a work session with Town Council and staff to introduce the study approach, methodology, data analysis, potential fee thresholds and case studies from peer communities with an active Commercial Linkage program. The Council's input was further incorporated into revisions of the study and its final recommendations. A review of that meeting can be accessed here: [January 7, 2025 work session](#).

**ANALYSIS:** The report provides an analysis of how new commercial development contributes to increased demand for housing by generating new employment. As new jobs are created, a significant portion of the incoming workforce will earn wages and household incomes below Eagle County's Area Median Income (AMI), meaning they will require housing priced accordingly. Commercial linkage fees are designed to offset this impact by requiring developers to contribute toward the production of affordable housing. The study also serves as a lens into how Eagle's local housing market is expected to respond to job growth, offering insight into the affordability challenges that may arise as employment expands. By analyzing industry-specific wages, household incomes, and housing cost burdens, the report models the potential mismatch between what new workers can afford and what the market provides. The report then recommends fee levels based on the estimated affordability gap and the income distribution of new employees. This approach ensures that as Eagle grows economically, the

community can proactively address housing affordability and maintain a balanced, inclusive local economy.

**COMMUNITY INPUT:** On March 26, staff and EPS held a workshop with Eagle’s various economic groups. Members of the Economic Vitality Committee (EVC) and Downtown Development Authority (DDA) largely attended the session. Participants expressed concerns that a commercial linkage fee could hinder Eagle’s economic vitality by discouraging commercial development. They highlighted existing challenges such as high property taxes and difficulty filling commercial spaces, noting that the fee could worsen these local issues. Alternative suggestions included delaying implementation of the fee until the town reaches a larger residential base and focusing on supporting local, smaller commercial developers first.

Staff acknowledge that a commercial linkage fee or program is a valuable economic tool with the potential to support long-term housing affordability as the community grows. However, given current market conditions and limited commercial development activity in Eagle, this tool may be premature. In a constrained economic environment, its implementation could create unintended barriers to attracting the very growth it is intended to support.

**BUDGET / STAFF IMPACT:** In 2024, Town Council appropriated \$35,000 to conduct the Commercial Linkage study. EPS provided total project budget of \$38,900. The remaining \$3,900 will be sourced from the General Fund.

**STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:** The request aligns with the Town’s strategic objectives of stimulating economic vitality and development and diversifying the attainable housing stock.

**RECOMMENDED ACTION OR PROPOSED MOTION:** A motion to approve or deny Resolution 32, Series 2025 accepting the Commercial Linkage Nexus Study Final Report as presented.

**ATTACHMENTS:**

1. ([LINK](#)): 2025 Commercial Linkage Nexus Study Final Report
2. ([LINK](#)): EPS Contract Modification Signed February 2024
3. Resolution 32, Series 2025

**TOWN OF EAGLE, COLORADO**  
**RESOLUTION NO. 32**  
**(Series of 2025)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO  
ACCEPTING THE COMMERCIAL LINKAGE NEXUS STUDY FINAL REPORT AS  
PRESENTED

WHEREAS, major objectives within the Town of Eagle’s 2020 Strategic Plan include stimulating economic vitality and development, and diversifying the attainable housing stock; and

WHEREAS, in 2023 the Town of Eagle completed and accepted an Economic Development Plan to guide the Town’s economic development programs, policies, and allocation of resources for the next 5 to 10 years; and

WHEREAS, in February 2024, the Town of Eagle retained Economic & Planning Systems (EPS) to conduct a Commercial Linkage Nexus Study to provide findings and recommendations that will inform future policies and programs aimed at supporting economic opportunity and addressing the housing demand resulting from employment-driven growth; and

WHEREAS, the Town Council finds that it is in the best interest of the public health, safety and welfare to accept the Commercial Linkage Nexus Study as presented.

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

Section 1. The Town Council hereby accepts the Commercial Linkage Nexus Study Final Report in substantially the form attached hereto.

INTRODUCED, READ, PASSED AND ADOPTED ON APRIL 22, 2025.

TOWN OF EAGLE, COLORADO

\_\_\_\_\_  
Scott Turnipseed, Mayor

ATTEST:

\_\_\_\_\_  
Camille Deering, Town Clerk