



**Town Council and Planning & Zoning Commission
JOINT WORK SESSION
Tuesday, August 5, 2025
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 WORK SESSION ACCESS INFORMATION AND PUBLIC PARTICIPATION *This will be an in-person work session. Work sessions of the Town Council are not meetings requiring public comment. The public is allowed to attend, however, public comment will not be scheduled and will only be taken at the discretion of the Mayor. The Council shall take no final or official action, vote, nor make any motions.*

PRESENTATION

1. Affordable Housing Accelerator Project; Fast-Track Development Review Process

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



To: Town Council and Planning & Zoning Commission

From: Nikki Davis, Economic Development & Housing Specialist
Community Development Department

Date: August 5, 2025

Agenda Item: Joint Work Session: Affordable Housing Accelerator Project;
Fast-Track Development Review Process

REQUEST: Staff are requesting input on the final draft of the fast-track development review process and the proposed initial implementation approach. Feedback from this work session will help staff refine the accompanying ordinance and prepare it for future consideration and formal adoption.

BACKGROUND: In 2023, the Town of Eagle opted into Proposition 123 by filing a housing development commitment with the State, pledging to increase the supply of affordable housing by 3% annually through 2026. To remain eligible for future funding cycles, the Town must both meet its unit production target (32 new, converted, or preserved affordable units by year-end 2026) and adopt an expedited review process for qualifying developments by January 2027.

To support these goals, the Town pursued and received a Local Planning Capacity Grant from the Colorado Department of Local Affairs (DOLA) in 2024. In partnership with the land-use consulting group, Logan Simpson, the project team launched the Affordable Housing Accelerator Project (AHAP). The AHAP includes three deliverables:

1. The research and creation of a fast-track development review process for projects with 50% or more affordable units (referred to as the Eagle Express Lane),
2. A land inventory and site suitability analysis, and
3. A funding strategy to advance future affordable housing opportunities.

The proposed Eagle Express Lane builds upon and expands Proposition 123's minimum requirements, including a 90-day review timeline, defined affordability thresholds, and eligible application types. Staff have also proposed enhancements, such as optional concurrent review and tailored eligibility for mixed-use projects, to increase flexibility while considering staff capacity.

ANALYSIS: The Eagle Express Lane is a new initiative designed to expedite the development review process for projects that significantly contribute to the Town’s affordable housing goals. To qualify for this fast-track review, a project must include at least 50% affordable housing units. For the purposes of the Express Lane, affordable housing is defined as rental units serving households at or below 60% of the Area Median Income (AMI), and for-sale units serving households at or below 100% AMI. In both cases, total housing costs must not exceed 30% of the household’s monthly income. Under Proposition 123, housing costs are calculated differently depending on the type of unit: for for-sale units, costs include only the mortgage principal and interest, excluding property taxes and insurance; for rental units, costs include only the base rent, excluding all utility payments. This 30% affordability threshold represents a new standard for the Town of Eagle. To ensure compliance, staff will need to draft a new deed restriction template tailored specifically to Express Lane applications.

In addition to the above, only certain application types are eligible for the Express Lane. Per state statute, eligible application types are use permits, development permits, variances, PUDs that are not rezonings, and building permits. Staff has expanded the list to include minor subdivision, condominium/townhome final plat, and amended or corrected final plat. Each type of application initiates the 90-day review and decision period anew; however, staff have the discretion to allow concurrent review of applications within a single 90-day period.

Qualifying projects will receive priority in the development review queue over non-qualifying applications. This approach supports the Town’s commitment to increasing affordable housing in accordance with the requirements of Proposition 123. It helps ensure that new development aligns with the community’s long-term housing needs. This is a key step toward making Eagle a more inclusive and livable community for everyone.

Staff are mindful of the need to implement the Eagle Express Lane in a way that does not overwhelm existing resources. As such, the initial implementation approach includes relatively stringent qualification requirements – 50% of residential inventory and lower AMI caps – which staff believe will ensure the process can be managed within current capacity. As the Town implements new permit tracking software and adopts updates to Chapter 4.17 (Administration and Procedures), staff anticipate these changes will create additional capacity. At that time, further refinements to the ordinance may be considered to improve efficiency and responsiveness.

As part of the development process, the project team consulted with internal departments, including Building and Public Works, as well as third-party referral agencies such as the Eagle Police Department and Greater Eagle Fire Protection District. Staff recognize that effective implementation will require new operational protocols to be developed in close coordination with these partners, in order to maintain service quality and review standards.

Because the Proposition 123 requirement to adopt an expedited review process is new to many local governments, the project team submitted the draft Express Lane language to DOLA for review. DOLA’s feedback affirmed that the Town’s proposed approach aligns with the statute and exceeds minimum requirements in certain areas, such as inclusion of minor subdivisions and the

allowance for concurrent application review. DOLA also offered helpful guidance to clarify definitions, hearing procedures, and completeness review protocols. These recommendations have been reviewed and incorporated where appropriate, helping ensure the final draft aligns with both state expectations and practical implementation.

The current version of the Express Lane language reflects minor revisions from the draft presented at the March 4 work session ([LINK](#)). While the policy framework remains substantively unchanged, the language has been refined to improve clarity, consistency, and alignment with internal terminology. These edits also streamline formatting for future incorporation into the Land Use Code. No material changes have been made to the qualifying criteria, review timeline, or procedural structure.

COMMUNITY INPUT: A focus group of 13 Eagle community members, including representatives from Town Council and the Planning & Zoning Commission, was convened to help guide the AHAP process. The first workshop, held on November 21, 2024, introduced the Express Lane concept and land inventory analysis. A second took place on March 3, 2025, where participants reviewed and provided feedback on all three components of the AHAP. The following day, March 4, the project team facilitated a public joint work session with the Town Council and the Planning & Zoning Commission, to further refine the AHAP through policy-level input from both bodies.

Notably, throughout these discussions, local residential developers expressed concerns about the feasibility of the Express Lane’s income thresholds. Specifically, whether rental units at or below 60% AMI and for-sale homes at or below 100% AMI could be delivered, given rising construction and labor costs. In response, the project team acknowledged these challenges and clarified that the Express Lane is a voluntary tool intended to incentivize and support housing projects aiming for deeper affordability.

NEXT STEPS: Below is the estimated timeline for the remaining tasks required to complete the AHAP. Please note that the Town’s Local Planning Capacity Grant contract is set to expire on December 31, 2025.

1. Adoption of the Eagle Express Lane
 - i. August 5 – Town Council and Planning & Zoning Commission Joint Work Session
 - ii. September 16 – Planning & Zoning Commission Recommendation Hearing
 - iii. October 14 – Town Council Adoption via Ordinance
2. Acceptance of the Land Inventory Analysis and Funding Strategy Deliverables
 - i. October 14 – Town Council Acceptance via Resolution
3. Filing of Project Completion with DOLA
 - i. October 30 – Local Planning Capacity Grant quarterly reporting deadline
 - a. Eagle Express Lane Adoption Ordinance
 - b. Land Inventory Analysis and Funding Strategy document package

Following the conclusion of the AHAP, staff will transition toward the following efforts to advance implementation:

1. Develop coordinated procedures with internal departments and referral agencies to support efficient review of Express Lane-eligible applications.
2. Pursue the Local Planning Capacity Grant - New Incentive Fund. Local governments that adopt a Proposition 123-compliant fast-track review process by December 31, 2025, are eligible for an additional \$50,000 grant with no local match required. Staff will return with a list of proposed Housing or Planning initiatives that qualify for this funding.
3. Complete work on the Eagle County Regional Housing Needs Assessment, including development of Eagle's Housing Action Plan. Per Senate Bill 24-174, each participating jurisdiction is required to submit an approved Housing Action Plan as part of the regional assessment.
4. Evaluate and present the potential benefits of filing a Rural Resort Income Limit Petition for the Town of Eagle. This petition, if approved by the State, would allow the Town to adjust the Area Median Income (AMI) limits for housing units counted toward its Proposition 123 growth commitment. The exemption applies specifically to units supported through the Land Banking, Equity, and Concessionary Debt programs.

BUDGET / STAFF IMPACT: The \$68,000 AHAP budget, jointly funded by the Local Planning Capacity Grant and a \$13,600 investment from Town Council, is fully allocated. As the AHAP concludes, future expenditures are expected to be minimal, limited to legal review associated with code amendments and the adoption of the Eagle Express Lane.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The proposed Eagle Express Lane aligns with the Strategic Plan's goal to expand access to diverse and attainable housing options. If adopted, it also advances Policy 1-1.3 of the Elevate Eagle Comprehensive Plan by promoting workforce housing through targeted policies, incentives, and streamlined regulations.

RECOMMENDED ACTION OR PROPOSED MOTION: While no formal action is requested at this work session, staff are seeking consensus to proceed with preparing an ordinance for formal consideration at a future meeting.

ATTACHMENTS:

1. Final Draft of the Eagle Express Lane (Draft Version 4)
2. Presentation



Town of Eagle AHAP

Affordable Housing Express Lane Review – Draft Version 4

07/31/2025

All Language in the section below is new or copied and revised from other sections of the LUDC. No other section of 4.17 was revised during this process.

Proposed language to incorporate into Title 13: Building and Construction is included for consideration by the Building Department.

Incorporate language as a new section 4.17 as follows:

4.17.200 AFFORDABLE HOUSING EXPRESS LANE REVIEW

A. Overview

1. An Express Lane review is required for projects that have fifty percent (50%) or more units classified as Affordable, as per Section 4.17.200.B. Projects that include development applications identified in Table 4.17-24 (Express Lane Review Application Types) are eligible for the Express Lane Review and Decision Process. Express Lane applications shall be given priority over other projects in the development review process and will be processed within ninety (90) days of determining completeness, as per sections 4.17.030 and 4.17.040.
 - a. In the context of this section, priority refers to giving preference to the review of an Express Lane application over the review of non-Express Lane applications. The following may apply:
 - b. Public Hearings of Express Lane applications shall be scheduled on the next available hearing date; and
 - i. If the approval authority continues an application, the applicant shall be given preference on the next available hearing date.
2. An applicant may opt out of the ninety (90) day Express Lane Review and Decision Process, with a written request to the Community Development Director.

B. Affordable Housing Defined

1. For this section, Affordable Housing is defined as follows:
 - a. Rental housing at or below sixty percent (60%) Area Median Income (AMI); or
 - b. For-sale housing at or below one hundred percent (100%) AMI; and
 - c. Costs less than thirty percent (30%) of household monthly income.

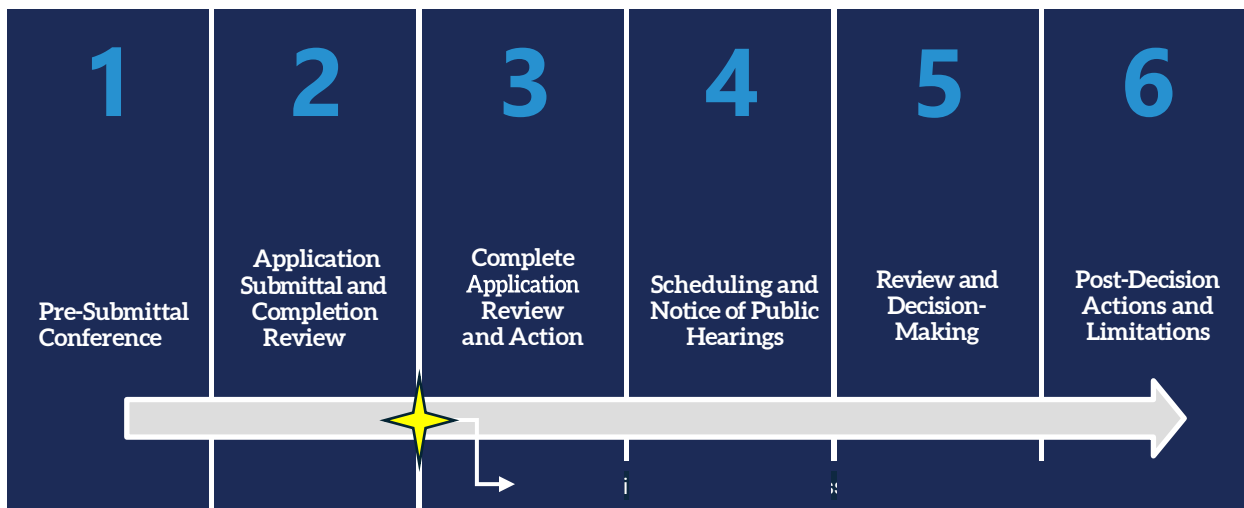
C. Applicability and Eligibility

1. To be eligible for the Express Lane Review and Decision Process, the development shall include a legally binding affordability mechanism to ensure continued affordability - such as a deed restriction, use covenant, land trust, or other legally enforceable mechanism, as defined in Section 4.17.200.B (Affordable Housing Defined), and:
 - a. Be a residential development project with affordable housing restrictions on a minimum of fifty percent (50%) of the total proposed dwelling units or lots.
2. Applications that are eligible for Express Lane review, if they meet the Affordable Housing requirements, as defined in this section, are outlined in Table 4.17-24.

Table 4.17-24: Express Lane Review Application Types	
Application Type	Eagle Town Code Section
Land Use	
Administrative or Minor Use Permit	4.17.060.C.2
Conditional Use Permit	4.17.080.B
Special Use Permit	4.17.080.E
Development Permit	4.17.080.C
Administrative	
Minor	
Major	
PUD Concept Plan	4.08.060
PUD Development Plan	4.08.060
PUD Amendment	4.08.060
Lot Line Adjustment	4.17.100.B
Minor Subdivision, Final Plat	4.17.100.C
Condominium/Town home, Final Plat	4.17.100.F
Amended or Corrected Plat	
Variance	4.17.080F
Other	
Building Permit	13.14.030

D. Review Procedures

1. Applications eligible for the Express Lane review are typically processed under the following steps, as outlined in the State of Colorado Proposition 123. Additional supporting documents may be required and are listed on the Town of Eagle Website.
 - a. **Step 1:** Pre-submittal Conference with staff and appropriate referral agencies, as defined in Section 4.17.200.E (Express Lane Submittal Requirements).
 - b. **Step 2:** Application Submittal and Completion Review. An applicant shall submit the appropriate application form(s) and supporting materials as determined in the pre-submittal conference(s) with staff and referral agencies for review of completion as defined in Section 4.17.030 (Application Submittal and Completion Review).
 - c. **Step 3:** Complete Application and Action. Once an application is determined complete per Step Two (2), the ninety (90) day Express Lane review process begins.
 - d. **Step 4:** Scheduling and Notice of Public Hearings. Should an application be required to go through the Public Hearing process per section 4.17.050 (Scheduling and Notice of Public Hearings), the Express Lane application shall be noticed for the Planning and Zoning Commission in addition to the Town Council Public Hearing Agenda at the same time.
 - e. **Step 5:** Review and Decision-Making. A final decision by the appropriate decision-making body, as determined in Section 4.17.060 (Review and Decision-Making), shall be made within ninety (90) days of a complete application determination.
 - i. The final decision includes either approval or denial of the application and does not include a recommendation from a recommending body or post-approval steps.
 - ii. A final decision may include approval with conditions, provided that the only conditions attached are those required to bring the application into compliance with the standards in this Code.
 - f. **Step 6:** Post Decision. Post-decision determination on each application is made in writing as defined in Section 4.17.070 (Post Decision Actions and Limitations) and is not included in the Express Lane review timeframe.
2. The processes for the above types of applications listed in Section 4.17.200.C.2 (Applicability and Eligibility) can be found by clicking on the section links provided in Table 4.17-24 (Express Lane Review Application Types).



E. Submittal Requirements

1. All applications reviewed in the Express Lane shall be required to attend a pre-submittal conference(s) as outlined below:
 - a. Town staff will provide support in determining the required application(s) and, if necessary, the timing of multiple application submittals (i.e., whether they may be processed concurrently or must be processed sequentially as outlined in section 4.17.200.F (Concurrent Applications in Express Lane));
 - b. Inform the applicant of submittal requirements.
 - c. Provide the applicant with an expected time frame for the Express Lane review process, outline expectations for staff and referral agency review, and applicant resubmittal.
 - d. Discuss general compliance with the zoning, use, density, development, and design standards, and attempt to identify potentially significant issues regarding compliance;
 - e. Determine whether additional Pre-Submittal Conference(s) will be necessary;
 - f. Discuss the need for any neighborhood meetings and public notice requirements; and
 - g. Engage the applicant in conversation with other departments or agencies to discuss potential significant considerations before applying.

2. An application is deemed complete when all the following requirements for submittal, as outlined in the application review checklist held at the Community Development Department Office and in Sections 4.17.030 (Application and Submittal Review) and 4.17.040 (Complete Application and Review Action), are met. Complete Express Lane applications consider the following;
 - a. The applicant bears the burden of ensuring that the Express Lane application contains sufficient information to demonstrate compliance with the Land Use Code, application requirements, and includes all required supporting documents.
 - b. A comprehensive review of all Express Lane applications will be conducted to ensure that all required submittal materials are included in the submission.
 - c. The Director shall determine the completeness of applications and initiate the review

Title 13.14.030. - Issuance of Permits.

A. The Building Official shall issue a permit where:

1. An application for a permit has been submitted in accordance with the provisions of this Chapter.
2. The proposed work outlined in the application conforms to this Title, the Town Land Use and Development Code, and all other laws, regulations, resolutions, or orders applicable within the Town, including the requirement for a development permit if necessary, according to Chapter 4.17.
3. A building permit application shall be reviewed within ninety (90) days of complete application to the Building Department, where:
 - a. The application for a building permit is for a development that is fifty percent (50%) or more affordable housing, as defined in Chapter 4.17.200. (Express Lane Review) and;
 - b. The application is considered "complete" when all required documents are submitted, as per Section 13.14.040. (Application, contents).
4. All construction drawings, applications, and permit fees have been submitted and approved, including those for plumbing, electrical, and mechanical portions of the project. A footing and foundation permit may be awarded before receiving other permit information if adequate structural and site plan details have been provided.

B. The Building Official shall not issue a permit where:

1. The proposed work, as outlined in the application, or the proposed use of the building or structure upon completion, does not comply with the provisions of the Town's Land Use and Development Code.
2. The following subdivision improvements, where the proposed building or structure is located, as required in Section 4.17.140, have not been installed or have not been approved by the Town Engineer:
 - a. Survey monuments.
 - b. Wastewater lines and laterals to each lot.
 - c. Water mains and laterals to each lot.
 - d. Fire hydrants.
 - e. Storm drainage structures.
 - f. Grading, base construction, and paving of streets and alleys.
 - g. Soil stabilizing structures.
 - h. Utilities, including telephone, cable television, electrical service, and gas lines, or as required by the applicable subdivision improvements agreement or development permit.
3. The proposed site is located in a development that requires a development permit pursuant to Chapter 4.17, and the said development permit has not been issued.
4. The proposed site is located, all or in part, within any area determined by the Building Official to necessitate special building requirements as a result of potential avalanche, earth movement, floods, surface water, or other potentially hazardous conditions, or is located within an area of special flood hazard as designated according to Chapter 4.14. The applicant has not obtained any special permits required by said Chapter. All special building requirements included in any

special permit shall be incorporated into the permit issued to the applicant under this Title.

5. In the opinion of the Building Official, the results of the tests referred to in Section 13.13.040(B)(2) are not satisfactory.



Fast-Track Approval Process, Joint Work Session August 5, 2025



Affordable Housing Accelerator Project
Fast-Track Development Review Process
“Eagle Express Lane”

Agenda

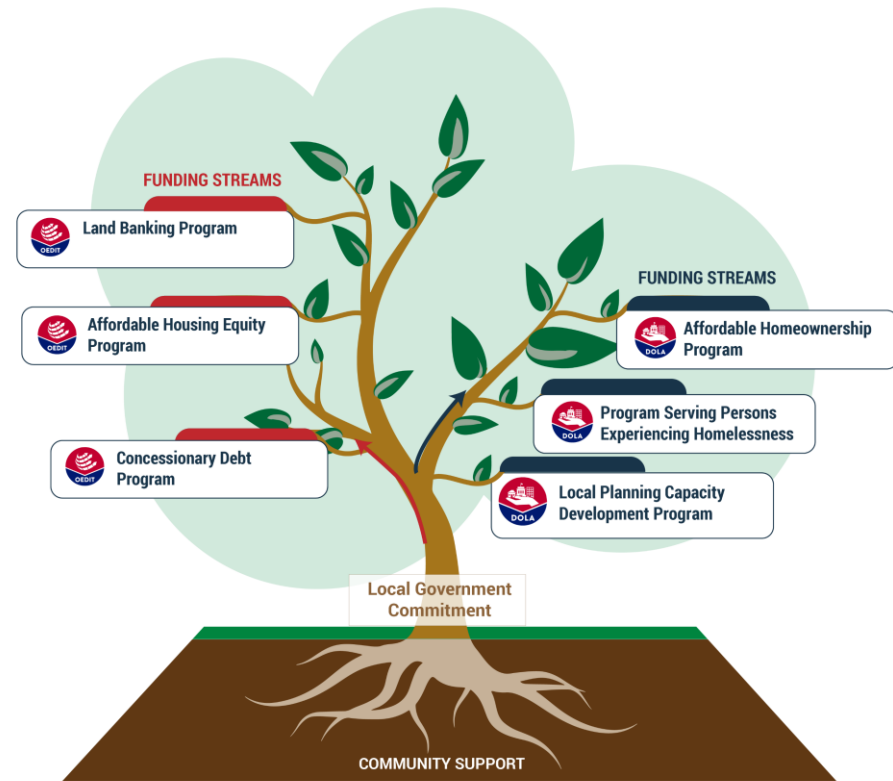
- Background
 - Proposition 123 Overview
 - Affordable Housing Accelerator Project (AHAP)
- Fast-Track Development Review Process
 - Legal Requirements
 - Development Project Eligibility
 - Applicability
 - Initial Implementation Approach
 - Discussion Questions
- Next Steps
 - Schedule of Remaining Tasks



Background

Proposition 123 Overview

- The **State Affordable Housing Fund** dedicates 0.1% of annual state income tax to housing initiatives. **Does not raise existing taxes.**
- To access funding, local governments must opt in and commit to a 3% growth target annually.
 - Create New or Convert/Preserve Existing Units
 - 3-Year Funding Cycles
- Town of Eagle Proposition 123 filing commitment.
 - 3% or more per year = 32 units by 2027
- Prop 123 Definition of Affordable:
 - $\leq 60\%$ AMI for Rental
 - $\leq 100\%$ AMI for For-Sale
 - In both cases, housing costs less than 30% of the household's monthly income.



Background

Proposition 123 Overview (cont'd)

- Counting of Units:
 - ✓ Must meet the Proposition 123 definition of affordable.
 - ✓ Includes a legally enforceable affordability mechanism (ex. Deed Restriction).
 - ✓ Units must be (i.) newly constructed, (ii.) converted (to the Prop 123 AMI thresholds), or (iii.) preserved, on or after date of commitment filing.
 - Town of Eagle commitment filed on September 13, 2023
 - ✓ Units must be counted at the appropriate milestone, based on category.
 - New Construction: At time of building permit issuance.
 - Conversion or Preservation: Considers two milestones - obtaining a building permit (if required) and securing full funding. When occurring at different times, the later milestone determines when units can be counted.



Background

Affordable Housing Accelerator Project (AHAP)

- Supported by the Proposition 123 Local Planning Capacity Grant; administered by DOLA.
 - AHAP is a three-part initiative
 - Grant contract will expire on Dec. 31, 2025
- Partnership with Logan Simpson
- Progress Report
 - Fast-Track Development Review Process = 80% complete
 - Land Inventory Analysis = 85% complete
 - Funding Strategy = 100% complete



Fast-Track Development Review Process

Legal Requirements

1. Required for housing projects that provide at least 50% of the units as affordable.
2. A final decision (approval or denial) must be made within 90 calendar days.
3. Extensions are permitted – 90 days for Developer, 30 days for local government.
4. Implementation Deadline: local governments must establish a fast-track process by **December 31, 2026** to remain eligible for future Prop 123 funding.
 - Funding Cycle Two starts January 2027



Fast-Track Development Review Process

Development Project Eligibility

- “Eagle Express Lane”
- Must include at least 50% of affordable housing units.
- Affordability Defined under Prop 123:
 1. Housing Costs must be below 30% of a household’s monthly income.
 2. Rental Housing at or below 60% Area Median Income
 - Ex. 60% AMI = \$66,360 | Max Housing Cost = \$1,659 / month
 - Housing Costs include base rent only and excludes utilities
 3. For-Sale Housing at or below 100% Area Median Income
 - Ex. 100% AMI = \$110,600 | Max Housing Cost = \$2,765 / month
 - Housing Costs include mortgage, principal and interest, excluding property taxes and insurance
- Includes a legally enforceable mechanism to protect long-term affordability.



Fast-Track Development Review Process

Applicability

REQUIRED

- Administrative / Minor Use
- Conditional Use
- Special Use
- Development Plan (Major, Minor, Administrative)
- PUD & PUD Amendments
- Minor Subdivision, Final Plat, Condo Plat, Corrected Plat
- Variance
- Building Permit

NOT REQUIRED

- Annexation
- Appeals
- Comprehensive Plan Amendments
- Rezoning
- Major Subdivision



Fast-Track Development Review Process

Initial Implementation Approach

1. A more stringent barrier to entry helps the Town scale up.
2. Affordability Threshold:
 - The Eagle Express Lane may apply different AMI thresholds; however, adhering to the Prop 123 Definition ensures the fast-track units count towards the Town's growth commitment.
3. Staff are seeking adoption of the Eagle Express Lane in 2025 to:
 - Begin attracting projects that will help the Town diversify its housing stock and meet its growth commitment,
 - Fulfill the Town's obligation under our 2024 LPC Grant contract, and
 - Be eligible for additional LPC Grant funds that enable us to expand staff capacity.



Fast-Track Development Review Process

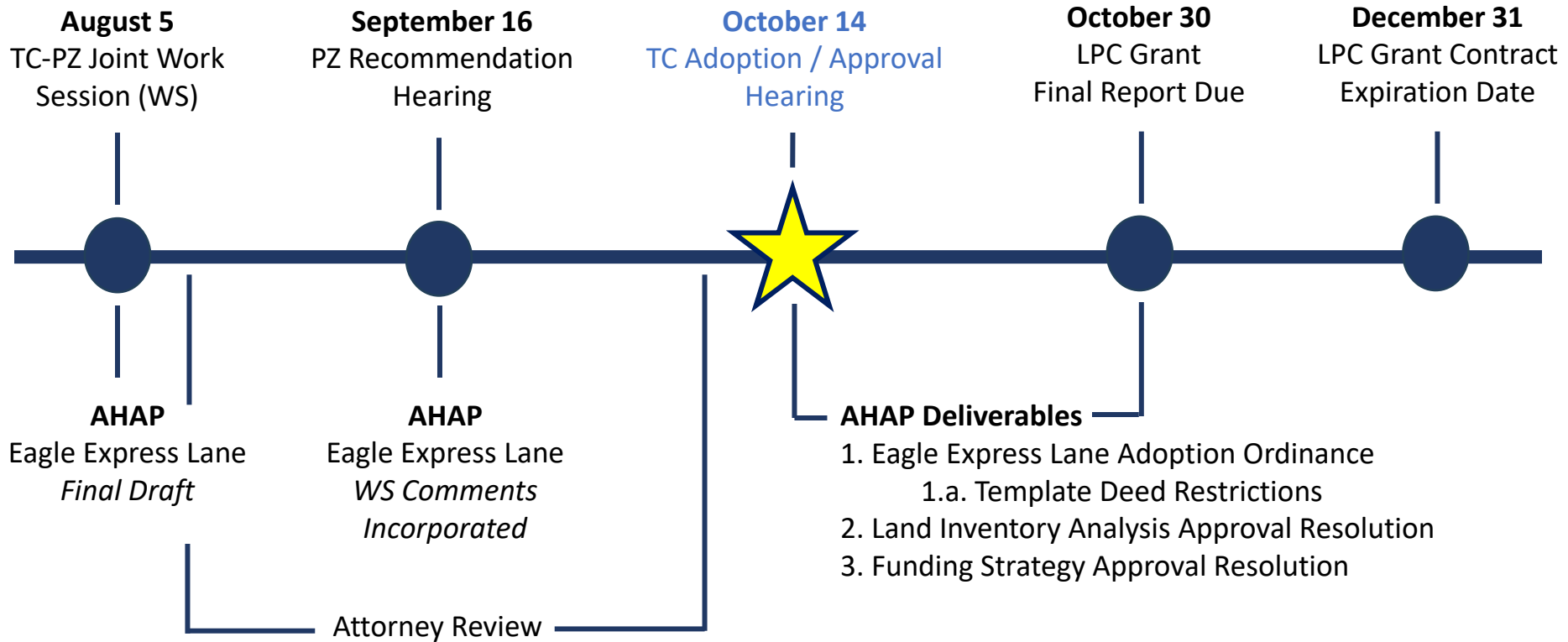
Discussion Questions

- Does Town Council and the Planning Commission support the proposed AMI thresholds under the Eagle Express Lane?
- Are there any concerns with the proposed text?



Next Steps

Schedule of Remaining Tasks



Questions for staff?

