



Town Council
Tuesday, December 9, 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 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 and we will do our best to assist you.*

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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.*

COUNCIL & MANAGER FAREWELL - 6:05 PM

1. Thank You Mayor Turnipseed, Mayor Pro Tem Kerst, and Council Member Bodenhemier
2. Thank you Manager Pardee

CONSENT AGENDA - Old Business *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. 2025 Arbor Day Proclamation

OATH OF OFFICE - 6:20 PM

1. Geoffrey Grimmer, Council Member
2. Gina McCrackin, Council Member
3. Scott Schreiner, Council Member
4. Casey Glowacki, Council Member
5. Bryan Woods, Mayor

PRESENTATIONS - 6:30 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. State Resilience Code Presentation

CONSENT AGENDA - New Business

1. November 2025 Bill Schedule
2. Resolution 81, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado Ratifying the Town's Three-Mile Plan Adopted by the Planning and Zoning Commission
3. Resolution 84, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado canceling the Town Council meeting scheduled for December 23, 2025

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

1. Town Manager Update
2. Department Update
3. Economic Development Update
4. Q3 2025 Sales Tax Report

BUSINESS ITEMS - 7:00 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. Resolution 82, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado declaring a vacancy on the Town Council as of December 9, 2025, and establishing the procedures for filling such vacancy
2. Resolution 85, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado Naming a Mayor Pro Tem
3. Resolution 77, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado levying general property taxes for the year 2025, to help defray the costs of government for the Town of Eagle, Colorado for the 2026 budget year

4. Public Hearing: Henry Annexaton, 220 East 6th Street
5. Second Reading: Ordinance 16, Series 2025, An Ordinance of the Town of Eagle, Colorado, Granting a Franchise to Holy Cross Energy, Its Successors and Assigns, to Locate, Build, Install, Construct, Acquire, Purchase, Extend, Maintain, Repair, and Operate Into, Within and Through the Town of Eagle, All Necessary and Convenient Facilities for the Purchase, Generation, Transmission and Distribution of Electrical Energy, and to Furnish, Sell, and Distribute Said Electrical Energy to the Residents of the Town of Eagle for Light, Heat, Power and Other Purposes by Means of Conduits, Cables, Poles and Wires Strung Thereon, or Otherwise On, Over, Under, Along, Across, and Through All Public Easements and All Streets and Other Public Ways In Said Town of Eagle, Eagle County, Colorado and Fixing the Terms and Conditions Thereof
6. PUBLIC HEARING: Miscellaneous Amendments to the Land Use and Development Code
 - a. Ordinance 18, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapters 2, 8, 10, 11, 12, and 20 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes
7. Work Session: Discussion of proposed Land Use and Development Code (LUDC) text amendments to multiple sections within Title 4 of the Eagle Municipal Code. The amendments aim to provide clarity, streamline processes, and ensure compliance with recent state legislation.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:00 PM *Council will use this time to propose future agenda items, provide updates on Council Committees, and address general discussion items.*

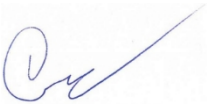
1. Interim Town Manager Compensation

EXECUTIVE SESSION - 8:15 PM *Brush Creek Stream Gauge*

1. An executive session to receive legal advice from the Town's attorney and water attorney pursuant to CRS 24-6-402(4)(b) regarding the installation of a stream gauge required by the Brush Creek Water Management Plan.

ADJOURN - 8:30 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 – Town of Eagle Public Wi-Fi



MEETING MINUTES
Town Council
Wednesday, November 12, 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. 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 and we will do our best to assist you.*

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CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCIL MEMBERS PRESENT

Geoffrey Grimmer, Bryan Woods,
Ellen Bodenhemier, Scott Turnipseed,
Jamie Woodworth Foral

COUNCIL MEMBERS ABSENT

Mikel Kerst

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Richard Peterson-Cremer, Town Attorney
Rachel Tand, Finance Director/Treasurer
Carrie Buhlman, Police Chief (remote)
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Jessica Lake, Senior Planner
Molly Furtado, Special Events Manager
Sydney Dynek, Planner

Kyle Brotherton, Planner
Kira Koppel, Sustainability Specialist
Ashley LeFluer, Communications Specialist
Gram Dick, Administrative Tech II
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager
Nikki Davis, Economic Development & Housing Specialist

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

There were no changes to the agenda. **MOTION: Council Member Woods motioned to approve the Agenda. The motion was seconded passed and with a vote of 5 (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) in favor and 0 opposed.**

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.*
Mick Daly - Thanked the Council for their service and dedication to the community.

Kim Fritzler — She noted from the packet that the Grand Ave. updated reported that the engagement period was over and the right-of-way work would begin. She noted that as a Stakeholder Committee member, she wanted the community to know that public engagement would continue

PRESENTATIONS *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. Community Impact Award
Mayor Turnipseed recognized each nominee, expressing the Town's appreciation for their positive impact on the community. The Mayor announced that the 2025 Community Impact Award winner is Becky Burgess. Ms. Burgess was presented with an award on behalf of the Council and community.
2. Colorado Gives Day, John Weiss, Executive Director
Colorado Gives Day staff presented information to the Council about the program and support for nonprofits valley-wide.
3. Mean Street Boxing, Mike Pisciotta
Mike Pisciotta from Mean Street Boxing thanked the Mayor and Town Council for the opportunity to rent space in the Old Town for their gym since 2016. He noted the positive impact the gym has been able to have on the youth in the community over the years.

CONSENT AGENDA - 6:20 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.*

MOTION: Council Member Woods motioned to approve the Consent Agenda . The motion was seconded and passed with a vote of 5 (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) in favor and 0 opposed.

1. Minutes
2. Bill Pay
3. Community Grant Fund Awards
4. Henry Annexation Reimbursement Agreement

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

1. Town Manager Update
Manager Pardee thanked the Council and wished the new Council and Mayor good luck. Council member Bodenhemier expressed her thanks to Larry. Mayor Turnipseed also expressed his appreciation for Larry.
2. Department 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. Vail Honeywagon Contract Update
Kira Koppel, Sustainability Specialist, provided a brief presentation to supplement the memo and information in the Council packet.

Council member Woodworth Foral asked about the ability to put yard waste in the compost bins. Vail Honeywagon staff and Koppel provided more context and response. Council member Woods asked about composting cardboard and Vail Honeywagon staff provided more information. Mayor Turnipseed asked if there was enough land to continue growing the compost program and Vail Honeywagon staff confirmed there is adequate space available.

- a. Resolution 79, Series 2025, "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE COLORADO APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR REFUSE COLLECTION AND DISPOSAL SERVICES WITH VAIL HONEYWAGON ENTERPRISES, LLC"

MOTION: Council Member Woodworth Foral motioned to approve the Resolution. The motion was seconded and passed with a vote of 4 in favor (Grimmer, Woods, Bodenhemier, Woodworth Foral) and 1 opposed (Turnipseed).

2. PUBLIC HEARING: Miscellaneous Amendments to the Land Use and Development Code
Senior Planner Jessica Lake provided a presentation of the proposed changes to the Council.

Council member Woodworth Foral asked a clarifying question about the proposed changes to the ADU standard. Lake clarified.

Council member Grimmer asked a question about the boutique hotel standard applying in East Eagle or other areas of Town. Lake provided a clarifying response that hotels and motels are allowed in East Eagle, but boutique hotels, per the zoning, may not be allowable in that location.

Mayor Turnipseed opened public comment:

Rick Beverage expressed his appreciation to the staff and Council for reviewing the code. He also provided feedback about additional considerations for changes to density requirements. He additionally recommended

allowing the staff to have more flexibility when reviewing infill projects. He also recommended evaluating additional changes with more frequency.

Council provided feedback on some of the public comment provided and acknowledged that additional recommendations may need to come from staff in the near future. Council also discussed the appropriate room limitation for boutique hotels.

The Mayor closed public comment.

Ordinance 17, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapters 1, 2, 3, 8, 9, 10, 14, and 20 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes.

a.

MOTION: Council Member Grimmer motioned to approve the Ordinance with a special amendment to increase the room limitation of boutique hotels from 50 to 75. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

3.

An Amendment to the Haymeadow Annexation and Development Agreement, Fee Settlement, and Acquisition of 7 Hermits LERP Units

Nikki Davis, Economic Development and Housing Specialist, provided a brief introduction to the resolution and ordinance. Town Attorney, Richard Peteron-Cremer also provided context about the series of agreements and approval before the Council.

a.

Resolution 80, Series 2025, A Resolution of the Town Council of the Town of Eagle, Colorado Authorizing an Amendment of the Annexation and Development Agreement with Abrika Properties, LLC

MOTION: Council Member Woods motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) in favor and 0 opposed.

b.

Ordinance 15, Series 2025, An Ordinance of the Town of Eagle, Colorado Authorizing the Purchase of Real Property Located at 91 Mt. Hope Circle, Units A102 and C102 in Eagle, Colorado, Approving the Purchase and Sale Agreement for the Property, Authorizing the Mayor and Town Manager to Sign Documents on Behalf of the Town that are Necessary to Facilitate the Purchase of the Property

Mayor Turnipseed opened Public Comment on the ordinance, there was no public comment.

MOTION: Council member Woods motioned to approve the Ordinance. The motion was seconded and passed with a vote of 5 (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) in favor and 0 opposed.

4.

PUBLIC HEARING: 2025-2026 Capital & Operating Budgets and 2026 Fee schedule

The Mayor opened the public hearing for the 2025 - 2026 Capital & Operating Budgets and 2026 Fee Schedule.

Rachel Tand, Finance Director, provided a brief introduction to the series of resolutions for Council's consideration.

There was no public comment.

a.

Resolution 73, Series 2025, A Resolution Reappropriating Funds To The Various Funds And Spending Agencies, In The Amounts And For The Purpose As Set Forth Below For The Town Of Eagle, Colorado For The 2025 Budget Year

MOTION: Council Member Woods motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

- b. Resolution 74, Series 2025, A Resolution Summarizing Expenditures And Revenues For Each Fund And Adopting A Budget For The Town Of Eagle, Colorado For The Calendar Year Beginning On The 1st Day Of January 2026, And Ending On The Last Day Of December 2026

MOTION: Council Member Woods motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

- c. Resolution 75, Series 2025, A Resolution Appropriating Funds To The Various Funds And Spending Agencies, In The Amounts And For The Purpose As Set Forth Below For The Town Of Eagle, Colorado, For The 2026 Budget Year

MOTION: Council Member Woods motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

- d. Resolution 76, Series 2025, A Resolution of the Town Council of the Town of Eagle, Colorado, Adopting a Fee Schedule Effective On The 1st Day of January 2026, Pursuant to 2.34 of the Eagle Municipal Code

MOTION: Council Member Woods motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

5. First Reading: Ordinance 16, Series 2025, An Ordinance of the Town of Eagle, Colorado, Granting a Franchise to Holy Cross Energy, Its Successors and Assigns, to Locate, Build, Install, Construct, Acquire, Purchase, Extend, Maintain, Repair, and Operate Into, Within and Through the Town of Eagle, All Necessary and Convenient Facilities for the Purchase, Generation, Transmission and Distribution of Electrical Energy, and to Furnish, Sell, and Distribute Said Electrical Energy to the Residents of the Town of Eagle for Light, Heat, Power and Other Purposes by Means of Conduits, Cables, Poles and Wires Strung Thereon, or Otherwise On, Over, Under, Along, Across, and Through All Public Easements and All Streets and Other Public Ways In Said Town of Eagle, Eagle County, Colorado and Fixing the Terms and Conditions Thereof

The Mayor introduced the first reading of the ordinance. Town Attorney, Richard, provided background on franchise agreements in the Town and the review of the agreement before the Council. The ordinance to approve the franchise agreement requires two readings at separate meetings.

MOTION: Council Member Woodworth Foral motioned to approve the First Reading. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

6. Resolution 72, Series 2025, A Resolution of the Town Council of the Town of Eagle, Colorado Appointing an Interim Town Manager

The Mayor introduced the item and turned it over to Manager Pardee who provided context for his recommendation to appoint Assistant Town Manager Melissa Daruna as interim Town Manager.

MOTION: Mayor Turnipseed motioned to approve the Resolution. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Woods, Bodenhemier, Turnipseed, Woodworth Foral) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:45 PM *Council will use this time to propose future agenda items, provide updates on Council Committees, and address general discussion items.*

Council member Grimmer provided a "thank you" to PW for the purchase of the new electric F150. He noted that the connection between Brush Creek School and the Castle Peak Senior Center is symbolic of great opportunities in the community. He expressed his gratitude to Ashley LeFluer and to Molly Furtado for the amount work and flexibility to support both events and communications.

Council member Woods provided an update on the CORE Transit Authority reporting an increase in ridership. He stated that the Rodeo Rink ribbon cutting was impressive. He gave a "thank you" for the support from the Council over the last few weeks.

Council member Bodenheimier gave a "thank you" to everyone, stating that she feels gratitude and peace about those coming in and for those continuing to serve. She provided advice that was given to her when she came on as a new Council Member and advice she has for those coming in new to the role now.

Council member Woodworth Foral provided feedback from a resident and business owner who expressed concern about the direction of the Christmas on Broadway Parade, desiring for it to end at 2nd St. to drive more traffic to businesses after the parade. Council member Woods provided context from his experience running the parade in both directions over 2 years.

Mayor Turnipseed expressed his appreciation for the staff, excitement for the new Council members, appreciation for Larry and love of the community.

ADJOURN - 8:00 PM

Date: _____
Scott Turnipseed, Mayor

Melissa Daruna, Acting Town Clerk

MOTION: Council Member Bodenheimier motioned to Adjourn - 7:59 p.m. . The motion was seconded and passed with a vote of 5 (Grimmer, Woods, Bodenheimier, Turnipseed, Woodworth Foral) in favor and 0 opposed.



TOWN OF EAGLE - OFFICIAL PROCLAMATION ARBOR DAY 2025

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Scott Turnipseed, Mayor of the Town of Eagle, do hereby proclaim Friday, April 25, 2025, as Arbor Day.



In the Town of Eagle, I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

TOWN OF EAGLE
Scott Turnipseed, Mayor



OATH

I, GEOFFREY GRIMMER, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office as Town Councilmember.

Sworn to this 9th day of December 2025.

Geoffrey Grimmer

Melissa Daruna, Acting Town Clerk



OATH

I, GINA McCrackin, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office as Town Councilmember.

Sworn to this 9th day of December 2025.

Gina McCrackin

Melissa Daruna, Acting Town Clerk



OATH

I, SCOTT SCHREINER, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office as Town Councilmember.

Sworn to this 9th day of December 2025.

Scott Schreiner

Melissa Daruna, Acting Town Clerk



OATH

I, CASEY GLOWACKI, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office as Town Councilmember.

Sworn to this 9th day of December 2025.

Casey Glowacki

Melissa Daruna, Acting Town Clerk



OATH

I, BRYAN WOODS, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office as Mayor.

Sworn to this 9th day of December 2025.

Bryan Woods

Melissa Daruna, Acting Town Clerk



Wildland Urban Interface Code Working Group

Background:

The risk of severe wildfires in Eagle County poses an immediate threat to the health and safety of its residents. The [Eagle County Community Wildfire Protection Plan \(CWPP\)](#) outlines strategies and actions to improve the resilience of our community. As a desired end goal of the plan, every structure within Eagle County will be built and maintained in a condition where it will stand alone, without the need for firefighter intervention, in the face of a wildfire. If every structure is resistant to wildfire threats, then every community will be as well.

❖ *CWPP GOAL: Reduce Structural Ignitability and Improve Community Wildfire Resilience.*

➤ *Strategy: Develop and adopt a unified Wildland Urban Interface (WUI) Code across all jurisdictions in Eagle County.*

The [Eagle County Wildfire Collaborative \(ECWC\)](#) agreed that the development of a unified WUI Code should be a top priority for CWPP stakeholders. In 2022, an analysis of wildfire risk in developed areas of Eagle County showed that the majority of structures in the county are located in higher density development. This information is important to consider with regards to the shared risk (if one burns the likelihood of the other to burn is high) that each structure has, and points to the need for community-wide solutions.

Home insurance costs are also rapidly rising, and finding insurance carriers is increasingly difficult in Eagle County, exacerbating the cost of homeownership. The issue is critical due to volatility in insurance related to wildfire risks, where insurers hesitate due to uncertainties in neighboring properties' mitigation efforts. Urban fires are becoming more frequent, yet predicting vulnerability in the built environments lacks adequate data and modeling. Implementing a unified WUI code across all jurisdictions in Eagle County will ease underwriter concerns related to wildfire risk, and reduce volatility in the home insurance market.

Colorado Wildfire Resiliency Code Board

Recognizing the need for statewide minimum building standards for wildfire protection, the Colorado State Legislature passed [Senate Bill 23-166 establishing a Wildfire Resiliency Code Board](#) who was charged with the development and adoption of codes and standards.

July 1, 2025: Code Adopted by the Wildfire Resiliency Code Board

April 1, 2026: Code Adopted by Local Jurisdictions

July 1, 2026: Jurisdiction Compliant

- [8 CCR 1507-39 Rules Adopted](#)

- [2025 Colorado Wildfire Resiliency Code](#)
- [State Map for the application of the 2025 CWRC](#)

Eagle County Wildfire Collaborative WUI Code Group:

Formed in February of 2024, The WUI Code Working Group includes representatives of the Planning and Building Departments from the towns of Avon, Minturn, Red Cliff, Eagle, Gypsum, Vail, and Basalt; as well as Vail Fire, Eagle River FPD, Greater Eagle FPD, Gypsum FPD, and Eagle County Community Development, Open Space & Natural Resources, and Emergency Management. The WUI Code Group began by looking at each jurisdiction's existing codes, then identified alignment and gaps with community needs and the capacity to enforce. After that, the group did a comprehensive overview of the [International Wildland Urban Interface Code \(IWUIC\)](#) and the [California Building Code Chapter 7A](#). Following discussions on each jurisdiction's capacity to adopt and implement new building codes, the decision was made to go with a model code similar to Chapter 7A for the following reasons:

- Ability to adopt as an appendix to the International Building Code with Chapter 7A WUI Construction design requirements.
- Identifies the local building official as enforcing authority.
- Focused on structural ember resistance.
- Singular code – no levels of code, all the same standard for WUI areas (addresses capacity concerns).
- Building materials listing maintained by CalFire and highly informed by nationwide product availability.

Applicability:

The Eagle County CWPP defines the Wildland Urban Interface (WUI) as an area that includes all developed private parcels of land in Eagle County, and areas of special interest including Vail and Beaver Creek Resorts, the I70 corridor and major utility lines, and extends one and one half (1.5) miles from the edges of these features, including public lands. In rural areas outside of the Hwy 82 and I70 corridor(s), WUI can be defined as areas that extend one and one half (1.5) miles from the edges of structures and other developed features, including public lands.

This proposed WUI Building Code would be applicable to all new construction and substantial additions falling within the [WUI boundaries established in the Eagle County CWPP](#). Based on the definition of our WUI, any new build would be considered in the WUI.

Proposed Building Code Amendments

- Applies to the construction, alteration; movement, repair, maintenance and use of any building, structure or premises into or within the wildland-urban interface areas.
- Building code amendments designed to prevent structure ignition by embers.
- Class A Roofing (metal, asphalt, tile, synthetic shake).
 - Non-combustible or ignition resistant siding materials
 - Ignition resistant decking materials.

- Enclosure of buildings (under floor, under deck, vent screening, soffits, etc).
- Non-combustible materials include metal, stone, stucco and concrete.
- Cal Fire maintains a comprehensive database of materials meeting the ignition resistant materials guidelines:
 - [Building Materials Listings - Search Listing Services](#)

Landscaping

- Parallel process underway - alignment with Land Use Regulations through ComDev departments.
- Most jurisdictions have regulations in place that address landscaping - many do not have site-visit capacity to enforce.
- Ensure alignment with water conservation and non-usable turf reduction.
- Model landscaping code recommendations from WUI Code Group in 2025.

Process:

- Collaborative development of code language by WUI Code Group.
- Alignment with Colorado Wildfire Resiliency Code Board recommendations.
- Outreach - HOAs, Metro Districts, Builders, Landscapers, Realtors, etc. (early 2026)
- Adoption of amendments to International Building Code (IBC) and International Residential Code (IRC) by each jurisdiction through normal code adoption process (this may occur on different cycles for different jurisdictions).
- Code compliant by July 1, 2026

Links

Eagle County CWPP (2023)- <https://www.resilienteaglecounty.com/the-cwpp-1>

Eagle County WUI Boundaries - [WUI Boundary](#)

Wildfire Resiliency Code Board - <https://dfpc.colorado.gov/WRCB>

California Building Code Chapter 7a -

<https://www.hcd.ca.gov/building-standards/state-housing-law/wildland-urban-interface/docs/2010-part-2-cbc-ch7a.pdf>

CalFire Building Materials Listings Search - <https://calfire.gov/motus.org/BMLSearch/Index>

International Wildland Urban Interface Code - <https://codes.iccsafe.org/content/IWUIC2021P1>

Eagle County Plant Selection Tool -

<https://lookerstudio.google.com/reporting/55135ace-8eea-4d43-b7a1-7daaba644470>

Eagle County Wildfire Collaborative - <https://www.ecwildfire.org/home>

**BILL SCHEDULE
NOVEMBER 2025**

GENERAL FUND

Town Council

Grimmer, Geoffrey	Travel Expense - Mountain 2030 Conference	473.80
PayPal	Tuition & Books - Night of Excellence	135.00
Total Town Council	\$	608.80

General Government

Rocky Mountain Reserve LLC	Health & Insurance Benefits	110.52
Cintas Corporation	Office Supplies	32.12
Chat GPT	Dues & Subscriptions	20.00
KLJ Engineering LLC	Professional Services	4,387.13
Karp Neu Hanlon, PC	Legal - General	5,105.40
Beaver Run	Travel Expense	191.01
Eagle Valley Commercial, LLC	Public Relations	600.00
Colorado Municipal	Tuition & Books	45.00
Government Executive Media Group	Tuition & Books - High Performance Leadership	3,000.00
Total General Government	\$	13,491.18

General Administration

Greater Eagle Fire Protection Dist.	Fire Impact Fees Payable	246,031.83
Medina-Vargas, Javon	Deposits Payable - Employee Housing	1,500.00
CEBT	Health & Insurance Payable	108,553.14
Standard Insurance Company	Health & Insurance Payable	3,496.75
Edwards, Stephanie	Facility Usage Deposit Refund	375.00
Jones, Marilyn	Facility Usage Deposit Refund	750.00
Loera, Jose	Facility Usage Deposit Refund	250.00
Moya Amaya, Yahaira	Facility Usage Deposit Refund	375.00
Vail Mountaineers Hockey Club	Facility Usage Deposit Payable	750.00
Meredith, Nancy	Building Permits Refund	739.00
CEBT	Health & Insurance Benefits	4.50
Rocky Mountain Reserve LLC	Health & Insurance Benefits	295.80
Amazon	Office Supplies	73.31
Cintas Corporation	Office Supplies	182.00
DORA	Dues & Subscriptions	66.00
Mountain Careers	Dues & Subscriptions	175.00
Chase Paymentech	C.C. Transaction Fees	276.93
Xpress Bill Pay	C.C. Transaction Fees	87.75
Robert Half, Inc.	Professional Services	1,363.35
Karp Neu Hanlon, PC	Legal	11,235.00
Caselle, Inc.	Computer Support	1,860.50
Xpress Bill Pay	Computer Support	50.00
Moore, Tuwela	Travel	394.24
Tand, Rachel	Travel	326.60
Bowlmor, LLC, The	Meeting Expense - Staff Holiday Party	3,845.90
Canela Coffee	Meeting Expense	91.19
City Market	Meeting Expense	40.97
Caselle, Inc.	Tuition & Books	(599.00)

**BILL SCHEDULE
NOVEMBER 2025**

General Administration (Cont.)

Government Finance Officers Association	Tuition & Books	250.00
Cirsa	Insurance - Pavilion	1,142.89
Total General Administration		\$ 383,983.65

Community Development

Rocky Mountain Reserve LLC	Health & Insurance Benefits	455.08
Fleet Services	Vehicle Fuel	58.08
Column Software, PBC	Legal Notices	100.18
Wave Pro	Dues & Subscriptions	16.00
Your Membership	Recruitment	699.00
Baseline Engineering Corporation	Professional Services	255.75
Baseline Engineering Corporation	Planning Reimbursable	1,978.75
Certified Mail	Planning Reimbursable	129.42
Garfield & Hecht, P.C.	Planning Reimbursable	3,995.00
Karp Neu Hanlon, PC	Planning Reimbursable	8,237.50
Kipp Land Surveying LLC	Planning Reimbursable	635.00
LRE Water	Planning Reimbursable	808.00
Karp Neu Hanlon, PC	Legal	1,189.00
Beaver Run	Travel Expense	524.58
Pho Real	Travel Expense	73.80
Residence Inn	Travel Expense	395.74
J.S. Lengel And Associates Inc	Contract Services	1,250.00
JHW Plan Review Services	Contract Services	7,898.00
Total Community Development		\$ 28,698.88

Municipal Court

Rocky Mountain Reserve LLC	Health & Insurance Benefits	6.50
Gendelman Klimas, Ltd	Legal	1,980.00
Caselle, Inc.	Computer Support	317.00
Total Municipal Court		\$ 2,303.50

Streets

Pinnacol Assurance	Worker's Compensation	457.31
CEBT	Health & Insurance Benefits	220.40
Rocky Mountain Reserve LLC	Health & Insurance Benefits	370.56
Amazon	Office Supplies	15.99
Costco	Office Supplies	70.79
Boot Barn	Uniforms	269.98
Consolidated Electrical Distributors Inc	Repair & Maintenance Supplies	2,528.33
Ewing Trucking And Construction LLC	Repair & Maintenance Supplies - Salt/Sand	9,977.54
Grainger	Repair & Maintenance Supplies	8.52
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	34.99
J & S Contractors Supply Co.	Repair & Maintenance Supplies	3,771.60
Lawson Products	Repair & Maintenance Supplies	335.73
Rexel USA, Inc	Repair & Maintenance Supplies	336.18
Winter Equipment Company Incorporated	Repair & Maintenance Supplies	2,299.26
Wylaco Supply Co	Repair & Maintenance Supplies	350.59
Amazon	Vehicle Repair & Mtn Supplies	157.95

**BILL SCHEDULE
NOVEMBER 2025**

Streets (Cont.)

Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Mtn Supplies	115.34
Glenwood Springs Ford	Vehicle Repair & Mtn Supplies	144.97
Fleet Services	Vehicle Fuel	1,138.08
Holy Cross Energy	Utility Services	782.45
Safety-Kleen Systems, Inc.	Repair & Maintenance Services	297.07
Utility Notification Center Of Colorado	Repair & Maintenance Services	63.89
360 Paving LLC	Street Resurfacing - Manhole Adjustments	10,950.00
Column Software, PBC	Street Resurfacing	39.84
Caselle, Inc.	Computer Support	21.20
Total Streets		\$ 34,758.56

Public Safety

Rocky Mountain Reserve LLC	Health & Insurance Benefits	1,170.19
Amazon Capital Services	Office Supplies	308.73
Zazzle Inc.	Office Supplies Refund	(4.92)
Amazon Capital Services	Operating Supplies	752.14
Dooley Enterprises, Inc	Operating Supplies	794.38
Zero9 Holsters	Operating Supplies	27.95
Amazon Capital Services	Uniforms	(162.27)
Emblems Inc	Uniforms	1,782.00
Galls, LLC	Uniforms	2,519.86
L.N. Curtis & Sons	Uniforms	175.03
Vista Print	Uniforms	10.00
Zero9 Holsters	Uniforms	59.45
Auto Zone, Inc	Vehicle Repair & Mtn Supplies	74.71
Eagle County Fleet Service	Vehicle Repair & Mtn Supplies	1,724.26
Fleet Services	Vehicle Fuel	3,657.82
Loves	Vehicle Fuel	70.19
IACP	Dues & Subscriptions	100.00
Nat'l Assn Women Law Enforcement Executives	Dues & Subscriptions	100.00
Remarkable	Dues & Subscriptions	32.27
AT&T Mobility	Utility Services	858.33
Jessica Tice Investigations	Professional Services - Police Records Project	6,000.00
Psychological Dimensions, LLC	Professional Services	4,800.00
Quality Inn & Suites	Professional Services	174.39
Karp Neu Hanlon, PC	Legal	2,735.00
Down Valley Tire Pros	Repair & Maintenance Services	200.00
Eagle County Fleet Service	Repair & Maintenance Services	1,928.61
Western Slope Towing	Repair & Maintenance Services	418.50
Clarion Inn & Suites	Travel	458.00
Deering, Nicholas	Travel	44.99
Fairfield Inn	Travel	119.10
Hyatt Place Albany	Travel	332.50
Kampgrounds OA	Travel	122.39
Quality Inn	Travel	472.70
Residence Inn	Travel	1,205.00
Wal-Mart	Travel	104.48
Casa Mexico	Meeting Expense	79.41

**BILL SCHEDULE
NOVEMBER 2025**

Public Safety (Cont.)

Calibre Press	Tuition & Books	495.00
Defense Technology LLC	Tuition & Books	750.00
FBI-LEEDA	Tuition & Books	2,440.00
IACP	Tuition & Books	175.00
PSI Exams	Tuition & Books	175.00
Eagle County Animal Control	Contract Payments	6,917.00
Steven A. Nofziger	Contract Payments	100.00
Transunion Risk & Alternative Data Solution	Contract Payments	109.00
Johnson, Paige	Event Production	45.00
PayPal	Event Production	225.00
Total Public Safety		\$ 44,676.19

Buildings & Grounds

CEBT	Health & Insurance Benefits	220.40
Rocky Mountain Reserve LLC	Health & Insurance Benefits	367.31
Amazon	Office Supplies	15.99
Costco	Office Supplies	70.79
Boot Barn	Uniforms	260.98
CPS Distributors	Repair & Maintenance Supplies	994.89
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	40.47
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	158.89
Infra Red Radiant	Repair & Maintenance Supplies	615.00
Pet Pick-Ups	Repair & Maintenance Supplies	909.94
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Mtn Supplies	174.80
Fleet Services	Vehicle Fuel	736.25
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Fuel	8.58
HD Supply Formerly Home Depot Pro	Janitorial Supplies	2,137.74
Black Hills Energy	Utility Services	2,683.16
Holy Cross Energy	Utility Services	2,571.87
Jerry-master Janitorial	Janitorial Maint. Contracts	2,158.00
Eagle County Solid Waste & Recycling	Repair & Maintenance Services	102.24
Sno-White Linen Rental	Repair & Maintenance Services	154.14
Trane U.S.	Repair & Maintenance Services	1,305.00
Venzor Carpet Cleaning	Repair & Maintenance Services	414.72
Caselle, Inc.	Computer Support	21.20
Total Buildings & Grounds		\$ 16,122.36

Information Center

Costco	Office Supplies	158.60
Total Information Center		\$ 158.60

Events

Pinnacol Assurance	Worker's Compensation	24.07
Rocky Mountain Reserve LLC	Health & Insurance Benefits	107.27
Amazon	Operating Supplies	26.98
Costco	Operating Supplies	132.95
Wal-Mart	Operating Supplies	69.68
Amazon	Uniforms	71.93

**BILL SCHEDULE
NOVEMBER 2025**

Events (Cont.)

Apple.com	Dues & Subscriptions	12.02
Canva	Dues & Subscriptions	29.49
City Market	Meeting Expense	46.06
Wal-Mart	Meeting Expense	26.66
Eagle Valley Skating Association	Events	700.00
Eagle Climbing + Fitness, LLC	Event Production	1,000.00
Total Events		\$ 2,247.11

Engineering

CEBT	Health & Insurance Benefits	220.40
Rocky Mountain Reserve LLC	Health & Insurance Benefits	156.02
Amazon	Office Supplies	15.99
Costco	Office Supplies	70.79
Fleet Services	Vehicle Fuel	121.83
Karp Neu Hanlon, PC	Legal	(220.00)
Total Engineering		\$ 365.03

Information Technology

Rocky Mountain Reserve LLC	Health & Insurance Benefits	150.82
Amazon Capital Services	Equipment (Non-Capital)	2,868.39
Gypsum Ace Hardware LLC	Equipment (Non-Capital)	56.77
Verizon Wireless, Bellevue	Equipment (Non-Capital)	59.98
Century Link	Utility Services	4,840.96
Startlink Internet	Utility Services	120.00
Verizon Wireless, Bellevue	Utility Services	2,952.42
CBI-Identification	Professional Services	79.00
Southern Cross Network Cabling	Professional Services	2,925.00
Aspen Wireless Technologies, Inc.	Computer Support	1,362.50
Fortbend IT	Computer Support - Office 365	4,856.07
SHI International Corp	Computer Support - AutoCAD	6,509.53
Marlin Leasing Corporation	Contract Payments	1,379.71
Professional Document Solutions, Inc.	Contract Payments	358.86
Total Information Technology		\$ 28,520.01

Communications & Marketing

Rocky Mountain Reserve LLC	Health & Insurance Benefits	58.51
Canva	Dues & Subscriptions	29.97
Mail Chimp	Dues & Subscriptions	132.00
Orange Tree	Recruitment	28.06
Yeti's Grind	Meeting Expense	25.26
Blizzard Press	Website	800.00
Total Communications & Marketing		\$ 1,073.80

Sustainability

Rocky Mountain Reserve LLC	Health & Insurance Benefits	58.51
Koppel, Kira	Operating Supplies	25.98
Karp Neu Hanlon, PC	Legal	108.00
Hotel Alpenrock	Travel Expense	(23.82)

**BILL SCHEDULE
NOVEMBER 2025**

Sustainability (Cont.)

King Soopers Customer Charges	Meeting Expense	126.40
Total Sustainability	\$	295.07

Economic Development & Housing

Rocky Mountain Reserve LLC	Health & Insurance Benefits	65.01
Founders Place Condo Association	Employee Housing Rental Exp	517.00
Trybe Property Management LLC	Employee Housing Rental Exp	3,055.22
Karp Neu Hanlon, PC	Legal	3,837.24
DOLA	Tuition & Books	31.44
Total Economic Development & Housing	\$	7,505.91

Total GENERAL FUND

\$ 564,808.65

CAPITAL IMPROVEMENTS FUND

Home And Hearth Outfitters	Use Tax Refund	851.74
Meredith, Nancy	Use Tax Refund	760.00
Land Title Guarantee Company, LLC	Employee Housing Property - Earnest Money 7 Hermits	200,000.00
Column Software, PBC	Traffic Control Improvements	40.81
Martin/Martin Consulting Engineers	Street Replacement- Capitol St	27,042.50
Karp Neu Hanlon, PC	Grand Avenue Improvements	326.00
Stolfus & Associates	Grand Avenue Improvements	236,802.12
Amazon Capital Services	Police Department Equipment	8,661.48
Gypsum Ace Hardware LLC	Police Department Equipment	10.99
Chalmers Ford	Patrol Vehicles	9,436.12
Total CAPITAL IMPROVEMENTS FUND	\$	483,931.76

WASTE WATER FUND

Pinnacol Assurance	Worker's Compensation	100.00
CEBT	Health & Insurance Benefits	220.40
Rocky Mountain Reserve LLC	Health & Insurance Benefits	327.65
Western Slope Supplies Inc	Office Supplies	25.25
Amazon Capital Services	Uniforms	109.98
Carhartt	Uniforms	629.58
Grainger	Uniforms	42.62
Tractor Supply	Uniforms	185.55
Trick Threads	Uniforms	132.00
Grainger	Repair & Maintenance Supplies	3,518.65
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	512.24
Home Depot	Repair & Maintenance Supplies	338.49
Pollardwater	Repair & Maintenance Supplies	653.38
Two Valley Tire LLC	Vehicle Repair & Mtn Supplies	1,140.00
Collett Enterprises	Vehicle Fuel	3,130.00
Fleet Services	Vehicle Fuel	316.01
Grainger	Equipment (Non-Capital)	484.61
Federal Express Corp.	Communication & Shipping	124.75
Nextrust Inc	Communication & Shipping	311.92
Black Hills Energy	Utility Services	2,452.56
Chase Paymentech	C.C. Transaction Fees	984.43

**BILL SCHEDULE
NOVEMBER 2025**

WATER WATER FUND (Cont.)

Xpress Bill Pay	C.C. Transaction Fees	579.12
Clark Hill PLC	Legal & Audit	3,580.00
LRE Water	Engineering	8,770.50
Denali Water Solutions LLC	Sludge Disposal	2,697.61
DRC Construction Services, Inc.	Sewer Imaging	93,930.54
American Mechanical Services	Repair & Maintenance Services	410.00
Two Valley Tire LLC	Repair & Maintenance Services	1,525.00
Utility Notification Center Of Colorado	Repair & Maintenance Services	63.89
Caselle, Inc.	Computer Support	444.70
Colo Dept Of Public Health & Environment	Testing & Permits	7,430.00
Eagle River Water & Sanitation District	Testing & Permits	2,963.00
Seacrest Group	Testing & Permits	1,625.00
SGS North America Inc	Testing & Permits	1,031.00
CCWP	Tuition & Books	50.00
DORA	Tuition & Books	60.00
PSI Exams	Tuition & Books	104.00
Browns Hill Engineering	Contract Payments	2,066.20
Mountain Side Services Inc	Contract Payments	2,000.00
Stolfus & Associates	Sewer Line Improvements	41,181.88
Total WASTE WATER FUND		\$ 186,252.51

WATER FUND

Pinnacol Assurance	Worker's Compensation	400.00
CEBT	Health & Insurance Benefits	220.40
Rocky Mountain Reserve LLC	Health & Insurance Benefits	496.68
Amazon	Office Supplies	23.98
Amazon Capital Services	Office Supplies	10.41
Costco	Office Supplies	15.99
Advanced Pump & Equipment, Inc.	Operating Supplies	4,927.07
Chemtrade Chemicals Corporation	Operating Supplies	7,996.82
Western Slope Supplies Inc	Operating Supplies	48.80
Amazon Capital Services	Uniforms	86.99
Carhartt	Uniforms	315.64
Tractor Supply	Uniforms	278.34
Zazzle Inc.	Uniforms	111.66
Amazon Capital Services	Repair & Maintenance Supplies	40.61
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	243.58
Glenwood Springs Auto Parts Inc (Napa)	Repair & Maintenance Supplies	523.54
Grainger	Repair & Maintenance Supplies	4,755.50
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	271.38
Pollardwater	Repair & Maintenance Supplies	303.85
Tower Pit	Repair & Maintenance Supplies	971.18
USA Blue Book	Repair & Maintenance Supplies	476.91
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Mtn Supplies	7.98
Fleet Services	Vehicle Fuel	637.41
Ferguson Enterprises, Inc.	Meter Related Items	1,275.34
Federal Express Corp.	Communication & Shipping	78.16
Nextrust Inc	Communication & Shipping	311.92

**BILL SCHEDULE
NOVEMBER 2025**

WATER FUND (Cont.)

Colorado Water Congress	Dues & Subscriptions	250.00
AmeriGas	Utility Services	3,993.81
Black Hills Energy	Utility Services	87.01
Holy Cross Energy	Utility Services	3,485.87
Orange Tree	Recruitment	55.82
Chase Paymentech	C.C. Transaction Fees	1,670.54
Xpress Bill Pay	C.C. Transaction Fees	807.26
Karp Neu Hanlon, PC	Legal	(209.00)
Browns Hill Engineering	Repair & Maintenance Services	431.90
Utility Notification Center Of Colorado	Repair & Maintenance Services	63.90
Eagle River Water & Sanitation District	Testing & Permits	320.00
SGS North America Inc	Testing & Permits	181.00
Caselle, Inc.	Computer Support	275.70
Browns Hill Engineering	Contract Payments	8,264.80
Mountain Side Services Inc	Contract Payments	500.00
Superior Alarm & Electronics	Contract Payments	895.25
Phoenix Industries Ltd	Tank Replacement - Cemetary Tank	446,453.36
Amazon Capital Services	Pickup Trucks	756.90
High Country Toppers LLC	Pickup Trucks	7,690.00
Martin/Martin Consulting Engineers	Water Line Improvements	27,042.50
Stolfus & Associates	Water Line Improvements	41,181.87
Total WATER FUND		\$ 569,028.63

REFUSE FUND

Nextrust Inc	Communication & Shipping	311.93
Chase Paymentech	C.C. Transaction Fees	298.31
Xpress Bill Pay	C.C. Transaction Fees	263.24
Tri State Oil Reclaimers, Inc	Repair & Maintenance Services	75.00
Caselle, Inc.	Computer Support	275.70
Vail Honeywagon	Contract Services	80,931.71
Total REFUSE FUND		\$ 82,155.89

STORMWATER FUND

Nextrust Inc	Communication & Shipping	311.92
Chase Paymentech	C.C. Transaction Fees	29.83
Xpress Bill Pay	C.C. Transaction Fees	17.55
Total STORMWATER FUND		\$ 359.30

BROADBAND FUND

Rocky Mountain Reserve LLC	Health & Insurance Benefits	22.75
Costco	Office Supplies	30.26
Fleet Services	Vehicle Fuel	38.66
Aspen Wireless Technologies, Inc.	Computer Support	3,489.00
Total BROADBAND FUND		\$ 3,580.67

STCIF

MTech Mechanical Technologies Group Inc	Multi-Use Rec Facilities	855.00
Mountain Dog Tree Care, LLC	Paved Path Improvements	2,550.00

**BILL SCHEDULE
NOVEMBER 2025**

STCIF (Cont.)

American Ramp Company	Town Park Improvements - Skate Park	15,000.00
Best Western	Town Park Improvements	633.48
Home Depot	Town Park Improvements	102.10
Norris Design, Inc.	Town Park Improvements	260.00
Calibre Engineering Inc	River Park Improvements	318.00
UMB Bank	Debt Service- Pool	175,000.00
UMB Bank	Debt Service	120,000.00
UMB Bank	Debt Service Interest	309,325.00
Total STCIF		\$ 624,043.58

OPEN SPACE FUND

Rocky Mountain Reserve LLC	Health & Insurance Benefits	71.51
Signature Signs Inc	R & M Supplies	197.00
Fleet Services	Vehicle Fuel	91.77
Karp Neu Hanlon, PC	Legal	377.00
Vail Honeywagon	Repair & Maintenance Services	299.47
Vail Valley Mountain Trails Alliance	Trail Repair & Maintenance	14,331.94
Gravity Haus	Travel	256.00
Vail Valley Mountain Trails Alliance	Trail Construction	25,337.33
Vail Valley Mountain Trails Alliance	Open Space Signage Projects	3,000.00
Total OPEN SPACE FUND		\$ 43,962.02

DDA FUND

Colibri Digital LLC	Professional Services	2,915.00
Total DDA FUND		\$ 2,915.00

Total	\$	2,561,038.01
Payroll	\$	612,821.10
Grand Total	\$	3,173,859.11



To: Mayor and Town Council

From:

Date: December 9, 2025

Agenda Item: Resolution 81, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado Ratifying the Town's Three-Mile Plan Adopted by the Planning and Zoning Commission

REQUEST:

BACKGROUND:

ANALYSIS:

COMMUNITY INPUT:

BUDGET / STAFF IMPACT:

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

RECOMMENDED ACTION OR PROPOSED MOTION:

ATTACHMENTS:

1. Staff Memo - 2025 Three Mile Plan
2. Resolution 81, Series 2025



To: Mayor Woods and Town Council

From: Kyle Brotherton, Planner III, Community Development Department

Date: December 9, 2025

Agenda Item: Resolution 81, Series 2025 "A Resolution of the Town Council of the Town of Eagle, Colorado, Ratifying the Town's Three-Mile Plan Adopted by the Planning and Zoning Commission."

REQUEST:

Staff is requesting the Town Council ratify the adoption of the Three Mile Plan that is an appendix of the Elevate Eagle Comprehensive Plan.

BACKGROUND:

Municipalities in Colorado are required to prepare and adopt a Three Mile Plan prior to annexing property into their territorial boundaries per C.R.S. 31-12-105 et. seq. The Three Mile Plan is a long-range plan that outlines where municipalities intend to annex property and describes how the municipality will ensure the adequate provision of services within the newly annexed territory.

ANALYSIS:

Per state statute, the Town must adopt a Three Mile Plan on an annual basis. No changes have been made to the Three Mile Plan since last year's ratification. The existing Three Mile Annexation Plan can be found in Appendix B (pg. 94) of the Elevate Eagle Comprehensive Plan (2021 Amendment).

COMMUNITY INPUT:

None.

BUDGET / STAFF IMPACT:

There is no budget impact to this motion.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The annual adoption of the Three Mile Plan supports the Strategic Plan's major objective to 'Improve Community Responsive Services'. The Town is providing the community an up-to-date plan through regular re-evaluations and revisions to best meet the needs of the area within the Three Mile Plan.

The Major Objective to 'Stimulate Economic Vitality and Development' is also supported through the adoption of the Three Mile Plan. The Plan, in conjunction with the policies in the Elevate Eagle Comprehensive Plan, provides residents and non-residents with an understanding of limitations on future annexations.

Finally, the Three Mile Plan is supported by the major objective to ‘Match Infrastructure to Quality of Life’, which encourages Town investment in infrastructure without creating an undue burden on the residents of the Town. The Plan “specifies the direction for providing infrastructure, land use/zoning, and municipal services for lands within three miles of Town limits.”

RECOMMENDED ACTION OR PROPOSED MOTION:

A motion to **APPROVE** Resolution 81, Series 2025, “A Resolution of the Town Council of the Town of Eagle, Colorado, Ratifying the Town’s Three-Mile Plan adopted by the Planning and Zoning Commission.”

ATTACHMENTS:

- Resolution 81, Series 2025 (Three-Mile Plan attached)

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 81
(Series of 2025)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
RATIFYING THE TOWN'S THREE-MILE PLAN ADOPTED BY THE PLANNING AND
ZONING COMMISSION

WHEREAS, pursuant to C.R.S. § 31-12-105(1)(e)(I), the Town must have in place a Three-Mile Plan and such plan must be updated annually.

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

Section 1. The Town's Three Mile Plan is hereby adopted in the form attached hereto.

INTRODUCED, READ, PASSED AND ADOPTED ON DECEMBER 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk

The Town's Three Mile Plan for annexation establishes a broader approach to annexation and development of land outside the current Town limits. This map specifies the direction for providing infrastructure, land use/zoning, and municipal services for lands located within three-miles of Town limits. The plan also identifies the land that may be considered for annexation into the Town with the Urban Growth Boundary. Much of the land within Eagle's Three Mile Boundary is federally owned and protected as open space.

LEGEND

Urban Growth Boundary

Eagle Town Boundary

3-Mile Buffer

Town of Gypsum

BLM Land

Future Land Use

Downtown Neighborhoods (DTN)

High Density Residential (HUR)

Medium Density Residential (MDR)

Low Density Residential (LDR)

Rural Residential (RR)

Commercial/Light Industrial (C/LI)

Mixed Use (MU)

Downtown (DT)

Public/Institutional (P)

Open Space (OS)

Refer to Eagle River Corridor Subarea Plan

Refer to West Eagle Sub Area Plan

Refer to east Eagle Sub Area Plan



To: Mayor and Town Council

From:

Date: December 9, 2025

Agenda Item: Resolution 84, Series 2025 - A Resolution of the Town Council of the Town of Eagle, Colorado canceling the Town Council meeting scheduled for December 23, 2025

REQUEST:

BACKGROUND:

ANALYSIS:

COMMUNITY INPUT:

BUDGET / STAFF IMPACT:

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

RECOMMENDED ACTION OR PROPOSED MOTION:

ATTACHMENTS:

1. Resolution 84-2025 Canceling Town Council Meeting 12.23.25

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 82
(Series of 2025)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
CANCELING THE TOWN COUNCIL MEETING SCHEDULED ON DECEMBER 23, 2025

WHEREAS, Section 3.04(1) of the Town of Eagle Home Rule Charter requires that the Town Council meet once a month;

WHEREAS, the Town Council of the Town of Eagle held a regular meeting on December 9, 2025; and

WHEREAS, the Town Council wishes to cancel the December 23, 2025 regular Town Council meeting.

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

Section 1. The Town Council hereby declares the regular meeting of the Town Council of the Town of Eagle scheduled for December 23, 2025 is canceled.

INTRODUCED, READ, PASSED AND ADOPTED ON December 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk



Town Manager's Final Report

Reflections on the 2026 Budget & Eagle's Path Forward

Mayor, Council Members, and Staff Members,

As I prepare to conclude my service as your Town Manager, I find myself reflecting deeply on the journey we have taken together and on the many ways this community has grown, strengthened, and defined its future. Serving Eagle has been one of the greatest honors of my professional life. I am profoundly grateful for the privilege of working alongside such talented, caring, and committed public servants. The dedication and integrity you bring to this organization have shaped my experience in ways I will always carry with me.

Over the past decade, Eagle has experienced meaningful growth and thoughtful transformation. Our community prioritized sustainability, advanced affordable housing partnerships, strengthened public communications, broadened community engagement, and invested in economic development and other outward-facing initiatives that reflect both the values and the needs of our residents. These investments have added vibrancy, expanded access to services, and elevated our long-term vision for what Eagle can become.

At the same time, it is essential to recognize that these newer initiatives stand for only a small portion of our overall organizational effort and funding. The vast majority, at least ninety percent, is dedicated to foundational municipal services: public safety, public works, utilities, infrastructure maintenance, permitting, elections, licensing, regulatory compliance, finance, IT systems, and human resources. These core services are not always visible, but they are essential to protecting public health, safety, and well-being, and to supporting the quality of life we all value. New initiatives do not replace this foundational work; they build upon it and rely on a strong operational base to succeed.

As you look toward 2026 and beyond, the financial environment surrounding these services is shifting. For many years, strong revenue growth, particularly in sales tax, allowed the Town to expand services, increase staffing capacity, and pursue new community priorities. That period of rapid growth has now moderated. Sales tax revenues have stabilized, development-related revenues have softened, and policy decisions such as the flavored tobacco ban will further reduce annual revenues beginning in 2026. Meanwhile, the cost of delivering municipal services, especially personnel, benefits, technology, and professional services, continues to rise faster than the revenues that support them. The 2026 draft budget began with an operating shortfall of approximately \$440,000, before even accounting for capital transfers, signaling not a temporary challenge but a structural imbalance between recurring expenses and recurring revenue.

Before final budget adoption, Town staff worked professionally and diligently to make difficult but necessary decisions to reduce recurring operating expenses. This included prioritizing essential budget requests and ending several full-time positions through vacancies and attrition. These measures allowed

us to present a balanced budget for 2026 and take meaningful steps toward long-term financial sustainability.

This moment requires continued thoughtful leadership and disciplined financial stewardship. The next phase of Eagle's fiscal journey will require slowing the pace of new commitments, protecting core services, carefully evaluating staffing levels, and ensuring that recurring costs do not grow faster than needed and dependable revenues to support them. Exercising discipline within the current revenue structure rather than relying on temporary or optimistic projections will create the financial space necessary for future investments when the timing and resources align. Doing so will preserve the Town's ability to advance key priorities such as housing, economic vitality, sustainability, quality-of-life initiatives, and essential infrastructure improvements, while keeping the organizational capacity that supports daily operations.

To the newly elected Mayor and Town Council, and to those continuing your service, you have the opportunity to guide Eagle into a new era of financial resilience. You are supported by a skilled and dedicated team of professionals who stand ready to help you achieve your policy goals. I ask that you continue to prioritize the fundamentals: support the staff who deliver essential services; keep the systems and infrastructure that allow the Town to run effectively; and pace new initiatives to preserve long-term flexibility rather than constrain it. These decisions may not always be easy or widely celebrated, but they will ensure Eagle stays strong, resilient, adaptable, and well-positioned for the present and future.

Ultimately, your responsibility as public servants is not only to the residents and guests we serve today, but to those who will call Eagle home long after we have moved on. By learning from recent growth, recognizing the flattening of key revenues, and practicing restraint while making wise, intentional investments, Eagle can continue to thrive responsibly, sustainably, and with purpose.

Thank you for allowing me to be part of this chapter. I leave with deep gratitude, pride, and respect for every person who contributes to making this community what it is. Eagle's future is bright, and I look forward to cheering on the next chapter from the other side of the dais.

With respect and appreciation,

Larry Pardee

Town Manager,

Town of Eagle



To: Mayor and Town Council
From: Larry Pardee, Town Manager, and Department Leads
Date: December 9, 2025
Re: Department Updates for November 2025

November 2025

ASSISTANT TOWN MANAGER

STAFF AND DEPARTMENT SUPPORT:

Melissa has spent the majority of November finalizing election materials and results while the Town Clerk is on leave, coordinating final reporting for all candidates and welcoming the newly elected officials. In addition to this administrative work, she has been focused on the upcoming transition to Interim Town Manager upon Larry's departure in mid-December. Melissa has also continued to support the Assistant Town Manager team, wrapped up year-end Development Plans (performance reviews) and provided oversight in other departments.

- Worked on transition planning for the Town Manager position.
- Provided personnel support for staff and HR, including serving as acting HR Manager while staff were on medical leave.
- Continued to provide support as Acting Town Clerk with immense support from Nikki Davis.
- Coordinated new Council swearing in, onboarding and training.
- Coordinated farewell for outgoing council members and Town Manager.
- Assisted with the transition and move-out of a staff member from employee housing.

Park Planning Updates:

Haymeadow Trailhead Park

- Norris Designs has completed the community engagement stage, which included an online survey and 2 in-person events where feedback was gathered from residents.
- The design team, Haymeadow team and staff met to review the results and then also met with the design advisory committee. Initial design concepts will be presented in the coming months to the teams and then presented to Council.
- As a point of education for new Council Members – The Haymeadow Trailhead Park design and build is being funded by the Haymeadow development group and will be owned and managed by the Haymeadow Metro District. It will be a public park for use by the whole community. This will be a large park with multiple amenities for all ages and abilities.

ECONOMIC DEVELOPMENT

November 2025

Please refer to the Economic Development Staff Report in this packet.

HOUSING

November 2025

Local Planning Capacity Grant: Incentive Award

- Following the successful close-out of the Affordable Housing Accelerator Project (AHAP), staff submitted the proposed Fast-Track Development Review Process (the Eagle Express Lane) to DOLA for compliance review. DOLA has formally approved our process. Because the Town adopted the Fast-Track procedures before December 31, 2025, Eagle automatically qualified for the \$50,000 Incentive Award available under Proposition 123's Local Planning Capacity Grant.
- In January, staff will present a short list of recommended Housing and/or Planning initiatives that could be supported by this award and will seek the Council's direction on which qualifying project(s) to pursue. The Town will have one year to utilize the funds.

Employee Housing Survey

- Staff is facilitating a short Employee Housing Survey to assess near-term housing needs and to gauge interest in available units within the Town's employee housing inventory. The survey also asks what types of housing support or rental opportunities would best meet the staffs' needs if our current inventory is not a fit. Results from these periodic surveys will help guide decisions related to corporate leasing options, potential acquisitions, and overall program development.
- Current employee housing inventory:
 - Town Owned:
 - Founders Place Condos: (1x) 2-bed, 2-bath unit – Partially occupied.
 - 7 Hermits Condos: (2x) 1-bed, 1-bath units – Acquired December 2025. Both are vacant.
 - Corporate Lease:
 - The Overlook Apartments: (1x) 2-bed, 2-bath unit – Leased until January 2027. Vacant as of Nov. 15, 2025.

SUSTAINABILITY

November 2025

Energy Efficiency & Electrification

- The Town used accounting firm McMahan & Associates to finalize our first ever federal tax filing for Elective Pay Credits for our 2024 solar array project. We anticipate receiving \$911,755 back from the IRS in the form of a check. Staff is working to determine if funds can be reserved for future sustainability projects, though we do not have a clear timeline on when the check will be received.
- The Climate Action Collaborative Buildings & Energy Supply group has been working on developing an off-season heat pump incentive program. This program would take advantage of the lighter workload local HVAC companies have in the winter and work to schedule installs during those times with homeowners whose gas furnaces are in need of replacement. The group will continue to work on ways to reduce the cost of heat pumps locally in order to promote this critical climate solution.

Sustainability Advisory Committee (SAC)

- The SAC met on November 12th for their Q4 meeting. The group determined new leadership for 2025, with Kira Koppel serving as temporary chair, Gerry Lopez as vice chair, and Gina McCrackin as notetaker/scribe. We reviewed our progress in implementing the net zero action plan, discussed upcoming opportunities, and the 2025 sustainability budget outlook. [Meeting details will be published to this page in the future.](#)

IMPACT Accelerator Regional Grant Application

- [The regional IMPACT Accelerator Grant](#) Letter of Intent was submitted on 11/10 by lead applicant Aspen. This will support implementation of Step B of the [Regional Net Zero Roadmap](#) across Eagle and Pitkin Counties by including ample resources for staff training, community education, home energy rebate funding, and possible development incentives. We should know by January 15th if our cohort is invited to apply for the full grant.

Waste

- Staff has submitted an interest form for Recycling Reimbursement through the Circular Action Alliance. Reimbursement will be available for residential recycling costs thanks to [Colorado's Extended Producer Responsibility Law](#). Producers of paper and packaging that is sold in Colorado will assume financial responsibility for the recycling and end-of-life management of that packaging. This allows for service providers, like the Town of Eagle, to be reimbursed for up to 100% of the net costs of recycling services. This means the town can apply for reimbursement of our residential recycling rate. Staff is working to determine how long the reimbursements will last and what our options are for residents. These could include lowering waste hauling rates or enhancing curbside services without increasing costs to residents. We are also eligible for outreach and education funding to support waste diversion throughout town. The soonest possible reimbursement is slated for June 2026.
- Staff is working with Pedogenic Solutions, LLC to ensure consistency between their town-funded project to increase curbside composting and town messaging and communication around waste diversion.
- Staff is continuing to follow up with Vail Honeywagon to investigate options for residents to include yard waste in their curbside compost bins and other ways we may be able to increase the convenience of recycling and composting without raising rates for all residents.
- Staff has been working with Eco-Cycle, a Colorado non-profit who received grant funding to assemble a toolkit for introducing a finished compost policy. This policy focuses on applying finished compost and mulch on town grounds to close the local waste loop and improve our local environment. More details will be shared in the coming months.

Greenhouse Gas Inventory Update

- Staff continues to clean up the utility data in our Environmental Management System, [Energy Manager by Brightly](#). This will ensure accuracy before it is loaded into our greenhouse gas inventory to measure progress on our goals.

Employee Engagement

- The Town Green Team hosted a Fall FEST event, bringing employees over to the Lower Basin Water Treatment Plant to tour the solar array, explore ideas for an employee garden, and test out the town's electric vehicles. Shoutout to the water team for hosting us!



SPECIAL EVENTS

November 2025

- The town did not host any town-produced events in November.
- Town liaison for November events; BCES Cornhole Flannel Fest and Turkey Trot.
- Event preparation for December events includes WassailFest, Holiday Art Market, Jingle Jog, and Christmas on Broadway.
- Created Christmas on Broadway marketing collateral.
- Staff facilitated the 2025 Community Impact Award; solicited nominations, coordinated plaque and award for winner. Provided nominations to Council to make their selections via a ballot poll. The Mayor honored all nominees and announced the winner, Becky Burgess.
- Staff memo for Town Council to approve Community Grant Program Funding.
- Met with Kyler Forte and Vail Yeti Hockey coming to Eagle. Get your tickets early!
- Mountain Rec will have security staff for the games. Optimum events applied for a liquor license. Security will also help with parking management.
- Planning meeting with Public Works and Eagle PD to discuss the challenges in rerouting the direction of the Christmas on Broadway parade. This year the parade will travel from South to North on Broadway, staging at the Eagle County Building, ending at 2nd Street.
- Event prep for Christmas on Broadway; communication with the parade being re-routed.
- Weekly meetings with Ashley LaFleur, Communications Specialist. Discussions on promoting “Illuminate Eagle” at the Rodeo Rink and Eagle Pool & Ice Rink to drive hockey visitors to local businesses.
- Attended EagleARTS grand reopening at their new location on Broadway.
- Met with Erin Cook who is interested in the different Town advisory committees.
- Marketing responsibilities include; daily updates to eagleoutside.com, Hwy 6 sign, and Instagram.
- Employee Engagement included; Save the Date for the Employee Holiday Party, Employee newsletter
- Andy Clark and his group of volunteers started building the Eagle Outdoor Ice Rink on November 28.

COMMUNICATIONS

- Social media posts in English and Spanish;
 - Repainting Fire Hydrants
 - Wayfinding Planning
 - Election Day Information
 - Haymeadow Trailhead Park Design
 - Christmas on Broadway
 - Veterans Day
 - Food Discussion Panel
 - Wildlife Ordinance Reminder
 - News Release – Town Announces Transition in Town Manager Leadership
 - 2025 Community Impact Award Winner
 - Open Space Trail Projects with VVMTA
 - Open Space and Trails Seasonal Closure Dates
 - Thanksgiving
 - Holiday Art Market
 - Phishing Scams
 - Certified Election Results
 - Jingle Jog 5K
 - Wassail Days
- Emails sent to staff when we post to social media

- Updates to townofeagle.org and Hwy 6 sign
- Updates to Eagle Airport digital sign
- Holiday Closure information in English/Spanish for Town Hall
- Produced WUI Code Timeline/FAQ Sheets
- Produced Eagle Today Newsletter
- Attended Community Engagement Events: E-Bike Survey Open House, Rodeo Rink Ribbon Cutting, Turniphead VVMTA Volunteer Trail Work, Eagle PD at Golden Eagle Senior Center

INNOVATION TECHNOLOGY

November 2025

Broadband update:

- 38 business/government subscribers, 129 residential subscribers, 10 new signups in October
- Broadband revenue generated last month: \$11,846.48

Technical Operations:

Onboarding report:

- Tuwela Moore - Finance, 11/13/2025
- Edie Lengel - HR, 11/17/2025

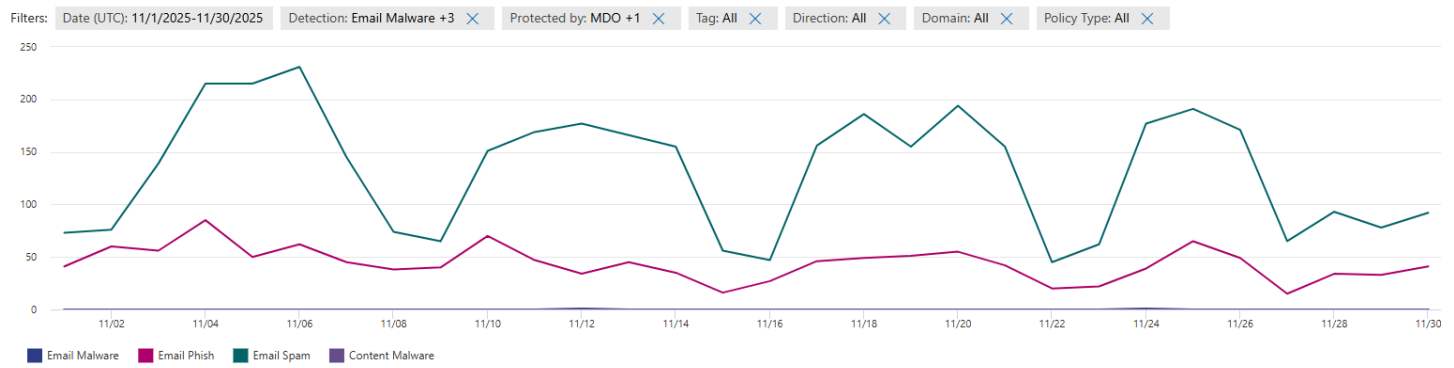
Staff Training:

- IT staff attending Federated Wireless CPI online training in preparation for obtaining in-house certifications

Email threat protection report:

Threat protection status

The Threat protection status report provides information about threats found prior to email delivery, covering relevant detection technologies, policy types, and delivery actions. [Learn more about this report](#)



FINANCE DEPARTMENT

November 2025

Administration / Financial

- **Paycom**
 - We are continuing to troubleshoot the implementation process and have made significant efficiency improvements. There are some open items with Paycom that still need to be resolved, but overall, the system is working as planned.
- **2026 Budget**
 - Important Council Dates
 - ♣ 12/9 TC: Certification of 2025 Mill Levy
 - ♣ 1/31: Certified Copy of Adopted Budget filed with the State
- **Pool Financing**
 - Certificate of Participation (COP) funds for the pool project are being held in a separate Town of Eagle account specifically for the pool financing. We have completed thirteen total project expense draws, totaling \$8,764,665. Including interest earned on the account, the current remaining debt proceeds are \$289,830.
- **Debt Service**
 - Sales Tax Revenue Bond Series 2016: \$221,369 (final payment 2046).
 - Pool COP Series 2025: \$382,956 (final payment 2044).
- **Internal Water Fund Loan to Broadband**
 - No transfers have occurred to date.
- **Short Term Rentals (STRs)**
 - STR Active Permits: 25
 - STR New Permits from Prior Period: 0
 - STR Closed Permits since Prior Period: 0
 - STR Permits in Process: 0
 - Revenue Collection:
 - ♣ Oct 2025: \$1,292 (*compared to 2024: \$1,278, 1% increase YOY*)
 - ♣ YTD 2025: \$24,066 (*compared to 2024 YTD: \$20,216, 19% increase YOY*)
- **Training Attended**
 - Ongoing Paycom training
 - CGFOA Water Fund Sustainability Training (Rachel)
 - CGFOA Annual Conference (Rachel)
 - Tyler Tech Accounting Software Demo (Rachel)

Accounts Payable

Kelly Huitt, our Senior Accountant for the past seven years, left the Town in November for another position in the Valley. We have appreciated her dedication, collaboration, and experience over the years and wish her the best of luck! With Jill Kane still out on maternity leave, we have contracted with Robert Half to provide temporary, part-time support to

manage Accounts Payable, which was one of Kelly's primary responsibilities. The Team is absorbing her remaining duties for the time being. We plan to reassess our Finance Team structure when Jill returns from leave to determine capacity and identify any gaps to be filled.

ACCOUNTS PAYABLE: INVOICES PAID								
MONTH	2020	2021	2022	2023	2024	2025	VARIANCE FROM PY	
JANUARY	205	230	249	285	280	307	27	10%
FEBRUARY	237	217	254	212	278	306	28	10%
MARCH	234	247	243	264	390	293	(97)	-25%
APRIL	137	214	331	259	300	407	107	36%
MAY	162	260	269	388	314	331	17	5%
JUNE	221	400	398	290	309	290	(19)	-6%
JULY	314	239	329	310	386	325	(61)	-16%
AUGUST	241	243	255	312	470	309	(161)	-34%
SEPTEMBER	92	218	222	330	344	342	(2)	-1%
OCTOBER	371	234	301	304	349	458	109	31%
NOVEMBER	244	299	363	273	215	296	81	38%
TOTAL YTD	2,458	2,801	3,214	3,227	3,635	3,664	29	1%

Utilities

- Property Transfers: 3 (YTD: 116)
- New Accounts Set Up: 1 (YTD: 25)
- Utility Red Tags: 24 (2025 Monthly Average: 22)
- Water Shut Offs: 0 (2025 Monthly Average: 0.36)

Water Usage and Budget vs. Actual

Water usage is down (12%) compared to the prior five-year average for November. Water restrictions were implemented in August. YTD 2025 is flat compared to the prior five-year average for the same period.

Revenue from water sales currently stands at 97% of the annual budget for in-town sales (versus 95% prior YTD) and 101% of the annual budget for out-of-town sales (versus 92% at prior YTD). Although water rates increased by 3% in 2025, the Town budgeted for only a 1.25% increase in fee collections, due to sales being dependent on usage.

Water Usage (In Thousands)									
MONTH	2020	2021	2022	2023	2024	PRIOR 5 YR AVG	2025	CHANGE OVER AVERAGE	
JANUARY	17,925	16,564	16,602	15,660	15,813	16,513	17,900	1,387	8%
FEBRUARY	15,981	15,538	14,503	18,016	16,630	16,134	15,400	(734)	-5%
MARCH	15,501	16,099	16,436	13,615	14,814	15,293	14,403	(890)	-6%
APRIL	15,578	17,443	14,988	15,071	16,935	16,003	16,595	592	4%
MAY	34,006	23,775	24,859	17,773	18,715	23,826	26,994	3,168	13%
JUNE	61,463	60,403	51,373	42,130	48,409	52,756	49,898	(2,858)	-5%
JULY	59,749	54,926	54,700	56,705	52,778	55,772	64,513	8,741	16%
AUGUST	68,047	58,490	54,510	61,978	52,501	59,105	60,723	1,618	3%
SEPTEMBER	58,173	57,272	56,490	48,778	45,961	53,335	46,816	(6,519)	-12%
OCTOBER	31,460	28,172	28,272	29,872	32,556	30,066	25,910	(4,156)	-14%
NOVEMBER	16,197	16,892	14,246	15,838	15,916	15,818	13,997	(1,821)	-12%
TOTAL YTD	394,080	365,574	346,979	335,436	331,028	354,619	353,149	(1,470)	0%

Town Council Department Budget to Actual

TOWN OF EAGLE EXPENDITURES WITH COMPARISON TO BUDGET FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025					
GENERAL FUND					
	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL</u>					
10-49-110 SALARIES & WAGES	3,300.00	39,800.00	45,600.00	5,800.00	87.3
10-49-141 UNEMPLOYMENT INSURANCE	6.60	6.60	.00	(6.60)	.0
10-49-142 WORKERS COMPENSATION	.00	66.56	36.00	(30.56)	184.9
10-49-143 HEALTH & INSURANCE BENEFITS	.00	.00	168.00	168.00	.0
10-49-144 FICA - EMPLOYER'S	252.45	3,044.70	3,488.00	443.30	87.3
10-49-225 UNIFORMS	.00	.00	500.00	500.00	.0
10-49-320 LEGAL NOTICES	.00	.00	500.00	500.00	.0
10-49-347 PROFESSIONAL SERVICES	.00	.00	7,000.00	7,000.00	.0
10-49-371 TRAVEL EXPENSE	473.80	1,033.80	5,170.00	4,136.20	20.0
10-49-372 MEETING EXPENSE	.00	1,389.31	5,500.00	4,110.69	25.3
10-49-380 TUITION & BOOKS	135.00	901.90	4,000.00	3,098.10	22.6
10-49-450 SPECIAL COUNCIL FUNDING	.00	.00	5,000.00	5,000.00	.0
10-49-510 INSURANCE	.00	204.33	205.00	.67	99.7
10-49-915 COMMUNITY REQUESTS	.00	42,148.00	50,000.00	7,852.00	84.3
TOTAL TOWN COUNCIL	4,167.85	88,595.20	127,167.00	38,571.80	69.7

HUMAN RESOURCES

November 2025

HRIS (Human Resource Information System):

- HR's primary focus has been on this new system. Go-live date occurred 10/18, pay date of 10/31, 4 payrolls processed, still working out back-end details on implementation, started implementation of recruitment and onboarding. System is already saving time, accuracy and efficiency.

Recruitment – 30 total positions -including 5 Seasonal Rehires, 23 positions filled since January 2025

- Active Recruitment, 4 open positions
 - 2 Street Maintenance Techs, scheduling candidates
 - Building Official –scheduling interviews
 - Buildings and Grounds Tech, reviewing applications
- Positions on Hold (3 on hold):
 - Water Operator – on hold per department
 - Utility Engineer – on hold per department
 - Project Engineer – on hold per department

Safety & Risk Management

- 4 Work Comp claims open
- 13 total claims this year, 6 CIRSA GL-Property Damage Claims open

Other:

- Training for new HR Generalist

- Sent out requests for Employee of the Year Nominations
- Processing Benefits Open Enrollment Nov. & Dec.
- Performance Evaluations sent, processing in Dec.
- Carla C's Spanish Interpretation and Translation, approximately 4.5 hours (20 written translations)

COMMUNITY DEVELOPMENT

November 2025

Planning

LONG RANGE PLANNING

ReCode Eagle – The Land Use and Development Code (LUDC) – [link to code](#)

- Staff are reviewing and editing Chapter 4.17 Administration and Procedures to provide clarity to land use processes, correct omissions, resolve inconsistencies, and modify Section headings and references to be more searchable.
- Chapter 4.17 Status Update: staff have completed a full review of the chapter and provided input to legal counsel on updates needed to improve the administration of the LUDC. Legal has since returned a revised draft for the staff's review, which is underway. Staff plan to present draft text to the Planning Commission and Town Council in the coming months with the goal of adopting a revised chapter early next year.
- Staff are also preparing two miscellaneous Code Amendments to rectify small errors, omissions, and inconsistencies for adoption this year and will also bring forward a work session to discuss a few specific future Code Amendments.

WUI Code

- Staff are actively engaged in the County-wide Wildland Urban Interface (WUI) Code update process, led by the Eagle County Wildfire Collaborative. This initiative involves collaboration with jurisdictions throughout the Valley to create a WUI Code that caters to our local needs.
- The WUI Code, formally known as the State Resilience Code, will support increasing the community's resiliency to wildfires by regulating exterior building materials to ensure they are fire resistant, enacting landscaping guidelines such as the Fire Free 5 that ensure there is not flammable material within 5 feet of the structure, and by ensuring landscaping standards support water-wise, native vegetation that is not highly flammable.
- Staff applied for and were granted free technical assistance from Headwaters Economics to navigate the State Resilience Code adoption process. Staff will be meeting monthly with a cohort of peer communities and with a consultant from Headwaters to discuss the Town's specific needs in this process over the next 6 months.
- Experts from the Eagle County Wildfire Collaborative will be presenting about this Code process at the September 2nd Planning Commission and at the December 9 Town Council meeting in advance of a joint work session on January 6. At this work session staff will be seeking direction on how decision makers would like this Code update to look for Eagle.
 - The Collaborative is also planning to meet with HOAs and other communities, in addition to Town staff, in advance of the January work session.

Administrative Manual

- Staff has been continuing to work on an administrative manual to clearly communicate land use processes to the public. Staff will be posting resources as they're completed, e.g. how the use permit process works, on the Town's website. As this project continues staff will be engaging stakeholder groups like the EVC for feedback to ensure this manual is user friendly and is meeting the community need.

LAND USE APPLICATIONS IN PROGRESS

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

Haymeadow Design Guidelines Update

- This application has been deemed complete and staff is currently reviewing.

Haymeadow RMF-4A/5 Major Development Permit

- Referral comments have been sent to the applicant and they are working through them.

Red Mountain Ranch, Parcel 1

- Has submitted Preliminary Plan Review and Major Development Plan applications; applicant has resubmitted and staff is working through the second round of review and referrals.

446 Broadway

- Has submitted a minor development permit application for a new mixed-use building. Developer's team reviewing referral comments, applicant resubmittal TBD.

1215 Chambers Avenue

- Applications for a lot line adjustment and a Major Development Permit.
- Application is complete and out for referral until October 22.

Henry Annexation

- Annexation, rezoning, and minor subdivision submitted for 220 E. Sixth St. Zoning application to be heard at Planning and Zoning on November 18 for a recommendation to Town Council, and Town Council to have a public hearing on the item on December 9.

New Electric, 629 Sawatch Road – Minor Development Permit

- Application was resubmitted the week of 8.25; referral comments were due on November 7 and have been sent to the applicant.

301 Broadway – Minor Development Permit

- Application is out on referral with the referral period ending October 23, 2025.

481 Whiting- Staff Review (Minor Subdivision)

- Referral comments were due on November 12 and have been sent to the applicant.

Mountain Tots Preschool- Major Development Permit

- Application is out on referral with the referral period ending November 28, 2025.

Bluffs PUD Amendment

- The applicant is making revisions to ensure alignment with HOA covenants and design guidelines.

332 Grand Avenue – Major Development Permit

- Application materials have been submitted and are undergoing a completeness review.

295 Eby Creek Road

- Application materials have been submitted and are undergoing a completeness review.

Administrative Approvals (Encroachment Permits, Sign Permits, Use Approvals)

- Currently reviewing 1 Sign Permit, 0 Encroachment Permit, and 1 Mobile Vending Permits.
 - 2 Sign Permits have been approved and issued so far this year.
 - 3 Encroachment permits have been approved and issued this year.
 - 1 Mobile Vending Permit has been approved and issued this year.

NOTABLE UPDATES

- Software: Staff have selected a software solution and anticipate initiating the project before the end of the year.

This software solution will automate previously manual workflows, consolidate software systems, enhance interdepartmental communication, offer a user-friendly public interface, and more. We are excited to see this project moving forward.

- Staff has met with members of the community on development proposals ranging from small administrative permits to larger development, subdivision, and annexation applications. Pre-application meetings in 2025:
 - January - 2
 - February - 3
 - March - 3
 - April - 2
 - May - 1
 - June - 3
 - July - 5
 - August - 2
 - September – 1
 - October – 2
 - November - 0
- Eddie Wilson, our former Chief Building Official, continues to provide limited support as we continue our search for the next Building Official. His continued involvement ensures a smooth transition and allows us to benefit from his extensive experience and knowledge.
- Peyton Heitzman, the Community Development Director, has announced her departure from the Town to accept a position with Eagle County, with her last day on December 23. Over the coming weeks, the Town will focus on ensuring a smooth transition.

UPCOMING ANTICIPATED APPLICATIONS

- Haymeadow Resubdivision of RMF-3 in Filing 1
- Haymeadow Preliminary Plan

TRAINING/CONFERENCES:

- 2021 IECC residential and commercial overview, and overview of regional energy code amendments.
- Mountain Towns 2030 Regional Forum: Code Readiness for Colorado Mountain Communities.
- Rocky Mountain Leadership Program

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Hockett Gulch Phase II	16186 Hwy 6	Building permits issued for all buildings – one hot tub permit under review for new clubhouse
Haymeadow	91 Mountain Hope Circle	Building permit issued for 5 single family – 3 Single family in review – 3 Townhouses w/ 1 postponed till spring and 2 permits issued
Habitat for Humanity	3 rd Street	TCOs complete – looking for CO's
Stone Concepts of Colorado	85 Marmot Ln	Permit issued
Eagle County BMX	1700 Bull Pasture Rd	Permits expired?
Alpine Lumber Shed	111 Chambers	TCO for shed building – final landscaping inspection required before issuance of CO.
1200 Capitol Project	1200 Capitol St	Building permit issued and construction underway.

Building

The figures below show general activity levels not broken down by permit type (building, plumbing, mechanical, etc.)

TYPE OF WORK PERFORMED	EOY 2023	EOY 2024	YTD 2025
Inspections (n/i Planning, Public Works)	1,885	1944	1595
Permits Processed	411	334	402

P&Z and Council Meeting Schedule

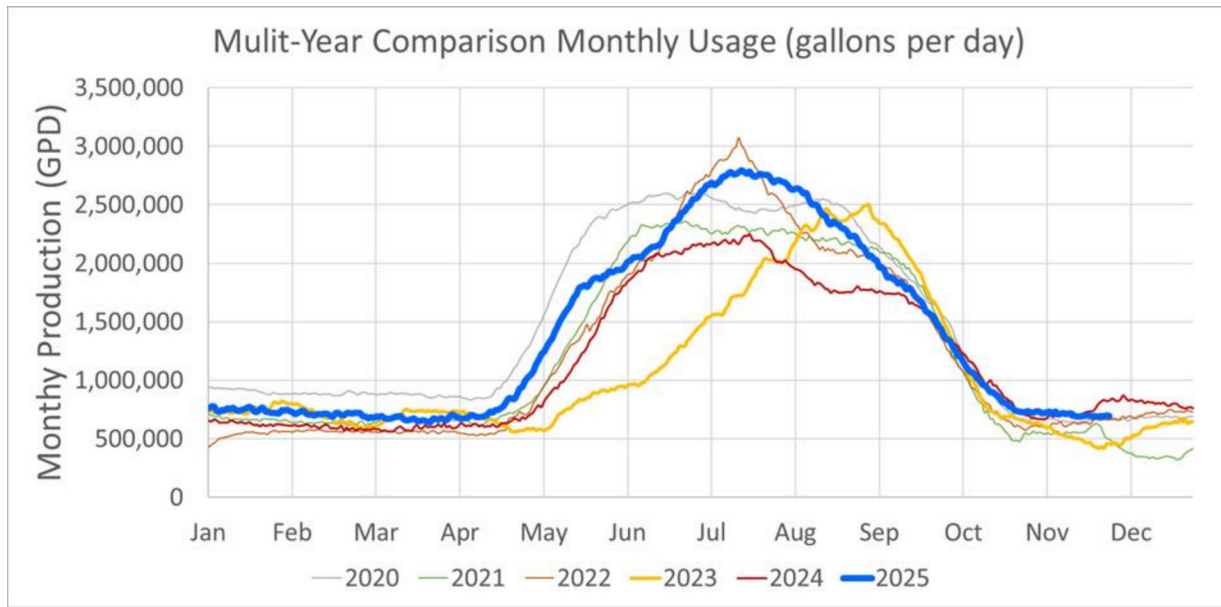
November 2025
November 4 th (Planning Commission) (Continued to 11/18)- LUDC25-06 Misc. #2 Amendment to the Land Use and Development Code - Training
November 12 th (Town Council) LUDC25-05 Miscellaneous Amendments to the Land Use and Development Code
November 18 th (Planning Commission) - LUDC25-06 Misc. #2 Amendment to the Land Use and Development Code - Work Session for Table 4.02-3 Height Limit Exceptions, Chapter 4.08 – Major PUD Amendment Process, and Chapter 4.11 – Landscaping Standards for Turf in alignment with SB24-005
November 25 th (Town Council) - cancelled
December 2025
December 2 nd (Planning Commission) cancelled
December 9 th (Town Council) - Presentation for Eagle County Wildfire Collaborative - LUDC25-06 Misc. #2 Amendment to the Land Use and Development Code - Work Session for Table 4.02-3 Height Limit Exceptions, Chapter 4.08 – Major PUD Amendment Process, and Chapter 4.11 – Landscaping Standards for Turf in alignment with SB24-005.
December 16 th (Planning Commission) - Bob's Rules - Dinner
December 23 rd (Town Council) - cancelled

PUBLIC WORKS

November 2025

Water (Stephan Wilson, Utilities Manager)

- Production: Weekly water production has decreased to below 0.7 million gallons per day (MGD) through the month of November. The peak production for July 2025 was 0.6 MGD higher than 2024 however fall production has now aligned with the 5 previous years.



Brush Creek is currently flowing between 20 and 25 CFS through Town (11 to 15 MGD).

- **Lower Eby Creek Booster Pump Station Replacement:** Work is currently being completed on site for yard piping for the suction and discharge tie-ins for the new booster pump station. The new booster pump station is scheduled for a January delivery to ensure there is adequate time for the foundation to be constructed. Additional yard piping and work within the roadway will need to occur in Q1/Q2 of 2026.



- **Cemetery Tank:** The contractor (Phoenix) completed the installation of the tank floor rebar mats and poured the floor on October 21. The initial breaks have returned with a strength of over 4,000 psi. The tank shell is scheduled for delivery in the next week. Assembly of the new tank is anticipated to take 4-6 weeks.



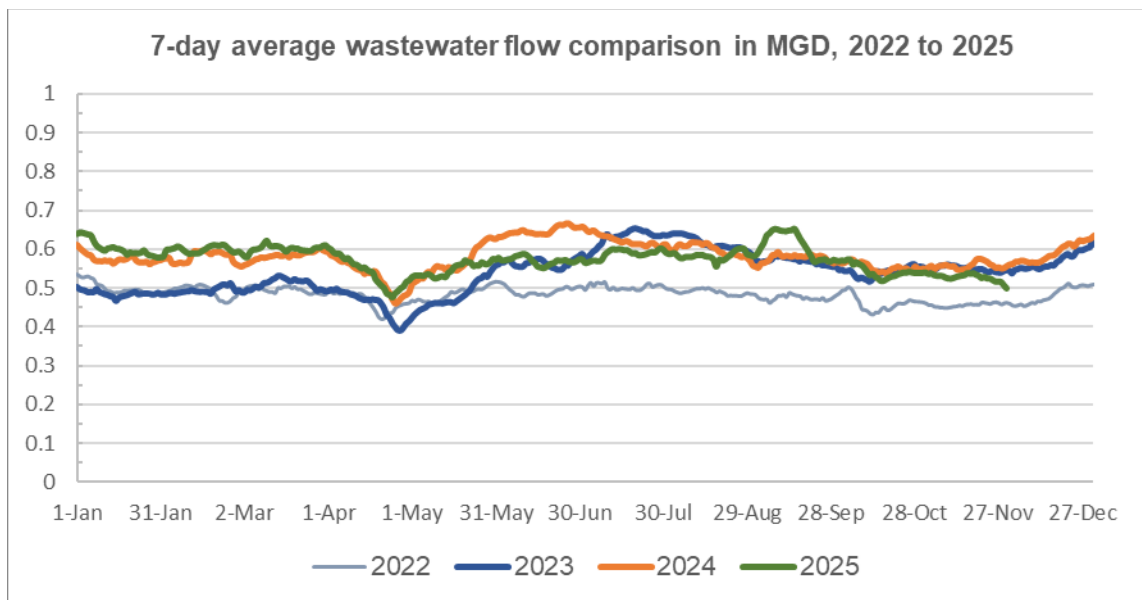
- **Brush Creek Transmission Main Replacement:** The contractor (Gould) completed the fusing of 5,000 linear feet of new 24-inch HDPE waterline from the Old Adam's Rib Ranch HQ to Hardscrabble Rd. Potholing at the north end of the alignment is indicated that there is likely and additional 600 to 800 LF of old piping that needs to be replaced and added into the project scope.



- **East Eagle Tank:** The 30% design package has been prepared and submitted to the Town for review. The CMAR documents – RFQ package have been prepared and submitted to the Town for review.

Wastewater (Stephan Wilson, Utilities Manager)

- **Flows:** Weekly wastewater flows have trended at 0.50 MGD for November, remaining identical to back to school flows from previous years. The plant is currently running at 30% of the design capacity of 1.65 MGD.



- **Wastewater Treatment Facility (WWTF) improvements:** The wastewater improvement project is moving forward. Phase 1 of the design is progressing to 90% design which includes long lead time equipment for blowers, pumps, and electrical equipment. Phase 2 will be for the new building that will house supplemental chemical feeds for Alum, carbon (Micro-C) and 30% sodium hydroxide (caustic soda) required for Total Inorganic Nitrogen (TIN) and Total Phosphorus (TP) removal is currently progressing to 60% design. Initial cost estimates have been received for Phase-1 and Phase-2.
- The Town received a second public notice for permit modification No. 1(v2). This Town is currently collaborating with the Division to resolve the existing modification requests and pending permit renewal.

OPEN SPACE & TRAILS (Alex Smiley, Open Space and Trails Manager)

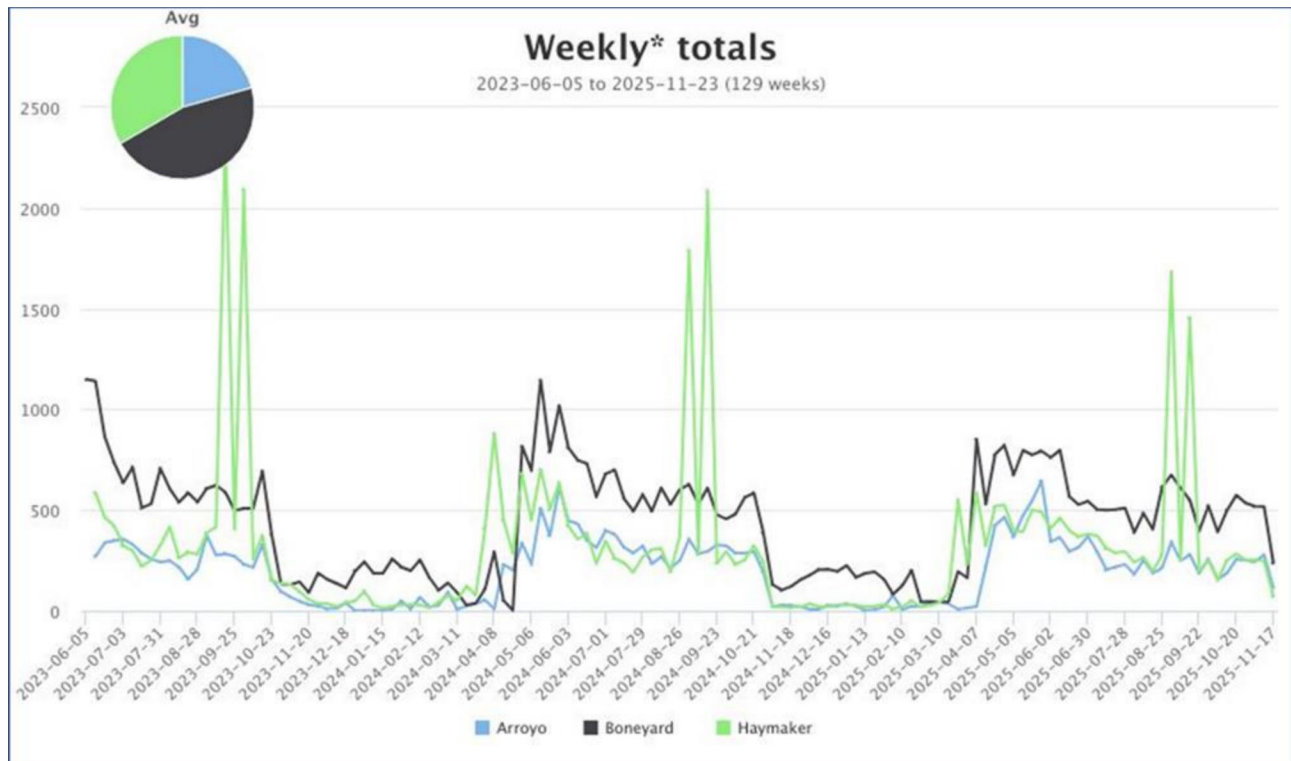
November 2025

- **Seasonal Closures**
 - All town managed Open Space Trails outside of the first two loops of Haymaker and Charley Brown Trail, are closed to protect wintering wildlife December 1st through April 15th. The gates were shut and signs were installed on Monday. This not only gives wildlife a chance to breathe, but it also protects trails from more damaging winter use. Repairing trails from ice and mud related erosion is a heavy lift, one that is greatly assisted by the seasonal closure.
- **Trailhead Kiosk Signage Update**
 - With help from VVMTA, the Town's open space trailhead kiosks received updated signage that includes improved Spanish-language translations and reflects current trail alignments.
 - The first sign was installed at the Haymaker Trailhead during Latino Conservation Week in September, with over 20 Spanish-speaking volunteers replacing the kiosk panel, pulling invasive weeds, and removing trash ahead of a storm.
 - As of November 21st, all of the Trailhead kiosks have been updated.



- **Trail Counter Data**

- Three trail traffic counters, located on Boneyard, Haymaker, and Mayer Gulch (Arroyo), have been collecting consistent data since June 2023.
- These counters track motion only and cannot distinguish between hikers, bikers, dogs, or wildlife, so numbers represent general activity levels rather than exact user counts.
- Key Trends
 - ♣ Overall, trail use is down since COVID.
 - ♣ Boneyard receives the most use.
 - ♣ A large spike occurs in spring after the closures are lifted, use levels off in summer, and drops drastically in late fall into winter.
 - ♣ Haymaker sees a substantial jump in use from the High School MTB race in September.



- **Volunteer Projects**

- o Due to the unseasonably nice weather this November, we were able to sneak in a couple of last minute volunteer projects.
 - ♣ Volunteers, with the help of town staff and VVMTA, replaced the failing cattle grate at the Lov Connection/3rd Gulch junction.



- Boy Scout Troop 231 helped to remove over 300 feet of old barbed wire fence from Open Space property by Turniphead Trail.



POLICE DEPARTMENT

November 2025

2025 November Calls for Service: 1,236

2025 Jan-Nov Calls for Service: 14,340

2024 November Calls for Service: 926

2024 Jan-Nov Calls for Service: 10,681

DEPARTMENT ANNOUNCEMENTS:

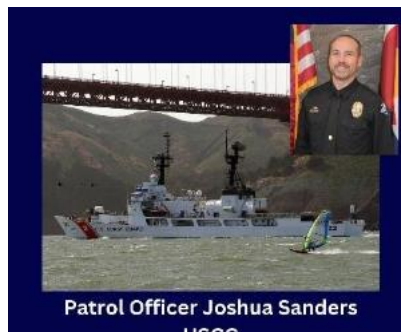
SCAM ALERT: Eagle Police Department would like to inform the community of recent phishing scams targeting permitting applicants for the Town of Eagle. "Phishing" is a form of online fraud where attackers impersonate trusted sources, such as the Town of Eagle, the Community Development Office, banks, and utility companies. We would like to remind everyone to carefully review any invoice or bill you receive. We are here to help! If you have any questions about the legitimacy regarding an invoice you receive from the Town of Eagle, please call the Town directly at 970-328-6354. We encourage reporting any attempted phishing scams to the police department directly at 970-479-2201.



FAITH AND BLUE: We had a great time at the Faith & Blue event at Grace Fellowship in Gypsum! It was great to hang out with our community, share some good food, and have some meaningful conversations. Events like this remind us of the power of unity, understanding, and compassion when we come together with open hearts. A big thank you to Grace Fellowship for hosting and to everyone who came out to connect with us.



VETERANS DAY: In honor of Veterans Day, we'd like to recognize everyone who has bravely served our country, especially our own team members at Eagle Police Department. On our team, we have three veterans: Sergeant Daniel Suehrstedt, Officer Joshua Sanders, and Code Enforcement Officer Ronald Delp. Daniel Suehrstedt served for six years in the US Airforce and retired as a Staff Sergeant (E5). Joshua Sanders served in the US Coast Guard from 1995-1999. His last duty station was on the US Coast Guard Cutter Morgenthau (WHEC 722) as a PO 3rd Class and his specialty was Fire Control Technician. Ronald Delp served in the US Airforce E-4 Mafia for six years and some of that time was spent as a firefighter.



WINTER DRIVING: As the winter season continues, we encourage the community to follow these safe winter driving tips:

- Slow down and adjust your speed to road conditions.
- Leave extra space between vehicles for longer stopping distances.
- Check tire tread and pressure regularly.
- Keep your windshield washer fluid full and vehicle lights clear of snow.
- Brake gently and avoid sudden movements to prevent skidding.
- Do not use cruise control on slippery roads.

To sign up for local emergency alerts, including road closures, visit www.ecalert.org. Even if you're already signed up, it's important to login regularly to make sure your contact information is up to date. For updated road and weather conditions on the i-70 corridor, check www.cotrip.org.

SENIOR CENTER PRESENTATION: Sergeant Westering and Officer White spent one afternoon at Castle Peak Senior Center serving lunch and engaging with the residents and staff. Following lunch, Sergeant Westering and Officer White gave a presentation to the residents addressing common scams, how to identify and protect themselves from common scams, as well as steps to take if they believe they've been scammed. The residents were also given handouts for reference and were thankful for the time spent with our officers!

WINTER COAT DRIVE: We're collecting donations for the Winter Coat Drive through December 13. Please consider donating new or gently used coats, snow pants, hats, gloves, and boots of all sizes. Every item will be distributed to the Youth Closet in Eagle-Vail, helping local families stay warm this winter.



SPEED TRAILER UPDATE: The speed trailer was placed on Capitol and 6th street facing Southbound from 11/15-11/21.



Extended Speed Summary

Capitol/6th SB, SB

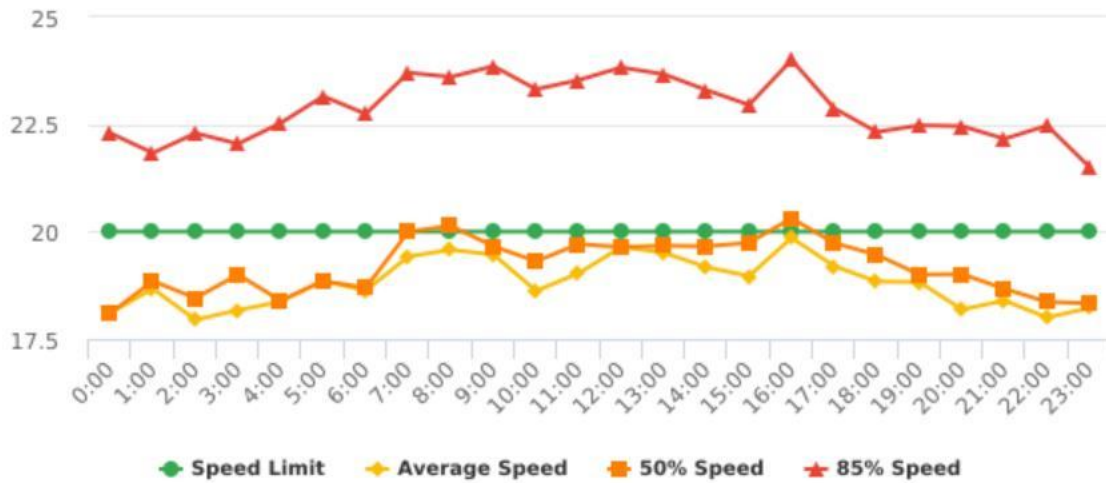
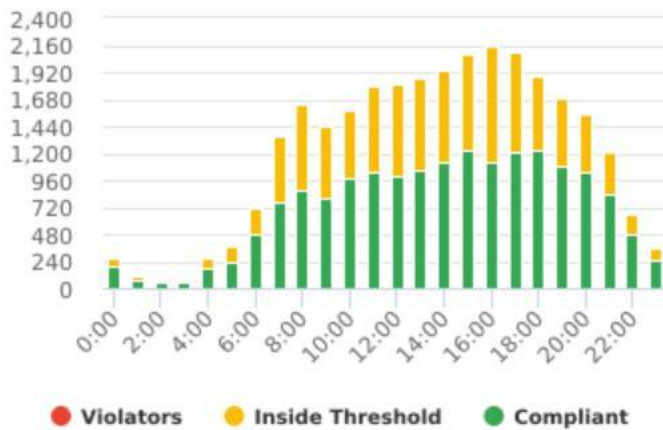
Start: 2025-11-15
End: 2025-11-21
Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10
Speed Range: 1 to 150

Overall Summary

Total Days of Data: 7
Speed Limit: 20
Average Speed: 19.06
50th Percentile Speed: 19.51
85th Percentile Speed: 23.14
Pace Speed Range: 14-24

Minimum Speed: 10
Maximum Speed: 39
Display Mode: Dependent Messages
Average Volume per Day: 4139.1
Total Volume: 28974



UPCOMING EVENTS:

SHOP WITH A COP: We are looking forward to Shop with a Cop scheduled for December 9, 2025. Those looking to support this incredible event can find more information on our website here:

[Shop With a Cop | Town of Eagle, CO - Official Website.](#)

With the support of our wonderful community, we hope to provide a local school-age child with a positive experience with an Eagle Police Officer. In December, each child selected will be paired with an officer who will spend an evening helping them Christmas shop for their family. After shopping is complete, the children will be taken to 4-Eagle Ranch where their gifts will be wrapped, and dinner will be served. Additionally, we hope to provide each family with a complete holiday meal basket.

Your Eagle Police Department staff consistently look for opportunities to give back to our wonderful community. This program was designed for that purpose – to assist less fortunate families during the holiday season.



CHRISTMAS ON BROADWAY: Eagle's annual Christmas parade takes place on Saturday, December 6th at 5:30 pm on Broadway. We hope you'll join us!



MUNICIPAL COURT

November 2025

MUNICIPAL COURT

NOVEMBER 2025 REPORT

Court Held on:

Citations Issued	Current	YTD	2024	
Animal Control		6	37	52
Misdemeanor/Ordinance		1	9	22
Parking		0	65	142
Traffic		3	71	114
Total		10	182	330

Fines and Fees Collected	Current	YTD	2024	
Total Court Costs		\$-	\$1,710.00	\$5,780.00
Total Fines	\$1,450.00		\$21,145.00	\$23,535.00
Total Surcharges	\$130.00		\$2,750.00	\$3,200.00
Total Third Party (Restitution)		\$-		\$4,299.21
Total	\$1,580.00		\$25,605.00	\$36,814.21

Dispositions (Payments or Court Appearances)	Current	YTD	2024	
Animal Control		2	13	47
Juvenile		0	3	7
Misdemeanor/Ordinance		1	2	9
Parking			15	132
Traffic		6	37	113
Total		9	70	308

Outstanding Fines and Fees at Collections	Total	Collection
Current	\$80.00	
1-30 Days Past Due	\$1,315.00	
31-60 Days Past Due	\$360.00	
61-90 Days Past Due	\$350.00 ** At Collections	
91-180 Days Past Due	27,212.47 ** At Collections	



To: Mayor Woods and Town Council
From: Nikki Davis, Economic Development & Housing Specialist
Date: December 9, 2025
Agenda Item: Economic Development Initiatives Update

Staff has prepared the following update regarding two major economic development initiatives currently underway: the Wayfinding Study & Implementation Plan and the upcoming Business Advancement Program. Both initiatives advance the Town's strategic goals of supporting local businesses, enhancing visitor experience, strengthening downtown, and elevating Eagle's sense of place. They are also core implementation actions of the 2023 Economic Development Plan. Together, these efforts move forward the Plan's emphasis on placemaking, business retention and expansion, and creating a more resilient local economy.

These initiatives are in the final stages of development, and this memo is intended to orient the new Town Council to project status, progress to date, and next steps.

Initiative 01. Wayfinding Study & Implementation Plan.

Following the award of a \$20,000 grant from the Colorado Tourism Office, the Town contracted with Michael Baker International to lead the Wayfinding Study, which began in August. The goal of this effort is to design a unified, updated, and functional signage system for the town. The project will create standards for gateway signage, vehicular and pedestrian navigation, trail connections, and district identity, ultimately improving mobility, strengthening aesthetic cohesion, and enhancing how residents and visitors move through and experience Eagle.

Michael Baker International is a nationally recognized planning and design firm with a deep Colorado presence and extensive experience working in mountain towns. Their project team, led by Kristin Cypher, has delivered built signage systems in communities such as Estes Park, Buena Vista, Granby, Leadville, and Mt. Crested Butte. Their blend of strategic planning, placemaking, and signage design expertise, paired with familiarity with Colorado's regulatory environment and outdoor-oriented communities, made them a strong match for Eagle's needs. Notably, Kristin is already familiar with Eagle, having contributed to the Broadway Streetscape Renovation approximately 20 years ago, giving her valuable historic context on our community.

The Colorado Tourism Office's Tourism Management Grant supports infrastructure and planning projects that enhance visitor experience across the state. The grant provides up to \$20,000 with a 4:1 match requirement and must be used within a one-year timeframe. All work must be completed by April 30, 2026.

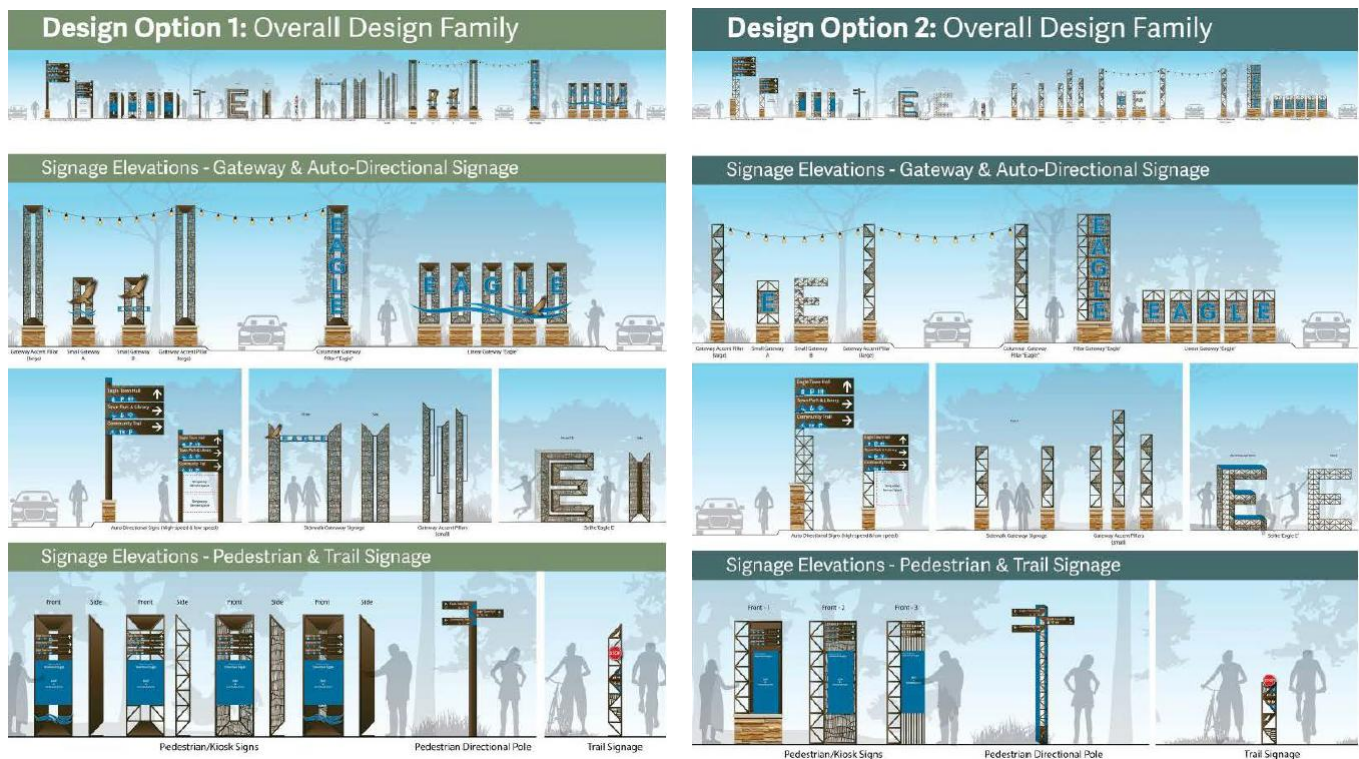
Community Engagement

Since kick-off, the project team has engaged the community through a variety of touchpoints, including:

- ✓ Targeted advisory group and stakeholder discussions (MEAC, DDA, EVC, OSRAC, Public Works and Open Space, Eagle Ranch, Eagle County, and the Town of Gypsum)
- ✓ A preliminary community-wide survey
- ✓ In-person outreach and one-on-one stakeholder interviews
- ✓ Dot-voting activities at public events
- ✓ Field tours and hands-on design workshops

In addition to background research, the outreach process shaped both site priorities and preliminary design. We gathered preferences around materials, legibility, lighting, color palettes, iconography, and alignment with Eagle's outdoor-oriented identity. Engagement with neighboring and overlapping jurisdictions also generated ideas for coordination and shared implementation.

Preliminary Design Option 1 and Design Option 2:



Current Phase

The project is now in *Phase 3: Final Design and Ideas for Implementation*. The project team has prepared a full family of signage types, including daytime and nighttime variations, for community review. A final design survey is currently live through December 17, allowing residents to provide feedback on sign hierarchy, district colors, trail markers, and priority locations for installation.

What the Project Will Deliver

The project team will present the final Wayfinding Plan and complete project close-out with the Council in January. This effort builds on several planning documents including the Elevate Eagle Comprehensive Plan, Open Space & Trails Master Plan, Safe Streets 4 All Action Plan, and the CU Denver Mountain Summer Studio to ensure the final system is closely aligned with and supportive of Eagle's broader community goals.

The final deliverable is intentionally implementation-focused: a system ready for engineering, fabrication, and installation. With a vetted implementation roadmap, the Town will be well-positioned to pursue phased installation as well as external funding and partnership opportunities.

As part of the FY 2026 Capital Improvement Fund, the Town Council approved \$70,000 to spur wayfinding improvements. Of that amount, \$15,000 is earmarked from the Open Space Fund and, if deployed, will be directed specifically toward Open Space-related wayfinding and signage elements.

Footnotes

- [Wayfinding Plan Project Page](#)
- [Wayfinding Final Design Community Survey](#)

Initiative 02. Business Advancement Program

In partnership with the Economic Vitality Committee (EVC), staff are preparing to launch the Business Advancement Program (BAP), a town-wide incentive that supports Eagle's emerging, expanding, and established businesses through one-to-one matching grants. The program is co-funded by a \$100,000 grant from the Colorado Department of Local Affairs' (DOLA) Rural Economic Development Initiative (REDI) and \$20,000 in matching funds approved by the Town Council. A total of \$120,000 in project funding will be available. The BAP builds on the demonstrated success of the 2024–2025 Downtown Eagle Project Investment Program, administered by the Downtown Development Authority (DDA). This program was also supported through a REDI grant. At this time, the BAP is structured as a one-time Town initiative.

Program Objectives

The Business Advancement Program has been designed to:

- Support capital, operational and site improvements.
- Stimulate local economic activity and spur private investment throughout Eagle’s commercial hubs.
- Strengthen the local entrepreneurial ecosystem by funding training and skill-building opportunities that help businesses grow and innovate.
- Incentivize business projects and sustainability improvements that support the Town’s Net Zero by 2030 goals.
- Improve workforce attraction and retention by providing a dedicated housing stipend option that helps locals live and work in Eagle.

What the Program Funds

Eligible categories (based on draft guidelines) include:

- Interior and exterior building improvements
- Equipment purchases that expand production or services
- Technology enhancements
- Employer-matched workforce housing stipends
- Startup funding for new or expanded business offerings

Projected Timeline

- January 2026: The program will open with a 45-day application window. Staff will also amplify outreach and public communication to drive participation.
- April 2026: The EVC will serve as the review panel, evaluating applications and submitting funding recommendations to the Town Council for final approval.
- Spring/Early Summer 2026: Award announcements and grant agreements executed.
- 2026–2027: Project implementation and reimbursements.
- July 2027: DOLA grant contract ends.

What Success Will Look Like

Success will be defined by businesses feeling supported and able to take meaningful steps forward, whether improving their space, expanding services, or directly supporting their workforce. It also means seeing creative and sustainability-focused ideas move into action. Collectively, these outcomes will strengthen the business community and deliver visible benefits to residents, visitors, and Eagle’s overall economy.

Footnotes

- [DRAFT – Program Guidelines and Resources](#)
- [DRAFT – Scoring Rubric](#)
- [DRAFT – Application Form Outline](#)

Town of Eagle

Sales Tax Report

YTD 09/30/2025

Sales Tax Earned by Revenue Period

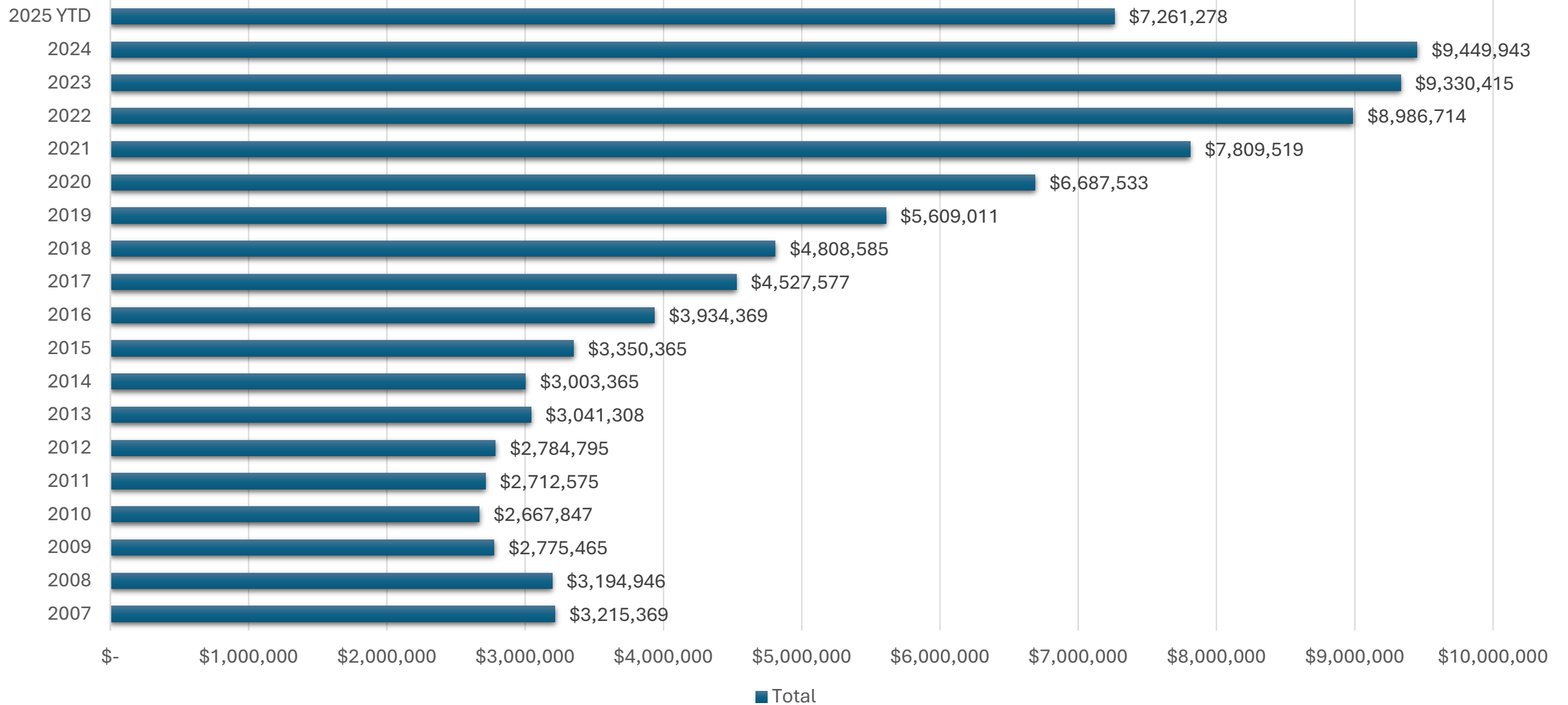
- Online Sales
- Motor Vehicle Sales
- Everything Else

ANNUAL TOTAL SALES TAX INCLUDING MOTOR VEHICLES

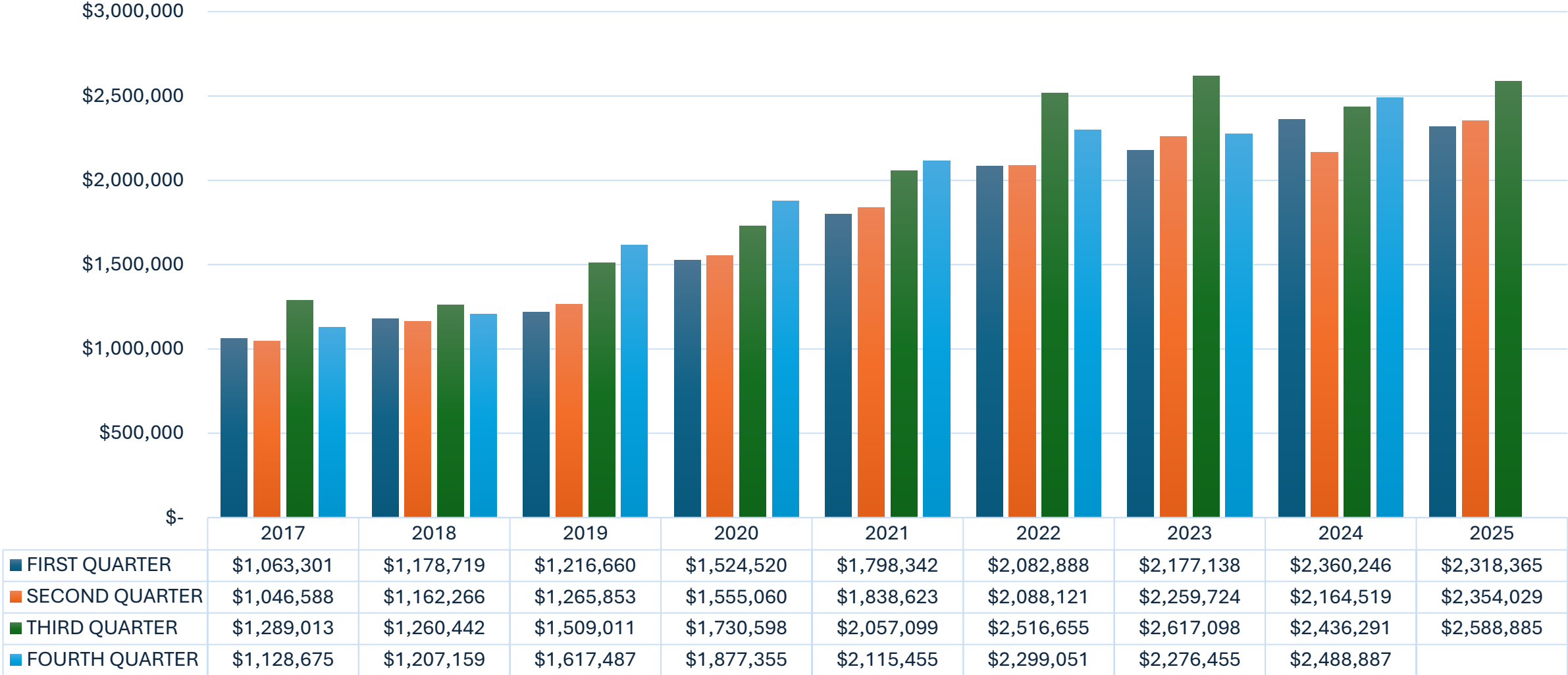
2007-2025

REVENUE PERIOD TOTALS

**2016 - PRESENT INCLUDES 0.5% SALES TAX INCREASE*



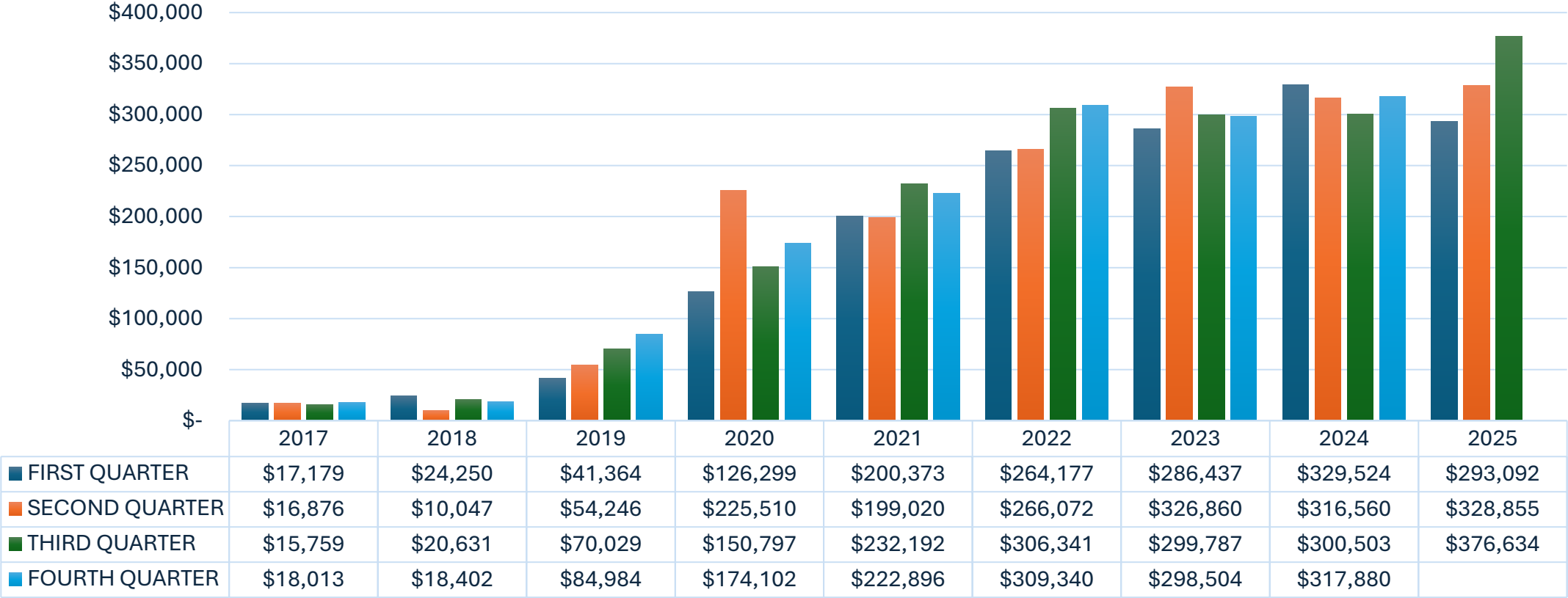
TOTAL SALES TAX BY QUARTER INCLUDING MOTOR VEHICLES
2017-2025
REVENUE PERIOD TOTALS



FIRST QUARTER SECOND QUARTER THIRD QUARTER FOURTH QUARTER

2024-2025 YTD Increase 4.3%

ONLINE SALES TAX BY QUARTER
2017-2025
REVENUE PERIOD TOTALS

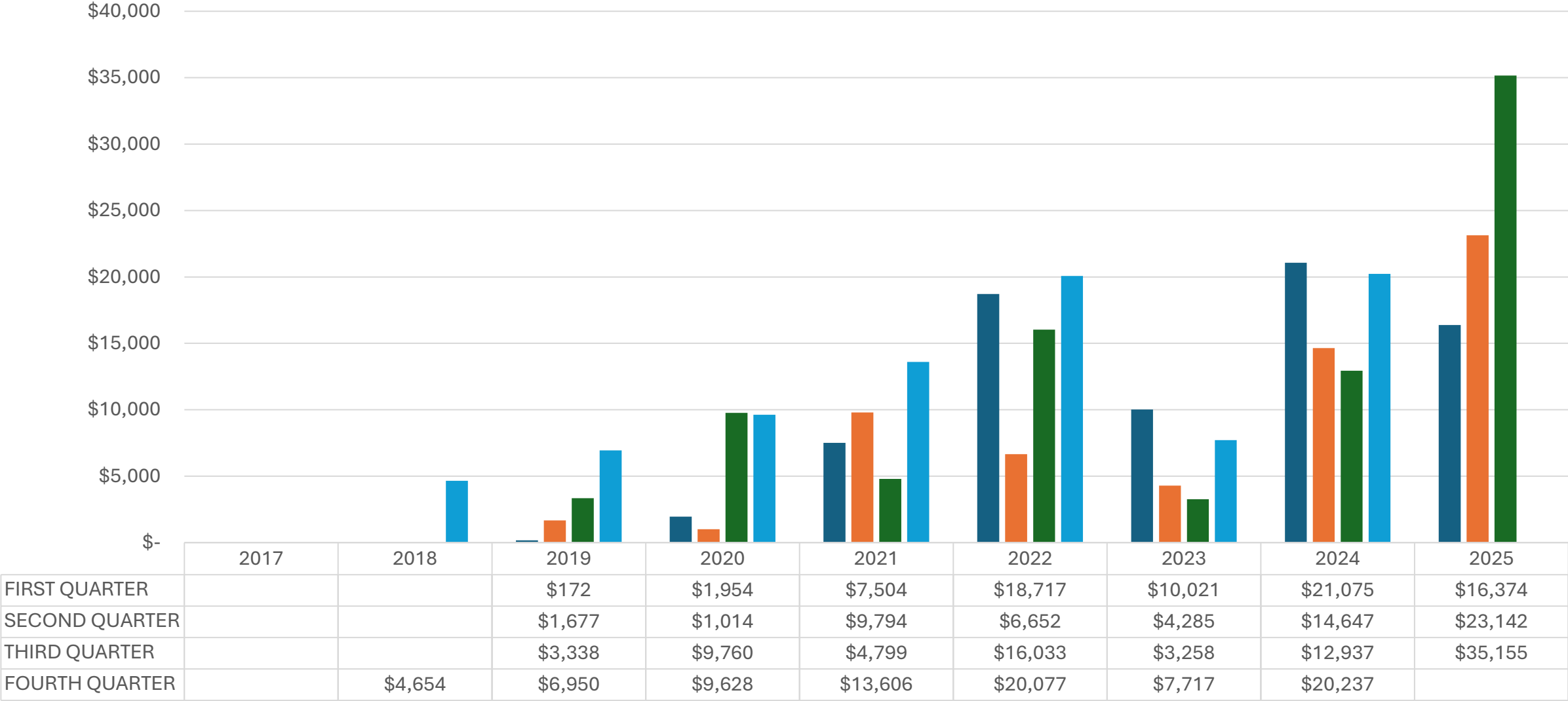


FIRST QUARTER SECOND QUARTER THIRD QUARTER FOURTH QUARTER

2024-2025 YTD Increase 5.5%

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

MOTOR VEHICLE SALES TAX BY QUARTER
2017-2025
REVENUE PERIOD TOTALS



FIRST QUARTER SECOND QUARTER THIRD QUARTER FOURTH QUARTER

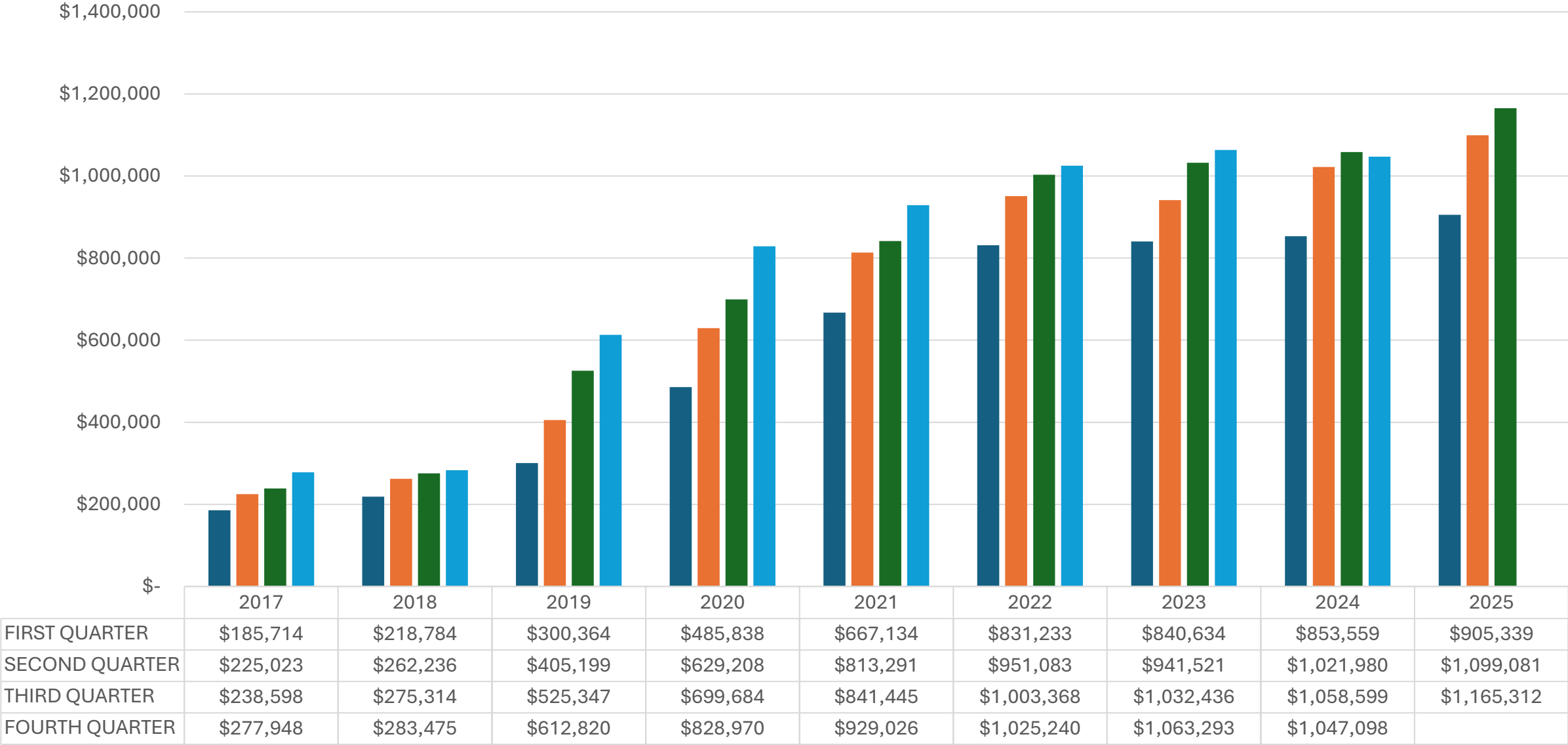
2024-2025 YTD Increase 53.5%
Page 70 of 159

Sales Tax Collected by Source Type

- Retail
- Food
- Restaurants & Bars
- Liquor Stores
- Lodging
- Utilities
- Automotive
- Building / Construction

RETAIL QUARTERLY COLLECTIONS

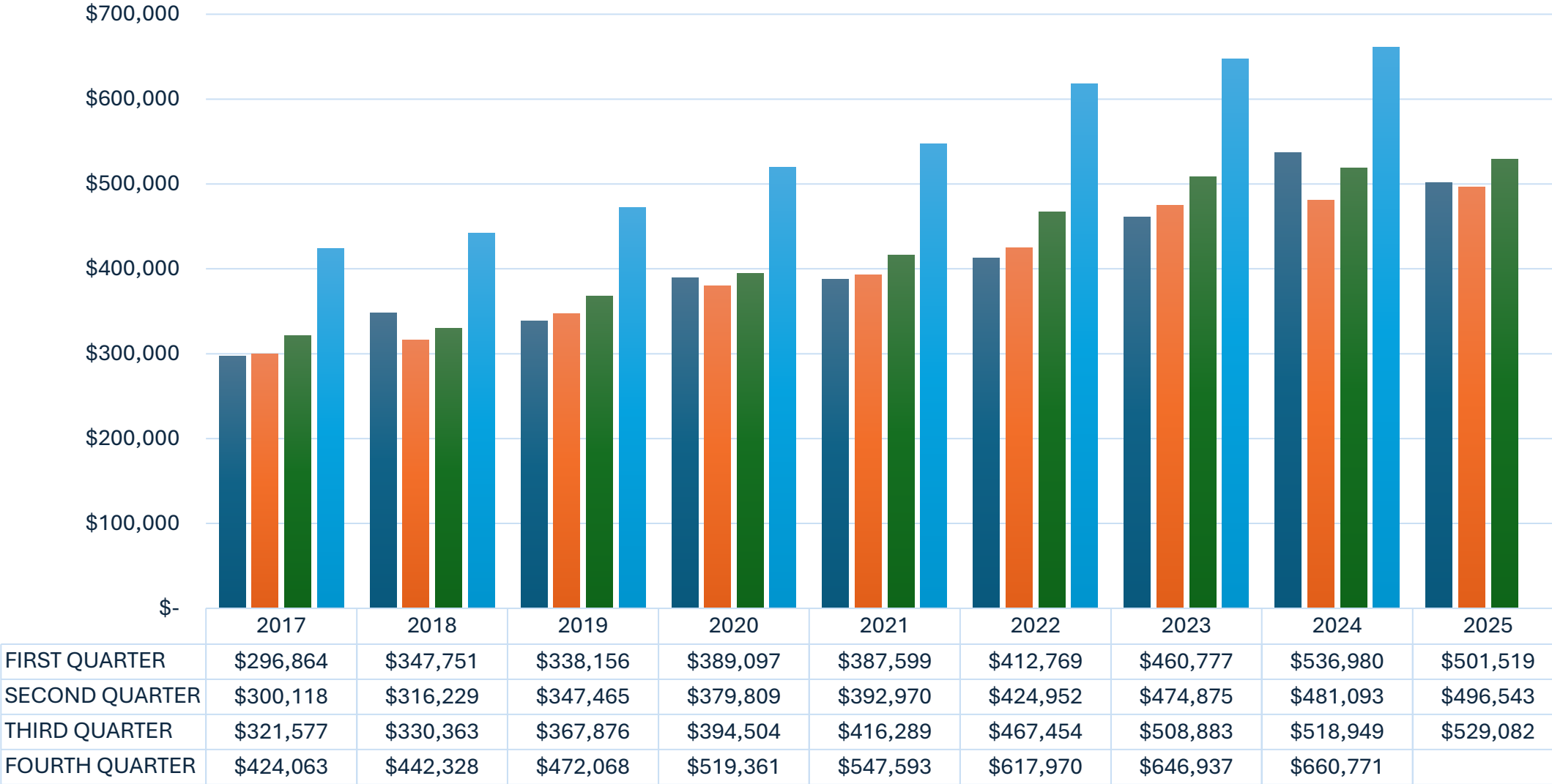
2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

FOOD QUARTERLY COLLECTIONS

2017-2025

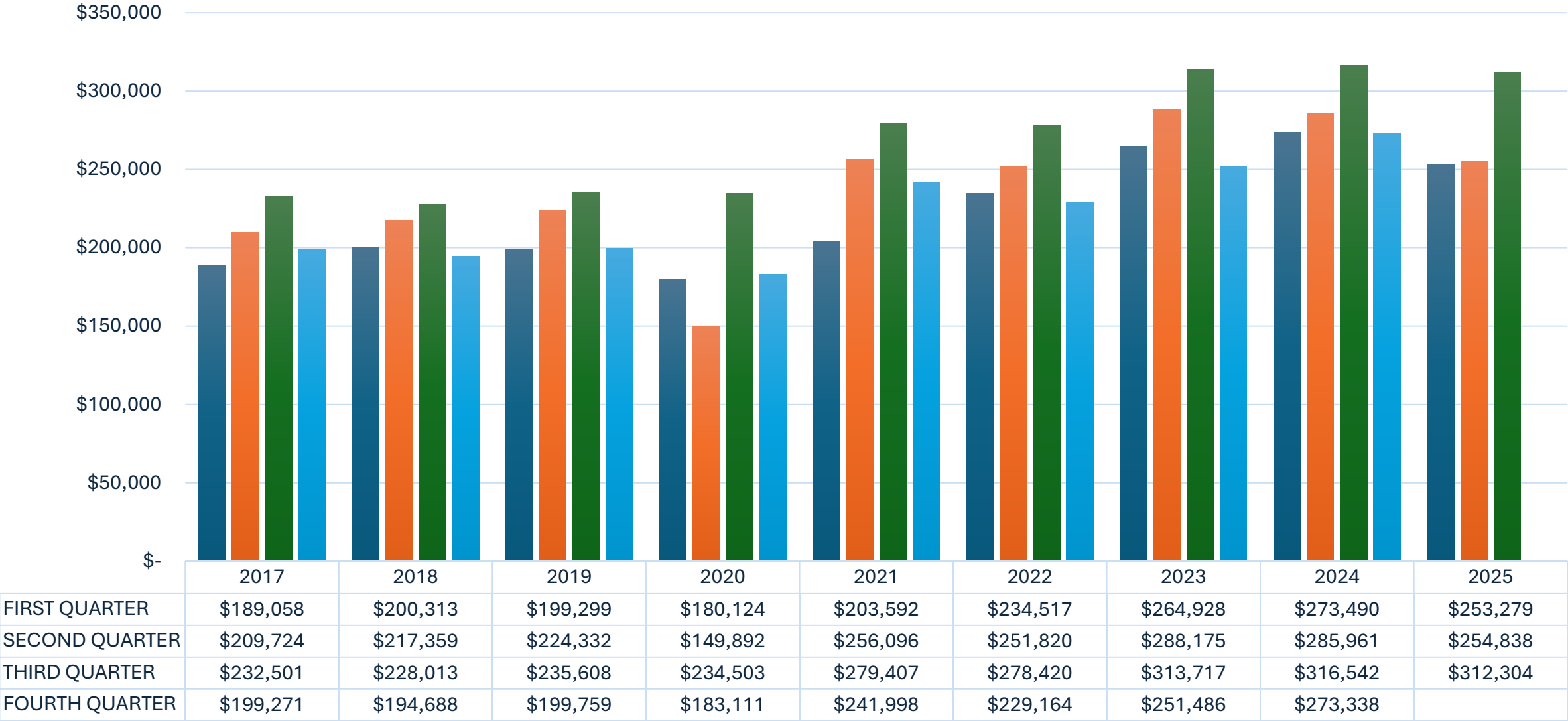


FIRST QUARTER SECOND QUARTER THIRD QUARTER FOURTH QUARTER

2024-2025 YTD Decrease (0.6%)

RESTAURANTS & BARS QUARTERLY COLLECTIONS

2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

2024-2025 YTD Decrease (6.3%)

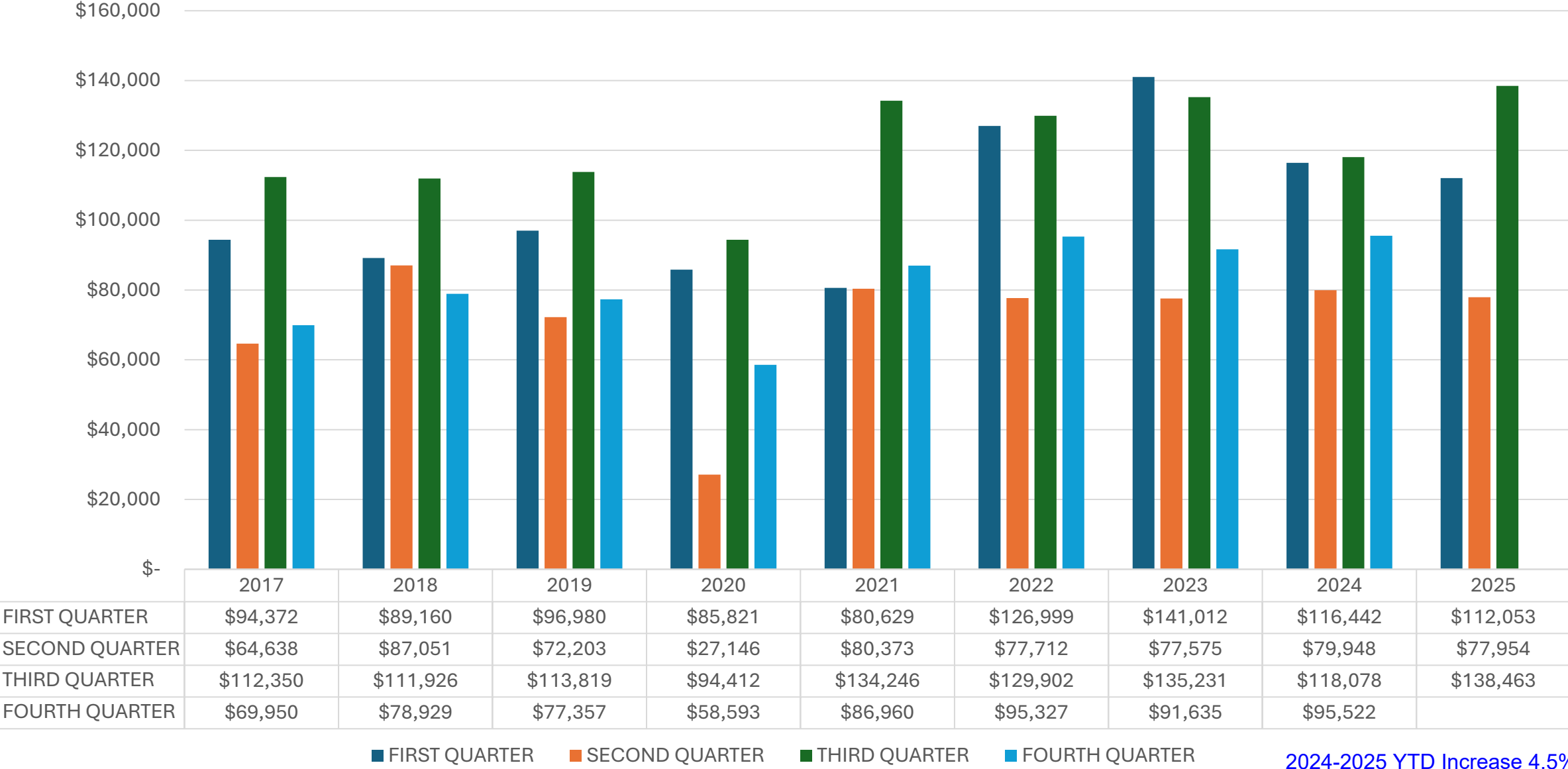
LIQUOR STORES QUARTERLY COLLECTIONS

2017-2025



LODGING QUARTERLY COLLECTIONS

2017-2025



2024-2025 YTD Increase 4.5%

UTILITIES QUARTERLY COLLECTIONS

2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

2024-2025 YTD Decrease (0.9%)

AUTOMOTIVE QUARTERLY COLLECTIONS

2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

2024-2025 YTD Increase 3.6%
Page 78 of 159

BUILDING/CONSTRUCTION QUARTERLY COLLECTIONS

2017-2025



2024-2025 YTD Increase 3.1%

Sales Tax Collected by Location

- Downtown District
- Chambers Avenue
- Market Street
- Grand Avenue
- Eagle Ranch
- Other Areas, including Online

DOWNTOWN DISTRICT QUARTERLY COLLECTIONS
2017-2025

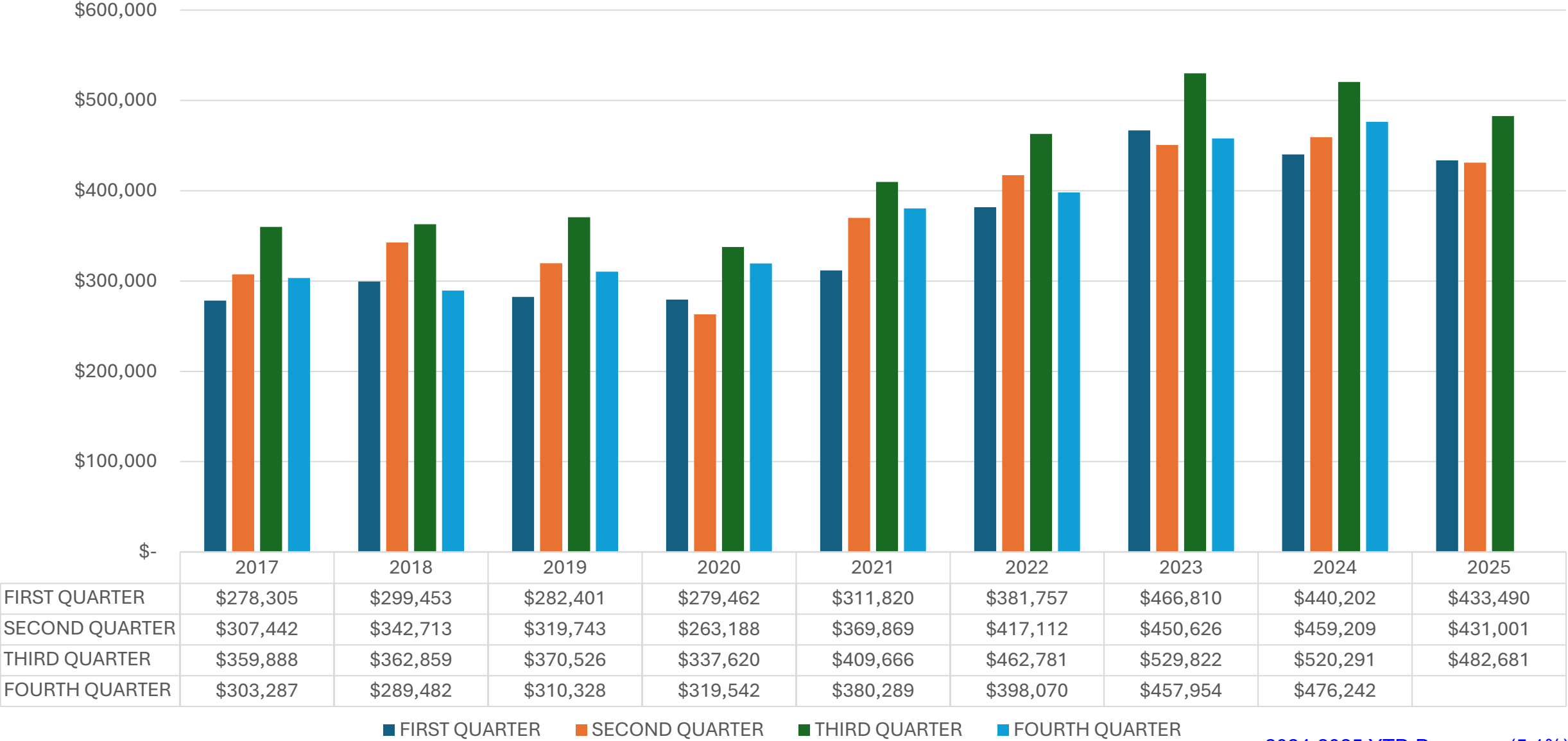


FIRST QUARTER SECOND QUARTER THIRD QUARTER FOURTH QUARTER

2024-2025 YTD Increase 17.2%

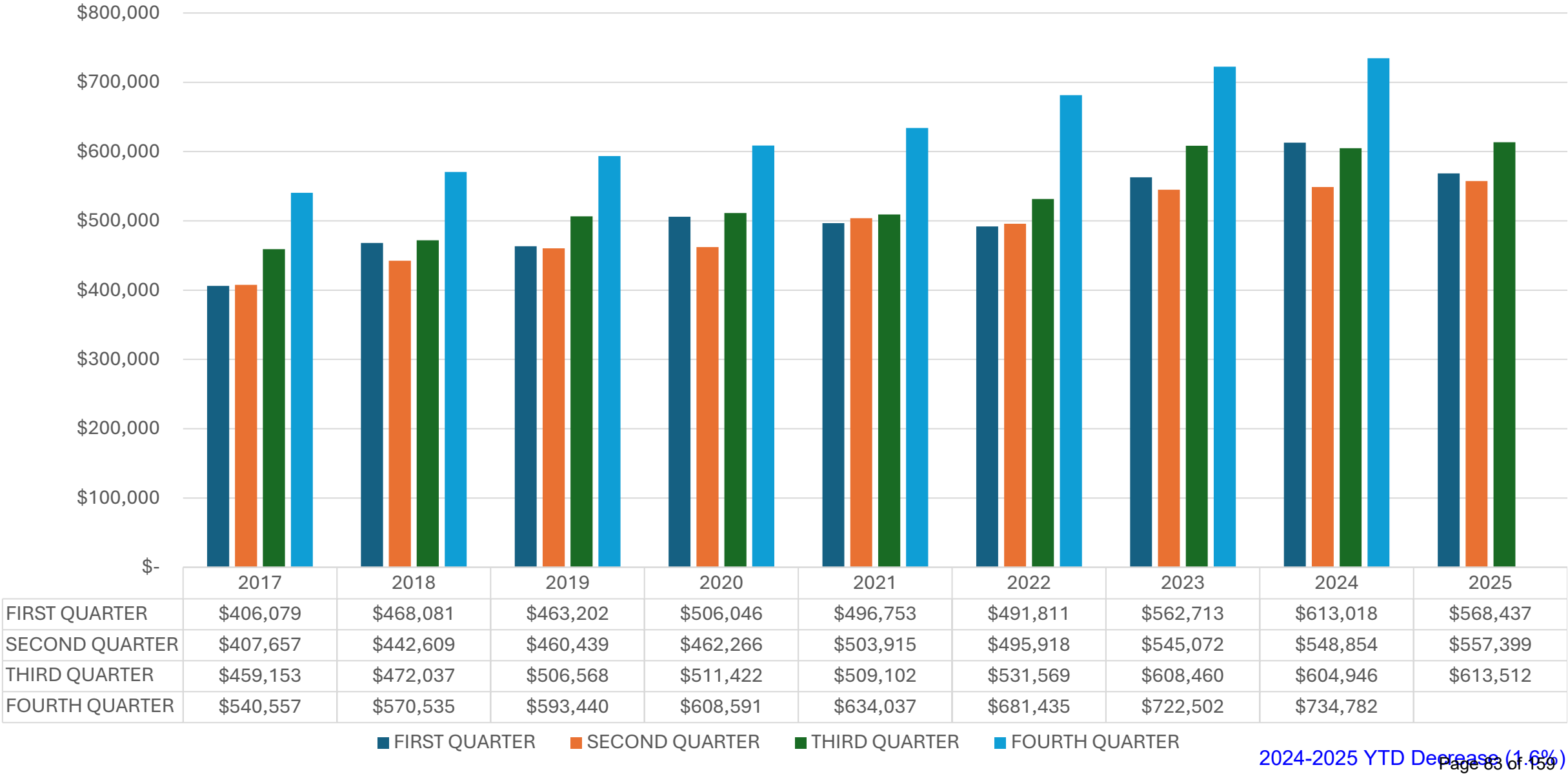
CHAMBERS AVENUE QUARTERLY COLLECTIONS

2017-2025



MARKET STREET QUARTERLY COLLECTIONS

2017-2025



GRAND AVENUE QUARTERLY COLLECTIONS

2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

EAGLE RANCH QUARTERLY COLLECTIONS
2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

2024-2025 YTD Decrease (14.5%)

OTHER AREAS INCLUDING ONLINE QUARTERLY COLLECTIONS

2017-2025



■ FIRST QUARTER ■ SECOND QUARTER ■ THIRD QUARTER ■ FOURTH QUARTER

2024-2025 YTD Increase 10.4%



To: Mayor and Town Council

From: Melissa Daruna, Assistant Town Manager / Acting Town Clerk

Date: December 9, 2025

Agenda Item: Resolution 82, Series 2025 “A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Vacancy on the Town Council as of December 9, 2025, and Establishing the Procedures for Filling Such Vacancy”

REQUEST: Staff is requesting the Town Council to officially declare a vacancy per our Charter and give staff direction on the timeline for appointment.

BACKGROUND:

On November 4, 2025 Council Member Bryan Woods was elected as Mayor for the Town of Eagle. On December 9, 2025, Mr. Woods was officially sworn in as Mayor, requiring him to vacate his seat as a Council Member. This creates a vacancy prior to his term ending with the next regular election to be held on November 2, 2027.

ANALYSIS: In 2020 the Council adopted Resolution 2020-21 establishing the process for filing a vacancy. Pursuant to that Resolution, the following process was outlined: *(Proposed dates are included for consideration or discussion)*

- Public Notice of vacancy and application process - December 10, 2025
- Deadline for Applications: Proposed - December 23, 2025 @ 4:00 p.m.
- Council votes to determine applicant interviews – Proposed – January 6 - Work Session.
- Candidate interviews, council votes to seat a candidate or schedule a work session – Proposed January 13, 2026

Interview and Appointment Process:

- Public input during Initial Interviews
- Council discussion on applicants
- Ballots are cast for the preferred candidate
- Pass Resolution appointing candidate

After a selection is made, the formal swearing-in of the appointed Council Member can occur immediately on January 13th.

Per the Resolution, the Town Council can determine the timeline and make any modifications to this process. The dates listed are proposed only.

This position will serve until the November 2, 2027 election.

COMMUNITY INPUT: None is required.

BUDGET / STAFF IMPACT: There will be nominal costs for doing a public notice in the newspaper.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: A council appointment will serve to uphold the Strategic Plan and its major objectives.

RECOMMENDED ACTION OR PROPOSED MOTION:

MOTION: To APPROVE or DENY Resolution 82, Series 2025 “A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Vacancy on the Town Council as of December 9, 2025, and Establishing the Procedures for Filling Such Vacancy”

ADDITIONAL OPTIONAL MOTION: Motion to direct staff to begin the appointment process with the following dates - The deadline for applicants to apply will be December 23 and next action will be on January 6, 2026 with a vote to determine applicants for interviews.

ATTACHMENTS:

1. Resolution 82-2026 Vacancy Declaration
2. Exhibit A Resolution 21-2020 Vacancy Process
3. CONFLICT OF INTEREST DISCLOSURE STATEMENT NOTARY
4. Town Council Application
5. Vacancy ad 2025

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 82
(Series of 2025)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
DECLARING A VACANCY ON THE TOWN COUNCIL AS OF DECEMBER 9, 2025, AND
ESTABLISHING THE PROCEDURES FOR FILLING SUCH VACANCY

WHEREAS, on November 4, 2025, Councilmember Bryan Woods was elected as Mayor of the Town of Eagle;

WHEREAS, on December 9, 2025, Councilmember Bryan Woods was sworn in as Mayor requiring him to vacate his seat as a Town Councilmember prior to the end of his term in 2027;

WHEREAS, Section 3.02(4) of the Town of Eagle Home Rule Charter requires that the Town Council declare a vacancy on the Town Council; and

WHEREAS, on April 28, 2020, the Town Council adopted Resolution No. 21, Series 2020, attached hereto as **Exhibit A** and incorporated herein by this reference, which established procedures for filling a vacancy on the Town Council by appointment (the "Appointment Procedure").

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

Section 1. The Town Council hereby declares a vacancy on the Town Council, as of December 9, 2025.

Section 2. This vacancy on the Town Council shall be filled by the Appointment Procedure. The term of the seat being filled shall extend through first regular Council meeting following the final certification of the November 2027 election.

INTRODUCED, READ, PASSED AND ADOPTED ON December 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 21
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
ESTABLISHING A PROCESS FOR THE TOWN COUNCIL SELECTION AND
APPOINTMENT OF COUNCILMEMBERS TO FILL A VACANCY DUE TO THE
RESIGNATION OF A COUNCILMEMBER

WHEREAS, on April 7, 2020 the electorate of the Town of Eagle, CO approved a Home Rule Charter that requires the Town Council to establish a process for appointments to fill vacancies by councilmembers by Resolution;

WHEREAS, Section 2, Article III of the Charter of the Town of Eagle provides for the appointment by the Town Council to fill a vacancy on the Town Council, to serve until the next regular election; and

WHEREAS, in the interest of timely carrying out the duties and responsibilities of the Town Council, the Town Council desires to proceed with the selection and appointment process as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO that the selection and appointment process to fill a vacancy shall be as follows:

Section 1. Public information and application process:

- A. The Town Clerk posts and distributes to various media outlets information regarding the vacancy and application process.
- B. The form of application includes a notarized affidavit and a signed Conflict of Interest form. Per the Town Charter, applicants must meet the following qualifications:
 - 1. A citizen of the United States of America;
 - 2. A registered elector of the Town;
 - 3. A resident of the Town for a period of no less than twelve (12) consecutive months preceding the election; and
 - 4. Currently eligible to vote in the Colorado general elections.
- C. Applications can be submitted online on the Town's website or in person at 200 Broadway Street Eagle, CO 81631. Applications can also be mailed to P.O. Box 609, Eagle, CO 81631. Applications must be received by 4:00 PM on the deadline established by the Town.

- D. All application materials will be posted for public review as part of an upcoming meeting of the of the Town Council.
- E. Upon the closure of the application period, staff will confer with the Mayor to determine, based on the number of applicants, whether to include on the agenda at an upcoming meeting, and one of the following shall apply:
 - 1. A vote to determine the pool of applicants to be interviewed, or, alternatively,
 - 2. A vote on the desired candidate to be seated during the current meeting or an upcoming meeting, or
 - 3. Schedule a Work Session for a vote on finalists to be considered at an upcoming meeting.

Section 2. Initial interview process:

- A. The Council will conduct initial interviews with all applicants at an upcoming meeting at Town Hall on 200 Broadway Street. If the Council is unable to meet physically due to an Emergency Declaration, natural disaster, or some other extenuating circumstance, interviews will be conducted using alternative meeting protocols established by the Council.
- B. If the number of applications received makes interviewing all applicants impracticable, the Council may consider determining which applicants will move forward to the interview stage at an upcoming meeting determined by the Council.
- C. Applicants will be interviewed individually in random order determined by the Town Clerk. Applicants will not be sequestered or required to leave the room during questioning of other applicants.
- D. The Mayor will set a time limit for discussion with each applicant, depending on the number of applicants to be interviewed.
- E. Questioning of each applicant will proceed based on the information and responses provided in the applicant's application and may include follow up questions.
- F. Each applicant will have a time-limited opportunity to respond to the Council's questions.
- G. If a large number of applicants is interviewed, the Council may choose to adjourn its regular meeting until after a Work Session and then reconvene in order to vote to narrow the field to a number of finalists.

- H. If it is in the best interest of the Town, the Council reserves the right to not appoint and have the selection occur during an upcoming election scheduled by the Council.

Section 3. Input and Selection Process:

- A. Members of the public will be invited to provide comments to the Town Council at alltrustees@townofeagle.org or in the care of the Town Clerk at P.O. Box 609, Eagle, CO 81631 or at 200 Broadway Street, regarding the applicants and the Town Council's selection of an appointee.
- B. The Council will take action to select an appointee at a meeting determined by the Council. The public will have an opportunity to comment at the beginning of the discussion, as on all discussion items, with the time limit for comment set by the Mayor based on the number of speakers.
- C. After completion of public comment, the Council will discuss the applicants.
- D. The Council will decide on appointee(s) through a ballot process facilitated by the Town Clerk and the results will be made available to the public. Once the process is completed, the Town Council will provide a resolution with the name of the candidate(s) with the majority vote as part of the Council's agenda materials. After discussion, the Council will then, using motions (and seconds of the motions) propose appointee(s) until the resolution with a proposed appointee(s) receives a majority vote.

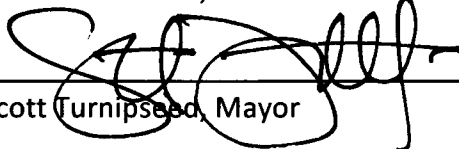
Section 4. Swearing in of Appointee:

- A. Legal swearing in of the appointed Councilmember may take place in the office of the Town Clerk at a mutually convenient time after the Council approves the appointment.
- B. Formal swearing in of the appointed Councilmember will take place at a meeting determined by Council.

Section 5. The Council may make modifications to the procedures or schedule set forth above as it determines appropriate considering the circumstances of the process as it proceeds.

Passed and adopted at a regular meeting of the Town Council of the Town of Eagle this 28th day of April 2020.

TOWN OF EAGLE, COLORADO



Scott Turnipseed, Mayor

ATTEST:



Jenny Rakow, Town Clerk



CONFLICT OF INTEREST DISCLOSURE STATEMENT
TOWN OF EAGLE, COLORADO

The following disclosure statement is submitted to the Town Clerk of the Town of Eagle pursuant to the requirements of Section Article III, Section 3.06 of the Town Charter and, to the extent applicable, Section 24-18-109(3)(a), C.R.S. or pursuant to Town of Eagle Employee Handbook Section 4.14 Ethical Standards; Incompatible Activities

Name:

Title:

Decision(s) or contract affected (give description of item to be addressed by Council, Board, Department Director, etc.):

Brief statement of interest:

Date:

Signature:

STATE OF COLORADO)
) ss
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____.

Witness my hand and official seal

Notary Public

My Commission Expires: _____

REMOVAL OF CONFLICT OF INTEREST

I affirm that the above-stated conflict of interest no longer exists.

Date:

Signature:

Town Council & Planning Commission Application - Vacancies Only

1. Select the Town Council or Planning Commission*

PERSONAL INFORMATION

2. First Name* Last Name*
3. Address1* Address2 City* State* Zip*
4. Email Address* Contact Phone Number*
5. Business Address Business Phone Number Occupation

TOWN COUNCIL ELIGIBILITY AFFIRMATION

By answering these questions for a Town Council vacancy, the applicant is affirming all criteria are met pursuant to the Town's Charter. Those applying for a Planning Commission vacancy are also encouraged to provide the following information.

6. Are you a United States Citizen?
 1. ☐ Yes
 2. ☐ No
7. Are you a registered elector of the Town of Eagle?
 1. ☐ Yes
 2. ☐ No
8. Have you been an Eagle resident no less than 12 consecutive months?
 1. ☐ Yes
 2. ☐ No
9. Length of Residency in Eagle
10. Are you a registered voter and eligible to vote in the Colorado General Election?
 1. ☐ Yes
 2. ☐ No

EDUCATION AND HOBBIES

- 11. High School
- 12. College
- 13. Trade or Business School
- 14. Hobbies

ORGANIZATION MEMBERSHIP INFORMATION

15. Are you or have you served on other Boards, Commissions, or Committees?

1. ☐ Yes

2. ☐ No

16. If yes, which

17. Please list organization memberships and positions held

18. Please List Areas of Special Interest

19. Why do you want to serve your community in this capacity?

ADDITIONAL QUESTIONS

20. 1. What opportunities does the Town of Eagle have?

21. 2. What challenges currently exist in the Town of Eagle?

22. 3. As a Council/Committee Member, how would you approach these challenges?

Notarized Affidavit Required

Please note that a Town Council appointment requires that you have on a file a notarized affidavit of a Conflict of Interest form. The Town Clerk will send this to you once your application has been received.

23. Please include a letter of interest and resume with your submittal.

Please attach in .pdf format.



TOWN OF EAGLE TOWN COUNCIL VACANCY

The Town Council of Eagle is currently seeking a resident to serve on the Town Council. We have one position available, and the term shall serve until the November 2, 2027, election and appointment of the successful candidate. The Town Council meets on the 2nd and 4th Tuesdays of each month with additional work sessions to be expected.

To be considered for this position, interested candidates must meet the following qualifications:

- A notarized affidavit
- A citizen of the United States of America
- A Town of Eagle resident for no less than 12 consecutive months
- A registered elector of the Town
- Currently eligible to vote in the Colorado general elections
- Completion of application and questionnaire on www.townofeagle.org

If you meet these qualifications and are interested in serving on the Town Council, we encourage you to complete the online application available on the Town of Eagle website or by emailing the Town Clerk at clerk@townofeagle.org.

Applications must be received by 4:00 p.m. December 23, 2025, and interviews will be held at an upcoming Town Council meeting to be announced. If you have any questions or concerns, please do not hesitate to contact us at 970-328-9623.

Thank you for considering this opportunity to serve the Town of Eagle.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 85
(Series of 2025)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPOINTING A MAYOR PRO TEM

WHEREAS, on April 7, 2020 the electorate of the Town of Eagle, CO approved a Home Rule Charter for the Town of Eagle;

WHEREAS, Section 3.09, Article III of the Charter of the Town of Eagle provides that a Mayor Pro Tem shall be elected by the Council from its own membership at the first Council meeting following the final certification of each biennial election;

WHEREAS, the November 4, 2025 coordinated election was certified on November 20, 2025;

WHEREAS, at the December 9, 2025 Town Council meeting _____
was elected by the Council to serve as Mayor Pro Tem.

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

Section 1. The Town Council hereby appoints _____ as a Mayor Pro Tem to serve until after the next regular election is certified scheduled for November 2, 2027.

Section 2. This Resolution shall take effect immediately upon its passage.

Passed and adopted at a regular meeting of the Town Council of the Town of Eagle this 9th day of December 2025.

TOWN OF EAGLE, COLORADO

By _____
Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk

TO: County Commissioners¹ of Eagle County, Colorado.

On behalf of the _____ Town of Eagle _____,
(taxing entity)^A

the _____ Town Council _____
(governing body)^B

of the _____ Town of Eagle _____
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 269,732,370
assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of:

	\$ 269,272,550
--	----------------

(NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)

USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/9/2025 for budget/fiscal year 2026
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY²	REVENUE²
1. General Operating Expenses ^H	2.301 mills	\$ 619,596
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	mills	\$
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
_____	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	2.301 mills	\$ 619,596

Contact person: Rachel Tand Daytime phone: (970) 328-9545

Signed: *Rachel Tand* Title: Finance Director

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-I-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

**TOWN OF EAGLE, COLORADO
RESOLUTION NO. 77
(Series of 2025)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2025, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF EAGLE, COLORADO, FOR THE 2026 BUDGET YEAR.

WHEREAS, the Town Council of the Town of Eagle has adopted the annual budget in accordance with the Local Government Budget Law and Town Charter on November 12, 2025; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$612,000; and

WHEREAS, the 2025 net total assessed valuation for the Town of Eagle, as certified by the County Assessor is \$269,272,550.

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

Section 1. That for the purpose of meeting general operating expenses of the Town of Eagle during the 2026 budget year there is levied a tax of 2.301 mills upon each dollar of the net total assessed valuation of all taxable property within the Town of Eagle for the year 2025.

Section 2. That the Finance Director is hereby authorized and directed to certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Eagle as hereinabove determined and set.

INTRODUCED, READ, PASSED, ADOPTED ON DECEMBER 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk



To: Mayor Woods and Town Council

From: Kyle Brotherton, Planner III

Date: December 9, 2025

Agenda Items: Henry Annexation, 220 East 6th Street (File #AN24-02)

Resolution 83, Series 2025, A Resolution of the Town Council of the Town of Eagle, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of Real Property Located in Unincorporated Eagle County (Henry Annexation, 220 East 6th Street)

Ordinance 19, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Old Town Residential (Henry Annexation, 220 East 6th Street)

REQUESTS:

For Town Council to consider the Henry Annexation presentations, public comment and to accept Resolution 83, Series 25 and adopt Ordinance 19, Series 2025.

BACKGROUND:

On October 14, 2025, the Town Council passed Resolution 65, Series 2025, finding the Annexation Petition for the Henry Annexation (220 East 6th Street) to be in substantial compliance with Section 31-12-107(1) C.R.S. The annexation application was accompanied by a request to zone the property. The annexation and zoning request is for one parcel consisting of 1.534 acres located on the southeast corner of Capitol and 6th Streets. The applicant has proposed the Old Town Residential District for the property.



Figure 1: Subject Property Location

On November 18, 2025, the Planning Commission reviewed the zoning application and recommended approval of both requests based on compliance with the Town’s land use regulations and alignment with the Town’s long-range planning documents. The staff report from that meeting provides code analysis and can be accessed through this ([LINK](#)).

Tonight’s meeting will provide the Town Council with an overview of the annexation application and allow for public comment on both applications.

ANALYSIS:

Annexation

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

The property's boundaries are contiguous along 653 feet of its 1,796-foot perimeter (36.4%) as demonstrated on the annexation map, thereby exceeding the one-sixth contiguity requirement per C.R.S. § 31-12-104(a). Staff finds the proposed annexation meets the statutory urbanization and integration requirements, and the property is within the Urban Growth Boundary as defined in the Elevate Eagle Comprehensive Plan (2021). Additionally, the property currently is connected to the Town's water and wastewater systems. Lastly, the proposed annexation would not extend the Town's boundary more than three miles in any direction. Staff finds the annexation request complies with state law.

Annexation Agreement (AA)

Staff has created a standard annexation agreement to formally acknowledge the dedication of an easement along the Capitol Street right-of-way and water rights. Two sections are being highlighted in this staff report:

- **Easement Dedications:** At the time of any future subdivision, an easement, further described in the attached annexation agreement, shall be dedicated to the town. The minor subdivision which is currently in review and not part of the annexation hearing shows this easement.
- **Water Rights Dedication:** A quit claim deed is attached which quitclaims the right and entitlement to water decreed to Ditch No. 1, as further described in said quit deed. This deed was never recorded as required as part of a water transfer agreement from June 2005, and the signing and recording of this updated quit claim deed will satisfy the requirements of the water transfer agreement.

COMMUNITY INPUT:

Staff have received no written public comments as of December 4.

BUDGET:

As the property is already connected to the Town's water and wastewater systems, there will be minimal fiscal impact on the Town. Future development of single family dwellings will pay one time building-related fees and will also contribute taxes to the Town, and Town infrastructure already exists within the vicinity of the property to serve new development.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The proposed annexation meets applicable statutory requirements, and the zoning meets the required standards for approval as detailed in the Planning and Zoning Commission staff report:

1. The rezoning is consistent with the Comprehensive Plan future land use plan for the project site, as well as any applicable area or corridor plans;
2. The rezoning promotes at least two Comprehensive Plan goals; and
3. The rezoning is consistent with the Town's overall planning and economic development goals.

RECOMMENDED ACTION OR PROPOSED MOTION:

1. A motion to **APPROVE** Resolution 83, Series 2025, A Resolution of the Town Council of the Town of Eagle, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of Real Property Located in Unincorporated Eagle County (Henry Annexation, 220 East 6th Street)
2. A motion to **APPROVE** Ordinance 19, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Old Town Residential (Henry Annexation, 220 East 6th Street)

ATTACHMENTS:

- 1: Zoning Application Cover Letter ([LINK](#))
- 2: Zoning Application Form ([LINK](#))
- 3: Project Narrative ([LINK](#))
- 4: Reimbursement Agreement ([LINK](#))
- 5: Title Commitment ([LINK](#))
- 6: Preliminary Water Demand Analysis and Decrees ([LINK](#))
- 7: Annexation Petition ([LINK](#))
- 8: Circulator of Affidavit ([LINK](#))
- 9: Annexation Maps ([LINK](#))
- 10: Annexation Closure Calculations ([LINK](#))
- 11: Draft Annexation Agreement ([LINK](#))
- 15: Staff report for November 18 Planning Commission meeting ([LINK](#))
- 16: Resolution No. 83, Series 2025
- 17: Ordinance No. 19, Series 2025

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 83
(Series of 2025)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION
OF REAL PROPERTY LOCATED IN UNINCORPORATED EAGLE COUNTY (HENRY
ANNEXATION, 220 EAST 6TH STREET)

WHEREAS, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Eagle County and described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference, also known as Henry Annexation, 220 East 6th Street (the "Property");

WHEREAS, by resolution adopted on October 14, 2025, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on December 9, 2025, the Town Council conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

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

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

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

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

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

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

INTRODUCED, READ, PASSED AND ADOPTED ON DECEMBER 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk

Exhibit A

DESCRIPTION:

PARCEL 1 - BOOK 598 PAGE 184

THAT PART OF THE E½ OF THE NE¼ OF SECTION 5, IN TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE 6TH P.M. AS ORIGINALLY DESCRIBED AND PATENTED, DESIGNATED AND BECOMING A PART OF TRACTS 43 AND 45 OF THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE, APPROVED BY THE U.S. SURVEYOR GENERAL JUNE 20, 1922, AND ACCEPTED BY THE GENERAL LAND OFFICE JUNE 6, 1923, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY OF SIXTH STREET IN THE TOWN OF EAGLE, COLORADO, WHENCE THE TRUE POSITION OF CORNER NO. 1 OF TRACT NO. 43, IDENTICAL WITH CORNER NO. 4 OF TRACT NO. 45, CORNER NO. 3 OF TRACT NO. 40 AND CORNER NO. 2 OF TRACT NO. 42 (THE WITNESS CORNER WHEREOF BEING LOCATED S. 89°48' W. 17.82 FEET DISTANT), BEARS S. 74°43'46" E., 831.39 FEET DISTANT, THENCE, CONFORMING WITH THE EAST RIGHT OF WAY OF THE CAPITOL STREET AND THE SOUTH RIGHT OF WAY OF SIXTH STREET, ALONG THE EAST RIGHT OF WAY OF CAPITAL STREET S. 19°06' E. 98.32 FEET TO THE P.C.; THENCE ALONG A CURVE TO THE RIGHT, RADIUS 430.78 FEET, 396.68 FEET, CHORD BEARING S 7 16' 49" W, CHORD LENGTH OF 382.81 FEET TO THE P.T.; THENCE S. 33°43' 00" W. 218.97 FEET; THENCE N. 89°36' E. 54.62 FEET TO THE WEST BOUNDARY OF THE EAGLE CEMETERY ASSOCIATION PROPERTY; THENCE, CONFORMING THERETO, N. 30°35' E. 258.14 FEET; THENCE N. 30°18' E. 381.86 FEET; THENCE S. 89°27' W. 60.52 FEET; THENCE NORTH 104.77 FEET, TO THE SOUTH RIGHT OF WAY OF SAID SIXTH STREET IN THE TOWN OF EAGLE, COLORADO; THENCE CONFORMING THERETO, S. 89°27' W. 180.22 FEET TO THE PLACE OF BEGINNING, CONTAINING AN AREA OF 1.3827 ACRES, MORE OR LESS.

AND

PARCEL 2 - BOOK 598 PAGE 184

THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER (E½NE¼) OF SECTION 5, TWP. 5 S., R. 84 W., 6TH P.M., AS ORIGINALLY DESCRIBED AND PATENTED, DESIGNATED AND BECOMING A PART OF TRACT 45 OF THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE U. S. SURVEYOR GENERAL JUNE 20, 1922, AND ACCEPTED BY THE GENERAL LAND OFFICE JUNE 6, 1923, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY OF SIXTH STREET IN THE TOWN OF EAGLE, COLORADO, WHENCE THE TRUE POSITION OF CORNER NO. 1 OF TRACT 43, IDENTICAL WITH CORNER NO. 4 OF TRACT 45, CORNER NO. 3 OF TRACT 40 AND CORNER NO. 2 OF TRACT 42 (THE WITNESS CORNER WHEREOF BEING LOCATED S. 89°48' W. 17.82 FEET DISTANT) BEARS S. 70°27'33" E. 659.83 FEET DISTANT; THENCE, N. 89°27' E. 95.02 FEET; THENCE S. 10°35' W. 68.89 FEET; THENCE S. 30°18' W. 43.30 FEET; THENCE S. 89°27' W. 60.52 FEET; THENCE NORTH 104.77 FEET TO THE PLACE OF BEGINNING, CONTAINING AN AREA OF 0.1986 ACRES, MORE OR LES

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 19
(Series of 2025)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ANNEXING TO THE TOWN CERTAIN UNINCORPORATED TERRITORY LOCATED IN EAGLE COUNTY AND ZONING THE PROPERTY OLD TOWN RESIDENTIAL (HENRY ANNEXATION, 220 EAST 6TH STREET)

WHEREAS, Kathy R. Chandler-Henry and George S. Henry ("Applicants") are the owners of the real property in unincorporated Eagle County described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, on February 13, 2025, Applicants filed a petition for annexation of the Property to the Town;

WHEREAS, by resolution adopted on October 14, 2025, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

WHEREAS, on December 9, 2025, the Town Council conducted a properly-noticed public hearing and determined that the Property is eligible for annexation to the Town;

WHEREAS, also on December 9, 2025, the Town Council conducted a properly-noticed public hearing on the proposed zoning of the Property as Old Town Residential ("OTR"); and

WHEREAS, the Town Council finds that it is desirable and necessary, and in the best interest of the public health, safety and welfare, that the Property be annexed to the Town, and that the Property be zoned OTR.

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

Section 1. Annexation.

a. The Property is hereby annexed to the Town. Upon the effective date of this Ordinance, the Property shall become subject to the jurisdiction of the Town.

b. Prior to the effective date of this Ordinance, the Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Eagle County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office.

c. The Town Clerk shall request that the Eagle County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 2. Zoning.

a. The Town Council hereby finds and determines that the OTR zoning satisfies all applicable criteria in the Eagle Municipal Code.

b. Based on the foregoing, upon the effective date of this Ordinance, the Property is zoned OTR.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

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

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

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON DECEMBER 9, 2025.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Melissa Daruna, Acting Town Clerk

DESCRIPTION:

PARCEL 1 - BOOK 598 PAGE 184

THAT PART OF THE E½ OF THE NE¼ OF SECTION 5, IN TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE 6TH P.M. AS ORIGINALLY DESCRIBED AND PATENTED, DESIGNATED AND BECOMING A PART OF TRACTS 43 AND 45 OF THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE, APPROVED BY THE U.S. SURVEYOR GENERAL JUNE 20, 1922, AND ACCEPTED BY THE GENERAL LAND OFFICE JUNE 6, 1923, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY OF SIXTH STREET IN THE TOWN OF EAGLE, COLORADO, WHENCE THE TRUE POSITION OF CORNER NO. 1 OF TRACT NO. 43, IDENTICAL WITH CORNER NO. 4 OF TRACT NO. 45, CORNER NO. 3 OF TRACT NO. 40 AND CORNER NO. 2 OF TRACT NO. 42 (THE WITNESS CORNER WHEREOF BEING LOCATED S. 89°48' W. 17.82 FEET DISTANT), BEARS S. 74°43'46" E., 831.39 FEET DISTANT, THENCE, CONFORMING WITH THE EAST RIGHT OF WAY OF THE CAPITOL STREET AND THE SOUTH RIGHT OF WAY OF SIXTH STREET, ALONG THE EAST RIGHT OF WAY OF CAPITAL STREET S. 19°06' E. 98.32 FEET TO THE P.C.; THENCE ALONG A CURVE TO THE RIGHT, RADIUS 430.78 FEET, 396.68 FEET, CHORD BEARING S 7 16' 49" W, CHORD LENGTH OF 382.81 FEET TO THE P.T.; THENCE S. 33°43' 00" W. 218.97 FEET; THENCE N. 89°36' E. 54.62 FEET TO THE WEST BOUNDARY OF THE EAGLE CEMETERY ASSOCIATION PROPERTY; THENCE, CONFORMING THERETO, N. 30°35' E. 258.14 FEET; THENCE N. 30°18' E. 381.86 FEET; THENCE S. 89°27' W. 60.52 FEET; THENCE NORTH 104.77 FEET, TO THE SOUTH RIGHT OF WAY OF SAID SIXTH STREET IN THE TOWN OF EAGLE, COLORADO; THENCE CONFORMING THERETO, S. 89°27' W. 180.22 FEET TO THE PLACE OF BEGINNING, CONTAINING AN AREA OF 1.3827 ACRES, MORE OR LESS.

AND

PARCEL 2 - BOOK 598 PAGE 184

THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER (E½NE¼) OF SECTION 5, TWP. 5 S., R. 84 W., 6TH P.M., AS ORIGINALLY DESCRIBED AND PATENTED, DESIGNATED AND BECOMING A PART OF TRACT 45 OF THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE U. S. SURVEYOR GENERAL JUNE 20, 1922, AND ACCEPTED BY THE GENERAL LAND OFFICE JUNE 6, 1923, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY OF SIXTH STREET IN THE TOWN OF EAGLE, COLORADO, WHENCE THE TRUE POSITION OF CORNER NO. 1 OF TRACT 43, IDENTICAL WITH CORNER NO. 4 OF TRACT 45, CORNER NO. 3 OF TRACT 40 AND CORNER NO. 2 OF TRACT 42 (THE WITNESS CORNER WHEREOF BEING LOCATED S. 89°48' W. 17.82 FEET DISTANT) BEARS S. 70°27'33" E. 659.83 FEET DISTANT; THENCE, N. 89°27' E. 95.02 FEET; THENCE S. 10°35' W. 68.89 FEET; THENCE S. 30°18' W. 43.30 FEET; THENCE S. 89°27' W. 60.52 FEET; THENCE NORTH 104.77 FEET TO THE PLACE OF BEGINNING, CONTAINING AN AREA OF 0.1986 ACRES, MORE OR LES

TOWN OF EAGLE
ORDINANCE NO. 16
(Series of 2025)

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, GRANTING A FRANCHISE TO HOLY CROSS ENERGY, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, INSTALL, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN, REPAIR AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF EAGLE, ALL NECESSARY AND CONVENIENT FACILITIES FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE RESIDENTS OF THE TOWN OF EAGLE FOR LIGHT, HEAT, POWER AND OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL PUBLIC EASEMENTS AND ALL STREETS AND OTHER PUBLIC WAYS IN SAID TOWN OF EAGLE, EAGLE COUNTY, COLORADO, AND FIXING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO:

ARTICLE 1
SHORT TITLE

- 1.1 This Ordinance shall be known and may be cited as the "Holy Cross Energy Franchise Ordinance."

ARTICLE 2
DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the meaning given herein:

- 2.1 "Town" is the Town of Eagle, Eagle County, Colorado, the municipal corporation as is now constituted or as the same may be enlarged or expanded from time to time through annexation.
- 2.2 "Company" refers to Holy Cross Energy, a Colorado corporation, its successors and assigns.
- 2.3 "Board" refers to the legislative body of the Town, known as the Town Board of Trustees of the Town of Eagle, Colorado.
- 2.4 "Facilities" refers to all overhead and underground electric facilities, buildings and structures owned by the Company which are necessary to provide electricity into, within and through the Town of Eagle including, but not limited to, such essential apparatus, appliances, plants, systems, substations, works, transmission and distribution lines, structures, anchors, cabinets, cables, conduits, guy posts, guy wires, meters, microwave, communication facilities, overhead and underground lines, pedestals, poles, regulators, sectionalizers, switchgears, transformers, various pad mounted and pole mounted equipment, vaults, wires and all other

- related electrical equipment required for the distribution, generation, maintenance, operation, purchase and transmission of electrical energy.
- 2.5 "Public Easements" refers to easements created by general dedication and available for use by any public utility for its facilities. This term also includes all easements for utility use which are dedicated to the Town in accordance with Section 4.13.075 of the Town's Municipal Code.
- 2.6 "Private Easements" refers to easements created by deed, specific dedication to specific grantees or acquired by the Company by prescriptive right and available only for use by the Company for its Facilities, or by the Company and other users or utilities specifically named as grantees in the deed of dedication or which have also acquired the easement by prescriptive right.
- 2.7 "Residents" refers to and includes all persons, businesses, industry, governmental agencies and any other entity whatsoever, presently maintaining a residence, business, farm, ranch or other enterprise located within, in whole or in part, the boundaries of the Town.
- 2.8 "Revenues", unless otherwise specified, refers to and are the gross amounts of money that the Company receives from its customers within the Town from the sale or delivery of electrical energy for any particular period of time.
- 2.9 "Streets and Other Public Ways" refers to streets, alleys, viaducts, bridges, roads, lanes and other public ways in the Town, subject to limitations stated herein.

ARTICLE 3

GRANT OF FRANCHISE

- 3.1 Grant of Right to Serve. Subject to the conditions, terms and provisions contained in this Franchise, the Town hereby grants to the Company an exclusive right, privilege and authority to locate, build, install, construct, acquire, purchase, extend, maintain, repair and operate into, within and through all of the Town, all necessary and convenient Facilities for the purchase, generation, transmission and distribution of electrical energy. Such grant is made together with the exclusive right and privilege to furnish, sell and distribute said electrical energy to the Residents of the Town for light, heat, power and other purposes.
- 3.2 Scope of Grant. Such grant includes the right and obligation to furnish electrical energy using the Company Facilities on, over, under, along, across and through any and all Public Easements and all Streets and Other Public Ways, on, over, under, along, across and through any extension, connection with, or continuation of, the same and/or on, over, under, along, across and through any and all such new Public Easements and Streets and Other Public Ways as may be hereafter laid out, opened, located or constructed within the Town. The Company is further granted the right, privilege and authority to excavate in, occupy and use any and all Streets and Other Public Ways and Public Easements. Any such excavation, occupation and use must be in accordance with Town standards and regulations and will be undertaken under the supervision of the properly constituted authority of the Town for the purpose of bringing electrical energy into, within and through the Town and supplying electrical energy to the Residents.
- 3.3 Public Easements Dedicated to the Town. The Town also grants the Company the right to construct Facilities and place necessary above ground Facilities which are required for the maintenance, repair and improving of existing overhead and underground Facilities used to furnish electric energy within Public Easements

dedicated to the Town for utility use in accordance with Section 4.1 3.075 of the Town's Municipal Code without obtaining an Encroachment Permit as would otherwise be required by Section B of said Code Section. The Company is a "service provider" as used in that Code Section.

- 3.4 Service to Town Facilities. The Town hereby grants to the Company the exclusive right, privilege and authority to provide street and security lighting to the Town, and to serve all Town owned or operated structures, plants, equipment or Town apparatus and facilities, including the right, privilege and authority to furnish, sell and distribute electrical energy necessary for such.

ARTICLE 4

SPECIFIC ELEMENTS OF GRANT

- 4.1 Recreational Areas. The Company shall not have the right to locate, build or construct Facilities under, across or through public parks or recreational areas, open space or other Town owned property located within the Town except as expressly set forth in this Franchise or with prior written approval granted by the Board. Said approval shall not be unreasonably withheld.
- 4.2 Trees and Shrubs. The Company shall have the right to trim or cut down such trees and shrubbery and to control the growth of the same by chemical means, machinery, or otherwise, only as may be reasonably necessary to protect its Facilities.
- 4.3 Location of Company's Facilities. Wherever reasonable and practicable, the Company will endeavor to install its Facilities within Public Easements. The Company shall locate its Facilities within the Town so as to cause minimum interference with any of the Town's facilities or property, including without limitation water lines, sewer lines, storm drains and the proper use of Streets and Other Public Ways, and so as to cause minimum interference with the rights or reasonable convenience of property owners whose property adjoins any of the said Streets and Other Public Ways.
- 4.4 Restoration of Public and Private Improvements. Should it become necessary for the Company, in exercising its rights and performing its duties hereunder, to interfere with any sidewalk, graveled or paved street, road, alley, water line, sewer line, storm drain or any other public or private improvement, the Company shall at its own expense and in a quality workmanlike manner, repair or cause to be repaired and restored to its original condition such sidewalk, graveled or paved street, road, alley, water line, sewer line, storm drain or other public or private improvement after the installation of its Facilities. However, upon failure of the Company to do such required repairs within a reasonable time and in a workmanlike manner, the Town may perform the required work and charge the Company for all reasonable costs thereof. Nothing hereinabove shall be construed to obligate the Company to pay for the removal and relocation of its Facilities where such is at the request or demand of a person, or a public or private entity under circumstances which require the party requesting or demanding such to pay for the relocation under other provisions hereof or under the provisions of the Company's Electric Service Tariffs, Rules and Regulations or other customary practices, as such may from time to time be amended.

- 4.5 Use of Facilities. The Company shall have the right to make such use of its Facilities and other property owned by Company, for uses other than the uses contemplated in this Franchise Ordinance, as it deems proper so long as such other uses do not interfere with its ability to supply electrical energy, consistent with the then current zoning.
- 4.6 Changed Conditions (Overhead). If at any time it shall be necessary to change the position of any overhead electrical facilities of the Company located within Public Easements or Streets and Other Public Ways to permit the Town to lay, make or change street grades, pavements, sewers, water mains, storm drains or other Town works, such changes shall be made by the Company at its own expense, after reasonable notice from the Town. Any necessary position change of overhead electrical facilities of the Company located within Private Easements will be paid for by the person, or private or public entity requesting such change. The Town shall consult with the Company during the design of any such Town works which may require relocation of existing overhead electrical facilities of the Company and work with the Company to ensure that any relocation necessary is minimized and that a location for the relocated Facilities is provided.
- 4.7 Compliance with Town Ordinances. The Company shall comply with all Town ordinances and regulations regarding curb and pavement cuts, excavating, digging and related construction, maintenance and operational activities. The Company shall not have the right to cut the pavement on a Street or Other Public Way within two (2) years of paving the Street or Other Public Way, except with written approval granted by the Board, which written approval shall not be unreasonably withheld. If requested by the Town, the Company shall submit copies of reports of annual and long-term planning for capital improvement projects with descriptions of required street cuts, excavation, digging and related construction activities within 30 days after issuance of request.
- 4.8 Town Review of Construction and Design. Prior to construction of any significant Facilities within the Town, as determined jointly by the Company and Town, the Company shall furnish to the Town the plans for such proposed construction. In addition, the Company shall assess and report on the impact of such proposed construction on the Town environment. Such plans and reports may be reviewed by the Town to ascertain, inter alia, (1) that all applicable laws including building and zoning codes, air and water pollution regulations are complied with, (2) that aesthetic and good planning principles have been given due consideration and (3) that adverse impact on the environment has been minimized.
- 4.9 Capital Improvement and Major Development Projects. The Company and the Town shall endeavor to inform one another of any capital improvement and major development projects anticipated within the Town that may impact the Facilities or operations of either party. The party proposing such capital improvements shall inform the other party of the nature of such improvements within a reasonable time after plans for such improvements have been substantially formulated. Each party shall cooperate in the timely exchange of all necessary information, design data, drawings and reports to properly assess and evaluate the potential impacts of said improvements and major developments.
- 4.10 Maintenance of Facilities. The Company shall install, maintain, repair, replace and upgrade its Facilities to ensure both the adequacy of and quality of, electric service to the Town and all Residents. All excavation and construction work done

by or under the authority of the Company shall be done in a timely and expeditious manner which minimizes the inconvenience to the Town and all Residents. The Town shall have the right to inspect any portion of the Facilities located in the Streets or Other Public Ways. However, the Town will not require construction of the Facilities in such a manner that would not meet the National Electrical Safety Code and other governing entity requirements or standard utility engineering practices. The Company agrees to cooperate with the Town in conducting the inspection.

- 4.11 Town Not Required to Advance Funds. Upon receipt from the Town of an authorization to proceed and a promise to pay for construction, the Company shall extend its Facilities to the Town for municipal uses therein or for any municipal facility outside the boundaries of the Town and within the Company's certificated service area, without requiring the Town to advance funds prior to construction.
- 4.12 Scheduled Interruptions. The Company shall, whenever possible, give notice, either oral or written, to the Town and its affected Residents, of planned service interruptions of significant duration.
- 4.13 Cooperation with Other Utilities. When undertaking a project of undergrounding, the Town and the Company shall work with other utilities or companies to have all lines undergrounded as part of the same project. The Company shall not be required to pay the costs of any other utility or company in connection with work under this section.
- 4.14 Annual Review of Franchise. At the request of either the Town or the Company, the parties hereto shall meet to discuss any topic of concern.

ARTICLE 5

RATES, REGULATIONS, UNIFORMITY OF SERVICE AND UPGRADES

- 5.1 Furnishing Electrical Energy. The Company shall furnish electrical energy within the boundaries of the Town, and to the Residents thereof at the Company's applicable and effective rates and under the terms and conditions set forth in the Company's Electric Service Tariffs, Rules and Regulations and Consumer Service Facilities Metering and Use Guidebook adopted by and on file with the Company, as such may from time to time be amended, subject only to regulations thereof as is provided by law. The Company shall not, as to rates, charges, service, Facilities, rules, regulations or in any other respect, make or grant any preference or advantage to any Resident, provided that nothing in this grant shall be taken to prohibit the establishment from time to time of a graduated scale of charges and classified rate schedules to which any customer coming within an established classification would be entitled.
- 5.2 Facility Upgrades. The Company will, from time to time, during the term of this Franchise make such improvements, enlargements and extensions of its Facilities incorporating, when reasonable and practical, technological advances within the industry as the business of the Company and the growth of the Town justify, in accordance with its Electric Service Tariffs, Rules and Regulations and Consumer Service Facilities Metering and Use Guidebook or other customary practices in effect and on file with the Company, as such may from time to time be amended, subject only to regulations thereof as is provided by law.

- 5.3 Reliable Supply of Electricity. The Company shall take all reasonable and necessary steps to provide an adequate supply of electricity to its customers at the lowest reasonable cost consistent with long-term reliable supplies. If the supply of electricity to its customers is interrupted, the Company shall take all necessary and reasonable actions to restore such supply within the shortest practicable time.
- 5.4 Maps and Regulations. The Company shall, submit copies of its Consumer Services Facilities Metering and Use Guidebook, Electric Service Tariffs, Rules and Regulations and maps of its Facilities within the Town boundaries to the Town Clerk. All changes in such information shall be submitted to the Town as the same may from time to time occur. Any provided maps shall be kept confidential by the Town.
- 5.5 Subdivision Review. The Company shall analyze any subdivision plats or planned unit development plans submitted to it by the Town and respond to any request by the Town for information regarding the adequacy of its Facilities necessary to serve such proposed plat or plan and answer any other questions posed to the Company by the Town regarding said plat or plan as are within the knowledge of the Company. The Company shall respond to said requests or questions within reasonable time limits set by the Town's Subdivision Regulations. The Town will require the developers of such projects to meet all applicable provisions of the Company's Electric Service Tariffs, Rules and Regulations and other customary practices, as such may from time to time be amended.
- 5.6 Interrelationship of Laws, Rates, Regulations and Ordinances. The Company shall comply with all County, State or Federal laws and rules and regulations related to the subject matter hereof. The Company also agrees to abide by all ordinances and resolutions of the Town, unless and except to the extent that this Franchise Ordinance shall relieve the Company of the obligation to comply with the terms and conditions of such other ordinances or any other provisions hereof. The Company, from time to time, may promulgate such rules, regulations, terms and conditions governing the conduct of its business, including the use of electrical energy and the payment therefor, and the interference with, or alteration of, any of the Company's property upon the premises of its customers as shall be necessary to provide a safe, continuous and uninterrupted service to each and all of such customers and the proper measurement thereof and payment therefor. Any such rules, regulations, terms and conditions must not be inconsistent with this Franchise Ordinance, but no ordinance of the Town may regulate the Company's rates or charges for the furnishing of electrical energy, or shall lessen the safety of providing such energy to its customers, nor shall any such ordinance alter the manner in which service is extended to such customers.

ARTICLE 6

USE OF COMPANY FACILITIES

- 6.1 Use of Poles by Town. The Town shall have the right, without cost, to jointly use all poles and suitable overhead structures within the Town for the purpose of stringing wires thereon for any reasonable Town authorized use; which use shall not include generation, distribution or transmission of electricity. However, the Company shall assume no liability, or any additional expense, in connection therewith, and said use shall not interfere in any unreasonable manner with the Company's use of same, or the use thereof by the Company's permittees,

licensees or other existing users of such Facilities. The Town is not authorized to assign its right to jointly use the Company's Facilities to any third party. The Company, in its sole discretion, may allow third parties to use its Facilities upon such terms and conditions as the Company deems appropriate.

- 6.2 Joint Use of Trenches. The Company, upon receiving a written request from the Town, shall permit the Town to install additional conduit in any trench excavated for the Company's Facilities, for the express purpose and use of the Town, provided such additional installation shall be in accordance with sound engineering methods and safety regulations, and shall not interfere with or cause any conflict with the Company's Facilities, and shall not cause the Company additional installation expense or additional expense to maintain and repair its Facilities. The Town, at its expense, will pay all costs and expenses of such additional installation. The Town shall be responsible for ensuring that required vertical and horizontal separations between its facilities and that of the Company's are strictly maintained. The Town and Company shall jointly hold each other harmless from any liability or damage resulting from their respective facilities being installed in a joint trench.

ARTICLE 7

INDEMNIFICATION AND POLICE POWER

- 7.1 Mutual Hold Harmless. Each party, shall to the extent allowed by law, indemnify, defend and save the other party harmless from and against all liability or damage and all claims or demands whatsoever in nature arising out of the operations of the indemnifying party under the provisions of this Franchise, and the securing of, and the exercise of the Franchise rights granted in this ordinance and the indemnifying party shall pay all reasonable expenses, including reasonable attorney's fees and legal assistant's fees, arising therefrom. The indemnifying party will provide prompt written notice to the other party of the pendency of any claim or action against the indemnified party arising out of the exercise of the Franchise rights. The indemnifying party will be permitted, at its own expense, to appear and defend or to assist in defense of such claim. Notwithstanding any provision hereof to the contrary, the indemnifying party shall not be obligated to indemnify, defend or hold the other party harmless to the extent of any claim, demand, or lien arising out of, or in connection with, any negligent act or failure to act or the intentional misconduct by the indemnified party or any of its officers, employees or agents. The indemnified party's use of independent contractors shall not constitute an avoidance or defense to the indemnifying party's duties to defend and indemnify under this section. Each party shall maintain public liability insurance in an amount not less than \$1,000,000. Each party shall be a named insured on the other party's liability insurance.
- 7.2 Police Power Reserved. The right is hereby reserved to the Town to adopt from time to time, in addition to the provisions herein contained, such Ordinances as may be deemed necessary in the exercise of its police power, provided that such regulations shall be reasonable and not destructive of the rights herein granted, and not in conflict with the laws of the State of Colorado, or with orders of other authorities having jurisdiction in the premises.

ARTICLE 8
FRANCHISE FEE

- 8.1 Franchise Fee. As a further consideration for this Franchise, and accepted by the Town in lieu of all occupancy and license taxes and all other special taxes, assessments, fees, or excises upon the Facilities or other property of the Company, or other levies that might be imposed, either as a franchise tax, occupation tax, occupancy tax, license tax, permit charge, or for the inspection of the Facilities or other property of the Company, and charges which would otherwise be chargeable to the Company, or otherwise, the Company shall pay to the Town a sum equal to four percent (4%) of its quarterly Revenues collected from the sale of electricity within the boundaries of the Town for electrical energy furnished for light, heat, power and other purposes. This four percent (4%) fee shall be surcharged to the Residents within the Town and is in addition to any charges specified in the Company's Electric Service Tariffs, Rules and Regulations and any applicable taxes. Payment of the franchise fee does not exempt the Company from payment of property or sales taxes which are not directly related to the franchise or the occupation of the Streets and Other Public Ways. Revenues received from Town facilities will not be assessed a four percent (4%) fee under this section nor will the Town be paid the four percent (4%) fee from such revenues collected from Town facilities.
- 8.2 Payment. Payment of the Franchise Fee shall be made by the Company to the Town on or before 30 days after the end of each quarter of each calendar year for the preceding three (3) month period but shall be adjusted for the portions of the calendar quarters at the beginning and at the end of this Franchise. All payments shall be made to the Town Clerk.
- 8.3 Revenue Audit. For the purpose of ascertaining or auditing the correct amount to be paid under the provisions of this Article, the Company shall file with the Town Clerk, or such other official as shall be designated by the Town from time to time, a statement, in such reasonable form as the Town may require, showing the total gross receipts received by the Company from the sale of electricity to Residents within the boundaries of the Town for the preceding three (3) month period. The Town Clerk or any official appointed by the Board shall have limited access to the books of said Company for the sole purpose of confirming the quarterly Revenues received from operations within said Town. Such access is conditioned on the agreement of the Town not to disclose the information to any third party.
- 8.4 Correction of Underpayment/Overpayment. Should either the Company or Town discover either an underpayment or overpayment of the quarterly Franchise Fee, the party making such discovery shall inform the other party within a reasonable time. If the error is substantiated as an underpayment, the Company shall make payment of the deficiency within 30 days of the date the error was substantiated. If the error is substantiated as an overpayment, a credit equal to the overpayment will be applied to the next quarterly Franchise payment due the Town. If any dispute arises regarding underpayment/overpayment, Company and Town agree to submit the dispute to binding arbitration, with each party to bear their own costs.
- 8.5 Occupancy Tax Alternative. In the event said Franchise Fee levied herein should be declared invalid and or shall be set aside by a Court of competent jurisdiction, then, and in such event, and in lieu thereof, the Town may thereafter levy an

occupancy tax upon the Company, not to exceed in any calendar year three percent (4%) of the Revenues collected from the sale of electricity within the Town for electrical energy furnished for light, heat, power, and other purposes for that calendar year. Such occupancy tax shall be adjusted for any Franchise Fees previously paid to the Town in such calendar year. In the event the Town shall enact such an occupancy tax, in lieu of the Franchise Fee, all of the remaining terms, conditions and provisions of this Ordinance shall remain in full force and effect for the period stated herein. Such occupancy tax ordinance or enactment shall be designed to meet all legal requirements to ensure that it is not construed as an income tax.

- 8.6 Franchise Fee Payment in Lieu of Other Fees. As indicated in Section 8.1, above, the Franchise Fee paid by the Company is accepted by the Town in lieu of any occupancy tax, license tax, permit charge, inspection fee or similar tax on the privilege of doing business or in connection with the physical operation thereof, but does not exempt the Company from any lawful taxation upon its property or any other tax not related to the Franchise or the physical operation thereof and does not exempt the Company from payment of head taxes or other fees or taxes assessed generally upon business.
- 8.7 Street Cut Permits. The Company will provide the Town with a Corporate Bond without Sureties each year to ensure it performs all conditions imposed by such permits. Upon request from the Town, the Company will furnish the Town with the Company's estimated cost of street repair.
- 8.8 Termination of Franchise. If this Franchise is terminated by either the Company or the Town for whatever reason, or is declared null and void, all Franchise Fees or occupancy taxes levied herein shall be suspended as of the date the Franchise is legally terminated. Final payment of any Franchise Fee or occupancy tax owed and due the Town shall be made on or before 30 days after the date the Franchise is legally terminated.

ARTICLE 9

REPORTING AND CHANGE IN FRANCHISE FEE

- 9.1 Reports. The Company shall submit reasonable and necessary reports containing, or based upon, information readily obtainable from the Company's books and records as the Town may request with respect to the operations of the Company under this Franchise, and shall, if requested, provide the Town with a list of real property within the Town which is owned by the Company.
- 9.2 Change of Franchise Fee. The Company shall, upon request from the Town, notify the Board of any changes in the Franchise Fee percentage made with other municipalities served by the Company under a franchise within the State of Colorado. If the Board decides the Franchise Fee percentage hereunder shall be changed, it shall provide for such change by Ordinance. However, any change in the Franchise Fee percentage shall then be surcharged by the Company to the Residents of the Town.

ARTICLE 10

ADMINISTRATION

- 10.1 Duration of Franchise. This Ordinance shall be in full force and effect from and after its passage as by law required and the conditions, terms, and provisions

herein shall remain in full force and effect for a period of 20 years from and after such enactment.

- 10.2 Temporary Extension of Franchise. Prior to the expiration of this Franchise, should the parties desire to renew the terms and conditions of this Franchise or execute a new Franchise, but have not yet done so, the parties may temporarily extend the terms and conditions of this Franchise by written agreement for a period of not longer than 180 days from such date of expiration. During such extension, all provisions of the Franchise shall continue in effect as if the Franchise had not expired.
- 10.3 Amendments. At any time during the term of this Franchise, the Town through its Board, or the Company, may propose amendments to this Franchise by giving 30 days written notice to the other party of the proposed amendment(s) desired, and both parties thereafter, through their designated representatives, shall within a reasonable time, negotiate in good faith in an effort to agree upon a mutually satisfactory amendment(s). No amendment(s) to this Franchise shall be effective until mutually agreed upon by the Town and the Company and until all public notice requirements pursuant to Colorado statutes, and ordinance requirements of the Town, have been met. This section shall not apply to Franchise Fee changes under Article 9.
- 10.4 Revocation of Privileges by Condemnation. In the event, at any time during the term of this Franchise, the Town shall condemn any of the Facilities of the Company within the boundaries of the Town, and thereby revoke all or any part of the privilege and authority herein granted to the Company to serve the Residents of the Town, then and in such event the Town shall pay to the Company just compensation as provided by the laws of the State of Colorado for such rights and Facilities by reason of such condemnation.
- 10.5 Compliance Impaired. Both the Company and the Town recognize there may be circumstances whereby compliance with the provisions of this Franchise is impossible or is delayed because of circumstances beyond the Company's or Town's control. In those instances, the Company or Town shall use its best efforts to comply in a timely manner and to the extent possible.
- 10.6 Company's Failure to Perform. It is agreed that in case of the failure of the Company to perform and carry out any of the conditions, terms and provisions herein set forth in any substantial particular, wherein such failure is within the Company's control and with respect to which redress is not otherwise herein provided, the Town, acting through its Board, may, after hearing, determine such substantial failure; and, thereupon, after notice given the Company of such failure, the Company may have a reasonable time, not less than 90 days, unless otherwise agreed by parties, in which to remedy the conditions respecting which such notice shall have been given. After the expiration of such time and the failure to correct such conditions, the Board shall determine whether any or all rights and privileges granted the Company under this ordinance shall be forfeited and may declare this Franchise null and void.
- 10.7 Ownership of Facilities. All Facilities used or placed by the Company within the boundaries of the Town shall be and remain the property of the Company.
- 10.8 Transfer of Rights. The Company shall not transfer or assign any rights under this Franchise to a third party, excepting only corporate reorganizations of the Company not including a third party, unless the Town shall approve in writing

such transfer or assignment. Approval of the transfer or assignment shall not be unreasonably withheld.

- 10.9 Removal of Facilities. Upon the expiration of this Franchise, if thereafter the Company Facilities shall not be used for electric, telephone, or cable TV purposes for a period of 12 successive months, the Town shall have the option of having the Company remove such Facilities or claim such Facilities as its own. If the Town elects to have the Company remove the Facilities, it shall give written notice to the Company directing it to remove such Facilities, and the Company shall remove the same no later than 90 days after the date of such notice, unless the Company and the Town agree to a longer period within which removal shall occur. Any Facilities, either underground or overhead, remaining after such time that are not expressly claimed by the Town shall be deemed to have been abandoned. Any cost incurred by the Town in removing abandoned Facilities, and any liability associated with Facilities abandoned by the Company shall be the liability of the Company. For any Facilities claimed by the Town, any liability associated with such Facilities shall become the liability of the Town.
- 10.10 Non-renewal of Franchise (Alternative Electric Service). If this Franchise is not renewed, or if it is declared null and void, or the Company terminates any service provided for herein for any reason, and the Town has not provided for alternative electric service to the Residents of the Town, the Company shall not remove its Facilities and shall be obligated to continue electric service to the Residents until alternative electric service is provided. The Company will not withhold any temporary services necessary to protect the public.

ARTICLE 11

COMMUNITY ENHANCEMENT FUND

- 11.1 Purpose. The Company is committed to programs designed to make a difference in people's lives and the communities in which they reside. The Company will voluntarily make monetary resources available to the Town for such programs and/or activities. Programs for which such funds shall be spent shall be limited to (1) beautification projects, (2) energy conservation projects, (3) equipment and technology upgrades for schools, (4) scholarship funds, (5) acquisition of open space and/or park land and development thereof, (6) sponsorship of special community events and (7) undergrounding of overhead electric and other utility lines. Funds made available under this Article may be spent for other purposes only with the express written consent of the Company.
- 11.2 Payments to the Fund. The Company shall make annual payments to the fund equal to one percent (1%) of its prior year's Revenues, prorated for the portions of the months at the beginning and end of the term of this Franchise, collected from the sale of electricity within the boundaries of the Town, or \$2,000, whichever amount is greater. Said payments shall be made into the fund no later than February 15th of the year subsequent to the year in which the gross revenues are received by the Company.
- 11.3 The Fund. The fund established by the Company shall be maintained in a bank account in the name of the Town, but shall be maintained separately from all other funds and accounts held by the Town.
- 11.4 Payments from the Fund. All payments from the fund shall be for projects described in Section 11.1 hereof. Prior to any such expenditure, authorization to

withdraw from the fund shall be given by resolution or ordinance duly enacted by the Board, and such resolution or ordinance shall clearly describe the nature and purpose of the project for which the expenditure is made. Prior to any expenditure, the Town shall notify the Company of its intended use of the funds. Unless the Company objects, in writing, prior to such expenditure, the Company shall have waived its right to object in the future if the funds are expended for the use identified in the notice.

- 11.5 Audits. The Town may audit the Company's books for the limited purpose of determining the Revenues being collected within the Town at any reasonable time and with reasonable prior notice. The Company may audit the fund account, expenditures from the fund and resolutions and ordinances authorizing such expenditures at any reasonable time and with reasonable prior notice.
- 11.6 Forfeiture of Enhancement Funds. The Company shall have the express right to temporarily suspend or terminate in full its annual contributions to the Enhancement Fund if it is determined that funds allocated and paid to the Town are being, or have been, misappropriated, administered with bias or discrimination or for other inappropriate actions.
- 11.7 Advancement of Fund. The Company shall consider advances of funds, subject to the provisions of this section, for all projects that specifically involve undergrounding of overhead lines or projects acceptable to the Company which are related to the Company's existing Facilities. The Town shall make all reasonable attempts to plan and budget use of the Fund without advancement of future Funds. However, if the Town requests and the Company and the Town agree that it is in the mutual interest of both, the Company shall anticipate Fund amounts to be available for up to three (3) years in advance. Both parties shall enter into a special agreement concerning the advanced Funds. Any amounts advanced shall be credited against amounts to be expended in succeeding years until such advances are eliminated. In no case shall the Company be obligated to advance Community Enhancement Funds which will exceed the duration of this Franchise Agreement.
- 11.8 TABOR Compliance Issue. The Community Enhancement Fund described in this Article is a program that has been initiated solely by the Company. This Town has not made the program a requirement for granting of a franchise to the Company. Funding for this program is not a cost of doing business, but is a voluntary contribution by the Company and is intended to be and shall be considered to be a gift or grant within the meaning of Article X, Section 20, of the Constitution of the State of Colorado for purposes of determining compliance by the Town with such constitutional provisions.

ARTICLE 12

UNDERGROUNDING

- 12.1 Town Undergrounding Policy. The Town has a policy under which all new Facilities to serve new development within the Town boundaries must be installed underground. Consistent with that policy, all new Facilities of the Company necessary to extend service into new developments shall be extended by the Company underground, subject to the provisions of paragraphs 12.2 and 12.3, below. As used herein, the term "new Facilities" shall not apply to any existing overhead Facilities that are changed, altered or upgraded by the Company.
- 12.2 At Consumer's Request. If a customer(s) within the Town should request that new Facilities be installed underground or for the conversion of existing overhead electrical

facilities of the Company to underground facilities or if Town ordinances or resolutions require a customer(s) to install Company facilities underground, the Company shall proceed in accordance with its Electric Service Tariffs, Rules and Regulations or other customary practices, as each may from time to time be amended.

- 12.3 Town Requested Undergrounding. Except for the Company's contributions to the Community Enhancement Fund, which may be used by the Town to pay for the undergrounding of the Company's overhead electric facilities, any request, requirement imposed by resolution or ordinance, or other communication from the Town to the Company, asking, or requiring the Company to underground its new electrical facilities or its existing overhead electric facilities, or move, remove, or replace its existing underground electrical facilities, shall be responded to in accordance with the provisions of the Company's Electric Service Tariffs, Rules and Regulations or other customary practices, as such may from time to time be amended.
- 12.4 Relocation of Underground Facilities. No provision contained in this Article shall be construed to obligate the Company to pay for the removal and relocation of its underground electric facilities where such is at the request or demand of a person, or a public or private entity under circumstances which require the party requesting or demanding such to pay for the relocation under other provisions hereof or under the provisions of the Company's Electric Service Tariffs, Rules and Regulations or other customary practice in use by the Company, as such may be from time to time amended.
- 12.5 Governmental Mandates. This Franchise or the Town's Municipal Code, as either may be amended from time to time, shall not prohibit or limit the Company's right to enforce its collection of any cost increase caused by governmental mandate in accordance with the provisions of the Company's Electric Service Tariffs, Rules and Regulations, or other customary practices of the Company, as such may be from time to time amended.

ARTICLE 13

MISCELLANEOUS

- 13.1 Changes in Utility Regulation. In the event new legislation materially affects the terms and conditions of this Franchise Ordinance, the parties agree to renegotiate the affected terms and conditions in good faith as an amendment hereto. The parties hereto acknowledge that regulatory and legislative changes in the electric utility, gas utility and other energy industries are currently being discussed nationwide and statewide; that some changes in utility industry sectors have already been implemented; and that other changes may be made in the future, during the term of this Franchise. The parties agree, that insofar as future changes in the utility laws will allow, the Company shall always retain the right to bill customers for utility transportation services and energy sales within the Town if it is the provider of either the energy product or the transportation of such product. The parties agree that this will provide the most efficient and convenient utility service to the Residents of the Town and provide assurance to the Town of franchise fee collection for each component charged for the sale and delivery of energy products within the boundaries of the Town.

- 13.2 Successors and Assigns. The rights, privileges, franchises and obligations granted and contained in this Ordinance shall inure to the benefit of and be binding upon the Company, its successors and assigns.
- 13.3 Representatives. Both parties shall designate from time to time in writing representatives to act as franchise agents for the Company and the Town. Such will be the persons to whom notices shall be sent regarding any action to be taken under this Ordinance. Notice shall be in writing and forwarded by certified mail or hand delivery to the persons and addresses as hereinafter stated, unless the persons and addresses are changed at the written request of either party. Until any such change shall hereafter be made, notices shall be sent to the Town Manager and to the Company's Chief Executive Officer. Currently the addresses for each are as follows:

Town:

Town Manager
Town of Eagle
P.O. Box 609
108 W. 2nd
Eagle, CO 81631-0609

Company:

Chief Executive Officer
Holy Cross Energy
P.O. Box 2150
Glenwood Springs, CO 81602-2150

- 13.4 Severability. Should any one or more provisions of this Franchise be determined to be illegal or unenforceable, all other provisions nevertheless shall remain effective; provided, however, the parties shall forthwith enter into good faith negotiations and proceed with due diligence to draft provisions that will achieve the original intent of stricken provisions.
- 13.5 Entire Agreement. This Franchise constitutes the entire agreement of the parties. There have been no representations made other than those contained in this Franchise.

ARTICLE 14

APPROVAL

- 14.1 Town Approval. This grant of Franchise shall not become effective until approved by the Town in accordance with its ordinances and the statutes of the State of Colorado.
- 14.2 Company Approval. The Company shall file with the Town Clerk its written acceptance of this Franchise and of all its terms and provisions within 15 business days after the final adoption of this Franchise by the Town. The acceptance shall be in the form and content approved by the Town Attorney. If the Company shall fail to timely file its written acceptance as herein provided, this Franchise shall become null and void.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF EAGLE, ON THE ____ DAY OF December, 2025, BY A VOTE OF _____ IN FAVOR AND _____ AGAINST.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Publication Dates:

FINALLY, adopted, passed and approved on second reading after Public Hearing on

ATTEST:

TOWN OF EAGLE

Town Clerk

Mayor

HOLY CROSS ENERGY

Bryan Hannegan, Chief Executive Officer

Date



To: Mayor Woods and Town Council

From: Jessica Lake, Senior Planner, Community Development Department

Date: December 9, 2025

Agenda Item: Ordinance 18, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapters 2, 8, 10, 11, 12, and 20 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes.

REQUEST

For the Town Council to review and approve staff proposed text amendments to the Land Use and Development Code.

BACKGROUND

In October 2023, the new Land Use and Development Code (2023 LUDC), also known as ReCode, took effect. Since its adoption, staff have identified several modifications and corrections necessary to ensure the Code functions as intended. To maintain ReCode as a living document, staff presented two ordinances in 2024 and one on November 12, 2025, addressing relatively minor issues within the Code. In addition, staff have introduced amendments required by State legislation; in 2025, these included Natural Medicine, Residential Density, and the Affordable Housing Accelerator Project (AHAP), which established a 90-day fast-track review for affordable housing projects.

Per the Code, amendments require review and recommendation by the Planning Commission, followed by adoption by the Town Council. This memo presents another round of miscellaneous updates for Council's consideration.

Staff also maintains a Long-Range Planning Priorities list, reviewed annually with Council and the Planning Commission during a joint work session. In 2025, this session was held on May 6. The linked Gantt chart from that meeting outlines in-progress Code amendments ([LINK](#)). From that list, staff has completed the following: the 90-day Fast-Track (AHAP Eagle Express Lane), Zoning Density, and the first General Clean-up. This memo represents the second General Clean-up. Wildfire (WUI) regulations remain in progress, as do updates to Chapter 4.17 (Administration & Procedures) and the Administrative Procedures Manual, which will serve as a supplemental guide to the Code. As a side note, the Gantt chart will be revisited and revised at another joint work session this spring. Updates to the Code and planning documents are prioritized behind current planning applications, which saw a significant increase in 2025 compared to previous years.

The proposed amendments include:

1. Section 4.02.040.A – Right-of-Way Landscaping – Clear vision area and plant height standards in Chapter 4.11 – Landscape Standards
2. Chapter 4.08 – Minor PUD Amendments – Updates to review criteria and process

3. Chapter 4.10 – Broadway District Design Standards – Window transparency requirements & parapet walls
4. Chapter 4.11 – Stormwater Standards – Stormwater detention as an irrigation source.
5. Chapter 4.11 – Landscape Standards – Clarification of front yard buffer areas and tree separation requirements
6. Chapter 4.12 - Underground Parking – Clarification of applicable standards

To expedite the process, staff did not hold a work session on these changes. While many of these items have been under review since the Code's adoption, staff prioritized updates required by recent State legislation. Given the relatively minor nature of these amendments, staff believe a work session is not necessary. However, staff remain open to removing or revising any proposed changes based on Council's feedback.

ANALYSIS

1. Section 4.02.040.A – Right-of-Way Landscaping – Clear vision area and Section 4.11.030.D plant height standards

Staff believe that these two sections of the Code would benefit from additional clarity to ensure that they are working together. The proposed amendments to Sections 4.02.040.A (Clear Vision Areas) and 4.11.030.D (Right-of-Way Landscaping Responsibility) are intended to enhance public safety, improve regulatory clarity, and support sustainable landscaping practices within the public realm. These revisions respond to observed challenges in implementation and enforcement and align with best practices in urban design and traffic safety. The primary purpose of clear vision areas is to maintain unobstructed sight lines at intersections to reduce the risk of vehicular, pedestrian, and cyclist collisions. The revised language:

- Clarifies that all visual obstructions (including fences, walls, landscaping, and temporary obstructions like parked vehicles) must not exceed 30 inches in height within designated clear vision areas.
- Establishes a consistent measurement standard from the top of curb or street centerline grade, ensuring uniform application across varied site conditions.
- Reinforces that trees may be permitted if pruned to maintain visibility, balancing safety with urban forestry goals.

These changes ensure that visibility is preserved at critical points in the transportation network, particularly in areas with increasing multimodal traffic.

The amendment explicitly states that the clear vision area height limits supersede fence height allowances in Chapter 4.11 when located within a clear vision area. This clarification resolves previous inconsistencies and supports more predictable development review and enforcement.

Additionally, the language provides flexibility for the Public Works Director to evaluate tree placement based on site-specific conditions or adopted streetscape standards, ensuring that landscaping decisions are context-sensitive and aligned with broader public works goals.

Planning Commission Feedback:

- Supported clarifying the 30-inch height limit.
- Requested future clarification on intersection clearance dimensions and noted that the 30-foot clear vision area distance may be overly restrictive.
- Consensus: Support clarification; no objections.

Staff Update and Next Steps:

- The Commissioners noted that 30' for a clear vision area could be overly restrictive.
 - This standard originates from the 1976 Code and is consistent with Eagle County requirements.

- Alley and street intersections have a less restrictive 10-foot clear vision area.
- Staff recommends retaining the current intersection dimensions, as no changes were requested and implementation concerns are minimal.
 - Staff will update the Commissioners on this amendment and provide additional clarity around the intersection dimensional standard.
- If approved, these amendments will provide clearer standards for development review and enforcement, improving safety and predictability.

Proposed Redline Changes

Section 4.02.040.A. *Clear Vision Areas. 2. Applicability.*

- a. Clear vision areas shall be maintained on the corners of all property at the intersection of two streets, a street and an alley, or a street and a railroad except in zone districts with a required build-to zone or line.
- b. The maximum height for all potential visual obstructions in the clear vision area is two and one-half feet tall ~~or thirty (30") inches., including~~ **The maximum height requirement applies to plants, fences, walls, structures, and any potential temporary visual obstructions such as parking. Trees exceeding two and one-half feet or thirty (30") inches tall may be planted in a clear vision area, provided all branches and foliage can be removed to a height of eight feet above the grade when the tree is sufficiently established.**
- c. No fence or wall shall be located so as to obstruct traffic sight distances. In a clear vision area, the maximum fence or wall height is two and one half feet ~~tall or thirty (30") inches. This provision supersedes those in Chapter 4.11, where a fence or wall is located within the clear vision area.~~
- d. The maximum height for any potential obstruction is measured from the top of the curb, or where no curb exists, from the established street centerline grade.

Section 4.11.030.D. *Right-of-way landscaping responsibility.*

1. Landscaping in the ~~clear vision area of the~~ public right-of-way shall not exceed ~~24 inches~~ **two and one-half feet or thirty inches (30") as described in Section 4.02.040.A. Trees may be allowed if branches are trimmed to a minimum of eight feet above grade ground level. once the tree is sufficiently established and as measured in Section 4.02.040.A. The allowance of street trees or trees in the right-of-way is at the discretion of the Public Works Director. The placement of street trees or trees within the public right-of-way is subject to the discretion of the Public Works Director, or to any adopted streetscape standards, if applicable.**
2. To the maximum extent practicable, landscaping plans shall be coordinated with the placement of utilities to avoid conflicts with above and below ground utilities and overhead light fixtures. Landscaping is required as identified in this chapter, but placement may vary to avoid unnecessary conflict.
3. Landscaping within the public right-of-way shall consist of low-water, drought-tolerant, adaptive plants. Turf grass is prohibited.

2. Chapter 4.08 – Minor PUD Amendments – Updates to review criteria and process

The current Land Use and Development Code (LUDC) provides limited guidance on what constitutes a minor amendment to an approved PUD final plan. This lack of specificity has led to inconsistent interpretations, delays in processing, and uncertainty for applicants and staff. The proposed revisions establish clear categories of allowed and prohibited amendments, define review criteria, and outline the Director's authority for administrative approval.

Planning Commission Feedback:

- Commissioners asked about building envelope adjustments and numeric standards (15% threshold).

- Consensus: Support changes; no objections.

Staff Update and Next Steps:

- Staff explained that the 15% numeric adjustment threshold creates consistency with the existing administrative adjustment provisions.

Proposed Redline Changes

A. Minor amendments.

1. Classification of minor amendments.

- I. *Allowed minor amendments.* Minor amendments are intended for technical or design adjustments that do not materially change the approved development intent. Minor amendments to an approved PUD final plan may be approved by the Director if the proposed amendment is included in one or more of the following categories:

- i. ~~The amendment does not change the ratio of residential units to square feet of non-residential building square footage by more than ten percent.~~
- ii. ~~The gross square footage of non-residential building area is not increased by more than ten percent.~~
- iii. ~~The number or location of vehicular access points is are not changed in a way that negatively impacts public safety or the flow of traffic onto public streets.~~
- iv. ~~The numeric standards in the PUD final plan not specified above are not revised by more than would be allowed through Section 4.17.110 A., administrative adjustment.~~

- i. *Internal Road Alignment Adjustments*

Minor changes to internal road layouts for subdivisions that have not received final plat approval and provided they do not compromise vehicle safety or conflict with approved plans.

- ii. *Building Envelope Adjustments*

Changes to unplatted building envelopes that do not impact a known Critical Wildlife Habitat.

Note: Any changes to platted envelopes must be processed as a Major PUD Amendment with an amended final plat or combined preliminary/final plat.

- iii. *Technical Text Corrections in PUD Guide or to the Development Plan/Map*

- Edits that correct omissions or technical errors.
- Numeric standard changes are allowed if they do not exceed the current standard by more than 15%.

Note: The same numeric standard cannot be repeatedly modified under this provision.

Note: Changes to an approved Development Plan/Permit needed for building permit are not eligible for amendment under this provision, but are eligible for amendment as provided in Chapter 4.17.

- iv. *Addition of Similar Land Uses*

Adding uses not previously listed but determined to be similar to existing permitted uses, as determined by the Director, based on [Chapter 4.09](#) Use Standards and [Section 4.20.050](#) Use Category Definitions.

Note: Changes to use standards or definitions require a Major PUD Amendment.

- II. *Prohibited amendments.* The following changes may not be approved through the minor amendment process, and are required to be processed as major amendment:

- i. Changes the allowed uses listed in the approved PUD final plan, beyond what is allowed under the provisions of Section 4.08.070.A.1.a.;
- ii. Changes to required open space;
- iii. Changes to the allowed total density or commercial square footage; or
- iv. Changes to the PUD perimeter boundary.

2. *Review criteria and decision-making.* The director shall consider all the following criteria with respect to the proposed change when reviewing a PUD final plan amendment:
 - I. Compatibility with PUD concept plan. The minor amendment is compatible with the approved PUD concept plan. ~~Where a PUD concept plan was not adopted, compatibility shall be evaluated based on the approved PUD Guide, Development Plan, and any applicable approved subdivision and/or zoning documents.~~
 - II. Adverse impacts. The minor amendment will not cause adverse impacts to development within the PUD or adjacent development.
 - III. Technical change. The change is of a technical nature conforming ~~with one or more of the following:~~
 - i. ~~Compensate for an unusual site condition;~~ **Site-specific adjustments – necessary to address topographic constraints, geotechnical conditions, or utility placement verified by a licensed professional.**
 - ii. ~~Correct a minor, inadvertent failure to comply with an applicable LUDC standard; or~~
 - iii. ~~Protect a sensitive resource or natural feature that was not discovered during the PUD review and approval process.~~ **Environmental protection adjustments – the change or changes are intended to protect sensitive resources such as wetlands or wildlife corridors identified post-approval.**
 - iv. **Minor design optimization – improves internal circulation, pedestrian connectivity, or neighborhood compatibility without altering external access or density.**
 - v. **Minor technical changes – minor changes to the text of the PUD Guide necessary for clarity, to correct an omission, or to determine similar uses.**

4. Chapter 4.10 – Broadway District Design Standards – Window transparency requirements

In reviewing the design standards for the Broadway District, staff identified that window transparency requirements from the 1976 Land Use Code were not carried forward into the 2023 Code update. This omission affects the vibrancy and pedestrian engagement goals of the district.

Window transparency is a key design element on main streets, as it fosters visual interaction between building interiors and the public realm, contributing to a lively and welcoming streetscape.

1976 Code Provision:

A solid-to-void ratio that is similar to those found historically in the neighborhood shall be used. Large expanses of glass on exterior facades, whether vertical or horizontal, are inappropriate on renovated residential buildings used for commercial purposes. Glass panels shall have low reflectivity and high transparency, allowing for visual access into the building at ground level.

Staff propose revised language to improve clarity, enforceability, and alignment with current design goals.

Planning Commission Feedback:

- Commissioners raised concerns about confusing code references and suggested future cleanup.
- Discussion on “tint” definition: Commissioners agreed low-E glass should not be considered tint; requested language to avoid conflicts with International Building Code.
- Consensus: Include clarification on tinting language.

Staff Update and Next Steps:

- The Commission’s motion is reflected below and in Ordinance 18, Series 2025. The last sentence in the redline below was added to staff’s proposed text.

Proposed Redline Changes

4.10.050.C.1.b.

- xiii. **To preserve views and to provide a clear sense of connection into and out of the building, window and door glazing shall be transparent and have low-reflectivity. Windows shall provide clear views**

into interior spaces. Interior obstructions including, but not limited to, shelving, signage, curtains, and blinds shall not block more than 25% of the total storefront window area during business hours. Mirror-like, frosted, or tinted windows are prohibited. Low-emissivity (low-e) windows that comply with all applicable building codes are permitted and are not considered tinted windows.

4. Chapter 4.10 – Broadway District Design Standards – Parapet Walls

In reviewing the design standards for the Broadway District, staff identified a conflict with Table 4.02-3 Height Limit Exceptions. The proposed change below, now references the table, removing the conflict.

Planning Commission Feedback:

- Commissioners raised concerns about confusing code references and suggested future cleanup.
- Consensus: Support changes; no objections.

Staff Update and Next Steps:

- The Commissioner's had concerns with the overall layout of the Broadway District Design Standards and noted that it is difficult to search and fully understand provisions with the current layout.
 - Staff acknowledges the challenges with the layout of this section of the Code, and noted to the Commissioner's that this is on the list to change the layout for clarity; however, this is a more time intensive endeavor and not a quick fix.

Proposed Redline Changes

4.10.050.C.1.c.

- ii. ~~Parapet walls may exceed the height limit of the district by not more than 30 percent beyond the highest point of the building.~~ **in accordance with Table 4.02-3 Height Limit Exceptions in Section 4.02.040.D.** Parapet walls may be used as a design detail or to screen roof mounted appurtenances or roof entertainment areas from views of public rights-of-ways. **All screening elements must also be in conformance with the standards in Section 4.11.060.**

5. Chapter 4.11 – Stormwater Standards – Stormwater detention as an irrigation source.

Letter H in the purpose statement for Chapter 11 currently states that one purpose of the landscaping, screening, and fencing standards is "to promote the utilization of stormwater detention as an irrigation source." This language could be interpreted as encouraging practices that conflict with Colorado state statutes, which strictly limit stormwater collection and require permits for certain uses. Staff reviewed Section 4.11.050 and confirmed that its provisions comply with state requirements; therefore, the only proposed amendment at this time is to remove Letter H from the purpose statement to eliminate any language that could be construed as inconsistent with state law.

Staff noticed an incorrect word in Section 4.11.030.A. and is taking this opportunity to correct the mistake.

Planning Commission Feedback:

- Consensus: Support changes; no objections, no concerns.

Proposed Redline Changes

Section 4.11.010.G-I

G. Reduce the overall per capita use of water in the Town; **and**

~~H. Promote the utilization of storm water detention as an irrigation source; and~~

I.H. Ensure that climate-appropriate landscaping is an integral part of the site design and development process.

Section 4.11.030.A.

5. A legend indicating all proposed plant materials with common and botanical names, indication of drought tolerant plants, sizes maximum spacing, caliper size, and quantities;

6. Chapter 4.11 – Landscape Standards – Clarification of front yard buffer areas and tree separation requirements

The current Landscape Standards include subsections C and D, whose headings appear duplicative. However, the description under C does not align with its heading, creating confusion during code administration. Staff's review indicates that subsection C was historically intended to represent the Front-Yard Buffer, as referenced in the 1976 Code.

The front-yard buffer landscaping standards are intended to create an attractive and functional transition between private development and the public realm, reinforcing neighborhood character and enhancing the visual quality of streetscapes. These standards promote sustainable design by requiring drought-tolerant, adaptive plantings and ensuring that landscaping complements, rather than competes with, existing public right-of-way improvements. By establishing clear ratios for tree planting and minimum coverage requirements, the policy provides predictability for applicants and consistency in application, while preserving flexibility for site-specific design solutions. Prohibiting parking spaces within the buffer maintains its integrity as a landscaped area, while allowing necessary driveways and maneuvering areas ensures practical access without compromising aesthetic goals.

Planning Commission Feedback:

- Commissioners asked about xeriscape compatibility.
- Consensus: Support changes; no objections.

Staff Update and Next Steps:

- Staff confirmed that xeriscaping was compatible with the standards, but that xeroscaping, ie: no landscaping or just landscaping with rock mulch, would not be compatible with the standards.

Proposed Redline Changes

- C. ~~Landscaping within the public right-of-way~~ **Front-yard buffer landscaping.** ~~A landscape plan specific to the streetscape area shall be included on any required landscape plan for review and approval by the Public Works Director.~~ Except in the BD district, a landscape area shall be established along all streets between public right-of-way and any buildings, parking lots, loading areas, storage areas, screening walls or fences, or other improvements in association with any use, in accordance with the following:

Table 4.11-2: Minimum Width of Landscape Area

Adjacent To	Width (Feet)
I-70	15
Any other street	10

1. **Driveways and maneuvering areas.** Necessary driveways and maneuvering areas for parking lots may be ~~put in these areas~~ **located within the front-yard buffer with the approval of** ~~from the~~ Director. Parking spaces are **prohibited** ~~not allowed~~ in this area.
2. **Planting requirements.** The required landscaped ~~buffer areas shall include~~ **be planted at the rate of one tree per for every 25 linear square feet of street frontage. for all streets in the required landscaped area.** Additional plantings of varying heights and densities (shrubs, perennials, and ground cover) shall be incorporated to enhance neighborhood character and complement existing streetscape planting. Plantings should supplement, not overpower, public right-of-way

landscaping. Shrubs and perennials shall be spaced to achieve visual massing based on anticipated mature size.

3. *Design guidelines:*

- a. Landscape design shall consider existing development patterns and natural features. Trees may be grouped, provided the total required number is met. ~~These landscape areas shall be designed in a manner that takes into account existing patterns of surrounding development and the existing landscape.~~
- b. A minimum of 50 percent of required street frontage landscape areas shall be covered with cultivated landscaping and maintained.
- c. Ground cover shall consist of low-water, native, or hybridized for arid conditions ~~drought-tolerant, adaptive plants~~ to support water conservation goals.

7. **Chapter 4.12 - Underground Parking – Clarification of applicable standards**

Council, Planning Commission, and community members have expressed interest in allowing underground parking as an amenity in Eagle. Underground parking can provide multiple benefits, including reducing the visual impact of surface parking, supporting walkable development patterns, and preserving land for landscaping, open space, or active uses. It also aligns with community goals for sustainability by minimizing impervious surface areas that lead to urban heat islands and potentially improving stormwater management compared to large surface lots.

Currently, the Code does not clearly address underground parking structures, which creates uncertainty for applicants and staff during development review. The proposed amendment will clarify that underground parking is permitted and establish basic standards to ensure compatibility with adjacent uses, safety, and design objectives. This change supports Eagle's long-term vision for compact, mixed-use development and responds to feedback from decision-makers and the public.

Planning Commission Feedback:

- Commissioners discussed soil nails and permanence; agreed language should retain “temporary” and rely on engineering review.
- Consensus: Support changes; no objections.

Staff Update and Next Steps:

- The Commissioners raised an important concern regarding what “temporary” means in the context of soil nails for underground parking garages. Staff and Commission believe that for now, engineering staff have the discretion to determine when soil nails are temporary and vs. permanent. However, all acknowledged that further clarification may be needed as staff implements and enforces these provisions.

Proposed Redline Changes

Section 4.10.030.A.2. Building and facilities placement.

- a. Buildings shall be positioned on a property to avoid steep slopes, natural drainageways, natural hazards, wildlife habitat, utility easements, and defined view corridors. Structures shall be oriented parallel to topographic lines to the greatest degree possible, reducing the need for cut and fill.
- b. Parking shall be located to allow short, efficient, and safe access from the parking area to entry points on the building.
- c. Buildings shall be positioned to maximize the privacy of outdoor spaces, access to quality views, and opportunities for solar gain and energy applications.
- d. Trash enclosures shall be positioned for easy access by service providers, screened from public view, and containers or enclosures shall be wildlife resistant. Electrical and other utility boxes and facilities must also be screened from public view **from public rights-of-way.**

- e. No building or structure shall cross a property line.

Section 4.12.070.C. *Generally applicable parking area design standards.*

12. Underground parking structures.

- a. Underground parking structures may encroach into required front, side, and rear setbacks, provided:
 - i. No portion of the structure extends beyond the property boundary.
 - ii. Temporary structural supports may extend into the public right of way, provided an agreement is executed between the property owner and the Town and the Town Engineer has approved all associated plans.
 - iii. Any above-grade elements, such as stair towers and ventilations shafts, comply with standard setback requirements and are screened in accordance with [Section 4.11.060](#).

[Section 4.20.020](#). U. *U Terms.*

Underground parking structure. A parking facility located entirely below grade, including associated structural components, waterproofing systems, and access points.

PUBLIC COMMENT/OUTREACH

As of December 5, 2025, no public comment has been received on the topics for this Land Use Code Amendment.

BUDGET / STAFF IMPACT:

Staff anticipate minimal budget impact. Any associated costs will primarily be legal expenses related to drafting code language.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

This effort supports the Strategic Plan's primary objective to 'Improve Community Responsive Services.'

RECOMMENDED ACTION OR PROPOSED MOTIONS:

I move to approve Ordinance 18, Series 2025, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapters 2, 8, 10, 11, 12, and 20 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes.

ATTACHMENTS

- Ordinance 18, Series 2025
- PZ Resolution 12, Series 2025 ([LINK](#))
- Draft PZ Minutes ([LINK](#))

**TOWN OF EAGLE, COLORADO
ORDINANCE NO. 18
(Series of 2025)**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING CHAPTERS 2, 8, 10, 11, 12, AND 20 OF TITLE 4 OF THE EAGLE MUNICIPAL
CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES**

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, the Town Council desires to amend Title 4 of the 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 if set forth herein in full.

Section 2. Section 4.02.040.A.2.b. and Section 4.02.040.A.2.c. of the Eagle Municipal Code are hereby amended as follows:

b. The maximum height for all potential visual obstructions in the clear vision area is two and one half feet tall or thirty (30") inches., ~~including~~ The maximum height requirement applies to plants, fences, walls, structures, and any potential temporary visual obstructions such as parking. Trees exceeding two and one-half feet or thirty (30") inches tall may be planted in a clear vision area, provided all branches and foliage can be removed to a height of eight feet above the grade when the tree is sufficiently established.

c. No fence or wall shall be located so as to obstruct traffic sight distances. In a clear vision area, the maximum fence or wall height is two and one half feet tall or thirty (30") inches. This provision supersedes those in Chapter 4.11, where a fence or wall is located within the clear vision area.

Section 3. Section 4.08.070.A. of the Eagle Municipal Code is hereby repealed and replaced as follows:

A. *Minor amendments.*

1. *Classification of minor amendments.*

- a. *Allowed minor amendments.* Minor amendments are intended for technical or design adjustments that do not materially change the approved development intent. Minor amendments to an approved PUD final plan may be approved by the Director if the proposed amendment is included in one or more of the following categories:
 - i. *Internal road alignment adjustments.* Minor changes to internal road layouts for subdivisions that have not received final plat approval and provided they do not compromise vehicle safety or conflict with approved plans.
 - ii. *Building envelope adjustments.* Changes to unplatted building envelopes that do not impact a known Critical Wildlife Habitat.
Note: Any changes to platted envelopes must be processed as a Major PUD Amendment with an amended final plat or combined preliminary/final plat.
 - iii. *Technical text corrections in a PUD Guide or to the Development Plan/Map.* Edits that correct omissions or technical errors. Numeric standard changes are allowed if they do not exceed the current standard by more than 15%.
Note: The same numeric standard cannot be repeatedly modified under this provision. Changes to an approved Development Plan/Permit needed for building permit, are not eligible for amendment under this provision, but are eligible for amendment as provided in Chapter 4.17.
 - iv. *Addition of similar land uses.* Adding uses not previously listed but determined to be similar to existing permitted uses, as determined by the Director, based on [Chapter 4.09](#) Use Standards and [Section 4.20.050](#) Use Category Definitions.
Note: Changes to use standards or definitions require a Major PUD Amendment.
 - b. *Prohibited amendments.* The following changes may not be approved through the minor amendment process, and are required to be processed as major amendment:
 - i. Changes the allowed uses listed in the approved PUD final plan, beyond what is allowed under the provisions of Section 4.08.070.A.1.a.;
 - ii. Changes to required open space;
 - iii. Changes to the allowed total density or commercial square footage; or
 - iv. Changes to the PUD perimeter boundary.
2. *Review criteria and decision-making.* The director shall consider all the following criteria with respect to the proposed change when reviewing a PUD final plan amendment:
 - a. *Compatibility with PUD concept plan.* The minor amendment is compatible with the approved PUD concept plan. Where a PUD concept plan was not adopted, compatibility shall be evaluated based on the approved PUD Guide, Development Plan, and any applicable approved subdivision and/or zoning documents.
 - b. *Adverse impacts.* The minor amendment will not cause adverse impacts to development within the PUD or adjacent development.
 - c. *Technical change.* The change is of a technical nature conforming with one or more of the following:
 - i. *Site-specific adjustments* – necessary to address topographic constraints, geotechnical conditions, or utility placement verified by a licensed professional.
 - ii. *Environmental protection adjustments* – the change or changes are intended to protect sensitive resources such as wetlands or wildlife corridors identified post-approval.
 - iii. *Minor design optimization* – improves internal circulation, pedestrian connectivity, or neighborhood compatibility without altering external access or density.
 - iv. *Minor technical changes* – minor changes to the text of the PUD Guide necessary for clarity, to correct an omission, or to determine similar uses.

Section 4. Section 4.10.030.A.2. of the Eagle Municipal Code is hereby amended as follows:

- d. Trash enclosures shall be positioned for easy access by service providers, screened from public view, and containers or enclosures shall be wildlife resistant. Electrical and other utility boxes and facilities must also be screened from ~~public view from public~~ rights-of-way.
- e. No building or structure shall cross a property line.

Section 5. Section 4.10.050.C.1.b. of the Eagle Municipal Code is hereby amended as follows:

xiii. To preserve views and to provide a clear sense of connection into and out of the building, window and door glazing shall be transparent and have low-reflectivity. Windows shall provide clear views into interior spaces. Interior obstructions including, but not limited to, shelving, signage, curtains, and blinds shall not block more than 25% of the total storefront window area during business hours. Mirror-like, frosted, or tinted windows are prohibited. Low-emissivity (low-e) windows that comply with all applicable building codes are permitted and are not considered tinted windows.

Section 6. Section 4.10.050.C.1.c. of the Eagle Municipal Code is hereby amended as follows:

ii. Parapet walls may exceed the height limit of the district ~~by not more than 30 percent beyond the highest point of the building.~~ in accordance with Table 4.02-3 Height Limit Exceptions in Section 4.02.040.D. Parapet walls may be used as a design detail or to screen roof mounted appurtenances or roof entertainment areas from views of public rights-of-ways. All screening elements must also be in conformance with the standards in Section 4.11.060.

Section 7. Section 4.11.010. of the Eagle Municipal Code is hereby amended as follows:

G. Reduce the overall per capita use of water in the Town; and

H. ~~Promote the utilization of storm water detention as an irrigation source; and~~

I.H. Ensure that climate-appropriate landscaping is an integral part of the site design and development process.

Section 8. Section 4.11.030.A. of the Eagle Municipal Code is hereby amended as follows:

5. A legend indicated all proposed plant materials with common and botanical names, indication of drought tolerant plants, ~~sizes,~~ maximum spacing, caliper size, and quantities;

Section 9. Section 4.11.030.C. of the Eagle Municipal Code is hereby amended as follows:

C. ~~Landscaping within the public right-of-way~~ Front-yard buffer landscaping. A ~~landscape plan specific to the streetscape area shall be included on any required landscape plan~~

for review and approval by the Public Works Director. Except in the BD district, a landscape area shall be established along all streets between public right-of-way and any buildings, parking lots, loading areas, storage areas, screening walls or fences, or other improvements in association with any use, in accordance with the following:

1. Driveways and maneuvering areas. Necessary driveways and maneuvering areas for parking lots may be ~~put in these areas~~ located within the front-yard buffer with the approval of from the Director. Parking spaces are prohibited ~~not allowed~~ in this area.
2. Planting requirements. The required landscaped buffer areas shall include ~~be~~ planted at the rate of one tree per for every 25 linear square feet of street frontage. ~~for all streets in the required landscaped area.~~ Additional plantings of varying heights and densities (shrubs, perennials, and ground cover) shall be incorporated to enhance neighborhood character and complement existing streetscape planting. Plantings should supplement, not overpower, public right-of-way landscaping. Shrubs and perennials shall be spaced to achieve visual massing based on anticipated mature size.
3. Design guidelines:
 - a. Landscape design shall consider existing development patterns and natural features. Trees may be grouped, provided the total required number is met. These landscape areas shall be designed in a manner that takes into account existing patterns of surrounding development and the existing landscape.
 - c. Ground cover shall consist of low water, native, or hybridized for arid conditions drought tolerant, adaptive plants to support water conservation goals.

Section 10. Section 4.11.030.D.1. of the Eagle Municipal Code is hereby amended as follows:

1. Landscaping in the clear vision area of the public right-of-way shall not exceed 24 inches ~~two and one-half feet or thirty inches (30")~~ as described in Section 4.02.040.A. Trees may be allowed if branches are trimmed to a minimum of eight feet above grade ground level. once the tree is sufficiently established and as measured in Section 4.02.040.A. ~~The allowance of street trees or trees in the right of way is at the discretion of the Public Works Director.~~ The placement of street trees or trees within the public right-of-way is subject to the discretion of the Public Works Director, or to any adopted streetscape standards, if applicable.

Section 11. Section 4.12.070.C. of the Eagle Municipal Code is hereby amended as follows:

12. Underground parking structures.
 - a. Underground parking structures may encroach into required front, side, and rear setbacks provided:
 - i. No portion of the structure extends beyond the property boundary.
 - ii. Temporary structural supports may extend into the public right-of-way, provided an agreement is executed between the property owner and the Town and the Town Engineer has approved all associated plans.
 - iii. Any above-grade elements, such as stair towers and ventilation shafts, comply with standard setbacks requirements and are screened in accordance with Section 4.11.060.

Section 12. Section 4.20.020.U. *U Terms.* of the Eagle Municipal Code are hereby amended as follows:

Underground parking structure. A parking facility located entirely below grade, including associated structural components, waterproofing systems, and access points. Above grade elements such as stair towers and ventilations shafts are permitted.

INTRODUCED, READ, MOVED, AND ORDERED PUBLISHED ON DECEMBER 9, 2025.

TOWN OF EAGLE, COLORADO

By: _____

Bryan Woods, Mayor

ATTEST:

By: _____

Melissa Daruna, Assistant Town Manager



To: Mayor Woods and Town Council

From: Jessica Lake, Senior Planner, Community Development Department

Date: December 9, 2025

Agenda Item: **Work Session:** Discussion of proposed Land Use and Development Code (LUDC) text amendments to multiple sections within Title 4 of the Eagle Municipal Code. The amendments aim to provide clarity, streamline processes, and ensure compliance with recent state legislation.

REQUEST

For the Town Council to review and provide feedback on staff proposed modifications to the Land Use and Development Code in a work session.

BACKGROUND

In October 2023, the new Land Use and Development Code (2023 LUDC), also known as ReCode, took effect. Since its adoption, staff have identified a number of modifications and corrections necessary to ensure the Code functions as intended. Per the Code, such corrections require review and recommendation by the Planning Commission, followed by adoption by the Town Council.

The proposed work session topics include:

1. Table 4.02-3 – Updates to height limit exceptions for elevator bulkheads and internal stair access and changes to projections.
 - a) Screening standards
 - b) Design considerations for projections in mixed-use and commercial
2. Chapter 4.08 – Major PUD amendment process
3. Chapter 4.11 – Landscaping Standards – Turf requirements in alignment with SB24-005

The Town's active land use webpage previously noted a potential review of Chapter 4.20 – Definitions: Building Height. Staff have decided to postpone this discussion to a future date to allow adequate time for a thorough and robust review.

The purpose of this work session is to gather feedback and insights on the proposed updates before initiating the formal public hearing process to amend the Code.

ANALYSIS

Table 4.02-3 – Updates to height limit exceptions for elevator bulkheads and internal stair access and changes to projections.

The proposed changes clarify allowable rooftop projections while ensuring compliance with the Planning Commission's concerns about visual impacts and height consistency. By limiting each rooftop system to a maximum of 10 ft above the zone district height and requiring integrated screening, the revisions balance

functional needs (mechanical, electrical, solar) with aesthetic and community character goals. Additional conditions for elevator bulkheads and stair access prioritize placement away from public view, reducing perceived massing along primary corridors. Allowing parapet walls to extend up to 6 ft for false fronts in designated areas supports historic and contextual design objectives without increasing usable floor area. These revisions provide clear, enforceable standards that maintain the integrity of height limits while accommodating essential building systems.

Proposed Redline Changes

Table 4.02-3 Height Limit Exceptions	
Projection [3]	Height Increase, max (% or feet)
Chimneys, stacks, vents, and flues	30% over zone district max height
Antennas and towers (except as provided in Section 4.09.110 , Wireless Communication Facilities)	30'
Emergency sirens and similar devices	Any distance
Mechanical, electrical, and plumbing equipment; solar panels; air conditioner, and evaporative coolers, chimneys, stacks, vents, and flues.	30% over zone district max height Each system present on a rooftop may exceed the zone district max height by no more than 10-feet.[1]
Structural elements required for rooftop access, such as elevator bulkheads, mechanical penthouses, and/or interior access stairs	Not more than 10-feet above the max zone district height.[2]
Parapet walls, false fronts, safety railings, and screening walls	4'
Architectural features such as unoccupied belfries, flagpoles, spires, silos, domes, and windmills	30% over zone district max height
NOTES: [1] Each rooftop system (mechanical, electrical, etc.) may extend 10 ft above the zone district height limit, provided that rooftop systems are completely screened from view from adjacent streets. Screening shall be compatible with the overall building design. [2] Elevator bulkheads and stair access exceeding the zone district or bonus height shall be at the rear or alley side in the Broadway District (BD); in all other districts, rooftop access shall be at the rear or center of the building to minimize, to the greatest extent possible, visibility of the feature from the street facing side(s) of the property. [3] Screening of all projections shall be in conformance with the standards in Section 4.11.060.	

Additional Code Sections and Considerations:

Section 4.10.040.B. *Attached and multifamily sites and structures.* This section is applicable to single-family attached structures with three or more dwelling units and to multifamily structures.

6. Private outdoor space. / c. *Requirements.* Private outdoor space shall be provided according to the following: / ii. *Units above first floor.* For units located above the first floor, the minimum

size of private outdoor space shall be 80 square feet or ten percent of the "livable" floor area of the unit, whichever is larger. Private outdoor space **may** be provided as follows:

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

Section 4.10.050. Mixed-use and commercial structure and site design standards / C. Location specific standards. The following standards shall apply in specific zone districts or geographic areas in addition to any other applicable standards. / **3. Grand Avenue Corridor.** / c. *Structure design.*

- vi. **Rooftop decks, bars, and gardens are permitted and may exceed the maximum building height by up to 15 percent. All rooftop mechanical equipment shall be screened from public views.**

Section 4.20.020.R. R Terms.

Rooftop mechanical equipment. Heating, ventilating and air conditioning systems, generators, connection boxes, satellite dishes, antennas, and other similar features that are mounted on the roof of a building.

Public Comment (summarized):

- One resident supported maintaining the 10-foot rooftop projection limit and opposed additional allowances for projects receiving height bonuses.
- A representative for Eagle Multifamily LLC requested increasing elevator bulkhead allowances to 17 feet for ADA access to rooftop decks and suggested clarifying language for projections when height bonuses apply.

Planning Commission Feedback (summarized):

- Questioned need for elevators to the roof level; suggested most low-rise buildings use hydraulic elevators (hydraulic elevators generally require less headroom).
- The Commissioner's agreed that rooftop amenities must remain within height limit and that projections should not enable extra occupied space.
- Supported 10' limit for mechanical/elevator bulkheads; suggested changing "penthouse" to "mechanical penthouse."
- Consensus:
 - No additional height for bonus stories; parapets and screening allowed for regular max height and bonus max height, but mechanical equipment should fit within existing or bonus height limits.
- Direction:
 - Staff to refine language, consider additional parapet allowances, and bring back revised draft.

Questions:

1. Does the Council have any concerns or questions about the direction provided by the Planning Commission?
2. Does Council want to see rooftop amenities, or other "occupied space" able to exceed the zone district height limit? If so, should these "occupied" projections be limited to certain zone districts?

3. Should any projections be able to exceed “bonus” heights?
 - a. The Commissioners suggested that they would be ok with parapet walls, false fronts, and other non-occupied screening to exceed “bonus” heights, but not “occupied” space, amenities, or mechanical systems.
4. Are there any other considerations the Council would like staff to take into account when drafting revisions to projections?

Chapter 4.08 – Major PUD Amendment Process

The purpose of Planned Unit Developments (PUDs) is to balance developer flexibility with community benefits, creating developments that are more cohesive, attractive, and functional than what rigid zoning might allow. The Town currently administers at least fifteen existing PUDs, most of which were approved under processes that differ significantly from the 2023 Land Use and Development Code (LUDC). This creates challenges when amendments are proposed because:

1. Inconsistent Standards

Each PUD has its own guide or zoning ordinance, and some include amendment procedures that override the Code, while others do not. This inconsistency makes administration complex and unpredictable.

2. Overly Burdensome Amendment Process

The current major amendment process is so rigorous that it discourages changes—even when those changes would improve neighborhood functionality or simplify administration.

3. Completed or Built-Out PUDs

Many PUDs are fully developed, but their guides were not written to defer to the Code or allow for straightforward administration. This leaves staff managing outdated rules that do not align with current standards.

Why Change Is Needed

Unwinding all existing PUDs is not feasible. A streamlined process for amending completed PUDs would:

- Reduce administrative complexity.
- Encourage updates that benefit neighborhoods and align with modern planning principles.
- Provide clarity and consistency for staff and applicants.

Current Text

B. *Major amendments.* Major PUD amendments shall be reviewed in the manner required for original PUD applications.

The above requires major amendments to go back through the full review process, which is:

Section 4.08.060. – Review.

A. *Overview.*

1. Applications shall be reviewed in two stages: (1) the PUD concept plan, and (2) the PUD final plan.
2. Review of a subdivision sketch plan, pursuant to [Section 4.17.100](#) D.2, may be waived by the Director when the PUD concept plan incorporates the information required for subdivision sketch plan.

B. *PUD Concept Plan.*

1. *Review procedures.* Applications shall meet the common review procedures and shall include the information identified in [Section 4.17.130 A](#).
 2. *Public notice and public hearing requirements.* The application shall be scheduled for a public hearing before the Planning and Zoning Commission and Town Council that shall be noticed pursuant to [Section 4.17.050](#).
- C. *Review criteria and decision-making.*
1. The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the application based on the following criteria:
 - a. *Comprehensive plan.* The PUD Concept plan is consistent with the provisions of applicable adopted comprehensive plan policies and any adopted area or corridor plans.
 - b. *Land use and development LUDC standards.* The PUD concept plan meets the requirements of this LUDC, including the provision of a sufficient community benefit pursuant to [Section 4.08.030](#).
 2. A Planning and Zoning Commission recommendation of approval of the PUD concept plan is a recommendation for approval of the proposed base zone districts, densities, and uses within the PUD and their general locations.
- E. *PUD final plan.*
1. *Application submission.*
 - a. A PUD final plan shall be submitted with a [Section 4.17.080 D.](#), rezoning application.
 - b. Where a PUD or any phase of a PUD involves a subdivision of land, the subdivision application shall be reviewed pursuant to [Section 4.17.100](#), Subdivision.
 - c. The subdivision review may run concurrently with the PUD final plan review.
 - d. If the applicant elects to have the subdivision reviewed concurrently with the PUD final plan, upon approval of the PUD final plan and the final subdivision plat by the Town Council, the Council shall adopt an ordinance zoning the subject property PUD overlay.
 2. *Review criteria and decision-making.* The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the PUD final plan based on conformance with the following criteria:
 - a. *Rezoning standards.* The PUD final plan meets the approval criteria for a rezoning, pursuant to [Section 4.17.100 E.4.a](#);
 - b. *PUD concept plan.* The PUD final plan complies with the approved PUD Concept plan and the requirements of [Chapter 4.08](#), planned unit development district; and
 - c. *Land use and development LUDC standards.* The PUD final Plan meets all applicable standards of this LUDC not expressly modified by the PUD application.

Notes: The current Major PUD Amendment process is highly burdensome and functions as a full re-approval of the original PUD. Applicants are required to prepare entirely new plan sets and complete four public hearings, mirroring the steps of a new PUD application. This level of effort and cost creates a significant deterrent for property owners and developers, even when proposed amendments would provide clear community benefits such as improved design, enhanced amenities, or better alignment with current policy goals. As a result, the existing process may unintentionally limit flexibility and discourage adaptive improvements within established PUDs.

Options for Changes

Option A: Use Legacy Review Standards (1976 Criteria)

Revert to the original review criteria for PUD amendments, which require applicants to demonstrate that proposed modifications:

1. Are consistent with the efficient development and preservation of the entire planned unit development;
2. Do not substantially and adversely affect the enjoyment of adjacent properties or the public interest;
3. Are not granted solely to confer a special benefit upon any person;
4. Do not introduce uses that detract from other approved uses within the PUD;
5. Maintain an open space plan that is substantially similar in quantity and quality to the original approval; and
6. Include street and utility plans coordinated with existing or planned infrastructure for the remainder of the PUD.

Notes: The above standards have been slightly modified from what they were in the 1976 Code ([LINKED](#)). Minturn currently uses these standards. While they provide a framework, staff experience suggests they can be subjective and may lead to inconsistent interpretations.

Option B: Apply Current Final Plan Review Criteria

Instead of requiring amendments to go through the full concept plan process, apply the existing review criteria for PUD Final Plans:

- a. *Rezoning standards.* The PUD final plan meets the approval criteria for a rezoning, pursuant to [Section 4.17.100](#) E.4.a;
- b. *PUD concept plan.* The PUD final plan complies with the approved PUD Concept plan and the requirements of [Chapter 4.08](#), planned unit development district; and
- c. *Land use and development LUDC standards.* The PUD final Plan meets all applicable standards of this LUDC not expressly modified by the PUD application.

Notes: Most existing PUDs lack formal concept plans, making research to reconstruct them highly resource-intensive and impractical. The lack of concept plans is likely to make conformance with (b) challenging or impossible. However, this option provides a more streamlined approach and staff appreciates the inclusion of rezoning standards.

Option C: Hybrid Approach

Staff recommends a hybrid approach to PUD amendments that incorporates some standards from the 1976 Code, rezoning criteria, and applicable LUDC requirements. This approach recognizes the historic context of existing PUD approvals while ensuring amendments meet current planning objectives and community expectations. By requiring only critical information—such as compliance with unmodified Code standards, approved plans, and impact mitigation, the process maintains rigorous review without imposing the full burden of a new PUD application. This balance encourages adaptive improvements and community-benefiting changes while safeguarding against detrimental impacts on adjacent properties or overall development quality. Example standards for approval that follow this approach are:

1. Do not introduce uses that detract from other approved uses within the PUD.
2. Maintain an open space plan that is substantially similar, or better, in terms of quantity and quality to the original approval.
3. Meets the approval criteria for a rezoning, pursuant to [Section 4.17.100](#) E.4.a.
4. Meets all applicable standards of this LUDC not expressly modified by the PUD application.
5. Shall demonstrate compliance with adopted plans and standards and shall not result in measurable adverse impacts on adjacent properties related to traffic, noise, drainage, or visual compatibility.

Public Comment: None received.

Planning Commission Feedback:

- Supported hybrid approach; cautioned against allowing PUDs to expand excessively.
- Direction:
 - Proceed with hybrid approach, but ensure impacts are mitigated.

Questions:

1. Which approach does the Council prefer?
2. Do any Council members have concerns with changing the Major PUD Amendment process?
3. Does Council believe the hybrid approach adequately balances flexibility with community protection?
4. Are there any unintended consequences staff should anticipate or that the Council is concerned about?
5. Are the proposed standards clear and sufficient to guide future amendments?

Chapter 4.11 – Turf Requirements in Alignment with SB24-005

Colorado Senate Bill 24-005 (SB5) prohibits nonfunctional turf, artificial turf, and invasive plant species on nonresidential properties for new development and certain redevelopment projects beginning January 1, 2026. The bill aims to reduce water-intensive landscaping and promote climate resilience while preserving tree canopy and green space. Local governments must adopt or amend ordinances to comply with SB5 by this date.

While Eagle will not meet the January 1, 2026, deadline, staff are actively working toward adoption in coordination with Western Resource Advocates (WRA) to ensure the provisions are implemented correctly. The technical team at WRA has shared that the State will not penalize communities for missing this deadline but wants to see progress towards compliance. At the same time, the Town is developing Wildland-Urban Interface (WUI) regulations to address wildfire risk. Because both initiatives affect landscaping standards, staff recommend taking additional time to integrate SB5 requirements with WUI best practices. This approach will prevent multiple amendments to the same sections of the Code and ensure a comprehensive, consistent update that supports water conservation, wildfire safety, and community aesthetics.

Resources provided by WRA, including a code review with comments, are linked in the attachments section below. Staff are still in the process of reviewing these materials. For this work session, staff are not prepared to address all of WRA's comments in detail; however, we would like to focus on one specific section of the landscape chapter, as many of the comments are concentrated on the language excerpted below.

Current Text

- B. *Landscape materials.* Low-water, drought-tolerant, adaptive plants shall be used for all new landscaping. It is strongly encouraged to use fire-wise plants wherever possible. Materials shall be suitable for the local climate. The Town recommends utilizing the low-water/drought-tolerant/fire-wise plant materials lists available through the CSU Extension Office. Applicants who propose to use plants materials that are not on a CSU list must provide information describing how the plant types proposed are low-water, drought-tolerant, and FireWise. Fruit bearing trees or shrubs shall be

prohibited to limit conflict with wildlife, unless a maintenance plan is included with the landscape plan.

1. *Turf grass.* Turf grass shall be a high-altitude, drought-tolerant product. Turf grass is not permitted on slopes greater than 20 percent. The use of turf grass shall be limited as follows:

Table 4.11-1: Use of Turf Grass By Zone District

Residential Low and Medium	2,500 square feet per dwelling unit
Residential High	Limited to private open space areas
Mixed-Use	Limited to private open space areas
Commercial and Industrial	No turf grass allowed except for Recreational Vehicle Park/Camping, Parks/Playgrounds, Playfields, College/University, Pre-School/Childcare Center, School/Trade/Private Academy and Green Roof uses
Public	Allowed
Rural	5,000 square feet per dwelling unit

2. *Minimum plant specifications.* All plant materials installed to meet the requirements of this LUDC shall meet the following minimum size requirements:
 - a. Trees: Minimum caliper of three inches.
 - b. Shrubs: Minimum of five gallons.

Notes: Staff suggest we consider how we might better incorporate some of the key provisions of both SB24-005 and HB25-1113.

Key requirements:

SB24-005:

- Prohibits installation of nonfunctional turf and invasive species on new/redeveloped commercial, institutional, industrial, and HOA common areas starting Jan 1, 2026.
- Applies to medians, rights-of-way, parking lots, and transportation corridors.
- Allows functional turf only specific instances, such as in civic/recreational spaces (parks, playfields, golf courses).

HB25-1113:

- Expands turf limits to multifamily residential properties (>12 units) by Jan 1, 2028.
- Requires local ordinances to limit turf in all new residential development, encouraging low-water, drought-tolerant species.
- Permits turf only if native, hybridized for arid conditions, or low-water grass. [\[nswlaw.com\]](https://www.nswlaw.com)

An alternative to the above table could look like (table below provided as an example only, created by AI based on existing Code table and State provisions, and further modified by staff):

Zone District	Allowed Turf Type	Max Area	Notes / Exceptions
Residential Low/Medium	Functional only	2,500 sq. ft per dwelling unit[1]	Must be low-water, native, or hybridized for arid conditions.
Residential High	Functional only	Common open space only	No decorative or nonfunctional turf
Mixed-Use	Functional only	Common open space only	Nonfunctional turf prohibited
Commercial & Industrial	Prohibited	N/A	Exceptions: RV parks, playfields, schools, green roofs[2]
Public	Functional only	As needed	Parks/playgrounds allowed
Rural	Functional only	5,000 sq. ft per dwelling unit[1]	Must meet low-water, native, or be hybridized for arid conditions
[1] Current provision from LUDC, Section 4.11.030.B. / Table 4.11-1 [2] Green roofs should avoid turf, when used, turf must be low-water, native, or hybridized for arid conditions. Other options for ground cover on green roofs could be			

Public Comment: None received.

Planning Commission Feedback:

- Commissioners questioned artificial turf ban; staff explained environmental concerns, such as harmful forever chemicals (PFAS), increased temperatures, increased stormwater runoff, and microplastic contamination. WRA has an eye opening report on artificial turf for anyone interested in learning more ([LINK](#)).
- Highlighted need for clear definitions of “functional” vs. “non-functional” turf.
- Concern about going beyond state requirements; suggested aligning with state baseline for now.
- Raised issue of agricultural lots and water rights; staff noted most annexations transfer water rights to town.
- Direction:
 - Start with state standards; add definitions; coordinate with WUI code.

Questions:

1. Are there any concerns with the new requirements under SB24-005?
 - a. Are there specific elements of SB24-005 or HB25-1113 that the Council feel require further clarification or adaptations specific to Eagle?
2. Do we want to adopt requirements under HB25-1113 prior to the January 1, 2028 deadline?
3. Should the staff consider additional outreach or education before adopting these requirements?
4. Does the Council support aligning landscaping updates with other code revisions to minimize disruption and cost?

PUBLIC COMMENT/OUTREACH

Public hearings will be noticed in accordance with Title 4 requirements. Public comment was received ahead of the Planning Commission meeting for Table 4.02-3 Height Limit Exceptions and is attached as part of the packet.

Staff have initiated preliminary discussions regarding PUD Amendment provisions with the Haymeadow development team to gather input from a major stakeholder.

Additionally, changes to the landscaping chapter are mandated by SB24-005 and HB25-1113. Town staff will begin targeted outreach to property owners and HOAs once the scope of these legislative changes and their implications for the Land Use and Development Code are fully understood. This approach ensures that outreach is timely, informed, and focused on providing clear guidance to affected parties.

ATTACHMENTS

- Public Comment
- Draft PZ Minutes
- SB24-005 ([LINK](#))
- HB25-1113 ([LINK](#))
- WRA Analysis and Comments – Eagle Land Use and Development Code, Title 4 ([LINK](#))
- Local Compliance with Colorado Senate Bill 24-005 Fact Sheet ([LINK](#))
- Colorado Senate Bill 24-005 Grasses and Plants Guide ([LINK](#))
- Colorado Native Grass Guide ([LINK](#))
- Additional Landscape Transformation & Water Conservation Resources from WRA ([LINK](#))
- Town of Eagle PUD Guides ([LINK](#))

November 17, 2025

DIANA CARUSO JENKINS
303 575 7519
DJENKINS@OTTENJOHNSON.COM

VIA EMAIL

Town of Eagle, Planning and Zoning Commission
200 Broadway
PO Box 609
Eagle, CO 81631

Re: Public Comment - Text Amendment to the Land Use and Development Code – Table 4.02-3¹

Dear Planning and Zoning Commission:

This firm represents Eagle Multifamily LLC in connection with the contemplated redevelopment of the property located within the northeast quadrant of the intersection at Capitol Street and East 2nd Street in the Town of Eagle (the “**Town**”). We appreciate the opportunity to provide these comments following review of the Community Development Department’s Staff Memo, which outlines the intention behind the proposed text amendments. We understand that staff has been working to further clarify the Land Use and Development Code (2023 LUDC) (the “**LUDC**”) and acknowledge the importance in doing so.

These comments pertain to the proposed text amendment for Table 4.02-3 “Updates to height limit exceptions for elevator bulkheads and internal stair access and changes to projections.” I’ve communicated with staff members and particularly Senior Planner Jessica Lake who kindly shared the methodology behind the revisions, but hope to provide additional context to further refine the revisions to Table 4.02-3, as follows:

1. The proposed changes include permitting “[s]tructural elements required for rooftop access, such as elevator bulkheads, penthouses, and/or interior access stairs” to be constructed up to 10 feet above the max zone district height. Ms. Lake noted that this 10-foot recommendation derived from (a) reviewing other communities’ approaches, (b) consulting with the Town’s building official, and (c) balancing visibility and functionality of such elements. Additionally, I’d request the Planning and Zoning Commission consider the physical space required by elevator components, particularly in the context of rooftop access, which does not appear to be considered by the current LUDC or proposed changes. I understand that the LUDC contemplates rooftop decks in connection with residential structures, so this particular scenario is relevant to any future development intending to integrate such an amenity for the Town’s residents.

¹ The Staff Memo references Table 4.02-3, which may be due to other pending changes, but please note that this table is currently identified as Table 4.02-2 in the LUDC.

Our consulting architect, Maggie Fitzgerald, has advised that 10 feet is not enough space to realistically place the necessary structural and mechanical components of an elevator bulkhead which includes, without limitation, an elevator cab, safety refuge area, hoist beam and roof covering. Instead, 17 feet above the primary structure's roof is required to serve a modern elevator bulkhead, including the roof material on top of the rooftop elevator bulkhead. The following figure breaks this required measurement down in detail. Additionally, Exhibit A provides a snip of a brochure from the elevator manufacturer, showing a real-life example of the below elements integrated into an elevator system.

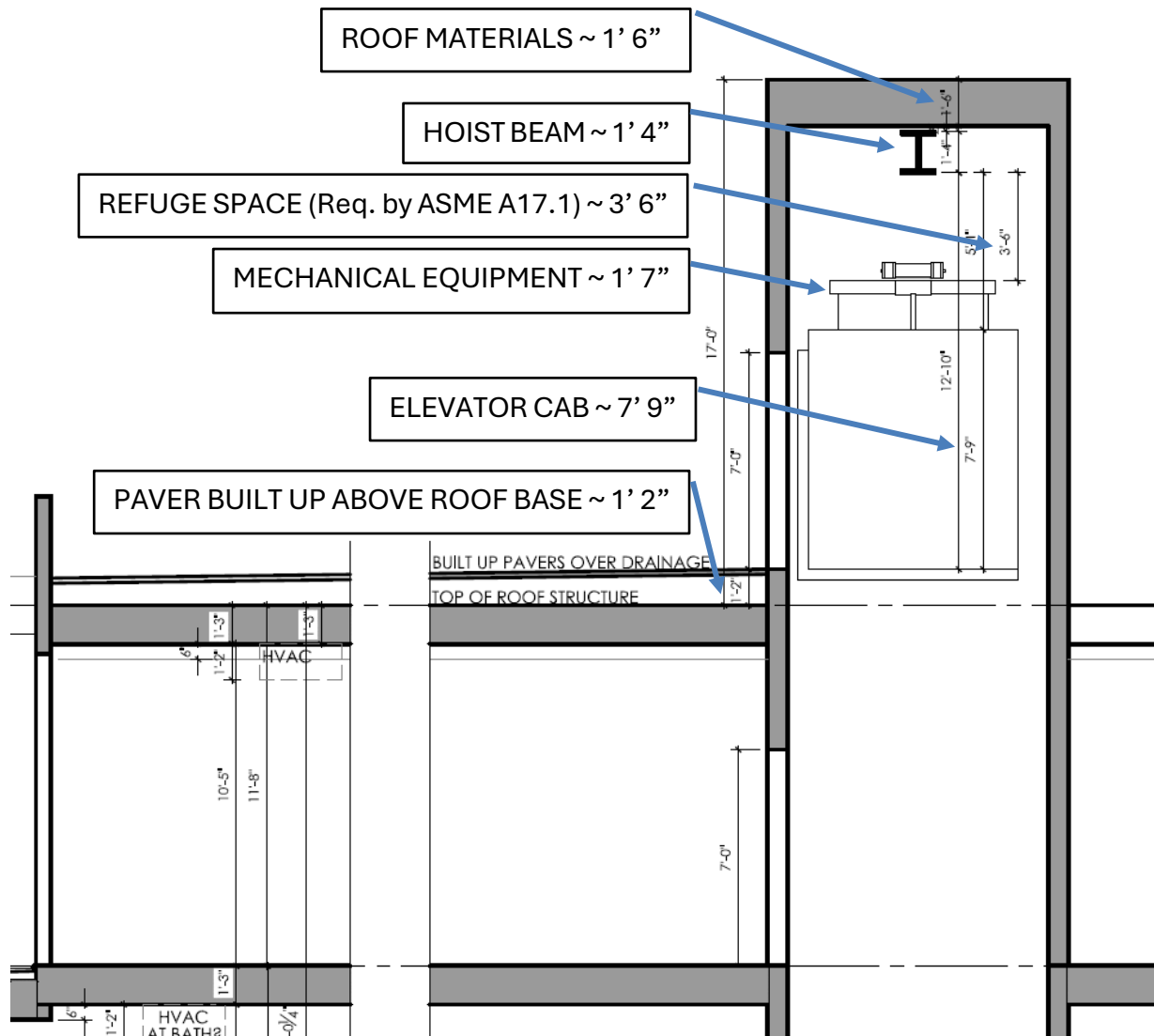


Figure 1 – Elevator Section Illustration – Provided by Maggie Fitzgerald, AIA |ARCHITECTS

2. The proposed changes correctly identify that when a structure is granted a height bonus, rooftop systems should then be measured from the “modified height limit.” This is necessary, of course, because the height limit exception elements identified in Table 4.02-3 are exceptions due to their nature which requires placement above the uppermost interior ceiling/roof base (i.e. the maximum height) to provide their intended function. The proposed changes recognize this necessity in Table 4.02-3 Footnote 1 in stating:

[1] Each rooftop system (mechanical, electrical, etc.) may extend 10 ft above the zone district height limit, provided that rooftop systems are completely screened from view from adjacent streets. Screening shall be compatible with the overall building design. If a fourth-story bonus is allowed per Section 4.02.050.G.2.b.iv., rooftop systems may still project above the modified height limit but shall follow the same screening requirements.

This footnote is somewhat flawed though, as it does not reference all potential scenarios in which a maximum building height may be modified, instead only citing Section 4.02.050.G.2.b.iv. (i.e., height bonus for projects providing 60% affordable housing units and RO units). Additionally, this footnote and Footnote [2] are the only notes referencing the fact that when a maximum building height is modified, the exceptions provided in Table 4.02-3 must instead be measured from the modified maximum building height – again, simply due to the nature and functionality of the exceptions.

This appears to be the intention behind the drafting, but I’d suggest the concept be applied to all height limit exceptions in Table 4.02-3. If, for example, the recognition of a modified maximum building height was only mentioned in discrete footnotes, the Table could be interpreted to not permit parapet walls, safety railings, and screening walls to exist above a modified maximum building height, effectively banning these elements where a structure is granted a modified maximum building height of four feet or more.

To ensure further clarity and avoid unintentional rejection of development plans due to this footnote, I would suggest the following draft language modifications:

- a. Either create an additional Footnote [4] integrating the following language that applies to all rows in Table 4.02-3 (similar to Footnote [3]) or add the following language to Section 4.02.040.D.3.a.:

“If a maximum building height is modified pursuant to this LUDC, including, but not limited to a building height bonus permitted per Section 4.02.050.G.2.b.iv., the projections outlined in Table 4.02-3 may project above the modified maximum building height limit but shall adhere to all requirements of this Section 4.02.040.D., including, without limitation screening requirements.”

- b. Additionally, modify Footnotes [1] and [2] as follows, to ensure consistency in terminology and negate superfluous information already noted in the Table:

Planning and Zoning Commission

November 17, 2025

Page 4

[1] ~~Each rooftop system (mechanical, electrical, etc.) may extend 10 ft above the zone district height limit, provided that r~~ Rooftop systems ~~are~~ shall be completely screened from view from adjacent streets. Screening shall be compatible with the overall building design. ~~If a fourth-story bonus is allowed per Section 4.02.050.G.2.b.iv., rooftop systems may still project above the modified height limit but shall follow the same screening requirements.~~²

[2] Elevator bulkheads and stair access exceeding the ~~standard~~ zone district ~~maximum building height~~ or ~~bonus permitted modified maximum building~~ height shall be ~~located~~ at the rear or alley side in the Broadway District (BD); in all other districts, rooftop access shall be ~~located~~ at the rear or center of the building to minimize, to the greatest extent possible, visibility of the feature from the street facing side(s) of the property.

We appreciate your attention to this matter and would be happy to discuss further.

Sincerely,

Diana Caruso Jenkins

Diana Caruso Jenkins

For the Firm

DCJ

² Last sentence removed from this discrete footnote, as it should be integrated instead to apply to all Projections, as provided in the new language suggestion in this letter's Section 2.a.

Planning and Zoning Commission

November 17, 2025

Page 5

Exhibit A

KONE MONOSPACE 300 DX Imagery Snip

Note that additional imagery/information for this elevator can be found at https://www.kone.us/Images/KONE%20MonoSpace%20300%20DX%20Brochure_tcm25-115248.pdf





MEETING MINUTES
Planning & Zoning Commission
Tuesday, November 18, 2025, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Commissioner Bill Nutkins called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT

Weston Arbogast, Andrew Atkins,
Keith Montag, Bill Nutkins,
Keegan Winkeller

STAFF

Peyton Heitzman – Com Dev Director
Jessica Lake – Senior Planner
Sydney Dynek – Planner I
Gram Dick – Admin Tech II
Kyle Brotherton – Planner III

COMMISSIONERS ABSENT

Chad Koch, Matt Hood, Jennifer Sturgeon

APPROVAL OF MINUTES

1. Keith Montag commented he was not present at the November 4, 2025, Meeting and needs to be taken off the “Present” list. Minutes approved from November 4, 2025. Motion passed unanimously. All in favor.

PUBLIC COMMENT

Commissioner Nutkins opened the floor for public comment on items not on the agenda, but there were none.

DECLARATION OF CONFLICTS OF INTERESTS

Peyton Heitzman read a conflict of interest declaration into the record, stating that Commissioner Matthew Hood had recused himself from discussion of Land Use Development Code due to a potential conflict involving a client, thereby ensuring transparency.

PUBLIC HEARINGS

1. **Project:** Henry Annexation 220 East 6th Street
File #: AN24-02
Applicant: Kathy S. Chandler-Henry & George S. Henry
Location: 220 East 6th Street
Staff Contact: Kyle Brotherton, Planner III
Request: An application to zoning parcel no. 210905100002 to Old Town Residential (OTR).

Staff Presentation & Discussion

Kyle Brotherton opened the meeting with a presentation of the Henry annexation and rezoning request for the property located at 220 E 6th Street, submitted by applicants Kathy R. Chandler Henry and George S. Henry. The Planning and Zoning Commission reviewed the proposal to rezone the 1.5-acre parcel from its current Eagle County “resource” zoning to the Town’s Old Town Residential (OTR) district upon annexation. Kyle Brotherton explained that the application also included a minor subdivision to create three lots and noted that no public comments had been received before the meeting. He detailed the three rezoning criteria: consistency with the comprehensive plan’s future land use map, support of at least two comprehensive plan goals, and alignment with the Town’s strategic objectives. Staff found the application met all standards, citing its infill nature, compatibility with surrounding neighborhoods, and contribution to the local housing stock.

Discussion

Commissioner Keith Montag inquired about access for the new lots, minimum lot size, and potential lot configurations. Staff clarified that access would utilize existing public rights-of-way, the minimum lot size in OTR is 3,500 square feet, and the parcel size allows substantial flexibility in subdivision design. Following deliberation, the Commission discussed the appropriateness of the OTR district, reaffirmed their advisory role within the annexation timeline, and concluded their review.

PUBLIC COMMENT

No Comments.

MOTIONS

Commissioner Weston Arbogast motioned to recommend approval of file AN24-02. Commissioner Keegan Winkeller seconded, and the motion passed unanimously. All in favor.

2. **Project:** Amendment to the Land Use and Development Code – Miscellaneous Updates
File #: LUDC25-06
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Jessica Lake, Senior Planner
Request: Land Use and Development Code (LUDC) text amendment to resolve inconsistencies, provide clarity and correct omissions to multiple Sections within Title 4 of the Eagle Municipal Code.

Staff Presentation & Discussion

Jessica Lake requested that one proposed amendment—Table 4.02-3, Height Limit Exceptions—be removed from the current set of Land Use Code amendments and deferred to the work session later in the agenda.

Staff then presented a comprehensive package of amendments to the Land Use and Development Code, covering topics such as landscape regulations, the process for minor amendments to Planned Unit Development (PUD), Broadway District design standards, stormwater requirements, and underground parking considerations.

The Commission provided detailed feedback and requested specific clarifications. Staff explained that within required clear vision areas, all objects, including landscaping, fencing, and temporary features, must remain below 30 inches, with measurement standards defined and discretion granted to the Public Works Director regarding tree placement. The Commission discussed the rationale for the established 30-by-30-foot triangle and noted potential future improvements.

Revisions to Chapter 4.08 were then reviewed, clarifying the distinction between permitted and prohibited minor PUD amendments, outlining administrative approval criteria, and reaffirming the Director's authority. Commissioners discussed the proposed 15% change threshold and differences between platted and unplatted building envelope modifications.

Amendments to Chapter 4.10 regarding the Broadway District addressed window transparency standards and parapet wall regulations, expressly prohibiting mirror-like or heavily tinted window treatments and confirming that parapet walls may exceed district height limits under Table 4.02-3. Commissioners agreed that additional language should be added to avoid conflicts with the International Building Code. Stormwater and landscape updates under Chapter 4.11 included removing language that encouraged irrigation from stormwater detention, avoiding conflict with state law, and clarifying front yard buffer requirements, tree spacing, planting ratios, landscape coverage expectations, and the prohibition of parking within required buffer areas.

The Commission also examined Chapter 4.12 revisions concerning underground parking structures. Staff clarified that underground structures may encroach into required setbacks if they do not extend beyond property boundaries, and that temporary supports may be placed in the public right-of-way with an agreement. Above-grade elements, however, must meet setback requirements and be screened. Discussion further addressed definitions and long-term handling of temporary versus permanent soil-nail systems.

Discussion

Discussion occurred during Staff Presentation.

COMMISSIONER QUESTIONS

No Questions.

PUBLIC COMMENT

No Comments.

P&Z COMMISSION DELIBERATION AND FEEDBACK ON THE APPLICATION

No Comments.

MOTIONS

Commissioner Weston Arbogast motioned to recommend approval of file LUDC25-06, with the removal of table 4.02-3 as well as including an amendment clarifying window tinting language. Commissioner Andrew Atkins Seconded. All in Favor.

WORK SESSION

Jessica Lake then led a scheduled work session focusing on height limit exceptions under Table 4.02-3, major PUD amendment processes, and turf requirements. The Commission discussed rooftop projection limits, ADA accessibility to rooftop amenities, and the balance between community character and development feasibility. The Commission also reviewed feedback from Eagle Multifamily LLC and engaged in debate over the adequacy of a 10-foot projection allowance for mechanical equipment, elevator bulkheads, and rooftop uses, ultimately supporting retention of the 10-foot limit while noting the need for additional clarity around parapet and screening requirements.

Staff next presented three options for revising the major PUD amendment process: reverting to legacy standards, applying current final plan criteria, or implementing a hybrid model. After discussion, the Commission supported the hybrid approach, citing its balance of historical context and modern planning goals, and stressing the importance of preventing applicants from using minimal initial approvals to bypass full PUD review. The Commission also reviewed landscaping changes required by Colorado Senate Bill 24-005 and House Bill 25-1113, which restrict non-functional turf and encourage drought-tolerant plantings. The group debated the definition of functional turf, the implications for single-family and agricultural uses, and how best to communicate new standards to HOAs and property owners.

PUBLIC COMMENT

Dawn Koenig explained that she appreciated being able to review the staff memo and hear the discussion. She thanked the commission for its thoughtful conversation, emphasizing how important it is to preserve the character of the downtown neighborhood for residents. Dawn expressed support for the comments regarding the 10-foot projection allowance, noting that it already provides more than what seems necessary, especially given that the town's 35-foot height limit is generous and most existing buildings reach that height only at their roof peaks. She also agreed with Commissioner Nutkins' point that buildings receiving a fourth-story bonus should not be allowed additional height for projections, as the bonus itself already increases the building's scale and could affect the town's traditional character. She closed by thanking the commission again for its consideration and thoughtful dialogue.

Diana Jenkins thanked staff for thoughtfully reviewing and summarizing her earlier comment letter and for bringing the topic forward for discussion. She explained that the intent behind allowing an elevator to reach the roof is to support ADA accessibility and ensure equitable access to a shared outdoor community space, not to create additional enclosed structures such as a bar. Her clients envision a simple communal area with benches, a grill, or picnic space for residents to enjoy mountain views. She noted that they are open to working with their architect and staff to explore alternative elevator options and to ensure logistical compatibility with the code. Diana added that if the board prefers not to allow roof decks with elevator access, she understands the logic behind the current limitation in the proposed code. She also clarified that her suggested language changes were not meant to increase allowable building height beyond existing bonuses, but rather to ensure that necessary rooftop projections such as parapets, railings, and mechanical equipment can exceed modified height limits by the standard amounts. Her intent was to clean up the language, so these essential projections are clearly permitted regardless of small height adjustments. She concluded by offering to continue coordinating with staff offline.

COMMUNITY DEVELOPMENT UPDATE

During department updates, staff announced that Assistant Town Manager Melissa Daruna would assume the role of interim town manager in mid-December following Larry Pardee's departure. Gram Dick requested that commissioners confirm their availability for upcoming December meetings, emphasizing the importance of timely responses for scheduling. In response to an inquiry from Commissioner Bill Nutkins regarding work occurring on Chambers, staff confirmed that the activity is being conducted under a valid grading permit, resolving concerns about potential unpermitted work.

ADJOURN

Commissioner Weston Arbogast motioned to adjourn. Commissioner Keegan Winkeller seconded, and the motion to adjourn passed unanimously. All in favor.

Meeting Adjourned at 7:57 PM

AI Assistance

These meeting minutes were generated with the assistance of AI technology to enhance accuracy, organization, and clarity. The final version was reviewed and approved by Gram Dick to ensure completeness and adherence to meeting records.