



**Planning & Zoning Commission
Tuesday, December 16, 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 – Town of Eagle Public Wi-Fi

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting at Town Hall, located at 200 Broadway Eagle, CO 81631.

DECLARATION OF CONFLICTS OF INTEREST

REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. November 18, 2025 Planning Commission Meeting Minutes

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

1. Community Development Department Update

OPEN DISCUSSION

ADJOURN

DINNER

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.

Gram Dick
Administrative Technician II



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.

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 have completed two rounds of miscellaneous code amendments recently and held a work session with the Commission and Town Council. Staff are working on the next round of changes to bring back for consideration in Q1 2026.
- Staff are working with Western Resource Advocates (WRA) to address State mandated requirements for turf and water-wise landscaping.

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) • Dinner
December 23 rd (Town Council) - cancelled

