



**Town Council
WORK SESSION
Tuesday, January 6, 2026
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

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

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

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Phone conference ID:212 832 913#

STAFF REPORTS

1. Town Council Vacancy - Applications Received

PRESENTATION

1. State Resilience (WUI) Code
2. Table 4.02-3 Height limit exceptions - additional clarification

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



To: Mayor Woods and Town Council

From: Melissa Daruna, Interim Town Manager, Acting Town Clerk

Date: January 6, 2026

Agenda Item: Applications for Town Council Vacancy

REQUEST: Staff requests the Council review this memo and the applications for the Town Council vacancy. No action is needed at this meeting, this memo is informational.

BACKGROUND: On December 9, 2025 Bryan Woods, a seated Town Council Member, was sworn in as the new Mayor following the 2025 election. This created a vacancy for Bryan's seat on the Town Council.

Also on December 9, 2025, the Town Council declared the vacancy and directed staff to open an application period for interested residents to apply to be appointed. The application period was open from December 10 – December 23, 2025.

ANALYSIS: The Town received 3 applications for the Town Council appointment. Those applications are linked below. Staff recommends bringing in all 3 applicants for interviews at the January 13 Town Council meeting. Following interviews, staff recommends the Council discuss and then vote on an appointee.

COMMUNITY INPUT: No additional community feedback has been received outside of the applications.

BUDGET/STAFF IMPACT: There is no additional budget or staff impact.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: Filling the Town Council vacancy is required by the Town' Charter.

RECOMMENDED ACTION OR PROPOSED MOTION: No action is needed at this time. Staff requests that Council review the applications and be prepared for brief interviews with each applicant on January 13, followed by a vote to seat an appointee.

ATTACHMENTS: Applications for the Town Council vacancy established December 9, 2025:

- Andrew Atkins
- Jason Cole
- Gerardo Lopez Martinez

Print

Town Council & Planning Commission Application - Vacancies Only - Submission #19493

Date Submitted: 12/19/2025



Select the Town Council or Planning Commission*

Town Council (vacancies only)

Use the drop-down to select.

There is currently one vacancy on Town Council. Applications must be received by 4:00 p.m. December 23, 2025. Please contact the Town Clerk's Office for information at clerk@townofeagle.org or 970-328-6354.

PERSONAL INFORMATION

First Name*

Andrew

Last Name*

Atkins

Address1*

PO Box 6736 (street address 306 Howard St.)

Address2

City*

Eagle

State*

CO

Zip*

81631

Email Address*

ara3atkins@gmail.com

Contact Phone Number*

970-764-0849

Business Address

PO Box 6736, Eagle CO 816431

Business Phone Number

970-764-0849

Occupation

Attorney

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.

Are you a United States Citizen?

☒ Yes

☐ No

Are you a registered elector of the Town of Eagle?

☒ Yes

☐ No

Have you been an Eagle resident no less than 12 consecutive months?

☒ Yes

☐ No

Length of Residency in Eagle

2 years 7 months

Are you a registered voter and eligible to vote in the Colorado General Election?

☒ Yes

☐ No

EDUCATION AND HOBBIES

High School

St. George’s School, Newport RI (1996)

College

U.S. Military Academy, West Point NY (2000)

Trade or Business School

University of Washington School of Law (2007), Judge Advocate General’s School (2012)

Hobbies

Cycling, backpacking, educational and human services volunteer activities, travel, reading, skiing

ORGANIZATION MEMBERSHIP INFORMATION

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

☒ Yes

☐ No

If yes, which

Town of Eagle Planning & Zoning Commission

Please list organization memberships and positions held

Commissioner, Town of Eagle Planning and Zoning Commission; Board Member and Nominating & Governance Committee Chair, Eagle Valley Community Foundation

Please List Areas of Special Interest

Addressing food insecurity, enhancing access to health and social services resources, expanding youth activities and childcare in our valley

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

I seek to to participate in shaping Eagle’s long term growth consistent with our Comprehensive Plan, with the goal of expanding economic activity and quality of life during my two year term and beyond.

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?

Eagle is blessed with genuine small-town character that makes it the best place to raise a family on the Western Slope. With its pristine natural environment and the ways the community has grown since my childhood, Eagle provides exceptional quality of life for current and future residents. Our location on the I-70 corridor and amidst prime USFS, BLM, and local open space provides a wide range of economic opportunities for new and established businesses.

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

Eagle continues to face challenges with housing affordability and workforce retention, managing growth while preserving its small-town character, constrained infrastructure, and limited sales tax-reliant budgetary resources.

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

If appointed, I will seek to advance the Grand Avenue Corridor Plan, bring about an additional I-70 interchange to alleviate Highway 6 congestion, and implement other infrastructure improvements to keep up with ongoing development. I will apply my experience in land use law to further responsible residential and commercial growth within our Three Mile Plan area. I will listen to our citizens, the Downtown Development Authority, and other stakeholders to foster the events, activities and businesses that will draw recreational visitors and new residents to Eagle. Finally, as a parent, I will look for ways to further the safety and well being of our youth and support their growth.

**** Notarized Affidavit Required**

Please note that a Town Council appointment requires a notarized Conflict of Interest Affidavit on file. Please download, complete, and re-upload the notarized affidavit with your application submittal.

[Download Affidavit Here](#)

[Conflict of Interest Affidavit](#)

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

Atkins Letter of Interest and Resume.pdf

Please attach in .pdf format.

Please include the notarized Conflict of Interest Affidavit with your submittal.*

Atkins Conflict of Interest Affidavit.pdf

Please attach in .pdf format.

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:
Andrew Atkins

Title:
Town Council Applicant

Decision(s) or contract affected (give description of item to be addressed by Council, Board, Department Director, etc.):
None known at this time.

Brief statement of interest:

As an attorney, I may from time to time have to recuse myself from matters coming before the Council that involve a client. As a Board Member of the Eagle Valley Community Foundation, I would recuse myself if the Foundation comes before the Council seeking a financial contribution or for any other purpose.

Date: 12/19/2025

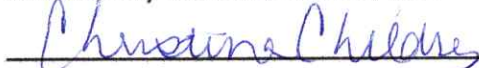
Signature: 

STATE OF COLORADO)
) ss
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 19th day of December, 2025 by Andrew Atkins.

Christina Childrey
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044017753
MY COMMISSION EXPIRES May 21, 2028

Witness my hand and official seal


Notary Public

My Commission Expires: 05/21/2028

REMOVAL OF CONFLICT OF INTEREST

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

Date:

Signature:

Andrew Atkins

306 Howard St., Eagle CO 81631 / P.O. Box 6736, Eagle CO 81631
(970) 764-0849

Dear Council Members,

Thank you for considering my application to serve on the Town Council. I hope to join you in advancing our Comprehensive Plan, responding to citizens' calls for action, supporting the staff, and expanding economic activity and quality of life for all in Eagle. I am deeply motivated to contribute my experience in law, public service, community leadership, and strategic planning to the Council during this pivotal period of growth and opportunity.

Returning home to Colorado in 2022 following twenty-two years of military and civil service, my family chose to settle in Eagle because of its cultural vitality, economic promise, and unparalleled access to outdoor recreation. As our ties to the community deepen, the "Eagle in 2040" goals fellow citizens articulated in the Elevate Eagle Comprehensive Plan strongly resonate with us. At the same time, my wife Alison and I recognize that revenue constraints, housing pressures, infrastructure demands, and competing land-use priorities make realizing that vision both complex and challenging.

As a Council member, I will work collaboratively with fellow Council members, Town staff, and residents to build on the strong foundation already in place while advancing thoughtful new solutions to these challenges. ReCode—an effort I strongly supported—was an important step forward, but it is only a beginning. I will prioritize continued progress on the Grand Avenue Corridor Plan, pursue an additional I-70 interchange in coordination with regional partners to help relieve Highway 6 congestion, and support other infrastructure investments needed to responsibly accommodate growth. I will apply my experience in land use law to encourage balanced residential and commercial development within the Three Mile Plan area. I also will engage closely with residents, the Downtown Development Authority, and other stakeholders to foster events, activities, and businesses that strengthen Eagle's economy while preserving its character. Finally, as a parent, I am committed to advancing the safety, well-being, and healthy development of our youth.

I would be honored to serve our community and help shape Eagle's future with thoughtful leadership and a deep commitment to public service. I understand that serving on the Council requires diligence, preparation, and collaboration, and I am prepared to invest the time, listen carefully, and build the relationships necessary to be an effective and constructive colleague. Thank you for your consideration.

Sincerely,



Andrew Atkins

Leader and public servant skilled in family law, real estate and land use, construction litigation, risk management, strategic response, legislative affairs, and regulatory compliance. Establishes trust, builds teams, and manages complex problems discreetly with compassion and open-mindedness.

PROFESSIONAL EXPERIENCE

Solo Practice Attorney, Holy Cross Law LLC (July 2025-Present)
Eagle, Colorado

- Represent and advise clients in domestic relations matters, including divorces, premarital agreements, post-decree enforcement, allocating parental responsibilities, and protection orders.
- Prepare property tax protests for clients across Colorado and appear before county Boards of Equalization and the Colorado Board of Assessment Appeals.

Senior Counsel, Garfield & Hecht P.C. (March 2023-July 2025)
Avon, Aspen, Glenwood Springs, and Denver, Colorado

- Appeared before Colorado District courts, the U.S. District Court for the District of Colorado, and municipal bodies in real estate disputes, homeowners association enforcement actions, landlord-tenant disputes, construction defect litigation, land use, and domestic relations litigation.
- Drafted marital separation agreements, leases, contracts, and corporate documents in coordination with clients' tax and investment advisors, family office directors, and other team members.
- Drafted and litigated property tax protests and appeals before county and state authorities, achieving a 93% success rate and average valuation reduction of \$6.1M in 2023, 2024, and 2025.

Senior Supervising Counsel, AmeriCorps Office of the General Counsel (2021-2023)
Washington, DC and Remote

- Advised senior officials on financial management, appropriations, and audit compliance for over \$1.1B of community service programs in coordination with other Executive Branch departments, and supervised five counsel providing contracts, tort claims, ethics, and employment advice.
- Collaborated with counsel and management to draft contract solicitations, review bid proposals, and formulate strategy for bid protests in support of the agency's \$32M technology modernization.
- Led cross-functional teams developing budget justifications and annual financial reports, prepared officials for congressional testimony, drafted revisions to Title 42, U.S. Code, and advocated before the White House Counsel, Office of Management and Budget, and Department of Justice.

Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff (2019-2021)
The Pentagon, Washington, D.C.

- Advised the Principal Military Advisor to the President on domestic military operations, high profile internal investigations, elections, foreign military sales, security cooperation, and disaster relief.
- Drafted correspondence to the President, Secretary of Defense, Congress, and the media regarding 2020-2021 U.S. protests, foreign military sales, the Southern border, and other sensitive matters.
- Collaborated with civilian and military officials to respond to the COVID-19 pandemic, advising on interagency agreements, support to civilian authorities, public health policy, and other matters.
- Participated in cross-functional teams developing interagency programs to support border security and the 2020 presidential transition, and drafted legislation to enhance global security cooperation.
- Led and reviewed complex investigations of military operations, workplace misconduct, intelligence activities, and other matters, collaborating globally and recommending changes to policies.

Deputy General Counsel, Military District of Washington

(2017-2019)

Washington, D.C.

- Led a 30-person office advising leaders on fiscal law, contracting, public relations, investigations, criminal justice, interagency coordination, and legal aid for a 6,000 person, \$85M organization.
- Supervised the prosecutor's office responsible for Army criminal prosecutions in the National Capital Region, overseeing felony and misdemeanor cases in coordination with civil authorities.
- Conducted highly sensitive investigations involving senior Army officials, including investigations into employee relationships, ethics abuses, harassment and discrimination, and fatal accidents.

Director of Administrative and Contract Law, U.S. Forces Korea

(2015-2017)

Seoul, Korea

- Led 5 attorneys and 2 paralegals advising the four-star general commanding U.S. military forces in Korea on fiscal law, acquisitions, government ethics, employment law, and investigations, while developing and presenting training to 27 attorneys and 8 paralegals dispersed across South Korea.
- Conducted investigations and developed crisis mitigation plans for sensitive international incidents involving property damage and loss of life due to U.S. military operations in Korea and Nepal.

General Counsel, Prosecutor, International Law Attorney, and Cavalry Officer

(2000-2015)

Locations Worldwide

- Prosecuted felony and misdemeanor cases, advised foreign officials, led workplace misconduct investigations, and advised servicemembers on estate planning, family law, and consumer matters.
- Commanded four tanks and sixteen soldiers in the world's premier combat training center and supervised the leasing, maintenance, and operations of an 86 vehicle fleet with 104 personnel.

EDUCATION AND PUBLICATIONS

- **United States Military Academy at West Point** (BS, 2000, Foreign Languages)
3.88 GPA; 22/968 Class Rank; Dean's List and Distinguished Cadet
- **University of Washington School of Law** (JD, 2007)
3.59 GPA; Managing Editor, Pacific Rim Law and Policy Journal
Extern, the Hon. Judge Robert Bryan, U.S. District Court for the Western District of Washington
- **The Judge Advocate General's Legal Center and School** (LLM, 2012)
4.00 GPA; Volunteer Coach, Officer Basic Course Physical Training Program
- *Host Nation Sovereignty During U.S. Counterinsurgency Operations*, Military Law Review (2012)
- *Customary International Law in Multinational Military Operations*, Pacific Rim Law & Policy J. (2007)

CERTIFICATIONS AND ACTIVITIES

- Commissioner, Town of Eagle Planning & Zoning Commission, Eagle, Colorado
- Board Member, Eagle Valley Community Foundation, Eagle County, Colorado
- Law Student Mentor, University of Wash.; Volunteer Judge, George Mason Univ. School of Law
- Guest Lecturer, Colorado Mountain College and The Judge Advocate General's School
- Bar Member, the States of Colorado and Washington and the U.S. Supreme Court
- Harris Award for Leadership and Academic Excellence, Army Command and General Staff College
- Qualifying Athlete, Ironman 70.3 World Championships and USA Triathlon Championships
- Advanced Spanish and basic German language skills

Online Form Submittal: Town Council & Planning Commission Application - Vacancies Only

From noreply@civicplus.com <noreply@civicplus.com>

Date Wed 12/17/2025 11:53 AM

To Town of Eagle Clerk <clerk@townofeagle.org>

CAUTION: This email is from an external source. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Town Council & Planning Commission Application - Vacancies Only

Select the Town Council or Town Council (vacancies only)
Planning Commission

There is currently one vacancy on Town Council. Applications must be received by 4:00 p.m. December 23, 2025. Please contact the Town Clerk's Office for information at clerk@townofeagle.org or 970-328-6354.

PERSONAL INFORMATION

First Name	Jason
Last Name	Cole
Address1	719 A Bull Run
Address2	<i>Field not completed.</i>
City	Eagle
State	CO
Zip	81631
Email Address	jasonjcole@gmail.com
Contact Phone Number	9703439311
Business Address	<i>Field not completed.</i>
Business Phone Number	<i>Field not completed.</i>
Occupation	Real Estate

(Section Break)

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.

Are you a United States Citizen?	Yes
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Are you a registered elector of the Town of Eagle?	Yes
--	-----

Have you been an Eagle resident no less than 12 consecutive months?	Yes
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Length of Residency in Eagle	14 Years
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Are you a registered voter and eligible to vote in the Colorado General Election?	No
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(Section Break)

EDUCATION AND HOBBIES

High School	Russell High School
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College	Kansas State University
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Trade or Business School	<i>Field not completed.</i>
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Hobbies	Biking, Ski/Snowboard, driving kids to sports practice and games
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(Section Break)

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?	Yes
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If yes, which	Eagle Air Alliance
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Please list organization memberships and positions held	Eagle Air Alliance Board Member
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Please List Areas of Special Interest	Possibly Eagle Air Alliance
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Why do you want to serve your community in this capacity?	I care deeply about this community and believe Eagle is at an important moment in its growth and identity. I'd like to continue with the goal I started with, and that is, to work with this council, the town staff and our community to Make Eagle Happen.
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(Section Break)

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?	We've got a strong foundation; great people, natural beauty, and a genuine sense of community, but we need leadership that turns potential into progress. Growth isn't the enemy, unmanaged growth is. We can welcome new neighbors and businesses without losing what makes Eagle feel like home. That means thoughtful planning, prioritizing design that complements our mountain character, and protecting our open spaces and trails. My goal is to say "yes" to progress, but in a way that still lets you recognize the Eagle you fell in love with.
2. What challenges currently exist in the Town of Eagle?	Our transportation infrastructure, affordable housing, early childhood care. Those issues lead to a lack of workforce. It's hard for people to remain in our mountain town. I believe that the previous council did a great job addressing these issues and has plans in place to continue working towards more solutions, but in order to have the money needed we'll need to continue pushing for a more business friendly town so that we can generate more sales tax revenue.
3. As a Council/Committee Member, how would you approach these challenges?	Collaboration with town staff, business owners, developers, the county, the other towns in our valley, and organizations such as the VVF, VVP, Vail Health and Vail Resorts will be key to overcoming our current challenges. I'd like to bring focus, collaboration, and momentum to projects that move Eagle forward while keeping the small-town heart that makes this place special.

**** Notarized Affidavit Required**

Please note that a Town Council appointment requires a notarized Conflict of Interest Affidavit on file. Please download, complete, and re-upload the notarized affidavit with your application submittal.

Download Affidavit Here	Conflict of Interest Affidavit
Please include a letter of interest and resume with your submittal.	J Cole__Resume_Letter of Interest.pdf
Please include the notarized Conflict of Interest Affidavit with your submittal.	conflict of interest.pdf

Email not displaying correctly? [View it in your browser.](#)

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:
Jason Cole

Title: Eagle Air Alliance Board Member

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

Brief statement of interest:

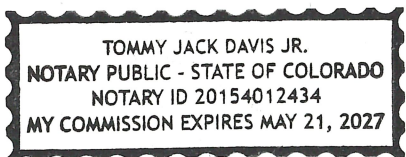
I'm not sure if this would be a conflict of interest, but thought I should mention. I've been a board member of the Eagle Air Alliance since 2017. Our group works with airlines to keep flights into and out of EGE, and look to add new flights that would be valuable to our valley.

Date: 12-17-25

Signature: 

STATE OF COLORADO)
) ss
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 17 day of December, 2025, by Jason Cole.



Witness my hand and official seal

Tommy Lee Davis Jr.
Notary Public

My Commission Expires: May 21, 2027

REMOVAL OF CONFLICT OF INTEREST

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

Date:

Signature: _____

CORE COMPETENCIES

- *Balances Stakeholders
 - *Business Insights
- *Manages Complexity
- *Business Networks
- *Strategic Mindset
- *Builds Effective Teams

EDUCATION

Associates Degree
Johnson County Community College

B.S. Political Science 2005
Kansas State University
Minor Leadership Studies 2005
Kansas State University

College Activities:
Men's Lacrosse Team (KSU)
Pre Law Program (KSU)
First Tee National Academy (KSU)
Men's Cross Country Team (JCCC)
Men's Track Team (JCCC)

COMMUNITY INVOLVEMENT

Eagle Air Alliance Board Member
Mountain Rec Youth Sports Coach
Vail Valley Mountain Trails Volunteer

ABOUT ME

I started my career with SSFRE in May 2007, and have spent time in almost every department of the company. I began with the dream of selling but found that my passion and skill set is on the support and leadership side of the business. I enjoy the day-to-day work but building teams and helping others realize their full potential is what I value the most about my position. Over the past 18 years I've seen good days, bad days, booming markets, a recession and a pandemic. I know the only thing I can control is my attitude and approach. I try to remain calm and collected no matter what the situation may be.

SSFRE operates in six markets from Denver through the Roaring Fork Valley. Our team consists of 300+ Brokers and a support staff of 80+ team members. We are the #1 independent real estate brokerage in Colorado with an average annual sales volume of \$3+ Billion.

My wife, Kelsey, and I live in Eagle, CO and are raising two kids; Ada (14) & Gus (11). We enjoy spending time as a family taking advantage of all the amazing things our mountain community has to offer from skiing in the winter, to camping and biking in the summer.

RECENT EXPERIENCE

Slifer Smith & Frampton Real Estate:

E-Business Coordinator
Avon Office (Sept 12 – Oct 13)

Marketing Manager
Avon Office (Oct 13 – Oct 15)

Director of Operations
Avon Office (Oct 15 – Feb 18)

Vice President of Operations
The Slifer House (Feb 18 – March 21)

Subject: Letter of Interest – Commitment to Eagle’s Economic Vitality and Community Energy

Dear Mayor Woods and Members of the Town Council,

I am writing to formally express my interest in being appointed to the vacant Town Council seat. I care deeply about this community and believe Eagle is at an important moment in its growth and identity.

Eagle has a strong foundation, a beautiful setting, and residents who genuinely care about where they live. I believe Eagle can honor its small-town character while also becoming a more vibrant, fun, and economically dynamic place to live, work, and visit. Small businesses are the backbone of our local economy, and they deserve leadership that actively supports their success, encourages smart growth, and creates opportunities for people to gather, spend time, and invest locally.

If appointed, my focus as a member of Town Council would be:

- Strengthening Eagle’s economy by supporting and advocating for small businesses
- Encouraging thoughtful growth that builds on our strong foundation
- Injecting energy, events, and creativity into our town to increase community engagement and pride

I believe effective leadership starts with listening, collaboration, and a willingness to take action. I look forward to working with the Town Council, staff, business owners, and residents to move Eagle forward in a positive and inclusive way.

Thank you for your service to our community and for your consideration. I am excited about the future of Eagle and the opportunity to help **Make Eagle Happen**.

Respectfully,

Jason Cole
719 A Bull Run, Eagle, CO 81631

Online Form Submittal: Town Council & Planning Commission Application - Vacancies Only

From noreply@civicplus.com <noreply@civicplus.com>

Date Mon 12/22/2025 12:01 AM

To Town of Eagle Clerk <clerk@townofeagle.org>

CAUTION: This email is from an external source. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Town Council & Planning Commission Application - Vacancies Only

Select the Town Council or Planning & Zoning Commission
Planning Commission

There is currently one vacancy on Town Council. Applications must be received by 4:00 p.m. December 23, 2025. Please contact the Town Clerk's Office for information at clerk@townofeagle.org or 970-328-6354.

PERSONAL INFORMATION

First Name	Gerardo
Last Name	Lopez Martinez
Address1	33 Christian Court
Address2	<i>Field not completed.</i>
City	Eagle
State	CO
Zip	81631
Email Address	gerardolopezm01@gmail.com
Contact Phone Number	9703316506
Business Address	<i>Field not completed.</i>
Business Phone Number	<i>Field not completed.</i>
Occupation	<i>Field not completed.</i>

(Section Break)

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.

Are you a United States Citizen?	Yes
----------------------------------	-----

Are you a registered elector of the Town of Eagle?	Yes
--	-----

Have you been an Eagle resident no less than 12 consecutive months?	Yes
---	-----

Length of Residency in Eagle	11 years
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Are you a registered voter and eligible to vote in the Colorado General Election?	Yes
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(Section Break)

EDUCATION AND HOBBIES

High School	Eagle Valley High School
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College	Colorado Mountain College
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Trade or Business School	Davis School of Business - Colorado Mesa University
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Hobbies	Reading, running, skiing, weightlifting, coaching, mentoring, community engagement, education, etc.
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(Section Break)

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?	Yes
---	-----

If yes, which	Vail Valley Charitable Fund, Speak Up Reach Out, Sustainability Advisory Committee - Palmer Fund
---------------	--

Please list organization memberships and positions held	Board member - Vail Valley Charitable Fund Board member - Speak Up Reach Out Advisory Committee member - Sustainability Advisory Committee Palmer Fund
---	--

Please List Areas of Special Interest	Community engagement, youth development, education, culture, business development, finance, etc.
Why do you want to serve your community in this capacity?	I am motivated to serve my community in this capacity by acting as a strong connector between the Town of Eagle and communities that are often underrepresented, including our Hispanic population. I want to help build a stronger, more unified community, one where residents feel proud to live in Eagle and see it as a place they can call home for the long term. The Town of Eagle has been moving forward with these efforts and my family is one of many that love calling this town home. I also believe deeply in service-first leadership. I would welcome the opportunity to help identify and elevate any challenges or bottlenecks that limit access, opportunity, or participation. I know that I am a novice when it comes to local government, but I believe my greatest strength is my curiosity. I am eager to learn to help the existing leadership further advance their efforts toward solutions that allow every resident of Eagle to thrive.

(Section Break)

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?	The Town of Eagle has a strong opportunity to continue building a connected, inclusive, and sustainable community while preserving the character that makes it special. Eagle benefits from a growing and diverse population, a strong local economy, and engaged residents who care deeply about where they live. As a smaller town, Eagle also has the advantage of accessibility, residents can engage directly with local government, nonprofits, schools, and businesses in a way that larger communities often cannot. It is amazing to see. There is also an opportunity to strengthen workforce stability and long-term residency by addressing housing, transportation, education, and employment efforts. Eagle can position itself as a place where people do not just work temporarily, but can build full lives, raise families, and invest in the community long term. Additionally, Eagle has the opportunity to continue improving civic engagement by ensuring that underrepresented populations feel welcomed, informed, and included in decision-making processes.
2. What challenges currently exist in the Town of Eagle?	Like many mountain communities, Eagle faces challenges related to housing affordability, workforce retention, and growth management. Rising housing costs and limited availability can make it difficult for local workers, young families, and essential service providers to remain in the community. This can impact schools, healthcare, businesses, and overall quality of life. Another challenge is ensuring that all voices are represented in civic processes. Some residents, particularly working families, renters, and members of the Hispanic community, may face

barriers to participation due to language, scheduling, or lack of awareness about how local government functions. This is a problem seen all over our community and I am not calling the Town of Eagle out, but we could do better and serve as an example for other towns to follow. Additionally, balancing growth while preserving Eagle's identity, infrastructure, and environmental resources remains an ongoing challenge. With limited resources and staffing, the Town must make thoughtful, strategic decisions that balance immediate needs with long-term sustainability. These are all challenges that I am aware will take time, and I am open to dedicating much of my time to make efforts to help address these challenges.

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

As a Council Member, I would be very aware that I am new in this world. I would make an effort to get to know each Council member's views. I believe having a relationship with each member is important. Now, the challenges I mentioned, I would approach the challenges with a service-first, collaborative mindset. My focus would be on listening carefully to residents, town staff, and community partners to understand where systems are working and where people are getting stuck. I believe effective local leadership starts with asking the right questions and using both data and lived experience to guide decisions. Making sure key players have a seat on the table is important. I would work to elevate voices that may not always be present in the room by supporting inclusive outreach, clear communication, and accessible engagement opportunities. Drawing from my background working closely with students, families, and community organizations, I would aim to act as a connector, helping align efforts across sectors to reduce inefficiencies and identify practical solutions. Above all, I would prioritize long-term stability and community well-being, ensuring that decisions made today help Eagle remain a place where people are proud to live, feel heard, and can thrive for years to come.

**** Notarized Affidavit Required**

Please note that a Town Council appointment requires a notarized Conflict of Interest Affidavit on file. Please download, complete, and re-upload the notarized affidavit with your application submittal.

Download Affidavit Here

[Conflict of Interest Affidavit](#)

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

[Resume and Letter of Interest Gerardo Lopez.pdf](#)

Please include the notarized Conflict of Interest Affidavit with your submittal.

[GerryLopezCONFLICT-OF-INTEREST-DISCLOSURE-STATEMENT-NOTARY.pdf](#)

Email not displaying correctly? [View it in your browser.](#)

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:

GERARDO LOPEZ MARTINEZ

(970) 331-6506 | gerardolopezm01@gmail.com

Objective: Motivated MBA students with extensive experience in scholarship management, student engagement, and program coordination. Dedicated to empowering individuals and fostering community development through education and innovative leadership. Seeking opportunities to leverage my bilingual communication, strategic planning expertise, and passion for mentoring diverse populations while gaining valuable experience in the finance sector to advance my long-term career goals.

EDUCATION

Bachelor's Degree, Colorado Mountain College Vail Valley, 2021

- Major: Business Administration
- Related coursework: Business management, ethics, statistics, team building, emotional intelligence, accounting, finance.

Masters of Business Administration, Davis School of Business - Colorado Mesa University, Spring 2026

- Related coursework: Business management, statistics, team building, emotional intelligence, various accounting, strategy, economics, and marketing.

SKILLS & ABILITIES

Management

- Created plans for meetings and kept stakeholders up to date with consistent follow-ups.
- Manage my time and am knowledgeable in keeping work priorities straight. Able to work under pressure and tight deadlines.
- Coordinate different local organizations and aid in keeping alignment with the mission and the overall goal.
- Conducted financial audits and maintained compliance with internal policies and external regulations.
- Experience in AI development, training machine learning models, and building chatbots for automation and engagement.

- Developed budget forecasts and analyzed financial data for scholarship programs, ensuring efficient fund allocation.
- Proficient in website development, including working with WordPress shortcodes and customizations.

Communication

- Fluent in both the English and Spanish languages. (Able to speak, read, and write.)
- Well-informed in the use of email and can consistently reply to all emails promptly.
- Experience speaking at meetings and in front of large groups.
- Experienced in active listening and cooperating with different types of teams.

Leadership

- Experience in representing an organization in various types of meetings, presenting on what the organization does, and able to answer questions that may arise.
- Advanced skills in Excel, PowerPoint, Google Forms, Tableau, and social media.
- Create presentations and data analysis to present findings.
- Adaptable to new environments and always looking for educational opportunities to hone existing leadership skills and gain new ones.

EXPERIENCE

Youth Advisor & Administrative Coordinator, Mountain Youth, Oct 2017 to Sept 2019

Youth Engagement Coordinator, Eagle Valley Behavioral Health/Vail Health, Sept 2019 to April 2021

PRN Healthcare, Vail Health, March 2021 to April 2022

Recruitment Manager, The Betty & Gerald Ford Presidential Scholarship Fund, March 2022 to present

Scholarship Manager, My Future Pathways, September 2022 to present

- Data emphasis internship January 2025-March 2025

Dear Mayor and Members of the Town Council,

I am writing to formally express my interest in serving on the Town of Eagle Council. Eagle is a community I am proud to call home, and I am motivated by a desire to contribute my time, experience, and perspective in service of its residents.

I believe Eagle has a unique opportunity to continue growing as a strong, connected, and inclusive community while preserving the character and values that make it special. As someone who works closely with students, families, and community organizations across the valley, I have seen firsthand both the strengths of our town and the challenges many residents face, particularly around housing affordability, workforce stability, business development, and access to civic processes. These experiences have shaped my belief that effective local leadership requires listening deeply, collaborating across sectors, and focusing on long-term solutions that benefit the entire community.

I am especially motivated to serve as a connector between the Town and residents who may feel underrepresented or disconnected from local decision-making, including members of the Hispanic community and working families. I believe that when people feel seen, heard, and included, communities become stronger and more resilient. Ensuring that civic engagement is accessible and welcoming to all residents is something I deeply value.

Professionally, I bring an operations-focused and service-oriented mindset. Although I am new to the world of government, just know my work requires identifying inefficiencies, understanding systems, and helping people navigate complex processes, skills that translate well to thoughtful governance. As a Council member, I would prioritize collaboration with town staff, fellow council members, and community partners to identify bottlenecks, elevate community needs, and support practical, data-informed solutions that improve quality of life.

Above all, I view public service as a responsibility rather than a platform. I am committed to approaching this role with humility, integrity, and a focus on the collective good. I care deeply about Eagle's future and would be honored to contribute to ensuring it remains a place where people are proud to live, can build full lives, and see a future for themselves and their families.

Thank you for your time and consideration. I appreciate the opportunity to be considered for this role and look forward to continuing to serve the Town of Eagle in any capacity that supports its success.

Best regards,

Gerardo "Gerry" Lopez
Eagle, Colorado



To: Mayor Woods and Town Council and the Planning and Zoning Commission

From: Sydney Dynek, Planner, Community Development Department

Date: January 6, 2026

Agenda Item: **Work Session:** Discussion of State Resilience Code (WUI Code) to hear decision maker feedback and receive policy direction.

REQUEST

For the Planning Commission and Town Council to review and provide policy direction to the Land Use and Development Code in accordance with SB23-166 requiring jurisdictions to adopt Code language to address the Wildland Urban Interface.

BACKGROUND

Overview

In July of 2025, the state of Colorado adopted a State Resilience Code. This was adopted by the Wildfire Resilience Code Board (WRCB) within the Division of Fire Protection and Control (DFPC) that was created through [SB23-166](#), a bill addressed at increasing communities' wildfire resilience in the wake of the Marshall Fire. To be in compliance with this state legislation, the Town must adopt standards that are equal to or more restrictive than the State Resilience Code by April 1, 2026, with implementation occurring by July of 2026.

The State Resilience Code is intended to increase communities' resilience to wildfire by implementing ignition resistant construction and fire resilient site design. Ignition resistant construction means construction materials that will not ignite by embers or prolonged contact from flames, with the goal of reducing structure loss from wildfire. This can include fire resistant methods like mesh over vents and under decks as well as metal flashing where an exterior wall connects with a roof. Fire resilient site design entails ensuring landscaping does not ignite and sustain flames against the exterior of structures and that landscaping does not support fires moving across the landscape. This includes using non-flammable mulch in the first 5 feet around structures, using non-flammable materials for fencing, and using ignition resistant materials for accessory structures within 30 feet of a primary structure.

The State Resilience Code applies to all new construction, including residential and commercial structures, and significant renovations as determined in [Section 102.10](#) of the State Resilience Code. For structures designated as historic, the State Resilience Code includes specific language for how these standards apply.

Beginning in January of 2024, the Town has participated in the Eagle County Wildlife Collaborative Working Group, with the goal of creating consistent standards across the County to provide clarity and reduce confusion within the general public and the development community by introducing coordinated strategies for regional uniformity. Currently, the Town is in between Step 1 and Step 2 of the three-step process as depicted in the graphic below. The Town is currently collaborating with Headwaters Economics

via a technical assistance program, at no cost to the Town, to analyze our LUDC and identify how to adopt the State's Code in a way that's efficient and aligned with the community's values.



To implement the State's Code, there is a sequence of decisions that will determine how the Town addresses this legislation. Each of these decision areas will be described in more detail below.

For the purposes of providing a prelude to this conversation, these decision areas include:

- Mapping: This determines how properties across Town are designated and what standards they're held to
- Class designations: This specifies what standards each hazard rating across Town is beholden to
- Building Codes: This identifies the building materials, construction standards, and scoping that significant renovations are designed and constructed to
- Site and Area Requirements: This entails how staff edit the LUDC to implement the fire resilient site design
- Enforcement: This is how the Town enforces the Building Codes, landscape, and site design regulations

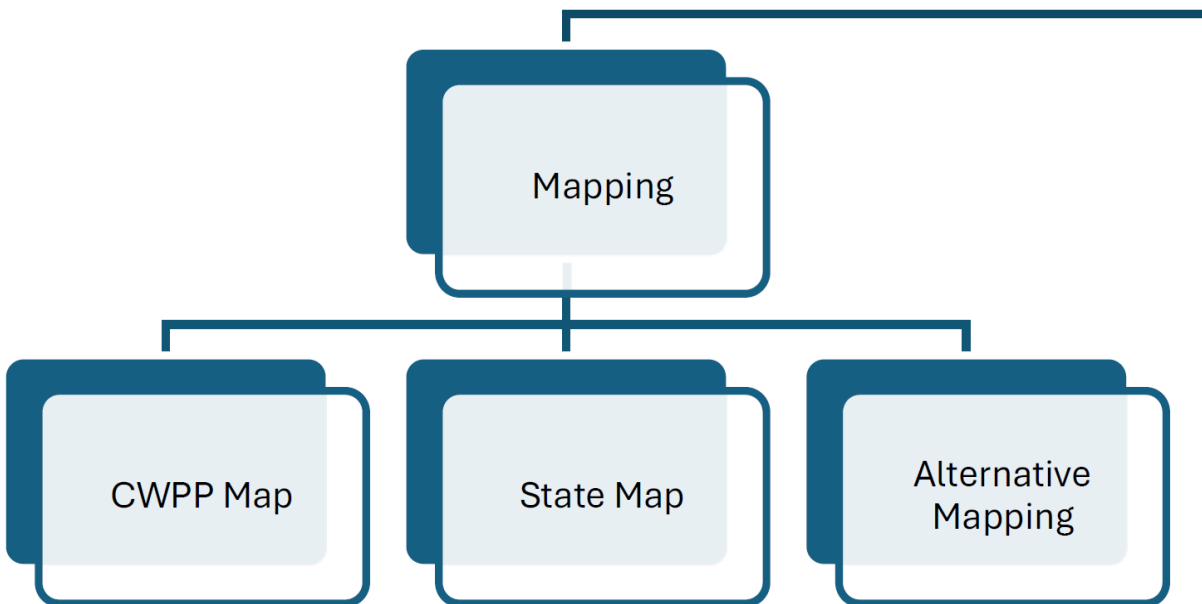
Staff have created a decision tree depicting all the decisions that need to be made to implement this legislation. This decision tree in its full size can be [viewed at this link](#). The segment of the decision tree pertaining to each section is included as relevant.

ANALYSIS

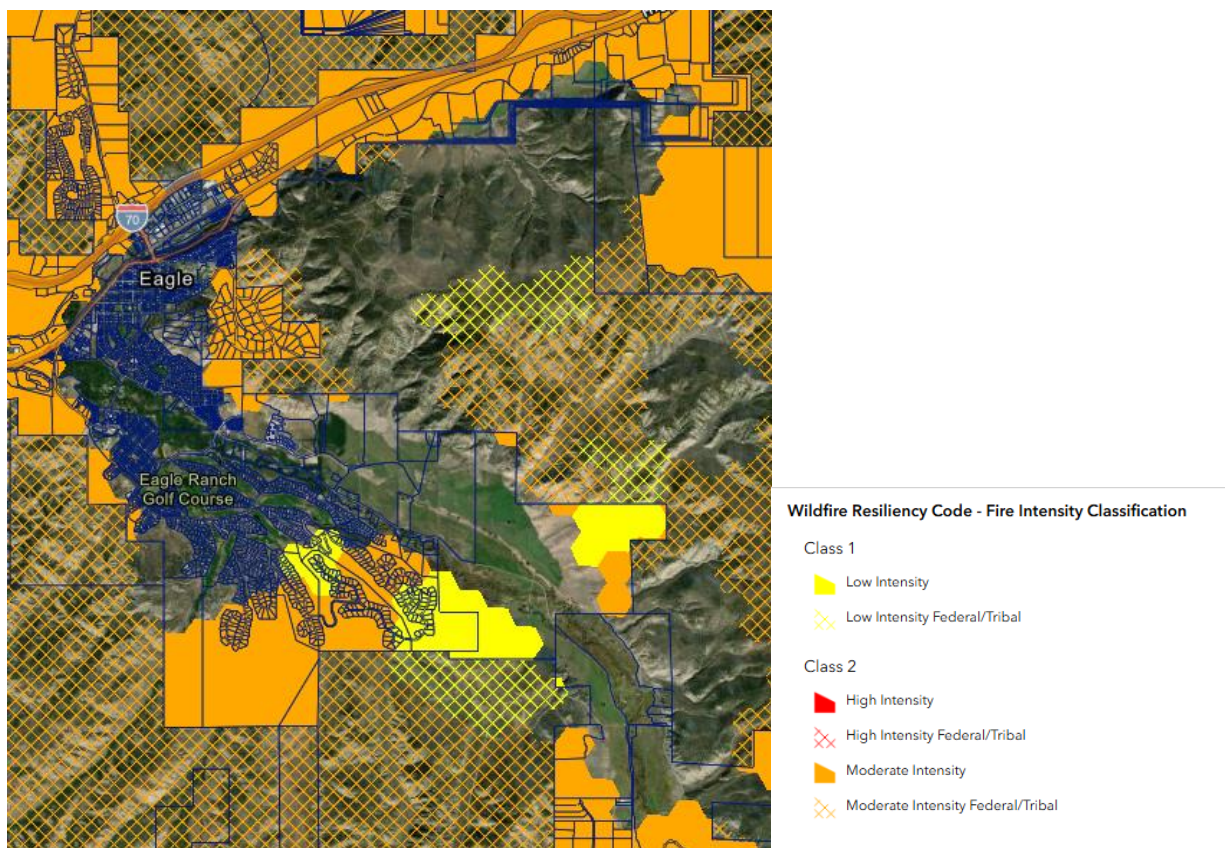
Mapping

Overview: There are three core mapping options for Planning and Zoning and Town Council to consider.

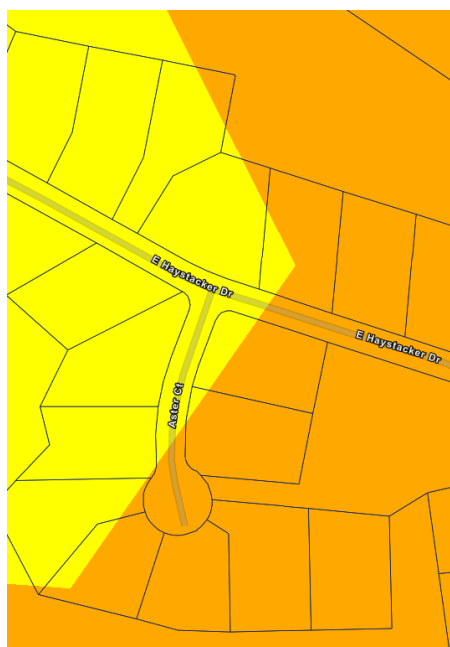
The State Resilience Code is applied through maps that clearly designate areas as being within, or outside of, wildlife hazard areas. To meet the bare minimum requirements of the legislation, the Town will need to adopt an official map that identifies areas that will be subject to the Resilience Code and this map needs to be available to the public through an online platform and at a designated local government office. The map plays a major role in defining hazard designations, shaping construction and material requirements, and determining the staff time and Town resources needed to meet these obligations. Additionally, whichever map is adopted, the State requires that the maps be updated with fresh data every three years. While there are an infinite number of customizable options, the three maps staff are presenting to the Council and the Commission are: the State map, the CWPP map, and the Town's own United States Forest Service (USFS) map.



State Map: [The State map](#) was developed by the DFPC and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board. The following image depicts the Town’s boundaries and the classification of properties around Town. The majority of Town is not classified within the WUI in this map, though some properties along Marmot Lane, the western edge of Town, and the southern edge of Eagle Ranch are classified on the map as Class 1 and Class 2. The State maintains this map data so the Town wouldn’t need to expend resources to maintain and update this option.

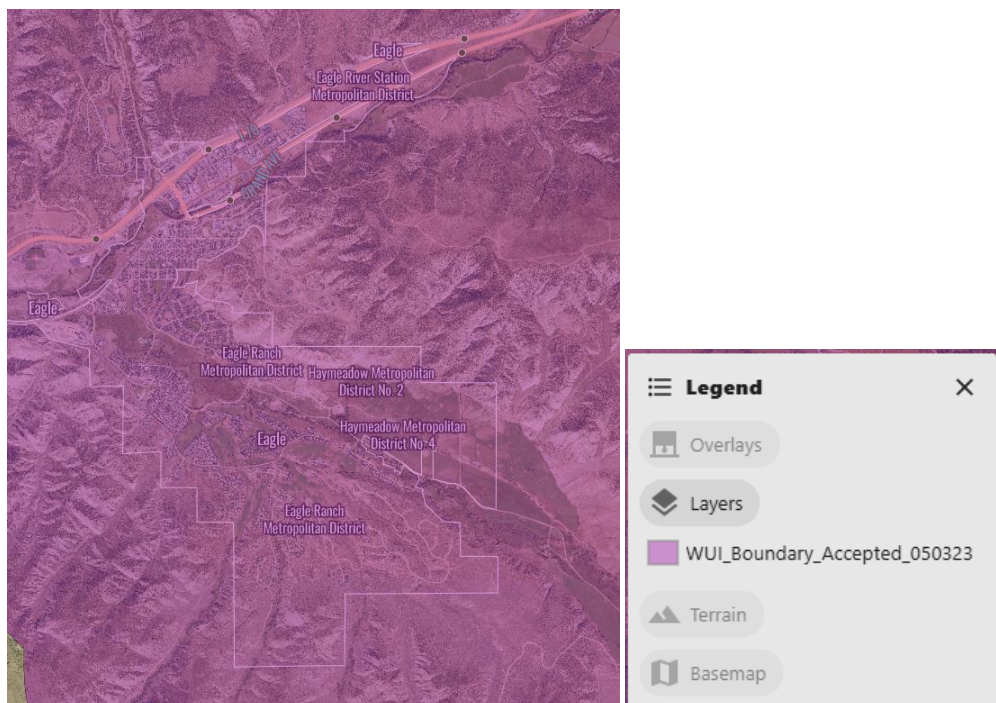


The scale used to generate this map was quite large to meet the needs of mapping the whole state. This has led to several properties being classified as both Class 1 (yellow) and Class 2 (orange), see example below.



In practice, this puts staff in the position of needing to interpret properties for their specific wildfire hazard rating, which then determines the building, site design, and materials required to comply with the state code. This analysis would lead to a greater demand on staff time and potentially lengthened review timelines for small residential projects in Town.

CWPP Map: The [Eagle County CWPP](#) was crafted through collaboration with local governments and other organizations and is a strategic document identifying how to safeguard the community against wildfires by mitigating risk and promoting preparedness. As part of this plan’s creation, a [map was created that identifies the WUI boundaries within Eagle County](#). The CWPP map created WUI boundaries by assessing existing conditions and by engaging stakeholders, using the best scientific models available, and consulting firefighters and wildfire experts. This map does not designate between properties falling into a low-, medium-, or high-risk hazard category and so if the Town chose to use this map, additional decision making regarding the hazard classifications would be necessary. The map data itself is maintained by the County and would be updated on a three-year cycle, meeting the State’s data requirement.

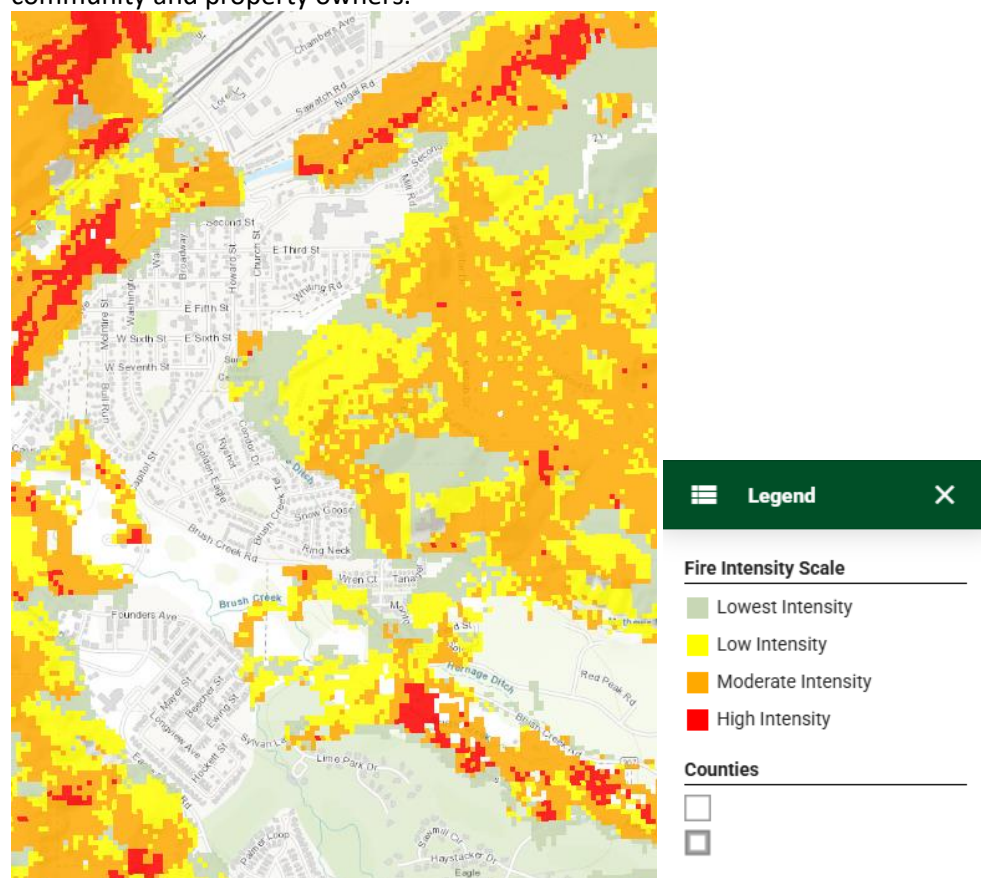


The entirety of the Town is classified as being within the WUI as shown in the image above. In practice, all properties across Town would be subject to the same standards around ignition resistant materials and construction standards for structures and site design. Given the Town does not currently have standards that are enforced around ignition resistance, there will be some degree of staff training necessary, but given the uniformity of the standards, it should be a quick learning curve. Implementing the CWPP map along with a uniform set of WUI standards across one jurisdiction has been successfully implemented in Vail and Eagle County. The success of this legislation is why both jurisdictions have recommended this approach. The State Resilience Code’s purpose is: “To mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels”.

While the Town could adopt the State Map as-is and be in compliance, staff is concerned this would leave the community vulnerable to threats of wildfire in the future. Based on staff training and testimony from fire officials, there is concern that failing to map the Town as having some level of wildfire risk may negatively impact the long-term insurability of properties. In the “Class designations- staff recommendation” section, staff further explain this concept and reference a study by Headwaters Economics showing that using ignition-resistant materials and methods adds only about 2-3% to the cost of new construction. With hotter, drier summers expected to increase local wildfire danger, requiring ignition-resistant standards for new development will gradually strengthen the community’s overall resilience. For these reasons, staff recommends this option as the most feasible approach given current resources and capacity, while also supporting long-term community interests.

Town’s own USFS Map: This map would be created and managed by the Town using data layers produced by the United States Forest Service depicting different levels of fire intensity. The granularity is finer than that used for the State Map and provides more tailored fire intensity information for Town properties, but in practice this would require staff to analyze individual properties to determine what intensity category they fall into, and subsequently what level of construction and site design standards they are beholden to. Similar to the State Map, this analysis would lead to a significant demand on staff time and lengthened review timelines for small residential projects in Town.

Additionally, this option would require that the Town recreate this map every three years with fresh data, requiring significant staff time to update the map and provide community outreach to the development community and property owners.



Other alternative: There has been disagreement from municipalities across the State about the State map, specifically concerns that the classifications have not been “ground truthed”, or intentionally examined to determine if they are accurate to that community’s fire hazard risk. Discussing with Headwaters Economics and in the Resilience Code Peer Exchange, staff have heard of communities who are pursuing the process of remapping. This requires significant coordination with the State Board to determine if they will accept the remapping or not. Additionally, this remapping has to be grounded in data and cannot be based on community perception or assumptions. This would require a significant amount of staff time and effort to initially implement and maintain this map. Staff does not recommend this alternative.

Staff recommendation: Staff recommends adopting the CWPP map.

The CWPP map acknowledges the real impact of wildfire and the real fire risk to the community. The map will be updated on a time scale that meets the state’s requirements by the Eagle County Wildfire Collaborative, which may require the Town to answer questions on priorities and updated values at risk but will not require any financial support from the Town. Using this map will provide continuity as a single resource used across the County for clarity with property owners and the development community.

Questions:

1. What direction do decision makers want to take for mapping? The State map, the CWPP map, the USFS map, or a Town created map?

Building

Overview: There are two primary options for Building Codes for Planning and Zoning and Town Council to consider.

One of two options must be selected as part of amendments required to the 2021 editions of the International Building Code (IBC) and the International Residential Code (IRC).

State Resilience Code: The State Resilience Code provides standards pertaining to exterior design and construction of new buildings and structures within the WUI in Chapter 4-Structure Hardening. After providing definitions and exemptions language, it then details what improvements are needed for Class 1 structure hardening versus for Class 2 structure hardening. For Class 1 structure hardening, the Code language speaks to roofing, ventilation openings, and gutters and downspouts. For Class 2 structure hardening, the Code includes all requirements of Class 1 plus protection of eaves, exterior walls, underfloor enclosures, decking, appendages and projections, exterior glazing, exterior doors, vehicle access door perimeter gaps, and detached accessory structures.

Adopting the State Code provides the opportunity to defer to the state for enforcement of the Code if the Town does not have the resources or the capacity to do so. The State Code is the minimum standard required to be adopted by jurisdictions. The State Code provides definitions for what it considers ignition resistant materials; however, the onus of determining what qualifies as such would be put on both the applicant and staff. Additionally, this is not the direction that agencies across the County are taking, so the Town would likely need to defer to the State or increase Building Department resources to be able to

implement this. As the Town does not currently have construction standards for ignition-resistant materials, taking this approach could result in a significant learning curve for staff, potentially causing a delay in plan review times and permit issuance.

California 7A: California 7A (7A) is a chapter in the California Building Code that establishes minimum standards for construction and materials for structures within the WUI to reduce ignition potential or flame intrusion, stating that new buildings within any WUI area must comply with these regulations. The state of California has a [State Fire Marshal \(SFM\) Listed WUI Products Handbook](#), which lists materials that meet the requirements of this 7A. Staff is still determining on how to reference this handbook, whether through incorporation into the code by reference or by including the list as an appendix in the Code or within the Administrative Manual. The handbook is not all encompassing, but it provides a significant number of materials that meet the 7A standards, making it easier for developers and staff to review applications.

While 7A appears to be more stringent than the State Resiliency Code, the Division of Fire Protection and Control (DFPC) Board has not yet determined acceptance of 7A as a comparable and more stringent standard. From conversations with community partners, it has been relayed this acceptance is highly likely; however, at this point it is still not absolute. The County and the Towns of Vail, Avon, and Minturn (the Cohort) have expressed interest in adopting 7A. If the Town pursued this route, there could be an opportunity to collaborate with the County via an intergovernmental agreement (IGA) for implementation, including services for plan review and site inspections.

The Eagle County Wildfire Collaborative Working Group, including local building officials, firefighters and fire professionals, and planners, has discussed these options since early 2024 when the group started meeting. The Town of Vail has already adopted and implemented 7A successfully and witnessed the benefit of the SFM materials list.

Staff has created two graphics to compare the California 7A Code language relative to the State Resiliency Code language. The first graphic, pictured immediately below, depicts the general impacts of 7A versus the State Resiliency Code (noted as CO in the graphic) on elements ranging from roofing to accessory structures to surface treatment protection. The second graphic, included at the top of page 11, lists out the impacts of structure hardening under 7A, as well as under the State Resiliency Code broken down into areas classified as Class 1 and Class 2 fire intensities.

WILDFIRE CODES COMPARISON	
SCOPING	
Alterations/Additions	
7A	Exemption for additions/alterations to buildings that were constructed before July 2008
CO	Exemption for additions/alterations where building footprint increases <500 square feet
Roofing	
7A	Exemption where 50% or less of the roofing surface replaced over a 1-year period
CO	Exemption where 25% or less of the total roof surface area is replaced, repaired, or reconstructed
Accessory Structures	
7A	Exemption for accessory structures of any size that are >50 feet from a building on the same lot
CO	Exemption for accessory structures of any size that are >50 feet from occupiable/habitable space
Exterior Walls	
7A	No exemption
CO	Exemption for <25% of total surface area of all walls is reconstructed, replaced, altered, or repaired
Interior Alterations	
7A	Exempted in their entirety
CO	Exempted in their entirety
Fences	
7A	Noncombustible or ignition-resistant material
CO	Exemption when fence located >8 feet from a habitable structure
Open Space	
7A	No open space exemption
CO	Exemption for 35 acres or more with only one residential structure not adjacent to a development
Factory-Built Structures	
7A	Determined by code official
CO	Compliance determined by other State statutes
Surface Treatment Protection	
7A	Use of paints, coatings, stains, or other surface treatments not approved for compliance
CO	Code official approval required
Fire Intensity Classification	
7A	Very High - High - Moderate
CO	Low - Moderate - High
Appeal of Classification by Owner	
7A	Board of Appeals
CO	Review of vegetative fuels on property and those within 300 feet; topography; weather patterns; fire behavior modeling data

Table 1 : General impacts of 7A versus the State Resilience Code

STRUCTURE HARDENING	
7A	Applies to all Fire Intensity Classifications or WUI designated areas
	a) Roofing - Class A assembly only
	b) Roof valley flashings - minimum No. 26 gage galvanized flashing installed over underlayment min. 72-lb. mineral-surfaced cap sheet
	c) Gutters and downspouts - screens required to prevent accumulation of leaves/debris
	d) Roof ventilation - openings covered with approved Wildfire Resistant vents or tested to ASTM E2886
	e) Exterior walls - approved assemblies only
	f) Roof eaves - non-combustible; approved assemblies; ignition-resistant materials
	g) Exterior porch ceilings - noncombustible; approved assemblies; ignition-resistant materials
	h) Exterior Windows - safety glazing; glass block; min. 20-minute rating; tested to SFM 12-7A-2
	i) Exterior Doors - noncombustible; solid core; ignition resistant; tested to SFM 12-7-1
	j) Decking - noncombustible; tested material; ignition-resistant; fire-retardant treated wood
	K) Detached Accessory Structures - roofs shall be noncombustible or ignition-resistant
CO	Class I - applies to Low fire hazard fire classification
	a) Roofing - flame and ember protection with Class A roof or cap sheet or firestopping at deck/covering
	b) Roof valley flashings - minimum No. 26 gage galvanized flashing
	c) Gutters and downspouts - non-combustible
	d) Ventilation opening protection - Prescriptive and Performance options
	Class II - applies to Moderate and High fire hazard classification
	a) All requirements of Class I are applicable
	b) Protection of eaves - use of materials that are noncombustible; ignition resistant; 1-hour fire rated; 5/8" Type X drywall; 2-inch nominal lumber; Fire-retardant treated wood
	c) Exterior Walls - 1-hour fire resistance; non-combustible materials; heavy timber or log walls; ignition resistant materials; fire-retardant treated wood
	d) Unfloor Enclosure - must extend to the ground
	e) Decking - non-combustible material; fire-retardant treated wood; ignition resistant material
	f) Exterior Windows - safety glazing; glass block; min. 20-minute rating; tested to SFM 12-7A-2
	g) Exterior Doors - noncombustible construction and solid core; 20-minute rated
	h) Detached Accessory Structures - (<50 feet from habitable structures) requires wall and roof protection the same as Exterior Walls

Table 2: Impacts of structure hardening under 7A versus under State Resilience Code Class 1 and Class 2

Staff Recommendation: Staff recommends adopting 7A by reference into Title 13.

Staff recommends adopting 7A by reference because it will create consistent regional standards across Eagle County. This consistency provides the development community with clear, uniform materials lists and compliance expectations that apply throughout the Valley. During discussions with the Eagle County WUI Working Group, members emphasized how valuable this regional uniformity is for residents and developers who work in multiple jurisdictions. In addition, adopting the same standards as nearby communities, such as Vail, which has successfully implemented 7A for several years, provides built-in peer support for staff as we begin administering these requirements.

Questions:

2. Do decision makers want to proceed with the State Code or 7A for the Building Code?

Class Designations

Overview: If the Town adopts the CWPP map, the Town will need to also select a class designation for the properties in Town that are not designated in the State map as being in the WUI. As the majority of properties in Town are not considered in the WUI on the State Map, the Town has the flexibility to designate them as Class 1 (low risk) or Class 2 (medium to high risk) as either of these classifications is more restrictive than the state's classifying them as not in the WUI. These class designations apply across both Building Codes and the LUDC.

Properties not classified in the WUI on the state map are not subject to the standards in the State Resilience Code. These properties require no modifications to existing building or landscaping practices. It is worth noting that federal and tribal lands are cross hatched on the State Map and the State Resilience Code does not govern development on those lands.

Class 1: Properties classified as Class 1 are considered to be at low risk for wildfire. Within the State's Chapter 4 and 7A, both building Codes provide required construction practices and ignition resistant materials that are used for properties in the WUI, even if these properties are designated low risk. This classification also has impacts on landscaping alternatives, which will be detailed in the following section. However, Class 1 only dictates the landscaping within the first five feet of the structure and does not have restrictions on landscaping outside of that first five feet. Given that the Town currently does not have standards related to wildfires for building, site design, or landscaping, there will be a learning curve for staff to adopt these standards.

Class 2: Properties classified as Class 2 are considered to be at moderate to high risk for wildfire. In both the State Resilience Code and 7A, this classification provides the most stringent requirements for construction and site design. This classification assumes the highest level of risk across the community. This classification will require a comparable amount of staff time to learn the standards applied to Class 1. Classifying properties across Town as Class 2 will have significant impacts to site design, specifically landscaping.

For example, if someone decided to build a new house in Eagle today, they could plant a hedge row of arborvitae, that could grow to be 10 feet tall, all within 4 feet of their foundation and the Town does not have any landscaping regulations against this. However, under the State Resilience Code's Class 2 designation, this would be impossible as new trees cannot be planted within the first five feet of the primary structure.

Class 2 includes the standards present in Class 1, and includes standards for Zone 2 (5-30 feet from the structure) and Zone 3 (30-100 feet from the structure). As many projects are already constructed with less- or non-combustible materials, it is anticipated there will be fewer impacts on the building community. Every project is unique and building design may or may not be impacted.

Other Options: The Town could also choose to pursue another route for classifying properties across Town. Staff could classify different areas across Town based on their independent ignition potential so this Code would apply only to properties, currently designated as within the WUI, that have a high risk of wildfire. This would be extremely labor intensive and would require significant correspondence with the State Wildfire Code Board to verify if they would accept this. For this reason, staff does not recommend this approach.

Staff Recommendation: Staff recommends adopting the Class 2 designation throughout Town. Given the fuel loads and the capacity of the local fire protection district to respond to fires in Town, staff believes acknowledging this risk throughout Town by designating all properties as Class 2 to be appropriate. Additionally, this creates one clear set of standards that new construction and significant renovations across Town are subject to. A [recent report from Headwaters Economics](#) notes that requiring new construction to use ignition-resistant materials and construction techniques increase total construction costs by about 2-3%. Based on staff's trainings, conversations through the Eagle County Wildfire Collaborative Working Group, and discussions with the technical assistance team at Headwaters Economics, staff believes this approach will increase community resilience over time without creating undue administrative burden or significantly increasing costs for property owners and developers.

Questions:

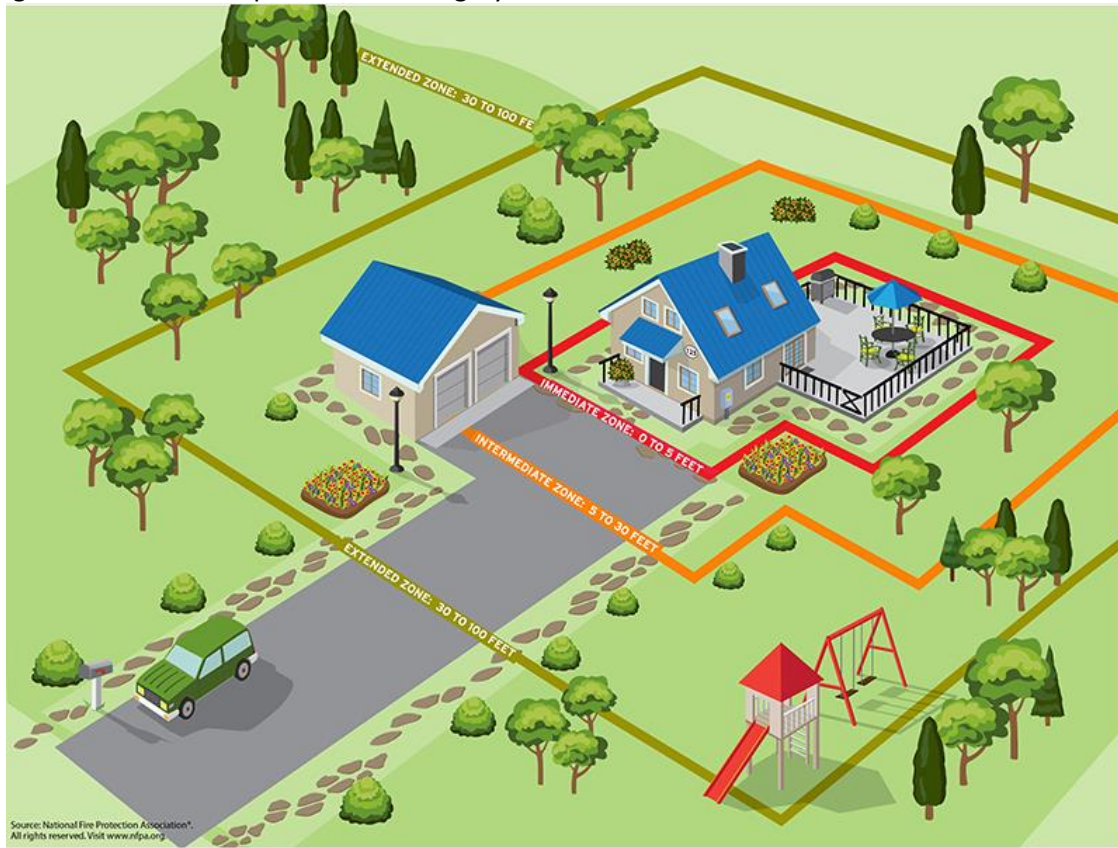
3. If proceeding with the state map, do decision makers want to keep the rest of Eagle as is or import Class 1 or Class 2 standards to the rest of Town?
4. If using the CWPP map, and given the State's designation of parts of the Highlands as Class 2, do decision makers want staff to pursue having the whole Town designated as Class 2?
5. Or, do decision makers want staff to pursue remapping Town to fall under Class 1?

Site and Area Requirements

Overview: The Town can adopt the State Code language by reference, could complete in-house LUDC amendments to include the "[Fire Free 5](#)," or could adopt a more stringent option. "Fire Free 5" is a term used to refer to not having flammable materials within the first five feet of a structure, so the area adjacent to the home is a Fire Free 5. Headwaters Economics has advised staff that the easiest way to adopt this is by reference. Staff have concerns with this approach over the long term, as it could create additional confusion for developers by not being directly integrated into a very long, and sometimes confusing, LUDC. Eagle has never adopted a portion of the LUDC by reference before, so adopting language like this would be a departure from current practices by the Town. The Town does adopt the International Building Codes by reference and uses Title 13 for Eagle-specific exceptions or additional regulations. Staff recommends the Town tailor LUDC amendments to incorporate State Code standards and the Fire Free 5.

As a general note, Community Development staff have been in conversation with the Public Works team about trees and tree health at a high level before this finalized State Code language became available. For the integrity of structures, it is best practice to not plant trees within five feet of a structural foundation. Staff believes this change to the LUDC language will better support the long-term structural resilience of properties while ensuring alignment with the State Resilience Code.

State Code language by reference: Chapter 5 of the State Resilience Code governs site and area requirements. These are broken down into Class 1 and Class 2 requirements. Within these sections, it delves into the three Structure Ignition Zones, site signage, retaining walls, and fencing. These structure ignition zones are depicted in the imagery below.



As part of the State Code, all properties are required to be individually marked, with address signage visible from the road in both directions. This is intended to serve emergency response teams so they can clearly identify a specific property from the road. This is currently not an element of the LUDC and would require a text amendment.

While the State Code provides clarification pertaining to what kind of structures and landscaping are allowed in each structure ignition zone, it is meant to serve the needs of the entire state and subsequently does not address the intricacies of landscaping present in Eagle. It does not specifically address how ignition zones relate to smaller lots as are often found in historic downtowns, or more densely clustered single-family neighborhoods. As part of adopting the State Code, staff is working on identifying conflicts between the LUDC and the State Code. When staff return with recommended LUDC amendments to align with the State Resilience Code, those updates will include language to resolve any inconsistencies and provide clear direction to the community on how the State Resilience Code will affect the Town's existing landscaping and site design standards.

To illustrate how these impacts should be evaluated, staff used the Old Town Residential (OTR) district as an example. Many properties in the original Town plat are quite compact, approximately 3,125 square feet. On a typical 25 footwide lot, a 15 footwide home would leave only five feet of space on each side for landscaping between the house and the property line. Under the State Code, the first five feet around a structure must use nonflammable plant materials. This means property owners could not plant flammable tall grasses or woody shrubs (such as juniper) directly adjacent to their home or their neighbor's home. It is important to note that this requirement does not prohibit vegetation altogether; it simply requires that vegetation within this zone be nonflammable.

For a more specific illustration, staff references 243 Howard Street (as a hypothetical example only, staff has not communicated with this property owner, and this is not intended as direction for any particular property). For the purposes of this example, we assume the County's GIS data accurately reflects the property boundaries.

If the home at 243 Howard Street were constructed today in the same location, the lot, approximately 50.4 feet wide, would include a structure located 22 feet from the property line along Third Street and effectively zero feet from the northern property line. The neighboring property to the north, 235 Howard Street, has about 19 feet between the two houses. To create privacy, the 235 Howard property owner may choose to landscape this side yard.

Under the State Code, however, no woody or flammable vegetation could be placed within the first five feet of their home, and no new trees could be planted within that zone. Outside of the 5-foot area, the 235 Howard owner could plant trees or shrubs, but those plantings would need to meet the Fire Free 5 and State Code spacing standards:

- Tree branches must be limbed up to six feet or one-third of the tree's height (whichever is less).
- Shrubs must be spaced so they do not form a continuous hedge.
- Any shrubs would need to be at least 10 feet away from the closest tree branches.

The image below demonstrates how compact lot sizes in the OTR district affect the application of defensible space and ignition resistant landscaping requirements.



Tailored LUDC amendments to incorporate State Code standards:

Alternatively, staff can identify LUDC language that currently conflicts with the State Code, or where there is currently no language, to require development or redevelopment to comply with these standards. While this will require more staff time than adopting the State Code by reference, staff believe this will allow staff to synchronize the State's turf regulations with the State's WUI regulations. Creating alignment between these regulations now will allow community members and the development community to shift their landscaping practices once, in a way that meets both regulations, rather than having to change their practices multiple times. The State Code intentionally has some vague language to defer to the authority having jurisdiction which in this case is the Town. Crafting Eagle-specific Code language will allow the Town to create clear standards that allow flexibility to achieve the intended goal of water- and Fire-wise landscaping that uses appropriate vegetation to match the aesthetic of the rest of Town.

Staff Recommendation: Staff recommend tailoring LUDC amendments to incorporate State Code standards.

This aligns with peer communities as Avon, Vail, and Eagle County have integrated fire resilience into their land use codes by incorporating similar language into their respective landscaping codes. Adjacent communities in the Valley have created significant resources on this topic and have expressed they are willing to share them with the Town. This option, while impactful, has the most opportunity for collaboration and increased efficiencies for staff in the adoption and implementation process.

Questions:

Do decision makers want Eagle to adopt the State Code by reference? Or do decision makers want staff to tailor LUDC amendments to incorporate the State Code standards?

Implementation

Overview: The Town's enforcement options depend on which Code the Town adopts. Enforcement consists of initial implementation via review of site and construction plans before new construction, as well as potential site visits if there are unexpected challenges or additional support needed.

State enforcement: If the Town chooses to adopt the State Resilience Code, the Town could request assistance from the State to enforce building, site design, and landscaping considerations. This enforcement would be financially free for the Town. However, the State has expressed that with their reduced budget and limited capacity, this enforcement time frame and capability is unknown. For example, for building permit plan reviews, state enforcement could be several weeks or months. Given the substantial impact of these elongated time frames on the community, staff does not recommend this.

Town Enforcement: The Town could also choose to ensure compliance with these standards utilizing Town staff. If the Town chooses to adopt Code standards outside of those listed in the State Resilience Code or 7A, the Town will be required to enforce these on itself. This would entail Building and Planning staff reviewing development permit applications, and subsequently building permit applications, to ensure conformance with the adopted WUI standards. Staff could then either accept pictures of materials being used for building materials or conduct site visits in person to verify conformance. In the short-term, there will likely be additional burden while staff are working towards getting the Town's new permitting system up and operational, but once staff have that it should help streamline and track Town review processes for all permits.

Inspection and Implementation by County: If the Town chooses to adopt 7A, the Town could partner with the County to establish an IGA for review and inspection assistance. This would largely be consistent of plan review at time of building permit to ensure the construction, site design, and landscaping meet the standards delineated in 7A. With existing Town staff workloads and personnel, this option could create less workload on staff; however, it is not known what capacity the County has. The IGA would likely come with additional costs, though it could be less costly than paying for Town staff to attend trainings and spend time becoming subject matter experts.

Self-Certification: Conversing with Headwaters Economics and the Wildfire Resilience Code (WRC) Peer Exchange the Town has partnered with, staff has learned that some communities are addressing this compliance requirement by having applicants self-certify. This approach would require builders, developers, or homeowners to include an affidavit stating they are meeting the LUDC standards with the building permit application, including the landscaping and any accessory structures like fencing or small retaining walls. This approach puts the burden of demonstrating conformance on the applicant.

Staff Recommendation: Staff recommends consideration of a combination of an IGA with the County as well as self-certification. Given the current staffing levels, the Building department does not have capacity to train and become experts in fire resistant building practices. Fire experts in the County have already offered to assist the Town in enforcement, although staff has not fully explored how this collaboration would operate. If the Commission and Council would like to pursue this option staff will start conversations with the County to understand capacities, potential timeframes, and necessary agreements.

For small scale projects such as landscaping, reroofs, or decks, staff recommends the Town adopt a self-certification program. The State Resilience Code is vague on enforcement, and in staff's conversation within the peer exchange as well as with the technical assistance consultant team, they have expressed this vagueness as intentional to allow communities to meet this standard in ways that work for the individual community.

Questions:

Do decision makers want the Town to use: State enforcement? Enforcement by the County? Or for the Town to enforce, using a self-certification component?

Alignment with the Comprehensive Plan:

Increasing the fire resiliency of structures in the community is aligned with the community values depicted in the Town's Comprehensive Plan. While the incorporation of these regulations could tie into all of the goals, staff has identified the strongest ties to Goal 2: Elevating our Unique Character, Goal 4: Elevating our Relationship with the Environment, and Goal 5: Elevating our Connections.

Within Goal 2, the policies regarding preserving and showcasing the rich cultural heritage of the Eagle Area (2-3.1), preserving and enhancing Eagle's unique character areas (2-3.2), and ensuring new development builds upon Eagle's community character by adherence to high quality standards of construction (2-3.3), are all contingent upon preserving the built environment of Eagle as it stands today. These policies and the action items detailed in Chapter 5 of the Comprehensive Plan depend on protecting these existing structures and empowering intentional redevelopment that aligns with them.

Under Goal 4, the policies speaking to supporting and demonstrating sustainability (4-3), supporting and demonstrating the efficient use of natural resources (4-3.3), and plan for safety and resiliency by mitigating potential natural hazards (4-4), support the regulations of the State Code. Adopting these regulations will also serve as a positive contribution to Action 4.14 "Develop a Hazard Mitigation and Resiliency Plan to address wildfire and flood mitigation and response through coordination with state and federal agencies" by increasing the community's resilience to wildfire hazard and improving communications about addresses via improved site signage.

Furthermore, in Goal 5, the policies speaking to providing equitable and sustainable public services and infrastructure (5-4) and maintain public services and infrastructure per community expectations around Town standards (5-4.1) are supported by the Town's incorporation of the State Resilience Code standards. Adding construction and materials standards, as well as site design and landscaping standards, that increase the resilience of structures to wildfire will help to protect public services and infrastructure into the future. By preserving the Town's existing facilities with enhanced wildfire resiliency elements, the

Town is also efficiently stewarding the public tax dollars by not exposing these structures that the public has funded at risk of potentially being critically damaged or lost.

Final Considerations:

Most importantly, the state legislation and any path forward the Town chooses to take will ensure that structures across Town are more resilient to effects of wildfire. As the Town currently exists, there are several neighborhoods with reduced emergency access routes, e.g. Haymeadow or the Highlands in Eagle Ranch. If there were severe urban conflagrations on the roads currently leading to these neighborhoods, there would be limited evacuation routes for residents.

If residential units, especially those that are deed restricted, are lost to wildfire there are currently no mechanisms for rebuilding those units to be affordable. Insurance will cover a set cost of the structure, but it will not cover the legal costs of getting the new-build deed restricted, the increased costs of construction and inflation, or the costs for securing emergency housing for residents who are displaced. Creating standards in Town Code to support these structures' resilience in the face of wildfire is one of the limited methods the Town has available to protect these long-term investments.

Adopting standards that hold new construction and significant renovation to more fire resilient standards also supports the Town's values of sustainability and natural resources. By protecting existing structures within the Town, the community reduces the likelihood of large-scale rebuilding after a wildfire, which in turn supports the Town's 2030 climate action targets.

Questions:

6. What kind of additional outreach or education should staff consider before adopting these requirements?

PUBLIC COMMENT/OUTREACH

Public hearings will be noticed in accordance with Title 4 requirements. Public comment has not been received at this time.

After receiving direction from this work session, staff anticipates creating a tiered public outreach approach with digital and in person elements. Staff will be creating a general informative flyer with the regulations to be shared on the website and social media. Staff has already started reaching out to HOAs and will continue this conversation with the direction received at this work session. Additionally, staff anticipates having an open house where developers and community members can ask questions and discuss the new regulations and their implications with staff.

ATTACHMENTS

- [SB23-116](#)
- [Colorado State Resilience Code](#)
- [Headwaters Economics Report on Construction Costs](#)
- [Resource Sheet from WUI Collaborative](#)
- [Firewise Plant Lists from CSU](#)
- [Recommended LUDC amendments from Headwaters Economics consulting team](#)



December 30, 2025

Town of Eagle
Planning Department
Sydney Dynek

Re: Colorado Wildfire Resiliency Code

To whom it may concern,

The Town of Eagle Planning Department reached out to Eagle Ranch regarding proposed or potential changes to the Colorado Wildland Urban Interface code. We appreciate the opportunity to share how the Eagle Ranch community has successfully addressed some of the issues along with where we need to improve. As a large development within the greater Eagle community, and currently containing approximately 175 vacant properties yet to be built on, updates to this code will certainly influence both existing and new homes.

In 2024, Eagle Ranch consolidated and updated the Design Guidelines which allowed us to revisit many of the issues discussed in the forthcoming Wildfire Resiliency Code.

Eagle Ranch is broken down into three neighborhoods, each with a slightly different character and corresponding specifics within the Design Guidelines (please see the attached map for reference). The Highlands neighborhood was initially identified as an area with a higher wildfire risk and therefore many of the Guidelines relating to the wildfire resiliency address this neighborhood directly.

Regarding Site and Landscaping: This is the area where Eagle Ranch's Design Guidelines (at least within the Highlands) are the strongest and most in line with the forthcoming code. The Home Ignition Zone, as mentioned in 501.2, was the referring document used to establish appropriate defensible zones around a home along with input from Eagle Valley Wildland. Given the lot sizes, the Guidelines primarily address Zone 1 and Zone 2, stating:

- *Zone 1 is the area up to 5' from the home. The area within Zone 1 is intended to prevent flames from coming in direct contact with the structure. As such, Eagle Ranch requires a continuous non-combustible inner border not less than 5' wide comprised of washed river cobble mulch placed over weed barrier under elevated decks, surrounding structures and associated landscaping is required.*

While previously required in the Highlands neighborhood, this requirement was extended to both the Uplands and Meadows neighborhoods during the 2024 Guidelines updates.

- *Zone 2 is the area from 5' to 30' from the home. The area within Zone 2 is intended to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to structures.*

The Guidelines state that no conifers should be planted within 10' of the home.

Conformity with both Zones 1 and 2 are only mandated in the Highlands neighborhood but are suggested to be followed in other neighborhood areas. In general, these defensible zones have been easily adopted and implemented on new construction, with very little pushback from owners and developers.

One landscape issue that would need updating to be compliant with the new code deals with fencing. Currently within the Design Guidelines there is no requirement that fencing within 8' of the structure must be non-combustible.

Regarding Structure Hardening: This is the area where the Eagle Ranch Design Guidelines are somewhat lacking relative to the forthcoming code. While some adjustments and updates need to be made, there are some

restrictions currently in place. For example:

- Within the Highlands neighborhood, Class A roofs are required.
- Additionally, while not spoken to in the Code, there is also a requirement in this neighborhood for a sprinklered fire suppression system. This requirement is echoed in the current Town of Eagle Building Code.

Currently within the Design Guidelines, there are no specific requirements relative to fire hardening for details like fascia, vents, soffits, or even siding materials. That said, with House Bill 24-1091 already in existence, the HOA and DRB are not opposed to approving fire hardened materials; however, at this time, using such materials are not a requirement. The following statement is reiterated through the Design Guidelines and applies to all neighborhoods:

Material substitutions may be approved by the DRB in cases where the alternative offers an increased level of wildfire protection but that do not significantly alter the architectural appearance.

One DRB concern is how to stay compliant with codes or laws requiring fire-hardened materials, while still maintaining the desired architectural character and aesthetics. Fortunately, there seems to be an increasing number of material options available to achieve this. To date, this concern has shown to be unfounded.

As the HOA and the Town contemplate the Wildfire Resiliency Code, there are some questions that arise. For example:

- How will Eagle Ranch be designated or classified relative to Wildfire risk? Will only portions of the development be classified as high risk, or will it be the whole area? Will the high-risk assessment be assigned to the entire Town of Eagle? How will the classification(s) affect how the code is applied?
- As cost of homes and construction in the community continue to rise, will conformity to the Wildfire Resiliency Code have nominal or significant cost implications?

On a related topic, Eagle Ranch has been working with Eagle Valley Wildland for several years. Tim Swaner was consulted during the Design Guideline updates and weighed in on the Wildfire Defensible Zones (among many other things). Through financial support from the HOA, Eagle Valley Wildland offers wildfire assessments and evaluations free to Eagle Ranch homeowners. As a result of fire mitigation actions taken within the development, Eagle Ranch was issued a Certificate of Recognition from the National Fire Protection Association for successfully completing the Firewise USA program. While this mitigation has an associated financial cost to it, being proactive on this subject seems well worth the investment to the HOA and our homeowners.

While the Eagle Ranch HOA and DRB have been proactive on several issues relating to wildfire safety, there is no doubt that as code changes, they will have to be reactive on others and adjust accordingly. We welcome the discussion with the Town of Eagle and hope that our input is helpful.

Thank you for your time and consideration on these matters.



Jason Berghauer
Eagle Ranch Assistant Community Manager

Eagle Ranch

Neighborhood Design Guidelines Map

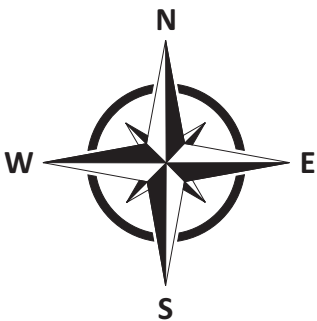
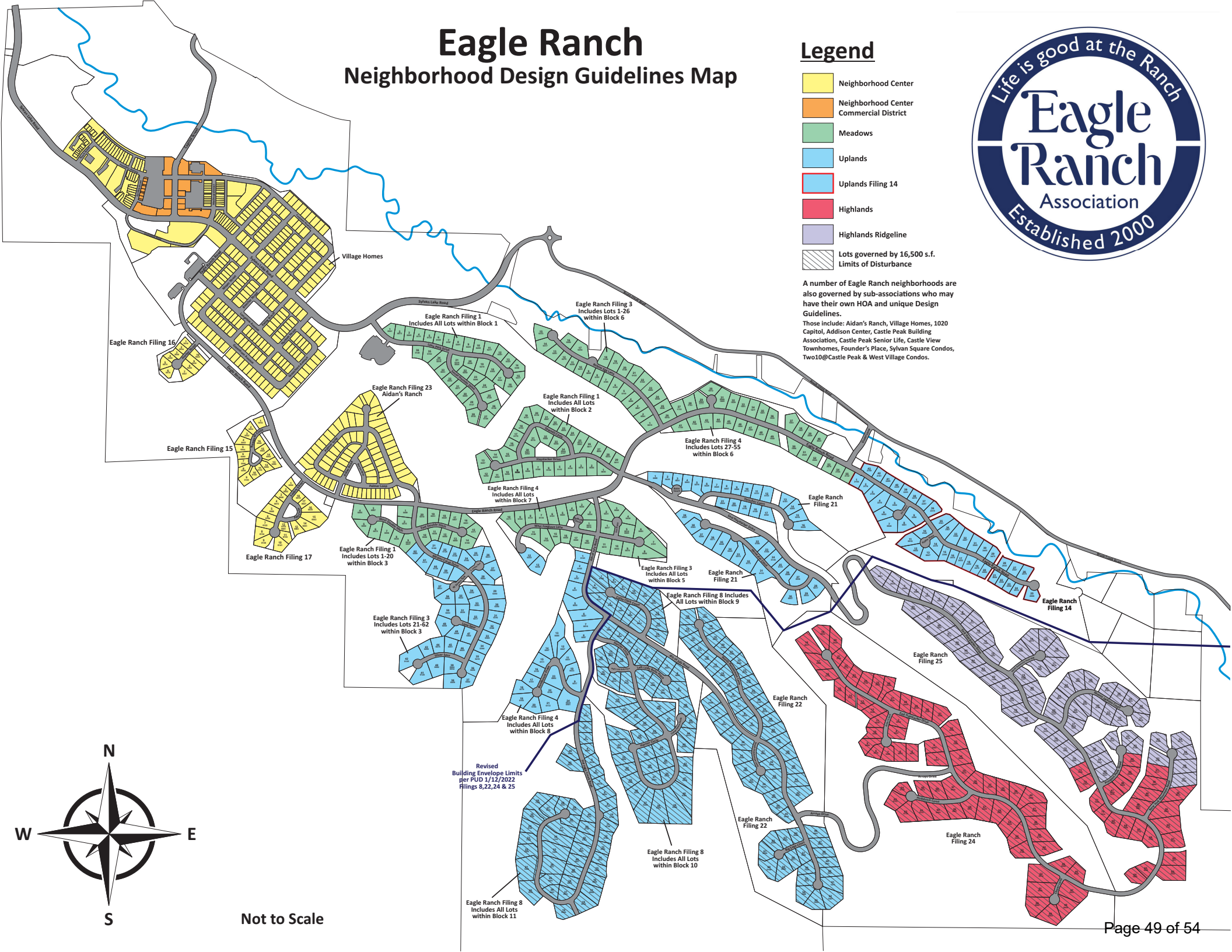
Legend

- Neighborhood Center
- Neighborhood Center Commercial District
- Meadows
- Uplands
- Uplands Filing 14
- Highlands
- Highlands Ridgeline
- Lots governed by 16,500 s.f. Limits of Disturbance



A number of Eagle Ranch neighborhoods are also governed by sub-associations who may have their own HOA and unique Design Guidelines.

Those include: Aidan's Ranch, Village Homes, 1020 Capitol, Addison Center, Castle Peak Building Association, Castle Peak Senior Life, Castle View Townhomes, Founder's Place, Sylvan Square Condos, Two10@Castle Peak & West Village Condos.



Not to Scale



To: Mayor Woods, Town Council, and Planning Commission

From: Jessica Lake, Senior Planner, Community Development Department

Date: January 6, 2026

Agenda Item: **Work Session:** Discussion of proposed Land Use and Development Code (LUDC) text amendments to Table 4.02-3 Height Limit Exceptions.

REQUEST

For the Town Council and Planning Commission to review and provide feedback on staff proposed questions to Table 4.02-3 Height limit exceptions 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) Occupied height projections vs. unoccupied height projections
 - b) Limits on location of occupied height projections

Staff is still gathering information to ensure that Planning and Zoning, Town Council, the community, and any affected departments or agencies have the most current data to make appropriate recommendations and decisions.

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

ANALYSIS

Table 4.02-3 – additional clarification to height limit exceptions

Current Table 4.02-3

Table 4.02-2 Height Limit Exceptions	
Projection	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	30% over zone district max height
Parapet walls, safety railings, and screening walls	4'
Architectural features such as unoccupied belfries, flagpoles, spires, silos, domes, and windmills	30% over zone district max height

Staff is proposing changes to the above table to better clarify allowable rooftop projections while also addressing the Planning Commission's concerns about visual impacts and height consistency. After our previous discussions with the Planning Commission on November 18th and Town Council on December 9th, staff had an additional question that we are asking for direction on: should occupied rooftop projections be allowed in all zone districts as the current code table allows for, or should they be limited to a specific zone district or several, but not all, zone districts?

Below are the redlined changes and other areas of the Code that speak to height limit projections. These were previously included in Council's December 9th packet. Also below are summaries of public comment received to date, the Planning Commission's feedback, Town Council's feedback, and additional considerations.

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.

Town Council Feedback (summarized):

- Strong interest in flexibility to avoid restricting developers or ADA compliance.
- Several members expressed support for 17 feet for elevator bulkheads, especially for downtown/Broadway area projects.
- Concerns about "double dipping" (bonus floor + extra height); suggestion to allow either bonus floor or height projection, not both.
- Agreed on:
 - Screening requirements.
 - Preference for middle or rear placement of projections.

- Additional considerations:
 - Research needed on mechanical system heights for electric heating/cooling.
 - Explore percentage-based limits for rooftop coverage.
 - Maintain design compatibility and minimize visual impact.
- Council leaned toward being open for business and accommodating development needs while balancing community character.

Additional Considerations:

- Renovations of existing buildings will be more constrained than new builds, but staff should encourage keeping existing buildings and modernizing when feasible.
- Occupied rooftop amenities are a significant departure from what the Code currently allows for in the height limits exceptions table and should be discussed from a life safety perspective with the Fire District.

Questions:

1. Do the Council and Commission 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?**

PUBLIC COMMENT/OUTREACH / NEXT STEPS

Staff will send out social media posts requesting community feedback about changes to Table 4.02-3. There will be a two-week public comment period.

The next round of Code Amendments will be noticed on January 26, 2026, and staff plans to hold public hearings on February 17, 2026, with the Planning Commission and February 24, 2026, with Town Council.