



**Planning & Zoning Commission
Tuesday, March 3, 2026, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

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

PUBLIC WIFI – Town of Eagle Public Wi-Fi

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Teams. First time users of Teams will have to download the app.

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Please Note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions for all meeting attendees. When it is your turn to speak, you will have three (3) minutes for public comment. For technical difficulties, please email gram.dick@townofeagle.org and we will do our best to assist you.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

OATHS OF OFFICE

1. Matthew Hood
2. Jennifer Sturgeon

APPOINTMENT OF CHAIR

REGULAR MEETING CALLED TO ORDER

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

1. February 3, 2026 P&Z Meeting Minutes

PUBLIC COMMENT

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

PUBLIC HEARINGS

1. Project: (Request to Continue) Red Mountain Ranch Planning Area 1
File # DR25-01, PP25-01
Applicant: David Hoffman, Tres Birds
Location 17500 US Highway 6
Staff Contact: Kyle Brotherton, Planner III
Request: Continue to March 17, 2026 Resolution 02, Series 2026, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Approval with Conditions of Approval of a Major Development Permit to Construct a Residential Planned Unit Development Consisting of 66 Total Dwelling Units at 17500 US Highway 6.
2. Project: LUDC26-01 Miscellaneous Code Amendments
File # LUDC26-01
Applicant: Town of Eagle
Location Town of Eagle
Staff Contact: Jessica Lake, Senior Planner
Request: For the Planning & Zoning Commission to review and recommend approval of staff proposed text amendments to the Land Use and Development Code.
3. Project: (Request to Continue) LUDC26-02 Wildland Urban Interface & Turf Landscape Requirements
File # LUDC26-02
Applicant: Town of Eagle
Location Town of Eagle
Staff Contact: Sydney Dynek, Planner, Jessica Lake, Senior Planner, Kyle Brotherton, Planner III
Request: To continue the public hearing regarding the repeal and replacement of Chapter 4.11 of the Town of Eagle Municipal Code with an updated Landscape Chapter that aligns with the requirements of SB23-166, SB24-005, and HB25-1113, including provisions related to WUI and turf limitations.

WORK SESSION

1. Discussion regarding the State Resilience Code (“WUI Code”)

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

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

1. January Department Update

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.

Gram Dick
Administrative Technician II



OATH

I, Matthew Hood, so solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances and Codes of the Town of Eagle, and that I will faithfully perform all duties of Planning Commission Member, upon which I am about to enter.

Sworn to this 3rd day of March, 2026.

Matthew Hood, Commission Member

Gram Dick, Administrative Technician II



OATH

I, Jennifer Sturgeon, so solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances and Codes of the Town of Eagle, and that I will faithfully perform all duties of Planning Commission Member, upon which I am about to enter.

Sworn to this 3rd day of March, 2026.

Jennifer Sturgeon, Commission Member

Gram Dick, Administrative Technician II



MEETING MINUTES
Planning & Zoning Commission
Tuesday, February 3, 2026, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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

6:00 PM - REGULAR MEETING CALLED TO ORDER

Commissioner Matt Hood called the meeting to order at 6:05 PM.

COMMISSIONERS PRESENT

Bill Nutkins, Matt Hood, Keith Montag, Keegan
Winkeller, Jennifer Sturgeon

STAFF

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

COMMISSIONERS ABSENT

Weston Arbogast, Chad Koch

APPROVAL OF MINUTES

1. Minutes approved from January 20, 2026. Motion passed unanimously. All in favor.

PUBLIC COMMENT

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

PUBLIC HEARING

1. **Project:** DR25-07 Mountain Tots Major Development Permit
File #: DR25-07

Applicant: Mountain Tots Preschool

Location: 621 Haymeadow Drive

Staff Contact: Sydney Dynek, Planner

Request: A Major Development Permit proposing to construct a 7050 square foot preschool facility.

Staff Presentation

The Planning & Zoning Commission conducted a review of Major Development Permit application DR25-07, submitted for the proposed Mountain Tots preschool facility to be located at 621 Haymeadow Drive. Sydney Dynek, a planner with the Town of Eagle, provided a comprehensive presentation outlining the scope of the project, applicable zoning standards, and the proposed site and building improvements.

Members of the Commission engaged in discussion regarding the project's compliance with relevant land use regulations and the conditions recommended for approval. Consideration was also given to community input and public support demonstrated.

Public Comment

Becky Wydra, from 70 Greenhorn, Eagle, disclosed her position on the organization's board and expressed strong support for the project, citing the significant community need for expanded childcare. She emphasized that the proposal would help address the shortage of care for children ages 12 months to 2½ years, a demographic currently underserved in the area.

Cassie Brooks, from 180 Stoney Creek, Gypsum, shared that her family delayed relocating to Eagle County due to limited childcare availability and stated that expanded capacity is essential to supporting working families and sustaining community growth.

Annie Colby, from 3220 Brush Creek Road, Eagle, also expressed support for the project. Although she resides near the proposed site, she stated she does not oppose the development and offered her perspective that noise from the area is unlikely to significantly impact nearby Brush Creek residences.

Scott Schlosser, from 390 Bluffs Drive, Eagle, noted his longstanding involvement with and support for the project, stating that it would contribute positively to the vitality of the Haymeadow development and surrounding community.

Myra Shoppy, from 60 Mill Road, Eagle, shared her experience of struggling to secure reliable childcare and explained that access to Mountain Tots allowed her to return to work, expressing strong support for the proposed expansion.

Motion

Commissioner Winkeller motioned to approve file# DR25-07 with the listed conditions 1-5 in Staff's Presentation. This motion was struck.

Commissioner Nutkins motioned to approve file# DR25-07 with the listed conditions 1-5 in Staff's Presentation. Commissioner Montag seconded. This motion was struck.

Commissioner Nutkins motioned to approve file# DR25-07 with the listed conditions 1-5 in Staff's Presentation, with the findings of fact. Commissioner Montag seconded, and the motion to approve passed unanimously. All in favor.

COMMUNITY DEVELOPMENT UPDATE

No significant Community Development Updates were presented at that time. The discussion included a brief acknowledgment of Kyle Brotherton's new role as Interim Community Development Director, after which the Commission moved forward.

ADJOURN

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

Meeting Adjourned at 6:25 PM

AI Assistance

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



To: Chair Hood and Planning & Zoning Commission

From: Jessica Lake, Senior Planner, Community Development Department

Date: February 17, 2026 continued to March 3, 2026

Agenda Item: Land Use and Development Code (LUDC) text amendment to resolve inconsistencies, provide clarity and correct omissions to multiple Sections within Title 4 of the Eagle Municipal Code.

REQUEST

For the Planning & Zoning Commission to review and approve staff proposed text amendments to the Land Use and Development Code.

BACKGROUND

The Land Use and Development Code (2023 LUDC), known as ReCode, took effect in October 2023. Since adoption, staff have identified clarifications and corrections necessary to ensure the Code functions as intended. To date, the Town has adopted two ReCode cleanup ordinances in 2024 and one on November 12, 2025, along with State-mandated amendments addressing Natural Medicine, Residential Density, and the Affordable Housing Accelerator Project (AHAP), which established a 90-day fast-track review process for qualifying affordable housing projects.

Per the Code, amendments require review and recommendation by the Planning & Zoning Commission prior to Town Council adoption. This memorandum presents an additional round of miscellaneous updates for the Commission's consideration.

Staff's Long-Range Planning Priorities are reviewed annually with Town Council and the Planning & Zoning Commission during a joint work session, most recently held on May 6, 2025. The associated Gantt chart ([LINK](#)) identifies ongoing Code amendments. This memorandum represents the first General Clean-up for 2026 and incorporates feedback received during the December 9th work session.

State-mandated Wildland-Urban Interface (WUI) and Turf regulations remain in progress, as do updates to Chapter 4.17 (Administration & Procedures) and the Administrative Procedures Manual. The Gantt chart and priority list will be revisited at a joint work session later this spring. As a general practice, Code updates are prioritized behind active planning applications, except when Code or Comprehensive Plan changes are required by the State. Planning applications increased significantly in 2025 compared to previous years, and many applications submitted in 2025 continue through the review process in 2026.

Proposed Amendments:

1. Section 4.04.050. – Commercial Mixed-Use (CMU2) / Section 4.04.060. – Broadway District (BD)
 - a. Section 4.10.050.C.3.c.i.a and b
2. Chapter 4.08 – Major PUD amendment process
3. Chapter 4.11 – Screening Standards
4. Section 4.17.100B.2.c – Lot line adjustment/lot consolidation

Amendments not included:

1. Table 4.02-3 – Updates to height limit exceptions for elevator bulkheads and internal stair access and changes to projections.
 - a. Screening standards
 - b. Design considerations for projections in mixed-use and commercial

Given the limited and technical nature of the proposed amendments, staff did not hold a work session for three of the four proposed amendments. Staff did receive feedback from the Commission and Council, which informed the changes Major PUD amendment process. These updates are intended to clarify existing standards, improve consistency in administration, and allow active applications to proceed. Amendments related to height limit exceptions are being deferred to allow additional time to evaluate community feedback and coordinate with the Fire District regarding service implications, as these changes are more complex and have broader impacts.

ANALYSIS

1. Section 4.04.050. – Commercial Mixed-Use (CMU2) / Section 4.04.060. – Broadway District (BD)
a. Section 4.10.050.C.3.c.i.a and b

These amendments are intended to resolve internal inconsistencies between the CMU2 and Broadway District zone standards and the Grand Avenue Corridor Design Standards, which currently use differing terminology, measurement methods, and applicability. As a reminder, the Town approved a map last year identifying all properties subject to the Grand Avenue Corridor Design Standards, and these refinements help ensure that the mapped area is administered consistently.

The existing language creates ambiguity for applicants and reviewers by referencing “commercial” versus “nonresidential” uses and including language that could undermine the intent of the ground-floor activation standard along Grand Avenue. As a result, similarly situated projects may be reviewed inconsistently, increasing uncertainty and processing time.

Replacing the term “commercial” with “nonresidential” broadens the range of permitted ground-floor uses while maintaining the intent of active, non-residential street frontage. This approach aligns more closely with the Code’s use tables and avoids unintentionally limiting projects to a single use category.

These clarifications are particularly important because many parcels within the CMU2 zone district and along Grand Avenue also front side streets and are uniquely shaped or configured. Under the current Code, side-street frontage exceptions and structure-based standards can create unintended loopholes or design challenges on corner and irregular lots. Aligning the Corridor Design Standards with the zone district requirement and removing potential conflicts reinforces the policy intent for Grand Avenue while allowing flexibility through the use of a clear, measurable ground-floor nonresidential standard.

If the Commission has a desire to keep standard (b) under the Grand Avenue Corridor Design Standards, we will need to write that exemption into the CMU2 zone district standard as well to ensure consistency for staff and applicants.

Overall, these changes improve clarity, consistency, and predictability in Code administration, reduce the potential for conflicting interpretations, and better support both applicant understanding and staff review, while maintaining the Town’s long-standing goal of an active, nonresidential ground-floor environment along Grand Avenue.

Proposed Redline Changes

Section 4.04.050. - Commercial Mixed-Use (CMU2)

B. Uses.

2. ~~Properties within the zone district that contain structures that front Grand Avenue~~ Structures that front on Grand Avenue shall have ~~devote~~ at least 75 percent of the ground floor ~~into commercial-nonresidential uses~~. The remaining floorspace may be used for residential uses, including a lobby for entry to ~~servicing~~ upper floor residential uses.

Section 4.04.060. – Broadway District (BD)

B. Uses.

2. ~~Properties within the zone district~~ Structures that front on Broadway shall have ~~devote~~ at least 75 percent of the ground floor ~~into commercial-nonresidential uses~~. The remaining floorspace may be used for residential uses, including a lobby for entry to ~~servicing~~ upper floor residential uses.

Section 4.10.050.C.3.c.i. Grand Avenue Corridor Design Standards

- a) Residential uses ~~in structures on properties within the designated boundaries of the Grand Avenue Corridor Design Area abutting Grand Avenue~~ shall be ~~are~~ permitted either above first-floor non-residential spaces or behind the front ~~30 percent of the ground-floor nonresidential spaces, provided at least 75 percent of the ground-floor gross floor area is designed to prioritize nonresidential uses, as measured from the front wall~~. First floor space shall be designed to accommodate nonresidential uses.
- b) ~~Lots that have a primary frontage along a side street with only 25 percent or less of frontage along Grand Avenue are not required to have structures designed for first floor nonresidential uses.~~

2. Chapter 4.08 – Major PUD Amendment Process

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

1. Inconsistent Standards

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

2. Overly Burdensome Amendment Process

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

3. Completed or Built-Out PUDs

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

Why Change Is Needed

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

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

Current Text

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

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

Section 4.08.060. – Review.

A. *Overview.*

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

B. *PUD Concept Plan.*

1. *Review procedures.* Applications shall meet the common review procedures and shall include the information identified in Section 4.17.130 A.
2. *Public notice and public hearing requirements.* The application shall be scheduled for a public hearing before the Planning and Zoning Commission and Town Council that shall be noticed pursuant to Section 4.17.050.

C. *Review criteria and decision-making.*

1. The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the application based on the following criteria:
 - a. *Comprehensive plan.* The PUD Concept plan is consistent with the provisions of applicable adopted comprehensive plan policies and any adopted area or corridor plans.
 - b. *Land use and development LUDC standards.* The PUD concept plan meets the requirements of this LUDC, including the provision of a sufficient community benefit pursuant to Section 4.08.030.
2. A Planning and Zoning Commission recommendation of approval of the PUD concept plan is a recommendation for approval of the proposed base zone districts, densities, and uses within the PUD and their general locations.

E. *PUD final plan.*

1. *Application submission.*
 - a. A PUD final plan shall be submitted with a Section 4.17.080 D., rezoning application.
 - b. Where a PUD or any phase of a PUD involves a subdivision of land, the subdivision application shall be reviewed pursuant to Section 4.17.100, Subdivision.
 - c. The subdivision review may run concurrently with the PUD final plan review.
 - d. If the applicant elects to have the subdivision reviewed concurrently with the PUD final plan, upon approval of the PUD final plan and the final subdivision plat by the Town Council, the Council shall adopt an ordinance zoning the subject property PUD overlay.
2. *Review criteria and decision-making.* The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the PUD final plan based on conformance with the following criteria:
 - a. *Rezoning standards.* The PUD final plan meets the approval criteria for a rezoning, pursuant to Section 4.17.100 E.4.a;
 - b. *PUD concept plan.* The PUD final plan complies with the approved PUD Concept plan and the requirements of Chapter 4.08, planned unit development district; and

- c. *Land use and development LUDC standards.* The PUD final Plan meets all applicable standards of this LUDC not expressly modified by the PUD application.

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

Proposed Redline Changes

Section 4.08.080. ~~B. *PUD amendments - major amendments.* Major PUD amendments shall be reviewed in the manner required for original PUD applications.~~

- A. *Classification of Major amendments.* Applications which are prohibited as Minor PUD Amendments, shall be classified as Major PUD Amendments.
- B. *Review criteria and decision-making.* Major PUD Amendments are subject to the following review criteria and shall follow the common review procedures in Section 4.17.010.B.
- a. The applicant shall demonstrate that the Major PUD Amendment:
 - I. Does not introduce uses that detract from other approved uses within the PUD. Uses may be deemed to detract from approved uses when they meet the significant adverse impacts as described in [Section 4.09.040.e](#).
 - II. Maintains an open space plan that is substantially similar to, or better than, the originally approved plan in both the quantity and quality of open space. Open space quality shall be evaluated based on the preservation or enhancement of one or more of the following characteristics:
 - i. Wildlife habitat value, including areas that provide movement corridors, foraging areas, or breeding habitat;
 - ii. Ecological value, such as wetlands, riparian areas, or other sensitive environmental features;
 - iii. Scenic, historic, or cultural resources; or
 - iv. Areas that contribute to the overall ecological function or natural character of the PUD.

Open space of equal or greater acreage, ecological function, or resource value shall be considered “substantially similar or better” than the originally approved plan.”
 - III. Meets the approval criteria for a rezoning, pursuant to Section 4.17.080.D.
 - IV. Meets all applicable standards of this LUDC not expressly modified by the PUD application.
 - V. Shall demonstrate compliance with adopted plans and standards and shall not result in measurable adverse impacts on adjacent properties related to traffic, noise, drainage, or visual compatibility.

Public Comment: None received.

Planning Commission Feedback:

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

3. Chapter 4.11 – Chapter 4.11 – Screening Standards

To improve workability on constrained infill sites while maintaining screening and safety outcomes, staff recommends deleting the first sentence of 4.11.060.B.3.a that mandates a 20-foot separation for storage, recycling, waste collection, and loading areas. The fixed setback is impractical for many lots and parcels throughout the Town’s zone districts and can force inefficient layouts, conflict with alleys/utilities, and reduce feasible building area. The requirement is also redundant and internally inconsistent with 4.11.060.B.3.c, which allows enclosures within setbacks when uncovered and properly screened, while the remaining standards already ensure visibility/circulation, full screening with materials similar to the primary structure, and acoustic mitigation. Input from Vail Honeywagon confirms that operational needs focus on clear access, turning, and well-designed enclosures—not a blanket 20-foot buffer—so a performance-based approach better reflects real service conditions. We will need to make additional changes to this section as part of WUI, but as this issue is affecting developments, we wanted to bring it forward now.

Proposed Redline Changes

4.11.060.B.3. *Storage, recycling and waste collection, and loading areas.*

- a. ~~Storage, recycling, and waste collection, and loading areas shall be located at least 20 feet from any public street, public sidewalk, or building with a residential use.~~ Placement of storage, recycling, and solid waste collection, and loading areas shall be sited so as not to interfere with vehicular visibility or circulation.
- b. Storage, waste collection, loading areas, and other service functions shall be incorporated into the overall design of the building and landscaping so that the acoustic impacts of these functions are contained to the maximum extent feasible, and so that such features are fully screened and out of view from public streets. Screening materials for solid waste collection and loading areas shall be of the same and of equal quality as the materials used for the primary building and landscaping.
- c. All waste collection or storage areas for multi-family projects and nonresidential projects shall be maintained within a structure on the property or enclosed by a six-foot solid material that is constructed using similar materials to the primary building(s) on the site. The enclosed trash storage areas are allowed within the setback so long as the enclosure is not covered, and the fences or wall meet the allowed fence height. Trash storage areas immediately adjacent to public alleys may be allowed without screening.

4. Section 4.17.100B.2.c. Exceptions to Lot Line Adjustments/Lot Consolidation

This amendment clarifies and corrects the Code provisions that allow limited exceptions to lot line adjustment or lot consolidation plat requirements for legacy lots within the 1905 Town Plat and the 1955 Mayer Addition. The current language unintentionally applies only to properties containing exactly four adjacent lots, rather than the intended “no more than four,” which recently prevented a homeowner from constructing an ADU that would cross an internal historic lot line. The update aligns the requirements for both plats, ensures consistent numbering, and maintains safeguards such as residential zoning, LUDC compliance, and execution of a waiver agreement prohibiting separate sale of the lots. While formal platting remains the preferred long-term solution, this correction preserves a narrowly tailored, affordable alternative for small residential projects without expanding the scope of the original exception.

Proposed Redline Changes

4.17.100.B.2. Lot line adjustment/lot consolidation.

c. Exceptions.

- i. For lots within the original Town plat, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - a) The applicant owns **no more than** four adjacent lots that could not be built on individually in compliance with this LUDC;
 - b) **(move to (a))** All lots were platted in 1905 as part of the original plat of the Town;
 - c) The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
 - d) The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.
- d. **(should be (ii))** For lots on the Mayer Addition plat approved in 1955, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - i. **(becomes (a))** All lots were platted in 1955 as part of the original Mayer Addition plat;
 - ii. **(becomes (b))** The applicant owns **no more than four adjacent lots that could not be built on individually in compliance with this LUDC;**
 - iii. **(becomes (c))** The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
 - iv. **(becomes (d))** The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.

PUBLIC COMMENT/OUTREACH

As of February 13, 2026, no public comment has been received on the topics for this Land Use Code Amendment. Public comment was received on February 19, 2026 and is specific to the changes to Section 4.17.100.B.2.

BUDGET / STAFF IMPACT:

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

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

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

RECOMMENDED ACTION OR PROPOSED MOTIONS:

Resolution 3, Series 2026, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Amendments to Chapters 4, 8, 10, 11, and 17 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes.

ATTACHMENTS

- PZ Resolution 03, Series 2026
- Public Comment
- Matt Hood - Comments

**TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 03
(Series of 2026)**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO RECOMMENDING AMENDMENTS TO CHAPTERS 4, 8, 10, 11, AND 17 OF TITLE 4 OF THE EAGLE MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES

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

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

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

WHEREAS, the Planning and Zoning Commission finds and determines that the proposed amendments to the Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 4.04.050.B.2. of the Eagle Municipal Code is hereby amended as follows:

Properties within the zone district that contain structures that front Grand Avenue ~~Structures that front on Grand Avenue~~ shall ~~have~~ devote at least 75 percent of the ground floor ~~into commercial-nonresidential uses.~~ The remainder ~~ing floorspace~~ may be used for residential uses, including a lobby ~~for entry to~~ for serving upper floor residential uses.

Section 2. Section 4.04.060.B.2. of the Eagle Municipal Code is hereby amended as follows:

Properties within the zone district ~~Structures that front on Broadway Street~~ shall ~~have~~ devote at least 75 percent of the ground floor ~~into commercial-nonresidential uses.~~ The remainder ~~ing floorspace~~ may be used for residential uses, including a lobby ~~for entry to~~ for serving upper floor residential uses.

Section 3. Section 4.10.050.C.3.c.i. of the Eagle Municipal Code is hereby amended as follows:

- a) Residential uses ~~in structures on properties within the designated boundaries of the Grand Avenue Corridor Design Area abutting Grand Avenue shall be~~ are permitted ~~either above first-floor non-residential spaces or behind the front 30 percent of the ground-floor nonresidential spaces, provided at least 75 percent of the ground-floor gross floor area is designed to accommodate nonresidential uses as set forth in Section 4.04.050.B.2. as measured from the front wall.~~ First floor space shall be designed to ~~accommodate~~ prioritize nonresidential uses.
- b) ~~Lots that have a primary frontage along a side street with only 25 percent or less of frontage along Grand Avenue are not required to have structures designed for first-floor nonresidential uses.~~

Section 4. Section 4.08.070.A. of the Eagle Municipal Code is hereby amended and renumbered Section 4.08.070. PUD amendments – minor.

Section 5. Section 4.08.070.B. of the Eagle Municipal Code is hereby repealed and replaced as follows:

Section 4.08.080. PUD amendments – major.

- A. *Classification of Major amendments.* Applications which are prohibited as Minor PUD Amendments, shall be classified as Major PUD Amendments.
- B. *Review criteria and decision-making.* Major PUD Amendments are subject to the following review criteria and shall follow the common review procedures in Section 4.17.010.B.
 - a. The applicant shall demonstrate that the Major PUD Amendment:
 - I. Does not introduce uses that detract from other approved uses within the PUD. Uses may be deemed to detract from approved uses when they meet the significant adverse impacts as described in [Section 4.09.040.e.](#)
 - II. Maintains an open space plan that is substantially similar to, or better than, the originally approved plan in both the quantity and quality of open space. Open space quality shall be evaluated based on the preservation or enhancement of one or more of the following characteristics:
 - i. Wildlife habitat value, including areas that provide movement corridors, foraging areas, or breeding habitat;
 - ii. Ecological value, such as wetlands, riparian areas, or other sensitive environmental features;
 - iii. Scenic, historic, or cultural resources; or
 - iv. Areas that contribute to the overall ecological function or natural character of the PUD.
Open space of equal or greater acreage, ecological function, or resource value shall be considered “substantially similar or better” than the originally approved plan.”
 - III. Meets the approval criteria for a rezoning, pursuant to Section 4.17.080.D.

- IV. Meets all applicable standards of this LUDC not expressly modified by the PUD application.
- V. Shall demonstrate compliance with adopted plans and standards and shall not result in measurable adverse impacts on adjacent properties related to traffic, noise, drainage, or visual compatibility.

Section 6. Section 4.08.080. of the Eagle Municipal Code is hereby amended and renumbered as Section 4.08.090. – PUDS approved under prior codes.

Section 7. 4.11.060.B.3. of the Eagle Municipal Code is hereby amended as follows:

a. ~~Storage, recycling, and waste collection, and loading areas shall be located at least 20 feet from any public street, public sidewalk, or building with a residential use.~~ Placement of storage, recycling, and solid waste collection, and loading areas shall be sited so as not to interfere with vehicular visibility or circulation.

c. All waste collection or storage areas for multi-family projects and nonresidential projects shall be maintained within a structure on the property or enclosed by a six-foot solid material that is constructed using similar materials to the primary building(s) on the site. The enclosed trash storage areas are allowed within the setback so long as the enclosure is not covered, and the fences or wall meet the allowed fence height. Trash storage areas immediately adjacent to public alleys may be allowed without screening.

Section 8. 4.17.100.B.2.c and 4.17.100.B.2.d of the Eagle Municipal Code are hereby repealed and replaced as follows:

c. *Exceptions.*

- i. For lots within the original Town plat, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - a) All lots were platted in 1905 as part of the original plat of the Town;
 - b) The applicant owns no more than four adjacent lots that could not be built on individually in compliance with this LUDC;
 - c) The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
 - d) The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.
- ii. For lots on the Mayer Addition plat approved in 1955, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - a) All lots were platted in 1955 as part of the original Mayer Addition plat;
 - b) The applicant owns no more than four adjacent lots that could not be built on individually in compliance with this LUDC;

- c) The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
- d) The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 3, 2026.

TOWN OF EAGLE, COLORADO

Matthew Hood, Planning Commissioner

ATTEST:

Gram Dick, Administrative Technician II



Support for Expanding Lot Consolidation Exceptions to CMU-1

From Dawn Koenig <dawnsunlight@hotmail.com>

Date Thu 2/19/2026 3:28 PM

To Jessica Lake <jessica.lake@townofeagle.org>; scott.farley@mnx.com <scott.farley@mnx.com>; queenbeedoralea@gmail.com <queenbeedoralea@gmail.com>

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Hi Jessica,

I hope this message finds you well. After noticing the proposed code amendment regarding exceptions to the lot consolidation process, I wanted to reach out to you to see if the code language could be expanded to include CMU-1. As you probably know, my neighbors at 323 Capitol Street have been trying to plan for an ADU expansion and have been discouraged for the very reason of having to go through the formal process and added cost of the subdivision or re-platting process. I have copied them on this message.

This doesn't affect my property as it has already been re-platted to one lot.

I noticed that the proposed code amendment requires residential zoning, but why shouldn't it be expanded to the CMU-1 zoning district?

Here are the reasons why I believe the exception should apply to CMU-1:

This expansion resolves existing procedural friction for property owners attempting to develop **Accessory Dwelling Units (ADUs)** and **small-scale Mixed-Use projects** in Eagle's core.

Consistency with the Elevate Eagle Comprehensive Plan

The Town of Eagle LUDC **Section 1.02.010** outlines the "rules of the road" for all amendments. Restricting the lot consolidation exception to residential zones while excluding CMU-1 (where ADUs are permitted) creates a conflict with these mandates:

- **Administrative Efficiency (1.02.010.B):** Requiring a full subdivision plat and public hearing for a 2-to-4 lot consolidation in CMU-1—for a project that is otherwise a "Permitted Use"—is a redundant use of Staff and Commission time.
- **Avoidance of Undue Cost (1.02.010.L):** The current gap forces CMU-1 owners to incur thousands of dollars in extra surveying and legal fees. If the end result is a single-family home with an ADU, this "procedural tax" is arbitrary based solely on a zoning line.

The **Elevate Eagle** plan identifies the CMU-1 corridors as vital transition areas. Restricting the lot consolidation exception to purely residential zones contradicts the following Plan goals:

- **Downtown Neighborhood Character:** The Plan envisions a "walkable, vibrant core." By streamlining lot consolidation in CMU-1, the Town encourages the assembly of small, historic "finger lots" into viable parcels for modern mixed-use and ADU infill.

- **Goal: Housing Diversity & Infill:** The Plan explicitly encourages "gentle density" and ADUs as a way to maintain Eagle's small-town character while meeting housing needs.
- **The "Downtown Neighborhood" Vision:** CMU-1 is intended to be a transition. By allowing an administrative path for lot consolidation, the Town encourages **private investment in ADUs** that matches the scale of the surrounding residential fabric.
- **Removal of Regulatory Barriers:** The Plan explicitly directs the Town to "identify and remove regulatory barriers to housing." The current requirement for a full Subdivision Plat for a 2-to-4 lot consolidation in CMU-1 is a significant financial and temporal barrier for local residents and small-scale developers.

Real-World Application: There are currently property owners in communication with Town staff who are in "procedural limbo"—unable to move forward with permitted ADU construction due to the high cost and complexity of the current consolidation process in the CMU-1 zone.

IV. Recommended Language Tweak

Adjust the applicability section of the proposed amendment to read:

*"The administrative exception for lot consolidation of up to four (4) contiguous lots shall apply to all **Residential Zone Districts and the CMU-1 (Commercial Mixed-Use) District**, provided the resulting parcel meets all applicable dimensional standards of the underlying zone."*

I would love to hear your thoughts on this and would like to see if this could be included in your recommendation to PZ and Town Council.

Thanks so much for your time and dedication to the Town!
Dawn



To: Chair Hood and Planning & Zoning Commission

From: Jessica Lake, Senior Planner, Community Development Department

Date: February 17, 2026

Agenda Item: Land Use and Development Code (LUDC) text amendment to resolve inconsistencies, provide clarity and correct omissions to multiple Sections within Title 4 of the Eagle Municipal Code.

REQUEST

For the Planning & Zoning Commission to review and approve staff proposed text amendments to the Land Use and Development Code.

BACKGROUND

The Land Use and Development Code (2023 LUDC), known as ReCode, took effect in October 2023. Since adoption, staff have identified clarifications and corrections necessary to ensure the Code functions as intended. To date, the Town has adopted two ReCode cleanup ordinances in 2024 and one on November 12, 2025, along with State-mandated amendments addressing Natural Medicine, Residential Density, and the Affordable Housing Accelerator Project (AHAP), which established a 90-day fast-track review process for qualifying affordable housing projects.

Per the Code, amendments require review and recommendation by the Planning & Zoning Commission prior to Town Council adoption. This memorandum presents an additional round of miscellaneous updates for the Commission’s consideration.

Staff’s Long-Range Planning Priorities are reviewed annually with Town Council and the Planning & Zoning Commission during a joint work session, most recently held on May 6, 2025. The associated Gantt chart ([LINK](#)) identifies ongoing Code amendments. This memorandum represents the first General Clean-up for 2026 and incorporates feedback received during the December 9th work session.

State-mandated Wildland-Urban Interface (WUI) and Turf regulations remain in progress, as do updates to Chapter 4.17 (Administration & Procedures) and the Administrative Procedures Manual. The Gantt chart and priority list will be revisited at a joint work session later this spring. As a general practice, Code updates are prioritized behind active planning applications, except when Code or Comprehensive Plan changes are required by the State. Planning applications increased significantly in 2025 compared to previous years, and many applications submitted in 2025 continue through the review process in 2026.

Proposed Amendments:

1. Section 4.04.050. – Commercial Mixed-Use (CMU2) / Section 4.04.060. – Broadway District (BD)
 - a. Section 4.10.050.C.3.c.i.a and b
2. Chapter 4.08 – Major PUD amendment process
3. Chapter 4.11 – Screening Standards
4. Section 4.17.100B.2.c – Lot line adjustment/lot consolidation

Amendments not included:

1. Table 4.02-3 – Updates to height limit exceptions for elevator bulkheads and internal stair access and changes to projections.
 - a. Screening standards
 - b. Design considerations for projections in mixed-use and commercial

Given the limited and technical nature of the proposed amendments, staff did not hold a work session for three of the four proposed amendments. Staff did receive feedback from the Commission and Council, which informed the changes Major PUD amendment process. These updates are intended to clarify existing standards, improve consistency in administration, and allow active applications to proceed. Amendments related to height limit exceptions are being deferred to allow additional time to evaluate community feedback and coordinate with the Fire District regarding service implications, as these changes are more complex and have broader impacts.

ANALYSIS

1. Section 4.04.050. – Commercial Mixed-Use (CMU2) / Section 4.04.060. – Broadway District (BD)
a. Section 4.10.050.C.3.c.i.a and b

These amendments are intended to resolve internal inconsistencies between the CMU2 and Broadway District zone standards and the Grand Avenue Corridor Design Standards, which currently use differing terminology, measurement methods, and applicability. The existing language creates ambiguity for applicants and reviewers by referencing “commercial” versus “nonresidential” uses, applying requirements to “structures” rather than properties, and including language that could undermine the intent of the ground-floor activation standard along Grand Avenue. As a result, similarly situated projects may be reviewed inconsistently, increasing uncertainty and processing time.

Replacing the term “commercial” with “nonresidential” broadens the range of permitted ground-floor uses while maintaining the intent of active, non-residential street frontage. This approach aligns more closely with the Code’s use tables and avoids unintentionally limiting projects to a single use category.

These clarifications are particularly important because many parcels within the CMU2 zone district and along Grand Avenue also front side streets and are uniquely shaped or configured. Under the current Code, side-street frontage exceptions and structure-based standards can create unintended loopholes or design challenges on corner and irregular lots. Aligning the Corridor design standards with the zone district requirement and removing potential conflicts reinforces the policy intent for Grand Avenue while allowing flexibility through the use of a clear, measurable ground-floor nonresidential standard.

Overall, these changes improve clarity, consistency, and predictability in Code administration, reduce the potential for conflicting interpretations, and better support both applicant understanding and staff review, while maintaining the Town’s long-standing goal of an active, nonresidential ground-floor environment along Grand Avenue.

Proposed Redline Changes

Section 4.04.050. - Commercial Mixed-Use (CMU2)

B. Uses.

2. ~~Properties within the zone district that contain structures that front Grand Avenue~~ Structures that front on Grand Avenue shall have ~~devote~~ at least 75 percent of the ground floor ~~into commercial nonresidential uses~~. The remaining floorspace may be used for residential uses, including a lobby for entry to ~~servicing~~ upper floor residential uses.

Section 4.04.060. – Broadway District (BD)

B. Uses.

2. ~~Properties within the zone district~~ Structures that front on Broadway shall have ~~devote~~ at least 75 percent of the ground floor ~~into commercial nonresidential uses~~. The remaining floorspace may be used for residential uses, including a lobby for entry to ~~servicing~~ upper floor residential uses.

Section 4.10.050.C.3.c.i. Grand Avenue Corridor Design Standards

- a) Residential uses ~~in structures on properties within the designated boundaries of the Grand Avenue Corridor Design Area~~ abutting Grand Avenue shall be ~~are~~ permitted either above first-floor non-residential spaces or behind the front ~~30~~75 percent of the ground-floor ~~nonresidential spaces, provided at least 75% of the ground-floor gross floor area is designed to prioritize nonresidential uses. as measured from the front wall.~~ First floor space shall be designed to accommodate nonresidential uses.
- b) ~~Lots that have a primary frontage along a side street with only 25 percent or less of frontage along Grand Avenue are not required to have structures designed for first-floor nonresidential uses.~~

2. Chapter 4.08 – Major PUD Amendment Process

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

1. Inconsistent Standards

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

2. Overly Burdensome Amendment Process

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

3. Completed or Built-Out PUDs

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

Why Change Is Needed

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

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

Delete?

Current Text

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

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

Section 4.08.060. – Review.

A. *Overview.*

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

B. *PUD Concept Plan.*

1. *Review procedures.* Applications shall meet the common review procedures and shall include the information identified in Section 4.17.130 A.
2. *Public notice and public hearing requirements.* The application shall be scheduled for a public hearing before the Planning and Zoning Commission and Town Council that shall be noticed pursuant to Section 4.17.050.

C. *Review criteria and decision-making.*

1. The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the application based on the following criteria:
 - a. *Comprehensive plan.* The PUD Concept plan is consistent with the provisions of applicable adopted comprehensive plan policies and any adopted area or corridor plans.
 - b. *Land use and development LUDC standards.* The PUD concept plan meets the requirements of this LUDC, including the provision of a sufficient community benefit pursuant to Section 4.08.030.
2. A Planning and Zoning Commission recommendation of approval of the PUD concept plan is a recommendation for approval of the proposed base zone districts, densities, and uses within the PUD and their general locations.

E. *PUD final plan.*

1. *Application submission.*
 - a. A PUD final plan shall be submitted with a Section 4.17.080 D., rezoning application.
 - b. Where a PUD or any phase of a PUD involves a subdivision of land, the subdivision application shall be reviewed pursuant to Section 4.17.100, Subdivision.
 - c. The subdivision review may run concurrently with the PUD final plan review.
 - d. If the applicant elects to have the subdivision reviewed concurrently with the PUD final plan, upon approval of the PUD final plan and the final subdivision plat by the Town Council, the Council shall adopt an ordinance zoning the subject property PUD overlay.
2. *Review criteria and decision-making.* The Planning and Zoning Commission shall review and recommend, and Town Council shall review and decide on the PUD final plan based on conformance with the following criteria:
 - a. *Rezoning standards.* The PUD final plan meets the approval criteria for a rezoning, pursuant to Section 4.17.100 E.4.a;
 - b. *PUD concept plan.* The PUD final plan complies with the approved PUD Concept plan and the requirements of Chapter 4.08, planned unit development district; and
 - c. *Land use and development LUDC standards.* The PUD final Plan meets all applicable standards of this LUDC not expressly modified by the PUD application.

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

Proposed Redline Changes

Section 4.08.080. ~~B. PUD amendments - major amendments.~~ Major PUD amendments shall be reviewed in the manner required for original PUD applications.

A. *Classification of Major amendments.* Applications which are prohibited as Minor PUD Amendments, shall be classified as Major PUD Amendments.

B. *Review criteria and decision-making.* Major PUD Amendments are subject to the following review criteria and shall follow the common review procedures in Section 4.17.010.B.

a. The applicant shall demonstrate that the Major PUD Amendment:

- I. Does not introduce uses that detract from other approved uses within the PUD.
- II. Maintains an open space plan that is substantially similar to, or better than, the originally approved plan in both the quantity and quality of open space. Open space quality shall be evaluated based on the preservation or enhancement of one or more of the following characteristics:
 - i. Wildlife habitat value, including areas that provide movement corridors, foraging areas, or breeding habitat;
 - ii. Ecological value, such as wetlands, riparian areas, or other sensitive environmental features;
 - iii. Scenic, historic, or cultural resources; or
 - iv. Areas that contribute to the overall ecological function or natural character of the PUD.

Open space of equal or greater acreage, ecological function, or resource value shall be considered “substantially similar or better” than the originally approved plan.”
- III. Meets the approval criteria for a rezoning, pursuant to Section 4.17.080.D.
- IV. Meets all applicable standards of this LUDC not expressly modified by the PUD application.
- V. Shall demonstrate compliance with adopted plans and standards and shall not result in measurable adverse impacts on adjacent properties related to traffic, noise, drainage, or visual compatibility.

Public Comment: None received.

Planning Commission Feedback:

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

3. Chapter 4.11 – Chapter 4.11 – Screening Standards

To improve workability on constrained infill sites while maintaining screening and safety outcomes, staff recommends deleting the first sentence of 4.11.060.B.3.a that mandates a 20-foot separation for storage, recycling, waste collection, and loading areas. The fixed setback is impractical for many lots and parcels throughout the Town’s zone districts and can force inefficient layouts, conflict with alleys/utilities, and reduce feasible building area. The requirement is also redundant and internally inconsistent with 4.11.060.B.3.c, which allows enclosures within setbacks when uncovered and properly screened, while the remaining standards already ensure visibility/circulation, full screening with materials similar to the primary structure, and acoustic mitigation. Input from Vail Honeywagon confirms that operational needs focus on clear access, turning, and well-designed enclosures—not a blanket 20-foot buffer—so a performance-based approach better reflects real service conditions. We will need to make additional changes to this section as part of WUI, but as this issue is affecting developments, we wanted to bring it forward now.

Proposed Redline Changes

4.11.060.B.3. *Storage, recycling and waste collection, and loading areas.*

- a. ~~Storage, recycling, and waste collection, and loading areas shall be located at least 20 feet from any public street, public sidewalk, or building with a residential use.~~ Placement of storage, recycling, and solid waste collection, and loading areas shall be sited so as not to interfere with vehicular visibility or circulation.
- b. Storage, waste collection, loading areas, and other service functions shall be incorporated into the overall design of the building and landscaping so that the acoustic impacts of these functions are contained to the maximum extent feasible, and so that such features are fully screened and out of view from public streets. Screening materials for solid waste collection and loading areas shall be of the same and of equal quality as the materials used for the primary building and landscaping.
- c. All waste collection or storage areas for multi-family projects and nonresidential projects shall be maintained within a structure on the property or enclosed by a six-foot solid material that is constructed using similar materials to the primary building(s) on the site. The enclosed trash storage areas are allowed within the setback so long as the enclosure is not covered, and the fences or wall meet the allowed fence height. Trash storage areas immediately adjacent to ~~public~~ alleys may be allowed without screening.

4. Section 4.17.100B.2.c. Exceptions to Lot Line Adjustments/Lot Consolidation

This amendment clarifies and corrects the Code provisions that allow limited exceptions to lot line adjustment or lot consolidation plat requirements for legacy lots within the 1905 Town Plat and the 1955 Mayer Addition. The current language unintentionally applies only to properties containing exactly four adjacent lots, rather than the intended “no more than four,” which recently prevented a homeowner from constructing an ADU that would cross an internal historic lot line. The update aligns the requirements for both plats, ensures consistent numbering, and maintains safeguards such as residential zoning, LUDC compliance, and execution of a waiver agreement prohibiting separate sale of the lots. While formal platting remains the preferred long-term solution, this correction preserves a narrowly tailored, affordable alternative for small residential projects without expanding the scope of the original exception.

Proposed Redline Changes

4.17.100.B.2. Lot line adjustment/lot consolidation.

c. Exceptions.

- i. For lots within the original Town plat, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - a) The applicant owns **no more than** four adjacent lots that could not be built on individually in compliance with this LUDC;
 - b) **(move to (a))** All lots were platted in 1905 as part of the original plat of the Town;
 - c) The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
 - d) The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.
- d. **(should be (ii))** For lots on the Mayer Addition plat approved in 1955, a lot line adjustment or lot consolidation shall not be required if all the following conditions exist:
 - i. **(becomes (a))** All lots were platted in 1955 as part of the original Mayer Addition plat;
 - ii. **(becomes (b))** **The applicant owns no more than four adjacent lots that could not be built on individually in compliance with this LUDC;**
 - iii. **(becomes (c))** The lots are zoned residential and the proposed improvements will comply with all applicable requirements of this LUDC if the four lots are treated as one lot; and
 - iv. **(becomes (d))** The applicant executes an agreement, in a form approved by the Town and to be recorded against all the lots, waiving any rights to sell any of the lots separately.

PUBLIC COMMENT/OUTREACH

As of February 13, 2026, no public comment has been received on the topics for this Land Use Code Amendment.

BUDGET / STAFF IMPACT:

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

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

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

RECOMMENDED ACTION OR PROPOSED MOTIONS:

A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Amendments to Chapters 4, 8, 10, 11, and 17 of Title 4 of the Eagle Municipal Code Related to Development Standards and Processes.

ATTACHMENTS

- PZ Resolution 02, Series 2026



FW: Support for Expanding Lot Consolidation Exceptions to CMU-1

From Richard J. Peterson-Cremer <rjp@mountainlawfirm.com>

Date Mon 3/2/2026 4:00 PM

To Melissa Daruna <Melissa.Daruna@townofeagle.org>; Kyle Brotherton <kyle.brotherton@townofeagle.org>; Jessica Lake <jessica.lake@townofeagle.org>

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FYI in case you weren't copied on this.

Richard J. Peterson-Cremer | Partner/Shareholder
Karp Neu Hanlon, P.C.

Phone: 970.945.2262

Office: 201 14th Street, Suite 200, Glenwood Springs, CO 81601

Mailing: P.O. Drawer 2030, Glenwood Springs, CO 81602

Glenwood Springs | Basalt | Aspen | Ridgway

rjp@mountainlawfirm.com | www.mountainlawfirm.com

From: Dawn Koenig <dawnsunlight@hotmail.com>

Sent: Monday, March 2, 2026 3:27 PM

To: Planning and Zoning <pz@townofeagle.org>; Richard J. Peterson-Cremer <rjp@mountainlawfirm.com>; ALL COUNCIL <allcouncil@townofeagle.org>; queenbeedoralea@gmail.com; Scott Farley <scottmfarley@gmail.com>

Subject: Fw: Support for Expanding Lot Consolidation Exceptions to CMU-1

Date: February 25, 2026

RE: Ensuring Fairness and Investment Stability in the LUDC Amendment Process

Dear Mayor, Council Members, and Planning Commissioners,

As you consider the upcoming amendments to the Land Use and Development Code (LUDC) regarding lot consolidation, I am writing to urge you to ensure these efficiencies are applied fairly to our downtown core.

The current draft of the amendment excludes the **CMU-1 (Commercial Mixed-Use) district** from the administrative exception for lot consolidation. For those of us owning property in this "Downtown Neighborhood," this exclusion creates a significant "procedural tax." While a neighbor in a residential zone can merge historic lots through a simple administrative process, a CMU-1 owner—attempting the exact same task for a permitted Accessory Dwelling Unit (ADU)—is forced into a costly and lengthy public hearing process.

This is not just a matter of "red tape"; it is a matter of **Economic Stability and Property Rights:**

- **Investment Predictability:** When the process to improve property is made intentionally difficult, owners are forced into "disinvestment" and deferred maintenance.

- **DDA Vitality:** Streamlining lot consolidation for ADUs and residential infill directly increases property values, thereby increasing the tax increment revenue for the Downtown Development Authority.
- **Code Integrity:** Our LUDC (Section 1.02.010) mandates that regulations be applied effectively and fairly (**Intent #11**). Procedural hurdles should not be used as "soft-prohibitions" on uses that are currently permitted by right.

The below **Advocacy Brief** outlines how a simple change—applying the exception based on **Residential Use** rather than just Zoning—can resolve staff concerns while fulfilling the Town’s housing and economic goals.

I look forward to discussing how we can work together to remove these barriers and continue the stewardship of Eagle’s historic downtown.

Respectfully,
Dawn Koenig

ADVOCACY BRIEF: LUDC Amendment – Lot Consolidation Exceptions

Target Audience: Town of Eagle Town Council / Planning Commission **Strategic Focus:** Procedural Fairness, Economic Vitality, and Code Consistency

I. The Core Request

The proposed amendment to **Section 4.17.100** regarding administrative lot consolidation must be expanded to include the **CMU-1 (Commercial Mixed-Use) District**.

Currently, the draft restricts this "fast-track" process to Residential zones. This creates an arbitrary "procedural tax" on property owners in the downtown core who wish to consolidate historic "finger lots" for permitted uses, such as **Accessory Dwelling Units (ADUs)** and residential infill.

II. Legal Basis: LUDC General Purpose and Intent

Per **Section 1.02.010**, the Town is legally obligated to adhere to the following principles. The current exclusion of CMU-1 violates these mandates:

- **Intent #1 & #4 (Orderly Growth/Anti-Sprawl):** Facilitating the merger of sub-standard historic lots into functional parcels is the definition of orderly growth. Discouraging this in the core inadvertently incentivizes sprawl.
- **Intent #2 (Predictability):** Property owners require a predictable regulatory environment to justify capital investment and property maintenance.
- **Intent #10 (Housing Variety):** The code seeks to relate housing needs (ADUs) to particular sites. The "Downtown Neighborhood" is the primary site for this need.
- **Intent #11 (Fairness):** Regulations must be applied effectively and fairly. A resident in CMU-1 should not face a more onerous process than a resident in a Residential zone for the same land-use outcome.

III. Economic Impact: The DDA and Investment Stability

1. **DDA Increment Revenue:** Within the DDA boundary, every lot consolidation that leads to a new ADU or other property improvement directly increases the assessed property value. This grows the **Tax Increment Financing (TIF)** revenue used for public downtown renewal.

2. **Preventing Disinvestment:** When property owners sense that their permitted uses are being "phased out" through procedural hurdles, they cease long-term maintenance. Uncertainty leads to neighborhood decay. By streamlining consolidation, the Town encourages immediate private investment.

IV. Addressing "Unintended Consequences"

Staff has expressed concerns over "unintended consequences" in mixed-use zones. However:

- The amendment already includes a **4-lot maximum**, preventing large-scale "block-buster" commercial assembly.
- The **Use is already Permitted:** There is no land-use risk in simplifying the process for a use (ADU/Residential) that is already allowed on the books.

V. Proposed Solution: The "Either/Or" Compromise

To move forward, the Town should adopt one of the following revisions:

- **Option A (Zone-Based):** Expand the administrative exception to include the **CMU-1 District**.
- **Option B (Use-Based):** Allow the exception in CMU-1 provided the consolidation is for a **Permitted Residential Use or Accessory Dwelling Unit**.

VI. Property Owner's Perspective

If the Town wishes to debate the future of the CMU-1 zone, that debate should be transparent and public. It should not be conducted through 'soft-prohibitions' or expensive procedural hurdles that block currently permitted housing. As owners, we ask for a process that respects our rights and encourages the stewardship of our downtown neighborhood.

From: Jessica Lake <jessica.lake@townofeagle.org>

Sent: Tuesday, February 24, 2026 3:48 PM

To: dawnsunlight <dawnsunlight@hotmail.com>; scott.farley@mnx.com <scott.farley@mnx.com>; queenbeedoralea@gmail.com <queenbeedoralea@gmail.com>

Subject: Re: Support for Expanding Lot Consolidation Exceptions to CMU-1

Hi Dawn,

I apologize for the delayed response — I was out of town the past few days.

Thank you for taking the time to provide these thoughtful comments. Your input has been received and will be included in the public record as the amendment moves through the review process.

I did want to share that the P&Z public hearing was continued due to a lack of quorum, so the item will return at their next meeting, which is scheduled for March 3, 2026.

In terms of the scope of this amendment, the intent was to make a narrow correction to the "exactly four lots" language, which was not aligned with how the provision was originally intended to function. Expanding the exception to additional zone districts, including CMU-1, would require a much broader look at potential impacts and unintended consequences. That level of study was outside the scope of this targeted correction.

I appreciate you raising these points and the time you took to outline your perspective.

Best,

Senior Planner

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9627, Fax: 970-328-9656

TYPICAL HOURS: Monday – Friday, 8:00am – 2:30pm

UPCOMING DAYS OFF: Feb. 20-24

UPCOMING TOE HOLIDAYS: Feb. 16

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

 [Book time to meet with me](#)

From: Dawn Koenig <dawnsunlight@hotmail.com>
Sent: Thursday, February 19, 2026 3:28 PM
To: Jessica Lake <jessica.lake@townofeagle.org>; scott.farley@mnx.com <scott.farley@mnx.com>; queenbeedoralea@gmail.com <queenbeedoralea@gmail.com>
Subject: Support for Expanding Lot Consolidation Exceptions to CMU-1

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.

Hi Jessica,

I hope this message finds you well. After noticing the proposed code amendment regarding exceptions to the lot consolidation process, I wanted to reach out to you to see if the code language could be expanded to include CMU-1. As you probably know, my neighbors at 323 Capitol Street have been trying

to plan for an ADU expansion and have been discouraged for the very reason of having to go through the formal process and added cost of the subdivision or re-platting process. I have copied them on this message.

This doesn't affect my property as it has already been re-platted to one lot.

I noticed that the proposed code amendment requires residential zoning, but why shouldn't it be expanded to the CMU-1 zoning district?

Here are the reasons why I believe the exception should apply to CMU-1:

This expansion resolves existing procedural friction for property owners attempting to develop **Accessory Dwelling Units (ADUs)** and **small-scale Mixed-Use projects** in Eagle's core.

Consistency with the Elevate Eagle Comprehensive Plan

The Town of Eagle LUDC **Section 1.02.010** outlines the "rules of the road" for all amendments. Restricting the lot consolidation exception to residential zones while excluding CMU-1 (where ADUs are permitted) creates a conflict with these mandates:

- **Administrative Efficiency (1.02.010.B):** Requiring a full subdivision plat and public hearing for a 2-to-4 lot consolidation in CMU-1—for a project that is otherwise a "Permitted Use"—is a redundant use of Staff and Commission time.
- **Avoidance of Undue Cost (1.02.010.L):** The current gap forces CMU-1 owners to incur thousands of dollars in extra surveying and legal fees. If the end result is a single-family home with an ADU, this "procedural tax" is arbitrary based solely on a zoning line.

The **Elevate Eagle** plan identifies the CMU-1 corridors as vital transition areas. Restricting the lot consolidation exception to purely residential zones contradicts the following Plan goals:

- **Downtown Neighborhood Character:** The Plan envisions a "walkable, vibrant core." By streamlining lot consolidation in CMU-1, the Town encourages the assembly of small, historic "finger lots" into viable parcels for modern mixed-use and ADU infill.
- **Goal: Housing Diversity & Infill:** The Plan explicitly encourages "gentle density" and ADUs as a way to maintain Eagle's small-town character while meeting housing needs.
- **The "Downtown Neighborhood" Vision:** CMU-1 is intended to be a transition. By allowing an administrative path for lot consolidation, the Town encourages **private investment in ADUs** that matches the scale of the surrounding residential fabric.
- **Removal of Regulatory Barriers:** The Plan explicitly directs the Town to "identify and remove regulatory barriers to housing." The current requirement for a full Subdivision Plat for a 2-to-4 lot consolidation in CMU-1 is a significant financial and temporal barrier for local residents and small-scale developers.

Real-World Application: There are currently property owners in communication with Town staff who are in "procedural limbo"—unable to move forward with permitted ADU construction due to the high cost and complexity of the current consolidation process in the CMU-1 zone.

IV. Recommended Language Tweak

Adjust the applicability section of the proposed amendment to read:

*"The administrative exception for lot consolidation of up to four (4) contiguous lots shall apply to all **Residential Zone Districts and the CMU-1 (Commercial Mixed-Use) District**, provided the resulting parcel meets all applicable dimensional standards of the underlying zone."*

I would love to hear your thoughts on this and would like to see if this could be included in your recommendation to PZ and Town Council.

Thanks so much for your time and dedication to the Town!
Dawn



FW: Fw: Support for Expanding Lot Consolidation Exceptions to CMU-1

From Richard J. Peterson-Cremer <rjp@mountainlawfirm.com>

Date Mon 3/2/2026 8:34 PM

To Jessica Lake <jessica.lake@townofeagle.org>; Melissa Daruna <Melissa.Daruna@townofeagle.org>; Kyle Brotherton <kyle.brotherton@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.

Richard J. Peterson-Cremer | Partner/Shareholder
Karp Neu Hanlon, P.C.

Phone: 970.945.2262

Office: 201 14th Street, Suite 200, Glenwood Springs, CO 81601

Mailing: P.O. Drawer 2030, Glenwood Springs, CO 81602

Glenwood Springs | Basalt | Aspen | Ridgway

rjp@mountainlawfirm.com | www.mountainlawfirm.com

From: Dora Farley <queenbeedoralea@gmail.com>

Sent: Monday, March 2, 2026 8:26 PM

To: Dawn Koenig <dawnsunlight@hotmail.com>

Cc: Planning and Zoning <pz@townofeagle.org>; Richard J. Peterson-Cremer <rjp@mountainlawfirm.com>; ALL COUNCIL <allcouncil@townofeagle.org>; Scott Farley <scottmfarley@gmail.com>

Subject: Re: Fw: Support for Expanding Lot Consolidation Exceptions to CMU-1

Dear Mayor, Council and to whom it concerns,

Please include CMU-1 for lot consolidation- rezoning.

As you may know, We live at

323 Capitol Street and have been attempting to move forward on a plan for an ADU project and have been discouraged for the very reason of having to go through the formal process and added cost of the lot consolidation, removal of historical lot lines or re-platting process.

We were told that the proposed code amendment was going to be considered some day and with our property in mind, but which is in the CMU-1 zoning.

We would like to second the motion and respectfully request that Council consider a small but important modification to include the CMU-1 zoning district within the administrative lot consolidation exception.

It creates financial and timing hurdles that impact us as local residents and small-scale property owners.

We as property owners feel we are effectively in procedural limbo—unable to proceed with ADU construction because of the disproportionate cost and complexity of the requirements in CMU-1.

I am thankful for you -Dawn-for the vital points addressed and with the code references here, and appreciate You -Council, for your attention to this matter below :

"The proposed amendment correctly addresses lot consolidation in residential zones. However, excluding the CMU-1 district creates an inconsistency, particularly given that ADUs are permitted within CMU-1 and the district is intended to function as a residential transition area in Eagle's core.

Under Section 1.02.010 of the Town's Land Use and Development Code, amendments are guided by several core principles. Two are particularly relevant here:

Administrative Efficiency (1.02.010.B) – Requiring a full subdivision plat and public hearing for a simple 2-to-4 lot consolidation in CMU-1, when the resulting project is otherwise a permitted use, represents a redundant expenditure of Staff and Commission time.

Avoidance of Undue Cost (1.02.010.L) – The current structure requires CMU-1 property owners to incur thousands of dollars in additional surveying and legal fees. When the end result may be a single-family home with an ADU, that added burden functions as a procedural tax based solely on a zoning boundary.

More broadly, excluding CMU-1 conflicts with the adopted goals of the Elevate Eagle Comprehensive Plan. The Plan identifies CMU-1 corridors as vital transition areas supporting:

A walkable, vibrant downtown core

Housing diversity and "gentle density," including ADUs

Infill development that respects Eagle's small-town character

Removal of regulatory barriers to housing."

Thank you for your time and consideration.

Dora Lea Farley

 [POP_clean_logo](#)

[970.926.4233](tel:970.926.4233) www.petalsofprovence.com

On Mon, Mar 2, 2026, 3:27 PM Dawn Koenig <dawnsunlight@hotmail.com> wrote:

Date: February 25, 2026

RE: Ensuring Fairness and Investment Stability in the LUDC Amendment Process

Dear Mayor, Council Members, and Planning Commissioners,

As you consider the upcoming amendments to the Land Use and Development Code (LUDC) regarding lot consolidation, I am writing to urge you to ensure these efficiencies are applied fairly to our downtown core.

The current draft of the amendment excludes the **CMU-1 (Commercial Mixed-Use) district** from the administrative exception for lot consolidation. For those of us owning property in this "Downtown Neighborhood," this exclusion creates a significant "procedural tax." While a neighbor in a residential zone can merge historic lots through a simple administrative process, a CMU-1 owner—attempting the exact same task for a permitted Accessory Dwelling Unit (ADU)—is forced into a costly and lengthy public hearing process.

This is not just a matter of "red tape"; it is a matter of **Economic Stability and Property Rights**:

- **Investment Predictability:** When the process to improve property is made intentionally difficult, owners are forced into "disinvestment" and deferred maintenance.
- **DDA Vitality:** Streamlining lot consolidation for ADUs and residential infill directly increases property values, thereby increasing the tax increment revenue for the Downtown Development Authority.
- **Code Integrity:** Our LUDC (Section 1.02.010) mandates that regulations be applied effectively and fairly (**Intent #11**). Procedural hurdles should not be used as "soft-prohibitions" on uses that are currently permitted by right.

The below **Advocacy Brief** outlines how a simple change—applying the exception based on **Residential Use** rather than just Zoning—can resolve staff concerns while fulfilling the Town's housing and economic goals.

I look forward to discussing how we can work together to remove these barriers and continue the stewardship of Eagle's historic downtown.

Respectfully,

Dawn Koenig

ADVOCACY BRIEF: LUDC Amendment – Lot Consolidation Exceptions

Target Audience: Town of Eagle Town Council / Planning Commission **Strategic Focus:** Procedural Fairness, Economic Vitality, and Code Consistency

I. The Core Request

The proposed amendment to **Section 4.17.100** regarding administrative lot consolidation must be expanded to include the **CMU-1 (Commercial Mixed-Use) District**.

Currently, the draft restricts this "fast-track" process to Residential zones. This creates an arbitrary "procedural tax" on property owners in the downtown core who wish to consolidate historic "finger lots" for permitted uses, such as **Accessory Dwelling Units (ADUs)** and residential infill.

II. Legal Basis: LUDC General Purpose and Intent

Per **Section 1.02.010**, the Town is legally obligated to adhere to the following principles. The current exclusion of CMU-1 violates these mandates:

- **Intent #1 & #4 (Orderly Growth/Anti-Sprawl):** Facilitating the merger of sub-standard historic lots into functional parcels is the definition of orderly growth. Discouraging this in the core

inadvertently incentivizes sprawl.

- **Intent #2 (Predictability):** Property owners require a predictable regulatory environment to justify capital investment and property maintenance.
- **Intent #10 (Housing Variety):** The code seeks to relate housing needs (ADUs) to particular sites. The "Downtown Neighborhood" is the primary site for this need.
- **Intent #11 (Fairness):** Regulations must be applied effectively and fairly. A resident in CMU-1 should not face a more onerous process than a resident in a Residential zone for the same land-use outcome.

III. Economic Impact: The DDA and Investment Stability

1. **DDA Increment Revenue:** Within the DDA boundary, every lot consolidation that leads to a new ADU or other property improvement directly increases the assessed property value. This grows the **Tax Increment Financing (TIF)** revenue used for public downtown renewal.
2. **Preventing Disinvestment:** When property owners sense that their permitted uses are being "phased out" through procedural hurdles, they cease long-term maintenance. Uncertainty leads to neighborhood decay. By streamlining consolidation, the Town encourages immediate private investment.

IV. Addressing "Unintended Consequences"

Staff has expressed concerns over "unintended consequences" in mixed-use zones. However:

- The amendment already includes a **4-lot maximum**, preventing large-scale "block-buster" commercial assembly.
- The **Use is already Permitted:** There is no land-use risk in simplifying the process for a use (ADU/Residential) that is already allowed on the books.

V. Proposed Solution: The "Either/Or" Compromise

To move forward, the Town should adopt one of the following revisions:

- **Option A (Zone-Based):** Expand the administrative exception to include the **CMU-1 District**.
- **Option B (Use-Based):** Allow the exception in CMU-1 provided the consolidation is for a **Permitted Residential Use or Accessory Dwelling Unit**.

VI. Property Owner's Perspective

If the Town wishes to debate the future of the CMU-1 zone, that debate should be transparent and public. It should not be conducted through 'soft-prohibitions' or expensive procedural hurdles that block currently permitted housing. As owners, we ask for a process that respects our rights and encourages the stewardship of our downtown neighborhood.

From: Jessica Lake <jessica.lake@townofeagle.org>

Sent: Tuesday, February 24, 2026 3:48 PM

To: dawnsunlight <dawnsunlight@hotmail.com>; scott.farley@mnx.com <scott.farley@mnx.com>; queenbeedoralea@gmail.com <queenbeedoralea@gmail.com>

Subject: Re: Support for Expanding Lot Consolidation Exceptions to CMU-1

Hi Dawn,

I apologize for the delayed response — I was out of town the past few days.

Thank you for taking the time to provide these thoughtful comments. Your input has been received and will be included in the public record as the amendment moves through the review process.

I did want to share that the P&Z public hearing was continued due to a lack of quorum, so the item will return at their next meeting, which is scheduled for March 3, 2026.

In terms of the scope of this amendment, the intent was to make a narrow correction to the “exactly four lots” language, which was not aligned with how the provision was originally intended to function. Expanding the exception to additional zone districts, including CMU-1, would require a much broader look at potential impacts and unintended consequences. That level of study was outside the scope of this targeted correction.

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The **Elevate Eagle** plan identifies the CMU-1 corridors as vital transition areas. Restricting the lot consolidation exception to purely residential zones contradicts the following Plan goals:

- **Downtown Neighborhood Character:** The Plan envisions a "walkable, vibrant core." By streamlining lot consolidation in CMU-1, the Town encourages the assembly of small, historic "finger lots" into viable parcels for modern mixed-use and ADU infill.
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Real-World Application: There are currently property owners in communication with Town staff who are in "procedural limbo"—unable to move forward with permitted ADU construction due to the high cost and complexity of the current consolidation process in the CMU-1 zone.

IV. Recommended Language Tweak

Adjust the applicability section of the proposed amendment to read:

*"The administrative exception for lot consolidation of up to four (4) contiguous lots shall apply to all **Residential Zone Districts and the CMU-1 (Commercial Mixed-Use) District**, provided the resulting parcel meets all applicable dimensional standards of the underlying zone."*

I would love to hear your thoughts on this and would like to see if this could be included in your recommendation to PZ and Town Council.

Thanks so much for your time and dedication to the Town!
Dawn



To: Planning Commission

From: Planning Department

Date: March 3, 2026

Agenda Item: CONTINUE LUDC26-02 Wildland Urban Interface & Turf Landscape Requirements.

REQUEST:

For the Planning Commission to continue the public hearing to March 17, 2026.

INTRODUCTION:

The file was initially noticed to be heard on March 3, 2026, staff has re-published notice with the new dates: March 17, 2026; March 24, 2026; and April 14, 2026, but also request to formally continue during the Planning Commission meeting to March 17, 2026.

ANALYSIS:

Analysis of the proposed code amendments will be provided at the public hearing on March 10, 2026.

COMMUNITY INPUT:

None.

BUDGET / STAFF IMPACT:

None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Analysis of the code amendment against the Strategic Plan will be included in the staff report on March 17, 2026.

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to CONTINUE file LUDC26-02, a LUDC text amendment to adopt Landscaping standards consistent with Wildland Urban Interface and Turf requirements, to the March 17, 2026 meeting.

ATTACHMENTS:

None.



To: Planning Commission

From: Sydney Dynek, Planner, Community Development Department
Jessica Lake, Senior Planner, Community Development Department

Date: March 3, 2026

Agenda Item: Discussion regarding the State Resilience Code (“WUI Code”)

REQUEST:

To follow up with the Planning Commission after the January 6th work session and January 20th update to provide an update on staff’s plan over the next month with respect to the WUI Code and to seek direction on how landscaping standards can better reflect Eagle’s community character.

INTRODUCTION:

Following the January 6th Work Session and the conversation on January 20th regarding the State Resilience Code (“WUI Code”), staff wanted to keep the conversation going with the decision makers. For those who were unable to attend the work session or would like to re-watch it, the link to the recording is included here ([LINK](#)) and is also available on the Town’s website.

During the January 20th meeting, staff posed questions to the Planning Commission about impacts to street trees, costs, differences between the State’s code and California 7A as they each relate to landscaping, general impacts on community character, and landscaping with regard to setbacks and lot lines. The minutes from the January 20th meeting are included here ([LINK](#)) and the recording is also available ([LINK](#)).

Staff have been meeting with different jurisdictions to understand what others are doing and why, what kind of challenges are they facing, and what pushback are they receiving if any. To date we have met with all communities in the Eagle County Wildfire Collaborative working group (Vail, Eagle County, Avon, Minturn, Red Cliff, Gypsum), as well as with the Town of Basalt, Town of Carbondale, City of Black Hawk, and we will be meeting with City of Glenwood Springs the first week in March.

Staff are continuing to conduct additional research through conversations with peer communities, the consultant team at Headwaters Economics, local fire experts, building officials and inspectors, insurance agents, developers, and arborists. Staff are also working towards outreach efforts with HOA, local landscape professionals

STAFF ANALYSIS:

Important Note on Scope of Review

The proposed Wildland–Urban Interface (WUI) Building Code will go directly to Town Council for two readings and will not go to the Planning & Zoning Commission for a recommendation.

The Commission’s role in this process will be focused solely on amendments to Title 4 (Land Use and Development Code)—particularly the updates and formatting changes to Chapter 4.11 (Landscaping, Screening, and Fencing Standards). Additional updates will include clarifications to Chapters 4.09, 4.10, 4.14, 4.15, and 4.16 to ensure consistency with State or Town-adopted Wildfire Standards. We will need to make more substantial amendments over time to reduce conflicts between chapters and align all chapters with best practices.

To support ongoing discussions, staff wishes to reiterate the distinction between the Building Code and the Land Use Code, as these systems serve different purposes and follow separate review processes.

- Land Use Code: Regulates where and how development occurs (e.g., zoning, site design, landscaping, setbacks, community character).
- Building Code: Regulates how buildings are constructed (e.g., life safety, fire resistance, materials performance).

While interrelated, these systems function independently, rely on different expertise, and changes to one may not translate directly to the other.

Considerations Regarding Adoption of the State Resiliency Code

Some recent feedback has asked whether the Town should adopt the State Resiliency Code **without** local amendments. Based on staff’s operational experience, this approach is not recommended.

Under a local “7A-style” amendment, applicants and reviewers benefit from an established materials database of pre-approved, code-compliant products. This approach provides:

- predictable review timelines
- lower applicant costs
- reduced friction for DIY homeowners and small-scale builders
- staff efficiency focused on safety, not material research

By contrast, the State Code **does not** include a materials database. Under that structure:

- applicants must individually document compliance for every building material
- staff must verify each submission independently
- review timelines would increase significantly
- applicant costs would likely rise due to required testing/certifications
- the process is not scalable with current staffing levels

Creating an Eagle-specific database is theoretically possible but would require expertise the Town does not currently possess—particularly with no Building Official on staff since July 2025.

For these reasons, staff strongly supports retaining a locally amended Building Code that incorporates clear, pre-approved materials. This approach best supports:

- community wildfire resilience
- public safety
- predictable permitting
- cost control
- efficient use of Town resources

Landscaping Implementation Considerations

As landscaping standards evolve to better reflect Eagle’s community character, staff remains mindful that expectations must be practical, understandable, and enforceable. While the State requires minimum wildfire-related landscaping standards, these are broad and allow for varied implementation approaches.

Key considerations include:

- Clarity for applicants: Standards should articulate intent without requiring ecological expertise.
- Consistency in review: Staff must be able to interpret and apply the standards reliably across projects.
- Contextual flexibility: Not all character areas warrant the same approach; some may be better served by guidelines or best practices rather than prescriptive standards.
- Preserving community character: Especially in areas with mature canopy or historic patterns, landscaping standards must balance wildfire requirements with longstanding aesthetic expectations.
- Maintenance: Standards should address long-term survivability and maintenance, not just initial installation.

Staff notes that the draft Landscape Chapter represents a substantial reformatting and modernization of the current Chapter 4.11. While we are not yet ready to share a full draft with the Commission, the reorganized chapter includes sections on:

Purpose, Applicability, Required Plans, Defensible Space (0–5 ft and 5 ft–property line), Existing Vegetation, Tree Replacement, Measurement Rules, General Landscaping Requirements, Parking Lot Landscaping, Fencing, Screening, Retaining Walls, Maintenance, Revegetation of Disturbed Land, Turf (functional/nonfunctional/artificial), and Irrigation. All sections remain under active review and subject to change.

Request for Feedback – Community Character & Buffers

Staff wishes to specifically highlight two existing standards not carried over into the draft but which have notable community-character implications:

1. Front-yard buffer requirements
2. I-70 rear-yard buffering requirements, particularly for properties along Chambers Avenue

These standards have historically contributed to corridor aesthetics and shaped development patterns. However, they also pose significant challenges:

- conflict with WUI defensible-space requirements
- conflict with utility easements and setbacks
- difficulty administering and enforcing them

Staff seek direction from the Commission on whether to:

- attempt to integrate these buffer requirements into the updated Landscape Code, or
- allow them to sunset and rely on the purpose statement and goals to drive landscaping aesthetics.

Your feedback on this question will directly influence the next iteration of the draft chapter.

Next Steps

Staff continues internal and external coordination, including recent meetings with the Eagle County WUI Code Working Group and Town Communications for public outreach, the petition process, and jurisdictional progress; communication with developers and contractors to address concerns early; scheduling small-group meetings with Council members and Commissioners on March 9 and March 10 (please check your Town email).

The draft Building Code (prepared by consultant and former Building Official Eddie Wilson) and the draft Landscape Code have been sent to legal review. The Landscape Code has also been shared with peer reviewers (Norris Design, Michael Hood, Mike Earl, Public Works, Headwaters Economics, WRA/Brendle Group).

Anticipated Adoption Schedule – Title 4:

- January 6 – Work Session
- January 20 – Discussion
- February 12 – Public Notice Published
- February 17 – Discussion – postponed
- February 17 – Draft Landscape Chapter sent for legal and peer review
- February 12 – Public Notice published
- March 3 – Updated Public Notice published
- March 9 & 10 – schedule small-group meetings with Commissioners and Council
- ~~March 3~~ / March 17 – Planning Commission recommendation
- ~~March 24~~ / April 14 – Town Council adoption

Anticipated Adoption Schedule – Title 13:

- January 6 – Work Session
- February 11 – 7a w/amendments sent for legal review
- February 24 – Discussion
- February 19 and February 26 – Public Notice published
- March 9 and 16 – Updated Public Notice published
- March 10 – presentation to Council by Greater Eagle Fire Protection District
- March 9 & 10 – schedule small-group meetings with Commissioners and Council
- ~~March 10~~ / March 24 – 1st Reading – Town Council
- ~~March 24~~ / April 14 – 2nd Reading/Adoption – Town Council

ATTACHMENTS:

- [Staff Memo from January 6, 2026](#)
- [January 6 Work Session Recording](#)
- [Staff Memo from January 20, 2026](#)
- [Minutes from January 20, 2026](#)
- [January 20, 2026 Meeting Recording](#)
- [Public Comment received to-date](#)

RESOURCE LIST :

- Articles
 - CSU: Protect Your Home & Property from Wildfire
 - [Protect Your Home & Property from Wildfire | Colorado State Forest Service | Colorado State University](#)
 - NFPA- Preparing Homes for Wildfire
 - [NFPA - Preparing homes for wildfire](#)
 - [Wildfire Hazards & Mitigation | NFPA](#)
 - Lessons from the Burn Zone: Why some homes survived the L.A. wildfires
 - [LA Times – Lessons from the Burn Zone](#)
- Podcast
 - APA: Resilience Roundtable- We Need to Outthink Wildfire, Not Try to Eliminate It
 - [We Need to Outthink Wildfire, Not Try to Eliminate It by APA Planning](#)
 - Defensible Space: Practical Steps to WildFire Resilience
[Defensible Space: Practical Steps to Wild Fire Resilience](#)
- Videos
 - Wildfire Behavior
[Understanding Fire Behavior in the Wildland/Urban Interface](#)



To: Planning Commission

From: Sydney Dynek, Planner, Community Development Department
Jessica Lake, Senior Planner, Community Development Department

Date: February 17, 2026

Agenda Item: Discussion regarding the State Resilience Code (“WUI Code”)

REQUEST:

To follow up with the Planning Commission after the January 6th work session and January 20th update to seek Commission direction on how landscaping standards can better reflect Eagle’s community character across different areas of Town.

INTRODUCTION:

Following the January 6th Work Session and the conversation on January 20th regarding the State Resilience Code (“WUI Code”), staff wanted to keep the conversation going with the Planning Commission. If Commissioners were unable to attend the work session, the link to the recording is included here ([LINK](#)) and is also available on the Town’s website. Staff encourage Commissioners to listen to the recording if they have capacity.

During the January 20th meeting, staff posed questions to the Commissioners about impacts to street trees, costs, differences between the State’s code and California 7A as they each relate to landscaping, general impacts on community character, and landscaping with regard to setbacks and lot lines. The minutes from the January 20th meeting are included here ([LINK](#)) and the recording is also available ([LINK](#)).

The Town of Eagle Comprehensive Plan emphasizes enhancing and celebrating Eagle’s unique community character. While the Plan establishes high-level goals and policies, it provides limited guidance on how community character should be expressed through landscaping in specific areas of Town.

As the Town considers updates to landscaping standards, staff is seeking Planning & Zoning Commission input on how landscaping can more intentionally support Eagle’s identity, pedestrian experience, ecological health, and neighborhood compatibility—while remaining practical to implement and maintain.

Important Note on Scope of Review

The proposed Wildland–Urban Interface (WUI) Building Code will go directly to Town Council for two readings and will not come to the Planning & Zoning Commission for a recommendation.

The Commission’s role in this process is focused solely on amendments to Title 4 (Land Use and Development Code)—particularly the updates and formatting changes to Chapter 4.11 (Landscaping, Screening, and Fencing Standards). Additional updates will include adding clarifying statements to Chapters 4.09, 4.10, 4.14, 4.15, and 4.16 to ensure consistency with State or Town-adopted Wildfire Standards.

To help staff better refine amendments to the Landscape Chapter (Chapter 4.11) in Title 4, staff have identified the following key areas for input:

1. Chambers Avenue Area / Town Gateways (Commercial / Industrial)
2. Old Town Residential (OTR) District
3. Bull Pasture Neighborhood (Residential Medium Density -(R2))
4. Biodiversity and Landscape Standards (Town-wide)
5. Update on WUI Building Codes

Staff are continuing to conduct additional research through conversations with peer communities, with the consultant team at Headwaters Economics, with local fire experts, and with local arborists.

STAFF ANALYSIS:

1. Chambers Avenue Area / Town Gateways (Commercial / Industrial)

Historically, landscaping standards in the Chambers Avenue area have emphasized visual buffering and aesthetics from the I-70 corridor. As redevelopment and infill continue, staff is evaluating whether this emphasis still reflects Town priorities.

Questions for the Commission:

- Should landscaping standards in the Chambers Avenue area continue to prioritize views from I-70, or should there be a greater focus on the internal streetscape and pedestrian experience?
- How important is it that landscaping in this area supports walkability, shade, and human-scaled design, even in predominantly commercial or industrial contexts?
- Should the Town consider a shift toward landscaping that reinforces a cohesive internal character for Chambers Avenue rather than primarily serving as a visual buffer to the interstate?
- Are there elements of Eagle’s broader community character that should be more clearly expressed in this area (e.g., native plantings, informal design, durability)?

Examples of Desired Outcomes:

- Streetscapes that feel walkable and human-scaled, even in commercial and industrial settings.
- Landscaping that supports shade, visual interest, and pedestrian comfort along internal streets—not only along I-70.
- A cohesive internal identity that feels intentional rather than leftover or utilitarian.

2. Old Town Residential (OTR)

The OTR District is characterized by numerous very large, mature trees, many of which predate current development standards. While these trees contribute significantly to neighborhood character, they also pose challenges for long term sustainability, safety, and consistency with modern landscape expectations. Many of these legacy trees are nearing the end of their natural lifespan, meaning the Town needs a thoughtful approach to transition the canopy over time.

Ask an arborist? I think this is a desirable goal but I don't know how to do it.

Yes. Encourage but not mandate. Using a variance to save an old tree seems like a great idea, but it should also be allowed to just meet the new landscaping standards

Questions for the Commission:

- How should new landscaping be integrated with large, established trees to preserve character while planning for canopy transition over time?
- Should landscaping standards in OTR explicitly encourage age diversity of trees to reduce vulnerability to disease, pests, or climate stress?
- Should OTR consider a replacement requirement or tree removal permit to ensure canopy renewal?
 - The Town of Avon requires replacement after removal of a tree, but there is staff discretion on location, species, and whether replacement with a shrub is more appropriate.
- How much flexibility should be allowed in OTR to account for site specific conditions, such as large existing trees or constrained yards?

Examples of Desired Outcomes:

- A long-range succession strategy that maintains canopy continuity as aging trees decline.
- Incremental introduction of new and diverse plant species that support long-term canopy health and resilience.
- Landscaping that respects historic patterns while planning for generational change.
- Landscaping that meets water-wise and fire-wise principles without compromising OTR's historic tree canopy.

3. Bull Pasture Neighborhood

The Bull Pasture neighborhood has unique platted conditions, including 1 foot side yard setbacks on one side of the lots and 25-foot setbacks on the other, creating challenges for landscaping, defensible space, and wildfire mitigation.

Questions for the Commission:

- How should landscaping standards respond to established neighborhood patterns that may not align with current best practices for WUI and defensible space?
- Is there value in creating “good neighbor” guidance or resources—separate from Code requirements—for areas like Bull Pasture?
- Should the Town explore educational or incentive-based approaches to encourage landscaping practices that improve safety while respecting existing neighborhood character?
- How much emphasis should be placed on retrofit strategies versus standards that primarily apply to new development?
 - Note: we are currently writing the Landscape Code to only apply to new development and redevelopment that require either a land use permit or a building permit.

Examples of Desired Outcomes:

- Practical, context-sensitive approaches to landscaping and defensible space.
- Clear guidance and resources that support residents without imposing unrealistic requirements.
- Improved awareness of best practices through education rather than enforcement alone.

4. Biodiversity and Landscape Standards (Town-wide)

As climate conditions evolve, there is growing interest in moving toward landscaping standards that promote ecological resilience and biodiversity rather than uniform or purely ornamental planting schemes.

Questions for the Commission:

- Should the Town consider shifting toward a landscaping code that more explicitly promotes biodiversity, including species variety, habitat value, and resilience?
- How should the Town balance flexibility and creativity with the need for clear, enforceable standards?
- What level of complexity is appropriate in the Code to achieve biodiversity and resilience goals without creating unintended barriers to compliance?

Examples of Desired Outcomes:

- Greater variety in species selection, age, and structure across public and private landscapes.
- Reduced reliance on single-species planting approaches that increase vulnerability to disease.
- Landscapes that are visually cohesive and ecologically resilient

Operational Considerations:

- What implications might a biodiversity focused Code have on existing staff capacity, including plan review, inspections, and long-term maintenance expectations?
- Are there tools (e.g., approved plant lists, typologies, or guidance documents) that could support staff and applicants if standards become more nuanced?

Yes

Tough to define and enforce

5. Update on WUI Building Codes

As part of ongoing discussions related to development standards, staff would like to provide clarification on the distinction between building code requirements and land use code regulations, as these serve different purposes and are administered through different review processes.

- **Land Use Code** regulates where and how development occurs, including zoning, site design, landscaping, setbacks, and community character.
- **Building Code** regulates how buildings are constructed, with a focus on life safety, structural integrity, fire resistance, and material performance.

While these systems are interrelated, they operate independently and are implemented by different review processes, timelines, and expertise. Changes to one can have significant implications that do not necessarily overlap with the other.

Recent discussions have included consideration of adopting the State Building Code without local amendments. Staff would like to share perspective on the practical implications of this approach based on operational experience.

From a staff and applicant standpoint, adopting the State Building Code without local amendments would likely result in longer review timelines, increased costs, and greater uncertainty, particularly for residential and small-scale projects.

I'm in favor of 7A for all the reasons listed.



Under a 7A style amendment, applicants and reviewers would rely on an established materials database of pre-approved, code-compliant products ([LINK](#)). This allows:

- Applicants (including DIY homeowners) select approved materials without extensive documentation.
- Staff focus review efforts on project-specific design and safety issues rather than material research.
- Predictable timelines and reduced review friction.

By contrast, using the State's Code does not include a comparable materials database. Under this framework:

- The burden of proving material compliance shifts entirely to the applicant.
- Applicants must submit documentation for each individual material (e.g., soffits, vents, decking supports, windows, exterior finishes).
- Staff must independently research and verify each material submittal for compliance.

The absence of a standardized materials database would likely:

- Extend permit review timelines due to increased documentation and verification.
- Increase costs for applicants, who may need third-party testing, certifications, or professional assistance.
- Create challenges for homeowners and small builders unfamiliar with technical material compliance requirements.

From an operational standpoint, this would require staff to conduct extensive material-by-material research for every project, which is not scalable and would strain existing resources. Another option would be to create an Eagle specific materials database; however, this would take a considerable amount of time and would require a level of expertise that current staff does not have.

Based on experience and capacity considerations, staff strongly supports retaining a locally amended building code that includes clear, pre-approved material standards. This approach best serves:

- Community resilience
- Public safety
- Predictable and timely permitting
- Cost control for applicants
- Efficient use of Town resources

Staff recognizes the importance of aligning with the state requirements and believes that the 7A approach, with local amendments, will ensure the building code functions effectively for Eagle's community, applicants, and staff.

Implementation Considerations:

As landscaping standards evolve to better reflect Eagle's community character, staff is mindful that implementation must be practical, understandable, and enforceable. We continue to debate internally how much information must be included as Code language versus what we can put in community resource documents. As you all know, we have to meet the State minimum standards, but they are vague and leave a lot of flexibility in terms of implementation.

Key implementation considerations include:

- Clarity for applicants: Standards should clearly communicate intent and expectations without requiring specialized ecological expertise to comply.
- Consistency in review: Staff should be able to review and enforce landscaping standards efficiently and consistently across projects.
- Flexibility by context: Different character areas may require different tools (e.g., standards, guidelines, or best practices) rather than a one-size-fits-all approach.
- Character preservation within State requirements: Standards should maintain Eagle’s desired community character while still meeting State minimum landscaping and wildfire requirements—particularly in areas with established canopy or historic patterns.
- Maintenance and longevity: Landscaping expectations should consider long-term maintenance responsibilities and lifecycle performance, not just initial installation.

Questions for the Commission:

- How prescriptive should future landscaping standards be versus relying on guidance and professional judgment?
- Where should the Town prioritize flexibility over uniformity, especially in established neighborhoods like OTR?
- Are there areas where education, incentives, or voluntary programs may be more effective than regulation?
- How should implementation tools balance enforceability with supporting the Town’s desired community character?
- Which expectations belong in the Code, and which are better suited to resource documents or best-practice guides?

Commission input on these questions will help staff better align landscaping standards with Eagle’s community character, neighborhood context, ecological goals, and implementation realities. This discussion will inform future Code updates and guidance materials intended to support consistent, intentional landscape design across Town.

Next Steps

Staff met the week of February 2nd with the Eagle County WUI Code Working group and the Town’s Communication Specialist and will be working on outreach materials to increase community awareness as to when these regulations will be adopted and what will need to be planned for. Additionally, staff has been working to review a community park plan for compliance with anticipated WUI regulations.

While Code language is still being drafted, staff will continue to collaborate internally and externally to ensure alignment on the proposed standards and the anticipated outcomes. Additionally, staff is communicating with developers regarding their questions, and the Building Department is actively communicating with contractors about the upcoming regulations so staff can hear concerns and proactively address them to the extent possible. Eddie Wilson, the Town’s previous building official and current consultant, has created a draft ordinance for the building codes. Planning staff is actively working with Eddie to ensure that there is coordination between Title 13 (Building Codes) and Title 4 (Land Use and Development Code).

Anticipated Adoption Schedule – Title 4:

- January 6 – Work Session
- January 20 – Discussion
- February 12 – Public Notice Published
- February 17 – Discussion
- March 3 – Planning Commission recommendation
- March 24 – Town Council adoption

Anticipated Adoption Schedule – Title 13:

- January 6 – Work Session
- February 24 – Discussion
- February 19 and February 26 – Public Notice Published
- March 10 – 1st Reading – Town Council
- March 24 – 2nd Reading/Adoption – Town Council

ATTACHMENTS:

- [Staff Memo from January 6, 2026](#)
- [January 6 Work Session Recording](#)
- [Staff Memo from January 20, 2026](#)
- [Minutes from January 20, 2026](#)
- [January 20, 2026 Meeting Recording](#)

Resource List

- Articles
 - CSU: Protect Your Home & Property from Wildfire
 - [Protect Your Home & Property from Wildfire | Colorado State Forest Service | Colorado State University](#)
 - NFPA- Preparing Homes for Wildfire
 - [NFPA - Preparing homes for wildfire](#)
 - [Wildfire Hazards & Mitigation | NFPA](#)
- Podcast
 - APA: Resilience Roundtable- We Need to Outthink Wildfire, Not Try to Eliminate It
 - [We Need to Outthink Wildfire, Not Try to Eliminate It by APA Planning](#)
 - Defensible Space: Practical Steps to WildFire Resilience
[Defensible Space: Practical Steps to Wild Fire Resilience](#)
- Videos
 - Wildfire Behavior
[Understanding Fire Behavior in the Wildland/Urban Interface](#)

COMMUNITY DEVELOPMENT

January 2026

Planning

LONG RANGE PLANNING

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

- Staff are reviewing and editing Chapter 4.17 Administration and Procedures to provide clarity to land use processes, correct omissions, resolve inconsistencies, and modify Section headings and references to be more searchable. When this revised chapter has been completed and adopted it will be a significant step towards a land use code that is process light and standards heavy – next steps would entail beefing up standards to better support the Comprehensive Plan and the lighter processes. Do to capacity constraints, staff is looking at options for phasing the changes to this chapter over the course of the year.
- Staff are also working on Miscellaneous Code Amendments for adoption first quarter 2026. These amendments are meant to be smaller changes to improve functionality, readability, and reduce conflict in the Code.
 - Randy Cohen, Fire Marshal for the Eagle River Fire Protection District, provided a presentation on building height from the Fire District’s perspective at the February 10, 2026 Town Council meeting. The meeting video is available here: [February 10, 2026 Town Council Meeting • • CivicClerk](#), Randy’s presentation begins at 07:43.

WUI Code

- Staff are actively participating in the county-wide WUI Code update led by the Eagle County Wildfire Collaborative, working with Valley jurisdictions to ensure the Code reflects local conditions and implementation realities.
- The WUI Code (State Resilience Code) is intended to enhance wildfire resilience through fire-resistant exterior building materials, defensible space standards (including Fire Free 5), and landscaping requirements that prioritize native, waterwise, and low flammability vegetation.

- Staff have secured free technical assistance from Headwaters Economics and are participating in monthly meetings with a peer-cohort and consultant to support evaluation and potential adoption over the next six months.
- Staff, in coordination with the Eagle County Wildfire Collaborative and Headwaters Economics, presented the WUI process at the January 6 joint work session and are incorporating Planning Commission and Town Council feedback.
- To inform policy development and implementation, staff have met with:
 - Norris Design and Old Growth Tree Service to evaluate WUI impacts on landscaping, plant health, and best planting practices.
 - Public Works to assess right-of-way landscaping challenges, including snow storage and long-term maintenance considerations.
- Staff are addressing identified issues through both code refinements and the development of community educational resources, with an emphasis on practical, cost effective strategies that support property protection and long-term resilience.
- The Eagle County Wildfire Collaborative will continue countywide outreach with HOAs and community groups to support coordinated WUI implementation.
- Code amendments to adopt Code language to be in compliance with the WUI Code will be provided at the March 3 Planning Commission hearing (for the LUDC amendments), the March 10 Town Council (for the first reading of the Building Code ordinance), and the March 24 Town Council meeting (for the LUDC amendments and the second reading of the Building Code ordinance).
- We also anticipate bringing targeted questions to upcoming meetings to better understand what community character through landscaping means in different parts of the community.

Administrative Manual

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

LAND USE APPLICATIONS IN PROGRESS

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

Haymeadow Design Guidelines Update

- This application has been deemed complete and staff is currently reviewing. Additional changes will be needed to the Design Guidelines to adapt to WUI Code, staff is working to provide initial comments on the guidelines as drafted, for the applicant to review as they wait on final Code language for WUI.

Haymeadow RMF-4A/5 Major Development Permit

- The applicant has resubmitted in response to staff comments, a second round of referrals has been sent out with comments due March 13.

Red Mountain Ranch, Parcel 1

- Has submitted Preliminary Plan Review and Major Development Plan applications; applicant has provided additional materials, and staff is working towards bringing project through public hearing. Applicant has requested to move the P&Z hearing to March 17, and Town Council on March 24, to allow for additional time to work through the development agreement.

446 Broadway

- Has submitted a minor development permit application for a new mixed-use building. Developer's team has resubmitted with a new building design and variance application, necessitating a standard referral period. Staff is reviewing the variance application to potentially bring forward before the development permit application.

1215 Chambers Avenue

- Applications for a lot line adjustment and a Major Development Permit.
- Referral comments have been sent to applicant, waiting for applicant to resubmit.

Henry Annexation

- Annexation and rezoning were approved at the December 9 Town Council meeting; minor subdivision into three lots currently in review (administrative decision).

New Electric, 629 Sawatch Road – Minor Development Permit

- Applicant has resubmitted and is currently under review with comments due on March 6.

301 Broadway – Minor Development Permit

- Applicant resubmitted, application is out on referral with second round of referral comments due February 10th.

481 Whiting- Staff Review (Minor Subdivision)

- Applicant has resubmitted and comments for the second referral are due Friday, March 27.

Mountain Tots Preschool- Major Development Permit

- Applicant has resubmitted and staff is working through the second round of review and referrals. Planning and Zoning recommended approval with conditions at the February 3 public hearing, and Town Council is scheduled for February 24.

Bluffs PUD Amendment

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

332 Grand Avenue – Major Development Permit

- Application materials have been submitted, application incomplete as of 1.22.26.

291 Eby Creek Road – Minor Development Permit

- Application materials have been submitted and are out for review; referral comments due February 27.

Capitol Flats – 104, 110, 124, & 130 Capitol St; 217 2nd St; 103, 123, 137 Howard St

- Applications for Preliminary Plan, Rezoning, and Right-of-Way Vacation have been submitted but are incomplete as of 2.12.26.

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

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

NOTABLE UPDATES

- Software: Staff have selected TylerTech Software Solutions for its permitting software and the Town's Legal Team is reviewing the contract.

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

- Staff has met with members of the community on development proposals ranging from small administrative permits to larger development, subdivision, and annexation applications. There were no pre-application meetings in December; however, several community members have been reaching out with interest in developing, opening businesses, or adding additions to homes.
- Eddie Wilson, our former Chief Building Official, continues to provide limited support as we continue our search for the next Building Official. His continued involvement ensures a smooth transition and allows us to benefit from his extensive experience and knowledge.

UPCOMING ANTICIPATED APPLICATIONS

- 894 Chambers – Variance
- Haymeadow Resubdivision of RMF-3 in Filing 1
- Haymeadow Preliminary Plan

TRAINING/CONFERENCES:

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

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Eagle County BMX	1700 Bull Pasture Rd	Permits expired?
Hockett Gulch Phase II	16186 Hwy 6	Building permits issued for all buildings – one hot tub permit under review for new clubhouse
Haymeadow	91 Mountain Hope Circle	Building permit issued for 6 single family – 1 Single family in review – 1 SF fees waiting – 3 Townhouses w/ 1 postponed till spring and 2 permits issued
1200 Capitol Project	1200 Capitol St	Building permit issued and construction underway.

Building

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

TYPE OF WORK PERFORMED	EOY 2024	EOY 2025	2026
Inspections (n/i Planning, Public Works)	1944	1742	224
Permits Processed	334	425	31

P&Z and Council Meeting Schedule

February 2026
February 3 rd (Town Council Work Session) <ul style="list-style-type: none"> ToE 101
February 3 rd (Planning Commission) <ul style="list-style-type: none"> DR25-07 Mountain Tots
February 10 th (Town Council) <ul style="list-style-type: none"> Resolution for approval of vendor agreement for software system
February 17 th (Planning Commission) <ul style="list-style-type: none"> LUDC26-01 Misc. Code Amendments
February 24 th (Town Council) <ul style="list-style-type: none"> DR25-07 Mountain Tots LUDC26-01 Misc. Code Amendments
March 2026
March 3 rd (Town Council Work Session) <ul style="list-style-type: none"> Committees <ul style="list-style-type: none"> It is recommended that the Chair attend this work session, but other commissioners are invited to join as well.
March 3 rd (Planning Commission) <ul style="list-style-type: none"> LUDC26-02 WUI / Turf Amendments

<ul style="list-style-type: none"> Resolution – WUI Map
<p>March 10th (Town Council)</p> <ul style="list-style-type: none"> First Reading; Ordinance – Adoption of WUI 7A into Title 13
<p>March 17th (Planning Commission)</p> <ul style="list-style-type: none"> DR25-01 – Red Mountain Ranch
<p>March 24th (Town Council)</p> <ul style="list-style-type: none"> LUDC26-02 WUI / Turf Amendments DR25-01 – Red Mountain Ranch Resolution – WUI Map Ordinance – Adoption of WUI 7A into Title 13
<p>April 2026</p>
<p>April 7th (Work Session)</p> <ul style="list-style-type: none"> Long Range Planning Priorities
<p>April 7th (Planning Commission)</p>
<p>April 14th (Town Council)</p>
<p>April 21st (Planning Commission)</p>
<p>April 28th (Town Council)</p>