



Town Council
Tuesday, April 14, 2026
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This will be an in-person meeting using Teams. Please note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions to the meeting attendees. When it's your turn to speak, you will have three (3) minutes for public comment. PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Camille Deering, Town Clerk, and will be included as part of the record. For technical difficulties, please email clerk@townofeagle.org and we will do our best to assist you.*

1. Microsoft Teams meeting

<https://teams.microsoft.com/meet/25417341734348?p=i8BP4pKHGiatmkl9to>

Meeting ID: 254 173 417 343 48

Passcode: DP7oD7dD

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Dial in by phone

[+1 469-770-0416,832000472#](tel:+14697700416832000472) United States, Kaufman

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Phone conference ID: 832 000 472#

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CALL TO ORDER - 6:00 PM

ROLL CALL

CONFLICT OF INTEREST DISCLOSURE

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

PUBLIC COMMENT *Citizen public comment offers an opportunity for citizens to express opinions or ask questions regarding town services, policies, or other matters of community concern, and any items that are not on the agenda. Please attempt to keep comments to three (3) minutes; time limits are established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. When appropriate, any questions by the public during public comment will be followed up on by the Town Manager and Town staff. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:05 PM *Prescheduled presentations from the public are limited to 5 minutes. Invited presentations are limited to 10 minutes. Prior arrangements for presentations are made with the Town Clerk. The Council cannot appropriate funds or waive fees in response to a presentation.*

1. Town of Gypsum - I-70 Airport Interchange

CONSENT AGENDA - 6:15 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes
 - a. Town Council, March 24, 2026 Minutes
 - b. Town Council Special Meeting, April 7, 2026 Minutes
2. Bill Schedule
3. 2026 Arbor Day Proclamation
4. Request for Support for a Joint Resolution of the Board of Eagle County Commissioners Proclaiming May 2026 as Wildfire Preparedness Month
5. Resolution 24, Series 2026, "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Professional Services Agreement with Stolfus & Associates, Inc. For Engineering Services."

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

1. Town Manager Update
2. Department Update

BUSINESS ITEMS - 6:20 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. Ordinance 08, Series 2026 " An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Chapter 5.15 and 5.19 of the Eagle Municipal Code for the Purpose of Updating Medical Marijuana and Retail Marijuana License Terms to Reflect State Statute."
2. PUBLIC HEARING: Call-Up Review and Decision for a Variance Request at 446 Broadway
3. Discussion: Variance Standards and Procedure Discussion
4. PUBLIC HEARING: First Reading Ordinance 06, Series 2026, An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting by Reference a Wildland Urban Interface Code
5. Discussion: LUDC text amendment to add regulations in alignment with the State Resilience Code (WUI Code) under SB23-166 and State Turf regulations under SB24-005and HB25-1113
6. Discussion: Pickleball Opportunity at Eagle County Building Property

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

EXECUTIVE SESSION - 8:30PM

1. To determine positions relative to matters that may be subject to negotiations; develop a strategy for negotiations; and instruct negotiators under C.R.S. Section 24-6-402(4)(e), more specifically relating to a contract for employment for Town Manager.
2. An Executive Session pursuant to C.R.S. §24-6-402(4)(a), 4(b), and 4(e) to consider the purchase, acquisition, lease, transfer or sale of any real, personal or other property interest; to receive legal advise from the Town Attorney on specific legal questions; and to determine positions relative to matters that may be subject to

negotiations, develop a strategy for negotiations and instruct negotiators relating to the acquisition of a commercial property in the downtown area.

3. For a conference with the Town Attorney for purposes of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b) more specifically relating to the installation of a stream gage in the Brush Creek Valley Ranch Open Space.

BUSINESS ITEMS CONTINUED

1. Direction on matters that are the subject of the executive session.

ADJOURN - 9:30 PM

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



Camille Deering
Town Clerk

PUBLIC WIFI – Town of Eagle Public Wi-Fi



Eagle Town Council Update

I-70 EAGLE AIRPORT INTERCHANGE

April 14, 2026

Agenda

1. Project Background
2. Project Restart & 2025 Feasibility Study
3. NEPA & Final Design Contract
4. Schedule & Next Steps
5. Questions



Project Background



Project Overview



History of Alternatives

Initial Concepts:

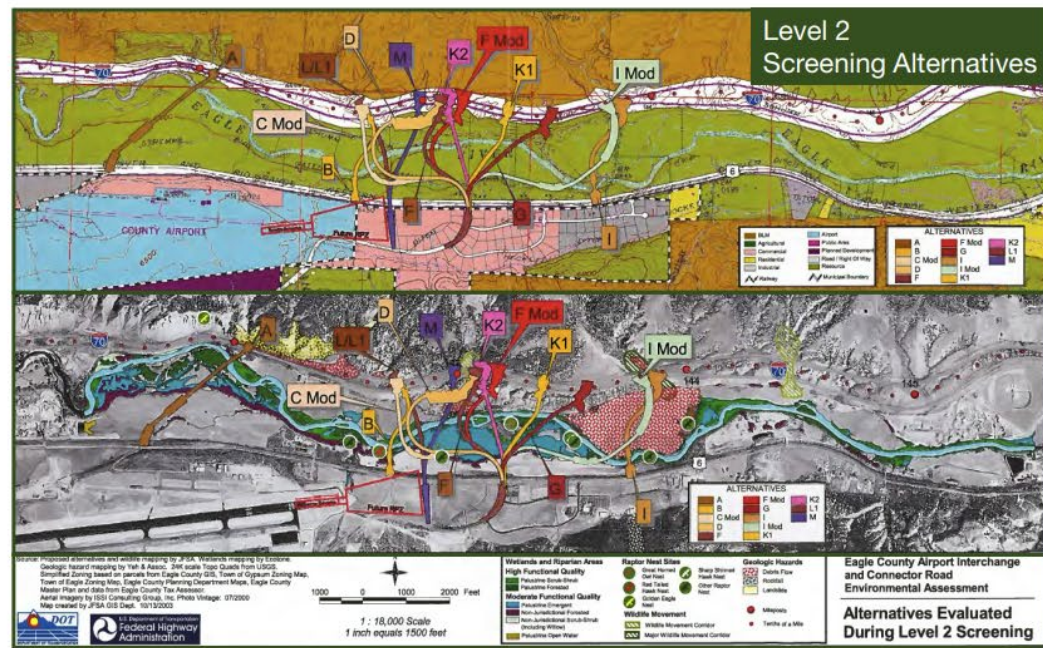
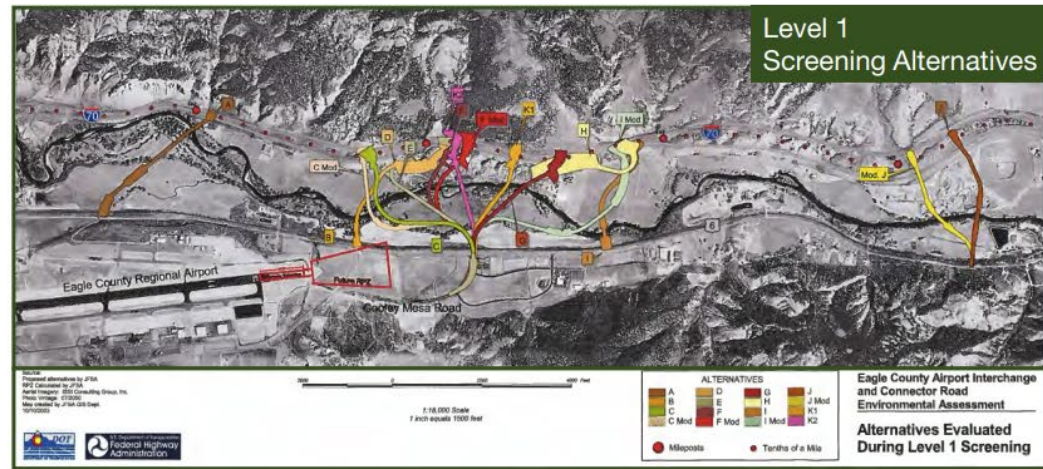
- 14 at-grade options (1999)

2004 EA Update:

- 18 total alternatives, including grade-separated crossings

2024 Reactivation:

- Reassessment of all prior alternatives and identifying any new ones
- Focus on reducing bridge length and environmental impact



Background Timeline:

- 1986**
Initial concept proposed
- 1999**
Interchange Concept Study
- 2004**
Environmental Assessment (EA) completed
- 2010**
Right-of-Way acquired
- 2010**
Project shelved due to lack of construction funding
- 2024**
Feasibility Study reactivated by the Town of Gypsum

2-Mile Interchange Spacing Buffer



History of Alternatives

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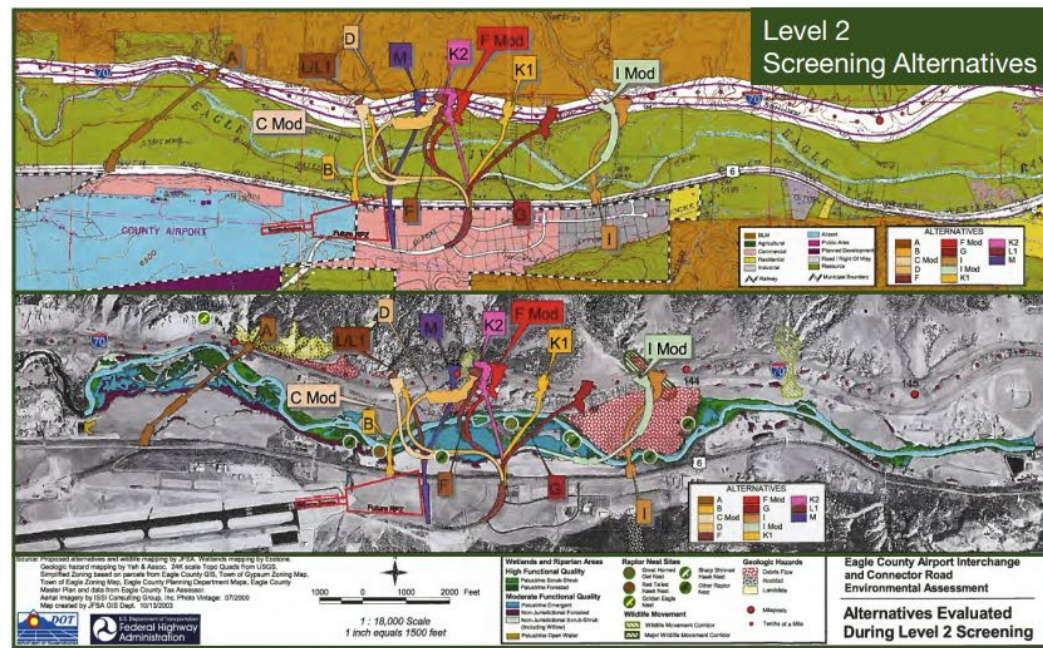
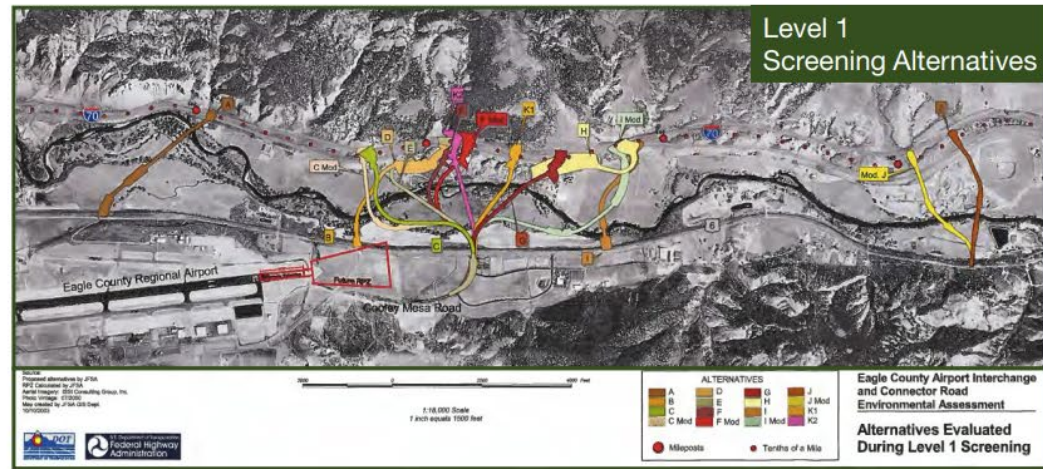
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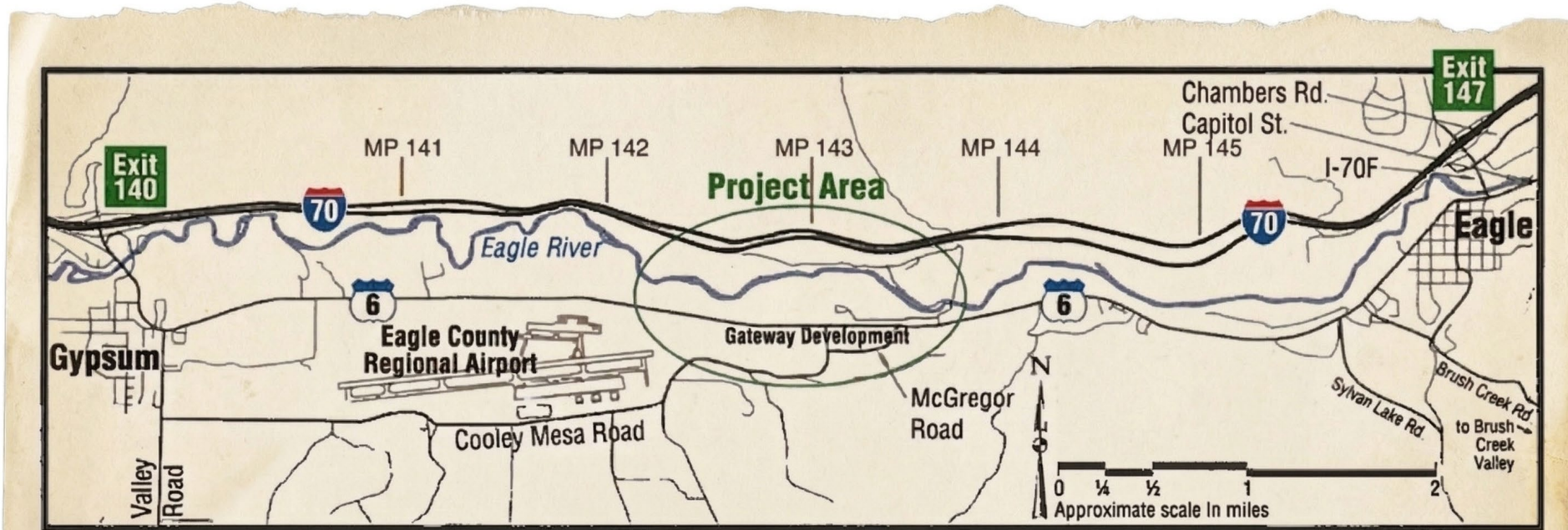
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2004 EA Purpose & Need



Purpose and Need

The purpose of the proposed interchange is to provide a direct access route as well as an intermodal connection to the airport from I-70. Currently, access is through Eagle to US 6 and Cooley Mesa Road, or through Gypsum to US 6 or Valley Road and Cooley Mesa Road. Traffic

2004 PREFERRED ALTERNATIVE

Right-of-Way
Purchased by CDOT
(2010)

EAGLE COUNTY
REGIONAL
AIRPORT

COOLEY
MESA RD

HIGHWAY 6



2004 EA Alignment



Project Restart & 2025 Feasibility Study

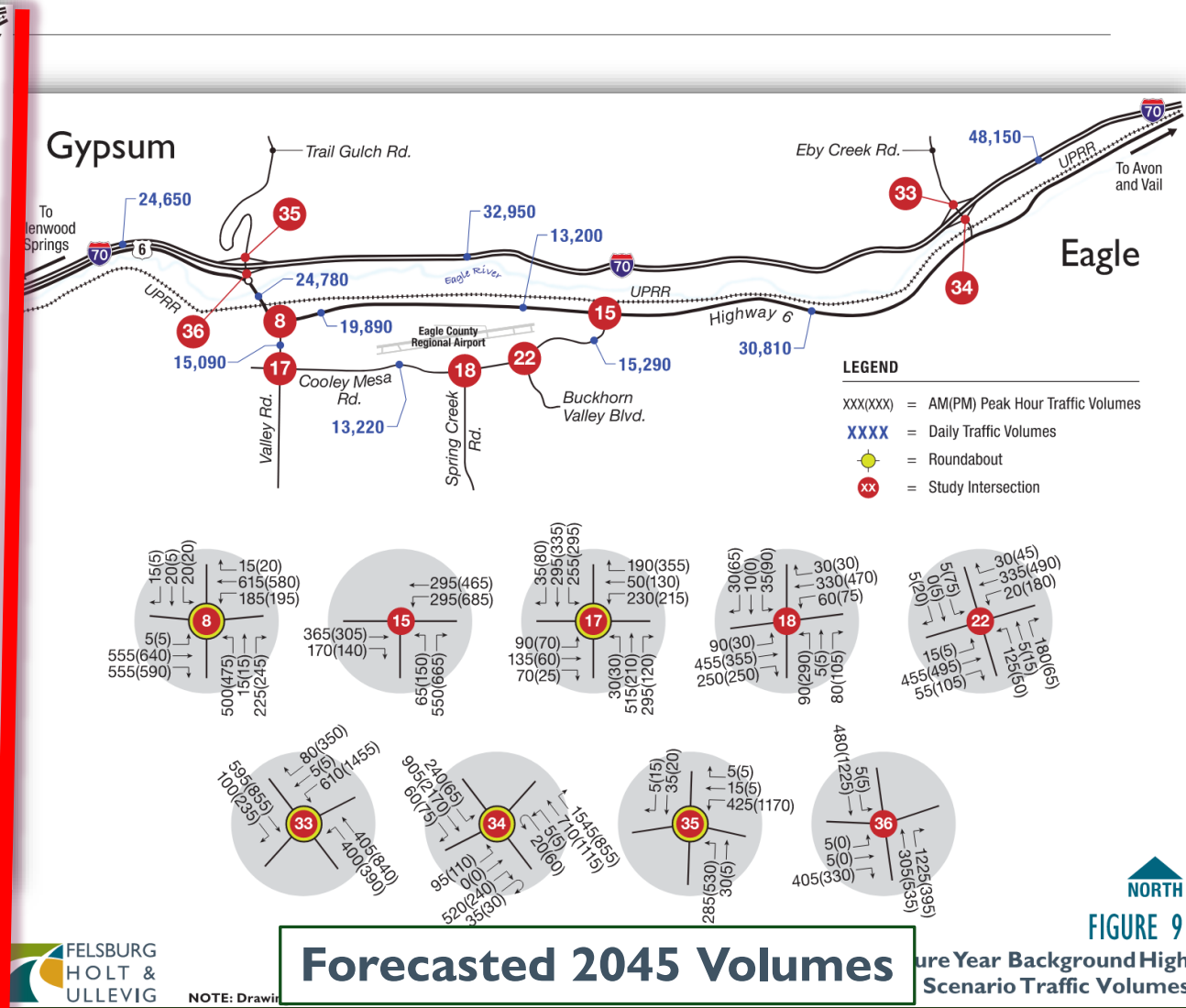
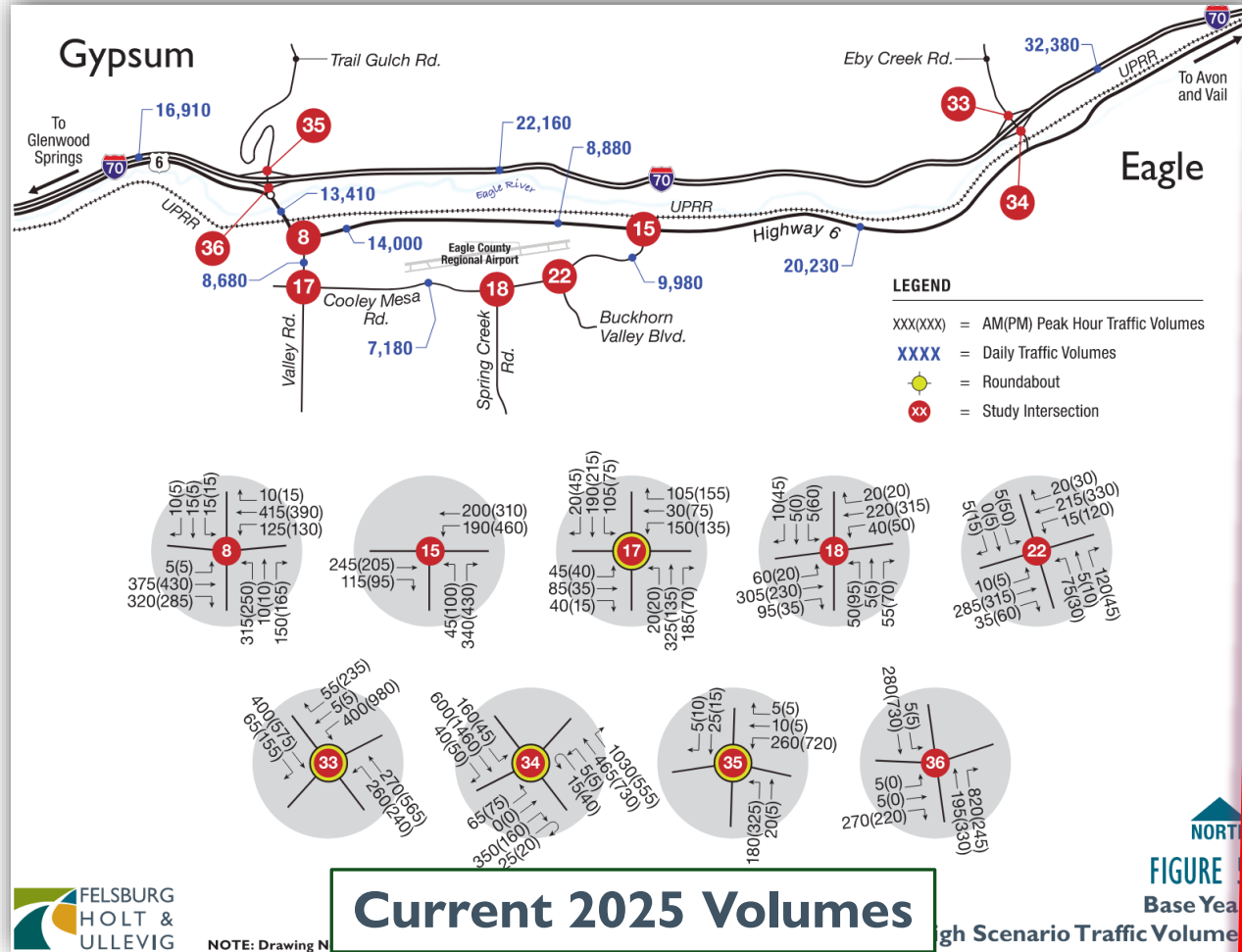


Down-Valley Growth

Year	Eagle County Population	% Change	Eagle + Gypsum Population	% Change	Share of County Population
2000	41,659	-	6,686	-	16.0%
2010	52,197	25.3%	12,985	94%	24.9%
2020	55,731	6.8%	15,551	19.8%	27.9%
2024 (est.)	54,330	-2.5%	16,567	6.5%	30.5%

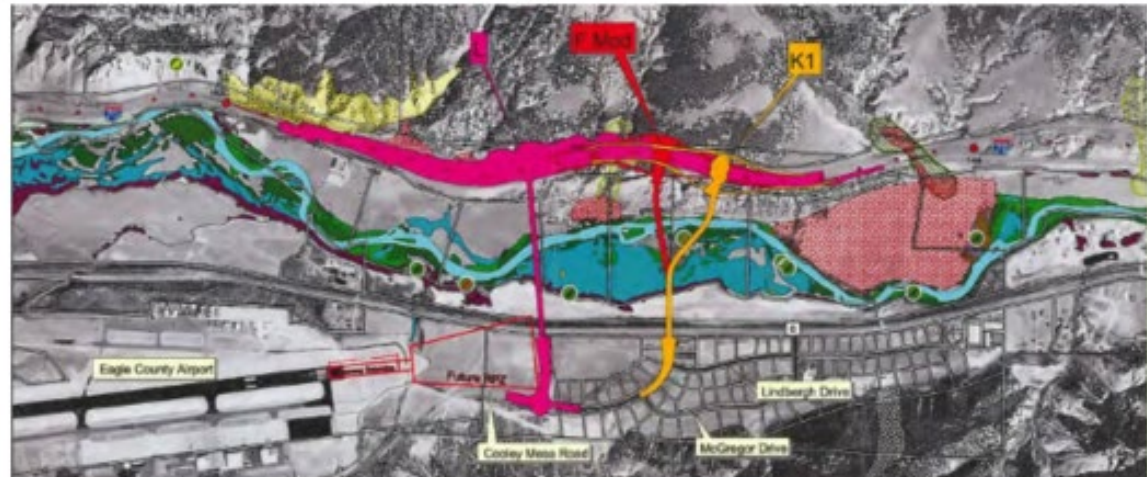
Data source: US Census Bureau

Growth Projections

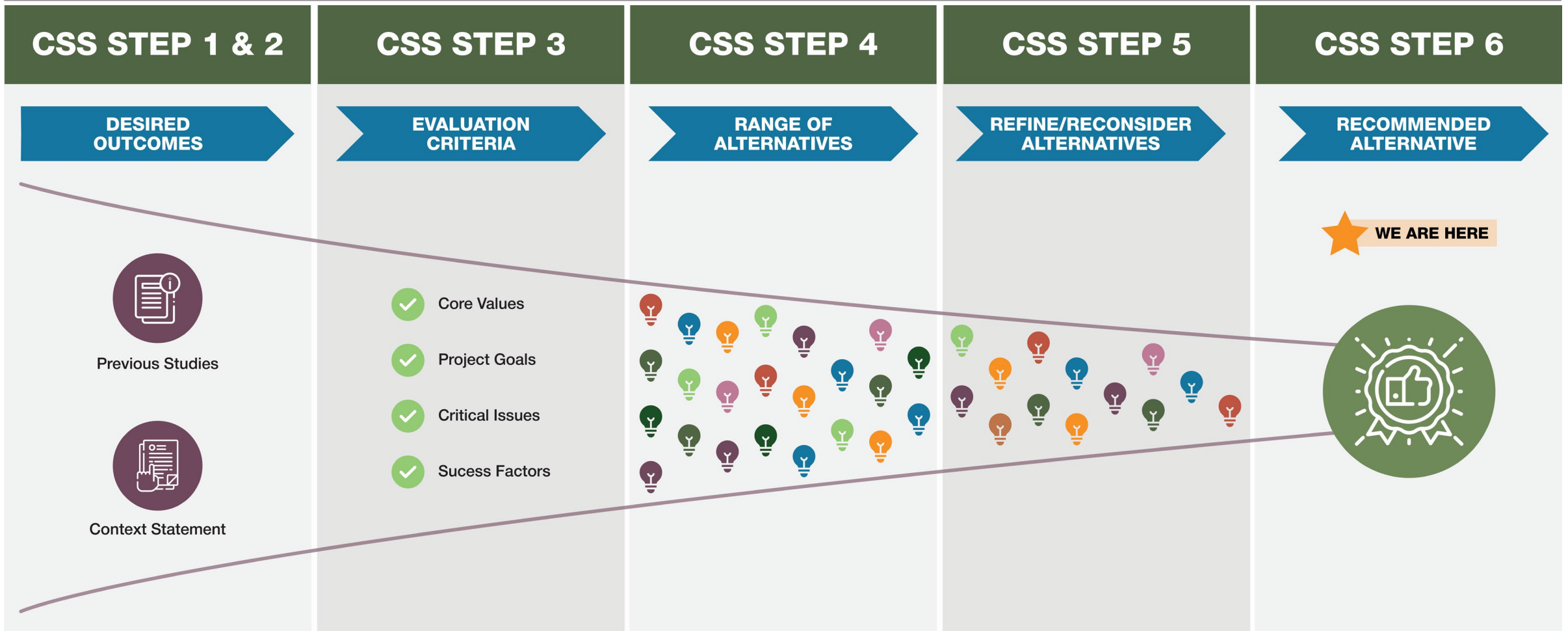


2025 Feasibility Study

- Primary goal was to reassess the project as originally designed to determine if it is still feasible, or if there are other alternatives that need to be considered since the original EA was completed
- Formalize an updated project Purpose and Need, and establish a Context Statement, Core Values, and Critical Success Factors to screen alternatives against
- Select recommended preferred alternative to advance to the future NEPA effort
- Followed CDOT's Context Sensitive Solutions (CSS) process



CSS Process



Context Statement to Evaluation Criteria

Context Statement	Core Value	Critical Issue	Evaluation Criteria
<p>The Eagle River Valley (Valley) is an important economic center for the region. For decades, the Valley has been a cornerstone to the vitality of the intermountain region, balancing rural life, tourism, and commerce. However, due to significant population and commercial growth, the current roadway infrastructure no longer meets the needs of local residents, families, commuters, freight traffic, transit users, and visitors. Emergency closures of the interstate, caused by crashes or natural disasters, often direct heavy traffic through nearby towns, overloading the local roadway network. Increasing traffic, especially on Highway 6, must enter the interstate through just two interchanges spaced 7 miles apart. This limitation raises major concerns about emergency access and evacuation.</p> <p>The proposed I-70 Eagle Airport Interchange Project aims to fix these issues by improving access to the interstate between Eagle and Gypsum, Colorado, including the airport and High-Altitude Army National Guard Aviation Training Site. The new interchange would better serve the region's growing population and business needs while respecting the area's unique environment.</p> <p>Adding this interchange would also improve the resiliency of the interstate system, allowing direct travel for commercial, residential, and tourist traffic while facilitating better transit access. It would reduce unnecessary trips through local towns, making travel safer and more reliable. Additionally, reducing traffic demands on nearby interchanges would add value to the regional transportation network by extending the lifespan of existing infrastructure and potentially lowering future costs, such as those needed on the adjacent interchanges and other local roads to meet growing community needs.</p>	Safety	Safety of traveling public	<ol style="list-style-type: none"> 1. Accommodates safety of local/industry/tourist traffic 2. Improves access during emergency events 3. Meets design standards
		Freight Movement	
		Emergency response and evacuation	
	System Reliability/ Connectivity	Mobility	<ol style="list-style-type: none"> 1. Improves mobility & reliability for both local and regional traffic 2. Extends operational design life of the adjacent interchanges 3. Does not preclude opportunities for future transportation enhancements
		Operations	
		Benefits a Regional Network	
		Multimodal Resilience	
	Local and Regional Community	Growth	<ol style="list-style-type: none"> 1. Opportunity for community engagement 2. Improved access for tourists, community, industry, and development 3. Supports planned growth
		Sense of place	
		Economic vitality	
		Community development	
	Value and Implementability	Maintainability	<ol style="list-style-type: none"> 1. Minimize long-term O&M efforts and costs 2. An investment that is reasonable to construct and provides initial and long-term value
		Initial and Long-term Return On Investment	
		System-wide benefits	
		Constructability	
	Natural Environment	Eagle River	<ol style="list-style-type: none"> 1. Protect natural features and river 2. Minimize visual contrast
Wildlife habitat/movements			
Water Quality			
Visual Context			

Moving through the development of Context Statement, Core Values, Critical Issues, and Evaluation Criteria to get to the Evaluation Matrix

Preliminary Purpose and Need

Purpose:

- Mobility: Address increasing travel demand, reduce out of direction travel, and decrease congestion in Towns of Gypsum and Eagle
- Safety: Improve emergency service access and evacuation routes; provide operational flexibility during interstate closures; separate commercial, residential, and guest traffic reducing conflicts
- Operations: extend serviceable life of existing transportation network; provide greater operational flexibility to address frequent closures of I-70

Preliminary Purpose and Need

Needs:

Infrastructure to support:

- Local and regional population and employment growth of 148% between 2000 and 2024
- Freight traffic (UPS, FEDEX, Amazon, light industrial businesses, commercial businesses, airport fuel deliveries)
 - Hazmat vehicles (ex: EGE had 8.6 million gallons of fuel delivered in 2025)
- Emergency closures of interstate
- Evacuation due to disasters in the valley
- Extend serviceable life of existing interchanges
- Support future multi-modal transit opportunities
- Increased enplanements at EGE of 38% between 2020 and 2025

Alternatives Evaluation

- After reviewing & reconsidering all 2004 EA alignments, project team narrowed focus to two alignment alternatives with multiple options for Hwy 6/UPRR crossing
 - 2004 EA Preferred Alternative alignment
 - L/C-Mod – combination of two alignments from 2004 EA. Had not previously been considered
- Evaluated three Hwy 6/UPRR crossing alternatives
 - Overpass
 - Underpass
 - At-grade crossing
- Feasibility study presented preferred recommended alternative

Preferred Recommended Alternative



Best meets purpose and need



Improves traffic flow and emergency access



Located within acquired right-of-way



Provides cost-effective regional connectivity

At-Grade Crossing within CDOT Right-of-Way



Preliminary Traffic Update

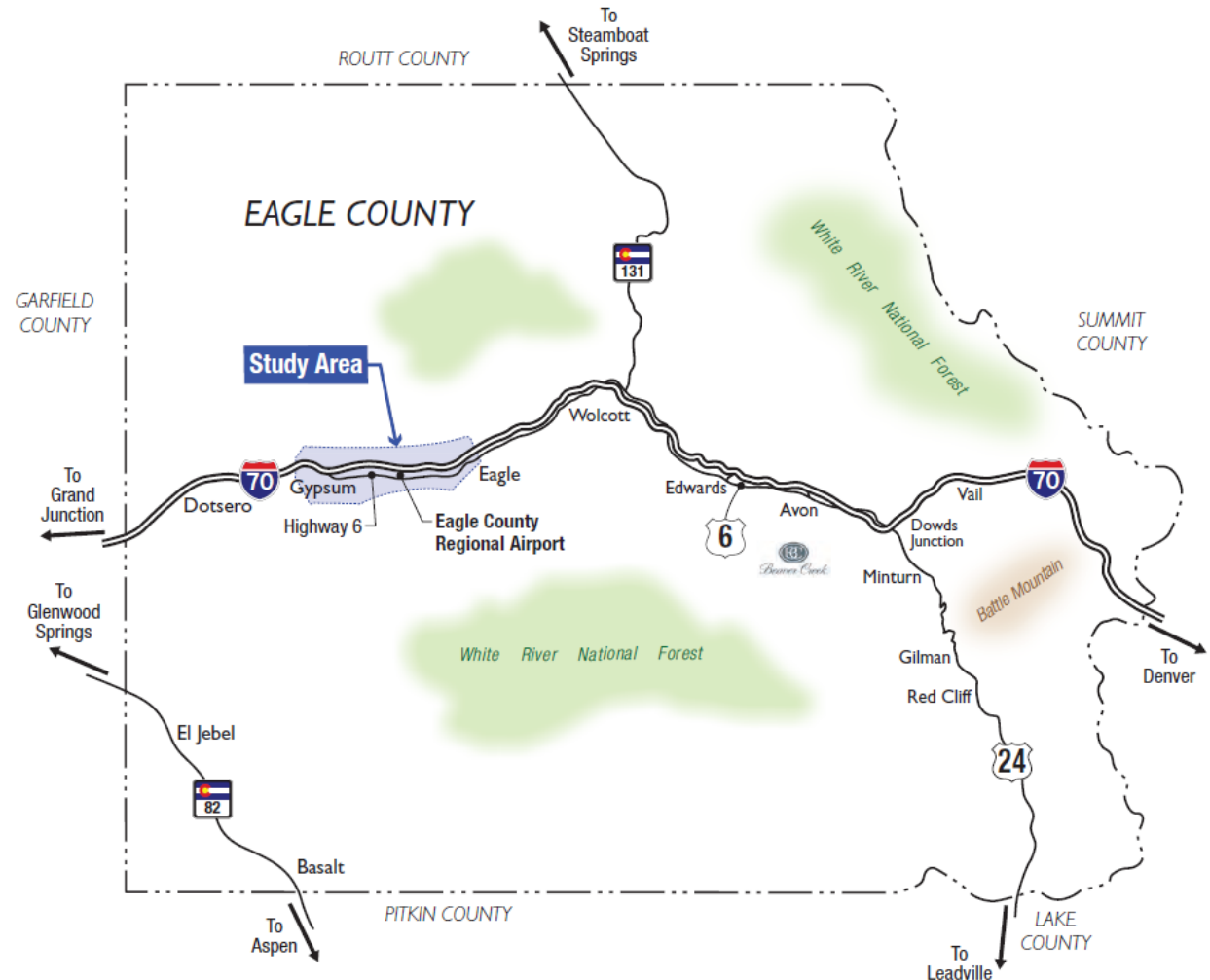
Study Area

Data Collection

- CDOT counts
- Town's Master Traffic Study counts (May 2022)
- Project specific counts (February 2025)

Scenarios

- Peak Season
- 2025
- 2045



Preliminary Traffic Study

Conclusions

The new Eagle Airport Interchange is needed for these traffic reasons:

- Extend the operational life of adjacent interchanges
 - Traffic decreases by approximately 20 percent in the Gypsum Interchange (Exit 140) in the peak hour
 - Traffic decreases by approximately 30 percent in the Eagle Interchange (Exit 147) in the peak hour
 - The new interchange could extend the operational life of the existing interchanges by up to 15 years
 - It could also extend the operational life of Highway 6 and provide flexibility for the future investments needed on the corridor (especially at intersections)
 - The 2009 I-70 Eagle Interchange (Exit 147) Feasibility Study noted that the Eagle Airport Interchange was needed to maintain a Level of Service (LOS) C along Eby Creek Road. Without the new interchange, a LOS F is projected on Eby Creek Road by 2035.
- Serve identified traffic growth
 - Increased enplanements at Eagle County Regional Airport
 - Increased truck traffic from Spring Creek Light Industrial area

Future Traffic Analysis:

- Perform detailed operational and safety evaluations
- Develop mitigations as needed

NEPA & Final Design Efforts



Work Elements



Traffic (CDOT 1601& FHWA IAJR Processes)



NEPA/Environmental (Re-evaluation of 2004 EA)



Survey



Utility Coordination



Engineering Design



UPRR Coordination (Approval of At-Grade Crossing)



CSS & Public Outreach

Funding Status

DESIGN COST ESTIMATE = \$7.6M

- Feasibility Study = \$400k (done)
- CDOT Reimbursable IGA = \$100k (in process)
- Engineering Design = \$6.1M
- TOG awarded \$1.5M planning grant from USDOT's Build American Bureau's Rural and Tribal Assistance Pilot Program (RTA) for design work
- A \$4.8M Community Project Funding (CPF) request was submitted to Congressman Neguse's office

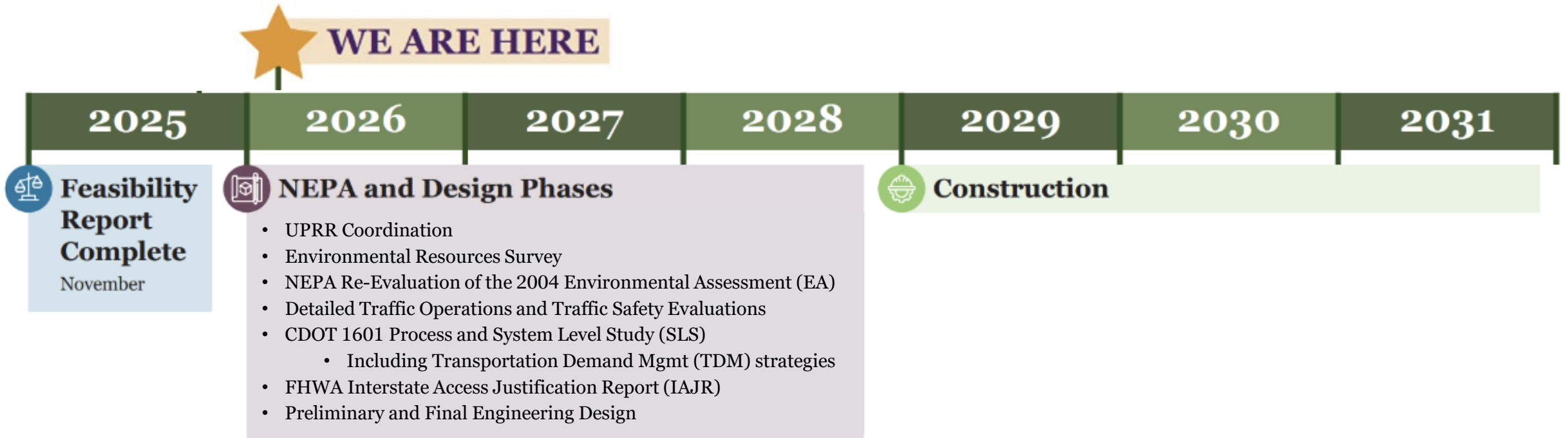
CONSTRUCTION COST ESTIMATE = \$150M

- Based on at-grade crossing design
- Inflated to 2029 dollars
- No construction funding identified at this time

Project Schedule & Next Steps



Current Project Schedule





Thank you!



MEETING MINUTES
Town Council
Tuesday, March 24, 2026
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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Times listed are approximate and are subject to change.*

CALL TO ORDER

Mayor Pro Tem Woodworth Foral called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Geoffrey Grimmer, Jamie Woodworth Foral,
Gina McCrackin, Scott Schreiner, Andrew
Atkins, Casey Glowacki

COUNCIL MEMBERS ABSENT

Bryan Woods

STAFF PRESENT

Melissa Daruna, Interim Town Manager
Richard Peterson-Cremer, Town Attorney
Camille Deering, Town Clerk
Rachel Tand, Finance Director/Treasurer
Luke Causey, Police Lieutenant
Tom Gosiorowski, Public Works Director
Kyle Brotherton, Interim Community Director & Town Planner
Lynette Horan, Human Resources Manager (Virtual)
Jessica Lake, Senior Planner
Molly Furtado, Special Events Manager (Virtual)
Sydney Dynek, Planner
Ryan Johnson, Town Engineer
Kira Koppel, Sustainability Specialist
Alex Smiley, Open Space & Trails Manager
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager
Nikki Davis, Economic Development & Housing Specialist
Ashley LaFleur, Communications Specialist (Virtual)

DISCLOSURE OF CONFLICT OF INTEREST

- Mayor Pro Tem Woodworth Foral recused herself from the consent agenda vote due to the vote on Resolution 21 where Mountain Tots submitted an application for the Business Advancement Program. Woodworth Foral is on the Board of Directors for Mountain Tots Preschool.
- Councilmember Schreiner will recuse himself from the Executive Session conversation due to any perceived conflict of interest regarding the stream Gage in Brush Creek Valley Ranch Open Space.

ADOPTION OF AGENDA

MOTION: Council Member Geoffrey Grimmer motioned to approve the adoption of the agenda. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woodworth Foral, Schreiner) and 0 opposed.

PUBLIC COMMENT

- Kendra Cowles, 65 Aiden Rd - Would like to install lacrosse nets at Brush Creek Park. The HOA removed the previous nets last year, but a replacement net is already available. Approval from the Council is needed to place the net in the park. There would be no cost to the town, and the net can be set up and taken down as needed.
- Timothy Haley, 755 Bull Run- He encouraged the Council to continue reducing red tape in the Town Code so small businesses can move through approval processes more quickly. He also urged the Council to take advantage of what he described as “unprecedented opportunities,” pointing to several properties expected to come up for sale in the Broadway downtown area that could help revitalize the district.

PRESENTATIONS

1. Eagle Valley Wildland- Wildfire Mitigation Update

Hugh Fairfield Smith, Division Chief of Wildland Fire Operations for Eagle River Fire Protection District, gave an overview to Council about the Eagle Valley Wildland Program and their wildfire mitigation projects around Eagle. He highlighted projects within Eagle, like the removal of 200,000 lbs of vegetation through the chipping program.

CONSENT AGENDA

MOTION: Council Member Scott Schreiner motioned to approve the consent agenda. The motion was seconded and passed with a vote of 5 in favor (Grimmer, Glowacki, McCrackin, Atkins, Schreiner), 0 opposed, 1 abstained (Woodworth Foral).

1. Minutes
2. Resolution 20, Series 2026, A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Certain Members on the Town of Eagle Planning and Zoning Commission.

Resolution 21, Series 2026: A Resolution of the Town Council of the Town of Eagle, Colorado Approving the 2026 Business Advancement Program Grant Funding Allocation as Recommended by the Town of Eagle Economic Vitality Committee
3. Resolution 22, Series 2026, A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Intergovernmental Agreement between the Town and Eagle River Fire Protection District to Provide Wildfire Mitigation, Chipping and Residential Inspection Services for 2026.
4. Resolution 23, Series 2026: A Resolution of the Town Council of the Town of Eagle, Colorado Approving the First Amendment to the Town of Eagle Employee Housing Guidelines Dated March 24, 2026
- 5.

STAFF REPORTS

1. Town Manager Update

Interim Town Manager Melissa Daruna requested feedback from Council on HB 26-1334, a bill that would extend the deadline for the WUI code update. Councilmembers McCrackin and Schreiner said an extension is unnecessary, noting that significant work and key decisions have already been completed, and that the issue should be resolved sooner rather than later.

BUSINESS ITEMS

1. Announcing Town Manager Finalist

Interim Town Manager Melissa Daruna was selected as the finalist for the Town of Eagle Town Manager position.

MOTION: Council Member Jamie Woodworth Foral motioned to approve the selection of Melissa Daruna as the finalist for the Town of Eagle Town Manager position. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woodworth Foral, Schreiner) and 0 opposed.

2. PUBLIC HEARING: First Reading Ordinance 06, Series 2026, An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting by Reference a Wildland Urban Interface Code

Interim Town Manager Melissa Daruna presented this item. She requested feedback from Council on three elements that make up the WUI code: mapping, building code, and landscaping. Staff recommended moving forward with discussion and taking public comment, but ultimately continue the item to allow time for language edits and feedback from the Planning and Zoning Commission.

Mayor Pro Tem Woodworth Foral opened the discussion for public comment.

- Laura Hartman, 350 Bluffs Drive- She expressed gratitude that the State is requiring this code adoption, noting it is greatly needed and that the risks are currently being underestimated. She believes public safety concerns outweigh individual liberty in this case and voiced support for option 7A, describing it as an achievable standard. She also encouraged the Council to rely on staff expertise and adopt 7A, adding that consistent adoption across jurisdictions would help mitigate potential cost increases.
- John Martin, Eagle Ranch- He offered his perspective as an architect, noting that he does not have a strong opinion on how the WUI code should be applied. However, he expressed hope that Eagle and other municipalities adopt similar codes to help streamline development. He also explained that costs can increase significantly depending on an area's wildfire risk level.
- Sage Smith, 1587 Polar Star Drive- Commented that people should consider earthy, fire-resistant materials like adobe when they're building houses.

After discussion, Council directed staff to bring 2-3 options for consideration at the next meeting on April 14th.

MOTION: Council Member Scott Schreiner motioned to continue the first reading of Ordinance 06-2026, an ordinance of the Town Council of the Town of Eagle, Colorado, adopting by reference Wildland Urban Interface Code to April 14th, 2026. Therefore, to allow staff more time to take into consideration the things that have been discussed today. The motion was seconded and passed with a vote of 5 in favor (Glowacki, McCrackin, Atkins, Woodworth Foral, Schreiner) and 1 opposed (Grimmer).

3. Discussion: Pedal Assist E-bike Use on Town of Eagle Natural-Surface Trails

Open Space Manager Alex Smiley presented this item, seeking Council's direction on what input the Town should give to BLM during their scoping process on allowing Class-1 bikes on unpaved trails. He presented Council with three letters offering different levels of support for class 1 e-bikes on trails. After public comment and discussion, Council selected the letter with general support for class 1 e-bikes as long as implementation is thoughtful.

Mayor Pro Tem Woodworth Foral opened the discussion for public comment:

- Kate Sheldon 2809 E Haystacker Dr- She argued that Eagle could remain one of the few places for quiet recreation and noted that OSRAC previously voted 5–2 against allowing e-bikes on trails. She also cited a 2023 survey in which 72% of 802 respondents opposed e-bikes, and urged the Council to carefully consider its options.
- John Martin, Eagle Ranch- He is happy Council is generally supportive of e-bikes on trails. He shared his background as a resident who does ride a class 1 e-bike on trails and shared that it does not affect trails or other people using them. He would like to be able to ride for the next 20 years and e-bike use will help him do that.
- Ann Egan, 215 Howard Street- Stressed that management of recreation is the main issue, and there is not going to be enough. She is concerned about spreading recreation and disturbance to new areas causing damage. Allowing Class 1 e-bikes on trails is a slippery slope and eventually all other e-bikes will follow.
- Lynn Leary, Hermits Dr.- She shared that she is an avid cyclist and has many family members who ride e-bikes on paved paths. She expressed interest in understanding what percentage of older individuals would want to use singletrack trails. She also noted that she has had negative experiences with e-bike riders that resulted in injury and voiced concerns about safety.
- Anthony, 29 Park St- Explained that e-bike popularity is growing and they are here to stay. He was injured in bike crash and buying an e-bike allowed him to ride again. He approves of e-bike use on trails.
- Blaine "Woody" Wadecamper, 713 Bull Run- He expressed safety concerns, noting that e-bikes can reach speeds of 20 mph, which is excessive on trails. He added that e-bikes can damage trails, show little regard for wildlife, and pose a hazard to hikers.
- Jerry Santoro, XXX- He said he has been riding trails since 1991 and recently purchased e-bikes, which he would like to continue using. He thinks we should be more focused on improving etiquette rather than banning certain equipment.
- Sage Smith, 1587 Polar Star Drive- Agreed with Jerry that we should be focused on improving education and trail etiquette and not banning certain equipment. He noted that people on bikes are breaking the rules and riding on trails during seasonal closures.
- Brian Ingoldsby 301 Bluffs Drive- He described himself as an avid mountain biker who broke his ankle twice and said he would not have been able to return to riding without e-bikes. He emphasized that issues like trail etiquette and respect for wildlife are matters of individual behavior, not the type of bike. He also noted that communities such as Moab and Fruita allow e-bikes on trails, and argued that this is ultimately about keeping more people riding.

Council received 43 emails of public comment on this item, with the majority expressing support of e-bikes on trails. Those emails will be compiled and attached to the meeting packet for the record.

4. Resolution 18, Series 2026: A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Preliminary Plan, Major Development Permit and Associated Development and Subdivision Improvements Agreement for Red Mountain Ranch, Parcel 1

Kyle Brotherton presented the item, providing the Town Council with an overview of the development application. Mike Moore, the project's architect, also outlined the vision for the property, which includes a mix of townhomes, duplexes, and single-family homes. The plan emphasizes ample open space, incorporates trails, and preserves the site's natural trees and vegetation. Mayor Pro Tem Woodworth Foral opened the item for Public Comment. There was no public comment.

After discussion and amendment, a motion to approve the preliminary plan and major development permit for Red Mountain Ranch, Parcel 1 was approved.

MOTION: Council Member Casey Glowacki motioned to approve the file numbers DR25-01 and PP25-01 Resolution 18, Series 2026, based on the conditions of approval, recommended findings, and fact conclusions of law contained in the staff report and testimony provided. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woodworth Foral, Schreiner) and 0 opposed.

5. Resolution 19, Series 2026: A Resolution of the Town Council of the Town of Eagle, Colorado Authorizing the Allocation of Additional Funds for a Communications Tower Related to the Building Electrification Project

MOTION: Council Member Gina McCrackin motioned to approve a resolution authorizing a budget amendment in the amount of \$23,000 for the installation of a permanent standalone communications tower at Town Hall. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Council reported on NWCCOG and core transit meetings, noting the upcoming Pitkin Airport closure.

Council requested to call up the Planning and Zoning Commission's variance decision on 446 Broadway, citing the importance of downtown revitalization and infill development. The Town Attorney explained the procedural requirements, and three members expressed support, scheduling the hearing for the next council meeting.

Council member Atkins would like to direct staff to start drafting a trail management plan and bring recommendations to Council to prepare for BLM's impending decision on e-bikes.

EXECUTIVE SESSION

MOTION: Mayor Pro Tem Jamie Woodworth Foral motioned to enter into Executive Session at 8:53 p.m. for a conference with the Town Attorney for the purposes of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b), more specifically relating to the installation of a stream gage in the Brush Creek Valley Ranch Open Space and further move to adjourn the regular meeting at the conclusion of the executive session. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woodworth Foral, Schreiner) and 0 opposed.

1. For a conference with the Town Attorney for purposes of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b) more specifically relating to the installation of a stream gage in the Brush Creek Valley Ranch Open Space.
2. And further move to adjourn the regular meeting at the conclusion of the executive session.

ADJOURN

Date:
4/14/2026

Bryan Woods, Mayor

Camille Deering, Town Clerk



MEETING MINUTES
Town Council
SPECIAL MEETING
Tuesday, April 7, 2026
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This was an in-person meeting using Teams.*

CALL TO ORDER

Mayor Woods called the meeting to order at 5:33 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Geoffrey Grimmer, Jamie Woodworth Foral,
Bryan Woods, Gina McCrackin, Andrew Atkins,
Casey Glowacki

STAFF PRESENT

Melissa Daruna, Interim Town Manager
Richard Peterson-Cremer, Town Attorney
Camille Deering, Town Clerk
Tom Gosiorowski, Public Works Director

COUNCIL MEMBERS ABSENT

Scott Schreiner

CONFLICT OF INTEREST DISCLOSURE

Council Member Scott Schreiner excused himself from the meeting due to the Executive Session topic. He has recused himself from all discussions about the stream gage out of caution of any perceived conflict of interest.

ADOPTION OF AGENDA

MOTION: Council Member Jamie Woodworth Foral motioned to approve the agenda. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woods, Woodworth Foral) and 0 opposed.

EXECUTIVE SESSION

MOTION: Council Member Bryan Woods motioned to enter into Executive Session for a conference with the Town Attorney for purposes of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b) more specifically relating to the installation of a stream gage in the Brush Creek Valley Ranch Open Space. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woods, Woodworth Foral) and 0 opposed.

- For a conference with the Town Attorney for purposes of receiving legal advice on specific legal questions under
1. C.R.S Section 24-6-402(4)(b) more specifically relating to the installation of a stream gage in the Brush Creek Valley Ranch Open Space.

BUSINESS ITEMS

1. Direction on matters that are the subject of executive session

There is no direction to give at this time

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Eagle River Coalition would like to give an informational presentation to Council at the April 28th meeting.

ADJOURN

MOTION: Council Member Jamie Woodworth Foral motioned to adjourn the meeting. The motion was seconded and passed with a vote of 6 in favor (Grimmer, Glowacki, McCrackin, Atkins, Woods, Woodworth Foral) and 0 opposed.

Date:

Bryan Woods, Mayor

Camille Deering, Town Clerk

**BILL SCHEDULE
MARCH 2026**

GENERAL FUND

Town Council

JB T-Shirts Silkscreen & Embroidery	Uniforms	\$	176.00
Grimmer, Geoffrey	Travel Expense		115.78
Downtown Colorado Inc.,	Tuition & Books		495.00
Celebrate The Beat	Community Requests		200.00
Eagle River Coalition	Community Requests		292.00
Eagle Valley High School Booster Club	Community Requests		608.00
Eagle Valley Land Trust	Community Requests		500.00
The Cycle Effect	Community Requests		2,795.00
Youth Closet & Toy Chest	Community Requests		1,411.00
Total Town Council		\$	6,592.78

General Government

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	13.20
Cintas Corporation	Office Supplies		5.31
Eagle County Historical Society	Dues & Subscriptions		275.00
KLJ Engineering LLC	Professional Services		9,224.71
Karp Neu Hanlon, PC	Legal - General		15,759.50
King Soopers Customer Charges	Meeting Expense		376.41
Total General Government		\$	25,654.13

General Administration

Bozich, Justin	Utility Overpayment Refund	\$	89.82
Cumming, Robert Or Jensen, Carolyn	Utility Overpayment Refund		4,231.75
Duman, Raylene	Utility Overpayment Refund		116.38
Hagerman, Roberta Or Gene	Utility Overpayment Refund		65.94
Kirchner, John & Doris	Utility Overpayment Refund		213.03
Winn, Kenneth Or Marylou	Utility Overpayment Refund		42.59
Total Checks Services LLC	Business Licenses		50.00
Pinnacol Assurance	Worker's Compensation		287.50
CEBT	Health & Insurance Benefits		4.50
Rocky Mountain Reserve LLC	Health & Insurance Benefits		51.48
Cintas Corporation	Office Supplies		30.09
Costco	Employee Appreciation		27.99
Gypsum Ace Hardware LLC	Employee Appreciation		82.49
Pitney Bowes Global Financial Services	Communication & Shipping		65.82
Column Software, PBC	Legal Notices		73.92
Government Finance Officers Association	Dues & Subscriptions		250.00
Chase Paymentech	C.C. Transaction Fees		165.46
Xpress Bill Pay	C.C. Transaction Fees		109.42
Robert Half, Inc.	Professional Services		5,940.35
Karp Neu Hanlon, PC	Legal		973.50
Caselle, Inc.	Computer Support		440.50
Xpress Bill Pay	Computer Support		50.00
CGFOA	Tuition & Books		150.00
Total General Administration		\$	13,512.53

Community Development

Pinnacol Assurance	Worker's Compensation	\$	122.50
Rocky Mountain Reserve LLC	Health & Insurance Benefits		79.20
Fleet Services	Vehicle Fuel		93.46
Column Software, PBC	Legal Notices		37.16
Column Software, PBC	Planning Reimbursable		56.76
Garfield & Hecht, P.C.	Planning Reimbursable		1,695.50
Karp Neu Hanlon, PC	Planning Reimbursable		20,343.83
Kipp Land Surveying LLC	Planning Reimbursable		380.00
LRE Water	Planning Reimbursable		636.00

**BILL SCHEDULE
MARCH 2026**

Community Development, cont.

Red Mountain Environmental, LLC	Planning Reimbursable	185.00
Karp Neu Hanlon, PC	Legal	3,280.00
Fleet Services	Repair & Maintenance Services	28.00
Hill, Kasie	Travel Expense	319.00
JHW Plan Review Services	Contract Services	2,300.00
Total Community Development		\$ 29,556.41

Municipal Court

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$ 1.32
Gendelman Klimas, Ltd	Legal	1,995.00
Karp Neu Hanlon, PC	Legal	145.00
Caselle, Inc.	Computer Support	317.00
Ace Security And Safety Services LLC	Contract Payments	720.00
Erik A. Johnson, P.C.	Contract Payments	1,000.00
Total Municipal Court		\$ 4,178.32

Streets

Pinnacol Assurance	Worker's Compensation	\$ 500.00
CEBT	Health & Insurance Benefits	256.20
Rocky Mountain Reserve LLC	Health & Insurance Benefits	75.24
Amazon Capital Services	Office Supplies	9.80
Amazon Capital Services	Operating Supplies	81.57
Ewing Trucking And Construction LLC	Repair & Maintenance Supplies	17,451.38
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	5.15
Glenwood Springs Auto Parts Inc (Napa)	Repair & Maintenance Supplies	197.83
Grainger	Repair & Maintenance Supplies	1,113.93
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	160.38
Hardline Equipment	Repair & Maintenance Supplies	1,278.00
J & S Contractors Supply Co.	Repair & Maintenance Supplies	360.00
Lawson Products	Repair & Maintenance Supplies	1,052.10
Mid-American Research Chemical	Repair & Maintenance Supplies	158.29
Rexel USA, Inc	Repair & Maintenance Supplies	445.59
Winter Equipment Company Incorporated	Repair & Maintenance Supplies	1,099.27
Wylaco Supply Co	Repair & Maintenance Supplies	87.53
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Mtn Supplies	290.82
O.J. Watson Company, Inc.	Vehicle Repair & Mtn Supplies	7,773.91
Tool Clinic LLC	Vehicle Repair & Mtn Supplies	1,002.62
Fleet Services	Vehicle Fuel	2,500.09
Amazon Capital Services	Equipment (Non-Capital)	188.75
Holy Cross Energy	Utility Services	4,206.96
LLJMWT, LLC	Repair & Maintenance Services	600.00
Tool Clinic LLC	Repair & Maintenance Services	65.00
Utility Notification Center Of Colorado	Repair & Maintenance Services	42.16
Caselle, Inc.	Computer Support	21.20
Caterpillar Financial Services	Winter Snow Equipment Rental	12,303.16
Total Streets		\$ 53,326.93

Public Safety

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$ 224.39
Amazon Capital Services	Office Supplies	99.73
King Soopers Customer Charges	Office Supplies	64.68
Adamson Police Products	Operating Supplies	1,250.80
Cardio Partners Inc.	Operating Supplies	107.16
Elan City Inc.	Operating Supplies	42.00
Glenwood Springs Auto Parts Inc (Napa)	Operating Supplies	25.98
Amazon Capital Services	Uniforms	0.68
Galls, LLC	Uniforms	302.09

**BILL SCHEDULE
MARCH 2026**

Public Safety, cont.

JB T-Shirts Silkscreen & Embroidery	Uniforms	93.00
U.S. Armor Corporation	Uniforms	1,505.01
Eagle County Fleet Service	Vehicle Repair & Mtn Supplies	55.56
Glenwood Springs Auto Parts Inc (Napa)	Vehicle Repair & Mtn Supplies	24.99
Fleet Services	Vehicle Fuel	2,549.34
Executive Distributors International Inc	Equipment (Non-Capital)	528.95
Keyper Systems	Equipment (Non-Capital)	1,269.91
Motorola Solutions	Equipment (Non-Capital)	1,064.49
U.S. Armor Corporation	Equipment & Supplies - Grants	1,505.00
AT&T Mobility II, LLC	Utility Services	814.72
Psychological Dimensions, LLC	Professional Services	900.00
Karp Neu Hanlon, PC	Legal	383.50
Douglas County Sheriff's Office	Computer Support	1,500.00
Progressive Microtechnology, Inc.	Computer Support	795.00
Tyler Technologies, Inc	Computer Support	2,312.93
King Soopers Customer Charges	Meeting Expense	118.11
Axon Enterprise, Inc.	Axon Supplies & Services	63,729.36
Bright Future Foundation	Contract Payments	450.00
Eagle County Animal Control	Contract Payments	13,834.00
Town Of Vail	Contract Payments - Dispatch Services	315,808.24
Transunion Risk & Alternative Data Solution	Contract Payments	110.00
Cirsa	Insurance	245.00
Total Public Safety		\$ 411,714.62

Buildings & Grounds

CEBT	Health & Insurance Benefits	\$ 256.20
Rocky Mountain Reserve LLC	Health & Insurance Benefits	55.86
Amazon Capital Services	Office Supplies	9.79
Amazon Capital Services	Operating Supplies	81.56
Amazon Capital Services	Repair & Maintenance Supplies	111.38
CPS Distributors	Repair & Maintenance Supplies	930.00
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	61.05
Glenwood Springs Auto Parts Inc (Napa)	Repair & Maintenance Supplies	240.19
Grainger	Repair & Maintenance Supplies	523.20
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	594.31
HD Supply Formerly Home Depot Pro	Repair & Maintenance Supplies	1,148.00
LLJMWT, LLC	Repair & Maintenance Supplies	6,245.67
Mac Equipment Inc	Repair & Maintenance Supplies	72.10
Mid-American Research Chemical	Repair & Maintenance Supplies	158.30
Paint Bucket	Repair & Maintenance Supplies	339.79
Pet Pick-Ups	Repair & Maintenance Supplies	920.06
Rexel USA, Inc	Repair & Maintenance Supplies	47.79
School's In, LLC	Repair & Maintenance Supplies	1,722.84
Sherwin-Williams Company, The	Repair & Maintenance Supplies	7.62
Superior Alarm & Electronics	Repair & Maintenance Supplies	129.25
Fleet Services	Vehicle Fuel	645.68
HD Supply Formerly Home Depot Pro	Janitorial Supplies	2,112.65
Black Hills Energy	Utility Services	3,193.03
Holy Cross Energy	Utility Services	10,870.47
Eagle Ranch Metropolitan Dist.	Irrigation Services Agreement	3,710.57
Jerrymaster Janitorial	Janitorial Maint. Contracts	7,250.88
Rod's Painting Inc	Repair & Maintenance Services	1,861.00
Sno-White Linen Rental	Repair & Maintenance Services	308.28
Superior Alarm & Electronics	Repair & Maintenance Services	705.00
Venzor Carpet Cleaning	Repair & Maintenance Services	692.72
Caselle, Inc.	Computer Support	21.20
Total Buildings & Grounds		\$ 45,026.44

**BILL SCHEDULE
MARCH 2026**

Events

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	20.80
SESAC Rights Management Inc	Dues & Subscriptions		641.00
Eagle River Coalition	Events		1,000.00
Eagle River Youth Coalition	Events		450.00
Triple Crown Sports	Events		550.00
Ninja Nation, LLC	Event Production		3,500.00
Total Events		\$	6,161.80

Engineering

CEBT	Health & Insurance Benefits	\$	256.20
Rocky Mountain Reserve LLC	Health & Insurance Benefits		23.10
Amazon Capital Services	Office Supplies		9.79
Total Engineering		\$	289.09

Information Technology

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	29.70
Century Link	Utility Services		3,998.81
Northwest Colo Council Of Gov.	Utility Services		124,031.04
Karp Neu Hanlon, PC	Legal		486.50
Aspen Wireless Technologies, Inc.	Computer Support		1,362.00
Fortbend IT	Computer Support		4,856.07
Peak Performance Copier & Supply Inc	Computer Support		5,350.00
King Soopers Customer Charges	Meeting Expense		35.96
Marlin Leasing Corporation	Contract Payments		2,759.42
Professional Document Solutions, Inc.	Contract Payments		337.28
Total Information Technology		\$	143,246.78

Communications & Marketing

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	10.56
Michael Rawlings Photography, Inc.	Professional Services		360.00
Colorado Mtn. News Media	Media		578.48
Dot Zero Multimedia	Website		300.00
Total Communications & Marketing		\$	1,249.04

Sustainability

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	11.88
Karp Neu Hanlon, PC	Legal		480.00
Total Sustainability		\$	491.88

Economic Development & Housing

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	13.20
7 Hermits Condominium Association	Employee Housing Rental Exp		862.44
Founders Place Condo Association	Employee Housing Rental Exp		555.00
Mountain Star Cleaning Services	Employee Housing Rental Exp		550.00
Karp Neu Hanlon, PC	Legal		2,205.00
Placer Labs Inc	Computer Support		10,000.00
Downtown Colorado Inc.,	Tuition & Books		990.00
Total Economic Development & Housing		\$	15,175.64

Total GENERAL FUND

\$ 756,176.39

CAPITAL IMPROVEMENTS FUND

Hoiland, Kyle	Use Tax	\$	60.00
Eagle Recreation Facility Advisory Corp	Pool & Ice Maint. Fund		50,000.00
Ground Engineering Consultants	Traffic Control Improvements		2,080.00
Martin/Martin Consulting Engineers	Street Replacement- Capitol St		7,265.04

**BILL SCHEDULE
MARCH 2026**

CAPITAL IMPROVEMENTS FUND, cont.

KLJ Engineering LLC	Grand Avenue Improvements	1,930.13
Stolfus & Associates	Grand Avenue Improvements	16,009.00
Intelicom Incorporated	Patrol Vehicles	14,078.00
PCS Mobile	Patrol Vehicles	14,257.33
Total CAPITAL IMPROVEMENTS FUND		\$ 105,679.50

WASTE WATER FUND

CEBT	Health & Insurance Benefits	\$ 256.20
Rocky Mountain Reserve LLC	Health & Insurance Benefits	72.34
Amazon Capital Services	Office Supplies	8.47
Western Slope Supplies Inc	Office Supplies	43.05
Amazon Capital Services	Repair & Maintenance Supplies	333.44
ATCO International	Repair & Maintenance Supplies	166.40
Browns Hill Engineering	Repair & Maintenance Supplies	8,991.72
Glenwood Springs Auto Parts Inc (Napa)	Repair & Maintenance Supplies	20.89
Grainger	Repair & Maintenance Supplies	1,456.99
Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	1,824.14
King Soopers Customer Charges	Repair & Maintenance Supplies	80.82
Rexel USA, Inc	Repair & Maintenance Supplies	79.98
USA Blue Book	Repair & Maintenance Supplies	1,421.02
Water Technology Group	Repair & Maintenance Supplies	2,528.00
Fleet Services	Vehicle Fuel	85.97
Federal Express Corp.	Communication & Shipping	234.25
Nextrust Inc	Communication & Shipping	300.36
Black Hills Energy	Utility Services	7,729.10
Holy Cross Energy	Utility Services	7,766.80
Chase Paymentech	C.C. Transaction Fees	750.02
Xpress Bill Pay	C.C. Transaction Fees	601.83
Clark Hill PLC	Legal & Audit	2,067.50
Karp Neu Hanlon, PC	Legal & Audit	599.68
Mott MacDonald	Engineering	2,661.00
Spheros Environmental Group Parent Inc	Engineering - Wastewater Permits	11,221.25
Denali Water Solutions LLC	Sludge Disposal	8,107.38
Browns Hill Engineering	Repair & Maintenance Services	1,767.70
Utility Notification Center Of Colorado	Repair & Maintenance Services	42.16
Water Technology Group	Repair & Maintenance Services	1,440.00
Caselle, Inc.	Computer Support	275.70
Colo Dept Of Public Health & Environment	Testing & Permits	99.00
Eagle River Water & Sanitation District	Testing & Permits	2,790.00
Seacrest Group	Testing & Permits	1,675.00
SGS North America Inc	Testing & Permits	2,084.00
Indigo Water Group	Tuition & Books	880.00
Browns Hill Engineering	Contract Payments	2,066.20
Mott MacDonald	Capital Expenditures - Nutrient Criteria	50,178.56
Myers & Sons Construction LLC	Capital Expenditures - Nutrient Criteria	35,300.00
Stolfus & Associates	Sewer Line Improvements	212.50
Total WASTE WATER FUND		\$ 158,219.42

WATER FUND

CEBT	Health & Insurance Benefits	\$ 256.20
Rocky Mountain Reserve LLC	Health & Insurance Benefits	109.69
Amazon Capital Services	Office Supplies	140.89
Hach Company	Operating Supplies	1,284.50
PVS DX Inc	Operating Supplies	340.00
Amazon Capital Services	Uniforms	807.94
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	13,616.89
Grainger	Repair & Maintenance Supplies	5,623.35

**BILL SCHEDULE
MARCH 2026**

WATER FUND, cont.

Gypsum Ace Hardware LLC	Repair & Maintenance Supplies	864.46
Nottingham Excavating & Trucking Inc	Repair & Maintenance Supplies	3,178.36
Oldcastle SW Group Inc	Repair & Maintenance Supplies	749.38
Pollardwater	Repair & Maintenance Supplies	5,715.75
Rexel USA, Inc	Repair & Maintenance Supplies	192.57
Tower Pit	Repair & Maintenance Supplies	1,998.36
USA Blue Book	Repair & Maintenance Supplies	228.64
Wylaco Supply Co	Repair & Maintenance Supplies	908.20
Fleet Services	Vehicle Fuel	210.81
Grainger	Equipment (Non-Capital)	1,161.62
Nextrust Inc	Communication & Shipping	300.36
AmeriGas	Utility Services	2,824.33
Black Hills Energy	Utility Services	169.90
Holy Cross Energy	Utility Services	11,045.98
Chase Paymentech	C.C. Transaction Fees	1,272.75
Xpress Bill Pay	C.C. Transaction Fees	820.67
Garfield & Hecht, P.C.	Legal	265.50
Karp Neu Hanlon, PC	Legal	2,947.82
LRE Water	Engineering	5,140.50
Blue Monster Service LLC	Repair & Maintenance Services	135.00
Eagle Lock & Key	Repair & Maintenance Services	4,164.50
Nottingham Excavating & Trucking Inc	Repair & Maintenance Services - Chambers Water Leak	37,755.00
Utility Notification Center Of Colorado	Repair & Maintenance Services	42.16
SGS North America Inc	Testing & Permits	656.00
Caselle, Inc.	Computer Support	444.70
Indigo Water Group	Tuition & Books	1,100.00
Browns Hill Engineering	Contract Payments	8,264.80
Johnson Control Fire Protection LP	Contract Payments	2,565.00
Mott MacDonald	Tank Replacement	13,812.50
Phoenix Industries Ltd	Tank Replacement	339,633.40
SEH Design/Build Inc	Tank Replacement	740,974.35
Signature Signs Inc	Tank Replacement	1,085.50
Gould Construction Inc	Main Replacement/Brush Creek	57,671.36
Short Elliott Hendrickson, Inc.	Main Replacement/Brush Creek	810.46
Martin/Martin Consulting Engineers	Water Line Improvements	7,265.03
Stolfus & Associates	Water Line Improvements	212.50
Total WATER FUND		\$ 1,278,767.68

REFUSE FUND

Nextrust Inc	Communication & Shipping	\$ 300.37
Chase Paymentech	C.C. Transaction Fees	227.28
Xpress Bill Pay	C.C. Transaction Fees	273.56
Tri State Oil Reclaimers, Inc	Repair & Maintenance Services	562.50
Caselle, Inc.	Computer Support	275.70
Vail Honeywagon	Contract Services	165,730.14
Total REFUSE FUND		\$ 167,369.55

STORMWATER FUND

Nextrust Inc	Communication & Shipping	\$ 300.36
Chase Paymentech	C.C. Transaction Fees	22.73
Xpress Bill Pay	C.C. Transaction Fees	18.24
Total STORMWATER FUND		\$ 341.33

BROADBAND FUND

Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$ 4.74
Fleet Services	Vehicle Fuel	32.32
Aspen Wireless Technologies, Inc.	Computer Support	3,489.00

**BILL SCHEDULE
MARCH 2026**

Total BROADBAND FUND		\$	3,526.06
STCIF			
Blue Monster Service LLC	Town Park Improvements	\$	810.00
Builders First Source	Town Park Improvements		36.05
Total STCIF		\$	846.05
OPEN SPACE FUND			
Rocky Mountain Reserve LLC	Health & Insurance Benefits	\$	15.05
Karp Neu Hanlon, PC	Legal		177.00
OPEN SPACE FUND, cont.			
Vail Honeywagon	Repair & Maintenance Services		386.87
DTI Trucks	Open Space Vehicles		33,199.00
ERO Resources Corporation	Habitat & Riparian Restoration		4,300.50
Total OPEN SPACE FUND		\$	38,078.42
DDA FUND			
Downtown Colorado Inc.	Dues & Subscriptions	\$	1,000.00
Karp Neu Hanlon, PC	Legal		1,092.00
Eagle Arts	Grant Program Expenditures		3,615.08
Downtown Colorado Inc.,	Tuition & Books		495.00
Total DDA FUND		\$	6,202.08
Total		\$	2,515,206.48
Payroll		\$	583,772.14
CEBT-Health Insurance		\$	125,292.06
Unum Life Insurance Company Of America	Short-term and Long-term Disability Insurance	\$	2,950.68
HRA Claims Paid		\$	-
Grand Total		\$	3,227,221.36



To: Mayor Woods and Town Council
From: Kira Koppel, Sustainability Specialist
Date: April 14th, 2026
Agenda Item: 2026 Arbor Day Proclamation

REQUEST: Staff requests that Council recognizes Arbor Day this year on April 24th, and that the Mayor read the Arbor Day Proclamation stating as such.

BACKGROUND: Arbor Day is recognized on the last Friday of April each year. The Town of Eagle has held Tree City USA recognition since 2018, making this our 8th year as a Tree City. To maintain compliance, we must spend at least \$2 per capita on tree care. This can include time spent on watering, insect control, mulching, planting new trees, leaf & brush collection and recycling, educational expenses, tree removal when necessary, and tree-related volunteer time. We must also observe Arbor Day and [maintain our tree care standards for town properties](#).

ANALYSIS: Reading this proclamation will help us maintain our Tree City status and publicly recognizes the value of trees in and to our community. The Town is partnering with the Eagle River Coalition to host an Arbor Day Planting on April 25th this year, to help restore riparian habitat in the Brush Creek Watershed. Volunteers will support ongoing restoration efforts by planting native trees along the creek and protecting young plantings from wildlife browsing: [2026 Eagle Arbor Day Planting - Eagle River Coalition](#)

COMMUNITY INPUT: None at this time.

BUDGET / STAFF IMPACT: \$2 per capita equates to \$14,968. These funds are already included in the approved 2026 budget and managed by Public Works staff through their regular workflow.

STRATEGIC ALIGNMENT / STANDARDS ACHIEVED: This program aligns with the town's goal to elevate our relationship with the environment by supporting and demonstrating sustainability (Goal 4-3 of Elevate Eagle Comprehensive Plan) and with the town's strategic objective to invest in environmental and energy sustainability.

RECOMMENDED ACTION OR PROPOSED MOTION: Staff recommends the Mayor read and sign the Proclamation, recognizing Friday, April 24th, 2026 as Arbor Day. Staff also encourages Council members to attend the planting event linked above if schedules and interest allow.

ATTACHMENTS:

- Arbor Day 2026 Proclamation



TOWN OF EAGLE - OFFICIAL PROCLAMATION ARBOR DAY 2026

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

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

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

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

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

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

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

Now, Therefore, I, Bryan Woods, Mayor of the Town of Eagle, do hereby proclaim Friday, April 24, 2026, as Arbor Day.



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

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



To: Mayor and Town Council
From: Camille Deering, Town Clerk
Date: April 14, 2026

Agenda Item: Request for Support for a Joint Resolution of the Board of Eagle County Commissioners Proclaiming May 2026 as Wildfire Preparedness Month

REQUEST: Katie Jenkins, Wildfire Mitigation Specialist from Eagle County Government, has requested support from the Town of Eagle for WildFire Preparedness Month in 2026.

BACKGROUND: The Town of Eagle has supported this initiative and proclamation in the past showing support for common goals of Eagle County with wildfire risk reduction.

ANALYSIS: The Town frequently collaborates with Eagle County public safety initiatives and is currently very supportive of wildfire risk reduction efforts. This Joint Resolution will further iterate that support.

COMMUNITY INPUT: None Required

BUDGET / STAFF IMPACT: There is no budget for this item.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Support for this joint resolution would support many of our strategic goals. Wildfire mitigation is extremely important to all aspects of the town's health and safety.

RECOMMENDED ACTION OR PROPOSED MOTION: A motion to approve the consent agenda will authorize the Mayor and Town Clerk to sign the final Joint Resolution for this item.

ATTACHMENTS:

1. 2026_04_01 BAM Wildfire Preparedness Month Resolution_Final

Commissioner _____ moved adoption
of the following Resolution:

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EAGLE, STATE OF COLORADO**

RESOLUTION NO. 2026 - _____

**A JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF EAGLE, STATE OF COLORADO AND THE TOWNS OF GYPSUM,
MINTURN, EAGLE, REDCLIFF, AVON AND VAIL, THE FIRE DISTRICTS OF
GYPSUM, EAGLE RIVER, AND GREATER EAGLE, AND THE ROCK CREEK AND
VAIL FIRE DEPARTMENTS, PROCLAIMING MAY 2026 AS WILDFIRE
PREPAREDNESS MONTH**

WHEREAS, twenty of Colorado’s largest wildfires have occurred within the last twenty years. Four out of the five largest fires in state history have occurred within the last six years, including the most destructive fire in state history just four and a half years ago; and

WHEREAS, warmer temperatures, drought, and continued development in the wildland-urban interface have made wildfire mitigation a top priority for Eagle County and surrounding jurisdictions; and

WHEREAS, wildfires are a natural part of an ecosystem process that cannot be excluded from our landscapes. Therefore, coordinated education regarding the ignition and propagation of fire, coupled with collaborative efforts to enhance the survivability of residences and property while encouraging residents and visitors to adopt wildfire-prepared practices, are essential within an environment where wildfire coexists with human presence; and

WHEREAS, Eagle County, the Towns of Gypsum, Minturn, Eagle, Redcliff, Avon, and Vail, and the Fire Districts of Gypsum, Eagle River, and Greater Eagle, and the Rock Creek Volunteer Fire Department, and the Vail Fire Department (the foregoing are hereinafter collectively referred to as the “Parties”) have determined that they share the common goals of wildfire risk reduction, wildfire preparedness, and public education; and that collaboration in these areas will lead to unified and fire-adapted communities throughout Eagle County and surrounding areas; and

WHEREAS, Wildfire Preparedness Month is focused on encouraging residents to learn about wildfire safety and take steps to reduce wildfire risk in and around their homes; and

WHEREAS, the Parties desire to join in support of Wildfire Preparedness Month and to designate May 2026 as Wildfire Preparedness Month within their respective jurisdictions.

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE PARTIES by and through their governing bodies:

THAT, May 2026 is hereby designated as Wildfire Preparedness Month within the respective jurisdictions of the Parties.

THAT, the Parties hereby find, determine, and declare that this Resolution is necessary for the safety, welfare, and resilience of their residents.

MOVED, READ AND ADOPTED by the undersigned on the dates set forth hereunder.

COUNTY OF EAGLE, STATE OF
COLORADO, By and Through Its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Clerk to the Board of
County Commissioners

By: _____
Tom Boyd
Chair

Matt Scherr
Commissioner

Jeanne McQueeney
Commissioner

Commissioner _____ seconded adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Boyd _____
Commissioner Scherr _____
Commissioner McQueeney _____

This Resolution passed by _____ vote of the Board of County Commissioners of the County of Eagle, State of Colorado.

ATTEST:

TOWN OF GYPSUM, COLORADO

Polly Keene, Interim Town Clerk

By: _____
Steve Carver, Mayor

ATTEST:

TOWN OF MINTURN, COLORADO

Jay Brunvand, Town Clerk

By: _____
Earle Bidez, Mayor

ATTEST:

TOWN OF EAGLE, COLORADO

Camille Deering, Town Clerk

By: _____
Bryan K Woods, Mayor

ATTEST:

TOWN OF REDCLIFF, COLORADO

Melissa Mathews, Town Clerk

By: _____
Duke Gerber, Mayor

ATTEST:

TOWN OF AVON, COLORADO

Brenda Torres, Town Clerk

By: _____
Tamra Nottingham Underwood, Mayor

ATTEST:

TOWN OF VAIL, COLORADO

Steph Johnson, Town Clerk

By: _____
Barry Davis, Mayor

**EAGLE RIVER FIRE PROTECTION
DISTRICT**

By: _____
Name:

**GREATER EAGLE FIRE PROTECTION
DISTRICT**

By: _____
Name:

**ROCK CREEK VOLUNTEER FIRE
DEPARTMENT**

By: _____
Name:

GYPSUM FIRE PROTECTION DISTRICT

By: _____
Name:

VAIL FIRE AND EMERGENCY SERVICES

By: _____
Name:



To: Town Council

From: Tom Gosiorowski, Public Works Director
 Ryan Johnson, Town Engineer

Date: April 14, 2026

Agenda Item: Grand Avenue Multimodal Project - Task Order #3 with Stolfus & Associates

REQUEST:

Staff requests the Council's approval of Task Order #3 to advance the Grand Avenue Multimodal Project Broadway Phase from 60% to 100% Construction Drawings. This work will also include several elements of full project design necessary to inform decision making for Broadway Phase and Railroad coordination.

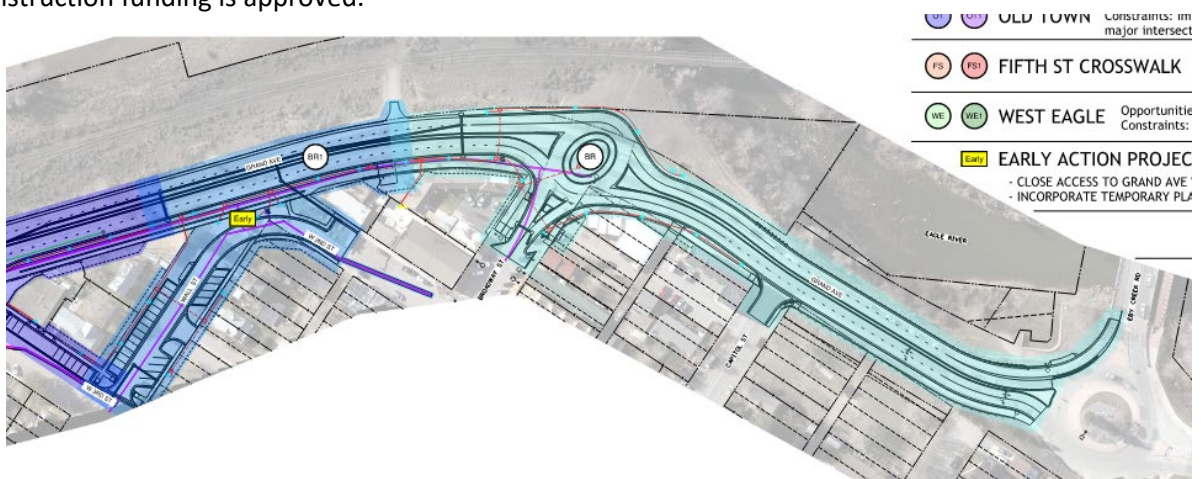
BACKGROUND:

Since May 2023, Stolfus & Associates, Inc. has been engaged with the Town to advance the Grand Avenue Multimodal Project design. The project aims to improve the corridor's safety, mobility, and operations while improving the aesthetic appearance and promoting economic growth and environmental sustainability.

In July 2024, Stolfus completed the 30% preliminary design outlined in Task Order #1. Task order #2 moved the entire project area (Eby creek Road to Sylvan Lake Road) through 60% design development plans.

ANALYSIS:

Task Order #3 will advance the Broadway Phase to Construction Documents. This would tee up potential Broadway Phase construction beginning sometime in 2027 and likely continuing into 2028, provided construction funding is approved.



EAGLE GRAND AVE POTENTIAL PROJECT PHASES

Figure 1 Broadway Phase in Blue

The following table shows the work elements of this effort.

Work Element (Primary Responsibility)
WE1 – Project Admin/Mgmt/Meetings (Stolfus + All)
WE2 – Roadway & Traffic Design Phase 1 - Broadway (Stolfus)
WE3 – Early Action Project Design (Stolfus)
WE4 – Rectangular Rapid Flashing Beacon (RRFB) Design (Stolfus)
WE5 – Storm Drainage System Design Phase 1 – Broadway (RESPEC)
WE6 – Water Quality Improvements Design Phase 1 – Broadway (RESPEC)
WE7 – Water Line Replacement Phase 1 – Broadway (RESPEC)
WE8 – Ultimate Outfall Design (RESPEC)
WE9 – Geotechnical (Yeh)
WE10 – Structural Design Phase 1 – Broadway (Benesch)
WE11 – Railroad Coordination (Benesch + Stolfus)
WE12 – Environmental (ERO Resources)
WE13 – Survey & ROW (Farnsworth)
WE14 – Subsurface Utility Engineering (Farnsworth)
WE15 – Streetscape/Landscaping (DHM)
WE16 – Public Involvement Phase 1 – Broadway (Stolfus + DHM)
WE17 – Lighting Phase 1 – Broadway (Clanton)
WE18 – Phase 1 Utility Coordination (Stolfus)
WE19 – Strategic Corridor Utility Coordination (Stolfus)
WE20 – ROW Acquisition Services (HDR)
WE21 – Funding Support (Stolfus)
WE22 – Local Construction Pricing Eval. Strategy (Stanton Const. Services)
WE23 – Bidding Assistance (Stolfus)
Stolfus Other Direct Costs (project expenses at actual cost)

The Right of Way scope includes a right of way acquisition experts who will assist the Town with Right of Way Acquisitions, and ROW decisions.

It does not include the costs of the acquisition, those items will be brought to council at a later date.

Staff has reviewed the scope of work and fees and determined the fees to be reasonable.

COMMUNITY INPUT:

No community input for the task order; public and stakeholder involvement will continue for the technical portion of the project.

BUDGET / STAFF IMPACT:

The cost of this task order is \$1,364,662. The costs and available budget for 2026 and 2027 are broken out in the tables below.

Design Costs			
Work Tasks	Amount	Budget Year	
		2026	2027
Task Order 3 (Stolfus)	\$ 1,364,662.00	\$ 1,137,218.33	\$ 227,443.67
Funding Plan (Harvey Economics)	\$ 46,395.00	\$ 46,395.00	-
Task Order 2 (Stolfus, Finalization)	\$ 99,106.00	\$ 99,106.00	-
Federal Grant opportunity (KLJ, Estimate)	\$ 30,000.00	\$ 30,000.00	-
Total	\$ 1,540,163.00	\$ 1,312,719.33	\$ 227,443.67

2026 Budget Items	
Name	2026 budget
Grand Avenue Improvements	\$ 1,000,000.00
Grand Avenue Wastewater Infrastructure Improvements	\$ -
Grand Avenue Water Infrastructure Improvements	\$ 30,000.00
Subtotal	\$ 1,030,000.00
2025 Rollover	\$ 300,000.00
Total	\$ 1,330,000.00

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This project aligns with the Town's mission of Maintaining and Enhancing the Quality of Life for Everyone in the Community and Stimulate Economic Vitality.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve RESOLUTION NO. 24 (Series 2026) A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH STOLFUS & ASSOCIATES, INC. FOR ENGINEERING SERVICES

ATTACHMENTS:

RESOLUTION NO. 24 (Series 2026)

Professional Services Agreement Stolfus & Associates, Inc. Task Order #3.

**TOWN OF EAGLE, COLORADO
RESOLUTION NO. 24
(Series 2026)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH STOLFUS & ASSOCIATES, INC. FOR ENGINEERING SERVICES

WHEREAS, the Town of Eagle desires to contract with Stolfus & Associates, Inc. for engineering services to assist the Town of Eagle in advancing the Grand Avenue Corridor Multimodal Project, pursuant to the Professional Services Agreement; and

WHEREAS, The Town's purpose is to invest in critical infrastructure, assets, and program improvements that increase our residents' quality of life and add to our vibrant economy; and

WHEREAS, Stolfus & Associates, Inc. agrees to perform such services on the terms and conditions set forth in the Professional Services Agreement

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

Section 1. The Professional Services Agreement with STOLFUS & ASSOCIATES, INC. is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON APRIL 14th, 2026

TOWN OF EAGLE, COLORADO

BY: _____
Bryan Woods, Mayor

ATTEST:

Camille Deering, Town Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL SERVICES (the "Agreement") is made and entered into this ___ day of _____, 2026 (the "Effective Date"), by and between the Town of Eagle, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, Colorado 81631 (the "Town") and STOLFUS AND ASSOCIATES, INC., a Corporation with an address of 5690 DTC Blvd, Suite 330W, Greenwood Village, CO 80111-3231 ("Contractor") (each a "Party" and collectively the "Parties").

WHEREAS, the Town requires professional services and

WHEREAS, the Contractor has held itself out to the Town as having the requisite expertise and experience to perform the required services.

NOW, THEREFORE, for consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

I. SCOPE OF SERVICES

A. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If the Contractor proceeds without such written authorization, the Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit, or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied, by a course of action.

II. TERM AND TERMINATION

A. This Agreement shall commence on the Effective Date. It shall continue until Contractor completes the Scope of Services to the satisfaction of the Town or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay the Contractor for all work previously authorized and completed prior to the date of termination. If, however, the Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

III. COMPENSATION

In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor \$1,364,662. This amount shall include all fees, costs, and expenses incurred by

the Contractor and no additional amounts shall be paid by the Town for such fees, costs, and expenses. Contractor may submit periodic invoices, which the Town shall pay within 30 days of receipt.

IV. RESPONSIBILITY

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing required by law. The work performed by the Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms for the same or similar type of work in the applicable community. The work and services to be performed by the Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules, and regulations.

B. The Town's review, approval, or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

C. Because the Town has hired the Contractor for its professional expertise, the Contractor agrees not to employ subcontractors to perform any work except as expressly set forth in the Scope of Services.

V. OWNERSHIP

Any materials, items, and work specified in the Scope of Services, as well as any and all related documentation and materials provided or developed by the Contractor, shall be exclusively owned by the Town. The Contractor expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent that it does not constitute a "work made for hire," the Contractor transfers, sells, and assigns all of its rights, title, and interest in such work to the Town. The Town may, concerning all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change such work without providing notice to or receiving consent from the Contractor.

VI. INDEPENDENT CONTRACTOR

The Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. The Contractor shall not represent it as a Town employee for any purpose.

VII. INSURANCE

A. Contractor agrees to procure and maintain, at its own cost, a policy or insurance policies sufficient to insure against all liability, claims, demands, and other obligations assumed

by Contractor according to this Agreement. At a minimum, the Contractor shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Workers' Compensation insurance as required by law.
2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 for each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises and operations and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a provision for severability of interests and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.
3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$2,000,000 general aggregate.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverage afforded under the policies shall not be canceled, terminated, or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by the Contractor. The Contractor shall be solely responsible for any deductible losses under any policy.

C. The Contractor shall provide the Town with a certificate of insurance showing the required policies are in full force and effect. The certificate shall identify this Agreement.

VIII. INDEMNIFICATION

A. Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses, and demands, including attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other faults of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or any employee of any subcontractor of Contractor. The Contractor's liability under this indemnification provision shall be to the fullest extent of, but shall

not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor.

B. If Contractor is providing architectural, engineering, surveying, or other design services under this Agreement, the extent of Contractor's obligation to indemnify and hold harmless the Town may be determined only after the Contractor's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual Agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

IX. MISCELLANEOUS

A. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

B. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. *Integration.* This Agreement constitutes the entire Agreement between the Parties, superseding all prior oral or written communications.

D. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

E. *Notice.* Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first-class United States Mail to the Party at the address set forth on the first page of this Agreement.

F. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. *Modification.* This Agreement may only be modified upon written Agreement of the Parties.

H. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties hereto shall be assigned by either Party without the written consent of the other.

I. *Governmental Immunity.* The Town and its officers, attorneys, and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

J. *Rights and Remedies.* The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted for work negligently or defectively performed.

K. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

L. *Force Majeure.* No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this Agreement due to acts of God, floods, storms, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE

Bryan Woods, Mayor

ATTEST:

Camille Deering, Town Clerk

STOLFUS AND ASSOCIATES, INC.

Elizabeth B. Stolfus, President & CEO

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Subscribed, sworn to and acknowledged before me this 9th day of April, 2026 by Elizabeth Stolfus as President + CEO of Stolfus.

My Commission expires:

(SEAL) **MARIE CYNTHIA WYATT-HOFFMAN**
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224046988
MY COMMISSION EXPIRES 12/14/2026

Marie Cynthia Wyatt-Hoffman
Notary Public

EXHIBIT A
SCOPE OF SERVICES

Contractor's Duties

During the term of this Agreement, the Contractor shall perform the following duties, as directed by the Town as described in the attached Proposal for Task Order 3 dated February 20, 2026

Contractor's Deliverables

In the performance of the duties described above, the Contractor shall deliver the following items to the Town during the timeframes established by the Town, as described in the attached Proposal for Task Order 3 dated February 20, 2026



February 20, 2026

Ryan Johnson, PE
Town Engineer
Town of Eagle
ryan.johnson@townofeagle.org

**RE: Proposal for TASK ORDER 3
Grand Avenue Phase 1- Broadway Final Design + Strategic Corridor Success Drivers**

Dear Ryan:

The Town of Eagle has identified a need to prepare Phase 1 of the Grand Avenue Corridor Plan for advertisement for construction and to advance strategic corridor success drivers. Grand Avenue Phase 1 - Broadway includes the segment of Grand Avenue from Eby Creek Road through the proposed roundabout at Broadway Street to a location east of 3rd Street where the proposed 4-lane section ties into the existing 2-lane section. The primary goal of the project is to improve safety, mobility, and operations of the Grand Avenue corridor while improving the aesthetic appearance and promoting economic growth and environmental sustainability. Other strategic corridor success drivers included in this Task Order 3 include railroad agreements, advancing utility investigations, storm drainage major outfall investigations, construction pricing and interest study, and funding pursuit support. Task Order 1 is complete. The following items in Task Order 2 are in progress and remain to be completed as part of Task Order 2:

- Project control diagram
- ROW plans in CDOT format, including ownership map (excluding legal descriptions)
- Doorway and building face survey
- Appraisal for 106 Broadway
- QL-B SUE plans and reports

This task order identifies the scope of work for Task Order 3. The primary goals of Task Order 3 are to complete design of the Phase 1 for advertisement by the Town, obtain an agreement with UPRR regarding implementation of the entire project, secure utility agreements for strategic, advance relocations along the corridor, select and design a preferred ultimate storm drainage outfall to 60%, understand construction phase opportunities and constraints with the construction community, and support Eagle's work to fund the entire Grand Avenue Corridor Plan.

SCOPE OF WORK

Work Element 1 – Project Administration, Management, QA/QC, and Meetings (All)

The Stolfus & Associates, Inc. (Stolfus) team will review/process invoices, as well as provide other project administration/ management services (coordination and product review) throughout the duration of the project. Stolfus will be responsible for day-to-day management and coordination of the work elements included in this scope of work. Stolfus will work with the Town's project manager to establish a schedule of activities for each task element, as appropriate. The schedule will be updated and maintained as needed throughout the project duration. This work element also includes Quality Assurance and Quality Control (QA/QC) of project deliverables.

Stolfus will coordinate with the Capitol Flats Development project to integrate design elements. Up to three one-hour meetings will be held between project teams, Stolfus will review up to two sets of design plans from the developer, and Stolfus and Benesch will prepare up to three exhibits to communicate designs with the developer.

The Stolfus team has anticipated the following meetings in this scope of work:

Meetings

- Consultant team coordination (internal) (virtual) – Assume ten 30-minute meetings
- Consultant team design coordination meetings (internal) (in-person) – assume two 90-minute meetings
- Monthly check-in meetings with Town (virtual) – assume 12 two-hour meetings
- Technical meetings with Town (virtual) – assume four two-hour meetings
- Town workshop meetings (in-person) – assume one four-hour workshop
- Town review meetings (in-person) – assume two three-hour meetings (includes 30% Early Action design review meeting and 90% Phase 1 design review meeting)
- Site visit (in-person) – assume two (includes one kickoff meeting site visit)
- Railroad coordination meetings – assume two virtual 90-minute meetings and one Diagnostic Site Walk with UPRR and PUC
- Capitol Flats Development coordination meetings (virtual) – assume three one-hour meetings

Meetings related to public involvement are listed in Work Element 16 and meetings related to utility coordination are listed in Work Elements 18 and 19.

Stolfus will maintain a project risk matrix and a shared action item list with tracking for the consultant team and the Town to track action items and progress in one location.

Stolfus will prepare a list of potential project materials and vendors for project specific bid items.

Work Element 1 Deliverables:

- Monthly invoices and progress reports
- Project Schedule
- Meeting documentation including agendas and minutes
- Meeting exhibits as needed
- Project Risk Matrix
- Shared Action Item List
- Materials/Vendors List

Work Element 2 – Roadway and Traffic Design – Phase 1 - Broadway (Stolfus)

The 100% design stage efforts will focus on refining the 60% roadway and traffic design for the Phase 1 - Broadway phase. This work element includes determination of a logical tie-in point between 3rd Street and Broadway and refinement of the 60% design between that tie-in point and Eby Creek Road. This phase also includes design of improvements to Wall Street and 2nd Street. No major design changes from 60% are anticipated. The Eby Creek Road roundabout right-turn bypass lane will be redesigned to remove the raised median in favor of a flush or striped median. A detailed design of nine curb ramps and eight driveways will be completed. Stolfus will finalize property tie-ins and related drainage considerations with RESPEC.

Detailed analysis of property driveways and circulation will be conducted for up to three properties to determine efficient and safe access, and recommendations will be documented in a memo format for each property. Detailed designs will also be created for guardrail and wall structures, including the wall approaching Eby Creek Road and up to one potential additional landscape wall. Stolfus will prepare length of need calculations for guardrail and will prepare wall alignments and profiles for use by Benesch. Wall design will be coordinated with Benesch.

The signing and striping will be refined, including sign layouts for up to four roundabout guide signs.

Construction phasing plans, schedule of traffic control devices, and traffic control specifications will be prepared. Work zone and construction staging needs will be evaluated to develop a construction phasing plan for the project. Construction phasing plans will include descriptions of plan elements to be constructed, applicable MUTCD typical applications, work limits, and typical sections, as necessary. Detailed construction traffic control plans with devices and signs will not be developed as part of the design. A schedule of traffic control devices will be completed at final design for bidding purposes. Project specifications for phasing and traffic control will be provided based on CDOT's 2025 Standard Specifications for Road and Bridge Construction. Specifications will include, as appropriate, Traffic Control Plan General, Public Information Services, work hour restrictions, speed reductions, lane rentals, and incentives/disincentives.

Work Element 2 Deliverables:

Stolfus will prepare a 90% submittal package for Phase 1 - Broadway. Following the 90% review meeting, Stolfus will advance the 90% plans to 100%. The 100% submittal package will incorporate comments from the 90% review (maximum one round of comment responses) and be suitable for bidding without further review and revision.

- 90% and 100% Roadway Design Plans will include the following:
 - Title Sheet
 - General Notes
 - Typical Sections
 - Geometric Control Plan
 - Removal Plans
 - Roadway Plans
 - Roadway Profiles
 - Roadway Details (curb ramps and medians)
 - Tabulations (roadway, removal, survey, signing, striping, traffic control, and earthwork)
 - SAQ
 - Driveway Plan and Profiles
 - Signing and Striping Plan
 - Suggested Construction Phasing Plan
 - Cross Sections (cut at 50' intervals) (for information only)
 - Early Action Plans (one sheet for Wall Street/2nd Street and one sheet for 5th Street/McIntire Street)
- Quantities and Engineer's Opinion of Probable Cost (2) (90% and 100% submittal)
 - An Engineer's Opinion of Probable Cost (EOPC) will be prepared for the 90% and 100% design based on the calculated project quantities. For this project, EOPCs developed by Stolfus will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions. EOPCs are not intended to be used as a guaranteed maximum price but instead for planning and budgeting purposes.
- Specifications
 - Stolfus will provide technical specifications based on CDOT specifications and format. Where Eagle Standards differ from CDOT, Eagle Standards will be incorporated. General Conditions are not included in scope of work and will be provided by the Town.
- Access and Circulation Exhibits and Memos (up to three properties)

Work Element 3 – Early Action Project Design (Stolfus)

Stolfus will prepare designs for two locations referred to as early action projects during the project phasing evaluation process. The early action projects will eliminate access to Grand Avenue on Wall Street/2nd Street and 5th Street/McIntire Street using temporary features based on previous analyses and evaluation. Appropriate

signage will be provided on Grand Avenue, Wall Street, 2nd Street, 5th Street, and McIntire Street based on MUTCD standards. Paving and grading operations will not be required. Traffic analysis will not be conducted.

Work Element 3 Deliverables:

Stolfus will prepare a 30% submittal package for the early action projects that consists of the following:

- Two plan sheets (one per location) depicting the roadway closures (including associated removals, signing, and striping) at Wall Street/2nd Street and 5th Street/McIntire Street.
- An Engineer's Opinion of Probable Cost (EOPC) will be prepared for the 30% design based on the calculated project quantities. For this project, EOPCs developed by Stolfus will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions. EOPCs developed are not intended to be used as a guaranteed maximum price but instead for planning and budgeting purposes.

Following the 30% review meeting, Stolfus will incorporate the early action projects into the Phase 1 - Broadway design package and advance the early action plans to 90% and 100% concurrently with the Phase 1 design.

Work Element 4 – Rectangular Rapid Flashing Beacon (RRFB) Design (Stolfus)

Stolfus will identify appropriate locations for RRFB pedestrian crossings along the entire corridor. Stolfus will design proposed RRFB's outside of Phase 1 - Broadway project limits to a conceptual design level based on the 60% project design. RRFB designs are anticipated as solar powered installations compatible with other RRFB installations currently maintained by Eagle to facilitate ease of maintenance. It is assumed that an RRFB pedestrian crossing at 5th Street will remain.

Work Element 4 Deliverables:

- Conceptual exhibit depicting RRFB locations along the entire corridor

Work Element 5 – Storm Drainage System Design Phase 1 - Broadway (RESPEC)

This task includes all work necessary for the 90% and 100% design plans for the storm drainage system.

- Hydraulic Analysis Refinement – The hydraulic model will be updated for the proposed storm drainage system to calculate hydraulic grade line and energy grade lines. Pipe sizes and alignments will be refined based on this hydraulic analysis.
- Interim Outfall Design – An interim outfall design will be developed to avoid disturbing the existing roadway outside of the footprint of this phase to the extents possible. It is assumed the project is able to discharge stormwater to the existing roadside ditch.
- Cross-Drainage Design – The Town cross-drainage will be further developed to the 90% design level. This task anticipates that new cross drainage conveyance will be tied directly to existing culverts under the railroad using a grated junction box or similar structure that will also accept sheet flow and channelized runoff from the railroad right-of-way. This approach will minimize headlosses, provide a hydraulic relief valve for large events, and improve drainage conditions on the railroad right-of-way.
- Eby Creek Wall Drainage – This task includes coordination with the structural team to develop appropriate stormwater conveyance at the top of the retaining wall near the Eby Creek roundabout.
- Individual Property Drainage Analysis – Continue to identify localized potential drainage problem areas with the updated design and recommend mitigation efforts to manage the impacts of the improvements.
- Structural Coordination – This task includes coordinating with the structural team for the retaining wall/utility interfacing and construction shoring considerations for the utilities.

- 90% and 100% Construction Plans – 90% and 100% construction plan and profile drawings will be provided for the storm drainage system. In addition to the sheets included in the 60% construction plans, tabulations and drainage details will be included.
- 90% and 100% Specifications – Specifications for the 90% and 100% drainage design will be provided for any unique drainage elements that are included that are not covered by CDOT standard specifications.
- 90% and 100% Cost Estimate – A 90% and 100% cost estimate will be provided. As materials and labor costs have varied significantly in the past several years, especially in the Mountain West, RESPEC will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions.
- 90% and 100% Drainage Report – A 90% and 100% drainage, utility, and water quality report will be provided, including a drainage plan for the Grand Avenue and Town runoff.
- Test Hole Plan & Review – A plan for test holes will be developed during the 90% design phase in coordination with the project team.
- Railroad Coordination – Relevant drainage calculations and documentation will be provided to the railroad as requested.

Work Element 5 Deliverables:

- 90% drainage plans, specifications, report, quantities, and opinion of probable cost
- 100% drainage plans, specifications, report, quantities, and opinion of probable cost

Work Element 6 – Water Quality Improvements Design Phase 1 - Broadway (RESPEC)

This task includes all work necessary for and including 90% and 100% design plans for the water quality improvements.

- Interim Phasing Considerations & Design – Temporary construction and permanent water quality considerations due to Phase 1 interfacing with the ultimate outfall.
- 90% and 100% Construction Stormwater Management Plan – Sheets will be provided for construction stormwater management, including tabulations.
- 90% and 100% Permanent Water Quality Design – Further coordination with suppliers to design the Gutter Bin insert on each new inlet.
- 90% and 100% Specifications – Specifications for the 90% and 100% water quality improvements design will be provided for any unique water quality elements that are included that are not covered by CDOT standard specifications.
- 90% and 100% Cost Estimate – A 90% and 100% cost estimate will be provided. RESPEC will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions.

Work Element 6 Deliverables:

- 90% construction stormwater management plans, permanent water quality design plans, specifications, quantities, and opinion of probable cost
- 100% construction stormwater management plans, permanent water quality design plans, specifications, quantities, and opinion of probable cost

Work Element 7 – Water Line Replacement Phase 1 - Broadway (RESPEC)

This task includes all work necessary for and including 90% and 100% design plans for water line replacement along the proposed roadway improvements.

- Phasing Coordination – Construction phasing for water installation will be evaluated. This effort will be minimal as it is expected that the construction contractor will develop a plan to maintain service during construction.
- Existing System Demolition Evaluation – Coordination with the Town of Eagle to determine tie-in locations for water lines and determination of demolition versus abandonment of select water lines and valves.
- Additional Evaluation of Existing Utilities– RESPEC will coordinate with Stolfus to determine the need and locations for test holes.
- Horizontal and Vertical Design Refinements – RESPEC will refine the 60% water line design, including vertical adjustments, for 90% design of Phase 1 - Broadway. RESPEC will refine the 90% water line design, including vertical adjustments, for 100% design of Phase 1 - Broadway.
- 90% and 100% Construction Plans & Details – 90% and 100% construction plans and details will be provided.
- 90% and 100% Specifications - Specifications for the 90% and 100% water line design will be provided. RESPEC will work with the Town to determine the requirements the construction contractor must meet as these will be included in the 90% and 100% specification. These requirements may include trenching, backfill, and materials requirements as well as required service maintenance, allowable outages, and required public notice and coordination.
- 90% and 100% Cost Estimate – A 90% and 100% cost estimate will be provided. As materials and labor costs have varied significantly in the past several years, especially in the Mountain West, RESPEC will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions.
- 90% and 100% Utility Report – The drainage, utility, and water quality report for the 90% and 100% design will be updated with the water line design.

Work Element 7 Deliverables:

- 90% water line plans, specifications, quantities, opinion of probable cost, and utility report
- 100% water line plans, specifications, opinion of probable cost, and utility report

Work Element 8 – Ultimate Outfall Design (RESPEC)

This task includes all work necessary for the 60% design plans for the storm drainage system to the ultimate system outfall.

- SUE & Survey Identification – SUE and survey limits will be identified by RESPEC.
- Alternatives Refinement – Coordination with the Town of Eagle to determine the most appropriate alternative for the ultimate storm outfall location. This task assumes that two of the four conceptual design level alternatives are further refined to assist the Town in selecting an alternative.
- Selected Alternative Development – The selected alternative will be further developed. This task assumes that up to two sub-alternative designs are presented to the Town. The two sub-alternative designs were discussed with the Town on January 7, 2026 and include: discharging near the Eagle Landing at Brush Creek development and discharging near the Brush Creek bridge to the north of Grand Avenue. The selected developed alternative will then be developed to the 60% design level.
- 60% Roll Plot and Profile Views – A 60% plan and profile shown on a roll plot will be provided.
- 60% Cost Estimate – A 60% cost estimate will be provided. RESPEC will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions.
- 60% Portion of Drainage Report – The drainage, utility, and water quality report for the 90% design will be updated with the 60% ultimate outfall selection and design.

Work Element 8 Deliverables:

- Two conceptual outfall designs, 60% ultimate outfall roll plot, profile, quantities, opinion of probable cost, and portion of drainage report

Work Element 9 – Geotechnical (Yeh and Associates, Inc.)

Yeh will perform the following activities:

Pavement Design Review and Specifications

The below tasks include reviewing and/or confirming pavement design sections at several locations throughout the project as well as providing pavement specifications as needed. This task includes the following items:

- Provide pavement specifications associated with the project for the 90% submittal.
- Review and/or confirm the pavement design section (60% Grand Avenue Corridor Plans-8/20/25) proposed at the below roundabout locations and compare to the Sylvan Lake Road pavement design section using provided As-Built plans. Determine if the previously utilized Sylvan Lake Road pavement design will meet project requirements.
 - Castle Drive Roundabout
 - 5th Street Roundabout
 - Broadway Street Roundabout
- Review and/or confirm the proposed pavement design section (60% Grand Avenue Corridor Plans-8/20/25) and compare it to the existing Eby Creek roundabout pavement design using provided As-Built plans. Determine if modifying/matching the proposed pavement design section to the Eby Creek roundabout pavement design will meet project requirements.
- Review and/or confirm the proposed local street pavement design section (60% Grand Avenue Corridor Plans-8/20/25) to the previously constructed design section utilized on the below local streets using provided As-Built plans. Determine if the previously constructed design section will meet project requirements.
 - Castle Drive
 - 5th Street
 - 4th Street
 - 3rd Street
 - 2nd Street
 - Broadway Street
 - McIntire Street
 - Washington Street
 - Wall Street
- Yeh assumes that pertinent As-Built Plans, previous subsurface investigation data, and traffic information (for all road sections) will be provided by other team members for Yeh to accurately review the pavement designs.

Global Stability – Eby Creek Wall

- Perform global and external stability for retaining walls.

Foundation Recommendations - Stone Seatwall and Gateway Stone Monuments

Provide recommendations based on geotechnical analysis and design, in addition to the following:

- Description and results of previous subsurface investigation and laboratory testing located near the proposed stone monuments completed in 2023 for the roadway design. A new subsurface investigation will not be performed for these foundation recommendations.
- Summary of general site geological and geotechnical conditions.
- Earthwork recommendations for embankment foundation preparation and excavation requirements.
- Geotechnical recommendations for foundations and associated structures.

Geotechnical Memorandum

- Prepare and issue a draft memorandum as an addendum to the 30% geotechnical report (Geotechnical Investigation Report Eagle Grand Avenue Corridor Design under Yeh Project No. 222-281) that was issued on August 14, 2025 and to the 60% geotechnical report (Final Geotechnical Investigation Report Eagle Grand Avenue Corridor Improvements 60% Design, Retaining Walls under Yeh Project No. 224-314) that was issued on August 15, 2025. The draft memorandum will be issued for review and will include recommendations based on geotechnical analysis and design. Specifically, the memorandum will cover comparisons of the pavement design sections noted above and will also include pavement specifications. The report will also summarize the results of the previously conducted subsurface investigation near the gateway stone monuments, laboratory testing, boring locations, boring logs and foundation geotechnical recommendations.
- Following comments received from Stolfus and the Town of Eagle, prepare and issue the final memorandum. The final memorandum will be stamped and sealed by a Professional Engineer licensed in the state of Colorado.

Work Element 9 Deliverables:

- Pavement specifications
- Draft memorandum
- Final memorandum

Work Element 10 – Structural Design – Phase 1 - Broadway (Benesch)

Using the existing intermediate design that was completed by the Stolfus Team, Benesch will continue the structural design through the final design phase. It is assumed that final design will follow Benesch's recommendations (as updated to respond to comments received in conjunction with the 60% design review) in the structure selection report submitted in preliminary design.

BENESCH will perform the following activities:

Refine Wall Designs

During intermediate design we refined the Eby Creek wall design. This refinement will continue into the final design phase. Part of the refinement will include accommodating the Capitol Flats Development. There are two scenarios to consider: Capitol Flats development is built first or the Grand Avenue project is built first. The Benesch fee proposal will assume that the Grand Avenue project is built first. Coordination with the Capitol Flats developer will be based on a set number of meetings. We will attend up to three one-hour meetings between project teams. We will participate with Stolfus in reviewing up to two sets of design plans from the developer. Benesch will participate with Stolfus in preparing up to three exhibits to communicate designs with the developer.

Additional geotechnical data may be required for final design. Changes in the configuration of this wall will require the global stability to be reviewed again.

- Wall 1 (near the Eby Creek Roundabout)
 - Precast gravity blocks were the selected wall type, and it is assumed this will be the wall type for final design. We assume that a coordination meeting will be required to determine the nature of the top of wall configuration (drainage provisions, need for a cast-in-place coping, need for railing, etc.)
 - The town is not convinced that the cast-in-place coping is the configuration they want for the top of the wall. BENESCH will review other alternatives. An allowance for railing design, coping details, etc. is provided.
 - An allowance for interaction with a developer (Capitol Flats development to the south of the wall) is included. This interaction allows for changes in the length or configuration of the retaining wall where our design may need to make allowance for the proposed developer structure/foundation. If this coordination goes beyond minor changes to the geometry of the wall, the fee for the work is included as an option service. Benesch will also design a connection detail that will provide a mutual tie-in between our wall and the developer's wall.

- Wall 2 (location currently unknown)
 - This wall is for landscaping purposes. It is assumed that the wall will be no greater than 5-feet clear height (finished grade to top of wall).
- Additional Walls as Required.
 - No additional walls are included at this time but could be added if requested. Additions to our fee would likely be required for the design of additional walls.

Preparation for the 90% Submittal

- Coordinate, complete, and compile the structural plan set. The final design plans shall comply loosely with CDOT requirements since the town may want to apply for a federal grant in the future.
- Prepare a pre-final (90%) cost estimate for the work described in the structural plans based on estimated quantities. This cost estimate will be provided in Microsoft Excel and incorporated into the full project cost estimate by Stolfus & Associates. Benesch will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions.
- Perform interdisciplinary design reviews as necessary and dictated by the Stolfus PM.
- Submit the pre-final (90%) plans in electronic PDF format to the PM for review prior to the submittal date as the schedule requires, but approximately 2 weeks from the deadline for submittal. It is assumed that a Bluebeam session will be established for inter-disciplinary coordination.

Final Design (90%) Submittal

The following deliverables will be provided for each wall location. Up to two locations are included.

- Final (90%) design drawings. The design drawings will be provided in PDF format. AutoCAD files will be provided, upon request. The following are the anticipated drawings in the submittal package:
 - General Information (aka general notes)
 - Quantities (included on the General Information sheet)
 - General Layout (2 sheets)
 - Engineering Geology (1 sheet)
 - Wall Longitudinal Sections (3 sheets)
 - Wall Details (4 sheets)
 - Railing and Top of Wall Details (2 sheets)
 - Miscellaneous Details (1 sheet)
- Structural Specifications – It is assumed that the CDOT Standard Specifications for Road and Bridge Construction will govern the design. It is assumed that the Standard Special Provisions will be provided by Stolfus. Benesch will provide Project Special Provisions specifically related to the wall construction.
- Quantities and Opinion of Probable Construction Cost – Benesch will provide quantities for each wall location. These quantities will be in accordance with the CDOT Item Book to the extent possible. The quantities will be separated by wall location. Benesch will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions for estimating unit prices to complete the opinion of construction cost.

Project Coordination

Benesch will be available to coordinate with the developer of the Capitol Flats project (the property south of Wall 1). It is not known (at this time) where the developer is in their design process. We have not seen and assume nothing has been officially submitted to the town. Our fee proposal includes an allowance for this coordination. The nature of the coordination is thought to include changing the limits of the proposed wall to accommodate a below-grade parking structure.

Final Design Review:

- Attend the review meeting.
- The structural plan sheets shall be revised/corrected in accordance with the review meeting comments.

- Design decisions concerning questions raised by the review meeting will be resolved in cooperation with the PM.
- A list of any deviations from standard design criteria along with the written justification for each one shall be submitted to the PM (if needed).

A set of 100% documents (plans, special provisions, and opinion of probable construction cost) will be submitted after the review comments are addressed.

Work Element 10 Deliverables:

- 90% structural plans, specifications, quantities, and opinion of probable cost
- 100% structural plans, specifications, quantities, and opinion of probable cost

Work Element 11 – Railroad Coordination (Benesch and Stolfus)

This task includes ongoing coordination with the Union Pacific Railroad (UPRR) for the entire corridor length of Grand Avenue between Eby Creek Road and Sylvan Lake Road. Previous phases of railroad coordination established the existing ROW condition for the corridor.

While the project is proposed to be phased, Benesch will provide advanced coordination for both current and future phases of design work. The proposed improvements to coordinate include two existing at-grade crossings, potential improvements along the corridor as required by the PUC, and potential parallel roadway improvements and drainage.

It is our understanding that a Preliminary Engineering (PE) Agreement is already in place.

BENESCH will perform the following activities:

- Conduct ongoing coordination with UPRR representatives to solicit feedback from the UPRR on the current proposed alternatives being explored and gain an understanding of constraints or desires.
- Conduct diagnostic site walk with the Colorado PUC and UPRR for proposed improvements at the two at-grade crossings.
- Provide feedback and guidance to Design team on proposed at-grade crossing improvements with respect to UPRR standards and requirements. The entire corridor will be considered at a conceptual level so UPRR understands the full scope of improvements and benefits of proposed improvements can be leveraged for future project phases.
- Solicit feedback from UPRR on concept alternatives prepared by the Design team ahead of Final Plan submittal. This includes:
 - Proposed Improvements included with the Broadway Phase 1 design;
 - Proposed improvements associated with future phases of design.
- Provide review and guidance for submittals for the at-grade crossing at Ping Lane as included in Phase 1.
- Review existing encroachment of Grand Avenue on UPRR ROW and coordinate appropriate remedy for entire corridor.

Stolfus will perform the following activities:

- Participate in diagnostic site walk with the Colorado PUC & UPRR
- Prepare exhibits for UPRR submittals.

Work Element 11 Deliverables:

- Final submittal to UPRR for the at-grade crossing improvements in Phase 1
- Submittal of corridor project plan supporting agreements with UPRR outside of Phase 1
- PUC submittal documents

Work Element 12 – Environmental (ERO Resources)

ERO will assist Stolfus with environmental consulting services for the Town of Eagle Grand Ave Improvements Project Phase 1 - Broadway Final Design. Services may consist of the following:

- Attending meetings as requested
- Assisting with the environmental portions of grant applications
- Consulting on various environmental issues

Work Element 13 – Survey and ROW (Farnsworth)

Farnsworth will perform the following activities:

Appraisal Staking – Phase 1 - Broadway

Field staking for up to 3 proposed parcels and/or easements as requested.

Right-of-Way Monumentation – Phase 1 - Broadway

Upon completion of the final ROW plans, FGI will include the setting of the final ROW monuments. (Fee of monuments for nine fee parcel acquisitions included. Approximately twenty-four monuments).

Right-of-Way Plans – Phase 1 - Broadway

FGI will work to complete and produce a final set of right-of-way plans, in CDOT format. The plan set will consist of Title Sheet, Tabulation of Properties, Project Control Diagram, Land Survey Control Diagram, Tabulation of Monumentation, Plan Sheets, and Ownership Map. FGI will complete corresponding legal descriptions for the proposed parcels and easements (approximately 9 fee parcels and 16 temporary easements).

Topographic Design Survey – Storm Drainage Outfall Evaluation Area

FGI will provide topographic surveying for the area as determined by Stolfus for the outfall in the area of Castle Drive.

FGI will provide the existing topo survey using TMOSS coding system. FGI will utilize the use of UAV to capture the main items of survey in right-of-way such as paving, sidewalks, buildings near ROW. We will locate building corners and finished floor elevations of all structures near ROW or in areas where acquisition is certain. It is our understanding that permission to enter letter communications are being coordinated and obtained by others. All aspects of the field and office work shall be the responsibility of the PLS in responsible charge.

Work Element 13 Deliverables:

- Phase 1 Right-of-Way Plans
- Topographic survey for ultimate outfall location

Work Element 14 - Subsurface Utility Engineering (Farnsworth)

Three-Dimensional (3D) Quality Level A – Phase 1 – Broadway & Strategic Corridor Utilities

- Data acquisition using vacuum excavation methods (a.k.a. Test Holes) to identify pothole information relative to the project for determination of the presence of, and the verifiable horizontal and vertical location of, existing utilities. This information provides us with a clear understanding of potential conflicts in the project.
- We assume Seventy (70) Test Holes total for utility conflict points as was provided by the Design Engineer.
 - Fifty-Six (56) Test Holes in paved conditions.
 - Fourteen (14) Test Holes in non-paved conditions.
- Test hole locations will be coordinated between Farnsworth Group, Kinetic Industries and Design Engineer/Owner based on identified utility conflicts and areas where more detailed data, including 3D coordinates, are required to complete designs and mitigate/accommodate conflicts.
- These excavation locations will also need to be coordinated based on areas where 2D Quality Level B mapping has been completed.

- Written logs for all test holes are used, derived elevations are transcribed onto CAD reference files, and points are mapped (surveyed) to Quality Level A on the plans.

Two-Dimensional (2D) Quality Level B Data Acquisition – Storm Drainage Outfall Evaluation Area

- Electromagnetic (EM), acoustic, and other geophysical technologies will be used in the characterization, and depiction of existing utility infrastructure data to develop a reliably qualified base map and data set from which to develop and support future design, coordination, and construction decisions.
- Populating utility data with hydraulic information (pipe data, invert measurements/elevations and images) from the field investigation.
- Although, Task 1 utility designating of buried infrastructure will have a goal of Quality Level B, some facilities such as non-conductive water, storm drainage and sanitary sewer pipes are pragmatically designated to a mixture of Quality Level C (based on surveyed surface features and record data), B, and A (exposed survey grade observations, such as possible at manholes) during Task 1.

Work Element 14 Deliverables:

- Digital and hard copies of the following:
 - CAD utility reference file based on Task 1 and Task 2 findings
 - Data summary report for both sanitary sewer and storm drain installations (invert measure downs and elevations)
 - A P.E. sealed submittal report summarizing this investigation with highlights of unusual findings.
 - A final drawing providing a summary of this investigation, again with highlights of unusual findings.

Work Element 15 – Streetscape/Landscaping – Phase 1 - Broadway (DHM)

DHM will develop 90% and 100% level construction plans for Phase 1 Broadway of the Grand Avenue corridor. These drawings will include the following design elements: plaza area at Wall St / 2nd St, Broadway roundabout center, median and buffer along the road corridor, (1) primary gateway element, and (1) secondary gateway element.

Work Element 15 Deliverables

- 90% and 100% hardscape plans and details
- 90% and 100% landscape plans and details
- 90% and 100% irrigation plans
- 90% and 100% technical specifications
- 90% and 100% tabulation of quantities and opinion of probable cost (DHM will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions)
- Illustrative plan
- 3D renderings as needed of the gateways and plazas.

Work Element 16 – Public Involvement (Stolfus and Associates, Inc. and DHM)

Stolfus and DHM will prepare materials for and participate in the following meetings with stakeholders and the public:

- Stakeholder Committee Meetings (virtual) (1)
- Council meeting (in-person) (2) (Stolfus only)
- One-on-One Property Owner Meetings (in-person) (10) (Stolfus only)
 - Meetings will be held at the Town offices over the course of one day
 - Stolfus will assist in scheduling meetings with property owners
 - ROW acquisition staff to participate

Meetings include time for preparation and documentation. PowerPoint presentations will be prepared by Stolfus for the stakeholder committee meeting and council meetings.

Stolfus will provide up to 20 hours supporting the Town with updating and maintaining their public website. This support will consist of providing exhibits and public meeting documentation in a compatible format and preparing website language.

Work Element 16 Deliverables:

- PowerPoint presentations
- One-on-one meeting prep materials
- Meeting minutes (stakeholder committee and one-on-one property owner meetings)
- Website materials

Work Element 17 – Lighting – Phase 1 - Broadway (Clanton)

Design services shall include the following:

90% Design

- Incorporate comments from 60% Review, up to one (1) comment response
- Lighting design
 - Final lighting layout
 - Lighting details
 - Luminaire schedule and catalog cut sheets
- Electrical design
 - Panel schedules
 - One-line diagrams
 - Lighting Control Centers, including short circuit calculations and feeder sizing
 - Circuiting and conduit, including voltage drop calculations and conduit sizing
 - Electrical details
- Coordinate power source locations and capacity with electric utility
- Specifications
- Tabulation of Approximate Quantities
- Opinion of Probable Cost (Clanton will rely on work developed by Stanton (as part of this Task Order – see Work Element 22) to localize expected procurement conditions)
- Up to one (1) submittal (90% set)
 - Quality Control
- Attendance at 90% Review meeting in Eagle
 - Site visit with field walk

100% Design (Bid Set)

- Incorporate comments from 90% review, up to one (1) comment response
- Lighting Design
- Electrical design
- Specification revisions
- Tabulation of Approximate Quantities
- Opinion of Probable Cost
- Up to two (2) submittals (Bid Set & stamped plans)
 - Quality Control

Work Element 17 Deliverables:

- 90% lighting plans, specifications, quantities, and opinion of probable cost
- 100% lighting plans, specifications, quantities, and opinion of probable cost

Work Element 18 – Phase 1 - Broadway Utility Coordination (Stolfus)

Stolfus will provide utility coordination with known utility companies in the Phase 1 - Broadway project area. Stolfus will review the SUE information and design plans to evaluate existing utility conflicts and coordinate a plan of action with utility companies.

Work Element 18 Deliverables:

- 90% and 100% utility matrix
- 90% and 100% utility conflict plans
- 90% and 100% utility specifications
- Meeting materials and minutes for utility meetings (2 meetings) (in-person)
- Utility agreements for Phase 1 - Broadway
- Test hole plan

Work Element 19 – Strategic Corridor Utility Coordination (Stolfus)

Outside of the Phase 1 area, Stolfus will provide utility coordination with Black Hills Energy, CDOT, and Comcast to facilitate a plan of action for their underground facilities running along the north side of Grand Avenue. Stolfus will support continuing utility coordination with other known utility companies to strategize construction phase activities including effective implementation of new installations and abandonment of retired facilities. Stolfus will also coordinate with utility companies impacted by the ultimate drainage outfall location to identify a plan of action for a future construction phase. This work element will focus on identification and quantification of long-term strategies to align objectives. For example, an optimized strategy maximizes facility integrity over time (during Grand Avenue construction phases and beyond) and minimizes the need for future excavation within the Grand Avenue footprint to the extent feasible.

Work Element 19 Deliverables:

- Meeting materials and minutes for utility meetings (up to 8 meetings – 2 in person, 6 virtual)
- Test hole plan
- Outline of agreement with Town for each cooperating utility company
- Utility memo documenting approach for ultimate drainage outfall

Work Element 20 – ROW Acquisition Services (HDR)

HDR will perform the following tasks:

Participation in Public Involvement

One-on-One Meetings: Travel to and from Town. Participation in ten (10) in-person property owner one-on-one meetings.

Continued ROW and Relocation Consulting

Continued ROW and Relocation Consulting: HDR has provided some ROW and relocation consulting for the overall project. This task is for continuing ROW and relocation consulting for properties within the Phase 1 Project and the Brush Creek Project.

Title Work Updates for the Phase 1 Project

Update Title Commitments: Order title work updates for the ownerships affected by the Phase 1 Project. Title commitments need to be updated within ninety (90) days of the date ROW plans are approved by CDOT.

- Assumptions:
 - Assume title updates needed from 14 tax assessor parcels from ten 10 ownerships.
 - Assume the title company will not charge for title commitment updates.

Review of ROW Plans and Legal Descriptions for the Phase 1 Project

Review of ROW Plans and Legal Descriptions: Farnsworth, who is a consultant to Stolfus, will prepare and stamp the ROW plans and legal descriptions for the acquisition parcels needed for the Phase 1 Project. This task is for

HDR to consult with Stolfus and Farnsworth on the size, shape, location and type of parcels needed for the ROW plans and legal descriptions for such projects. This task is also for HDR to review and comment on such ROW plans and legal descriptions.

- Assumptions:
 - Farnsworth will prepare and stamp all ROW plans and legal descriptions.
 - This task assumes HDR participation in a right of way plan review meeting.

Valuation for the Phase 1 Project

Waiver Valuations: Review market sales data to determine land values to be used in waiver valuations (used to be known as value findings). Prepare waiver valuations in compliance with Town and CDOT requirements. Submit Waiver Valuations to the Town for review and approval. Waiver valuations will be the basis for the offers made to the landowners.

- Deliverables:
 - Three (3) waiver valuations.
- Assumption:
 - Three (3) waiver valuations will be needed for the Phase 1 Project. If more than three (3) waiver valuations are needed, additional fee may need to be negotiated.

Agency Appraisals: HDR will retain qualified subconsultant appraisers to deliver seven (7) eminent domain appraisals. HDR will deliver a draft of such appraisals to the Town for its review. HDR will concurrently submit the draft to CDOT for the appraisal review required by the CDOT ROW Manual. HDR will monitor the CDOT appraisal review process and encourage the appraiser and CDOT reviewer to timely complete a constructive appraisal review process so a final appraisal report and FMV are issued. HDR will obtain input from the Town and discuss with the appraiser the changes requested for draft appraisals identified by the City and CDOT. Final appraisals will be delivered after this process.

- Subconsultant (appraisal company) Deliverables:
 - Seven (7) eminent domain appraisals.
 - Seven (7) fair market value determinations (FMV) to be provided by CDOT.
- Assumptions:
 - Seven (7) appraisals will be needed for the Phase 1 Project. If more than seven (7) appraisals are needed, additional fee may need to be negotiated.
 - CDOT will review all appraisals as required by the CDOT ROW Manual. CDOT will not charge Town, Stolfus, or HDR for such appraisal reviews.

Landowner Appraisal Review: Section 38-1-121, C.R.S. requires, for acquisitions with estimated values greater than \$5K, that landowners be advised of their right to get an appraisal and have the governmental entity reimburse them for the reasonable value of the appraisal if certain conditions are met. If landowners notified of this right take advantage of it and submit appraisals to the Town, the Town will determine as to whether the landowner appraiser's fee should be paid.

- Assumptions:
 - The cost of landowner appraisals is not included in this HDR SOW and fee estimate and will be paid separately by the Town.
 - A CDOT review appraiser will be responsible for the landowner appraisal reviews.

The specific ROW Project Schedule will be developed between HDR, Stolfus and the Town after the notice to proceed. The timeframe for the project is expected to be nine months from Notice to Proceed.

Work Element 20 Deliverables:

- Fourteen (14) title commitments
- Three (3) waiver valuations
- Seven (7) eminent domain appraisals.
- Seven (7) fair market value determinations (FMV) to be provided by CDOT

Work Element 21 – Funding Support (Stolfus)

Stolfus will assist the Town with funding/grant applications. This work involves Stolfus providing support to address feedback the Town received on previous grant applications and contributing to future funding/grant application documents prepared by others. The Town will provide previous grant applications to Stolfus as relevant to facilitate the work. Stolfus’s support will focus on traffic, transportation, and environmental topics. We have assumed that no further traffic, safety, or environmental analysis is required. Stolfus will coordinate with ERO regarding environmental topics as needed.

Stolfus will also support the town by preparing supporting materials for development of additional grant applications and funding strategies. These efforts include preparation of up to 3 sets of project exhibits using previously developed analyses.

Stolfus will attend up to three virtual meetings and provide up to 20 hours of coordination with outside consultants hired by the Town.

Work Element 21 Deliverables:

- Funding/Grant Application exhibits
- Project exhibits for other opportunities (up to 3 sets)

Work Element 22 – Local Construction Pricing Evaluation and Strategy (Stanton)

Stanton will perform the following tasks:

- Review of 60% plans and comment on 60% Construction Cost Estimate Corridor Wide.
 - Deliverable - Develop memo highlighting potential adjustments to Opinion of Probable Construction Costs. Memo will also review constructability and identify risks and opportunities with the scope.
- Review of 90% plans and comment on 90% Construction Cost Estimate for Single Segment. Assess estimated unit rates for portability throughout the corridor. Develop estimated construction schedule for Phase 1.
 - Deliverable - Develop memo highlighting potential adjustments to Opinion of Probable Construction Costs.
- Market Assessment Review Deliverable - Memo identifying potential construction industry participation for the Grand Ave project.

Stolfus will provide Stanton with project background, 60% design documents, and phasing analyses for their use in evaluating the local/regional market for contracting opportunities, advantages, constraints, etc. Stolfus will also provide the overall corridor 60% OPC to the subconsultant for their review. Stolfus will incorporate recommendations from Stanton into the 60% OPC in coordination with the Town of Eagle team and carry the recommendations forward into the Phase 1 design development.

Stolfus will provide the following items to Stanton for review and input during the design development activities:

- Ultimate drainage outfall designs
- 90% Phase 1 design documents (memos, reports, plans, specifications, OPC, etc.)

Stolfus will incorporate recommendations from Stanton into final project documents as agreed with the Town.

Work Element 22 Deliverables:

- 60% Review Memo
- 90% Review Memo
- Market Assessment

Work Element 23 – Bidding Assistance (Stolfus)

Stolfus will assist the Town during the bidding process by providing responses to contractor questions, plan and tabulation revisions, additional design assessments, and bid evaluations/tabulations of bids as needed. Stolfus will attend the pre-bid meeting and site walk. For budgeting purposes, we have assumed a maximum of 40 hours are needed to complete this work.

EXCLUSIONS

Items specifically excluded or to be provided by others:

- Design services during construction
- CLOMR/LOMR
- Construction Services
- Other structural work not defined specifically in this scope
- Development or issuing of electric utility work order forms, applications, and/or meter address applications
- Temporary Lighting
- Electrical engineering for non-lighting electrical infrastructure (e.g. traffic signals, ITS equipment, electrical vehicle (EV) infrastructure, electrical receptacles, smart city and/or small cell infrastructure).
- Any development, design, or detailing of custom luminaires
- Value engineering
- Art lighting or development of light art
- NEPA document, including final environmental reports and environmental clearances
- Eagle County 1041 permit documentation
- General Conditions
- Water and sewer modeling to define size of system
- Sanitary sewer design
- Alternative specialized geophysical exploratory methods, ground penetrating radar (GPR)
- ROW acquisition negotiation and agreements for Phase 1 parcels
- Public meeting with general public
- Traffic Analysis
- Traffic Control Device Plans
- 90-100% design of segments west of 3rd Street

SCHEDULE & FEE

We are available to begin work on Task Order 3 immediately upon notice to proceed. Based on our current workload and the project requirements, the work is expected to take approximately 12 months to complete. Known factors beyond our control that may extend time of completion include right-of-way acquisition and obtaining agreements with UPRR for work involving their property. We understand that timely completion of our work is important for Eagle’s success. We will work with Eagle’s project team to adjust the project schedule in response to opportunities and challenges to achieve mutually agreeable changes, when needed.

We will complete the scope of work described above on a Time & Materials basis with a not-to-exceed fee of \$1,364,662 based on our 2026 Standard Hourly Rates. We will not charge beyond our not-to-exceed fee limit without a Task Order modification approved by Eagle in writing.

Invoices for professional services rendered and expenses incurred will be prepared monthly. Invoices will include a detailed description of meetings attended, work in progress, and tasks completed.



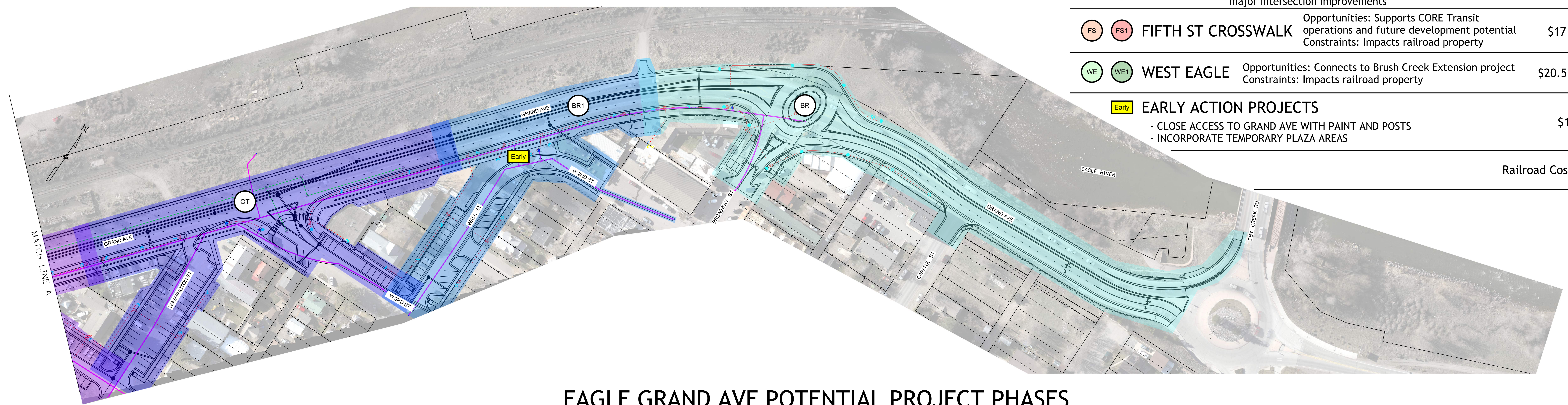
The following table outlines Task Order 3 fees organized by work element. The table identifies which team members are primarily responsible for the technical work for each work element and provides estimated effort by work element as measured by estimated hours.

Table 1. Fee Schedule.

Work Element (Primary Responsibility)	Estimated hours	Fee
WE1 – Project Admin/Mgmt/Meetings (Stolfus + All)	523	\$253,125
WE2 – Roadway & Traffic Design Phase 1 - Broadway (Stolfus)	700	\$131,020
WE3 – Early Action Project Design (Stolfus)	60	\$10,800
WE4 – Rectangular Rapid Flashing Beacon (RRFB) Design (Stolfus)	20	\$3,400
WE5 – Storm Drainage System Design Phase 1 – Broadway (RESPEC)	550	\$80,885
WE6 – Water Quality Improvements Design Phase 1 – Broadway (RESPEC)	130	\$19,375
WE7 – Water Line Replacement Phase 1 – Broadway (RESPEC)	232	\$40,010
WE8 – Ultimate Outfall Design (RESPEC)	357	\$55,190
WE9 – Geotechnical (Yeh)	119	\$27,577
WE10 – Structural Design Phase 1 – Broadway (Benesch)	826	\$133,895
WE11 – Railroad Coordination (Benesch + Stolfus)	154	\$36,178
WE12 – Environmental (ERO Resources)	37	\$7,926
WE13 – Survey & ROW (Farnsworth)	527	\$125,107
WE14 – Subsurface Utility Engineering (Farnsworth)	119	\$93,381
WE15 – Streetscape/Landscaping (DHM)	271	\$44,710
WE16 – Public Involvement Phase 1 – Broadway (Stolfus + DHM)	164	\$35,570
WE17 – Lighting Phase 1 – Broadway (Clanton)	155	\$27,740
WE18 – Phase 1 Utility Coordination (Stolfus)	164	\$31,120
WE19 – Strategic Corridor Utility Coordination (Stolfus)	218	\$40,300
WE20 – ROW Acquisition Services (HDR)	79	\$69,873
WE21 – Funding Support (Stolfus)	48	\$12,820
WE22 – Local Construction Pricing Eval. Strategy (Stanton Const. Services)	380	\$73,910
WE23 – Bidding Assistance (Stolfus)	40	\$8,250
Stolfus Other Direct Costs (project expenses at actual cost)		\$2,500
Total	5,873	\$1,364,662



		BROADWAY	Opportunities: Addresses key traffic deficiencies, ties into future Capitol St improvements Constraints: Impacts railroad property	\$15.5 million
		OLD TOWN	Opportunities: Improves local roads Constraints: Impacts railroad property, no major intersection improvements	\$18 million
		FIFTH ST CROSSWALK	Opportunities: Supports CORE Transit operations and future development potential Constraints: Impacts railroad property	\$17 million
		WEST EAGLE	Opportunities: Connects to Brush Creek Extension project Constraints: Impacts railroad property	\$20.5 million
		EARLY ACTION PROJECTS	Opportunities: Connects to Brush Creek Extension project Constraints: Impacts railroad property	\$20.5 million
<ul style="list-style-type: none"> - CLOSE ACCESS TO GRAND AVE WITH PAINT AND POSTS - INCORPORATE TEMPORARY PLAZA AREAS 				\$100,000
				Railroad Costs: TBD



EAGLE GRAND AVE POTENTIAL PROJECT PHASES



To: Mayor and Town Council
From: Melissa Daruna, Interim Town Manager
Date: April 14, 2026
Re: Town Manager Report

Administration and Organization Updates

Successes and Gratitude

Here are a few wins for the Town and kudos for excellent staff that are responding to community needs:

- **Colorado Lottery Starburst Award for Haymaker Recreation Hub!** We are honored to be one of eighteen communities receiving the 2026 Starburst Award from the Colorado Lottery. This award recognizes excellence in use of lottery funding through Great Outdoors Colorado on projects with big community impacts. The Town of Eagle, Mountain Recreation, Vail Valley Mountain Trails Alliance and EC BMX are receiving the award for the work at the Haymaker Trailhead site over the last few years. This project culminated in the new bike park, upgrades to the BMX track site, the design of the future Eagle Skate Park and, of course, the new Eagle pools. Stay tuned for more details about the awards ceremony.
- **Capitol Street Project:** The Public Works team worked with our construction contractor to pivot the asphalt removal during Easter and the week leading up to it. This ensured community members could still access St. Mary's for the holiday celebrations. Public Works and the Police Department have also been diligently working to reduce speeds and ensure safe traffic flows through the detours down Broadway and Howard streets while Capitol Street is closed. We are grateful for their responsiveness and support as we kick off this critical infrastructure project!
- **Community Development:** We are excited to have Jessica Johnsen joining us in May as the new Community Development Director. Our Community Development Department has been hard at work on a multitude of projects including plan reviews, State Resiliency Code updates, permit processing and preparing to implement Tyler Technologies later this year. In addition to the regular workload, we have also been meeting regularly to discuss community feedback and opportunities for process improvement. We are grateful to have such a dedicated team that cares deeply about our community.

Water Restrictions

We began the irrigation season on April 1st with [Stage 2 water restrictions](#). This is the same level of restriction we were in last fall. Staff are constantly monitoring the flows in the Brush Creek to determine when restrictions need to be adjusted. Staff will continue working on regular communication about the restrictions, where to find the most up-to-date information, and ways to reduce water consumption. We encourage residents to take advantage of the programs and services through [Beyond Lawn](#) that can help reduce irrigation needs and build more resilient landscaping.

Wildfire and Emergency Preparedness

Staff across multiple departments are staying in touch with our fire districts and Eagle County Emergency Management to track drought conditions, attend trainings, and prepare for the dry summer season. We are

also closely tracking and reporting any red flag warnings or additional fire restrictions. While there are currently no restrictions, we know that can change quickly. Current fire restrictions can always be found on the [ECE Website here](#).

With the renewal of the Town’s IGA with Eagle Valley Wildland, free chipping will be available again this season. Stay tuned for dates! We also encourage residents to visit the [Eagle County Wildfire Collaborative](#) page to schedule a free home assessment for the best ways to reduce wildfire risk on their property.

Strategic Planning

We have nearly completed the stakeholder engagement stage of our strategic planning process. GPS is working to compile the data and set the agenda for our retreat. The Strategic Planning Retreat dates are Monday, April 27 and Tuesday, April 28 at the Brush Creek Pavilion.

Downtown Colorado, Inc. (DCI) – In The Game Conference

Staff, Mayor Woods, Councilmember Glowacki and representatives from the DDA and EVC attending the DCI In the Game conference in Grand Junction April 1 – 3. It was an inspirational conference that sparked a lot of ideas for how to revitalize the Town’s downtown and commercial cores. We look forward to discussing how these ideas translate into priorities and action through the strategic plan.

Legislative Updates

WUI Code Adoption - HB26-1334 – Modify Standards of Wildfire Resiliency Code Board was postponed indefinitely in committee on April 7.

Special Projects

Town Park Bathrooms

Demolition from the fire damage is complete. Public Works is finalizing the replacement materials with the contractor and hopes to have the bathrooms reopened by the busy event season. Public Works and Events staff are also working on contingency plans for additional portable toilets at the park if needed.

Grand Ave. Grill Demolition

Public Works staff have been working to rehome the usable restaurant equipment to reduce landfill waste and demolition costs. They are also working on demolition scope and quotes.

Nogal Park Renovation

The redesign of Nogal Park was completed last year. In 2026, Council approved funding to begin the upgrades. Phase 1 includes updates to the irrigation system, which have been completed by the developers of the Eagle Villas. Staff are working with the landscape architects to finalize construction drawings and pricing for the next steps, which include renovating the soccer field. Staff have already removed the broken soccer goals and are ordering new ones.

Active Land Use Applications - [Active Land Use Applications | Town of Eagle, CO - Official Website](#)

WORK SESSIONS

To help the Town Council stay informed about upcoming work sessions, the following table outlines topics to be discussed over the next several months. Preparing in advance is helpful, as it allows for effective planning and execution of a work session. Staff will maintain this table in the report and make any

necessary adjustments. The topics are subject to change:

WORK SESSIONS in 2026:

Date	Topic
<i>January 6</i>	<i>WUI Code Updates</i>
<i>February 3, 2026</i>	<i>Town of Eagle Organization & Operations</i>
<i>March 3, 2026</i>	<i>Advisory Committees</i>
<i>April 7, 2026 (Joint with P&Z)</i>	<i>Development Review Process</i>
May 5, 2026	Long-Range Planning Priorities
June 2, 2026	TBD
July 7, 2026	TBD
August 4, 2026	TBD
September 1, 2026	TBD
September 15, 2026 (3:30 – 5:30 p.m.)	2027 Budget
September 29, 2026 (3:30 – 5:30 p.m.)	2027 Budget
October 6, 2026	TBD
November 3, 2026	TBD
December 1, 2026	TBD



To: Mayor and Town Council
From: Melissa Daruna, Interim Town Manager, and Department Leads
Date: April 14, 2026
Re: Department Updates for March 2026

March 2026

ASSISTANT TOWN MANAGER

STAFF AND DEPARTMENT SUPPORT:

March continued to focus on support for direct reports in the department. Much of the great work and project updates are outlined below. The staff have been gracious and patient while I continue to transition oversight and support between the Assistant Town Manager departments and all others under the Town Manager. I am incredibly proud and happy for all that these departments have accomplished already in Q1 2026! This impactful work includes (but is not limited to): the successful implementation of the Business Advancement Program, revisions to our employee housing guidelines to better meet our staff's needs, kick-off for the building electrification project, planning for Town's Eagle Chamber Mixer in April, prepping for the busy event season which will include some exciting new opportunities, increased community engagement and outreach via our excellent communications, switching our Broadband billing in-house so customers will receive bills with their other utilities, and coordinating the contracting for Tyler Technologies onboarding in the coming months.

ECONOMIC DEVELOPMENT

March 2026

Business Advancement Program (BAP)

The Economic Vitality Committee (EVC) hosted two days of interviews and deliberations on March 10 and 11. All qualified BAP applicants were allotted a 15-minute block to present their funding request and answer questions from the committee. Serving as the reviewing panel, the EVC prepared their collective funding recommendations which staff presented to the Town Council for review and award authorization on March 28. Since that approval, staff have contacted all grantees with an Award Letter and Notice to Proceed. Businesses who were not selected for award have also been notified. In the coming weeks, staff will publish a news release to (more publicly) announce the winners and finalize funding agreements.

Movers & Shakers – March 2, Marketing and Events Advisory Committee (MEAC)

Staff and members from the Downtown Development Authority (DDA) and EVC participated in the MEAC-led workshop. The meeting was focused on strengthening communication and alignment across advisory committees and ensuring a more coordinated approach to community initiatives/events, sharing resources and ideas, and driving economic opportunities. Participants expressed interest in a quarterly Movers & Shakers gathering.

Intro to Advisory Committees – March 3 Town Council Work Session

Various departments coordinated a work session with the Town’s advisory committees to provide the Council with a clear, consolidated overview of each group’s role, structure, and function. The intent was to reinforce how these bodies support Council strategies through professional expertise and community perspective. Together, the DDA and the EVC work in tandem to advance Eagle’s economic vitality and support both local businesses and the development community. The work session also provided an opportunity for advisory committees to share and elevate action-oriented priorities for the Council’s consideration ahead of the upcoming Strategic Plan retreat.

Property Tax Increment Financing (TIF) 101

Staff coordinated a TIF 101 presentation led by Mike Kerrigan from the Colorado Department of Local Affairs (DOLA), with support from the Eagle County Assessor’s Office. The intent was to build a shared understanding of how TIF functions and is administered locally. As the DDA’s primary, voter-approved funding tool, it’s critical that both the DDA and Town Council understand how base and increment values are calculated and how redevelopment activity translates into revenue over a DDA’s lifecycle. The DDA invited the Eagle County Assessor’s Office to attend its monthly meetings to maintain open communication around district changes, including inclusions and redevelopment activities. Catch up on your TIF 101 by viewing the [slide deck](#) or [session recording](#).

Wayfinding Study and Implementation Plan

Work has continued over the past several months, focusing on finalizing the sign family design, materials, and developing both the location and phasing plan. Staff and the consultant have also advanced high-level cost estimates for design/engineering, fabrication, and installation. While the timeline has extended slightly from the original schedule, the project remains on track to meet the Colorado Tourism Office grant deadline of April 30. The additional time reflects the level of coordination and refinement needed to ensure the plan is clear, cohesive, and ready for implementation. Staff anticipates bringing the final plan to the Council on April 28.

HOUSING

March 2026

Local Planning Capacity New Incentive Grant - \$50,000

Staff are no longer pursuing the previously recommended effort tied to SB24-174 Comprehensive Plan updates (Strategic Growth and Water Supply Elements). Through scoping and technical assistance from DOLA, it became clear that the required updates represent a much more significant and resource-intensive effort than originally anticipated. Given current workloads and competing priorities, staff are not positioned to complete this work by the State’s December 31 deadline. As a result, the Town will be considered out of compliance in this category, which may reduce competitiveness for certain State funding opportunities until compliance is achieved, or a good-faith effort is demonstrated ([see Memorandum reference](#)). This designation does not impact the Town’s eligibility for Proposition 123 funding.

Staff are evaluating alternative, more immediate uses of the funds that better align with current operational needs, including:

1. Temporary intern or professional services support for file scanning and data migration to advance implementation of Tyler Technologies, benefiting both Community Development and Housing, and/or
2. Professional services to assist Planning with targeted land use and development code text updates.

Employee Housing Program Guidelines Administrative Update

The Council approved a series of updates within the Employee Housing guidelines to reflect lessons learned during the program's first year and to improve overall clarity and administration. Updates reinforce the program's role as transitional housing, introduce a more equitable rent structure tied to Area Median Income (AMI), clarify taxable benefit implications, and refine occupancy, tenant selection, and lease terms. These changes do not expand the program but better align it with the Town's current inventory, resources, and operational needs.

Local Employee Residency Program (LERP) IGA with The Valley Home Store

Staff has provided a redlined version of the current IGA Scope of Services to The Valley Home Store (TVHS) and is continuing to work collaboratively with their team on execution. 2026 represents the final year the existing agreement may be renewed before a new IGA and updated scope is required.

Consistent with prior Town Council direction, staff are advancing a phased transition of LERP administration in-house and are using the current agreement to support that work. This effort will be coordinated with the implementation of Tyler Technologies. The specific tasks we are requesting TVHS assistance with include a focus on data transfer, process documentation, and knowledge sharing to position the Town for long-term program management.

Regional Housing Solutions

- *Exploring a Multi-Jurisdictional Housing Authority.*
 - On March 10, Government Performance Solutions (GPS) led a discussion with the Council to evaluate the potential formation of a Regional Housing Authority (RHA) in the Eagle River Valley. The effort, co-led by Eagle County and the Town of Avon, is intended to serve as a regional "temperature check" on interest, potential structure, and level of participation among local jurisdictions. GPS's research outlines a range of possible models and funding approaches adopted by other Colorado RHAs. Staff will continue to engage in discussions and provide updates as information becomes available.
- *Finding Our Way Home. A housing collaborative led by Habitat for Humanity Vail Valley.*
 - At the most recent Community Network meeting, approximately 95 participants came together to evaluate current housing conditions, catalog prevailing local challenges, and begin drafting action-oriented solutions. The effort is now moving into Action Teams this spring, where participants will further refine and prioritize strategies related to housing affordability, funding, and community knowledge. Staff will continue to engage in this work and monitor outcomes as potential regional partnerships and implementation opportunities emerge.
 - Want a recap of the March 26 event? Tune into this [5-minute video](#) or dive into the [20 engagement indicators](#) and [Draft Action Items / Project Ideas](#).

SUSTAINABILITY

March 2026

- **Building Electrification Project** – The construction kickoff occurred on April 1st. Final equipment selections are underway for the Town Hall heat pumps. Weatherization/building envelope improvements are expected to occur at all included facilities (Town Hall, Public Works, Info Center, Brush Creek Pavilion, Brush Creek Studio, & Upper Basin Water Treatment Plant) between April and June. We anticipate the most significant impacts to staff to occur during the heat pump installations tentatively scheduled for June.
- **Exterior Energy Offset Program (EEOP) Training** – Lotus Engineering & Sustainability hosted a training for Community Development & Sustainability staff on the EEOP program. This included resources created for both staff and external entities, working through the EEOP calculator, and discussing how we can create a smoother process for projects subject to the program.
- **[Recycling Reimbursements via Extended Producer Responsibility Law](#)** – Staff has been working on our Local Government Application for recycling reimbursement. The statewide extended producer responsibility law enables service providers including local governments, Tribes, for profit and nonprofit recycling collectors,

material recovery facilities and transfer stations to be reimbursed for 100% of the net costs of the eligible recycling services they provide to Colorado residents. Sustainability staff is ensuring we can participate in this program to offer recycling at no cost to residents, lowering overall waste rates. More updates will be shared with council after feedback on our application is received.

- **Sustainability Grant Funding - \$34,000** is currently available to Eagle organizations, businesses, and individuals for projects that support our net zero by 2030 goals. [Applicants can apply with this link.](#)
 - The SAC will be scoring grant applications during their May 13th meeting.
 - Applicants are encouraged to reach out to Kira at kira.koppel@townofeagle.org for guidance.
- **Coming Soon: Regulatory Ingenuity Local Advisory Council** - ICLEI USA, in partnership with the Federation of American Scientists (FAS), is seeking local and regional elected officials and government staff to serve on a national advisory council supporting policy development and implementation. If you are interested in this opportunity, [subscribe to their newsletter](#) for details in the coming weeks.

SPECIAL EVENTS

March 2026

- Town liaison for February events: ASCL National Championship
- Special Event Permit Applications received: Bighorn Gravel, Children’s Business Fair, Boneyard Boogie, Library Foam Party, School’s Out Block Party, Cars & Coffee, Eagle Ranch Classic, Eagle Enduro, BCES Biathlon, ERPC Movie Night/Fundraiser
- MEAC Chair, Danita Dempsey, terms in May and will not be returning. “I want to express my sincere gratitude for your unwavering dedication and the hard work you put in every day for the Town of Eagle, its citizens, and the business community. Your commitment truly makes a difference. Reflecting on the past six years, I am filled with appreciation for the experiences we’ve shared and the progress we’ve made together. I have no doubt that you and the committee will keep raising the bar and will continue to achieve great things for Eagle”.
- Discussion with Adrian Brown and Alex Smiley regarding events that request use of Abram’s Gulch and Lov Connection trails. According to the Deed of Conservation Easement, events need to be evaluated by all funding partners to include EVLT, Eagle County, and the Eagle Ranch Wildlife Committee.
- Collaboration with DDA and Becky Burgess on beautification concepts for Broadway, specifically during the Capitol Street improvement project.
- Jackson Higgins owner of Vail Ski Shop/American Ski Exchange will rent river tubes at the Eagle River Park this summer; starting in June and will be there 7 days a week, 11am-5pm, based on demand.
- The Marketing & Events Department IG account @eagleoutside has over 4,480 followers and 18k views in the last 30 days.
- Join us for the Eagle Chamber After Hours Mixer on Thursday, April 16, 5:30-7:30 p.m. at the Brush Creek Pavilion. The Town is co-hosting a fun networking event in partnership with Mountain Rec and Jessie Steinmetz from Edward Jones.

COMMUNICATIONS

March 2026

Facebook:

- Facebook Analytics:
 - Total Followers: 4,790
 - March Views (Number of times our content was played or displayed): 162,217
 - Highest Engagement:
 - Capitol Street Construction – 21,279 views
 - Stage 2 Water Restrictions in Effect April 1 – 20,233 views
 - Construction of Eagle Bridge Historic Photo – 14,177 views
- 46 Facebook posts in English and Spanish

HWY 6 Digital Sign: Creation of Graphics + Scheduling for 17 Messages

News Flash Updates: Capitol Street Improvement Project, Capitol Street Improvements Underway, Wildfire Resiliency Code Updates, Stage 2 Water Restrictions in Effect April 1, Hydrant Flushing, \$34,000 Available for Community Sustainability Projects

INNOVATION TECHNOLOGY

March 2026

Broadband update:

- In process of migrating to new (local) network operations team
- Billing is now integrated with Town's utility billing system.
- 41 business/government subscribers, 130 residential subscribers, 7 new signups in February
- Broadband revenue generated last month: \$12,224.23

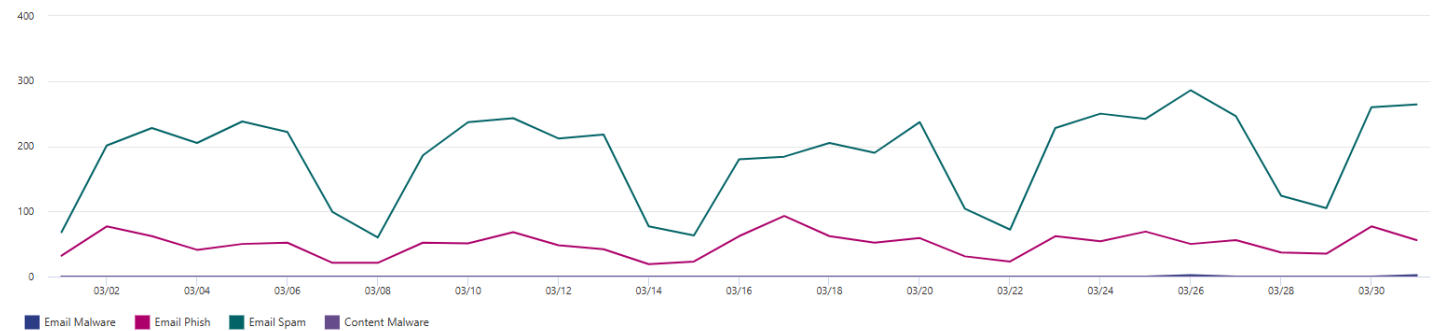
Technical Operations:

Email threat protection report:

Threat protection status

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

Filters: Date (UTC): 3/1/2026-3/31/2026 Detection: Email Malware +3 X Protected by: MDO +1 X Tag: All X Direction: All X Domain: All X Policy Type: All X



FINANCE DEPARTMENT

March 2026

Administration / Financial

- **Paycom**
 - Staff has completed the final upload and validation of 2026 benefit deductions, and we are now in a maintenance state for benefits.
- **2026 / 2027 Budget**
 - 2026 Supplemental Budget submissions are being reviewed by Rachel and Melissa and will be presented to Town Council in May.
 - YTD Tobacco Tax received is down 48% from YTD 2025 (\$122K to \$64K), with almost every vendor experiencing significant decreases in revenue. We will continue to monitor the effect of the flavored

tobacco ban in the coming months. As a reminder, we budgeted for a **50%** decrease in Tobacco Tax in 2026 from the 2025 monthly average amount.

- **2025 Audit**
 - Staff submitted initial documentation for the 2025 audit on time by March 31st, and we are prepared to begin the audit as soon as our external audit team at Hood, P.C. is available.

- **Pool Financing**
 - Certificate of Participation (COP) funds for the pool project are being held in a separate Town of Eagle account specifically for the pool financing. We have completed fifteen total project expense draws, totaling \$8,824,351. Including interest earned on the account, the current remaining debt proceeds held by COLOTRUST are **\$233,277**.
 - We are continuing to work with Mountain Rec and DPM on a final project reconciliation. We anticipate some savings that can be applied toward additional pool project expenditures or debt repayment.

- **Debt Service**
 - No payments made.

- **Internal Water Fund Loan to Broadband**
 - No transfers have occurred to date.

- **Short Term Rentals (STRs)**
 - STR Active Permits: 24
 - STR New Permits from Prior Period: 1
 - STR Closed Permits since Prior Period: 1
 - STR Permits in Process: 0
 - Revenue Collection:
 - ♣ Feb 2026: \$2,340 with 3 returns missing (*compared to 2025: \$4,107, (43%) decrease YOY*)
 - ♣ YTD 2026: \$4,930 with 5 returns missing (*compared to 2025: \$6,965, (29%) decrease YOY*)

- **Training Attended**
 - CGFOA Finance Directors Coffee Chat (Rachel)
 - CGFOA Audit Training (Rachel)
 - Congressional Directed Spending Grant Training (Rachel)
 - CGFOA Budget Training (Rachel)
 - DDA TIF Training (Rachel & Jill)
 - CGFOA Difficult Conversations Training (Rachel)

- **Broadband Billing**
 - We successfully transitioned all broadband billing into Caselle for the end of March bill, and going forward, we will discontinue processing bills through Aspen Wireless. This is a huge win for our customers in terms of accessibility and service and will be more cost effective for the Town as we remove the processing fees that Aspen Wireless charged us to manage our billing.

- **Other Activities**
 - Staff met with Government Performance Solutions to provide feedback as part of the strategic plan development process.

Accounts Payable

We are continuing to contract with Robert Half to provide temporary part-time support for Accounts Payable through Freida Robinson.

Accounts Payable: Invoices Paid								
Month	2021	2022	2023	2024	2025	2026	Variance from PY	
January	230	249	285	280	307	297	(10)	-3%
February	217	254	212	278	306	371	65	21%
March	247	243	264	390	293	365	72	25%
Total YTD	694	746	761	948	906	1,033	127	14%

Utilities

- Property Transfers: 4 (YTD: 14)
- New Accounts Set Up: 5 (YTD: 9)
- Utility Red Tags: 12 (YTD: 54, 2026 Monthly Average: 18)
- Water Shut Offs: 1 (YTD: 6, 2026 Monthly Average: 2)
- **Water Usage and Budget vs. Actual**
Water usage is down (12%) compared to the prior five-year average for March. YTD 2026 is down (9%) compared to the prior five-year average for the same period. Stage 2 water restrictions have been implemented as of April, which will impact 2026 usage.

Revenue from water sales currently stands at 16.42% of the annual budget for in-town sales (versus 16.66% at prior YTD) and 19.51% of the annual budget for out-of-town sales (versus 19.02% at prior YTD). Although water rates have increased by 3% in 2026, the Town based the 2026 budget on actual revenue received in 2025, due to sales being dependent on usage.

Water Usage (In Thousands)									
Month	2021	2022	2023	2024	2025	Prior 5 YR Avg.	2026	Change over Average	
January	16,564	16,602	15,660	15,813	17,900	16,508	15,178	(1,330)	-8%
February	15,538	14,503	18,016	16,630	15,400	16,017	14,721	(1,296)	-8%
March	16,099	16,436	13,615	14,814	14,403	15,073	13,280	(1,793)	-12%
Total YTD	48,201	47,541	47,291	47,257	47,703	47,599	43,179	(4,420)	-9%

Town Council Department Budget to Actual

TOWN OF EAGLE EXPENDITURES WITH COMPARISON TO BUDGET FOR THE 3 MONTHS ENDING MARCH 31, 2026					
GENERAL FUND					
	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOWN COUNCIL					
10-49-110 SALARIES & WAGES	4,500.00	13,400.00	54,000.00	40,600.00	24.8
10-49-142 WORKERS COMPENSATION	.00	38.74	43.00	4.26	90.1
10-49-143 HEALTH & INSURANCE BENEFITS	.00	.00	189.00	189.00	.0
10-49-144 FICA - EMPLOYER'S	344.25	1,025.10	4,131.00	3,105.90	24.8
10-49-210 OFFICE SUPPLIES	.00	20.00	.00	(20.00)	.0
10-49-225 UNIFORMS	176.00	176.00	500.00	324.00	35.2
10-49-320 LEGAL NOTICES	.00	.00	500.00	500.00	.0
10-49-347 PROFESSIONAL SERVICES	.00	.00	21,000.00	21,000.00	.0
10-49-371 TRAVEL EXPENSE	.00	.00	5,250.00	5,250.00	.0
10-49-372 MEETING EXPENSE	.00	238.80	7,500.00	7,261.20	3.2
10-49-380 TUITION & BOOKS	495.00	495.00	4,000.00	3,505.00	12.4
10-49-450 SPECIAL COUNCIL FUNDING	.00	.00	5,000.00	5,000.00	.0
10-49-510 INSURANCE	.00	280.70	228.00	(32.70)	114.3
10-49-915 COMMUNITY REQUESTS	742.00	11,875.00	25,000.00	13,125.00	47.5
TOTAL TOWN COUNCIL	6,257.25	27,529.34	127,341.00	99,811.66	21.6

HUMAN RESOURCES

March 2026

HRIS Implementation: focused set up of recruitment and onboarding functions

Recruitment Update for 2026 YTD– 15 vacancies total for 2026, 10 Filled, 4 in progress, 1 pending

- Filled – 10 😊
 - Buildings & Grounds Tech – replace Jesus Esparza, Riggan started 1/26/26
 - Streets Maintenance/Equip. Op., replace Vasquez, Moen starts 3/16/26
 - Streets Maintenance/Equip. Op., replace Abell, Swartzmiller started 3/23/26
 - Council appointment Atkins hired 02.06.26
 - Community Development Director, Johnsen, J, May 11 start date anticipated
 - Open Space & Trails Technician, offer pending background, start 04/13/26
 - Planning & Zoning Commissioner (1), start date 04.07.26
 - Planning & Zoning Commissioner (2), start date 04.07.26
 - Yard Waste-Refuse Seasonal, rehire Kirby starts 4.10.26
 - Seasonal Building & Grounds Maintenance, rehire Esparza, J starts 04.07.26
- In Progress - 4
 - Water/WW Operator, replace deJourno, reviewing applications
 - Building Official – screening & re-advertising
 - Seasonal Building & Grounds Maintenance, advertising, screening applications
 - Seasonal Building & Grounds Maintenance, advertising, reviewing applications
- Position(s) Pending - 1 on hold: Project Engineer – on hold per department

Safety & Risk Management

- 5 Work Comp claims open
- 5 CIRSA GL-Property Damage Claims open

COMMUNITY DEVELOPMENT

March 2026

Planning

Approved Applications:

481 Whiting Road – Variance (3/17 P&Z) and Minor Subdivision (Administrative)
Red Mountain Ranch, Parcel 1 – Major Development Permit and Preliminary Plat (3/17 P&Z, 3/24 TC)

Denied Applications:

446 Broadway – Variance (3/17 P&Z; TC Call Up 4/14)

Continued Applications:

P&Z Recommendation:

Chapter 4.11 Amendments – WUI Landscaping and Turf continued on 3/17 P&Z - recommendation for approval (P&Z 4/7).

LAND USE APPLICATIONS IN PROGRESS

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

Haymeadow RMF-4A/5 Major Development Permit

- Advertised for April 21 Planning Commission

446 Broadway

- Minor Development Permit in review, comments due 4/24; variance request called up and advertised for April 14 Town Council

1215 Chambers Avenue

- Advertised for April 21 Planning Commission

New Electric, 629 Sawatch Road – Minor Development Permit

- Anticipating resubmittal by early May; employee dwelling unit redesign needed, was over maximum square footage

301 Broadway – Minor Development Permit

- Applicant submitted new Lot Line Adjustment application with resubmittal materials

Bluffs PUD Amendment

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

332 Grand Avenue – Major Development Permit

- Referral comments due on April 28

291 Eby Creek Road – Minor Development Permit

- Anticipating May 5 Planning Commission; awaiting resubmittal (as of April 8)

Capitol Flats – Preliminary Plat, Rezoning, and Right-of-Way Vacation

- Application materials have been submitted and project deemed complete 2.24; applications out for referral with comments due 4.23. It is anticipated that the right-of-way vacation will be moved through public hearing first.

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

- Currently reviewing 3 Sign Permits, 0 Encroachment Permit, and 1 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 renewal has been approved and issued this year.

NOTABLE UPDATES

- Software: Staff have selected a new software system, Tyler Technologies, and the vendor's contract is approved. Staff are currently attending a conference for Tyler Tech. Project kickoff is anticipated to be at the end of April/beginning of May.
- 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.
- A Community Development Director, Jessica Johnsen, has been hired, with the tentative start date being May 11.
- WUI Building Code amendments will be going to Town Council for the first ordinance reading on April 14th and for the second ordinance reading and anticipated adoption on April 28th.

Addressing Fee Request

Staff would like to waive the addressing fee for 85 Chambers Avenue.

As the process stands today, if a property owner wants to change their address they submit an application form and a \$25 fee to the Planning Department. The big picture goal of the addressing process is to ensure properties in Eagle are appropriately addressed for first responders to be able to find them efficiently. Throughout the Town, there are several properties that have multiple addresses or that may have identical addresses to their neighbors. There is not capacity for staff to go through the entirety of Town to monitor each individual property. However, as properties come in for building permits or redevelopment, when staff sees addresses that are problematic we would love to be able to fix them to reduce this issue in the future.

Today the gas station at 85 Chambers has the same address as the multi-family residential complex behind it. This is problematic for first responders being able to access the correct property in a timely fashion. Staff would like to have the gas station change their address to rectify this issue, and because it is being initiated by Town staff for life safety concerns, staff would like to waive this \$25 fee.

UPCOMING ANTICIPATED APPLICATIONS

- 894 Chambers – Minor Development Permit
- Capitol Theater – unknown type
- Haymeadow Final Plat – RMF-4/5
- Haymeadow Lot Line Adjustments – Filing 2 duplexes
- Haymeadow Townhome Plat – RMF-2A
- 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.
- Western Matters Rural Summit
- Rocky Mountain Leadership Program
- GIS Training
- APA Colorado Conference

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Hockett Gulch Phase II	16186 Hwy 6	Building permits issued for all buildings – one hot tub permit under review for new clubhouse
Haymeadow	91 Mountain Hope Circle	Building permit issued for 6 single family – 1 Single family in review – 1 SF fees waiting – 3 Townhouses w/ 1 postponed till spring and 2 permits issued

Habitat for Humanity	3 rd Street	TCOs complete – looking for CO’s
Eagle County BMX	1700 Bull Pasture Rd	Permits expired?
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	148
Permits Processed	334	425	20

P&Z and Council Meeting Schedule

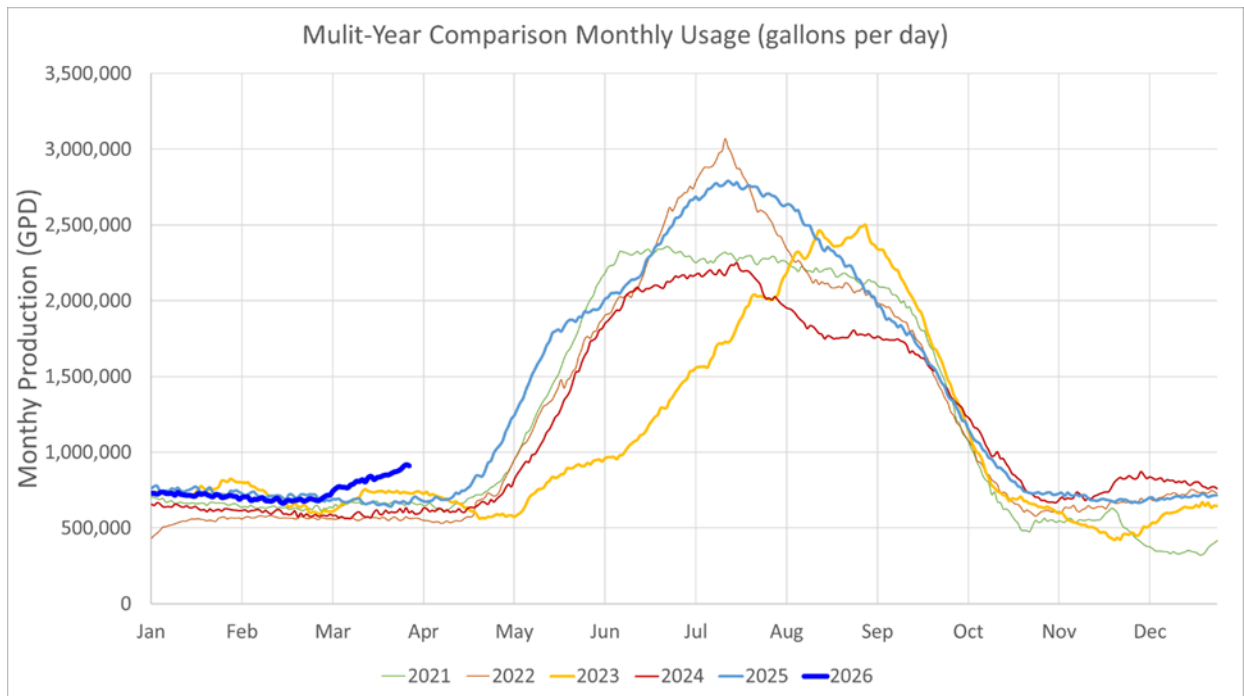
April 2026
April 14 th (Town Council) <ul style="list-style-type: none"> • LUDC26-02 WUI / Turf Amendments • Resolution – WUI Map • Ordinance Reading 1– WUI Code – Building Code Hearing; discussion on proposed Chapter 4.11 • V26-01 446 Broadway Variance Call Up
April 21 st (Planning Commission) <ul style="list-style-type: none"> • DR25-08 Haymeadow RMF-4/5 • DR25-04 1215 Chambers
April 28 th (Town Council) <ul style="list-style-type: none"> • Ordinance Reading 2 – WUI Code – Building Code Hearing; • LUDC26-02 WUI / Turf Amendments • Resolution – WUI Map
May 2026
May 5 th (Work Session) <ul style="list-style-type: none"> • Long Range Planning Priorities
May 5 th (Planning Commission) <ul style="list-style-type: none"> • DR25-10 McDonald’s (Tentative)
May 12 th (Town Council) <ul style="list-style-type: none"> • DR25-04 Haymeadow RMF 4/5

PUBLIC WORKS

March 2026

Water (Stephan Wilson, Utilities Manager)

- Potable Water Production: Through March water production has increased from 0.65 million gallons per day (MGD) to 0.91 MGD. During most years the Town sees the biggest production increases beginning in May when sprinkler systems start-ups occur. During the winter, staff typically rely predominantly on the Town’s upper plant that allows for water to be fed by gravity into Town.



- **Supplemental Budget:**

- o **Water Meter and Meter Related Items.**

For 2026, the entirety of the water meter and water meter related items has already been spent, and supplemental appropriations are needed to be able to supply new water meters and replace failing water meters. The following supplemental budget request is anticipated:

Water Meters = \$55,000

Water Meter Related Items = \$40,000

In 2025 the total amount of water meters for new development and replacements cost \$96,388.70 and meter related items was \$34,594.56

For 2026 \$60,000 was budgeted for water meter purchases, and \$5,000 was budgeted for meter related items.

The total amount needed to support estimated development and repairs/replacements are:

Water Meters - \$112,000

Meter Related Items - \$42,000

- o **Repair and Maintenance Services**

For 2026, the entirety of the Repair and Maintenance Services allotment has been spent with \$150,000 spent to date of the \$60,000 budget. For 2025, the total spent on Repair and Maintenance Services was \$115,169.08. For 2026, the total budget was \$60,000. To repair an unusually high number of water leaks at the beginning of the year.

In the supplemental budget process, an additional \$100,000 will likely be asked to put towards more proactive preventative maintenance and offset the leak repairs.

- **Lower Eby Creek Booster Pump Station Replacement:** The Lower Eby Creek Booster Pump Station had a soft start-up the week of 03/23. The pump station can now be run in Hand (manually). Work is currently being done to trouble shoot minor pump issues identified. Supervisory Control and Data Acquisition (SCADA) work in progress to integrate the new BPS into the Town's system. Additional yard piping and work within the roadway will need to occur in Q2 of 2026. The location of the old 14" ductile iron pipe (DIP) was potholed and located in Eby Creek Rd on 03/24. Being able to finally locate and verify the depth of the existing pipe resolved a major hurdle to completing the project work. The tracking and locating water infrastructure in the Eby Creek

subdivision has historically been very difficult for staff.



- Cemetery Tank: The new Cemetery Tank was disinfected and started filling on 03/16. The tank passed Bac-T tests and its leak test that week and is now in service. Work is currently being done on the project punch list.



- Brush Creek Transmission Main Replacement: The new transmission main was tested, flushed, and disinfected the week of 03/16. The switch from the old main to the new main occurred on 03/31. Maintaining uninterrupted water service required the work to be completed in one day.



- **Leak Repair:** In March of 2026, water staff responded to several leaks off of Mosher Ln and the old transmission main. The additional Mosher Ln main break was likely caused by unsuitable soil being used for backfilling around the pipe in the trench. The leak occurred where the pipe had settled considerably around an old repair.



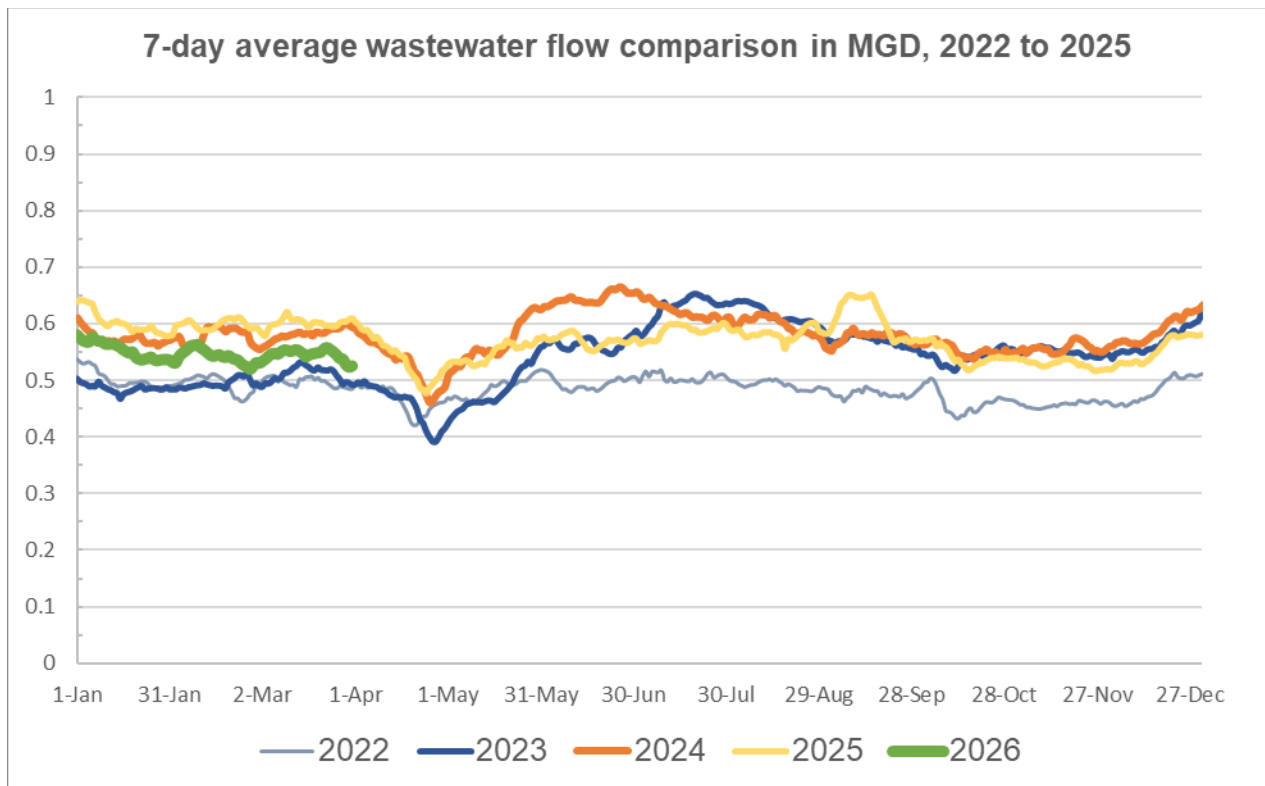
- **Hydrant Flushing and Maintenance:** Hydrant flushing began the week of 03/16. Currently only part of Eagle Ranch and Frost Creek remain to be flushed.



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

Wastewater (Stephan Wilson, Utilities Manager)

- **Flows & Loads:** Weekly wastewater flows have trended at 0.52 MGD for March. These flows are consistent with 2022 and 2023, and are ever so slightly lower than the same winter period for the previous 2-years. The plant is currently running at 30% of the design capacity of 1.65 MGD. The decrease in loading points to a slightly smaller winter occupancy rate in Eagle for 2026.



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

Engineering (Ryan Johnson, Town Engineer)

March 2026

General Updates:

- Staffing: An Engineer I/II Project Engineer position remains vacant at this time.
- Development review
 - Large Projects include:
 - Red Mtn Ranch Parcel 1
 - Haymeadow RMF 4 & 5
 - 446 Broadway
 - Capitol Flats
 - 301 Broadway
 - 629 Sawatch
- Public Works has developed an initial GIS system for the publicly owned utility systems.

Right of Way Permitting Summary :

- Active ROW Permits: 0

Public Improvements Developer Projects

- 263 Sawatch
 - Water main extension
- Haymeadow
 - Ouzel Lane Waterline.
 - SLR Extension and Sewer
 - Filing 2 Public Improvements
 - Haymeadow Booster pump Station
 - Haymeadow drive extension
- Reserve at Hocket Gulch Phase 1B and 2
 - Water and sewer installation

Pavement Management

- 2026 Resurfacing Project- Under development

Capital Improvement Projects

- Grand Avenue Corridor: BUILD Grant submittal was completed with the assistance of KLJ
- Capitol Street: Construction started on Capitol Street. See the town website for updates.
- Sylvan Lake Road: Progress is being made on the grant reimbursement and closeout documents

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

March 2026

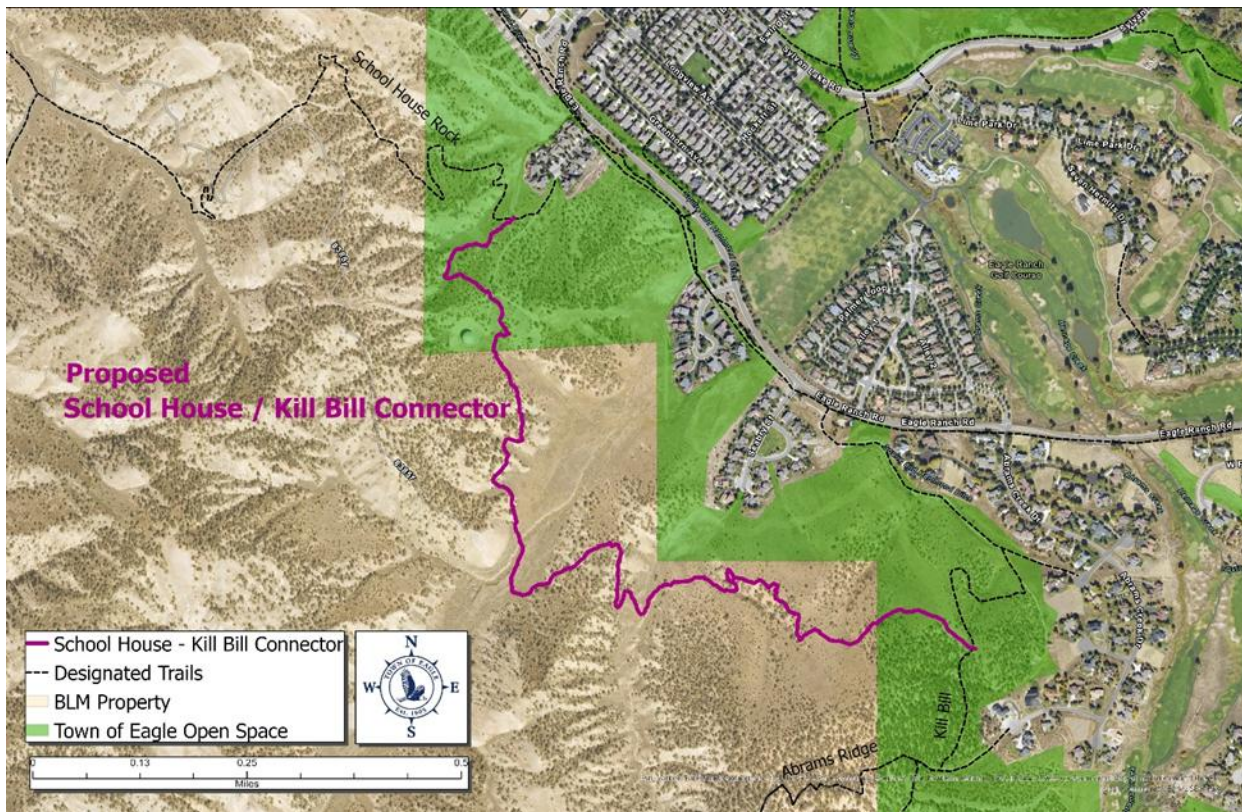
OSRAC Update

During the April 7th OSRAC meeting:

The committee focused primarily on the proposed School House Rock / Kill Bill (SH/KB) Connector Trail. Staff presented an overview of the concept, its relationship to the Open Space & Trails Master Plan, and its connection to the broader trail proposal currently being advanced through the Bureau of Land Management (BLM) process. This is the only proposed section of trail on Town property that would require Council's approval to be constructed.

Key concerns raised included potential impacts to elk habitat and migration corridors, trail density in a sensitive area, and the likelihood of continued social trail use and enforcement challenges. At the same time, members also noted potential benefits, including improved trail connectivity, formalizing existing social trail use, and better overall management of the area through a designated route.

Staff recommend that next steps include a site visit with the committee to better understand on-the-ground conditions prior to bringing forward an official recommendation, followed by a discussion of the full trail proposal in preparation for the BLM's NEPA process for the broader trail system.



Staffing

I'm excited to share that we've offered the Open Space and Trails Technician position to **Garrett Greiner**, with a start date of April 13. Garrett brings a solid background in trail maintenance from across Colorado, along with experience in open space stewardship. He also has a degree in environmental conservation and management and holds a GIS certificate.

We're looking forward to having him on board and the additional capacity he'll bring to the team as we head into the busy season.

Project Updates

Dog Off-Leash Area Fence Construction

Construction of the new fence at the Dog Off-Leash Area is scheduled to begin the week of April 13. The work will be performed by Strategic Fence. This project will enclose approximately 3.5 acres and is intended to better protect adjacent wildlife habitat and natural resources, while maintaining a designated space for off-leash use.

FENCE INSTALLATION



INSTALACIÓN DE CERCAS

Restoration Work

AloTerra Restoration Services will be returning to complete contracted restoration work initiated last fall. Beginning the week of April 13, crews will install approximately 100 cottonwood trees along Brush Creek to increase woody riparian structure, provide stream shading for temperature regulation, and enhance overall habitat conditions. To support this effort, staff will host a volunteer planting event on April 25, in partnership with the Eagle River Coalition, focused on installing additional willow plantings within the corridor. As part of this event, the Town will also recognize its Tree City USA designation with a formal Arbor Day proclamation.

For more information or to sign up to volunteer visit: <https://eagleriverco.org/event/2026-eagle-arbor-day-planting/>

Volunteer Program Launch

Staff are excited to launch a new volunteer initiative, the **Dedicated Individuals for Restoration and Trails (D.I.R.T.) Crew**, in partnership with Vail Valley Mountain Trails Alliance. This program is designed to build a consistent, community-driven volunteer base focused on hands-on trail maintenance and restoration work. Beginning May 18, projects will be held every other Monday evening (5–8 PM) at locations throughout the Open Space system. Project details will be announced as the program rolls out, with opportunities for the public to engage directly in stewardship of Town resources!

To sign up to volunteer or to keep up to date on up-coming projects visit the landing page for these events at: <https://vhub.at/toe>

Brush Creek Rec Path Improvements

The Eagle Ranch Association has contracted a trail crew to improve the Crusher-Fine Trail between Ouzel Lane and the Wall Trailhead. This work will widen and re-surface the trail and address some of the weeds that have become an issue in the area. Work will start the week of April 13th and take an estimated 2 weeks.

Contract Services

The Town has executed several contracts in March to support ongoing operations and maintenance across the Open space system. To support these efforts, staff have transitioned to a digital mapping interface to track treatment areas, improve coordination with contractors, and provide greater transparency in project implementation. Contracts include:

- Herbicide application - Targeted treatment of noxious weeds to protect habitat quality and reduce spread for Open Space, Streets and ROW, and Water and Wastewater.
- Pest Control Services – Management of pest species (namely ground squirrels) impacting vegetation and infrastructure
- Trail Maintenance Support – Supplemental capacity to address routine and specialized trail work needs

Equipment update

New Truck Day!

Staff have purchased a new (to us) 2019 Ford F-250 to support Open Space operations. This vehicle will bring a new level of reliability and professionalism to the program. Not to mention the Town’s first tommy gate will see us lifting to new heights!



TOWN CLERK

March 2026

Ask the Town

Date	Comment
3/2	Can I reserve a conference room or meeting room?
3/13	There are hundreds of little flags along Capitol Street that are leftover from when a company was installing orange pipes. Now that the spring is coming, when will the flags be removed. I realize they were installed for safety purposes so underground structures were protected from the pipe installation, but now they need to be removed. I don't think you want me to remove them! Thanks.
3/15	I heard from a neighbor that compost is available to residents to pick up for free. Is this true? If so is there a specific date that this takes place?
3/23	Is a permit required to install a radon mitigation system in a home?
3/26	I am researching Sales/Use Tax rules and have a couple of questions. If services are stated separately on an invoice are they taxable? For example labor for vehicle repairs. Are rentals taxable? For example heavy machinery or port-o-potties. For construction do you require a use tax deposit?

Records Requests

2021	2022	2023	2024	2025	2026
30	41	29	58	55	21

**Various Town Departments respond to Records Requests*

Licensing

- 2026 Business License New & Renewals – 266
- Liquor License Authority & Administrative Approvals
 - Liquor License Renewals in Progress: Eagle Ranch Golf Course, Boones
 - New Liquor Licenses in Progress: Eagle Sinclair Transfer, Garduno’s Transfer

Training/Meetings

1. March 3- Town Council Special Meeting
2. March 10- Town Council Meeting
3. March 10- Strategic Planning Kick-Off
4. March 17- Town Council Work Session
5. March 24- Town Council Meeting

2026 Municipal Election Deadlines

If the Town of Eagle would like to submit a ballot measure to be voted on in the 2026 election:

- July 24- Last Day to notify Eagle County of our desire to participate in the election
- August 25- Intergovernmental Agreement Deadline
- September 4- Content Certification
- September 21- Full ballot text finalized

MARCH

POLICE DEPARTMENT

2026 March Calls for Service: 1,478

2025 March Calls for Service: 1,031

2026 Jan – March Calls for Service: 4,115

2025 Jan – March Calls for Service: 2,980

2026 Q1 STATS (JAN-MARCH)	
Agency Assist -- 29	Juvenile/Family Incident -- 32
Assault -- 8	Missing/Recovered * Juvenile – 2 Adult -- 5
Burglary -- 1	Motor Vehicle Crash/Assist – 60
Burglary/Panic False Alarm – 27	Narcotics -- 7
Child Abuse Investigations -- 4	Noise Complaint – 16
Citizen Assist – 98	Parking problem/violation – 104
Civil – 27	Parking assist/variance -- 5
Code/Ordinance Violation – 15	Protection Order Violation -- 7
Community Oriented Policing -- 24	Sex Assault -- 0
Damage/Vandalism – 10	Misconduct Investigations -- 0
Death -- 1	Sex Offender Check/Registration -- 7

Disturbance (Domestic or other) – 22	SRO Related – 65
Domestic/Livestock Animal Complaint (Not A.C.) – 19	Welfare/Mental-health related – 26
DUI/D -- 8	Suspicious Person/Vehicle/Occurrence – 90
DUR -- 6	Theft – 23
F or M Menace/Assault/Weapons -- 5	Trespassing -- 10
Fire/Medical Law Response – 23	Warrant Arrest – 6
Fraud – 9	Wildlife Animal -- 13
Harassment – 29	

DEPARTMENT ANNOUNCEMENTS:

SAFEST CITY REPORT:

We are proud to share that the Town of Eagle, CO has been ranked the 6th safest city in Colorado in the SafeWise 2026 Safest Cities Annual Report. The report measures safety by analyzing rates of violent and property crime, while also considering Coloradans’ concerns about issues like gun violence, cybercrime, package theft, and property crime. This accomplishment marks a significant increase from our notable ranking of 10th safest city in Colorado in the 2025 report. This year’s report noted that Eagle’s reported violent crime decreased by 50% and property crime decreased by about 36% year over year (source: https://www.safewise.com/research/safest-cities/colorado/#Interesting_Findings)

The Town of Eagle and the Eagle Police Department credit this recognition to our strong community service policing model, ongoing investments in public safety, and the positive daily interactions between the police department and Eagle’s citizens. We believe community safety is a true partnership, and we are grateful to work alongside the wonderful people of Eagle in creating a safe, thriving town!



CODE ENFORCEMENT UPDATE:

Code Violation	Area	Outcome	Status
Outside Storage/Junkyard	Sawatch	Court Ordered Clean up and fines	Pending
Camping	Young Street	Campers moved	Closed
Signs	Howard St	Sings moved back	Pending

CLICK IT OR TICKET:

The Eagle Police Department has been awarded a grant through Colorado’s statewide Click It or Ticket program and will participate in three enforcement waves between April and July, including the national enforcement wave in May. This funding supports increased seatbelt enforcement and public education efforts aimed at reducing preventable injuries and fatalities. EPD’s involvement reinforces its commitment to proactive traffic safety and protecting the community.

TRAINING UPDATES:

Lt. Causey taught a tactics course for the Eagle County Special Operations (SOU) Sniper/Observers. This course brought back some key learning lessons and best practices from a course Lt. Causey attended last fall, with Federal partners. The mission of the Sniper/Observers is to provide real time information gathering during a critical event, and to provide precision rifle fire to save lives when necessary. This training was held at the Cameo facility, in Palisade, and was attended by Eagle PD, Avon PD, and Vail PD. Lt. Causey is a state-certified instructor and serves as a Team Leader for the Eagle County SOU Team.



UNIFORMED MOUNTAIN PATROL:

This St. Patrick’s Day, Sergeant Westering and Officer Wolfe represented Eagle PD while engaging with visitors on Vail Mountain. Our local law enforcement ski program brings together officers and deputies from the Eagle Police Department, Avon Police Department, Vail Police Department, and the Eagle County Sheriff’s Office. Having law enforcement on the slopes helps strengthen community relationships, supports public safety, and provides on-mountain education for residents and visitors.



SPEED TRAILER UPDATE:

The speed trailer is currently placed on 4th and Howard facing Southbound where the speed limit is 25 mph. During the date range of available data (04/02/2026-04/08/2026), the report shows that the average speed traveled is 15mph. The speed limit in this area is 25mph. It's important to note that the violation threshold in the system is set at +5 mph over the posted 25 mph, which makes the violations speed 31 mph.



UPCOMING EVENTS

Get ready for a morning of outdoor fun, learning, and community connection at our Cops & Bobbers Kids Fishing Derby on May 23rd! This event invites children and families to enjoy the outdoors while learning about local wildlife, fishing skills, and conservation, while building positive relationships with local law enforcement and wildlife professionals.

More info can be found at <https://townofeagle.org/1085/Cops-Bobbers>. Questions? Contact Code Enforcement Officer Ronald Delp at ronald.delp@eaglepolice.org.



MUNICIPAL COURT
Court Held on: 3/6/2026

MARCH 2026 REPORT

Citations Issued	Current	YTD	2025	
Animal Control		7	17	36
Misdemeanor/Ordinance		3	15	14
Parking		1	3	66
Traffic		3	23	98
Total		14	58	178

Fines and Fees Collected	Current	YTD	2025
Total Court Costs	\$270.00	\$660.00	\$2,110.00
Total Fines	\$1,615.00	\$5,918.00	\$24,923.00
Total Surcharges	\$200.00	\$1,000.00	\$3,050.00
Total Third Party (Restitution)	\$-		
Total	\$2,085.00	\$3,123.00	\$30,083.00

Dispositions (Payments or Court Appearances)	Current	YTD	2025	
Animal Control		1	8	19
Juvenile		2	2	9
Misdemeanor/Ordinance		2	6	3
Parking			0	15
Traffic		1	14	51
Total		6	30	97

Outstanding Fines and Fees at Collections	Total	Collection
Current	\$105.00	
1-30 Days Past Due	\$35.00	
31-60 Days Past Due	\$140.00	
61-90 Days Past Due	\$315.00	**At Collections
91-180 Days Past Due	27,936.47	**At Collections



To: Mayor and Town Council
From: Camille Deering, Town Clerk
Date: April 14, 2026

Agenda Item: Ordinance 08, Series 2026 " An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Chapter 5.15 and 5.19 of the Eagle Municipal Code for the Purpose of Updating Medical Marijuana and Retail Marijuana License Terms to Reflect State Statute."

REQUEST: To approve or deny Ordinance 08, Series 2026, An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Chapter 5.15 and 5.19 of the Eagle Municipal Code for the Purpose of Updating Medical Marijuana and Retail Marijuana License Terms to Reflect State Statute.

BACKGROUND: The Town of Eagle currently has two operating marijuana businesses. Each may hold a retail and/or medical marijuana license, both of which require annual renewal under the Eagle Municipal Code.

For each license type, businesses submit a standard application that includes a list of current employees, a property lease agreement, and copies of their state licenses. If there are no violations, fines, or outstanding taxes owed to the Town, the application is approved, and a notice of approval is sent to the Marijuana Enforcement Division within the Colorado Department of Revenue.

ANALYSIS: In 2024, the Colorado General Assembly passed Senate Bill 24-076 Concerning Measures to Address Efficiency in the Regulation of Existing Marijuana Licensees. Among other changes, the law extends marijuana license terms from one year to two years.

Aligning local licensing terms with the state will allow marijuana businesses to apply for both licenses at the same time, reducing paperwork, lowering costs, and saving time.

COMMUNITY INPUT: No community input has been collected for this ordinance.

BUDGET / STAFF IMPACT: Switching marijuana license terms to two years would reduce annual license fee revenue by \$2,000, while also easing the administrative workload for the Town Clerk..

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: A key objective in the strategic plan is to improve community-responsive services by adopting policies and regulations that adapt to changes in the business environment. Updating marijuana licensing terms to align with state law will streamline the licensing process at both the state and local levels. This will help marijuana businesses operate more efficiently and strengthen their relationship with the Town.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to APPROVE Ordinance 08, Series 2026, An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Chapter 5.15 and 5.19 of the Eagle Municipal Code for the Purpose of Updating Medical Marijuana and Retail Marijuana License Terms to Reflect State Statute.

ATTACHMENTS:

1. Ordinance 08-2026 Amending Marijuana License Terms

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 08
(SERIES OF 2026)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 5.15 AND 5.19 OF THE EAGLE MUNICIPAL CODE FOR THE PURPOSE OF UPDATING MEDICAL MARIJUANA AND RETAIL MARIJUANA LICENSE TERMS TO REFLECT STATE STATUTE.

WHEREAS, the Town Council (“Council”) of the Town of Eagle (“Town”) is authorized under C.R.S. § 44-10-313 to adopt reasonable regulations governing medical and retail marijuana businesses to protect public health, safety, and welfare; and

WHEREAS, 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; and

WHEREAS, the Colorado General Assembly enacted Senate Bill 24-076 (“SB 24-076”), which extends marijuana license terms from one (1) year to two (2) years; and

WHEREAS, the Council finds it necessary to amend the Eagle Municipal Code to align with state law and improve administrative efficiency.

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

Section 1. Section 5.15.030 of the Eagle Municipal Code is amended with additions in **bold underline** and deletions in ~~striketrough~~, to read as follows:

* * * *

TITLE 5 – BUSINESS REGULATIONS.

* * * *

CHAPTER 5.15 LICENSING AND REGULATION OF MEDICAL MARIJUANA BUSINESSES

* * * *

Section 5.15.030. – License Required

- A. It shall be unlawful for any person to operate a medical marijuana business without first having obtained a license to operate pursuant to the provisions of this chapter, having paid the fees therefor, as well as having obtained a license to operate from the State Licensing Authority. The licensing requirements apply to all medical marijuana businesses that exist on the effective date of the ordinance from which this chapter is derived and any medical marijuana businesses established after such effective date.
- B. Any person violating this section commits a Class A municipal offense. A person committing a violation shall be guilty of a separate offense for each day or part thereof during which the offense is committed or continued to be permitted by such person and shall be punished accordingly.
- C. Any medical marijuana business holding a valid business license, that commenced operations prior to the effective date of the ordinance from which this chapter is derived, which is in a location where the business has a special use permit in the zone

district in which it is located, and which has obtained a valid sales tax license from the Town, may continue to operate pending final action on an application for a license pursuant to [Section 5.15.070](#), which application must be filed with the Town no later than October 31, 2012.

- D. Pursuant to C.R.S. Title 44, Art. 11, medical marijuana businesses shall be licensed by the Town in one of the following categories:
1. Medical marijuana center, as defined in C.R.S. § 44-11-104(13). Such center shall meet all criteria and requirements of C.R.S. § 44-11-402, as well as all other regulatory requirements applicable to medical marijuana centers set forth within this chapter, and within C.R.S. Title 44, Article 11.
 2. Medical marijuana-infused products manufacturer, as defined in C.R.S. § 44-11-104(16). Such business shall meet all requirements of C.R.S. § 44-11-404, as well as all other requirements applicable to medical marijuana-infused products manufacturing set forth in this chapter and State law.
 3. Optional premises cultivation operation license, as defined in C.R.S. § 44-11-104(19). Such operation shall meet all requirements of C.R.S. § 44-11-404, as well as all other requirements applicable to optional premises cultivation operations set forth in this chapter and State law.
- E. The licensing requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any Federal law, the laws of the State, or local laws, including, but not by way of limitation, a business license, retail sales tax license, retail food establishment license, or any applicable zoning permits or building permits.
- F. No license for a medical marijuana business shall be issued by the Town until a license for such use, at the location designated in the application, has been issued by the State Licensing Authority.
- G. The issuance of a license pursuant to this chapter does not create a defense, exception or provide immunity to any person in regard to any potential federal criminal liability the person may have for the production, distribution or possession of marijuana.
- H. Every license issued under this chapter confers only a limited and conditional privilege subject to the requirements, conditions, and limitations of this chapter and State law. The license does not confer a property right of any kind. The license and the privilege created by the license may be further regulated, limited, or completely extinguished at the end of the license term at the discretion of the Town, without any compensation to a licensee. Every license issued under this chapter shall be subject to the future exercise of the reserved rights of referendum and initiative, exercise of the local option described in C.R.S. § 44-11-106, and any other future ordinances adopted by the Town. Nothing in this chapter grants any vested right to continue operating under this chapter, and every license shall be subject to any ordinance or prohibition adopted after any license was approved or issued.

- I. A separate license shall be required for each location from which a medical marijuana business is operated.
- J. All medical marijuana business licenses issued by the Town shall be valid for a period of ~~one year~~ **two years** from the date such license is issued. Renewal applications shall be filed at least 45 days prior to the expiration date of the existing license.
- K. Licensees shall report each transfer or change of ownership interest, change in manager, or change in principals on forms provided by the Town Clerk. An application for a change of manager shall be submitted to the Town Clerk at least 30 days prior to any such change to provide necessary time for the background check and processing of the application pursuant to [Section 5.15.160](#).

Section 2. Section 5.19.090 of the Eagle Municipal Code is amended with additions in **bold underline** and deletions in ~~strikethrough~~, to read as follows:

* * * *

TITLE 5 – BUSINESS REGULATIONS.

* * * *

CHAPTER 5.19 LICENSING AND REGULATION OF RETAIL MARIJUANA BUSINESSES

* * * *

Section 5.19.090 – Issuance of license; duration; renewal.

- A. Upon issuance of a license, the Town shall provide the licensee with one original of such license for each retail marijuana establishment to be operated by the licensee in the Town. Each such copy shall show the name and address of the licensee, the type of facility or establishment for which it is issued, and the address of the facility at which it is to be displayed.
- B. Each license shall be valid for ~~one year~~ **two years** from the date of issuance and may be renewed for additional annual terms as provided in this chapter. An application for renewal shall be made at least 45 days prior to the date of expiration of the license. A licensee may submit to the Local Licensing Authority a late renewal application on the prescribed forms and pay a non-refundable late application fee in an amount of \$500.00 for a renewal application made less than 45 days prior to the date of the expiration of the license. All other provisions concerning renewal applications apply to a late renewal application. The timely filing of a completed renewal application or a late renewal application shall extend the current license until a decision is made on the renewal.
- C. Notwithstanding State law to the contrary, a licensee whose license expires and for which a renewal application has not been received by the expiration date shall be deemed to have forfeited its license under this chapter. The Town shall not accept renewal applications after the expiration date of such license.
- D. A licensee whose license expires shall not distribute or sell retail marijuana or retail marijuana products until all necessary new licenses have been obtained.

- E. The Local Licensing Authority may renew a license by an administrative approval process whereby a public hearing is not necessary.

Section 3. Severability. If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 4. Conflicts. All prior ordinances, resolutions, or other acts, or parts thereof, by the Town of Eagle in conflict with this Ordinance are hereby repealed, except that this repeal shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after publication.

INTRODUCED AS AN ORDINANCE, READ, MOVED, AND ORDERED PUBLISHED ON APRIL 14, 2026.

TOWN OF EAGLE, COLORADO

Bryan Woods, Mayor

ATTEST:

Camille Deering, Town Clerk



To: Mayor Woods and Town Council

From: Kyle Brotherton, Interim Community Development Director, Community Development Department

Date: April 14, 2026

Agenda Item: V26-01 Call Up; Resolution 25, Series 2026

REQUEST:

To review and decide on the Variance Request application for a variance from required step-backs in the Broadway District.

SUMMARY:

The Variance Request application has been submitted in conjunction with a Minor Development Permit application, which proposes to construct a mixed-use building containing 36 residential uses, 3,500± square feet of ground-floor commercial space, rooftop amenities, and associated parking. The Variance Request is to seek a variance from required third and fourth floor step-backs.

The Community Development Department determined that the proposed Variance Request application is not consistent with the following requirements:

- The proposed application must meet all required criteria in Section 4.17.080.F.3.b:

Criterion 1: The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district.

Staff determined that this criterion is **not met**.

Criterion 2: The strict application of the LUDC standards for which a variance is sought would produce undue hardship.

Staff determined that this criterion is **not met**.

Criterion 3: The applicant's actions did not create the hardship.

Staff determined that this criterion is **not met**.

Criterion 4: The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought.

Staff determined that this criterion is **met**.

Criterion 5: The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden.

Staff determined that this criterion is **not met**.

Criterion 6: The variance request will not violate building or fire code requirements.

Staff determined that this criterion is **met**.

Criterion 7: The variance is the minimum variance that will afford relief of the subject standards of the LUDC.

Staff determined that this criterion is **not met**.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The Variance Request does not align with the Town's guiding principle of Sound Planning in that the revised proposal does not comply with the regulations of the LUDC as adopted.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion Option 1: I move to deny file number V26-01, Resolution 25, Series 2026, based on the recommended findings of fact and conclusions of law contained in the staff report, Planning and Zoning Commission's decision, and testimony provided.

Motion Option 2: I move to approve file number V26-01, Resolution 26, Series 2026, based on the recommended findings of fact and conclusions of law contained in the staff report, Planning and Zoning Commission's decision, and testimony provided.

ATTACHMENTS:

- Resolution 25, Series 2026
- Resolution 26, Series 2026
- Planning and Zoning Commission Staff Report
- Planning & Zoning Resolution 04, Series 2026
- March 17, 2026, Planning and Zoning Minutes
- Planning and Zoning Public Comments



COMMUNITY DEVELOPMENT DEPARTMENT TOWN COUNCIL CALL UP STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

MEETING DATE: April 14, 2026
PROJECT: 446 Broadway Mixed Use; Variance Request Call Up
FILE NUMBER(S): V26-01, Call Up
REQUEST: Variance Request denial for a proposed mixed-use project located at 446 Broadway in the Broadway District. The proposed project will include 36 residential units, 3,500± square feet of ground-floor commercial space, and associated parking. The Variance Request is to seek a variance from required third and fourth floor step-backs.

APPLICANT(S): Jake and Justin Roach
OWNER(S): 446 Broadway, LLC
LOCATION: 446 Broadway Street
PROPERTY SIZE: 0.286± acres
ZONING: Broadway District (BD)
EXISTING LAND USE: Single Family Dwelling
PROPOSED LAND USE: Mixed-Use
STAFF: Kyle Brotherton, Interim Community Development Director

BACKGROUND

Location and Existing Conditions

The 0.286-acre property is situated on the northeast corner of Broadway and 5th Streets and is occupied by a single family dwelling and detached garage. The property is located within the Broadway District (BD).

The immediate area is developed with a mix of residential, commercial, and mixed-use uses, with the Eagle County Government building located to the south, across 5th Street, and Town Park located to the southwest, also across 5th Street.

Site History

The subject property was originally developed in 1931, according to the Eagle County Property Appraiser, and has remained as a single family dwelling since that time. The property was sold in March 2022 to the current owners, 446 Broadway, LLC. In March 2025, the property owners (applicants) submitted applications for a Minor Development Plan and a Lot Line Adjustment. The Minor Development Permit proposed to construct a mixed-use development consisting of 35 residential units, 3,600± square feet of ground floor commercial space, and associated parking. It also contemplated a rooftop area consisting of a bar, seating, and a pool and spa. The proposed lot line adjustment aimed to consolidate four historical lots into one lot.



LOCATION MAP



AERIAL MAP

The Minor Development Plan application was deemed incomplete twice; once on March 12, 2025, and a second time on March 21, 2025. On April 7, 2025, the application was deemed complete and sent out for a referral period of six weeks, with referral comments being due on May 23, 2025. Referral comments were sent to the applicants as they were received, with the final referral comments being sent on May 27, 2025.

A redesigned structure for the Minor Development Plan was resubmitted on January 20, 2026, along with a new application for a Variance Request, which is the item being considered for this agenda item.

VARIANCE REQUEST

While the Variance Request is the only item under consideration for this agenda item, the context of the overall development proposal is necessary to fully understand the request for the variance. The request is to seek a variance from the required 10-foot step-backs on the third and fourth floors as found in Section 4.10.050.C.1.b.iii, which are specific design standards for properties located within the Broadway District. The relevant LUDC language for Section 4.10.050.C.1.b.iii is detailed below.

Section 4.10.050 – Mixed-use and commercial structure and site design standards

C. Location specific Standards.

1. Broadway district.

b. Street level orientation and design.

iii. The first floor shall be placed at ground level and buildings shall be a maximum of three stories in height. A fourth story may be added for buildings with affordable housing, see Section 4.02.040. The third and fourth stories shall stepback from the street facing façade(s) of the building. The third story shall step back from the property line(s) (there may be two street frontages on a corner lot) by a minimum of ten feet. The fourth story shall step back from property lines(s) by a minimum of 20 feet. Developments that are not built to the zero setback shall only setback a proportional amount (example: for a building built-to a five-foot setback, the proportional minimum stepback would be five feet for the third story and 15 feet for the fourth story).

The overall proposal is to construct a mixed-use building consisting of 36 residential units consisting of a mix of studios, one-bedroom, and two-bedroom units; 3,500± square feet of ground floor commercial space; a rooftop bar and grill area and rooftop pool and spa; and associated off-street parking contained within a parking garage. This updated proposal varies slightly from the original in that one more residential unit is included but reduces the overall ground floor commercial space by approximately 100 square feet. Additionally, under this current proposal, the residential units are redesigned to be constructed utilizing a modular building method, which has necessitated the variance request due to the “stacking” of the modular units.

The original submission from March 2025 utilized a traditional construction method utilizing steel support columns, and this submission was able to fully meet the step-back requirements found in the Broadway Design standards section of the LUDC. Additional comments related to the Broadway District design standards noted that the ground floor windows were not 12 feet in height as required; that the primary façade materials did not appear to meet the 75% requirement; and that additional treatments could be made to fully meet the intent of certain provisions contained within the Broadway District design standards. Staff also recommended that the ground floor commercial units’ height be increased to allow for greater flexibility in commercial uses (i.e. changing from a retail use to a restaurant use), which was incorporated into the redesign of the project.

The applicants requested a meeting with staff in late July to discuss steps towards resubmittal, at which time it was made known that the applicants were considering switching to modular construction as it was likely to be less of a financial hurdle and could allow construction to be expedited once entitlements were approved. Staff relayed to the applicants that development proposals should be designed to meet the code and that a variance request could be made, but that all review criteria for a variance must be met in order for the variance to be approved.

Additional items were included with the variance request and detailed in the variance narrative; however, those items are not variance requests, and as such, are not being considered in this review. The additional items include an interpretation for rooftop amenities and how they relate to building height; adjustments to the Local Employment Residency Program (LERP) unit counts, which are typically negotiated and included within a development agreement; and a request for reduction in Town fees which is an item that will need to be considered and determined by the Town Council.



Original conceptual rendering, March 2025 (neo studio/Michael Noda)



Redesigned conceptual rendering, January 2026 (neo studio/Michael Noda)

ANALYSIS

The Variance Request under consideration is subject to the requirements of the Land Use and Development Code, specifically Section 4.17.080.F.3.b. This analysis will walk through the requirements for a Variance Request.

Land Use and Development Code

Section 4.17.080.F.3.b of the Town's Land Use and Development Code (LUDC) sets forth the review criteria, all of which must be met, for a variance to be approved. Included under each of the criteria are the applicant's responses to how each are being met.

Criterion 1:

Code language:

The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district.

Applicant's response:

Exceptional Site Condition – Corner lot with dual frontages requiring separate step-back conditions at both Broadway and 5th Street.

Criterion 2:

Code language:

The strict application of the LUDC standards for which a variance is sought would produce undue hardship.

Applicant's response:

Undue Hardship – The required “wedding cake” massing conflicts with modular stacking efficiencies and eliminates functional, rentable square footage-undermining financial feasibility and structural uniformity. The required “wedding cake” massing also add unnecessary steel structural materials that adds both complexity and hardship to construction.

Criterion 3:*Code language:*

The applicant's actions did not create the hardship.

Applicant's response:

Hardship Not Created by Applicant – Hardship arises from site geometry and the nature of modular construction, not from applicant actions.

Criterion 4:*Code language:*

The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought.

Applicant's response:

Pedestrian scale, street activation, and storefront rhythm remain fully preserved at the ground level, consistent with the BD district's walkable urban character.

Criterion 5:*Code language:*

The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden.

Applicant's response:

Hardship Beyond Convenience – Step-back compliance would make modular construction structurally and economically unworkable.

Criterion 6:*Code language:*

The variance request will not violate building or fire code requirements.

Applicant's response:

No Code Conflicts – No conflicts with building, fire, or public safety requirements.

Criterion 7:*Code language:*

The variance is the minimum variance that will afford relief of the subject standards of the LUDC.

Applicant's response:

Minimum Variance Necessary – Relief is limited to vertical modulation and step-back configuration.

Staff Findings

The proposed Variance Request meets only two of the seven required variance criteria, Criteria 4 and 6. Staff finds that the impetus for the Variance Request is largely based on financial consideration and burden, which Criterion 5 explicitly prohibits. Staff's findings for each of the criteria are detailed below.

Criterion 1:

The subject property is roughly square in shape, has essentially a flat topography, and corner lots exist throughout the Broadway District. Additionally, the existing structure on the subject property is proposed to be demolished prior to development of the property. As such, this criterion is **not met** as there are no exceptional site conditions.

Criterion 2:

The initial submission, which used a more traditional construction method utilizing steel support columns, was able to accommodate the required step-backs found within the code. While it is likely more difficult to construct utilizing this method, the use of construction techniques or methods would not be considered an undue hardship; therefore, this criterion is **not met**.

Criterion 3:

As described under Criterion 1, the site is not considered to have an exceptional site condition. The proposed use of modular construction techniques, while likely financially more attainable, is a design choice and action by the applicant. As such, this criterion is **not met**.

Criterion 4:

The requested variance does not de-emphasize street-level storefronts, and the human-scale relation is still considered with this request. As such, this criterion is **met**.

Criterion 5:

While modular construction is becoming more popular, especially within the Western Slope, it is not the only type of construction that can be used. As stated in the applicant's response, the request is largely based on financial considerations, for which variances cannot be granted. As such, this criterion is **not met**.

Criterion 6:

The variance request generally does not conflict with building, fire, or public safety requirements. However, there could be additional costs for requirements related to fire suppression as the building moves above a certain height. As such, this criterion is **met**.

Criterion 7:

With the existing site conditions considered in total, the requested variance to bring the façade forward by 10 feet on both the third and fourth floors is viewed as more than a "minimum variance" needed. As such, this criterion is **not met**.

RECOMMENDATION

The Community Development Department, having reviewed all materials submitted by the applicant and the requirements of the Land Use and Development Code, recommends the following findings of fact and conclusions of law.

Recommended Findings of Fact

1. The 0.286-acre property is located on the northeast corner of Broadway and 5th Streets.
2. The subject property is located within the Broadway District.
3. The proposal is to construct a mixed-use development consisting of 36 total residential units, 3,500± of ground floor commercial space, rooftop amenities, and a parking garage.
4. The project requests a variance from step-back requirements for the third and fourth floors.
5. The variance request meets two of the required seven criteria necessary for approval of such variance.

Recommended Conclusions of Law

1. The variance request is not consistent with all required provisions of Section 4.17.080.F.3.b. of the Town's Land Use and Development Code.

Based on the above recommended findings of fact and conclusions of law, the Community Development Department recommends **DENIAL** of application V26-01.

PLANNING & ZONING DECISION

The Planning and Zoning Commission unanimously denied file number V26-01, Resolution 04, Series 2026, at the duly noticed March 17, 2026, public hearing. Minutes from the public hearing are incorporated by reference to this agenda item.

TOWN COUNCIL RECOMMENDED MOTION

"I move to deny file number V26-01, Resolution 25, Series 2026, based on the testimony provided, the recommended findings of fact and conclusions of law as detailed in the staff report, and the Planning and Zoning Commission's decision made at the March 17, 2026, public hearing."

Prepared by Community Development Department:



Kyle Brotherton
Interim Community Development Director

ATTACHMENTS:

Resolution 04, Series 2026
Variance Narrative
Resolution 25, Series 2026
March 17, 2026 Planning and Zoning Minutes

Planning & Zoning Commission – March 17, 2026
Town Council Call Up – April 14, 2026

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 25
(Series of 2026)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
DENYING A VARIANCE REQUEST FOR A MIXED-USE PROJECT LOCATED AT 446
BROADWAY

WHEREAS, 446 Broadway, LLC owns the real property located at 446 Broadway, Town of Eagle, Eagle County, Colorado (collectively the "Property")

WHEREAS, on January 20, 2026, Jake and Justin Roach (the "Applicants"), submitted an application for a Variance Request to request a variance from the step-back requirements contained within the Broadway District design standards for a mixed-use project Minor Development Permit Application (the "Variance Request Application");

WHEREAS, on March 17, 2026, the Planning and Zoning Commission held a properly-noticed public hearing to consider the Variance Request Application, and unanimously voted to deny the Variance Request Application;

WHEREAS, at a properly-noticed public hearing on March 24, 2026, the Town Council voted in favor of calling up the Variance Request Application for Town Council consideration at the next regularly scheduled Town Council meeting.

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

Section 1. Findings. Based on the Application, the staff report, the decision of the Planning Commission, input from Town staff and any public comment received, the Town Council finds that the Variance Request Application does not comply with the applicable criteria in Chapter 4.17 of the Eagle Municipal Code (the "Code").

Section 2. Decision. Based on the foregoing findings, the Town Council denies the Variance Request Application.

INTRODUCED, READ, DENIED AND ADOPTED ON April 14, 2026.

TOWN OF EAGLE, COLORADO

Brian Woods, Mayor

ATTEST:

Camille Deering, Town Clerk

**TOWN OF EAGLE, COLORADO
RESOLUTION NO. 26
(Series of 2026)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPROVING A VARIANCE REQUEST FOR A MIXED-USE PROJECT LOCATED AT 446
BROADWAY

WHEREAS, 446 Broadway, LLC owns the real property located at 446 Broadway, Town of Eagle, Eagle County, Colorado (collectively the "Property")

WHEREAS, on January 20, 2026, Jake and Justin Roach (the "Applicants"), submitted an application for a Variance Request to request a variance from the step-back requirements contained within the Broadway District design standards for a mixed-use project Minor Development Permit Application (the "Variance Request Application");

WHEREAS, on March 17, 2026, the Planning and Zoning Commission held a properly-noticed public hearing to consider the Variance Request Application, and unanimously voted to deny the Variance Request Application;

WHEREAS, at a properly-noticed public hearing on March 24, 2026, the Town Council voted in favor of calling up the Variance Request Application for Town Council consideration at the next regularly scheduled Town Council meeting.

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

Section 1. Findings. Based on the Application, the staff report, the decision of the Planning Commission, input from Town staff and any public comment received, the Town Council finds that the Variance Request Application does comply with the applicable criteria in Chapter 4.17 of the Eagle Municipal Code (the "Code").

Section 2. Decision. Based on the foregoing findings, the Town Council approves the Variance Request Application.

INTRODUCED, READ, PASSED AND ADOPTED ON April 14, 2026.

TOWN OF EAGLE, COLORADO

Brian Woods, Mayor

ATTEST:

Camille Deering, Town Clerk



**COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING STAFF
REPORT AND CERTIFICATE OF RECOMMENDATION**

MEETING DATE: March 17, 2026
PROJECT: 446 Broadway Mixed Use; Variance Request
FILE NUMBER(S): V26-01
REQUEST: Variance Request denial for a proposed mixed-use project located at 446 Broadway in the Broadway District. The proposed project will include 36 residential units, 3,500± square feet of ground-floor commercial space, and associated parking. The Variance Request is to seek a variance from required third and fourth floor step-backs.

APPLICANT(S): Jake and Justin Roach
OWNER(S): 446 Broadway, LLC
LOCATION: 446 Broadway Street
PROPERTY SIZE: 0.286± acres
ZONING: Broadway District (BD)
EXISTING LAND USE: Single Family Dwelling
PROPOSED LAND USE: Mixed-Use
STAFF: Kyle Brotherton, Interim Community Development Director

BACKGROUND

Location and Existing Conditions

The 0.286-acre property is situated on the northeast corner of Broadway and 5th Streets and is occupied by a single family dwelling and detached garage. The property is located within the Broadway District (BD).

The immediate area is developed with a mix of residential, commercial, and mixed-use uses, with the Eagle County Government building located to the south, across 5th Street, and Town Park located to the southwest, also across 5th Street.

Site History

The subject property was originally developed in 1931, according to the Eagle County Property Appraiser, and has remained as a single family dwelling since that time. The property was sold in March 2022 to the current owners, 446 Broadway, LLC. In March 2025, the property owners (applicants) submitted applications for a Minor Development Plan and a Lot Line Adjustment. The Minor Development Permit proposed to construct a mixed-use development consisting of 35 residential units, 3,600± square feet of ground floor commercial space, and associated parking. It also contemplated a rooftop area consisting of a bar, seating, and a pool and spa. The proposed lot line adjustment aimed to consolidate four historical lots into one lot.



LOCATION MAP



AERIAL MAP

The Minor Development Plan application was deemed incomplete twice; once on March 12, 2025, and a second time on March 21, 2025. On April 7, 2025, the application was deemed complete and sent out for a referral period of six weeks, with referral comments being due on May 23, 2025. Referral comments were sent to the applicants as they were received, with the final referral comments being sent on May 27, 2025.

A redesigned structure for the Minor Development Plan was resubmitted on January 20, 2026, along with a new application for a Variance Request, which is the item being considered for this agenda item.

VARIANCE REQUEST

While the Variance Request is the only item under consideration for this agenda item, the context of the overall development proposal is necessary to fully understand the request for the variance. The request is to seek a variance from the required 10-foot step-backs on the third and fourth floors as found in Section 4.10.050.C.1.b.iii, which are specific design standards for properties located within the Broadway District. The relevant LUDC language for Section 4.10.050.C.1.b.iii is detailed below.

Section 4.10.050 – Mixed-use and commercial structure and site design standards

C. Location specific Standards.

1. Broadway district.

b. Street level orientation and design.

iii. The first floor shall be placed at ground level and buildings shall be a maximum of three stories in height. A fourth story may be added for buildings with affordable housing, see Section 4.02.040. The third and fourth stories shall stepback from the street facing façade(s) of the building. The third story shall step back from the property line(s) (there may be two street frontages on a corner lot) by a minimum of ten feet. The fourth story shall step back from property lines(s) by a minimum of 20 feet. Developments that are not built to the zero setback shall only setback a proportional amount (example: for a building built-to a five-foot setback, the proportional minimum stepback would be five feet for the third story and 15 feet for the fourth story).

The overall proposal is to construct a mixed-use building consisting of 36 residential units consisting of a mix of studios, one-bedroom, and two-bedroom units; 3,500± square feet of ground floor commercial space; a rooftop bar and grill area and rooftop pool and spa; and associated off-street parking contained within a parking garage. This updated proposal varies slightly from the original in that one more residential unit is included but reduces the overall ground floor commercial space by approximately 100 square feet. Additionally, under this current proposal, the residential units are redesigned to be constructed utilizing a modular building method, which has necessitated the variance request due to the “stacking” of the modular units.

The original submission from March 2025 utilized a traditional construction method utilizing steel support columns, and this submission was able to fully meet the step-back requirements found in the Broadway Design standards section of the LUDC. Additional comments related to the Broadway District design standards noted that the ground floor windows were not 12 feet in height as required; that the primary façade materials did not appear to meet the 75% requirement; and that additional treatments could be made to fully meet the intent of certain provisions contained within the Broadway District design standards. Staff also recommended that the ground floor commercial units’ height be increased to allow for greater flexibility in commercial uses (i.e. changing from a retail use to a restaurant use), which was incorporated into the redesign of the project.

The applicants requested a meeting with staff in late July to discuss steps towards resubmittal, at which time it was made known that the applicants were considering switching to modular construction as it was likely to be less of a financial hurdle and could allow construction to be expedited once entitlements were approved. Staff relayed to the applicants that development proposals should be designed to meet the code and that a variance request could be made, but that all review criteria for a variance must be met in order for the variance to be approved.

Additional items were included with the variance request and detailed in the variance narrative; however, those items are not variance requests, and as such, are not being considered in this review. The additional items include an interpretation for rooftop amenities and how they relate to building height; adjustments to the Local Employment Residency Program (LERP) unit counts, which are typically negotiated and included within a development agreement; and a request for reduction in Town fees which is an item that will need to be considered and determined by the Town Council.



Original conceptual rendering, March 2025 (neo studio/Michael Noda)



Redesigned conceptual rendering, January 2026 (neo studio/Michael Noda)

ANALYSIS

The Variance Request under consideration is subject to the requirements of the Land Use and Development Code, specifically Section 4.17.080.F.3.b. This analysis will walk through the requirements for a Variance Request.

Land Use and Development Code

Section 4.17.080.F.3.b of the Town's Land Use and Development Code (LUDC) sets forth the review criteria, all of which must be met, for a variance to be approved. Included under each of the criteria are the applicant's responses to how each are being met.

Criterion 1:

Code language:

The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district.

Applicant's response:

Exceptional Site Condition – Corner lot with dual frontages requiring separate step-back conditions at both Broadway and 5th Street.

Criterion 2:

Code language:

The strict application of the LUDC standards for which a variance is sought would produce undue hardship.

Applicant's response:

Undue Hardship – The required “wedding cake” massing conflicts with modular stacking efficiencies and eliminates functional, rentable square footage-undermining financial feasibility and structural uniformity. The required “wedding cake” massing also add unnecessary steel structural materials that adds both complexity and hardship to construction.

Criterion 3:*Code language:*

The applicant's actions did not create the hardship.

Applicant's response:

Hardship Not Created by Applicant – Hardship arises from site geometry and the nature of modular construction, not from applicant actions.

Criterion 4:*Code language:*

The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought.

Applicant's response:

Pedestrian scale, street activation, and storefront rhythm remain fully preserved at the ground level, consistent with the BD district's walkable urban character.

Criterion 5:*Code language:*

The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden.

Applicant's response:

Hardship Beyond Convenience – Step-back compliance would make modular construction structurally and economically unworkable.

Criterion 6:*Code language:*

The variance request will not violate building or fire code requirements.

Applicant's response:

No Code Conflicts – No conflicts with building, fire, or public safety requirements.

Criterion 7:*Code language:*

The variance is the minimum variance that will afford relief of the subject standards of the LUDC.

Applicant's response:

Minimum Variance Necessary – Relief is limited to vertical modulation and step-back configuration.

Staff Findings

The proposed Variance Request meets only two of the seven required variance criteria, Criteria 4 and 6. Staff finds that the impetus for the Variance Request is largely based on financial consideration and burden, which Criterion 5 explicitly prohibits. Staff's findings for each of the criteria are detailed below.

Criterion 1:

The subject property is roughly square in shape, has essentially a flat topography, and corner lots exist throughout the Broadway District. Additionally, the existing structure on the subject property is proposed to be demolished prior to development of the property. As such, this criterion is **not met** as there are no exceptional site conditions.

Criterion 2:

The initial submission, which used a more traditional construction method utilizing steel support columns, was able to accommodate the required step-backs found within the code. While it is likely more difficult to construct utilizing this method, the use of construction techniques or methods would not be considered an undue hardship; therefore, this criterion is **not met**.

Criterion 3:

As described under Criterion 1, the site is not considered to have an exceptional site condition. The proposed use of modular construction techniques, while likely financially more attainable, is a design choice and action by the applicant. As such, this criterion is **not met**.

Criterion 4:

The requested variance does not de-emphasize street-level storefronts, and the human-scale relation is still considered with this request. As such, this criterion is **met**.

Criterion 5:

While modular construction is becoming more popular, especially within the Western Slope, it is not the only type of construction that can be used. As stated in the applicant's response, the request is largely based on financial considerations, for which variances cannot be granted. As such, this criterion is **not met**.

Criterion 6:

The variance request generally does not conflict with building, fire, or public safety requirements. However, there could be additional costs for requirements related to fire suppression as the building moves above a certain height. As such, this criterion is **met**.

Criterion 7:

With the existing site conditions considered in total, the requested variance to bring the façade forward by 10 feet on both the third and fourth floors is viewed as more than a "minimum variance" needed. As such, this criterion is **not met**.

RECOMMENDATION

The Community Development Department, having reviewed all materials submitted by the applicant and the requirements of the Land Use and Development Code, recommends the following findings of fact and conclusions of law.

Recommended Findings of Fact

1. The 0.286-acre property is located on the northeast corner of Broadway and 5th Streets.
2. The subject property is located within the Broadway District.
3. The proposal is to construct a mixed-use development consisting of 36 total residential units, 3,500± of ground floor commercial space, rooftop amenities, and a parking garage.
4. The project requests a variance from step-back requirements for the third and fourth floors.
5. The variance request meets two of the required seven criteria necessary for approval of such variance.

Recommended Conclusions of Law

1. The variance request is not consistent with all required provisions of Section 4.17.080.F.3.b. of the Town's Land Use and Development Code.

Based on the above recommended findings of fact and conclusions of law, the Community Development Department recommends **DENIAL** of application V26-01.

PLANNING & ZONING RECOMMENDED MOTION

"I move to deny file number V26-01, Resolution 04, Series 2026, based on the testimony provided and the recommended findings of fact and conclusions of law as detailed in the staff report."

Prepared by Community Development Department:



Kyle Brotherton
Interim Community Development Director

ATTACHMENTS:

Resolution 04, Series 2025
Variance Narrative

**TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 04
(Series of 2026)**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO DENYING A VARIANCE REQUEST FOR A MIXED-USE PROJECT LOCATED AT 446 BROADWAY

WHEREAS, 446 Broadway, LLC (“the Applicant”) owns the real property at 446 Broadway, Town of Eagle, Eagle County, Colorado (the “Property”);

WHEREAS, on January 20, 2026, the Applicant submitted with the Town an application for a Variance Request to request a variance from the step-back requirements contained within the Broadway District design standards for a mixed-use project Minor Development Permit Application (the “Variance Request Application”); and

WHEREAS, on March 17, 2026, the Planning and Zoning Commission held a properly noticed public hearing on the Application.

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

Section 1. Findings. The Planning and Zoning Commission finds that the Variance Request Application does not comply with all applicable provisions of the Eagle Municipal Code, and that denial of the Variance Request Application is in the best interest of the public health, safety, and welfare.

Section 2. Decision. Based on the foregoing findings, the Planning and Zoning Commission denies the Variance Request Application.

INTRODUCED, READ, PASSED AND ADOPTED ON March 17, 2026.

TOWN OF EAGLE, COLORADO



Matthew Hood, Chair

ATTEST:



Gram Dick, Administrative Technician



MEETING MINUTES
Planning & Zoning Commission
Tuesday, March 17, 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 – 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 6:00 PM.

COMMISSIONERS PRESENT

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

STAFF

Kyle Brotherton – Interim Com Dev Director
Jessica Lake – Senior Planner
Sydney Dynek – Planner I
Gram Dick – Admin Tech II
Ryan Johnson – Town Engineer
Ryan Goebel – IT Analyst II
Richard J. Peterson-Cremer – Town Attorney

COMMISSIONERS ABSENT

Chad Koch

APPROVAL OF MINUTES

1. Minutes approved from March 3, 2026. Motion passed unanimously. All in favor.

DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interest were disclosed.

PUBLIC COMMENT

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

PUBLIC HEARING

1. **Project:** 481 Whiting Road, Variance Request
File #: V25-01
Applicant: Bryan Mullet and Tommie Belz
Location: 481 Whiting Road
Staff Contact: Kyle Brotherton, Interim Com Dev Director
Request: Variance request approval to seek a variance from code requirements related to property access standards for a Minor Subdivision.

Staff Presentation

Kyle Brotherton, the Interim Community Development Director, presented a variance request for the property located at 481 Whiting Road, submitted by applicants Bryan Mullet and Tommie Belz. He explained that the site was zoned Residential Medium Density (R2) and that the request involved a variance from subdivision access standards under the Land Use and Development Code. He noted that staff had received one public comment in support of the request. Kyle Brotherton oriented the Planning Commission to the property's location on the north side of Whiting Road, approximately 260 feet east of the intersection with Church Street, and reviewed images showing the site, including the northern view, the western boundary with shared access, and the adjacent property to the east.

Kyle Brotherton explained that the variance request had been tied to a concurrent minor subdivision proposal that sought to re-subdivide an existing townhome development into four residential lots. He described how the current configuration consisted of three building envelope lots and a common area tract that provided shared access, with two of the lots occupied by a duplex. Access to the development had been provided from Whiting Road across the common tract. He stated that the proposed subdivision would create four lots with new lot lines running west to east and including a dedicated access, utility, and drainage easement along the western boundary to ensure continued access. Subdivision standards require each lot to have direct access to a public right-of-way, except in limited circumstances, he explained that the applicants requested a variance to allow continued shared access via the private easement.

In reviewing the variance criteria outlined in the Land Use and Development Code, Kyle Brotherton stated that staff had found all criteria to be met. He explained that the property exhibited exceptional conditions due to its existing configuration and established access arrangement, which was consistent with neighboring properties. He noted that strict application of the standards would have created undue hardship, given that the site had originally been developed in 1970 and later subdivided in 1995, leaving the common tract as the only viable access point. He further clarified that the hardship had not been created by the current owners, Bryan Mullet and Tommie Belz. He stated that the variance would not harm the public, as it would formalize access and enable the creation of two additional residential lots, including one with direct access to Whiting Road. He added that the hardship was not based on convenience or financial considerations but instead reflected existing development constraints, including the duplex. He also confirmed that the variance would not conflict with building or fire codes, as any future development would still be required to comply with applicable regulations. Finally, he indicated that the request represented the minimum variance necessary to provide relief. Based on this analysis, Kyle Brotherton stated that staff had recommended approval of Case V25-01.

Public Comment

No Public Comment.

Discussion

The discussion began when Commissioner Bill Nutkins raised questions about whether the variance request truly met the town's approval criteria, directing his concerns to staff for clarification. He specifically challenged the findings related to hardship, arguing that the subject property did not appear to have exceptional physical constraints, such as unusual shape, topography, or configuration, that would justify a variance. Commissioner Nutkins pointed out that, in its current platted condition, the property could already support development, including the possibility of a third unit, and therefore did not inherently suffer from a limitation that prevented reasonable use. He further argued that the applicant's decision to subdivide the property into four lots effectively created the hardship being cited, particularly in terms of access requirements. Drawing on his experience in other jurisdictions, he compared the situation to condominiumized developments where shared access and common elements were typical, suggesting that the original plat functioned similarly. Ultimately, he questioned how staff had concluded that the relevant criteria, especially those concerning hardship and self-created conditions, had been satisfied.

Staff responded by clarifying the zoning and dimensional standards within the R2 district, explaining that while Commissioner Nutkins was correct about the general ability to develop, the specific lot in question, Lot C, was only 1,600 square feet, which falls below the minimum lot size requirements. As such, it was not buildable under current standards unless it was replatted to meet those requirements. However, staff explained that once the lot was replatted to become conforming, it would lose its legal nonconforming access status, thereby triggering the need for a variance to allow continued use of the existing access arrangement. This explanation reframed the hardship not as a physical limitation of the land itself, but as a regulatory consequence of bringing the lot into compliance with current zoning rules.

Planning consultant Scot Hunn, representing the applicants Bryan Mullet and Tommie Belz, then provided additional context and clarification. He explained that Lot C was a pre-existing nonconforming lot that could technically be built upon under its current status, utilizing an access easement that had been in place and serving the subdivision since 1995. Scot Hunn emphasized that the proposal did not fundamentally change the development pattern but instead reconfigured the lot to meet minimum size standards while maintaining the same general building location and access point. He noted that the plan involved expanding the lot area to create a conforming parcel while continuing to rely on the same shared driveway, albeit with some minor improvements such as widening the access point. Scot Hunn also pointed out that the proposal added only one additional buildable lot, which would have direct frontage on the road, and that the overall impact on the access easement would be minimal. He further stated that the Town's code language regarding access could be interpreted in a way that might not require a variance at all, but that the applicant had chosen to pursue the variance as the most straightforward and efficient path forward.

Following Hunn's explanation, several commissioners shared their perspectives, largely expressing agreement with staff's analysis. Commissioner Keegan Winkeller stated that he supported the variance, viewing the hardship as a function of reconfiguring the lot to allow development and noting that the proposal would not significantly increase the use of the existing access easement. He characterized the request as minor and largely administrative, aimed at improving the lot layout rather than intensifying development. Commissioner Weston Arbogast echoed this sentiment, agreeing that the access was already nonconforming and that the proposal simply updated the property to meet current standards without creating substantial new impacts. Commissioner Jennifer Sturgeon also expressed agreement, stating that in her view all seven approval criteria had been met and that the proposal represented a reasonable way to make use of the lot.

Additional support came from other commissioners, including Commissioner Keith Montag, who concurred with both the staff findings and the general consensus of the group, indicating he would be in favor of approval. Commissioner Matt Hood noted that the proposal aligned with the Town's broader goal of encouraging redevelopment and efficient use of existing lots, and suggested that the code language itself might even allow for the interpretation that

a variance was unnecessary in this case. Commissioner Hood also argued that the legal nonconforming status of the lot and the presence of existing structures could themselves constitute a form of hardship under the code.

Before the discussion concluded, Commissioner Nutkins clarified that his earlier comments were not intended as outright opposition but rather as an effort to ensure that the Commission carefully and consistently applied its criteria to avoid setting problematic precedents. While he maintained some reservations about whether all criteria, particularly those related to hardship, were fully satisfied, he acknowledged that the proposal effectively formalized and improved an existing condition. Other commissioners responded by emphasizing the importance of adhering to the Code while also recognizing that, in their judgment, the criteria had been met in this case. Overall, the Commission expressed broad support for the variance, concluding that it represented a minor, practical adjustment that brought the property into better alignment with current standards while preserving its existing development pattern.

Motion

Commissioner Winkeller motioned to approve file V25-01. Commissioner Montag seconded, and the motion to approve passed with five votes for yes and one vote for no. Commissioner Nutkins voted against file V25-01.

2. **Project:** 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, Interim Com Dev Director

Request: For the Planning & Zoning Commission to review and recommend approval with conditions of a Major Development Permit and Preliminary Plat to construct a residential Planned Unit Development consisting of 66 total dwelling units.

Staff Presentation

Kyle Brotherton, the Interim Community Development Director, outlined the development proposal, Red Mountain Ranch Planning Area 1. He explained that the applicant, David Hoffman of Tres Birds, had requested approval to construct 66 residences located at 17500 US Highway 6 within a Planned Unit Development (PUD) zoning district. Kyle informed the Commission that the proposal was located east/southeast of the Nogal Road and US Highway 6 intersection. Kyle Brotherton noted that, as of the evening prior to the meeting, staff had received no public comment. He also presented site orientation materials, photographs, a conceptual rendering, and a proposed layout of the project.

Kyle Brotherton then discussed the applicable review criteria, explaining that the proposal had been evaluated for consistency with the Town's Comprehensive Plan, the Land Use and Development Code (LUDC), and prior approvals such as the PUD guide. He stated that, as detailed in the staff report, the project had been found consistent with the Town's comprehensive plan, Elevate Eagle, particularly in its goals of providing a mix of housing types, preserving riparian areas, and incorporating recreational opportunities. He further explained that because the property fell within the Eagle River Corridor plan area, the development had been reviewed for compliance with corridor policies, including clustering residential units around common open space and integrating trail connections. He noted that staff believed the proposal met these objectives through its mix of single-family, duplex, and townhome units, as well as a proposed internal trail system and a connection to the Eagle Valley Trail north of US Highway 6 and the Union Pacific Railroad.

In addressing prior approvals, Kyle Brotherton explained that the PUD guide adopted in 2020 during annexation had established general development parameters across six planning areas, although the current application only pertained to Planning Area 1. He noted that the submitted design guidelines varied slightly from the original PUD guide

and would therefore require a PUD amendment to ensure full compliance, though they were consistent with the guide's overall intent. He also stated that, with respect to the Land Use and Development Code, the project generally complied with applicable standards, particularly Chapter 4.12 (Subdivision Standards) and Chapter 4.15 (Parking Standards), and in some cases exceeded parking requirements.

Kyle Brotherton concluded by stating that staff had recommended approval of the application with seven conditions. He reviewed these conditions, which included execution of a development and subdivision improvements agreement prior to final plat approval; obtaining necessary permits from the Colorado Department of Transportation and Union Pacific Railroad for trail and utility connections; and securing approval of public utility plans by the Town Engineer to ensure adequate water and sewer infrastructure. Additional conditions included submission of an updated wildlife conservation plan acceptable to the Town's wildlife biologist, completion of a PUD guide amendment to incorporate the standards within the design guidelines, and satisfaction of outstanding conditions identified by Karp Neu Hanlon. He indicated that the applicant and development team were present to answer questions following the presentation.

Public Comment

No Public Comment.

Discussion

Members of the Commission asked if this project originally included a boutique hotel. Rocky Cortina, one of the property owners, explained that his group would likely be the ones to construct the project, which was one portion of a multi-parcel development that had originally been introduced to the Commission two years prior. While the current proposal focused on a single planning parcel and was always slated for only residential development, he clarified that an adjacent planning area, previously considered for a boutique hotel, was not being presented at this time, though both planning areas are intended to function as a unified development in the future, sharing infrastructure such as access roads, water, and sewer systems.

Commission members asked about the project's consistency with existing planning documents, and it was confirmed that the proposal generally aligned with prior approvals from 2020, requiring only minor modifications. Some concern was raised about the site's linear layout, which appeared inconsistent with the "cluster" development concept referenced in the Eagle River Corridor Plan. Rocky Cortina acknowledged the limitation, noting that the parcel's narrow shape restricted design flexibility, but argued that clustering was achieved through smaller lot sizes, reduced density (66 units instead of the 97 allowed), and a significant proportion of shared open space, about 42% of the developable area. The layout included a primary public road and a smaller internal loop, with intentional open areas between housing types to create a more communal, park-like setting.

Rocky Cortina explained that the development would connect to a regional trail and provide public access to the Eagle River, allowing for recreational uses such as fishing. Rocky Cortina also highlighted that the project would use non-potable water for irrigation, enabling more expansive landscaping without relying on the town's water system. Open space areas, including parks and river access, would be managed by a homeowners association and metro district, while certain parcels, such as a one-acre park on the west end, would be dedicated to the Town. Plans also referred to a larger future park that could support activities like tubing or boating and connect to other areas via a discovery trail system.

Lastly, Rocky Cortina explained that the need to fund significant upfront utilities, particularly a sewer system the Town did not wish to maintain, required maintaining a certain level of density to make the project viable and support the creation of a metro district. When asked about affordable housing, he noted that the development had previously satisfied its obligation through a fee-in-lieu contribution made during earlier approval stages.

Motion

Commissioner Nutkins motioned to recommend approval of file numbers DR25-01 and PP25-01 Resolution 2, Series 2026 with the listed conditions of approval based on the testimony provided and the recommended findings of fact and conclusions of law as detailed in the staff report. Commissioner Sturgeon seconded, and the motion to approve passed unanimously. All in favor.

3. **Project:** LUDC26-02, Chapter 4.11 Landscaping Amendments

File #: LUDC26-02

Applicant: Town of Eagle

Location: Town of Eagle

Staff Contact: Sydney Dynek, Planner, Jessica Lake, Senior Planner, Kyle Brotherton, Interim Community Development Director

Request: For the Planning Commission to review and recommend approval of staff proposed modifications to the Land Use and Development Code in accordance with SB23-166 requiring jurisdictions to adopt Code language to address the Wildland Urban Interface.

Staff Presentation

The presentation began with staff members Jessica Lake and Sydney Dynek presenting to the Planning Commission about proposed wildfire-related regulations tied to Colorado's 2023 legislation, Senate Bill 23-166, which established the Department of Fire Protection and Control's state resiliency (Wildland-Urban Interface, or WUI) code. Sydney Dynek explained that while the original compliance deadline had been April 1, 2026, the timeline has become more flexible, with a state compliance list being produced after the July 31 reporting deadline. Staff had aimed to move forward promptly, with a Planning Commission hearing on landscaping regulations (Chapter 4.11) initially scheduled for March 17 and a Town Council hearing initially scheduled for March 23. She outlined extensive collaboration with fire and arborist experts, including Paul Cada and Eric Lovgren, as well as coordination with state and regional agencies to ensure the proposed approach, particularly the adoption of a "7A" building standard, aligned with state expectations. Sydney also clarified that while the Commission was reviewing Chapter 4.11, other elements such as building codes, mapping, and broader resiliency requirements would go directly to Town Council. She emphasized the importance of wildfire risk mapping, noting that staff favored a more comprehensive Community Wildfire Protection Plan map over the state's simpler intensity-based map, since insurance companies considered multiple risk factors like likelihood, exposure, and susceptibility.

Jessica Lake then detailed the structure and intent of Chapter 4.11, explaining that the landscaping code had been organized around defensible space principles designed to reduce wildfire risk. She described how fire-resistant landscaping, combined with structural hardening, could significantly improve a building's survivability during wildfires, particularly by reducing ignition from embers. The Code establishes zones, primarily a zero-to-five-foot zone and a five-foot-to-property-line zone in Eagle's context, where vegetation and materials are regulated to minimize fire spread. Jessica Lake noted that staff had adapted state minimum standards to fit local conditions rather than copying them directly, while also incorporating turf restrictions from recent state legislation and feedback from organizations like the Brendle Group, Western Resource Advocates, and Headwaters Economics. She highlighted that the updated chapter improved clarity and usability, added new sections, and modified existing ones such as maintenance and revegetation, though some elements like I-70 corridor buffering has been deferred due to time constraints.

Public Comment

No Public Comment.

Discussion

During Commission questioning and discussion, Commissioners raised concerns about potential conflicts and ambiguities in the draft code, particularly regarding allowable materials within the critical zero-to-five-foot zone, the treatment of turf versus non-combustible materials, and the definition and permissibility of raised planting beds and garden structures like greenhouses. Commissioners also questioned how the regulations would be implemented and enforced, especially for existing properties undergoing partial renovations, and whether homeowners' associations would play a role. Staff acknowledged that some implementation details remained unresolved and would require further clarification through administrative guidance. Additional technical inconsistencies were identified in tables and language, reinforcing the need for refinement.

The meeting concluded with input from Melissa Daruna, the Interim Town Manager, who informed the group that a potential state bill could extend the compliance deadline to April 2027, providing more flexibility. In response, the Commission agreed that additional time should be used to refine the code rather than rushing approval. Commissioners decided to submit detailed redline edits to staff and continue the item to a future meeting on April 7 for further review, while maintaining momentum in case the extension did not materialize.

Motion

Commissioner Montag motioned to continue the file LUDC26-02 until April 7, 2026. Commissioner Sturgeon seconded, and the motion to approve passed unanimously. All in favor.

-
4. **Project:** 446 Broadway, Variance Request
File #: V26-01
Applicant: Jake and Justin Roach
Location: 446 Broadway Street
Staff Contact: Kyle Brotherton, Interim Community Development Director
Request: Variance request denial to seek a variance from Broadway District step-back requirements for a mixed-use Minor Development Permit.

Staff Presentation

Kyle Brotherton, the Interim Community Development Director, addressed the Planning Commission during the meeting regarding the 446 Broadway Variance request. He began by introducing the applicants, Jake and Justin Roach, and noting the location at 446 Broadway Street within the Broadway District (BD) zoning. Kyle explained that the variance request involved a reduction of required step backs at the third and fourth floors of the proposed building and that, as of the previous evening, staff had received two letters of objection concerning the proposal.

Kyle Brotherton presented site photographs, showing the property from multiple angles, including the northeast from the intersection of 5th and Broadway, the western frontage along Broadway, the northern property line, 5th Street looking north, and the eastern property line along the alley. Kyle Brotherton provided context that the variance was tied to a concurrent minor development plan, which proposed a mixed-use building with 36 residential units, approximately 3,500 square feet of ground-floor commercial space, associated parking, and rooftop amenities. He emphasized that the variance specifically related to Section 4.10.050, C1, B3 of the Land Use and Development Code (LUDC), which required the third floor to step back 10 feet and the fourth floor to step back 20 feet from the property line.

Kyle Brotherton reviewed the criteria required for variance approval and provided staff findings for each. He noted that the first criterion, exceptional site configurations, was not met due to the site's square shape, flat topography, and corner location. The second criterion, undue hardship from strict application of the LUDC, was also not met, as the initial submission could comply with the step-back requirements using available construction methods. The third criterion, that the hardship was not caused by the applicant, was likewise not met, as the modular construction method was a design choice rather than a necessity. The fourth criterion, that the variance would not harm the public or impair LUDC intent, was met. The fifth criterion, demonstrating exceptional hardship beyond financial considerations, was not met, as the variance appeared largely motivated by financial convenience. The sixth criterion, compliance with building and fire codes, was met, with the caveat that future structures must adhere to applicable codes. The seventh criterion, that the variance be the minimum necessary to afford relief, was not met, as the requested deviations exceeded what staff considered the minimum necessary. Based on these findings, Kyle Brotherton recommended that the Planning Commission deny case V26-01, Resolution 04, Series 2026.

Questions For Staff

Commissioner Bill Nutkins asked staff for clarification on the requirements for additional floors on buildings in Eagle. Commissioner Nutkins understanding was that a fourth story was only permitted if the building included a certain percentage of affordable housing, referencing section 4.02.040 of the code. Kyle Brotherton confirmed this requirement, noting that the applicant had redesigned the project using modular construction techniques. Commissioner Nutkins expressed concern about approving a variance without having full information about the overall project, questioning how a variance for the fourth floor's design could be granted without knowing if the project itself was viable. Kyle Brotherton clarified that the variance under consideration was specifically for the required step backs on the third and fourth floors, and that approval of the variance would not automatically grant permission for the fourth story itself, which remained a separate approval process.

Applicant Presentation

The applicant, Jake and Justin Roach, gave a presentation to the Planning Commission regarding a proposed mixed-use development project for the Broadway District. He emphasized that the project aligned with the district's vision of a walkable, mixed-use downtown, integrating housing, retail, and community space. The current proposal included 36 residential units, similar to their previous 35-unit proposal, and did not request any increase in building height, with the fourth story already permitted under the LERP program. The Applicant highlighted that the existing step-back requirements for the third and fourth floors resulted in a "wedding cake" appearance, which complicated modular construction, reduced rentable space, and significantly increased costs. They argued that minimal variances to these step-back rules were necessary to make the project financially and structurally feasible while still delivering community benefits such as density, walkability, vibrant downtown activation, and deed restricted affordable housing. The presentation included visual comparisons of the old and new designs, showing improved character, building breakup, decks, outdoor living spaces, and a controlled access rooftop amenity for residents and limited public use. The applicant stressed that the project would maintain ground-level activation, pedestrian scale experience, and retail frontage while addressing structural and financial constraints unique to modular construction. The applicant saw the request as minimal, with no public harm, and essential to enable practical implementation of the new Broadway District code, which had not yet seen any completed projects. Finally, the applicant noted the broader benefits for the Town, including additional housing, tax revenue generation, downtown vibrancy, and enhanced walkability, and requested that the Planning Commission approve the step back variance to move the project forward.

Commissioner Questions For Applicant

During the Planning Commission meeting, discussion centered on a variance request submitted by Jake and Justin Roach. Commissioner Nutkins began by asking whether all variance requests for the project would be considered individually or together, noting that reductions in the LERP program and other fee adjustments might "stack up" if

reviewed separately. Commissioner Nutkins expressed that all should be seen together. It was clarified by staff that LERP adjustments are handled through a development agreement via the Council, and fee reductions are entirely Council decisions. Regarding rooftop amenities, the staff noted that “there is no variance for such a request” tonight, and the Planning Commission would only be reviewing the step back on the third and fourth floors.

Commissioner Montag asked whether the original proposal from a year ago required variances. The applicant responded, “It did not,” and staff explained that the new variance was driven by a step back requirement already in place from the 2023 Land Use Code adoption. Commissioner Sturgeon questioned whether modular construction could be used on the lower levels to meet the setback requirement. Jake responded that the old project was not modular in the same way, and adjusting construction types would “probably not be aligned” with the goal of getting the project built due to complexity.

Commissioner Arbogast sought clarification about financial hardship. Staff clarified that under the Code, “variance requests must demonstrate exceptional hardship not related to purposes of convenience or financial burden,” meaning financial hardship alone does not qualify.

Questions also focused on modular construction specifics. Commissioner Sturgeon asked if stepping back 15 feet at the third and fourth floors could make modular units feasible. Jake replied that it did not seem feasible, noting that stepping back further could result in losing units, especially because the building is on a corner.

Public Comment

Linda Fraser, a resident of 135 4th Street, expressed deep concern and confusion over the Town’s allowance of buildings taller than three stories, noting she was unaware this had become permitted. She raised serious objections regarding parking, emphasizing that new developments with no on-site parking exacerbate the Town’s existing parking problems, especially given that most residents and visitors rely on cars. Linda criticized the focus on retail development, pointing out that local shops and restaurants are closing, leaving empty storefronts, and questioned how adding taller buildings would encourage people to visit or shop in the downtown area. She worried that permitting four story or taller buildings could set a precedent for even higher structures, potentially transforming the Town into a more urbanized, city like environment rather than preserving its small town character. Additionally, Linda Fraser highlighted the negative effects on residents, such as loss of sunlight, blocked views, and disruption of the Town’s aesthetic, including the removal of established trees on Capitol Street. Overall, she conveyed a sense of alarm that the Town’s planning decisions prioritize development over livability, accessibility, and community character, leaving her frustrated and skeptical about the direction in which the Town is headed.

Response To Public Comment

Kyle Brotherton provided a response addressing zoning standards and development allowances in the Broadway District, particularly regarding building height, setbacks, and parking. He explained that under the code at that time, buildings had a maximum height of 35 feet, but projects including affordable housing, as defined in Chapter 4.02, could qualify for a height bonus, allowing up to four stories, a provision newly adopted with the 2023 adopted code. He noted that parking for proposed developments was planned to be contained within a garage accessed from the alley to the east, keeping it out of view from Broadway or 5th Street. Setbacks in the Broadway District were permitted at zero feet, placing buildings directly at the sidewalk edge, consistent with historic downtown design and recognized as good urban planning for promoting walkability. Kyle observed that existing buildings along Broadway generally followed this zero-foot setback, while most buildings along Capitol remained at three stories. He also clarified that no provisions allowed a fifth story and that the height bonus for affordable housing (LERP units) permitted an extension above the standard 35-foot maximum, encouraging affordable units while maintaining the district’s compact, urban character.

Discussion

The Planning Commissioners engaged in a thorough discussion regarding a variance request for step-back requirements on the third and fourth floors of a proposed building. The conversation opened with a reminder that financial hardship alone did not meet the criteria for granting a variance under the new Code, emphasizing the importance of adhering to the Code's definitions rather than individual financial considerations. Commissioners reviewed the Code provisions, confirming that the third and fourth stories of the building were required to step back from street-facing facades, with a minimum of ten feet on corner lots, and noted that recent developments like Broadway Station and the Brush Creek Building had not followed this requirement because they had been built under prior regulations. The Commissioners debated the design implications, including streetscape impact, shadowing, visual corridors, and overall character of the downtown area, with several expressing concern that granting a variance would compromise these objectives. While some acknowledged the potential for modular construction to meet design standards and appreciated efforts to reduce costs, consensus emerged that the project did not demonstrate sufficient hardship to justify deviating from the step-back requirements. Commissioners also clarified that while three-story buildings might have been ambiguous under the Code, the variance request specifically addressed the fourth floor, which clearly required a step-back. Ultimately, multiple Commissioners indicated that they could not support the variance due to lack of hardship, potential negative impacts on urban design, and the importance of maintaining consistency with the intent of the new code.

Motion

Commissioner Montag motioned to deny file number V26-01, Resolution 04, Series 2026 based on the testimony provided and the recommended findings of fact. Commissioner Nutkins seconded, and the motion to deny passed unanimously. All in favor.

COMMUNITY DEVELOPMENT UPDATE

No significant Community Development Updates were presented at that time.

CLOSING COMMENTS

The meeting concluded with a discussion about the Highway 6 corridor plan with discussion between Ryan Johnson, the Town Engineer, and the Commission about a presentation for Planning Commission.

ADJOURN

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

Meeting Adjourned at 8:18 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.

Kyle Brotherton

From: Dawn Koenig <dawnsunlight@hotmail.com>
Sent: Friday, March 13, 2026 11:51 AM
To: Planning Department; Planning and Zoning; Kyle Brotherton
Subject: Objection to 446 Broadway Variance Requests

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.

Dear Commissioners,

As a resident of the downtown area and a stakeholder in our community's growth, I want to see viable, well-designed projects succeed in the downtown area. A successful development at 446 Broadway could bring much-needed vibrancy to this prominent corner. However, for a project to truly "succeed," it must be able to stand on its own feet within the rules of our community.

I am writing to formally object to the variances and fee waivers requested for this project because they suggest a development that is fundamentally fragile and dependent on public subsidies and code-breaking exceptions.

1. The "Modular Hardship" is a Design Choice, Not a Legal Hardship The applicant claims that modular construction is incompatible with the Town's required 10-foot step-backs. This is a choice of convenience, not a hardship of the land.

- **Evidence:** The project at **1200 Capitol Street** is a modular build that fully complies with Town codes. Furthermore, **301 Broadway**—a nearly identical corner lot—is proceeding with a conventional build that respects all height and setback requirements.
- **Legal Standard:** Under **LUDC 4.17.110**, variances cannot be granted for self-created hardships. Modularity is a construction choice, not an "exceptional site condition" inherent to the property.

2. Tax Revenue is Not a Substitute for Impact Fees The applicant argues that future sales and property tax revenue should justify the waiver of their impact fees. This is a fiscal fallacy.

- **Capital vs. Operational:** Impact fees pay for the **immediate capital infrastructure** (fire trucks, water mains, road capacity) that this project will demand on day one. Tax revenue is meant for **ongoing operations** (salaries and maintenance).
- **The Subsidy:** Asking the Town to waive fees today in exchange for taxes tomorrow is asking current residents to provide an interest-free loan to a private developer. The Town cannot "spend" 2035 property taxes to buy a fire truck needed in 2026.

3. Dangerous Precedent & Administrative Fairness Granting these waivers sets a "Pandora's Box" precedent. If the Town establishes that codes are negotiable based on a developer's private "financial feasibility," every future developer will demand the same 75% discount. Furthermore, it is fundamentally unfair to the

developers of projects like **1200 Capitol** or **301 Broadway** who followed the rules and paid 100% of their fees. Picking "winners and losers" invites legal challenges and undermines the principle of equal protection.

4. Dilution of the Height Bonus Incentive The 4th-story bonus is an incentive specifically created for projects providing **60% or more** affordable housing. The developer is asking for the "Bonus" while providing only **47%** (17 units). The Town should not grant a density reward without receiving the full public benefit required by the code.

5. Transparency & The "Black Box" Pro Forma The developer's entire case rests on "financial infeasibility," yet the evidence—the pro forma—remains shielded from public scrutiny. We request that the Town commission, and publish, an independent, third-party audit of the project's financials. The public should not be expected to subsidize a private project based solely on the applicant's unverified assertions.

6. The Resident Occupied (RO) Price Paradox In Eagle's current 1.6% vacancy market, non-rent-capped RO units rent at market rates. The Town is being asked to waive hundreds of thousands of dollars in fees for "affordability" that offers no actual rent savings to the workers it claims to help.

Conclusion We all want this corner to be developed, but we should not sacrifice the integrity of our Land Use Code or our fiscal stability to save a project that is too fragile to pay its own way. If 301 Broadway and 1200 Capitol can succeed while following the law, 446 Broadway should be held to the same standard. I urge the Commission to recommend **denial** of these requests.

Respectfully,

Dawn Koenig

Kyle Brotherton

From: Kenny sexton <crosinpaths@hotmail.com>
Sent: Monday, March 16, 2026 5:12 PM
To: Kyle Brotherton
Subject: 446 Broadway / DR25-03/LLA25-01

You don't often get email from crosinpaths@hotmail.com. [Learn why this is important](#)

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To whom it may concern:

I am writing to object to the applicants' request for a variance for LERP and step-back requirements. The 4th floor "bonus" is an incentive to provide higher density that requires 60% affordable housing units and RO units. How is it an undue hardship when the 4th floor requirements were intended as an incentive? The following code is provided to support my opposition to the variance, specifically applicable language in **bold**.

Eagle Code Section 4.02.050, G.

G. Incentives 1. **Applicability Development projects that provide a total of 60 percent affordable housing units and RO units may qualify for the following incentives and adjustments.** Community Development staff will work with the applicant to identify a combination of incentives and adjustments that will accommodate the development on the site while resulting in the least detrimental impact to the neighborhood and adjoining properties. 2. Incentives In qualifying developments where affordable housing units will be constructed on-site, the following incentives shall apply: Eagle Land Use & Development Code 16 4.02.050. Inclusionary Housing Requirements for Affordable and Local Employee Residency (LERP) Chapter 4.02 Zone Districts: General Standards H. Character of Local Employee Residences a. By Town Council i. If the proposed development is for construction of all affordable housing units, a applicant may propose alternative adjustments to any numerical bulk or height standard required by the zone district provided the resulting development complies with the overall purpose of the district and the objectives of this Section. Approval of these adjustments is at the discretion of the Town Council and must be approved by the Town Council before the initial approval of the development. ii. An applicant may request one additional market-rate residential unit per affordable housing unit to the maximum density permitted by the comprehensive plan. For example, where a single-family detached unit is allowed, a duplex may be allowed. Density bonus requests shall be submitted to the Town Council for review and decision through a Section 4.17.080C, Major Development Plan request. b. By Director: i. Minimum lot setbacks or lot widths may be adjusted by up to 20 percent, not including riparian setbacks or buffers; ii. Maximum lot coverage may be increased by up to 20 percent; iii. Minimum lot size may be reduced by 20 percent; iv. Maximum height may be increased: (a) Original residential zone district limit of 35 feet may be increased to 40 feet; (b) **Structure height for buildings facing Broadway or in the CMU2 district may be increased by 1 story, not to exceed an additional 15 feet above the original maximum height, in compliance with the stepback requirements where applicable.** v. If a public park or open space is located within 1,320 feet and safely accessible to the development site, any required open space dedication or in-lieu fee, but not applicable impact fees, may be reduced by 50 percent.

Again, I am not in favor of the LERP and setback variances because I do not believe what is provided as an incentive is somehow now an undue hardship to the applicant. Thank you for the ability to comment.

Sincerely,

Kenneth Sexton
493 Whiting Rd
Eagle, CO 81631



To: Mayor Woods and Town Council
From: Melissa Daruna, Interim Town Manager
Date: April 14, 2026
Agenda Item: Variance Standards and Procedures Discussion

REQUEST: This memo is intended to provide Council with background information on the Town’s current variance standards and procedures in the Land Use and Development code. Staff welcome direction if additional information or policy considerations should be presented at a future meeting.

BACKGROUND: When the current Land Use and Development Code (LUDC) was adopted in 2023 it changed the Town’s variance standards and processes. Under the prior land use code, variances were granted frequently because compliance with the outdated code was challenging and often failed to meet community needs. To promote consistency, the new LUDC changed the types of variances available and increased the standards that are required to be met. Currently, the LUDC allows Zoning Variances, Subdivision Design Variances, and Administrative Adjustments.

Zoning Variances (Section 4.17.080(F)): Can be applied for by an applicant during their development permit application process. The variance is reviewed and approved or denied by the Planning and Zoning Commission. The LUDC requires:

To approve a variance, the Planning and Zoning Commission must find that all of the following criteria apply:

- 1. The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district;*
- 2. The strict application of the LUDC standards for which a variance is sought would produce undue hardship;*
- 3. The applicant's actions did not create the hardship;*
- 4. The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought;*

5. *The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden;*
6. *The variance request will not violate building or fire code requirements; and*
7. *The variance is the minimum variance that will afford relief of the subject standards of the LUDC.*

This standard differs from the previous land use code where three of four criteria were required to be met for a variance to be granted. As noted earlier, this was intended to add more consistency and reduce the number of variance applications.

Subdivision Design Variances (Section 4.17.100): Are intended to allow specific changes to the subdivision design standards where site conditions require a design variance to protect a natural feature or environmentally sensitive area or improve a subdivision design. Applicants must apply for the variance concurrently with the development plan or preliminary subdivision plan. The LUDC allows for the Planning and Zoning Commission or Town Council to review and approve or deny a variance provided *conformance with the following criteria:*

1. *There exists on the site exceptional topographical, soil, or other subsurface condition, or other extraordinary conditions peculiar to the site or existing buildings or lot configuration such that strict application of the requirement of the regulation from which the design variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant or owner of the property in question.*
2. *A subdivision design variance shall not be granted if granting it would impair the intent and purposes of this LUDC.*

Administrative Adjustment (Section 4.17.110): The Administrative Adjustment process was intended to allow for minor deviations from the dimensional or numeric standards of the code and is reviewed and approved or denied by the Director. The application and implementation of this standard as written is unclear and does not allow for the needs of individual projects to be fully considered. There are 3 types of administrative adjustments:

1. Adjustments to LUDC standards
2. Adjustments to create reasonable accommodations under the Federal Fair Housing Act
3. Adjustments to eliminate a substantial burden under the Federal Religious Land Use and Institutionalized Persons Act.

Related to Adjustments to LUDC standards, the code reads: *An application for an administrative adjustment to LUDC standards may request only the types of adjustments shown in [Table 4.17-19 Administrative adjustments](#).*

It is unclear what the rationale is for the 15 % maximum adjustment outlined in the table. The standard requires subjective application to projects but does not provide flexibility that may be required to meet community needs, the intent of the code or support the success of a project.

The other two Administrative Adjustments are narrowly focused on the federal laws they cite.

ANALYSIS: Variance applications can create longer review timelines and increase uncertainty for applicants during their review process. Reducing the number of variance requests by ensuring higher and reasonable standards than the Town previously had was an important update in the LUDC. That said, staff wanted to provide this information as Council evaluates opportunities for additional code amendments.

COMMUNITY INPUT: Staff have received questions and concerns regarding potential changes to the zoning variance standards, reflecting a range of perspectives both for and against such changes. Preliminary feedback indicates there may be more support for updates to the administrative adjustment sections. Although staff have not received direct input from the broader community at this time, questions and concerns have been communicated through recent applicants.

BUDGET/STAFF IMPACT: Code amendments to make changes to the variance standards or process will require additional staff time to adequately research and draft. Additional time and capacity may be needed for legal review as well.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

RECOMMENDED ACTION OR PROPOSED MOTION: There is no recommendation for action at this time but staff welcomes feedback or direction from Council if future agenda discussions or action is desired.

ATTACHMENTS: None.



To: Mayor and Town Council

From: Community Development Department

Date: April 14, 2026

Agenda Item: PUBLIC HEARING: First Reading Ordinance 06, Series 2026, An Ordinance of the Town Council of the Town of Eagle, Colorado Adopting by Reference a Wildland Urban Interface Code

REQUEST

Amending the 2021 International Building Code (IBC) by adding a new chapter that establishes enhanced standards for buildings and structures located within the Wildland Urban Interface area (WUI).

BACKGROUND

In 2023, the Colorado Legislature passed SB23-166, directing the development of statewide wildfire-resilience standards. The Colorado Wildfire Resilience Code (also referred to as the State Resilience Code, or SRC) was released in July 2025—later than expected—leaving jurisdictions a shortened timeline to analyze the Code and prepare local amendments. Under State requirements, communities must adopt standards equal to or more restrictive than the SRC by April 1, 2026 and have them in effect by July 2026, with the State publishing a compliance list also in July 2026.

On March 24, 2026, staff presented Town Council with a memorandum recommending adoption of a 7A suite of amendments into the Town’s existing building codes. During that meeting, Council members expressed interest in adopting a modified version of the SRC. This approach would use the State hazard map, while classifying properties not currently designated within the Wildland-Urban Interface (WUI) in the Town of Eagle as “Class 1.”

Staff continues to recommend adoption of the 7A amendments and has prepared a modified SRC for Council’s consideration. Staff notes that both building code and land use regulations may be refined over time if adjustments are needed, and Council direction on the preferred regulatory framework will allow staff to proceed with implementation, education, and outreach efforts.

ANALYSIS

The two ordinances being presented to Town Council tonight address different approaches to wildfire resilience standards within the Building Code. The first ordinance is the previously introduced ordinance to adopt a 7A-style amendment package into the Town’s existing Building Codes. The second is a new ordinance that would adopt the State Resilience Code (SRC) by reference into the Building Codes. Under this ordinance, the SRC would rely on a hazard classification map adopted by the Town.

Based on Town Council feedback, for purposes of SRC implementation, staff prepared an amended version of the State hazard map. Under this approach, all properties within the Town that are not currently

classified would be designated as Class 1, while properties already classified as Class 1 or Class 2 would retain their existing designations. Staff has also clearly labeled each property to indicate that the classification applies to an entire property.

Example

To help illustrate the practical differences between the 7A amendments and the State Resilience Code (SRC) Class 2 standards, staff identified a representative residential building permit currently under review in the Town of Eagle that, under the State hazard map, would be classified as Class 2. Staff used this example solely to compare how each code would apply to a typical single-family home in a higher-hazard area.

The most significant material differences between the two codes relate to exterior siding and decking requirements.

Under the proposed 7A amendments, wood siding without a rated backing assembly is permitted. In contrast, under the SRC Class 2 standards, wood siding is not allowed unless it is incorporated into a one-hour fire-rated assembly, meaning the wall system must be designed to withstand one hour of fire exposure. Constructing an entire home to this level of fire resistance can result in substantially higher construction costs due to material selection and assembly requirements.

Decking standards also differ notably. Under the SRC Class 2, natural wood decking materials are prohibited unless they are Class A fire-rated, which significantly limits material choices—often to very high-cost species such as ipe or ironwood. Composite decking is permitted only if it meets Class B fire-resistance standards, eliminating many lower-cost composite options. Based on industry experience, these restrictions can meaningfully increase project costs.

By comparison, the 7A amendments allow solid wood decking that meets minimum dimensional standards (e.g., 2x6 boards), providing additional flexibility and permitting more common and cost-effective materials such as Douglas fir.

Staff is providing this example to help illustrate the practical implications of each regulatory approach. Staff will implement whichever Code framework Town Council selects and will continue to share relevant technical insights as they emerge to support informed decision-making.

Code Options

SRC – The SRC has already been promulgated and adopted statewide and can be readily codified by local jurisdictions, with amendments allowed upon State approval. However, initial implementation is likely to be more challenging. Issues include outdated or inaccurate State-issued mapping, an onerous appeals process, increased workload for a small Building team, and the potential for delays in processing building permits during the transition period.

7A – Adopting the 7A Code offers regional consistency among Eagle County jurisdictions. The Town of Vail has successfully implemented a 7A-based system for several years, demonstrating a functional and proven model. The Town of Vail, Town of Minturn, and Eagle County have already received State approval for their 7A-style amendment packages as compliant WUI codes, indicating that a similar path is viable for the Town.

Because 7A does not rely on hazard-rating maps, it eliminates mapping-related uncertainty and establishes a single, uniform set of requirements. This can reduce staff workload and streamline administration. Additionally, regional partners already working with 7A provide a valuable support network. Importantly, uniform construction standards across all new buildings and major renovations enhance safety and contribute to greater community resiliency overall.

Effective Date Options

Pursuant to the Town Charter, ordinances adopted by Town Council become effective ten (10) days after publication, with publication occurring the day following adoption. If the ordinances before Council are adopted on April 28, 2026, the earliest and minimum effective date permitted by the Charter would be ten (10) days after April 29, 2026, which is May 9, 2026.

Town Council may, at its discretion, establish a later effective date for one or both ordinances if additional implementation time is desired; however, the effective date cannot be shortened to fewer than ten days following publication.

As a reminder, the State deadline for adoption and implementation of Wildland-Urban Interface (WUI) regulations is July 31, 2026. Any extension of the effective date for the ordinances should be evaluated in light of these State compliance timelines.

COMMUNITY INPUT: Community Development staff has been actively communicating and collaborating with representatives from Haymeadow to identify potential challenges in the proposed language code and mitigate them before bringing it forth to the decision makers. Additionally, staff has communicated with representatives from Eagle Ranch and Red Mountain Ranch about this legislation and the potential impacts to property owners in those developments. Staff conducted targeted outreach to other local developers and did not receive feedback.

BUDGET / STAFF IMPACT: Implementation of either regulatory approach will require additional staff time during initial rollout, including training, public education, and code interpretation. Depending on Council direction, staff may also initially rely on third-party expertise (e.g., fire protection or building code specialists) to support implementation and consistent enforcement year.

7A

- **No additional mapping or classification costs:** Designating the entire Town as within the WUI applies a single, uniform set of standards, reducing administrative complexity and ongoing staff time spent determining site-specific hazard classifications.
- **Lower direct costs for education, outreach, and technical support:** Existing educational materials developed by Eagle County are available at no cost, and implementation efforts would align with outreach already underway in peer communities, reducing the need to create new materials. ToE staff also has the ability to lean on the Collaborative group for technical support as we implement 7a, this option is not available with the SRC.
- **Increased staff review and inspection time:** Adoption of 7A would expand the scope of plan review and inspection to include additional construction components This is expected to modestly increase staff workload per permit and could result in longer review times or the need for additional staff capacity over time.
- **Potential cost recovery through permit fees:** While staff review time is expected to increase, some of this workload may be offset through increasing the existing permit and inspection fees tied to expanded review scope.

SRC

- **Ongoing administrative costs for mapping and interpretation:** SRC implementation requires continued reliance on hazard classification maps and site-specific determinations, which may result in additional staff time for interpretation, applicant assistance, and potential classification disputes.
- **Increased direct costs for education and outreach:** There are not yet educational materials developed by the State, and staff anticipate we'll have to create at least some of these resources in house. Additionally, as it will be different than the rest of the County, staff anticipate having to continue education of local developers. With only two full-time staff in the Building Department we anticipate this will be time intensive in the implementation phase.
- **Increased staff review and inspection time:** Adoption of the SRC would expand the scope of plan review and inspection to include additional construction components (e.g., eaves, soffits, etc.). This is expected to increase staff workload per permit and could result in longer review times or the need for additional staff capacity over time.
- **Anticipated need for technical support:** Given the complexity of SRC Class 2 standards and material requirements, staff may need to consult external experts more frequently during implementation, which could result in short-term costs.
- **Potential cost recovery through permit fees:** While staff review time is expected to increase, some of this workload may be offset through increasing the existing permit and inspection fees tied to expanded review scope.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This code amendment advances several goals in the Town's Strategic Plan. It supports the goals of "Enhancing the Economic Resiliency of Town Government" and "Matching Infrastructure to Quality of Life" by ensuring that Town-funded infrastructure is designed to withstand wildfire impacts. Investing in resilience upfront helps avoid the far higher costs of replacing damaged infrastructure after a disaster.

The amendment also supports the goal of "Diversifying Attainable Housing Stock." By strengthening protections for existing homes, the Town helps preserve long-term housing supply—an essential factor in creating stable home-ownership opportunities for households with a range of incomes and housing needs.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion Option 1: I move to approve Ordinance 6, Series 2026, incorporating the 7A standards into Title 13 of the Town of Eagle's Municipal Code based on the findings contained in the staff report and testimony provided.

Motion Option 2: I move to approve Ordinance 6, Series 2026, incorporating the SRC standards into Title 13 of the Town of Eagle's Municipal Code based on the findings contained in the staff report and testimony provided.

ATTACHMENTS:

- [7A Ordinance](#)
- [SRC Ordinance](#)

- [SRC mapping](#)
- [Code comparison matrix](#)
- [Public Comment](#)
- [Staff Memo to Town Council dated March 24, 2026](#)
- [March 10, GEFPD's Presentation](#) (starting at 11 minutes, 20 seconds)
- [Presentation from Eagle Valley Wildland – Wildfire Mitigation Update](#)
- [Headwaters Economics Report on Construction Costs](#)
- [Resource Sheet from WUI Collaborative](#)

TOWN OF EAGLE, COLORADO
ORDINANCE NO. XX
(Series of 2026)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING CHAPTER 13.02 AND CHAPTER 13.03 OF THE EAGLE MUNICIPAL CODE
TO ADD PROVISIONS FOR WILDFIRE PROTECTION OF STRUCTURES LOCATED IN
THE WILDLAND URBAN FIRE AREA

WHEREAS, Senate Bill 23-166 established a Wildfire Resiliency Code Board (the “Board”) tasked with promulgating regulations and developing minimum codes and standards to reduce fire risk around structures in the wildland-urban interface (“WUI”) of Colorado; and

WHEREAS, the Board recently published the Colorado Wildfire Resiliency Code (the “CWRC” or the “Code”) that went into effect on July 1, 2025 and establishes minimum standards for the construction and maintenance of habitable structures, while also setting criteria for assessing risk within WUI areas and mapping wildfire hazard areas; and

WHEREAS, Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the CWRC and ensures compliance with the Code’s standards no later than three months after the local government’s adoption of a wildfire resiliency code; and

WHEREAS, pursuant to the authority vested in the Town Council by Article 6 of the Eagle Town Charter, the Town Council desires to amend the Eagle Municipal Code in order to adopt amendments to the 2021 International Building Code pursuant to the procedures set forth in C.R.S. §31-16-201, *et seq.*

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

Section 1. Chapter 13.02 of the Eagle Municipal Code is hereby amended by the addition of the following definitions, to appear in new sections 13.02.200 through 13.02.300:

ACCESSORY STRUCTURE. A structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

FIRE CODE OFFICIAL. The Fire Official or designee.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a structure to safeguard against the spread of fire within a structure and the spread of fire to or from structures to the wildland-urban interface area.

IGNITION-RESISTANT BUILDING MATERIAL. A type of building material that resists ignition or sustained flaming combustion sufficiently to reduce losses from

wildland-urban interface conflagrations under worst-case weather and fuel conditions with wildfire exposure of embers and small flames, as prescribed in Chapter 7A.

IGNITION-RESISTANT CONSTRUCTION. As described in Section 7A06.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is at least 6 inches (152 mm).

NONCOMBUSTIBLE. A material that, in the form in which it is used, is either:

1. Material of which no part will ignite and burn when subjected to fire (any material conforming to ASTM E136 shall be considered noncombustible); or
2. Material having a structural base of noncombustible material as defined in Item 1 above, with a surfacing material not over 1/8 inch (3.2 mm) thick, which has a flame spread index of 50 or less.

'Noncombustible' does not apply to surface finish materials. Material required to be noncombustible for reduced clearances to flues, heating appliances or other sources of high temperature shall refer to material conforming to Item 1 above. No material shall be classified as noncombustible that is subject to increase in combustibility or flame spread index, beyond the limits herein established, through the effects of age, moisture or other atmospheric condition.

SAFETY COVER. A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

SFM. Refers to the California State Fire Marshal's office.

UNENCLOSED ACCESSORY STRUCTURE. An accessory structure without a complete exterior wall system enclosing the area under the roof or floor above.

WILDLAND-URBAN INTERFACE AREA. The geographical area, as depicted and defined in the Community Wildfire Protection Plan, where structures and other human development meets or intermingles with wildland or vegetative fuels.

Section 2. Section 13.03.020 of the Eagle Municipal Code is hereby amended to add new Chapter 7A to read as follows:

CHAPTER 7A FIRE-RESISTIVE CONSTRUCTION

Section 7A01 Scope:

7A01.1 General. This Chapter shall apply to the construction, alteration, movement, repair, maintenance and change in use of any building, structure or premises that contain occupiable and/or habitable space into or within the wildland-urban interface areas of the Town.

Exceptions:

- 1.. Repair or replacement of less than 25% of a deck surface or structure. Replacement or repair in excess of 25% or a second replacement or repair of the deck shall trigger replacement of the nonconforming deck or assembly in its entirety
2. Repair or replacement of less than 25% of the exterior siding of a structure. Replacement or repair in excess of 25% or a second replacement or repair of the siding shall trigger replacement of the nonconforming siding in its entirety
3. One-story detached accessory, non-habitable structures, such as tool and storage sheds, playhouses, and similar uses, provided that the floor area does not exceed 120 square feet.
4. Accessory structures and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural Structures) located more than 50 feet from a structure containing occupiable or habitable space
5. Interior alterations of existing structures.
6. Alterations or repairs to the exterior of a structure, or attachments to it, when less than 25% of the exterior of the structure is affected by the alteration or repair. Replacement or repair in excess of 25% or a second replacement or repair shall trigger replacement of the nonconforming exterior element(s) in its entirety

7A01.2 Objective. Because the unrestricted use of property in wildland- urban interface areas is a potential threat to life and property from fire and resulting erosion, the objective of this Chapter is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and for property protection, and to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. This Chapter supplements the Town's codes to provide for special regulations to mitigate fire and life-safety hazards in the wildland-urban interface areas.

7A01.3 Additions or alterations. Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with the requirements of this Chapter; provided that the addition or alteration conforms to that required for a new building or structure.

Section 7A02 Applicability:

7A02.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply. Where, in any specific case, different sections of this Chapter specify different materials, methods of construction or other requirements, the most restrictive shall apply.

7A02.2 Existing conditions. The legal occupancy or use of any building, structure or condition existing on the date of adoption of this Chapter shall be permitted to

continue without change, except as is specifically covered in the International Fire Code.

Section 7A03 Compliance Alternatives

7A03.1 Practical difficulties. Where there are practical difficulties involved in carrying out the provisions of this Chapter, the building official or fire code official are authorized to grant modifications for individual cases upon application, in writing, by the owner or owner's authorized agent. The building official or fire code official shall first find that a special individual reason makes enforcement of the provisions of this Chapter impractical, that the modification is in conformance to the intent and purpose of this Chapter, and that the modification does not lessen any fire protection requirements or any degree of structural integrity.

7A03.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the building official or fire code official, the building official or fire code official are authorized to require the owner, the owner's authorized agent or the person in possession or control of the building or premises to provide, without charge to the Town, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official and the owner or the owner's authorized agent, and shall analyze the fire safety of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management for purposes of establishing fire hazard severity to recommend necessary changes.

7A03.3 Alternative materials or methods. The provisions of this Chapter are not intended to prevent the installation of any material or to prohibit any design or method not specifically prescribed by this Chapter, provided that any such alternative has been approved. An alternative material, design or method shall be approved where the building official in concurrence with the fire code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Chapter, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this Chapter in quality, strength, effectiveness, fire resistance, durability and safety. If an alternative material, design or method is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

Section 7A04 Special Construction Regulations

7A04.1 General. Structures shall be constructed in accordance with this Section, unless previously exempted in Section 7A01.1.

7A04.2 Fire-resistance-rated construction. Where this Chapter requires 1-hour fire-resistance-rated construction, the fire-resistance rating of building elements, components or assemblies shall be determined in accordance with the test procedures set forth in ASTM E 119 or UL 263.

Exceptions:

1. The fire-resistance rating of building elements, components or assemblies based on the prescriptive designs prescribed in Section 721.
2. The fire-resistance rating of building elements, components or assemblies based on the calculation procedures in accordance with Section 722.

Section 7A05 Ignition-Resistant Material.

7A05.1 General. Structures hereafter constructed, modified or relocated into or within wildland-urban interface areas shall meet the construction requirements in accordance with ignition-resistant construction in accordance with Section 7A06. Materials required to be ignition-resistant materials shall comply with the requirements of Section 7A05.2.

7A05.2 Ignition-resistant building material. Ignition-resistant building material shall comply with any one or more of the following:

1. Material shall be tested on all sides with the extended ASTM E 84 (UL 723) test or ASTM E 2768, except panel products shall be permitted to test only the front and back faces. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch (3.2 mm). Materials that, when tested in accordance with the test procedures set forth in ASTM E 84 or UL 723 for a test period of 30 minutes, or with ASTM E 2768, comply with the following:

- 1.1. Flame spread. Material shall exhibit a flame spread index not exceeding 25 and shall not show evidence of progressive combustion following the extended 30-minute test.

- 1.2. Flame front. Material shall exhibit a flame front that does not progress more than 10.5 feet (3,200 mm) beyond the centerline of the burner at any time during the extended 30-minute test.

- 1.3. Weathering. Ignition-resistant building materials shall maintain their performance in accordance with this section under conditions of use. Materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in the following standards, as applicable to the materials and the conditions of use:

- 1.3.1. Method A "Test Method for Accelerated Weathering of Fire- Retardant-Treated Wood for Fire Testing" in ASTM D 2898, for fire-retardant-treated wood, wood- plastic composite and plastic lumber materials.

- 1.3.2. ASTM D 7032 for wood-plastic composite materials.

- 1.3.3. ASTM D 6662 for plastic lumber materials.

- 1.4. Identification. Materials shall bear identification showing fire test results.

Exception: Materials composed of a combustible core and a noncombustible exterior covering, made from either aluminum at a minimum 0.019-inch (0.48

mm) thickness or corrosion-resistant steel at a minimum 0.0149-inch (0.38 mm) thickness shall not be required to be tested with a ripped or cut longitudinal gap.

2. Noncombustible material. Material that complies with the requirements for noncombustible materials.

3. Fire-retardant-treated wood. Fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2.

4. Materials meeting the following standards of quality.

4.1. SFM Standard 12-7A-1, Exterior Wall Siding and Sheathing. A fire resistance test standard consisting of a 150 kW intensity direct flame exposure for a 10-minute duration.

4.2. SFM Standard 12-7A-3, Horizontal Projection Underside. A fire resistance test standard consisting of a 300 kW intensity direct flame exposure for a 10-minute duration.

4.3. SFM Standard 12-7A-4, Decking. A 2-part test consisting of a heat release rate (Part A) deck assembly combustion test with an under deck exposure of 80 kW intensity direct flame for a 3-minute duration and a (Part B) sustained deck assembly combustion test consisting of a deck upper surface burning ember exposure with a 12 mph wind for 40 minutes using a 2.2 lb (1 kg) burning "Class A" size 12" x 12" x 2.25" (300 mm x 300 mm x 57 mm) roof test brand.

4.4. SFM Standard 12-7A-4A, Decking Alternate Method A. A heat release deck assembly combustion test with an under-deck exposure of 80 kW intensity direct flame for a 3-minute duration.

4.5. SFM Standard 12-7A-5, Ignition-resistant Material. A generic building material surface burning flame spread test standard consisting of an extended 30-minute ASTM E84 or UL 723 test method as is used for fire-retardant-treated wood.

Section 7A06 Ignition-Resistant Construction

7A06.1 General. Ignition-resistant construction shall be in accordance with Sections 7A06.2 through 7A06.11.

7A06.2 Roof covering. All roof coverings shall comply with Chapter 15 of this Code, as amended.

7A06.2.1 Roof valleys. Where provided, valley flashings shall be not less than 0.019 inches (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4 kg) mineral-surfaced, non-perforated cap sheet complying with ASTM D 3909 running the full length of the valley.

7A06.3 Protection of Eaves. Eaves and soffits shall be protected on the exposed underside by ignition-resistant building materials or by materials approved for not

less than 1-hour fire-resistance-rated construction, 2-inch (51 mm) nominal dimension lumber, or 1-inch (25 mm) nominal fire-retardant-treated lumber or ¾ inch (19.1 mm) nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2. Fascias are required and shall be protected on the backside by ignition-resistant building materials or by materials approved for not less than 1-hour fire-resistance-rated construction or 2-inch (51 mm) nominal dimension lumber.

7A06.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

7A06.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with one of the following methods and all such material shall extend from the top of the foundation to the underside of the roof sheathing:

1. Materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side.
2. Approved noncombustible materials.
3. Heavy timber or log wall construction.
4. Ignition-resistant building materials complying with Section 7A05.2 on the exterior side.

All exterior walls shall have a minimum of 6 vertical inches of noncombustible material, measured from the ground (at grade) or the nearest horizontal surface.

Exception: Combustible siding materials not complying with Section 7A05.2 may be used but shall not cover more than 25% of a given wall, excluding glazing area, and shall not be within 5 feet of finished grade. Combustible siding with a profile that may allow ember intrusion such as wood shake or wood shingle is prohibited.

7A06.6 Underfloor enclosure. Buildings or structures shall have underfloor areas enclosed to the ground with exterior walls in accordance with Section 7A06.5.

Exception: Complete enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction or fire-retardant-treated wood, if labeled for exterior use and meeting the requirements of Section 2303.2.

7A06.7 Appendages and projections. Unenclosed accessory structures attached to or located within thirty (30) feet of buildings with habitable spaces and projections, such as decks, shall be not less than 1-hour fire-resistance-rated construction, heavy timber construction or constructed of one of the following:

1. Approved noncombustible materials.
2. Fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2.

3. Ignition-resistant building materials in accordance with Section 7A05.2.
4. Decks or porches (or portions of the decks or porches) 4 feet or less above the ground shall have the underdeck area enclosed to reduce the accumulation of debris using one of the following methods:
 - a. Install noncombustible, corrosion-resistant mesh material with openings not to exceed 1/8 inch around the outer edge of the deck from the walking surface to the ground to prevent ember intrusion. Material (e.g., lattice) installed over the mesh, shall be noncombustible; or
 - b. Fully enclose with a noncombustible wall covering/cladding.

7A06.8 Exterior doors. Exterior doors shall be constructed of approved noncombustible materials, standard solid core wood not less than 1.75 inches thick (44 mm) or have a fire protection rating of not less than 20 minutes. Tempered glass doors are permissible. Exception: Vehicle access doors constructed without exposed combustible materials.

7A06.9 Vents. Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant materials with openings not to exceed ¼ inch (6.4 mm) or perforated noncombustible materials with perforations not to exceed ¼ inch (6.4 mm) or shall be designed and approved to prevent flame or ember penetration into the structure.

7A06.9.1 Vent locations. Attic ventilation openings shall not be located in the inner 2/3 of soffits, eave overhangs, or other overhang areas. Gable end and dormer vents shall be located not less than 10 feet (3,048 mm) from lot lines. Underfloor ventilation openings shall be located as close to grade as practical.

7A06.10 Detached accessory structures. Detached accessory structures located less than 30 feet (15,240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for not less than 1-hour fire-resistance-rated construction, heavy timber, log wall construction, or constructed with approved noncombustible materials or ignition resistant building materials in accordance with Section 7A05.2. Fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2.

7A06.10.1 Underfloor areas. Where the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10%, the area below the structure shall have underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 7A06.5 or underfloor protection in accordance with Section 7A06.6.

Exception: The enclosure shall not be required where the underside of exposed

floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction or fire-retardant-treated wood on the exterior side. The fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2.

7A06.11 Spark arrestors. Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester. Spark arresters shall be constructed of woven or welded wire screening of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding ½ inch (12.7 mm)."

7A06.12 Exterior Glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be either tempered glass, multi-layered glazed panels, glass block, or have a fire protection rating of not less than 20 minutes.

Section 1505.1. Section 1505.1 is amended to read as follows: "1505.1 General. All roof coverings shall be Class A. Wood shakes and shingles are not permitted unless exempted for replacement or repair as defined in Section 1501.1.1. Where the roof profile allows space between the roof covering and the roof decking at the eave ends, the spaces shall be constructed to prevent intrusion of flames and embers or have one layer of 72-pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D3909 installed over the combustible decking. Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610."

Section 1505.1.1. Section 1505.1.1 is added to read as follows: "Replacement or Repair. Each structure with a nonconforming roof covering or roof assembly shall be allowed 1 replacement or repair of 25% or less of the roof area. Replacement or repair in excess of 25% or a second replacement or repair of the roof covering or roof assembly shall trigger replacement of the nonconforming covering or assembly in its entirety. For purposes of this section, a 2-family dwelling shall be considered 2 separate structures. Emergency repairs of less than 10 sq/ft shall not be subject to the 25% rule."

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

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

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON

_____, 2026.

TOWN OF EAGLE, COLORADO

Bryan K. Woods, Mayor

ATTEST:

Camille Deering, Town Clerk

**TOWN OF EAGLE, COLORADO
ORDINANCE NO. XX
SERIES OF 2026**

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 13 OF THE EAGLE MUNICIPAL CODE TO ADOPT BY REFERENCE THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS PRIMARY CODE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND THE CODE ADOPTED HEREIN BY REFERENCE.

WHEREAS, Senate Bill 23-166 established a Wildfire Resiliency Code Board (the “Board”) tasked with promulgating regulations and developing minimum codes and standards to reduce fire risk around structures in the wildland-urban interface (“WUI”) of Colorado; and

WHEREAS, the Board published the Colorado Wildfire Resiliency Code (the “CWRC” or the “Code”) that went into effect on July 1, 2025 and establishes minimum standards for the construction and maintenance of habitable structures, while also setting criteria for assessing risk within WUI areas and mapping wildfire hazard areas; and

WHEREAS, Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the CWRC and ensures compliance with the Code’s standards no later than three months after the local government’s adoption of the CWRC; and

WHEREAS, pursuant to the authority vested in the Town Council by Article 6 of the Eagle Town Charter, the Town Council desires to amend the Eagle Municipal Code in order to adopt by reference the Colorado Wildfire Resiliency Code, 2025 Edition, pursuant to the procedures set forth in C.R.S. §31-16-201, *et seq.*

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF EAGLE, COLORADO, ORDAINS THAT:

Section 1. The foregoing recitals are incorporated as findings by the Town Council.

Section 2. A new Chapter 13.19 of the Eagle Municipal Code is hereby enacted as follows:

**CHAPTER 13.19
Colorado Wildfire Resiliency Code**

13.19.010 Adoption by reference.

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *Colorado Wildfire Resiliency Code, 2025 Edition*, and the commentary and appendices thereto, promulgated and published by the Colorado Wildfire

Resiliency Code Board in the Colorado Division of Fire Prevention and Control, 1697 Cole Blvd, Unit 200, Lakewood, CO 80401, to have the same force and effect as if set forth herein in every particular. The purpose of this code is to enhance life safety and property protection in Colorado's Wildland Urban Interface (WUI) areas by mitigating the risks associated with wildland fires, specifically by preventing wildland fire from spreading into structures and preventing structure fires from spreading into wildland fuels.

13.19.020 Copy on file.

At least one (1) copy of the *Colorado Wildfire Resiliency Code, 2025 Edition*, and any commentary and appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

13.19.030 Penalties.

Section C101.3.4 in Appendix C of the adopted code, which contains a penalty clause, is amended to read as follows:

Section C101.3.4. Violation penalties. Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the code official shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000. Any criminal offense under this section shall be one of strict liability.

Section 3. Pursuant to Section 31-16-203, C.R.S., as amended, a public notice shall be published twice in a newspaper of general circulation within the Town, once at least fifteen (15) days preceding a public hearing, and once at least eight (8) days preceding the public hearing. The notice shall state the time and place of the hearing, shall state that copies of the primary code to be considered for adoption are on file with the Town Clerk and are open to public inspection, shall contain a description deemed sufficient to give notice to interested persons of the purpose of the primary code, the subject matters of said code and the name and address of the agency by which it has been enacted. The public hearing on the adoption of this ordinance is hereby set for April 14, 2026.

Section 4. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect as of July 1, 2026.

INTRODUCED on April 14, 2026, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of Eagle, Colorado, held on April 28, 2026 at a public hearing, passed without amendments, approved and ordered published in full as required by Charter.

Dated this _____ day of _____, 2026.

TOWN OF EAGLE, COLORADO

By: _____
Mayor

ATTEST:






Town Clerk




DRAFT

Legend

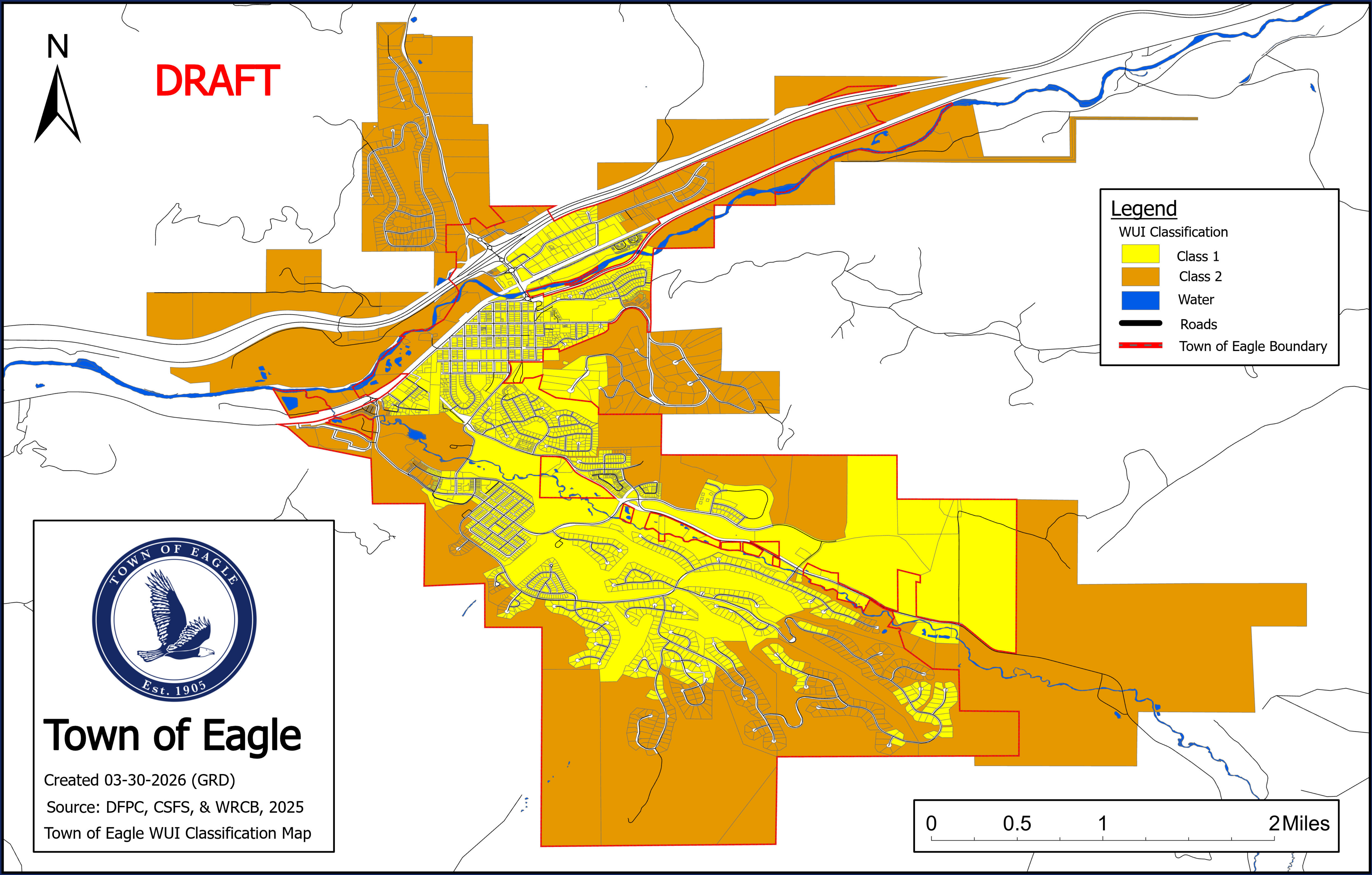
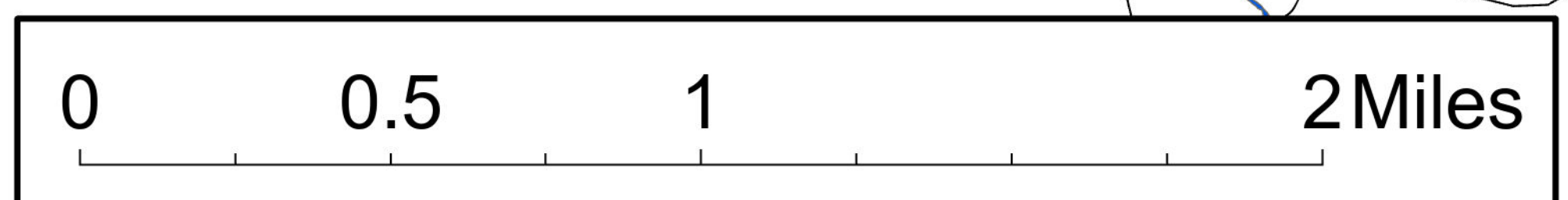
WUI Classification

-  Class 1
-  Class 2
-  Water
-  Roads
-  Town of Eagle Boundary



Town of Eagle

Created 03-30-2026 (GRD)
Source: DFPC, CSFS, & WRCB, 2025
Town of Eagle WUI Classification Map



Code Comparison Table for SRC (State code) vs. 7A		
Component		SRC
WUI BOUNDARIES		
Based on Local mapping		TRUE
Town of Eagle is declared as WUI		FALSE
GROUND-TRUTHING (appeal of mapping)		
Appeal of mapping		TRUE
Appeal of fire resistive requirements		FALSE
STRUCTURAL HARDENING		
Applies to exterior design and construction of new buildings and structures within the WUI		TRUE
Exceptions:		
Group U accessory buildings (storage, private garage, agricultural buildings, etc.) of any size located at least 50 feet from a structure containing occupiable or habitable space		TRUE
One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, that are not greater than 120 s.f. and located at least 10 feet from the nearest occupiable structure		TRUE
Reconstruction, alteration, repair, replacement, or reconstruction of exterior walls of an existing building not > than 25% of the surface area of all walls		TRUE
Reconstruction, alteration, repair, replacement, or reconstruction of exterior roof covering of an existing building not > than 25% of the surface area of the roof covering		TRUE
Reconstruction, alteration, repair, replacement, or reconstruction of the exterior of an existing building not > than 25% of the surface area of the roof covering		TRUE
Additions that do not increase the footprint of a structure by more than 500 square feet		TRUE
Interior alterations of existing structures		TRUE

Painting, staining and similar maintenance or restorative work	TRUE
Fences located more than 8 feet from a habitable structure	TRUE
Any 35-acre parcel with only one residential structure on it that does not abut a residential or commercial area	TRUE
BUILDING MATERIAL	
Ignition-resistant	TRUE
Noncombustible	TRUE
Fire-retardant-treated wood	TRUE
SFM Standards	
CLASS I	
Roofing - Class A roof covering or assembly	TRUE
Gutters and Downspouts	TRUE
Ventilation Openings (enclosed attics, enclosed rafters, underfloor	TRUE
CLASS 2	
Eave Protections	TRUE
Exterior Walls	TRUE
Underfloor Enclosure	TRUE
Decking	TRUE
Appendages and Projections (decks; balconies)	TRUE
Exterior Glazing	TRUE
Exterior Doors	TRUE
Vehicle Access Door Perimeter Gap	TRUE
Detached Accessory Structures	TRUE

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Town of Eagle – Town Hall
PO Box 609
Eagle, CO 81631

RE: Landscape Code Ordinance

Dear Town Council,

I am writing in support of the work Town staff has done on the proposed amendments to the Landscape section of the LUDC. Staff has proactively researched state Wildland Urban Interface (WUI) initiatives and adapted applicable standards for our high alpine desert environment.

Staff has diligently sought professional input from those who work in and understand our environment, including considerations such as plant availability and other market constraints. This feedback has been incorporated into the proposed draft, which supports WUI initiatives in a way that is both attainable and adaptable for those who work and live in the Town of Eagle. The ability to group species while maintaining appropriate spacing provides flexibility while advancing WUI goals. Zone 1's 5-foot spacing standard reduces combustible material while allowing for carefully planned, ignition-resistant plantings. This supports creative landscape design while maintaining defensible space. Overall, the proposed code aligns with similar mountain communities, such as Cordillera, by limiting functional turf and supporting native planting areas.

The revised code is less prescriptive and more performance based, which will allow landscapes to better reflect Eagle's unique character.

Respectfully,

A handwritten signature in black ink that reads "Megan Testin". The signature is fluid and cursive.

Megan Testin, Principal
Norris Design

Town of Eagle
PO Box 609
Eagle, CO 81631

RE: WUI Landscape Code Ordinance

Dear Town Council,

I am writing on behalf of the Haymeadow Homeowners Master Association in support of the work that Town Staff has done with the amendments to the Landscape section of the LUDC. Staff has done an excellent job of proactively researching state Wildfire Urban Interface (WUI) initiatives. They have been diligent in adapting the standards so that apply to our high alpine desert environment in the Town of Eagle.

Staff has collaborated with design professionals and arborists that practice and understand our environment, as well as plant availability and specific Town of Eagle constraints. Feedback has been incorporated into the proposed draft that allows for code that will support WUI initiatives in a manner that is both attainable and adaptable for those working and residing in the Town of Eagle.

Should this ordinance be approved, the Haymeadow Homeowners Master Association is committed to updating our community Design Guidelines to align with the adopted code changes. This will ensure consistency between Town standards and the expectations we hold for landscape design within Haymeadow, reinforcing the community's commitment to water-wise, fire-resilient, and ecologically appropriate landscaping.

Respectfully,

Michael Hood
Haymeadow Homeowners Master Association

March 20, 2026

The Honorable Mayor and Members of the Town Council
Town of Eagle
Eagle, Colorado 81631

Re: Wildfire Resiliency Code Adoption

Dear Mayor and Members of the Town Council,

I am writing to you as a resident of Eagle who cares deeply about the long-term safety, vitality, and economic resilience of our community. I understand that the Town is currently considering the adoption of a wildfire resiliency code, and I want to respectfully but urgently encourage you to approach this decision with the full weight of its consequences in mind. This decision affects not only for today's developers, businesses, and residents, but for every family who will call Eagle home in the decades ahead.

The True Cost of Choosing the Least Restrictive Path

I recognize that development interests carry significant weight in local policy decisions, and I understand the economic pressures that builders and developers face. However, I am concerned that the voices most focused on short-term construction costs may be drowning out a far more important conversation: **what is the long-term cost to our community if we adopt a code that does not adequately protect us?**

Eagle sits in one of the most wildfire-prone regions in the United States. The mountains and foothills that make our community so beautiful also place us squarely in harm's way. A code that prioritizes developer convenience over resident safety is not a savings, it is a deferred liability that will ultimately be paid by homeowners, taxpayers, and the community as a whole.

The Growing Insurance Crisis in Wildfire-Prone Communities

Across Colorado and the American West, we are witnessing a crisis that should serve as a direct warning to Eagle: insurers are withdrawing from wildfire-risk markets at an accelerating pace. Communities that have not invested in meaningful resiliency standards are finding that homeowners insurance is becoming unavailable, unaffordable, or both. When insurance disappears, property values follow.

A robust wildfire resiliency code is not merely a safety measure, it is an economic development tool. Communities that demonstrate a serious commitment to fire-resistant construction are better positioned to attract and retain insurers, protect property values, and maintain the financial stability that makes quality of life possible. I urge the Council to consider what a future Eagle looks like if homeowners begin receiving non-renewal notices and prospective buyers cannot obtain coverage.

Risk to Property and Lives Cannot Be Minimized

The fires that have devastated communities like Superior, Paradise, and Lahaina were not failures of bad luck, they were, in significant part, failures of foresight. In each case, investigators found that structures built or maintained without adequate fire-resistant standards burned with remarkable speed, leaving residents little time to escape and firefighters overwhelmed. The cumulative loss of life, property, and community fabric in those events should weigh heavily on every decision-maker who has the opportunity to build in greater protections.

Eagle is not immune to this risk. Dry conditions, high winds, and increasing temperatures driven by climate change are not future projections, they are the conditions we already live with. The question before the Council is not whether wildfire risk is real. It is whether we will make the modest additional investment now, through stronger code requirements, to meaningfully reduce the probability of catastrophic loss later.

Comprehensive Community Risk Must Guide This Decision

I respectfully ask: whose interests are most fully represented in the current deliberations? Developers have clear, quantifiable, and immediate financial incentives to advocate for the least restrictive standards possible. Their construction cost savings are real. But the costs they seek to avoid are not eliminated, they are simply transferred to future homeowners, insurers, emergency responders, and the Town itself.

The comprehensive risk to our community, including emergency response capacity, evacuation logistics, municipal liability, post-fire recovery costs, and the social and psychological toll of displacement, is not easily quantified, but it is very real. I urge the Council to ensure that this full spectrum of risk is formally part of your deliberations, and that independent fire safety and insurance experts have a seat at the table alongside development interests.

My Request to the Council

I am not asking the Town to make development impossible or to impose unreasonable burdens on builders. I am asking that the Council adopt the strongest wildfire resiliency standards that are defensible based on the evidence, not the weakest that developers will accept. Specifically, I ask that you:

- Commission or review an independent analysis of the insurance availability risk to Eagle homeowners under different code scenarios before a final decision is made.
- Ensure that long-term property value and tax base impacts (not just near-term construction costs) are formally weighed in the cost-benefit analysis.
- Invite testimony from insurance underwriters, fire behavior experts, and representatives from communities that have experienced catastrophic wildfire loss.

I chose to make Eagle my home because of this community's beauty, its people, and the quality of life it offers. I want it to remain that way for my neighbors, my family, and the generations who will come after us. The decisions made in the coming weeks about our wildfire code will shape this community for decades. I urge you to choose the path of genuine protection over short-term convenience.

Thank you for your service to Eagle and for your careful consideration of these concerns. I welcome the opportunity to discuss this further and would be happy to connect you with additional resources or expert voices on this issue.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ben Leape', with a stylized flourish extending to the right.

Ben Leape
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Eagle, Colorado
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ben.leape@gmail.com

WILDLAND URBAN INTERFACE (WUI) CODE COST COMPARATIVE ANALYSIS

Colorado Wildfire Resiliency Code vs.
California Building Code Chapter 7A

Prepared for:
Town of Eagle Town Council

Prepared by:
Michael Hood

February 2026

EXECUTIVE SUMMARY

This comprehensive analysis compares the 2025 Colorado Wildfire Resiliency Code (CWRC) with California Building Code (CBC) Chapter 7A, examining structural requirements and estimated cost impacts across different regulatory scenarios. This report provides the Town of Eagle Town Council with detailed information to make informed decisions regarding wildfire resilience building codes.

Key Findings:

- **Colorado Class 1 (Low Fire Intensity): Minimal cost impact of \$5,000-\$13,000 (1.0%-2.6% increase over baseline construction)**
- **Colorado Class 2 (Moderate/High Fire Intensity): Moderate cost impact of \$53,000-\$80,500 (10.7%-16.1% increase)**
- **CBC Chapter 7A: Highest cost impact of \$63,000-\$93,500 (12.6%-18.7% increase)**
- Colorado's tiered, risk-based approach allows for cost-appropriate regulation based on actual fire risk
- Colorado Class 2 provides material flexibility while maintaining safety standards, resulting in lower costs than CBC Chapter 7A

TABLE OF CONTENTS

1. Classification Systems
2. Key Structural Requirements
3. Cost Analysis Summary
4. Designs at Haymeadow
5. Summary
6. Recommendation

1. CLASSIFICATION SYSTEMS

1.1 Colorado CWRC Classification

The Colorado Wildfire Resiliency Code employs a two-tier classification system:

- **Class 1 (Low Fire Intensity):** Based on flame lengths less than 2 feet, characterized by lower fuel loads and easier suppression
- **Class 2 (Moderate to High Fire Intensity):** Covers areas with flame lengths from 2 feet up to 30+ feet, indicating higher fuel loads and more difficult suppression conditions

This classification is tied to fire intensity metrics including flame length, fuel type, and suppression difficulty, allowing for risk-based regulation.

1.2 CBC Chapter 7A Classification

California Building Code Chapter 7A does not utilize a tiered class system. Instead, it applies uniformly to all designated Wildland-Urban Interface areas and Very High Fire Hazard Severity Zones. The approach is more prescriptive with less flexibility in material choices and construction methods.

2. KEY STRUCTURAL REQUIREMENTS

2.1 Roofing Requirements

Aspect	Colorado Class 1	Colorado Class 2	CBC Chapter 7A
Rating	Class A	Class A	Class A
Ember Protection	Required for tile/gaps	Required for tile/gaps	Required for tile/gaps
Valley Flashing	Metal over 36" underlayment	Metal over 36" underlayment	Similar requirements

Analysis: Roofing requirements are essentially equivalent across all three systems.

2.2 Eaves and Soffits

Colorado Class 1: No specific protection requirements for eaves and soffits.

Colorado Class 2: Requires noncombustible, ignition-resistant, or 1-hour rated materials. Fascia protection required on backside. Roof overhangs and exterior soffits beyond 4-foot projection from exterior wall must be 1-hour rated assemblies.

CBC Chapter 7A: Similar to Class 2 but more restrictive in material requirements only approved database materials allowed. Exterior finish materials typically must be non-combustible (fiber cement panels most common). **** Based on current interpretations, working with Town Staff for clarity.

2.3 Windows and Doors

Aspect	Colorado Class 1	Colorado Class 2	CBC Chapter 7A
Glazing	Not-Regulated	Tempered, multilayered, or 20-min rated	Typically requires tempered or multi-pane
Doors	Not-Regulated	Noncombustible, solid core 1¾", or 20-min rated	Similar to Class 2
Garage Doors	Not-Regulated	1/8" max gap; weather stripping	Similar to Class 2

Window Key Functional Differences Builder-grade Milgaurd V250 to Chapter 7A.

1. Energy efficiency: Chapter 7A windows can reduce heating/cooling costs by 20-40%.
2. Comfort: Less condensation, reduced drafts, more consistent indoor temperatures
3. Durability: Better seals and materials mean longer lifespan
4. Cost: Chapter 7A windows typically cost 30-60% more upfront but provide long-term savings

IMPORTANT CONTEXT: The Code presented by Town of Eagle Staff excludes the one pane of tempered glass requirement from the CBC Chapter 7A.

Additionally the current energy code is restrictive to entry level/builder grade vinyl windows. The cost increase to go up from the most basic window package that meets this energy code to a more robust window that meets the requirements of Class 2 and CBC Chapter 7A. The variation is for a tempered, it is currently omitted from the proposed 7A code and carries a 7% cost increase to temper one pane of the window.

Additional costs for windows and doors: \$15,500-\$18,500

2.4 Exterior Walls - Critical Differences –

This section represents the most significant cost differential between the codes.

Colorado Class 1 - No Exterior Wall Requirements

The Colorado Wildfire Resiliency Code Class 1 (Low Fire Intensity) does **NOT** include any exterior wall material requirements. Standard building materials are permitted, including:

- Vinyl siding
- Wood siding (any species/treatment)
- Standard T1-11 plywood
- Hardboard/masonite
- Any material allowed by standard building code

Additional costs for exterior walls: \$0

CBC Chapter 7A - Strict Exterior Wall Requirements

California Chapter 7A requires one of the following wall assemblies:

Option 1 - Prescriptive Assembly (behind any cladding):

- 5/8" Type X gypsum sheathing on exterior side of framing, OR
- 1-hour fire-rated wall assembly (exterior fire exposure), OR
- Heavy timber construction (4" minimum), OR Log wall construction (6" minimum)

Option 2 - Tested Assembly:

- Pass SFM Standard 12-7A-1 (150 kW flame for 10 minutes), OR Pass ASTM E2707 test

Approved Exterior Cladding Materials:

Noncombustible (Always Compliant):

- Stucco/cement plaster
- Fiber-cement siding (James Hardie, Nichiha)
- Concrete/masonry/brick/stone
- Metal siding

Prohibited Materials:

- Standard vinyl siding
- Untreated wood (unless specifically listed)
- Standard engineered wood
- T1-11/OSB/Hardboard

Additional costs for exterior walls: \$19,000-\$25,500

2.5 Decking - Critical Differences - Start at 70. Double it for Class 2 and 7A.

This section represents another significant cost differential between the codes, particularly for properties with attached decks. **Decking requirements can add \$18,000-\$25,000 to construction costs under CBC Chapter 7A.**

Colorado Class 1 - No Decking Requirements

The Colorado Wildfire Resiliency Code Class 1 (Low Fire Intensity) does **NOT** regulate decking materials. Standard affordable construction materials are permitted, including:

- Standard pressure-treated pine (.40 retention level)
- Untreated cedar or redwood (standard residential grades)
- Basic composite decking (Trex Select, generic brands)
- Tropical hardwoods (Ipe, cumaru, tigerwood)

Typical Cost Range: \$21,000-\$30,000 for a standard 300 sq ft deck

Additional costs for decking: \$0

Colorado Class 2 - Moderate Requirements

Colorado Class 2 requires noncombustible, Class A rated, or ignition-resistant materials for decking. However, it includes a **Class B composite decking exception** which provides more material flexibility and lower costs than CBC Chapter 7A.

Acceptable Materials:

- Fire-retardant treated wood (FRTW) - exterior-rated
- Noncombustible materials (metal, concrete, porcelain tile)
- Class A rated composite decking (specific tested products)
- Class B composite decking (allowed exception - more product options)

Typical Cost Range: \$49,000-\$55,500 for a 300 sq ft deck

Additional costs for decking: \$18,000-\$25,500

CBC Chapter 7A - Strictest Requirements

California Chapter 7A has the most stringent decking requirements, applying to all decks within 10 feet of the building in Fire Hazard Severity Zones. **No Class B composite exception is allowed.**

Acceptable Materials:

- **Fire-Retardant Treated Wood (FRTW):** Must pass ASTM E84 (30-minute extended test) with flame spread ≤ 25 . Examples: Chemco FRX, Thermex-FR treated lumber.
- **Heavy Timber Construction:** Minimum 3-inch thick deck boards (Redwood Construction Common or better, Cedar 3 Common or better).

- **Composite Decking (Tested & Approved):** Must pass SFM Standard 12-7A-4 (Parts A & B) with heat release rate ≤ 25 kW/sq ft. Examples: Specific approved Trex, Fiberon, TimberTech/AZEK models. **Not all composite products qualify—must be specifically listed.**
- **Noncombustible Materials:** Metal decking, concrete, lightweight concrete, porcelain tile over approved substrate.

Additional Installation Requirements:

- Adjacent wall covering (within 10 feet) must be noncombustible or ignition-resistant
- Underside of deck projections must be protected per SFM Standard 12-7A-3
- Surface treatments (paints, stains, coatings) do not count as approved protection

Typical Cost Range: \$46,200-\$70,000 for a 300 sq ft deck

Additional costs for decking: \$25,200-\$40,000

Key Functional Differences - Decking Comparison

Feature	Colorado Class 2	CBC Chapter 7A
Fire testing required	Class A or B rating acceptable	Required (SFM 12-7A-4, ASTM E2632/E2726)
Class B exception	Allowed - more product options	Not allowed - Class A only
Heat release rate limit	Not specifically measured	≤ 25 kW/sq ft maximum
Product availability	More options due to Class B exception	Limited to specifically approved/listed products
Adjacent wall requirements	General exterior wall requirements apply	Walls within 10 ft must be noncombustible or ignition-resistant
Cost premium (300 sq ft deck)	+\$18,000-\$25,000	+\$25,200-\$40,000

Analysis: Colorado Class 2’s allowance of Class B decking provides significant cost savings (40-60% less than Chapter 7A) while still maintaining fire safety standards. The Class B exception expands product availability and reduces material costs without compromising structural integrity or ignition resistance. CBC Chapter 7A’s stricter requirements eliminate many cost-effective options and require specific product testing that limits market choices. Town Staff to consider matching Colorado Class 2 requirements in the proposed code for CBC Chapter 7A.

3. COST ANALYSIS SUMMARY

Assumptions:

- 1,500 sq ft single-family home
- Wood-frame construction
- Typical Colorado mountain
- Costs are incremental above baseline construction (No WUI code)
- Baseline construction cost approximately \$500,000
- 300 SF Deck.

3.1 Total Cost Comparison

Cost Category	No WUI Code	CO Class 1	CO Class 2	CBC Ch. 7A
Roofing	Baseline	+\$3,000-\$5,000	+\$3,000-\$5,000	+\$3,000-\$5,500
Exterior Walls	Baseline	+0	+\$19,000-\$25,500	+\$19,000-\$25,500
Eaves/Soffits *	Baseline	+\$0	+\$3,000-\$6,000	+\$4,000-\$7,000
Vents	Baseline	+\$1,000-\$2,000	+\$1,000-\$2,000	+\$1,000-\$2,000
Decking	Baseline	+\$0	+\$18,000-\$25,000	+\$25,200-\$40,000
Windows/Doors	Baseline	+\$0	+\$15,000-\$18,500	+\$15,000-\$18,500
Defensible Space (initial)	Baseline	+\$0-\$4,000	+\$0-\$4,000	+\$0-\$4,000
Design/Engineering	Baseline	+\$1,000-\$2,000	+\$2,500-\$5,000	+\$3,000-\$6,000
TOTAL INCREMENTAL COST	\$0	\$5,000-\$13,000	\$61,500-\$91,500	\$73,200-\$108,500
% Increase over Baseline	0%	1.00%-2.6%	12.3%-18.3%	14.6%-21.7%

Note: Assumes baseline construction cost of approximately \$500,000. No soffits over 4' projection. Soffits over 4' projection, would cost twice as much as previously.

4. CURRENT DESIGNS AT HAYMEADOW

4.1 Design Philosophy

In conversations with Town Staff in preparing this report, we both agreed it made sense to provide some clarification on the current construction that has been completed and that is currently under construction at Haymeadow.

Although the Haymeadow property is not currently subject to a mandatory Wildland Urban Interface (WUI) building code, wildfire resilience has been a foundational design priority from the outset. Our homes are designed to significantly exceed Colorado Class 1 ignition-resistant construction standards. While we do not fully implement every requirement of Colorado Class 2 or California Building Code Chapter 7A, we have intentionally incorporated many enhanced structure-hardening measures that go beyond minimum local requirements.

Haymeadow's approach extends beyond individual home construction. What distinguishes the community is our ability to thoughtfully master plan at the neighborhood scale — incorporating defensible space, strategic buffering between homes and the foothills, fuel-modified landscape zones, and integrated infrastructure planning. We also have the capability to design emergency sprinkler systems and other mitigation strategies to help reduce long-term wildfire risk and improve overall community resilience.

At Haymeadow, wildfire mitigation is not simply a code compliance exercise — it is an integrated design philosophy that balances safety, landscape stewardship, and mountain living.

4.2 Past and Present Projects by WUI Impacts

7 Hermit Condos:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Would need to add Vulcan Vents or sim product, and provide a 1 hour rating all of the soffits over decks.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

Mountain Peak Townhomes:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Have Vulcan Vents but would need to provide a 1 hour rating all of the soffits over decks.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

Single Family Homes:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Have Vulcan Vents but would need to provide a 1 hour rating all of the soffits over decks. Also would need to change soffit material from stained pine to a non-combustible material.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

5. SUMMARY

5.1 Key Advantages of Colorado Code

1. **Risk-Based Tiering:** Not all WUI areas require maximum protection. The Colorado code allows communities to apply appropriate standards based on actual fire risk, avoiding unnecessary costs in lower-risk areas.
2. **Material Flexibility:** Multiple compliance paths reduce costs while maintaining safety standards. For example, Class 2 allows fire-retardant wood as an alternative to noncombustible materials and permits Class B composite decking under certain conditions.
3. **Ground-Truthing Provision:** Section 304 of the Colorado code allows for site-specific adjustments based on actual conditions, providing flexibility while maintaining safety.
1. **Cost Efficiency:** CBC Chapter 7A typically costs \$11,700-\$47,000 more than Colorado Class 2, primarily due to more restrictive material requirements and less flexibility in compliance options.

5.2 Considerations for Jurisdictions

2. Colorado's tiered approach allows cost-appropriate regulation based on fire risk assessment.
3. Establish Minimum Class 1 Hazard Zone: Support a minimum of Class 1 Hazard Zone designation across all of Town. Only areas mapped as Class 2 would have the more stringent requirements, ensuring baseline protection while avoiding higher costs across the board.
4. Establish Minimum Class 1 Structure Hardening requirements.
5. Class 2's flexibility in material choices (fire-retardant wood, Class B decking exceptions) reduces costs while maintaining safety performance.
6. Defensible space provisions in Class 2 are more comprehensive than CBC Chapter 7A, potentially providing better overall protection through integrated landscape management.
7. If going Colorado code then, consider establishing a database of pre-approved materials to provide clarity to the development community and reduce review burden on staff.
8. If going CBC Chapter 7A then, consider modifying the proposed code specifically for decking to all Class B materials like the State of Colorado Class 2 code as this is one of the biggest cost impacts from State of Colorado Class to CBC Chapter 7A. staff.
9. Consider the effective date and how this impacts all of the applications that have been designed and submitted long before this has come forward.

6. FORMAL RECOMMENDATION

6.1 Forthcoming

Conclusion

The information gathered above is meant to provide a useful starting point for evaluating the Town of Eagle's approach to Wildland Urban Interface (WUI) code compliance and fire risk mitigation. Eagle's position within a high-risk WUI zone underscores the importance of getting this right, however, complexities remain unresolved.

The current information is not yet comprehensive enough to support a formal recommendation regarding WUI code updates, enforcement strategies, or potential amendments to the Town's existing regulatory framework. Key variables — including selection of map for affected parcels, review of draft language on staffs recommendation for adopting CBC Chapter 7A, and coordination with Eagle County fire officials.

Following the January 6th work session, we have met with Town Staff several times to continue advancing this work, and additional meetings are scheduled over the coming weeks. These conversations have been productive and are helping to shape a clearer understanding of the issues, but that process is still ongoing.

Until the outstanding information and stakeholder perspectives have been fully gathered and reviewed, it would be premature to endorse any specific policy direction. A formal recommendation will be issued once that work is complete. In the meantime, no options should be taken off the table, and we will continue the collaborative engagement with the fire officials, planning staff, and the development community to ensure that any future recommendation for WUI code action is both effective and well-informed.



RE: TOE WUI Code Adoption Email and Attachment to be Memorialized in Public Comments

From Steve Stone <stone@dwelldmountain.com>

Date Tue 2/17/2026 4:34 PM

To Planning Department <Planning@townofeagle.org>

Cc Melissa Daruna <Melissa.Daruna@townofeagle.org>; Kyle Brotherton <kyle.brotherton@townofeagle.org>;
Jessica Lake <jessica.lake@townofeagle.org>; Sydney Dynek <sydney.dynek@townofeagle.org>

1 attachment (311 KB)

WUI Comments for TOE 2.17.26.pdf;

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.

Good afternoon,

In the attached document, I have attempted to outline the items that the town of Eagle staff addressed in their January 6th and January 20th memos to the planning commission. I have summarized the staff's recommendations and provided simple alternatives that I feel should be discussed and considered by planning and zoning, and ultimately by the town council, prior to the adoption of the new WUI code.

I've been a licensed General Contractor in Colorado for the past 25 years, primarily in residential construction, building throughout the state, including many municipalities and communities in Eagle County. I've lived in Eagle for the past decade and want to ensure that our community continues to develop responsibly. I feel that for the town to thrive, it is imperative that good decisions be made in the best interests of our population, thereby making the community more resilient, inclusive, and functional.

My overarching concern is that the unintended consequences of blanketly mapping the entire town as Class 2, adopting a complex code like California 7A, while adoption of Colorado's WUI Code is at its infancy, could have severe, unforeseen repercussions for Eagle's economy.

Sincerely,

Stephen Stone

Cell:303.875.6170

stone@dwelldmountain.com

The Dwell Company

P.O. Box 3488

33B Gamble St.

Eagle, CO 81631

My summary and comments are based on the January 6, 2026, Staff Memo. *It stated that the primary goal of the proposed updates is to align the Town of Eagle with SB23-166, requiring the adoption of wildfire resilience standards by April 1, 2026.*

1. Mapping

- **Summary:** The Town must adopt an official map designating areas subject to the Resilience Code.
- **Staff Recommendation:** Adopt the **Community Wildfire Protection Plan (CWPP) map**, which designates the entire town as being within the Wildland Urban Interface (WUI), and therefore places the whole Town of Eagle into a Class 2 designation. **This imposes the most stringent and expensive requirements on all new construction and significant renovations town-wide.**

This approach has several drawbacks:

- **Over-Classification of Risk:** Adopting the CWPP map ignores the State's assessment that most of the Town is classified as Class 1 (Low Risk). This imposes Class 2 standards on properties the State considers safe, including strict requirements for exterior walls, decking, and specialized windows.
- **Financial Impact:** Although staff cites a study suggesting only a 2–3% increase in construction costs, our analysis indicates a significantly higher increase. When evaluating the Staff Recommendation and the **“Construction Costs for Wildfire-Resistant Homes” prepared by The Headwaters Group, we identified an issue that was not considered and would have a significant impact on the Town of Eagle.** Please see additional information below.

“For purposes of this study and based on homeowner preferences for the Altadena area in southern California, a concrete pour-on-grade patio was assumed for all four home scenarios. A pour-on-grade patio eliminates consideration of a structural support system, including joists, beams, and columns that are required for an elevated decking assembly and are not included in this analysis.”

- Consider the number of elevated decks within the Town of Eagle that deviate from the conditions stated above (i.e., Eby Creek, Old Town, The Bluffs, The Terrace, and Eagle Ranch). This would dramatically affect the cost of restoring or replacing existing decks and building new decks.
- **Alternative to Consider:** The Town should adopt the **State Resilience Code** and utilize the **State Map**, which designates the majority of Eagle as **Class 1 (Low Risk)**.
 - Because **most of the Town is classified as Class 1 (Low Risk) according to the WUI Map provided by the State of Colorado, start by adopting the State Resilience Code Map.**

- The Town can always add addenda to the code, if necessary, but adopting the most stringent regulations to start with could have substantial implications for population growth, cost of housing, and other unforeseen impacts.

2. Building Code, Structure Hardening, and Class Designations

- **Summary:** The Town must select specific construction standards for "structure hardening" (e.g., fire-resistant roofs and vents). Class designation is extremely important when evaluating Building Codes and Structure Hardening.
 - Class 1 structure hardening, the Code language speaks to roofing, ventilation openings, and gutters and downspouts.
 - Class 2 structure hardening, the Code includes all requirements of Class 1 plus protection of eaves, exterior walls, underfloor enclosures, decking, appendages and projections, exterior glazing, exterior doors, vehicle access, perimeter gaps, and detached accessory structures.
- **Staff Recommendation:** Adopt 7A by reference into Title 13. Adopt 7A by reference to create consistent regional standards across Eagle County. This consistency provides the development community with clear, uniform materials lists and compliance expectations that apply throughout the Valley. During discussions with the Eagle County WUI Working Group, members emphasized the value of this regional uniformity for residents and developers working across multiple jurisdictions. In addition, adopting the same standards as nearby communities, such as Vail, which has successfully implemented 7A for several years, provides built-in peer support for staff as we begin administering these requirements.

This approach has several drawbacks:

- Determining a precise percentage cost increase for building a wildfire-resistant home in Eagle, CO, compared to Los Angeles County, is functionally impossible because the baseline construction requirements are fundamentally contradictory. **You would be comparing "apples to oranges" due to three compounding variables: the "Energy Baseline" skew, the "Foam vs. Fire" assembly conflict, and the "Mountain Logistics" premium.**
- While the "Headwaters Group's Data suggests a 2%–3% cost increase for wildfire hardening (Chapter 7A) in isolation, applying this figure to Eagle is inaccurate. Eagle builders must satisfy the 2021 IECC's cold-climate mandates (Climate Zone 6) **simultaneously** with new wildfire codes, forcing the construction of a

significantly more complex, thicker, and expensive wall assembly than is required in Los Angeles (Climate Zone 9).

- Designates the whole town as **Class 2, which** has significant economic disadvantages, particularly given that the official State Map identifies the majority of Eagle as **Class 1 (Low Risk)**.
- **Excessive Cost for Low-Risk Areas:** Adopting 7A (or State Class 2) compels homeowners in low-risk areas to pay for high-risk protection.
- Under **Class 1 (State Code)**, a homeowner only needs to upgrade their **roof, underlayment, and vents** if replacing 25% or more.
- Under **7A / Class 2**, that same homeowner must also pay for fire-rated **exterior walls, tempered windows, non-combustible decks**, and expensive **doors** for new construction or maintenance and remodels to existing structures
- **Insurance & HOA Impact:** For townhome complexes and HOAs, the requirement to replace siding and decks with ignition-resistant materials (as required by 7A/Class 2) is exponentially more expensive than simply maintaining Class A roofs (Class 1). This could lead to skyrocketing HOA dues and insurance premiums covering the replacement cost of these materials.
- **Alternative to Consider:** Adopt the State Resilience Code. The State Resilience Code sets standards for Class 1 and Class 2 structure hardening based on the actual risk outlined in The State Map, developed by the DFPC and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board.
 - **Economic/Practical Viability:** This is the most legally "safe" and economically viable path regarding compliance risk.
 - **Matches Regulation to Risk:** It respects the scientific data showing most of Eagle is **Class 1**. This ensures that most residents only pay for "ember hardening" (roofs/gutters), which addresses the most common ignition source without the massive expense of wall and deck retrofitting.
 - **Affordability:** By rejecting the blanket "Class 2" designation, the Town protects housing affordability. Renovations and new construction in the Town of Eagle avoid the premium costs of 7A-compliant materials.

- **Consistency and Reference:** For areas within the town that the State Map identifies as Class 2, it seems that incorporating the “[State Fire Marshal \(SFM\) Listed WUI Products Handbook](#)”, which lists materials that meet the requirements of California 7a for Class 2 designations, could be very useful to the town, builders, and developers. Though materials are very expensive, it provides a list of compliant materials to choose from. This would certainly expedite the design development process for architects and builders, as well as the TOE staff’s plan review and permitting. However, this document’s list of “approved materials” needs careful, detailed examination to identify and resolve any conflicts and to consider the cost implications. I have listed one example of each below for discussion.

1. The 2021 IECC requirement for **continuous insulation (ci)** in Eagle (Climate Zone 6) creates a specific challenge when adopting Chapter 7A. Many rigid foams used to meet the energy code are combustible. If you use rigid foam insulation on the exterior, it seems Chapter 7A effectively mandates additional protective measures. Would **Ignition-Resistant Cladding** itself suffice?
2. The Town of Eagle’s physical location, limited labor pool, and already extremely high material and labor costs make a static percentage cost estimate unreliable. It creates price variances that fluctuate, making a static percentage estimate unreliable.
3. **Material Availability:** Products listed in the **SFM WUI Handbook** are stocked in California. Sourcing these specific California-compliant SKUs in Colorado often requires special orders with long lead times and premiums.

3. Site and Area Requirements (Landscaping)

- **Summary:** Standards for landscaping and defensible space, such as the "Fire Free 5" (no flammable materials within five feet of a home).
- **Staff Recommendation:** It seems the Town Staff recommends that the Town Tailor specific **Land Use and Development Code (LUDC) amendments** to incorporate state code standards and Fire Free 5. Additionally, they are still working with Community Development and Public Works to finalize code language. Staff believes this change to the LUDC language will better support the long-term structural resilience of properties while ensuring alignment with the State Resilience Code.

Topics for discussion:

- **Creates a Conflict with the Town of Eagle's Existing Environmental Goals** regarding sustainability, water conservation, and community character.
- Adopting **Class 2/California 7A** landscaping and defensible space standards for a community that the State of Colorado officially designated as **Class 1 (Low Risk)** creates a significant disconnect between actual environmental hazard and regulatory burden.



December 30, 2025

Town of Eagle
Planning Department
Sydney Dynek

Re: Colorado Wildfire Resiliency Code

To whom it may concern,

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

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

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

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

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

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

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

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

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

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

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

restrictions currently in place. For example:

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

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

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

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

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

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

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

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

Thank you for your time and consideration on these matters.



Jason Berghauer
Eagle Ranch Assistant Community Manager

Eagle Ranch

Neighborhood Design Guidelines Map

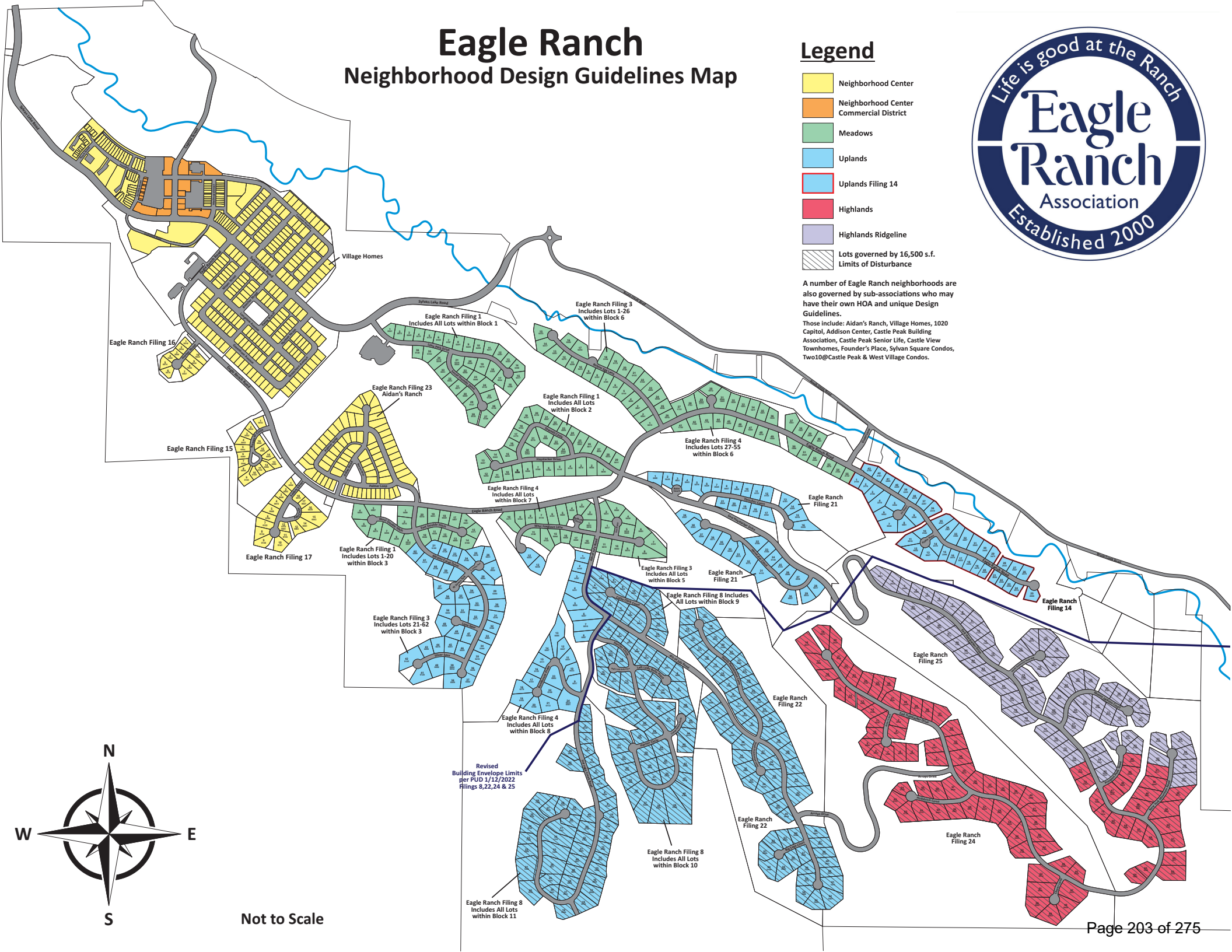


Legend

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

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

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



Revised Building Envelope Limits per PUD 1/12/2022 Filings 8, 22, 24 & 25

Not to Scale



To: Mayor and Town Council

From: Community Development Department

Date: April 14, 2026

Agenda Item: Discussion: LUDC text amendment to add regulations in alignment with the State Resilience Code (WUI Code) under SB23-166 and State Turf regulations under SB24-005 and HB25-1113

REQUEST

For the Town Council to review and provide feedback on Planning and Zoning Commission recommendations for modifications to the Land Use and Development Code in accordance with SB23-166, SB24-005 and HB25-1113 requiring jurisdictions to adopt Code language to address the Wildland Urban Interface and Turf Regulations.

BACKGROUND

Overview of March 17th PZ Meeting: At the March 17 meeting, the Planning & Zoning Commission reviewed proposed amendments to Chapter 4.11 of the Land Use Development Code related to turf, landscaping, and defensible space standards required by the State Resiliency Code (SRC). Staff presented the background for the amendments, including state legislation (SB23-166, SB24-005, HB25-1113), coordination with fire and arborist experts, and the rationale for applying defensible space principles consistently throughout the Town. The proposed chapter reorganizes landscaping standards around Zones 1 (0-5 feet from the structure) and 2 (5+ feet from the structure), incorporates state turf regulations, and is intended to balance fire mitigation, water conservation, and local development patterns. Staff recommended approval and emphasized that the standards would primarily be implemented through development and building permit review, supported by public education.

Commission discussion focused largely on clarity, implementation, and unintended consequences of specific provisions. Commissioners raised concerns about internal inconsistencies in the Code tables, interpretation of non-combustible requirements, and potential over-restriction of planting beds, raised beds, greenhouses, and turf—particularly within the 0–5 foot zone. Questions were also raised about how the new standards would apply to existing development, remodels, and HOA enforcement. During the meeting, staff noted that a bill had been introduced at the state level to potentially extend the adoption deadline for a WUI Code to April 2027. Ultimately, the Commission agreed additional refinement was needed and voted unanimously to continue the public hearing to the April 7 meeting to allow Commissioners to submit redline edits of the proposed amendments and for staff to revise the draft accordingly.

Overview of March 24th TC Meeting: At the March 24 Town Council meeting, Council held a public hearing on the first reading of Ordinance 06, Series 2026, which proposes adoption of a Wildland-Urban Interface (WUI) chapter to the Town’s existing building codes pursuant to state requirements. Staff presented an

overview of adoption options, including the choice between the state resiliency code and the 7A building code, potential mapping approaches, and how landscaping standards could be applied either uniformly across Town or by hazard classification. Council discussion focused heavily on balancing wildfire mitigation, housing affordability, property rights, implementation complexity, and staff capacity. Councilmembers expressed differing perspectives on whether the entire Town should be treated uniformly or whether tiers of risk should be recognized, with particular concern about added construction costs, impacts on attainable housing, and administrative workload.

Significant discussion also centered on landscaping standards reviewed by the Planning & Zoning Commission, with several Councilmembers emphasizing the importance of preserving downtown character, especially street trees in the Broadway District and CMU-1 areas. Some Councilmembers supported potential carve-outs or exceptions to defensible space standards in these areas to maintain urban form and economic vitality, while others favored a single, Town-wide standard for clarity and risk reduction. Public comment reflected both strong support for adopting the 7A code as a public safety measure and concern from industry professionals about cost and consistency across jurisdictions. Ultimately, Council voted unanimously to continue the public hearing and first reading of the ordinance to April 14, 2026, directing staff to return with clarified options reflecting Council's feedback, including alternatives for mapping, building code adoption, and potential downtown landscaping exceptions.

Overview of the April 7th PZ Meeting: At the April 7, 2026, public hearing, the Planning Commission reviewed proposed amendments to Chapter 4.11 of the Land Use and Development Code related to landscaping, screening, and fencing. The updates focus on wildfire mitigation, turf and invasive species standards, improved Code applicability, and alignment with recent state legislation. Staff presented the amendments, outlined the review schedule, and responded to Commissioner questions and public input.

The proposed Code narrows applicability to new construction and substantial redevelopment projects requiring certain land use approvals or building permits and eliminating unintended review triggers for minor or routine landscaping. The amendments reorganize landscaping standards around defensible space principles, introduce two wildfire mitigation zones, and incorporate requirements from Senate Bill 24-005 and House Bill 25-113. Standards for planting beds and non-combustible materials were clarified to ensure routine maintenance activities are not regulated.

The Planning Commission discussed tree management provisions in detail, including a proposed tree removal permit requirement. Based on Commissioner discussion and public comment regarding enforcement challenges and unintended consequences, the Commission voted to remove the tree removal permit requirement (Section 4.11.030.D) while retaining tree replacement standards for applicable projects. Buffer and street tree standards were intentionally deferred for future consideration, while screening requirements for parking lots adjacent to residential areas were retained.

During the discussion, the Planning Commission expressed general support for the former buffer standards as an important tool for preserving community character. While those standards are not included in the current amendments, staff committed to monitoring landscape plan reviews and notifying the Commission if implementation of the revised code results in a noticeable departure from prior development patterns, including changes to community character, buffering, or overall tree canopy.

Following deliberation, the Planning Commission unanimously recommended approval of the Chapter 4.11 amendments with the modification noted above. The recommendation is forwarded to Town Council for consideration at the upcoming public hearings.

ANALYSIS

Landscape Chapter

Overview: Following the January 6 work session, staff drafted targeted amendments to Title 4 to incorporate relevant SRC standards, which were presented to the Planning Commission on March 17. Staff received valuable feedback during the March 17 and March 24 meetings and revised the draft chapter accordingly. This update provided an opportunity to shift the Landscape Chapter from a highly prescriptive framework to a more performance-based approach—clearly defining prohibited conditions and required outcomes while allowing greater flexibility in how those outcomes are achieved.

The revised standards are based on standards detailed in the State Resiliency Code (SRC), with additional best practices incorporated to support plant health, resiliency, and longevity. Another key change from the prior chapter is the refinement of applicability. The former Code applied broadly to any landscaping change, which proved difficult to enforce. The revised chapter limits applicability to higher-impact land use and building permit applications where landscape review is appropriate and defensible.

Staff is coordinating with the Building Department to establish a clear policy identifying which building permit applications will trigger landscape review, as required by the language in the SRC. New construction will require submittal and approval of a landscape plan, while routine improvements—such as mechanical replacements—will not.

Input was solicited from a range of stakeholders, including other municipalities, fire professionals, landscape designers, certified arborists, planners, HOAs, developers, and Town departments. The resulting standards aim to balance community character with predictable, practical, and enforceable requirements.

Staff recognizes concerns, expressed by the Planning Commission, regarding the reduced reliance on prescriptive landscape buffers. While buffers remain an important tool, staff believes the revised chapter offers alternative mechanisms that can achieve equal or improved outcomes while better addressing fire mitigation, plant health, and implementation challenges.

This chapter is intended to function as a living document. Staff will monitor its effectiveness over time and will propose adjustments if provisions are not meeting community goals or performing as intended.

Changes since March 17th: The changes made since the March 17th meeting are primarily clarifications, consistency edits, and targeted refinements made in response to Planning Commission discussion and internal review. These changes do not introduce new policy direction or expand the scope of the Landscape Chapter.

Edits to the Defensible Space standards clarify terminology and improve consistency by standardizing references to Zone 1 and Zone 2, refining descriptions of ignition-resistant plantings, and correcting distance measurements where narrative text and tables were inconsistent. Language describing plant groupings was simplified to remove ambiguity, and additional clarification was added to ensure planting beds and trellises do not create ladder fuels.

Planting bed and mulch provisions were refined to clarify allowable materials (non-combustible or ignition-resistant) and appropriate placement near buildings. The requirements for organic mulch was softened in limited instances to improve enforceability, while maintaining wildfire-mitigation intent. Minor adjustments were made to the landscape materials tables, including removal of minimum size requirements for evergreens and added cross-references to the turf standards to improve internal consistency.

Updates to existing vegetation and wildfire mitigation provisions clarify that mitigation work may be conducted by, or in consultation with, fire professionals, with Town notification rather than prior approval, streamlining implementation while maintaining coordination. Additional clarifying language was added for properties adjacent to identified wildlife areas.

A correction was noted in the screening standards to ensure visibility measurements are taken from public rights-of-way or public areas, rather than from unspecified locations. Finally, a definition for “non-combustible materials” was added, and minor formatting, terminology, and editorial clean-up edits were made throughout the chapter.

Council Discussion – Optional Changes: During Council discussion, several Councilmembers expressed interest in potential carve-outs for specific zone districts—namely the Broadway District (BD), Old Town Residential (OTR), and Commercial Mixed-Use 1 (CMU1). The intent of these carve-outs would be to exempt BD, OTR, and CMU1 from the Zone 2 defensible space requirements.

Upon review of the proposed Chapter 4.11, staff believe there is a viable path to accommodate this request. Staff understand and appreciate the underlying goal of maintaining a vibrant, aesthetically appealing downtown that provides shade, seasonal interest, and a sense of small-town character. Trees—particularly street trees—are a key component of this experience, contributing to both visual quality and environmental comfort.

Staff believe that the proposed landscape standards support these outcomes. Existing and future street trees, particularly along Broadway, are largely surrounded by hardscape and provide substantial benefits, including mitigation of urban heat island effects, ground-level cooling, and enhanced streetscape aesthetics. Street trees have not been, and are not proposed to be, regulated under Title 4. If decision makers have interest in further regulating these, staff would formulate an internal policy document to address the Town’s standards and practices regarding street trees.

Staff presented the option below for the Planning Commission’s consideration and the Commission chose not to include the provision in the motion. However, as this information was presented to the Commission, Town Council has the authority to include this in the ordinance on April 28th. Staff would request that Council provide direction to staff at the April 14th meeting as to whether there is overall Council support for this provision.

Section 4.11.060 – Defensible Space – Zone 2 – Intermediate Zone.

- A. *Zone 2 – Intermediate Zone* (5+ feet from buildings). Zone 2 begins five (5) feet from the building (measured from the vertical plane beneath the outermost projection) and extends to the property line where less than thirty (30) feet is available. Landscape design in this zone shall minimize

radiant heat, eliminate ladder fuels, resist ember ignition, and support low-water, climate-appropriate planting.

1. Properties with more than 30' from buildings to the property line are generally still subject to the requirements below, but additional plant materials may be permitted, and planning of shrubs and perennials in separated clusters with non-combustible breaks is not required.
2. The following Zone Districts shall be exempted from the standards of this Section 4.11.060:
 - i. Broadway District (BD), [Section 4.04.060.](#);
 - ii. Old Town Residential (OTR), [Section 4.03.070.](#); and
 - iii. Commercial Mixed-Use (CMU1), [Section 4.04.040.](#)

PUBLIC COMMENT/OUTREACH

Public hearings were noticed in accordance with Title 4 requirements. Staff received five written public comment as of the publication date of this packet. Staff conducted small group conversations with decisionmakers one and two at a time to hear their thoughts on the WUI Code at large. That feedback was incorporated into the Staff Memos to PZ on March 17th and TC on March 24th.

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

RECOMMENDED ACTION OR PROPOSED MOTION:

No Council action is required at this meeting on Chapter 4.11 or the related LUDC text amendments. Council feedback is welcomed to inform the April 28 decision.

ATTACHMENTS

- Public Comment
- Approved PZ Resolution 06, Series 2026
- AI Notes from April 7, 2026, PZ Meeting
- [Staff Memo from March 17, 2026](#)
- [Minutes from March 17, 2026](#)
- [Presentation from Greater Eagle Fire Protection District](#) (Starting at 11minutes 20 seconds)
- [Presentation from Eagle Valley Wildland – Wildfire Mitigation Update](#) (Starting at 12 minutes 57 seconds)
- [SB23-116](#)
- [Colorado State Resilience Code](#)
- [Resource Sheet from WUI Collaborative](#)
- [Firewise Plant Lists from CSU](#)
- [Recommended LUDC amendments from Headwaters Economics consulting team](#)



Town of Eagle – Town Hall
PO Box 609
Eagle, CO 81631

RE: Landscape Code Ordinance

Dear Town Council,

I am writing in support of the work Town staff has done on the proposed amendments to the Landscape section of the LUDC. Staff has proactively researched state Wildland Urban Interface (WUI) initiatives and adapted applicable standards for our high alpine desert environment.

Staff has diligently sought professional input from those who work in and understand our environment, including considerations such as plant availability and other market constraints. This feedback has been incorporated into the proposed draft, which supports WUI initiatives in a way that is both attainable and adaptable for those who work and live in the Town of Eagle. The ability to group species while maintaining appropriate spacing provides flexibility while advancing WUI goals. Zone 1's 5-foot spacing standard reduces combustible material while allowing for carefully planned, ignition-resistant plantings. This supports creative landscape design while maintaining defensible space. Overall, the proposed code aligns with similar mountain communities, such as Cordillera, by limiting functional turf and supporting native planting areas.

The revised code is less prescriptive and more performance based, which will allow landscapes to better reflect Eagle's unique character.

Respectfully,

A handwritten signature in black ink that reads "Megan Testin". The signature is fluid and cursive.

Megan Testin, Principal
Norris Design

Town of Eagle
PO Box 609
Eagle, CO 81631

RE: WUI Landscape Code Ordinance

Dear Town Council,

I am writing on behalf of the Haymeadow Homeowners Master Association in support of the work that Town Staff has done with the amendments to the Landscape section of the LUDC. Staff has done an excellent job of proactively researching state Wildfire Urban Interface (WUI) initiatives. They have been diligent in adapting the standards so that apply to our high alpine desert environment in the Town of Eagle.

Staff has collaborated with design professionals and arborists that practice and understand our environment, as well as plant availability and specific Town of Eagle constraints. Feedback has been incorporated into the proposed draft that allows for code that will support WUI initiatives in a manner that is both attainable and adaptable for those working and residing in the Town of Eagle.

Should this ordinance be approved, the Haymeadow Homeowners Master Association is committed to updating our community Design Guidelines to align with the adopted code changes. This will ensure consistency between Town standards and the expectations we hold for landscape design within Haymeadow, reinforcing the community's commitment to water-wise, fire-resilient, and ecologically appropriate landscaping.

Respectfully,

Michael Hood
Haymeadow Homeowners Master Association

March 20, 2026

The Honorable Mayor and Members of the Town Council
Town of Eagle
Eagle, Colorado 81631

Re: Wildfire Resiliency Code Adoption

Dear Mayor and Members of the Town Council,

I am writing to you as a resident of Eagle who cares deeply about the long-term safety, vitality, and economic resilience of our community. I understand that the Town is currently considering the adoption of a wildfire resiliency code, and I want to respectfully but urgently encourage you to approach this decision with the full weight of its consequences in mind. This decision affects not only for today's developers, businesses, and residents, but for every family who will call Eagle home in the decades ahead.

The True Cost of Choosing the Least Restrictive Path

I recognize that development interests carry significant weight in local policy decisions, and I understand the economic pressures that builders and developers face. However, I am concerned that the voices most focused on short-term construction costs may be drowning out a far more important conversation: **what is the long-term cost to our community if we adopt a code that does not adequately protect us?**

Eagle sits in one of the most wildfire-prone regions in the United States. The mountains and foothills that make our community so beautiful also place us squarely in harm's way. A code that prioritizes developer convenience over resident safety is not a savings, it is a deferred liability that will ultimately be paid by homeowners, taxpayers, and the community as a whole.

The Growing Insurance Crisis in Wildfire-Prone Communities

Across Colorado and the American West, we are witnessing a crisis that should serve as a direct warning to Eagle: insurers are withdrawing from wildfire-risk markets at an accelerating pace. Communities that have not invested in meaningful resiliency standards are finding that homeowners insurance is becoming unavailable, unaffordable, or both. When insurance disappears, property values follow.

A robust wildfire resiliency code is not merely a safety measure, it is an economic development tool. Communities that demonstrate a serious commitment to fire-resistant construction are better positioned to attract and retain insurers, protect property values, and maintain the financial stability that makes quality of life possible. I urge the Council to consider what a future Eagle looks like if homeowners begin receiving non-renewal notices and prospective buyers cannot obtain coverage.

Risk to Property and Lives Cannot Be Minimized

The fires that have devastated communities like Superior, Paradise, and Lahaina were not failures of bad luck, they were, in significant part, failures of foresight. In each case, investigators found that structures built or maintained without adequate fire-resistant standards burned with remarkable speed, leaving residents little time to escape and firefighters overwhelmed. The cumulative loss of life, property, and community fabric in those events should weigh heavily on every decision-maker who has the opportunity to build in greater protections.

Eagle is not immune to this risk. Dry conditions, high winds, and increasing temperatures driven by climate change are not future projections, they are the conditions we already live with. The question before the Council is not whether wildfire risk is real. It is whether we will make the modest additional investment now, through stronger code requirements, to meaningfully reduce the probability of catastrophic loss later.

Comprehensive Community Risk Must Guide This Decision

I respectfully ask: whose interests are most fully represented in the current deliberations? Developers have clear, quantifiable, and immediate financial incentives to advocate for the least restrictive standards possible. Their construction cost savings are real. But the costs they seek to avoid are not eliminated, they are simply transferred to future homeowners, insurers, emergency responders, and the Town itself.

The comprehensive risk to our community, including emergency response capacity, evacuation logistics, municipal liability, post-fire recovery costs, and the social and psychological toll of displacement, is not easily quantified, but it is very real. I urge the Council to ensure that this full spectrum of risk is formally part of your deliberations, and that independent fire safety and insurance experts have a seat at the table alongside development interests.

My Request to the Council

I am not asking the Town to make development impossible or to impose unreasonable burdens on builders. I am asking that the Council adopt the strongest wildfire resiliency standards that are defensible based on the evidence, not the weakest that developers will accept. Specifically, I ask that you:

- Commission or review an independent analysis of the insurance availability risk to Eagle homeowners under different code scenarios before a final decision is made.
- Ensure that long-term property value and tax base impacts (not just near-term construction costs) are formally weighed in the cost-benefit analysis.
- Invite testimony from insurance underwriters, fire behavior experts, and representatives from communities that have experienced catastrophic wildfire loss.

I chose to make Eagle my home because of this community's beauty, its people, and the quality of life it offers. I want it to remain that way for my neighbors, my family, and the generations who will come after us. The decisions made in the coming weeks about our wildfire code will shape this community for decades. I urge you to choose the path of genuine protection over short-term convenience.

Thank you for your service to Eagle and for your careful consideration of these concerns. I welcome the opportunity to discuss this further and would be happy to connect you with additional resources or expert voices on this issue.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ben Leape', with a stylized flourish extending to the right.

Ben Leape
316 Greenhorn Ave
Eagle, Colorado
(650) 468-3921
ben.leape@gmail.com

WILDLAND URBAN INTERFACE (WUI) CODE COST COMPARATIVE ANALYSIS

Colorado Wildfire Resiliency Code vs.
California Building Code Chapter 7A

Prepared for:
Town of Eagle Town Council

Prepared by:
Michael Hood

February 2026

EXECUTIVE SUMMARY

This comprehensive analysis compares the 2025 Colorado Wildfire Resiliency Code (CWRC) with California Building Code (CBC) Chapter 7A, examining structural requirements and estimated cost impacts across different regulatory scenarios. This report provides the Town of Eagle Town Council with detailed information to make informed decisions regarding wildfire resilience building codes.

Key Findings:

- **Colorado Class 1 (Low Fire Intensity): Minimal cost impact of \$5,000-\$13,000 (1.0%-2.6% increase over baseline construction)**
- **Colorado Class 2 (Moderate/High Fire Intensity): Moderate cost impact of \$53,000-\$80,500 (10.7%-16.1% increase)**
- **CBC Chapter 7A: Highest cost impact of \$63,000-\$93,500 (12.6%-18.7% increase)**
- Colorado's tiered, risk-based approach allows for cost-appropriate regulation based on actual fire risk
- Colorado Class 2 provides material flexibility while maintaining safety standards, resulting in lower costs than CBC Chapter 7A

TABLE OF CONTENTS

1. Classification Systems
2. Key Structural Requirements
3. Cost Analysis Summary
4. Designs at Haymeadow
5. Summary
6. Recommendation

1. CLASSIFICATION SYSTEMS

1.1 Colorado CWRC Classification

The Colorado Wildfire Resiliency Code employs a two-tier classification system:

- **Class 1 (Low Fire Intensity):** Based on flame lengths less than 2 feet, characterized by lower fuel loads and easier suppression
- **Class 2 (Moderate to High Fire Intensity):** Covers areas with flame lengths from 2 feet up to 30+ feet, indicating higher fuel loads and more difficult suppression conditions

This classification is tied to fire intensity metrics including flame length, fuel type, and suppression difficulty, allowing for risk-based regulation.

1.2 CBC Chapter 7A Classification

California Building Code Chapter 7A does not utilize a tiered class system. Instead, it applies uniformly to all designated Wildland-Urban Interface areas and Very High Fire Hazard Severity Zones. The approach is more prescriptive with less flexibility in material choices and construction methods.

2. KEY STRUCTURAL REQUIREMENTS

2.1 Roofing Requirements

Aspect	Colorado Class 1	Colorado Class 2	CBC Chapter 7A
Rating	Class A	Class A	Class A
Ember Protection	Required for tile/gaps	Required for tile/gaps	Required for tile/gaps
Valley Flashing	Metal over 36" underlayment	Metal over 36" underlayment	Similar requirements

Analysis: Roofing requirements are essentially equivalent across all three systems.

2.2 Eaves and Soffits

Colorado Class 1: No specific protection requirements for eaves and soffits.

Colorado Class 2: Requires noncombustible, ignition-resistant, or 1-hour rated materials. Fascia protection required on backside. Roof overhangs and exterior soffits beyond 4-foot projection from exterior wall must be 1-hour rated assemblies.

CBC Chapter 7A: Similar to Class 2 but more restrictive in material requirements only approved database materials allowed. Exterior finish materials typically must be non-combustible (fiber cement panels most common). **** Based on current interpretations, working with Town Staff for clarity.

2.3 Windows and Doors

Aspect	Colorado Class 1	Colorado Class 2	CBC Chapter 7A
Glazing	Not-Regulated	Tempered, multilayered, or 20-min rated	Typically requires tempered or multi-pane
Doors	Not-Regulated	Noncombustible, solid core 1¾", or 20-min rated	Similar to Class 2
Garage Doors	Not-Regulated	1/8" max gap; weather stripping	Similar to Class 2

Window Key Functional Differences Builder-grade Milgaurd V250 to Chapter 7A.

1. Energy efficiency: Chapter 7A windows can reduce heating/cooling costs by 20-40%.
2. Comfort: Less condensation, reduced drafts, more consistent indoor temperatures
3. Durability: Better seals and materials mean longer lifespan
4. Cost: Chapter 7A windows typically cost 30-60% more upfront but provide long-term savings

IMPORTANT CONTEXT: The Code presented by Town of Eagle Staff excludes the one pane of tempered glass requirement from the CBC Chapter 7A.

Additionally the current energy code is restrictive to entry level/builder grade vinyl windows. The cost increase to go up from the most basic window package that meets this energy code to a more robust window that meets the requirements of Class 2 and CBC Chapter 7A. The variation is for a tempered, it is currently omitted from the proposed 7A code and carries a 7% cost increase to temper one pane of the window.

Additional costs for windows and doors: \$15,500-\$18,500

2.4 Exterior Walls - Critical Differences –

This section represents the most significant cost differential between the codes.

Colorado Class 1 - No Exterior Wall Requirements

The Colorado Wildfire Resiliency Code Class 1 (Low Fire Intensity) does **NOT** include any exterior wall material requirements. Standard building materials are permitted, including:

- Vinyl siding
- Wood siding (any species/treatment)
- Standard T1-11 plywood
- Hardboard/masonite
- Any material allowed by standard building code

Additional costs for exterior walls: \$0

CBC Chapter 7A - Strict Exterior Wall Requirements

California Chapter 7A requires one of the following wall assemblies:

Option 1 - Prescriptive Assembly (behind any cladding):

- 5/8" Type X gypsum sheathing on exterior side of framing, OR
- 1-hour fire-rated wall assembly (exterior fire exposure), OR
- Heavy timber construction (4" minimum), OR Log wall construction (6" minimum)

Option 2 - Tested Assembly:

- Pass SFM Standard 12-7A-1 (150 kW flame for 10 minutes), OR Pass ASTM E2707 test

Approved Exterior Cladding Materials:

Noncombustible (Always Compliant):

- Stucco/cement plaster
- Fiber-cement siding (James Hardie, Nichiha)
- Concrete/masonry/brick/stone
- Metal siding

Prohibited Materials:

- Standard vinyl siding
- Untreated wood (unless specifically listed)
- Standard engineered wood
- T1-11/OSB/Hardboard

Additional costs for exterior walls: \$19,000-\$25,500

2.5 Decking - Critical Differences - Start at 70. Double it for Class 2 and 7A.

This section represents another significant cost differential between the codes, particularly for properties with attached decks. **Decking requirements can add \$18,000-\$25,000 to construction costs under CBC Chapter 7A.**

Colorado Class 1 - No Decking Requirements

The Colorado Wildfire Resiliency Code Class 1 (Low Fire Intensity) does **NOT** regulate decking materials. Standard affordable construction materials are permitted, including:

- Standard pressure-treated pine (.40 retention level)
- Untreated cedar or redwood (standard residential grades)
- Basic composite decking (Trex Select, generic brands)
- Tropical hardwoods (Ipe, cumaru, tigerwood)

Typical Cost Range: \$21,000-\$30,000 for a standard 300 sq ft deck

Additional costs for decking: \$0

Colorado Class 2 - Moderate Requirements

Colorado Class 2 requires noncombustible, Class A rated, or ignition-resistant materials for decking. However, it includes a **Class B composite decking exception** which provides more material flexibility and lower costs than CBC Chapter 7A.

Acceptable Materials:

- Fire-retardant treated wood (FRTW) - exterior-rated
- Noncombustible materials (metal, concrete, porcelain tile)
- Class A rated composite decking (specific tested products)
- Class B composite decking (allowed exception - more product options)

Typical Cost Range: \$49,000-\$55,500 for a 300 sq ft deck

Additional costs for decking: \$18,000-\$25,500

CBC Chapter 7A - Strictest Requirements

California Chapter 7A has the most stringent decking requirements, applying to all decks within 10 feet of the building in Fire Hazard Severity Zones. **No Class B composite exception is allowed.**

Acceptable Materials:

- **Fire-Retardant Treated Wood (FRTW):** Must pass ASTM E84 (30-minute extended test) with flame spread ≤ 25 . Examples: Chemco FRX, Thermex-FR treated lumber.
- **Heavy Timber Construction:** Minimum 3-inch thick deck boards (Redwood Construction Common or better, Cedar 3 Common or better).

- **Composite Decking (Tested & Approved):** Must pass SFM Standard 12-7A-4 (Parts A & B) with heat release rate ≤ 25 kW/sq ft. Examples: Specific approved Trex, Fiberon, TimberTech/AZEK models. **Not all composite products qualify—must be specifically listed.**
- **Noncombustible Materials:** Metal decking, concrete, lightweight concrete, porcelain tile over approved substrate.

Additional Installation Requirements:

- Adjacent wall covering (within 10 feet) must be noncombustible or ignition-resistant
- Underside of deck projections must be protected per SFM Standard 12-7A-3
- Surface treatments (paints, stains, coatings) do not count as approved protection

Typical Cost Range: \$46,200-\$70,000 for a 300 sq ft deck

Additional costs for decking: \$25,200-\$40,000

Key Functional Differences - Decking Comparison

Feature	Colorado Class 2	CBC Chapter 7A
Fire testing required	Class A or B rating acceptable	Required (SFM 12-7A-4, ASTM E2632/E2726)
Class B exception	Allowed - more product options	Not allowed - Class A only
Heat release rate limit	Not specifically measured	≤ 25 kW/sq ft maximum
Product availability	More options due to Class B exception	Limited to specifically approved/listed products
Adjacent wall requirements	General exterior wall requirements apply	Walls within 10 ft must be noncombustible or ignition-resistant
Cost premium (300 sq ft deck)	+\$18,000-\$25,000	+\$25,200-\$40,000

Analysis: Colorado Class 2’s allowance of Class B decking provides significant cost savings (40-60% less than Chapter 7A) while still maintaining fire safety standards. The Class B exception expands product availability and reduces material costs without compromising structural integrity or ignition resistance. CBC Chapter 7A’s stricter requirements eliminate many cost-effective options and require specific product testing that limits market choices. Town Staff to consider matching Colorado Class 2 requirements in the proposed code for CBC Chapter 7A.

3. COST ANALYSIS SUMMARY

Assumptions:

- 1,500 sq ft single-family home
- Wood-frame construction
- Typical Colorado mountain
- Costs are incremental above baseline construction (No WUI code)
- Baseline construction cost approximately \$500,000
- 300 SF Deck.

3.1 Total Cost Comparison

Cost Category	No WUI Code	CO Class 1	CO Class 2	CBC Ch. 7A
Roofing	Baseline	+\$3,000-\$5,000	+\$3,000-\$5,000	+\$3,000-\$5,500
Exterior Walls	Baseline	+0	+\$19,000-\$25,500	+\$19,000-\$25,500
Eaves/Soffits *	Baseline	+\$0	+\$3,000-\$6,000	+\$4,000-\$7,000
Vents	Baseline	+\$1,000-\$2,000	+\$1,000-\$2,000	+\$1,000-\$2,000
Decking	Baseline	+\$0	+\$18,000-\$25,000	+\$25,200-\$40,000
Windows/Doors	Baseline	+\$0	+\$15,000-\$18,500	+\$15,000-\$18,500
Defensible Space (initial)	Baseline	+\$0-\$4,000	+\$0-\$4,000	+\$0-\$4,000
Design/Engineering	Baseline	+\$1,000-\$2,000	+\$2,500-\$5,000	+\$3,000-\$6,000
TOTAL INCREMENTAL COST	\$0	\$5,000-\$13,000	\$61,500-\$91,500	\$73,200-\$108,500
% Increase over Baseline	0%	1.00%-2.6%	12.3%-18.3%	14.6%-21.7%

Note: Assumes baseline construction cost of approximately \$500,000. No soffits over 4' projection. Soffits over 4' projection, would could twice as much as previously.

4. CURRENT DESIGNS AT HAYMEADOW

4.1 Design Philosophy

In conversations with Town Staff in preparing this report, we both agreed it made sense to provide some clarification on the current construction that has been completed and that is currently under construction at Haymeadow.

Although the Haymeadow property is not currently subject to a mandatory Wildland Urban Interface (WUI) building code, wildfire resilience has been a foundational design priority from the outset. Our homes are designed to significantly exceed Colorado Class 1 ignition-resistant construction standards. While we do not fully implement every requirement of Colorado Class 2 or California Building Code Chapter 7A, we have intentionally incorporated many enhanced structure-hardening measures that go beyond minimum local requirements.

Haymeadow's approach extends beyond individual home construction. What distinguishes the community is our ability to thoughtfully master plan at the neighborhood scale — incorporating defensible space, strategic buffering between homes and the foothills, fuel-modified landscape zones, and integrated infrastructure planning. We also have the capability to design emergency sprinkler systems and other mitigation strategies to help reduce long-term wildfire risk and improve overall community resilience.

At Haymeadow, wildfire mitigation is not simply a code compliance exercise — it is an integrated design philosophy that balances safety, landscape stewardship, and mountain living.

4.2 Past and Present Projects by WUI Impacts

7 Hermit Condos:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Would need to add Vulcan Vents or sim product, and provide a 1 hour rating all of the soffits over decks.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

Mountain Peak Townhomes:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Have Vulcan Vents but would need to provide a 1 hour rating all of the soffits over decks.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

Single Family Homes:

- Roof is class A rated with metal flashings.
- Eaves and Soffits: Have Vulcan Vents but would need to provide a 1 hour rating all of the soffits over decks. Also would need to change soffit material from stained pine to a non-combustible material.
- All exterior wall finishes meet Colorado Class 2 and CBC Chapter 7A.
- Decks do not meet Colorado Class 2 or Chapter 7A.
- Doors and Windows – Meet the multi pane requirements, but do not have tempered panes.
- Defensible spaces would be cost neutral with reduced landscaping and increased rock mulch.

5. SUMMARY

5.1 Key Advantages of Colorado Code

1. **Risk-Based Tiering:** Not all WUI areas require maximum protection. The Colorado code allows communities to apply appropriate standards based on actual fire risk, avoiding unnecessary costs in lower-risk areas.
2. **Material Flexibility:** Multiple compliance paths reduce costs while maintaining safety standards. For example, Class 2 allows fire-retardant wood as an alternative to noncombustible materials and permits Class B composite decking under certain conditions.
3. **Ground-Truthing Provision:** Section 304 of the Colorado code allows for site-specific adjustments based on actual conditions, providing flexibility while maintaining safety.
1. **Cost Efficiency:** CBC Chapter 7A typically costs \$11,700-\$47,000 more than Colorado Class 2, primarily due to more restrictive material requirements and less flexibility in compliance options.

5.2 Considerations for Jurisdictions

2. Colorado's tiered approach allows cost-appropriate regulation based on fire risk assessment.
3. Establish Minimum Class 1 Hazard Zone: Support a minimum of Class 1 Hazard Zone designation across all of Town. Only areas mapped as Class 2 would have the more stringent requirements, ensuring baseline protection while avoiding higher costs across the board.
4. Establish Minimum Class 1 Structure Hardening requirements.
5. Class 2's flexibility in material choices (fire-retardant wood, Class B decking exceptions) reduces costs while maintaining safety performance.
6. Defensible space provisions in Class 2 are more comprehensive than CBC Chapter 7A, potentially providing better overall protection through integrated landscape management.
7. If going Colorado code then, consider establishing a database of pre-approved materials to provide clarity to the development community and reduce review burden on staff.
8. If going CBC Chapter 7A then, consider modifying the proposed code specifically for decking to all Class B materials like the State of Colorado Class 2 code as this is one of the biggest cost impacts from State of Colorado Class to CBC Chapter 7A. staff.
9. Consider the effective date and how this impacts all of the applications that have been designed and submitted long before this has come forward.

6. FORMAL RECOMMENDATION

6.1 Forthcoming

Conclusion

The information gathered above is meant to provide a useful starting point for evaluating the Town of Eagle's approach to Wildland Urban Interface (WUI) code compliance and fire risk mitigation. Eagle's position within a high-risk WUI zone underscores the importance of getting this right, however, complexities remain unresolved.

The current information is not yet comprehensive enough to support a formal recommendation regarding WUI code updates, enforcement strategies, or potential amendments to the Town's existing regulatory framework. Key variables — including selection of map for affected parcels, review of draft language on staffs recommendation for adopting CBC Chapter 7A, and coordination with Eagle County fire officials.

Following the January 6th work session, we have met with Town Staff several times to continue advancing this work, and additional meetings are scheduled over the coming weeks. These conversations have been productive and are helping to shape a clearer understanding of the issues, but that process is still ongoing.

Until the outstanding information and stakeholder perspectives have been fully gathered and reviewed, it would be premature to endorse any specific policy direction. A formal recommendation will be issued once that work is complete. In the meantime, no options should be taken off the table, and we will continue the collaborative engagement with the fire officials, planning staff, and the development community to ensure that any future recommendation for WUI code action is both effective and well-informed.



RE: TOE WUI Code Adoption Email and Attachment to be Memorialized in Public Comments

From Steve Stone <stone@dwelldmountain.com>

Date Tue 2/17/2026 4:34 PM

To Planning Department <Planning@townofeagle.org>

Cc Melissa Daruna <Melissa.Daruna@townofeagle.org>; Kyle Brotherton <kyle.brotherton@townofeagle.org>;
Jessica Lake <jessica.lake@townofeagle.org>; Sydney Dynek <sydney.dynek@townofeagle.org>

1 attachment (311 KB)

WUI Comments for TOE 2.17.26.pdf;

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.

Good afternoon,

In the attached document, I have attempted to outline the items that the town of Eagle staff addressed in their January 6th and January 20th memos to the planning commission. I have summarized the staff's recommendations and provided simple alternatives that I feel should be discussed and considered by planning and zoning, and ultimately by the town council, prior to the adoption of the new WUI code.

I've been a licensed General Contractor in Colorado for the past 25 years, primarily in residential construction, building throughout the state, including many municipalities and communities in Eagle County. I've lived in Eagle for the past decade and want to ensure that our community continues to develop responsibly. I feel that for the town to thrive, it is imperative that good decisions be made in the best interests of our population, thereby making the community more resilient, inclusive, and functional.

My overarching concern is that the unintended consequences of blanketly mapping the entire town as Class 2, adopting a complex code like California 7A, while adoption of Colorado's WUI Code is at its infancy, could have severe, unforeseen repercussions for Eagle's economy.

Sincerely,

Stephen Stone

Cell:303.875.6170

stone@dwelldmountain.com

The Dwell Company

P.O. Box 3488

33B Gamble St.

Eagle, CO 81631

My summary and comments are based on the January 6, 2026, Staff Memo. *It stated that the primary goal of the proposed updates is to align the Town of Eagle with SB23-166, requiring the adoption of wildfire resilience standards by April 1, 2026.*

1. Mapping

- **Summary:** The Town must adopt an official map designating areas subject to the Resilience Code.
- **Staff Recommendation:** Adopt the **Community Wildfire Protection Plan (CWPP) map**, which designates the entire town as being within the Wildland Urban Interface (WUI), and therefore places the whole Town of Eagle into a Class 2 designation. **This imposes the most stringent and expensive requirements on all new construction and significant renovations town-wide.**

This approach has several drawbacks:

- **Over-Classification of Risk:** Adopting the CWPP map ignores the State's assessment that most of the Town is classified as Class 1 (Low Risk). This imposes Class 2 standards on properties the State considers safe, including strict requirements for exterior walls, decking, and specialized windows.
- **Financial Impact:** Although staff cites a study suggesting only a 2–3% increase in construction costs, our analysis indicates a significantly higher increase. When evaluating the Staff Recommendation and the **“Construction Costs for Wildfire-Resistant Homes” prepared by The Headwaters Group, we identified an issue that was not considered and would have a significant impact on the Town of Eagle.** Please see additional information below.

“For purposes of this study and based on homeowner preferences for the Altadena area in southern California, a concrete pour-on-grade patio was assumed for all four home scenarios. A pour-on-grade patio eliminates consideration of a structural support system, including joists, beams, and columns that are required for an elevated decking assembly and are not included in this analysis.”

- Consider the number of elevated decks within the Town of Eagle that deviate from the conditions stated above (i.e., Eby Creek, Old Town, The Bluffs, The Terrace, and Eagle Ranch). This would dramatically affect the cost of restoring or replacing existing decks and building new decks.
- **Alternative to Consider:** The Town should adopt the **State Resilience Code** and utilize the **State Map**, which designates the majority of Eagle as **Class 1 (Low Risk)**.
 - Because **most of the Town is classified as Class 1 (Low Risk) according to the WUI Map provided by the State of Colorado, start by adopting the State Resilience Code Map.**

- The Town can always add addenda to the code, if necessary, but adopting the most stringent regulations to start with could have substantial implications for population growth, cost of housing, and other unforeseen impacts.

2. Building Code, Structure Hardening, and Class Designations

- **Summary:** The Town must select specific construction standards for "structure hardening" (e.g., fire-resistant roofs and vents). Class designation is extremely important when evaluating Building Codes and Structure Hardening.
 - Class 1 structure hardening, the Code language speaks to roofing, ventilation openings, and gutters and downspouts.
 - Class 2 structure hardening, the Code includes all requirements of Class 1 plus protection of eaves, exterior walls, underfloor enclosures, decking, appendages and projections, exterior glazing, exterior doors, vehicle access, perimeter gaps, and detached accessory structures.
- **Staff Recommendation:** Adopt 7A by reference into Title 13. Adopt 7A by reference to create consistent regional standards across Eagle County. This consistency provides the development community with clear, uniform materials lists and compliance expectations that apply throughout the Valley. During discussions with the Eagle County WUI Working Group, members emphasized the value of this regional uniformity for residents and developers working across multiple jurisdictions. In addition, adopting the same standards as nearby communities, such as Vail, which has successfully implemented 7A for several years, provides built-in peer support for staff as we begin administering these requirements.

This approach has several drawbacks:

- Determining a precise percentage cost increase for building a wildfire-resistant home in Eagle, CO, compared to Los Angeles County, is functionally impossible because the baseline construction requirements are fundamentally contradictory. **You would be comparing "apples to oranges" due to three compounding variables: the "Energy Baseline" skew, the "Foam vs. Fire" assembly conflict, and the "Mountain Logistics" premium.**
- While the "Headwaters Group's Data suggests a 2%–3% cost increase for wildfire hardening (Chapter 7A) in isolation, applying this figure to Eagle is inaccurate. Eagle builders must satisfy the 2021 IECC's cold-climate mandates (Climate Zone 6) **simultaneously** with new wildfire codes, forcing the construction of a

significantly more complex, thicker, and expensive wall assembly than is required in Los Angeles (Climate Zone 9).

- Designates the whole town as **Class 2, which** has significant economic disadvantages, particularly given that the official State Map identifies the majority of Eagle as **Class 1 (Low Risk)**.
- **Excessive Cost for Low-Risk Areas:** Adopting 7A (or State Class 2) compels homeowners in low-risk areas to pay for high-risk protection.
- Under **Class 1 (State Code)**, a homeowner only needs to upgrade their **roof, underlayment, and vents** if replacing 25% or more.
- Under **7A / Class 2**, that same homeowner must also pay for fire-rated **exterior walls, tempered windows, non-combustible decks**, and expensive **doors** for new construction or maintenance and remodels to existing structures
- **Insurance & HOA Impact:** For townhome complexes and HOAs, the requirement to replace siding and decks with ignition-resistant materials (as required by 7A/Class 2) is exponentially more expensive than simply maintaining Class A roofs (Class 1). This could lead to skyrocketing HOA dues and insurance premiums covering the replacement cost of these materials.
- **Alternative to Consider:** Adopt the State Resilience Code. The State Resilience Code sets standards for Class 1 and Class 2 structure hardening based on the actual risk outlined in The State Map, developed by the DFPC and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board.
 - **Economic/Practical Viability:** This is the most legally "safe" and economically viable path regarding compliance risk.
 - **Matches Regulation to Risk:** It respects the scientific data showing most of Eagle is **Class 1**. This ensures that most residents only pay for "ember hardening" (roofs/gutters), which addresses the most common ignition source without the massive expense of wall and deck retrofitting.
 - **Affordability:** By rejecting the blanket "Class 2" designation, the Town protects housing affordability. Renovations and new construction in the Town of Eagle avoid the premium costs of 7A-compliant materials.

- **Consistency and Reference:** For areas within the town that the State Map identifies as Class 2, it seems that incorporating the “[State Fire Marshal \(SFM\) Listed WUI Products Handbook](#)”, which lists materials that meet the requirements of California 7a for Class 2 designations, could be very useful to the town, builders, and developers. Though materials are very expensive, it provides a list of compliant materials to choose from. This would certainly expedite the design development process for architects and builders, as well as the TOE staff’s plan review and permitting. However, this document’s list of “approved materials” needs careful, detailed examination to identify and resolve any conflicts and to consider the cost implications. I have listed one example of each below for discussion.

1. The 2021 IECC requirement for **continuous insulation (ci)** in Eagle (Climate Zone 6) creates a specific challenge when adopting Chapter 7A. Many rigid foams used to meet the energy code are combustible. If you use rigid foam insulation on the exterior, it seems Chapter 7A effectively mandates additional protective measures. Would **Ignition-Resistant Cladding** itself suffice?
2. The Town of Eagle’s physical location, limited labor pool, and already extremely high material and labor costs make a static percentage cost estimate unreliable. It creates price variances that fluctuate, making a static percentage estimate unreliable.
3. **Material Availability:** Products listed in the **SFM WUI Handbook** are stocked in California. Sourcing these specific California-compliant SKUs in Colorado often requires special orders with long lead times and premiums.

3. Site and Area Requirements (Landscaping)

- **Summary:** Standards for landscaping and defensible space, such as the "Fire Free 5" (no flammable materials within five feet of a home).
- **Staff Recommendation:** It seems the Town Staff recommends that the Town Tailor specific **Land Use and Development Code (LUDC) amendments** to incorporate state code standards and Fire Free 5. Additionally, they are still working with Community Development and Public Works to finalize code language. Staff believes this change to the LUDC language will better support the long-term structural resilience of properties while ensuring alignment with the State Resilience Code.

Topics for discussion:

- **Creates a Conflict with the Town of Eagle's Existing Environmental Goals** regarding sustainability, water conservation, and community character.
- Adopting **Class 2/California 7A** landscaping and defensible space standards for a community that the State of Colorado officially designated as **Class 1 (Low Risk)** creates a significant disconnect between actual environmental hazard and regulatory burden.



December 30, 2025

Town of Eagle
Planning Department
Sydney Dynek

Re: Colorado Wildfire Resiliency Code

To whom it may concern,

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

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

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

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

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

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

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

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

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

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

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

restrictions currently in place. For example:

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

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

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

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

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

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

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

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

Thank you for your time and consideration on these matters.



Jason Berghauer
Eagle Ranch Assistant Community Manager

Eagle Ranch

Neighborhood Design Guidelines Map

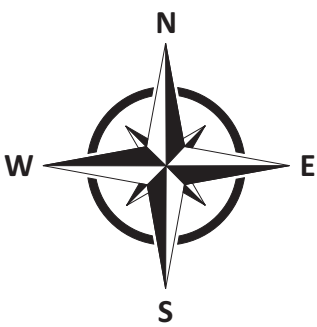
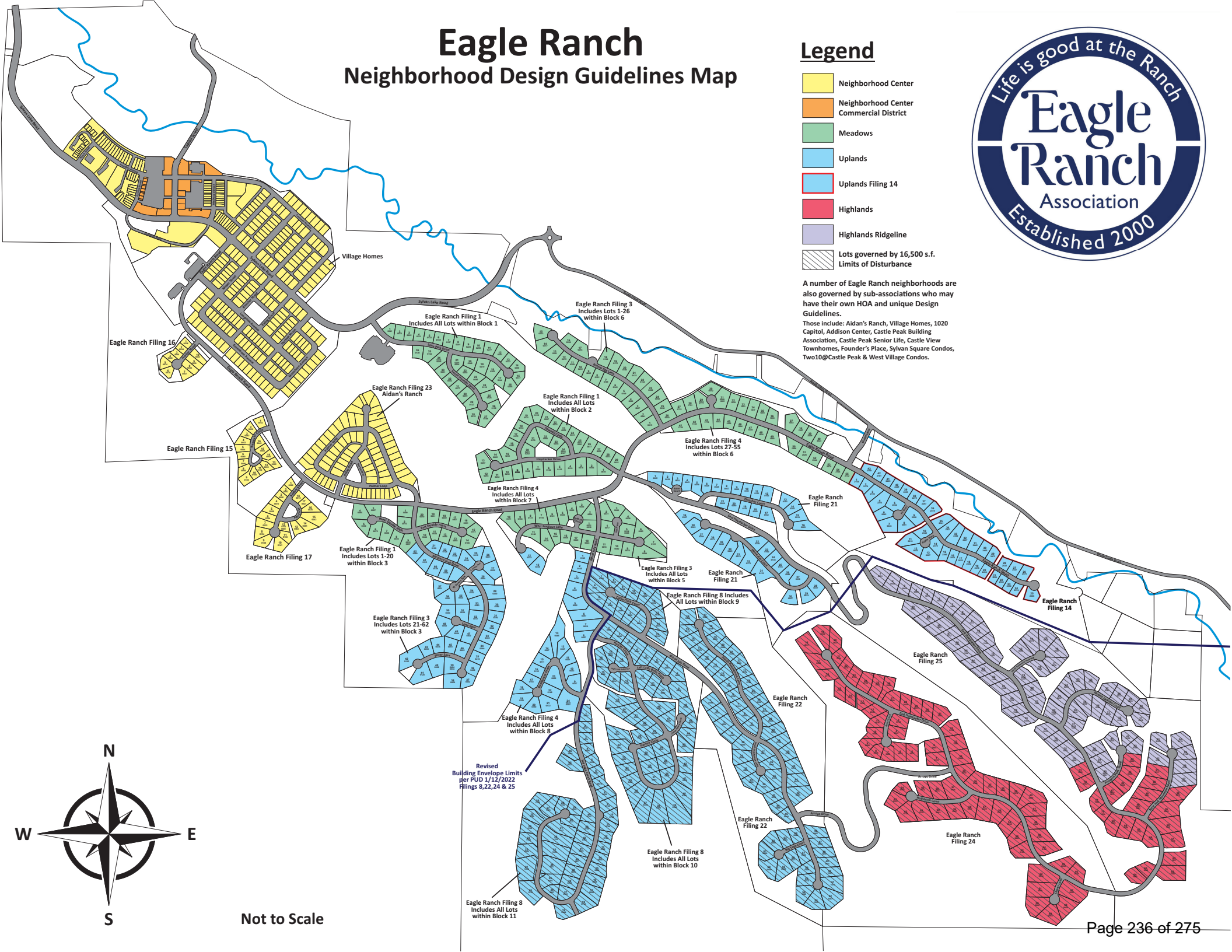


Legend

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

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

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



Not to Scale

Revised Building Envelope Limits per PUD 1/12/2022 Filings 8, 22, 24 & 25

**TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 06
(Series of 2026)**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO RECOMMENDING REPEAL AND REPLACE OF CHAPTER 11 OF TITLE 4 AND MISCELLANEOUS AMENDMENTS TO CHAPTERS 10, 12, 14, 16, AND 20 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, by April 1, 2026, municipalities are required to adopt standards equal to or more restrictive than the State Resilience Code to comply with Colorado SB23-166 with implementation required by July 2026; and

WHEREAS, the Planning and Zoning Commission wishes to repeal and replace Chapter 11 of Title 4 of the Code as it relates to Landscaping, Irrigation, Screening, and Fencing; 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 4.20.020.** Definitions for ‘Anticipated mature size’, ‘Bioswale’, ‘Defensible space’, ‘Fine fuels’, ‘Immediate zone (Zone 1)’, ‘Intermediate zone (Zone 2)’, ‘Ignition-resistant vegetation’, ‘Invasive plant species’, ‘Linear planting strip’, ‘Mulch’, ‘Non-combustible breaks’, ‘Non-combustible Material’, ‘Red flag’, ‘Rootable soil volume’, ‘Tree canopy’, ‘Tree crown’, and ‘Turf’ are hereby added to Section 4.20.020. of the Eagle Municipal Code as follows:

Anticipated mature size. The height and width a plant is expected to reach when fully grown.

Bioswale. A vegetated, low-lying area or trough that uses plant materials and specialized soil mixes to treat, absorb, and convey stormwater runoff.

Defensible space. An area where fuels have been treated, cleared, or modified to slow wildfire and create space for suppression operations.

Fine Fuels. Fuels such as grass, leaves, needles, and small twigs that ignite readily and are consumed rapidly.

Immediate zone (Zone 1). The zone from the exterior wall of a building (or vertical plane below the outermost projection) to five (5) feet away.

Intermediate zone (Zone 2). The zone from five (5) feet from a building to the property line.

Ignition-Resistant Vegetation. Plants with low ignition potential due to foliage chemistry and structure; while they can be damaged by fire, they do not significantly contribute to fire intensity.

Invasive plant species. Plants that are not native to an environment, and once introduced, they establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health

Linear planting strip. A continuous landscaping area aligned with parking rows or drive aisles intended to connect multiple planting areas to create shared soil volumes.

Mulch. A layer of material applied to the surface of the soil to conserve soil moisture, reduce weed cover, and improve soil health.

Non-combustible materials. A material of which no part will ignite and burn when subjected to fire.

Non-combustible breaks. Areas or materials that do not ignite or support combustion used to interrupt fuel continuity (e.g., hardscape or rock mulch).

Pervious surface. Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, ~~such as permeable pavers or a vegetated roof.~~

Red flag. A term used by fire-weather forecasters to call attention to weather of particular importance to fire behavior. The purpose is to call attention of forecast users to special conditions of limited duration that may result in extreme burning conditions. In addition to being used when extreme burning conditions are expected, the term may be employed when rapid weather change is expected to cause an important increase in danger without actually reaching the extreme stage. (A red flag may be specified for a given period or to continue until specifically removed from the forecast statement.)

Rootable soil volume. Means a contiguous, uncompacted, and aerated volume of soil suitable for tree root growth, providing at least 2 cubic feet of volume per square foot of mature tree canopy projection, or a minimum of 300-1000 cubic feet per tree based on tree size. It must be comprised

of sandy loam or similar approved planting medium, have a minimum depth of 3 feet, and have a maximum compaction level of 1.4 g/cc. Rootable soil volume may include soil shared between trees, engineered soil cells, or structural soils.

Tree crown. The primary and secondary branches growing from the main stem, together with twigs and foliage.

Turf. Continuous plant coverage consisting of non-native grasses or grasses that have not been hybridized for arid conditions and which, when regularly mowed, form a dense growth of leaf blades and roots.

Functional Turf means turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include a playground, a sports field, a picnic ground, an amphitheater, a portion of a park, and the playing area of a golf course, such as a driving range, chipping and putting green, tee box, green, fairway, and rough.

Nonfunctional Turf means turf that is not functional turf. Nonfunctional turf includes but is not limited to turf located in a street right-of-way, parking lot, median, or transportation corridor.

Functional Artificial Turf means artificial turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include a playground, a sports field, a picnic ground, an amphitheater, a portion of a park, and the playing area of a golf course, such as a driving range, chipping and putting green, tee box, green, fairway, and rough; OR a component of a product designed and approved by a professional engineer for civil infrastructure projects, including but not limited to: covers for solid waste facilities and brownfield sites; and revetments for slopes, channels, levees, and dams.

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

B. Permitted façade materials.

1. Building materials for walls shall be selected for their appearance and ability to withstand the extremes of the area's mountain climate and be compliant with all relevant building and fire code requirements. ~~Materials durability include without limitation:~~
 - a. ~~Segmented wood siding;~~
 - b. ~~Log, full or milled profile;~~
 - c. ~~Stone, including sandstone, river rock, and moss rock;~~
 - d. ~~Segmented horizontal or vertical siding and cementitious siding;~~
 - e. ~~Brick masonry and dimensional cut stone;~~
 - f. ~~Cast concrete manufactured to simulate natural materials;~~
 - g. ~~Split face concrete block is allowed for mixed use and nonresidential structures;~~
 - h. ~~Patinaed or color-treated metal may be used on accent wall surfaces;~~

and

- i. ~~Modular panels may be used a primary or accent wall surfaces, but may be restricted to certain zone districts.~~

~~2. Additional materials with similar durability may be approved by the Director.~~

C. Prohibited façade materials. Materials not in compliance with relevant building and fire codes and the following:

D. Roofs, eaves, and parapets.

1. Roofs, eaves, and parapets shall be designed to withstand the Town's variable mountain climate by utilizing appropriate pitch, drainage, and materials. Roof, eave, parapet, cornices, soffits, gutters, and downspout materials and assemblies must be compliant with all applicable building and fire codes. ~~The Director may approve materials not listed but may request manufacturer's specifications and industry studies to ensure maintenance and durability.~~

~~2. Permitted roofing materials include without limitation:~~

- ~~a. Tile;~~
- ~~b. Slate and equivalent synthetic materials or better;~~
- ~~c. Metal, shingle or standing seam, equivalent or better;~~
- ~~d. Dimensional architectural grade composition shingles;~~
- ~~e. Class A asphalt shingles; and~~
- ~~f. Other materials of equivalent durability as approved by the Director.~~

~~2. Additional permitted materials:~~

- ~~a. Cornices and soffits may be comprised of wood or metal.~~
- ~~b. Gutters and downspouts may be vinyl or metal.~~

a. Parapet wall materials, exclusive of copings, cornices, or other design accents, shall match the building wall.

Section 3. **Section 4.10.050.C.3.b.ii.a.** Section 4.10.050.C.3.b.ii.a. of the Eagle Municipal Code is hereby amended as follows:

(a) Opaque privacy fencing, made with non-combustible materials within 8 ft of a building, is required where non-residential commercial lots abut residential neighborhoods. The fence shall be ~~between six and eight feet~~ a minimum of 42 inches in height. The Director may approve the use of plant material as a screening device if plant quantities and plant spacing are designed to create ~~dense,~~ visual barriers and comply with all provisions of Chapter 4.11.

Section 4. **Section 4.10.050.C.1.b.v.** Section 4.10.050.C.1.b.v. of the Eagle Municipal Code is hereby amended as follows:

(b) Landscaped areas. Landscaping shall integrate with landscaping found along the Broadway streetscape and applicants are required to describe how their proposed landscaping is native, will be maintained and integrates with the existing street landscaping. ~~Appropriate mature heights of ornamentals and shrubs shall not exceed four feet in height. Planting materials may include annuals, perennials, grasses, small ornamental trees or shrubs that flower, have~~

~~colorful winter bark or showy fruits. Plantings shall be kept to designated planting areas and applicants shall provide a landscape plan for any proposed landscaping in the Broadway district (planting pots typically do not require a landscape plan). Turf is permitted, however, applicants shall show how the turf is to be maintained. Hardscaped paths are required through any turf areas from the property line to the building entry door.~~

Section 5. **Section 4.10.050.C.2.b.ii.** Section 4.10.050.C.2.b.ii. of the Eagle Municipal Code is hereby amended as follows and Section 4.10.050.C.2.b.iii. shall be renumbered as ii:

~~ii. — Lots that abut the 1-70 corridor, a railroad or a residential zone district shall have a minimum 15 foot landscaped buffer paralleling the property line shared with the interstate right of way. In the buffer, one tree is required to be planted for every 25 linear feet of property line. A minimum of one third of all required trees shall be evergreen, and shall be placed 20 feet on center minimum and 30 feet on center maximum, in groups of three or five. Shrub massing shall be used in conjunction with tree plantings. Selected shrubs shall have a minimum mature height of eight feet.~~

Section 6. **Section 4.10.050.C.2.c.** Section 4.10.050.C.2.c. of the Eagle Municipal Code is hereby amended as follows:

~~ii. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public or street, public sidewalk, or formal internal pedestrian way, such as a marked or signed walkway.~~

~~iii.ii.~~ Trucks, trailers, and outdoor containers used for functions such as delivery or maintenance shall only be parked or stored in designated loading and unloading areas that are completely screened from adjacent streets or properties for the duration that they are on the site, and shall be removed promptly upon the completion of use or service.

~~iv.iii.~~ Exterior display areas shall be clearly depicted on the development plan. All exterior display areas shall have a minimum buffer of ten feet from vehicle lanes or parking areas and shall be permanently screened around the perimeter of the exterior display area with walls or fences, in conformance with §4.11.600.

~~v.iv.~~ Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters and trash compacters shall be incorporated into the overall design of the building and the landscaping so that their visual impacts are screened from view from adjacent properties and public streets, and the screening materials shall be consistent with the principal materials of the building and landscaping and in conformance with §4.11.600.

Section 7. **Section 4.10.050.C.4.b.ii.** Section 4.10.050.C.4.b.ii. of the Eagle Municipal Code is hereby deleted:

~~ii. — No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public or street, public sidewalk, or formal internal pedestrian way, such as a marked or signed walkway.~~

Section 8. Section 4.12.040.I. Section 4.12.040.I. of the Eagle Municipal Code is hereby deleted:

~~I. EV Charging. On-site electric vehicle charging shall be provided in compliance with the Colorado Model Electric Ready and Solar Ready Code as applicable to the Town.~~

Section 9. Section 4.14.040.C.2. Section 4.14.040.C.2. of the Eagle Municipal Code is hereby amended as follows:

a. Applicants shall work with a landscape designer or other professional to determine plant species for the site. To the greatest extent possible, Only plant species native to Eagle County or that are on an approved Town landscaping list may should be introduced on sites containing important critical wildlife habitat areas.

b. To the maximum extent feasible, existing herbaceous and woody cover on sites shall be maintained and removal of native vegetation shall be minimized; except for fire mitigation at the discretion of the Fire District.

c. Only animal species approved by Colorado Parks and Wildlife may be introduced on sites containing important critical wildlife habitat areas.

Section 10. Section 4.14.040.C.4. Section 4.14.040.C.4. of the Eagle Municipal Code is hereby amended as follows:

a. Fencing on sites containing within critical wildlife habitat shall not exceed four feet in height, unless the Director approves the fencing to confine permitted domestic animals or to protect permitted ornamental landscaping or gardens.

b. The Director will applicant shall work with CPW and the Fire District to determine the type of fencing most appropriate for the site. determine the type of fencing appropriate for the wildlife species on the site based on Colorado Parks and Wildlife fence guidelines and as consistent with [Section 4.11.070](#).

Section 11. Section 4.16.020.D. Section 4.16.020.D. of the Eagle Municipal Code is hereby amended as follows:

4. Marking of roads. Approved signs or other approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.

5. Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the code official to prevent obstruction.

6. Address markers. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is

located in a manner approved by the code official.

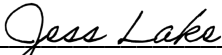
Section 12. **Chapter 4.11.** Chapter 4.11 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted in the form attached hereto.

INTRODUCED, READ, PASSED AND ADOPTED ON APRIL 7, 2026.

TOWN OF EAGLE, COLORADO

Matthew Hood, Planning Commissioner

ATTEST:



Jessica Lake, Senior Planner

Chapter 4.11 — Landscaping, Irrigation, Screening and Fencing

Section 4.11.010 – Purpose and Intent.

The purpose of this chapter is to ensure that landscaping, fencing, and screening support a resilient, fire-adapted, and water-efficient community by using fire-wise design, climate-appropriate plantings, preservation of healthy existing vegetation, and durable materials that enhance neighborhood character and environmental stewardship.

Landscaping shall reduce wildfire risk, promote plant health, minimize water use, and prevent habitat fragmentation and invasive species, consistent with the Town’s Comprehensive Plan and state regulations.

Section 4.11.020 – Authority; Relationship to State Requirements

These standards meet or exceed State requirements for wildfire resiliency and water-efficient landscaping while allowing flexibility and creativity in landscape design to protect public health, safety, property, and welfare.

Section 4.11.030 – Applicability.

- A. *General Applicability.* All properties within the Town of Eagle proposing new construction and/or substantial redevelopment subject to a development plan, use permit (special or conditional), and/or building permit shall comply with this chapter. Specific thresholds for ‘substantial redevelopment’ are established in the Administrative Manual.
- B. *Subdivisions.* Subdivision applications shall comply with this chapter and applicable streetscape guidelines.
- C. *Landscape Permit.* A separate landscape permit is required when landscaping is not reviewed under another permit.
- D. *Installation.* Plant materials and irrigation shall be installed prior to issuance of a certificate of occupancy, unless the Director approves seasonal deferral with a performance guarantee.
- E. *Conflict.* Where conflicts exist, the provisions of this chapter control to the extent of the conflict.

Section 4.11.040 – Required Plans.

A. *Required Plans.* Landscape and irrigation plans are required for all developments subject to this chapter. Grading, drainage, and erosion control plans shall be submitted when proposed work would alter existing grades, drainage patterns, or require erosion control measures. The Town maintains submittal checklists in the Administrative Manual.

Section 4.11.050 – Defensible Space – Zone 1 – Immediate Zone.

A. *Zone 1 – Immediate Zone* (0–5 feet from buildings). The Immediate Zone, or Zone 1, extends from the exterior wall of any building (or the vertical plane beneath the outermost projection, such as eaves or decks) to a distance of five (5) feet and shall be designed to prevent direct flame contact and ignition from embers. The following standards apply:

1. *Allowed Ground Treatments and Hardscape.* Non-combustible materials (e.g., gravel or rock), pavers, concrete, or stone are permitted.
2. *Prohibited Plant Materials.* No new trees or shrubs may be planted. Except as provided under Ignition-Resistant Plantings below.
3. *Ignition-Resistant Plantings (IRP).* Limited ignition-resistant plantings may be permitted within Zone 1 provided they meet the following criteria:
 - i. *Fuel characteristics.* Plants shall exhibit high moisture content, low resin or oil content, and slow growth rates.
 - ii. *Plant form.* Plantings shall consist of low-growing groundcovers, herbaceous perennials, or similar vegetation that is irrigated and maintained.
 - iii. *Spacing.* IRPs shall be installed in small, isolated, and well-spaced groupings, not in large or continuous masses. All plant materials shall be shown on plans at anticipated mature size. Plant spacing shall be reviewed as part of the application.
 - iv. *Groundcovers and turf.* Permitted irrigated or low-water groundcovers, including functional and approved non-functional turf, are not subject to spacing requirements and may be planted within Zone 1, provided they are maintained at a height of 4-inches or less.
4. *Existing Vegetation.* Existing vegetation within five (5) feet of buildings shall be removed, except that existing mature trees may remain where branches are pruned to maintain required clearances from structures; see §4.11.070.
5. *Decks and patios.*

- i. Decks shall comply with applicable building and fire codes. A continuous non-combustible surface (such as concrete, pavers, gravel, or stone) shall be provided within five (5) feet of all deck edges. IRPs meeting above requirements are allowed within the continuous non-combustible surface around the edges of the deck. This requirement does not apply where the deck is directly attached to or abuts the exterior wall of a building.
 - ii. Patios constructed of concrete, natural stone, or other fully non-combustible materials may be located within Zone 1 without an additional five-foot non-combustible buffer, provided all adjacent conditions meet the requirements of this Section.
- 6. *Storage of firewood.* Open storage of firewood is prohibited in this area. Storage within an ember-resistant, non-combustible container may be allowed when no feasible alternative exists.

Section 4.11.060 – Defensible Space – Zone 2 – Intermediate Zone.

- A. *Zone 2 – Intermediate Zone* (5+ feet from buildings). Zone 2 begins five (5) feet from the building (measured from the vertical plane beneath the outermost projection) and extends to the property line where less than thirty (30) feet is available. Landscape design in this zone shall minimize radiant heat, eliminate ladder fuels, resist ember ignition, and support low-water, climate-appropriate planting.
 - 1. Properties with more than thirty (30) feet between buildings and the property line are generally subject to the requirements below; however, additional plant materials may be permitted, and shrubs and perennials are not required to be planted in separated clusters with non-combustible breaks, provided such plantings are located more than thirty (30) feet from a building.
- B. *Plant Materials; General.*
 - 1. *Allowed:* deciduous trees and shrubs; irrigated low-growing perennials and groundcovers; other ignition-resistant species, and limited evergreen species for privacy or screening.
 - 2. *Prohibited:* highly resinous/oily plants.
- C. *Tree Location and Spacing.*
 - 1. *From buildings.* Maintain a minimum horizontal clearance of ten (10) feet between the outer edge of the mature canopy and any building.
 - 2. *Between new trees.* Maintain a minimum of ten (10) feet between mature canopies, except as allowed for grouped species.

3. *Vertical separation.* Maintain a minimum of six (6) feet between shrub/groundcover tops and the lowest tree branches, or prune to no more than one-third (1/3) of total tree height, whichever results in less branch removal.
4. *Groupings.* Grouped deciduous trees (e.g., aspen) are allowed when mature crowns remain outside the 0–10-foot zone from buildings and all separation requirements are met. Grouped conifers may be allowed beyond 10 feet and must meet maintenance, spacing, and vertical separation requirements.

D. *Shrubs and Perennials.*

1. Plant in small, separated clusters with non-combustible breaks (e.g., rock/gravel bands or hardscape).
2. Near trees, keep mature plant height generally under three (3) feet within 5–15 feet of buildings; heights up to five (5) feet may be allowed 15–30 feet from buildings if vertical separation to tree branches is maintained.

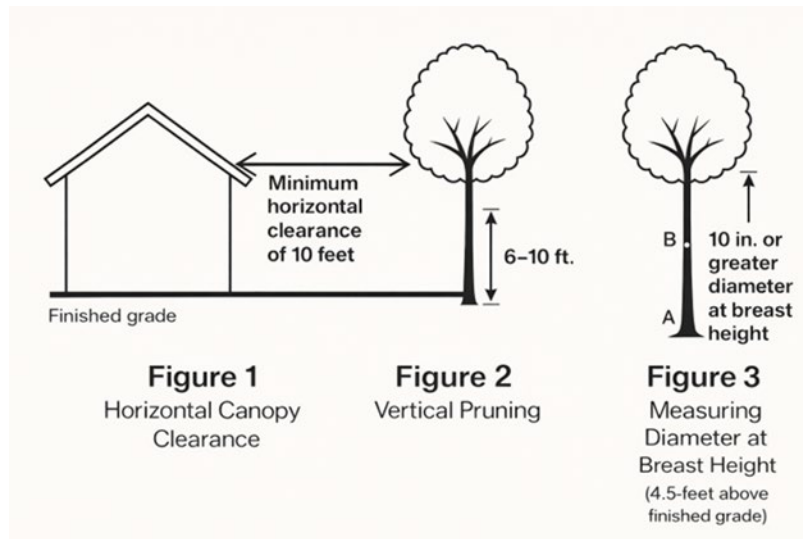
Table 4.11-1: Allowed Elements by Wildfire Zone

Table 4.11-1: Allowed Elements by Wildfire Zone		
Element	Immediate (0–5 ft)	Intermediate (5+ ft)
Non-combustible mulch/hardscape	Allowed	Allowed
Organic mulch	Prohibited	5 ft from building; limited use, may be required to be contained in a planting bed or within a building (such as a greenhouse).
Turf (live or artificial)	Functional and allowed non-functional when mowed to no more than 4-inches tall	Functional and allowed non-functional
New trees	Prohibited	Prohibited within 10-ft of buildings
Ignition-resistant plantings	Allowed with limitations	Allowed

Planting beds/raised beds	Prohibited	Allowed when the border is non-combustible or ignition-resistant (e.g. metal container) and located so as not to create ladder fuels.
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Section 4.11.070 – Existing Trees and Vegetation.

A. *Existing Mature Trees.* Existing trees with a trunk diameter of ten (10) inches or greater, measured at 4.5 feet above finished grade (diameter at breast height), may remain subject to the following:



1. *Horizontal clearance from buildings.* Maintain a clearance of ten (10) feet between the existing trees and any building by pruning. Tree removal is not required when compliance can be achieved through pruning. Where a certified arborist determines that pruning to achieve the full clearance would compromise tree health or stability, the Director may approve lesser clearance with mitigation (e.g., additional hardscape or non-combustible breaks) or require removal with replacement in a different location.
2. *Vertical pruning (ladder fuel reduction).* Prune lower branches to a minimum height of six (6) feet above finished grade, or to one-third (1/3) of total tree height, whichever results in less branch removal. Vertical pruning is not required if there are no ladder fuels at the base of the tree or under branches.

B. *Tree replacement requirements.*

1. Removed trees must be replaced with:

- i. A tree providing similar functional characteristics (e.g., shade, understory, privacy), except that new highly oily or resinous plant material shall not be used within 10 feet of a building; or
 - ii. A different species that improves biodiversity, subject to approval by the Director.
 - iii. The Director may approve shrubs in place of trees where appropriate due to site conditions, utilities, or spacing constraints. Locations of replacements must be approved in writing by the Director and comply with this Chapter.
- C. *Preservation of existing vegetation.* Landscape plans shall preserve existing native vegetation and mature trees to the extent consistent with wildfire mitigation, utilities, and public safety.

Section 4.11.080 – Landscape Measurement Rules.

- A. Distances are measured horizontally from the nearest exterior wall of any building to the nearest point of the plant or canopy edge at anticipated mature size.
- B. Diameter at Breast Height (DBH) is measured 4.5 feet above finished grade on the upslope side of the tree.
- C. For projections (e.g., decks, porches, eaves), measurements begin at the vertical plane beneath the outermost projection.

Section 4.11.090 – General Landscaping Requirements.

- A. *Non-combustible mulch* (gravel/rock) is preferred throughout all zones.
 - 1. Organic mulch is not permitted within Zone 1.
 - 2. Organic mulch is allowed within Zone 2 only when located at least five (5) feet from a building and used in limited, well-defined areas. To reduce wildfire risk, mulch may be required to be contained within a planting bed or located within an enclosed or roofed structure, such as a greenhouse. Alternative mulch treatments may be approved when the applicant demonstrates a functional need and provides appropriate fire-mitigation measures.
- B. *Raised Planting Beds.* Raised planting beds are not permitted within Zone 1. Within Zone 2, planting bed borders shall be constructed of non-combustible or ignition-resistant materials (e.g. metal container bed). Planting beds shall be located so as not to create ladder fuels.
- C. *Trellises.* Trellises are permitted within Zone 2 when constructed of non-combustible or ignition-resistant materials and when required clearances are maintained. Trellises shall be located so as not to create ladder fuels.
- D. *Plant Selection and Hydrozones.* Plant selection shall emphasize low-water native mountain region vegetation and limit high-water species. Required landscapes shall be designed using

hydrozones (grouping plants by water needs). Irrigation requirements for hydrozones are in §4.11.200.

Table 4.11-2: Landscape Materials – Minimum Requirements – Size and Spacing:

Table 4.11-2: Landscape Materials – Minimum Requirements – Size, Area, and Spacing		
Landscape Material	Size	Spacing
Evergreen Tree	No minimum	Tree placement should be planned to ensure the mature canopy is no closer than 10 feet to the closest part of a building. Trees should be grouped based on water usage.
Deciduous Tree	1.5" Caliper	
Shrubs	3-gallon	Shrubs shall be grouped based on water usage.
Perennials	2.5 Qt or 1-gallon	n/a
Annual flower bed	No minimum	Grouped based on water usage.
Low-water, low-ignition, or 'mountainscape' ground cover	No minimum	n/a – turf grasses shall comply with provisions of Section 4.11.100.
Earthen berm – approval required from Director, Town Engineer, or designee		
Combustible Mulch (e.g. shredded bark mulch)	No minimum	Prohibited within 5' of a building (Zone 1). Not recommended to extensive use.
Hardscape material / noncombustible mulch (e.g. rock mulch such as river rock, pea gravel, or gravel)	No minimum	n/a
Ornamental Pavers / Natural flagstones	Not to exceed impervious requirements	
Pavers or Pavement – not to exceed impervious requirements.		
Landscape Boulders	No minimum	
Other features / seed are allowed as otherwise provided for.		

Section 4.11.100 – Functional and Nonfunctional Living Turf Grass and Artificial Turf.

A. *Applicability.* The installation of nonfunctional turf and nonfunctional artificial turf is prohibited as part of all new development or redevelopment for multi-family and common-interest communities, commercial, institutional, and industrial properties, medians, parking lots, rights-of-way, and transportation corridors. For single-family residential properties, turf shall be limited to functional areas as defined below and as further specified in the Administrative Manual.

Table 4.11-3: Turf Installation Applicable based on Property Type

Table 4.11-3: Turf Installation Applicable based on Property Type		
Property Type	Turf Installation Allowance	Notes / Conditions
Single-family	Allowed only in functional areas	Must meet definition of “functional turf” and follow requirements in the Administrative Manual
Multi-family	Nonfunctional turf and nonfunctional artificial turf are prohibited	Applies to all new development or redevelopment
Common-interest communities	Nonfunctional turf and nonfunctional artificial turf are prohibited	New development or redevelopment
Institutional	Prohibited	New development or redevelopment
Commercial	Prohibited	New development or redevelopment
Industrial	Prohibited	New development or redevelopment

Medians, parking lots, rights-of-way, transportation corridors	Prohibited	New development or redevelopment
Slopes Steeper than 30%	Prohibited	New development or redevelopment

- B. *Functional Turf.* Turf located in recreational use areas or other spaces regularly used for civic, community, or recreational purposes (e.g., sports fields, playgrounds, picnic grounds, amphitheaters), and reasonable, limited portions of residential yards that provide functional use.
- C. *Nonfunctional Turf.* Turf areas not regularly used for civic, community, or recreational purposes, including but not limited to medians, parking lots, transportation corridors, and slopes steeper than thirty percent (30%).
 - 1. Warm season grasses, native, and climate adapted grasses for Colorado that require less supplemental water than cool season grasses may be used in nonfunctional areas along with a range of lower water use plants and shrubs that are native or adapted to Colorado’s climate.
- D. *Species Limitations.* Use of cool season grasses (e.g., Kentucky bluegrass) is prohibited in nonfunctional areas and discouraged elsewhere unless part of an approved functional area.
- E. *Artificial Turf.* Artificial or synthetic turf is permitted only for playgrounds, mini-golf, kennels/dog relief areas designed with appropriate drainage and maintenance plans, or recreation fields; it is prohibited as a substitute for live landscaping elsewhere.

Section 4.11.200 – Irrigation.

- A. *Hydrozones.* Divide irrigated areas into hydrozones by plant water needs (low/medium/high). Each hydrozone shall include only plants with similar requirements; show hydrozones on irrigation plans, including estimated seasonal water needs.
- B. *Plant Water-Need Classification.* Label all plant materials as low, medium, or high water use; consider local climate, soils, wildfire resistance, disease/pest resistance, and long-term adaptability.
- C. *Soil Preparation.* Prior to irrigation installation, amend and prepare soil to support root development and moisture retention; for new landscaping, incorporate soil amendments to a depth of at least six (6) inches. Native seeded areas may be exempt.

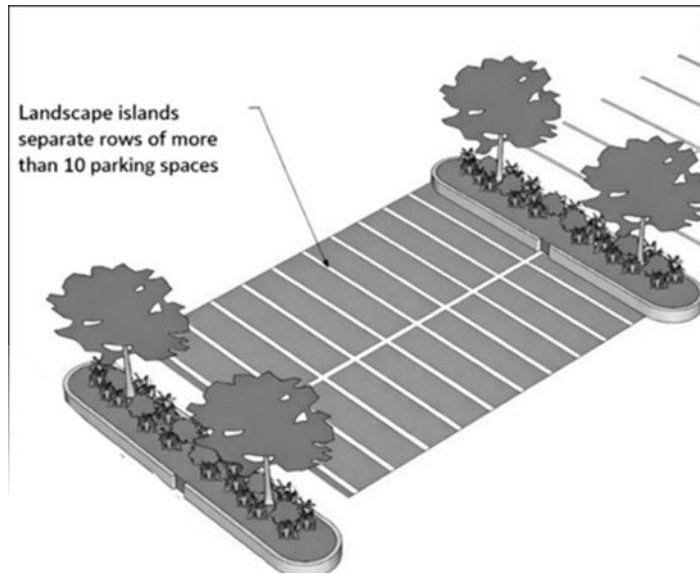
- D. *System Layout and Operation.* Design systems to prevent overspray, runoff, water on impervious surfaces, and wind drift. Zones shall support plant grouping, sun exposure, slope, and soil type. Provide automatic controllers with weather or soil-moisture inputs, a master valve, and flow sensor. Provide isolation valves for hydrozones or distinct planting areas. Overhead spray irrigation is permitted only where appropriate (e.g., functional turf).
- E. *Scheduling and Water Waste Prevention.* Comply with Town watering schedules, restrictions, and drought measures. Adjust frequency/duration for establishment and long-term efficiency. Prohibit water runoff, overspray, pooling, and other water waste.
- F. *Temporary Establishment Watering (Optional).* The Town may issue a Temporary Landscape Establishment Permit for initial plant establishment; permits are time-limited and do not apply during declared water emergencies.
- G. *Maintenance and Verification.* Maintain systems in good repair. The Town may require post-installation inspection as part of certificate of occupancy to verify controller operation, valve/emitter function, absence of leaks/overspray, and seasonally appropriate scheduling.
- H. *Prohibited Practices.* Irrigation during rainfall or when soil moisture is sufficient; irrigation causing runoff to adjacent properties, sidewalks, streets, or drainageways; overhead spray in hydrozones of exclusively low-water native species or on slopes where runoff is likely.

Section 4.11.300 – Revegetation of Disturbed Native Land.

- A. *Applicability.* Applies only to areas with undisturbed native land on the property that are adjacent to Town-owned open space or Federal property; does not apply to former or current agricultural lands. Disturb only the area necessary for construction.
- B. *Requirements.* Disturbed areas not formally landscaped shall be mulched and revegetated with native seed or plant materials; install ≥3 inches of topsoil (use stockpiled site topsoil when possible). Slopes steeper than 3:1 shall receive biodegradable erosion-control blankets.
- C. Wildfire mitigation by fire professionals or in consultation with fire professionals at native/open-space interfaces is permitted with notification to the Town and any other governing entity (e.g. HOA or Metro District).

Section 4.11.400 – Parking Lot Landscaping.

- A. *Applicability.* Applies to any off-street surface parking area with more than ten (10) spaces, including expansions that cumulatively exceed this threshold, except as otherwise provided in district-specific standards.



1. *Spacing and Preferred Configuration.* Provide a landscape island or linear planting area at least every ten (10) spaces in a row. All parking rows must end in a terminal island. Where feasible, use linear planting strips to provide shared root zones; linear strips may count as multiple required islands when width standards are met.
2. *Minimum Planting Area Dimensions and Planting Requirements.*
 - i. Interior planting islands containing trees shall be at least eight (8) feet wide and 300 square feet in area.
 - ii. Islands without trees shall be at least six (6) feet wide.
 - iii. Provide one shade-providing deciduous tree per ten (10) spaces. Trees shall be selected from the Town’s approved lists or an applicant may demonstrate equivalency for species suitable for heat, drought, and parking lot conditions.
3. *Soil Condition and Green-Infrastructure Options.*
 - i. Planting areas shall be constructed with uncompacted planting soil loosened to a minimum depth of 24 inches before planting. Where soils are highly compacted or disturbed, appropriate soil amendments shall be added as needed to achieve workable planting conditions. All planting areas must meet the requirements for Rootable Soil Volume, as defined, including continuity, depth, soil type, and maximum compaction level; where planting areas include trees, the planting soil must meet the depth and volume requirements for Rootable Soil Volume.
 - ii. Rain gardens, bioswales, or other green-infrastructure areas may substitute for required interior landscape islands when they meet the minimum width requirements applicable to the island being replaced and include at least one deciduous shade tree. Green-infrastructure areas used as substitutions must

be designed so that the shade tree can meet the Rootable Soil Volume requirement, as defined.

4. Nonfunctional turf grass (including artificial turf – both functional and nonfunctional) is prohibited within landscape islands.

Table 4.11-4: Parking-Lot Landscaping Summary

Table 4.11-4: Parking-Lot Landscaping Summary	
Standard	Minimum
Interior island width (with trees)	8 ft; 300 sf
Interior island width (no trees)	6 ft
Tree ratio	1 deciduous shade tree per 10 spaces
Island frequency	Every 10 spaces; terminal islands at row ends
Bioswale / rain garden	≥8 ft width + ≥1 deciduous shade tree
Turf in islands	Prohibited
Soil preparation	Loosen to ≥24 inches; amendments as required

- B. All parking lot landscaping shall be maintained in healthy condition at the expense of the property owner. Snow storage is not recommended in landscape islands.
- C. All rear parking lots serving nonresidential uses shall be separated from adjacent residential zone districts or residential uses by a fence, wall, or landscaping with a minimum height of forty-two inches (42”), subject to approval by the Director and in conformance with the requirements of this Chapter and the clear vision area standards in [Section 4.02.040.A](#). Front parking lots serving nonresidential uses shall be separated from adjacent residential zone districts or residential uses by alternative screening methods consistent with the requirements of this Chapter and applicable clear vision area standards.
- D. *EV Charging Equipment Clearance*. For purposes of vegetation clearance, EV charging equipment shall be treated as a building element; maintain a minimum clearance of ten (10)

feet horizontally and vertically between vegetation at maturity and EV charging equipment. Final siting and installation of EV equipment is governed by applicable Building and Electrical Codes; landscape plans should avoid placing required islands where clearances cannot be maintained.

- E. *Parking lot drainage design.* Parking lot drainage shall not cross public sidewalks, be released onto adjacent property, or discharge into natural watercourses without suitable treatment. The surface of islands and divider strips may be concave to help channel surface runoff. Drainage systems shall incorporate water-quality treatment measures as approved by the Town Engineer.

Section 4.11.500 – Fencing.

- A. *Materials and Transitions.* Where a fence connects to a building, the first eight (8) feet from the building shall be constructed of non-combustible materials. Combustible materials may resume beyond eight (8) feet, provided vegetation clearances in this chapter are maintained.
- B. *Breaks.* Perimeter fences shall provide breaks (non-combustible sections, gates, or clear zones) at intervals not to exceed 100 feet to reduce continuous fuel pathways.
- C. *Chain Link.* New chain link fences are prohibited in all zone districts except Industrial (IND). In the Commercial General (CG/CGE) districts, chain link may be allowed for specific uses with Director approval. Existing chain link fences may remain.
- D. *Maximum Fence Heights.* Clear vision areas must be maintained pursuant to §4.02.040.A; any fencing located in such area shall be required to be reduced to comply. A building permit is required for any fence over six (6) feet in height. On residential lots or parcels within or adjacent to a critical wildlife habitat, wildlife movement corridors, or open space parcels, fences are limited to 42 inches and should adhere to CPW’s ‘Fencing with Wildlife in Mind’ (or successor) to the extent practicable.

Table 4.11-5: Maximum Fence Heights

Table 4.11-5: Maximum Fence Heights			
	Residential Districts [1]		Nonresidential Districts [1]
	Interior Lot	Corner Lot	
Front Yard	42 in	42 in	42 in

Table 4.11-5: Maximum Fence Heights

	Residential Districts [1]		Nonresidential Districts [1]
	Interior Lot	Corner Lot	
Side Yard	6 ft	6 ft	8 ft
Rear Yard	6 ft	6 ft	8 ft

Notes:
 [1] Where fence height requirements in this table conflict with any use standards (e.g. childcare facilities) the requirements for the established use may control.

Section 4.11.600 – Screening.

- A. *Purpose.* To hide stored materials from view of persons standing on the ground within a public street, public right-of-way, or other publicly accessible area adjacent to the storage area. Where no specific viewing location is identified, visibility shall be evaluated from a point 50 feet from the screening device within the public right-of-way or other public area.
- B. *Rooftop Mechanical Equipment.* In conformance with Table 4.02-3 and Chapter 4.10, screen rooftop mechanical equipment from the view of a person standing on the property line across an adjacent public street. Individual ‘capsule’ screening of units is prohibited; use grouped penthouse-style screening or parapet walls integral to the building architecture and reflective of Eagle’s historic past. When rooftop mechanical equipment and amenities are present, non-combustible screening integrated into the building architecture shall be required.
- C. *Storage, Recycling, Waste Collection, and Loading.* Site these areas to avoid conflicts with vehicular circulation (Chapter 4.10). Incorporate these functions into overall building and landscape design to screen from public streets using non-combustible materials compatible with the primary building. Where landscaping is used with non-combustible screening, keep the entire storage/waste area at least five (5) feet from any habitable building. Trash storage for multi-family and nonresidential projects shall be within a building or enclosed by a six-foot solid enclosure of non-combustible materials similar or complementary to the primary building(s). Uncovered enclosures may be located in setbacks when height standards are met.

Trash areas adjacent to public alleys may be allowed without screening, when it is necessary for access by the waste collector or when the width of the alley makes screening infeasible.

- D. *Utilities.* Utilities may be screened using non-combustible enclosures and/or ignition-resistant plantings meeting §4.11.050. Measure required distances from structures on the applicant's property. With permission from the utility provider, non-combustible artistic expressions may be permitted.
- E. *Firewood.* See §4.11.050 for Zone 1 storage limitations; when outside Zone 1, firewood may be screened and covered with ember-resistant tarps, or within an ember-resistant, non-combustible container, if clearances are maintained.

Section 4.11.700 – Retaining Walls.

- A. *Materials.* Retaining walls must be constructed of non-combustible materials.
- B. *Permits.* Retaining walls over four (4) feet in height, measured from finished grade, require a building permit. Existing combustible retaining walls built prior to adoption of fire-wise regulations shall be replaced with non-combustible materials if the Fire District or Building Official deems it unsafe.

Section 4.11.800 – Maintenance.

- A. Remove dead vegetation, dry leaves, needles, undergrowth, and other combustible debris regularly within Zone 1 to reduce the risk of structural ignition.
- B. Remove fine fuels (leaf litter, dead twigs) at least seasonally and before Red Flag events.
- C. Maintain required tree canopy, spacing, and vertical clearances at all times; prune as needed.
- D. Maintain walls, fences, and hedging in good condition and free from rot and debris.
- E. Landscaped areas shall be kept safe, clean, and attractive; keep areas free of trash, litter, weeds, and plants that are not an intentional part of the landscape. Replace dead or removed plant material with similar variety and minimum size required by this chapter within 45 days of the growing season or by an agreed-upon date when seasonal conditions prohibit earlier replacement.
- F. Fruit-bearing trees shall be picked and pruned as needed during the fruiting season to avoid attracting deer and bears.
- G. During drought or water rationing, prioritize maintaining plants closest to primary structures.
- H. Turf shall be mowed to four (4) inches or less within 5-ft of a building; riparian areas and water setbacks are exempt where mowing is prohibited.

- I. Outdoor irrigation fixtures shall be water-efficient, and watering limited to an amount sufficient to keep plant material alive and healthy and to comply with Town watering schedules.
- J. The adjacent property owner; whether an individual, corporation, or homeowner's association; is responsible for maintaining landscaping in public rights-of-way unless expressly designated for governmental maintenance.
- K. Property owners and occupants shall control noxious weeds as defined by the CSU Extension Office, the State of Colorado, the Town, or other recognized entity.

Section 4.11.900 – Alternative Compliance.

The Director may approve alternative compliance where an applicant demonstrates, through a plan sealed by a qualified professional (licensed landscape architect or certified arborist, as applicable), that an alternative design meets or exceeds the intent of this chapter for wildfire resilience, water efficiency, habitat value, and overall site function. Alternative compliance requests shall identify the specific standard(s) to be varied, provide technical justification, and include maintenance commitments to ensure long-term performance.

PZ Meeting AI Notes – April 7, 2026:

Generated by AI. Revised to only include Chapter 4.11 Landscaping.

Meeting notes:

- **Chapter 4.11 Landscaping Code Amendments:** The Council and staff presented, discussed, and recommended approval of major amendments to Chapter 4.11 of the Land Use and Development Code, focusing on wildfire and turf standards, code applicability, tree management, and compliance with state legislation, with input from commissioners and public comment from Mike Earl (Old Growth Tree Service).
 - **Overview and Schedule:** Staff outlined the process for the Chapter 4.11 landscaping amendments, noting that the Planning Commission would make a recommendation, the Town Council would hold hearings on April 14th and 28th, and final decisions would follow.
 - **Applicability and Scope Changes:** The proposed code narrows applicability to new construction and substantial redevelopment projects requiring a development plan, special or conditional use permit, or building permit, removing the overly broad requirement that any landscape improvement triggers review.
 - **Defensible Space and Wildfire Standards:** The new code is organized around defensible space principles, dividing properties into two zones to reduce wildfire risk, aligning with state minimum standards, and incorporating requirements from Senate Bill 24-005 and House Bill 25-113 regarding turf and invasive species.
 - **Raised Planting Beds and Non-Combustible Materials:** Clarifications were added regarding planting beds and non-combustible materials, specifying that everyday gardening activities are not regulated, and standards apply only to significant development projects.
 - **Tree Placement and Species Guidance:** Staff provided best practices for tree placement, recommending minimum distances from foundations and discouraging species with aggressive roots, while emphasizing the environmental and safety benefits of tree canopies.
 - **Buffer Standards and Street Trees:** Buffer standards and street trees were intentionally omitted from the code update due to complexity, but staff

acknowledged their importance and committed to addressing them in future work.

- **Screening and Parking Lot Requirements:** While buffer standards were removed, screening requirements for parking lots adjacent to residential neighborhoods were retained and modified.
- **Tree Removal Permits and Replacement:** The Commission discussed the proposed tree removal permit requirement, with public comment highlighting enforcement challenges and potential unintended consequences; ultimately, the Commission agreed to strike the permit requirement (Section 4.11.030D), but to retain tree replacement requirements for applicable projects.
- **EV Charging and Professional Definitions:** Questions were raised about the removal of EV charging requirements (now handled under the building code) and the definition of 'other professional' in landscaping, with staff clarifying the intent to allow flexibility for various qualified individuals.
- **Implementation, Enforcement, and Homeowner Impact:** Commissioners expressed concerns about the burden of implementation and enforcement, the impact on homeowners and aesthetics, and the need for clear applicability thresholds, with staff noting that education and certification may be used to ease compliance.
- **Public Comment and Expert Input:** Mike Earl from Old Growth Tree Service provided feedback on the challenges of tree removal permitting, the importance of tree care and irrigation, and the need for ongoing investment in the town's tree canopy.
- **Final Motion and Approval:** The Commission moved to approve the code amendments with the removal of Section 4.11.030D (tree removal permit requirement), and the motion carried unanimously.



To: Mayor Woods and Town Council
From: Melissa Daruna, Interim Town Manager
Date: April 14, 2026
Agenda Item: Pickleball Opportunity at Eagle County Building Property

REQUEST: Staff requests Town Council consider a proposal from Eagle County to partner on the installation and management of outdoor pickleball courts at the Eagle County facility, adjacent to Town Park.

BACKGROUND: Eagle County is finishing a geothermal project for the Eagle County Building this spring. Part of the project required the removal of turf on the west side of the building, immediately adjacent to Town Park. Both the County and the Town of Eagle staff agree that replacing turf in the area is not advisable due to concerns about water waste and opportunities for other community amenities that could be realized in that space. Eagle County has been working on designs that include native plants, shaded gathering spaces and pickleball courts.

Pickleball is a highly popular sport in the valley. Mountain Recreation’s facilities in Edwards and Gypsum are always full of players, as are Gypsum’s outdoor courts near the Gypsum Creek Golf Course. Players often ask for additional courts, especially in Eagle.

The County’s plans for the site could accommodate anywhere from 5 – 8 pickleball courts. Staff have invited the County to attend the April 14 Town Council meeting to provide more details on the layout, court locations and pricing.

ANALYSIS: The County is interested in splitting the costs for the installation of the courts between the Town, Mountain Recreation and the County. The current estimate for 5 courts is approximately \$300,000, not including excavation work. Additional costs would likely be incurred to add fencing and screening or other sound dampening measures around the courts. Future maintenance and any programming management would also need to be negotiated between the entities.

The Town does not currently have funds allocated for this project. Council may consider reallocation of funds for other projects within the Capital Improvement Plan or additional expenditures from the Sales Tax Capital Improvement Fund to provide funding support for the project. Staff recommends Council consider all other additional capital projects and fund requests to determine the highest priority for the community. The 2026-2030 CIP Plan adopted with the 2026 budget is attached to this memo.

COMMUNITY INPUT: Staff have not received any direct community feedback on this proposal to date. Staff did send an email to all homeowners immediately around Town Park to notify them of the discussion at the April 14 Town Council meeting.

BUDGET/STAFF IMPACT: The budget impact is yet to be determined. Should Council wish to support the project, staff can provide more specific project reallocations or additional fund balances to be used.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: This proposal supports the Strategic Plan Objective to *Focus on Recreation, Events and Open Space*.

RECOMMENDED ACTION OR PROPOSED MOTION: No formal action is requested at this time. Staff welcome feedback and direction on whether to continue supporting the project.

ATTACHMENTS:

- 2026-2030 Townwide Capital Improvement Plan

Capital Improvement Plan Summary for 2026 - 2030

Totals by Fund

	2026 Total	2027 Total	2028 Total	2029 Total	2030 Total	TOTAL 5-YR	TOTAL 10-YR
Capital Imp Fund	7,428,840	8,936,060	24,112,474	22,473,200	30,776,271	93,726,845	94,086,845
Water Fund	2,972,500	3,980,000	14,075,000	15,505,000	4,125,000	40,657,500	61,632,500
Wastewater Fund	9,851,000	3,775,000	990,203	1,089,864	2,500,000	18,206,067	94,156,067
General Fund	500,000	850,854	-	-	984,970	2,335,824	5,596,198
Stormwater Fund	250,000	638,141	638,141	-	231,525	1,757,807	2,061,684
Sales Tax CIF	770,000	250,000	75,000	500,000	-	1,595,000	1,595,000
Open Space Fund	220,256	90,000	150,000	150,000	200,000	810,256	1,310,256
Broadband Fund	-	-	-	-	-	-	-
Conservation Trust F	-	-	-	-	-	-	-
Refuse Fund	-	-	-	-	-	-	-
Grand Total	21,992,596	18,520,055	40,040,818	39,718,064	38,817,766	159,089,299	260,438,550

2025 & 2026 Totals

	2025 Total	2026 Total
Broadband Fund	-	-
Capital Imp Fund	5,699,892	7,428,840
Conservation Trust Fund	110,000	-
General Fund	500,000	500,000
Open Space Fund	190,812	220,256
Refuse Fund	32,000	-
Sales Tax CIF	7,888,120	770,000
Stormwater Fund	-	250,000
Wastewater Fund	2,148,121	9,851,000
Water Fund	9,940,236	2,972,500
Grand Total	26,509,180	21,992,596

Totals by Department

	2026 Total	2027 Total	2028 Total	2029 Total	2030 Total	TOTAL 5-YR	TOTAL 10-YR
Streets	4,477,000	8,095,854	22,403,200	21,818,200	26,664,970	83,459,224	86,809,598
Water	2,870,000	3,895,000	13,900,000	15,420,000	4,040,000	40,125,000	61,100,000
Wastewater	9,841,000	3,775,000	990,203	1,089,864	2,500,000	18,196,067	94,146,067
B&G	221,551	-	20,500	-	4,924,771	5,166,822	5,166,822
Fleet	1,076,966	1,585,560	1,613,774	590,000	85,000	4,951,300	4,951,300
Sustainability	2,028,328	-	-	-	-	2,028,328	2,028,328
Stormwater	250,000	638,141	638,141	-	231,525	1,757,807	2,061,684
Admin	550,000	50,000	50,000	450,000	50,000	1,150,000	1,400,000
Public Works	270,000	250,000	75,000	100,000	-	695,000	695,000
Open Space	160,256	-	150,000	150,000	200,000	660,256	1,160,256
IT	177,495	130,500	100,000	100,000	121,500	629,495	649,495
Econ Dev Housing	70,000	100,000	100,000	-	-	270,000	270,000
Public Safety	-	-	-	-	-	-	-
Grand Total	21,992,596	18,520,055	40,040,818	39,718,064	38,817,766	159,089,299	260,438,550

New Project
Complete Project
Funding / Scope Change

Capital Improvement Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Capital Imp Fund	Streets	*NEW* Brush Creek Road Extension (Parking Area)	-	50,000	180,000	-	-	-
Capital Imp Fund	Streets	*NEW* Brush Creek Road Extension (Right of Way)	-	245,000	-	-	-	-
Capital Imp Fund	IT	*NEW* Capitol Street Broadband Conduit	-	101,000	-	-	-	-
Capital Imp Fund	IT	*NEW* Grand Avenue Broadband Conduit	-	-	100,000	100,000	100,000	100,000
Capital Imp Fund	Fleet	*NEW* Public Safety: Code Enforcement Truck	-	123,150	-	-	-	-
Capital Imp Fund	Public Safety	*NEW* Public Safety: Drone	17,866	-	-	-	-	-
Capital Imp Fund	Econ Dev Housing	*NEW* Purchase of (2) Employee Housing Units at Haymeadow	698,052	-	-	-	-	-
Capital Imp Fund	IT	*NEW* Recommended Security Upgrades for Town Hall & Public Works	-	20,000	-	-	-	-
Capital Imp Fund	Public Safety	*NEW* Shipping Container for Secure Equipment & Trailer Storage	15,000	-	-	-	-	-
Capital Imp Fund	Econ Dev Housing	*NEW* Townwide Wayfinding Improvement Project implementation based on findings from Wayfinding Study	-	55,000	10,000	100,000	-	-
Capital Imp Fund	Admin	*NEW* Property Acquisition Grand Avenue	786,708	-	-	-	-	-
Capital Imp Fund	Streets	908 High Flow (Rolled over from 2025)	-	15,000	-	-	-	-
Capital Imp Fund	Fleet	B&G: Air Compressor Trailer/185 Atlas	65,000	-	-	-	-	-
Capital Imp Fund	Fleet	B&G: Chevy Silverado /Weed Sprayer (original budget \$80,000)	85,000	-	-	-	-	-
Capital Imp Fund	Fleet	B&G: Ford F-350 or Similar 1 Ton Flat Bed / Plow	-	80,000	-	-	-	-
Capital Imp Fund	Fleet	B&G: John Deere 301- A Tractor	64,000	-	-	-	-	-
Capital Imp Fund	Fleet	B&G: PJ Utility Trailer - 2016	-	-	-	12,000	-	-
Capital Imp Fund	Fleet	B&G: Toro Z Master	-	28,000	-	-	-	-
Capital Imp Fund	Fleet	B&G: Toro Z Master	-	-	28,000	-	-	-
Capital Imp Fund	Fleet	B&G: Ventrac 3400	-	-	128,000	-	-	-
Capital Imp Fund	Streets	Broadway - Concrete Replacement/ADA Ramps	-	-	-	-	65,000	650,000
Capital Imp Fund	IT	Brush Creek Pavilion AV Upgrades - NEED UPDATED QUOTE (original approved budget was \$8,500)	-	15,000	-	-	-	-
Capital Imp Fund	Sustainability	Building Electrification Pavilion & Studio - Prior Year Approved Request + Additional Scope, including Building Envelope and Solar PV	-	167,529	-	-	-	-
Capital Imp Fund	Sustainability	Building Electrification Public Works - Prior Year Approved Request + Additional Scope, including Building Envelope and Solar PV	62,634	51,736	-	-	-	-
Capital Imp Fund	Sustainability	Building Electrification Town Hall - Prior Year Approved Request + Additional Scope, including Building Envelope and Solar PV	-	1,781,563	-	-	-	-
Capital Imp Fund	B&G	Burger King ROW Irrigation Conversion	-	15,000	-	-	-	-
Capital Imp Fund	Fleet	Comm Dev: Jeep Wrangler - 2007	-	-	50,000	-	-	-

New Project
Complete Project
Funding / Scope Change

Capital Improvement Fund, cont.

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Capital Imp Fund	IT	Council Chambers AV Upgrades Phase II	-	15,000				
Capital Imp Fund	IT	Digital Signage (Wayfinding)	-	-				21,500
Capital Imp Fund	B&G	E-Bike Signage and Installation (Rolled over from 2025)	-	65,000	-	-	-	-
Capital Imp Fund	Streets	Eby Creek Road - RRFB (all remaining crosswalks)	-	-	35,000	350,000	-	-
Capital Imp Fund	Streets	Eby Creek Road Curb and gutter Repair (moved from 2026)	-	-		300,000		-
Capital Imp Fund	B&G	Electric V-Box (Sand Spreader)	15,000	-	-	-	-	-
Capital Imp Fund	Fleet	Engineering: Ford F-150	-	-	-	-	65,000	-
Capital Imp Fund	IT	Expanding Public Wi-Fi	-	13,495	30,500			
Capital Imp Fund	IT	Fiber Conduit -To Cemetery Tank for Town Internet Service	37,100	-	-	-	-	-
Capital Imp Fund	Streets	Grand Avenue Improvements	1,700,000.00	1,000,000	7,000,000	21,723,200	21,723,200	25,000,000
Capital Imp Fund	Streets	Handicap Ramps ADA Replacements	-	30,000	30,000	30,000	30,000	30,000
Capital Imp Fund	B&G	Irrigation Intake Improvements - Chambers Park	-	121,551	-	-	-	-
Capital Imp Fund	IT	IT Equipment Racks - PW Office Remodel, W/WW & Town Hall	15,500	13,000	-	-	-	-
Capital Imp Fund	Public Safety	Mobile Radar Speed Trailer	19,000	-	-	-	-	-
Capital Imp Fund	IT	Monument Reader Board - Grand Avenue	37,500	-	-	-	-	-
Capital Imp Fund	B&G	Pavilion - Floor	-	20,000	-	-	-	-
Capital Imp Fund	Admin	Pool and Ice Capital Improvements Funding	50,000	50,000	50,000	50,000	50,000	50,000
Capital Imp Fund	Fleet	Public Safety: Patrol Vehicles - Ford F-150 First Responders (original approved budget was \$380,424 for hybrid vehicles)	-	465,816	549,560	906,774	-	-
Capital Imp Fund	Fleet	Public Safety: Patrol Vehicles. Traded in (2) existing 2024 Ford F150s (original budget \$345,840)	400,000	-	-	-	-	-
Capital Imp Fund	B&G	Public Works Expansion (Planning & Design)	-	-	-	-	-	4,630,500
Capital Imp Fund	B&G	Public Works Office Remodel	30,000	-	-	-	-	-
Capital Imp Fund	IT	Security Cameras & Access Controls	77,547	-	-	-	-	-
Capital Imp Fund	Streets	Street Replacement: Capitol Street: 2nd to 5th Street & Fourth Street: Broadway to Howard (was \$2,000,000 in original approved budget)	150,000	2,637,000	-	-	-	-
Capital Imp Fund	Fleet	Streets: 4900 Snow Plow Truck - 2019 - NEED UPDATED QUOTE	-	250,000	-	-	-	-
Capital Imp Fund	Fleet	Streets: Bobcat Multi-tool #1	-	-	135,000	-	-	-
Capital Imp Fund	Fleet	Streets: Boom Mower Tractor	-	-	-	135,000	-	-
Capital Imp Fund	Fleet	Streets: Bucket Truck (original budget \$191,000)	193,985	-	-	-	-	-
Capital Imp Fund	Fleet	Streets: Case - Skid steer	-	-	-	-	100,000	-
Capital Imp Fund	Fleet	Streets: Chevrolet Silverado 1500	-	-	-	-	65,000	-
Capital Imp Fund	Fleet	Streets: Ford F-150	-	-	-	65,000	-	-
Capital Imp Fund	Fleet	Streets: Ford F-350 Plow/Sander	-	-	90,000	-	-	-

New Project
Complete Project
Funding / Scope Change

Capital Improvement Fund, cont.

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Capital Imp Fund	Fleet	Streets: Ford F-350 Plow/Sander	-	-	90,000	-	-	-
Capital Imp Fund	Fleet	Streets: International 4900 530 hp	-	-	-	-	275,000	-
Capital Imp Fund	Fleet	Streets: Marathon Crack Seal Trailer - 2012	-	-	45,000	-	-	-
Capital Imp Fund	Fleet	Streets: Street Sweeper	-	-	385,000	-	-	-
Capital Imp Fund	Fleet	Streets: Western Star Dump Truck	-	-	-	320,000	-	-
Capital Imp Fund	B&G	Studio – Floor	-	-	-	20,500	-	-
Capital Imp Fund	Streets	Sylvan Lake Road Bike & Ped Safety Improvements	1,130,000	-	-	-	-	-
Capital Imp Fund	B&G	Town Hall - Concrete Floor Coating	-	-	-	-	-	30,000
Capital Imp Fund	Public Safety	Town Hall Basement Remodel - Public Safety Secure Storage	50,000	-	-	-	-	-
Capital Imp Fund	B&G	Town Hall Windows	-	-	-	-	-	193,916
Capital Imp Fund	B&G	Warm Springs Pump - Major Improvements	-	-	-	-	-	70,355
Total		69	5,699,892	7,428,840	8,936,060	24,112,474	22,473,200	30,776,271

New Project
Complete Project
Funding / Scope Change

Sales Tax Capital Improvement Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Sales Tax CIF	Admin	Eagle Pool Rebuild	7,311,198	-	-	-	-	-
Sales Tax CIF	Admin	Nogal Park - Playground	50,000	500,000	-	-	-	-
Sales Tax CIF	Admin	Skateboard Park Design	30,000	-	-	-	-	-
Sales Tax CIF	Admin	BMX Park Improvements	26,922	-	-	-	-	-
Sales Tax CIF	Admin	Brush Creek Park - Playground Equipment	250,000	-	-	-	-	-
Sales Tax CIF	Admin	Terrace Park - Playground	-	-	-	-	400,000	-
Sales Tax CIF	Public Works	Sidewalk/Trail: Cemetery Connection to Terrace	-	125,000	-	-	-	-
Sales Tax CIF	Public Works	Sidewalk / Trail: Nogal Road	220,000	-	-	-	-	-
Sales Tax CIF	Public Works	Dog Park Improvements	-	45,000	-	-	-	-
Sales Tax CIF	Public Works	Park Restroom Improvements - Visitor Center	-	-	100,000	-	-	-
Sales Tax CIF	Public Works	Park Restroom Improvements - Town Park	-	100,000	-	-	-	-
Sales Tax CIF	Public Works	Park Restroom Improvements - Brush Creek Park	-	-	-	75,000	-	-
Sales Tax CIF	Public Works	Sidewalk/Trail: Repaving Bull Pasture (connection to Castle Drive/Bull pasture West side loop	-	-	150,000	-	-	-
Sales Tax CIF	Public Works	Whiting Park - Pour-in-Place	-	-	-	-	100,000	-
Total		14	7,888,120	770,000	250,000	75,000	500,000	-

New Project
Complete Project
Funding / Scope Change

Conservation Trust Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Conservation Trust Fund	Open Space	Haymaker Trailhead Vault Restroom & Water Fountain	110,000	-	-	-	-	-
Total		1	110,000	-	-	-	-	-

New Project
Complete Project
Funding / Scope Change

Open Space Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Open Space Fund	Econ Dev Housing	Open Space Wayfinding Signage and Information project	-	15,000	90,000	-	-	-
Open Space Fund	Fleet	Open Space: Vehicle Fleet Replacements	-	45,000	-	-	-	-
Open Space Fund	Open Space	Restoration Project/Habitat Improvements on Open Space (Brush Creek and Hernage	157,812	-	-	-	-	-
Open Space Fund	Open Space	Restoration Project/Habitat Improvements on Open Space Phase 3	-	-	-	120,000	-	-
Open Space Fund	Open Space	Eagle River Open Space Trail	-	-	-	-	-	200,000
Open Space Fund	Open Space	Open Space & Trails Master Plan Implementation Phase 1 & 2 - Planning &	30,000	160,256	-	-	-	-
Open Space Fund	Open Space	Trail Connection Over Brush Creek (Bridge Haymeadow to Eagle Ranch)	-	-	-	-	-	-
Open Space Fund	Open Space	Haystacker Trailhead (Eagle Ranch TH Access)	-	-	-	30,000	-	-
Open Space Fund	Open Space	Interpretive Signage Phase 2 Project (Crusher Fine Path)	-	-	-	-	-	-
Open Space Fund	Open Space	Hockett Gulch Trailhead Signage Infrastructure - Cancelled	-	-	-	-	-	-
Open Space Fund	Open Space	VVMTA Open Space Signage Project	3,000	-	-	-	-	-
Open Space Fund	Open Space	Fishing is Fun Pond Improvements	-	-	-	-	150,000	-
Total		12	190,812	220,256	90,000	150,000	150,000	200,000

New Project
Complete Project
Funding / Scope Change

Wastewater Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Wastewater Fund	Wastewater	*NEW* Brush Creek and Eagle River Temperature Monitoring Stations	14,963	-	-	-	-	-
Wastewater Fund	Wastewater	*NEW* Brush Creek Road Extension - Grand Ave to Eagle County Properties	-	70,000	700,000			
Wastewater Fund	Fleet	Wastewater: Ford F-150 (decr. Original budget \$34,000)	51,000	-	-	-	-	-
Wastewater Fund	Wastewater	Arsenic Limit	-	-	-	-	-	-
Wastewater Fund	Wastewater	Reg 85 & Reg 31 Work:	-	-	-	-	-	-
Wastewater Fund	Wastewater	Nutrient Criteria Nitrogen	2,000,000	9,550,000	2,000,000	-	-	-
Wastewater Fund	Sustainability	Wastewater campus landscaping Xeriscape (Rolled over from 2025)	-	10,000	-	-	-	-
Wastewater Fund	Wastewater	Grand Avenue Wastewater Infrastructure Improvements	45,000	-	1,000,000	500,000	500,000	-
Wastewater Fund	Wastewater	Castle Dr Sanitary Sewer Main	-	-	75,000	450,000	-	-
Wastewater Fund	Wastewater	Headworks Screen	24,000	211,000	-	-	-	-
Wastewater Fund	Wastewater	Main Under Eagle River from Fairgrounds	-	-	-	-	220,500	2,500,000
Wastewater Fund	Wastewater	Process Building: Fire Alarms	5,000	10,000	-	-	-	-
Wastewater Fund	Wastewater	WWTP: Replumbing (Removed & incorporated into larger project)	-	-	-	-	-	-
Wastewater Fund	Wastewater	Security Cameras and Access Controls	8,158	-	-	-	-	-
Wastewater Fund	Wastewater	Whiting Blacklot Sewer Main (Parallel to Hilltop)	-	-	-	40,203	369,364	-
Wastewater Fund	Wastewater	Update Drop and Brick Manholes	-	-	-	-	-	-
Wastewater Fund	Wastewater	Waste Water Temperature Reduction	-	-	-	-	-	-
Wastewater Fund	Wastewater	Waste Water Treatment Plant Roof Replacement	-	-	-	-	-	-
Total		18	2,148,121	9,851,000	3,775,000	990,203	1,089,864	2,500,000

New Project
Complete Project
Funding / Scope Change

Water Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Water Fund	Fleet	*NEW* Water: Ford F-150 (2027)			85,000			
Water Fund	Fleet	*NEW* Water: Ford F-150 (2029)					85,000	
Water Fund	Fleet	*NEW* Water: Ford F-150 (2030)		-	-	-	-	85,000
Water Fund	Fleet	*NEW* Water: Ford F-250 Super Duty		-	-	90,000	-	-
Water Fund	Water	*NEW* LBWTP Drying Bed Waterproofing Membranes	50,000	-	-	-	-	-
Water Fund	Water	*NEW* PLC Upgrades: UBWTP, Highlands, & Frost Creek	193,782	-	-	-	-	-
Water Fund	Water	*NEW* Brush Creek Road Extension - Grand Ave to Three Way Stop		85,000	850,000			
Water Fund	Fleet	Water: Ford F-150 (2026)	-	85,000	-	-	-	-
Water Fund	Fleet	Water: Ford F-150 (2028)	-	-	-	85,000	-	-
Water Fund	Fleet	Water: Ford F-150 (From Wastewater)	5,000	-	-	-	-	-
Water Fund	Fleet	Water: Ford F-150 Lighting (New Addition - decr. Original budget \$20,000)	60,000	-	-	-	-	-
Water Fund	Water	Eagle Ranch Filing 26: Water Flush Station / PRV Main Extension / Water Tank Mixing (PAX)	-	-	-	-	-	-
Water Fund	Water	Hockett Gulch to Violet Ln - Water Line Tie-in	-	-	-	-	-	-
Water Fund	Water	I-70 Water Main Loop	-	-	-	-	-	-
Water Fund	Water	LBWTP: Expansion from 2.5 to 5.0 MGD	-	-	-	-	-	-
Water Fund	Water	Generator and Back Up Power for Booster Pump Stations	-	70,000	210,000	-	-	-
Water Fund	Sustainability	Water campus landscaping Xeriscape	-	10,000	-	-	-	-
Water Fund	Water	UBWTP: 2 MG Tank Rehab	7,397	-	-	-	-	-
Water Fund	Water	*NEW* UBWTP Heaters (2)	22,481	-	-	-	-	-
Water Fund	Water	Upper Eby Creek Tank Recoating and Rehab	-	55,000	500,000	-	-	-
Water Fund	Water	Brush Creek Transmission Main PRV	30,000	-	-	-	-	-
Water Fund	Water	Lower Eby Creek Tank and Booster Pump Station Replacement	2,328,974	150,000	-	-	-	-
Water Fund	Water	Cemetery Tank	3,779,278	250,000	-	-	-	-
Water Fund	Water	Brush Creek Transmission Main Replacement - Ouzel to Brush Creek Road Extension	-	-	-	-	320,000	3,500,000
Water Fund	Water	UBWTP Fire Alarms	10,000	-	-	-	-	-
Water Fund	Water	Brush Creek Transmission Main Replacement - Phase III	1,920,000	180,000	-	-	-	-
Water Fund	Water	East Eagle Tank & Distribution	5,000	500,000	500,000	7,000,000	7,000,000	-
Water Fund	Water	Fairgrounds Water Main Loop	-	-	-	-	-	540,000
Water Fund	Water	Grand Avenue Water Infrastructure Improvements	45,000	30,000	1,000,000	500,000	500,000	-
Water Fund	Water	Hernage Creek Tank Rehab	-	-	85,000	1,000,000	-	-
Water Fund	Water	LBWTP Eagle River Diversion	-	-	-	200,000	3,600,000	-
Water Fund	Water	UBWTP: Water Intake Improvements	-	-	-	-	-	-
Water Fund	Sustainability	Building Electrification Project - Upper Basin Plant Water Heater (Not Grant-Funded)	-	7,500				
Water Fund	Water	UBWTP Filter Trains	-	50,000				

New Project
Complete Project
Funding / Scope Change

Water Fund, cont.

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Water Fund	Water	UBWTP: Lifecycle replacement and regulatory upgrades	-	200,000	600,000	4,000,000	4,000,000	-
Water Fund	Water	Water Line: Downtown Distribution: Capitol Street: 2nd to 5th Street & Fourth Street: Broadway to Howard	200,000	1,300,000	-	-	-	-
Water Fund	Water	Water Line: Adams Rib Headquarters PRV	-	-	-	-	-	-
Water Fund	Water	Water Line: Whiting Rd, Young St.	-	-	-	-	-	-
Water Fund	Water	Security Cameras and Access Controls	13,324	-	-	-	-	-
Water Fund	Water	Water Line: Castle Dr and King Rd	-	-	150,000	1,200,000	-	-
Water Fund	Water	Adams Rib School House PRV - Removed and added to Transmission Main budget	-	-	-	-	-	-
Water Fund	Water	Lower Eby Creek Tank Coating	1,250,000	-	-	-	-	-
Water Fund	Water	UBWTP Pretreatment Valve and Actuator	20,000	-	-	-	-	-
Total	43		9,940,236	2,972,500	3,980,000	14,075,000	15,505,000	4,125,000

New Project
Complete Project
Funding / Scope Change

Refuse Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Refuse Fund	Public Works	Oil Drop Site - Security Camera and License Plate Reader	32,000	-	-	-	-	-
Total		1	32,000	-	-	-	-	-

New Project
Complete Project
Funding / Scope Change

Stormwater Fund

Fund	Dept	Project	2025 Rev YE Budget	2026	2027	2028	2029	2030
Stormwater Fund	Stormwater	*NEW* Capitol Street	-	250,000				
Stormwater Fund	Stormwater	Bluffs Subdivision Water Quality Outfall @ Eagle River	-	-	-	-	-	-
Stormwater Fund	Stormwater	Grand Avenue Stormwater Infrastructure Improvements	-	-	638,141	638,141	-	-
Stormwater Fund	Stormwater	Town Park - Drainage, parking improvements (Washington St 5th to 6th)	-	-	-	-	-	231,525
Total		4	-	250,000	638,141	638,141	-	231,525