



LAND USE AND  
DEVELOPMENT CODE  
*Assessment*

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FOR:  
TOWN OF EAGLE

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# INTRODUCTION

The Town of Eagle's Land Use and Development Code (the Code) has not had a substantial update since the mid 1980's. Occasional minor updates since then have not successfully kept the code relevant with changing conditions and desires of the Town and its community. Therefore, many of the standards are out of date and contradictory. Additionally, the existing format does not consider current development trends and objectives nor does it reflect the direction set forth by the Comprehensive Plan. Due to these factors, the Code is due for a complete overhaul as directed by the Town of Eagle staff.

In August 2018, the Town of Eagle retained the team of Logan Simpson and White & Smith to assess and update the current Land Use and Development Code (LUCD). The primary objectives of the code development effort will result in an updated code that is:

- Progressive to reflect sustainability goals, smart growth, and other the emerging trends in the community;
- Simplified, graphic, and user friendly; and
- Consistent with other relevant standards and policies already adopted by the Town of Eagle.

The following pages include an overview of findings and recommendations resulting from our discussions with stakeholders and the Land Use Code Committee (LUCC) during our initial outreach as well as our preliminary review of the existing code.

# DISCOVERY AND DISCUSSION

To kick-off the assessment of the existing LUDC, Logan Simpson met with Town Staff (including the Town Planners and Town Manager) to get a feel for what is working, what is not working, and what is missing from the existing LUDC. The discussion resulted in an inclusive list for the consultant team to build on through additional outreach. To further understand where the LUDC may be falling short, the consultant team held a series of stakeholder interviews and focus group meetings in 2018 which included representatives from the following interests:

- Developers
- Home Builders
- Professional Engineers
- Past Board and Commission Members
- Current Board and Commission Members
- Business Owners
- Community Members
- Land Use Code Committee

Following the initial stakeholder outreach, the consultant team met with the LUCC in February 2019 to present an outline of the initial code assessment topics which were further expanded upon in the following recommendations.

# CODE ASSESSMENT RECOMMENDATIONS

The existing Land Use and Development Code has been analyzed for a rewrite based on three basic topics: process, zoning and standards. The new code update will be drafted in three phases or modules based on these basic topics. All updates will align and further the goals and policies set forth in the 2017 Strategic Plan and 2019 Comprehensive Plan Update.

In addition to the specific recommendations below, all graphics will be updated and new graphics added to reflect the new standards. Flow charts and tables will be added throughout the document for ease of use. The following recommendations are a result of our team's detailed analysis of the existing code in tandem with the outcome of outreach efforts described in Discovery and Discussion section above.

## PROCESS

### **Re-organize Title 4 – Land Use and Development Code**

To ensure a more user friendly code, it is recommended to rearrange the code to include a new section following general provisions which will introduce all of the application procedures followed by zoning districts and use regulations, then development standards, followed by subdivision design standards and supplemental chapters. This will allow access to the most relevant and primarily accessed information up front.

In addition to the reorganization, it is recommended to include flow charts and tables for ease of access to the application information and develop checklists for all application types (which staff has already started to develop)

### **Streamline the Application Process**

Currently it takes up to six (6) public hearings to receive approval on a subdivision, and that is assuming that all hearings go smoothly. This requires excessive staff time to prepare notifications and staff reports that could be put to better use. It also extends the process for developers beyond a reasonable six-nine month process. Therefore, to create more predictability in the development review process on both sides of the table, the following recommendations are being made:

- Accommodate administrative approvals on appropriate applications
- Develop guides and flow charts to help communicate the processes graphically
- Remove all outdated language relating to format and number of copies

### **Code enforcement and Non Conformities**

It is recommended that code enforcement regulations be reviewed and updated as appropriate to the new standards developed. Likewise, a section to describe any non-conformities resulting from this update should be included.

# ZONING

## Revise Zoning Districts

The Town of Eagle is currently organized into fourteen (14) zone districts, however, the majority of applications are processed as special use permits due to ambiguity in requirements for many of the zone districts. There is no zone district for mixed-use which was expressed strongly as a needed addition through our stakeholder outreach. The Central Business District as currently defined does not reflect the desired character of the downtown area as distinct and different from other commercial areas.

It is recommended that all zoning districts be reviewed by the code update team and many of the districts collapsed, expanded or redefined as needed to achieve the desired development character as defined in the Comprehensive Plan Update. The following are the basic goals of this effort at a minimum:

- Identify distinct commercial zones or corridors
- Incorporate specific commercial zones and associated design standards
- Incorporate new mixed-use zone and associated design standards
- Provide new regulations that eliminate the need for special use permits
- Clarify regulations for high density housing

# STANDARDS

## Update Standards for Consistency and Flexibility

All development standards throughout the code will be analyzed for relevance, consistency and flexibility. The landscape standards will be updated to reflect current trends and desired character of the Town. The Central Business Area, Broadway District, Chambers Avenue Area, North Interchange Area, and US Highway 6 Corridor will all be analyzed for relevance and consistency with the Comprehensive Plan update and revised as necessary. The Town has expressed interest in completing a Highway 6 Corridor study in 2019-2020. Should the study be underway prior to completion of the code update, the resulting design standards will be incorporated into the code update.

The lighting and sign regulations will be updated using the previous staff efforts at updating these two sections as a base.

One topic we heard a lot about during public outreach was the desire for more resilient design. It is recommended that a new section be added to the development standards regarding Sensitive Areas Protection in which the current and new standards will be incorporated regarding slope, flood hazard, wildfire hazard, wildlife protection and wetland protection.

Likely the most popular topic brought up repeatedly throughout public outreach was the parking standards. The code update team will incorporate the findings of the 2017 Downtown Parking Study into recommendations for a complete overhaul of the parking standards. One component of this could include updating code compliance issues with regards to parking on side streets.

## Address Contemporary Issues

One of the primary goals of this code update is to bring the codes up to date with current trends and issues being faced by Cities, Towns and Development Communities across the Country. The code update team will pull from their vast resources of existing and new land use codes from across the county to ensure that the Town of Eagle's Land Use and Development Code is keeping up with local, regional and national trends related to the following topics:

- Providing affordable/attainable housing opportunities
- Providing infill/redevelopment standards
- Addressing minimum lot size versus unit density
- Incorporating sustainability/LID standards
- Addressing short term rentals
- Incorporating hazard mitigation and resiliency standards
- Addressing ADUs and tiny homes
  - Allowable or conditional use by zone or neighborhood
  - Consider allowing for only long-term rentals
  - ADUs in commercial/industrial areas

Additionally, innovations such as designated food truck locations, incentive or enterprise zones will be incorporated as appropriate. Innovations in transportation such as Uber and Lyft drop off areas, ride share, electric scooter/bike share programs will be analyzed and discussed with staff and the steering committee for relevance to the Town and incorporated into the Design Standards as necessary.

# PROPOSED OUTLINE

New Section		Existing Section
Title 4		
Chapter 1	General Provisions	Title 4 starts at 4.03 General
4.01.10	Purpose	4.03.010
4.01.20	Authority	4.03.020
4.01.30	Title	4.03.030
4.01.40	Effective Date	New
4.01.50	Applicability	New
4.01.60	Relationship to Other Ordinances	New
4.01.70	Relationship to Comprehensive Plan	New
4.01.80	Interpretation and Conflicting Provisions	New
4.01.90	Transition from Prior Regulations	New
Chapter 2	Administration	
4.02.10	Purpose and Organization	New
4.02.20	Public Notice	4.03.080
4.02.30	Procedures Table	New
4.02.40	General Application Requirements	New
4.02.50	General Application Procedures: Special Use	4.05.010
4.02.60	General Application Procedures: Variance	4.05.020
4.02.70	General Application Procedures: Rezone	4.05.030
4.02.80	General Application Procedures: Lot Line Adjustment	4.12.040
4.02.90	General Application Procedures: Development Permit	4.06.020
4.02.100	General Application Procedures: Planned Unit Development	4.11.040
4.02.110	General Application Procedures: Subdivision	4.12.030
4.02.120	General Application Procedures: Annexation	4.15.010
4.02.130	Application Fees	4.03.080
4.02.140	Review and Decision Making Bodies	New
Chapter 3	Zoning Districts	
4.03.10	General Provisions	New
4.03.20	Residential Zone Districts	New, includes provisions from 4.04.080
4.03.30	Commercial and Mixed-Use Zone Districts	New, includes provisions from 4.04.090
4.03.40	Other Non-Residential Zone Districts	New, includes provisions from 4.04.090
4.03.50	Planned Unit Developments	New, includes provisions from 4.11.010-040
4.03.40	Summary of Dimensional Standards	New, includes provisions from 4.07.040
4.03.40	Measurements and Exceptions	New, includes provisions from 4.07.040
Chapter 4	Use Regulations	
4.04.10	Purpose and Organization	New, includes provisions from 4.04
4.04.20	Table of Allowable Uses	New, includes provisions from 4.04
4.04.30	Use-Specific Standards	New, includes provisions from 4.04
4.04.40	Accessory Uses and Structures	New
4.04.50	Temporary Uses and Structures	New

New Section		Existing Section
Chapter 5	Development Standards	
4.05.10	General Provisions	
4.05.20	Sensitive Area Protection	New, includes provisions from 4.13.030-4.13.060
4.05.30	Open Space	New
4.05.40	Landscaping and Screening	4.07.020
4.05.50	Transportation and Connectivity	New
4.05.60	Residential Site and Building Design	4.07.040
4.05.70	Commercial Site and Building Design	4.07.040
4.05.80	Off-Street Parking	4.07.140
4.05.90	Signs	4.08
4.05.100	Exterior Lighting	4.07.010
4.05.110	Residential Inclusionary Requirements	4.04.110
4.05.120	Solar Access	New
Chapter 6	Subdivisions	
4.06.10	General Provisions	New
4.06.20	Design and Improvement Standards	4.13.070-4.13.240
Chapter 7	Assurance of Adequate Public Facilities	
4.07.10	Intent	4.14.010
4.07.20	Applicability	4.14.020
4.07.30	Determination of Adequacy	4.14.040-4.14.070
4.07.40	Criteria for Determination of Adequate Public Facilities	4.14.080
4.07.50	Vested Rights	4.14.090
4.07.60	Dedications	4.14.110-140
Chapter 8	Mobile Home Parks and Subdivisions	
4.08.10	General Provisions	4.09.010
4.08.20	Applicability	4.09.020
4.08.30	Design and Improvement Standards	4.09.030 + 4.09.040
Chapter 9	Recreation Vehicle Parks	
4.09.10	General Provisions	4.10.010
4.09.20	Applicability	4.10.020
4.09.30	Design and Improvement Standards	4.10.03 + 4.10.030
Chapter 10	Nonconformities	New
Chapter 11	Definitions	New, combination of all definitions in Title 4