

**PROOF OF PUBLICATION**

STATE OF COLORADO      )  
                            )  
COUNTY OF EAGLE      )

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE NO. 17 (Series of 2021) AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING SECTION 4.04.100.N OF THE EAGLE MUNICIPAL CODE ESTABLISHING CRITERIA FOR ACCESSORY DWELLING UNITS on the Town of Eagle's web site, [www.townofeagle.org](http://www.townofeagle.org), on the 15th day of December 2021.

Witness my hand and seal this 15<sup>th</sup> day of December 2021.



Jenny Rakow  
Town Clerk



Ordinance Effective Date:  
December 26, 2021

**TOWN OF EAGLE, COLORADO**  
**ORDINANCE NO. 17**  
**(Series of 2021)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,  
AMENDING SECTION 4.04.100.N OF THE EAGLE MUNICIPAL CODE, ESTABLISHING  
CRITERIA FOR ACCESSORY DWELLING UNITS

WHEREAS, as a result of recent public comment, the Town initiated a process to consider modifying Section 4.04.100.N of the Eagle Municipal Code to provide clarity and address community concerns;

WHEREAS, on November 2, 2021 the Planning and Zoning Commission held a public meeting to obtain citizen comments and discuss changes to Section 4.04.100.N of the Eagle Municipal Code;

WHEREAS, on November 9, 2021, the Town Council held a public meeting to obtain and discuss changes to Section 4.04.100.N of the Eagle Municipal Code; and

WHEREAS, on November 16, 2021 the Planning and Zoning Commission recommended approval of certain amendments to Section 4.04.100.N of the Eagle Municipal Code.

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

Section 1. Section 4.04.100.N of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 4.04.100. – Supplementary Regulations and Standards**

\* \* \*

N. *Accessory Dwelling Units (ADUs): ADUs are permitted in any residential district, subject to the following standards:*

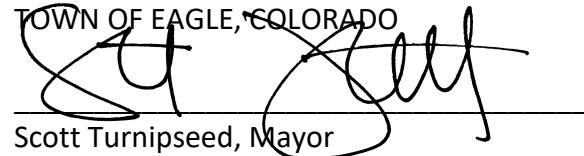
1. *One (1) ADU is allowed on each lot containing a single-family dwelling.*
2. *An ADU may be located in a single-family dwelling, attached to a single-family dwelling, detached from a single-family dwelling, or in an accessory building.*
3. *Each ADU shall be a complete, separate dwelling unit, with its own ingress, egress and access.*

4. *The owners of the property in which the ADU is located shall occupy at least one of the dwelling units on the premises as a full-time residence except for bona fide temporary absences.*
5. *An ADU shall not exceed 850 square feet, using the following means of measurement: measure the area within the inside face of the perimeter walls of the ADU, including habitable space in the basement. The following shall be excluded from the calculation: stairs, typical mechanical rooms, garages, and decks and porches that are not enclosed.*

**Section 2. 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 3. Safety.** This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON DECEMBER 14, 2021.

TOWN OF EAGLE, COLORADO  
  
 Scott Turnipseed, Mayor

ATTEST:

  
 Jenny Rakow, Town Clerk

