

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 17
(Series of 2025)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING CHAPTERS 1, 2, 3, 8, 9, 10, 14, AND 20 OF TITLE 4 OF THE EAGLE
MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES**

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

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

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

WHEREAS, the Town Council desires to amend Title 4 of the Code; and

WHEREAS, it is in the interest of the public health, safety, and welfare of the Town to amend the Code as set forth in this Ordinance.

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

Section 1. **Recitals.** The foregoing recitals are hereby incorporated as if set forth herein in full.

Section 2. Section 4.01.080.D.1.b. of the Eagle Municipal Code is hereby repealed and replaced as follows:

b. If a complete application for the first step in a multi-step approval process was submitted before the effective date of the new Code, it will continue to be processed pursuant to the 1976 LUDC. If the application was incomplete on the effective date, or submitted after that date, it will be processed pursuant to the 2023 LUDC. Subsequent steps in a multi-step approval process will be processed pursuant to the 2023 LUDC, provided they were incomplete on the effective date, or submitted after that date.

Section 3. Table 4.02-1 Permitted Setback Encroachments of Section 4.02.020, becomes Table 4.02-2, of the Eagle Municipal Code and is hereby repealed and replaced as follows:

Table 4.02-2 Permitted Setback Encroachments

Projection	Front or Street Side Setback (max, feet)	Internal or Rear Setback (max, feet)
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Building Element		
Approved accessibility ramps	Any distance	Any distance
Bay windows	4	4
Belt courses, sills, lintels, pilasters, pediments	1	1
Breezeways, unenclosed	Not permitted	Not permitted
Corner detail, Broadway District only	Per 4.04.060	Not permitted
Chimneys not greater than 6 ft. in width	2	2
Eaves, roof overhangs, cornices, gutters, and downspouts	2	2
Porches, stoops, decks, terraces, balconies, and associated stairs (uncovered and no more than 30" above finished grade)	8	5
Shading devices such as awnings and canopies	5	5
Stairs and fire escapes (unenclosed)	4 (rear also)	1.5 (side only)
Window wells	Any distance	3
Site Elements		
Accessory Structure	Not permitted	Per zone district requirements
Clothes lines and poles	Not permitted	Any distance
Fences and walls	Any distance	Any distance
Flagpoles and signs	Any distance	Any distance
Flatwork	Any distance	Any distance
Gardens and landscaping	Any distance	Any distance
Ornamental lights	Any distance	Any distance
Play equipment	Not permitted	Any distance
Swimming pools and hot tubs including mechanical equipment and deck	Not permitted	Any distance
Trash containers	Not permitted	Any distance
Mechanical, Electric, and Plumbing Elements		
Evaporative coolers or air conditioners (window)	2	2
Evaporative coolers or air conditioners (ground)	Not permitted	Not Permitted
Gas and electric meters	2	2
Solar energy collectors and heat storage units of up to 200 sq. ft. of collector surface area	Not permitted	Not Permitted
Transformers	Not permitted	Not Permitted

Section 4. The definition for *Lot coverage* in Section 4.20.020.L. *L Terms*, is hereby repealed and replaced as follows:

Lot coverage. Lot coverage is measured as the percentage of the gross lot area covered by buildings and impervious surface. It is calculated by dividing the gross area of building footprints, measured to the furthest exterior face of the structure including above-grade enclosed projections, by the area of the lot. The following shall be counted as covered areas for purposes of determining building coverage:

1. Areas covered by swimming pools and hot tubs;
2. Decks, stoops, patios, porches, and their associated stairs that are 30 inches or more above finished grade;
3. Any portion of a lot or site covered by materials forming an unbroken surface impervious to water, including streets, driveways, and parking lots;
4. Structures covered by a roof; and
5. Structures that are more than six feet tall and enclosed on three or more sides with walls that are less than 25 percent open.

Section 5. Table 4.02-2 of Section 4.02.040 of the Eagle Municipal Code is hereby amended and renamed Table 4.02-3 Height Limit Exceptions.

Section 6. Table 4.03-10 of Section 4.03.070 of the Eagle Municipal Code is hereby repealed and replaced as follows:

Table 4.03-10: OTR Lot and Dimensional Standards

Lot Standards		Building Placement/Setbacks		
Density (min/max)	4-16 du/ac	A	Front	10 ft [1]
Lot Area, total (min)		B ₁	Street-Adjacent Side	10 ft
Single-family	3,125 sf	B ₂	Interior Side	5 ft
Duplex (per unit)	1,750 sf		Interior Side, Accessory Bldg.	2.5 ft
Attached Dwellings, (per structure, max. 3 units)	6,250 sf	C	Rear, Principal Bldg.	10 ft
Multiunit Bldg, (per structure, max 3 units)	6,250 sf		Rear, Accessory Bldg.	2 ft [2]
Building Standards				
Lot Coverage (max)	70%		Height, (ft, max)	
Live Stream Setback		D	Principal Building	35 ft
No disturbance area	75 ft		Accessory Building	35 ft

Table Notes:

[1] May match block face average where applicable. See Chapter 4.20.

[2] Turn radius standards apply to all alleys; which may require an accessory building be setback on the property further than the minimum requirements.

Section 7. Section 4.08.040.C.4. of the Eagle Municipal Code is hereby repealed and replaced as follows:

4. Adequate water rights dedication and tap fee payment shall be provided pursuant to Title 12.

Section 8. Section 4.08.060.A.2. of the Eagle Municipal Code is hereby amended as follows:

2. Review of a subdivision sketch plan, pursuant to Section 4.17.100.D.2, may be waived by the Director when the PUD concept plan incorporates the information required for subdivision sketch plan and is clearly identified as taking the place of a subdivision sketch plan for purposes of conformance review when subdivision preliminary plan is submitted.

Section 9. Table 4.17-1: Application Review Requirements of Section 4.17.010.E. of the Eagle Municipal Code is hereby amended as follows:

Table 4.17-1: Application Review Requirements

Application Type	LUDC Section	Pre-Sub Conf	N'hd Mtg.	Notice	Admin (Staff)	PZC / BOA	Town Council	Form of Final Decision
Key: ✓ = Required R = Review and Recommend D = Decision A = Appeal RA = Ratify NoD = Notice of Decision Res. = Resolution Ord. = Ordinance								
Approval Processes								
PUD Rezoning	<u>4.08.060</u>							
Concept Plan		✓	✓	✓	R	R	D	<u>NoD</u>
<u>Final Plan</u>		✓	✓	✓	<u>R</u>	<u>R</u>	<u>D</u>	<u>Ord.</u>
<u>Major PUD Amendment</u>		✓	✓	✓	<u>R</u>	<u>R</u>	<u>D</u>	<u>Ord.</u>
<u>Minor PUD Amendment</u>		✓			<u>R, D</u>		A	<u>NoD</u>

Section 10. Table 4.17-2: Public Notice Requirements of Section 4.17.050.A. of the Eagle Municipal Code is hereby amended as follows:

Table 4.17-2: Public Notice Requirements

Application Type	LUDC Section	Notice Type	Publish Section <u>4.17.050.C.7</u>	Post on Site Section <u>4.17.050.C.8</u>	Mail Section <u>4.17.050.C.6</u>	Mail Distance
<p>Notice Types: PH—Public Hearing Notice ADIN—Administrative Decision Informational Notice Key: R = Required O = Optional X = Not Required</p>						
<p>Approval Processes</p>						
PUD Rezoning	<u>4.08.060</u>					
Concept Plan		PH	R	R	R	All property within 250 feet [1]; PUD Amendment only complies with Note [2]
<u>Final Plan</u>		PH	R	R	R	
<u>Major PUD Amendment</u>		PH	R	R	R	
<u>Minor PUD Amendment</u>		X	X	X	X	

Section 11. Section 4.17.130.A. of the Eagle Municipal Code is hereby amended as follows:

A. *Concept Plan/PUD Concept Plan (PUD Step 1 of 2).*

1. PUD Concept Plan. A PUD concept plan shall be submitted, which shall be 24 inches by 36 inches in size, with north arrow and scale and with title and date in lower right corner, at a scale of one-inch equals 100-feet, or larger, and which depicts the project area or the area within the boundaries of the proposed PUD and the following:
 2. PUD concept plan.
 - a. A minimum of the following:
 - ii. A PUD concept plan, as described above;

Section 12. Section 4.17.130.B.3.i. of the Eagle Municipal Code is hereby amended as follows:

- i. A proposal for municipal or park land dedication or fee, pursuant to Section 4.15.060 or documentation that the dedication or fee has previously been made;

Section 13. Section 4.09.050.B. Cottage Courts of the Eagle Municipal Code is hereby amended as follows:

4. Individual cottage lots or portions of the project may not be subdivided for sale, except for footprint townhome lots that maintain the minimum common open space.

5. Zone district lot and setback requirements shall apply to the project site as a whole, but not to individual cottage unit sites.
6. Each project site shall maintain a vegetated buffer along side and rear lot lines, each side and rear lot line, and No portion of any primary or accessory structure may be located within this in that buffer area. Front, side, and rear yard buffers must comply with the landscaping requirements outlined in Chapter 4.11.
7. ~~The applicant shall submit a minor development plan identifying individual cottage unit development sites, streets, parking areas, storm drainage facilities, common areas and facilities, and any other features required to be identified by this LUDC.~~

Section 14. Section 4.09.100.D. Accessory Dwelling Units of the Eagle Municipal Code is hereby amended as follows:

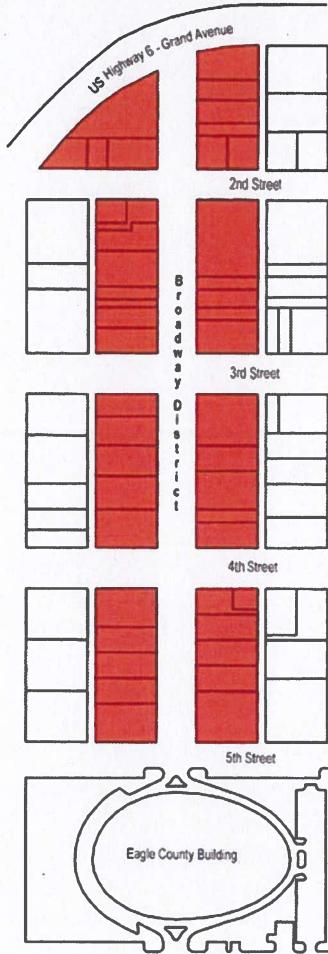
3. Each ADU shall be a complete, separate dwelling unit, with its own ingress, egress, and access. ~~The ADU shall not have direct access to the primary home, however a A shared entryway is permitted, provided the ADU continues to meet the definition of a separate dwelling unit.~~

Section 15. Section 4.10.050.C.1.f.i. of the Eagle Municipal Code is hereby amended as follows:

- i. Temporary art displays are permitted along the Broadway streetscape with the approval of the Director Marketing and Events Advisory Committee (MEAC) or another committee designated by the Town Council. Building art may be permitted on a case-by-case basis with the permission of the Director MEAC and requires a mockup of the proposed design and colors to be utilized. Any art displays utilized during special events are permitted as part of the special event permit.

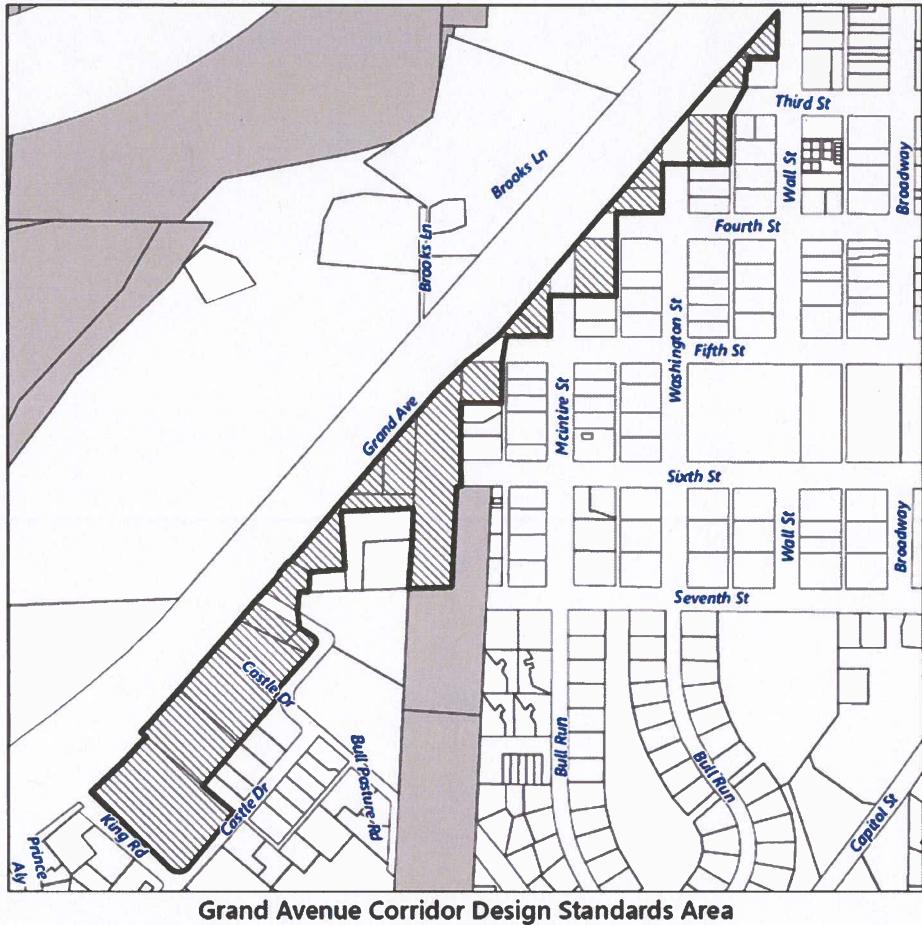
Section 16. Section 4.10.050.C.1. of the Eagle Municipal Code is hereby amended as follows:

1. *Broadway district.* The overriding vision for the BD district is to enhance the Town and to create a vibrant business district based on traditional western slope architecture. The BD district deserves special attention and more specific guidelines than other areas of Town. The following graphic depicts the properties included in the BD.



Section 17. Section 4.10.050.C.3. of the Eagle Municipal Code is hereby amended as follows:

3. **Grand Avenue Corridor.** The following graphic depicts the properties included in the Grand Avenue Corridor design standards.



Section 18. Section 4.14.040.B. of the Municipal Code is hereby amended as follows:

1. ***Wildlife impact review required.*** All development subject to this section shall be designed so it does not adversely impact wildlife and wildlife habitats or that such adverse impacts have been avoided or fully mitigated to the maximum extent practicable. The review criteria used to determine if this standard has been met are in Section 4.14.040 D. Proposed developments that will or may have an adverse impact on wildlife and wildlife habitats shall have a wildlife conservation plan. The wildlife conservation plan shall incorporate existing studies previously prepared by the Colorado Department of Natural Resources and Colorado Parks and Wildlife. All development shall consult with Colorado Parks and Wildlife prior to preparing the application's wildlife and conservation plan. This section shall apply to the following:
 - a. All new development applications for sites two acres or larger.
 - b. Reserved. All major subdivision applications for sites two acres or larger.
2. ***Development standards required.*** Development in the following categories shall comply with Section 4.14.040 C.: All proposed developments and/or subdivisions requiring a land use application or building permit, but not required to submit a wildlife conservation plan, or

specifically exempted under Section 4.14.040.B.3., are required to comply with all Development Standards in Section 4.14.040 C. of the Code.

- a. Single-family attached, multifamily, mixed-use, or nonresidential developments on a site of less than two acres;
- b. Development plan reviews of buildings or additions having a gross floor area of 10,000 square feet or less; and
- c. All proposed developments not required to submit a wildlife conservation plan.

Section 19. Section 4.14.040.C. of the Municipal Code is hereby amended as follows:

1. Buffers. All developments and/or subdivisions shall be designed to have a setback of 100 feet or greater from any identified critical wildlife habitat area or migration corridor subject to the approval of Colorado Parks and Wildlife. All developments shall provide visual and audio screening as a mitigation method, if deemed to adversely impact critical wildlife or critical wildlife habitat as deemed necessary by Colorado Parks and Wildlife.

Section 20. Definitions for 'Administrative manual', 'Critical wildlife habitat', and 'Kitchen' are hereby added to Section 4.20.020. of the Eagle Municipal Code as follows:

Administrative manual. A formal document, adopted by Town Council, that includes supporting materials for the Land Use and Development Code (LUDC), including, but not limited to, submittal requirements, policies, and general guidance for staff, applicants, and members of the public.

Critical wildlife habitat. Habitat which supports a high degree of biodiversity of wildlife species native to Eagle County. A discrete, identifiable location that supports a significant concentration of one or more native wildlife species during vulnerable life-history stages. Provides physical and biological habitat features which are vital to the maintenance, successful recovery or reintroduction of one or more wildlife species native to Eagle County.

Kitchen. The facilities and equipment, or rough-in facilities, used in the preparation and serving of food as defined by the Town's adopted building code.

Section 21. The definition of 'Accessory dwelling unit' in Section 4.20.020.A. A terms. of the Eagle Municipal Code are hereby amended as follows:

Accessory dwelling unit. A secondary residential housing unit that is subordinate to a primary residential housing unit on the same lot and includes independent living facilities such as a Kitchen, bathroom, and separate entrance. An individual dwelling unit equipped with a full kitchen that is subordinate to, and contained within or adjacent to, a single family dwelling or duplex.

Section 22. The definition of 'Boutique hotel' in Section 4.20.020.B. B terms. of the Eagle Municipal Code is hereby amended as follows:

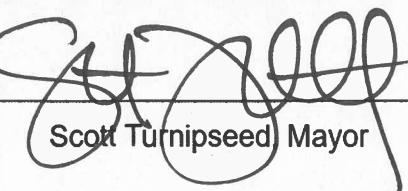
Boutique hotel. A building or portion thereof, designed or used for temporary or extended stay lodging for transients, other than a dormitory or hostel, that contains no more than 2075 rooms where, for compensation, lodging is offered and provided to members of the general public, and that includes a supervised inside office or lobby. Accessory uses may include a dining room or area, kitchen, and/or shops and services catering to transients.

Section 23. The definition of 'Dwelling unit' in Section 4.20.020.D. D terms. of the Eagle Municipal Code is hereby amended as follows:

Dwelling unit. A single residential housing unit building or part of a building with one kitchen
~~providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation as defined by the Town's adopted building code, for not more than one family or household. Dwelling units include mobile homes, but shall not include hotels, motels, clubs, boarding houses or dormitories, rooming houses, or any institutions, such as an asylum, hospital, jail or group home. For the purposes of this definition, a kitchen is defined as having either a 240v outlet or a gas line for a cooking appliance within 20 feet of a sink.~~

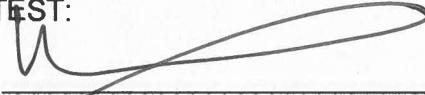
INTRODUCED, READ, MOVED, AND ORDERED PUBLISHED ON NOVEMBER 12, 2025.

TOWN OF EAGLE, COLORADO

By: 

Scott Turnipseed, Mayor

ATTEST:

By: 

Melissa Daruna, Assistant Town Manager

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Melissa Daruna, Assistant Town Manager and Acting Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE 17, SERIES 2025 "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING CHAPTERS 1, 2, 3, 8, 9, 10, 14, AND 20 OF TITLE 4 OF THE EAGLE MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES" on the Town of Eagle's website, www.townofeagle.org, on the 14th day of November, 2025.

Witness my hand and seal this 14th day of November 2025.



Melissa Daruna,
AdingTown Clerk



Ordinance Effective Date:

November 24, 2025