

TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 12
(Series of 2025)

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO RECOMMENDING AMENDING CHAPTERS 2, 8, 10, 11, 12, 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 may amend the Code and pursuant to Section 4.17.120 of the Code, the Town may amend the Land Use and Development Code (the "LUDC"); and

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

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

Section 1. Section 4.02.040.A.2.b. and Section 4.02.040.A.2.c. of the Eagle Municipal Code are hereby amended as follows:

b. The maximum height for all potential visual obstructions in the clear vision area is two and one half feet or thirty (30") inches, including The maximum height requirement applies to plants, fences, walls, structures, and any potential temporary visual obstructions such as parking. Trees exceeding two and one-half feet or thirty (30") inches tall may be planted in a clear vision area, provided all branches and foliage can be removed to a height of eight feet above the grade when the tree is sufficiently established.

c. No fence or wall shall be located so as to obstruct traffic sight distances. In a clear vision area, the maximum fence or wall height is two and one half feet tall or thirty (30") inches. This provision supersedes those in Chapter 4.11, where a fence or wall is located within the clear vision area.

Section 2. Section 4.08.070.A. of the Eagle Municipal Code is hereby repealed and replaced as follows:

A. Minor amendments.

1. Classification of minor amendments.

a. **Allowed minor amendments.** Minor amendments are intended for technical or design adjustments that do not materially change the approved development intent. Minor amendments to an approved PUD final plan may be approved by the Director if the proposed amendment is included in one or more of the following categories:

i. **Internal road alignment adjustments.** Minor changes to internal road layouts for subdivisions that have not received final plat approval and provided they do not compromise vehicle safety or conflict with approved plans.

ii. **Building envelope adjustments.** Changes to unplatted building envelopes that do not impact a known Critical Wildlife Habitat.

Note: Any changes to platted envelopes must be processed as a Major PUD Amendment with an amended final plat or combined preliminary/final plat.

iii. **Technical text corrections in a PUD Guide or to the Development Plan/Map.** Edits that correct omissions or technical errors. Numeric standard changes are allowed if they do not exceed the current standard by more than 15%.

Note: The same numeric standard cannot be repeatedly modified under this provision. Changes to an approved Development Plan/Permit needed for building permit, are not eligible for amendment under this provision, but are eligible for amendment as provided in Chapter 4.17.

iv. **Addition of similar land uses.** Adding uses not previously listed but determined to be similar to existing permitted uses, as determined by the Director, based on [Chapter 4.09](#) Use Standards and [Section 4.20.050](#) Use Category Definitions.

Note: Changes to use standards or definitions require a Major PUD Amendment.

b. **Prohibited amendments.** The following changes may not be approved through the minor amendment process, and are required to be processes as major amendment:

i. Changes the allowed uses listed in the approved PUD final plan, beyond what is allowed under the provisions of Section 4.08.070.A.1.a.;

ii. Changes to required open space;

iii. Changes to the allowed total density or commercial square footage; or

iv. Changes to the PUD perimeter boundary.

2. **Review criteria and decision-making.** The director shall consider all the following criteria with respect to the proposed change when reviewing a PUD final plan amendment:

a. **Compatibility with PUD concept plan.** The minor amendment is compatible with the approved PUD concept plan. Where a PUD concept plan was not adopted, compatibility shall be evaluated based on the approved PUD Guide, Development Plan, and any applicable approved subdivision and/or zoning documents.

b. **Adverse impacts.** The minor amendment will not cause adverse impacts to development within the PUD or adjacent development.

- c. *Technical change*. The change is of a technical nature conforming with one or more of the following:
 - i. *Site-specific adjustments* – necessary to address topographic constraints, geotechnical conditions, or utility placement verified by a licensed professional.
 - ii. *Environmental protection adjustments* – the change or changes are intended to protect sensitive resources such as wetlands or wildlife corridors identified post-approval.
 - iii. *Minor design optimization* – improves internal circulation, pedestrian connectivity, or neighborhood compatibility without altering external access or density.
 - iv. *Minor technical changes* – minor changes to the text of the PUD Guide necessary for clarity, to correct an omission, or to determine similar uses.

Section 3. Section 4.10.030.A.2. of the Eagle Municipal Code is hereby amended as follows:

- d. Trash enclosures shall be positioned for easy access by service providers, screened from public view, and containers or enclosures shall be wildlife resistant. Electrical and other utility boxes and facilities must also be screened from public view from public rights-of-way.
- e. No building or structure shall cross a property line.

Section 4. Section 4.10.050.C.1.b. of the Eagle Municipal Code is hereby amended as follows:

xiii. To preserve views and to provide a clear sense of connection into and out of the building, window and door glazing shall be transparent and have low-reflectivity. Windows shall provide clear views into interior spaces. Interior obstructions including, but not limited to, shelving, signage, curtains, and blinds shall not block more than 25% of the total storefront window area during business hours. Mirror-like, frosted, or tinted windows are prohibited. Low-emissivity (low-e) windows that comply with all applicable building codes are permitted and are not considered tinted windows.

Section 5. Section 4.10.050.C.1.c. of the Eagle Municipal Code is hereby amended as follows:

ii. Parapet walls may exceed the height limit of the district ~~by not more than 30 percent beyond the highest point of the building~~ in accordance with Table 4.02-3 Height Limit Exceptions in Section 4.02.040.D. Parapet walls may be used as a design detail or to screen roof mounted appurtenances or roof entertainment areas from views of public rights-of-ways. All screening elements must also be in conformance with the standards in Section 4.11.060.

Section 6. Section 4.11.010. of the Eagle Municipal Code is hereby amended as follows:

- G. Reduce the overall per capita use of water in the Town; and
- H. ~~Promote the utilization of storm water detention as an irrigation source; and~~
- H.H. Ensure that climate-appropriate landscaping is an integral part of the site design and development process.

Section 7. Section 4.11.030.A. of the Eagle Municipal Code is hereby amended as follows:

5. A legend indicated all proposed plant materials with common and botanical names, indication of drought tolerant plants, sizes, maximum spacing, caliper size, and quantities;

Section 8. Section 4.11.030.C. of the Eagle Municipal Code is hereby amended as follows:

C. ~~Landscaping within the public right-of-way~~ Front-yard buffer landscaping. A ~~landscape plan specific to the streetscape area shall be included on any required landscape plan for review and approval by the Public Works Director~~. Except in the BD district, a landscape area shall be established along all streets between public right-of-way and any buildings, parking lots, loading areas, storage areas, screening walls or fences, or other improvements in association with any use, in accordance with the following:

1. Driveways and maneuvering areas. Necessary driveways and maneuvering areas for parking lots may be put in these areas located within the front-yard buffer with the approval of ~~from~~ the Director. Parking spaces are prohibited ~~not allowed~~ in this area.
2. Planting requirements. The required landscaped buffer areas shall include be planted at the rate of one tree per for every 25 linear square feet of street frontage. ~~for all streets in the required landscaped area~~. Additional plantings of varying heights and densities (shrubs, perennials, and ground cover) shall be incorporated to enhance neighborhood character and complement existing streetscape planting. Plantings should supplement, not overpower, public right-of-way landscaping. Shrubs and perennials shall be spaced to achieve visual massing based on anticipated mature size.
3. Design guidelines:
 - a. Landscape design shall consider existing development patterns and natural features. Trees may be grouped, provided the total required number is met. ~~These landscape areas shall be designed in a manner that takes into account existing patterns of surrounding development and the existing landscape~~.
 - c. Ground cover shall consist of low water, native, or hybridized for arid conditions ~~drought tolerant, adaptive plants to support water conservation goals~~.

Section 9. Section 4.11.030.D.1. of the Eagle Municipal Code is hereby amended as follows:

1. Landscaping in the clear vision area of the public right-of-way shall not exceed 24 inches ~~two and one-half feet or thirty inches (30")~~ as described in Section 4.02.040.A. Trees may

be allowed if branches are trimmed to a minimum of eight feet above grade ground level, once the tree is sufficiently established and as measured in Section 4.02.040.A. The allowance of street trees or trees in the right-of-way is at the discretion of the Public Works Director. The placement of street trees or trees within the public right-of-way is subject to the discretion of the Public Works Director, or to any adopted streetscape standards, if applicable.

Section 10. Section 4.12.070.C. of the Eagle Municipal Code is hereby amended as follows:

12. Underground parking structures.

a. Underground parking structures may encroach into required front, side, and rear setbacks provided:

- i. No portion of the structure extends beyond the property boundary.
- ii. Temporary structural supports may extend into the public right-of-way, provided an agreement is executed between the property owner and the Town and the Town Engineer has approved all associated plans.
- iii. Any above-grade elements, such as stair towers and ventilation shafts, comply with standard setbacks requirements and are screened in accordance with Section 4.11.060.

Section 11. Section 4.20.020.U. *U Terms.* of the Eagle Municipal Code are hereby amended as follows:

Underground parking structure. A parking facility located entirely below grade, including associated structural components, waterproofing systems, and access points. Above grade elements such as stair towers and ventilation shafts are permitted.

INTRODUCED, READ, PASSED AND ADOPTED ON NOVEMBER 18, 2025.

TOWN OF EAGLE, COLORADO

William Nutkins, Planning Commissioner

ATTEST:

Gram Dick, Administrative Technician II