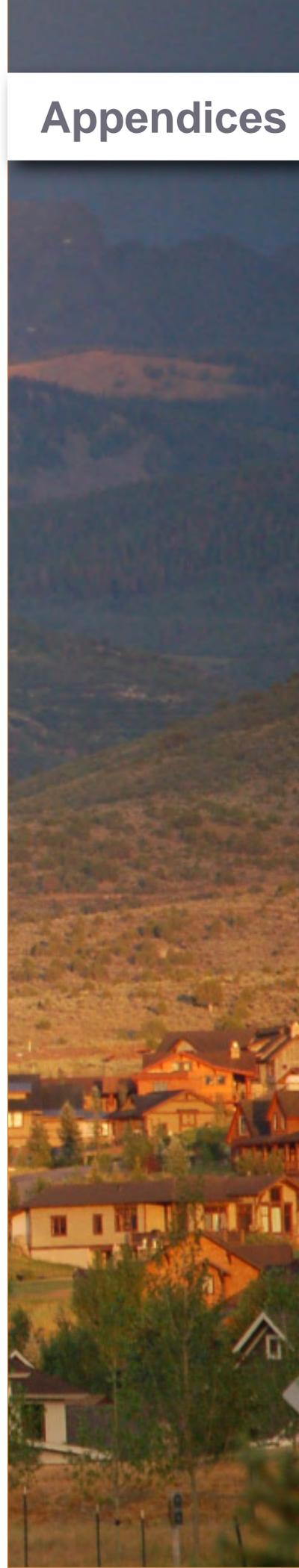


# APPENDICES



# APPENDIX A:

## MINOR MODIFICATIONS, EXCEPTIONS AND UPDATES TO THE PLAN

This Area Community Plan is a living document that should be reviewed periodically by the Town, the County and affected stakeholders to assure the continued appropriateness and applicability of goals, policies and implementation strategies.

### Minor Modifications and Exceptions

**Minor Modifications** may be necessary over time. These are defined as changes to the document which do not require analysis or community involvement. Minor modifications typically take the form of small technical corrections or adjustments to text or to maps. Proposals for **Minor Modifications** will be reviewed by both the Town and County Planning Commissions, with the Town Planning and Zoning Commission taking the lead on items pertinent to the Town, and the Eagle County Planning Commission taking the lead on items pertinent to the County.

**“Exceptions”** to the Plan are also possible, and are required for land use proposals which vary somewhat from the Plan’s stated purpose and intents, or which do not conform to the Future Land Use Map. An initial determination regarding general master plan conformance and whether an Exception might or might not be necessary shall be made by Staff during pre-application meetings for a proposed zone change, subdivision, or special use permit. The applicant may appeal Staff’s decision, in which case the determination shall be made by the Planning (and Zoning) Commission of the affected jurisdiction, which shall occur at a regularly scheduled public hearing prior to the submittal of a formal application. A request for an “Exception to the Plan” must be submitted with an application for land use, and may be subsequently approved by the Town and/or the County so long as all of the following criteria, in addition to those criteria and standards associated with the applicable land use review process, are met:

1. The proposal is the result of a unique or extraordinary situation or opportunity that was not anticipated or fully vetted when the Plan was adopted, and

2. The location and design of related improvements have been made to conform to the goals, policies and strategies of the Plan to the greatest degree possible, and
3. The proposed land use is clearly in the public interest, and addresses a viable public need, and
4. The proposed land use or activity is of a nature that negative impacts to natural resources, traffic, visual quality, infrastructure, recreational amenities or Town or County services are minimal and/or clearly outweighed by the public benefits of the proposal, and
5. If the Exception is for land that is contained within a character area as defined in Chapter 5 of this Plan, the application must adhere to the planning principles for that character area to the greatest degree possible, and
6. If the target property is located on the periphery of the Growth Boundary, the consolidation of densities and/or a transfer of development rights on a larger piece of land has been provided such that the vast majority of the land is left in open space with adequate protections in place.

Proposals for **Exceptions to the Plan** will be reviewed by both the Town and County Planning Commissions. For those Exceptions proposed within the Town of Eagle Urban Growth Boundary, or those involving annexation of properties to the Town, the Town Planning and Zoning Commission will take the lead, obtain comment from Eagle County and ultimately render a decision. For those Exceptions outside the Urban Growth Boundary that do not involve annexation to the Town, the Eagle County Planning Commission will take the lead, obtain comment from the Town of Eagle and ultimately render a decision.

## Plan Updates

Given historic trends in the Eagle area, this Area Community Plan is intended to reflect community conditions, values and desires for a 5 to 10 year period. It should be updated at a minimum of every 10 years, or as necessary to reflect new conditions, new community attitudes and/or new opportunities. Changes to the document at the **Plan Update** level shall require the implementation of a full public master planning process as outlined in Chapter 1 under the heading “The Planning Process”.

## APPENDIX B: GLOSSARY of TERMS

### Accessory Dwelling Unit (ADU)

An additional apartment not exceeding 700 square feet in size allowed to be constructed in association with any single family home in the Town's Residential Zone Districts.

### Adequate Public Facilities Ordinance

Chapter 4.14 of the Town of Eagle's Land Use Code. It is the purpose of this Chapter to ensure that Public Facilities needed to support new development meet or exceed Adopted Level of Service standards approved by the Town. These public facilities include public schools, fire protection, emergency medical services, street facilities, water service, and wastewater service.

### Arterial Roadway

A moderate or high capacity road which is immediately below a highway level of service. An arterial road carries large volumes of traffic between areas in urban centers and typically has channelized intersections and access control.

### Best Management Practices

Techniques, methods, processes, activities, incentives that are believed to be more effective at delivering a particular outcome than any other techniques, methods, processes etc when applied to a particular condition or circumstance. Originally used in relationship to water quality management, the term is now employed more generically.

### Biomass Plant

A facility that burns biological material to generate electricity and produce heat. Common sources of bio-mass in this area wood chips, and forest residue.

### Brush Creek Water Treatment Plant

At this time, all of the Town of Eagle's potable water is from surface diversions of Brush Creek water treated at a plant located approximately seven miles south of the Eagle River.

### Business Improvement District

This type of district is a form of private-public partnership in which businesses located within a defined area pay an additional tax or fee in order to fund improvements within the district's boundaries. They provide services such as cleaning streets, providing security, and marketing the area. The services provided by BIDs are supplemental to those provided by the municipality.

### Capital Facilities Planning

A function of Town Government to plan and phase construction of necessary infrastructure to serve the present and future needs of the Town.

### **Capital Fund**

A separate account maintained by the Town whose purpose is to provide funding for capital projects such as roadway and park improvements or new buildings.

### **Citizens' Advisory Group**

The Citizens' Advisory Group consisted of 17 citizens of the Town of Eagle representing various backgrounds appointed by the Board of Trustees to update the 1996 Eagle Area Community Plan. This group worked with Town of Eagle Staff and professional planning consultants to prepare the Draft Update of the Eagle Area Community Plan.

### **Cluster Boxes (Postal)**

Mail boxes aggregated at selected locations that are served on a daily basis by the US Postal Service. Mail box design and location must be reviewed and approved by the local Postmaster prior to installation.

### **Collector Roadway**

A street which is designed to facilitate movement of traffic from local streets to arterial streets. See Town of Eagle's Major Street Plan.

### **Colorado Small Community Park and Recreation Planning Standards**

Standards for the provision of various types of recreational open space recommended by State of Colorado for communities of less than 10,000 people. Recreational categories are presented on the basis of acres per 1,000 residents for various facilities.

### **Continuum of Care Retirement Community**

A facility designed to provide a range of services for the elderly including assisted living through nursing care.

### **Cost-Burdened Households**

Residents who pay more than 30% of annual income on housing. (excluding utilities).

### **Critical Wildlife Habitat Areas**

Lands used by specific species of wildlife necessary to ensure the well being of the wildlife species population. At the time of the writing of this Plan, critical wildlife habitat is specifically defined as elk production areas, elk migration corridors, elk severe winter range, deer migration corridors, deer winter range, deer severe winter range, elk and deer highway crossing areas, sage grouse leks, blue heron rookeries, raptor nesting sites, riparian areas and areas critical to the support of rare and endangered species, as determined on a case by case basis by the Colorado Division of Wildlife.

### **Down Payment Assistance Funds**

Funds available through Eagle County to assist homebuyers with the initial down payment and closing costs associated with purchasing a home using a mortgage. This is a separate loan program administered by Eagle County.

### **Eagle County Event Center**

A building located at the Eagle County Fairgrounds designed to accommodate a variety of large special events including equestrian.

### **Eagle Planning Area**

The land area within which the Goals, Policies and Implementation Strategies of the Eagle Area Community Plan will be used as a guide to direct development and guide land use decisions. See Map in Plan.

### **Eagle River Watershed Plan**

Plan prepared by a variety of agencies, public entities and special interest groups with an interest in protecting and improving water quality, quantity, wildlife habitat, recreational opportunities and promoting compatible land use practices. The Eagle River Watershed Plan is a source of information and a statement of cooperative direction intended for the general public and local public entities for setting priorities, formulating planning projects, and in making decisions regarding the future of the Eagle River watershed. Many of the Plan recommendations are dependent on the educational efforts by the local governments and agencies to promote voluntary actions and improved awareness.

### **Eagle River Watershed Retrospective Assessment Program**

Eagle County program in partnership with USGS that collects and maintains dynamic databases on numerous sites within the watershed to assess trends over time in water quality, quantity and stream biota.

### **Eagle Ranch PUD**

A large mixed use Planned Unit Development on the south side of Town approximately 2,000 acres of land authorizing a total of 1290 dwelling units, 120,000 square feet of commercial floor area and 175,200 square feet of medical facilities.

### **ECO Regional Bike Path**

Eagle County Transportation Authority has a mandate to plan, design and construct a regional recreational bike path from Glenwood Canyon to Vail Pass, a significant part of which has already been constructed. In the vicinity of Eagle, a path has been constructed from Violate lane on the west side of Town to Cooley Mesa Road in Gypsum.

### **Economic Leakage**

The amount of economic activity stimulated from a base in one community that is manifest another community.

### Entitlement Process

The public review procedure to obtain approval for zone changes, special use permits, subdivisions and related land use approvals from the local jurisdiction necessary for development.

### Exception to the Eagle Area Community Plan

Process to follow for development applications that are contrary to the goals, principles and policies and Future Land Use Map contained within the Eagle Area Community Plan.

### Future Land Use Map

Map identifies 15 different land use designations throughout the Planning Area. These designations (categories) represent the recommended land use for each of these locations. Each land use designation has a description in the text of the plan.

### General Fund

A separate account maintained by the Town to support general Town operations and expenses such as salaries, insurance, and maintenance operations.

### Geographic Information System

Computer mapping system that integrates data in a spatial format. (Commonly referred to as GIS).

### Geothermal Power

System that utilizes heat stored in the earth to generate electricity and provide supplemental heat source for buildings using geothermal heat pumps. In Western Colorado, geothermal applications are more suitable for heating and cooling than electrical generation. Recent advances in technology make geothermal heat applications more practical.

### “Green Field” Development

Farmland and open undeveloped land where there has been no prior commercial or industrial development and therefore where the threat of contamination is much lower than in urbanized areas

### Greenhouse Gas Production

Processes that emit gasses in the atmosphere that absorb and emit radiation within the thermal infrared range. This process is fundamental cause of the greenhouse effect. The main greenhouse gases in the earth’s atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone. Greenhouse gasses greatly affect the temperature of the Earth. The production of Carbon Dioxide from the burning of fossil fuels is considered one of largest contributors to the greenhouse effect on the atmosphere.

### Highest and Best Land Use

Determination of the use of a particular property likely to produce the greatest net return (\$) in the foreseeable future.

### Iconic View Corridor

The line of sight (identified as to height, width and distance) of an observer looking toward an object or particular landscape feature that is loved and cherished by the community.

### Iconic Viewshed

A land area that is readily visible from multiple areas and is regarded as having a special status as particularly representative of, or important to, or loved by the majority of residents of the community.

### Inclusionary Zoning

Regulations that increase housing choice by providing the opportunity to construct more diverse and economical housing to meet the needs of low and moderate income families. Often such regulations require a minimum percentage of housing for low or moderate income housing in new residential development.

### Individual Sewage Disposal Systems

This is an on-site wastewater treatment system that typically uses a tank and leach field to treat wastewater from single family homes. However, depending on soil conditions and topographic concerns additional features can be added to the system.

### Level of Service Standards (LOS)

Indicator of the extent or degree of service provided by, or proposed to be provided by, a public facility based upon and related to the operational characteristics of the public facility or the capacity per unit of the public facility.

### Local Employee Residency Program

Inclusionary housing requirement of the Town of Eagle's Land Use Regulations. The Local Employee Residency Program requires that any new residential development of more than 10 residential units provide 10% of the residential units as affordable to low to moderate income households as further defined in the Town's Local Employee Residency Requirements and Guidelines. These units are deed restricted as to occupancy and resale price.

### Long Term Debt

Term of loan exceeds 10 years.

### Long Term Facility Demand and Property Analysis

Study completed in 2009 that inventories the existing facilities and land holdings of the Eagle County School District and assesses future facility needs of the District.

### Lower Brush Creek Water Treatment Plant

A proposed second treatment plant to be located on the Eagle River immediately southwest of the confluence of Brush Creek. This potable water treatment plan is currently in the design phase.

### Micro-Hydro Plants

Term used for hydroelectric power installations that typically produce up to 100 kw of power. These installations can provide power to an isolated home or small community or are sometimes connected to electric power networks.

### Mixed Use Development

Development of a tract of land or building with a variety of complementary and integrated uses, such as residential, office, manufacturing, retail or entertainment typically in a compact urban form.

### Multi-Modal Transit Center

A transportation hub for several transportation modes such as auto, bus, light rail, bike etc.

### Open Space Plan

Eagle Area Open Lands Conservation Plan, October 1997. This plan provides a strategic framework for open land conservation based on highly valued resources. It includes an analysis of natural, scenic and cultural resources in addition to recommendations for implementing open land conservation in the Eagle area.

### Planned Unit Development (PUD)

An area of land to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk or type of use, density, lot coverage, or other restriction of the conventional zone districts.

### Riparian Areas

Lands adjacent to rivers, streams or wetlands that because of the higher water availability support a variety of denser vegetation not commonly found in upland areas. Riparian areas are also valuable wildlife habitat.

## Rural Character

Rural Character embodies a pattern of land use and quality of life based on traditional rural landscapes, activities, lifestyles and aesthetic values. In Eagle County, rural character implies an area or place where most if not all of the following predominate and/or are present:

- Expansive natural views and undeveloped lands
- Agricultural uses, pastures, structures, fencing, livestock
- Small rural centers (post office, church, meeting hall)
- Elements of local history, heritage, culture
- Free flowing streams and rivers
- Wildlife and wildlife habitat
- Publicly owned lands
- Dispersed recreation
- Lack of urban infrastructure and services
- A dark night sky
- Roads with low traffic volumes

## Sediment and Nutrient Loads

Sediment particles and biological nutrients that are suspended in the water column and carried with the flow of river thereby reducing water quality.

## Special Character Areas

Seven sub-areas within the boundaries of the Eagle Area Community Plan have been identified as Special Character Areas which are treated separately within the Plan. A set of general planning principles have been identified for each of these Special Character Areas to guide development. These planning principles work together with the Goals, Policies and Strategies identified for each of the Land Use Designations identified for these areas on the on the Future Land Use Map.

## Special Use Permit for Conservation Subdivision

Conservation Subdivisions require a Special Use Permit to allow lots smaller than otherwise would be allowed by the governing zone district, to be grouped or clustered in one or more areas of the subject property, the location of which is determined through certain design standards. The purpose of this type of subdivision is to grant additional density in exchange for the preservation of sensitive landscapes in their undeveloped condition.

## Sub-Area Plan

Subsequent master planning effort focused on a portion of the Eagle Planning Area. Sub Area Plans provide more detailed land use and architectural guidelines for a specific local area.

## Tax Increment Financing District

A real estate development technique to cover the costs of publicly provided project improvements. Commonly referred to as TIF and associated with an Urban Renewal Area. This type of District uses increases in real estate tax revenues from new development and increases in sales tax revenues to pay off bonds sold to finance qualifying development costs.

### **Town of Eagle Community Survey**

Community Survey (November, 2007) regarding Town services, program and priorities. Survey also measures quality of life concerns that are important to the residents and business owners of the Town and demographic characteristics.

### **Transfer of Development Rights**

A program that is designed to relocate potential development from areas where proposed land use or environmental impacts are considered undesirable ( “donor site”) to another (“receiver site”) chosen on the basis of its ability to accommodate additional units of development beyond that for which it was zoned, with minimal environmental, social and aesthetic impacts.

### **Urban Growth Boundary**

The area within and around the Town of Eagle where development and growth are targeted and which is or is anticipated to be provided with municipal services. See Map in Plan.

### **Urban Land Institute**

The Urban Land Institute Advisory Services Panel Report, 2006, was a comprehensive report with recommendation to assist Eagle County, incorporated Towns and local businesses in providing housing to sustain a solid middle class workforce given the unique challenges of the resort and second home economy of the Eagle Valley.

### **WECMRD Recreational Fields Complex**

Four baseball diamonds with lighting for night playing, seating and parking. Fields are configured to accommodate other sports on special occasions. WECMRD is an acronym for Western Eagle County Metropolitan Recreational District with manages the fields.

### **Wildlife Movement Corridors**

Areas identified by the Colorado Division of Wildlife necessary for the movement of large animals to ensure the sustainability and health of the population. These corridors are mapped on published reports by the CDOW.

### **Zoning**

The delineation of districts and the establishment of regulations governing the use of land and the placement and dimensional limitations of buildings.

## APPENDIX C: CONTRIBUTORS

### **Town of Eagle Staff**

Tom Boni, Town Planner

Willy Powell, Town Manager

### **Town of Eagle Board of Trustees**

Ed Woodland, Mayor

Kraige Kinney, Mayor Pro Tem

Roxie Deane, Trustee

Mikel Kerst, Trustee

Yuri Kostick, Trustee

Scott Turnipseed, Trustee

Scot Webster, Trustee

### **Town of Eagle Planning and Zoning Commission**

Scott Turnipseed, Commission Chair

Anne McKibbin, Commission Member

Bob Egan, Commission Member

Joe Knabel, Commission Member

Darryl Lundholm, Commission Member

Greg Macik, Commission Member

Scot Webster, Commission Member

### **Eagle County Staff**

Cliff Simonton, Senior Planner

## **Eagle County Commissioners**

Sara Fisher, Chair

Peter Runyon

Jon Stavney

## **Eagle County Planning Commission**

William Heicher, Planning Commission Chair

Patricia Hammon, Planning Commission Co-Chair

Vern Brock, Planning Commission Member

Pedro Campos, Planning Commission Member

Tim Carpenter, Planning Commission Member

Tori Franks, Planning Commission Member

Lynn Fritzlen, Planning Commission Member

Michael Long, Planning Commission Member

Greg Moffet, Planning Commission Member

Steven Nusbaum, Planning Commission Member

## **Eagle Area Community Plan Citizens' Advisory Committee**

Rachel Overlease, Chair

Tim Cochrane

Cindy Cohagen

Roxie Deane

Chris Fedrizzi

Joe Frasco

Kathy Heicher

David Johnson

Tambi Katieb

Mike Metcalf

Paolo Narduzzi

Ric Newman

Adam Palmer

Frances Rolater



Commissioner MOFFET, of the Eagle County Planning Commission, moved for the adoption of the following Resolution:

**RESOLUTION OF THE  
EAGLE COUNTY PLANNING COMMISSION  
COUNTY OF EAGLE, STATE OF COLORADO**

3/NC-

**RESOLUTION NO. 2010-01**

**A Resolution Adopting the  
2010 Update to the 1996 Eagle Area Community Plan**

**WHEREAS**, pursuant to § 30-28-106, C.R.S. 1973, as amended, it is the duty of the Planning Commission of the County of Eagle, Colorado, to make and adopt a Comprehensive Master Plan for the physical development of the unincorporated territory of the County, and;

**WHEREAS**, the Eagle County Planning Commission of the County of Eagle, State of Colorado ("Planning Commission"), did on October 3, 1973, duly adopt a Master Plan for the physical development of the unincorporated territory of the County of Eagle, State of Colorado, and;

**WHEREAS**, the Eagle County Planning Commission of the County of Eagle, State of Colorado did subsequently amend and re-adopt the Eagle County Master Plan on April 1, 1981, pursuant to Resolution No. 81-15, on January 17, 1996, pursuant to its Resolution No. 96-01, and again on December 7, 2005 pursuant to its Resolution 2006-01, which re-named the document the Eagle County Comprehensive Plan, and;

**WHEREAS**, the Eagle County Comprehensive Plan encourages the adoption of Area Community Master Plans for the various management districts described therein, the purpose of which is to serve as a guide and basis for further detailed recommendations by the Planning Commissions regarding the development of the territory included within the Area Community Master Plan boundary, and;

**WHEREAS**, on September 18, 1996, the Planning Commission did adopt an Area Community Plan for the Eagle area, as set forth in its Resolution No. 96-04, and;

**WHEREAS**, the intent of the Eagle Area Community Plan is to foster a coordinated and harmonious pattern of development of the territory covered therein, which, in accordance with present and future needs and resources, will conserve energy, protect natural ecosystems and best

assure the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants and visitors to the Eagle area, and;

**WHEREAS**, the development of the 2010 Eagle Area Community Plan was a collaborative venture with the Town of Eagle, involving numerous workshops and public meetings, duly noticed and held in the regular meeting places of the Town of Eagle Planning and Zoning Commission and the Eagle County Planning Commission.

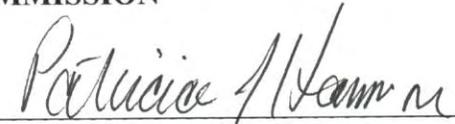
**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE COUNTY OF EAGLE, STATE OF COLORADO, THAT:**

1. The 2010 Eagle Area Community Plan, as recently updated and amended, is hereby adopted as a sub-area master plan to be used as a guide and advisory tool for the physical development and/or preservation of the unincorporated lands surrounding the Town of Eagle as indicated and further described in Exhibit "A" attached hereto.
2. The 2006 Eagle County Comprehensive Plan, adopted and amended as described herein above, is hereby further amended to incorporate therein by this reference the updated and amended 2010 Eagle Area Community Plan described in Exhibit "A" attached hereto, as if the same were set forth in full therein.
3. The 2006 Eagle County Comprehensive Plan, as amended, is hereby readopted.
4. The 2010 Eagle Area Community Plan as set forth in Exhibit "A" shall be made available for public inspection during reasonable times in the Eagle County Department of Community Development, Eagle County Building, 500 Broadway, Eagle, Colorado.
5. This Resolution and the 2010 Eagle Area Community Plan attached hereto shall take effect and be in force immediately upon its adoption by the Planning Commission.
6. If any provision of the 2006 Eagle County Comprehensive Plan, as amended, or of this Resolution or of the 2010 Eagle Area Community Plan attached hereto shall be held invalid, its invalidity shall not affect any other provisions of the foregoing documents that can be given effect without the invalid provision; and for this purpose the provisions of the Eagle County Comprehensive Plan, as amended, and of this Resolution and the area community plan attached hereto, are hereby declared to be severable.
7. Pursuant to C.R.S. 30-28-109, an original copy of this Resolution, together with the 2010 Eagle Area Community Plan attached thereto, shall forthwith be certified and transmitted to the Board of County Commissioners of the County of Eagle, State of Colorado.
8. The Planning Commission hereby determine and finds that this Resolution and the 2010 Eagle Area Community Plan, as updated and amended and attached hereto, are necessary for the health, safety, and welfare of the citizens of Eagle County, Colorado.

**MOVED, READ AND UNANIMOUSLY ADOPTED** at a regular meeting of the Planning Commission of the County of Eagle, Colorado, held on September 1, 2010.

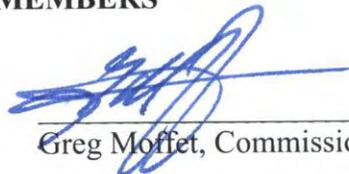
**EAGLE COUNTY PLANNING COMMISSION**

  
\_\_\_\_\_  
William Heicher, Chairman

  
\_\_\_\_\_  
Patricia Hammon, Co-Chairman

**PLANNING COMMISSION MEMBERS**

  
\_\_\_\_\_  
Michael Long, Commissioner

  
\_\_\_\_\_  
Greg Moffet, Commissioner

  
\_\_\_\_\_  
Tori Franks, Commissioner

  
\_\_\_\_\_  
Pedro Campos, Commissioner

\_\_\_\_\_  
Douglas DeChant, Commissioner

  
\_\_\_\_\_  
Vern Brock, Commissioner

  
\_\_\_\_\_  
Lynn Fritzen, Commissioner

  
\_\_\_\_\_  
Tim Carpenter, Commissioner

  
\_\_\_\_\_  
Steven Nusbaum, Commissioner