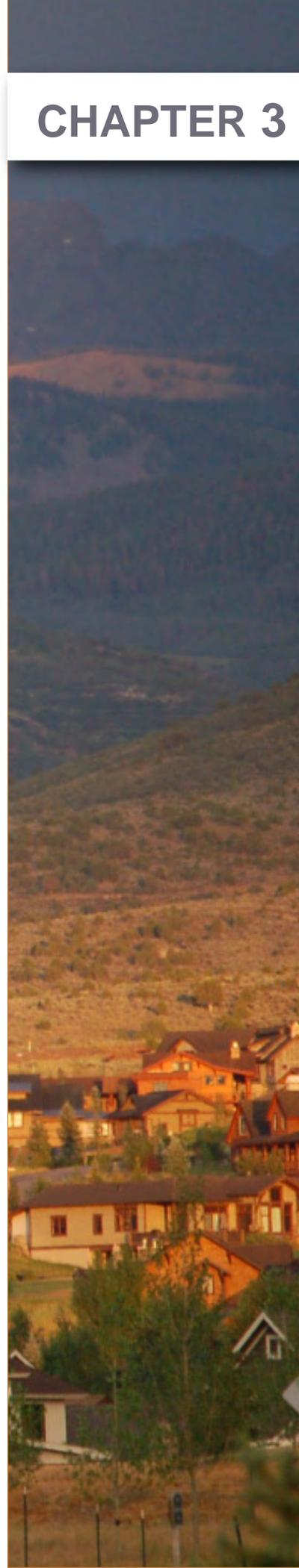


**CHAPTER 3:
Land Use**



Land Use

The purpose of this chapter is to provide a discussion of land use and the various influences that impact land use patterns and land use decisions in the Eagle Planning Area. By reference, the guidelines provided herein should work together with the information provided in Chapter 5, Special Character Areas, and with the purposes and intents of all other chapters of this Area Community Plan.

Background and Trends

A variety of factors have shaped the pattern of development that exists in Eagle County today. In the early days, transportation routes were constructed by necessity along local streams and rivers, and development occurred on valley floors where land was best suited for use. Mining, ranching and farming were the primary economic drivers between the late 1800's and 1970. The towns of Minturn, Gilman and Red Cliff grew to support the mines in the eastern part of the county. To the west, communities like Eagle and Gypsum were incorporated at the confluences of streams and rivers where broader fields provided greater agricultural activities and production. Towns at the time were typically constructed in a traditional grid pattern,

which is strongly evidenced in Eagle's Historic Town today. The Homestead Act of 1862 allowed public lands to be converted to private ownership, and eventually 20% of the lands in Eagle County were privately owned.

The 1970's, 80's and 90's saw an explosion of growth related to skiing and resort tourism in the eastern end of the County. The popularity of Vail and Beaver Creek brought many new workers and second homeowners to the Valley, and started an escalation of real estate prices that resulted in a westward migration of residents and businesses within the County (toward areas less influenced by resort tourism). As a result, the once quiet agricultural communities of Eagle and Gypsum became locations of unprecedented residential and commercial growth. This new popularity of Eagle as a desired place to live has created new pressures, new needs for services and lifestyle amenities, and an increasing disparity between rising home prices and the wages of local workers.

The Colorado State Demographer projects an average annual growth rate for Eagle County of 3.4% over the next 10 to 20 years. Should this forecast prove to be true, the population in the County will double by the year 2030, and much of that growth is anticipated to occur in communities and towns in western Eagle County like Eagle and Gypsum. Re-

gional attractions, economic trends and changing demographics are key factors that contribute to this projected growth. Eagle County is a beautiful place with a great climate, easy access via I-70 or the Eagle County Regional Airport and incredible recreational amenities. Workers, increasingly able to work remotely while living in the mountains due to new technologies, and a rapidly growing population of retirees with a focus on active lifestyles will be looking for communities like Eagle as the best place to live.

Given topographic constraints and private ownership patterns, developable land within the Eagle Planning Area is limited. Additionally, much of the undeveloped property that remains supports historic agricultural uses, views, wildlife habitat and other sensitive lands, and is increasingly valued by residents as rural landscape. The intent of this plan is to help guide land use decisions toward a high quality sustainable future, providing places for people to live, work and play while preserving the area's natural beauty, environmental quality, and small town character. Physical limitations, concerns for the economy and the environment and new and evolving expectations of residents, business owners and visitors will require decision makers to be especially well-informed and visionary as they plan for the future.

Certain factors influence land use decisions. These factors include, but are not limited to:

- 1) Efficiency**
- 2) Access, mobility and transportation**
- 3) Preservation of open space and environmentally sensitive areas**
- 4) Land use compatibility**
- 5) The benefits (and drawbacks) of mixed use development**
- 6) Community needs**

A discussion of each of these factors follows.

1) Efficiency

Efficiency in the context of land use implies development of appropriate density that can be served with minimal new construction of roads and utilities. Efficient developments tend to be located in reasonably close proximity to basic goods and services and they offer a variety of transportation options to residents and workers. The opposite of an efficient land use pattern would be one commonly referred to as “sprawl”, where homes and businesses are widely spread out, more costly to serve with infrastructure and services, and where there is considerable dependence on personal automobiles. A number of approaches, including growth boundaries, infill and redevelopment, future land use mapping and intergovernmental agreements can be followed to as-

sure a more efficient community land use pattern.

As a part of this plan the Town of Eagle will adopt a revised Urban Growth Boundary. It is intended that new development should occur contiguous to existing development within this new Urban Growth Boundary, resulting in a compact footprint that is more easily served by infrastructure and transit, and that better facilitates pedestrian and bicycle movement.



A good example of higher density housing in Eagle Ranch.

Infill and redevelopment promotes greater efficiency, and can serve new needs to keep the Town dynamic, competitive, and economically viable in the marketplace. The 2007 Town of Eagle Community Survey asked residents to rank a number of initiatives and projects the Town of Eagle could undertake. “Continue downtown development” and “promote

infill in the downtown” were strongly supported initiatives. The survey also asked residents to identify the most appropriate ways to direct growth. A common response was to infill more densely within the existing Town.

The infill and redevelopment approach to greater efficiency supports the Town’s land use objectives. A mix of complementary uses can be incorporated in redeveloped areas to facilitate higher development intensities. The cost and logistics of infrastructure upgrades to areas proposed for improvements should be a consideration, as should the stability and character of older neighborhoods that may be impacted.

The development and discussion of Special Character Areas and the careful construction of a Future Land Use Map (FLUM) are additional

elements of this master plan that can lead to more efficient land use. These tools and associated planning principles and policies are intended to help guide the scale, location, type and intensity of new development and redevelopment toward more compact and efficient future land uses.

Inter-governmental agreements between the Town, County and adjacent communities can also help to ensure orderly, efficient development. By directing growth to areas within defined growth boundaries, local jurisdictions can work together to protect open lands and natural resources, deliver public facilities and services more effectively, provide a greater range of options for housing types and locations, and provide a more diverse and efficient range of transportation options.

2) Access, Mobility and Transportation

Access, the mobility of people and the efficient delivery of goods are important considerations that should be fundamental to all land use decisions. Certain properties have excellent access, being in close proximity to major thoroughfares or regional transportation corridors. Other properties are more difficult to access as a result of terrain, existing infrastructure conditions or travel distances. New development may also have dramatic impacts on existing access and mobility scenarios. These factors should be paramount when determining the type and intensity of land use for areas both within and outside of the Town's municipal boundary. It is a given that well coordinated systems of roadways, rail, transit corridors, bicycle paths, sidewalks and trails that link local and regional destinations enhance the livability and economic well-being of residents in the Eagle Planning Area.

The Town and County should continue to work together to ensure land use patterns that are appropriate for their location given the need for connectivity, mobility and service delivery in the Eagle Planning Area.

3) Preservation of Open Space and Environmentally Sensitive Lands

Natural open areas are an important attribute of the Eagle Planning Area, as evidenced by the high ranking assigned to open space preservation in the 2007 Community Survey. These lands are essential to the maintenance of views, water quality, recreational opportunities, historic character and the preservation of healthy wildlife populations. Significant open space and sensitive lands are found in the Castle Peak area, the Brush Creek drainage and along the Eagle River. These lands are either in a natural and undeveloped condition or support agricultural operations that contribute to the pastoral views and overall sense of openness within the planning area. There are also a number of important open spaces and environmentally sensitive lands that exist within the Town's boundaries, like those along lower Brush Creek that were set aside as part of the Eagle Ranch PUD.

In order to protect the scenic, open, and recreation-based character of the community and the quality of life for current and future generations, open lands and environmentally sensitive areas should be

preserved to the greatest degree practicable within the planning area boundary. In particular, efforts should be made to avoid adverse impacts to the health and integrity of the Eagle River, Brush Creek, Eby Creek and other waterways, as well as critical habitat and movement corridors for the area’s wildlife. New development should be sensitive to the visual quality of both the natural and built environment. Steep slopes, ridge tops and



Lower Brush Creek

areas supporting unique or significant vegetative communities (such as riparian areas) should be avoided and key view corridors both inside and outside the community should be identified and preserved. Setbacks, open space requirements, density transfers, open space acquisitions and other strategies should be utilized where ever possible to preserve lands of high conservation value within and around the Town of Eagle (see additional information on open space preservation in Chapter 9). Given the community value of natural resources in the area, the clustering of residential units that might be approved through an Eagle

County Special Use Permit for Conservation Subdivision should be restricted to lands with Resource zoning.

4) Land Use Compatibility

The location of various types of development in relation to one another and within the setting of a town like Eagle has important land use implications. Certain uses are complementary; others can create conflicts with adjacent uses, natural resources or visual quality. Still others have service and delivery needs that are unique. Noise, traffic, odors, infrastructure capacities, density and



Town residents value natural open areas.

safety are common considerations when determining the compatibility of land uses. Strong patterns of use have been established within the Eagle Planning Area, and where those patterns have been demonstrated to be beneficial and complementary they should be retained. In some areas, changes or modifications to present-day uses might be warranted to promote better land use compatibility.

The distribution of land uses on the landscape should be determined by an analysis of many factors, including compatibility, access, connectivity, service delivery, the presence of sensitive lands, visual impact, jobs-to-housing relationships and costs versus revenues for the Town. It is the intent of this plan that lands appropriate for various uses be clearly identified on a carefully constructed Future Land Use Map. In all instances, the Town and County should strive for an integration of land uses that promotes compatibility while meeting the present and future needs of the community.

5) The Benefits (and drawbacks) of Mixed Use Development

Mixed use implies an integration of land uses, sometimes within a given land area but more often within the same building. This increasingly popular approach to development contrasts with traditional Euclidian zoning (“Euclidian” references

a 1926 landmark decision by the US Supreme Court that recognized the constitutionality of zoning in the town of Euclid, Ohio), where different land uses are grouped in distinctly separate land areas. A vertical mix of commercial and residential uses typically results in retail and restaurants on the street level and residential or office uses on the upper floors. Horizontal patterns of mixed use are also common, and typically involve high density residential neighborhoods in immediate proximity to commercial and retail buildings, such that a functionally interdependent development results.

Mixed-use developments are commonly found in “downtown” settings, where walkability and close proximity to jobs, services and public transit create viable live-work arrangements and attractive, vibrant retail and commercial environments. The integration of uses also results in a more dense and compact development where reliance on personal automobiles is reduced.

Drawbacks to mixed use development include difficulties in financing due to the higher risks associated with multiple uses operating in the same place. There can be compatibility problems between use areas, and construction that must accommodate concerns for fire separation, sound proofing, and ventilation can be significantly more expensive than that for single use buildings. Residential



Live-work buildings in Eagle Ranch

units on upper floors typically have limited outdoor private space which makes them less attractive to families with children or pets. Shared parking can also be an issue as residents compete with business employees and shoppers for spaces.

Mixed use areas are meant to be attractive in appearance and accessible by all modes of transportation. Design standards should be developed for these areas, and can be used to address the integration of uses on the site and to define the relationship of buildings to streets, paths and other amenities. Further discussion of design standards can be found in Chapter 6, Community Design and Appearance.

The Town of Eagle zone districts *Commercial Limited* and *Central Business District* currently accommodate a mix of

uses. Based on further evaluation, it may be determined that the following areas would be appropriate for new or additional mixed-use development:

- A. Properties adjacent to Grand Avenue (U.S. Highway 6);
- B. The area encompassing Broadway, the west side of Capitol Street, and the east side of Wall Street within the Historic Town;
- C. The area at the intersection of Sylvan Lake Road and Capitol Street (within the Eagle Ranch PUD);
- D. Lands east of the east end of Chambers Avenue that have been designated “East Eagle Mixed Use” on the Future Land Use Map (FLUM), and
- E. Properties within the “West Eagle Mixed Use” area, as defined on the FLUM.



Mixed use buildings in the Eagle Ranch commercial center

6) Community Needs

Last but certainly not least, meeting the needs of an evolving community is a strong factor in local land use decisions. Local demographic trends and the lifestyles and habits of local residents and visitors should be continuously monitored by local officials to determine needs for commercial space, industrial space, residential units, service amenities and recreational opportunities. Maintaining an appropriate and full spectrum of dwelling unit types and price points is very important in a fast growing and increasingly expensive community like Eagle.

New residential development can trigger the need for new schools, fire stations, medical facilities, roads, trails, recreational amenities and water treatment plants. New commercial or industrial uses often require upgrades to off-site intersections and/or utility service lines.

Accommodating reasonable growth while preserving the environment and a quality of life that attracts residents and visitors to the area is an increasingly complex task. There are regional influences that must be considered as well, especially in a place of such immense popularity that is connected to other parts of Colorado and the rest of the world by an interstate highway and a modern, full service airport.



The “Everything Store” is an Eagle landmark that provides goods and services.

Land Use Goal #1: *Development proposals are consistent with the purposes and intents of the 2010 Eagle Area Community Plan, and consider all other relevant infrastructure, natural resource and public land management plans.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 1.1</p> <p>Use the goals, policies, principles, implementation strategies, resource maps and future land use designations of the Eagle Area Community Plan in the evaluation of new land use proposals.</p>	<p>A. Create and utilize a detailed development review matrix to analyze development proposals and ensure they are reviewed in the context of the goals and objectives of all relevant master planning documents.</p>
<p>Land Use Policy 1.2</p> <p>Utilize the most current technological tools, studies and community input in the evaluation of new land use proposals.</p>	<p>A. Implement a Town of Eagle Geographic Information System (GIS).</p> <p>B. Overlay development proposals with the relevant natural resource analysis maps to assist in the development review process.</p> <p>C. Consider relevant economic forecasts, road access plans, water and sewer service plans, travel management plans, vegetation management plans, recreation plans, watershed plans, wildlife management plans, viewshed studies and other relevant government and private agency studies and guiding documents in the evaluation of new development proposals.</p> <p>D. Develop a Land Use Tracking System using a parcel-based GIS database to evaluate the conformance of land use relationships and patterns to stated master planning goals and objectives.</p> <p>E. Periodically conduct and/or update public opinion surveys, and otherwise encourage and incorporate public participation in the land use decision making process.</p>

Land Use Goal #2: *Site designs and development patterns within the Eagle Planning Area achieve infrastructure and transit efficiency within the context of Rocky Mountain communities.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 2.1</p> <p>Future development should occur within the Town’s established Urban Growth Boundary.</p>	<p>A. Execute an inter-governmental agreement between Eagle County, the Town of Gypsum and the Town of Eagle that identifies strategies and responsibilities to foster orderly and efficient development in the area, maintaining buffers of rural land between the communities of Gypsum, Eagle and Wolcott.</p> <p>B. Direct owners of land within the Urban Growth Boundary to the Town for annexation, development review, and approval.</p> <p>C. Maintain existing zoning and the rural character of the landscape on unincorporated lands located outside of the Town’s Urban Growth Boundary (please see the FLUM and associated FLUM Designation Descriptions for additional information).</p> <p>D. Adhere to established criteria when considering an “exception” to the Eagle Area Community Plan that would result in an outward expansion of the Town’s Urban Growth Boundary.</p>
<p>Land Use Policy 2.2</p> <p>New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs.</p>	<p>A. Promote the development of compact neighborhoods in close proximity to public transit options and established neighborhood retail centers.</p> <p>B. As determined appropriate, work to increase residential and commercial densities in established neighborhood retail center areas.</p> <p>C. Work to amend regulatory barriers that prevent the intensification of development in identified areas already served by Town infrastructure.</p> <p>D. Identify specific redevelopment and infill opportunities on vacant or under-utilized lots in otherwise built-up areas through future sub-area planning efforts. Ensure that infill and redevelopment areas contain sufficient land for community facilities, recreation and government services as appropriate.</p>

<i>POLICIES</i>	<i>RECOMMENDED STRATEGIES</i>
<p>Land Use Policy 2.2, continued</p> <p>New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs.</p>	<ul style="list-style-type: none"> E. Utilize incentives including public-private partnerships, density bonuses and modification of development requirements to encourage infill and redevelopment. F. Ensure residential infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods. G. Encourage clustering through the Conservation Subdivision process as an alternative to traditional 35 acre development in unincorporated areas, but restrict clustering to lands with Resource zoning.

Land Use Goal #3: *Development in the Eagle Planning Area is adequately served by an efficient multi-modal transportation system.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 3.1</p> <p>Assure adequate access to and appropriate mobility options within all developed areas.</p>	<ul style="list-style-type: none"> A. Consider the policies and prescriptions of local and regional access control plans, traffic management plans and public transportation plans in the development review process. B. Design road, parking and delivery systems to anticipate future development and transportation needs. Promote a land use pattern that minimizes travel distances and encourages mobility by means other than the personal automobile. C. Work to complete the Eagle County Trails (ECO) regional bike path within the Eagle Planning Area. D. Inter-connect residential neighborhoods, neighborhood retail centers and other public destinations with a paved recreational path and/or sidewalk system. Connect local paths to regional paths at appropriate locations. E. Maximize opportunities for pedestrian and bike access to public transit stops and stations. F. Work to develop local “feeder” public transit systems. G. Support efforts to create an efficient and effective mass transit system that would connect communities in Eagle County.

Land Use Goal #4: *Open lands, viewsheds and environmentally sensitive areas enhance local lifestyles and businesses and are appropriately preserved within the Planning Area boundary.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 4.1</p> <p>Preserve high quality agricultural lands, public lands, wildlife resources, water resources, forest resources and viewsheds in the Eagle Planning Area.</p>	<ul style="list-style-type: none"> A. Use conservation easements to preserve agricultural and other private open lands resources. B. Maintain existing public land boundaries, unless the public benefits realized by a land trade or exchange clearly outweigh any negative impacts. C. Preserve and protect the quality and integrity of riparian areas and river and stream corridors. D. Utilize best management practices on open space properties. E. Utilize compact development, infill and conservation oriented development to accommodate growth while retaining open lands and protecting environmentally sensitive areas. F. Work with the County and land management officials to identify parcels that should be acquired under the Town or County open space program. G. Provide incentives to retain agricultural land use, agricultural structures and related activities and events in the Eagle Planning Area. H. Discourage pre-annexation agreements for Town water service for new development in areas outside the Urban Growth Boundary.

Land Use Goal #5: *Land uses in the Eagle area are positioned and/or designed to foster safety and compatibility.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 5.1</p> <p>Avoid/correct land use patterns that create conflicts or unsafe conditions within the Planning Area.</p>	<ul style="list-style-type: none"> A. Evaluate existing land use patterns within the planning boundary to identify areas where compatibility may be an issue, and develop plans to remedy compatibility issues over time. B. Plan comprehensively to ensure that new land use approvals create safe conditions for residents, guests, business owners and/or business patrons both on and off the premises. C. Promote awareness and acceptance of the impacts of continued agricultural uses in close proximity to the town. D. Ensure adequate fire protection mitigation measures are incorporated into developments located at the wildland/urban interface.
<p>Land Use Policy 5.2</p> <p>Avoid/correct improvements and land uses that are not compatible with natural systems or features of the natural landscape</p>	<ul style="list-style-type: none"> A. Work over time to modify existing developments that negatively impact sensitive lands and environments. B. Work with property owners to implement best management practices on agricultural lands. C. Refer all development applications to the appropriate review agencies and experts to evaluate impacts of development on water quality, air quality, vegetation and wildlife. D. Utilize photo simulation and/or other technologies to evaluate the visual impact of proposed development on the natural landscape. E. Apply dark night sky standards to all proposed outdoor lighting systems, and work to retrofit existing systems over time.

Land Use Goal #6: *Mixed use development is utilized in select areas to increase density, foster efficient lifestyles, enhance social interaction and facilitate commercial and retail success.*

POLICIES	RECOMMENDED STRATEGIES
<p>Land Use Policy 6.1</p> <p>Promote vertical mixed use, horizontal mixed use or a combination of mixed use patterns in appropriate areas with the Town’s Urban Growth Boundary.</p>	<ul style="list-style-type: none"> A. Utilize sub-area planning to identify additional areas within the Town where mixed use would be both viable and desirable. Evaluate utility and road upgrades that will be necessary for increased densities and/or intensities of use. B. Revise the Town of Eagle Land Use and Development Ordinance to minimize regulatory barriers to mixed use development within appropriate zone districts. C. Consider a package of development incentives to encourage mixed use buildings in selected areas. D. If large scale development is approved on properties east of Chambers Avenue, prepare a Chambers Avenue Sub Area Plan to address new influences and opportunities in the area served by this important connector roadway.
<p>Land Use Policy 6.2</p> <p>Ensure appropriate design standards are applied to areas of mixed use.</p>	<ul style="list-style-type: none"> A. Develop and/or work to enhance design standards for existing and proposed mixed use areas. B. Require adequate pedestrian amenities/facilities including sidewalks, landscaped areas, gathering areas and nighttime lighting in mixed use developments.