

FIFTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT DEVELOPMENT

**Amended and Approved
March 14, 2017**

This document supersedes and replaces the Eagle Ranch PUD Guide February 26, 2013, December 3, 1998, the Amended PUD Guide dated February 13, 2001, the Amended PUD Guide dated August 2003, and the Amended PUD Guide dated March 30, 2004.

1. PURPOSE

The purpose of the Eagle Ranch PUD Guide is to serve as the governing regulations which will control the development of the Eagle Ranch PUD. The PUD Guide will serve as the "Zone District Regulations" for the PUD and is in conformance with Section 4.11.030 of the Town of Eagle Land Use and Development Code.

The Eagle Ranch PUD authorizes a total of 1,295 dwelling units, 120,000 square feet of commercial floor area, 175,200 gross square feet of additional commercial area limited to medical facility uses, and 150,000 square feet of additional floor area limited to senior care uses, on 1967.91 acres of land within the Town of Eagle, Eagle County, Colorado. Development within the PUD is administered by the Town of Eagle through the provisions of this PUD Guide. Building construction within the PUD is governed by the applicable Town of Eagle ordinances, rules, regulations and codes. Approval of this plan constitutes a vested property right pursuant to section 24-68-103, C.R.S., as amended.

2. DEFINITIONS

Unless otherwise defined below, all terms used in this document shall be as defined by the Town of Eagle Land Use Regulations.

A. Accommodation Unit

Any room or group of rooms without a kitchen, used primarily as a bedroom for transient lodging, and accessible from common corridors, walks, or balconies without passing through another accommodation unit or dwelling unit. For purpose of density calculations one dwelling unit shall equal 3 accommodation units.

B. Eagle Ranch PUD

The Eagle Ranch PUD is a zone district authorized by the Town of Eagle Ordinance No. 5, Series of 1999, and containing the property commonly known as Eagle Ranch.

C. Bed and Breakfast

An owner occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation. Additional parking shall be provided at 1 space per guest room.

D. Hotel, Motel and Lodge

A building containing five or more accommodation units intended for temporary occupancy of guests. Accessory use facilities may include offices, laundry facilities, recreation facilities, lobbies, lounges, kitchen and dining facilities, meeting rooms, retail and other similar accessory uses commonly associated with hotels, motels and lodges.

E. Planning Parcels

Areas as indicated on the Eagle Ranch PUD Development Plan, the development of which shall be regulated by the Eagle Ranch PUD Guide.

3. PUD ZONE DISTRICTS – See attached PUD Development Plan (Exhibit A)

1. Neighborhood Center-Parcels A, B, B1, C, D, E, F, G

1. Purpose:

To provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to provide for a neighborhood center which will allow for sites for a variety of commercial, residential, lodging, educational and recreational uses and activities in a mixed- use setting in order to serve the needs of the residents of Eagle. The uses by right in these parcels are intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Uses by Right:

- a) Commercial uses including any activity for the purpose of generating retail business or consumer services including retail stores, professional and medical offices and businesses, banks and financial institutions, real estate sales offices, personal services, food and beverage establishments, public and private clubs, and recreation and entertainment uses. Provided, however, at no time shall the gross square footage of all commercial floor areas in all planning parcels within the Eagle Ranch PUD, exclusive of commercial area for use as medical office and related commercial uses on Lot 1 Filing 13, and exclusive of floor area for senior care uses on Lots 2, 3, 4, Filing 26, exceed 120,000 square feet. The 120,000 square feet of commercial space permitted by this Section 2a is in addition to the 175,200 square feet of commercial floor area for medical facility uses as provided in Section 2e and the 150,000 square feet of floor area for senior care uses as provided in 2f.
- b) *Residential uses including single-family, two-family and multi-family dwellings and apartments. However, the total number of residential units in all planning parcels within the Eagle Ranch PUD, including residential units located in live/work units and in mixed-use residential/commercial structures, shall not at any time exceed 1,295 units.
- c) Live/work units, which combine residential and commercial uses in a single building.
- d) **Extended stay and temporary lodging facilities including hotel, motel and bed and breakfast.
- e) Commercial area for use as medical facility not to exceed 175,200 square feet and limited in location to Lot 1 Filing 13. The following uses and ancillary support uses are the only allowed uses on Lot 1 Filing

13. The following uses are allowed under the category of medical uses:

Medical offices not to exceed 40,000 square feet.

Adult health day/assisted/extended care living facilities not to exceed

63,000 square feet and 90 beds.

Outpatient services, including urgent care/occupational health/outpatient surgery/pharmacy/lab and waiting and admitting not to exceed 13,000 square feet.

Inpatient services including birthing center/observation unit/ICU/inpatient bed unit not to exceed 18,500 square feet.

Support services including dining, food prep, records/administration/service and loading/mechanical/supply, processing and storage not to exceed 11,500 square feet.

Each of these uses will be allowed a public circulation and fit up factor of 20%, not to exceed the total gross square foot allowance of 175,200.

The 175,200 square feet of commercial floor area limited to medical facility uses permitted by this Section 2e is in addition to the 120,000 square feet of commercial floor area as provided for in Section 2a.

- f) Without limiting the uses by right related to residential use of the property as otherwise set forth herein, the senior care uses identified in this paragraph 2(f) shall not exceed 150,000 gross square feet and shall be limited in location to Lots 2, 3 and 4, Filing 26. The 150,000 gross square feet of floor area is in addition to the 120,000 square feet of commercial floor area provided in Section 2(a).

The only uses allowed on Lots 2, 3 and 4, Filing 26 shall be (i) senior care uses as identified below and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (ii) 75 residential dwelling units of the type permitted in the Neighborhood Center zone district and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (iii) any combination of senior care uses and residential dwelling units as described herein using a conversion factor of 2,000 square feet of senior care use per residential dwelling unit. The foregoing uses shall not diminish the 120,000 square feet of commercial floor area identified in paragraph 2(a) hereof.

Senior care uses include any combination of independent living, assisted living, skilled nursing, memory care, adult day care, wellness activity center, community center, support services, medical offices, dining facility and food preparation, hair salon, and other uses related and incidental to the provision of senior care services and uses and/or special services for handicap/disabled individuals.

- g) **Educational facilities including public and private schools, colleges, and elderly care.
- h) **Parking facilities.
- i) Accessory apartment to owner occupied single-family dwelling not to exceed 700 square feet.
- j) Utility service structures and buildings.
- k) **Churches, museums, libraries, firehouses and other governmental services and public buildings.
- l) Indoor and outdoor recreational facilities.
- m) Home occupations.
- n) Parks and open space.
- o) Model homes.
- p) Equestrian, pedestrian and bicycle trails.
- q) Temporary construction staging areas.
- r) Additional uses determined to be similar to uses by right listed above.
- s) Accessory uses customarily appurtenant to uses by right listed above including special events.
- t) Childcare ***

* These two-family dwellings are limited to Parcels A, B1, C, E, F and G.

** These uses are limited to Parcels A, B and B-1.

*** six or less children permitted in Parcels A, B, B1, and D

3. Special Uses:

- a) *Any commercial use which involves on site fabrication or manufacture of a product.
- b) *Any commercial use which requires outdoor storage & display of merchandise.
- c) *Gasoline service station.
- d) Outdoor storage of automobiles, recreational vehicles and other large items.
- e) Childcare of more than six children

* These uses are limited to Parcels A, B and B-1.

4. Minimum Building Setback Requirements:

Commercial uses:

There shall be no setback requirements for commercial and mixed use buildings within Parcels accommodating these uses except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations. There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek. Uses on Lot 1 Filing 13 shall include a 50' building setback from Sylvan Lake Road, a 25' building setback from all other roads, a 15' building setback from side and rear property lines and a 15' parking setback from Sylvan Lake Road. Senior Care Uses on Lots 2, 3 and 4, Filing 26 have no minimum setback requirements except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations.

Residential uses:

Front: 15 feet.

Front yard setbacks along MacDonald and Gambel Streets shall be 15' from the property line to the front facade of the building. Porches less than 42" above finish grade and roofs over porches may not be closer than 10' to the front property line. Decks or balconies over porches shall not be closer than 15' to the front property line. Steps to porches may not be closer than 5' to the front property line. Side: 5 feet, except in Tract C, G and E the side yard setback is 7.5 feet. Residential buildings on separate lots must maintain a 15' separation from the primary wall planes.

Rear: 5 feet, except in Tract C, G and E the rear yard setback is 15 feet.

There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

5. Maximum Building Height:

Commercial, public and senior care buildings (uses) shall be limited to not more than two stories, with the exception that:

- (1) a senior care building located at the intersection of Capitol Street and Sylvan Lake Road, if constructed, shall be limited to not more than three stories and not to exceed a height of 50 feet. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the commercial building height by not more than 15 feet. In the event a senior care building is planned for the intersection of Capitol Street and Sylvan Lake Road, such senior care building shall include architectural elements and be located on a site

plan to provide a focal point at this key intersection within the Neighborhood Center of the Eagle Ranch Planned Unit Development. Any design review of such senior care building will occur as set forth in paragraph 6 (Design Review) of this PUD Guide.

- (2) Mixed use commercial and residential buildings may be three stories not to exceed 35 feet in height. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the building height by not more than 15 feet.

Multiple family residential buildings, and apartments shall be limited to 35 feet in height. Single-family residential structures shall not exceed 24 feet at the plate line of the primary roof form.

6. Maximum Lot Coverage:

Commercial

Building - 80%

All impervious materials- 100%

A minimum of 15% of the portion of the Neighborhood Center as depicted in Exhibit A shall be maintained as landscaped area. Should commercial uses extend outside of the boundaries of Exhibit A, the exhibit shall be considered expanded by the boundaries of the commercial uses.

Residential Multi Family

Building 60%

All impervious materials - 80%

Residential Single Family

Building 40%

All impervious materials - 60%

7. Maximum Density:

The maximum density for multiple family residential parcels shall not exceed 15 dwelling units per acre, except for senior care uses and residential uses as identified in Section 3.1.2(f).

2. Residential Parcels H, I, J, K, L, M N, O, P, P1, Q, R, S, Tracts 1, 2, 3, 4, 5, 6, and 7

1. Purpose:

To provide sites for low density single-family home sites.

2. Uses by Right:

- a) Single-family dwelling units not to exceed 7,000 square foot maximum size.
 - b) Multiple family dwelling units in parcels N & P1.
 - c) Duplex units on Tract P1.
 - d) Accessory apartment to owner occupied single family dwelling unit not to exceed 700 square feet.
 - e) Parks, recreation facilities and open space.
 - f) Home occupations.
 - g) Utility services structures and buildings / golf course maintenance facilities.
 - h) Equestrian, pedestrian and bicycle trails.
 - i) Lakes, ponds, reservoirs and irrigation ditches.
 - j) Temporary construction staging areas.
 - k) Additional uses determined to be similar to uses by right listed above.
 - l) Accessory uses customarily appurtenant to uses by right listed above.
 - m) Gravel borrow pit.
3. Special Uses:
- a) Day care of more than 6 children and elderly care.
 - b) Bed and breakfast.
 - c) Temporary sales office.
 - d) Model homes.
4. Minimum Building Setback Requirements:
- Front: 25 feet
 - Side: 12 feet
 - Rear: 15 feet
 - Live stream: 50 feet for minor streams, 100 feet for Brush Creek
5. Maximum Building Height:
- 35 feet.
6. Density Allowance:
- The maximum density for multiple family residential parcels shall not exceed 10 dwelling units per acre.
7. Maximum Lot Coverage:
- Building - 30%
 - All impervious materials - 50%
8. Building Envelopes:
- The Subdivision Final Plat or Plats for Parcels K, L, M and Tracts 1, 2, 3, 4, 5, 6 and 7, as shown on the Development Plan as amended shall contain appropriate notations requiring building envelopes to be designated on certain lots prior to any site grading or other disturbance of the designated

lot. Specifically, home site construction disturbance on any lot over 1/2 acre that is located within, or partially within, areas of native vegetation that have not been previously cultivated for agricultural use shall be limited to a building envelope of 16,500 square feet. Developer's application(s) for Subdivision Final Plat approval Parcels K, L, M, and Tracts 1, 2, 3, 4, 5, 6, and 7 as shown on the Development Plan, as amended, shall include a supplemental exhibit specifying lots requiring building envelopes. Upon approval of such supplemental exhibit by the Town, any modification of such supplemental exhibit shall require approval from the Town. The owner of such lot shall propose a building envelope as part of the Preliminary Plan application for design review. The proposed building envelope shall comply with all criteria affecting building envelopes contained in the Design Guidelines as approved by the Town, and shall be so indicated graphically on a landscape/site plan. This landscape/site plan shall also include calculations to indicate the building envelope does not exceed 16,500 sq. ft. The Town reserves the right not to issue a building or site improvement permit until a building envelope, if required, that complies with all approved Design Guideline criteria has been approved by the Design Review Committee.

As used in this document, the term "building envelope" shall be deemed to include the residence, any allowable outbuildings, driveways, walkways, patios and landscaped areas.

All portions of a lot outside of the designated 16,500 square feet building envelope as require for parcels K, L, M and Tract 1, 2, 3, 4, 5, 6 and 7, as shown on the development plan, as amended, shall be retained in its natural state to maintain undisturbed native vegetation as wildlife habitat. No grading, vegetation manipulation (except noxious weed control protocols and wildfire hazard mitigation protocols adopted by the Town) or landscaping shall be permitted on these lands. Underground utility crossings shall be permitted but must be revegetated to a natural condition subject to Design Review Committee and Town approval.

9. Ridge Line Visibility:

At the time of review of an application for subdivision final plat approval that includes those portions of Tract 1 and Tract 6, contained within the Eagle Ranch Addition No. 4, and Tract 7, contained within the Lapin Parcel Addition, as shown on the Development Plan, as amended, that are visible from Brush Creek Road, the developer shall demonstrate that the ridge line visibility of structures on lots within these areas has been minimized when viewed from Brush Creek Road. In addition, at the time of review of an application for subdivision final plat approval that includes the areas described above, the Developer shall present for approval by the Town, a set of "design guidelines" which may establish more restrictive setbacks, allowable building heights, colors, landscaping and/or exterior lighting standards than currently exist in the P.U.D. Guide to further

address ridge line visual impacts of the residential development as viewed from Brush Creek Road. As used in this section the term "ridge line visibility" shall mean the condition in which a substantial, identifiable portion of the structure is visible against the sky.

3. Recreation Open Space - Parcels OS6, OS7

1. Purpose:

To provide sites for park and recreation facilities, open space, water storage and drainage improvements, landscape improvements, stream corridors and recreation trails.

2. Uses by Right:

- a) Indoor and outdoor recreation and entertainment facilities.
- b) Parks and picnic facilities.
- c) Community Center.
- d) Cultural and educational buildings and activities.
- e) Concessions, food and beverage service.
- f) Special events.
- g) Public Administration building.
- h) Administration / Maintenance facilities.
- i) Equestrian, pedestrian and bicycle trails.
- j) Landscape improvements.
- k) Lakes, ponds, reservoirs and irrigation ditches.
- l) Temporary construction / administration office and sales center.
- m) Agricultural uses.
- n) Public or private roads and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.
- o) Additional uses determined to be similar to uses by right listed above.
- p) Gravel borrow pit.

3. Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations. There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

4. Maximum Building Height:

35 Feet. Non-habitable architectural features such as chimneys, towers, steeples and similar features shall be excluded from the calculation of building height.

5. Density Allowance:

N/A.

6. Maximum Site Coverage:

N/A.

4. Natural Open Space- Parcels OS1, OS2, OS3, OS4, OS5, OS8, and Tracts OS-A, OS-B, OS-C, OS-D, OS-E, OS-F, OS-G.

1. Purpose:

To provide sites for natural open space, trails and park facilities, water storage and drainage improvements and landscape improvements.

2. Uses by Right:

a) Equestrian, pedestrian and bicycle trails.

b) Landscape improvements.

c) Lakes, ponds, reservoirs and irrigation ditches.

d) Park and picnic facilities.

e) Public or private roads, trailhead parking and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.

f) Agricultural uses.

g) Gravel borrow pit.

3. Minimum Building Setback Requirements:

N/A

4. Maximum Building Height:

N/A

5. Density Allowance:

N/A

6. Maximum Site Coverage:

N/A

5. Golf Course – Parcels GC1, GC2, GC3, GC4.

1. Purpose:

To provide sites for golf course and related improvements.

2. Uses by Right:

a) Golf Course and related ancillary facilities.

- b) Clubhouse and related ancillary facilities, which may include a real estate office solely for marketing Eagle Ranch and Allen Tract properties. Such office shall not exceed 150 square feet of space within existing clubhouse.
- c) Maintenance Facilities.
- d) Storm shelters.
- e) Concessions.
- f) Public or private roads and utilities including bridges, pedestrian and bicycle trails, utility improvements, lines and mains, facilities, services and buildings.
- g) Day care and elderly care within the clubhouse facilities.
- h) Additional uses determined to be similar to uses by right listed above.
- i) Accessory uses customarily appurtenant to uses by right listed above.
- j) Gravel borrow pit.

3. Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations and flood plain of live streams.

4. Maximum Building Height:

35 feet.

4. DENSITY CONTROL

Allowable maximum densities for each parcel are set forth within the following density chart; provided however, that any parcel may contain up to 1.5 times the total number of allowable dwelling units as described below. Any such increase in density of a parcel shall be offset by an equal decrease in density from another parcel. The intent of this provision is to allow flexibility in planning to take into account varying site conditions, market conditions and other design factors. In no event shall the total number of residential units, including residential units located in live/work units and in mixed use residential/commercial structures, in all planning parcels within the Eagle Ranch PUD combined exceed 1,295 units. Accessory dwelling units not exceeding seven hundred (700) square feet appurtenant to owner-occupied single-family dwellings shall not be included in such limitation. The maximum square feet of gross commercial floor area in all planning parcels within the Eagle Ranch PUD shall not exceed 120,000 square feet, with the

exception of medical related facilities on Lot 1, Filing 13 which shall not exceed 175,200 gross square feet and senior care uses on Lots 2, 3 and 4, Filing 26 which shall not exceed 150,000 gross square feet.

Any conversion of a residential unit to a commercial unit, or of a commercial unit to a residential unit, shall first be approved by the Eagle Ranch Design Review Board and the Town of Eagle Planning Department. Approval by the Town shall be granted if such conversion is in conformance with this PUD Guide and any applicable building codes. However, no conversion shall be approved if such conversion would cause the maximum number of residential units or maximum commercial square footage set forth above to be exceeded. In addition, no conversion of a residential unit to a commercial unit shall be permitted if such unit has been designated an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement, and such conversion would reduce the total number of affordable housing units below the minimum number of required affordable housing units.

The Town of Eagle reserves the right to deny an application to subdivide (condominiumize) existing designated affordable housing units if the effect of such subdivision would reduce the total number of designated affordable non-owner occupied units below the number of such units agreed upon by the Town of Eagle and the developer of the Eagle Ranch PUD, if any, pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement.

The combination of two or more existing residential units into a lesser number of units shall first be approved by the Eagle Ranch Design Review Board and the Town of Eagle Planning Department, if any of such units have been designated as an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement. Approval by the Town shall be granted if such combination is in conformance with this PUD Guide and any applicable building codes. However, residential units designated as affordable housing units shall not be combined if such combination would reduce the total number of affordable housing units below the minimum number of required affordable housing units as set forth in Section 13 of the Eagle Ranch Annexation and Development Agreement.

The Eagle Ranch Association (Design Review Board) and the Town of Eagle shall have all remedies available to them at law or in equity to enforce the provisions of this Section.

Accompanying each Final Plat application shall be an inventory of dwelling units that have been approved by previously final plats.

<u>PARCEL</u>	<u># OF DWELLING UNITS</u>
A	95

B	175
B1	75
C	20
D	150
E	28
F	103
G	28
H	63
I	18
J	24
K	46
L	63
M	44
N	25
O	32
P	55
P1	45
Q	11
R	34
S	36
1	6
2	25
3	10
4	3
5	18
6	38
7	25
TOTAL	1,295

5. PARKING REQUIREMENTS

All uses within Eagle Ranch will be subject to the parking standards of the Town of Eagle Zoning Regulations. In the Neighborhood Center where shared parking facilities exist and are available for use, there shall be no parking requirement for theaters or churches. With the exception of the parking spaces on Sylvan Lake Road all on street parking spaces may be counted toward fulfilling commercial and residential parking requirements. Each single-family residence shall have a minimum of two onsite parking spaces. Any accessory

dwelling associated with an owner occupied single family residence shall have one dedicated onsite parking space.

6. DESIGN REVIEW

Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Eagle Ranch. These guidelines, and any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle. In the event that the Eagle Ranch Design Review Board ceases to fulfill its duties as described in the guidelines the Town of Eagle may assume the role of the Design Review Board.

7. SIGNS

Sign regulations shall be prepared for the Preliminary Plan and PUD Development Plan level of review which will establish standards for the number, type, size, location, design and other considerations related to the display of signs within Eagle Ranch.

8. DOGS AND PET CONTROL

Each dwelling unit will be permitted to house up to two dogs and offspring up to three months old. Residents will be prohibited from harboring dogs on their property unless they have adequate facilities (i.e., animals kept in residence, a fenced yard, dog run, or kennel) to contain the animals. Enclosed runs must be located immediately adjacent to the home, within the lot's building envelope if an envelope is required, and shall not exceed 1,000 square feet. If facilities are inadequate to contain the dog(s), the animals will be immediately removed from the subdivision until adequate structures can be built.

At no time are dogs to be allowed to run freely. Eagle Ranch shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle. Stray Dogs may also be controlled by the County and CDOW. Homeowners not in compliance with these dog restrictions will be responsible for any and all costs incurred by the Town, County, and/or CDOW for enforcing these provisions.

9. AMENDMENTS TO THE EAGLE RANCH PUD GUIDE, PUD DEVELOPMENT PLAN AND SUBDIVISION PLANS

It is anticipated that modifications or amendments to this PUD Guide, the PUD Development Plan, and Subdivision Plans will be necessary

from time to time as Eagle Ranch progresses. This PUD Guide provides for two types of modifications or amendments: minor and major.

1. Minor Modifications

Minor modifications are those changes which will not alter the original project concept but which may result in minor changes in the design of Eagle Ranch. Minor modifications include, but are not limited to internal road alignment alterations, minor adjustments to Planning Parcel boundaries, building envelope changes, and additions of land uses not previously listed but determined to be similar to listed uses. Minor adjustments to Planning Parcel boundaries shall be defined as:

Change in land use of a parcel of property not to exceed 20,000 square feet to conform to the land use of property immediately adjacent to it, provided however, that the provisions of this article shall not apply to property adjacent to any parcel of property the land use of which has previously been changed pursuant to the provisions of this article. Minor modification shall also include any decrease in size of a Neighborhood Center or Residential parcel that is offset by an equal increase in an open space parcel.

Minor modifications may be authorized by the Town of Eagle Zoning Administrator upon written request. The Zoning Administrator shall act upon any minor modification request within 30 days of such a request. Any decision by the Zoning Administrator may be appealed in writing to the Eagle Board of Trustees within 30 days of such decision.

2. Major Modifications

Major modifications are those changes not considered to be minor modifications and are changes that could alter the character or land use of a portion of the project. Major modifications shall include:

- A. Any increase in the total amount of commercial space or the total number of residential units.
- B. Any change in land use designation of any parcels within the PUD, except as provided above.
- C. Any addition of land into the PUD.

Major modifications shall be under the authority of the Eagle Board of Trustees. Applications for major modifications shall be heard in public hearing by the Board after receiving a recommendation from the

Planning and Zoning Commission. The Board shall approve the modification if it is found that the modification is consistent with the efficient development of the entire PUD and does not substantially affect the enjoyment of land abutting the PUD or the public interest.

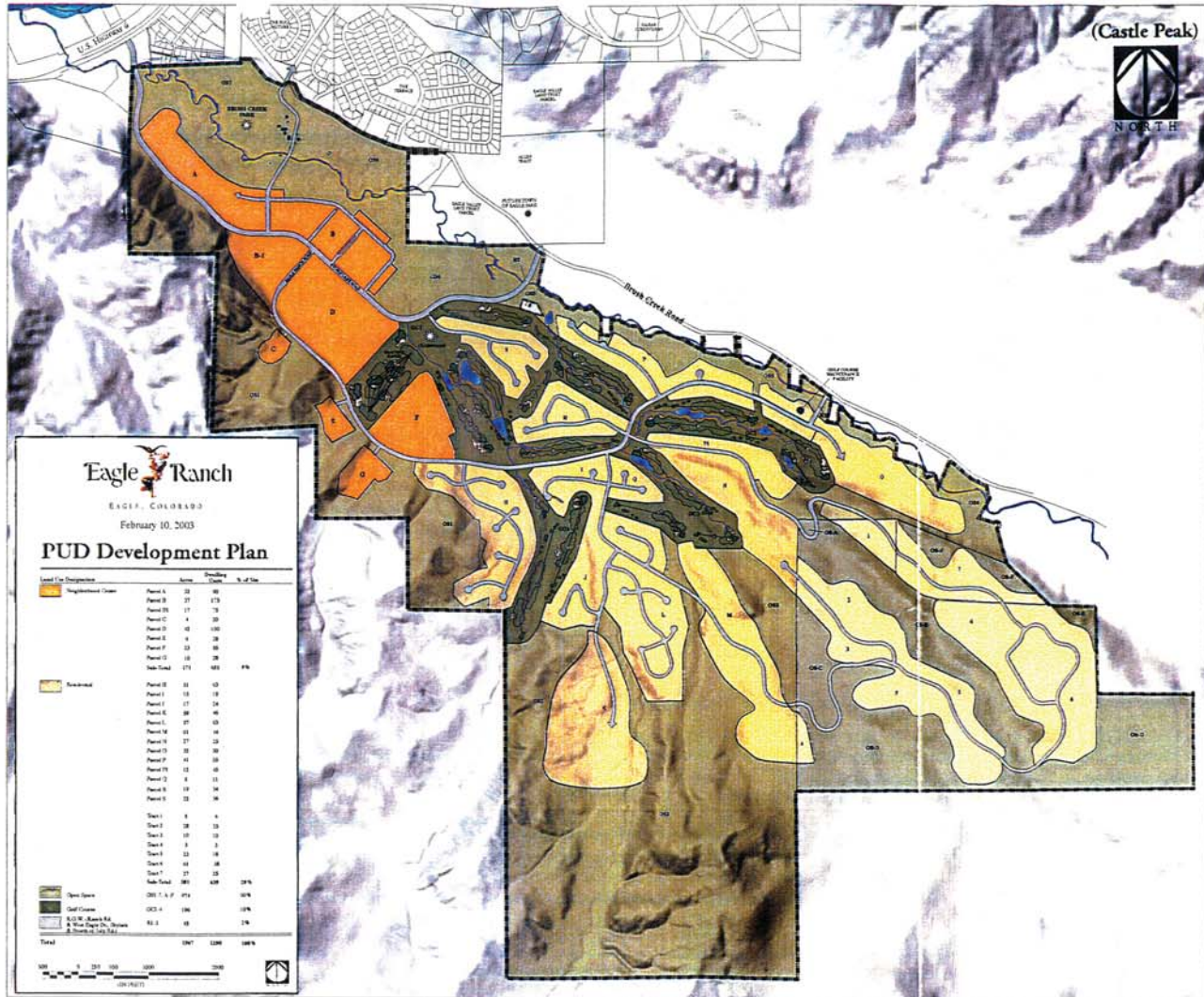
Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees, this ____ day of _____2017.

By: _____

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow, Town Clerk



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