

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE 05, SERIES 2024 "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING CHAPTERS 4.11, 4.14, 4.15, 4.17 AND 4.20 OF TITLE 4 OF THE EAGLE MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES " on the Town of Eagle's web site, www.townofeagle.org, on the 12th day of June 2024.

Witness my hand and seal this 12th day of June 2024.

Jenny Rakow
Town Clerk



Ordinance Effective Date:

June 24, 2024

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 05
(Series of 2024)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING CHAPTERS 4.11, 4.14, 4.15, 4.17 AND 4.20 OF TITLE 4 OF THE EAGLE
MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND PROCESSES**

WHEREAS, the Town recently adopted a new Land Use and Development Code, codified as Title 4 of the Eagle Municipal Code (the "LUDC"); and

WHEREAS, since the adoption of the LUDC, Town staff have identified several provisions that were modified or not carried forward from the previous version of the LUDC to which staff desires to amend, revert to the previous versions or reincorporate.

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

Section 1. Table 4.11-1 of Section 4.11.030.B of the Eagle Municipal Code is hereby amended as follows:

| Table 4.11-1: Use of Turf Grass By Zone District | |
|--|---|
| Residential Low and Medium | 2,500 square feet per dwelling unit |
| Residential High | Limited to private open space areas |
| Mixed-Use | Limited to private open space areas |
| Commercial and Industrial | No turf grass allowed <u>except for Recreational Vehicle Park/Camping, Parks/Playgrounds, Playfields, College/University, Pre-School/Childcare Center, School/Trade/Private Academy and Green Roof uses</u> |
| Public | Allowed |
| Rural | 5,000 square feet per dwelling unit |

Section 2. Section 4.14.030.E.2 of the Eagle Municipal Code is hereby amended to read as follows:

2. Exemptions

* * *

- a. Minimum impact installations such as fences, lighting, poles, signs, or decorations;
- b. Movement or parking of machinery or equipment; or
- c. Installation of decorative or perimeter walls that do not serve to retain soil, unless supporting a load or other weight surcharge.

d. The Director, at their discretion, may waive the Geologic Hazards Evaluation for projects that include no geologic hazards in the immediate area and:

- ii. Are located in a subdivision that is built out and has no history of geologic issues; or
- ii. Were included in a full geologic hazards analysis during subdivision approval.

Section 3. Section 4.14.040.B.1.b of the Eagle Municipal Code is hereby repealed in its entirety.

Section 4. Section 4.15.010.C of the Eagle Municipal Code is hereby repealed and replaced to read as follows:

4.15.010 Design and Improvement Standards

* * *

C. Required Improvements and Dedications

- i. Easements and rights-of-way shall be dedicated to the Town or applicable utility provider as a part of the development or subdivision process.
- ii. No encroachment shall be permitted within any easement required by the Town or a utility provider unless an encroachment permit is approved by the Town.
- iii. All dedications shall comply with Section 4.17.140.

Section 5. Section 4.17.050.C.7 of the Eagle Municipal Code is hereby amended to read as follows:

7. Published Notice

The Director shall be responsible for preparing the content of the notice and ensuring that the notice is properly published. Notice shall be published no later than fifteen (15) days before any meeting or action.

Section 6. The Residential row in Table 4.17-5 of Section 4.17.080 of the Eagle Municipal Code is hereby amended to read as follows:

Table 4.17-2: Development Plan Review Thresholds [1]

| Type of Development | Administrative Development Plan (Director) [2] | Minor Development Plan (Planning & Zoning Commission) | Major Development Plan (Town Council) |
|---------------------|--|---|---------------------------------------|
| Residential | More than 1 new SF or duplex dwelling unit unless exempt in 5D.2.b above. A maximum of 4 dwelling units unless exempt by § 4.17.080C.2.b | New construction, renovation, or additions to residential structures that require design review | Planned Unit Development |

Section 7. The definition of 'Accessory dwelling unit' in Section 4.20.020 of the Eagle Municipal Code is hereby amended to read as follows:

Accessory dwelling unit

An individual dwelling unit equipped with a full kitchen that is subordinate to, and contained within or adjacent to, a single-family dwelling or duplex.

Section 8. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 9. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

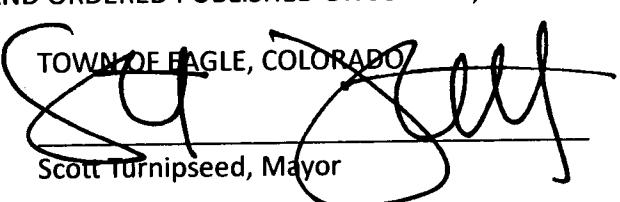
INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON JUNE 11, 2024.

ATTEST:



Jenny Rakow, Town Clerk




TOWN OF EAGLE, COLORADO
Scott Turnipseed, Mayor