

**TOWN OF ERIE
TOWN COUNCIL MEETING
September 24, 2024**

- SUBJECT:** **Ordinance No. 035-2024**
An Ordinance of the Town Council of the Town of Erie
Amending Title 10 of the Erie Municipal Code by the Addition of
a New Chapter 14 Regarding Flood Damage Prevention, and
Repealing other Code Sections in Conflict Therewith
- PURPOSE:** Unified Development Code amendment to provide align with
Federal and State standards.
- CODE REVIEW:** Erie Municipal Code, Title 10
- DEPARTMENT:** Public Works; Planning and Development
- PRESENTER:** Wendi Palmer, Civil Engineer III; Kelly Driscoll, Planning
Manager
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STAFF RECOMMENDATION:

Staff recommends that the Council adopt the ordinance amending Title 10 of the Erie Municipal Code regarding flood damage prevention.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

For a community to participate in the National Flood Insurance Program (NFIP), it must adopt and enforce floodplain management regulations that meet or exceed the minimum NFIP standards. To ensure that the Town’s regulations meet Federal and State requirements, an update to Floodplain regulations is necessary. The proposed amendments include the following elements:

Creation of Chapter 14 – Flood Damage Prevention

The proposed ordinance creates a new chapter in Title 10, Chapter 14, specifically for flood regulations. The existing ordinance is located within Chapter 2, Zoning Districts. The proposed ordinance addresses more than zoning districts, and thus necessitates the creation of a new chapter within Title 10 to adequately regulate.

The new Chapter 14 is based on model code developed by Colorado Water Conservation Board, tailored to Erie’s needs. The Colorado Water Conservation Board has reviewed the proposed ordinance and finds that it complies with NFIP. Chapter 14 contains 11 sections establishing findings of fact, purpose, definitions specific to the chapter, applicability and interpretation, general provisions, administrator, permit requirements, variances, appeals, flood hazard reduction standards, and violation and penalties.

Deletion of 10-2-6. C. Floodplain overlay district (FPO)

Elimination of 10-2-6. C. in its entirety is necessary to enable the proposed Chapter 14 to regulate flood damage matters.

The Planning Commission considered the ordinance at their September 24, 2024, meeting and voted unanimously to pass Resolution P24-13 recommending that Town Council pass the ordinance.

Approval Criteria

Section 10-7-18(C)(9) of the Erie Municipal Code states the following approval criteria when considering amendments to the text of the UDC:

1. The proposed amendment will promote the public health, safety, and general welfare; and
2. The proposed amendment is generally consistent with the Town’s Comprehensive Master Plan and the stated purposes of this UDC; and
3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

The proposed amendment will ensure the Town’s regulations meet federal and State requirements.

Public Notice:

Notice was published in the Colorado Hometown Weekly on September 4, 2024. No posting, mailing, or neighborhood meeting is required.

Attachments

1. Resolution P24-13
2. Ordinance No. 035-2024
3. Staff Report
4. Staff Presentation