



**ERIE**  
COLORADO

# Proposed UDC Changes to Title 10

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## **Town Council**

Sarah Nurmela, Planning and Development Director

Kelly Driscoll, Planning Manager

Chris LaRue, Principal Planner

June 10, 2025



# Request

## Amendments to Title 10 regarding

- Assembly Uses
- Accessory Dwelling Units
- Minimum Parking



# Overview

- **Background**
- Proposal
- Decision



# Background

Staff identified a conflict with how assembly uses are regulated in the UDC and the Religious Land Use and Institutionalized Person Act (RLUIPA)

AND

2024 State Legislative Session requires consistency with:

- HB 24-1152: Accessory Dwelling Units
- HB 24-1304: Minimum Parking Requirements



# Assembly Uses

Religious Land Use and Institutionalized Person Act (RLUIPA) prohibits zoning and landmarking laws that:

- treat churches or other religious assemblies or institutions on less than equal terms with nonreligious assemblies or institutions;
- discriminate against any assemblies or institutions on the basis of religion or religious denomination;
- totally exclude religious assemblies from a jurisdiction; or
- unreasonably limit religious assemblies, institutions, or structures within a jurisdiction.



# Assembly Uses – § 10-3-1

USE	CATEGORY	RESIDENTIAL							COMMERCIAL			INDUSTRIAL			MIXED USE			OTHER			
		RR	ER	SR	LR	MR	HR	OTR	CC	RC	B	LI	I	HI	DT	NM U	CM U	AG/ OS	AG H	AP	PLI
Religious Assembly	Religious Assembly	S	S	S	S	S	S	S	P	P	P	S	S	S	S	S	P	S	S	S	P
Assembly	General Assembly								S	S	S				S	S	S	S		S	S
	Residential Assembly (HOA)	P	P	P	P	P	P	P							P	P	P				



# Proposal – Assembly Uses

- **Simplify definitions**
  - Add Place of Worship
  - Remove General Assembly, Residential Assembly, and Assembly Building
  - Clarify Community Center (public)

*Community center (public):* A place, structure, area, or other facility used for and ~~providing fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community,~~ nonprofit, cultural, educational, recreational, religious, or social activities that is open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency including senior centers, teen centers, and clubhouses.



# Proposal – Assembly Uses

	RESIDENTIAL							COMMERCIAL			INDUSTRIAL			MIXED USE			OTHER			
USE	RR	ER	SR	LR	MR	HR	OTR	CC	RC	B	LI	I	HI	DT	NMU	CMU	AG/ OS	AGH	AP	PLI
Community Center (public)	S	S	S	S	S	S	S	P	P	P	P			P	P	P	S		S	P
Place of Worship	S	S	S	S	S	S	S	P	P	P	P	S	S	P	P	P	S	S	S	P



# 2024 State Legislative Session

- HB 24-1152: Accessory Dwelling Units
- HB 24-1304: Minimum Parking Requirements



## HB 24-1152: Accessory Dwelling Units

- By June 30, 2025, must allow ADUs where single-family detached dwellings are allowed
- Required provisions for administrative approval and parking
- ADU size and setbacks
- Requirements in the law also apply to and supersede planned unit developments (PUDs) and homeowners associations (HOAs)



## Proposal – Accessory Dwelling Units

- Align definition of ADU with State regs
- One ADU per lot
- Comply with accessory structure standards, unless they are stricter than principal structure standards
- ADU must be subordinate and less gross square footage than the principal dwelling unit
- Maintain appearance, architectural style, siding, roofing, trim, and roof style of principal structure
- Manufactured home, RV, travel trailer, camper are not allowed as ADUs



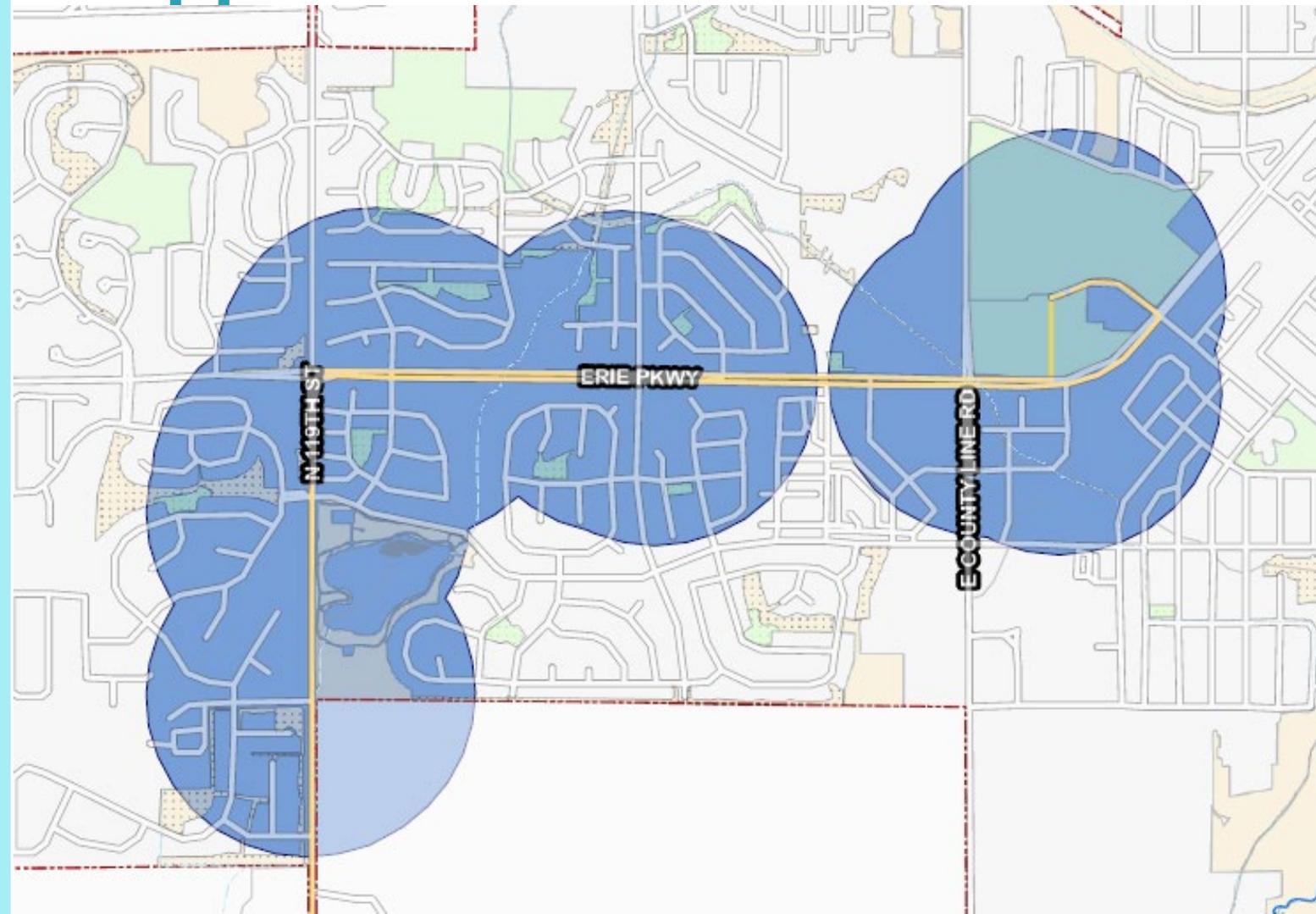
# HB 24-1304: Minimum Parking Requirements

By June 30, 2025, within one-quarter mile of transit stops, applicable municipalities must not enact or enforce laws requiring minimum parking for:

- multifamily residential,
- adaptive reuse for residential,
- or adaptive reuse for mixed use that is at least 50% residential



# HB 24-1304: Applicable Transit Service Areas in Erie



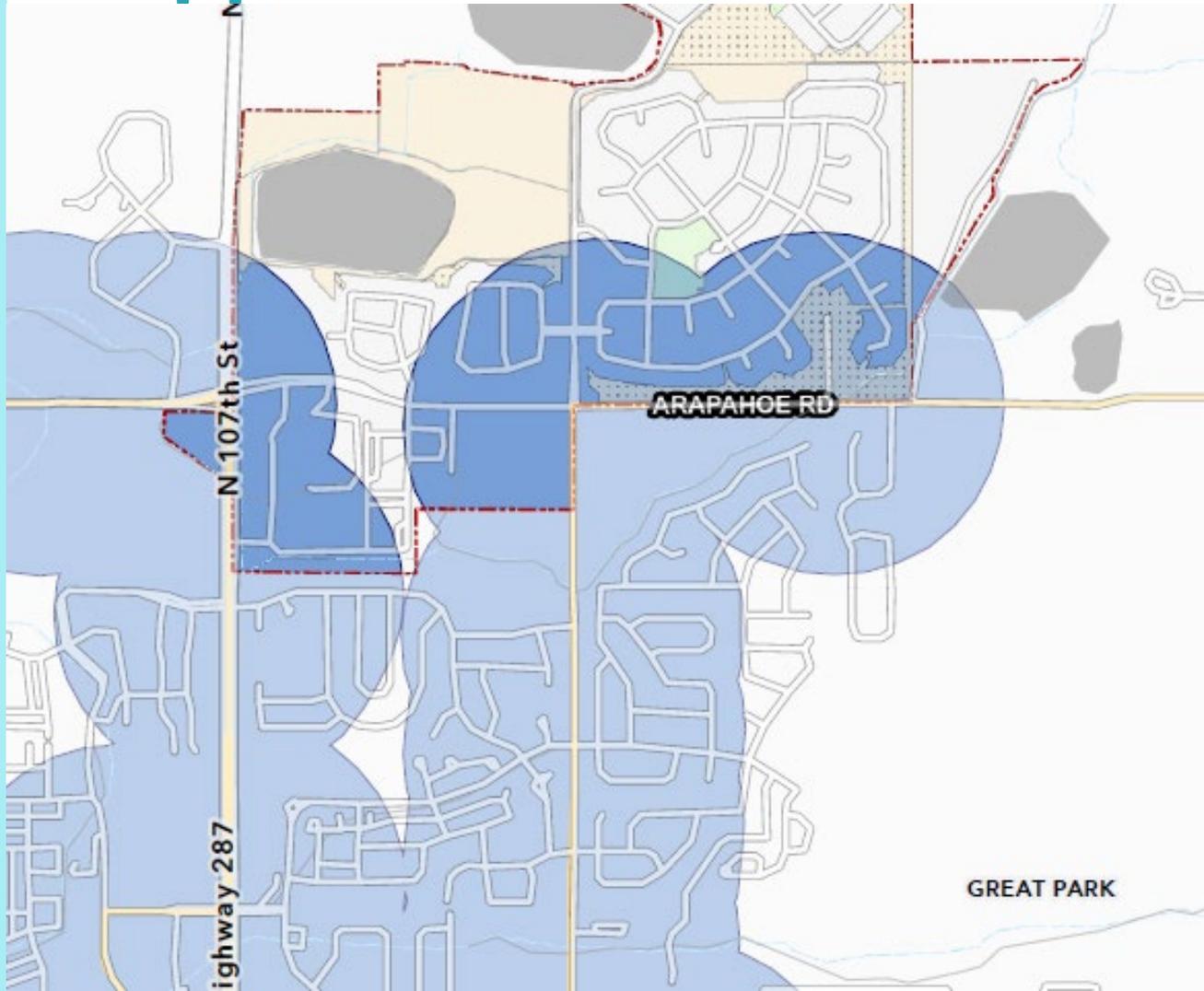
### Transit Routes

- Bus
- Rail
- Commuter BRT

### 1/4 mile Transit Stop Buffer



# HB 24-1304: Applicable Transit Service Areas in Erie



## Transit Routes

- Bus
- Rail
- Commuter BRT

## 1/4 mile Transit Stop Buffer





# Proposal – Minimum Parking Requirements

- Added definition for Adaptive Reuse
- 10-6-6 – Off street parking and loading
  - Minimum parking requirements shall not apply to multi-family dwellings, mixed-use projects with at least fifty percent (50%) residential uses, and residential adaptive reuse projects when located within a quarter (1/4) mile of a transit service area as established by the Colorado Department of Local Affairs
  - Staff has asked DOLA to confirm their maps are accurate.



# Overview

- ✓ Background
- ✓ Proposal
- **Decision**



## Approval Criteria – 10-7-18

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



## Public Notice

Neighborhood Meeting: Not Applicable for UDC amendments

Posting: Not Applicable for UDC amendments

### **PUBLIC NOTICE OF HEARING**

Public Hearing is required for UDC changes for Town Council

Notice of hearing was published 5/21



# Staff Recommendation

Adoption of Ordinance 018-2025

**Recommending the Town Council Adopt an Ordinance Amending Title 10 of the Erie Municipal Code Regarding Accessory Dwelling Units, Assembly Uses, and Minimum Parking**



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