



Legislation Details (With Text)

File #: 21-470 **Version:** 1 **Name:**

Type: General Business **Status:** Passed

File created: 10/19/2021 **In control:** Town Council

On agenda: 1/11/2022 **Final action:** 1/11/2022

Title: PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Repealing and Reenacting Chapters 2, 3, 4, 5, 6, 7, 9 and 11 of Title 10 of Erie Municipal Code

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 03-2022, 2. Staff Report, 3. Chapter 2 Clean, 4. Chapter 3 Clean, 5. Chapter 4 Clean, 6. Chapter 5 Clean, 7. Chapter 6 Clean, 8. Chapter 7 Clean, 9. Chapter 7 Clean Planning Commission Version, 10. Chapter 9 Clean, 11. Chapter 11 Clean, 12. Development Design Standards, 13. Chapter 2 Redline, 14. Chapter 3 Redline, 15. Chapter 4 Redline, 16. Chapter 5 Redline, 17. Chapter 6 Redline, 18. Chapter 7 Redline, 19. Chapter 7 Redline Planning Commission Version, 20. Chapter 9 Redline, 21. Chapter 11 Redline, 22. HBA Comments and Town Responses, 23. PC Resolution P21-21, 24. Notice, 25. Staff Presentation

Date	Ver.	Action By	Action	Result
1/11/2022	1	Town Council	approved as amended	Pass

SUBJECT: General Business

PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Repealing and Reenacting Chapters 2, 3, 4, 5, 6, 7, 9 and 11 of Title 10 of Erie Municipal Code

DEPARTMENT: Planning & Development

PRESENTER: Deborah Bachelder AICP, Planning Manager/Deputy Director of Planning & Development

TIME ESTIMATE: 60 minutes

STAFF RECOMMENDATION:

Staff finds the ordinance in compliance with the Approval Criteria and recommends the Board of Trustees approve Ordinance 31-2021.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

In 2019, the Board of Trustees Work Plan directed staff to provide updates to the Unified Development Code (UDC).

The Board of Trustees has adopted several changes to various chapters of the UDC over the past two years which addressed items identified as in need of revision. The adopted amendments include:

- October 2019: Amended Flashing or Moving Signs in Chapter 6.
- November 2019: Enacted a new Chapter 13 regarding Wireless Communication Facilities.
- December 2019: Enacted a new Annexation Subdivision Plat process in Chapter 7.
- February 2020: Expanded the flexibility for Planned Development Zoning in Chapter 7.
- March 2020: Addressed and clarified a number of standards throughout the UDC including in Chapters 2, 3, 4, 5, 6, 7, 11, and 12.
- November 2020: Streamlined and addressed a number of technical issues throughout the UDC including in Chapters 1, 2, 3, 5, 8, and 10 (“Phase I” updates).
- August 2021: Established new Agricultural Holding zone district to accommodate a streamlined annexation and initial zoning process for agricultural properties within the Town’s growth boundary.
- August 2021: Amended Development Improvement Guarantees in Chapter 7.
- December 2021: Amended Development and Design Standards to Accommodate Oil and Gas Wells and Production Facilities in Chapter 6.

Throughout the Phase I and Phase II updates, staff has worked with the Planning Commission, Board of Trustees, the development community, the Homebuilders Association (HBA) of Metro Denver, and other Town departments to solicit comments and suggestions for revisions to the UDC. In coordination with Town staff Martin Landers, the Principal of Plan Tools, LLC has worked to incorporate the changes and revise the UDC into a more usable form. The comments provided to the Town from the HBA, and Town responses regarding updates made in response to those items, are attached to this item for reference.

On September 1, 2021, the Planning Commission held a study session to discuss the proposed amendments to the UDC and the new Development Design Standards booklet. The Commission was supportive of the proposed changes and recommended that the procedure for Annexations in Chapter 7 of the UDC be revised for additional clarity and to add context. Planning staff has worked with the Town’s legal staff to update this code section to refer to the Colorado State Statutes.

On September 21, 2021, the Board of Trustees held a study session on this item; no specific changes to the proposed amendments to the UDC or the new Development Design Standards booklet were recommended by the Board.

On November 3, 2021 the Planning Commission voted unanimously (6-0) to recommend that the Board of Trustees approve the ordinance. The ordinance recommended for approval by the Planning Commission retained Section 10-7-21 *Amendments to the Text of this UDC* (re-numbered as Section 10-7-18). Town staff recommends that that the Board adopt the version of Chapter 7 with this section removed so that all text amendments to the Municipal Code can be processed in the same manner. Presently, Section 10-7-21 requires that text amendments to the UDC be heard by the PC prior to a decision by the BOT, whereas other chapters of the Municipal Code are amended just by a decision of the BOT.

The sections and items below are part of the current UDC amendments, which are being called

“Phase II” updates (refer to staff memo for additional details):

UDC Amendments:

- Chapter 2 - Zone Districts
- Chapter 3 - Use Regulations
- Chapter 4 - Dimensional Standards
- Chapter 5 - Subdivision Standards, Design, and Improvements
- Chapter 6 - Development and Design Standards
- Chapter 7 - Review and Approval Procedures
- Chapter 9 - Nonconformities
- Chapter 11 - Definitions

New Development Design Standards Booklet:

- A Development Design Standards booklet has been created for new single-family, duplex, and attached residential development.
 - o New proposed design standards book which includes site and building design standards applicable to new residential development

Board Priority(s) Addressed:

- ✓ Small Town Feel
- ✓ Effective Governance

ATTACHMENTS:

1. Ordinance 03-2022
2. Staff Report
3. Chapter 2 Clean
4. Chapter 3 Clean
5. Chapter 4 Clean
6. Chapter 5 Clean
7. Chapter 6 Clean
8. Chapter 7 Clean
9. Chapter 7 Clean Planning Commission Version
10. Chapter 9 Clean
11. Chapter 11 Clean
12. Development Design Standards
13. Chapter 2 Redline
14. Chapter 3 Redline
15. Chapter 4 Redline
16. Chapter 5 Redline
17. Chapter 6 Redline
18. Chapter 7 Redline
19. Chapter 7 Redline Planning Commission Version
20. Chapter 9 Redline
21. Chapter 11 Redline
22. HBA Comments and Town Responses
23. PC Resolution P21-21

24. Notice

25. Staff Presentation