



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 3/17/2020**

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**File #:** 20-180, **Version:** 3

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### **SUBJECT: STUDY SESSION**

Unified Development Code (UDC) Update

**DEPARTMENT:** Planning and Development

**PRESENTER:** Fred Starr, Planning and Development Director

**TIME ESTIMATE:** 30 minutes

### **STAFF RECOMMENDATION:**

The staff have been working on a series of Unified Development Code updates that are the result of our meetings with the Homebuilders Association (HBA), working groups, the development community, Board of Trustees and other Town staff.

On Tuesday March 24, the Board will formally consider the first in a series of UDC Updates which will be incorporated into the complete update of the Unified Development Code.

Since October of 2019, the Board of Trustees have adopted several Ordinances which have amended the Unified Development Code namely:

- Amending a portion of Chapter 6, further defining Flashing or Moving Signs
- Enacted a new Chapter 13 regarding Wireless Communication Facilities
- Amending a portion of Chapter 7 creating a new Annexation Plat process
- Amending Chapter 7 to increase the flexibility of Planned Unit Developments

This next series of UDC amendments will amend Section 10.2.2 to propose a minimum density in the Low Density (LR) district while removing the Density Bonus Provisions within the Code. These provisions were intended as an "Option" for the development community to use to increase density within their developments. However, no developer has ever exercised this option as developments typically are built at less than allowed density levels. Since the option has not worked, future proposed code revisions will address density minimums rather than offering an optional density bonus.

Staff also recommends a change in the Table of Uses to allow a property to be rezoned in anticipation of future development but retain the existing "Agricultural Uses" which are typically occurring prior to rezoning. This would allow an existing owner to continue this use after receiving approval of a Use by Special Review, rather than create a legal non-conforming land use situation. The Board of Trustees, with the Use by Special Review process, would have flexibility in setting terms and guidelines for this type of use.

Staff has also identified various “Accessory Uses” which we recommend be added to Table 3-2, which reflect current activities that are common but not previously clarified in the Town’s existing code.

Staff also recommends amending Section 10.7.2 to change the public notice distance from 300-ft to 500-ft, to ensure potentially interested parties are made aware of potential land use changes that might affect them.

Finally, staff also recommends changes to supplement the changes noted above as well as make some initial changes to the Recording process for rezoning actions, eliminate the requirement for site plan approval of single family homes and duplexes. These uses will still be required to meet design standards, but without the need to go through a formal “Site Planning” process. We believe site plan approval for single family homes and duplexes is an unnecessary and time consuming process that does not result in an improved design, and only adds time and confusion to the development process.

#### **SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

These proposed amendments have been provided to the Homebuilders Association (HBA) for review and comment, and to date we have not received any response from the HBA. We believe the changes as proposed respond positively to some of the items identified by the HBA working group.

Based on Board and public comments on the Erie Town Center PD (being considered at this same meeting), staff will also identify elements of that PD that we can incorporate into subsequent updates of the Unified Development Code.

#### **Next Steps:**

The Ordinance supporting these changes will be presented to the Board of Trustees for action on March 24<sup>th</sup>.

#### **ATTACHMENTS:**

1. Proposed Code Updates