



ERIE
COLORADO

Proposed UDC Changes to Title 10

Planning Commission

Sarah Nurmela, Planning and Development Director

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May 7, 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)

2024 State Legislative Session

- 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

TABLE 3-1: TABLE OF PERMITTED USES

P = Permitted Use by Right S = Special Review Use Blank Cell = Prohibited

USE	CATEGORY	RESIDENTIAL							COMMERCIAL			INDUSTRIAL			MIXED USE			OTHER			
		RR	ER	SR	LR	MR	HR	OTR	CC	RC	B	LI	I	HI	DT	NMU	CMU	AG/ OS	AGH	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				

Definitions of Assembly Uses– § 10-11-3

General assembly: General assembly uses include facilities owned or operated by associations, corporations, or other persons for social, educational, or recreational purposes primarily for members and their guests. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking, and maintenance facilities. This use includes assembly of fraternal organizations (Elks, Lions Club, etc.)

Religious assembly: A facility used primarily for non-profit purposes to provide assembly and meeting areas for religious activities, including parking, caretaker's housing, buildings ancillary to a religious function, pastor's housing, and group living facilities such as convents.

Definitions of Assembly Uses– § 10-11-3

Residential assembly: General assembly uses include facilities owned or operated by homeowner associations intended for use by the specific neighborhood or development for which it serves. Typical examples are clubhouses, indoor and outdoor gathering spaces, and common area rooms.

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

- Administrative approval, with objective standards
- Cannot require parking or owner occupancy (with limited exceptions)
- Must allow certain ADU sizes and setbacks
- Cannot otherwise restrict ADUs through design and dimensional standards that are more stringent than those that apply to Single-Unit Detached Dwellings in the same district
- Requirements in the law also apply to planned unit developments (PUDs) and homeowners associations (HOAs)

HB 24-1152: Accessory Dwelling Units

Setbacks

- Minimum side setbacks may not be larger than those that apply to the Single-Unit Detached Dwelling on the lot
- Minimum rear setbacks may not be larger than those that apply to other accessory building types in the same zone, or five feet, whichever is greater

HB 24-1152: Accessory Dwelling Units

PUDs

- Existing PUDs are superseded
- New PUDs must allow ADUs as accessory uses, subject to Administrative approval process

HOAs

- May not restrict the creation of an ADU
- Allows for 'Reasonable Restrictions'
- A substantive condition or requirement that does not unreasonably increase the cost to construct, effectively prohibit the construction, or extinguish the ability to otherwise construct an ADU

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

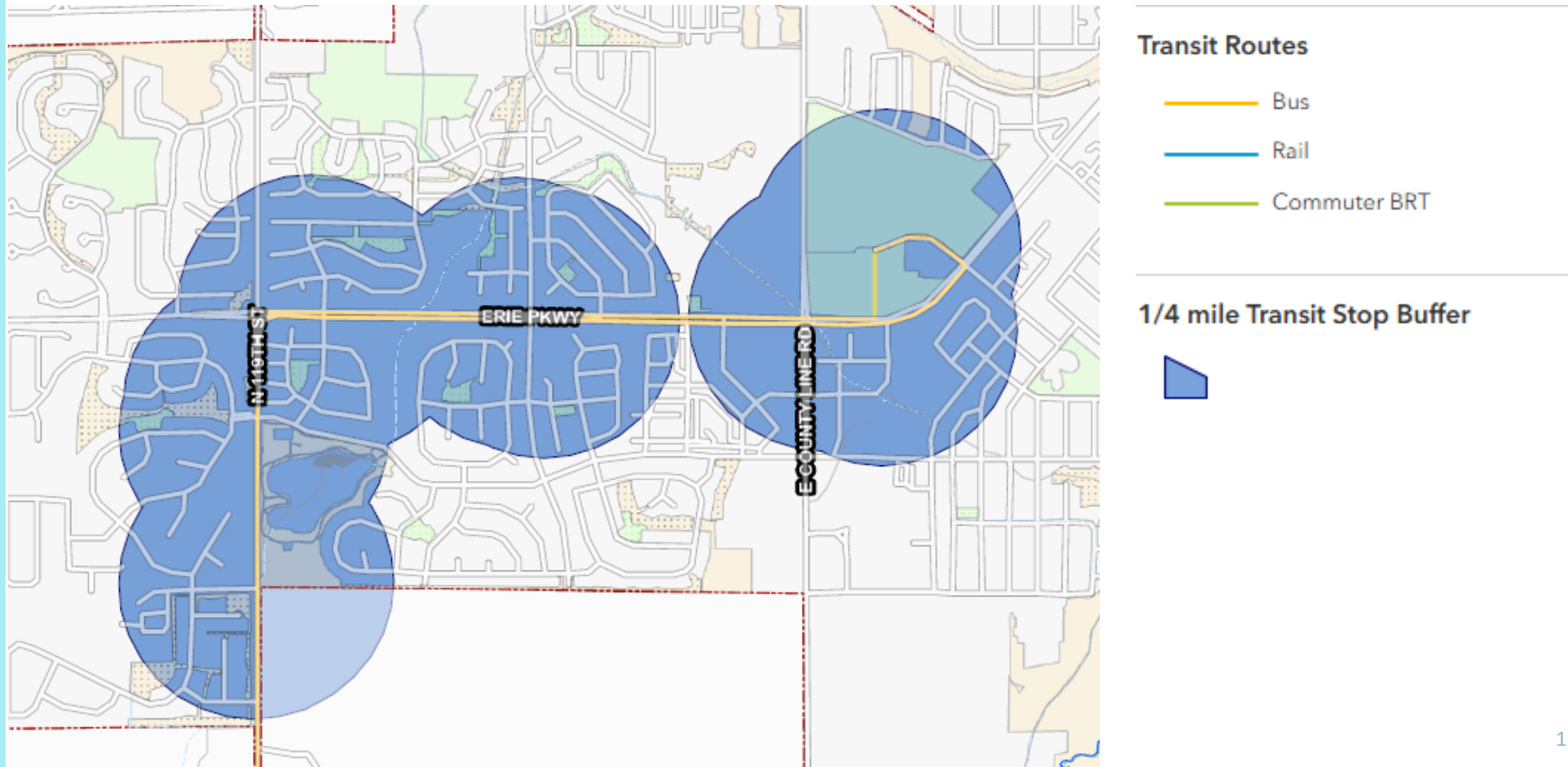
By June 30, 2025, within one-quarter mile of transit stops, applicable municipalities must not enact or enforce laws requiring minimum parking for:

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

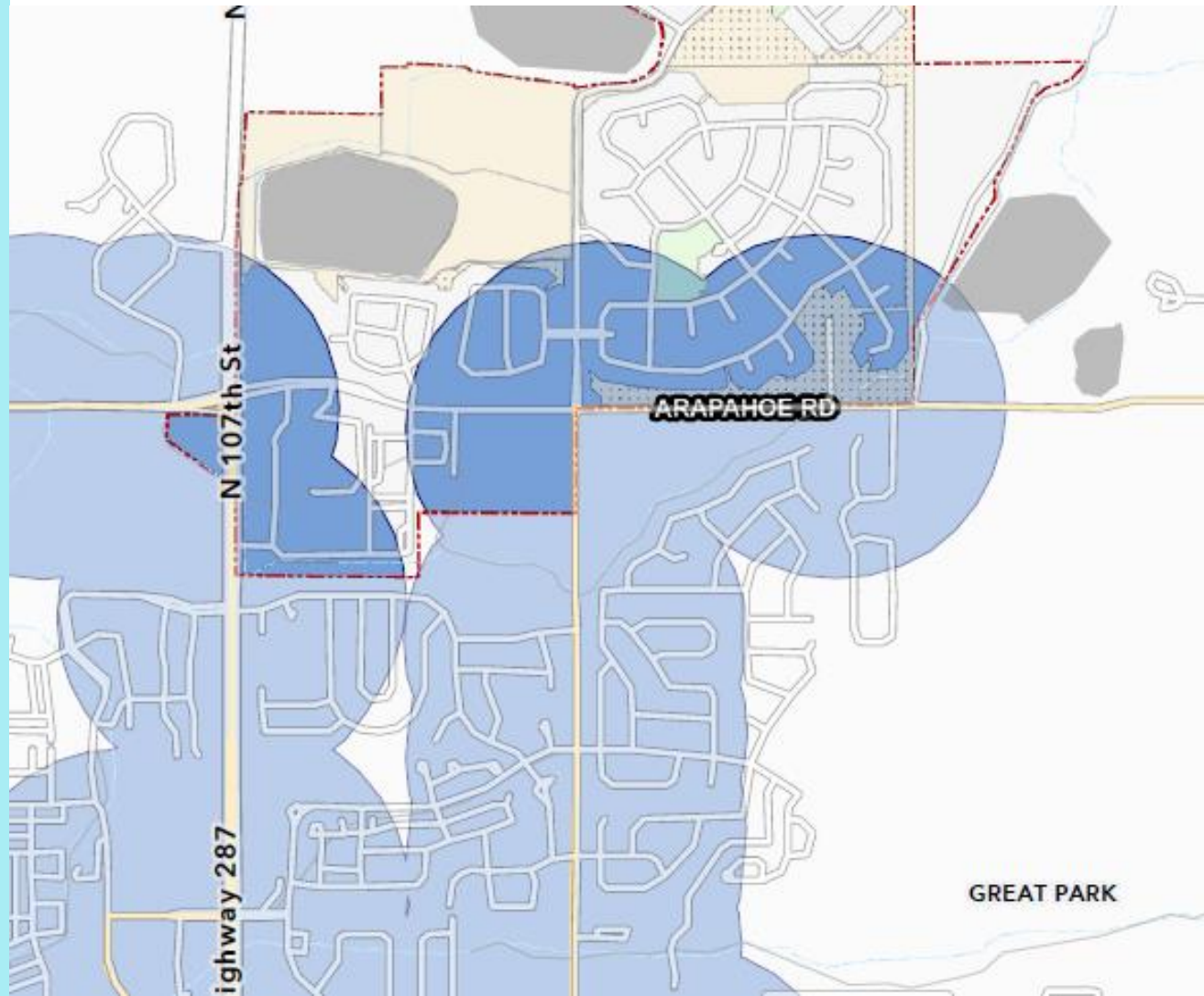
HB 24-1304: Applicable Municipalities

- Arvada
- Aurora
- Boulder
- Broomfield
- Centennial
- Cherry Hills Village
- Colorado Springs
- Columbine Valley
- Commerce City
- Denver
- Edgewater
- Englewood
- Erie
- Evans
- Federal Heights
- Fort Collins
- Fountain
- Foxfield
- Garden City
- Glendale
- Golden
- Greeley
- Greenwood Village
- Lafayette
- Lakeside
- Lakewood
- Littleton
- Lone Tree
- Longmont
- Louisville
- Loveland
- Manitou Springs
- Mountain View
- Northglenn
- Pueblo
- Sheridan
- Superior
- Thornton
- Unincorp. Adams County
- Unincorp. Arapahoe County
- Unincorp. Boulder County
- Unincorp. Douglas County
- Unincorp. El Paso County
- Unincorp. Jefferson County
- Unincorp. Larimer County
- Unincorp. Pueblo County
- Unincorp. Weld County
- Westminster
- Wheat Ridge

HB 24-1304: Applicable Transit Service Areas in Erie



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

- *Adaptive reuse:* The conversion of an existing structure from the use for which it was constructed to a new use by maintaining elements of the structure and adapting such elements to a new use.
- 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



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

PUBLIC NOTICE OF HEARING

Public Hearing is not required at Planning Commission for UDC changes



Next Steps

The Town Council public hearing for these amendments is scheduled for June 10, 2025

Staff Recommendation

Adoption of Resolution P25-05

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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