

EXHIBIT A

**Town of Erie
Ordinance No. ____-2024**

An Ordinance of the Town Council of the Town of Erie Amending Title 10 of the Erie Municipal Code Regarding Manufactured Homes, Home Occupation Standards, the Definition of Family, and the Applicability of Development Standards

Whereas, pursuant to 42 U.S.C. §§ 5401-5426, the U.S. Department of Housing and Urban Development ("HUD") requires all manufactured homes to be built to HUD's Manufactured Home Construction and Safety Standards (the "HUD Standards"), and prohibits any new mobile homes from being erected;

Whereas, the Erie Municipal Code includes terminology and regulations that no longer conform to the HUD Standards;

Whereas, the standards for home occupations place strict restrictions on the size of the use;

Whereas, the definition of "family" in the Erie Municipal Code currently includes a maximum number of unrelated persons that may occupy a dwelling unit;

Whereas, a separate applicability statement is included for each type of development standards; and

Whereas, the Town Council desires to amend Title 10 of the Erie Municipal Code to align with the HUD standards, loosen the size limitations for home occupations, remove the occupancy requirement in the definition of "family", and clarify the applicability statements for development standards.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Section 10-1-1 of the Erie Municipal Code is hereby amended to read as follows:

10-1-1 – Title and effective date.

The Unified Development Code of the Town of Erie, Colorado, as amended, may be referred to throughout this document as "this UDC."

Section 2. Table 3-1 in Section 10-3-1 of the Erie Municipal Code is hereby amended to rename the "Mobile Home Park" use to "Manufactured Home Park."

Section 3. Table 3-1 in Section 10-3-1 of the Erie Municipal Code is hereby amended by the addition of a new "Mobile Home" use, which shall be inserted alphabetically in the Household Living category and shall not be permitted in any zone district.

Section 4. Section 10-3-2(A)(2) of the Erie Municipal Code is hereby amended to read as follows:

10-3-2 – Use-specific standards.

* * *

2. *Manufactured home park:*

a. Manufactured homes that are not installed on a permanent foundation shall be skirted with materials similar in color, texture, and appearance to the siding of the manufactured home.

b. If the owner of a manufactured home community intends to change the use resulting in expiration or termination of resident occupancy, the owner shall mail each resident written notice of their intent at least one hundred eighty (180) days prior to the change of use.

Section 5. Subsection 10-3-3(D)(4)(b) of the Erie Municipal Code is hereby amended to read as follows:

10-3-3 – Accessory uses and structures.

* * *

(b) Home occupations shall be no more than twenty-five (25) percent of the total floor area of the dwelling unit to which it is located or one thousand (1,000) square feet, whichever is less. Area used for storage of material or products related to the home occupation shall not count toward the maximum area permitted.

Section 6. Subsection 10-6-1(B) of the Erie Municipal Code is hereby amended to read as follows:

10-6-1 – General provisions.

* * *

B. *Applicability:* This Chapter shall apply to all new development and any expansion to existing development in the Town except as explicitly exempted.

Section 7. Subsections 10-6-2(A)(2), 10-6-2(C)(2), 10-6-4(B), 10-6-4(C), 10-6-4(F)(4), 10-6-4(F)(12), 10-6-4(H)(2), 10-6-5(B), 10-6-10(B)(1) and 10-6-11(B) of the Erie

Municipal Code are hereby repealed in their entirety, and the remaining subsections of each Section shall be renumbered chronologically.

Section 8. Subsection 10-6-4(G)(2) of the Erie Municipal Code is hereby amended to read as follows:

10-6-4 – Landscaping, screening, and fencing.

* * *

2. *Applicability:* All uses shall provide screening as specified in this section to minimize the visual impacts on surrounding properties.

Section 9. Subsection 10-6-6(B)(2) of the Erie Municipal Code is hereby amended to read as follows:

10-6-6 – Off-street parking and loading.

* * *

2. *Expansions and enlargements:* This Section shall apply when an existing structure or use is expanded or enlarged.

Section 10. Table 6.6-1 in Section 10-6-6 of the Erie Municipal Code is hereby amended by the removal of the rows entitled "Mobile Home Dwelling" and "Mobile Home Park."

Section 11. The following definitions in Section 10-11-3 of the Erie Municipal Code are hereby repealed in their entirety and reenacted as follows:

Dwelling, single-family detached: A residential building, including a manufactured home, containing not more than one (1) primary dwelling unit in a structure.

Family: One or more persons occupying a dwelling unit and living as a single, housekeeping unit.

Manufactured home: A single-family detached dwelling, that meets the U.S. Department of Housing and Urban Development's definition of a Manufactured Home, as amended, and is certified as constructed in compliance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development and the Colorado Division of Housing but excluding a recreational vehicle. Manufactured homes shall be affixed to a permanent foundation unless located within a manufactured home park.

Manufactured home park: A residential development on a site that consists of two or more spaces for the placement of manufactured homes, regardless of whether or not a fee is charged for the use of such space,

typified by a single ownership entity or common owner(s) in a cooperative arrangement as opposed to a development that consists of individually owned lots subdivided for the placement of manufactured homes.

Mobile home: A structure that is: not compliant with the U.S. Department of Housing and Urban Development regulations; built prior to June 15, 1976; capable of being transported in one or more sections; designed to be used with or without a permanent foundation as a dwelling when connected to on-site utilities; and not a manufactured home or recreational vehicle.

Section 12. Section 10-11-3 of the Erie Municipal Code is hereby amended by the deletion of the definitions of "Dwelling, mobile home" and "Mobile home park".

Section 13. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 14. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 15. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this ____ day of _____, 2024.

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk