TOWN OF ERIE
PLANNING COMMISSION MEETING
April 17, 2024

SUBJECT: **Resolution P24-05**
A Resolution of the Planning Commission of the Town of Erie Recommending that the Town Council Adopt an Ordinance Amending Title 10 of the Erie Municipal Code Regarding Manufactured Homes, Home Occupation Standards, the Definition of Family, and Applicability of Development Standards

PURPOSE: Unified Development Code amendment to provide clarity in administering the code and aligning with HUD standards.

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Planning and Development

PRESENTER: Kelly Driscoll, Planning Manager

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt the resolution recommending Town Council adopt an ordinance amending Title 10 of the Erie Municipal Code regarding manufactured homes, home occupation standards, the definition of family, and applicability of development standards.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Town staff have identified areas of the Erie Municipal Code within Title 10 that need amendment to provide clarity on home occupations, the definition of family, and applicability of development standards. Additionally, there is a need to align with HUD standards on manufactured housing. The proposed amendments are as follows:

Manufactured Housing

The current use of the term mobile home and mobile home park do not comply with HUD standards. The proposed code change defines the terms mobile home, manufactured home, and manufactured home park according to HUD standards. This change also provides for use-specific standards for manufactured home parks, requiring skirting if not on a permanent foundation. Additionally, protections are added to ensure that manufactured home park residents are notified at least 180 days in advance of a change in ownership for the manufactured home park as required by HUD.

Home Occupation

This change clarifies that areas used for storage of material, or products related to the home occupation do not count towards the maximum area permitted. The maximum area permitted has been clarified at 25% of total floor area of the dwelling, or 1,000 square feet, whichever is less.

Definition of family

This proposed change removes occupancy limits and defines family as one or more persons occupying a dwelling unit and living as a housekeeping unit.

Applicability of development standards

Chapter 6 of Title 10 of the Erie Municipal Code contains Development and Design Standards for topics such as landscaping, parking, lighting, residential and commercial design standards. The General provisions section (10-6-1) has an applicability statement and the subsections of Chapter 6 have applicability statements as well. These conflict with the General provisions and have been clarified. Further, 10-6-4 – Landscaping, screening, and fencing is clarified to apply screening standards for all properties. And 10-6-6 – Off-street parking and loading standards also apply when an existing structure or use is expanded or enlarged.

The Town Council public hearing for these amendments is scheduled for May 14, 2024.

Approval Criteria

Section 10-7-18(C)(9) of the Erie Municipal Code states the following approval criteria when considering amendments to the text of the UDC:

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

Public Notice:

Public notice was published in the Colorado Hometown Weekly on Wednesday, March 27, 2024.

Attachments

1. Resolution P24-05
2. Exhibit A – Draft Ordinance
3. Staff Report
4. Staff Presentation
5. Notice