

## ZONING

### **§ 180-15. Mixed Use District [Amended 09-05-95, Ord. 95-06; 01-02-01, Ord. 00-10; 06-13-06, Ord. 06-02; 02-12-08, Ord. 07-14; 11-11-08, Ord. 08-15, Ord. 14-01, 02-11-14]**

In the MU Mixed Use District, the following regulations apply:

- A. Purpose: To increase the efficiency of land use, the number of residents and the diversity of commercial activities in those transition areas between the core commercial districts and residential districts, and to emphasize and encourage pedestrian and bicycle circulation.
- B. Permitted uses: All permitted uses within the Mixed Use District must consist of a mixture of residential and commercial uses, with each such sort of use making up not less than twenty percent (20%) of the total floor area of all uses within a single zone lot.
  - 1. Accessory housing unit, one (1) per principal residential unit
  - 2. Art and entertainment centers
  - 3. Fast food restaurants
  - 4. Home offices
  - 5. Light retail
  - 6. Medical offices
  - 7. Offices
  - 8. Personal services
  - 9. Residential dwellings units located above ground floor nonresidential uses for properties along Main Street
  - 10. Residential dwelling units for properties not along Main Street
  - 11. Restaurants
  - 12. Sexually oriented businesses
  - 13. Cabin Housing as set forth in Section 180-18.8
- C. Conditional uses: Conditional uses shall be exempt from the ratio requirements of residential floor area to commercial floor area that permitted uses are subject to.
  - 1. Boarding, rooming or lodging facilities
  - 2. Child day care facilities

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3. Churches
  4. Condominium hotels
  5. Fractional ownership units
  6. Health, recreation and exercise establishments
  7. Hotels and motels
  8. Light retail
  9. Medical office
  10. Offices
  11. Public buildings and uses
  12. Residential dwelling units
  13. Transit oriented facilities and uses
- D. Dimensional requirements.
1. Minimum lot area: none
  2. Minimum lot frontage: none
  3. Setback requirements for properties on Main Street:
    - a. Front yard: five (5) feet
    - b. Side yard: five (5) feet
    - c. Rear yard: ten (10) feet
  4. Setback requirements for all other properties:
    - a. Front yard: twenty (20) feet
    - b. Side yard: ten (10) feet
    - c. Rear yard: ten (10) feet
  5. Parking: For properties with frontage on Main Street, on-site parking shall not be located along the part of the property abutting Main Street.

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6. Maximum building height:
  - a. Forty-five (45) feet for a pitched roof and thirty-five (35) for a flat roof.
  - b. The first floor ceiling height shall be a minimum of ten (10) feet in height.
  
7. Maximum density (residential uses only): fourteen (14) units per developable acre.
  - a. Accessory Housing Unit Exemption: Any accessory housing unit meeting the town's requirements may be exempted from the density calculation as long as the unit is deed-restricted for rent to persons earning a maximum of 80% of the area median income, at a rate established by the Summit County Combined Housing Authority for that income level, and pursuant to other criteria as established from time to time by the Town or the Summit County Combined Housing Authority.
  - b. Affordable Housing Exemption: A density bonus over the maximum allowable density is available. A density bonus is an increase in the allowable number of dwelling units over the maximum density, provided that:
    - i. A minimum of 50% of the total number of bonus units is provided as affordable housing; or
    - ii. For each bonus dwelling unit allowed, at least two affordable housing units are provided on property outside of the subject property, but within the Town of Frisco or within one (1) mile of any corporate limit of the Town of Frisco.
  
8. Lot coverage: Lot coverage shall not exceed sixty percent (60%) of the total lot area. If additional lot coverage incentives are utilized, in no instance shall the aggregate lot coverage allowed be more than an additional 12 percentage points of the lot area.
  - a. Lower Building Height exemption:
    - i. A one percentage point (1%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 41' to 42' in height.
    - ii. A two percentage point (2%) increase in the maximum allowable lot coverage shall be permitted for building constructed from 39' to 40.99' in height.

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- iii. A three percentage point (3%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 37' to 38.99' in height.
  - iv. A four percentage point (4%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 35' to 36.99' in height.
  - v. If multiple buildings of varying building heights are constructed on a single parcel, the Community Development Department shall assess this lot coverage incentive in a proportional amount based on the floor area of each building proposed. In no instance shall this lot coverage incentive result in an increase in more than five percentage points per lot.
9. Open space shall be provided in the amount of ten (10) percent of the gross floor area.
- E. Development standards: All development is subject to the goals and standards of the applicable overlay district as set forth in §180.18.1 - §180.18.7.