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§ 180-20. Development Standards. [Added 04-07-92, Ord. 92-07; Amended 03-16-93, Ord. 93-04; 09-05-95, Ord. 95-09; 03-19-96, Ord. 96-06; 07-02-96, Ord. 96-13; 08-06-96, Ord. 96-14; 08-06-96, Ord. 96-16; 03-04-97, Ord. 97-06; 04-01-97, Ord. 97-07; 06-03-97, Ord. 97-10; 12-16-97, Ord. 97-19; 12-16-97, Ord. 97-22; 03-17-98, Ord. 98-04; 04-14-98, Ord. 98-09; 05-18-99, Ord. 99-09; 03-06-02, Ord. 02-06; 05-06-03, Ord. 03-11; 1-11-05, Ord. 04-25; 06-28-05, Ord. 05-17; 01-27-09, Ord. 09-01].

- A. Title. The provisions of this section shall be known and may be cited as the "Frisco Development Standards."
- B. Applicability. The development standards established in this section are applicable to all development within the Town of Frisco. The development standards established in this section also shall be applied such that any change, extension, or alteration to an existing structure or developed property will require the property to come substantially more into compliance with said standards. This section is intended to complement Section 180-19, Development Application Review Procedures, by detailing standards required for development.
- C. Purpose. The purposes of this section are to:
1. Guide future growth and development in accordance with the Frisco Master Plan and related municipal ordinances.
 2. Provide for an efficient process to review development proposals.
 3. Provide a framework by which development proposals are reviewed to ensure safe and functional development, which are compatible with the natural and man-made environment.
 4. Assist orderly, efficient and integrated development.
 5. Promote the health, safety and general welfare of the present and future residents and guests of the town.
 6. Ensure conformance of development applications with the public improvements plans of the town, Summit County and the State of Colorado and other public agencies.
 7. Protect natural flora and fauna, wetlands and scenic areas.
 8. Prevent and control erosion, sedimentation and other pollution of surface and subsurface water.
 9. Prevent flood damage to persons and properties and minimize expenditures for flood control.
 10. Restrict building on flood lands, steep slopes, areas covered by poor soils or in areas otherwise poorly suited for construction.
 11. Prevent loss or injury from landslides, expansive soils and other geological hazards.

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12. Provide for adequate access, circulation and other functional considerations of site design.

- D. Improvements Agreement. The purpose of an improvements agreement is to provide a mechanism where an applicant may obtain a certificate of occupancy for a building prior to completing all of the required public and private improvements, including but not limited to landscaping and revegetation, final grading, drainage, driveways, parking lot paving and striping, sidewalks, dumpster enclosure, and lighting. No certificate of occupancy or final plat, whichever occurs first, shall be issued for any development within the Town until all required improvements are determined by the Town to be completed or until an improvements agreement, including provisions for financial security to ensure the completion of all required improvements, between the Town and the applicant is fully executed.

All required improvements shall be completed prior to the issuance of a certificate of occupancy unless an improvements agreement and financial security guaranteeing performance have been approved by the Community Development Department. The financial security to be provided shall be in the amount of one hundred fifty percent (150%) of the estimated cost of the required improvements. The applicant is responsible for obtaining bids to determine costs of said improvements. All improvements are to be completed within one year, with the possibility of one, nine month extension. The financial security shall be released upon certification by the Community Development Department Director or her designee that all requirements have been met.

- E. Drainage plans. A drainage plan must be submitted prior to the approval of a proposed subdivision or development. Said plan shall be prepared by a licensed engineer registered in the State of Colorado. An application that meets the following requirements shall be submitted to and approved by the Town Engineer.

1. Submittal requirements:

- a. An engineer's report describing and providing evidence of the following:
 - i. Show the type, size and location of existing and proposed drainage structures such as infiltration galleries, dry wells, retention ponds and grassed channels.
- b. Show the manner in which drainage and runoff will be controlled and confined on-site, including all calculations.
- c. Contours must be shown at two (2) foot intervals on the drainage plan. If the slope across the site is four (4%) percent or less, the contour interval shall be shown at one (1) foot.
- d. Show cross sections of specific structures and drainage ways to be constructed.
- e. Provide for the diversion of runoff from snow storage areas, dumpsters and other trash storage areas into detention facilities.
- f. Provide adequately sized detention facilities where dewatering of excavations may be needed (such facilities may be temporary in nature).

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g. Alternate methods shall be accepted only with prior approval by the Town Engineer.

2. Design standards.

- a. All development shall limit the rate of off-site surface water discharge to the rate that existed on the site in its predevelopment condition.
- b. No direct discharge of stormwater to a lake, stream or intermittent stream shall be allowed.
- c. All development shall prevent soil loss from the construction site as a result of erosion produced by the twenty-five-year, twenty-four-hour design storm [two and two-tenths (2.2) inches]. This standard shall be met both during and after construction.
- d. All development shall prevent any increase in the historic rate of runoff from the development site produced by the twenty-five-year, twenty-four-hour design storm [two and two-tenths (2.2) inches]. This standard shall be used before, during, and after construction.
- e. All development applications shall minimize the volume of cut or fill and minimize the erosion of topsoil on the lot.

3. Municipal stormwater drainage plan. Upon the adoption of a stormwater drainage plan by the town, all lot owners within the affected area shall be subject to the requirements and specifications of such plan at the time of development.

4. Erosion and sediment control.

- a. Appropriate sediment control measures shall be taken to ensure that no soil shall be allowed to leave the construction site through surface erosion and dewatering operations.
- b. All sediment control measures to be taken must be installed prior to any earth disturbing activity. The Erosion and Sediment Control During Construction manual published by the Summit Water Quality Committee shall be used as a guideline for all temporary and permanent erosion and sediment control best management practices installed during construction.
- c. Topsoil removed from the proposed disturbed area shall, in all practicable instances, be stockpiled for on-site reuse or revegetation.

F. Water Quality Protection.

Objective: to protect water quality by maintaining a natural buffer through which pollutants pass and to protect the riparian habitat and the visual appearance of the Town's waterways, lakeshores, and wetlands by prohibiting soil disturbance within 25 feet of a body of water or wetland.

1. Waterside setback. The following criteria must be met by all development.

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- a. Soil disturbance is prohibited within twenty-five (25) feet of all lakes, perennial streams, intermittent streams, wetlands, and from all swales draining twenty (20) acres or more measured horizontally from the high water line as determined by Community Development Department staff. Soil disturbance includes, but is not limited to, building construction, and the construction of decks, hot tubs, paving, pathways, landscaping and fences, and is further defined in Section 180-5, Definitions, of this Zoning Code.
- b. No snow storage is permitted within the 25 foot waterside setback.
- c. No development within the waterside setback shall be allowed without approval of a variance by the Town.
- d. For wetlands, evidence of compliance with Section 404 of the Federal Clean Water Act or evidence that the wetland area is not subject to the jurisdiction of the United States Army Corps of Engineers under Section 404, shall be presented.

2. Waterway Degradation

Prior to plan approval, the applicant shall submit a plan to the Community Development Department to ensure that the proposed development does not result in reasonably avoidable degradation of any stream, lake or wetland system. This condition shall apply to both the development activity and the ultimate use of the land. Items such as use restrictions, settling basins, filtration galleries, silt fences, sandtraps, as well as the ultimate maintenance of these items shall be addressed in the plan and resolved prior to approval.

3. Exemptions.

- a. The placement of permanent landscaping, erosion control devices, and permeable surface cover which disturb 350 square feet or less of lot area, may be approved by Town staff only upon a favorable recommendation by the Town Engineer and/or other applicable review agencies. Any such placement may be taken to the Planning Commission at the discretion of Town staff.
- b. With the approval of the Town Engineer and presentation to the Planning Commission, projects which are intended for the benefit of the community and installed by or under supervision of the Town are exempt. These projects may include but are not limited to, stream bank stabilization and erosion control activities; road and utility crossing; bike and pedestrian paths; flood control and other safety related projects; public recreational improvements including whitewater boating and marina facilities such as docks, piers and launch sites, and dredging operations; and aquatic and terrestrial wildlife habitat improvements. The water body, intermittent stream, or wetland must be hydrologically isolated from all soil disturbances according to one or more of the following procedures.
 - i. A cast concrete, metal coffer dam, or other technique is installed to isolate the water body from construction activity prior to any construction and maintained in place until revegetation and bank stabilization has been completed and approved by the Town Engineer and Community Development Department.

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- ii. The stream is completely contained in a culvert during construction from fifty (50) feet upstream of any soil disturbance to fifty (50) feet downstream of any soil disturbance. For streams and intermittent streams, the culvert shall be designed to convey, at a minimum, a flow with a ten percent (10%) chance of occurrence. The culvert shall be removed after revegetation is approved by the Town Engineer and Community Development Department.
 - iii. Another technique approved by the Town Engineer.
 - c. Closed-loop stream or pond systems shall be exempt from the requirements of this Section F., Water Quality Protection, if approved by the Town Engineer. A closed-looped system shall be defined as any man-made stream, pond, or other body of water that operates by recirculating its water supply with no discharge into any defined natural body of water (including but not limited to any lake, stream, intermittent stream, or wetland). Although a closed-loop system does not require waterside setbacks, the closed-loop system itself may not be constructed within 25 feet of any lake, stream, intermittent stream, or wetland.
- G. Snow storage and snow shedding. **[Subsection G formerly “Landscaping and Revegetation Requirements was deleted and replaced by Section 180-20.1 on 3-19-96, Ord. 96-6]**
1. Provide for the adequate location and drainage of snow storage areas on the lot as specified in § 180-23, (Parking and loading regulations) and § 180-20E (Drainage plans).
 2. Eliminate the danger of snow shedding onto windows or doors that swing out or on public or private ways.
- H. Road construction and maintenance standards. Any private or public road design, construction or maintenance (other than routine maintenance) in the town shall meet the standards set forth in §180-20E (Drainage plans), § 120-20F (Water quality protection), § 180-20K (Stream crossings by roads and utilities), § 180-20L (Construction in wetland areas) and Chapter 155 (Street design criteria).
- I. Access.
1. Vehicular access requirements. All vehicular access must comply with the standards set forth in Chapter 155, “Street Design Criteria.”
 - a. In addition, all vehicular access shall meet the following standards:
 - i. Applicant shall provide safe and adequate access to each structure for all public services, including but not limited to fire and emergency equipment.
 - ii. Applicant’s project shall not impose excessive vehicular traffic thereby creating an unacceptable level of service (roadway levels of service D-F) on any of the surrounding roadways.
 - iii. Access in and out of a project shall be designed so as to create a safe condition and reduce potentially hazardous or inadequate situations, including but not limited to inadequate access, parking or loading of the

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project site, for residents or employees of the project as well as the general public.

- b. Where development abuts a state highway, location of access points to the highway must be approved by the Colorado Department of Transportation.
 - c. Where development abuts a Town road, location of access points to the road must be approved by the Frisco Public Works Director.
2. Non-vehicular access requirements. It is the purpose of this section to promote the use of non-vehicular modes of transportation through a town-wide network of connecting non-vehicular pathways and provide safe access year-around. All site plans shall provide for and show non-vehicular access in accordance with the standards set forth in Chapter 155, "Street Design Criteria". In addition, all non-vehicular access shall meet the following standards:
- a. Every principal structure shall have safe and convenient non-vehicular access to a public street or road year-around.
 - b. Every principal structure shall be provided with access to adjacent trail systems or public open space useable for recreation activities.
 - c. New development shall integrate pedestrian ways, trails and/or bicycle paths with similar existing and planned facilities on adjacent properties. The Town's Paved Pathway Plan should be used as a reference when planning for the integration of these facilities.

J. Traffic Studies

1. Traffic studies, prepared by a professional engineer licensed in the State of Colorado, shall be provided for any large project that:
 - a. Requires a conditional use or rezoning approval;
 - b. Is located adjacent to either Main Street or Summit Boulevard;
 - c. Contains only one point of access;
 - d. Contains an access point off an unimproved roadway or unincorporated area;
 - e. Contains an access point off a road with a service level of D or F;
 - f. Or is expected to generate 400 or more daily trips per day.
2. The extent of the area to be included in a traffic study shall be determined by Town staff based on the type, scale and location of the development proposed. Elements of a traffic study shall include, but not be limited to, the following:
 - a. Existing traffic flow conditions within the defined study area, considering the peak hours and average daily traffic.

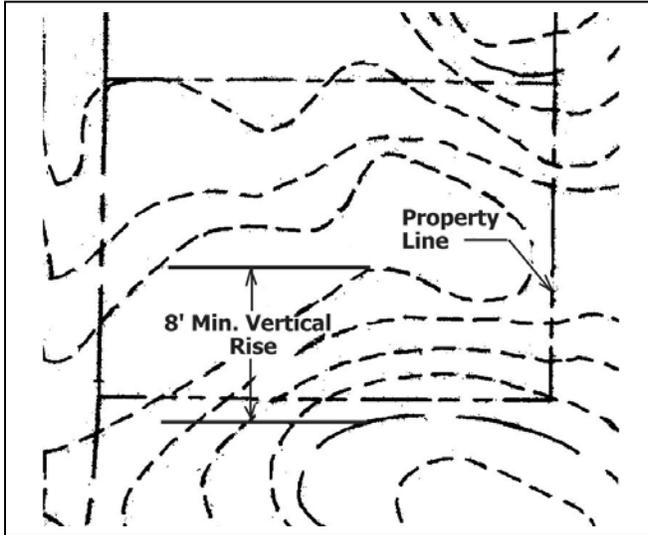
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- b. Future conditions due to the traffic impact from the proposed development within the defined study area.
 - c. Pedestrian circulation within the study area accessing the proposed development.
 - d. Recommendations to relieve impacts to traffic due to the proposed development, including but not limited to, pedestrian access, intersections, current roadway sections, noise, signage and safety.
- K. Bicycle Racks. All commercial development shall provide bicycle racks, in an appropriate location, with bicycle stalls in the amount of not less than twenty percent (20%) of the total number of parking spaces required for the project, with a minimum of five (5) bicycle stalls. A lesser number may be proposed if reasonably justified by the applicant and approved by the town.
- L. Stream crossings by roads and utilities.
- 1. The number of stream crossings by roads and utilities shall be minimized.
 - 2. The standards set forth in § 180-20E (Drainage plans) and §180-20F (Water quality protection) shall be met for each stream crossing by a road or utility.
- M. **[Subsection L formerly “Illumination” was deleted and replaced by Section 180-20.2 on 12-16-97, Ord. 97-19.]**
- N. Joint use restriction.
- 1. No part of a yard or other open space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a yard or other open space similarly required for any other building, except as approved by the town under the planned unit development regulations.
 - 2. No part of a lot designated for any use(s) or structure(s) for the purpose of complying with the provisions of this chapter shall be designated as a part of a lot similarly required for another use(s) or structure(s), except as approved by the town under the planned unit development regulations.
- O. Buildings occupying more than one (1) lot. Where a duplex or multifamily residential project has been resubdivided into more than one (1) lot, it shall be considered to be occupying one (1) lot for purposes of complying with district regulations such as lot coverage, minimum lot size, lot frontage, and setbacks. For purposes of this section, the boundaries of the one (1) lot shall be the outermost lot lines of all lots occupied by the duplex or multifamily residential project.
- P. Development on Steep Slopes.
- 1. Purpose. Certain areas in Frisco are characterized by slope and other topographical factors and geologic conditions which, if disturbed for purposes of development, can cause physical damage to public or private property and decrease the aesthetics of Frisco’s topography. The purpose of this section is to specify conditions for any type of development where, due to the topography, disturbance of the natural environment may

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create situations which are detrimental to the public health, safety, and welfare. It is the intent of this regulation to prevent physical damage to public and private property and to retain the natural terrain features and aesthetic quality of Frisco. It is also the intent of this regulation to permit a certain degree of development flexibility to protect the environment of these areas as well as encourage innovative design solutions.

2. Applicability. These standards apply to all development, as defined in Section 180-5, which may occur on any land within the Town of Frisco.



3. Site Disturbance Standards. All development in areas with steep slopes greater than fifteen percent (15%) shall comply with the following standards. To qualify as a steep slope, the subject area must have at least an eight (8) foot vertical rise from any one contour line on a topographic map at any point along the continuous sloped area. For purposes of calculating the vertical rise of a continuous slope when determining whether this criterion is met, it is assumed that the slope may cross property

lines.

Development may occur on lands that contain only limited areas of steep slopes in excess of fifteen percent (15%). For a development to be considered to be occurring on lands that contain limited areas in excess of fifteen percent (15%) slope, it shall comply with the following:

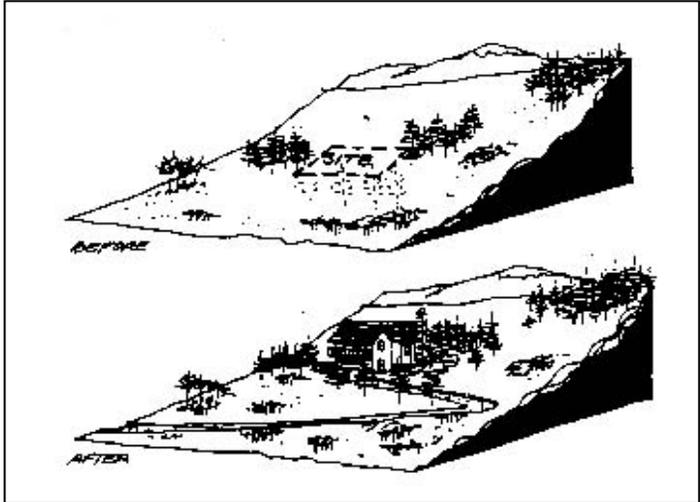
- a. On slopes from fifteen percent (15%) to less than thirty percent (30%), net site disturbance shall not exceed fifty percent (50%) of the total area within this range of slopes.
- b. On slopes greater than thirty percent (30%), net site disturbance shall not exceed fifteen percent (15%) of the total area over this range of slope.
- c. Any development application which proposes to disturb any slope greater than thirty percent (30%) shall be based on a detailed site survey including a geologic and engineering analysis prepared by an appropriately licensed professional and must demonstrate that:
 - i. The slope area's ground surface and subsurface are not prone to instability and failure;
 - ii. The proposed development will not cause greater instability or increase the potential for slope failure;

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- iii. The proposed development will not increase erosion that removes underlying support or surface material;
 - iv. The proposed development will not increase the hazard to adjoining property or structures.
4. Development Standards. When, pursuant to Section 180-20.P.3.a., development is permitted on lands having steep slopes in excess of fifteen percent (15%), the development shall comply with the following standards:
- a. Limitations on Site Disturbance. Mass grading of a property which removes or disturbs existing vegetation and leaves large areas of soil exposed for periods in excess of 6 months shall not be permitted. Site disturbance must be kept to a minimum and must comply with the following limitations:
 - i. Cuts, fills, grading, excavation, vegetation disturbance, utility installation and building construction shall be substantially confined to the designated building envelope, utility easements and road and driveway footprint.
 - ii. Disturbed areas shall be restored as undulating, natural appearing landforms, with curves that blend in with the adjacent undisturbed slopes. Abrupt, angular transitions and linear slopes shall be avoided. As necessary, cuts and fills shall be supported by retaining walls, made of stone, wood, or other materials that blend with the natural landscape. All retaining walls over four (4) feet in height must be certified by an engineer licensed in the State of Colorado.
 - iii. Disturbed areas shall be contoured so that they can be re-vegetated using native species. No exposed area shall be left open or unstabilized.
 - iv. Development shall preserve existing vegetation that aids the screening of the development, softens its appearance or reduces the potential for erosion and sedimentation from the development.
 - v. Grading shall not significantly alter natural drainage patterns.
 - vi. All roads and driveways shall comply with the Town of Frisco Minimum Street Design Criteria, as referenced in Chapter 155.
 - b. Raising or lowering of natural grade by more than ten (10) feet to create a bench or terrace to accommodate a flat building platform is prohibited. A preferred design technique is to follow the natural grade by stepping the structure up or down the hillside.
 - c. Development activities which decrease the stability of any slope in excess of thirty percent (30%) are prohibited. These activities include, but are not limited to, activities that add water to a slope such as drainage or landscape irrigation, activities that add weight to the top of a slope, activities which steepen the existing grade of a slope and activities which remove the supporting base of an existing slope.

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- d. Visual Impacts to Off-site Areas. The development application must demonstrate that appropriate measures have been taken to mitigate off-site visual impacts. The measures may include, but are not limited to, the following:



- i. Alternative siting of structures so that there is a mountain or hillside backdrop to the structure from areas where the structure is visible.
 - ii. Use of existing vegetation to soften structural mass when building sites are located in highly visible areas.
 - iii. Use of supplementary native landscaping to soften structural mass when building sites are located in highly visible areas.
 - iv. Use of visually compatible stabilization measures for cuts and fills.
5. Areas of Avoidance. Development shall be prohibited in avalanche, rockfall, debris flow, or landslide areas. Development should avoid debris fans, talus slopes, areas containing expansive soils, and areas susceptible to ground subsidence.
6. Exceptions to Minor Changes in Slopes. Upon Town approval, development may disturb steep sloped area on lands which have a slope in excess of 15% when the slope is due to a minor natural or man-made change in the gradient of a slope and is an irregular or isolated terrain feature which is not continuous with or integral to any other slope or other features.
- Q. Grading permit. A grading permit or a foundation only permit must be obtained from the town prior to conducting any earth-disturbing activity. A grading permit will be issued only after satisfactory demonstration that the performance standards set forth in § 180-20E (Drainage plans) and § 180-20F (Water quality protection) are met and final approval for a pending project has been given by Community Development Department staff, Planning Commission and/or Town Council, whichever is applicable. Plans must include water quality setbacks, the location of all coniferous trees of six (6) inches in diameter or more and all deciduous trees of three (3) inches in diameter or more, and the location of the top of bank of any water bodies or wetlands. Prior to the issuance of a grading permit, the Limit-of-Work area as described in § 180-20.1.3 must be defined on the site and inspected by the Community Development Department staff. Landscaping of single-family dwellings and duplexes, profile holes or soil tests disturbing less than five hundred (500) square feet, and normal agricultural operations are exempt from the requirement of a grading permit.
- R. Construction trailers. The use and the placement of construction trailers are subject to the following requirements:

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1. Not residential. Construction trailers cannot be used for living quarters.
 2. Period Permitted. All trailers shall be removed after twelve (12) months from the date the Foundation Only Permit is issued, or when all Certificates of Occupancy have been issued, whichever occurs first. One extension of a maximum for 120 days may be granted at the discretion of the Community Development Department.
 3. Location. No construction trailer shall be located in the town's right-of-way, or at any location where it will be detrimental to the overall health, safety, and welfare of the surrounding environment, businesses, and neighborhoods. Construction trailers shall be placed in the least visible locations and shall be shielded whenever possible. No pre-existing required parking spaces shall be occupied by construction trailers, unless otherwise approved by the Planning Commission. Construction trailers shall not be used for signage purposes (refer to Zoning Chapter 180-22(E) (2) (g), Signs, Prohibited Signs). Construction trailers shall not be stacked on top of one another.
 4. Amendments. Any changes to the approved number, use or placement of construction trailers on-site may be approved by the Community Development Department staff.
- S. Standards for small lots platted prior to June 1, 1985. These regulations are not intended to prohibit the use of previously platted lots which, because of their small size, cannot be built upon in full compliance with these regulations. In such situations, the following standards may be applied at the discretion of the Planning Commission:
1. Steep slopes. On lots where compliance with the development prohibition on slopes that exceed thirty percent (30%) slope would prevent reasonable use of the lot for construction, disturbance may be allowed on steeper slopes if the standards of § 180-20P (Slope limitations) are met.
 2. Maximum area of disturbance. On lots where compliance with the disturbance limitation of fifty percent (50%) in §180-20P (Slope limitations) or fifteen percent (15%) in §180-20P (slope limitations) would prevent reasonable use of the lot for construction, a larger area of disturbance may be allowed if the remaining standards in §180-20P (Slope limitations) are met.
- T. Small projects. All commercial and residential small projects which disturb 350 square feet or less of buildable area or land area shall be reviewed by the Community Development Department, unless, at its discretion, the Community Development Department refers the small project to the Planning Commission for review and approval, subject to the noticing procedures outlined in Section 180-46.E., Small project applications received by the Community Development Department shall be noticed in accordance with 180-46.F. Staff shall wait 10 calendar days for the return of comments on the application, and may take final action on the application if no objections to the application are received. If public objections are received, the objection application will be scheduled for the next available Planning Commission meeting. A one-time administrative fee and a one-time noticing fee, the costs of which are referenced in the Fee Schedule established by the Community Development Director, shall be charged to the applicant making the objection at the time the objection application is filed. A Development Review Account (DRA) (as described in Section 180.46 D (4)) will be required to be established by both the objector and the project proponent if the Planning Commission finds that legal, engineering, or other similar technical review or consultation is necessary or desirable to resolve any outstanding issues. After a final

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determination by the Planning Commission concerning the objection application, the fees associated with legal, engineering, or other similar technical review or consultation will be deducted from the DRA established by the party that does not prevail with respect to the objection application. The DRA established by the party that prevails with respect to the objection application shall not be charged for items related to the objection application.

Landscaping and/or recreational trails which do not involve or are not associated with other development activity may be similarly exempted if the Community Development Department Director determines that no water quality impacts will occur.

U. Nuisances (performance standards).

1. No building or premises shall be erected, altered or used in any district for any purpose injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration, noise or other cause.
2. Evidence shall be provided that any use of flammable or explosive materials will be in conformance with standards set by the Frisco Fire Protection District and Chapter 94 of the Town of Frisco Code; discharges into the air will be in conformance with applicable regulations of the State Air Pollution Control Act; any electromagnetic radiation will be in conformance with the regulations of the Federal Communications Commission. Discharges into the water will not violate standards or regulations established under the State Water Quality Control Act, Article 8, Title 25, of the Colorado Revised Statutes.
3. No person shall cause construction activity-related noise outside of an enclosed structure other than between the hours of 6:00 a.m. and 6:00 p.m. or one-half hour after sunset, whichever is later, except when construction work is required to make emergency repairs or as provided in subsection (c) of this section.
 - a. Construction activity shall include, but not be limited to, any activity requiring a building permit, an excavation permit, a grading permit or other outdoor activity which requires the operation of hand or power tools or other machinery used for building.
 - b. Any violation of the construction activity time limitation shall be subject to stop orders and other remedies provided in the Town Code in effect at the time.
 - c. Exception: The Community Development Director may, upon written application, alter the hours of construction activity described in Subsection 3 of this section by the issuance of a "Special Construction Activity Permit" for good cause shown which may include but not be limited to:
 - i. Timing considerations based on the nature of the work being performed; or
 - ii. Health or safety considerations.

Special Construction Activity Permits will be issued on a case by case basis and only when appropriate alternatives do not exist. The Community Development Director shall have at least 48 hours to approve or deny such a permit. Such a permit shall not be granted for a period which exceeds five (5) days. If the circumstances warranting the Special Construction Activity Permit continue, the permit may be renewed by application to the Community Development Department.

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V. Air quality protection.

1. Allowance of non-solid-fuel-burning devices. Nothing in the regulation shall be construed to limit the number of non-solid-fuel-burning devices (gas, liquid, electricity) which may be installed in new construction, provided that all such installations are in compliance with the Frisco Building Code.

A non-solid-fuel-burning device may be installed only if the applicant(s) can demonstrate that such a device is actually being installed and will be used for burning non-solid-fuel and only if the applicant states, within his application, that said device will not be used for burning solid-fuel. The burden is upon the applicant(s) to present evidence to the Community Development Department for review. An example of evidence includes, but is not limited to, a site plan that depicts the location and installation of the non-solid-fuel-burning device, and the gas, liquid, or electricity lines and venting system which are necessary for proper functioning of this device only.

2. Solid-fuel-burning devices. No uncertified solid-fuel-burning device(s) shall be installed in any new construction. In addition, no uncertified solid-fuel-burning device(s) shall be installed in the process of modifying, replacing or relocating any existing solid-fuel-burning device. Modifications to solid-fuel-burning devices shall not include repair, replacement or relocation of flue pipe.
3. Limitations on certified solid-fuel-burning devices. The number of certified solid fuel burning devices that may be installed in any structure within the Town of Frisco is hereby limited to the following:
 - a. The maximum allowable number of certified solid-fuel-burning devices shall not exceed eight (8) certified devices per acre within the proposed project area.
 - b. Additional certified solid-fuel-burning devices shall be permitted in businesses that deal exclusively in the sale of certified solid-fuel-burning devices. However, limitations within this section shall not apply to the replacement of a noncertified solid-fuel-burning device with a certified solid-fuel-burning device.

W. Refuse Management. All commercial, mixed-use, and multifamily residential development projects shall provide adequate space for the collection and storage of refuse and recyclable materials, and shall meet the following standards:

1. Dumpsters located within approved Dumpster Enclosures are required for all commercial and mixed-use projects, and are suggested for all multi-family residential projects.
2. Refuse and recycling containers and facilities must be provided in an amount determined to be acceptable by the waste collection provider, based upon the size and use of the development.
3. The amount of space provided for the collection and storage of recyclable materials must be designed to accommodate containers for the collection of co-mingled containers, and newspaper and paper products. Commercial projects must also accommodate containers for the collection of cardboard.

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4. Storage and collection containers shall be clearly labeled or identified to indicate the type of materials accepted.
5. All refuse and recycling dumpsters and facilities shall be screened on four (4) sides to a height of six (6) feet. The screening shall mitigate the negative visual impacts of the refuse and recycling dumpster and facility. The screening shall be constructed of materials similar to those materials used on the principal building(s) within the development, unless more specific standards apply. The use of chain link fence as a screening material is prohibited.
6. Location.
 - a. Dumpster locations shall not impair vehicular access or snow removal operations.
 - b. Dumpster locations shall have adequate space in front to facilitate access for collection equipment.
 - c. Dumpster locations shall not be located within any utility easement or front yard setback. Dumpster Enclosures are exempt from the setback requirement for "structures" (as defined in Section 180-5) in that they may be located within a side and rear yard setback.
 - d. Dumpsters shall be located in such a way that encourages the sharing of such facilities by multiple uses.
 - e. Recyclable materials storage areas shall be located so that they are as convenient to use as the refuse collection and storage areas.
7. Exception #1 for development projects within the Central Core District. Commercial and mixed-use development projects within the Central Core are encouraged but not required to size the Dumpster Enclosures to accommodate for the collection and storage of cardboard.
8. Exception #2 for development projects within the Central Core District. An applicant may propose recycling facilities in a separate location within the project site, not adjacent to refuse collection, with approval of the Planning Commission, if the following criteria are met:
 - a. Adequate space is provided on site for the collection and storage of recyclables and clearly shown on the plans.
 - b. A dumpster enclosure sized for refuse and recycling materials would create an undue hardship for the property owner, and not allow the desired use of the property.
9. All screening for dumpster enclosures and facilities must comply with Section 180-25, Outdoor Storage, of this Zoning Code.

ZONING

X. Carriage House Requirements.

1. A “carriage house” is a separate detached dwelling unit that is incidental and subordinate in size and character to the primary residence and that is located on the same parcel or on a contiguous lot that is under the same ownership as that on which the primary residence is located. A primary residence may have no more than one carriage house. A carriage house may not be accessory to another accessory housing unit or carriage house. A carriage house shall be developed in accordance with all applicable requirements of this Chapter.
2. A carriage house shall not be considered a unit of density with regard to zoning requirements provided that it is permanently deed-restricted for rent to persons earning a maximum of eighty percent (80%) of the area median income, at a rate established by the Summit Combined Housing Authority. For purposes of this section, the terms of the deed restriction or covenant governing the unit must be acceptable to the Town in its sole discretion.
3. A carriage house shall conform to the following design standards:
 - a. A carriage house may be no larger than fifty percent (50%) of the floor area of the principal dwelling unit, up to a maximum of one thousand (1,000) square feet. A minimum of ten percent (10%) of the floor area of the carriage house must be closet or storage area.
 - b. A carriage house must function as a separate dwelling unit. This includes the following:
 - i. a carriage house must be separately accessible from the exterior of the unit.
 - c. One (1) parking space for the carriage house shall be provided on-site for the benefit of the carriage house resident. The parking space shall not be stacked with any space for the primary residence.
 - d. The maximum height of a carriage house is twenty-five (25) feet.
 - e. The finished floor heights of the carriage house shall be entirely above the natural or finished grade, whichever is higher, on all sides of the structure.
 - f. The carriage house shall be detached from the primary residence. A carriage house located above a detached garage or storage area shall qualify as a detached carriage house.
 - g. The roof design shall prevent snow and ice from shedding upon an entrance area to a carriage house. If the entrance area is accessed via stairs, sufficient means of preventing snow and ice from accumulating on the stairs shall be provided.