



**PLANNING COMMISSION
STAFF REPORT**

January 17, 2019

AGENDA ITEM: Planning File No. 001-19-OR: A public hearing regarding amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, concerning the Unified Development Code, by amending Subsections 180-2.5.2.B.1, concerning Thresholds for Site Plan Review Type, 180-2.5.2.D concerning Major Site Plan Review Procedures, 180-3.11.2 at Table 3.11-1 concerning CC District Dimensional Standards, 180-5.1.5, concerning Table of Allowed Uses, Section 180-5.2, concerning Use-Specific Standards, Subsections 180-5.5.1.B, concerning Density Bonuses, 180-6.13.3, concerning On-Premise Parking Requirements, Section 180-6.18 concerning Fences and Walls, Subsections 180-6.19.12.C concerning Flags, 180-6.21.B concerning Façade Standards for Non-Residential Development, 180-6.22.F concerning Garage Standards, Sections 180-8.5 concerning Nonconforming Buildings or Structures, 180-9.2 concerning Definitions of General Use Categories, 180-9.3 concerning General Definitions, and cross references to Chapter 65, Building and Constructions Standards throughout this chapter.

APPLICANT: Town of Frisco
1 East Main Street
PO Box 4100
Frisco, CO 80443

STAFF PLANNER: Bill Gibson, Assistant Community Development Director
billg@townoffrisco.com (970) 668-9121

PROJECT DESCRIPTION

On January 3, 2019, the Planning Commission held a work session to discuss proposed code text amendments concerning commercial and self-service laundromats. The Commission was generally supportive of allowing commercial, but not self-service, laundromats in the Light Industrial (LI) Zoning District. The following code text amendments are intended, in part, to implement this policy.

The Unified Development Code (UDC) was adopted through Ordinance 17-04 in June of 2017. The purpose of the UDC was to update, consolidate, and reformat the former subdivision and zoning regulations. It was acknowledged at that time that additional corrections and policy amendments to these regulations would be forthcoming in the future. Therefore, Staff is proposing the following additional code text amendments to the UDC:

Cross references to building codes

- Amend Subsections 180-1.5.3, 180-3.17.11, 180-5.2.1.C.2, 180-6.8.1, 180-6.16.3, 180-6.18.1, 180-6.19.7.D, 180-7.6.9, 180-9.3 to reference Chapter 65, Building Construction and Housing Standards, rather than using generic building code terms.

§180-2.5.2.B.1, Thresholds for Site Plan Review Type

- Clarify that building mounted solar energy facilities are processed through the Administrative Site Plan Review.
- Clarify that ground mounted solar energy facilities are processed through the Minor Site Plan Review.
- Correct Table 2-2 to utilize consistent terms.

§180-2.5.2.D, Major Site Plan Review Procedures

- Clarify that sketch plans require the submittal of an application form.
- For consistency with other subsections of the code, clarify that a final site plan application must be submitted within 180 days of a sketch plan review.

§180-3.11.2, Table 3.11-1 concerning CC District Dimensional Standards

- Clarify which setback standards apply to which properties in the Central Core District.

§180-5.1.5, Table of Allowed Uses:

- To facilitate environmental conservation throughout Frisco, allow Activities for Conservation of Natural Resources and the Environment as a permitted use in all zoning districts.
- In keeping with the intent and purpose of the Public Facilities Zoning District, allow Community Centers as a permitted use.
- In keeping with the intent and purpose of the Public Facilities Zoning District, allow Institutional Use as a permitted use.
- Delete “Park, public and private” to eliminate duplicity with the “Park” land use.
- To facilitate the installation of public infrastructure, allow Public Improvements as a permitted use in all zoning districts.
- To facilitate the installation of utility infrastructure, allow Public Utility Facilities as a conditional use in all zoning districts except the Public Facilities Zoning District where it is already allowed as a permitted use.
- In keeping with the intent and purpose of the Public Facilities Zoning District, allow Transit Oriented Facility and Use as a permitted use.
- For consistency with previously approved development projects, allow Community Garden as a permitted use in the Commercial Oriented Zoning District.
- For consistency with proposed updates to the definition section of the UDC, rename Personal Services to General Personal Services.
- In keeping with the intent and purpose of the Light Industrial Zoning District, allow Commercial/Industrial Laundromats as a permitted use. Allow Commercial/Industrial Laundromats with self-service components as a conditional use. Add a cross reference to these proposed use specific standards.
- Separate Self-Service Laundromats from General Personal Services and allow Self-Service Laundromats as a permitted use and conditional use in the same zoning districts as Personal Services.
- To facilitate businesses such as ski tune shops and bike repair shops, allow Light Goods Repair as a conditional use in the Gateway and Mixed Use Zoning Districts, and as a permitted use in the Commercial Oriented Zoning District.

§180-5.2, Use-Specific Standards

- Clarify the maximum height limits for fences screening unroofed dumpster enclosures.
- In the Central Core Zoning District, prohibit residential uses on the ground floor at properties fronting along Main Street. This reverses unintended outcomes of amendments made to the previous zoning code in 2014 that were carried forward with the adoption of the UDC in 2017.
- Clarify the minimum mixture of residential and nonresidential uses required in the Mixed Use Zoning District that were not clearly transferred from the prior zoning code into the UDC.
- Create a use specific standard for Commercial/Industrial Laundromats in the Light Industrial Zoning District that require conditional use approval for laundromats with 30% percent or more of the gross floor area operating as self-service.

§180-5.5.1.B, Density Bonuses

- Clarify that deed-restricted affordable housing units associated with the density bonus provisions are limited for sale or rent to persons earning a maximum of 100% of the area median income (AMI).

§180-6.13.3, On-Premise Parking Requirements

- Correct a spelling error by replacing the word “compiled” with “complied”.
- Establish a parking requirement for Commercial/Industrial Laundromats of 1 parking space per 700 sq.ft. of gross floor area. This is the same parking requirement as required by the Town of Silverthorne for commercial laundromats in their jurisdiction.
- For consistency with historic interpretations of the previous zoning code and the UDC, establish a parking requirement of 1 parking space per 350 sq.ft. of gross floor area for General Personal Services and Self-Service Laundromats.
- For consistency with historic interpretations of the previous zoning code and the UDC, establish a zero parking space requirement for General Personal Services in the Central Core District.
- Delete unnecessary wording in Table 6-2.

§180-6.18, Fences and Walls

- The previous zoning code allowed fences to be a maximum of 6 feet in height in the rear yard and 4 feet in height in the side and front yards. The text of the UDC includes this same requirement; however, the associated Figure 6-O instead notes a maximum fence height of 6 feet in the side yard. The proposed code text amendment corrects this inconsistency. Public comment from James Hubert of 14 Highwood Terrace recommends the code be amended instead to allow for the taller 6 foot fence height limit in the side yard.
- Delete a redundant provision related to the screening of garbage dumpsters that is addressed elsewhere in the code.

§180-6.19.12.C, Flags

- Clarify that flags and flagpoles are subject to the height limits of the applicable zoning district.

§180-6.21.B, Façade Standards for Non-Residential Development

- Amendments to this section are no longer being proposed at this time. Staff will propose comprehensive amendments to this section at a later date.

§180-6.22.F, Garage Standards

- Delete previous garage design incentives that are outdated and no longer applicable given past reductions in the residential front setback standards from 25 feet to 20 feet and the more recent implementation of energy standards as part of the adopted building codes.

§180-8.5, Nonconforming Buildings or Structures

- Correct the cross references to application names.

§180-9.2, Definitions of General Use Categories

- Clarify the definition of Personal Services category of land uses.

§180-9.3, General Definitions

- Clarify the definition of Affordable Housing.
- For consistency with Chapter 79, Dogs and Other Animals, clarify that kennels may be associated with veterinary clinics.
- Establish definitions for the terms Commercial/Industrial Laundromats, Self-Service Laundromats, Multi-Housing Laundry, and On-Premise Laundry.
- Clarify the name of the land use “Park”.
- Rename Personal Services to “Personal Services, General” and add additional business examples.

These proposed code text amendments have been incorporated into the attached “Track Changes” excerpts from the UDC.

BACKGROUND

Aqua Marine Coin and Commercial Laundry, LLC (members Amy Franklin, Diane Wieland, and Michael Martin), is proposing a laundromat business at 745 Ten Mile Drive, Units 125-126 which is the former location of the Sherwin Williams Paint Store. The proposed business would involve a combination of both self-service, coin operated laundry facilities and commercial laundry services.

The subject property is located in the Light Industrial (LI) Zoning District. Laundromats are currently defined by the UDC as a “personal services” land use and are not allowed in the LI District. Aqua Marine Coin and Commercial Laundry originally proposed that the Town of Frisco amend the UDC to allow personal services in the LI District.

Amendments to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council when the public necessity, safety, general welfare, or good zoning practice justifies such action. The Community Development Director declined to initiate a code amendment application to allow personal services in the LI District.

On December 11, 2018, this code amendment request was referred to the Town Council. The Town Council has initiated a code amendment application to allow laundromat uses in the LI District and asked that the Planning Commission take up this matter and provide their opinion. The Town Council discussed that laundromats could be an appropriate land use in the LI District. The Town Council also discussed that allowing other land uses defined as personal services would not be consistent with the purpose of that zoning district. The Town Council desires an amendment to the UDC that narrowly allows laundromats in the LI District. However, such a code amendment should not be so narrowly tailored as to only accommodate the

proposed Aqua Marine Coin and Commercial Laundry business. The Town Council also expressed interest in a simple code amendment that doesn't over complicate this matter.

As noted above, on January 3, 2019, the Planning Commission held a work session to discuss proposed code text amendments concerning commercial and self-service laundromats. The Commission was generally supportive of allowing commercial, but not self-service, laundromats in the Light Industrial (LI) Zoning District.

REQUIRED ACTION

Planning Commission: Recommendation of approval, approval with conditions, or denial of the proposed code text amendments.

Town Council: Approval, approval with conditions, or denial of the proposed code text amendments

ANALYSIS – CODE TEXT AMENDMENTS [§180-2.4.3]

Pursuant to Sub-section §180-2.4.3.D, an amendment to the text of the Unified Development Code is a legislative decision by the Town Council. Prior to recommending approval or approving a proposed amendment, the Planning Commission and Council shall consider whether and to what extent the proposed amendment:

1. *Is consistent with the Master Plan and other Town policies;*
2. *Conflicts with other provisions of this Chapter or other provisions in the Frisco Town Code;*
3. *Is necessary to address a demonstrated community need;*
4. *Is necessary to respond to substantial changes in conditions and/or policy; and*
5. *Is consistent with the general purpose and intent of this Chapter.*

Staff finds that the proposed code text amendments meet these criteria.

STAFF RECOMMENDATION

Recommended Findings

The Community Development Department recommends the following findings pertaining to the proposed code text amendments:

Based upon the review of the Staff Report dated January 17, 2019 and the evidence and testimony presented, the Planning Commission finds:

1. *The proposed code text amendments are consistent with the Master Plan and other Town policies, because the proposed amendments correct errors and inconsistencies in the code and clarify the standards of the code that are used to implement the policies of the Master Plan.*
2. *The proposed code text amendments do not conflict with other provisions of the Unified Development Code or other provisions in the Frisco Town Code. The proposed amendments correct errors and inconsistencies in the code.*

3. *The proposed code text amendments are necessary to address a demonstrated community need by implementing new zoning policies and correcting errors and inconsistencies in the code and clarifying administrative proceeds necessary for the effective implementation of the code.*

4. *The proposed code text amendments are necessary to respond to substantial changes in conditions and/or policy, because the proposed amendments implement new zoning policies and include amendments that respond to changing laundry service demands.*

5. *The proposed code text amendments are consistent with the general purpose and intent of this Chapter, because the proposed text amendments protect the public health, safety, and general welfare and implement the policies of the Master Plan.*

Recommended Motion

Should the Planning Commission choose to RECOMMEND APPROVAL of the proposed text amendments, the Community Development Department recommends the following motion:

With respect to Planning File No. 001-19-OR, I move that the recommended findings set forth in the January 17, 2019 staff report be made and that the Planning Commission RECOMMENDS APPROVAL to Town Council of code text amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, concerning the Unified Development Code, by amending Subsections 180-2.5.2.B.1, concerning Thresholds for Site Plan Review Type, 180-2.5.2.D concerning Major Site Plan Review Procedures, 180-3.11.2 at Table 3.11-1 concerning CC District Dimensional Standards, 180-5.1.5, concerning Table of Allowed Uses, Section 180-5.2, concerning Use-Specific Standards, Subsections 180-5.5.1.B, concerning Density Bonuses, 180-6.13.3, concerning On-Premise Parking Requirements, Section 180-6.18 concerning Fences and Walls, Subsections 180-6.19.12.C concerning Flags, 180-6.22.F concerning Garage Standards, Sections 180-8.5 concerning Nonconforming Buildings or Structures, 180-9.2 concerning Definitions of General Use Categories, 180-9.3 concerning General Definitions, and cross references to Chapter 65, Building and Constructions Standards throughout this chapter.

ATTACHMENTS

- James Hubert letter dated January 7, 2019
- “Track Changes” excerpts of the Unified Development Code.

Joyce Allgaier
Community Development Director
PO Box 4100
1 East Main Street
Frisco, CO 80443

RE: Request to Initiate Code Text Amendment

Ms. Allgaier:

I hope you enjoyed the holiday season and this letter finds you well. I am requesting that the Code Text Amendment process be initiated in order to amend Section 6.18.6 regarding the height of fences and walls.

Section 6.18.6 "A" currently states:

"Fences and walls shall not exceed four feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any front or side yard. Fences and walls shall not exceed six feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any rear yard..."

I request Section 6.18.6 "A" be amended to state:

"Fences and walls shall not exceed four feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any front yard. Fences and walls shall not exceed six feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any side or rear yard..."

Essentially, I request that fences within the side and rear yards may not exceed six (6) feet and the front yard shall remain four (4) feet. The change would be allowing fences in the side yard to be increased in height from four (4) feet to six (6) feet.

Additionally, I note the following:

1. A discrepancy exists in Section 6.18.6 between the written language in "A" and the below Figure 6-O: Measuring Fence Height, which states "Max fence height: 4' in front yard...6' in rear or side yard."

2. Summit County fence regulations are as follows:

"In residential zoning districts, fences are allowed without a permit, subject to the following regulations (see below for illustration):

- **Front:** Fences and walls in the front setbacks shall be no higher than 4 feet above grade at the property line, and shall not cause a visual obstruction at

access points. Fences or walls in the front yard but not in the front setback may exceed 4 feet up to a maximum of 6 feet above grade.

- **Street side:** Fences or walls in any setback abutting street right-of-way shall comply with the height limits on fences and walls in front setbacks, except where there is no vehicular access to the site from that side. In that case, the height of the fence or wall may be 6 feet above grade at the property line.
- **Maximum height:** Fences and walls in areas other than the front or street side setbacks shall be no higher than 6 feet above grade.”

3. In residential areas of Silverthorne, fences are permitted to be six (6) feet in height all around the property.

4. In the Town of Dillon, “No fence shall be permitted to exceed seven (7) feet in height...”.

I hope that this request meets your approval. Please feel free to contact me at your convenience. My contact information is below.

Sincerely,
James Hubert

James Hubert
14 Highwood Terrace
Frisco, CO 80443
303-638-0504
HubertPropertiesCO@gmail.com

- I. Conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment;
- J. Encourage the most appropriate use of land throughout the Town based upon the Master Plan and other long-range planning documents; and
- K. Preserve and increase amenities that are vital to the economic health of the community by the promulgation of regulations to fulfill said purposes, in accordance with the provisions of Part 3, Article 23, Title 31, Colorado Revised Statutes (1977 Replacement Volume).

180-1.4 Authority

This Chapter is adopted pursuant to the authority in the Town of Frisco under Article XX, Section 6 of the Colorado Constitution, the Town of Frisco Home Rule Charter, C.R.S. §29-20-101 et seq. and §31-23-301 et seq., as amended.

180-1.5 Applicability

180-1.5.1. GENERAL APPLICABILITY

This Chapter shall apply to all land, buildings, structures, and uses located within the Town of Frisco, unless an express exemption is granted within this Chapter.

180-1.5.2. COMPLIANCE

- A. Buildings, structures, or signs may not be erected, substantially altered, moved, or changed in use and land may not be substantially altered or changed in principal use without certification that such action is in compliance with the applicable zoning and that all necessary permits have been received from those governmental agencies from which approval is required by state or local law. Issuance of a building permit and/or certificate of occupancy may serve as compliance certification.
- B. No permit, certificate, or approval of any use that is subject to this Chapter shall be issued or granted by any department, agency, Town official, or Town employee without full compliance with this Chapter. Any permit, certificate, or approval issued in violation of this Chapter is void.

180-1.5.3. BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

Application for, requirements for, and issuance of building permits and certificates of occupancy shall be in accordance with ~~the building code as adopted with amendments by the Town~~ [Chapter 65, Town of Frisco Building Construction and Housing Standards](#).

180-1.5.4. OTHER REGULATIONS

If any provision of this Chapter imposes a greater restriction than that imposed by any other provision of this Code, or any ordinance, regulation, permit, restriction, easement, covenant, or agreement, the provision of this Chapter shall control.

180-1.6 Administration

The provisions of this Chapter shall be administered and enforced by the Director of the Community Development Department of the Town of Frisco, his/her authorized representative, and/or such other authority as may be appointed by the Town Council.

B. Applicability

1. Thresholds for Site Plan Review Type

The following table describes the applicable site plan review type (administrative, minor, or major) required for various types of projects.

TABLE 2-2: SITE PLAN REVIEW THRESHOLDS	
Site Plan Review Process	Comments
Administrative Site Plan Review	
Interior Remodels and Tenant Finishes	
Exterior Finish	(E.g., repair, replacement, alteration, and addition of windows and doors, roofing, siding, painting, etc.)
Decks, Patios, and Sheds	For single-household and two-household development only
Landscaping and Tree Removal	
Driveways, Parking Areas, and Sidewalks	
Trash Enclosures	
Hot Tubs	
Exterior Lighting	
Solar Energy Facilities mounted on principal or accessory structures	
Minor Site Plan Review	
Decks, Patios, and Sheds	Multi-family, mixed-use, non-residential
New Single-Household and Two-Household	Including garages, additions, and associated accessory buildings/structures that are not considered “administrative”
Additions/ and Accessory Buildings/ Structures to Multi-Family, Mixed-Use, and Non-Residential	Maximum 1000 sq ft GFA or 1000 sf lot coverage
Ground-mounted Solar Energy Facilities	
Major Site Plan Review	
New Multi-Family	Including additions/ and accessory buildings/ structures that do not qualify as minor site plans
New Mixed-Use	Including additions/ and accessory buildings/ structures that do not qualify as minor site plans
New Non-Residential	Including additions/ and accessory buildings/ structures that do not qualify as minor site plans

2. Referral Procedures

The Director may refer administrative or minor site plan reviews to the Planning Commission.

3. Exemptions

The following are exempt from the site plan review procedure, but are subject to the standards of this Chapter:

Figure 2-F: Major Site Plan Review Procedures



1. Pre-Application Conference

A pre-application conference shall be held in accordance with Section 180-2.3.1.

2. Application Submittal and Handling

The major site plan application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 180-2.3.2, with the following modifications:

- a. The major site plan application shall consist of two parts, an initial sketch plan followed by a full major site plan. Both parts shall require review by the Planning Commission.

3. Sketch Plan

- a. All applications for major site plans shall present an informal sketch plan of the development before a regularly scheduled meeting of the Planning Commission. The applicant shall **notify** **submit an application to** the Community Development **staff in writing** at least 21 calendar days prior to the Planning Commission meeting at which the sketch plan is requested to be presented. Materials to be presented in support of the development must be of sufficient nature to allow the Planning Commission and Community Development staff to provide informed feedback on the project. At a minimum the applicant must submit the following information:
 - i. Written project description, including a synopsis of the proposed development program, and how the project will meet the principles of the Master Plan and the standards of the zoning code;

- ii. Site plan showing the location of the building(s) and other improvements (retaining walls, berms, dumpster locations, open space, etc.) with dimensions to setbacks, property lines, easements, north arrow, scale (no smaller than 1"=20'), legend, vicinity map;
 - iii. Existing and proposed utility (main and service) lines;
 - iv. Existing and proposed topography at 2 foot intervals, including 50 feet beyond the property boundary, existing easements, lot dimensions, lot size in square feet/acreage;
 - v. Existing site characteristics map with vegetation, wetlands, unique natural features;
 - vi. Parking space location and counts and traffic circulation design, with driveway locations, points of access from right-of-way, preliminary grades, bike and pedestrian improvements;
 - vii. Proposed landscaping, post-development grades, snow storage, preliminary stormwater plan showing approach to stormwater handling;
 - viii. Scaled drawings of all building locations and schematic elevations; and
 - ix. Samples of all colors and materials proposed.
- b. The Planning Commission may require an applicant to return for additional sketch plan presentations if sufficient information is not received or if substantial changes to a proposal are recommended. Presentation of a sketch plan neither binds the Planning Commission to approve a site plan, nor does it confer the applicant any vested rights.
 - c. The sketch plan presentation shall become null and void if a complete major site plan application is not submitted to the Community Development Department within 180 days after the date of the Planning Commission's review of the sketch plan.

4. Staff Review and Action

Following the review of the sketch plan, but not more than ~~90~~ 180 days after such review, the applicant shall submit a complete major site plan application. The Director shall review the major site plan application and prepare a staff report and recommendation in accordance with Section 180-2.3.4. The applicant shall submit the application not less than 52 days prior to an upcoming Planning Commission meeting targeted as the application review date.

5. Scheduling and Notice of Public Hearings

The major site plan application shall be scheduled for a public hearing before the Planning Commission, and noticed in accordance with Section 180-2.3.5.

6. Planning Commission Review and Decisions

The Planning Commission shall review the major site plan application and approve, approve with conditions, or deny the major site plan in accordance with Section 180-2.3.7 and the approval criteria in Subsection 180-2.5.2.E.

7. Post-Decision Actions and Limitations

a. Filing of Site Plan

An approved site plan shall be filed with the Community Development Department within 60 days of its approval.

b. No Building Permit without Approval

No building permit shall be issued until the major site plan and associated construction plans have been approved pursuant to this section.

180-3.11 Central Core (CC) District

180-3.11.1. PURPOSE

To promote the development of Frisco's Main Street commercial district for retail, restaurant, service, commercial, visitor accommodation, recreational, institutional and residential uses, and to enhance the visual character, scale and vitality of the central core.

180-3.11.2. DISTRICT STANDARDS

A. Dimensions

See Figures 3-I through 3-L and Sections 180-3.16 and 180-3.17.

B. Development Standards

1. For properties with frontage along Main Street, on-site parking shall be located at the rear of the property.
2. All residential development is subject to the Residential Development Standards in Section 180-6.22.
3. All non-residential development is subject to the Non-Residential Development Standards in Section 180-6.21.

Figure 3-I: Illustration of CC District Dimensional Standards for Properties on Main Street

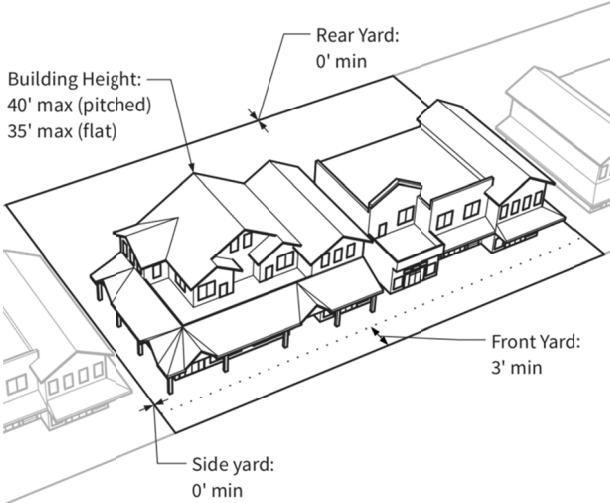


TABLE 3.11-1: CC DISTRICT DIMENSIONAL STANDARDS	
PROJECT STANDARDS	
Maximum density	16 du/acre
LOT STANDARDS	
Minimum lot area	3,500 sf
Minimum lot frontage	None
Maximum lot coverage, one or two residential units	70%
Maximum lot coverage, all other uses	None
SETBACKS	
<i>Properties on Main Street</i>	
Minimum front yard setback	3 ft.
Minimum side yard setback	0 ft.
Minimum rear yard setback	0 ft.
<i>Properties on located between Granite Street and Granite Alley, Galena Alley, Granite Street, and between Galena Street and Galena Alley</i>	
Minimum front yard setback	5 ft.
Minimum side yard setback	5 ft.
Minimum rear yard setback	5 ft.
Minimum setback for alley facing yard	3 ft.
<i>One or Two Residential Units, Including Accessory Units</i>	
Minimum front yard setback	10 ft.
Minimum side yard setback	5 ft.
Minimum rear yard setback	5 ft.
STEPBACKS	
Minimum stepback for the third and above floors of street-facing wall facades (as taken from the floor below, see Figure 3-L.)	10 ft.
BUILDING STANDARDS	
Maximum building height	40 ft. (pitched); 35 ft. (flat)
Maximum building height, first 20 feet in from property line on Galena Street	25 ft. (pitched roof required)

180-3.17.11. STEPBACKS

In the CC District, the following encroachments into a required stepback are permitted:

- A. Roof overhangs, limited to two feet in depth; and
- B. Railings, limited to the minimum height required by ~~the building code~~ [Chapter 65, Town of Frisco Building Construction and Housing Standards](#).

180-5.1.5. TABLE OF ALLOWED USES

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
RESIDENTIAL USES															
Group Living	Group care facility					○	○				○				
	Senior housing					○	○				○				
Household Living	Cabin housing		●	●	●	●				○	○			180-5.2.1 *on Granite & Galena Streets only	
	Duplex and two-unit townhomes		●	●	●	●				●	○			180-5.2.8	
	Fractional ownership unit					○	●			○	○				
	Multi-unit dwellings				●	●	○			●	○			180-5.2.8	
	Single-household detached dwelling	●	●	●	●	●					●	○			180-5.2.8
	Townhomes, attached or standalone			●	●	●					●	○			180-5.2.8
PUBLIC, INSTITUTIONAL, AND CIVIC USES															
Community and Cultural Facilities	Activities for conservation of natural resources and the environment	●	●	●	●	●	●	●	●	●	●	●	●		
	Arts and entertainment center						○	○		○	○				
	Community center							○		○				●	
	Church or place of worship and assembly			○	○	○				○	○			○	
	Homeowner association recreation facility	○		○	○	○									
Child Care Facilities	Child day care center		○	○	○	○		○			○				
	Family day care	●	●	●	●	●									
Educational Facilities	School, Type 1			○	○	○					○			○	
	School, Type 2			○	○	○			○		○			○	
	School, Type 3								○					○	
Institutional Uses	Institutional use	○	○	○	○	○	●	●	●	○	○		○	●	
Parks and Open Space	Active recreation												●	●	
	Common area	●	●	●	●	●									
	Common building		●												
	Marina										●		●		
	Open space	●	●	●	●	●	●	●	●	●	●	●	●	●	
	Park	●	●	●	●	●				●			●		
	Park, public or private													●	
	Passive recreation and open space use (no site disturbance; compatible with natural state)												●	●	
Passive recreation and open space use some site disturbance; compatible											○	●			

TABLE 5-1 TABLE OF ALLOWED USES																
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards	
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF		
	with natural state)															
	Public or private active and/or passive recreation area												●			
Public Utilities and Facilities	Public improvement	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
	Public utility facility	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
	Telecommunication facility (standard)						●	●		●	●			●		
	Telecommunication facility (low power)	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
	Transit oriented facility and use						●	●		○	○			●		
COMMERCIAL USES																
Agriculture Uses	Community garden	○	○	○	○	○	●	●		○	○	○	○	○	○	
	Farmers' market						○	○		○	○		○	○		
	Plant nursery or greenhouse						○	●	●		○		○			
	Produce stands						●	●		●	●					
Food and Beverage	Fast food restaurant						●	●		●	○					
	Microbrewery, distillery and/or tasting room						●	●		●	●					
	Restaurant, bar, tavern						●	●		●	●		○			
Lodging Facilities	Boarding, rooming, and lodging facility				○	●	●	○			○					
	Condominium hotel						●			○	○					
	Hostel						●	○		○	○					
	Hotel and motel						●	○		●	○					
Offices	Financial service						●	●		●						
	Medical office						○	●	○	●	●					
	Office					○	○	●	○	●	●					
Parking Facilities	Parking facility						○	○		○	○		○			
Personal Services	Personal services, <u>General</u>					○	●	●		●	●					
	<u>Laundromat, Commercial/Industrial</u>								○							
	<u>Laundromat, Self-service</u>					○	●	●		●	●					
Recreation and Entertainment	Health, recreation, and exercise establishment						●	●	○	●	○		●			
	Indoor arts and entertainment center					○										
Retail	Artisan studio or gallery						●	●		●	●					
	Light retail						●	●	○	●	●		○			
	Medical marijuana dispensary						●	●	●		●					
	Professional trade								●							
	Professional trade retail								●							
	Regional retail						●	●								
	Retail marijuana						●	●	●		●					
	Sexually-oriented business						●	●	●	●	●					
Showroom								●								

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
Vehicles and Equipment	Auto, boat, and recreational vehicle sales or leasing						○	○							
	Auto fuel sales						○	●			○				
	Auto service or wash						●	●	●						
	Light goods repair						○	●	●	○	○				
Veterinary Services	Animal boarding or training						○	○	○		○				
	Veterinary clinic						○	●	●		○			79-15	
INDUSTRIAL USES															
Industrial Service and Research	Commercial firewood cutting and storage								○						
	Research and development							○	●						
Manufacturing and Production	Light manufacturing							○	●	○					
	Repair and light fabrication workshop							○	●						
Warehouse and Freight Movement	Storage facility								●						
	Warehouse								●						
	Wholesale business							○	●						
ACCESSORY USES															
Accessory Uses	Accessory building and use	●	●	●	●	●	●	●	●					●	
	Accessory dwelling unit	○	●	●	●	●	●	●	●	●	●		○	○	
	Home occupation	○	○	○	○	○				○					
	Home office	●	●	●	●	●	●	●		●	●				
	Solar energy facility	●	●	●	●	●	●	●	●	●	●	●	●	●	
DISTRICT LEGEND															
RS = Residential Single-Household District															
RN = Residential Traditional Neighborhood District															
RL = Residential Low Density District															
RM = Residential Medium Density District															
RH = Residential High Density District															
GW = Gateway District															
CO = Commercial Oriented District															
LI = Light Industrial District															
CC = Central Core District															
MU = Mixed-Use District															
OS = Open Space District															
PR = Parks and Recreation District															
PF = Public Facilities District															

2. Crawlspace and Basements

Basements or other similar below-grade living areas are permitted in a cabin housing development. A basement shall not exceed the gross floor area of the ground floor of the unit and shall be located primarily below the grade of the property so as not to be visible when viewed from the ground level. No more than 30 percent of the wall area of the basement may be above the finished grade and visible. A basement, regardless of its configuration or intended use, shall provide an egress window meeting the requirements of [the building code Chapter 65, Town of Frisco Building Construction and Housing Standards](#). Crawlspace located below grade are permitted, but shall not exceed the gross floor area of the ground floor for the unit. Crawlspace shall not be habitable living space as defined by [the building code Chapter 65, Town of Frisco Building Construction and Housing Standards](#). A crawlspace area may be used for storage, mechanical equipment, or other similar uses that do not involve habitation.

3. Front Porches and First Floor Heights

A covered front porch shall be built on each cabin housing unit. Front porches are excluded from the gross floor area and lot coverage restrictions. Front porches shall be designed to be in scale with the cabin housing unit and the overall development. First floor ceiling heights are not limited by other provisions in the chapter.

4. Affordable Housing Requirement

All cabin housing development proposals of five units or more shall provide affordable housing meeting the Town's affordable housing requirements and guidelines in the following amounts:

- a. Five to eight units: one affordable unit
- b. Nine to 12 units: two affordable units
- c. Greater than 12 units: 25 percent of the total number of units

5. Design

Each cabin housing unit shall be designed to appear as a small cabin that is reflective of Frisco's historic architecture in terms of its small scale, pitched roof, has the appearance of natural siding, and miner's-cabin influenced past. Modern or eclectic designs may be approved by the Planning Commission if it finds that the more modern or eclectic design is reflective or rationally related to Frisco's historic architecture in terms of its small scale, pitched roof, natural siding, and miner's cabin influenced past. In addition, each of the following requirements shall be met for each cabin housing development:

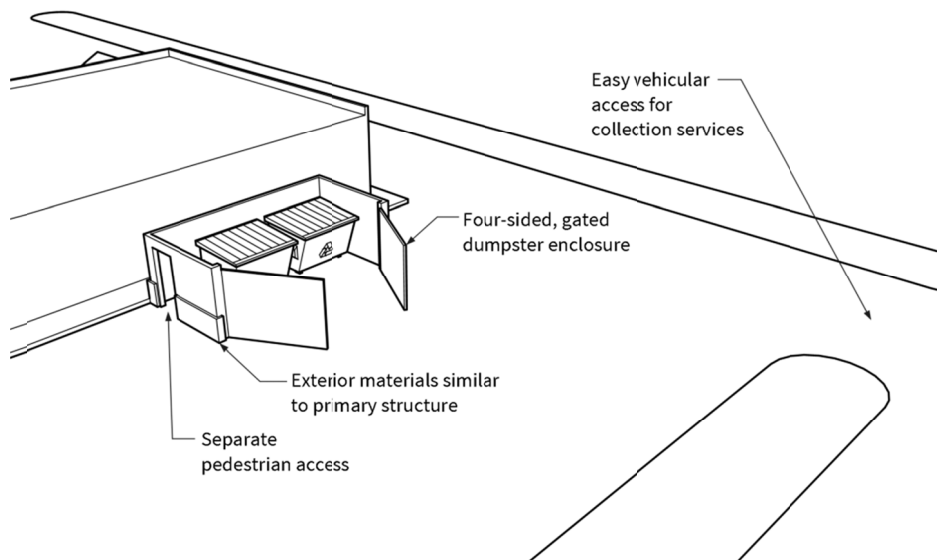
- a. Common usable open space shall be provided within the cabin housing development in an amount of not less than 400 square feet per cabin housing unit. The common usable open space shall be in a location within the development so that it may be practicably available for shared use by all residents. Common usable open space shall meet the Town's definition of usable open space found in Chapter 180, Article 9 of this Chapter. (For example, for an eight-unit development, 3,200 square feet of common usable open space would be required.) The Planning Commission may alter the amount of required common usable open space and lot coverage if it finds that, due to the layout of the development or unique site or location conditions, the residents will have adequate outdoor living space.
- b. A minimum of 200 square feet of private usable open space shall be provided for each unit within a cabin housing development. This private space shall be located contiguous and adjacent to each unit and is for the exclusive use of the adjacent unit. It shall be oriented towards the common open space as much as possible, with no dimension less than ten feet. Notwithstanding any other provision of this Chapter, a partially covered deck and/or patio is permitted to be within the private usable open space area.

- ii. Refuse containers shall either be stored inside buildings, or when stored outside shall not be stored in Front Yards, with the exception that refuse containers shall be allowed to be placed temporarily in front yards to allow for pick up by refuse companies.

2. Dumpster Enclosures

- a. Dumpsters located within approved dumpster enclosures are required for all commercial projects and mixed-use projects, and are recommended for all multi-family residential projects.
- b. Dumpster enclosures shall be utilized for the storage of any refuse, recycling materials, and grease traps. Dumpster enclosures shall be designed to meet the following standards:
 - i. Exterior materials of dumpster enclosures shall be similar to or complementary to those used on the exterior of the primary structure or structures on the site.
 - ii. Dumpster enclosures shall be four-sided structures with gated access adequate to allow for the collection of materials stored within the dumpster enclosure.
 - iii. Dumpster enclosures shall be designed to provide a separate pedestrian access into the enclosure.
 - iv. Dumpster enclosures shall be located on-site in a manner that allows for easy vehicular access to the dumpster by the collection services, and where possible, in a manner that does not require backing movements into public rights-of-way, with the exception of alleys.
 - iv-v. Unroofed dumpster enclosures shall not exceed eight feet in height as measured from any point of the enclosure to the natural grade or finished grade, whichever is lowest, located directly below said point.
- c. In addition, all dumpsters and dumpster enclosures shall comply with the standards in Section 180-6.17, Refuse Management.

Figure 5-B: Dumpster Enclosures Location



12. Residential Zoning District

Includes the following Town of Frisco zoning districts: (1) Residential Single-Household District; (2) Residential Neighborhood District; (3) Residential Low Density District; (4) Residential Medium Density District; (5) Residential High Density District.

180-5.2.7. PRODUCE STANDS

The majority of products sold at the stand shall have been grown, raised, or produced on the property where the stand is located. Only one stand is permitted on a property.

180-5.2.8. RESIDENTIAL USES IN CENTRAL CORE AND MIXED USE DISTRICTS

A. Central Core District

For properties located between Main Street and Galena Alley and properties located between Main Street and Granite Alley, residential uses are prohibited on the ground floor in those portions of a building that front along Main Street and/or a numbered Avenue. For these properties, 50 percent or greater of the gross floor area on the ground floor shall be nonresidential and must be located along the Main Street frontage of the lot. Ground floor parking shall not front along Main Street.

B. Mixed Use District

For properties fronting along Main Street, residential uses on the ground floor are a conditional use.

180-5.2.9. MIXTURE OF USES IN THE MIXED USE DISTRICT

For properties located in the Mixed Use District, development shall be a mixture of residential and nonresidential uses, with each such use making up not less than 20 percent of the total gross floor area of all uses within the property. Developments with a lesser mixture of residential or nonresidential uses, including single use developments, are a conditional use.

180-5.2.10. COMMERCIAL/INDUSTRIAL LAUNDROMATS

Commercial/industrial laundromats with 30 percent or greater of the gross floor area of the business operating as self-service are a conditional use.

~~180-5.2.9~~, ~~180-5.2.11~~. RETAIL MARIJUANA

A. Purpose and Intent

The purpose of this section is to implement the Colorado Retail Marijuana Code, which authorizes the licensing and regulation of retail marijuana businesses and affords the Town the option to determine whether or not to allow retail marijuana businesses within its jurisdiction and to adopt licensing requirements that are supplemental to or more restrictive than the requirements set forth in state law. The intent of this section is to establish a nondiscriminatory mechanism by which the Town can control, through appropriate regulation, the location and operation of retail marijuana establishments within the Town. Nothing in this section is intended to promote or condone the sale, distribution, possession, or use of marijuana in violation of any applicable law. Compliance with the requirements of this section shall not provide a defense to criminal prosecution under any applicable law.

B. Other Laws

If the state adopts any stricter regulation governing the sale or distribution of retail marijuana or retail marijuana products than that set forth in this section, the stricter regulation shall control the establishment or operation of any retail marijuana establishment in the Town. A licensee may be required to demonstrate, upon demand by the local licensing authority, or by law enforcement officers, that the source and quantity

D. Amendments

Any changes to the approved number, use, or placement of construction trailers on-site may be approved by the Community Development Department staff.

180-5.5 Affordable Housing

180-5.5.1. INCENTIVES

A. Accessory Dwelling Units

In the RL, RM, RH, GW, CC, and MU Districts, any accessory dwelling 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 100 percent of the area median income, at a rate established by the Summit Combined Housing Authority for that income level, and pursuant to other criteria as established from time to time by the Town or the Summit Combined Housing Authority.

B. Density Bonuses

1. Central Core, Gateway, and Mixed-Use Districts

In the CC, GW, and MU Districts, a density bonus over the maximum allowable density is available if approved by Planning Commission, provided that:

- a. A minimum of 50 percent of the total number of bonus units is provided as affordable housing deed-restricted for sale or rent to persons earning a maximum of 100 percent of the area median income, at a rate established by the Summit Combined Housing Authority for that income level, and pursuant to other criteria as established from time to time by the Town or the Summit Combined Housing Authority; or
- b. 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.

2. Density Bonus Requirements

- a. In order to qualify for the density bonus incentive of additional dwelling units in multi-family and/or mixed-use projects, each deed restricted affordable unit shall be no more than 15 percent smaller in gross floor area than the corresponding bonus market rate unit. Provided, however, that if the affordable housing units provided under any density bonus provision of this Chapter are located off of the site of the subject property, then the foregoing requirement shall not apply and, instead, for every two off-site affordable units provided, the total combined floor area of such units shall, at a minimum, be equal to the floor area of the associated one on-site density bonus unit. Further provided, however, that in no instance shall an off-site affordable housing unit provided under any density bonus provision of this Chapter be less than 600 square feet in gross floor area.
- b. Every owner of an affordable housing unit shall ensure that each potential buyer of the unit is qualified for the purchase through the Summit Combined Housing Authority, and any affordable housing unit established pursuant to any density bonus provision of this Chapter shall be marketed and offered solely through the Summit Combined Housing Authority.
- c. For each affordable housing unit that is provided under any density bonus provision of this Chapter and that is to be located on or off the site of the subject property, the required deed or covenant restriction for such unit shall be established and legally enforceable prior to the Town's issuance of a certificate of completion or a certificate of occupancy for the corresponding bonus market rate dwelling unit in the development project.

180-6.8 Air Quality Protection

180-6.8.1. ALLOWANCE OF NON-SOLID FUEL-BURNING DEVICES

- A. 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 Chapter 65, Town of Frisco Building Construction and Housing Standards](#). For the purpose of this section, "new construction" is construction of a residential, commercial, industrial, or agricultural building. This shall include any modification, replacement, or relocation of existing solid-fuel-burning devices. However, modification to solid-fuel-burning devices shall not include repair, replacement, or relocation of flue pipe.
- B. 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.

180-6.8.2. 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.

180-6.8.3. 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 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.

180-6.9 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 Section 180-6.6, Drainage Plans, Section 180-6.7, Water Quality Protection, Section 180-6.10, Stream Crossings by Roads and Utilities, Section 180-6.7.2.D, and Chapter 155, Minimum Street Design and Access Criteria.

180-6.10 Stream Crossings by Roads and Utilities

180-6.10.1. The number of stream crossings by roads and utilities shall be minimized.

180-6.10.2. The standards set forth in Section 180-6.6, Drainage Plans and Section 180-6.7, Water Quality Protection shall be met for each stream crossing by a road or utility.

180-6.12.2. 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.
- 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.

180-6.13 Parking and Loading Regulations

180-6.13.1. APPLICABILITY

These regulations are applicable to all new development and the expansion of existing development, and all commercial vehicles parked in residential areas within the Town of Frisco that create parking and loading demand. All such structures shall provide parking on the premises according to the following requirements. Parking, loading and driveway facilities shall comply with the Town of Frisco Minimum Street Design and Access Criteria, as referenced in Chapter 155.

180-6.13.2. PURPOSE

The intent of these regulations is to require that parking and loading spaces be provided relative to the impacts created by proposed new developments, while promoting a pedestrian oriented commercial and downtown area.

180-6.13.3. ON-PREMISE PARKING REQUIREMENTS

A. Parking Requirements

The following minimums for permitted uses. Minimum must be ~~compiled~~ complied with in all zoning districts except the Central Core District (CC) and those properties within the Mixed-Use District (MU) that front on West Main Street. On premise parking requirements for the Central Core District and those properties in the Mixed-Use District that front on West Main Street are found under paragraph D of this Subsection 180-6.13.3. Conditional uses may require additional parking. Multiple uses will be assessed parking requirements per use and an aggregate number will be generated.

TABLE 6-1 REQUIRED NUMBER OF PARKING SPACES BY LAND USE			
USE CATEGORY	USE TYPE		PARKING SPACE REQUIREMENTS
Household Living	Accessory dwelling unit	Per accessory unit:	1.0
		Per Lock-Off:	1.0
	Duplex and two-unit townhomes	Per Bedroom:	1.0
		Minimum Per Unit:	2.0
		Maximum per Unit	4.0
	Single-household	Per Bedroom:	1.0
		Minimum Per Unit:	2.0
		Maximum Per Unit:	4.0
	Multi-unit (3+ Units) [1]	Studio:	1.0
		Per Bedroom:	1.0
		Maximum Per Unit:	4.0
	Deed restricted units (affordable units)	Studio:	1.0
Per Bedroom:		1.0	
Maximum Per Unit:		2.0	
Lodging Facilities	Lock-off	Per Lock-off	1.0
	Boarding, rooming, and lodging facility	Each bedroom	1.0
		Each Residential Employee unit	1.0
	Hotel or motel	Each bedroom	1.0
Each Resident Employee unit		1.0	
Commercial	Auto wash	Stacking spaces per washing bay	5.0
		Plus 500 square feet of GFA or portion thereof	1.0
	Commercial use with drive-through	Stacking spaces per window	5.0
	Auto fuel sales	Per pump	1.0
	<u>Laundromat, Commercial/Industrial</u>	<u>Per 700 square feet of GFA or portion thereof</u>	<u>1.0</u>
	<u>Laundromat, Self-service</u>	<u>Per 350 square feet of GFA or portion thereof</u>	<u>1.0</u>
	Medical office	Per 350 square feet of GFA	1.0
	Office	Per 350 square feet of GFA or portion thereof	1.0
	<u>Personal Services , General</u>	<u>Per 350 square feet of GFA or portion thereof</u>	<u>1.0</u>
	Retail	Per 350 square feet of GFA area or portion thereof	1.0
	Service station, auto repair	For every service bay	4.0
Warehousing, wholesale business and contractor trades	Per 750 square feet of GFA	1.0	
Educational Facilities	Day care [2]	For every employee at maximum staff level	1.0
	Elementary, junior high	For every classroom	2.0
	High school/college	For every 4 students (capacity)	1.0

D. Minimum Parking Requirements for the Central Core District (CC) and Properties within the Mixed-Use District (MU) that Front on West Main

1. The following minimums for permitted uses are required. Conditional uses may require additional parking. Multiple uses will be assessed parking requirements per use and an aggregate number will be generated.

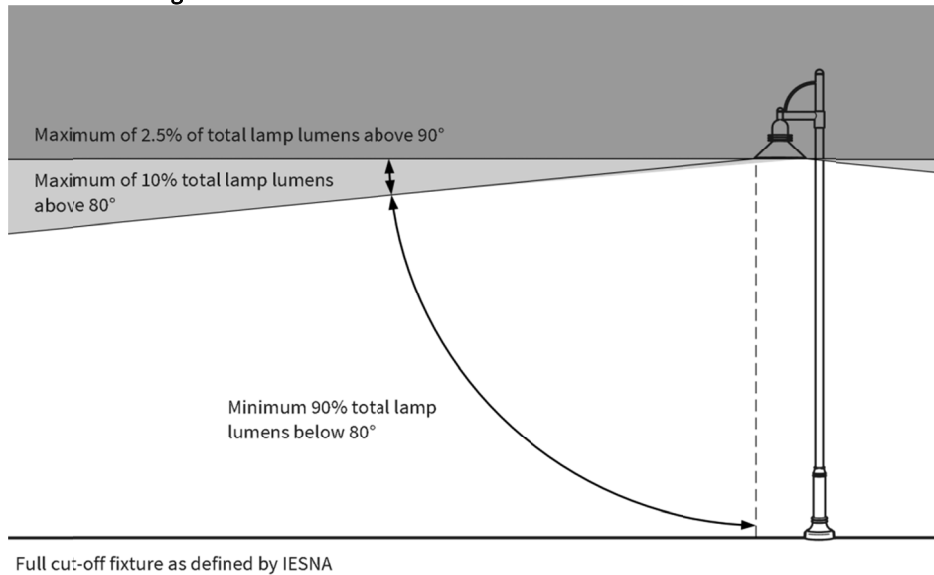
TABLE 6-2 MINIMUM REQUIRED PARKING SPACES – CENTRAL CORE AND MIXED-USE DISTRICTS FRONTING WEST MAIN STREET	
USE	PARKING SPACE REQUIREMENTS
Retail [1]	0.0 Per 450 square feet of GFA or portion thereof
<u>Personal Services, General</u>	<u>0.0</u>
Office	1.0 Per 450 square feet of GFA, or portion thereof 0.0 if not located on the ground floor
Medical Office	1.0 Per 450 square feet of GFA or portion thereof
Restaurants, Bars and Taverns [1]	0.0 Per 350 square feet of seating area 0.0 Per 450 square feet of non-seating area
Hotel or Motel,	1.0 Each resident employee unit 1.0 Each bedroom
Residential Uses	1.0 Per Studio and Accessory Unit 1.0 Per bedroom 4.0 Maximum per unit 1.0 For every 5 units; For multi-unit, 3 plus units, additional parking for visitors is required
Notes: [1] Any change in the use from retail, restaurant, bar or tavern GFA approved by the Town using the parking provisions contained herein to other uses (permitted or conditional) must provide parking spaces in the amounts and locations required by the Article.	

2. For purposes of calculating the minimum parking requirements for any property located within the Central Core District or the Mixed-Use District when a property fronts on West Main Street, if any proposed use is not noted under this paragraph D, the parking requirements as provided in paragraph A of this section shall apply.

E. On-Street Parking Credits

1. In recognition of adjacent on-street and alley parking, the parking requirements for non-overnight uses may be reduced within:
 - a. The Central Core District (CC);
 - b. The Mixed-Use District for properties that front on West Main Street; and
 - c. Any other property fronting Main Street, including West Main Street and East Main Street.
2. In addition, the parking requirements for non-overnight uses may be reduced for properties within the Mixed-Use District that front on Granite Street. The reduction in parking requirements for such properties that front on Granite Street shall not apply to any property that fronts along the alley way or other streets in the vicinity of Granite Street.
3. Credits for nearby parking within rights-of-way shall be granted based on the following:
 - a. One parking space reduction for every 25 feet of linear frontage abutting a public right-of-way on which legal on-street parking exists within 300 feet of the property.

Figure 6-L: Full Cut-Off Fixtures



- B. Outdoor light fixtures shall be positioned so that there is no direct light emission onto adjacent properties.
- C. To minimize the indiscriminate use of illumination, it is recommended that outdoor lighting, except as required for security, be extinguished during non-operating hours.
- D. Emergency exterior exit lighting, as required by [the adopted building code Chapter 65, Town of Frisco Building Construction and Housing Standards](#), is exempt from the full cut-off requirement for fixtures installed as lighting to be used only in emergencies.
- E. Wherever practicable, it is encouraged that lighting installations include timers, dimmers, and/or sensors to reduce overall energy consumption and unnecessary lighting.
- F. The use of energy efficiency technologies is encouraged.

180-6.16.4. HEIGHT

The mounting height of light fixtures shall be as follows:

- A. The height of wall-mounted light fixtures shall not exceed the height of the building wall to which it is mounted.
- B. Freestanding light fixtures installed along Highway 9 shall be mounted no more than 40 feet high.
- C. Freestanding light fixtures installed within public roadway right-of-ways other than along Highway 9 shall be mounted no more than 30 feet high.

180-6.16.5. PARKING LOT LIGHTING STANDARDS

Parking lot lighting shall not exceed light levels necessary for safety and locating vehicles at night and minimize light spillage onto adjacent properties. The lighting plan shall be designed so that the parking lot is lit from the outside perimeter inward and/or incorporate design features that eliminate off-sight light pollution. The maximum light spillage onto adjacent properties and rights-of-way shall not exceed 0.9 footcandles. The average level of illumination on the surface of the parking lot shall not exceed 2.0 footcandles, based on the IESNA's recommendation for parking lot lighting.

180-6.18 Fences and Walls

A fence, wall, or any similar type of screen or any combination of such items not defined as a structure may be erected on any lot including within a setback, subject to the following conditions and requirements. It is the intent of these conditions and requirements to provide privacy and protection, and screening and accenting of shrubs and landscaping without unduly interfering with the scenic view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

180-6.18.1. ~~UNIFORM BUILDING CODES~~ APPLICABLE

All fences and walls are subject to the ~~Uniform Building Code~~ requirements [of Chapter 65, Town of Frisco Building Construction and Housing Standards](#).

180-6.18.2. LOCATION OF PROPERTY LINES

It shall be the responsibility of the property owner to locate all property lines.

180-6.18.3. ENCROACHMENT

No fence or wall may extend beyond or across a property line unless in joint agreement with the abutting property owner granting each a cross-easement.

180-6.18.4. OBSTRUCTION OF VISIBILITY

No fence or wall shall be located within 15 feet of any street intersection or be so located as to block, obscure, or minimize visibility at any street intersections.

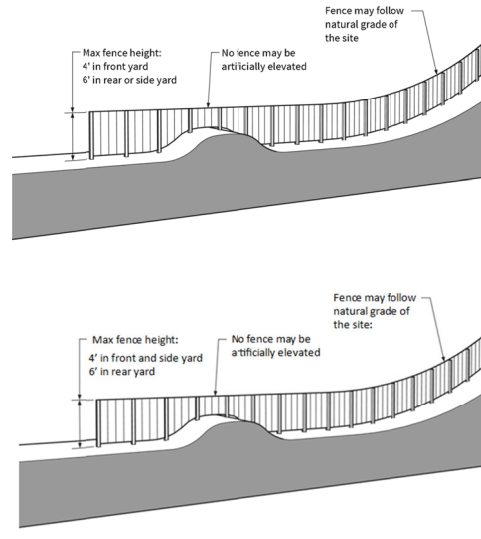
180-6.18.5. MATERIALS

Fences and walls shall be constructed of natural materials such as wood, river rock, or stone whenever practical.

180-6.18.6. HEIGHT

- A. Fences and walls shall not exceed four feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any front or side yard. Fences and walls shall not exceed six feet in height measured from the existing natural grade at the base to the highest point of the fence or wall within any rear yard. No fence or wall may be artificially elevated by means of a berm or other method for purposes of height calculation.

Figure 6-O: Measuring Fence Height



- B. Fences and walls exceeding six feet in height but no more than eight feet in height measured from the existing natural grade at the base to the highest point of the fence or wall may be allowed if:
 - 1. They are temporary fences on construction sites erected for protection purposes during the period of construction only; or
 - ~~2. They enclose garbage dumpsters; or~~
 - ~~3.~~ 2. They enclose outdoor storage areas in non-residential districts.
- C. Fences and walls exceeding six feet in height, as permitted in Subsection A above, or exceeding eight feet in height as permitted in Subsection B above, shall require conditional use approval.

180-6.19 Signs

180-6.19.1. TITLE

The provisions of this section shall be known and may be cited as the "Frisco Sign Code."

180-6.19.2. PURPOSE AND INTENT

The purpose of this section is to regulate signs in a legal and reasonable manner that promotes economic vitality, fosters public safety, advances the desired aesthetic goals of the community, and ensures compliance with constitutionally protected First Amendment rights. Accordingly, it is the purpose and intent of this section to:

- A. Promote the creation of an attractive visual environment that promotes a healthy economy by:
 - 1. Recognizing that signs are a necessary means of communication for the public that identify establishments providing goods and services.
 - 2. Promoting an overall visual effect which has a minimum of clutter and avoids the creation of a "tourist trap" atmosphere.
 - 3. Encouraging the construction of signs from materials that are compatible with the historic, cultural, and natural surroundings of Frisco.

2. Rights-of-Way

Signs are not permitted to be placed on or project into public rights-of-way without specific written authorization from the Town, except as specifically permitted elsewhere in this section.

3. Water Quality Setbacks

Signs are not permitted to be placed on or project into water quality setbacks without specific written authorization from the Town, except as specifically permitted elsewhere in this section.

4. Traffic Movement, Drainage, and Snow Storage

Signs shall not impair visibility for traffic movement and shall not impede drainage or snow storage.

C. Building Placement

1. Wall Signs

Wall signs shall be contained within any single wall panel or other architectural component upon which they are placed, and shall not exceed the height of the building wall to which the sign is affixed.

2. Projecting, Hanging, and Awning Signs

Signs shall be located to complement architectural elements of the building. No part of a projecting, hanging or awning sign shall be located above the ceiling of the second story of any building. Projecting, hanging, and awning signs shall not exceed the height of the building wall to which the sign is affixed, and shall have a minimum of eight and one-half feet clearance above the ground.

3. Multi-Tenant Buildings

Signs for businesses in multi-tenant buildings shall be located on the tenant space being identified by the sign or as depicted by the Master Sign Plan.

180-6.19.7. DESIGN STANDARDS

The purpose of the sign design standards is to promote a high level of quality and creativity, in keeping with the architectural goals and authentic mountain character of Frisco. The goal of the guidelines is also to encourage sign design that is eclectic, artistic, and original.

A. Construction

All signs and sign structures shall be made by a commercial sign manufacturer or be of similar professional quality. All signs shall be completed and erected in a professional manner.

B. Maintenance

It shall be unlawful to fail to maintain any sign, including signs exempted from these regulations with respect to permits and fees, in good repair and appearance, including but not limited to the keeping in good condition of all painted and printed surfaces, trims, poles, and text integrity.

C. Building and Electrical Permits

All signs for which a sign permit is required shall be subject to the provisions of the most currently adopted version of the building, electrical and mechanical codes. The following signs require a building permit: freestanding signs over ten feet in height, freestanding signs greater than 42 square feet in area, and awnings supported by an exterior wall which project more than 54 inches from the exterior wall.

D. Snow and Wind Load

All freestanding signs over ten feet in height or greater than 42 square feet in area shall be designed to withstand minimum wind and snow loads according to the provisions of ~~the most currently adopted version of the building code~~ [Chapter 65, Town of Frisco Building Construction and Housing Standards](#). The Building Official may require freestanding signs to be designed by a Colorado licensed engineer with professional stamped plans.

A. Art

Works of art, including but not limited to murals, sculptures, and paintings, when not used as a sign or an attention getting device.

B. Community Events

Banners, flags, signs, and other similar devices erected on Town-controlled property to promote a temporary or seasonal community event, or to identify a point of interest or landmark.

C. Flags

The flag, pennant or insignia of any nation, organization or nations, state, province, county, town, any religious, civic or fraternal organization, or educational institution; and providing further that such are subject to the following limitations:

1. Flags and pennants shall not exceed the proportions which have been established by presidential declaration: three feet by five feet (3' x 5') when hung from a building, or five feet by seven feet (5' x 7') when hung from a large flagpole. Flags or pennants larger than the specified sizes require a sign permit.
2. Flags shall have a minimum clearance of eight and one half feet when they project over public sidewalks and 15 feet when projecting over streets or roads.
3. Except in residential areas, there shall be a minimum of 20 feet from the top of a flagpole to average grade.
- ~~3.4.~~ **Flags and flagpoles shall not exceed the building height limit of the applicable zoning district.**
- ~~4.5.~~ Flags, pennants, and insignia shall be maintained in a clean and undamaged condition at all times.
- ~~5.6.~~ The display of national flags, pennants, and insignia shall be governed by the standard rules of international protocol.

D. Historic Plaques, Landmark and Memorial Signs

1. Historic Plaques.
2. Landmark signs not to exceed six square feet.
3. Memorial Signs not exceeding four square feet and gravestones of any size.

E. Information Signs

Information signs are permitted on the exterior of the building or building projection, or can be incorporated into a freestanding, projecting, hanging, wall, or window sign.

1. One "office" sign per motel/hotel business or multi-family project, not to exceed two square feet in area.
2. For any business, one "open/closed" sign per street frontage, up to two square feet in area per sign.
3. A maximum of two "vacancy" signs per motel/hotel business, provided that each sign does not exceed two square feet in area.
4. One "hours-of-operation" sign per entryway, not exceeding two square feet in area.
5. One square foot per entry is allowed for accepted methods of payment such as credit cards, membership stickers, and similar signs.
6. Private warning or instructional signs, such as "no soliciting", "no trespassing", "no parking", or "beware of dog," not exceeding two square feet in area.

5. Accessory Structures

The same or similar building materials shall be used on main structures and any accessory structures located on the same site, unless an alternative material can be provided that will complement the project and which meets the other standards of this section.

6. Building Additions

Additions that are 50 percent or less of the existing building floor area, or exterior remodels or renovations, may be allowed to complement the existing structure, even if the building does not currently meet the material standards of this section.

E. Building Colors

1. Intent

To promote building colors compatible with the site and surrounding buildings.

2. Maximum Color Chroma

No color may be used as the primary color of the building that exceeds a chroma of four on the Munsell Color chart. Pure white or black may not be utilized as the primary building color.

3. Exception for Building Accents

Colors that exceed a chroma of four, but that do not exceed a chroma of eight on the Munsell Color chart may be used only sparingly as accents, such as on trim or railings. Luminescent, fluorescent, or reflective colors shall not be utilized on any exterior portion of the building.

F. Garage Standards

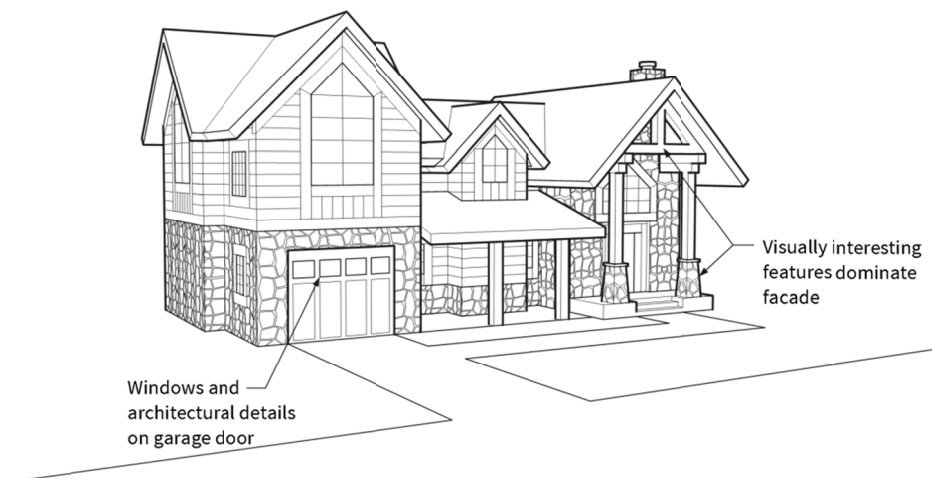
1. Intent

To promote an active and visually interesting streetscape that is not dominated by garage doors.

2. Garage Door Location

Garages are encouraged to be located and oriented away from the street where they will not act as the primary design element of the building. Street-facing garage doors shall be recessed behind the front façade of the dwelling and shall not comprise the majority of the street-facing building frontage, unless of a custom style broken up with windows or other features.

Figure 6-YY: Residential Visually Interesting Features



3.—Incentives

a.—Intent

—To encourage the placement of garages away from the street, where they will not act as the primary design element of the building, and to encourage energy efficiency and “green” buildings.

b.—Front Yard Reduction

i.—The front yard setback may be reduced to 20 feet in the RS, RL, RM, RH and MU Districts if one of the following is met:

a) —Where there are garages, the garage doors do not face the street;

b) —Where garages face the street, the garage doors are located a minimum of 40 feet from the front property line; or

c) —The applicant has received approval for a voluntary energy efficiency related building program, such as the Energy Star energy efficiency program or the green building program as administered by the Building Official.

- b. The Town shall notify the subdivider by mail of nonacceptance or final acceptance. If the street improvements are not acceptable, the reasons for nonacceptance shall be stated and corrective measures shall be outlined in the letter of notification. If the street improvements are found to be acceptable following a resolution of acceptance by the Town Council, the Town shall release the guaranty for improvements and assume full maintenance responsibility of the streets as provided in Section 180-7.7.4, Letter of Completion.

180-7.6.6. PARKS; PUBLIC SITES; OPEN SPACE

- A. Dedication of land, free of all liens and encumbrances, for park and recreation, school sites, public building sites and for other public uses shall be required in each new subdivision in the Town. The subdivider shall allocate and convey no less than ten percent of the gross land area, exclusive of streets, alleys, bicycle paths and easements, of the proposed subdivision for public purposes, except in cases where satisfactory dedication arrangements were made and approved by the Town Council at the time of annexation or subdivision.
- B. Specific sites to be dedicated for parks and other public uses shall be subject to approval by the Planning Commission and Town Council.
- C. At the time of presentation of a final plat approval application to the Community Development Department, a warranty deed shall be presented for all land to be conveyed to the Town, school district or other governmental entity. The deed shall be accompanied by a title insurance policy or other evidence that the land is free and clear from all encumbrances.
- D. At the option of the Town, the subdivider shall, in lieu of dedication of land, pay to the Town a cash amount equal to the fair market value of the area of land to be dedicated under Subsection A above or invest the same cash amount toward a specifically approved Town project.

180-7.6.7. EASEMENTS

- A. All subdivision plans shall provide dedication of easements sufficient, as determined by the applicable service provider(s) to allow the efficient installation and placement of all utilities as needed by the development now and in the foreseeable future.
- B. Public utility installations shall be located as to permit multiple installations within the easements to avoid cross-connections, to minimize trenching and to adequately separate incompatible systems.
- C. Easements shall follow front, rear and side lot lines whenever practical.
- D. The location and width of all utility easements shall be subject to the approval of the Public Works Department and of the utilities using the easement. The subdivider shall be responsible for complying with the requirements, including any construction or installation charges, of the serving utilities for the installation of such facilities.
- E. Drainageway easements. Where a subdivision is traversed by a watercourse, stream or drainageway, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and such further width or construction of both shall be adequate for drainage purposes.

180-7.6.8. UTILITIES

Underground placement of utilities shall be required in all subdivisions.

180-7.6.9. SANITARY SEWERS

All residential, commercial, and industrial uses which have human occupancy shall have sanitary sewers. The design and installation of all sewer mains, laterals, and house connections must be in conformance with ~~the~~

~~International Building Code as adopted by the Town Chapter 65, Town of Frisco Building Construction and Housing Standards~~, and the rules and regulations of the Frisco Sanitation District and the Frisco Public Works Department. All sewer mains and laterals shall be installed in easements and/or dedicated rights-of-way.

180-7.6.10. WATER

All residential, commercial, and industrial uses which have human occupancy shall have a water supply. The water distribution system of the subdivision shall contain mains of sufficient size and have a sufficient number of outlets to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection. Design of water distribution systems shall be done by a licensed engineer and shall be in conformance with the Town Code. The design and construction of the water system and its appurtenances are subject to approval by the Town's Public Works Director.

180-7.7 Improvements

180-7.7.1. IMPROVEMENTS AGREEMENT

No final plat shall be approved by the Town Manager or his designee until the subdivider has submitted and the Town Manager or his designee has approved a subdivision improvements agreement and Improvements Agreements Guaranty for all required improvements not completed at the time of final plat submittal. Through such agreement, the subdivider, his successors, heirs, and assigns shall guarantee to make the required improvements in accordance with design and time specifications. The Town shall issue a certificate of completion or certificate of occupancy for any improvements within the subdivision only if the conditions of Section 180-2.6.4 have been met.

- A. The following improvements shall be constructed or, if incomplete at the proposed time of final plat filing, specified in the subdivision improvements agreement (if applicable):
1. Road grading and surfacing.
 2. Curbs, gutters, and driveways.
 3. Sanitary sewer mains as applicable and sanitary sewer laterals and house connections. This includes payment to the sewer district for the appropriate portion of any sewer line built through the property by the Town as determined by the sewer district.
 4. Separate bicycle paths.
 5. A water distribution system and fire-fighting equipment, including fire hydrants, where applicable, water meters and house connections. This includes payment to the Town for the appropriate portion of any waterlines built through the property by the Town, as determined by the staff.
 6. Storm sewers or storm drainage system, as required.
 7. Street signs and traffic control signage at all street intersections and other places, as required, and address numbers for all buildings; such signs and address numbers shall be acceptable to the Planning Commission.
 8. A landscaping and irrigation distribution system.
 9. Permanent reference monuments and monument boxes.
 10. Street, facility, and parking lot lighting.
 11. Underground electric and communication utility lines and services, and all street lighting circuits.
 12. Traffic control devices.
 13. Adequate paved and striped parking facilities.

180-8.4.2. CHANGES TO NONCONFORMING USES

A nonconforming use may be changed to a conforming use, or to any use that is less intensive in nature. For purposes of this section, the intensity of a use is determined by the Community Development Director after consideration of factors reasonably related to the intensity of a land use including, but not limited to, the amount of commercial activity, the number of visitors and/or customers, the amount of parking required, the number of trips generated, and the level of noise generated by the use. A nonconforming use may not be expanded or enlarged under any circumstance.

180-8.5 Nonconforming Buildings or Structures

180-8.5.1. CHANGE, EXTENSION OR ALTERATION

- A. Applications for ~~tenant finishes, exterior finishes, and small project in residential and commercial nonconforming structures, and applications for additions to single household and duplex nonconforming structures~~, Administrative Site Plan Review and Minor Site Plan Review may be approved by the Community Development Department staff if the criteria below are met.
- B. All other applications for changes, extensions, and alterations to nonconforming structures may be approved by the Planning Commission if the criteria below are met.

180-8.5.2. CRITERIA

A nonconforming structure may be changed, altered, or extended provided that the following criteria are met:

- A. Does not increase the nonconformity of said structure and,
- B. Serves to alleviate hardship on the owner or occupant, and promotes property values in the neighborhood.

180-8.5.3. APPROVAL PROCESS

Refer to Chapter 180, Article 2 for information on the application process. All changes, extensions, alterations, and additions to nonconforming structures must meet the requirements of this Chapter including but not limited to, the respective setback, height, density, lot coverage, parking, landscaping, and overlay district requirements. Any proposal which increases the nonconformity of the structure or use will require a variance. Once brought into conformance, no structure or use shall be permitted to revert to nonconforming status.

180-8.6 Restoration

A nonconforming structure, excluding signs, may be reconstructed or restored to its original condition, if damaged by fire or other accidental or natural cause, and if the structure has not suffered substantial destruction. Reconstruction or restoration of such structure shall begin within one year of the event that caused the damage and shall be completed within two years after the date of such event. The Planning Commission may grant one or more 30-day extensions of the project commencement or completion deadline upon a showing by a party requesting such an extension of extraordinary or exceptional circumstances that do not generally exist for developers. In all other cases, the reconstruction or restoration of a nonconforming structure shall comply with the all the provisions of this Chapter.

180-8.7 Abandonment

A nonconforming structure or use, including signs, which has been abandoned or discontinued for a period of one year, shall not be reestablished. Any future use of the premises shall comply with the provisions of this Chapter.

C. Lodging Facilities

For-profit facilities where lodging, meals, and the like are provided to transient visitors and guests for a defined period.

D. Offices

Uses that provide executive, management, administrative, or professional services, but do not involve the sale of merchandise except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

E. Personal Services

Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location. ~~Examples include but are not limited to beauty and barbershops, laundromats, shoe repair shops, and tailor shops.~~

F. Recreation and Entertainment

Uses that provide recreation or entertainment activities. Accessory uses may include concessions, snack bars, parking, and maintenance facilities.

G. Retail

Uses involving the sale of a product directly to the final consumer for whatever purpose but not specifically or exclusively for the purpose of resale. Examples include but are not limited to bookstores, antique stores, bakeries, grocery stores, household product stores, and similar uses.

H. Vehicles and Equipment

Uses include a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.

I. Veterinary Services

Animal-related uses include the boarding and care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas.

180-9.2.4. INDUSTRIAL USES

A. Industrial Service and Research

Uses include the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and similar uses perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage.

B. Manufacturing and Production

Uses including all transformative processes, regardless of whether or not the new product is finished or semi-finished. Production is typically for commercial wholesaling rather than for direct sales.

C. Warehouse and Freight

Uses that are engaged in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will call pickups. There is little on site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, and maintenance areas.

180-9.2.5. ACCESSORY USES

A. Accessory Uses

Uses incidental and subordinate to the principal use of the lot, building, or another structure on the same lot.

180-9.3 General Definitions

In this Chapter, the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

A

Access

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory Building

See Building, Accessory.

Accessory Dwelling Unit

A second, subordinate dwelling unit located on the same lot as a primary dwelling unit or commercial unit. The unit includes its own independent living facilities with provisions for sleeping, cooking, and sanitation, and is designed for residential occupancy independent of the primary dwelling unit or commercial unit. The unit may have a separate entrance or an entrance to an internal common area accessible to the outside.

Accessory Use

See Use, Accessory.

Acre, Developable

43,560 square feet of horizontal land area neither occupied by a public way nor under a water body nor in a wetland as designated pursuant to procedures under Section 404 of the Clean Water Act, nor in a floodway, as defined on the Flood Insurance Rate Map, nor designated as public open space.

Active Recreation

Activities, usually of a formal nature, often performed with others, usually requiring equipment and taking place at prescribed places, sites, or fields. Activities include, but are not limited to, swimming, snowmobiling, Frisbee golf, bicycling, tennis and other court games, baseball and other field sports, track, soccer, skating, skiing, and playground activities. Active recreation areas include, but are not limited to, campgrounds, parks, the Frisco Peninsula Recreation Area.

Activities for Conservation of Natural Resources and the Environment

Activities such as flood control, erosion control, or wetland mitigation, or other similar measures to conserve soil, water, vegetation, and wildlife.

Affordable Housing

A dwelling unit that is restricted in perpetuity to occupancy by individuals meeting the income limitations and occupancy standards [as established from time to time by the Town or the Summit Combined Housing Authority](#). Occupancy standards include requirements for primary residency and local employment.

Alley

A minor public thoroughfare upon which the rear of building lots generally abut, used for service purposes and not intended for general travel.

Automobile Fuel Sales

An establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale to the public.

Automobile, Boat, and Recreational Sales or Leasing

The use of any building or land for a business involving the sale or leasing of new or used motor vehicles, boats, and recreational vehicles. Such establishments may include office space, parking lots for the display and storage of vehicles available for sale, parking areas for customers and employees, vehicle repair facilities, facilities for body work, painting, or restoration and sale of parts.

Automobile Service and Wash

The use of the site for the repair, washing, polishing, or detailing of motor vehicles and recreational vehicles. This includes the sale and on-site installation of parts, wheel and brake shops, body and fender shops and similar repair and service but excludes salvage and servicing semi-tractor trailers.

Average Existing Grade

See Existing Grade, Average.

Awning

A roof-like cover extending over or in front of an opening, such as a window or door, intended to provide shelter from the elements.

B

Basement

A space within a building having one-half or more of its floor-to ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and one-half (6-1/2) feet.

Bedroom

A habitable space or room in a dwelling unit designed for or with potential for use as a sleeping room. Factors determining this use, in addition to [the Chapter 65, Town of Frisco Building Construction and Housing Standards adopted building code](#), shall include a space or room with any of the following factors:

- A. Having walls and doors to separate it from other habitable spaces or rooms, or
- B. Having a closet or similar provision for clothes storage, or
- C. Having a full or partial bathroom directly connected or in close proximity to the space or room.

Rooms or floor areas in dwelling units determined by these criteria to be bedrooms, regardless of any names, labels, or intended uses proposed by the applicant, shall be used to designate the total number of bedrooms for purposes of determining required parking spaces and other regulations.

Block

A grouping of lots usually bound by streets or by a combination of streets and public land, railroad rights-of-way, water bodies, or any other physical barriers to the continuity of development, and not traversed by a through street.

Boarding, Rooming, or Lodging Facility

A building with a managing resident on the premises in which accommodations, with or without meals, are let on a short-term basis for compensation for no more than ten bedrooms. Does not include condominium hotels.

Building

Any structure used or intended for supporting or sheltering any use or occupancy. See also Structure.

C

Cabin Housing

A grouping of small, single family detached dwelling units, clustered around a common area or courtyard and developed through a unified site plan.

Caliper

The diameter of a tree trunk.

Campground

An outdoor area providing space for vacationers to temporarily occupy in tents or recreational vehicles. A campground may also include an area with rental cabins, but its primary function is to accommodate visitors providing their own shelter.

Canopy

A roof-like cover that either projects from a building over a door, entrance or window, or a freestanding or projecting roof-like cover above an outdoor service area, such as at a gasoline service station.

Camper

A vehicle, eligible to be registered and insured for highway use, designed to be used as a temporary shelter for travel, recreational and vacation purposes, but not for a permanent residence. Includes but is not limited to equipment commonly called "fifth wheels," "independent travel trailers," "dependent travel trailers," "tent trailers," "pickup campers," "motor homes," and "converted buses," but does not include mobile homes.

Canyon Effect

The creation of a visual effect, which simulates a canyon, characterized by a narrow separation between tall building facades or walls. The canyon effect is created when the distance between the closest wall planes between two opposing buildings is less than 60 percent of the height of the taller building.

Caretaker Unit

A dwelling unit for use by a person or persons hired to look after or take charge of goods, property, or a person.

Carport

An accessory structure space used for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.

Certificate of Occupancy (CO)

A certificate issued by the Town of Frisco after completion, inspection, and approval of a new structure or change in use of an existing structure. The certificate states the described building has been inspected for compliance with the requirements of ~~the Chapter 65, Town of Frisco Building Construction and Housing Standards~~[Chapter 65, Town of Frisco Building Construction and Housing Standards](#) for the described group and division of occupancy and the use for which the proposed occupancy is classified. Certificates presuming to give authority to violate or cancel the provisions of ~~the building code~~[Chapter 65, Town of Frisco Building Construction and Housing Standards](#) or other ordinances of the Town of Frisco shall not be valid.

Certified Solid-Fuel-Burning Device

A solid-fuel-burning device which is certified by the Air Pollution Control Division of the Colorado Department of Health or the Summit County Environmental Health Division to meet the emission standards set forth in Section IV of Regulation No. 4 of Volume 1 of the Colorado Air Quality Control Commission.

Church or Place of Worship and Assembly

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

K

Kennel

Any establishment where dogs and/or cats are bred or raised for sale, or boarded, trained, cared for and/or groomed commercially, ~~exclusive of veterinary care.~~

Kitchen

Any room or portion of a room within a building used, intended to be used, or designed to be used either wholly or partly for cooking and/or the preparation of food.

Kitchenette

An area used for the storage, preparation and serving of food or drink to guests that is limited to a sink, a refrigerator of no more than six (6) cubic feet in size, a cabinet area not exceeding (6) six cubic feet, and a counter area not exceeding six (6) square feet.

L

Landscaping

Any combination of living plants such as trees, shrubs, plants, vegetative ground cover and turf grasses, and may include structural features such as walkways, fences, benches, works of art, reflective pools, fountains, or other similar features. May include retention and detention ponds.

Large Project

Any commercial or mixed-use project, occurring on a lot of 10,500 square feet or greater or occurring on a group of lots combined for a unified development project which contain a total lot area of 10,500 square feet or greater; or any residential development occurring on a lot of 21,000 square feet or greater or any development of 5 or more dwelling units.

Laundromat, Commercial/Industrial

An establishment that cleans fabrics and textiles (apparel, uniforms, towels, bedding, table linens, draperies, rugs, upholstery, etc.) for other businesses and is generally not visited by individual customers. The establishment may include drop-off facilities and collection/delivery services.

Laundromat, Self-service

An establishment providing washing and drying machines on the premises for rental use to the general public. This definition includes vended laundromats, also referred to as coin-operated laundromats. This definition does not include multi-housing laundries or on-premise laundries.

Laundry, Multi-housing

On-site laundry facilities that are an accessory use to a principal multi-family residential use, such as a common laundry room utilized by the residents of an apartment complex.

Laundry, On-Premise

On-site laundry facilities that are an accessory use to a principal commercial, industrial, or institutional use, and are a part of normal business operations in industries such as healthcare, veterinary services, emergency services, sports and athletics, hospitality, spas and salons, farming and agriculture, manufacturing, etc.

Light Fixture

The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector (mirror), and a refractor (lens).

Light Goods Repair

Any building or portion of a building that contains establishments for the repair, restoration, refurbishing, and/or mending of light portable items such as clothing, shoes, furniture, bicycles, skis, and small appliances.

laboratories, blood banks, oxygen providers, integrative medicine and holistic or homeopathic therapies, and other miscellaneous types of medical services.

Open Space

An area including buffers between neighborhoods and communities, buffers between trail systems and development, natural areas, scenic areas and vistas, historical and cultural lands, undeveloped shorelines or riparian areas, wildlife habitats and/or migration corridors, recreational access points, lands of unique ecological value, lands of significance to threatened or endangered species or species of special concern, pocket parks, trails and trail connections, and lands of aesthetic or passive recreational value.

Open Space, Usable

Any outdoor space usable for outdoor recreation activities, which may include areas maintained in a natural or undisturbed state, as well as plazas, pathways, sidewalks, landscaping, gardens, water features, fountains, or other similar areas which provide visual relief from the mass of buildings. Usable open space shall not include space used for driveways, parking areas, dumpster enclosures, or decks, patios, balconies above grade, or other similar features.

Outdoor Storage

The storage of materials, refuse, junk and/or other similar items outside of a building.

Overlay Zone

A zoning district that imposes requirements in addition to those required by the underlying zone.

Owner

Any person with a legal or equitable interest in property, with or without accompanying actual possession of the property; a person who is under contract to purchase property by land installment contract or by a purchase contract; or a person who is acquiring property, or a legal or equitable interest in it, through foreclosure.

P

Parapet

The extension of a false front or a building wall above the roofline.

Parcel

See also Lot. A contiguous area of land except for intervening easements and rights-of-way with a continuous boundary.

Parcel Resubdivision

Any subdivision of a lot, tract, or other parcel of land, which previously has been subdivided.

Park, ~~Public or Private~~

An area or facility to be used for recreation, exercise, sports, education, rehabilitation, or similar activities, or an area intended to enhance the enjoyment of natural features or natural beauty.

Parking and/or Loading Space

A defined area designed for a parked single vehicle which has adequate access to a street or alley.

Parking Facility

Any parking lot or parking structure which is used primarily or habitually for the parking of vehicles (excluding street or alley right-of-ways).

Passive Recreation and Open Space

Leisure-time activities, usually of an informal nature that generally involve less intensive activities, including but not limited to, walking, jogging, hiking, snowshoeing, Nordic skiing, sitting, picnicking, and other similar less intensive recreational uses.

Patio

A level hard-surfaced area at finished grade.

Permanent Monument

Any structure of masonry and/or metal (pins and caps) permanently placed on or in the ground, including those expressly placed for surveying reference.

Personal Services, General

Establishments primarily engaged in providing services involving the care of a person or his/her personal goods, including but not limited to, dry cleaning [pickup](#), cosmetics, beauty and barbershops, [spas](#), [nail salons](#), [shoe repair shops](#), [tailor shops](#), funeral services, and domestic services.

Planning Commission

See Commission.

Plant Establishment Period

The time needed for a plant to recover from being transplanted, either from a container or root ball condition or previous naturally occurring locations to its new location.

Plant Nursery

Any land or structure used primarily to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

Plat

A map of certain described land prepared by a land surveyor, licensed in the State of Colorado, as an instrument for recording real estate interest with the County Clerk and Recorder.

Plat Correction

A minor change made to a previously recorded plat for the purpose of correcting unintentional errors made by the owner or owners of the parcel or parcels to be changed. Such changes shall not violate the applicable zoning or subdivision requirements for the said plat to be corrected.

Preliminary Plat

The preliminary plat of a subdivision prepared in accordance with the requirements of this Chapter.

Premise

A parcel of land, or contiguous parcels of land not separated by a public right-of-way, and developed under one site plan.

Property Lines

The boundaries of a tract of land established either by a recorded subdivision plat or by written, recorded conveyance. Includes lot and parcel lines.

Principal Dwelling Unit

See Dwelling Unit, Principal

Principal Use

See Use, Principal.

Produce Stand

A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs or plants grown on the same parcel of land where the stand is located. Such use may also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces or baked goods, and homemade handicrafts.

“Structures” do not include benches, sculptures, fire pits, signs, fences, walls, driveways, walkways, other paved areas or public utility lines and cables.

Studio

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

Sunset

The time of day when the sun disappears below the western horizon as defined daily by the National Weather Service and posted in regional newspapers.

Street Right-Of-Way

That portion of land dedicated to public use for street and utility purposes.

Subdivider

Any person, group, corporation or other entity or any agency dividing or proposing to divide land so as to constitute a subdivision.

Subdivision

The process by which a metes and bounds tract of land is divided into two or more parcels, lots, units, or building sites for the purpose, whether immediate or future, of sale or building development. It includes resubdivision and, when appropriate, may refer to a relatively large development of similar uses.

Substantial Destruction

A building or structure has suffered substantial destruction if the cost of repair of the building or structure exceeds 75 percent of the replacement cost of the entire building, excluding the foundations. The replacement cost shall be derived from the fair market value of the building or structure, or the value as defined by ~~the~~ [Town's building code Chapter 65, Town of Frisco Building Construction and Housing Standards](#), whichever is greater.

T

Tandem Parking

The parking of one (1) motor vehicle behind another motor vehicle.

Temporary Structure

A structure without any permanent foundation or footings and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary Use

See Use, Temporary.

Tenant Finish

An interior only change to the floor plan of a structure.

Time-Share

A time-share estate, as defined in Section 38-33-110(5), C.R.S. 1973, but the term does not include group reservations made for convention purposes as a single transaction with a hotel, motel or condominium owner or association. In addition, a time-share estate means a contractual or membership right of occupancy which cannot be terminated at the will of the owner or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the property has been divided.

V

Variance

A departure from the provisions of this Chapter relating to the coverage, setback, height, lot size or other development standards and requirements of the applicable zoning district, but not involving the actual use.

Vested Property Right

The right to undertake and complete the specific development and use of property under the terms and conditions of a "site specific development plan."

Veterinary Clinic

An establishment that provides medical treatment and care to animals, and which may include temporary or overnight boarding of animals that are recuperating from treatment. A veterinarian clinic or office ~~shall not~~ may include a kennel.

W

Waiver

A relinquishment or abandonment of the requirements set forth in this Chapter relating to development and/or improvement standards.

Warehouse

An establishment whose primary activity is the storage of residential, commercial, industrial, or other goods, including inventory and/or finished products, and where no such goods are sold either at wholesale or at retail. This use does not include the storage of goods incidental to a different primary use on the same lot, which is considered an accessory use.

Way

A street, road, sidewalk, alley or other area reserved for present or future use for the purpose of vehicular or pedestrian travel. A "way" is either public (i.e. dedicated) or private (i.e., established by plat, reservation, deed, covenant or contract approved by the Town).

Wetlands

Areas, including lakes, streams, ponds, areas of seasonal standing water, areas with a predominance of wetland vegetation (such as willows, rushes or sedges), areas with boggy soils and areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands do not include areas which are saturated solely by the application of agricultural irrigation water.

Wholesale Business

The sale of goods and merchandise for resale instead of for direct consumption.

X

[Reserved]

Y

Yard

An area of a lot not occupied by a structure, located between a street or other property line and any structure or element thereof other than a fence, wall or other customary yard accessory. Depth is to be measured perpendicularly to the street or property line.

Yard, Front

A yard between a principal structure and the front lot line and between the side lot lines.