



PLANNING COMMISSION STAFF REPORT

October 6, 2022

AGENDA ITEM: Planning File No. UDC-22-0002: A Public Hearing to Consider Code Text Amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Concerning the Unified Development Code, to Allow Transitional Shelter Facilities, by Amending Table 5-1 'Table of Allowable Uses', Section 180-5.2.5 'Mobile Homes and Campers' and Section 180-9.3 'General Definitions.'

NOTICING: Published in the Summit Daily News: 9/30/2022

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Summary and Background: Housing for the local workforce has been a growing challenge in Frisco and Summit County. In addition to housing developments by private developers and local governments, other local groups are working on potential solutions. One such group is "Unsheltered in Summit", which has developed "The Summit Safe Parking Program", which for the past three years has provided a designated, secure location in parking lots for members of the local workforce to sleep in their vehicles. The program provides sanitation (port-a-lets) and trash collection for its members in order to maintain an orderly site. As the need continues to grow, Unsheltered in Summit is seeking additional locations to expand the program and increase availability.

The Safe Parking Program began in 2019 in partnership with Agape Church north of Breckenridge. Due to construction at Agape, the program moved to a parking lot at the Summit County Justice Center in Breckenridge in April 2022. However, the County has informed Unsheltered that the parking lot at the Justice Center will be unavailable for use starting in October due to snow removal requirements.

At the August 9 and September 13, 2022 Town Council meetings, Unsheltered discussed with Frisco Town Council whether there would be opportunities to support the program at designated locations within Town Limits. Town Council expressed support for the program, and directed staff to proceed with the Code text amendments necessary to authorize the program. While the Code amendments are spurred by the Unsheltered in Summit group, the land use would be open to any group that could meet the application criteria and requirements.

Frisco has identified a lot at the Frisco Marina, which would be suitable and available for the program for the winter of 2022 – 23, and will continue to evaluate other locations around town. The Unsheltered group is continuing to seek opportunities to create areas for the Safe Parking Program in other Towns, and is scheduled to meet with the Board of County Commissioners on October 4, 2022 to discuss locations outside of Town limits, and use of County-owned property.

Analysis: There are currently no designated campgrounds or camping areas within Frisco Town limits. “Camping” is not an established use in the Frisco Unified Development Code (“UDC” - Town Code Chapter 180), as there is no listing in the Table of Uses for “Camping” or “Campground”. The closest definitions in the UDC to the proposed Safe Parking Program are:

- **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.
- **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.

Because the Safe Parking Program generally allows sleeping in private vehicles rather than recreational vehicles, an amendment to the UDC is required to create an area for overnight camping in passenger vehicles on public or private property. Suggested Code language would be:

180-9.3 Definitions. Add:

Transitional Shelter Facility: An approved designated outdoor location allowing for temporary sleeping in private passenger vehicles subject to specific conditions, including local employment, approved refuse management and sanitation, tenant screening, and management of the facility.

Table 5-1, Use Table. Add: Transitional Shelter Facility as a Conditional Use in all zones, except that it would be allowed through administrative approval in the Parks and Recreation and Public Facilities zone districts.

180-5.2.5. Change Section header to “**Mobile Homes, and Campers and Campgrounds**” and add a new Subsection D:

180-5.2.5.D. Transitional Shelter Facility.

Transitional Shelter Facilities shall conform to the following requirements:

1. The application for the facility shall be submitted by the entity that will be responsible for operation and maintenance, and vetting potential tenants.
2. The application shall include a site plan, which indicates access, tenant parking, sanitation, and refuse management facilities.
3. The application shall include a facility management plan that includes at minimum: tenant qualification, including proof of local employment; facility rules of operation; and operator contact information available to respond to issues.

Additionally, Town Council would have to specifically authorize any use on Town-owned property. Section 130-11 of the Frisco Town Code specifies that “It is unlawful for any person to camp or stay overnight in any town park, open space property or recreation area, except in an area designated for such use”. If Town Council determines that there is an appropriate Town-owned location to facilitate the Safe Parking Program, an official action of Town Council would be required to allow the use of Town property for the purpose.

Potential Locations: Since the August 9 meeting, staff has identified parcels within Town limits which may be suitable, including:

- Parking lots in the Marina (winter use only). This would require Town Council approval through a resolution, including stipulations on use.
- Frisco Transfer Center. This parcel is located in Town, but is owned by the County. The BOCC may discuss use of this property at their October 4, 2022 work session.

Town staff also evaluated other Town-owned parcels to see if they could be viable for this program, including the Willow Preserve trailhead and the “Boneyard” area at the Peninsula Recreation Area, but determined these should not be further pursued due to various reasons, including potential user conflicts and snow storage.

The Unsheltered group also identified locations near Town limits that could be viable, including:

- The Lower side of the County Commons. This location is outside of Town limits, and owned by Summit County, and would therefore require approval by Summit County. The Board of County Commissioners (BOCC) has set a work session for October 4, 2022 to consider potential use of this and other County parcels.
- Giberson Bay Day Use Lot. This property is located outside of Town limits on US Forest Service property, and would therefore require approval by US Forest Service.

Staff Recommendation: The proposed code revisions are based on the premise that there is a wide range of affordable and workforce housing needs, and multiple options and programs could be used to address each segment of housing needs. Staff recommends support of the proposed code text amendments based on the following findings:

1. *The proposed code text amendments are consistent with and help support the goals of the Frisco Community Plan and the Town Council Strategic Plan.*
2. *The proposed code text amendments do not conflict with other provisions in the Town of Frisco Code.*
3. *The proposed code text amendments address a demonstrated community need by implementing regulations that were identified as a community interest.*
4. *The proposed code text amendments are necessary in order to respond to desired changes in the land use policy.*
5. *The proposed code text amendments are consistent with the general purpose and intent of this Chapter.*

Proposed Motion: Should the Planning Commission choose to RECOMMEND APPROVAL of the proposed text amendments, Staff recommends the following motion:

With respect to Planning File No. UDC-22-0002, I move that the recommended findings set forth in the October 6, 2022 staff report be made and that the Planning Commission recommends APPROVAL to Town Council of the Code Text Amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, concerning the Unified Development Code, to allow Transitional Shelter Facilities, by Amending Table 5-1 ‘Table of Allowable Uses’, Section 180-5.2.5 ‘Mobile Homes and Campers’ and Section 180-9.3 ‘General Definitions.’

Attachments: None