



STAFF REPORT

TO: PLANNING COMMISSION
FROM: KATIE KENT, COMMUNITY DEVELOPMENT DIRECTOR
**RE: WORK SESSION: UDC-26-0001, TOWN CODE, CHAPTER 180-6.14,
LANDSCAPING AND REVEGETATION REQUIREMENTS**
DATE: JUNE 4, 2026

Summary & Background:

Before the Planning Commission on June 4, 2026, is a work session to discuss proposed modifications to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado. The changes were initiated in response to new statutory requirements and a long standing need expressed by staff to update the landscaping and revegetation requirements to be more practical and meet the community's needs. At the work session, Staff will:

1. Review the requirements outlined in Senate Bill 24-0005, a water conservation law that strictly prohibits the installation of nonfunctional turf, artificial turf, and invasive plant species on commercial, industrial, institutional, and common interest community (HOA) properties. The legislation applies to new developments and redevelopments.
2. Review the requirements outlined in House Bill 25-1113, a water conservation law that expands on SB24-0005 and limits the installation of nonfunctional turf and artificial turf in new residential and commercial developments. The bill expands on previous state regulations to promote drought-friendly landscaping across Colorado.
3. Provide a brief review of relevant portions of the Colorado Wildfire Resiliency Code (CWRC) in relation to safeguarding life and property within the Wildland-Urban Interface (WUI) through providing mandatory, state-wide minimum standards for home hardening and defensible space in mapped wildfire-risk areas. This includes identified zones around structures to reduce the risk of embers destroying homes.

4. Present specific questions to Commissioners to receive guidance on how to write portions of the landscaping and revegetation requirements to meet the community's needs including:
 - a. Should Planning require application submittals for the conversion or replacement of turf?
 - b. Should Planning require application submittals for removal of dead and diseased trees?
 - c. Should dead or diseased tree removal require replacement; if yes, how about trees removed in the immediate WUI zone?
 - d. What does the Commission think is an adequate tree and shrub count for residential and non-residential developments that respects the required defensible space zones but also provides a natural appearance within Town?
 - e. Does the Commission want to expand alternatives for landscaping to areas in addition to Main Street, East and West Main Street, and Summit Boulevard?
 - f. Does the Commission want to exempt 0-5' from a structure from lot coverage since it is required to be gravel, stones, etc. through new legislation?
5. Receive additional feedback from Commissions on the landscaping and revegetation requirements draft.

Staff encourages the Commission to keep in mind the intent of landscape regulations which include managing environmental risks and maintaining community character. Landscaping is important to aid in drainage, stabilize slopes, provide buffers, increase property values and enhance neighborhood curb appeal. Staff's intent on revising the landscaping regulations is not just to bring it into conformance with state legislation but also recognizing that water conservation and wildfire resiliency are needs that are becoming more important in our community and Colorado. Our intent in these modifications is to find the balance to how much, where, and what type of landscaping shall be required while ensuring the town is also supporting water conservation and wildfire resiliency.

Senate Bill 24-0005

The primary intent of SB24-0005 was to reduce outdoor water demands by limiting the amount of non-native, cool season, high water use turf in landscaping. The bill intended for communities to replace the practice of installing nonfunctional, high water use turfgrasses (turf) with "water-wise landscaping" that reduces outdoor water consumption "without adversely impacting quality of life or landscape functionality." The bill did not apply to new residential development.

House Bill 25-113

The primary intent of HB25-1113 was to expand the requirements of SB24-0005. HB25-1113 added definitions for functional artificial turf and nonfunctional artificial turf and

required communities to adopt standards that prohibit nonfunctional artificial turf. This bill also defined compliance to include new and redeveloped multifamily development with more than twelve (12) units and requires local governments to create standards/practices to reduce irrigation demands in all other new residential developments.

2025 Colorado Wildfire Resiliency Code (CWRC)

The CWRC was created to achieve numerous objectives that included protecting structures against embers and establishing defensible space. Through the mandatory requirements outlined in this Code, the town's current landscaping requirements contradict what is permitted with regards to vegetation within defensible space zones. Exceptions to the CWRC include:

- Detached tool sheds under 120 square feet and 10 feet from buildings
- Alterations or repairs affecting less than 25% of roofs or walls
- Additions under 500 square feet

A commonly use term today is the Wildland-Urban Interface ("WUI"). This is known as the transitional zone where human development meets or intermingles with undeveloped wildland vegetation and flammable fuels. This area matters since it is where the man-made structures blend with natural, combustible vegetation and is highly susceptible to wildfires. To assist in fire mitigation, defensible spaces and fire-resistant building material requirements are becoming more stringent in Colorado.

Analysis:

Attachment 1, Draft 180-6.14. Landscaping and Revegetation Requirements.

Attachment 1 includes:

- A Table of Contents on page 1 to assist understanding the new layout. This may be rearranged as the regulations are finalized.
- Text boxes on the right side of the pages to provide insight or highlight questions for the Planning Commission
- Page 24 contains staff notes regarding other parts of the Town Code that may need to be modified at the same time as 180-6.14 due to potential inconsistencies and/or general clean-up related to turf, irrigation, and/or landscaping. Staff has included these for Commissioners to see how landscaping is connected to other parts of the Town Code.

Applicable Definitions

Through the above stated legislation, the Town is incorporating required definitions into the landscaping regulations. These are included in the draft regulations under 180-6.14.8.

Technical Questions for Planning Commission

- a. Should Planning require application submittals for the conversion or replacement of turf (Refer to page 2 of Attachment 1)?

- Staff is considering allowing property owners to convert, or replace, turf to xeriscaping without needing to submit an Administrative Site Plan for landscape modifications.
 - ✓ Pro: Convenience for property owners not to have to draw up a site plan, submit an application, and wait for a planner to review.
 - ✓ Pro: Provides an incentive to property owners to remove turf.
 - ✓ Con: Planning will not be able to verify that proposed replacement is in conformance with the plant list and other parts of the landscaping regulations.

- b. Should Planning require application submittals for removal of dead and diseased trees (Refer to page 2 of Attachment 1)?
 - Staff is considering allowing property owners to remove dead or diseased trees without needing to submit an Administrative Site Plan.
 - ✓ Pro: Convenience for property owners not to have to draw up a site plan, submit an application, and wait for a planner to review.
 - ✓ Pro: Provides an incentive to property owners to remove dead or diseased trees for wildfire mitigation.
 - ✓ Con: Planning will not be able to verify that removed tree(s) are dead or diseased.
 - ✓ Con: If the Town wants to require replacement of dead/diseased trees, then the Town cannot document new trees were planted.

- c. Should dead or diseased tree removal require replacement; if yes, how about trees removed in the immediate WUI zone (Refer to pages 2 and 5 of Attachment 1)?
 - Staff is unsure if tree replacement should be required when dead/diseased trees are removed.
 - ✓ Pro: Convenience for property owners not to have to find a location for new trees that meet WUI requirements.
 - ✓ Pro: Cost savings for property owners who want to reduce wildfire hazard by not having to purchase and install replacement trees.
 - ✓ Pro: Provides an incentive to property owners to remove dead or diseased trees for wildfire mitigation.
 - ✓ Con: Not requiring replacement contradicts the intent of having a minimum amount of vegetation per project along with species diversity and minimum tree caliper and height requirements.
 - ✓ Con: Overall impact of reduced trees in Town which could make an impact to the appearance of neighborhoods and community character.

- d. What does the Commission think is an adequate tree and shrub count for residential and non-residential developments that respects the required defensible space zones but also provides a natural appearance within Town (Refer to pages 3 and 4 of Attachment 1)?

- Staff would like to modify the current requirements to:
 1. Match Silverthorne’s residential requirements as outlined for their 1-3 units not with common entity:

*Per Dwelling Unit:
Three (3) trees and six (6) shrubs; or
Four (4) trees and three (3) shrubs; or
Five (5) trees and no shrubs.*

2. Merge existing Frisco requirements with Summit County for Nonresidential requirements:

Three trees and two shrubs for every 1500 sq. ft. of floor area

Table 1: Tree and Shrub Count Examples

TREE AND SHRUB COUNT EXAMPLES			
	Frisco (Existing)	Summit County	Silverthorne
Residential	1 tree for every 875 sq. ft. project area 1 shrub every 1500 sq. ft. project area	Minimum of three (3) trees and two (2) shrubs shall be provided for each actual unit	*1-3 units not with common entity. Per Dwelling Unit: Three (3) trees and six (6) shrubs; Four (4) trees and three (3) shrubs; or Five (5) trees and no shrubs.
Commercial/ Nonresidential	Dependent on project type: 1 tree for 1000-1500 sq. ft. of project area 1 shrub for 1500-2500 sq. ft. of project area	Minimum of three (3) trees and two (2) shrubs shall be provided for every 1,000 square feet of Floor Area	*4 or more residential/common entity, commercial: Trees: 30% landscape area (tree = 120 sq. ft.) Shrubs: 10% of landscape area (shrub = 20 sq. ft.)

- e. Does the Commission want to expand alternatives for landscaping to areas in addition to Main Street, East and West Main Street, and Summit Boulevard (Refer to page 4 of Attachment 1)?

- In an effort to reduce wildfire risk and reduce water usage, while still promoting aesthetics, Staff would like to know if the Commission wants to allow alternatives (public art, public patios/seating, planter boxes, etc) as an alternative to tree and shrub counts along:
 - Dillon Dam Road
 - Lusher Court

o Ten Mile Drive

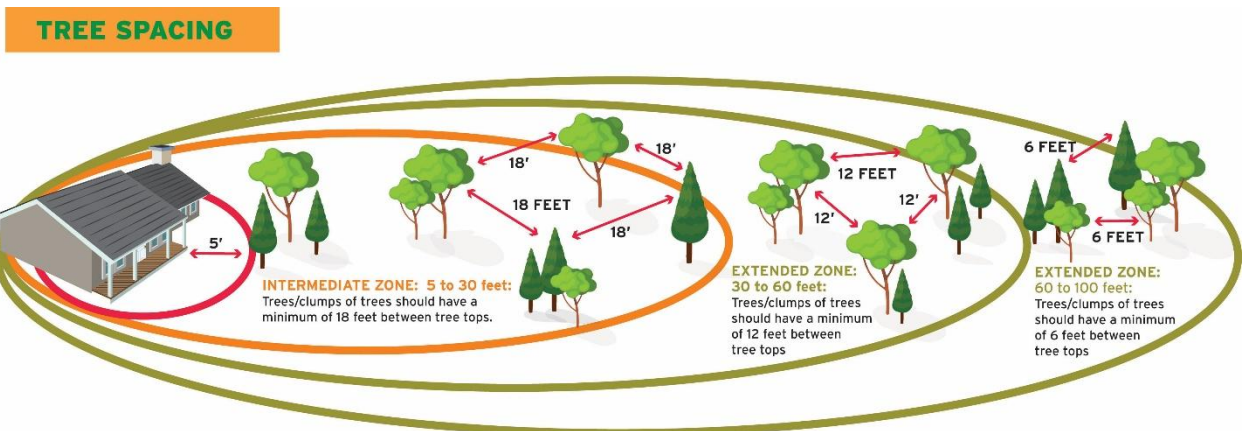
This would be in addition to landscape alternatives currently allowed on Main Street, East and West Main Street, and Summit Boulevard.

- ✓ Pro: Reduces water usage if trees and shrubs reduced.
- ✓ Pro: Reduces wildfire risk with less trees and shrubs.
- ✓ Pro: Promotes more public spaces in other commercial areas.
- ✓ Con: Difficult to determine what should be counted as an alternative when applicants bring forward patios/public seating that are not in a location easily accessed by the public.

f. Does the Commission want to exempt the square footage 0-5' from a structure from the definition of lot coverage since it is required to be gravel, stones, etc. through new legislation (Refer to page 5 of Attachment 1)?

- With the new CWRC requirement to only have noncombustible materials like gravel, rock, or concrete 0-5' from a structure, the Town could consider allowing that sq. ft. to be exempt from lot coverage. Staff does not support this concept but wants to receive the Commission's input. A suggestion for the Commission to consider and provide feedback on is:

*Lot Coverage. The percentage of total lot area used for parking, roads, drives; and above or below-grade structures or improvements, including, but not limited to, hot tubs, decks, patios, and sheds. The following elements are excluded from the calculation of lot coverage: Two feet of roof eaves as measured perpendicular from the exterior building wall; **the square footage of the area identified as the Immediate Zone 0-5' from the structure;** ground-mounted solar energy facilities as an accessory use; 100 percent of publicly used non-vehicular pathways and three feet of the width of privately used non-vehicular pathways; and approved dumpster enclosures that provide adequate space for recycling containers.*



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- ✓ Pro: Does not penalize property owners with lot coverage calculations required by state legislature.
- ✓ Con: By exempting this sq. ft. from lot coverage, it allows a property owner to add additional lot coverage through driveways, structures, etc. This then reduces drainage capability and has less permeable area on a property.
- ✓ Con: Owners could be encouraged to pave the first 5' adjacent to the structure rather than utilize permeable, noncombustible landscaping such as cobble and rock.

Alignment with Comprehensive Plan:

Goals and strategies from the 2025 Frisco Comprehensive Plan that are applicable to the Landscaping and Revegetation Requirements include:

Goal R.1: Conserve and manage freshwater resources efficiently to ensure sustainable water availability and meet the community's long-term needs.

5. *Update the UDC to create a more robust water conservation program. Encourage native planting and limit the use of turf grass which requires more water to grow. Prohibit outdoor watering for properties outside of the Town boundaries that use town water. Consider additional education and resources for waterwise landscape and low-impact development at a residential and commercial scale. Ensure new developments follow water conservation and water quality protection guidelines/regulations.*

Goal R.2: Strengthen wildfire and hazard mitigation efforts and improve infrastructure resiliency to protect the community.

1. *Pursue wildfire mitigation effort. Focus on the WUI, the watershed above Tenmile Creek, and create a buffer zone between natural and developed areas.*

Goal R.3: Manage development in relationship to water and sewer capacity.

Goal R.4: Promote climate action through new and existing development.

4. *Support comprehensive sustainable design standards including solar orientation, landscaping guidelines, and water conservation and consider updating the UDC while considering affordability implications.*

Staff Recommendation:

Staff requests the following feedback from the Planning Commission:

1. Are there questions on understanding SB24-0005, HB25-1113, and the CWRC?
2. Should Planning require application submittals for the conversion or replacement of turf?
3. Should Planning require application submittals for removal of dead and diseased trees?

4. Should dead or diseased tree removal require replacement; if yes, how about trees removed in the immediate WUI zone?
5. What does the Commission think is an adequate tree and shrub count for residential and non-residential developments that respects the required defensible space zones but also provides a natural appearance within Town?
6. Does the Commission want to expand alternatives for landscaping to areas in addition to Main Street, East and West Main Street, and Summit Boulevard?
7. Does the Commission want to exempt 0-5' from a structure from lot coverage since it is required to be gravel, stones, etc. through new legislation?
8. Does the Planning Commission want to have another work session on modifications by themselves or a joint work session with the Council to discuss proposed modifications as they are further drafted by Staff?

Attachments:

- Attachment 1 – DRAFT 180-6.14 Landscaping and Revegetation
- Attachment 2 – Existing 180-6.14 Landscaping and Revegetation
- Attachment 3 – House Bill 25-1113
- Attachment 4 – Senate Bill 24-0005
- Attachment 5 – 2025 Colorado Wildfire Resiliency Code