



PLANNING COMMISSION STAFF REPORT

October 1, 2026

AGENDA ITEM: Planning File No. **TELEC-26-0001**: A Telecommunication Special Use Permit Application for the installation of a new monopine freestanding telecommunication facility.

LOCATION: 101 West Main Street / Lot B-1, West Frisco 70 Sub #2

APPLICANT Ben Feldman, BMF Development LLC representing AT&T

OWNER: Town of Frisco

TOWN STAFF: Katie Kent, Community Development Director

PROJECT DESCRIPTION

The applicant, BMF Development LLC, on behalf of AT&T and NHPF West Main LLC, herein referred to as "Applicant," is proposing a permanent wireless telecommunications facility. The proposed facility is a seventy-five (75) foot telecommunication tower integrated into a pine tree form with associated equipment proposed within a fenced area.

BACKGROUND

On February 27, 2024, the Town Council approved 101 W. Main Housing Planned Unit Development (PUD) through Ordinance 24-01. The underlying zoning is Mixed-Use District.

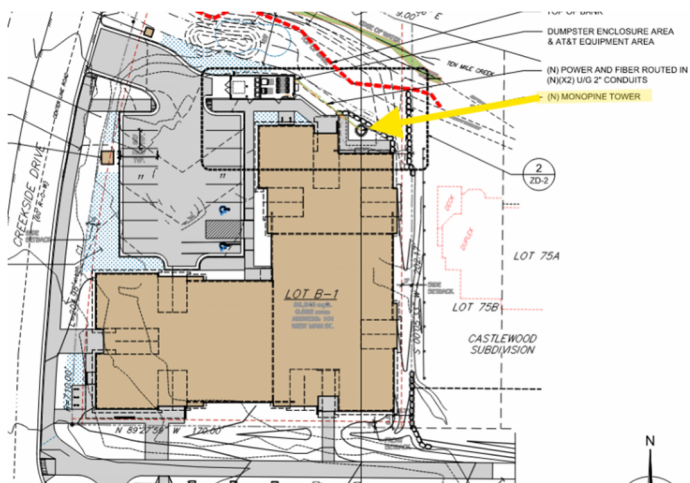
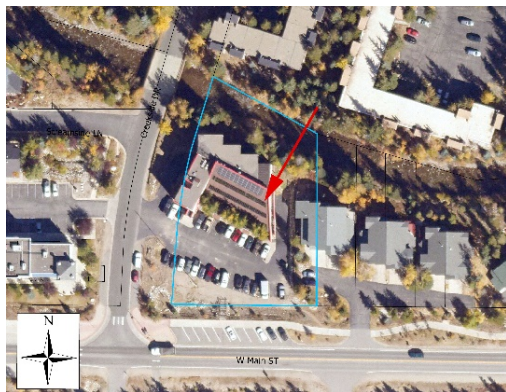
On June 20, 2024, the Planning Commission approved MAJ-23-0011, a final review of a Major Site Plan application for a new mixed-use/affordable housing development consisting of 52 deed-restricted residential dwelling units and 1,546 sq. ft. of leasable nonresidential space.

On November 20, 2025, the Planning Commission approved a modification, MODSP-25-0003, to MAJ-23-0011 to revise the proposed roof design and make other minor design changes to the building and site.

On May 21, 2026, the Planning Commission approved a Telecommunication Special Use Permit Application, TELEC-25-0002, for the installation of a new telecommunication facility to be in placed in the Town's right-of-way for up to two years. The application before the Commission

on October 1st is to be a permanent replacement for the temporary infrastructure approved in May.

The previously approved application at 101 W. Main Street involves the demolition and reconstruction of an existing building. In coordination with the Town through a revocable license agreement, NHP has proposed, received approval, and installed, a temporary utility infrastructure to maintain cellular service within the community during construction.



REQUIRED ACTION

Planning Commission: Approval, approval with conditions, or denial of the Special Use Application.

ANALYSIS – 2025 FRISCO COMPREHENSIVE PLAN

The following goals and strategies of the 2025 Frisco Comprehensive Plan, herein referred to as “Plan,” are applicable to the review of the proposed development:

Goal D.5: *Continue to develop strategies for sustainable tourism that acknowledge and work towards creating greater harmony between resident quality of life, community character, visitor experience, and supporting the local economy.*

The Application is consistent with Goal D.5, as it supports a balanced approach to sustainable tourism by maintaining reliable wireless service for both residents and visitors. Continuous connectivity enhances the visitor experience by providing access to navigation, reservations, and emergency services, while also supporting local businesses that rely on reliable communications.

Goal H.3.2.

Prioritize infrastructure and services. Prioritize improvements to public infrastructure and facilities that support local housing needs, and prioritize improvements to community services that support the needs of local, year-round residents, and workers, including new permanent residents.

The Application supports the goal of prioritizing infrastructure and services by ensuring the continuity of wireless communication services. Maintaining reliable wireless service supports the

needs of local residents, workers, businesses, and emergency communications while redevelopment activities are in process.

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

The Application is consistent with Goal R.2, as it supports wildfire and hazard mitigation efforts by maintaining uninterrupted wireless service. Reliable communication infrastructure is critical for emergency response, evacuation coordination, and public safety during hazard events, and any lapse in service would create unnecessary risk. The Application strengthens overall infrastructure resiliency in alignment with the Town's goals.

The Application will improve service and network reliability for the community while also providing a public service benefit for the community. The Application appears to be in conformance with the purpose and recommendations of the Frisco Comprehensive Plan.

ANALYSIS – TELECOMMUNICATION FACILITIES [§180-5.2.11]

The purpose and intent of Frisco Town Code, herein referred to as “Code” 180-5.2.11 Telecommunication Facilities, is to accommodate the telecommunication needs of residents and businesses while protecting the public health, safety, and general welfare of the community. The Applicant shall demonstrate that its proposed telecommunication facility meets all standards and provisions of Section 5.2.11.

All telecommunication facilities not treated as permitted uses pursuant to Section 180-5.2.11.F. are deemed to be special uses and require a special use permit. An applicant proposing a telecommunication facility that exceeds the height limitations set by the zoning district in which such facility is proposed shall obtain a special use permit, in lieu of a variance. The property is zoned 101 W Main Housing Planned Unit Development which states:

Building Height: all structures shall be a maximum of 45 feet in height for pitched roofs and 35 feet in height for flat roofs as defined in the Unified Development Code.

a. A ten percent increase in maximum building height as defined by the Mixed Use Zone in the Unified Development Code at the time of the project construction shall be permitted for this designation.

With the allotted 10% increase in height, a maximum height of 49.5' is permitted on the subject property. The proposed telecommunication tower is 75' in height, therefore requiring the special use permit to be approved by the Planning Commission.

Applications to construct telecommunication facilities that require a special use permit shall have a public hearing before the Planning Commission, which may impose any reasonable conditions to ensure that the proposal satisfies the criteria set forth in this Chapter.

The requirements of the Telecommunications Facilities use-specific standards are applicable to the review of the proposed project as follows:

180-5.2.11.C. General Requirements. Unless otherwise provided by this Chapter or other applicable law, the following general requirements shall apply to all telecommunications facilities located within the Town of Frisco.

1. Federal Requirements. *All towers and antennas must meet or exceed the current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.*

As stated in the Applicant's submitted materials:

The proposed 75-foot monopine telecommunications facility will comply with all applicable federal requirements, including Federal Communications Commission (FCC) licensing and operating standards and applicable Federal Aviation Administration (FAA) notice, marking, and lighting requirements. FAA lighting is not anticipated based on the proposed height, but ATCT will comply with any final FAA determination or other applicable federal requirement. If federal standards change during the life of the facility, ATCT will bring the facility into compliance as required.

The application meets this requirement.

2. Radio Frequency (RF) Standards

- a. All owners of telecommunication facilities shall comply with federal standards for radio frequency emissions.*
- b. With the exception of any low power telecommunications facility, at the time of application for a tower, antenna or related telecommunication facilities, and thereafter at the request of the Town upon complaint (but not more than annually), the owner shall submit a project implementation report that provides cumulative field measurements of radio frequency emissions of all antennas installed at the subject site, and that compares the results with established federal standards.*
- c. If, upon review, or at any time any telecommunications facility within the Town is operational, the Town finds that the facility does not meet federal standards, the Town may require corrective action within a reasonable period of time, and if not corrected, may require removal of the telecommunication facilities at the owner's expense. Any reasonable costs incurred by the Town, including reasonable consulting costs to verify compliance with these requirements, shall be paid by the owner.*

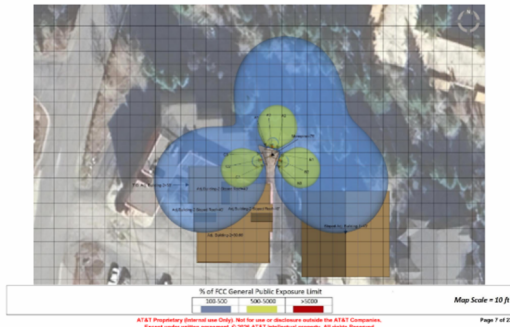
As stated in the Applicant's submitted materials:

The facility will comply with FCC radio frequency emissions standards and maximum permissible exposure limits. An RF / EME compliance report prepared by a qualified professional is being submitted with the application as Exhibit B. ATCT will provide updated RF compliance documentation upon Town request in accordance with the Code and will cooperate with reasonable Town verification procedures consistent with Section 180-5.2.11.

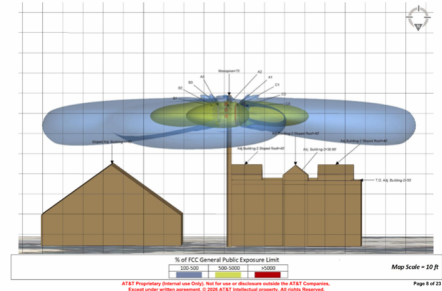
The Application was reviewed by the Town's engineering consultant SEH for general conformance with applicable Town standards and engineering principles. SEH noted that the application includes a radio frequency exposure analysis, which states that the proposed 101 W. Main building, as well as the adjacent building at 75 W. Main Street, are within the acceptable FCC levels.

4. Predicted RF Emission Diagram(s)

4.1 Predictive Cumulative MPE Contribution from All Sources: 3D Top View



4.2 Predictive Cumulative MPE Contribution from All Sources: 3D Perspective View - 1



The application materials satisfactorily provide documentation that the proposed tower is the minimum height needed to provide adequate services to the community while avoiding any public health risks with regards to the RF Emissions. The application meets this standard. The Application meets this requirement.

3. Building Codes; Safety Standards

- a. *To ensure the structural integrity of towers, the owner of a tower shall ensure that the tower is of sufficient structural strength to accommodate reasonable co-location, if required, and is maintained in compliance with standards for towers that are published by the Electronic Industries Association, as amended from time to time, and all other applicable codes of the Town.*
- b. *In addition to any other applicable standards and requirements, the following shall apply to all towers and telecommunication facilities:*
 - I. *Sufficient anti-climbing measures must be incorporated into each facility to reduce potential for trespass and injury.*
 - II. *No guy wires employed may be anchored within the area in front of any principal building or structure on a parcel.*
 - III. *All telecommunication facilities shall comply with the power line clearance standards set forth by Colorado Public Utilities Commission.*
 - IV. *All telecommunication facilities must be structurally designed and physically sited so that they do not pose a potential hazard to nearby residences or surrounding properties or improvements. Any tower shall be designed and maintained to withstand without failure maximum forces expected from wind, snow, ice, tornadoes, and other natural occurrences, when the tower is fully loaded with antennas, transmitters, and other telecommunication facilities and camouflaging. Initial demonstration of compliance with this requirement shall be provided via submission of a report to the Town's Building Official prepared and stamped by a structural engineer licensed in the State of Colorado describing the tower structure, specifying the number and type of antennas it is designed to accommodate, providing the basis for the calculations done, and documenting the actual calculations performed. Proof of ongoing compliance shall be provided upon request.*
- c. *If, upon inspection, the Town concludes that a telecommunication facility fails to comply with such codes and standards and constitutes a danger to persons or property, then upon*

notice being provided to the owner of a telecommunication facility, the owner shall have 30 days to bring such telecommunication facility into compliance with such standards. Upon good cause shown by the owner, the Town's Building Official may extend such compliance period not to exceed 90 days from the date of said notice. If the owner fails to bring such telecommunication facility into compliance within said time limit, the Town may remove such telecommunication facility at the owner's expense.

As stated in the applicant's narrative:

The monopine, antenna mounts, foundation, equipment platform or compound elements, fencing, electrical work, grounding, and associated appurtenances will be designed and constructed in accordance with applicable Town building codes, electrical codes, safety codes, and accepted telecommunications structural standards. Final structural drawings and calculations will address wind, snow, ice, seismic, foundation, and equipment loading conditions applicable to Frisco and Summit County. The facility will include anti-climbing measures and will be constructed only after issuance of required permits.

The application meets this requirement.

4. Order of Preference

a. Zoning District

Applicants are encouraged to construct alternative telecommunication facilities in commercial districts. An Applicant requesting approval to construct a telecommunication facility in a residential district must first demonstrate to the reasonable satisfaction of the Town that a location in a commercial district would not meet the Applicant's service needs. Small cell facilities, however, shall be permitted as uses by right in all zone districts, subject to the process and standards described in Section 5.2.11.J.

The Application is proposed in a zone district that is PUD with an underlying zoning of Mixed-Use. As noted in the application narrative:

The Town's preference for locating telecommunications facilities within appropriate commercial or nonresidential contexts is acknowledged. The proposed location is associated with the same property that historically supported ATCT's rooftop telecommunications facility, and the proposal is intended to provide a permanent replacement for that existing service location following redevelopment. The selected location allows ATCT to maintain established service coverage while minimizing impacts to surrounding properties and avoiding the need to create multiple new facilities elsewhere in the community.

The PUD and underlying Mixed-Use zone district allow commercial uses. The Mixed-Use District is classified as a commercial/mixed-use district in the Town Code, Table 5-1, Table of Allowed Uses. The Application meets this standard.

b. Facility Type. *Wall- or roof-mounted telecommunication facilities and low power telecommunications facilities are preferred over freestanding telecommunication facilities. An Applicant requesting approval to construct a freestanding telecommunication facility, which is not a low power facility must first demonstrate to the reasonable satisfaction of the Town that a wall- or roof-mounted facility is not feasible or is inadequate to provide service. When appropriate, the Town may require that an alternative telecommunication facility that reflects the character of the surrounding property (developed or undeveloped) be employed.*

Town Staff requested the applicant provide further information regarding why the proposed telecommunication equipment could not be installed on the roof of the proposed new building. As noted in the application narrative:

The Town's preference for wall-mounted and roof-mounted telecommunications facilities is acknowledged. ATCT specifically evaluated whether telecommunications equipment could be reinstalled on the redeveloped building that previously hosted ATCT's rooftop antennas. Although the prior building accommodated rooftop telecommunications equipment, the redevelopment changes the building's architecture, roofline, and visual character. To return the facility to the new building and achieve the antenna elevation necessary for continued service, ATCT would need to install antennas, screening structures, concealment features, rooftop extensions, or similar appurtenances above the designed roofline.

Those added rooftop elements would increase the apparent height and mass of the redeveloped building and would make the building appear out of place. The additions would not read as an intentional part of the architecture; rather, they would appear as telecommunications-related appendages placed on top of the building. That visual condition would be inconsistent with the redevelopment's intended design and less compatible with the surrounding Main Street environment.

ATCT determined that returning the facility to the redeveloped rooftop would create a worse visual outcome than a purpose-built freestanding stealth facility. A rooftop installation would require visible roofline extensions and screening, while the proposed monopine is designed from the outset to conceal telecommunications equipment within a naturalistic form.

The proposed monopine incorporates simulated bark treatment, evergreen branch structures, concealed antenna placement, nonreflective finishes, and a natural silhouette intended to blend with the forested mountain character of Frisco. The surrounding area includes mountain views and vertical evergreen forms that are consistent with the monopine design. The monopine therefore reflects the character of surrounding developed and undeveloped properties more effectively than visible rooftop extensions on the redeveloped building.

Accordingly, ATCT submits that a roof-mounted or wall-mounted facility is not the most visually compatible or aesthetically appropriate solution for this replacement site. The proposed 75-foot monopine allows the redeveloped building to retain its intended architectural character while providing a separate, concealed telecommunications facility designed specifically to reduce visual impacts. As proposed, the monopine represents the least intrusive feasible alternative and is consistent with the purpose and intent of Section 180- 5.2.11.

The applicant provided Staff an image of the visual appearance of what the required equipment on the building would look like. Staff agrees with the applicant that since the same overall height would be, the design of the monopine fits with the character of the area more than the proposed equipment on the roof.

Visual images of how equipment would look on rooftop (NOT PROPOSED)



With regards to why the telecommunication equipment has to be higher than what the pre-existing equipment on the structure was, the application materials state:

The proposed 75-foot monopine replaces ATCT's existing antennas that were mounted on the building being removed as part of the property redevelopment. Although the former antennas were not located on a 75-foot tower, the building itself provided substantial elevation above the surrounding ground. The former installation therefore benefited from the combined height of the building and the rooftop antenna mounts. The proposed monopine begins at ground level and must independently replace both the elevation previously provided by the building and the elevation of the rooftop antenna installation.

The proposed monopine base will be located approximately five feet below the architectural grade of the redeveloped property. This grade difference effectively reduces the operational elevation of the proposed antennas relative to the new building and adjacent portions of the site. A portion of the requested tower height is therefore necessary to compensate for the lower tower-base elevation. ATCT's RF engineer has determined that the proposed structure provides an approximately 60- to 70-foot mounting envelope for ATCT's antennas, allowing the antennas to extend slightly above the surrounding tree canopy and reducing obstruction from trees, buildings, and terrain.

The 75-foot dimension describes the overall height of the monopine concealment structure, not the height of every ATCT antenna. The upper structure is necessary to create the tapered crown, branching, and foliage coverage needed to conceal the antennas and make the facility resemble a mature evergreen tree. Reducing the overall height without lowering the antennas would compress the upper branching and concealment area and make the antennas more visible. Reducing both the structure and antenna height would place the antennas closer to the tree canopy and other obstructions, reducing coverage and service reliability.

Antenna height affects wireless performance because radio frequency signals are weakened, scattered, or blocked by terrain, buildings, trees, and other physical obstructions. Positioning the antennas slightly above the nearby tree canopy improves the signal path between the facility and wireless users. Locating antennas within or below the tree canopy would increase signal obstruction and could reduce the geographic area reliably served by the facility.

Returning the antennas to the new building would not eliminate the need for elevation. To provide comparable service from the new building, the antennas and associated concealment elements would need to extend above the new roofline. This would increase

the apparent height and mass of the building and create rooftop additions that would look out of place and would not conform to the intended architectural design of the redevelopment. The proposed monopine separates the telecommunications use from the new building and provides the necessary antenna elevation within a structure designed specifically for concealment.

The proposed height also preserves a lower mounting envelope, generally in the 50- to 60-foot range, that may accommodate future colocation. Providing this reserve space promotes infrastructure sharing and may reduce the need for another freestanding tower in the area. The RF engineer has also indicated that the freestanding configuration reduces potential RF-safety concerns on the new rooftop for workers and other users if another provider is located there.

The proposed 75-foot height is therefore justified because it:

- 1. Replaces the combined elevation previously provided by the former building and rooftop mounts*
- 2. Compensates for the tower base being approximately five feet below architectural grade*
- 3. Positions ATCT's antennas within the 60- to 70-foot mounting envelope identified by ATCT's RF engineer*
- 4. Allows the antennas to extend slightly above the surrounding tree canopy*
- 5. Provides sufficient monopine crown, branching, and foliage above and around the antennas for effective concealment*
- 6. Avoids visually incompatible telecommunications extensions above the new building's roofline; and*
- 7. Preserves a lower mounting envelope for potential future colocation, thereby reducing the potential need for another tower*
- 8. Accordingly, the requested 75-foot monopine should not be viewed as an unexplained increase over the former rooftop facility. It is a ground-based replacement that must recreate the effective antenna elevation previously supplied by the building while also accommodating the structural and concealment components of a stealth monopine.*

The application provides documentation that is to the satisfaction of the Town that the proposed freestanding tower is more feasible than providing a wall or roof mounted facility to provide service. The application materials note the proposed monopine design is proposed to provide a facility that reflects the character of the surrounding property. The application meets this standard.

5. Design Standards. The guidelines set forth in this Subsection 180-5.2.11.C.5 shall apply to the location of all telecommunication facilities governed by this Article VII; provided, however, that the Town may waive these requirements if it determines that the overall intent of this Section 180-5.2.11.C, as defined in 180-5.2.11.A, is not served by the implementation of a particular guideline with respect to a particular telecommunication facility.

- a. The location and design of a telecommunication facility and any accessory equipment shall use materials, colors, textures, screening, and landscaping that will blend the telecommunication facility to the surrounding natural setting and built environment. Accessory equipment in areas of high visibility shall, where possible, be sited below the ridgeline or designed (e.g., placed underground, depressed, or located behind earth berms) to minimize its profile.*

The tower will be designed as a monopine with bark-style pole treatment, evergreen-style branches and foliage, muted nonreflective finishes, and antenna concealment. Ground equipment will be located adjacent to the tower within an approximately 17' x 12' fenced equipment area, with power and fiber brought into the facility. The equipment area will be screened through fencing, landscaping, or other approved site-plan measures. The design intentionally avoids the visually incompatible alternative of extending the height of the redeveloped building to conceal rooftop telecommunications equipment. The Application meets this standard.



- b. Any accessory equipment located within an overlay district adopted by the Town must generally conform with the intent of the specific district standards.*

The Application is located within the 101 West Main PUD and is in conformance with the intent of the specific district standards with the exception of maximum height which is what is before the Planning Commission. The application meets this standard.

- c. Roof- and wall-mounted facilities shall be architecturally compatible with and colored to match the building or structure to which they are attached. Wall-mounted facilities shall be mounted as flush to the building wall as possible. A wall-mounted facility shall not encroach into the required setback for the building to which it is attached, and shall not extend across any required utility, pedestrian or sidewalk easement or extend across the property line.*

The Application is not being mounted on any structure. This standard is not applicable.

- d. Freestanding telecommunication facilities shall not be artificially lighted, unless required by the FAA or other applicable governmental authority. If lighting is required, the Town may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. Lighting must be shielded or directed to the greatest extent possible so as to minimize the amount of light falling onto nearby properties, particularly residences.*

The Application does not propose any artificial lighting. The application materials note that FAA lighting is not anticipated for a 75-foot facility, but any required federal lighting or markings would be implemented only if mandated by the applicable authority. The application meets this standard.

- e. No portion of any antenna array may extend across a required property setback or beyond the property line.*

As shown in the Application, the proposed equipment is not located within a property setback, or beyond the property line. The application meets this standard.

- f. All Applicants under this Article VII shall comply with the landscaping requirements and guidelines found in Section 180-6.14 of this Chapter.*

The Application meets the definition of a "Public Utility Facility," for which the amount of landscaping required shall be determined by the Town. The property is currently under development with a Major Site Plan approval and landscaping will meet code requirements. Staff does not recommend requiring any new landscaping for the monopine. The Application meets this standard.

- g. The height, bulk, and setback requirements for the telecommunication facility shall be controlled by the district regulations of the zoning district in which the facility is located. Accessory equipment shall be compatible with the surrounding area and must conform with all zoning requirements.*

As stated in the applicant's submitted materials,

The proposed 75-foot height is the minimum height necessary to satisfy ATCT's RF coverage and capacity objectives at this replacement site. The monopine design reduces apparent bulk and visual contrast compared to a conventional exposed tower and avoids increasing the height and visual mass of the redeveloped building through rooftop extensions.

Antenna height directly affects wireless service because radio frequency signals perform best when antennas are elevated above surrounding obstructions. Increased antenna elevation allows signals to propagate over terrain, buildings, vegetation, and other physical features. As antenna height is reduced, signals encounter more obstruction, resulting in reduced coverage area, weaker in-building service, increased shadowing, reduced network capacity, and increased potential for dropped calls or interrupted data sessions.

ATCT evaluated lower antenna elevations and determined that heights below the proposed 75-foot monopine would not adequately satisfy the service objectives for the intended coverage area. Reducing the facility height would place the antennas closer to existing obstructions and terrain features, resulting in diminished signal propagation and reduced service reliability.

Multiple lower-height facilities would be required to provide comparable service performance if the proposed height were substantially reduced. Such an approach would result in additional telecommunications sites, equipment compounds, utility connections, access needs, and cumulative visual impacts. A single 75-foot monopine allows ATCT to maintain service from the established site area while minimizing the number of facilities required in the Town.

The requested height also avoids the need to extend the redeveloped building's roofline to accommodate rooftop telecommunications equipment. A roof-mounted alternative trying to achieve similar antenna elevation would require visible rooftop extensions and screening that would make the building look visually out of place. The proposed monopine provides the necessary antenna elevation in a structure intentionally designed for concealment and visual compatibility.

Per the PUD, bulk plane encroachments shall be allowed 1,000 cubic feet per 10,000 square feet of lot area. With a site of 36,248 square feet, that would allow 3,625 cubic feet of encroachment. The proposed tower is not within the bulk plane. The application meets this standard.

6. Co-Location

- a. No building permit shall be granted to construct a new freestanding telecommunication facility unless the Applicant first demonstrates to the reasonable satisfaction of the Town that no existing tower or structure can accommodate the Applicant's needs. Evidence submitted to demonstrate that no existing tower or structure can accommodate the Applicant's proposed telecommunication facility shall consist of one or more of the following:
- I. No existing towers or structures are located within the geographic area required to meet the Applicant's coverage requirements.
 - II. Existing towers or structures are not of sufficient height to meet the Applicant's engineering requirements.
 - III. Existing towers or structures do not have sufficient structural strength to support the Applicant's proposed antenna and related equipment.
 - IV. The Applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing towers or structures, or the antennas on the existing towers or structures would cause interference with the Applicant's proposed antenna.
 - V. The Applicant demonstrates that there are other limiting factors, including but not limited to engineering factors, that render existing towers and structures unsuitable for co-location.
 - VI. There is insufficient land area to accommodate the placement of additional accessory equipment on the property.

As stated in the application materials:

ATCT previously maintained a telecommunications facility on the property prior to redevelopment. The proposed monopine is not intended to establish service in a new area unrelated to ATCT's existing network; rather, it is intended to provide a permanent replacement solution for a location that has historically supported ATCT wireless service.

Because ATCT had an existing telecommunications lease and an established rooftop facility at the property, the principal site evaluation question was how to replace the removed rooftop installation in a manner that maintains service while respecting the redevelopment. The analysis therefore focused on the redevelopment property and the feasibility of returning to the new building rather than treating the project as a new geographic search for an unrelated tower site.

Reinstallation on the redeveloped building was evaluated and determined visually unsuitable because it would require rooftop antennas, concealment elements, screening walls, extensions, or similar appurtenances above the designed roofline. Those modifications would increase the apparent height and mass of the building, alter the intended architectural design, and make the building appear visually out of place.

Relocating the facility to an existing tower or other structure elsewhere would not provide a like-for-like replacement for the established site and lease area and could fail to replicate the coverage contribution of the existing rooftop facility. It could also require additional facilities to address resulting coverage deficiencies. For this replacement project, the proposed monopine on or associated with the redevelopment property is the most appropriate and least intrusive means of maintaining service while avoiding visually incompatible rooftop modifications.

Accordingly, ATCT submits that co-location on another existing structure is not a feasible or appropriate substitute for the proposed replacement facility, and that construction of the

proposed monopine represents the best permanent replacement solution for the telecommunications facility being removed from the building.

The application meets this standard.

- b. No telecommunication facility owner or operator shall unreasonably exclude a telecommunication competitor from using the same facility or location. Upon request by the Town, the owner or operator shall provide evidence and a written statement to explain why co-location is not possible at a particular facility or site.*

As noted in the application materials:

ATCT will not unreasonably exclude telecommunications providers from utilizing the proposed facility where co-location is technically feasible and consistent with the structural, operational, and concealment requirements of the monopine. Any future co-location opportunity will be evaluated based on structural capacity, radio frequency compatibility, safety considerations, available space, and the ability to maintain the stealth characteristics of the monopine design.

The application meets this standard.

- c. If a telecommunication competitor attempts to co-locate a telecommunication facility on an existing or approved telecommunication facility or location, and the parties cannot reach an agreement, the Town may require a third-party technical study to be completed at the expense of both parties to determine the feasibility of co-location.*

As noted in the application materials:

ATCT acknowledges that, pursuant to Section 180-5.2.11(C)(6)(c), the Town may require a third-party technical evaluation if a dispute arises regarding the feasibility of co-location at the proposed facility. ATCT agrees to cooperate with any such review and provide engineering, structural, and radio frequency information reasonably necessary to evaluate a co-location request.

The application meets this standard.

7. Prohibited Use. *Advertising or communication of any visual messages from a tower or antenna is prohibited.*

The Application materials acknowledge this requirement and state that no advertising will be placed on the tower. The Application meets this standard.

8. Abandonment; Removal. *The owner of any telecommunication facility located within the Town shall notify the Community Development Department when such telecommunication facility and any associated accessory equipment is no longer in operation. Upon such notification, or if the telecommunication facility is otherwise determined not to be in operation, the Town shall consider the facility abandoned. For the purposes of this subsection, a telecommunications facility that is not operated for a continuous period of six months shall be deemed to be abandoned. The Town, in its sole discretion, may thereafter require removal of the abandoned facility by the owner and shall notify the owner accordingly. If the facility is not removed within 90 days, the facility shall be considered a nuisance under Chapter 124 of the Town Code and may be removed by the Town. All costs for the removal shall be paid for by the owner of the facility. Upon removal the site shall*

be restored and/or revegetated to blend with the surrounding environment. After the antenna or tower is removed and the site is restored to the satisfaction of the Town, the Town shall return to the owner the performance bond required pursuant to Section 180-5.2.11.D.2.d. If the antenna or tower is not removed within said 90 days, the Town may remove and dispose of such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

The application materials state that ATCT acknowledges the abandonment and removal requirements of Section 180-5.2.11. If the facility ceases operation for the period specified by the Code and is deemed abandoned, ATCT will remove the tower, associated accessory equipment, and related improvements as required and will restore the site to a condition acceptable to the Town. The application meets this standard.

180-5.2.11.D. Permit and Application Requirements

1. Building Permit. *It shall be unlawful for any person, firm, or corporation to construct or erect a telecommunication facility without first obtaining a building permit.*

ATCT will obtain all required building, electrical, grading, utility, and other permits before construction. If work within public right-of-way is required for power, fiber, utility connections, or access, ATCT will obtain applicable right-of-way approvals. The facility will be constructed in accordance with approved plans and conditions of approval, including the adjacent 17' x 12' fenced equipment area and associated power and fiber routing. The application meets this standard.

180-5.2.11.G. Special Uses

1. Generally. *All telecommunication facilities not treated as permitted uses pursuant to Section 180-5.2.11.F are deemed to be special uses and shall require a special use permit. An Applicant proposing a telecommunication facility that exceeds the height limitations set by the zoning district in which such facility is proposed shall obtain a special use permit, in lieu of a variance.*

All telecommunication facilities not treated as permitted uses pursuant to Section 180-5.2.11.F. are deemed to be special uses and require a special use permit. An Applicant proposing a telecommunication facility that exceeds the height limitations set by the zoning district in which such facility is proposed shall obtain a special use permit, in lieu of a variance. The property is zoned 101 W Main Housing Planned Unit Development which states:

Building Height: all structures shall be a maximum of 45 feet in height for pitched roofs and 35 feet in height for flat roofs as defined in the Unified Development Code.

- a. *A ten percent increase in maximum building height as defined by the Mixed Use Zone in the Unified Development Code at the time of the project construction shall be permitted for this designation.*

With the allotted 10% increase in height, a maximum height of 49.5' is permitted on the subject property. The proposed telecommunication tower is 75' in height, therefore requiring the special use permit to be approved by the Planning Commission.

3. Height. *An Applicant proposing to construct a telecommunication facility that exceeds the height limitations set by the zoning district in which such facility is proposed shall provide a statement that justifies the need for the proposed facility and height requested. Such a statement shall include evidence that:*

- a. *The facility is designed to be the minimum height necessary to provide service;*
- b. *A greater number of towers built at a lesser height would be inadequate to meet the Applicant's service demands*

As noted in the application narrative:

Antenna height directly affects wireless service because radio frequency signals perform best when antennas are elevated above surrounding obstructions. Increased antenna elevation allows signals to propagate over terrain, buildings, vegetation, and other physical features. As antenna height is reduced, signals encounter more obstruction, resulting in reduced coverage area, weaker in-building service, increased shadowing, reduced network capacity, and increased potential for dropped calls or interrupted data sessions.

ATCT evaluated lower antenna elevations and determined that heights below the proposed 75-foot monopine would not adequately satisfy the service objectives for the intended coverage area. Reducing the facility height would place the antennas closer to existing obstructions and terrain features, resulting in diminished signal propagation and reduced service reliability.

Multiple lower-height facilities would be required to provide comparable service performance if the proposed height were substantially reduced. Such an approach would result in additional telecommunications sites, equipment compounds, utility connections, access needs, and cumulative visual impacts. A single 75-foot monopine allows ATCT to maintain service from the established site area while minimizing the number of facilities required in the Town.

The requested height also avoids the need to extend the redeveloped building's roofline to accommodate rooftop telecommunications equipment. A roof-mounted alternative trying to achieve similar antenna elevation would require visible rooftop extensions and screening that would make the building look visually out of place. The proposed monopine provides the necessary antenna elevation in a structure intentionally designed for concealment and visual compatibility.

The application materials satisfactorily provide documentation that the proposed tower is the minimum height needed to provide adequate services to the community while avoiding any public health risks to the community with regards to the RF Emissions. The application meets this standard.

4. Factors Considered in Granting Special Use Permits for Telecommunication Facilities.
In addition to the applicable requirements of this Chapter, the Town shall consider the following factors in determining whether to issue a special use permit:

- a. *Demonstrated need for a facility that exceeds the height limitation for the zoning district;*
and

As stated above in this report, the application materials explain the demonstrated need for a facility that exceeds the height limitation for the zoning district including:

The proposed 75-foot height is the minimum overall monopine height needed to provide the necessary antenna elevation, compensate for the tower base being approximately five feet

below architectural grade, position the antennas slightly above the surrounding tree canopy, and provide sufficient upper branching and foliage to conceal the antennas.

The overall structural height should not be confused with ATCT's antenna mounting height. ATCT's equipment will occupy an approximately 60- to 70-foot vertical mounting envelope. The remaining portions of the structure accommodate the trunk, taper, crown, concealment, and a potential lower colocation envelope.

Reducing the height would lower the antennas into greater obstruction, reduce concealment, or eliminate space that could support future colocation. See Exhibits A and C.

The application materials demonstrate that the facility is proposed at the minimum height necessary to provide adequate service needs while also ensuring RF emissions are in compliance. The application meets this standard.

b. Proximity of the tower to residential structures and residential district boundaries; and

While the Property is located adjacent to residential uses, the radio frequency safety analysis recommends standard mitigation measures, including installing warning signage and implementing access restrictions, to ensure compliance with FCC regulations. With these measures in place, the Application is not expected to pose a risk to occupants of nearby residential structures, and therefore, proximity to residential uses does not present a significant health or safety risk. As noted in the application materials:

The property has historically supported ATCT telecommunications equipment. The proposal continues an established telecommunications function rather than introducing an unrelated new use. The unmanned facility will generate only intermittent maintenance visits and will not create regular customer traffic, residential occupancy, retail activity, outdoor storage, or substantial daily vehicle trips.

Ground equipment will be contained within an approximately 17-foot by 12-foot fenced area adjacent to the tower, with power and fiber brought into the facility as shown on Exhibit A. The site plans depict the tower location, setbacks, nearby structures, fencing, access, screening, and equipment compound. The facility is not expected to create material traffic, odor, smoke, dust, or similar land-use effects, and sound-producing equipment will comply with applicable Town standards.

The application materials provide information documenting that while the tower is in close proximity to residential units, measures are being implemented to ensure no risk to the residential occupants of nearby units. The application meets this standard.

c. Nature of uses on adjacent and nearby properties; and

The adjacent property uses are described below.

Location	Land Use	Zoning
North	Future affordable residential	PUD and Mixed Use
East	Residential	Mixed Use
West	Commercial and Residential	Mixed-Use
South	Residential	Royal Mountain PUD and Mixed Use

As noted in the application materials:

The facility is designed to coexist with the redevelopment and surrounding uses without changing the area's primary function or character. Its operational intensity is substantially less than that of typical occupied commercial or residential uses. The facility will not require public parking or routine deliveries.

The compact equipment area consolidates the tower equipment, power, and fiber connections immediately adjacent to the monopine. The freestanding design also allows the new building to retain its approved architectural form without visible telecommunications extensions above the roof. See Exhibit A.

The application materials provide information documenting that while the tower is in close proximity to residential units, measures are being implemented to ensure no risk to the residential occupants of nearby units. The PUD and underlying Mixed-Use zone district allow commercial uses. The Mixed-Use District is classified as a commercial/mixed-use district in the Town Code, Table 5-1, Table of Allowed Uses. The application meets this standard.

d. Surrounding topography; and

The surrounding topography is relatively flat. The Property is surrounded by developed properties that are also graded and flat.

As noted in the application materials:

The tower base will be approximately five feet below the architectural grade of the redevelopment, reducing the facility's effective elevation relative to the new building and portions of the site. The additional structure height is necessary to compensate for this grade difference and achieve the intended antenna elevation. See Exhibit A.

The tapered monopine form is compatible with the variable topography and mountain setting and presents a more naturalistic vertical profile than a conventional exposed monopole. The location, grading, and elevations shown in Exhibit A should be considered together when evaluating the apparent height.

The application meets this standard.

e. Surrounding coverage and tree foliage; and

Existing vegetation surrounds the Property, including pine and aspen trees, as well as low-lying vegetation on adjacent properties. The surrounding coverage and foliage are typical of this elevation. As noted in the application materials:

Existing tree cover affects both the required antenna height and the facility's visual integration. Trees can obstruct and attenuate radio frequency signals, particularly when antennas are located within or below a dense canopy. The proposed antenna envelope allows the antennas to extend slightly above the surrounding canopy, reducing obstruction and improving coverage reliability. See Exhibit C.

The surrounding evergreen vegetation also provides an appropriate visual context for a monopine. The bark- textured trunk, naturalistic taper, irregular branching, evergreen-style foliage, and nonreflective colors reduce contrast with nearby conifers. The monopine is not represented as invisible from every viewpoint, but the design materially reduces visual contrast

and industrial appearance compared with an exposed monopole or tall rooftop screening. See the photo simulations incorporated into Exhibit A.

The application meets this standard.

- f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; and*

The tower will be designed as a monopine with bark-style pole treatment, evergreen-style branches and foliage, muted nonreflective finishes, and antenna concealment. The equipment area will be screened through fencing and landscaping. The design intentionally avoids the visually incompatible alternative of extending the height of the redeveloped building to conceal rooftop telecommunications equipment. As noted in the application materials:

The facility is designed as a stealth monopine rather than a conventional exposed tower. Antennas, mounts, cabling, and appurtenances will be integrated into or screened by the branching and foliage system. The design includes a tapered bark-textured trunk, branches extending beyond antenna faces, foliage surrounding the arrays, a naturalistic crown, muted nonreflective colors, visually integrated cabling and mounts, no advertising, and no artificial lighting unless required by an applicable authority.

This design provides a more compatible visual outcome than returning the antennas to the new building. A rooftop installation would require antennas, screening walls, penthouse-like structures, or architectural extensions above the intended roofline. Those additions would increase the perceived height and mass of the building and appear as after-the-fact appendages rather than integrated architectural elements. The monopine preserves the architectural integrity of the redevelopment. See Exhibit A and the incorporated photo simulations.

Application materials show that the proposed design of the tower reduces the visual obtrusiveness. The application meets this standard.

- g. Proposed ingress and egress to the property; and*

Ingress and egress to the property is proposed to be as previously approved with the Major Site Plan application for the new building proposed on the property. As noted in the application materials:

The facility will use the access arrangement shown on Exhibit A. Because it is unmanned and requires only intermittent maintenance, it will generate minimal vehicle activity and is not expected to materially affect traffic or pedestrian circulation.

Ground equipment will be located adjacent to the monopine within an approximately 17-foot by 12-foot fenced area. Power and fiber will be brought into the facility as depicted on Exhibit A. Consolidating the equipment, utility terminations, and tower within a compact area limits site disturbance and provides secure maintenance access.

The application meets this standard.

- h. An evaluation of the Applicant's plans for development of its telecommunication facilities within the Town, as well as those plans on file from other telecommunication providers; and*

As stated in the application materials:

The monopine replaces ATCT's established rooftop facility at the redevelopment property. ATCT already had a lease and an operating network location at the property. Redevelopment, rather than a decision to pursue an unrelated new tower location, is the reason a replacement facility is necessary.

The most relevant existing structure is the redeveloped building itself. That option was evaluated and rejected because achieving the required antenna elevation would require extensions and screening above the new roofline, making the building appear taller, increasing its visual mass, and conflicting with the intended architecture.

Relocation to an unrelated tower would not necessarily replace the former site's coverage contribution because wireless service depends on location, elevation, antenna orientation, and surrounding obstructions. The proposed monopine retains service in the same general area while avoiding incompatible rooftop modifications. The lower mounting envelope may also accommodate future colocation, subject to structural capacity, RF compatibility, safety, space, and continuation of the stealth design. See Exhibits A, B, and C.

The application materials document the requirement to evaluate the plans for the development of the telecommunication tower. The Town has issued one other special use permit for a telecommunication tower near Summit Boulevard which was not constructed and the application has since expired. The application meets this standard.

- i. An evaluation of the criteria set forth in Sections 180-5.2.11.C and 180-5.2.11.D above; and*

An evaluation of each of the criteria set forth in Sections 180-5.2.11.C and 180-5.2.11.D. is described in the submittal materials and outlined above in this staff report. The application meets this standard.

- j. Availability of suitable existing towers and other structures as discussed in Subsection 180-5.2.11.C.6; and*

As stated above and in the Application, there is no existing tower or structure capable of accommodating the Applicant's proposed telecommunications facility and there are no nearby towers that can accommodate AT&T and that meet AT&T's engineering objectives. Additional analysis of Subsection 180-5.2.11.C.6 is provided above in this staff report. The application meets this standard.

- k. Any other information that the Town deems reasonably necessary in connection with the review of the application*

The Town of Frisco requested the applicant provide further information documenting the need for the proposed tower to be higher than the equipment that formerly existed on the property previously along with images of what the equipment would look like if required to be provided on the new building's roof. The applicant provided this information and it has been fully reviewed in this staff memo. The application meets this standard.

5. The Following Additional Provisions Shall Govern the Issuance of Special Use Permits for Telecommunication Facilities.

- a. *In granting a special use permit, the Town may impose conditions to the extent it concludes such conditions are necessary to minimize any adverse effect of the proposed telecommunication facility on adjoining properties.*

As stated above, the Application was reviewed by the Town's engineering consultant, SEH, for general conformance with applicable Town standards and engineering principles. SEH's review is included as Attachment B and suggests the Commission consider a special condition stating that erosion control shall be installed between the tower and the wetland setback and that no disturbance will be permitted within the wetland setback. A condition has been suggested for the Commission's consideration.

- b. *Telecommunication facilities approved as a special use shall not require a variance for any specific conditions approved as part of the special use process.*

A variance is not required for this project.

- c. *Any information of an engineering nature that the Applicant submits, whether civil, mechanical, structural, or electrical, shall be certified by a licensed professional engineer, or a qualified radio frequency engineer.*

All engineering information was developed by a licensed professional engineer and a qualified radio-frequency engineer.

ANALYSIS – AGENCY REVIEWS

Referral Agencies, including the Town of Frisco Public Works Department, SEH (Town Engineering consultant), the Town of Frisco Building Division, Frisco Sanitation, Summit Fire & EMS, and Xcel Energy were sent information on this project.

The Town engineering consultant, SEH, reviewed the application materials for general conformance with applicable Town standards and engineering principles. SEH's review is included as Attachment B and suggests the Commission consider a special condition stating that erosion control shall be installed between the tower and the wetland setback and that no disturbance will be permitted within the wetland setback.

Xcel Energy provided information regarding meter locations and electric line locations which will be required to be in compliance during construction of the building, telecommunication tower, and associated improvements.

PUBLIC COMMENT

As of September 23, 2026, the Community Development Department has received no public comments on the project.

STAFF RECOMMENDATIONS

Recommended Findings

The Community Development Department recommends the following findings pertaining to the Telecommunication Special Use Permit Application for the installation of a new monopine freestanding telecommunication facility, located at 101 W. Main Street.

Based upon the review of the Staff Report dated October 1, 2026, and the evidence and testimony presented, the Planning Commission finds:

- a. The application materials demonstrate a need for a facility that exceeds the height limitation for the PUD and underlying Mixed-Use zone district due to the exact location and height being strategic to the overall service coverage for AT&T to provide. The placement of the structure at other locations would require a similar height structure and if the equipment was placed on the property's building roof, the visual impact would be a greater visible impact to the town due to screening requirements; and*
- b. The application materials demonstrate that whereas the tower is located in proximity to residential units, effective measures will be taken to eliminate any safety risk to the occupants; and*
- c. The application materials demonstrate that the tower is in proximity to the Mixed-Use Zone District, Planned Unit Overlay Districts, and the Residential-Medium District. The Mixed-Use District and PUD allows commercial uses and application materials demonstrate that effective measures will be taken, including the visual design of the tower, to minimize the impact to land uses while also providing adequate telecommunication service to the community; and*
- d. The application materials demonstrate that the surrounding topography is relatively flat; and*
- e. The application materials demonstrate that the surrounding coverage and tree foliage is minimal due to the location on West Main Street; and*
- f. The application materials demonstrate that the design of the tower will reduce visual obtrusiveness by providing simulated bark treatment, evergreen branch structures, concealed antenna placement, nonreflective finishes and a natural silhouette intended to blend with the forested mountain character of Frisco; and*
- g. The application materials demonstrate that no new ingress or egress is needed for the proposed telecommunication facility and equipment; and*
- h. The application materials provided an evaluation of the applicant's plans for development of its telecommunication facility along with noting that only one special use permit has been issued over the past ten years, and that facility was not constructed; and*
- i. The application materials provide an evaluation and demonstrate full compliance with the criteria as outlined in Town Code, Sections 180-5.2.11.C. and 180-5.2.11.D. as outlined in the staff report; and*
- j. The application materials evaluate the availability of other towers and demonstrate that there is no existing equipment to be utilized that can provide the required service needs of the community; and*
- k. The Town requested and received information to provide further evidence that the proposed seventy-five (75) foot height structure is the minimum necessary to provide adequate service to the community while also ensuring radiofrequency (RF) emissions are safe for the public.*

Recommended Action

Based on the findings above, the Community Development Department recommends APPROVAL of a Telecommunication Special Use Permit Application for the installation of a new monopine freestanding telecommunication facility, located at 101 W. Main Street.

Recommended Conditions

1. Prior to issuance of the building permit the applicant shall submit and receive Town Engineer approval on a grading plan which provides erosion control between the tower and the wetland setback, and that shows no disturbance for the telecommunication tower and associated improvements within the wetland setback.

Recommended Motion

Should the Planning Commission choose to approve this special use permit application, the Community Development Department recommends the following motion:

With respect to File No. TELEC-26-0001, I move that the recommended findings set forth in the October 1, 2026, staff report be made and that the recommended condition set forth therein be taken and that the Planning Commission hereby APPROVES the request for a Telecommunication Special Use Permit Application for the installation of a new freestanding monopine telecommunication facility, located at 101 W. Main Street.

ATTACHMENTS

Attachments:

- Attachment A: Application
- Attachment B: Referral Comments from SEH

cc: Ben Feldman, BMF Development LLC