TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-21

AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-3.5, CONCERNING THE RESIDENTIAL LOW DENSITY DISTRICT, SECTION 3.17 CONCERNING ACCESSORY DWELLING UNIT EXCEPTIONS, SECTION 180-4.3 CONCERNING PLANNED UNIT DEVELOPMENTS, 180-5.1 CONCERNING THE TABLE OF ALLOWED USES, 180-5.5.1, CONCERNING ACCESSORY DWELLING UNIT INCENTIVES, AND 180-9.3, CONCERNING GENERAL DEFINITIONS, IN ORDER TO PROVIDE INCENTIVES FOR THE DEVELOPMENT OF ACCESSORY DWELLING UNITS.

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the zoning and land use powers conferred upon the Town by the State of Colorado as a Home Rule Municipality empower the Town to manage land use to ensure the public health, safety, and welfare; and

WHEREAS, the Town of Frisco currently regulates accessory dwelling units within the Town limits in accordance with Chapter 180 "Unified Development Code" of the Frisco Town Code, adopted pursuant to its Home Rule Constitutional authority and the Local Government Land Use Control Enabling Act of 1974, as amended, §29-20-101, et seq. C.R.S; and

WHEREAS, the Town has regulated accessory dwelling units as deed-restricted units intended for local workforce occupancy; and

WHEREAS, the Town has received very few applications to construct deed restricted accessory housing units; and

WHEREAS, accessory dwelling units have the potential to provide needed local workforce housing;

WHEREAS, the Town Council desires to amend the Unified Development Code to provide flexibility in dimensional and design standards for deed-restricted accessory dwelling units; and

WHEREAS, the Town of Frisco Planning Commission reviewed the proposed amendments adopted herein on November 5, 2026, and made a recommendation to approve the amendments with modifications to the Town Council; and

WHEREAS, the Town Council held Public Hearings on MONTH DATE, 2026 and MONTH DATE, 2027, to receive public comment, evidence and testimony relative to the proposed amendments to the Frisco Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. Subsection 180-3.5.2.A.2.c. of the Frisco Town Code, concerning Residential Low Density District Standards, is hereby amended to read as follows:

c. Each principal dwelling unit must be located in a detached building or duplex structure. ~~**Accessory dwelling units are permitted within the same building and in conjunction with a principal dwelling unit.**~~

Section 2. Subsection 180-3.17.1.A.1. of the Frisco Town Code, concerning Accessory Dwelling Unit Exceptions, is hereby deleted and the subsequent subsection 180-3.17.1.A.2 renumbered accordingly:

~~*1. Accessory Dwelling Unit Exceptions.*~~

~~a. In the RL and RM Districts, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 55 percent of the total lot area.~~

~~b. In the RH District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 60 percent of the total lot area.~~

~~c. In the GW District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 65 percent of the total lot area.~~

Section 3. Subsection 180-4.3.1.B of the Frisco Town Code, concerning Planned Unit Developments, is hereby amended to read as follows:

B. Permitted Uses. Any use that is allowed by right or by conditional use permit within the underlying zone district may be allowed in a PUD. **PUDs shall not alter Town Code provisions that concern the allowance of accessory dwelling units nor the nature or construction thereof.**

Section 4. Section 180-5.1.5 of the Frisco Town Code, concerning the Table of Uses, is hereby amended to read as follows as it relates to accessory dwelling units:

DRAFT



TABLE 5-1 TABLE OF ALLOWED USES

• = Permitted ◑ = Conditional Use
Blank cell = Not allowed

Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	Use-specific Standards
ACCESSORY USES															
Accessory Uses	Accessory building and use	•	•	•	•	•	•	•	•					•	
	Accessory dwelling unit	[redacted]	•	•	•	•	•	•	•	•	•		◑	◑	180-5.3.1

Section 5. Subsection 180-5.5.1.A. of the Frisco Town Code, concerning Accessory Dwelling Unit Incentives, is hereby amended to read as follows:

A. *Accessory Dwelling Units.*

1. ***Density.*** **In the RS, RN, 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 working a minimum of 30 hours per week for a business operating in Summit County, and pursuant to other criteria as established from time to time by the Town.**

2. ***Lot Coverage.***

   a. **In the RN District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 80 percent and minimum open space shall be 20 percent.**

   b. **In the RL and RM Districts, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 60 percent of the total lot area.**

   c. **In the RH District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 65 percent of the total lot area.**

   d. **In the GW District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 70 percent of the total lot area.**

   e. **In the CC District, for one- or two-unit residential developments, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the lot coverage requirements shall be increased such that lot coverage shall not exceed 80 percent of the total lot area.**

   f. **In the MU District, when a deed-restricted accessory dwelling unit meeting the Town's requirements is constructed,**

DRAFT

(i) The lot coverage requirements shall be increased such that lot coverage shall not exceed 70 percent of the total lot area, and

(ii) The area of the accessory dwelling unit shall not count towards the project's Gross Floor Area when determining minimum open space.

3. ***Side Yard Setbacks.*** **In the RS, RL, RM, RH, GW, CO, LI, MU, and PF Districts, when a detached deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the minimum side yard setback for the accessory dwelling unit structure only shall be reduced to 5 feet. All other structures shall be subject to the standard side setbacks of that zoning district.**

4. ***Rear Yard Setbacks.*** **In the RS, RL, RM, RH, GW, CO, LI, MU, and PF Districts, when a detached deed-restricted accessory dwelling unit meeting the Town's requirements is constructed, the minimum rear yard setback for the accessory dwelling unit structure only shall be reduced to 5 feet. All other structures shall be subject to the standard rear yard setback of that zoning district.**

5. ***Building Elements.*** **Detached accessory dwelling units which are deed-restricted in accordance with Section 180-5.5.1 shall only be required to provide the following varied articulation of wall surfaces for each façade:**

   a. A change in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the building; and

   b. Variation in window sizes and shapes.

6. ***Bulk Plane.*** **Detached accessory dwelling units which are deed-restricted in accordance with Section 180-5.5.1 shall be exempt from bulk plane requirements.**

Section 6. Subsection 180-9.3 of the Frisco Town Code, concerning General Definitions, is hereby amended for the terms below to read as follows:

Building, Accessory. A detached, subordinate building, located on the same lot with the principal building(s) the use of which is customarily incidental to the principal building such as a garage or shed. Accessory buildings may have a footprint no greater than 30 percent of the footprint of the principal building **unless providing a deed restricted accessory dwelling unit in compliance with 180-5.5.1** and may not exceed the ridge height of the principal building.

Use, Accessory. Use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on

the same lot or in the same building with the principal use. A dwelling unit shall **only** ~~**not**~~ be allowed as an accessory use **where shown in Section 180-5.1.5. Table of Allowed Uses**. Accessory uses may occupy no more than 30 percent of the gross floor area of the principal building **unless providing a deed restricted accessory dwelling unit in compliance with 180-5.5.1**.

Section 7. Savings Clause. If any part, section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance even if such unconstitutional or invalid matter had not been included herein.

Section 8. Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed provided, however, that the repeal of any ordinance or parts of ordinances of the Town of Frisco shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 9. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado. There are few exceptions to the effective date of Ordinances, check with Town Attorney.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS _____ DAY OF _____, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS _____DAY OF _____, 2026.

TOWN OF FRISCO, COLORADO:

_____
Frederick J. Ihnken, Mayor

ATTEST:

_____
Stacey Campbell, Town Clerk

FRISCO SEAL SUMMIT COUNTY COLORADO

DRAFT